



**N.C. Department of Agriculture & Consumer Services**  
Farmland Preservation Division



***N.C. Agricultural Development and Farmland Preservation (ADFP) Trust Fund  
Conservation Easements - Frequently Asked Questions***

***When was the ADFP Trust Fund developed?***

In March 2005, Agriculture Commissioner Steve Troxler delivered his "Agricultural Development and Farmland Preservation Strategy" to the North Carolina General Assembly. During the 2005 legislative session, the General Assembly passed House Bill 607, and the Agricultural Development and Farmland Preservation Trust Fund and was signed into law, N.C.G.S. 106-744.

***What is the ADFP Trust Fund's mission?***

The ADFP Trust Fund encourages the preservation of agricultural, horticultural and forest lands (working lands) to foster the growth, development and sustainability of family farms.

***How does the ADFP Trust Fund help the economy?***

The ADFP Trust Fund assists in the preservation of North Carolina's agricultural economy by providing grants to county governments and non-profit organizations for perpetual and term conservation easements, county agricultural plans, and agriculture development projects. The preservation of agricultural lands ensures available working farmland for future generations, provides scenic landscapes for the state's tourism industry and helps protect the environment.

***What is a conservation easement?***

A conservation easement is a written agreement between a landowner and a qualified conservation organization or public agency (grantee) in which the landowner promises to keep the land for agricultural purposes and the grantee is granted the right to enforce the covenants of the agreement and to monitor the property.

***What are the requirements for the potential funding of a conservation easement?***

- Working land use (agriculture, horticulture, forestry) in North Carolina.
- Land must remain in private ownership.
- Only counties or non-profit conservation organizations may apply on behalf of a landowner.

***What are a few of the required documents for a conservation easement?***

- Working lands easement language
- Land appraisals (N.C. State Certified Residential or N.C. State Certified General Real Estate Appraiser, Uniform Standards of Professional Appraisal Practice)
- Survey (Reliable metes and bounds)
- Baseline documentation
- Environmental audit

***What is the ADFP Trust Fund grant process?***

- The ADFP Trust Fund receives Requests for Proposals (RFPs). These RFPs are designed to meet defined partnership needs, such as compatible military training.
- The ADFP Trust Fund staff evaluates all RFPs, including site visits for easement applications and interviews for plan and project applications.
- The ADFP Trust Fund staff recommends potential funding based on evaluations.
- The ADFP Trust Fund Advisory Committee reviews the funding proposals and advises the Commissioner of Agriculture on its recommendations.
- The Commissioner of Agriculture reviews the recommendations for funding and submits the final approved list of funded easements, plans and projects.
- The grantee (conservation non-profit or county government) and the North Carolina Department of Agriculture and Consumer Services sign a contract.



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***Can you tell me more about conservation easements?***

- The conservation easement is recorded on the land deed.
- The land remains in private ownership and may be used for agricultural production.
- The landowner is responsible for land maintenance and continues to pay property taxes at the agricultural (present-use value) rate.
- The development rights removed from the land are conveyed to a local non-profit conservation organization or a county government.
- A copy of the deed is filed with the North Carolina State Property Office.
- Monitoring of the property begins the year after the conservation easement is recorded on the land deed and continues for the length of the conservation easement.

***What rights are removed from the property by the conservation easement? What rights remain on the property?***

A conservation easement simply removes the development rights from the land parcel. Other rights, such as water rights, hunting rights, farming rights, mineral rights, and timber rights, remain on the property.

- Water Rights
- Hunting Rights
- ~~Development Rights~~ → Development Rights
- Farming Rights
- Mineral Rights
- Timber Rights

***For more information:***

<p><b>N.C. Department of Agriculture and Consumer Services</b>  <b>N.C. ADFP Trust Fund</b>  <a href="http://www.ncadfp.org">www.ncadfp.org</a>          919-707-3071</p>	<p><b>U.S. Department of Agriculture</b>  <b>Agricultural Conservation Easement Program</b>  <a href="http://www.nrcs.usda.gov/wps/portal/nrcs/main/nc/programs/easements/">www.nrcs.usda.gov/wps/portal/nrcs/main/nc/programs/easements/</a>          919-873-2100</p>
<p><b>Conservation Trust for North Carolina</b>  <a href="http://www.ctnc.org">www.ctnc.org</a>          919-828-4199</p>	<p><b>Local Soil and Water Conservation Districts</b>  <a href="http://www.ncagr.gov/SWC/findyourdistrict.html">www.ncagr.gov/SWC/findyourdistrict.html</a>          919-733-2302</p>