

Item Title: Approve Funding for an Agricultural Conservation Easement on the Freeman Garcia Farm near Rolesville

Specific Action Requested:
That the Board of Commissioners:

- 1. Authorizes the County Manager to execute a contract (along with any other supporting documentation) to purchase a conservation easement on the Freeman Garcia Farm property owned by the Freeman Garcia Revocable Trust at 524 Averette Road in Rolesville, subject to terms and conditions acceptable to the County Attorney; and**
- 2. Authorizes the Chair to execute a conservation easement (along with any other supporting documentation), subject to the terms and conditions acceptable to the County Attorney; and**
- 3. Accepts \$13,796 of NC Agricultural Development and Farmland Preservation Trust Fund funding from the North Carolina Department of Agriculture and Consumer Services and appropriates funds into the Parks, Greenways, Recreation, and Open Space CIP Element of the County Capital Fund.**

Item Summary:

Purpose: The Board of Commissioners approves all County real estate transactions and related agreements.

Background: In 2022, the Board of Commissioners approved the Wake County Farmland Preservation Ordinance, affirming the County's commitment to farmland preservation. Following this ordinance change, the Board of Commissioners voted to divert the annual rollover tax funding to preserve farmland in the form of purchasing permanent conservation easements.

The Freeman Garcia Farm is an approximately 28-acre property located just outside of Rolesville in northern Wake County. The landowner, the Freeman Garcia Revocable Trust, wishes to sell a perpetual conservation easement on their farm, and Wake County will hold and monitor the easement.

Acquisition of this permanent conservation easement will conserve some of Wake County's most productive farmland in an area with prior conservation efforts and county investment in farmland preservation.

Strategic Plan: This action supports Growth, Land Use and Environment Goal 3: Protect 1,000 acres of green space, including open space, parks, greenways, farmland, and forests by 2029.

Fiscal Impact: The total acquisition cost for the easement, including due diligence, is estimated at \$1,875,921.14. Of this amount, Wake County is contributing up to \$486,204. The \$486,204 of County funding will be reallocated from the appropriated reserve of Deferred Agricultural, Horticultural, and Forestlands Tax set aside for farmland preservation to create a unit for the easement's acquisition.

In addition to acquisition costs, the total project budget of \$1,903,513.14 includes \$27,592 for stewardship costs. Stewardship costs include the expenses of monitoring and ensuring compliance with the terms of the conservation easement. Half of the project's stewardship budget, \$13,976, will be funded through a grant from the NC Agricultural Development and Farmland Preservation Trust Fund (NCADFP). The other half will be reallocated from the appropriated reserve of Deferred Agricultural, Horticultural, and Forestlands Tax set aside for farmland preservation into a reserve for agricultural conservation easements' stewardship costs. The NCADFP funding will be accepted and appropriated into this same stewardship unit within the Parks, Greenways, Recreation, and Open Space CIP Element of the County Capital Fund.

Additional Information:

The June of 2022 Farmland Preservation Ordinance confirmed the County's commitment to farmland preservation and established the Wake County Agricultural Advisory Board. Later that year, the Board of Commissioners committed annual Deferred Agricultural, Horticultural, and Forestlands Tax funding to farmland preservation and Agricultural Conservation Easements, to be administered by the Wake County Agricultural Advisory Board and Soil and Water Conservation Department staff. Staff established an open Request for Proposal (RFP) process for farmland preservation projects and evaluate applications on a rolling basis.

The 28-acre Freeman Garcia Farm property is a family tree farm, with a wildlife habitat focus. The farm is comprised of predominantly woodland with mixed hardwood forest and loblolly pines. The property contains over 800 linear feet of stream and sensitive, wetland wildlife habitat. The Wake Soil and Water Conservation District has certified that roughly 94% of the farms' soils are considered prime farmland, or farmland of statewide importance. The entire project cost is estimated to be approximately \$1,903,513.14, with funding obligations split between Wake County, the North Carolina Department of Agriculture and landowner donation.

Wake County's contribution of up to \$500,000 would come from the annual Deferred Agricultural, Horticultural, and Forestlands Tax funding, for the purposes of farmland preservation and Agricultural Conservation Easements.

Wake County will hold the agricultural conservation easement at the end of the transaction with WSWCD having a right of entry for monitoring and enforcement of the conservation easement. \$13,796 of the \$500,000 of funding from Wake County will support stewardship costs for the life of the easement. Stewardship costs include the expenses of monitoring and ensuring compliance with the terms of the conservation easement. These funds may not be needed if the easement does not incur enforcement costs, but the budget capacity is needed to ensure the easement terms can be enforced. The State's NC Agricultural Development and Farmland Preservation Trust Fund (NCADFP) will provide matching funding of \$13,796 for a total of \$27,592 of stewardship budget capacity. There are no reporting requirements for the NCADFP funding, and the County will keep the funding in perpetuity or for the life of the easement.

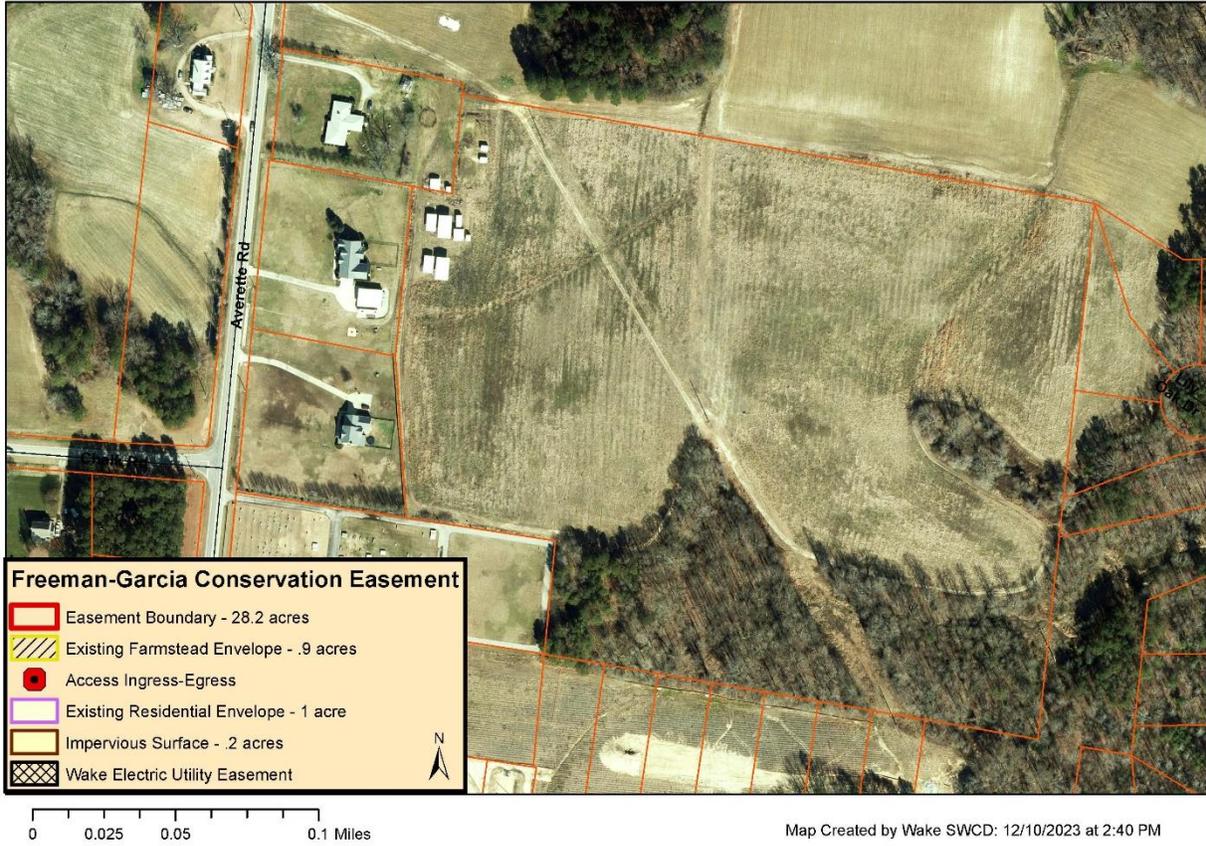
	Acquisition Budget	Stewardship Budget	Total Project Budget
Landowner Land Value Contribution	\$ 909,432.22	\$ -	\$ 909,432.22
NC Department of Agriculture	\$ 480,284.92	\$ 13,796.00	\$ 494,080.92
Wake County	\$ 486,204.00	\$ 13,796.00	\$ 500,000.00
TOTAL	\$ 1,875,921.14	\$ 27,592.00	\$ 1,903,513.14

A Phase 1 Environmental Assessment was completed for the site and no issues were identified.

The Agricultural Advisory Board (AAB) reviewed this acquisition at its November 15, 2024 meeting and voted unanimously to forward the item to the Board of Commissioners for their consideration.

Acquisition of this permanent conservation easement will conserve some of Wake County's most productive farmland.

Freeman Garcia Conservation Easement Map



Attachments:

1. CIP Budget Memo – FY 2025 County Capital PGROS