WEST VIRGINIA CODE: §20-5-3

§20-5-3. Section of Parks and Recreation; purpose; powers and duties generally.

The purposes of the Section of Parks and Recreation shall be to promote conservation by preserving and protecting natural areas of unique or exceptional scenic, scientific, cultural, archaeological, or historic significance, and to provide outdoor recreational opportunities for the citizens of this state and its visitors. The Section of Parks and Recreation has within its jurisdiction and supervision:

(a) All state parks and recreation areas, including all lodges, cabins, swimming pools, motorboating, and all other recreational facilities therein, except the roads heretofore transferred pursuant to §17-4-1 *et seq.* of this code to the state road system and to the responsibility of the Commissioner of Highways with respect to the construction, reconstruction, and maintenance of the roads or any future roads for public usage on publicly owned lands for future state parks, state forests, and public hunting and fishing areas;

(b) The authority and responsibility to do the necessary cutting and planting of vegetation along road rights-of-way in state parks and recreational areas;

(c) The administration of all laws and regulations relating to the establishment, development, protection, and use and enjoyment of all state parks and state recreational facilities consistent with the provisions of this article;

(d) The continued operation and maintenance of the Berkeley Springs Historical State Park in Morgan County, as a state recreational facility, designated the Berkeley Springs Sanitarium under prior enactment of this code;

(e) The continued operation and maintenance of that portion of Washington Carver Camp in Fayette County, formerly incorporated within the boundaries of Babcock State Park;

(f) The continued operation and maintenance of Camp Creek State Park as a state recreational facility, formerly delineated according to §19-1A-3 of this code;

(g) The continued operation and maintenance of Moncove Lake State Park as a state recreational facility, formerly delineated pursuant to enactment of §5B-1-13 of this code in 1990;

(h) The continued protection, operation, and maintenance of the right-of-way along the former Greenbrier subdivision of the CSX railway system, collectively designated as the Greenbrier River Trail, including the protection of the trail from motorized vehicular traffic and operation for the protection of adjacent public and private property;

(i) The continued protection, operation, and maintenance of the right-of-way of the CSX

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railway system designated as the North Bend Rail Trail, including the protection of the trail from motorized vehicular traffic and operation for the protection of adjacent public and private property;

(j) The continued development, operation, and maintenance of Blennerhassett Island Historical State Park, including all the property, powers, and authority previously held by the Blennerhassett Island Historical State Park Commission, formerly delineated pursuant to §29-8-1 *et seq.* of this code; and

(k) The continued protection, operation, and maintenance of the rights-of-way of the Elk River Coal & Lumber Railroad, the Buffalo Creek & Gauley Railroad, and the Middle Creek Spur, collectively designated as the Elk River Trail, including the protection of the trail from motorized vehicular traffic and operation for the protection of adjacent public and private property.

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