



Date: November 19, 2021

To: Wanda S. Page, City Manager
Through: Bertha T. Johnson, Deputy City Manager
From: Donald F. Greeley, Director, Water Management
Subject: Tar River Land Conservancy Bombick-Knouse Farm Watershed Protection Project – Authorization to Fund

Executive Summary

In April 2017, City Council adopted a Watershed Protection Plan which created an objective process for directing funds designated for water supply protection and land conservation. The Department of Water Management (DWM) has received and reviewed a water supply protection project from Tar River Land Conservancy (TRLC) that meets the Watershed Protection Plan criteria and recommends funding the project. TRLC has requested \$44,000 from the City of Durham for purchase of a conservation easement on the Bombick-Knouse Farm property, a 102-acre parcel (see attached Project Map) of agricultural and forestry land buffering approximately 300 linear feet of the Flat River which flows into Lake Michie. An additional 100 feet of an unnamed stream will be protected inside the tract. DWM supports the project. Funding will be appropriated from the designated watershed protection funds.

Motion

To authorize the expenditure of \$44,000 from the City's Watershed Protection funds for the Tar River Land Conservancy Bombick-Knouse Farm Watershed Protection Project.

Background

In 2011, Durham's City Council adopted DWM's proposal to dedicate one penny per tier of water sold (approximately \$100,000/year) to land conservation for water supply protection. Additionally, DWM budgets between \$200,000 and \$500,000 annually for watershed protection efforts, primarily for land acquisition around Lake Michie.

The City's main water sources are Lake Michie (in the Flat River watershed) and Little River Reservoir (in the Little River watershed); both watersheds lie within the Falls Lake Watershed, also known as the Upper Neuse River Basin (see attached Watershed Protection Plan, Page 2). Plans for a future expansion of Lake Michie to meet the needs of increasing population have been considered for a number of years; therefore, the City has been purchasing the land immediately surrounding the Lake. The DWM's approach to land acquisition has been passive, with the department pursuing purchase of properties when approached by interested owners.

One major strategy to protect Durham's supply of high-quality drinking water is to protect additional land in the Flat River and Little River watersheds. The most economical way to protect the City's source water is to purchase conservation easements on properties within the water supply watersheds that contain riparian buffers. Occasionally, a fee simple purchase of a property is required when a conservation easement is not an option. While any opportunity to purchase land adjacent to Lake Michie would clearly satisfy the purpose of future water supply, not all opportunities to purchase a conservation easement offer equal protection of the City's water supply.

The Watershed Protection Plan identifies parcels in the City's water supply watersheds that - if protected - will help to safeguard the water quality of the City's water supplies. Parcels identified in the Watershed Protection Plan are considered eligible for conservation easements or acquisition partially or wholly funded by the City of Durham. The Plan includes:

1. A Geographic Information System (GIS) model for identifying and prioritizing parcels or portions of parcels that contributes significantly to the protection of the City's water supply water quality.
2. A process for recommending conservation easements or fee simple acquisitions to City Council, using the City's funding already dedicated to land conservation for water supply protection.

In May 2017, the City of Durham entered into an Agreement for Watershed Protection with the Conservation Trust for North Carolina (CTNC) which provided a mechanism for participating in land conservation projects by which the City could provide funding to the CTNC for purchase of land interests that protect the City's water supply watersheds. The CTNC managed the City of Raleigh's Upper Neuse Clean Water Initiative (UNCWI), a collaborative effort between local governments and land conservation organizations to protect land that contributes to the preservation of clean drinking water in the Upper Neuse River Basin.

Triangle J Council of Governments (TJCOG) replaced CTNC in managing the City of Raleigh's Upper Neuse Clean Water Initiative (UNCWI). This change in UNCWI management required the City of Durham to enter into the same Agreement for Watershed Protection with TJCOG that the City of Durham had with CTNC, and the City entered into the Agreement for Watershed Protection with TJCOG in September 2020. DWM staff participates on the UNCWI Water Protection Review Board which evaluates water supply watershed protection projects proposed by land conservation organizations.

Issues and Analysis

Tar River Land Conservancy (TRLIC) submitted the Bombick-Knouse Farm Watershed Protection Project which was approved by the UNCWI Water Protection Review Board for funding. The project meets DWM's Watershed Protection Plan criteria and the Department recommends funding the proposed City of Durham's cost share in the Bombick-Knouse Farm Watershed Protection Project.

TRLIC has requested \$44,000 from the City of Durham to establish a conservation easement on the Bombick-Knouse Farm property, which consists of one 102-acre parcel of agricultural and forestry land located on the Flat River. The project will result in the buffering of approximately 300 linear feet of the Flat River. An additional 100 feet of an unnamed stream will be protected inside the tract.

DWM's Watershed Protection Plan identifies the parcel as a priority for protection. The Plan's, GIS model ranks the parcel at 4.92, above the 4.49 required for consideration.

TRLIC will establish a conservation easement on the entirety of the 102-acre property. The conservation easement will prohibit future development of the property but allow for continued agricultural and forestry activities, except within stream buffer zones, which will extend ~300 feet from the bank of the Flat River and ~100 feet from banks of unnamed streams located inside the property. The property includes 79 forested acres, 18 acres of agricultural fields that are leased to a local farmer, two farm ponds, a small family cemetery, and a homestead area that includes an 1890s farmhouse that is used as a family retreat.

The total cost of the TRLC Bombick-Knouse Farm watershed protection project is \$544,000. The landowner is donating \$500,000 in kind. The City of Durham's proposed cost share of \$44,000 would be 8.1% of the total project cost.

Alternatives

There are two alternatives available. The recommended alternative is to authorize the Department of Water Management to fund the Tar River Land Conservancy watershed protection project at a cost to the City of \$44,000.

The other alternative is to not fund the project, which allows the property to be developed sometime in the future. The property faces the future threat of development and/or commercial timber harvest if not protected. The property is located where US-501 crosses the Flat River near the community of Timberlake, approximately 20 miles north of downtown Durham and 10 miles south of downtown Roxboro. The property is situated within Person County's zoning district entitled the "Highway Commercial Business District", where an extensive list of commercial and light industrial development options is permitted.

Financial Impact

The proposed City of Durham cost share for the Durham County watershed protection project would be funded from the City's existing Watershed Protection funds at a total cost to the City of \$44,000. Revenue for Watershed Protection comes from \$0.01/CCF water and sewer utility billing and from annual appropriations.

Equal Business Opportunity Summary

The Ordinance to Promote Equal Opportunity in City of Durham Contracting does not apply to this item.

Attachments

1. Tar River Land Conservancy Project Maps - Bombick-Knouse Farm Watershed Protection
2. Watershed Protection Plan
3. Tar River Land Conservancy Bombick-Knouse Farm Watershed Protection Project Application