

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 763

Short Title: Cumberland Dam/Reservoir/State Park. (Public)

Sponsors: Senators Shaw of Cumberland; and Rand.

Referred to: Agriculture/Environment/Natural Resources.

April 2, 2001

A BILL TO BE ENTITLED

1
2 AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL
3 RESOURCES TO CONDUCT AN ENGINEERING STUDY AND REPORT OF A
4 PROPOSED DAM AND RESERVOIR TO BE LOCATED ON THE CAPE FEAR
5 RIVER IN CUMBERLAND COUNTY, TO AUTHORIZE ADDING THIS AREA
6 TO THE STATE PARKS SYSTEM, AND TO DIRECT THE DEPARTMENT OF
7 ENVIRONMENT AND NATURAL RESOURCES TO APPLY FOR A GRANT
8 TO ASSIST IN FUNDING THE PROJECT.

9 Whereas, the Cape Fear River is one of the 20 most polluted rivers in the
10 United States; and

11 Whereas, a dam and a reservoir on the Cape Fear River in Cumberland
12 County would improve water quality, support aquatic life, and provide a much needed
13 regional public drinking water supply, thereby attracting needed business and industry
14 to the area; and

15 Whereas, Section 5 of Article XIV of the North Carolina Constitution states
16 that it shall be a proper function of the State of North Carolina to acquire and preserve
17 park, recreational, and scenic areas and, in every other appropriate way, to preserve as a
18 part of the common heritage of this State its open lands and places of beauty; and

19 Whereas, the General Assembly enacted the State Parks Act in 1987,
20 declaring that the State of North Carolina offers unique archaeological, geological,
21 biological, scenic, and recreational resources, and that these resources are part of the
22 heritage of the people of this State to be preserved and managed by those people for
23 their use and for the use of their visitors and descendants; and

24 Whereas, the area on the Cape Fear River in Cumberland County contains
25 examples of outstanding scenic beauty and has been found to possess biological, scenic,
26 and recreational resources of statewide significance; and

1 Whereas, developing a State park in Cumberland County and constructing a
2 dam and reservoir in the State park on the Cape Fear River would provide outstanding
3 opportunities for recreation to the public; Now, therefore,
4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** The Department of Environment and Natural Resources shall,
6 pursuant to G.S. 143-355(b), conduct an engineering study and report of a proposed
7 water resources project consisting of constructing and establishing a dam and reservoir
8 to be located on the Cape Fear River in Cumberland County for the purpose of
9 establishing a regional public drinking water supply. The Department shall develop for
10 budget and planning purposes estimates of the costs of the proposed project. The
11 Department shall request the North Carolina Congressional Delegation to apply to the
12 Congress of the United States for appropriations for this water resources development
13 project.

14 **SECTION 2.** The General Assembly authorizes the Department of
15 Environment and Natural Resources to add the property on the Cape Fear River in
16 Cumberland County surrounding the dam and reservoir under Section 1 of this act to the
17 State Parks System, as provided in G.S. 113-44.14(b).

18 **SECTION 3.** The General Assembly finds that purchasing land and
19 developing a State park in Cumberland County and constructing and establishing a dam
20 and reservoir on the Cape Fear River in the State park would:

- 21 (1) Significantly enhance and conserve water quality in the Cape Fear
22 River and in the area.
- 23 (2) Further the objectives of the basinwide management plans for the Cape
24 Fear River Basin and watershed.
- 25 (3) Promote regional integrated ecological networks insofar as they affect
26 water quality.
- 27 (4) Preserve resources with significant recreational or economic value and
28 uses.
- 29 (5) Add to the development of a network of riparian buffer greenways
30 bordering the Cape Fear River in the State park that would serve
31 environmental, educational, and recreational uses.

32 **SECTION 4.** The Department of Environment and Natural Resources shall
33 apply for a grant from the Clean Water Management Trust Fund under Article 13A of
34 Chapter 113 of the General Statutes to fund the projects under Sections 1 and 2 of this
35 act, including the purchase of land or other interests in property.

36 **SECTION 5.** The Department of Environment and Natural Resources shall
37 use available funds for the study and report under Section 1 of this act and to apply for
38 the grant under Section 4 of this act.

39 **SECTION 6.** The Department of Environment and Natural Resources shall
40 use funds available for water resources development projects to assist in constructing
41 and establishing the dam and reservoir under Section 1 of this act.

42 **SECTION 7.** This act is effective when it becomes law.