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**Comment - (Southern Environmental Law Center on behalf of the North Carolina Conservation Network, Pamlico-Tar River Foundation, Clean Air Carolina, Appalachian Voices, Cape Fear River Watch, Western North Carolina Alliance, Clean Water for North Carolina, Environmental Defense Fund, Neuse Riverkeeper Foundation, and North Carolina League of Conservation Voters):**

Finally, the rule in 15A N.C. Admin. Code 12I .0303 speaks to the management of “conservation areas”- natural areas that are not reserved for scientific or interpretive use. These conservation areas may accommodate additional construction and recreational activity, provided such activity does not “conflict with conservation needs.” The designation of acceptable uses and practices is necessary to guide DPR’s conservation and management of these natural areas, and, accordingly, these rules, and the others in Subchapter 12I, should be designated “necessary without substantive public interest” if no adverse comments have been received by DPR.

### **Agency Response:**

We have made the final determination as Necessary with Substantive Public Interest and will consider your comments during the readoption process.

### **Comment - (Friends of State Parks):**

While DPR manages trails primarily for recreational purposes, it manages other resources with a particular focus on conservation. For instance, DPR manages numerous natural areas in furtherance of the Nature Preserves Act. That law directs DENR to “establish by rule the criteria for selection, registration, and dedication of natural areas” and the rules in Subchapter 12I do so with respect to natural areas managed by DPR. First, the rules clarify that only natural areas of “statewide significance” should be acquired by DPR. The rules require DPR to manage these particularly valuable natural resources with a goal of “permanent preservation.” They therefore impose size and buffer requirements while also preventing grantors from reserving property rights inconsistent with the land’s preservation. Of notable importance are the rules explaining the three types of natural areas managed by DPR: scientific areas, interpretive areas, and “conservation areas.” The rules memorialize DPR’s commitment to education and research by clarifying the appropriate use (and users) of areas specifically reserved to enable academic or interpretive efforts. Taken together, the rules in Subchapter 12I are necessary to ensure the continued protection of designated natural areas managed by DPR.

### **Agency Response:**

We have made the final determination as Necessary with Substantive Public Interest and will consider your comments during the readoption process.