



### **Agenda Action Form Overview**

The Board is requested to approve a 2019 Cooperative Agreement between the County and the United States by and through the Commodity Credit Corporation (CCC) for \$99,000 to provide federal grant support towards the protection of the 33 acre Needham farm with a permanent conservation easement. The CCC is the federal entity that disburses grant funds under the federal Agricultural Lands Easement Program (ALE). The grant funds are awarded to reimburse Durham County for 50% of the approved appraised value for the acquisition of a conservation easement on the Needham farm. The farm consists of 33 acres in two parcels (#193061 and #193064) located on Brickhouse Road in northern Durham County, just south of Old Oxford Road. The property is adjacent to Army Corps of Engineers land for Falls Lake as shown on the attached maps, and is also just south of the Amed Tilley farm, another farm that has been awarded funding that is in process. The Durham Farmland Protection Advisory Board recommended approval of a farmland easement on the Needham farm at their February 2019 meeting. The Board of County Commissioners approved an option on the farm in April 2019, and the submission of a federal grant request.

The awarded ALE grant funds will be used to reimburse Durham County for 50% of the approved appraised value for the acquisition of a conservation easement on Mr. and Mrs. Needham's farm which consists of approximately 33 acres located in northern Durham County at the intersection of Brickhouse Road with Old Oxford Highway, as shown on Attachments A, B, and C.

### **Background/Justification**

The County has had an active program of farmland protection since 2001, with the Durham County Farmland Protection Advisory Board providing oversight and guidance. The County presently has permanently protected 2131 acres of farmland with conservation easements on fifteen farms, as shown on Attachment 3. There are five additional farms totaling 256 acres approved by the Board of County Commissioners with 2016 and 2017 federal funds awarded that are in process, including the Amed Tilley farm that is located just north of this proposed farm, as shown on the attachments.

The Needham's farm is bordered by the Army Corps of Engineers property for Falls Lake on the west. The entire Brickhouse Road peninsula is surrounded by Falls Lake lands to the south, east and west. With this strategic location, protecting the property for permanent open space and farmland uses serves multiple public benefits. Mr. Needham presently has hay on a portion of the property as well as beef cattle and horses.

Protection of farmland through conservation easements was a recommendation in the Durham County Agricultural Development and Farmland Preservation Plan, adopted by the Board of County Commissioners in 2009. Protection of farmland with permanent conservation easements also supports the adopted Durham Comprehensive Plan "Conservation and Environment" element, which has a specific objective regarding the County funding an active program of acquisition of farmland conservation easements and seeking grants to assist with these purchases

### **Policy Impact**



The protection of the Len Needham farm with a conservation easement specifically helps to advance the Durham County Strategic Plan, Goal 4. Environmental Stewardship and Strategy 4.1C “Number of total acres of open space and farmland that have been protected/influenced by Durham County.”

**Procurement (Acquisition) Background**

The Board of County Commissioners approved the acquisition of a conservation easement on the Needham farm in April 2019.

**Fiscal Impact**

The ALE grant funds will be used to pay for 50% of the approved appraised value for the acquisition of the conservation easement on the farm. The appraisal cannot be completed until after the federal funds are awarded, so the option to purchase the easement that was previously approved by the Board specified a purchase range between \$4,000 per acre and \$6,000 per acre for the easement value, with the actual cost of the easement determined by the later appraisal. The county’s estimated total costs for the easement including survey, appraisals, and closing costs should be no more than \$119,000 and probably significantly less. The Board previously approved funding the county’s portion of the easement from the County’s open space and farmland capital project account, so no additional funding is needed at this time. A final budget for the farm easement would be brought back to the Board prior to closing. The grant funds are not paid until the time the easement on the farm is conveyed.

**Recommendation**

The County Manager requests that the Board approve the Cooperative Agreement between Durham County and Commodity Credit Corporation for the amount of \$99,000, to authorize the County Manager to execute the Cooperative Agreement, as well as the corresponding conservation easements on the Needham farm. A final budget for the farm easement will be brought back to the Board prior to closing