

Item Title: Approval of the Acquisition of a Conservation Easement in Partnership with U.S. Department of Agriculture and North Carolina Department of Agriculture and Consumer Services on the Oaky Grove Property in Wendell through the County's Farmland Preservation Program

Specific Action Requested:
That the Board of Commissioners:

- 1. Authorizes the County Manager to execute a funding agreement (along with any other supporting documentation) to purchase a conservation easement on the Oaky Grove property owned by Talmage and Carol Brown at 5800 Turnipseed Rd in Wendell, subject to terms and conditions acceptable to the County Attorney; and**
- 2. Authorizes the Chair to execute said deed of conservation easement document (along with any other supporting documentation), subject to the terms and conditions acceptable to the County Attorney; and**
- 3. Reallocates \$400,000 of appropriated Deferred Agricultural, Horticultural, and Forestlands Tax reserve funding for contribution to the Open Space purchase.**

Item Summary:

Purpose: The Board of Commissioners approves all County real estate transactions and appropriates all expenditures.

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.

Oaky Grove is a historic 117-acre working farm located in Wendell in eastern Wake County. The landowners, Talmage and Carol Brown, wish to sell a perpetual conservation easement on Oaky Grove, and Triangle Land Conservancy will hold and monitor the easement.

Acquisition of this permanent conservation easement will conserve some of Wake County's most productive farmland, as well as protect wildlife habitat and water quality in Mark's Creek, a critical natural area.

Board Goal: This action supports Growth and Sustainability Goal 4: Preserve open space and expand access to parks, preserves, recreation resources, and greenways.

Fiscal Impact: \$400,000 will be reallocated to create a unit for this easement from the appropriated reserve of Deferred Agricultural, Horticultural, and Forestlands Tax set aside for farmland preservation and Agricultural Conservation Easements.

Additional Information:

The June of 2022 Farmland Preservation Ordinance confirmed the counties 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.

Oaky Grove is a historic 117-acre working farm located in Wendell in eastern Wake County. The Wake Soil and Water Conservation District has certified that 99.4% of Oaky Grove’s soils are considered prime farmland or farmland of statewide importance. 100 acres of the property are in forestry and 12 acres are open crop fields. A portion of the cropland is farmed by the Karen Community Farmers, who are Burmese refugees living in Wake County and maintaining their traditional agricultural practices.

The landowners, Carol and Talmage Brown, wish to sell a perpetual conservation easement on Oaky Grove, and Triangle Land Conservancy will hold and monitor the easement. The conservation easement is valued at \$5,149,250 for the total 112 acres. Funding from Wake County will not exceed \$400,000, which is approximately 8% of the total project cost, with the remainder coming from the U.S. Department of Agriculture’s Natural Resource Conservation Service, North Carolina’s Development and Farmland Preservation Trust Fund and a bargain sale from the landowner.

Landowner Land Value Contribution and TLC	\$ 3,751,550
North Carolina’s Development and Farmland Preservation Trust Fund	\$ 497,700
Wake County	\$ 400,000
U.S. Department of Agriculture’s Natural Resource Conservation Service	\$ 500,000
Total	\$5,149,250

Wake County’s contribution of \$400,000 would come from the annual Deferred Agricultural, Horticultural, and Forestlands Tax funding, for the purposes of farmland preservation and Agricultural Conservation Easements.

The Agricultural Advisory Board (AAB) reviewed this acquisition at its October 26, 2022, meeting and voted unanimously to forward the item to the Board of Commissioners for their consideration.

Attachments:

1. Presentation
2. Open Space Bond and NCDOT Funds Tracker