



Agenda Action Form Overview

The Board is requested to approve \$78,000 towards the purchase of a conservation easement on the 27.4 acre Karen O Neal property at 7723 Johnson Mill Road in conjunction with Triangle Land Conservancy, and approve Capital Project Amendment No. 20CPA000014 decreasing the Open Space & Farmland Preservation Capital Project \$78,000 and Budget Amendment No. 20BCC000034 transferring an equal amount to the General Fund to support Durham County's portion of the purchase.

Background/Justification

The O'Neal property is located on the north side of the Little River, located less than one mile upstream from the Little River Reservoir. It is also adjacent to the County's 158-acre tract purchased in 2008 with significant grant funding from the N.C. Clean Water Management Trust Fund to support water quality for the Little River Reservoir, as well as for its significant natural heritage values. Since the Little River Corridor Open Space Plan was adopted, Durham County has protected 790 acres in the watershed, in a combination of six land purchases and five conservation easements, as shown on Attachment 1.

Triangle Land Conservancy (TLC) is able to work with landowners in the Little River watershed with funding support from the Upper Neuse Clean Water Initiative (UNCWI). UNCWI provides both funding support for their staff's outreach efforts, as well as land protection funds for both easements and fee simple purchases. In the past, UNCWI has provided \$100,000 towards the adjacent Little River uplands tract that Durham County purchased. TLC has been working with Karen O'Neal who lives on the property at 7723 Johnson Mill Road. She is comfortable placing a conservation easement on the property that will protect the property in its currently wooded condition, with the exception of her one existing homesite. Mature woodland is the best land use to protect water quality.

The O'Neal property scores highly for its water quality protection values, with an UNCWI score of 6.67 (a minimum score of 4.49 is required for consideration). The property also scores well on the Durham County Open Space scoring criteria with a score of 57; most Durham County acquisitions have score in the range of 50 or above. Durham County will be a co-holder on the easement with TLC, and TLC will provide annual stewardship and monitoring of the easement. The Durham Open Space and Trails Commission recommended approval of the easement at their meeting on November 20th.

TLC wrote two grants for funding assistance to protect the property with a conservation easement. The easement was appraised at \$202,000 with TLC providing an overall project cost of \$230,087 taking into account related expenses including surveys, appraisal, legal fees, etc. They requested \$73,581 from the City of Raleigh's UNCWI program, expected to be approved at the November 19th Raleigh City Council meeting, and \$77,706 from the City of Durham's watershed protection program. Since 2017, the City of Durham's watershed protection program assists with open space protection in the Lake Michie and Little River watersheds. The City of Durham's funding is anticipated to be approved on November 18th. Durham County has been requested to provide \$78,000, or roughly one-third of the project overall cost.



The transfer of \$78,000 from the Open Space and Farmland capital project account to the General fund is a technical transfer that provides the Finance Department with a more concise end of year accounting of assets acquired by the County in each fiscal year for projects that have used capital project funds.

Policy Impact

The protection of the O’Neal property 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.”

In addition, protection of the Karen O’Neal tract was recommended as a high priority in the Little River Corridor Open Space Plan, adopted by the BOCC in 2001. The BOCC recently affirmed the Little River corridor protection priorities upstream from the Little River Reservoir at its work session meeting on November 4, 2019.

Protection of the Karen O’Neal tract with a permanent conservation easement also supports numerous policies in the Durham Comprehensive Plan “Conservation and Environment” element, including policy 7.1.2e on permanent stream buffer protections, 7.1.2h on collaborative partnerships for water quality, and 7.1.6e on protection of Natural Heritage Inventory sites.

Procurement (Acquisition) Background

n/a

Fiscal Impact

TLC has provided an overall project cost of \$230,087 taking into account related costs including surveys, appraisal, legal fees, etc. They requested \$73,581 from the City of Raleigh’s UNCWI program, expected to be approved at the November 19th Raleigh City Council meeting, and \$77,706 from the City of Durham’s watershed protection program, expected to be approved on November 18th. Durham County has been requested to pay \$78,000, or approximately one-third of the project budget. The County’s Open Space and Farmland capital project account has sufficient funds to pay for the County’s \$78,000 requested share of the O’Neal easement.

Recommendation

The County Manager recommends that the Board approve the purchase of a conservation easement for 7723 Johnson Mill Road from Karen O’Neal to be co-held with Triangle Land Conservancy and approve Capital Project Amendment No. 20CPA000014 decreasing the Open Space & Farmland Preservation Capital Project 78,000, and Budget Amendment No. 20BCC000034 transferring \$78,000 to the General Fund.