

LAKE: Groups, community and officials come together to ensure the future of Lake James State Park

1990s by people who wanted to see the lake used for public benefit rather than private development.

Paul Braun, and his group 'Citizens to Save Lake James,' recognized what they believed was the negative potential of development and set out to fight for the sanctity of the lake.

They were joined by the Lake James Environmental Association, Trout Unlimited, the Lake James Task Force, numerous other groups groups, as well as Burke and McDowell county officials, to ensure the lake remained a resource and open to the public.

To ensure the lands on the eastern and northern sides of the lake weren't prematurely and overly developed, the Burke County Commissioners passed a moratorium on development at the lake.

This was followed by a publicly supported land-use plan that developers found too restrictive.

The plan led to a lawsuit filed by the developer against the county.

Crescent Resources, the real estate arm of Duke Energy, filed the suit in April 2002, saying ordinances created on how

land could be developed at Lake James were too restrictive. Not only did Crescent file suit in state court, but federal court as well.

The battle lines were drawn.

The players:

Paul Braun: president and founder of Citizens to Save Lake James.

Susie Hamrick Jones: executive director of Foothills Conservancy.

Tom Johnson: Burke County commissioners chairman.

Jim Mozley: senior vice president for Crescent Resources.

Troy Lucas: Crescent project manager for Lake James

Community: supporters, letter-writers and all groups involved in the Lake James Task Force.

The negotiations:

"A year after the lawsuit, the county and Crescent sat down and said, 'Let's work this out,'" Lucas said.

At the same time, Jim Mozley was brought on board and Crescent's philosophy about development and the lake changed.

"We had a situation where Crescent had been developing on the lake, and they had been developing in a very conventional manner," Mozley said.

Mozley said originally, developers were looking to build as many units as possible on the land.

Mozley and Lucas decided on an environmentally sensitive approach to lake development and found what they believe matched the vision shared by the Citizens to Save Lake James, the Foothills Conservancy, Lake James Task Force and most concerned parties.

"I knew we couldn't stop it all, but I couldn't see it all get ruined," Braun said. "We were looking for a balance."

Mozley said everyone realized they were really on the same side when Citizens for Lake James made a presentation to Crescent on their hopes for the lake.

"I think there was a real turning point for the good when Save Lake James made a presentation of their vision," Mozley said.

Mozley said the Citizens to Save Lake James basically told Crescent they understood that some development was feasi-

ble as long as it was environmentally conscious and worked to preserve land for public use as well.

When the county commissioners got involved, and Johnson brought all the interested parties together, it didn't take long to work out the issues without having to pursue or defend against a lawsuit.

"There were enough individuals interested in reaching a solution outside the court system," Johnson said.

Johnson said one side or the other would have lost big time if the matter had been resolved in the courts.

"It just took leadership, focus to figure out who involved could stick to their values but be able to give a little here or there," Johnson said.

And though many people believe the lawsuit brought about the negotiations and the idea of a state park, the negotiations really resolved preservation concerns that started in the late 1990s.

"People think the vision was centered around the lawsuit," Jones said. "But the citizens signed a petition in 1997 saying we would like to see the lands protected and open for public access."

Jones and the Foothills Conservancy have been working since that time to secure lands around the lake and develop a state park as a regional resource.

"We began working on a state park expansion in earnest in 1999 and 2000," Jones said. Local state representatives started introducing legislation to the General Assembly at the same time.

Jones said the events, starting with the lawsuit and the change in philosophy at Crescent, are what have brought all the parties interested to the announcement set for this afternoon.

Now:

According to the players, when all was said and done, everyone involved in development and preservation walked away winners and the conservation of Lake James became a reality.

Mozley said Crescent has already passed development guidelines that are far more strict than in the beginning and the philosophy is to maintain the untouched environment of the lake and ensure that any development blends

into the natural features and goes unnoticed.

"The market we're interested in for Lake James is a market that values the fact that it's a natural environment," he said. "Part of doing business is doing the right thing."

"It's right by the lake. It's right by the community and it's right by the market."

"It's a win, win, win," Lucas said.

And the man who started it all said he's very excited about the results.

"I've just been thrilled for the past several weeks," Braun said. "There's a sense of relief, but there's still a lot of work to be done."

"But most of the credit goes to the general public who was willing to believe in us and support us in our effort," Braun said of those who wrote letters, made phone calls, signed petitions and sent articles to the paper.

"The people believed in this thing and they stayed with us."

SHARON MCBRAYER contributed to this story.

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