

Stephens Rd. Nature Preserve

History

Stephens Road Nature Preserve (SRNP) is a 350-acre nature preserve in Huntersville that comprises nine properties purchased between 1994 and 2008. Parcels included in the preserve are owned by both the City of Charlotte and Mecklenburg County. These properties were bought primarily for wastewater management (City) and water quality protection (County). In 1994, via a recorded Conservation and Preservation Agreement between the City and the County, Park and Recreation became the sole custodian of the two City-owned properties as well as the County-owned parcels.

The nature preserve was originally open to the general public for approved use from 1994 until the summer of 2007. These uses included passive recreation such as walking/running the existing trails and observing nature. In 2007, due to elevated and damaging levels of trespassing from ORV/ATVs, horseback riding, hunting, littering and the cutting of trees, etc., the Department Director for Park and Rec closed the property to the public.

The current MECKLENBURG COUNTY PARK AND RECREATION FACILITIES ORDINANCE states:

SECTION 31: The Director shall have the authority for establishing opening and closing hours of all parks. It shall be unlawful for any person to fail to leave a park prior to the posted closing time for that park. No person shall enter an area posted as "Closed to the Public" or where the entrance gates are closed, or enter a park after the posted closing time for that park, to include all attached parking areas to any park.

SECTION 32: Any section or part of a park may be declared closed to the public by the Director at any time and for any period of time as the Director deems in the best interest of the public or the County.

Current Status

Currently, Stephens Road Nature Preserve is "Closed to the Public". Only City and County staff are authorized to access the property. Despite the property being in a "Closed" status, area residents access the property daily for walking, running, mountain biking, camping, hunting, unauthorized trail development and so on. The property is beginning to show signs of impact due to the uncontrolled access and some adjacent landowners have voiced concerns about trespassing and/or prohibited activities taking place on the property.

Charlotte Water operates sanitary sewer facilities that are located on the parcels off Stephens Road. No other facilities exist. Old forestry and farm roads traverse the property and there are a few old farm buildings on the land that are no longer in usable condition.

Stephens Road has been designated as a Natural Heritage site by the State of North Carolina. The property has approximately five miles of shoreline along Mountain Island Lake. The natural resources are mostly high quality and are especially sensitive on the steep

hillsides. The site protects unique animals such as rare salamanders, frogs, turtles, fishes and abundant songbirds and mammals, not to mention locally rare plants like the Umbrella magnolia.

Boundary surveys and wildlife management activities that annually occur on-site have revealed numerous trespassing occurrences. For example, significant poaching is taking place on the property. Illegal hunting blinds have been removed from the property in several areas.

Recently, regular use of the property appears to have increased and includes illegal hunting, on and off-leash dog walking, horseback riding, ORV/ATV use, mountain biking and new trail development. A week-long camera survey performed in May 2015 by staff revealed at least 60 prohibited use occurrences for the seven day period including walking, running, and biking, as well as 30 off-leash dogs accompanied by people; some occurring after midnight.

The “Closed” status has, in fact, not prevented these problems from occurring. The lack of daily Department presence, the increase in the number of nearby homes and families over the years, loss of other open spaces in the area, disregard for the status of the property (willful or not) have resulted in degradation of the property that cannot be dismissed.

Authority

The 1994 Conservation and Preservation Agreement between the City and County for the site management outlines what the Department is and is not allowed to do. Sections 1 and 3 of the Agreement state:

1. **DEDICATION AND RESTRICTION:** City hereby dedicates and restricts the Property to remain predominantly in its natural, scenic or open condition for: protection of the watershed; scientific research; reservoirs of natural materials; and as habitats for plant and animal species and biotic communities.
2. **AUTHORITY AND DUTIES OF CUSTODIAN:** In furtherance of the purposes of this Agreement, County (or any successor custodian) shall be entitled to: construct roads or nature paths on Property for visitation by the public; preserve the fauna and flora; nurture the Property by the removal and replacement of diseased animal or plant life; erect signage on the Property to provide educational and other information to the public; perform scientific research on the Property; construct buildings or other improvements on the Property as necessary to perform the purposes set forth herein; and perform whatever other acts reasonably necessary to maintain the Property in its natural, scenic or open condition.

In order to protect the resources and the property from further impact, to provide a safe place for passive recreation and to provide environmental education opportunities, the Department recommends that this property revert back to its pre-2007 status and be opened to the public. The Department knows from experience that when properties have a greater

presence of park staff and are used by people that understand the allowed uses, the resources are better protected and undesirable activities begin to decline and remain minimalized. Users of these properties become invested in them, acting as ambassadors if you will, and work with the Department to help educate users of allowed activities and to report unwanted actions.

Therefore, the Department is proposing the following as part of the opening of the preserve to the public:

- Remove trails that are causing erosion or are impacting high quality natural areas.
- Rebuild or refurbish some segments of existing trail.
- Build some short segments of connector trail to existing trails.
- Maintain about 7 miles of the current approx. 30 miles of trails.
- Install small foot bridges, where permitted, to allow safe access across drainages.
- Add 3-4 trailheads that would include kiosks with maps, rules, preserve overview and contact information. Trailheads are proposed at the end of Stephens Road, the end of Cashion Road and one or two in the southern part of the property near Rural Hill Nature Preserve or Allison Ferry Rd.
- Explore adding parking for 6-10 cars at the end of Stephens Road near the existing gate. This must be designed and permitted prior to installation.

The Department is not proposing the following facilities:

- New paved or gravel roads
- New trails close to neighborhood properties
- Recreation fields
- A vehicle accessible canoe/kayak launch
- Mountain bike trails
- Horseback riding trails
- ORV/ATV trails
- Camping areas
- Fishing dock/pier
- Buildings of any kind

Only the following activities/uses will be proposed for the property.

- Walking
- Hiking
- Running
- On-leash dogs
- Nature observation
- Nature education
- Scientific research
- Departmental land and wildlife management activities for the furtherance of the flora (Umbrella magnolia), fauna (spring, eastern, mud, red and northern dusky

salamanders, red-breasted nuthatch) and habitat protection (wetlands and mature Beech forests).

- Maintenance of trails and associated infrastructure (kiosks, gates, foot bridges, parking areas, etc.)

Stephens Road Nature Preserve falls under the Park and Rec Master Plan and as such is subject to Department policy regarding appropriate use of nature preserve properties. See this section below.

6.1.9 APPROPRIATE USES OF NATURE PRESERVES

MCPR recognizes that there should be limitations to some outdoor recreation pursuits and that some public uses have been determined to be inappropriate for nature preserves. It is critical that any public use of a nature preserve will not cause unacceptable impacts to the resource. The determination of appropriate public use will be the “recreation vs. resource” test. The appropriateness of public uses in nature preserves will be evaluated for consistency with MCPR’s mission, management goals, management policies, or County ordinance; actual and anticipated impacts to the resource; and resources available to manage the current/proposed use.

Policy - If it is determined that a proposed public use will result in unacceptable impacts to the resource, this use will be disallowed from the nature preserve. If it is determined that current public uses are creating unacceptable impacts to the resource, that public use will be eliminated.

Appropriate public uses at nature preserves are:

- Hiking/walking/jogging
- Wildlife observation
- Nature study and appreciation/spending time in nature
- Educational activities (school groups, scouts, public, colleges/universities, etc.)
- Public and private nature-based programs (environmental education, outdoor recreation)
- Picnicking
- Fishing
- Canoe/kayaking
- Camping (currently at McDowell Nature Preserve and Copperhead Island only)
- Biking on paved/designated roads only
- Geocaching (Must abide by NPNR Geocaching Policy)
- Orienteering (Latta Plantation Nature Preserve currently the only preserve with a permanent course)
- Horseback Riding (Latta Plantation Nature Preserve only; limited to designated equestrian trails)

This policy addresses appropriate uses within a nature preserve. Mecklenburg County ordinances and policies have also been adopted to govern the use and operation of Mecklenburg County Park and Recreation facilities. The County ordinances and policies are presented in the Appendix of this plan. All County ordinances apply to nature preserves.

The following uses and actions are prohibited within nature preserves:

- Disc golf and disc golf courses
- Biking on restricted trails
- Removal or destruction of any natural objects, including plants, animals, or minerals (per County ordinance)
- Feeding of wildlife, including waterfowl (per County ordinance)
- ATV Use (per County ordinance)
- Swimming (per County ordinance)
- Dogs off leash (per County ordinance)
- Horseback riding (except at Latta Plantation on designated equestrian trails)
- Releasing of pets or feral animals (per County ordinance) or the feeding of feral animals and colonies
- Camping, except at established campgrounds or designated location (per County ordinance)
- Hunting and trapping, except approved management hunts (per County ordinance)
- Injuring, killing, or harassing in any manner, any animal (per County ordinance)
- Amplified sound
- Dog parks

Questions regarding this information or about Stephens Road Nature Preserve should be directed to:

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