

## Lake James access —

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dents from Morganton, Glen Alpine, Marion, Nebo and other communities in Burke and McDowell counties are worried they may lose access to a resource their families have used for generations.

People who enjoy camping along the isolated shoreline are especially feeling the pinch as more and more land is put off limits by "For Sale" or "No Trespassing" signs.

"It's getting to the point now where it's getting real hard to camp," said Dewayne Hawkins, a furniture worker from Morganton who was camping on the Linville arm of the lake with his wife and two daughters. "People like me who can't afford to build on the lake, we don't have a chance. The average working man is just out of luck."

Charlotte-based Crescent Resources, the land development arm of Duke Energy, owns most of the land around the lake. The company has recently begun a spate of exclusive new housing developments, causing local residents and public officials to worry the lake could become over-developed like some of the impoundments downstream. Crescent has been criticized for a lack of public access on Lake Norman.

"As it is now, the entire county and any visitor has the right to use it," said Burke County Commission Chairman J.R. Simpson, who has been publicly critical of Crescent's development plans. "You can go and camp out on an island. My kids and I have done that. I just worry that if Crescent develops it like they have on other lakes, there won't be any place for the average person to put in a boat or take his family swimming."

While Crescent owns the land, the company is obligated to provide a certain amount of public access in accordance with Federal Energy Regulatory Commission rules.

Duke Energy operates under a FERC license, which stipulates that "the licensee shall allow the public free access, to a reasonable extent, to project waters and adjacent project lands owned by the licensee for purpose of full public utilization of such lands and waters for navigation and recreational purposes, including fishing and hunting, and shall allow to a reasonable extent for such purposes the construction of access roads, wharves, landings, and other facilities on its lands the occupancy of which may in appropriate circumstances be subject to payment of rent to the licensee in a reasonable amount."

The FERC agreement also says the "licensee shall keep open for free use by the public a number of public access areas on each lake," and that the "licensee will endeavor in good faith to accommodate any future increase in public use of the project waters by expanding its existing public access areas, or providing new areas, whenever it has land available for this purpose."

Local conservation groups are especially interested in public access issues and are keeping an eye on the FERC rules.

"We want to keep the lake

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na manager Charles Alvin Smith says Crescent officials have indicated they might be willing to extend the lease another five years.

Residents in a well-established black community on Highway 126 near the lake say they feel they are being squeezed out by the wealthy newcomers.

"These people on the highway were here from the beginning and they've been contributing to the community," said Nettie McIntosh, 71, whose father helped build the Lake James dams early this century.

Residents are still smarting over not having access to a new county sewer line that was extended along Highway 126 to serve the exclusive South Pointe development. County officials say access for residents away from the lake is limited because much of the line along the highway is forced main, but residents say they were initially told they could connect with the line.

"When they run a sewer line to a mansion and it goes right by your house but they say you can't hook on, it leaves you with a bad feeling," McIntosh said.

"I don't think the early Duke and subdivided, residents worry that their access to the shoreline, which their families have enjoyed for decades, will diminish.

Power people intended this magnitude of development," McIntosh said. "It wasn't their intent to destroy the beauty of the land. Some of these people on the lake won't even live in those houses six months a year."

Dewayne Hawkins fears his children won't be able to enjoy camping and other activities at the lake as he has.

"At the rate it's going, it won't be open to them when they grow up," he said. "There's a lot of families that use this lake. Crescent needs to work out something because if you develop all of the land you take away the beauty of the lake."

He added, "I guarantee you, if they brought it to a public vote there would be more who say they want it left like it is than who say they want it developed."

A number of privately operated marinas and campgrounds also offer public access, but some of them may be in danger of being forced out. A number operate under lease agreements with Crescent, and the company has shown an unwillingness recently to renew long-term leases.

A 20-year lease expires in December for Lake James Family Campground and Benfield's Landing off N.C. Highway 126. Crescent recently granted a new lease, but only for one year.

Crescent officials say the property is being eyed for future housing developments.

Mimosa Fishing Club's lease also expires in December. While a new lease hasn't been signed, mari-