



## Legislation Details (With Text)

**File #:** 19-0571      **Version:** 1      **Name:**  
**Type:** Action Item      **Status:** Consent Agenda  
**File created:** 11/12/2019      **In control:** Board of County Commissioners  
**On agenda:** 12/9/2019      **Final action:**  
**Title:** Approve the purchase of a conservation easement on 7723 Johnson Mill Road from Karen O'Neal to be held jointly with Triangle Land Conservancy. 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 to support Durham County's portion of the easement costs.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. AAF Supplemental Document - O Neal Conservation Easement, 2. AAF-34 Legal From Johnson Mill Rd. Easement Purchase (\$78,000), 3. CPA-14 Legal Form Johnson Mill Rd. Easement Purchase (\$78,000), 4. Attach 1 - Little River OS- ONeal Easement Context, 5. Attach 2 TLC Map of ONeal LR Natural Heritage Corridor, 6. Attach 3 O'Neal Conservation Easement Summary, 7. Attach 4 O Neal Easement Photos

Date	Ver.	Action By	Action	Result
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**Item:**

**Approve the purchase of a conservation easement on 7723 Johnson Mill Road from Karen O'Neal to be held jointly with Triangle Land Conservancy. 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 to support Durham County's portion of the easement costs.**

**Date of BOCC Meeting: December 9, 2019**

**Request for Board Action:**

The Board is requested to purchase of a conservation easement on the 27.4-acre Karen O'Neal property at 7723 Johnson Mill Road (Parcel ID 190119), and to 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 to support the purchase of the easement. 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, as shown on the attached maps. 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 land purchases and conservation easements.

Triangle Land Conservancy (TLC) is able to work with landowners in the Little River watershed with funding support from the City of Raleigh's watershed protection program (formerly called UNCWI). TLC has been working with Karen O'Neal who lives on the property at 7723 Johnson Mill Road. The proposed conservation

easement on the property will protect the property in its currently wooded condition, with the exception of her one existing homesite. The 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, with 7 the highest score), and a Durham County Open Space score of 57; most Durham County acquisitions have score in the range of 50 or above. TLC will provide annual stewardship and monitoring of the easement, and Durham County will be a co-holder on the easement. The BOCC recently affirmed the Little River Corridor Open Space Plan protection priorities upstream from the Little River Reservoir at its work session meeting on November 4, 2019. The Durham Open Space and Trails Commission recommended approval of the easement at their meeting on November 20th.

The easement was appraised at \$202,000 with TLC providing an overall project cost of \$230,087 which includes TLC's related expenses including surveys, appraisal, legal fees, etc. TLC requested \$73,581 from the City of Raleigh's watershed protection program, 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 portion of the funding was approved on November 18, and the City of Raleigh's funding is anticipated to be approved on December 3. Durham County has been requested to provide \$78,000, or roughly one-third of the project's overall cost.

The budgetary 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. The County's open space and farmland capital project account has sufficient funds to pay for the county's portion of this project, so no additional funding is needed for these easements.

**Alignment with Strategic Plan:** This acquisition helps to implement Strategic Plan Goal 4, "Environmental Stewardship and Community Prosperity," by increasing the amount of open space and farmland that has been protected by Durham County.

**Resource Persons:** Jane Korest, Open Space and Real Estate Manager; Celeste Burns, Open Space and Real Estate Coordinator, Peri Manns, Deputy Director of Environmental Engineering, Keith Lane, Budget Director

**County Manager's Recommendation:** The County Manager recommends that the Board approve the purchase of a conservation easement at 7723 Johnson Mill Road from Karen O Neal to be co-held with Triangle Land Conservancy. Approve Capital Project Amendment No. 20CPA000014 decreasing the Open Space & Farmland Preservation Capital Project up to \$78,000 and Budget Amendment No. 20BCC000034 transferring \$78,000 to the General Fund to support Durham County's portion of the acquisition costs.

County Manager: \_\_\_\_\_