

The Wayne Soil & Water Conservation Is In The Easement Business

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Wayne County, North Carolina is located in the center of the coastal plain and is home to both Goldsboro and Seymour Johnson Air Force Base. This is a county with a long agricultural tradition that has experienced a 9% population increase during the most recent decade. A county VAD ordinance is the one-step that the county has taken to protect farmland so far.

A county resident owned a 50-acre forestry tract. This individual with no children had a strong desire for his land to remain in active forestry and never be developed. Entering into a Working Forest Conservation Easement, as opposed to a forever wild, or an agricultural easement, with the Wayne SWCD was an ideal solution.

Reaching this solution for optimal handling of this easement was not a straight path, there were many twist and turns along the way. Initially the Wayne Community College Foundation was asked to take ownership of this property, with the Wayne SWCD holding the easement and monitoring the site annually. The Community College would in turn generate income from tree harvests and use the tract for forestry education. Overtime the landowner felt the process needed to be simplified and he decided to hold on to the land and leave the property to heirs. His preference for the conservation district as the easement holder was based upon its reputation for fairness and technical expertise.

The district, the county and lawyers worked together throughout this process. An important part of the written agreement resulted in annual payment to the Wayne Soil & Water Conservation District for stewardship responsibilities (monitoring and defending the easement).

Steps: (WLM) refers to the Working Lands Manual that is in each NC SWCD office.

1. The landowner approached the conservation district about holding an easement.
2. This idea was discussed in an official district meeting and the decision to pursue and take on the easement was adopted via motion. Prior to this decision the Wayne SWCD had never considered holding an easement.
3. District staff drafted an easement document according to wishes of the landowner. This draft was based upon the District Working Lands Manual easement template.
4. Dick Fowler, Jerry Dorsett and Sandra Reid of the Polk Soil & Water Conservation District helped with developing the Easement Document.
5. The county attorney represented the conservation district.
6. The district made certain the landowner contracted for his own attorney in this process.
7. District staff wrote the Baseline Document using examples from the WLM.
8. Proper Easement Protocol will be insured via development of Monitoring Forms and a Record Keeping System based upon WLM examples.

Outcome

The Wayne SWCD is concerned about the loss of farms and forests in their county and the future landscape for their children and grandchildren. The easement detailed in this case study includes an option for the land to be used for forestry education. The Wayne SWCD plans to take on more easements, that process should be easier as they learn more with each new easement opportunity.