

RCCC Conservation Easement Program Strategic Plan

Background

Richland County Conservation Commission (RCCC) was established by ordinance in 1998 as a response to Council and community concerns about environmental quality, loss of rural lands, and the need to protect our quality of life through the conservation of the natural, historical, and cultural resources that make Richland County a unique and desirable place to live. The ordinance provides various approaches for the protection of natural, cultural or historical properties or resources, including: purchase of resources for public ownership or other protective ownership; acquisition of conservation easements to protect resources; the acceptance by donation or bargain sale of properties or resources; and the negotiation of leases or conservation easements.

Conservation easements are a well-established means of protecting natural areas and conservation values significant to the public such as farm and forest land, wildlife habitat, stream buffers, and scenic open space, while preserving private ownership. Landowners voluntarily relinquish the right to subdivide their property and retain rights to farm, timber, and recreate. Because the landowner has “donated” specific property rights, the conservation easement may qualify as a tax-deductible charitable gift and the landowner may be able to use federal and state tax incentives. The easement is permanent, remaining in force when the land changes ownership. Easements must be held by a governmental agency or a qualified land trust.

Purchase of Development Rights

Increasingly, federal, state, and local governmental agencies use a Purchase of Development Rights program as a tool for conserving natural areas. The agency pays the landowner a portion of the easement value and a conservation easement is placed on the land permanently limiting development. The purchase of development rights is more cost effective for government if the goal for conserving the property does not include providing public access. Easement costs are less expensive than acquiring fee title, having to maintain the property, and losing tax revenue when the land becomes public. For many landowners, the cash incentive is more useful than the tax benefits, especially those who are land rich and cash poor. Selling or donating development rights can reduce estate taxes thereby making it less costly to keep the land in the family. Easements on agricultural lands can make farms more affordable for new and beginning farmers.

The Natural Resources Conservation Service under the US Department of Agriculture provides financial assistance to purchase easements from farmers through the Agricultural Conservation Easement Program-Agricultural Land Easements (ACEP-ALE).¹ The purpose is to “...protect the agricultural use and future viability, and related conservation values, of eligible land by limiting non-agricultural uses of that land...”in exchange for their right to develop the land, thereby making it more feasible to keep in agricultural production.² The Midlands Area Joint Installation

Consortium has purchased easements from landowners near Fort Jackson and McEntire to protect the bases from encroachments. The SC Conservation Bank provides funds to land trusts to purchase development rights from willing landowners who have property with significant conservation values.³

On a county level, York, Beaufort, Charleston and Richland have programs to conserve rural, cultural, scenic, and environmentally significant lands. Tax revenue and bond referenda finance these programs to purchase easements, accept donated easements, and acquire fee simple properties. The Beaufort County Rural and Critical Lands Preservation Program has been funded since 2000 with several bond referenda⁴ while the Charleston County Greenbelt program is funded through a transportation half-cent sales tax since 2004.⁵ Richland County uses a portion of the ½ mil allocated to the RCCC for an easement program.

Economic Benefits of Conservation Easements

The Trust for Public Land measures and analyzes the economic benefits and fiscal impacts of land conservation. Their studies “have shown that conservation returns from \$4 to \$10 for every dollar invested. It also provides recreational opportunities, controls flooding, protects air and drinking water quality, wildlife habitat, and farms while supporting industries such as tourism, agriculture, and fisheries.”⁶

Conservation easements provide ecosystem services that taxpayers then don’t have to pay for, such as:

- Stormwater runoff is captured and filtered through preserved wetlands and open space.
- Preventing development can decrease risk and minimize damage from natural disasters.
- Preserving land is one of the most effective ways of protecting water quality. Protected and restored watersheds have reduced the need to build water filtration plants and have reduced operating costs at other water plants.
- Tree coverage reduces air pollution and energy cooling costs.⁷

The cost of public services for new residential development typically costs more than the taxes they generate unlike protected undeveloped land which generates more direct tax revenue. Homes near protected open space sell faster and property values are higher than those located further away. Quality of life issues are a significant consideration for business investment and protected open space is a key component in the amenities that attract business and new workers. Most easement properties are taxed at agricultural use before an easement is placed on the land so property taxes are not affected.⁸

Protecting working lands supports important economic engines in unincorporated Richland County. Purchased easements help farmers generate cash flow to invest in their business or finance a land transition to the next generation. Provisions in easements can help keep farmland or other working lands affordable for new farmers.

RCCC Easement Program

RCCC accepted its first easement in 2004. Since then, there have been 32 easements donated or purchased for a total of 1,255 acres (See Appendix A for a list of easements). Five easements have been donated by developers as an amenity for neighborhoods. There are easements in

each of the county's four eco-regions reflecting the great diversity of Richland County. Several easements border the Broad River, others cover rolling Piedmont forests, while some feature wetlands and bottomland forests. Six easements preserve working farms in the northeast, northwest, and southeast. Easements are located in Council districts 1, 2, 7, 8, 9, 10, and 11 (See Appendix B for a map of easements).

Seventeen of the easements have been donated; the 15 that were purchased equal 849 acres or 68% of the total. Each landowner is advised to consult his financial planner to determine whether a donation or a payment works best in their circumstances.

Richland County Green Infrastructure Project

Green Infrastructure is defined as an interconnected network of green space that conserves natural ecosystem values and function which provide associated benefits to society. It is the ecological framework needed for environmental, social and economic sustainability. Green infrastructure assets contribute to wellness and quality of life in addition to the important environmental services they provide, making communities more resilient to natural and man-made changes.

With growth comes land conversion that fragments natural areas into smaller and more isolated patches of open space. This alters the way natural systems function and decreases nature's ability to respond to change. The key elements of Green Infrastructure are green corridors connected to core habitats. A core habitat is an area of intact habitat sufficiently large to support more than one individual of a species. Brenda Carter, GIS manager for the Planning & Development Services Department, mapped intact habitat cores using many data layers. The cores were then ranked based on factors such as size, species richness, soil diversity, stream length, wetlands, topography, and a fragmentation index. On a scale of 1 – 5, the best habitat cores were rated a 4 or a 5. Wildlife corridors, working lands, and recreation networks were layered on the core habitats to create the Green Infrastructure map. Six Priority areas were identified, in no order of importance, using the green infrastructure model data in each of the four sections of the county – NE, NW, North Central and SE which include the following watersheds: Myers Creek/ Cabin Branch, Sandy Branch, Mussel Creek, Crooked Run and Big Cedar Creek, Wateree Creek, and the COWASEE Basin.

Conservation Easement Considerations

When evaluating properties for a conservation easement, RCCC considers whether the property provides any of the following features:

1. Location within a Priority Area. The property falls within a focus area designated by RCCC as being a high priority for protection.

2. Protection of relatively natural habitat for fish, wildlife, or plants. This includes old-growth forests, wetlands, wildlife migration routes, long-leaf pine, and undeveloped bottom lands.
3. Important hydrologic features necessary for protecting water resources, quality, and supply. This includes wetlands, floodplains, flood ways, aquifer recharge areas, outstanding resource waters, and riparian corridors.
4. Working lands. The property has prime agricultural soils, or lands are in active agriculture or forest management.
5. Rare or Endangered Plants and Animals. The property contains one or more endangered, rare, or threatened species of animal or plant.
6. Size and condition. The property is of a sufficient size for its conservation resources to remain intact and sustained despite adjacent development. All or much of the property is in a relatively natural and undisturbed condition.
7. Adjacency or connectivity to protected areas. The property abuts, adjoins, connects to, or buffers lands protected by conservation organizations or governmental bodies.
8. Unique geological feature. Land contains unique or significant geological features such as monadnocks, river bluffs, fall line sandhills, or Carolina Bays.
9. Outdoor recreation. The landowner will allow public access for hiking, fishing, bird watching, or other nature-based recreation.
10. Open space contributing to the scenic enjoyment of the general public. The land is valuable to a community as open space due to its scenic attributes or its proximity to developing areas. It is visible to the public from roadways, waterways or recreation areas.
11. Protection of lands in the furtherance of federal, state, regional, or county plans or policies. The property is part of a comprehensive land use plan, management plan, critical lands plan, recreation and/or tourism plan, etc.
12. River frontage. The land abuts the Wateree, Congaree or Broad Rivers.
13. Historic or archaeological feature. The property contains a significant historic structure or is adjacent to a historic resource and necessary for its protection.

14. Scientific or educational value. The property contains natural features of scientific or educational value that could be used for the demonstration of sustainable agriculture and silviculture, good land stewardship, or natural resource management.

Strategic Plan for RCCC Conservation Easement Program

Mission statement: The Conservation Easement program protects strategically identified properties through donated easements and purchase of development rights.

Step 1: Use Richland County Green Infrastructure plan and model to select priority landscapes and watersheds in the county based on the criteria listed below.

- A. Maintain forested land cover to recharge groundwater aquifers for drinking water and to provide wildlife habitat
- B. Improve water quality by providing buffers to help prevent runoff and erosion and to reduce pollutants
- C. Ensure biodiversity and a healthy ecosystem
- D. Preserve and promote natural resource-based recreation such as hiking, bird watching, hunting, and fishing
- E. Increase size of existing conserved areas and corridors

Step 2: Incorporate cultural, community and heritage values of the area on a landscape level by selecting priority areas based on the following:

- A. Protect rural agriculturally-based economy
- B. Conserve community character and heritage by protecting historic landscapes
- C. Promote compatible traditional community land uses
- D. Provide safe opportunities to promote community wellness
- E. Connect communities with their natural and historical heritage

Step 3: Select Priority Areas for conservation acquisition based on the Richland County Green Infrastructure model (see attached Priority area maps 1 thru 6):

- A. Myers Creek/Cabin Branch Watershed – Priority Area 1
- B. Sandy Branch Watershed – Priority Area 2
- C. Mussel Creek Watershed – Priority Area 3
- D. Crooked Run and Big Cedar Creek Watersheds – Priority Area 4
- E. Wateree Creek Watershed – Priority Area 5
- F. COWASEE Basin – Priority Area 6

Step 4: Develop a pilot project in one of the six Priority Areas

- A. RCCC choose one priority area as pilot project
- B. Map individual areas with parcel data

- C. Select and rank properties with the best Green Infrastructure attributes and parcel size larger than 100 acres

Step 5: Use the conservation easement selection criteria below to identify specific parcels for easement donation or purchase:

To qualify for selection, the property must be in Richland County and should aid sound land use planning, promote land conservation, and encourage careful stewardship of land and water resources. The property should be of a sufficient size or part of a cluster of properties to allow for effective conservation. The potential for resource conversion should be weighed. Donor contributions should allow for conservation in a cost-effective manner. Additionally, properties must meet at least one of the following criteria:

- A. The property provides important wildlife habitat or has other significant natural qualities; or
- B. The property provides protection for important open space, recreation lands, or working lands; or
- C. The property is important to the protection of water quality; or
- D. The property has historic or cultural significance by being eligible for the National Register of Historic Places, Richland County Historic Buildings, or other approved programs.

Step 6: Publicize program

- A. Give easement presentations to civic and service organizations
- B. Place paid advertisements
- C. Publicize easement closings
- D. Create new brochure

Step 7: Increase outreach to landowners

- A. Hold watershed specific meetings to educate landowners about conservation easements
- B. Send letters to individual landowners with high Green Infrastructure ranking
- C. Partner with local land trusts to hold landowner workshops

Implementation Schedule

Summer - Fall 2016 – Develop Green Infrastructure map and priority areas

June 2017 – Adopt selection criteria, select one priority area as pilot project

July - October 2017 – Map and rank individual parcels within the selected priority area

Summer 2017 – Develop new brochure

Fall 2017 – Send letters to landowners with most Green Infrastructure attributes

Fall 2017 – Hold first landowner group meeting

Ongoing – Evaluate proposed properties outside priority areas

Ongoing – Presentations to organizations

Late 2018 – Evaluate pilot program, make adjustments, select second priority area, reach out to landowners

2019 – 2022 – Add one priority area each year

Priority Areas

Myers Creek/Cabin Branch Watershed – Priority Area 1 (Districts 10, 11)

Myers Creek/Cabin Branch Watershed falls within the Atlantic Southern Loam Plains eco-region. This area of Lower Richland has prime agricultural soils, active agriculture and timber operations, and one large intact Carolina Bay. In 2015 County Council approved a plan for a Cabin Branch Conservation Corridor. The corridor contains 675 acres acquired by the county that protects approximately two and a half miles of Cabin Branch and 128 acres in two conservation easements on the creek. Phase one involves acquiring easements with 300' vegetated buffers from 24 landowners along the creek down to Clarkson Road. Phase two includes 35 landowners from Clarkson to Bluff Road where the creek meets Myers Creek. Myers Creek, which is west of Cabin Branch, flows through mostly large parcels from Garners Ferry Rd to Bluff Rd. After meeting Cabin Branch, Myers Creek continues southeast until it joins Cedar Creek, the main waterway through Congaree National Park and the only Outstanding National Resource Water in South Carolina. RCCC holds a 251-acre easement on Myers Creek. Green Infrastructure data: Priority area 1 contains wetlands and several high-ranking core habitats. Lower ranking cores along Cabin Branch would be enhanced by the proposed 300 ft. buffer. Myers Creek is an important wildlife corridor. Rare, threatened, and endangered species (RTE) include: swamp rabbit, barn owl, Rafinesques's big-eared bat, Carolina bogmint, and awned meadow beauty.

Sandy Branch Watershed – Priority Area 2 (Districts 2, 9)

Sandy Branch Watershed covers the northeastern corner of Richland County and is the least developed of the region. It falls within the Carolina Slate Belt eco-region – a mineral rich metavolcanic and sedimentary rock formation that extends up to Virginia and down to Georgia. Sandy Branch flows into Twenty-five Mile Creek in Kershaw on its way east to the Wateree River. The southwestern part of the watershed is in the Sand Hills. This area has heavy residential development but also contains Clemson Sandhills Research and Education Center and two RCCC agricultural conservation easements, one of which is on Sandy Branch.

Green Infrastructure data: Priority Area 2 features a wildlife corridor along Bear Creek, four habitat cores that rank #4, and dominant canopy of a rare species of Mesic Mixed Hardwood Forest.

Mussel Creek Watershed – Priority Area 3 (District 1)

In Richland County Mussel Creek Watershed follows the south side of the Broad River for approximately ten miles to the northwestern border with Newberry County. This corner of the county falls within the Carolina Slate Belt and has hilly terrain and river floodplains. While there are still many large forested tracts, development pressures are increasing. RCCC has two easements that front the Broad River.

Green Infrastructure data: Priority Area 3 has the highest ranking habitat cores along 85% of the Broad River frontage in the watershed. A large #4 ranking core dominates the western end. Three wildlife corridors cross the area. Rocky Shoals Spider Lilies are found in the rocky shoals of the Broad, mainly on the Richland county side.

Crooked Run and Big Cedar Creek Watersheds – Priority Area 4 (District 2)

Little Cedar Creek, Cedar Creek, and Elkins Creek are the main streams in these two watersheds in the north central area of the county. Both watersheds fall within the Carolina Slate Belt eco-region and drain into the Broad River. Large forested parcels predominate in this Piedmont landscape. This is the most rural of the three areas north of Columbia. Since development pressure is not as strong as elsewhere, opportunities to acquire easements should be greater.

Green Infrastructure data: Priority Area 4 is dominated by wildlife corridors and has one large habitat core that ranks #5 and four cores that rank #4. RTE species include: oak-hickory forest, gravel elimia (freshwater snail), creeper (river mussel), and eastern creekshell (mollusk).

Wateree Creek Watershed – Priority Area 5 (District 1)

Like Mussel Creek, this watershed is in the northwest, falls within the Carolina Slate Belt eco-region, and drains into the Broad River. Residential lots tend to be an acre or larger; there is only one subdivision but growth pressures are significant. RCCC holds easements on 71 acres on Pebble Creek and on a tributary to Wateree Creek.

Green Infrastructure data: Priority Area 5 contains two large habitat cores that rank #5 and a long wildlife corridor along Wateree Creek. There are no RTE species identified.

COWASEE Basin – Priority Area 6 (District 10)

The Congaree and Wateree river systems border Richland County for 50 miles each on the southwest and east respectively where they merge to form the Santee River. The name COWASEE was created from the names of these three rivers. Known as the Southeastern Floodplains and Low Terraces, the eco-region forms a distinct **V** on maps and has been called the Green Heart of South Carolina. According to the COWASEE Basin Tour Guide, “the floodplain forests are some of the most extensive and biologically diverse in the Southeast.

They support nearly a hundred species of woody shrubs and trees, and are some of the most productive wildlife habitats in North America.”

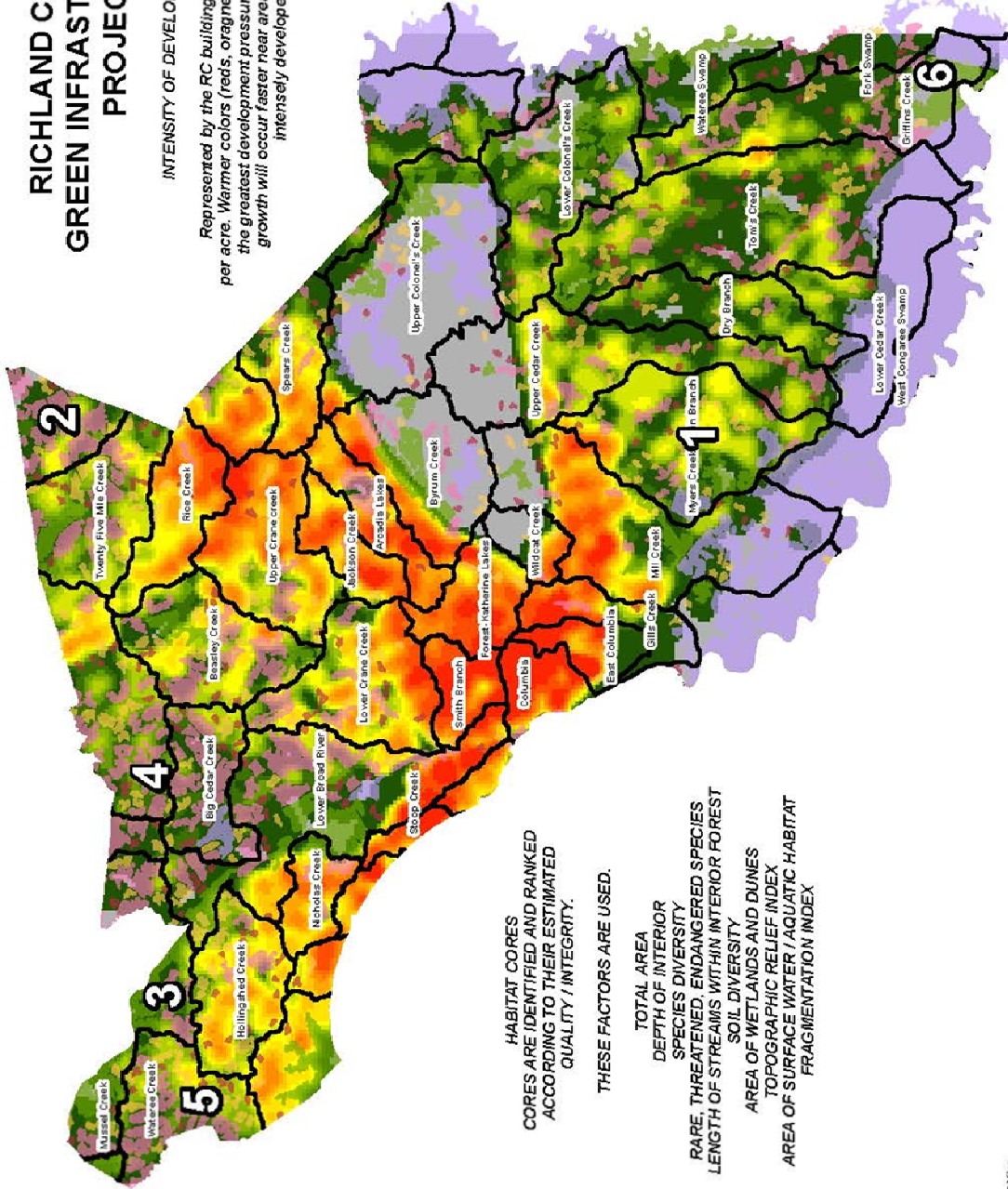
The COWASEE Basin Focus Area was developed to protect wildlife habitat, wetlands and water quality, and working lands through the use of voluntary conservation easements. Of the 315,000-acre ecosystem, approximately one-half lies in Richland County and contains sections of 19 watersheds. RCCC is an active member of the Task Force that includes private landowners, Congaree Land Trust, SC Department of Natural Resources and other governmental agencies.

Richland County owns a 2550-acre tract on Mill Creek, just west of Congaree National Park in the West Congaree Swamp Watershed. Half of the property is a mitigation bank. Plans are being developed for public recreational use of the property.

RICHLAND COUNTY GREEN INFRASTRUCTURE PROJECT

INTENSITY OF DEVELOPMENT

Represented by the RC building footprint units per acre. Warmer colors (reds, oranges, yellows,) showing the greatest development pressure. This assumes growth will occur faster near areas that are more intensely developed.



HABITAT CORES
CORES ARE IDENTIFIED AND RANKED
ACCORDING TO THEIR ESTIMATED
QUALITY / INTEGRITY.

THESE FACTORS ARE USED.

- TOTAL AREA
- DEPTH OF INTERIOR
- SPECIES DIVERSITY
- RARE, THREATENED, ENDANGERED SPECIES
- LENGTH OF STREAMS WITHIN INTERIOR FOREST
- SOIL DIVERSITY
- AREA OF WETLANDS AND DUNES
- TOPOGRAPHIC RELIEF INDEX
- AREA OF SURFACE WATER / AQUATIC HABITAT
- FRAGMENTATION INDEX

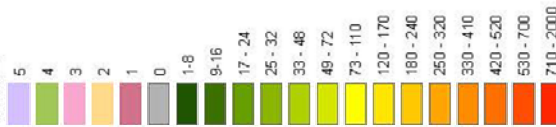


Legend

Watersheds - 14 Digit

Core Quality Index

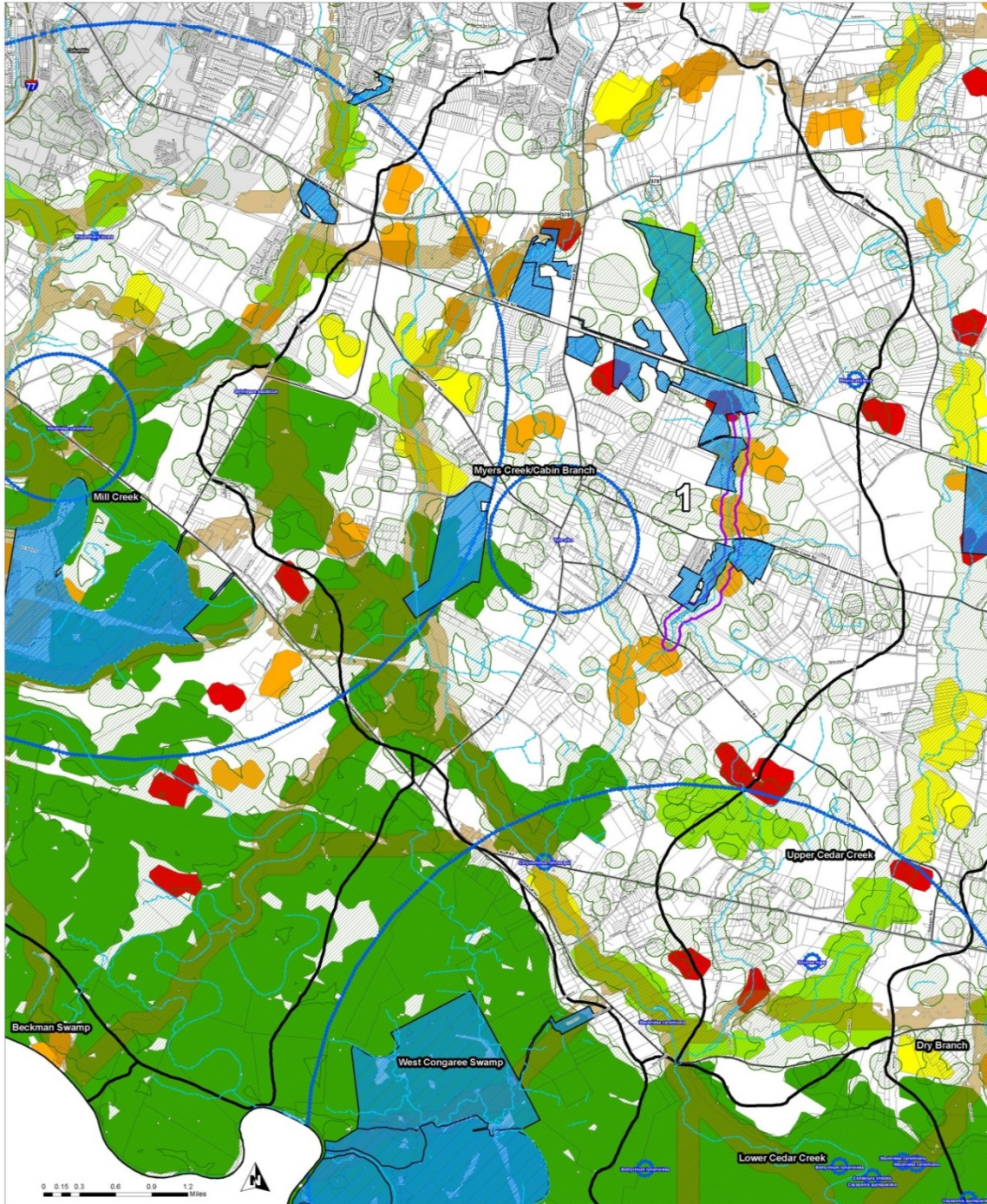
SCORE



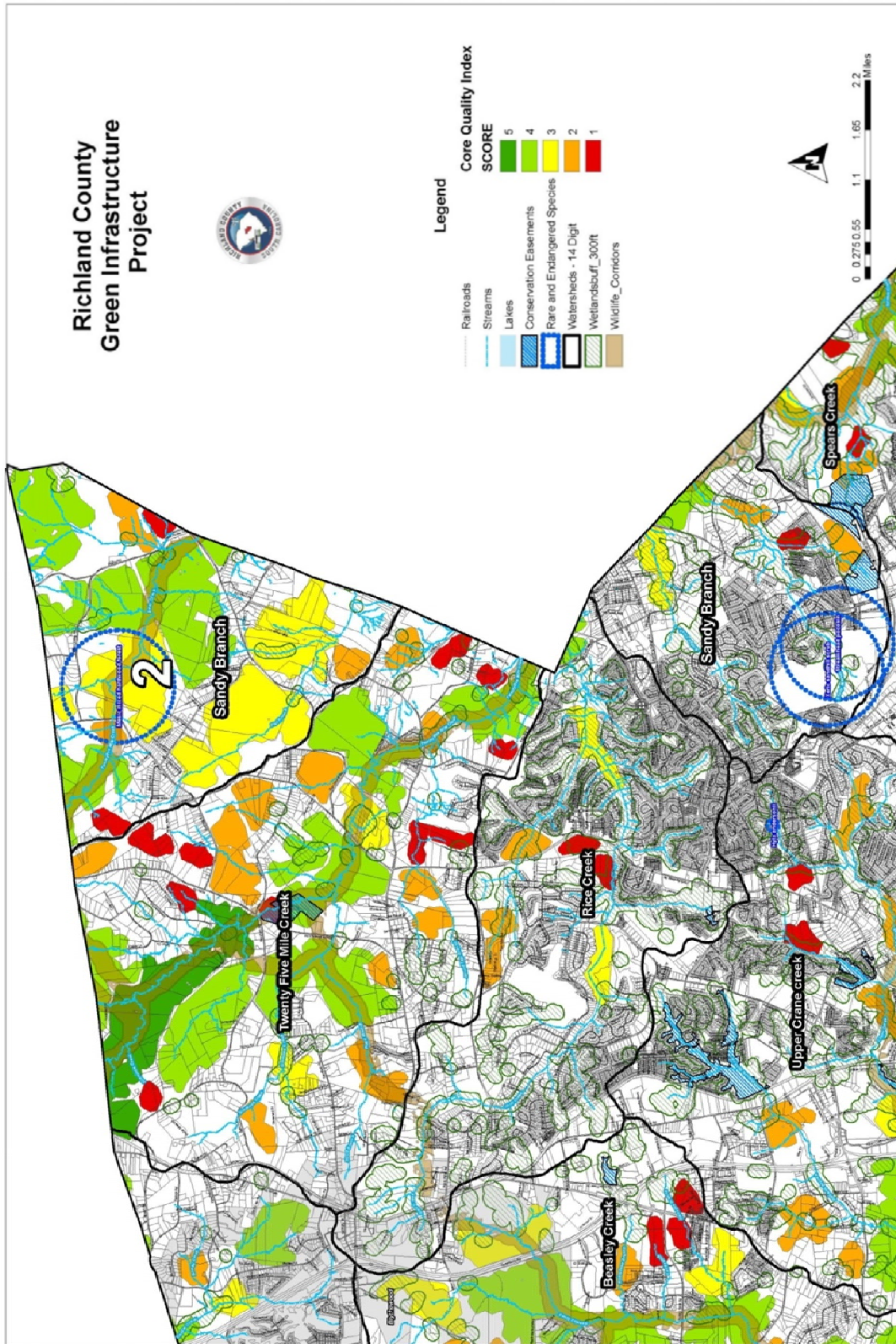
Priority Area 1 – Myers Creek/Cabin Branch Watershed



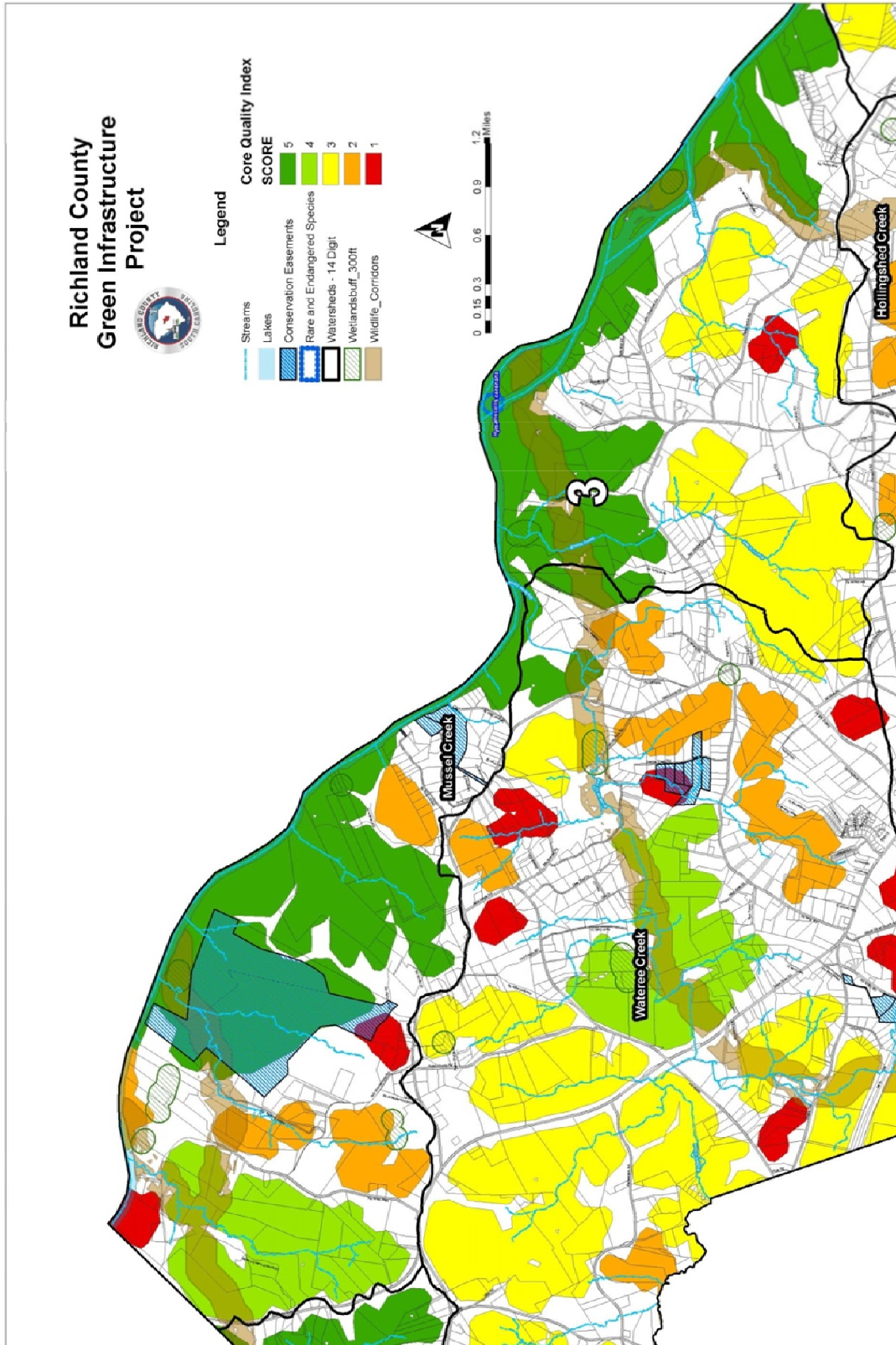
Richland County Green Infrastructure Project



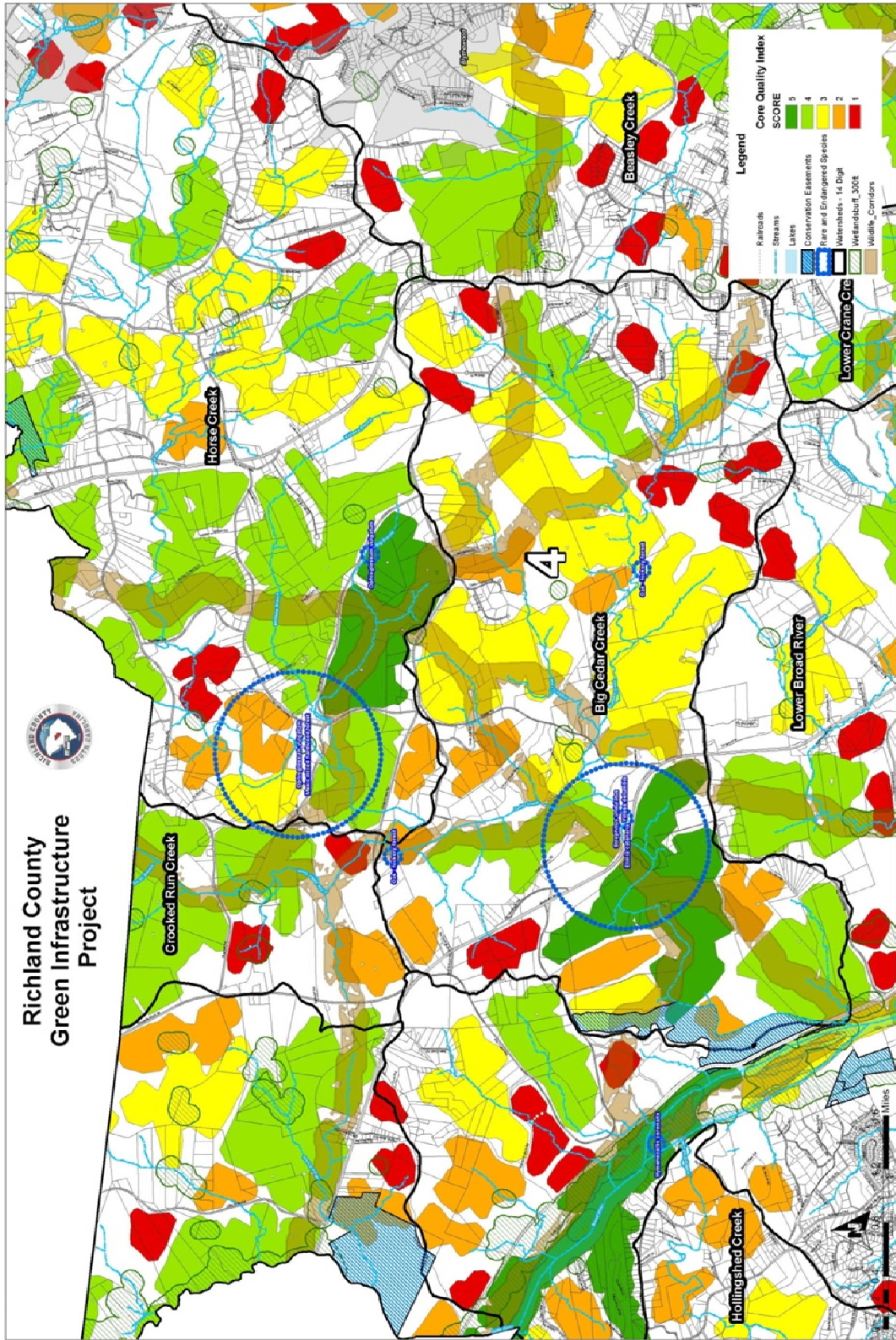
Priority Area 2 – Sandy Run Watershed



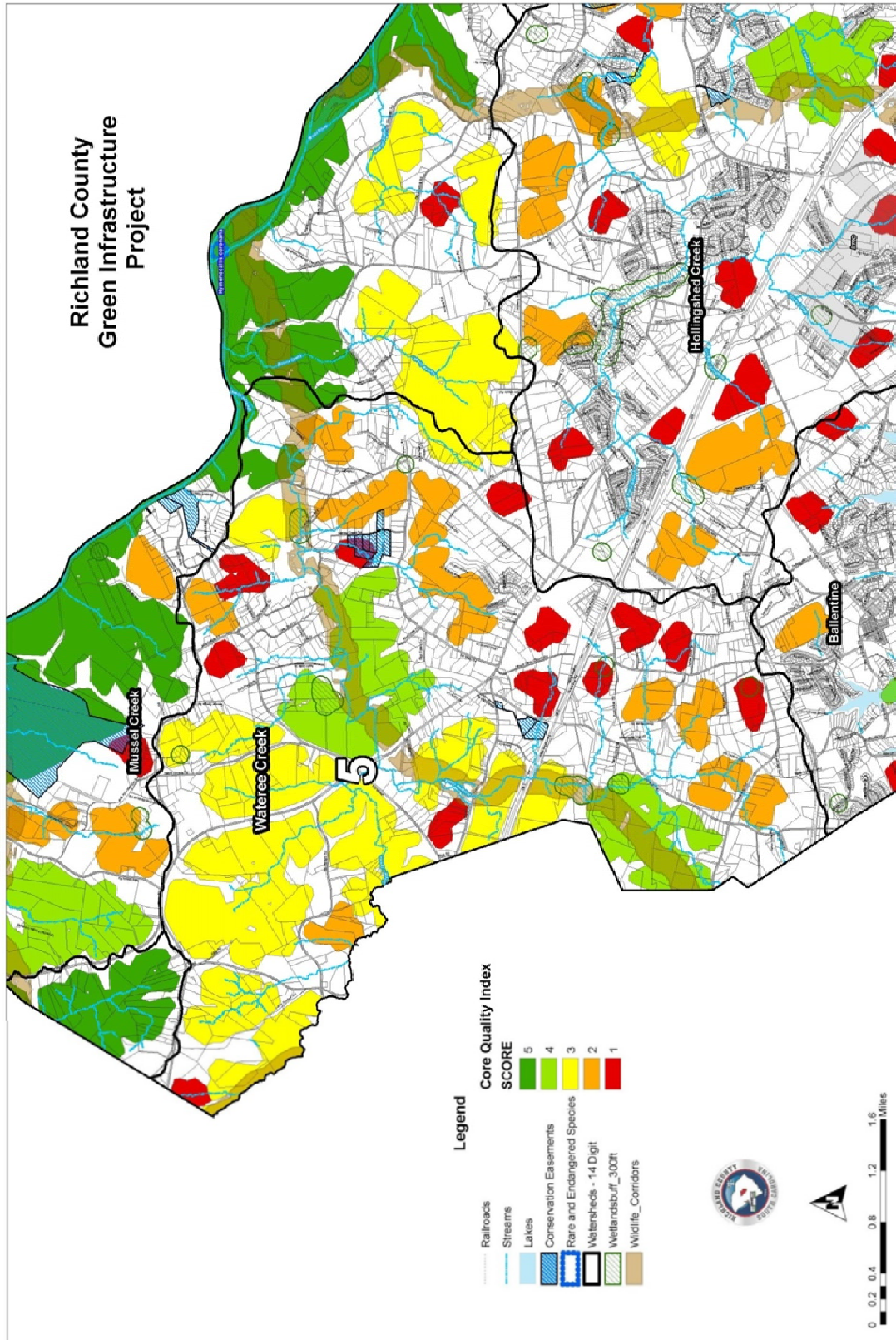
Priority Area 3 – Mussel Creek Watershed



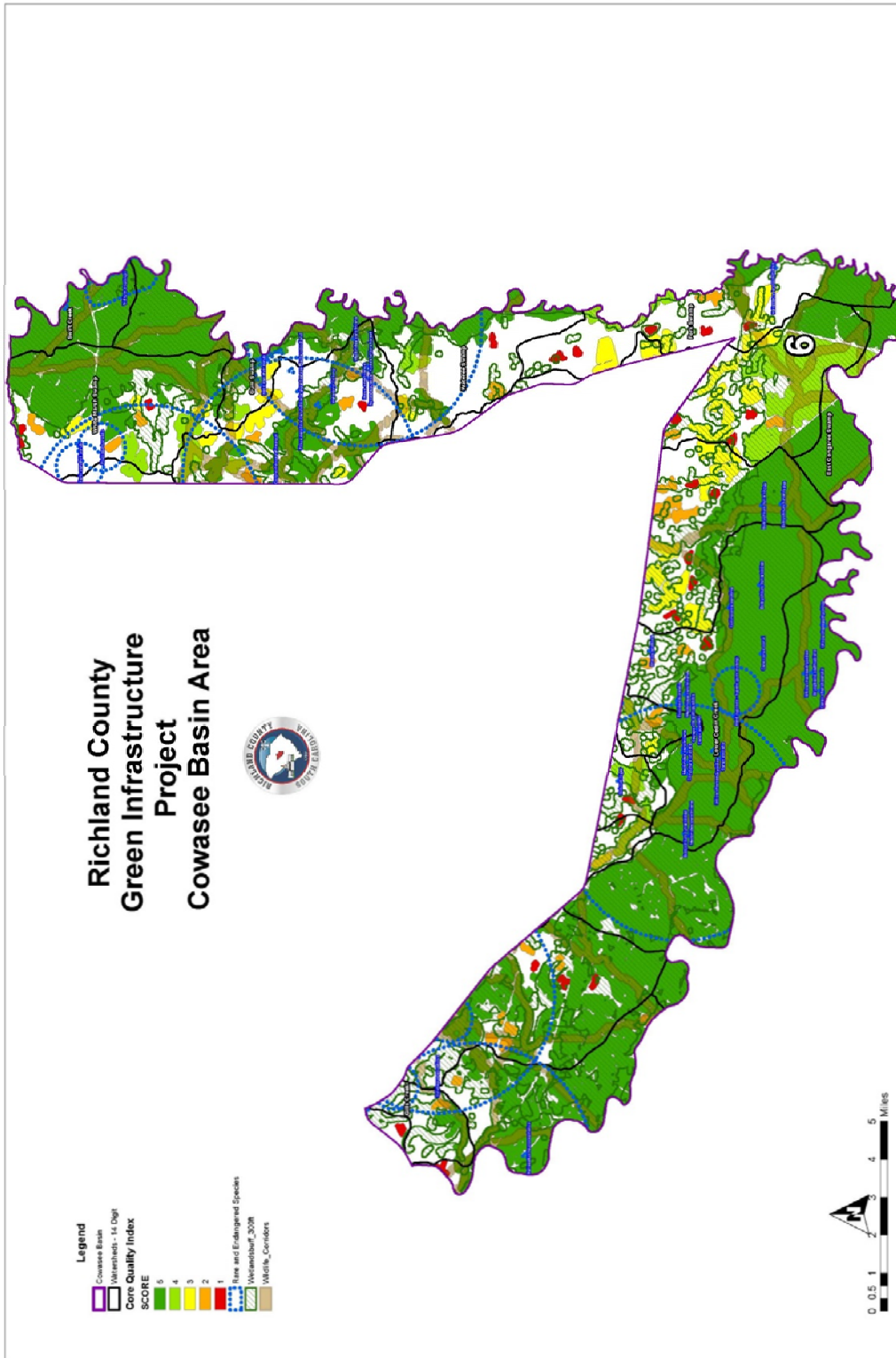
Priority Area 4 – Big Cedar Creek Watershed



Priority Area 5 – Wateree Creek Watershed



Priority Area 6 – COWASEE Basin

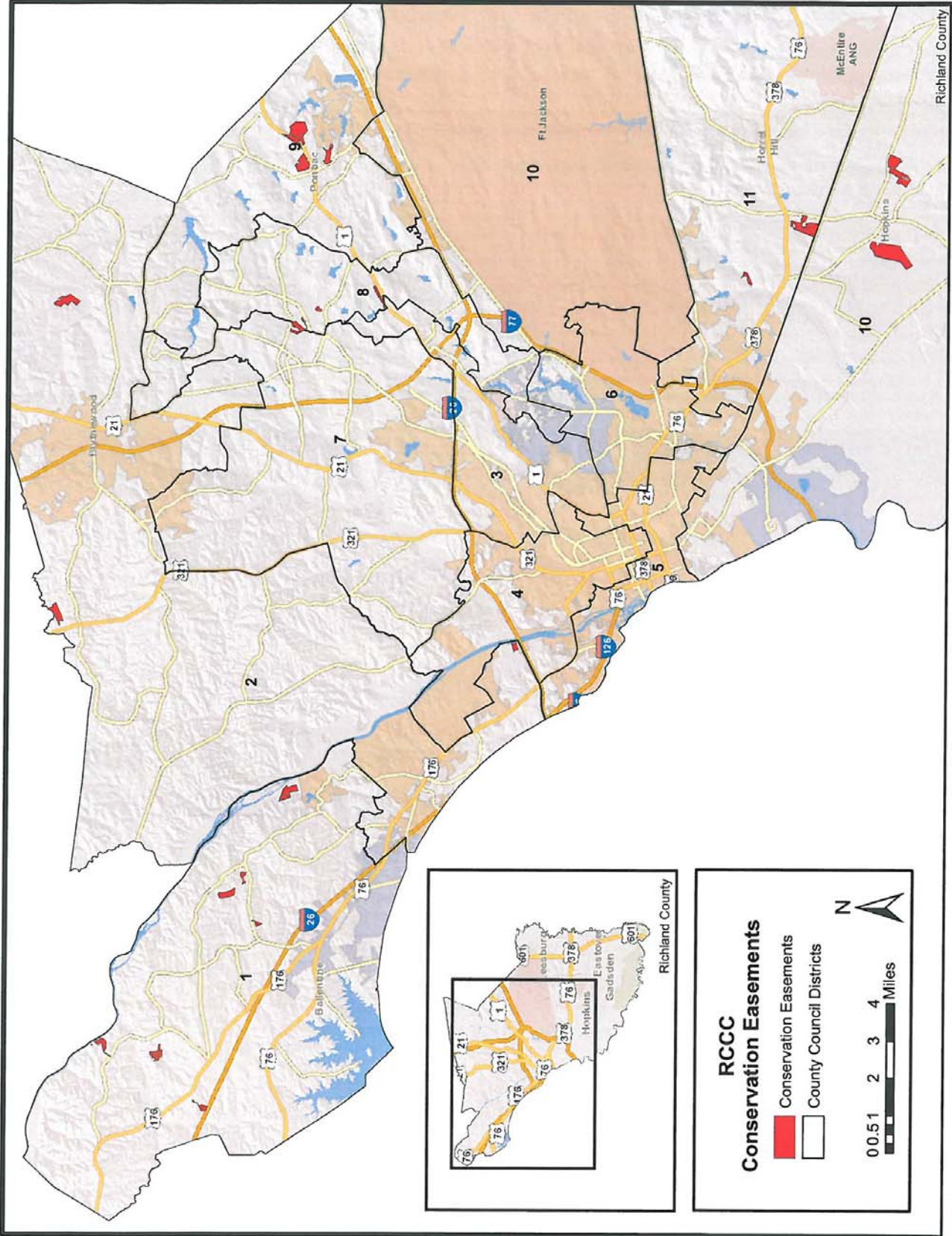


Appendix A

RCCC Land Protection Summary 7/2017

Name	Landowner	Acres	Yr Acq	Co Dist	Cost
RCCC Easements					
Connor Trust	Carol's Sanctuary LLC	29.17	2005	1	\$450,000
Country Properties	Jim Podell	9.66	2007	8	\$0
GP Monroe (1)	G. P. Monroe	70.41	2007	9	\$70,000
FD Monroe (1)	Delano Monroe	95.19	2007	9	\$0
Greenhill Parish (DAK I LLC)	John Kirk	43.06	2007	9	\$0
Eleazer	John Eleazer	63.18	2007	1	\$93,000
SB Communities(Killian/Hester Woods)	Steve Corboy	45.32	2008	7,9	\$0
GP Monroe (2)	GP Monroe	17.49	2008	9	\$0
Clark (1)	Kenneth Clark	18.47	2009	2	\$18,000
Koon	David Koon	47.03	2009	1	\$0
Bollinger	Cindy Bollinger	20.75	2009	1	\$0
Kingston Ridge (BDH Prop. LLC)	George Delk	19.97	2009	11	\$0
Mullis	Kenny Mullis	75.29	2009	2	\$75,000
Neal	J. P. Neal	57.57	2009	10	\$57,000
Clark (2)	Kenneth Clark	9.64	2010	1	\$9,600
Cottonwood, LLC	Jeff Brown	55.95	2010	2	\$52,000
Ganus	Mildred Ganus	14	2010	1	\$14,000
Troutman	Roger Troutman	7.62	2010	1	\$10,300
C.W. Haynes	Bobby Haynes	69.85	2010	10	\$70,000
Pearson	Ralph Pearson	6.72	2010	1	\$35,000
FD Monroe (2)	Delano Monroe	34.4	2010	9	\$0
Pebble Creek					
Atkinson	Gary Atkinson	13.23	2009	1	\$0
DuRant	Billy DuRant	9.87	2009	1	\$0
Hightower	Richard Campbell	5.51	2009	1	\$0
Mattox	Judy Mattox	4.63	2010	1	\$0
Wilson	Dustin Mowery	5.38	2010	1	\$0
Kilpatrick	Mike Kilpatrick	6.85	2011	1	\$0
Wooster	Debbie Wooster	3.62	2011	1	\$0
Spring Valley	Spring Valley HOA	23.97	2013	8	\$0
Hopkins Oldfield 1	Ted Hopkins	60	2013	11	\$60,000
Hopkins Oldfield 2	Ted Hopkins	60	2015	11	\$50,000
Hopkins Pincushion	Ted Hopkins	251	2015	10	\$125,500
	Total	1254.8			\$1,189,400

Appendix B



References

- ¹ USDA – NRCS Agricultural Conservation Easement Program
<https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/easements/acep/>
- ² Agricultural Conservation Easement Program - Agricultural Land Easements
[http://www.farmlandinfo.org/sites/default/files/Agricultural Conservation Easement Program Agricultural Land Easements 2015 AFT FICv2.pdf](http://www.farmlandinfo.org/sites/default/files/Agricultural%20Conservation%20Easement%20Program%20Agricultural%20Land%20Easements%202015%20AFT%20FICv2.pdf)
- ³ SC Conservation Bank <http://sccbanc.sc.gov/Pages/default.aspx>
- ⁴ Beaufort County Rural and Critical Lands Program <http://ruralandcritical.org/>
- ⁵ Charleston County Greenbelt <http://charlestoncountygreenbelt.org/>
- ⁶ Conservation Economics <https://www.tpl.org/how-we-work/fund/conservation-economics#sm.00012iqejqzoqdl7vn12kfyadbm7>
- ⁷ Conservation: An Investment that Pays – The Economic Benefits of Parks and Open Space
http://conservationtools.org/library_items/725-Conservation-An-Investment-that-Pays-The-Economic-Benefits-of-Parks-and-Open-Space
- ⁸ The Economic and Tax-Base Benefits of Land Conservation
<https://serppas.org/media/1078/lta-fact-sheet-economic-benefits-of-land-conservation.pdf>