

NC STATE UNIVERSITY



NC Sentinel Landscapes | North Carolina State University

CONSERVING WORKING LANDS

A land legacy handbook with tools and resources to guide your conservation planning journey

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“Farmers, foresters, the military and conservationists all have an interest in Sentinel Landscapes. This is a partnership that provides multiple benefits to all partners, especially our resource land owners. In addition to providing food and fiber, private lands offer essential training opportunities that are important in protecting the military’s mission. North Carolina is proud to be part of this program. Our forests and farm lands provide important resources and economic benefits, and it’s fitting that they also play a role in our national defense.”

Steve Troxler
North Carolina Agriculture Commissioner

COVER PHOTO CREDITS:

Harvest. Copyright: Robert Bardon

Farmer standing in soybean field. Copyright: 2014 Roger W. Winstead

Your Planning Journey



As a landowner or citizen, you've seen North Carolina's rapid population growth and the change in our rural landscape. North Carolina's private *working lands** (farms and forests that are natural engines driving the economy while providing clean air and water, wildlife habitat, groundwater recharge and recreational areas) are at risk from the threats and pressures of unplanned development.

When farms and forests are kept intact and "working" they help maintain the quality of life that North Carolinians and visitors enjoy.

Fields and forests are the visual backdrop where 18% of the state's jobs originate — contributing \$78 billion annually to the state's economy!

Landowners are driven to leave a land legacy. As you explore your options you'll find that every landowner can benefit from land conservation planning in the short and longer-term. A plan is essential. This handbook is designed to help you begin the journey to create a land *conservation plan* that works for you now and for the future.

Working Lands Complement National Security

Our state's vast military network faces development pressures and the *encroachment* of incompatible land uses common to your property. Encroachment — urban development in areas close to and distant from military installations — threatens testing and training. Protecting those key lands, commonly referred to as *Sentinel Landscapes*, is a shared concern linking landowners, the military, and economic pursuits.

Working landowners and NC's military share a desire to see rural agricultural and forested lands protected. The Sentinel Landscapes Partnership seeks to unite stakeholders toward a core mission — strengthening rural economies through working land protection. Nationally, North Carolina ranks 8th in agriculture (total commodity cash receipts) and 2nd in percentage of land base dedicated to the national defense. Agriculture, forestry, and defense can provide a sustainable development platform to grow and strengthen the state's economy and public benefits.

Find out more information about the **Sentinel Landscapes Partnership**, and how it can benefit private working lands (particularly in middle and eastern NC), in the Appendix.

*NOTE: Words in italics may be found in the Useful Terms and Definitions section at the end of this handbook

Create your land conservation plan

Your land is valuable to you and your family. Protection and successful transition begins with a flexible land conservation plan. A conservation plan describes your intentions and methods to achieve a desired outcome. To achieve your specific conservation vision, there are proven steps to complete your journey. These steps will result in a plan you can use to enroll your land in the conservation program(s) that meets your needs. Every plan may be unique but all will have the steps of the journey in common.

This handbook describes the recommended steps to help you begin your planning journey and provides simple tools to help you complete a working land conservation plan. The steps include:

1. Assessing your priorities and setting objectives;
2. Learning about proven land conservation options;
3. Involving key family members;
4. Engaging an expert conservation team; and
5. Developing/implementing your plan!

Your conservation planning journey needn't be a straight line process. You may wish to revisit ideas as information arises or family input refocuses direction. Your first step may be to engage the family, or learn about conservation options... however as your journey unfolds, the ultimate objective is to develop a plan that meets your unique land protection needs.

Your actions and decisions will impact your final outcome. Begin in earnest, do the necessary homework and access all the resources (funding, programs, technical assistance) you'll need to succeed.

Conservation planning can seem daunting at the onset, but by reading through this handbook you have already taken the first step in planning for successful family transition, land protection and public benefit.

Plenty of experienced people stand ready to help you in the process. Equipped with this handbook you can begin exploring your options, setting your goals and objectives, and establishing your plan of action. The most meaningful life journeys begin with the first step. Start today!



STEP 1

Assess your conservation priorities

Conserving your land from development and encroachment provides many benefits. Your priorities may be to keep family land intact for the future or to retain access to hunting or recreation. Whatever your focus, you will find one or many conservation program options that fit your needs. The key to finding the right option begins with clear priorities. Ask yourself questions such as these:

- Who will own the property in the future — a non-family member, heir(s) or a conservation organization, the public, an educational or religious organization?
- Do you want to retain the land and exclusive use of it for your lifetime?
- Do you want the public to access some or all of your land, or do you want to control or prevent public access?
- Do estate considerations (income and/or *estate tax* benefits) motivate you toward certain voluntary protection programs?
- How important is protection from development in driving your conservation options?

Knowledge of land conservation benefits can help you set priorities. Listed on the next page are common benefits of working land conservation.

Tax Benefits of Land Conservation¹

Landowners can receive a federal *income tax deduction* for donating a permanent conservation easement on their land to a qualified organization. To qualify as a charitable contribution for federal tax purposes, a *conservation agreement* must be perpetual and meet at least one of the following:

- preserve land for public outdoor recreation or education;
- protect relatively natural habitats of fish, wildlife, or plants;
- preserve open space including farm and forest land;
- preserve historically important land or buildings.

Estate tax savings may also be realized due to the *present use value* reduction incurred when certain *development rights* are given up. Since tax benefits can change, always consult an accountant or attorney to help determine the tax advantages possible from the donation of land or a conservation easement.

¹ Source: www.ctnc.org/land-protection/landowners/tax-incentives/



PRIORITIES



OPTIONS



FAMILY

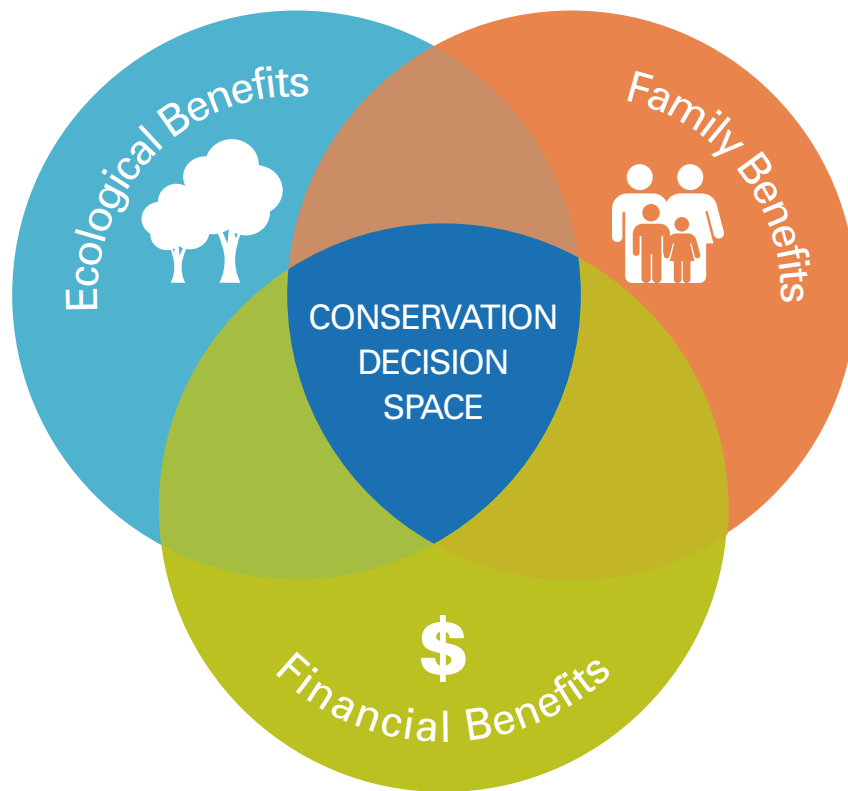


PLANNING
TEAM



IMPLEMENT

POTENTIAL BENEFITS OF WORKING LAND CONSERVATION



This diagram illustrates how working land conservation provides financial, social and ecological benefits. Regardless of the priority you place on any one benefit — Financial (green), Family (orange) or Ecological (blue) — a working land conservation solution (the overlap space) achieves all three.

Ecological or Environmental Benefits

- Protection of biological diversity (rare, important lands, and habitat for fish and wildlife)
- Contribution to clean air, flood control, water purification
- Production of local food and fiber
- Preservation of the nation's food and fiber supply by preventing conversion to non-agricultural uses

Family or Social Benefits

- Land legacy of agricultural and forest lands for future generations
- Elimination of uncertainty among heirs (peace of mind from land protection efforts)
- Opportunities for recreation
- Provision of continued prosperity, health and quality of life for yourself and North Carolina citizens
- Ensuring military readiness

Financial or Economic Benefits

- Continued or increased income
- Tax savings
- Increased property value
- Free technical assistance and/or cost sharing
- Economic viability of the state

What motivates your conservation decisions?



Photo credit: Elmer Verhasselt, Bugwood.org

A helpful way to identify your conservation priorities is by using the **Landowner Conservation Self-Assessment** located in the **Helpful Tools** section of this handbook. It is designed to help you determine the core benefits driving your conservation priorities, ultimately informing you of the best suited conservation strategy for your family situation. You can use what you learn from the results

to explore conservation options or programs that align with your priorities.

Understanding the assessment result is fairly simple. Once you've completed the assessment you should have a number for each of three categories (columns): Financial, Family and Ecological. The higher the number in a category the more important (or greater relative weight) that conservation objective is to you. It is possible to end up with the same number in two categories or even all three. That would indicate

that those objectives share equal importance (balance) in your conservation decisions. The assessment may help you decide whether you should look for conservation programs in which the primary incentive is more financial, family or ecological oriented, or relatively "balanced".

Hint: Draw your own Working Lands Diagram for your Assessment results with overlapping circles for Financial, Family and Ecological benefits. Draw circles roughly proportional to your priorities in each category. If Financial benefits are greatest – seek conservation options with the highest tax reduction or revenue streams. Likewise for Family or Ecological - seek conservation options that provide the greatest protection for your dominant priorities. The diagrams (even if very crudely drawn) can be a discussion point with family or conservation experts with the goal of securing the best-suited protection plan.

Not sure you are ready to complete Step #1?

Then proceed to Step #2 Explore Your Conservation Options (Page 8) and review the case studies of North Carolina landowners who have implemented conservation plans and review how and why they arrived at their conservation choices and what advice they would give.

STEP 2

Explore your conservation options

As a landowner, you may want to create more wildlife habitat, manage your forest and/or preserve all or a portion of your land for future generations. There are a variety of federal, state and local conservation programs available to help you. Which ones work for you will depend on your location, the attributes of your land, and the objectives you wish to achieve. Attempting to familiarize yourself with the variety of programs all at once can get confusing and frustrating. As you try to identify suitable programs, it may be helpful to remember that there are basically three approaches to land conservation:

1. Retain ownership of your land but remove certain negotiated rights to build, subdivide or both.
2. Sell or gift the property itself to heirs, a government agency, or to a *qualified* conservation organization.
3. Combine sensitive and *limited development* on a portion of the land, with term or permanent protection for the rest.

Conservation Agreements are **voluntary** legal agreements between a landowner *donor* or (*grantor*) and a qualified conservation organization — a *land trust* or government entity *donee* or (*grantee*) — that limit the

uses of the land to protect specified conservation values throughout the agreement term or permanently. Common examples of specified conservation values include:

- Protection of natural habitats of fish, wildlife or plants
- Preservation of open space
- Preservation of working forests and farms
- Preservation of land for public outdoor recreation or education
- Preservation of historically important land or building

An important consideration is the term (length of time) of protection you desire – agreements and programs are available for short-term, longer-term and perpetual land conservation and protection. The **Helpful Tools** section of this handbook provides a list of some of the most common land protection options available to landowners in North Carolina.

Note: Most programs require a detailed written management plan for agriculture and forestry to participate. Your conservation plan can fill this role directly if sufficiently detailed OR a separate plan for agriculture or forestry may need to be prepared prior to participating in these plans.

What have other landowners done?

There are conservation options to fit just about any landowner's preferences. Still, in trying to decide which programs meet your needs, it can be helpful to learn about other landowners who have been

through the process. The landowner case studies on the following four pages provide examples of how short-term, longer-term and *perpetual agreements* can be helpful in attaining specific conservation goals.



PRIORITIES



OPTIONS



FAMILY



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Short-term conservation



Photo courtesy: Dwight Batts

Dwight and Judy Batts own 375 acres in Wilson County, NC. Their family has owned the farm since 1886. The need to make decisions about a portion of cleared land prompted the couple to incorporate conservation as part of their land management. Since pursuing crop agriculture or leasing were not desirable management options the Batts took another approach.

Their family has always had strong ties to wildlife and water. The family had already adopted a sustainable forestry model, so they sought out programs that would allow them to maintain and expand on forestry initiatives for their land. Dwight and Judy have utilized many short and longer-term conservation programs over the years. The ones that worked best for their short-term objectives were:

- Environmental Quality Incentives Program (EQIP), a federal cost-share program for practices in a single year, provided financial and technical assistance associated with enhancing the quality of their longleaf and loblolly pine stands by implementing prescribed fire, herbicide applications and removal of non-native, invasive plants.
- Conservation Stewardship Program (CSP), a 5-year cost-share program provided financial and technical assistance to plant 7.5 acres of pollinator mix.
- Conservation Reserve Program (CRP), a 10-year renewable cost-share program assisted them in planting trees on highly erodible and unsuitable cropland.

The Batts found a synergy across the different programs which helped allow them to establish, manage, and harvest their forests in harmony with their resources.

When asked what advice they would offer a landowner who is beginning their conservation planning, they had this to say:

“*There are essentially two ways of beginning the process toward conservation; you can do the legwork on your own or you can have someone else do it for you. If you are a do-it-yourself type of landowner then you should get very familiar with your county USDA, Extension, Soil and Water and NRCS Technical support. They know a great deal about these types of programs.*

If you are not able or willing to get to know all the agencies, then seek the advice of your county forest ranger or a consulting forester, who knows how to use these programs. These professional consultants will gladly help you navigate through the bureaucracy involved in the process. It often begins with a farm or forest management plan.”

Regardless of which route you take, the Batts strongly suggest that all landowners contact a knowledgeable consulting forester to help with a forest conservation plan and the conservation program requirements.

Longer-term conservation



Photo: Liz Condo, Raleigh, NC News & Observer

Martha Leonard-Mobley is the owner of a 925-acre agricultural farm, located in Franklin County. The land contains an 18th century home and large mule and grain barns constructed in the 1920s. Martha has a long family history in farming. At the time her grandfather purchased the original farm in 1911, it totaled 1000 acres. Since his passing in 1940, the original farm has been split among four siblings.

Portions were subsequently repurchased by her parents, necessitated by the passing of an heir, who died without a *will*. Martha has worked diligently to recover formerly family-owned farmland. However, she realized action was necessary to keep her land in agriculture, in accordance with her family's wishes.

She decided longer-term conservation was the appropriate measure. Besides being able to keep her land in agricultural use, her 25-year conservation agreement with the Black Family Land Trust:

- Protected the farm from development
- Provided funding that will assist her in purchasing parts of the farm that have been divided off and are at risk of being sold to development and
- Protected the farm's legacy and historic buildings.

This longer-term strategy enables Martha to maintain her farm in agricultural use until she decides on more permanent means of preserving the farm. Most importantly, it offers "peace of mind" in knowing that her family's wishes are being honored.

Martha found the conservation advice from a knowledgeable agricultural attorney friend, and the Black Family Land Trust to be most helpful in guiding her through this process.

She advises landowners to talk to advisers, such as NC State Cooperative Extension, attorneys, and *land trusts*, and to consult with family members before making any decisions. Also, she urges landowners to take advantage of the variety of land conservation programs offered while funding is still available. "No one knows what the future holds. The time to act is now", according to Martha.

Perpetual conservation



Photo courtesy: Joe Thompson

Joe Thompson, a Vietnam veteran, owns 67 acres of agricultural land in Orange County. He and his wife Geraldine purchased the tobacco and small grain farm in 1979.

Since purchasing their farm, Joe and Geraldine have seen an increase in nearby development. They want to make sure that all their years of hard work are not lost to development. They want to keep their land in farming forever.

This desire, as well as an interest in reducing the work load associated with tobacco farming, prompted Joe to seek a *perpetual conservation agreement* on a portion of the farm through the Black Family Land Trust. The agreement covers 40 acres and ensures that the land continues as a farm. The funds Joe received allowed him to diversify the farming activities — he now raises

prawns on the farm, which is less labor intensive than tobacco, and he leases out the tobacco farm. The additional benefits Joe and Geraldine realized included elimination of debt while being able to keep the farm yet retain the future right to sell the land if their situation changes.

Joe found the Black Family Land Trust extremely helpful in working through this process. Joe's main advice to landowners is to be patient and persistent — the process can take several years from start to finish, but he says it is well worth the time invested.

Finding your local land trust

While both Joe Thompson and Martha Leonard-Mobley worked with the Black Family Land Trust, it is just one of many land trusts in North Carolina that do similar work. **The Conservation Trust for North Carolina** promotes, supports and represents twenty-three local land trusts that can help landowners with conservation. To find your local land trust visit their site at www.ctnc.org/land-trusts/find-your-local-land-trust/.



"Tabak 9290019" by -my grabdma - Joachim Müllerchen. Licensed under CC BY 2.5 via Wikimedia Commons - http://commons.wikimedia.org/wiki/File:Tabak_9290019.JPG#/media/File:Tabak_9290019.JPG

Perpetual conservation



Forster's Tern Fishing on Lake Mattamuskeet. Photo by Kevin

In 1992, the partners of Mattamuskeet Ventures, LLC,— Jamin Simmons, Bill Blount, Hunter Parks, Tom Harrison and Hoyt Lowder—purchased 19,642 acres of land in Hyde County, NC. The partners shared an interest in conservation and wildlife, and were motivated by a desire to conserve their land and protect its wildlife while maintaining profitability and a family legacy. Set with a goal to conserve and enhance the property through perpetual sustainability,

they took a holistic approach to analyzing their land resources and made decisions based on the best management practices for each parcel.

Mattamuskeet Ventures, LLC has utilized a variety of conservation programs, including US Partners for Fish and Wildlife, the North Carolina Agriculture Cost Share Program and the Forest Development Program. However, the bulk of their land has attained benefits from perpetual agreements with the Wetland Reserve Program (WRP) and the Conservation Reserve Enhancement Program (CREP) where they have enrolled 10,236 and 280 acres respectively. The agreements focused primarily on wetland restoration.

As a result of the multiple conservation programs implemented to date, their property hosts thriving water fowl and shorebird habitat, 3,000 acres of bottomland hardwood ecosystem, a large population of black bear, the birth of the first pack of red wolves in North Carolina and the “best quail habitat east of Texas” said Jamin Simmons. The reintroduction of wild turkey on the property has resulted in a huntable population in less than a decade.

Most helpful during the beginning stages of conservation planning were the staff at the Natural Resources Conservation Service and the U.S. Fish and Wildlife Service. Jamin suggests that it is important to keep an open mind and consider all possibilities when thinking about your conservation options and objectives. When meeting with agents and consultants, he adds, “Give them your goals and then ask them, ‘How can you help me? How do you fit in?’”



commons.wikipedia.org

STEP 3

Get the family onboard

Most landowners have immediate family to consider in making their land use and protection decisions. If family legacy is a key driver of your conservation plan, seek early and frequent input from affected family members during your planning process. Often inherited land may be jointly held by siblings and relatives who need to be partners in land conservation decision-making, both legally and for family harmony.

A *family meeting* can be an important step in planning for the future of your land and can prevent future conflicts and misunderstanding. Make sure key family members and heirs are communicating and are fully involved in the decision process.



Copyright: 2014 Roger W. Winstead

Here are some considerations on how to proceed:

Who's at the Table? Anyone who may have a right to *inherit* the property. Invite all family members and spouses to ensure the information is conveyed first hand.

When to meet? Avoid grief and stress. Planning on or around holidays or family celebrations should probably be avoided. Try to find a time when family members can give their full attention to the discussion. Act quickly to forestall conservation planning procrastination.

Where to meet? Meeting in person in a place where everyone feels comfortable is preferred. It may be helpful to hold the meeting on or near the land. The opportunity to visit the land helps individual family members rekindle or establish ties to the land.

What to prepare? Prepare for your family meeting by gathering pertinent information about your land [title (if available), acreage, value, productivity, revenue and costs]. A list of the suggested information can be found in the **Helpful Tools** section of this handbook. Asking all family members to complete the Landowner Conservation Self-Assessment (page 17) is a good way to be inclusive and jump start the discussion.



PRIORITIES



OPTIONS



FAMILY



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STEP 4

Form a conservation planning team

Your land is likely one of your most valuable assets yet that land carries more than just financial value. Land carries a legacy connection with invaluable ties to memories, experiences and feelings. Often the key challenge for conserving land is to find a mechanism by which the land can financially sustain personal needs over time. Agencies, organizations and people who specialize in helping landowners can identify and match your needs to available assistance. Making well-informed decisions begins with counsel from qualified professionals, especially those familiar with conservation, tax provisions and *estate planning*. Your *conservation planning team* may include some or all of the individuals listed below:

Attorneys: Seek recommendations from other landowners or neighbors for experienced, knowledgeable counsel who understand land conservation, estate planning and tax laws. The North Carolina State Bar association has a website* where you can search for attorneys by specialty or by name. There is also a section on “Questions to ask before hiring a lawyer” to assist you in the selection process.

Accountants: Professionals who specialize in giving financial advice and have been educated in finances, which includes financial planning, estate planning, retirement, taxes and business planning. The general term for a person who helps with financial planning is personal financial planner (PFP). Other common titles are “financial adviser”, certified financial planner (CFP) and certified public accountant (CPA). A CPA or tax accountant should be well versed in the intricacies associated with

conservation planning. They will augment the planning and implementation process. If you do not have a financial planner or CPA, the NC State Board of Certified Public Accountant Examiners can help you locate one, or ask a friend or neighbor for a recommendation.

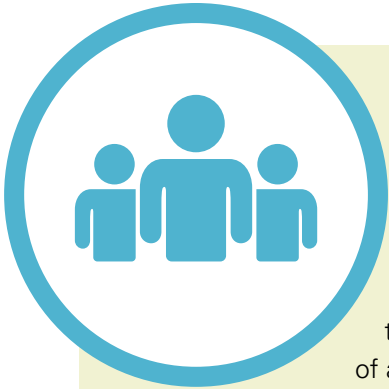
Appraisers: Experienced, qualified appraisers are key to securing proper compensation or tax benefits from conservation agreements. The North Carolina Appraisal Board and Appraiser USA websites provide directories and information helpful in identifying an appraiser. The appraiser will help you determine the financial value of your land.

Land Trusts: Are *nonprofit* organizations that assist landowners in conserving their land. Twenty-four such organizations exist in North Carolina. Land trusts work with interested landowners who love their land to protect areas with significant ecological, scenic, environmental, agricultural, *cultural* or historic value. Landowners may sell or donate land or *development rights* to land trusts, who in turn act as a steward of the property under a conservation agreement.

Land Protection Specialist/Conservation Specialist: Professionals who assist landowners who want to achieve personal and financial goals through land conservation. These agents may work for the Soil and Water Conservation District, or for land trusts and other profit or non-profit conservation organizations.

*Websites referred to can be found in the Resources and Contacts section on page 22.





Selecting conservation advisors

Choosing conservation planning professionals to guide you is similar to choosing members of a successful sports team.

Team members have specific skillsets useful in helping you obtain your goal while working collectively. Use these or similar qualifications to help you identify suitable team members:

- Credentials or educational qualifications (financial, tax, conservation, etc.) in conservation or land retention planning
- Experience and frequency of providing conservation planning advice
- Number of forest landowners or farm families assisted to date with conservation planning
- References that can be contacted during the process
- A clear system of charging for their services



STEP 5

Implement your conservation plan

Once you have completed the earlier steps in your conservation planning journey, you are ready to begin implementing your vision for the future of your land. By now you have considered your priorities/objectives and committed them to paper. You will have talked with appropriate family members with a vested interest in the land, whether legally or informally, and hopefully agreed on a direction forward. You will have studied a few conservation options and gotten some ideas from other landowners about which approach to land conservation worked for them. You have contacted a local resource agency or land trust for help assembling a conservation team. Now what?

Through these steps you have likely determined which conservation option(s) will work for you. It is time to proceed! Gather the information about your land (*title*, survey, forest management plan, etc.) and put it in one place with your written priorities and objectives. Share your conservation option with a particular agency or organization and agree on the action sequence needed (see the checklist at right for a typical process). Is your plan in a format that they can use to enroll you in a program? If so, they will direct you in the next phase of implementation. As you receive paperwork and legal documents, share them with your family or attorney/advisor, keep copies in a safe place and review the requirements. Revisit your plan annually or whenever relevant changes in your situation occur. And now you can RELAX...knowing the near and/or long-term future of your farm or forest are secure.

Conservation planning checklist

Checklist of actions for the conservation planning process.

- Make a commitment to use conservation as a sustainable land-use practice – Self-assessment
- Define conservation planning objectives
 - Conduct research on available conservation programs
 - Contact local, state and federal and private conservation resource agencies
- Identify your team of professionals
 - Schedule consultation(s)
 - Refine goals/objectives
- Conduct a Family Meeting
 - Seek commitment from family members
 - Agree on an ongoing communication strategy to inform family
- Bring in additional assistance as necessary
- Review your plan and activities annually

Note: Your conservation planning journey may skip, repeat or reorder these checkpoints to suit your unique circumstances.




Adapted from Farm Journal Legacy Project Workbook



HELPFUL TOOL 1

Landowner conservation self-assessment

On a scale of 1 to 10, rate how interested you are in each of the following possible objectives for your land. Then total your score for each column and transfer your scores to the bottom for your evaluation.

Least important		Moderately important		Most important	
1		5		10	
 Financial	Score	 Family	Score	 Ecological	Score
Protect land to lower taxes		Protect land as a family legacy		Protect land for wildlife habitat	
Protect land for future income		Protect land from development		Protect land for clean water	
Protect land for periodic income		Protect land for hunting and fishing		Protect land for beauty (aesthetics)	
Protect land to reduce estate tax		Protect working landscape		Protect threatened or endangered species on the land	
Protect land for timber or crop production		Protect land for hiking and camping		Protect productivity of the soil	
Total		Total		Total	

EVALUATING YOUR ASSESSMENT Add the values in each column and write them in the **Totals** line at the bottom of the same column. Then, transfer your scores from the bottom of this chart to the appropriate line below. This begins the process of ranking your priorities for conservation benefits.

Your Score

Financial _____

Family _____

Ecological _____

*Adapted from Tennessee Forest *A*Syst: Self-Assessment to Prioritize Your Forest Uses

Conservation options

The following list of voluntary agency efforts, tax deferral or cost share programs may be the short and longer-term solutions to your conservation plan. Please note that professional help and guidance are available to help you select the best program or option to meet your unique situation and priorities. This list may not be all-inclusive.

Contact your local county USDA, Extension, Soil and Water and NRCS Technical support office, or a land trust, for more information or a frank appraisal of which programs are suited to your situation. The **Resources and Contacts** section of this handbook (page 22) lists contact information for these agencies.

Note: as mentioned in the landowner case studies, access to these programs may begin with a detailed agriculture or forest management plan that can be the logical first step of your conservation planning journey. For example, to qualify for *Present Use Valuation* a forest landowner with 20 acres of land will be required to have a written management plan in place before applying. For help in completing such a plan, contact your local NC Forest Service office or a Consulting Forester. A helpful document is available from NC Extension Forestry: content.ces.ncsu.edu/20840.pdf

These icons indicate the land use focus and primary forms of assistance for the most commonly used programs, but many programs address multiple objectives, and can be combined.



Agriculture



Forest



Water and other resources



Financial assistance



Technical assistance

State and Local Programs

Agricultural Development and Farmland Preservation Trust Fund (ADFP):

Administered by the North Carolina Department of Agriculture & Consumer Services, this program provides information and assistance to landowners regarding applications for VADs, EVADs and Farmland Protection Plans. They also provide funds for the purchase of term and permanent agricultural conservation easements. www.ncadfp.org/



Conservation Reserve Enhancement Program (CREP): Administered by the NCDA&CS Division of Soil and Water Conservation, this voluntary program uses federal and state resources to achieve long-term protection of environmentally sensitive cropland and marginal pastureland. Protection measures are accomplished through 10-15 year contracts, 30 year or permanent conservation easements. In return, landowners receive annual payments and are reimbursed for establishment costs. Those choosing to enroll in the conservation easement option also receive a one-time state incentive. www.ncagr.gov/SWC/easementprograms/CREP/



Conservation Trust for North Carolina (CTNC): Works with landowners to conserve land through conservation agreements. Also supports and represents 23 local land trusts in NC so they can conserve land in the communities they serve. www.ctnc.org/land-trusts/find-your-local-land-trust/



State and Local Programs continued next page

Division of Mitigation Services: Administered through North Carolina's Department of Environment and Natural Resources, this program works with willing landowners on the acquisition, maintenance, restoration, enhancement, and creation of wetland and riparian resources that contribute to the protection and improvement of water quality, flood prevention, fisheries, wildlife habitat, and recreational opportunities. Formerly known as Ecosystem Enhancement Program (EEP). portal.ncdenr.org/web/EEP



Enhanced Voluntary Agricultural Districts (EVAD): A VAD formed of one or more farms that are subject to an irrevocable ten-year agreement to limit development. In addition to VAD benefits landowners may be eligible to receive a higher percentage of cost-share under the Agricultural Cost Share Program—as high as 90 percent assistance. www.ncadfp.org/



North Carolina Forest Development Program (FDP): This program is administered by the North Carolina Forest Service. It is designed to encourage private landowners to reforest after harvest and to place their idle and under-productive forestland into full timber production. www.ncforestservice.gov/Managing_your_forest/fdp.htm



North Carolina Forestry Association (NCFA) Working Lands Trust: Serves as a trust fund for organizations and agencies interested in funding the maintenance of working lands, and to facilitate conservation tools for landowner and protection needs for working lands. www.ncforestry.org



Present-Use Value Tax Program (PUV): A qualifying property can be assessed for property tax purposes based on its use as agricultural, horticultural, wildlife, or forest land. The PUV of the land is based solely on its ability to produce income, rather than its market value. The program is administered by your county assessors. Minimum acreage requirements of ten acres for agriculture, five acres for horticulture and twenty acres for forest use and wildlife, and other requirements apply. www.dornc.com/publications/puv_guide.pdf



Soil and Water Conservation Districts (SWCD): Local districts exist in every county of the state. They provide technical assistance to landowners for planning and implementation of conservation practices on their land and some hold conservation easements. SWCDs are actively involved with the local implementation of several of the programs mentioned in this guide. www.ncagr.gov/SWC/findyourdistrict.html



Voluntary Agricultural Districts (VAD): A program designed to encourage and protect commercial agriculture. This program is administered at the county level. The basic requirement is that the land be enrolled in a PUV program or meet other qualifications. www.ncadfp.org/



Wildlife Conservation Land Program (WCLP): A program that allows landowners who have owned their property for at least 5 years and want to manage for protected wildlife species or priority wildlife habitats to apply for reduced property tax *assessment*. www.ncwildlife.org/Conserving/Programs/LandConservationProgram.aspx



Federal Programs

Agricultural Conservation Easement Program (ACEP): Administered by the USDA Natural Resources Conservation Service (NRCS), this program provides financial and technical assistance to help conserve agricultural lands and wetlands and their related benefits. www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/easements/acep



Conservation Reserve Program (CRP): Administered by the Farm Service Agency, this is a land conservation program which provides financial support for landowners who agree to remove environmentally sensitive land from agricultural production and plant species that will improve environmental health and quality. www.nrcs.usda.gov/programs/crp



Federal Programs continued next page

Federal Programs (cont.)

Conservation Stewardship Program (CSP): This program is administered through the USDA Natural Resources Conservation Service (NRCS). It helps agricultural producers maintain and improve their existing conservation systems and adopt additional conservation activities to address priority resource concerns. www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/financial/csp



Emergency Forest Restoration Program (EFRP): Administered by the Farm Service Agency, this program helps private landowners by authorizing payments to restore health of forests damaged by natural disasters. www.fsa.usda.gov/FSA/webapp?area=home&subject=diap&topic=efrp



Environmental Quality Incentives Program (EQIP): Administered by the USDA Natural Resources Conservation Service (NRCS) this program provides agricultural producers financial and technical assistance related to the planning and implementation of conservation practices which address natural resource concerns and for opportunities to improve soil, water, plant, animal, air and related resources on agricultural lands and non-industrial private forestland. www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/financial/eqip



Forest Legacy Program (FLP): A US Forest Service program in partnership with North Carolina complements private, Federal and State programs focused on the protection of privately owned forest lands through conservation agreements. Participants may be eligible for up to 75% of costs associated with projects as well as potential tax reductions. The property must be in a designated Forest Legacy Area to qualify. www.fs.fed.us/cooperativeforestry/programs/loa/flp.shtml



Forest Stewardship Program (FSP): A US Forest Service program provides technical assistance to non-industrial private woodland owners to encourage and enable active long-term forest management. Primary focus is given to the development of comprehensive, multi-resource management plans that provide landowners information needed to manage their forests for a variety of products and services. www.fs.fed.us/cooperativeforestry/programs/loa/fsp.shtml



Healthy Forest Reserve Program (HFRP): Administered by the USDA Natural Resources Conservation Service (NRCS), this program provides landowners with 10-year restoration agreements and 30-year or permanent easements for specific conservation actions. Land enrolled in HFRP easements must be privately owned or owned by Indian tribes and restore, enhance or measurably increase the recovery of threatened or endangered species, improve biological diversity or increase carbon storage. www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/easements/forests/



Partners for Fish and Wildlife Program (PFW): This program is administered by the US Fish and Wildlife service and provides technical and financial assistance to private landowners, tribes and schools on a voluntary basis to help meet the habitat needs of threatened and endangered species, migratory birds and interjurisdictional fish species. www.fws.gov/raleigh/pfw www.fws.gov/partners/



Sentinel Landscapes Partnership Focuses on providing matching funds for easements of value to the military with an emphasis on agricultural working lands as well as a Working Lands Trust and Innovative Conservation Strategies with flexible tools for land conservation. sentinellandscapes.wordpress.ncsu.edu



Southern Pine Beetle Prevention Program (SPBPP): This cost-share program, administered by USDA Forest Service, aims to prevent outbreaks of the Southern pine beetle. The U.S Forest Service will reimburse private forest landowners 50 percent of actual or prevailing cost on practices that manage young pine stands for prevention of Southern pine beetle infestations. www.ncforestservice.gov/forest_health/fh_spbpp.htm



Information checklist for your family meeting

Gathering this information about your land will be helpful at the family meeting and when working with professional advisors.

- Property address and location, county PIN#
- Holder(s) of *title*: Check the deed to see how the title is held. Ensure that the titles to land are clear and free of liens.
- Acreage: Determine the amount of acreage your land encompasses from the local assessor's office, the deed, or survey.
- Current value: Get an *appraisal* from a qualified independent appraiser to determine current value of your property. If you do not have an appraisal, use the assessed value as a rough estimate.
- Mortgage: Find the mortgage amount (if any) owed on the land from the bank that holds the mortgage or the monthly bill statement. Some conservation options may require the bank to subordinate the mortgage.
- Road frontage: Locate the road frontage or legal access from a property survey, the deed, or the local assessor's office.
- Zoning: Contact the local planning board to find out how the land is zoned, and the minimum size for a building lot in your zoning area.
- Identify resources: Identify significant natural resources on your land. Contact your local land trust, local conservation agency, or town planner for information.



Photo credit: Ricky Layson, Ricky Layson Photography, Bugwood.org

Note: As a pre-meeting exercise share the conservation self-assessment tool with family members to compare with your results at the family meeting. OR save it as a homework exercise for the next scheduled meeting. Sketching rough working land diagrams, such as described in the Hint on page 7, by each member may help in expediting similarities and differences among approaches. A quick glance at anonymous diagrams on a wall may be a useful ice-breaking exercise to begin a discussion or to get a quick assessment of where the family is relative to priorities and approaches to longer-term conservation options.

RESOURCES AND CONTACTS

Appraiser USA

appraiserusa.com/northcarolina/

A directory website that allows you to search for appraisers by state and zip code.

The Conservation Fund

410 Market Street, Suite 360
Chapel Hill, NC 27516
(919) 967-2223

www.conservationfund.org

Mission is to save land for future generations. Seek to balance environmental and economic goals for a win-win.

The Conservation Trust for North Carolina

1028 Washington St.
Raleigh, NC 27605
(919) 828-4199

www.ctnc.org

Works with local land trusts, landowners, communities, and government agencies to protect North Carolina's streams, forests, farms, scenic vistas, wildlife habitat, parks and trails.

MyLandPlan.org

mylandplan.org

For woodland owners. Information on resources. List of cost-share programs available under USDA Farm Bill. Information on how to apply for financial assistance.

Natural Resources Conservation Service (NRCS)

Service Center Locator:

www.nrcs.usda.gov/wps/portal/nrcs/main/nc/contact/

Program Information:

www.nrcs.usda.gov/farm-bill

Provides farmers and ranchers financial and technical assistance to implement conservation methods.

The Nature Conservancy, North Carolina Field Office

American Tobacco Campus
334 Blackwell Street, Suite 300
Durham, NC 27701
(919) 403-8558

www.nature.org/ourinitiatives/regions/northamerica/unitedstates/northcarolina/index.htm

A conservation organization which works to protect ecologically important lands and waters.

North Carolina Appraisal Board

5830 Six Forks Road
Raleigh, NC 27609
(919) 870-4854
E-mail: ncab@ncab.org

www.ncappraisalboard.org

Provides information on finding a qualified appraiser as well as a Search feature which allows you verify appraiser licensure.

North Carolina Board of Registration for Foresters

P.O. Box 27393
Raleigh, NC 27611
(919) 847-5441

www.ncbrf.org

Provides an alphabetical list of registered foresters in North Carolina (under Registered Foresters tab).

North Carolina Cooperative Extension Service

Campus Box 7602
NC State University
Raleigh, NC 27695-7602
(919) 515-2813

ces.ncsu.edu/local-county-center/

Local county offices provide public meetings, workshops, personal consultations and other educational opportunities on topics related to sustainable agriculture, forestry and protecting the environment.

NCDA&CS Division of Soil and Water Conservation

1614 Mail Service Center
Raleigh, NC 27699-1614

www.ncagr.gov/SWC

Works in cooperation with the Soil and Water Conservation Commission to protect and improve soil and water resources of the state.

NCDA&CS Agricultural Development and Farmland Preservation Trust Fund

2 West Edenton St.
Raleigh, NC 27601
(919) 707-3069

www.ncadfp.org/farmlandpreservation.htm

Provides services that promote and improve agriculture, agribusiness and forest; protect consumers and businesses; and conserve farmland and natural resources.

North Carolina Department of Environment and Natural Resources

Office of Land and Water Stewardship
1601 Mail Service Center
Raleigh, NC 27699-1601
(919) 707-9123

portal.ncdenr.org/web/cpca/home

Promotes collaborative stewardship among North Carolina's citizens, government regulators and the business community in order to maintain and enhance the environment and natural resources.

North Carolina East Alliance

1020 Red Banks Road, Suite 202
Greenville, NC 27858
(252) 689-6496

www.nceast.org/

Works with state, local and national economic development organizations to help existing industry expand through marketing and recruitment, building economic capacity, and location assistance.

North Carolina Farm Bureau

5301 Glenwood Ave
Raleigh, NC 27612
(919) 782-1705

www.ncfb.org/

A private, nonprofit, grassroots organization that promotes farm and rural issues through governmental relations, marketing, field representation, agricultural education, member services and more.

North Carolina Forest Service

Central Office: 1616 Mail Service Center
Raleigh, NC 27699-1616
(919) 857-4801

www.ncforestservice.gov

State agency that promotes the protection, management and development of NC's forest resources. Offices are located in every county.

North Carolina Forestry Association

1600 Glenwood Avenue,
Raleigh, NC 27608
(919) 834-3943

<https://www.ncforestry.org/>

Is a private, nonprofit organization which promotes healthy, productive forests by supporting the efforts of landowners and forest related businesses and organizations who responsibly manage and use their forests.

North Carolina Foundation for Soil & Water Conservation, Inc.

5171 Glenwood Avenue
Suite 330
Raleigh, NC 27612
(919) 510-4599

www.ncsoilwater.org/

A public non-profit organization which promotes wise use and treatment of land, water, and related resources.

North Carolina State Bar

www.ncbar.gov/public

Provides a list of practicing attorneys (lawyers) as well as information helpful in choosing a lawyer.

North Carolina State Board of Certified Public Accountant Examiners

Customer Service Representative,
Vanessa Willett
(919) 733-4200

nccpaboard.gov/consumers

Provides information helpful in selecting a CPA.

North Carolina Soil and Water Conservation Districts

Locate your local district:

www.ncagr.gov/SWC/findyourdistrict.html

Provide technical and financial assistance in order to implement conservation practices to protect natural resources.

USDA Service Center Locator

offices.sc.egov.usda.gov/locator/app

Use interactive map to find your county USDA office. Information how to apply for cost-share programs under the Farm Bill



Photo courtesy: Susan Moore

USEFUL TERMS AND DEFINITIONS

Underlined terms appear in this handbook.

Agreement Types

Agricultural conservation agreement: Generally describes a voluntary agreement which restricts land to agricultural uses.

Conservation easement or agreement: A restriction on particular uses of land in order to advance specific goals to protect or preserve a parcel of land.

Cost-share programs: Programs that provide financial and technical assistance to landowners who implement conservation practices that provide a soil, air, water or wildlife benefit.

Deed restrictions (covenant): A written promise contained in a contract, lease, deed, or other form of agreement.

Lease purchase agreement: An agreement to lease property that also binds the parties to complete a purchase and sale of the property at a future date.

Permanent or perpetual conservation agreement: A conservation agreement that is written so that it does not expire. Only a permanent agreement qualifies a landowner for tax deductions.

Preservation agreement: A legal agreement between a landowner and a conservation organization or governmental agency that permanently limits the types of alterations that may be made to historic structures to protect the architectural and historical integrity of structures. Tax incentives may be available.

Term agreement: An agreement on property made for a specified period of time, not in perpetuity.

Appraisal: An estimated value set on property by a qualified appraiser (as defined by the Internal Revenue Service).

Assessment: The valuation of property for property tax purposes in order to apportion a tax on it, according to its value or in relation to the benefit received from it.

Bargain sale: The sale of property to charitable organization for less than its fair market value. This approach gives the landowner the opportunity to exchange the value not received in cash for a reduction in state and federal income taxes.

Basis: The price paid for property or the fair market value of property when inherited, less accumulated depreciation, used to calculate capital gains on income from the sale of the property.

Bequest: The act of giving property by will.

Chain of title: A history of conveyances and encumbrances affecting the title to particular real property, found in the deed registry of the county where the property is located.

Conservation plan: A document developed and implemented to protect, conserve, and/or enhance natural resources within the landowner's ecological, social and economic interests and abilities.

Conservation planning team

Accountant: Someone whose job is to keep the financial records of a business or person.

Appraiser: An individual who estimates the value or worth of something, such as property or other assets.

Estate Planning Attorney: A lawyer that specializes in the legal strategies and tools used to help property owners reach their personal and financial goals upon death.

Land Protection Specialist / Conservation Specialists: Agents who assist landowners who want to achieve personal and financial goals through land conservation. These agents may work for the Soil and Water Conservation District, or for land trusts and other profit or non-profit conservation organizations.

Land Trust: Nonprofit organization that protects land directly, usually by helping landowners establish a conservation easement, accepting donations of property and easements, or buying land. Sometimes called a "conservancy".

Attorney (Lawyer): A person licensed to practice law in a particular state.

Cultural resource: Archeological sites, historic properties, etc., and their surroundings.

Development rights: The term applied to a landowner's right, subject to governmental restrictions such as zoning, to develop property for various uses.

Donee: One who receives a donation. Also a grantee or recipient.

Donor: One who makes a donation. Also a grantor.

Easement: A right that one has in or over the land of another. Easements can be made to accommodate utilities, access, and conservation or preservation purposes, among others. A utility right-of-way is a common example.

Encroachment: Trespass on the property, domain, or rights of another. For example, any development that impedes the military's ability to carry out its mission, including but not limited to training.

Estate plan: The process which ensures an owner's assets are distributed upon their death in a way that meets their financial and personal goals.

Estate tax (inheritance tax): A federal or state tax on the value of all assets owned at the time of death. This tax is paid out of the estate of the deceased, before assets are transferred to the heirs (normally within nine months of date of death). The amount of the tax is based upon the total value of the estate less any applicable deductions.

Family meeting: A family conversation method with the intent of engaging family members in helping decide the future of a property.

Fee simple: An ownership interest in real estate that is without conditions, limitations, or restrictions. To own land “fee simple” means to have complete ownership of the land, with all the usual rights associated with ownership.

Gift tax: State or Federal tax imposed upon and paid by donors or donees for property transferred during the lifetime of the donor.

Grantee: Term used to describe the person or entity that receives a transfer of an interest in property by sale, gift or trade.

Grantor: Term used to describe the person or entity that relinquishes an interest in property by sale, gift or trade. For example, a grantor conveys land to a grantee by deed.

Income tax credit: A decrease in income tax due in exchange for a qualified activity or expense, such as donation of a permanent easement or land to a qualified land protection agency or nongovernmental organization.

Income tax deduction: A decrease in taxable income.

Interest in property: A right or share in the ownership of property.

Inherit: To take or receive (property, title, etc.) by succession or will, as an heir.

Inheritance tax: A tax paid by estate beneficiaries to the state and federal government. The percentage of tax paid is determined by the size of the inheritance, as well as the beneficiary’s relationship to the deceased.

Intestate: To die without a valid will. Property of the decedent is passed to heirs in accordance with local statutes/law.

Limited development: Less than maximum development of a parcel for the purpose of enabling conservation of remaining portions of the parcel.

Market-based conservation: Conservation of natural areas supported by market mechanisms. Market-based conservation is an innovative way to stretch resources, to take conservation beyond the boundaries of the farm, ranch and forest, while preserving productivity, maintaining and enhancing landowner livelihoods and producing environmental benefits. Major market-based systems include:

- Green payments from public funds, including programs such as the Conservation Stewardship Program, which rewards producers for good conservation practices.
- Direct private sector payments for ecosystem services, in which the private sector defines and purchases benefits.
- Market-based environmental standards and certifications that add value to products and services, such as those that promote farming practices that reduce pesticide use and enhance biodiversity.
- Environmental credits for strategies that provide ecological services, such as carbon and water quality credits.

Nonprofit (organization): An organization that uses surplus revenues to achieve its goals rather than distributing them as profit or dividends.

Partial interest: A portion of the ownership rights in property.

Present use value (PUV): The term used to describe the alternate tax valuation placed on land used for farm, forest, wildlife and horticultural production under certain statutory restrictions.

Purchase of development rights: A term that commonly describes the cash purchase of a landowner’s right to develop real property for non-agricultural uses. Cash is paid for all or a portion (as negotiated) of the difference between the value of a parcel with a development restriction and the same parcel if there were no restriction.

Qualified donee: A certified, tax-exempt charitable organization or government agency as approved by the Internal Revenue Service.

Riparian: Pertaining to the banks of a river, stream, or other body of water.

Sentinel Landscapes: Lands close to or distant from military installations that allow for and protect the military’s testing and training capabilities.

Soil and Water Conservation Districts: Districts work closely with county, state and federal governments and both public and private organizations in a non-regulatory capacity to carry out a comprehensive conservation program that protects and improves the county’s natural resources while assisting private landowners in implementing conservation practices.

Stewardship: The management and care of property, particularly natural and historic sites.

Tax Attorney: A lawyer who specializes in tax issues.

Title: The right to or ownership of land and the evidence of ownership of land.

Voluntary Agriculture District (VAD): The Agricultural District Program encourages the preservation and protection of farmland from non-farm development within a certain designated geographic area.

Will: A written document which, when properly executed (signed and witnessed) is effective at the death of the maker to dispose of property according to the terms of the document.

Working lands: Term describing farm, forest and horticultural land that is kept in its intended use for the purpose of generating income.

Working Lands Trust: Clearinghouse for landowners interested in limiting development rights for a term or permanently in exchange for tax-related and cash incentives while continuing clearly defined sustainable timber harvesting or farming, as well as hunting and other forms of recreation. Administered by the NC Forestry Association.

Sentinel Landscapes Partnership

Sentinel Landscapes' Goals



Maintain and Enhance Working Farms & Forests



Assist with Military Readiness



Restore and Protect Wildlife Habitat

The Sentinel Landscapes Partnership – A Triple Win



Joint strike fighter pair.

Coordinating natural resource conservation, rural economic development, and military readiness can achieve mutually beneficial results for our military installations, rural communities, and private landowners. This coordination can help encourage compatible resource-use decisions.

The NC Sentinel Landscapes project is a partnership among the US Department of Defense, NC natural resource agencies, North Carolina State and Texas A&M Universities, and various conservation groups. This unique partnership has come together to create an innovative and voluntary program

to protect working lands, conservation, and national defense from challenges that threaten all three.

In effect, these partners, including the Marine Corps, are **sentinels** watching over a valued landscape that supports three different and important sets of interests: the military, the local community and the farm or woodland owner.

North Carolina, as host to seven military installations, including Fort Bragg, Sunny Point, Seymour Johnson Air Force Base, Camp Lejeune, the Marine Corps Air Stations at New River and Cherry Point, the North Carolina National Guard and the Army and Air Force Reserve, as well as 14 United States Coast Guard installations, boasts the second largest land base dedicated to military operations in the country. The military is North Carolina's second largest economic sector and contributes ten percent of its total employment, with an annual impact of \$26 billion. Nonetheless, *encroachment* due to population growth and incompatible development threatens the long-term viability of North Carolina's military presence. Thoughtful conservation of private farms and forests is one way to address this encroachment while also benefitting you, the private landowner.

For more information visit: sentinellandscapes.wordpress.ncsu.edu/

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Prepared by

Susan E. Moore, Mark Megalos, and Grizel Gonzalez-Jeuck,
Extension Forestry, North Carolina State University copyright 2015



In partnership with:



The Working Lands Conservation Professional Development Program is made possible through the effort and funding of the North Carolina Sentinel Landscapes Partnership. To learn more about the partnership visit: sentinellandscapes.wordpress.ncsu.edu.



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