

Farmland Preservation Overview

The purpose of the Farmland Preservation effort in Swain County is to promote agricultural values and the general welfare of the county by increasing identity and pride in the agricultural community and its way



of life; encouraging the economic and financial health of agriculture, horticulture and forestry; fostering the growth, development and sustainability of family farms; preserving rural working landscapes as an integral part of our cultural heritage; assuring the availability of fresh produce and other local farm products; and helping to maintain clean air and water.

Farmland Preservation Program Advisory Board

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FOR MORE INFORMATION PLEASE CONTACT

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Farmland Preservation Program



Preserving Our Heritage
Sustaining Our Future

An Economic and Environmental Imperative

The purpose of the Farmland Preservation Program is to encourage the preservation and protection of farmland from non-farm development. This is in recognition of the importance of agriculture to the economic and social well being of North Carolina.

The General Assembly of the State of North Carolina authorized counties to undertake a series of programs to encourage the

preservation of farmland. This statutory authority is found in Chapter 106, Article 61 of the



North Carolina General Statutes.

On August 10, 2009 the Swain County Board of Commissioners used this authority to adopt an ordinance establishing a Voluntary [VAD] and Enhanced [EVAD] Voluntary Farm land Preservation Program.

Participation in the VAD and EVAD programs allows access to the NC Agricultural Development & Farmland Preservation Trust Fund, which helps secure grants for programs that promote sustainable agriculture, agricultural agreements, and conservation easements, and gives farm businesses the resources needed to reinvest in their operations.

Voluntary Ag. District (VAD)

Enhanced Voluntary Ag. District (EVAD)

Criteria for Eligibility

Farms must participate in the farm present-use-value taxation program or is otherwise determined by the county to meet all qualifications of this program; and
Farms must be managed in accordance with the USDA Natural Resources Conservation Service defined erosion control practices that are addressed to highly erodible land.

Benefits

Increased protection from nuisance lawsuits if notice is provided through computerized county land record systems;
Public hearings for proposed condemnation of enrolled land;
Water and sewer assessments may be suspended or waived if the land is in VAD but not connected to the utility in question;
Signage to publicize the land's enrollment in the program;
Possible flexibility in city ordinances related to farming operations within a city's planning jurisdiction; and
Greater public awareness of the local agricultural community and increased pride in its way of life.

Landowners are eligible to receive a higher percentage of cost-share funds under the Agricultural Cost Share Program (up to 90%);
State agencies, departments, and institutions that award grants to farmers are encouraged to give priority consideration to landowners participating in Enhanced Districts;
All utility assessments may be suspended or waived if the land is in EVAD but not connected to the utility in question;
The farm may receive up to 25% gross sales from the sale of non-farm products and still maintain its designated exemption as a bona fide farm;
Landowners can stabilize the use of their land while considering longer-term options, such as permanent working land conservation easements.

Requirements

The land must be subject to a conservation agreement between the landowner and the county that prohibits non-farm use or development for a period of at least 10 years.
This agreement may be revoked by the landowner at any time with a 30-day notice. When the agreement is nullified, the property no longer qualifies for the VAD program and its benefits.

Conservation agreement cannot be revoked during the term of the agreement.
At the end of its initial term of at least 10 years, the EVAD conservation agreement automatically renews for 3 more years, unless the landowner provides a timely written notice to the county (usually a 30-day notice). Ending the agreement will result in the property no longer qualifying for the EVAD program and its benefits.