

2022 WL 3452223 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 8, 2022

*1 The Hon. Tom Davis
South Carolina Senate
L. Marion Gressette Building, Suite 203
Columbia, SC 29201

Dear Senator Davis:

We received your request for an opinion on certain questions related to the County Greenspace Sales Tax Act. This expedited opinion sets out our Office's understanding of your questions and our response.

Issue (as quoted from your letter):

1. Does the Act provide a county with the authority to set up a preservation procurement process and to reserve unto itself the specific identification of the procurements to be made?
2. Does the Act limit the role of the advisory committee and the SCDOR to that of ensuring a county's procurements meet the requirements of the statute, or does the Act provide them with the substantive policymaking power to identify specific procurements to be made?
3. Does the Act require a county, in making preservation procurements, to lease real property?
4. Does the Act confer upon the municipalities within the county a right to receive any of the green space sales tax funds collected by the SCDOR?

Law/Analysis:

Your request letter also provided to us two memoranda. The first memorandum was authored by Kenneth M. Moffit, Assistant Clerk of the South Carolina Senate and Assistant Director, Senate Research. The second memorandum was authored by Jason P. Luther, Chief Legal Officer for the South Carolina Department of Revenue. Based on these memoranda and your communications with our Office, it appears that there is broad consensus on how this law is intended to operate, and your constituents simply want an advisory opinion of this Office either affirming or disagreeing with that construction.

For the reasons described below, we join the consensus of the Senate and the Department of Revenue. Our Office has expedited this opinion in order to provide timely advice for your constituents.

The County Green Space Sales Tax Act was signed into law on May 16, 2022 and is codified as Title 4, Chapter 10, Article 10 of the South Carolina Code. *See S.C. Code Ann. § 4-10-1010 et seq.* In relevant part, the Act provides as follows:

(A) For the purposes of this article, "preservation procurements" means procuring open lands or green space for preservation, by and through the acquisition of interests in real property, including:

(1) the acquisition of fee simple titles;

(2) conservation easements;

- (3) development rights;
- (4) rights of first refusal;
- (5) options;
- (6) leases with options to purchase; and
- (7) any other interests in real property.

(B)(1) Subject to the requirements of this article, a county's governing body may impose a sales and use tax by ordinance, subject to a referendum, within the county area for preservation procurements.

(2) Revenues collected pursuant to this article may be used to defray debt service on bonds issued to pay for preservation procurements authorized in this article. This authorization is in addition to any other locally imposed sales and use taxes.

*2 S.C. Code Ann. § 4-10-1010.

(A) A county governing body may impose a sales and use tax up to one percent authorized by this article, by ordinance, subject to a referendum. An enacting ordinance must specify:

(1) the purpose for which the proceeds of the tax are to be used, which may include preservation procurements located within or without, or both within and without, the boundaries of the local governmental entities, including the county, municipalities, and special purpose districts located in the county area;

(2) if the county proposes to issue bonds to provide for the payment of any costs of the preservation procurements, the maximum amount of bonds to be issued, whether the sales tax proceeds are to be pledged to the payment of the bonds and, if other sources of funds are to be used for the preservation procurements, a list of the other sources;

(3) the maximum cost of the preservation procurements, to be funded from the proceeds of the tax or bonds issued as provided in this article and the maximum amount of net proceeds expected to be used to pay the cost or debt service on the bonds, as the case may be; and

(4) the fact that preservation procurements may pertain to real property situated outside of the boundaries of the taxing jurisdiction.

(B) Upon receipt of an ordinance, a county's election commission must conduct a referendum on the question of imposing the sales and use tax in the area of the county that is to be subject to the tax....

S.C. Code Ann. § 4-10-1020(A)&(B).

(1) The tax levied pursuant to this article must be administered and collected by the Department of Revenue in the same manner that other sales and use taxes are collected. The Department of Revenue may prescribe amounts that may be added to sales prices because of the tax.

(2) The county in which a referendum is passed shall assemble an advisory committee to assist the Department of Revenue with directing the distribution of the taxes collected to ensure a transparent and equal distribution within the county. The advisory committee shall include seven members:

- (a) one member who is a member of the county council;
- (b) one member who is a member of the legislative delegation;
- (c) one member who is knowledgeable about the geography and condition of the county's land; and
- (d) four citizen members, each representing the northern, southern, eastern, and western portions of the county.

S.C. Code Ann. § 4-10-1040(A).

Annually, and only in the month of June, funds collected by the Department of Revenue from the county green space sales tax, which are not identified as to the governmental unit due the tax, must be transferred, after reasonable effort by the Department of Revenue to determine the appropriate governmental unit, to the State Treasurer's Office. The State Treasurer shall distribute these funds to the county treasurer in the county area in which the tax is imposed, and the revenues must be only used for the purposes stated in the enacting ordinance. The State Treasurer shall calculate this supplemental distribution on a proportional basis, based on the current fiscal year's county area revenue collections.

***3 S.C. Ann. § 4-10-1060.**

We address each of your presented questions in turn, reiterating that this is an expedited opinion on a new statute and should be read in the context of other relevant prior opinions and generally-applicable law.

Questions 1 and 2 ask essentially the same question, in that they center on the authority to identify lands for preservation procurements:

1. Does the Act provide a county with the authority to set up a preservation procurement process and to reserve unto itself the specific identification of the procurements to be made?

2. Does the Act limit the role of the advisory committee and the SCDOR to that of ensuring a county's procurements meet the requirements of the statute, or does the Act provide them with the substantive policymaking power to identify specific procurements to be made?

We believe that the county retains the authority to identify what property it wishes to target for preservation procurements and to elect what type of interest in real property it seeks to acquire. Ultimately, it is the county governing body that is levying the tax and procuring the property interests. S.C. Code Ann. § 4-10-1020. The Department of Revenue and the statutory Advisory Committee each have a role in this process: the stated role of the Advisory Committee under the statute is to “to assist the Department of Revenue with directing the distribution of the taxes collected to ensure a transparent and equal distribution within the county.” S.C. Code Ann. § 4-10-1040(A)(2). The role of the Department is to administer and collect the tax “in the same manner that other sales and use taxes are collected.” S.C. Code Ann. § 4-10-1040(A)(1).

We quote here from the Memorandum of the Assistant Clerk of the South Carolina Senate, which describes the role of Advisory Committee within the statutory framework and generally applicable law:

The procedures established in the Act are fairly standard with other similar sales taxes authorized in the S.C. Code - with one exception.

Unlike other similar sales and use taxes, the Act requires that upon a successful referendum a County “shall assemble” an Advisory Committee The Advisory Committee plays an important role in making sure that the tax revenue raised pursuant

to the additional levy is spent on appropriate projects because unlike other special sales and use tax levies for specific projects the referendum does not have to list the particular projects that are to be funded with the additional sales and use tax....

Therefore, the Act does not result in a County ceding all control over the Advisory Committee's functions. County governing bodies have the authority to enact ordinances "not inconsistent with the Constitution and general law of this State" that are "necessary and proper for the security, general welfare, and convenience of the counties or respecting or for preserving the health, peace, order and good government in them." (S.C. Code Ann. § 4-9-25) Given the limited scope of authority vested with the Advisory Committee in the "general law," the Counties have wide latitude to affect the activities of an Advisory Committee so long as the County does not attempt to change the composition of an Advisory Committee or interfere with the Advisory Committee's interactions with the Department of Revenue.

*4 Therefore, it is my opinion that Beaufort County has the statutory authority to establish a procedure or protocol for identifying and recommending which open lands or green spaces should be procured for preservation. The Advisory Committee can play a role in making those recommendations if County Council so chooses - but County Council is not compelled to use the Advisory Committee for that purpose.

Memorandum of Kenneth M. Moffit. Similarly, the Memorandum from the Department of Revenue describes how the Department intends to administer this program:

In [DOR's] view, the Department's primary role is to collect the tax revenues and distribute them to the county. The Department does not interpret [the County Greenspace Sales Tax Act] to require the agency to delve into the details of which properties a county should purchase for purposes of green space usage, nor does the Department intend to take an active role in the selection process.... [T]he Department will rely on the advisory committee to provide a transparent plan that equally distributes the funds within the county; once that plan is approved by the county council, the Department will acknowledge the plan and the county may move forward with expending the funds.

Memorandum of Jason P. Luther. The Department goes on to note it retains general audit authority as with other taxes it administers and collects.

Reading the two Memoranda together, we believe that a court would find that the statutory construction set out in the quoted portions is consistent with the plain language and obvious legislative intent of the Act. Furthermore, because the Department is the agency tasked by statute with administering this statute, a court would likely grant deference to the Department's interpretation of the Act. See *Kiawah Development Partners. II v. South Carolina Department of Health & Environmental Control*, 411 S.C. 16, 34, 766 S.E.2d 707, 718 (2014) ("[W]e give deference to agencies both because they have been entrusted with administering their statutes and regulations and because they have unique skill and expertise in administering those statutes and regulations.").

Beyond this, for the purpose of this expedited opinion we will simply observe the following: the underlying purpose of this advisory committee is to promote transparency and fairness in the process - in essence, to ensure the Greenspace Sales Tax funds do not become a "slush fund" that is used inappropriately. Within the statutory framework set out in the Act, many of the details of exactly how this purpose is accomplished - for example, what role the advisory committee plays in identifying possible acquisitions - might be decided on a local level, consistent with Home Rule. See S.C. Code Ann. § 4-9-25.

3. Does the Act require a county, in making preservation procurements, to lease real property?

A lease is one option given to a county by the Act. However, a county may well choose another option instead.

*5 Section 4-1-1010(A) defines a preservation procurement for purposes of the Act:

For the purposes of this article, “preservation procurements” means procuring open lands or green space for preservation, by and through the acquisition of interests in real property, including:

- (1) the acquisition of fee simple titles;
- (2) conservation easements;
- (3) development rights;
- (4) rights of first refusal;
- (5) options;
- (6) leases with options to purchase; and
- (7) any other interests in real property.

S.C. Ann. § 4-10-1010(A). The evident intent here is to give counties a “toolbox” with a variety options, any one of which a county may elect to use in a particular situation if deemed appropriate. Under this statute, open lands could be preserved through a lease with an option if appropriate. But a county may be deemed that counterproductive, and instead pursue a conservation easement or acquiring the fee simple title. Any interest in real property might be acquired as a preservation procurement; no one type of interest in particular is required over another by this statute.

4. Does the Act confer upon the municipalities within the county a right to receive any of the greenspace sales tax funds collected by the SCDOR?

Ultimately, it is the county governing body that is levying the County Greenspace Sales Tax and procuring the property interests. S.C. Code Ann. § 4-10-1020. The revenues are only to be used for preservation procurements made pursuant to the county ordinance. S.C. Code Ann. § 4-10-1020(A)(1), - 1030(C), -1060. Therefore, it appears that a municipality within the county would only receive County Greenspace Sales Tax funds incidental to a county preservation procurement.

Municipalities are entitled to specific information pursuant to section 4-10-1050, which reads in full:

The Department of Revenue shall furnish data to the State Treasurer and to the county treasurers receiving revenues for the purpose of calculating distributions and estimating revenues. The information that must be supplied to counties and municipalities upon request includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers. Information about a specific taxpayer is considered confidential and is governed by the provisions of Section 12-54-240. A person violating this section is subject to the penalties provided in Section 12-54-240.

S.C. Code Ann. § 4-10-1050 (emphasis added).

Conclusion:

In conclusion, we reiterate that this is an expedited opinion. With that caveat, we answer your questions as follows in this expedited opinion:

First, the county retains the authority to identify what property it wishes to target for preservation procurements and to elect what type of interest in real property it seeks to acquire. Ultimately, it is the county governing body that is levying the tax and procuring the property interests. S.C. Code Ann. § 4-10-1020. The Department of Revenue and the statutory Advisory

Committee each have a role in this process: the stated role of the Advisory Committee under the statute is to “to assist the Department of Revenue with directing the distribution of the taxes collected to ensure a transparent and equal distribution within the county.” S.C. Code Ann. § 4-10-1040(A)(2). The role of the Department is to administer and collect the tax “in the same manner that other sales and use taxes are collected.” S.C. Code Ann. § 4-10-1040(A)(1).

*6 Second, a lease is one of several options under the Act that a county may pursue, in the discretion of the county, to establish a preservation procurement. Any interest in real property might be acquired as a preservation procurement; no one type of interest in particular is required over another by the Act. S.C. Ann. § 4-10-1010(A).

Finally, it appears that a municipality within the county would only receive County Greenspace Sales Tax funds incidental to a county preservation procurement. Ultimately, it is the county governing body that is levying the County Greenspace Sales Tax and procuring the property interests. S.C. Code Ann. § 4-10-1020. The revenues are only to be used for preservation procurements made pursuant to the county ordinance. S.C. Code Ann. § 4-10-1020(A)(1), -1030(C), -1060. Municipalities are entitled to specific information pursuant to section 4-10-1050.

Sincerely,

David S. Jones
Assistant Attorney General

REVIEWED AND APPROVED BY:

Robert D. Cook
Solicitor General

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Voluntary Agricultural Districts (VAD)

Fact Sheet for the Oconee County Task Force on Agriculture

In the Agriculture Element of Oconee County’s 2020 Comprehensive Plan, Strategy 8.1.2.8 states, “Consider adopting a Voluntary Agricultural and Forestal Areas program.” (8-22)

What are some of the benefits of adopting a VAD? They can help ...

- Assist with geographic delineation of land where food is produced
- Protect the community’s rural heritage and economy
- Maintain local jobs
- Preserve scenic views and tourism-based economic activity
- Minimize the infrastructure burden on county and local governments
- Create a sense of community and region
- Sustain food production on rural property by conveying benefits to the landowners

How would a VAD in Oconee County operate?

- Oconee County could work through the OC Agricultural Advisory Board to establish parameters for which properties would qualify for inclusion in the VAD.
- The landowner would voluntarily agree to farm his/her land for a certain term length—10 years, for example—and would make a request to apply for this designation to the board.
- The board would determine whether the application should be recommended to OC Planning Commission, and subsequently, OC County Council.
- Once approved, a conservation agreement would be put into place.
- The approved property would be identified on a county map as food-producing land.

How would the VAD be established?

- Together, the Oconee County Agricultural Advisory Board and stakeholders would agree on incentives and term lengths; qualifying entities; land characteristics; and a process for internal approval.
- Oconee County would draft an ordinance incorporating feedback from the Agricultural Advisory Board.
- Oconee County Council approves the ordinance.

Your Land. Your Legacy.

Protect Your Land with a Conservation Easement



Conserving our land and water resources; making an environmentally healthy and economically prosperous region; and creating a high quality of life now and for future generations.





Ben Green Key

Conservation Agreements: The Voluntary Protection of Land

If you own land with important natural resources, a voluntary conservation agreement can protect the land you love while you continue to own and manage it for traditional uses. You may also realize significant tax benefits.

A conservation agreement (also called a conservation easement) is a contract between a landowner and a qualified land trust, which allows the owner to permanently restrict certain undesirable uses on their property. It is also a useful tool to landowners who plan to gift or sell their land, but want to ensure it is used in intended ways.

This agreement is permanent and remains with the land even after it has been sold, gifted, or willed to heirs. Conservation agreements typically prevent land uses such as residential subdivisions, commercial or industrial operations, and mining, while allowing traditional rural land uses, such as farming, grazing, hunting, and timbering. The terms of a conservation agreement are negotiable, and vary greatly depending on the landowner's intentions for their property and the conservation values being protected. A conservation agreement never allows public access unless it is the express desire of the landowner.

Our culture,
Our community,
Our sense of place.

These are all tied
inextricably to the land.

The Land Trust Program
seeks to partner with
landowners protect those
incredibly special places
that contribute to the
culture and sense of place
of their communities.





Upstate Forever Guidelines

These guidelines provide the basic criteria for determining what properties are eligible for protection through a conservation agreement with Upstate Forever.

Focus Area: Greenville, Spartanburg, Anderson, Pickens, Laurens, Greenwood, Oconee, Union, Abbeville and Cherokee Counties. In addition, we will consider conservation agreements in Newberry County if the property is in the Saluda River watershed, and in North Carolina and Georgia if the property is located within a watershed that drains into a river, stream, or lake located within any of the above South Carolina counties.

Priority Properties: Upstate Forever has identified the following priority areas in the region for protection:

- Tracts of 100 acres or more.
- Tracts of 50 acres or more that adjoin other conservation properties.
- Tracts of 50 acres or more that adjoin significant rivers, streams and wetlands.
- Tracts of 30 acres or more that are within the viewshed of Highway 11.
- Tracts of 30 acres or more that are within the Blue Ridge Mountains.

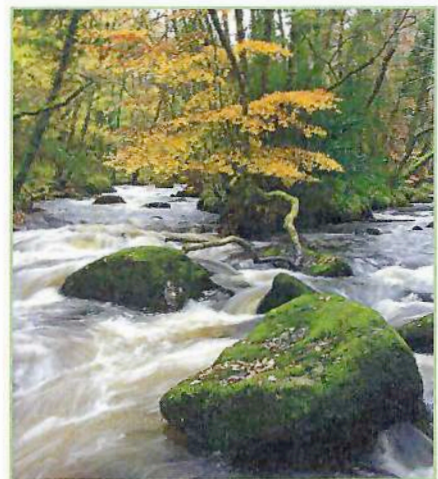
Other tracts identified and approved by the Land Trust Committee.

IRS Conservation Purpose

In order to qualify for a federal tax deduction, a conservation agreement must be made exclusively for one or more of the following conservation purposes:

- Preservation of land for outdoor recreation by, or the education of, the general public;
- Protection of relatively natural habitat or ecosystem;
- Preservation of open space, where there is significant public benefit, and (1) the preservation is for the scenic enjoyment of the general public, or (2) pursuant to a clearly delineated Federal, State or local governmental conservation policy; and
- Preservation of historically important land area or a certified historical structure.

Further, Upstate Forever will not participate in a project that does not meet one or more of these conservation purposes.



*"What I stand for
is what I stand on."*

Wendell Berry



Reserved and Relinquished Rights

Through a conservation agreement, the landowner and Upstate Forever define reserved rights (those that the current and future owners will continue to have under the conservation agreement) and relinquished rights (those given up through the signing of the conservation agreement). The following are examples of a few reserved and relinquished rights typically associated with conservation agreements.

This list is just a starting point for a landowner considering a conservation agreement. Each conservation agreement is unique and the terms are negotiable. The negotiation of reserved and relinquished rights is a balance between the conservation values being protected and the reasonable activities the landowner (and future landowners) may wish to exercise on the property. Upstate Forever encourages landowners to be very thoughtful in their consideration of proposed reserved and relinquished rights and be far-sighted in their planning. The reserved rights described below are simplified examples and will have further details or conditions in the actual conservation agreement document.

Typical Reserved Rights:

Residences and Structures

- Maintain, repair, improve, and replace or expand all existing structures.
- Construct and maintain x new single family residences; each not to exceed a footprint of x square feet.
- Construct and maintain garages, sheds, and other ancillary structures associated with each residence; total ancillary structure size per residence not to exceed a footprint of x square feet.
- Collectively, existing or new decks, patios, and other impervious surfaces associated with each residence shall not exceed x square feet in footprint.

Subdividing

- The property may be subdivided into no more than x parcels to provide a home site for each of the permitted residences.

Forest Management

- Landowner may harvest timber and conduct forest management in accordance with a forest management plan prepared by a registered forester that meets Best Management Practices, is designed to protect the conservation values of the property, meets all terms of the conservation agreement, and is approved in writing by Upstate Forever.

Agricultural Activities

- Landowner may continue current agricultural uses and initiate additional agricultural activities subject to a conservation plan meeting the National Conservation Practice Standards and other guidelines that is prepared by a professional and approved by Upstate Forever. May construct and



maintain barns, sheds, and other ancillary structures associated with agricultural uses, not to exceed a total footprint of x square feet.

Roads, Bridges, and Trails

- May maintain all existing roads, bridges, and trails. New roads and bridges may be constructed as required to serve reserved rights. Trails may be constructed with some defined restrictions.

Typical Relinquished Rights:

Industrial or Commercial Use

- Some limited commercial uses may be permitted.

Commercial Activities

- Right to lease for hunting, fishing and agriculture permitted.

Residential Subdivision Development

Riparian Buffers

- The area within 100 feet of a river, stream, or other water body are protected from cutting and other disturbances, with limited exceptions.

Signs and Billboards

- Limited in order to protect the scenic values of the property. Some signs are permitted in keeping with the land use and conservation values of the property.

Mining and Mineral Development

Waste Dumps

Alteration of Land Surface

- Prohibited except as necessary to exercise reserved rights, such as residence construction.



Upstate Forever is Land Trust Accreditation Commission Accredited.

The accreditation seal recognizes land conservation organizations that meet national standards for excellence, uphold the public trust, and ensure that





Potential Tax Benefits

Deciding to donate a conservation agreement is a great way to protect a beloved place. It is also a major financial decision, as the donation involves giving up part of the value of the property, which is often a family's biggest asset. Tax incentives offset some of that loss.

A landowner wishing to claim a tax deduction must satisfy the requirements of the Internal Revenue Code and relevant state laws. This includes obtaining a conservation agreement appraisal from a qualified appraiser. This appraisal will provide several values: a "before" value that shows the property's value at its "highest and best use" (the amount it could be sold for before the conservation agreement); the "after" value, or the value it would have under the terms of the conservation agreement; and the "conservation value", which is the difference between the before and after values. The landowner's tax deduction is based on the conservation value of their property.

Hypothetical Example: "Pickens Farm"

200 acre farm and forest preserved with the ability to maintain current residence, garage, barn, and hay barn, and build a limited number of additional agricultural structures. A buffer of 100' of vegetation will be maintained along the river running through the property and that area will remain undisturbed. Farming, timber management, and hunting will continue.

Appraised Values:

Highest Best Use (Before Conservation Agreement)	$(\$5,000 \times 200) = \$1,000,000$
w/Conservation Agreement (After)	$(\$3,000 \times 200) = \$600,000$
Conservation Value (Federal Tax Deduction)	\$ 400,000
State Tax Credit	\$ 50,000

Federal Tax Deduction

The Federal tax deduction is based on the appraised Conservation Value. Under current law, the total amount deductible in any one year may not exceed 50 percent of adjusted gross income (AGI), or for qualifying farmers, 100 percent of AGI. If it exceeds 50 percent, it can be carried forward for up to fifteen additional years.

In the case of newly purchased property, the new owner must wait at least one year to take advantage of deductions above the purchase price of the property (purchase price vs. appraised value).

This is a highly simplified example of the possible tax benefits of a conservation Agreement. The landowner should consult with his or her own attorney, financial advisor and appraiser to determine the availability and extent of any tax benefits of a particular conservation plan. In order to qualify as a tax-deductible contribution the Agreement must meet at least one conservation purpose as defined by IRC § 170(h)(4)(A).



South Carolina State Tax Credit

The South Carolina Conservation Incentives Act (S.C. Code Ann. Section 12-6-3515) provides that landowners who have qualified for and claimed on their federal income tax return a charitable deduction for either a gift of land for conservation or the granting of a conservation agreement on their land may claim a state tax credit, which is a dollar-for-dollar reduction in the amount of South Carolina income tax owed.

The amount of the state credit is equal to 25 percent of the total amount of the federal deduction, subject to two caps: the credit cannot exceed \$250 per acre, and the total amount of the credit used in any one year cannot exceed \$52,500. Any unused credit, however, can be carried forward to succeeding taxable years.

There is one other notable aspect of the law: the credits can be transferred or sold. This means that a landowner who may not need the tax credit can give or sell it to another person, provided the transaction is approved by the South Carolina Department of Revenue. There are brokers who assist in the buying and selling of state tax credits.

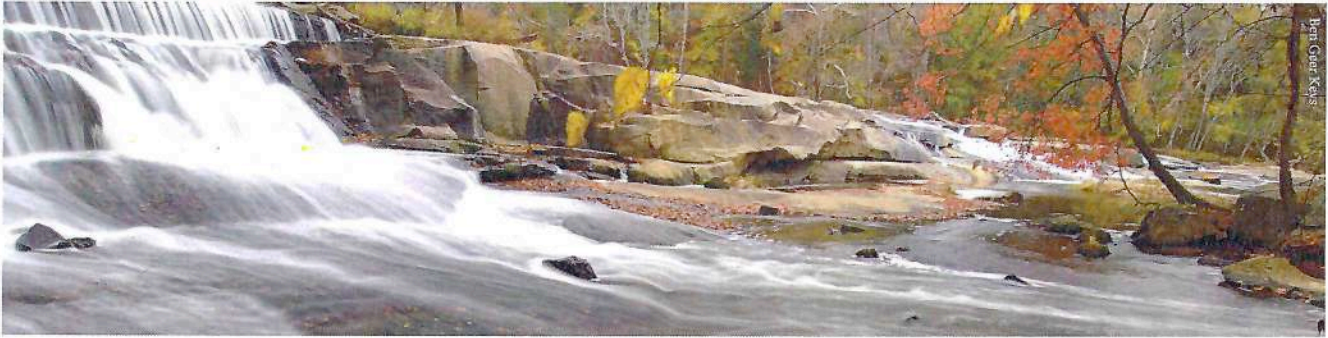
This is a remarkable benefit, and according to the Land Trust Alliance, South Carolina is in the top five states in the nation for “most powerful state tax incentives for conservation”.

Estate Tax Benefits

A conservation agreement can reduce estate taxes in two ways:

- It reduces the value of the estate to be taxed. A conservation agreement lowers the property value – and, correspondingly, estate taxes. In some cases, a conservation agreement may drop the value of the estate below the threshold for estate taxes altogether.
- Heirs can exclude 40% of the value of land under conservation agreement from estate taxes. Section 2031(c) of the Internal Revenue Code provides an estate tax exclusion of up to 40% of the encumbered value of land (but not improvements) protected by a “qualified conservation agreement.” That exclusion is capped at \$500,000. The cap is lower if the conservation agreement reduced the land’s value by less than 30% at the time it was donated. To qualify, the conservation agreement must serve one or more of the conservation purposes recognized in Section 170(h) of the tax code. It must limit commercial recreational use to a minimum and it cannot qualify solely for the purpose of historic preservation. Only members of the original conservation agreement donor’s family, including spouses and descendants, can claim this exclusion.

This is a highly simplified example of the possible tax benefits of a conservation Agreement. The landowner should consult with his or her own attorney, financial advisor and appraiser to determine the availability and extent of any tax benefits of a particular conservation plan. In order to qualify as a tax-deductible contribution the Agreement must meet at least one conservation purpose as defined by IRC § 170(h)(4)(A).



Conservation Agreement Process

If you are interested in placing a conservation agreement on your property, the first step is contacting the Upstate Forever Land Trust staff by e-mailing landtrust@upstateforever.org or calling (864)250-0500 ext. 23 or 26. However, here is a broad overview of the process and frequently asked questions.

Timeline: All the steps needed to complete a conservation agreement generally take at least three months, often considerably longer. This is a thoughtful process, and should not to be rushed. Once recorded, conservation agreements are exceedingly difficult to impossible to alter.

Steps: The process is broken down into several broad phases. Initially, the landowner and Upstate Forever have discussions to determine if we share compatible goals. If all agree to proceed with a conservation agreement, reserved and relinquished rights are defined and the conservation agreement is drafted. It is typical to go through many drafts before finalizing. Next, a survey, appraisal, title work, and other requirements are ordered and completed as needed. A complete checklist will be provided by Upstate Forever. A baseline report describing the condition of the property at closing is created by Upstate Forever and signed by all parties. Finally, a closing date is set and conducted by the landowner's attorney, all final documents are signed, and the conservation agreement is recorded. This is a highly simplified summary of the process, but gives a sense of the steps involved.

Costs: The costs can vary based on many factors, including the extent to which a landowner involves attorneys and other advisors and whether a new survey of the property is required. Also, if the landowner wishes to take a tax deduction, a conservation agreement appraisal is required. Upstate Forever requires a fee for the transaction (typically \$1,000, but this sum can vary for complex or funded projects) and requests a one-time, tax-deductible contribution to our Land Trust Endowment Fund, a separate fund that is used to help us meet the costs of perpetually monitoring and enforcing conservation agreements - a process called stewardship. The endowment request is calculated based on estimated costs of stewardship of the property, and thus varies. Ideally, the financial benefits of a conservation agreement outweigh the costs, but Upstate Forever advises all landowners to weigh the costs and benefits of their individual situation, or have a trusted advisor do so on their behalf.





Other Land Protection Options: Although the conservation agreement is the most widely used tool for preserving private land, and is the protection method used by Upstate Forever, there are several other options. One is a deed restriction, which is a legal instrument through which restrictions can be placed on a property, similar to a conservation agreement. One major difference between the two is that no third party ensures perpetual enforcement of a deed restriction, as is the case with a conservation agreement. Also, a deed restriction is more easily challenged. More deference is given to a conservation agreement. When deed restrictions are interpreted by a court, the least restrictive interpretation is often applied if the language is disputed or is unclear. Still, this is an option to consider for land that does not meet the criteria for protection of a conservation agreement, or where a conservation agreement is otherwise not a viable option.

Another protection method is an outright donation of land or a bargain sale, in which the owner transfers title to a nonprofit or a government entity. Upstate Forever does not typically protect land in this way, but if you are interested in this, we can attempt to direct you to a group who might be an appropriate owner. Most nonprofits or government agencies will have criteria for land they receive as gifts or purchase for protection to ensure it fits within their budget, plans and vision.

Though these other options are sometimes appropriate, the protection of the Upstate's rural character relies on the permanent protection of privately owned farm and forest lands through the strongest tool possible: the conservation agreement.

Stewardship

Once a conservation agreement is recorded, Upstate Forever and the landowner must ensure that its terms are upheld. That is achieved through annual monitoring visits and a continued relationship with the landowner.

The conservation agreement gives Upstate Forever the right and responsibility to enforce the agreement. The conservation agreement does not give Upstate Forever the right to use the property, or control its use beyond assuring that the conservation agreement is honored.





A Word from the Land Trust Director

At Upstate Forever, we appreciate the significant decisions you're facing when considering a conservation agreement. We want to provide you with as much information as we can to inform the best decision for you, your family, and your land. An advisor you trust can help you consider the matter from all angles.

Often, landowners who have already protected their land are the best advocates for conservation agreements, as they can speak to the complete process, how it has been to live with the conservation agreement in place, and whether they feel it achieved

their goals. Here you can read the experiences of a few, but Upstate Forever is also happy to put you in touch with a conservation easement landowner if you have further questions.

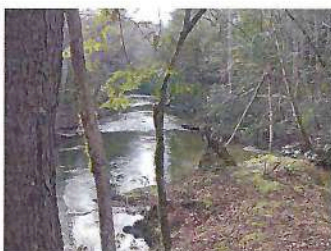
Thank you for taking the time to learn more about conservation agreements. It may be an answer for you and your family, and a gift to your community and future generations. Please don't hesitate to call us if we can help you explore this possibility.

Scott Park
spark@upstateforever.org
864 250-0500 x26

Landowner Testimonials

"I grew up in Owings in Laurens County, swimming in creeks and rivers, playing in fields and forests, looking at constellations at night. When my husband Charles and I moved back home in 1980, we bought 187 acres in the country east of Gray Court - Timber Creek Farm. It is home - all our memories of raising our boys are here. We love this place and wanted it to always remain natural, so we protected it with Upstate Forever."

Dianne Culbertson
Owner of several protected properties,
Laurens County



"My daughters and I wanted to make sure that this green space and wonderful wildlife habitat would be here forever. I hope other owners who really care about their property will consider doing the same thing."

Laura Townes
Owner of property along the South Saluda River,
Greenville and Pickens Counties



“The biggest reason we decided to do a conservation agreement was that there are places on our property we want to preserve the way they are. I am the fourth generation of my family on this farm, and the fifth generation is also very interested in keeping it like it is. We don’t want to see it subdivided, cut up into strip malls, or turned over to any kind of industry.”

Mac McGee
Owner of Double M Farm,
Anderson County



“Conservation easements are good for people that want to keep their property intact. It allows them to use it in a way that is good for them, but it also becomes a partnership with Upstate Forever. The property is protected, but it also allows you to use it for your intended purposes and not feel pressured to develop it for economic reasons.”

JB Garrett
One of the Owners of Riverbend Shoals
Greenville County

“Unless something is done, this beautiful highway could end up looking like Woodruff Road. We don’t own much land, but we wanted to do what we could to prevent that from happening.”

Kent and Lynn Davis
Owners of property along Highway 11,
Greenville County



“Marie and I feel more like trustees of this property than owners. It’s very important to us that this wonderful place remain protected long after we’re gone.”

Robert Gregory
Owner of Four Columns Farm
Spartanburg County



Who We Are What We Do

Upstate Forever's vision for the Upstate is to conserve our land and water resources, resulting in an environmentally healthy and economically prosperous region, with a high quality of life now and for future generations. Our mission is to promote sensible growth and protect special places in the Upstate region of South Carolina.

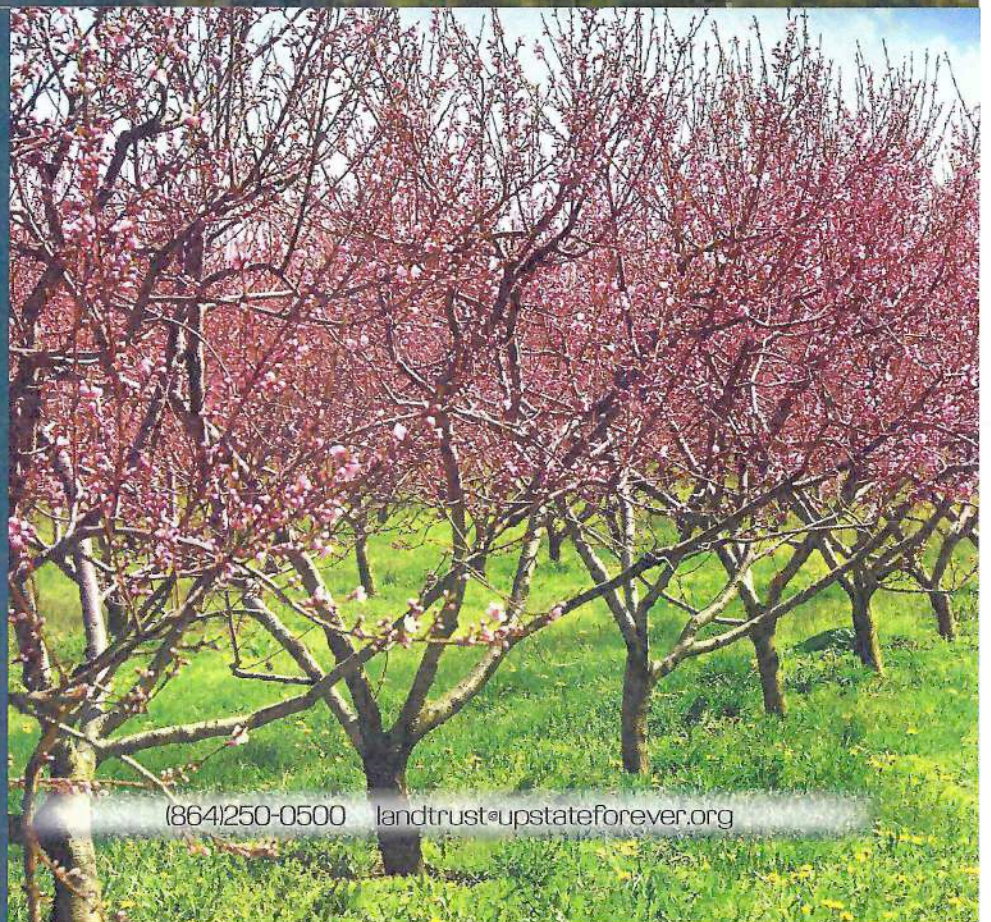
Our goals are to develop clean water and abundant green space across the entire Upstate; encourage a pattern of development with reduced fiscal and environmental impacts; and support fully informed and engaged citizens throughout the region.

We focus our work on the ten Upstate counties of Abbeville, Anderson, Cherokee, Greenville, Greenwood, Laurens, Oconee, Pickens, Spartanburg and Union through our three programs: Clean Water, Land Policy, and Land Conservation.

The Land Conservation program works with landowners to ensure the voluntary, permanent protection of special places in the Upstate.

We believe the Upstate is one the most beautiful places on earth and want to keep it that way forever!

If you own **land**
with important natural
or historic resources,
a **voluntary**
conservation agreement
can **protect**
the land you love
while you continue
to own and manage
it for traditional uses
like **farming** or a
family residence.
You may also realize
significant tax benefits.



(864)250-0500 landtrust@upstateforever.org

The Conservation Easement Process – Step by Step:

- 1. Evaluate property:** Land Trust staff will meet with you to discuss your future plans for your property and its conservation values. The Land Trust determines if the property meets the criteria for accepting easements and the landowner decides if a conservation easement is right for them. Our staff will typically visit with you on your property a few times during the course of the easement process.
- 2. Determine your objectives and review alternatives:** With the landowners continued interest, meet with Land Trust staff to discuss objectives for the property and review options for uses, restrictions, resource protection, and the costs associated with completing the easement, including due diligence. You should review those options with your personal finance, tax, and/or legal advisors. Upstate Forever cannot provide financial, tax, or legal advice.
- 3. Discuss costs and agree upon contribution for completing easement:** In accepting a conservation easement, several due diligence items exist that are the responsibility of the landowner such as a survey, baseline data, appraisals, a title search and policy, phase 1 environmental assessment (if called for by a grant), and legal fees. In addition, the Land Trust assumes a legal obligation to ensure the terms of the conservation easement (i.e. stewarding the easement) are upheld by the current landowner forever. You may be responsible for covering some or all of these costs and for providing funds for the stewardship of the conservation easements. There are a variety of funding sources that may be available to help cover some of these costs, such as the SC Conservation Bank, the Oconee County Conservation Bank, NRCS's Agricultural Conservation Easement Program, as well as local foundations among others.
- 4. Appraisal of conservation easement:** If you or your advisor determines that the easement donation will qualify as a charitable donation, you must retain an appraiser to determine the value of the easement. As the recipient of your easement gift, the Land Trust is prohibited from representing its value and maintains an "arm's length" from the appraisal process. The Land Trust can provide you with a list of appraisers with experience appraising conservation easements.
- 5. Review draft easement with your attorney:** The Land Trust will prepare a draft conservation easement document that best reflects your objectives and our

interest in the conservation values. We recommend that you review the draft with your legal and tax counsel. Provisions relating to your objectives may be revised at this time.

6. **Land Trust Board approval:** After reviewing and revising the draft easement, the project is submitted to Upstate Forever's Land Trust Committee. The Committee will either approve the easement project or request additional modifications to the easement. Once modifications are agreed upon, the easement is recommended for completion.
7. **Additional Land Trust due diligence:** The Land Trust requires proof of good title and notice of any existing mortgage on the property. If there is a mortgage, the lender must subordinate its rights in the property to the conservation easement in order to meet IRS regulations. If third parties own minerals, additional steps must be taken to satisfy IRS requirements. The Land Trust also completes an environmental hazards screening for hazardous waste on the property.
8. **Prepare baseline documentation report:** The Land Trust will arrange for the creation of a baseline documentation report, which describes the condition of the property at the time of the easement execution. The IRS requires this report. The report documents the natural, agricultural, and scenic values of the property, as well as any buildings or agricultural improvements. You will be asked to provide information about the property and will be provided a drafted report for your review prior to closing. The report is signed at the time of closing, and both you and the Land Trust receive copies of the report. This report will also be shared with any future owner of the property.
9. **Sign & Record easement:** After a final review of the documents, you and Upstate Forever's Land Trust Program Director will sign the easement and baseline documentation report. Your attorney will record the easement with the County Register of Deeds.
10. **Submit Form 8283 to the IRS:** In order to claim tax deductions and credits, IRS 8283 (for "Noncash Charitable Contributions") must be submitted with the income tax return for the year in which the easement was donated. The Land Trust is the last entity to sign this form.

**Upstate Forever
Conservation Agreement
Checklist**

Owner(s):
Property:

A. Initial Meetings / Discussions with Landowner

<u>Document / Task</u>	<u>Responsible Party</u>	<u>Completed</u>
1. Record basic information on Prospective Property Form	UF	_____
2. "Your Land, Your Legacy" booklet to Landowner	UF	_____
Also discuss and provide:		
- Checklist	UF	_____
- Landowner Notification Acknowledgement*	UF	_____
- Conflict Disclosure Form*	UF	_____
3. Initial Inspection of Land	UF & Owner	_____
4. Fill out Project Information Form	UF	_____
5. Landowner signs Landowner Notification Acknowledgement	Owner	_____
6. Landowner signs Conflict Disclosure Form	Owner	_____

*Provide once landowner is committed to proceeding, or sooner upon request.

B. Proposed Conservation Agreement Project

<u>Document / Task</u>	<u>Responsible Party</u>	<u>Completed</u>
1. Preliminary Project Approval by Land Trust Committee (only required if the project does not meet criteria)	UF	__/__/__
2. Notify Landowner of Preliminary Approval/Non-approval (if applicable)	UF	__/__/__
3. Landowner gives list of basic reserved/relinquished rights	Owner	_____
4. Landowner pays \$250 earnest fee	Owner	_____
5. Draft Conservation Easement provided to Landowner	UF	_____
6. Review of draft Conservation Easement	Owner (& Owner's attorney)	_____
7. Stewardship donation request of _____ provided to Landowner	UF	__/__/__

C. Items Completed or Delivered Prior to Closing

<u>Document / Task</u>	<u>Responsible Party</u>	<u>Completed</u>
1. Copy of Survey/ Plat of Land	Owner	_____
2. Copy of Title to Land (Deed)	Owner	_____
3. Copy of Appraisal (if applicable)	Owner	_____
4. Legal Description of Land to be placed under easement	Owner's Attorney	_____
5. Provide Title Requirements for Owner's Attorney	UF	_____
6. Preliminary Title Certification / Title Insurance Commitment	Owner's Attorney	_____
7. Baseline documentation preparation	UF and/or 3 rd Party	_____
8. Final Draft of Conservation Easement		
- distributed to signers for review	UF	_____
- sent for final legal review on behalf of UF	UF	_____

9. Conservation Easement Approval by Land Trust Committee	UF	___/___/___
10. Subordination of existing mortgage(s)(if applicable)	Owner	_____
11. Grantor's Certificate of Good Standing (if applicable)	Owner's Attorney	_____
12. Grantor's Authorizing Resolutions (if applicable)	Owner's Attorney	_____
13. Closing Statement and Affidavit of Consideration prepared for UF review prior to closing (if applicable)	Owner's Attorney	_____
14. Sign the Final Baseline Report	UF & Owner	_____

D. Closing¹

<u>Document/Task</u>	<u>Responsible Party</u>	<u>Completed</u>
1. Closing Statement (if applicable)	Owner's Attorney	_____
2. Signed Final Baseline distributed to parties	UF & Owner	_____
3. Final Conservation Easement signed by parties	UF & Owner	_____
4. Affidavit of Consideration signed	Closing Attorney	_____
5. Landowner Privacy Form filled out and signed	Owner	_____
6. Endowment Intent Acknowledgement signed (if applicable)	Owner	_____
7. Stewardship Endowment Pledge signed (if applicable)	Owner	_____
8. Landowner pays \$750 Baseline Report fee	Owner	_____
9. Conservation Easement Recorded and title search updated	Owner's Attorney	_____
10. Other documents: _____		_____

E. Post- Closing

<u>Document/Task</u>	<u>Responsible Party</u>	<u>Completed</u>
1. Filed copies of other recorded documents sent to UF (ex. - new deeds, plats, subordinations, etc.)	Owner's Attorney	_____
2. Letter acknowledging contribution of easement	UF	_____
3. Letter acknowledging stewardship contribution (if applicable)	UF	_____
4. Final Title Certification / Final Title Insurance Policy to UF	Owner's Attorney	_____
5. Original Recorded Conservation Easement sent to UF	Owner's Attorney	_____
6. Landowner's Appraisal sent to UF, (if applicable) (Appraisal dated no earlier than 60 days prior to closing and no later than the date Landowner taxes are filed)	Owner	_____
7. Closing Summary Form to UF accountant	UF	_____
8. IRS Form 8283 (if applicable)	Owner's Appraiser, UF, and Owner	_____

¹ Landowner is responsible for demonstrating authority to execute closing documents, providing clear title which will support the validity and enforceability of the conservation easement, and paying for closing costs.

RECOMMENDATIONS DISCUSSION

November 20, 2022 Task Force on Agriculture Meeting

This section of the final report to Council will begin with the acknowledgement that there is no “one size fits all approach” to saving the agriculture industry in Oconee County.

The Task Force is making recommendations will serve as guidelines *to help* prevent the decline. The recommendations will be nested under a general timeline of “immediate,” “ongoing,” and “future” implementation.

IMMEDIATE

- A. Implement recommendations in the comprehensive plan (review the Comp Plan recommendations)
- B. Include funding in the general budget dedicated to protecting land that produces food
 - 1. Funds can be managed and administered through the OCCB
 - 2. Use the model of Greenville’s HNRT
- C. Establish a Voluntary Agriculture District (VAD) for food producers through an ordinance that empowers the Ag Advisory Board to make recommendations about specific properties opting into the district

ONGOING

- D. Fund education programs that show that investments are directly tied to increased food production
- E. Support of the Oconee County Food Policy Council
- F. Develop “Food Production Nodes” and “Food Hubs” through land use decisions and comprehensive planning
- G. Consider an advisory question to be included on the next ballot

FUTURE

- H. Create a county-level FTE position whose role it is to work directly with farmers
- I. Establish a revenue stream for farmland protection that will occur as a result of a ballot initiative
- J. Work with the Department of Agriculture and the Department of Commerce to promote Oconee County as a site for agricultural processing facilities, including meat processing

Also for discussion:

- Impact Fees
- Land Use Planning
- Investment Amounts

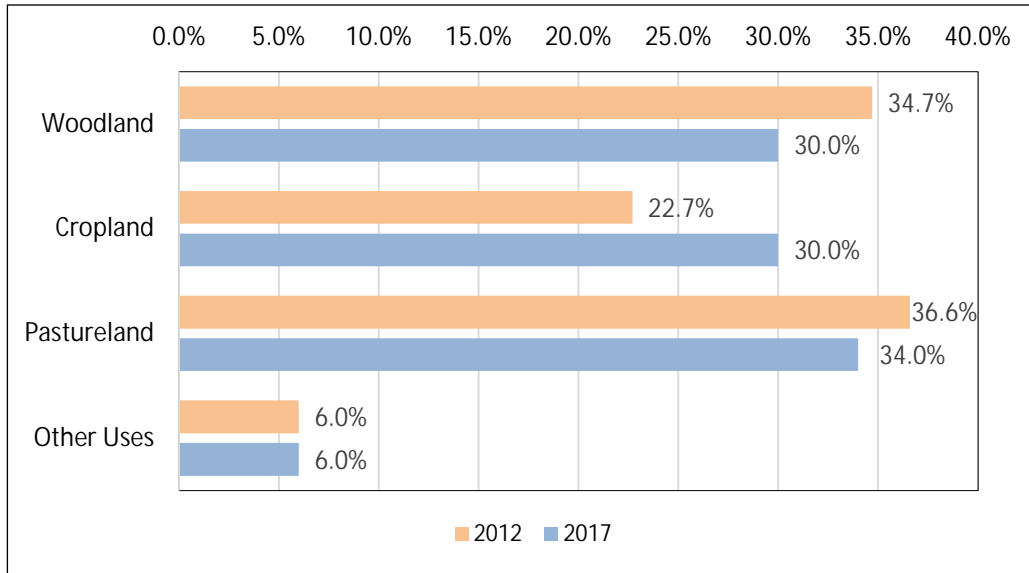
Chapter 8. Agriculture Element

A. OVERVIEW

Agriculture and forestry are critical components of both the landscape and the economy of Oconee County. Based on Oconee County tax data, 51% of the County's land area is currently in use for agriculture or forestry. However, of County land that is not included in the Sumter National Forest, nearly two-thirds is in agriculture or forestry use.

According to the Oconee Economic Alliance, Oconee County has nearly 900 farms encompassing more than 67,000 acres of land. Together, these farms have a market value in products worth more than 121 million dollars. In addition to the economic benefits of agriculture and forestry, both land uses can contribute social, environmental, and health benefits. These benefits are explored in more detail throughout this element.

Figure 8-1. Oconee County Land in Farms by Land Use, 2012 and 2017



Source: U.S. Census of Agriculture

Forestlands are important to the economy, character, environment, and overall health of Oconee County. Agricultural and forested lands are home to many of the area's critical natural resources and provide valuable wildlife habitat, windbreaks, enhanced water quality, decreased ambient temperatures, groundwater recharge areas, mitigation of stormwater run-off and erosion, and open space. This link to natural resource protection should be respected and enhanced when possible through the use of easements, education, and value-added land use policies such as proper regulation, prevention and mitigation of incompatible land uses, and the appropriate location of public lands and infrastructure.

Farming and food security would appear to go hand in hand, but even counties with significant farm production can have areas where access to healthy foods is non-existent or challenging.



Reliable, convenient access to fresh fruit, vegetables, and proteins is a cornerstone of community sustainability and resilience. A healthy population contributes more to the local economy, uses fewer healthcare resources, and is central to community well-being and quality of life.

B. AGRICULTURE

Over the past century, agriculture in the U.S. has become more mechanized, industrialized, and dependent on and threatened by globalization. While much of the agriculture in the Upstate consists of relatively small farms, these trends have affected farming in Oconee County as well. More than half of Americans were farmers at the turn of the 20th century, and their farms typically were diverse in plants and animals, had a focus on family subsistence, and supported the local area. While this is still true on some small farms, the trend towards specialization and truck farming (producing products primarily for shipment often bypassing local markets) has had its impacts on the Upstate as well. However, a recent return to market-farming or direct-to-consumer farming is changing how some farmers do business.



Figure 8-2. Farming Operation Characteristics in Oconee

AGRICULTURAL LAND PROVIDES BENEFITS BEYOND FOOD



open space and scenic views



biodiversity and wildlife habitat



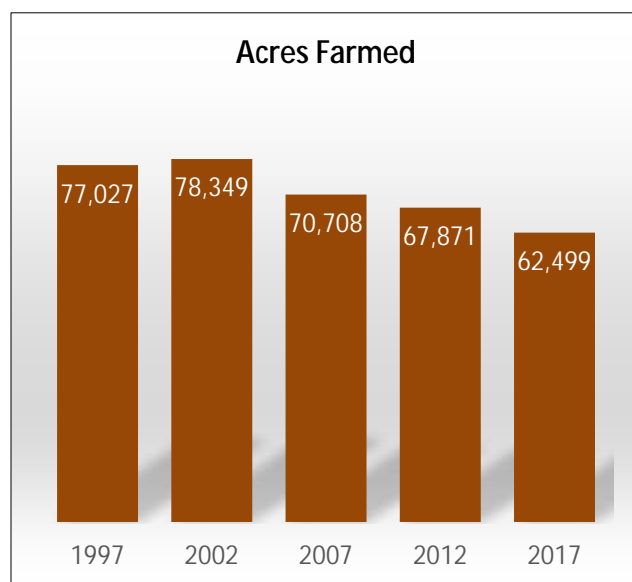
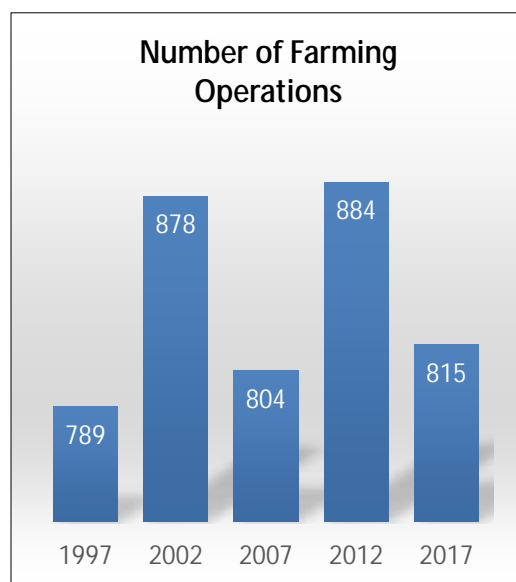
fire suppression, floodplain management, and carbon sequestration



recreation

Source: American Farmland Trust, "Farms Under Threat: The State of America's Farmland," May 9, 2018

County



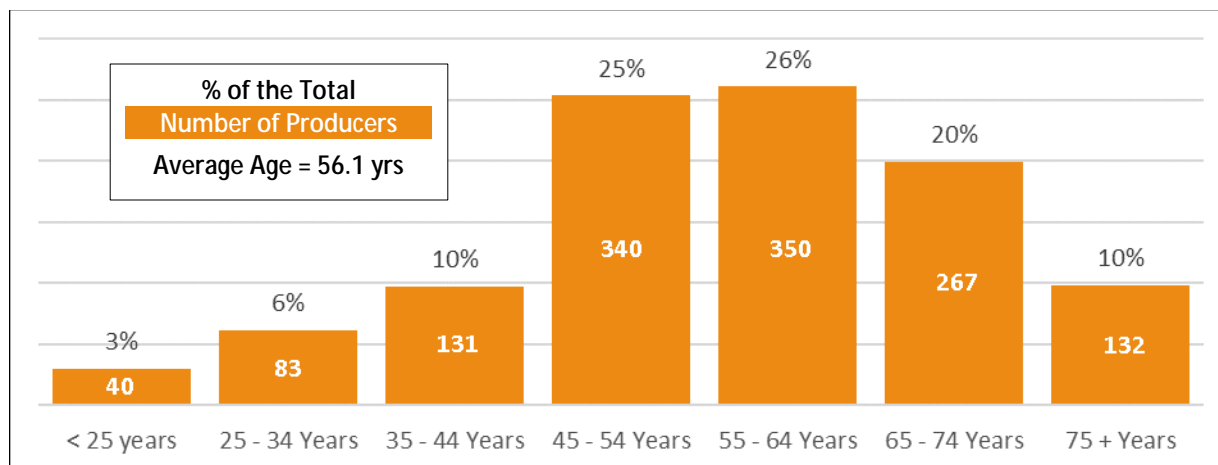
Source: 2017 Census of Agriculture

The number of farming operations in Oconee County has fluctuated over the past 30 years from a low of 789 in 1997 to a high of 884 in 2012. While the number of farm operations fell from 884 in 2012 to 815 in 2017, the average farm size remained 77 acres. In 2007 there were only 804 farms, but the average farm size was larger at 88 acres and the total acreage in farms was almost 71,000.

1. Producer and Income Characteristics

Commonly known as farmers, people who work on farms are called “producers” by the U.S. Census Bureau. The Census Bureau expanded its definition of producer in the 2017 Census to include anyone involved in making decisions for a farm. This change resulted in an increase in the number of people who were reported as producers as compared to previous years. The latest Census also collected information on young producers and new and beginning producers. These new data provide additional insight into the profile of farmers in Oconee County and should help to identify trends that might be significant in supporting local farming.

Figure 8-3. Age of Oconee County Producers, 2017

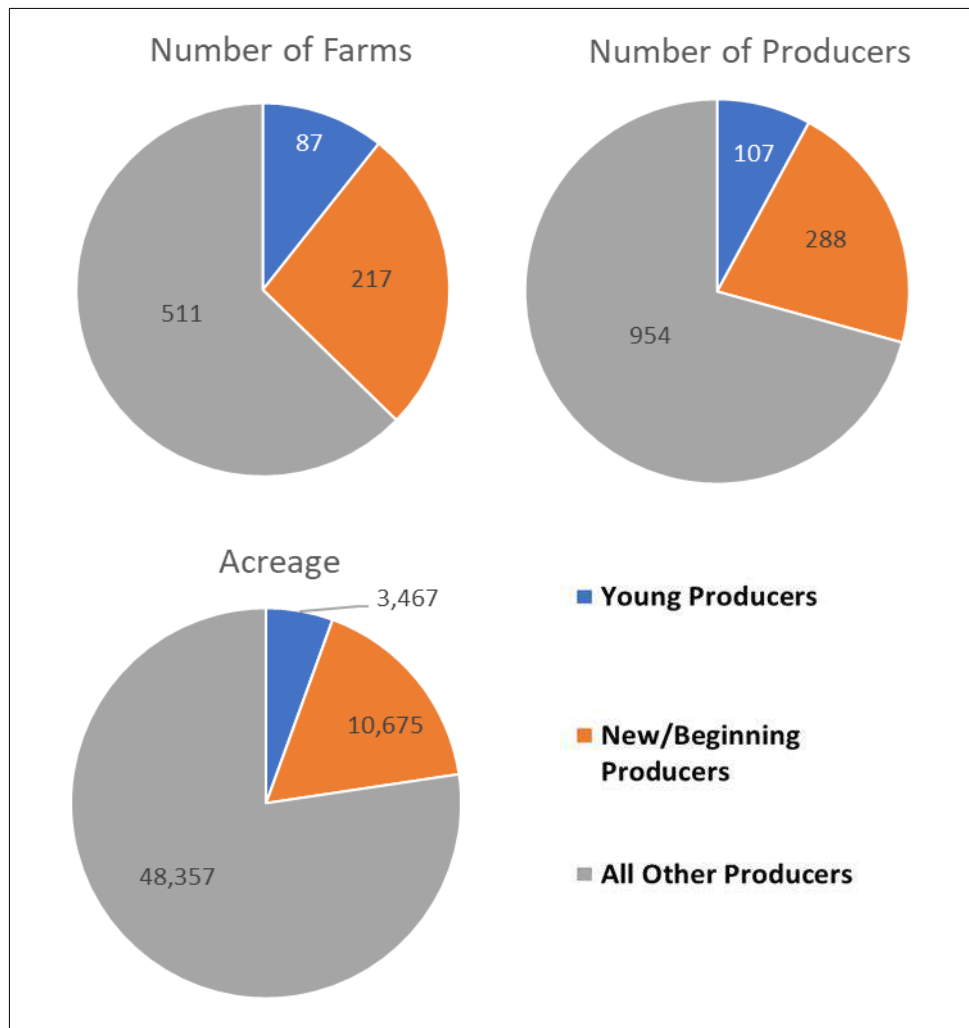


Source: 2017 Census of Agriculture

Of the 1,343 producers working Oconee County farms in 2017, 749 were aged 55 years or older. The average age for all producers is 56.1 years (Figure 8-3), slightly less than the U.S. average of 57.5 years. Fewer than one-third of all producers in Oconee County has been in operation less than 11 years and less than 40 percent indicated that farming was their primary occupation. The future of farming depends on the successful transition of farms from one producer to another, for young people to see value in the farming way of life, and on successfully supplementing farm income with diversification and non-farm related jobs that provide greater income stability. Only a small portion of the primary producers are young, aged 35 or less years, as characterized by the 2017 Census of Agriculture (Figure 8-4). A larger percent of all producers were characterized as “new or beginning,” defined as no more than ten years of farming experience, which is a title irrespective of age.



Figure 8-4. Characteristics by Producer Type in Oconee County, 2017

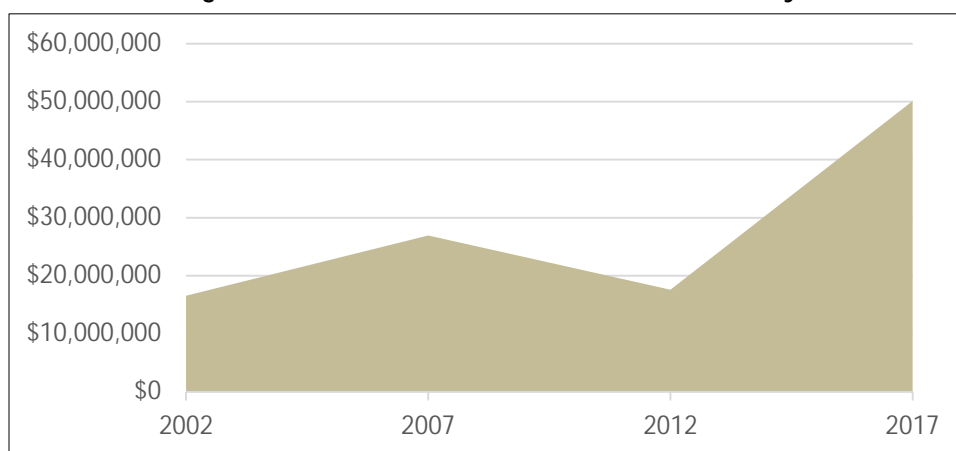


Source: 2017 Census of Agriculture

Although the number of acres farmed in the County is declining, the net income of farm operations has increased. The greatest increases in the number of farms by farm sales has been in categories with annual sales of \$50,000 or more.

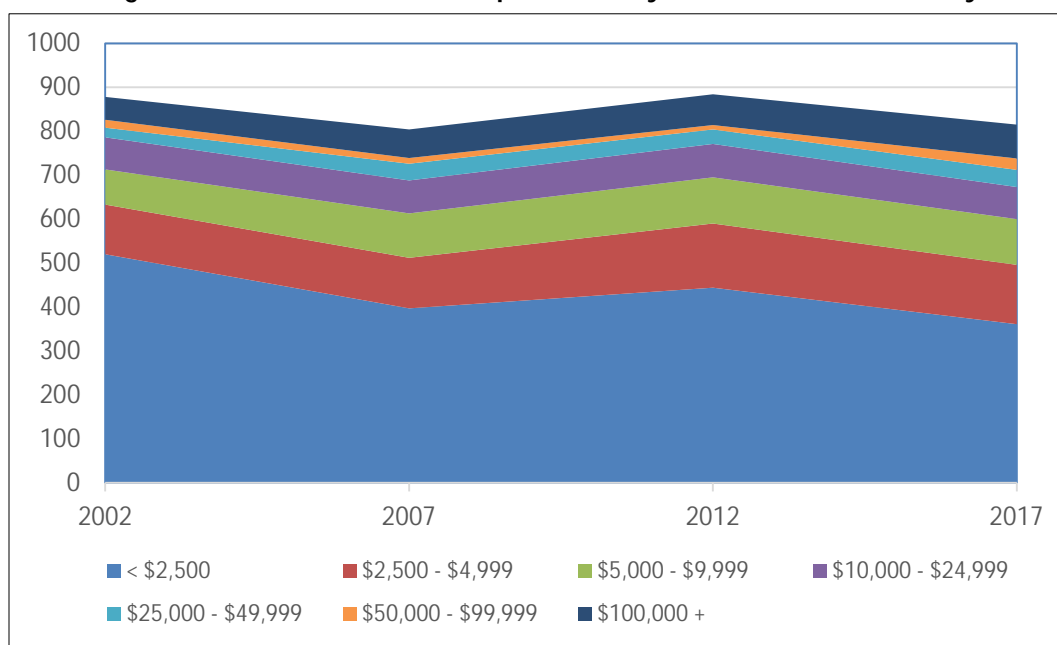


Figure 8-5. Net Farm Income in Oconee County



Source: 2017 Census of Agriculture

Figure 8-6. Number of Farm Operations by Sales in Oconee County



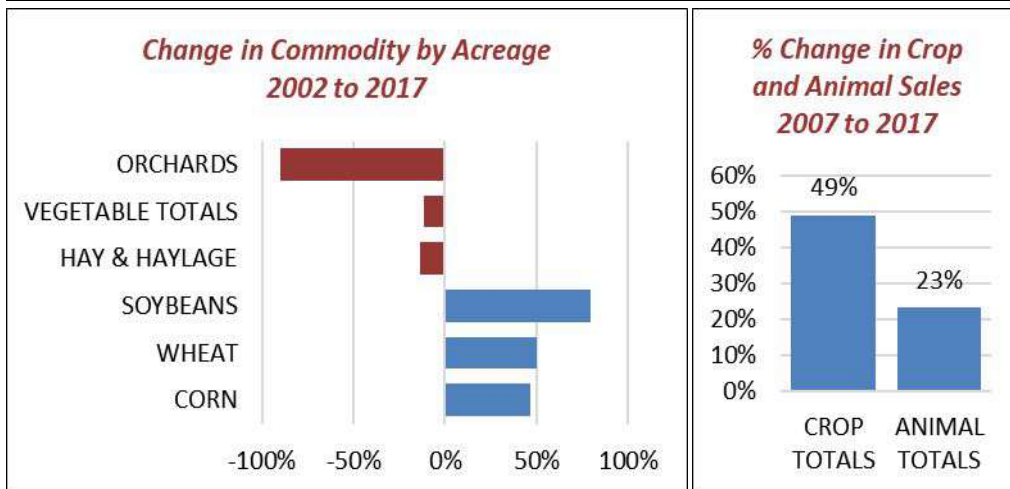
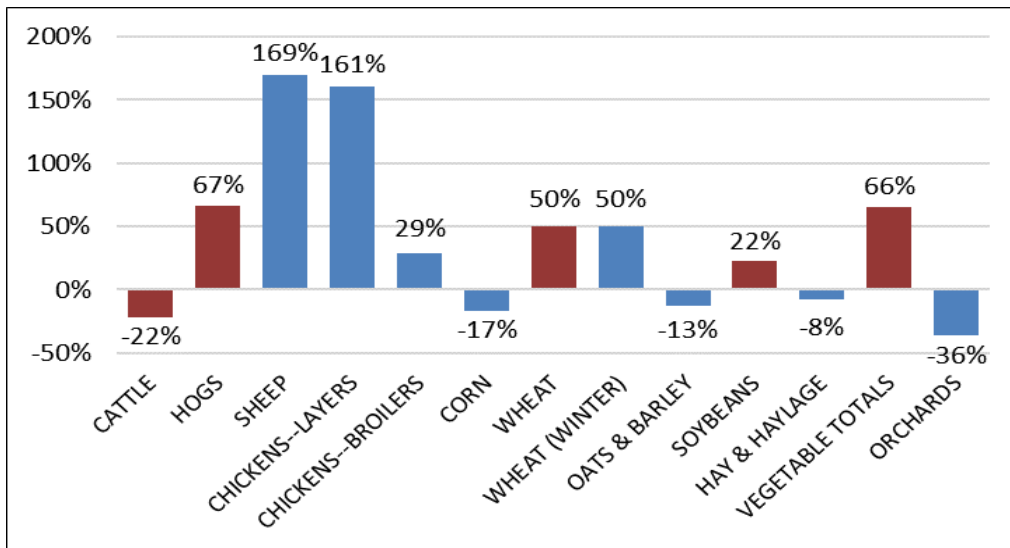
Source: 2017 Census of Agriculture

2. Commodities

A variety of vegetable, fruit, and animal products are produced on Oconee County farms, but livestock, poultry, and animal products represent 97 percent of the total share of farm sales. Oconee County is South Carolina’s number 1 poultry and egg-producing county. It ranks 77th nationwide out of 3007 counties. A distant second, in terms of sales and rank, is the production of cattle and calves, followed by milk, hogs and pigs, sheep and goats, equine, apiculture and aquaculture. As Figure 8-7 indicates, the number of sheep farms increased significantly between 2002 and 2012, but sheep remain a minor contributor to farm sales overall.



Figure 8-7. Changes in Farm Commodities



Source: 2017 Census of Agriculture



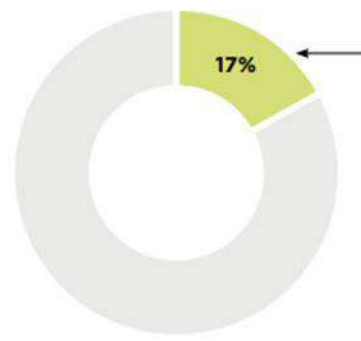
3. Agricultural Land

Soil data provided by the USDA reveals that only 7% of the County's land area (30,650 acres) is prime farmland. Prime farmland, as defined by the USDA, is "land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses." Prime farmland soils produce the highest yields with minimal inputs of energy and economic resources and the least damage to the environment. Soils that have a high water table or are subject to flooding may also qualify as prime farmland if protected from flooding or not frequently flooded during growing season. These soils comprise 2.4% of the land area in Oconee County, encompassing 10,138 acres of land.

It is possible for states to define and delineate soils that, while not designated as prime farmlands, may be farmlands "of statewide importance" for the production of food, feed, fiber, forage, and oilseed crops. In general this land includes soils that nearly meet the requirements for prime farmland and that economically produce high yields of crops – some as high as prime farmlands given favorable conditions – when treated and managed according to *best management* farming methods. Based on criteria set by the State of South Carolina, 10.4% of the land area of Oconee County (44,829 acres) is considered to have soils of statewide importance to agriculture.

Map 8-1 illustrates the location of prime and other important farmlands in Oconee County. Prime farmlands are located throughout the County but are sparser in the higher elevations in the Sumter National Forest.

U.S. AGRICULTURE RELIES ON HIGH-QUALITY FARMLAND



Only 17 percent of the land in the continental U.S. is agricultural land with the productivity, versatility, and resiliency (PVR) to produce a wide variety of crops with minimal environmental limitations.

Source: American Farmland Trust, "Farms Under Threat: The State of America's Farmland," May 9, 2018



Map 8-1. Prime Farmlands



Source: USDA NRCS Web Soil Survey, 2019



4. Threats to Prime Farmland

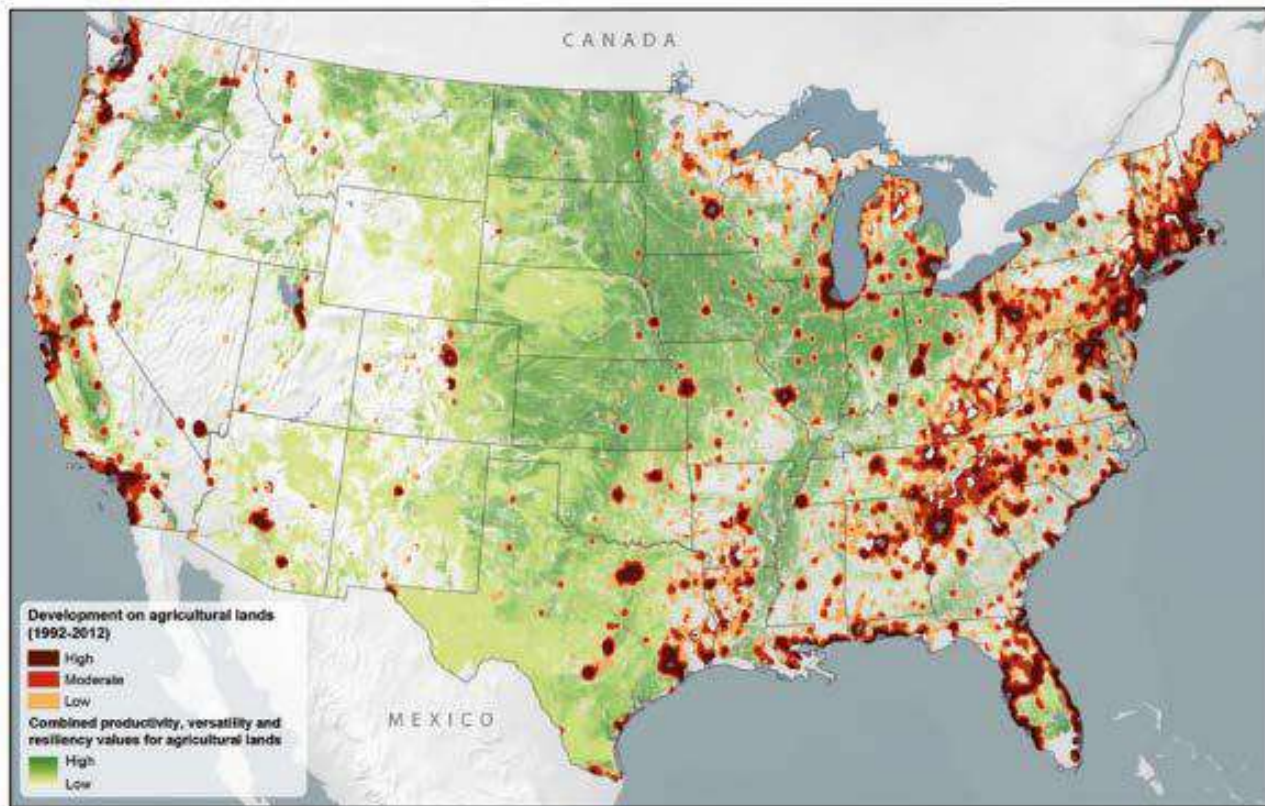
Prime farmland has been disappearing across America as urbanization has crept, leap-frogged, and in some cases, steamrolled across the landscape. The sharp increase in road and utility expansion in the 20th century divided many rural farms, opening vast areas for urban and suburban development. The relatively flat, cleared land preferred by farmers is also preferred by developers looking to minimize the cost of land preparation. However, the loss of farmland is not caused solely by the need for land to accommodate growth. It is also caused by the low relative value placed on farmland as compared to suburban and urban development.

Farm loss isn't just market economics at work, it also represents the collective valuation of farmland by the public. Studies conducted by the USDA Economic Research Service indicate that when people were asked to rank the appeal of various landscapes, farms, particularly cropland, received a low ranking. However, farms were ranked above developed sites in general. Their research provides some insight into the dynamics of farmland conversion, and perhaps is worth considering when crafting public education materials and arguments for farmland preservation.

Between 1982 and 2012, an estimated 395,900 acres of South Carolina's prime farmland were developed (*Farmland Information Center, 2016*). Conversion of prime farmlands to non-agricultural use is a concern, as the farming industry is forced to bring more marginal agricultural land into production. Marginal farmland has less productive and more erodible soil, often with irregular topography such as steeper slopes that require greater labor, equipment, and material costs. Map 8-2 indicates the entire Upstate experienced moderate to high rates of land conversion from 1992 to 2012.



Map 8-2. Conversion of U.S. Agricultural Land to Urban and Low-Density Residential Development Between 1992 and 2012



The development of agricultural land is shown in relationship to the low-to-high continuum of productive, versatile, and resilient values for agricultural land. The conversion of agricultural land to urban and low-density residential uses between 1992 and 2012 is shown as high (dark brown-red, > 25% conversion within a 10-kilometer (6.2 miles) radius), moderate (light brown-red, 10–25% conversion) and low (tan, 5–10% conversion). Urban areas are shown in gray.

Source: American Farmland Trust, "Farms Under Threat: The State of America's Farmland," May 9, 2018

An essential step in protecting valuable farmland is to ensure that policies on growth and development recognize the importance of local farming to the health, well-being, and economy of Oconee County. To accomplish this, the County will need to educate its citizens on the value of local farming activity, the need to promote and support local farmers through right-to-farm policies and similar measures, why it is necessary to allow value-added and farm-related land uses and activities in agricultural areas, and other topics that may arise that are central to preserving Oconee County's farmland. South Carolina has adopted laws to help protect farms from nuisance suits. These laws can be found in *Title 46, Chapter 45 of the S.C. Code of Laws §§ 46-45-10 to 46-45-70* (2004).

Farmers often need to diversify to stay in business. Diversification may mean using a part of a cornfield for a Halloween maze, turning raw products like grapes into other products like jelly, direct selling through farm stands, establishing restaurants and ice cream shops, or inviting schools and tourists to tour or participate in farm life and production. Zoning that tightly

separates land uses by type ignores the interdependence of different uses and synergies that these types of mixed uses can create. An example is a code that restricts agricultural land to primary production but not the processing of agricultural products. Policies that limit options may make farmland preservation very difficult.

The lack of policies to protect farming from the encroachment of inappropriate land uses can lead to additional problems. Agriculture can be noisy and smelly. Farmers often work in the very early morning hours and late evening hours. Farmland can require chemical application that non-farming residents find offensive or scary. For these reasons and many others, conventional residential subdivisions often do not make good farm neighbors. Clustering, buffering, and controlling residential density near farm borders are ways the County could help protect farmers from nuisance complaints. Another way to protect farmland and provide for residential growth is a new trend called “agrihoods.” These are subdivisions that integrate farmland into their overall design, making it a core feature much like golf courses have been in the past. Agrihoods appeal to people who want good, steady access to local farm produce. Agrihoods already exist in the Upstate, including one in the City of Greenville.

Land subdivision is a threat to many prime agricultural areas in the Upstate. Many communities have tried to deal with this through a policy of requiring very large minimum lot sizes, but is this right for agriculture? Just how small is too small for a legitimate farming enterprise? The answer to these questions has changed over time, especially with the recent emphasis on “eat local” and organic farming. Answers also vary by farming technique and product. For example, hydroponic greenhouses may only need an acre, while cattle farming can require more than 35 acres. Subdividing land into estate lots or gentleman farms and allowing land splits to accommodate family lots can eat away at Oconee County’s prime farmland over time. At the same time, it is crucial to permit subdivisions that support housing for farm laborers and businesses that provide goods and services to the farming community, issues that often are overlooked in local land use policies.

Some counties, such as Charleston County and Henderson County, N.C., have created or are in the process of creating Voluntary Agricultural and Forestal Areas programs. These programs seek to prevent the low-density sprawl development pattern and non-agricultural/forestal use encroachment that can lead to destruction of the agricultural and forestry industry.

C. FORESTRY

Roughly 63 percent of Oconee County’s land area is forested, totaling 251,354 acres (*S.C. Forestry Commission*, www.state.sc.us/forest/oco.htm, 2019). Much of the county’s forestland lies within the Sumter National Forest. Hardwoods and some pines are the dominant native trees (*USDA, Soil Survey of Oconee County, S.C., 1963*). While forestry is a key component of the economy in the state and region, Oconee County ranks 45th out of 46 counties in delivered value of timber. This is at least partially due to the lack of major processing mills that exist in or near the County.



Oconee County ranks 45st statewide in delivered value of timber sold, with a harvested timber delivery value exceeding \$4.7 million (*S.C. Forestry Commission, Value of SC's Timber Delivered to Mills in 2017*). South Carolina forest products go to many places including international destinations.

Table 8-9. Top 10 S.C. Forest Products Markets, 2016*

Rank	Wood-based chemical products	Solid wood products	Wood Pulp
1	Finland (13)	China (0)	China (0)
2	Korea, South (1)	Canada (0)	India (2)
3	China (-2)	India (0)	Japan (-1)
4	Brazil (-2)	Australia (0)	Mexico (3)
5	Canada (2)	Japan (1)	Korea, South (0)
6	Thailand (-2)	United Kingdom (2)	Italy (0)
7	Mexico (1)	Vietnam (0)	Colombia (3)
8	Kuwait (6)	Bangladesh (10)	Poland (-5)
9	India (-3)	Pakistan (1)	Netherlands (-1)
10	Netherlands (-1)	Korea, South (2)	Belgium (1)

Legend: Asia | Europe | Central/South America

* 2015-2016 ranking changes are shown in parentheses

Source: S.C. Forestry Commission, South Carolina Forest Products Industry Export Report: 2016



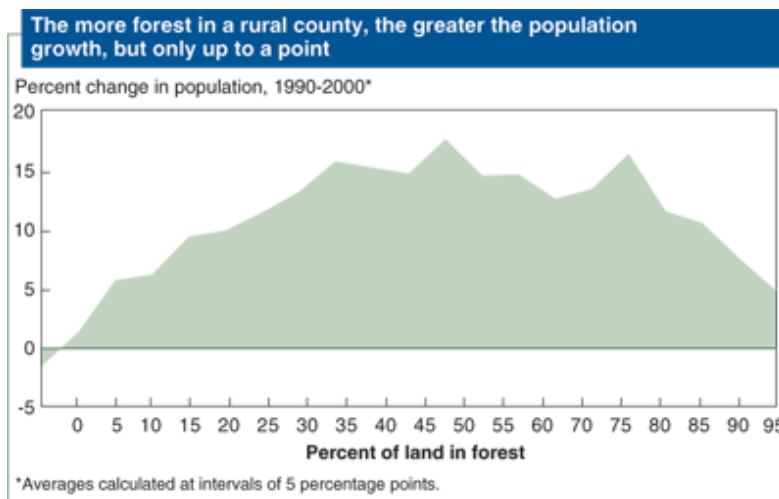
In addition to providing commercial wood-based products, forestland is productive in many other ways. It converts carbon dioxide to oxygen, provides shade to help mitigate hot summer temperatures, serves as critical habitat and food sources for many wildlife and plant species, lessens wind impacts, and conserves water and reduces stormwater impacts by filtering pollutants and aiding groundwater recharge.

Forestland and tree canopy also contribute significantly to the character of Oconee County. Studies conducted by the USDA Economic Research Service indicate that forestland is a compelling factor for where people choose to live. Tree canopy has a positive impact on community appearance and forests are important recreational resources. State-level data recently released by the S.C. Forestry Commission indicate that forest-based recreation contributes \$1.6 billion annually to the state's economy.





Figure 8-11. Relationship Between Forestland and Population Growth



Source: USDA, Economic Research Service, "Farm Programs, Natural Amenities, and Rural Development," February 1, 2005

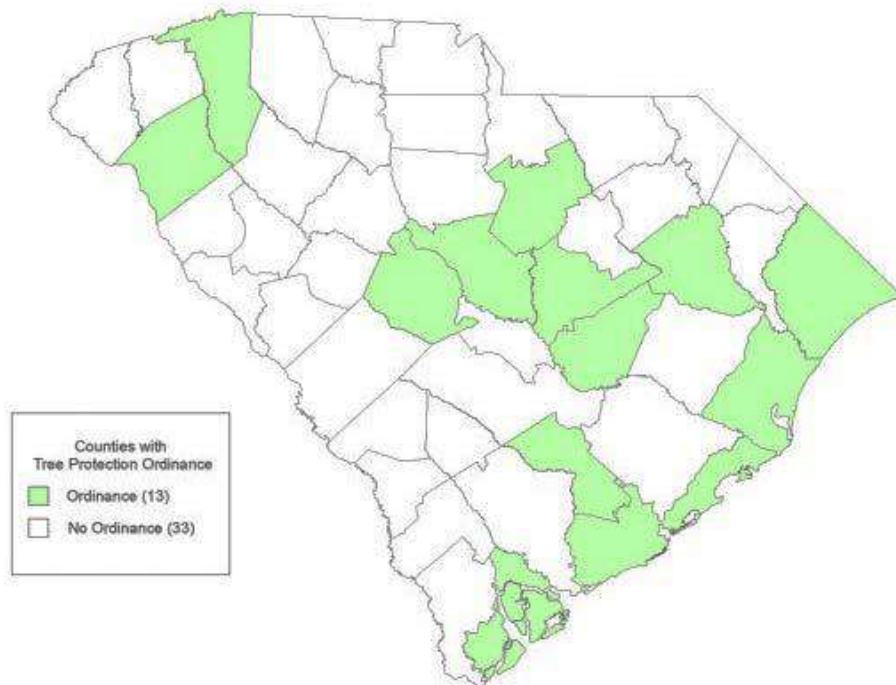
1. Threats to Forestry

There are many threats to forestlands such as clearing, grubbing, and grading for development, insect infestations and disease, invasive species, inadequate forestry management, and fire. Historically, the greatest loss in forestland occurred when land was cleared for farming. This trend reversed as a result of incentives that encourage the conversion of farmland into forests. Urbanization is now the primary cause of deforestation in South Carolina. The South Carolina Forestry Commission is working with communities across the state to develop urban forestry programs that protect remaining forestland and encourage the re-establishment of forests and tree canopies in urban areas.



Source: Clemson University

Map 8-2. Counties with Tree Protection Ordinances



Source: South Carolina's Forest Resource Assessment and Strategy (Forest Action Plan)
<http://www.trees.sc.gov/scfra.htm>

Wildfire is a threat to all South Carolina forestland and the urban areas which it abuts. On average, the South Carolina Forestry Commission fights 3,000 forest fires across the state each year. Nearly all are human-related, meaning that humans directly caused or indirectly contributed to fire creation or spread.

Forests contain “fuels” that are highly flammable, including any natural material, living or dead, that will burn. Common fuels include leaf litter, limbs, pine straw, and certain species of shrubs and trees that ignite easily. The greatest area of wildfire concern is in the wildland-urban interface, where development abuts forestland. Wildfires in and adjacent to developed areas present many challenges, not the least of which is access to the fire through developed sites. Business owners and residents often unwittingly provide fuel for fires by using of one or more of the fuels mentioned above in site landscaping. The South Carolina Forestry Commission works with communities to develop community wildfire protection plans to lessen risk to buildings and forestland. Plans provide an assessment of risk and a list of mitigation measures that can be undertaken to minimize wildfire risk. The goal of the Commission is to have as many “fire-adapted” communities in South Carolina as possible. A fire-adapted community is one in which the citizenry is informed, prepared, and taking action to reduce wildfire-related incidents.

South Carolina has many communities that are recognized nationally through the Firewise USA program established and managed by the National Fire Protection Association where residents

are actively reducing wildfire risks. Ten of the 33 communities currently listed are in Oconee County including:

- Keowee Key (2006)
- Wynward Pointe (2007)
- Lake Yonah (2009)
- Keowee Harbours (2009)
- Chickasaw Point (2009)
- Waterford Pointe (2009)
- Waterford (2010)
- Beacon Shores (2015)
- Port Santorini (2016)
- Emerald Pointe (2017)



Funding for the USDA Forest Service's National Fire Plan is available through grants to communities wishing to implement a fuels mitigation and educational program. The International Code Council has also created an *International Wildland-Urban Interface Code* to assist communities interested in using regulation to help reduce wildfire risk.

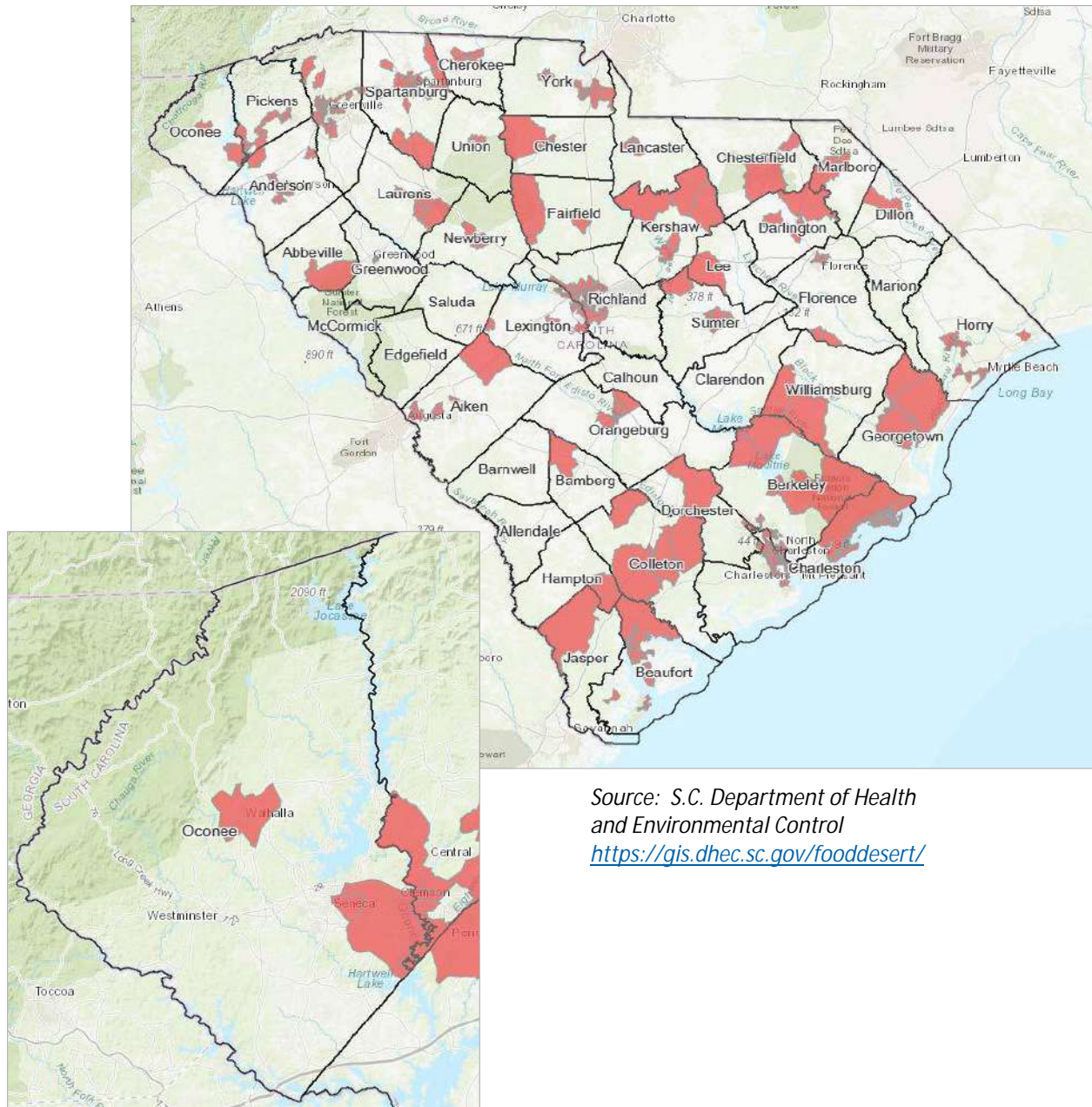
D. FOOD SECURITY

Food access is a critical element of community prosperity and security and should be an integral feature of planning at regional, county, community, and neighborhood levels. Successfully addressing food security requires cooperation and coordination from the public, private, and non-profit sectors, and collaboration with a variety of entities including retailers, transit services, and non-profits focused on healthy food education and childhood nutrition. Collaborative efforts to identify potential funding sources to address needs are also needed.

The lack of access to a variety of fresh and healthy foods can be a problem for many low-income and other transportation-challenged populations. The USDA Economic Research Service defines individuals lacking access as those who live more than one mile from a grocery store or supermarket. Low-income residents in areas without access to a grocery store who cannot raise their food and frequently lack reliable access to transportation often rely on neighborhood convenience stores which typically stock foods that are highly processed, high-caloric, and have a low-nutritional value. Children and the elderly are particularly vulnerable to food insecurity.

The USDA has mapped areas that lack access to fresh and healthy foods, known as food deserts. The S.C. Department of Health and Environmental Control has published the USDA map for the state. This data is shown in Map 8-3 along with a focused map of Oconee County.

Map 8-3. Food Deserts in South Carolina and Oconee County



Source: S.C. Department of Health and Environmental Control
<https://gis.dhec.sc.gov/fooddesert/>

Although these maps are based on 2015 data, there is little reason to believe food access has improved significantly since then and may have declined. As the maps indicate, there are likely significant access issues around Walhalla and from Seneca to Pickens and Anderson counties.

Ensuring access to healthy food is both a land use and a transportation issue and requires a holistic approach to successfully address the problem. Such an approach can include increasing public transit; making sure land use policies allow a mix of uses in residential areas that allows grocery stores, farmers markets, and similar fresh food outlets; and educating citizens on



backyard gardening and food preservation to encourage a certain amount of self-sufficiency where possible. Land use policies that do not allow grocery stores and supermarkets in residential areas create food deserts. Being aware of where food deserts likely exist, as indicated by Map 8-3, and using that information to inform transit service routes is also vital since the market forces that drive retail location favor moderate and high-income areas over low-income communities.

Many communities are turning to gardening as one solution for healthy food access. Backyard gardens may significantly improve healthy food choice. Community gardens are also becoming more popular across the country, as are subdivisions centered around gardens or small community farms, referred to as agrihoods. Some communities have also begun to plan edible gardens instead of ornamentals in public spaces. Gardening encourages physical activity and provides the benefits associated with other outdoor activities. The National Recreation and Park Association now offers advice on how to integrate gardening (backyard, community, public) into parks and recreation programs for children and adults. These programs teach important skills including food preservation.

There is a growing movement centered on eating locally grown and produced foods. To support this in Oconee County, the County should ensure it has no unnecessary barriers that restrict accessory processing on farms and in commercial areas (e.g. jams, jellies, wine, pickles), encourage farmer's markets and farm stands, work cooperatively to link producers with retail consumers (restaurants, bars, etc.) as part of a broader economic development strategy, and assist with marketing local farm products.

Food security can be a much larger problem and impact many more people than shown on Map 8-3 during natural disasters and other emergencies that affect transportation systems and food production. Few emergency management plans currently address food access and security, but more communities are beginning to add this very critical link. In 2010, the National Association of State Departments of Agriculture (NASDA), in cooperation with USDA's Food Safety Inspection Service (FSIS), the Food and Drug Administration (FDA), and the Department of Homeland Security (DHS) developed best practices and guidelines for state and local emergency response efforts for incidents involving the nation's food supply. Oconee County can request state assistance in developing a local food security and response element for the County's Emergency Preparedness Plan. It should also coordinate planning, prevention, and response efforts regionally since disasters and emergencies frequently affect multiple jurisdictions at one time.



Source: S.C. Farm Bureau

E. GOALS, OBJECTIVES AND STRATEGIES FOR IMPLEMENTATION

The table of goals, objectives and implementation strategies (GOIS) summarizes the actions that will be undertaken in the coming decade to achieve the goals and objectives identified in the Agriculture Element. The Agricultural Advisory Board of Oconee County will be a driving force and an accountable agency for all goals, objectives, and strategies below.

Goals/Objectives/Strategies	Accountable Agencies	Time Frame for Evaluation
Goal 8.1. Support and Protect the Agricultural Industry in Oconee County.		
Objective 8.1.1. Recognize important agricultural land as a valuable natural resource to protect for future generations.		
Strategy 8.1.1.1. Advocate use of “Best Management Practices” in farmland and forest operations.	<ul style="list-style-type: none"> • Soil & Water Conservation Commissions • Oconee County • Clemson Cooperative Extension (CCE) • SC Forestry Commission 	2025
Strategy 8.1.1.2. Encourage and support collaboration between landowners and public and private agencies in the development of ecologically and economically sound plans for preservation and restoration of farmland and forests.	<ul style="list-style-type: none"> • Oconee County • CCE • Conservation groups 	2025
Strategy 8.1.1.3. Work with SCDOT and other state and regional agencies to ensure projects for infrastructure facility maintenance and expansion will not be detrimental to the continuation of agriculture and silviculture.	<ul style="list-style-type: none"> • Oconee County • SCDOT • Oconee County Chamber of Commerce • Municipalities 	2021
Strategy 8.1.1.4. Limit non-agricultural development in productive and prime agricultural areas to densities and development patterns that are consistent with the continuation of economically viable agriculture.	<ul style="list-style-type: none"> • Oconee County 	2021
Strategy 8.1.1.5. Support state legislation that links incentives to continue farming (such as state income tax credits or differential assessment for property taxes and affirmative supports for the business of agriculture) with controls preventing conversion of the recipient's agricultural land to non-farm uses.	<ul style="list-style-type: none"> • Oconee County • Oconee County Chamber of Commerce 	2025



Goals/Objectives/Strategies	Accountable Agencies	Time Frame for Evaluation
<u>Strategy 8.1.1.6.</u> Seek grants and take advantage of state and federal programs to assist with the purchase of development rights and agricultural easements on prime agricultural land.	<ul style="list-style-type: none"> • Oconee County • Oconee County Cooperative Extension Service • Oconee County Chamber of Commerce • Conservation groups 	2023
<u>Strategy 8.1.1.7.</u> Ensure that the impacts to adjacent farms and forest land is part of the deliberation and decision making for proposed public projects.	<ul style="list-style-type: none"> • Oconee County • Oconee County Cooperative Extension Service • Oconee County Chamber of Commerce 	2021
<u>Strategy 8.1.1.8.</u> Work with the state Real Estate Licensing commission to add an "Agricultural Disclosure Act" to ensure that potential home/land/business purchasers are made aware that agricultural activity is occurring on land adjacent to the purchaser's property of interest.	<ul style="list-style-type: none"> • Oconee County • State Real Estate Licensing Commission 	2023
<u>Strategy 8.1.1.9.</u> Activate vacant and underutilized County owned property to facilitate a program that invites entrepreneurs, non-profits, residents, and other groups to begin entry-level agricultural businesses, community gardens, and pilot programs for engaging residents in the agricultural processes.	<ul style="list-style-type: none"> • Oconee County • NGO • Not-for-Profit organizations • CCE • Municipalities • Agriculture Organizations • School District of Oconee County (SDOC) 	2023
<u>Strategy 8.1.1.10.</u> Create a staff position of Agricultural communication and coordination to coordinate and communicate with farmers, foresters, local governments, agricultural groups, and the public on agricultural and forestry matters.	<ul style="list-style-type: none"> • Oconee County 	2023
Objective 8.1.2. Enhance agricultural operations and opportunities.		
<u>Strategy 8.1.2.1.</u> Work with state and federal agencies to attract agribusiness-related grants and revenue sources and support efforts to establish pilot programs related to new agricultural technologies and products.	<ul style="list-style-type: none"> • Oconee County 	2021
<u>Strategy 8.1.2.2.</u> Provide appropriate assistance to expand non- traditional and specialty agribusiness opportunities.	<ul style="list-style-type: none"> • Oconee County 	2021
<u>Strategy 8.1.2.3.</u> Ensure the ability of a farm to have a farm-related business onsite.	<ul style="list-style-type: none"> • Oconee County 	2021



Goals/Objectives/Strategies	Accountable Agencies	Time Frame for Evaluation
<u>Strategy 8.1.2.4.</u> Promote the establishment of new farm enterprises through support of training for interested persons.	<ul style="list-style-type: none"> • Oconee County • Oconee County Cooperative Extension Service 	2023
<u>Strategy 8.1.2.5.</u> Allow agricultural products processing facilities to locate in areas with convenient access to farms, but ensure that they do not negatively impact rural character or scenic vistas.	<ul style="list-style-type: none"> • Oconee County 	2025
<u>Strategy 8.1.2.6.</u> Support South Carolina right-to-farm laws and consider adopting a county right-to-farm policy.	<ul style="list-style-type: none"> • Oconee County • Oconee County Cooperative Extension Service • Oconee County Chamber of Commerce 	2021
<u>Strategy 8.1.2.7.</u> Promote farm stands and farmers markets in rural and urban areas and local food hub(s) with adjoining counties	<ul style="list-style-type: none"> • Oconee County • Oconee County Cooperative Extension Service • FARM Center 	2023
<u>Strategy 8.1.2.8.</u> Consider adopting a Voluntary Agricultural and Forestal Areas program.	<ul style="list-style-type: none"> • Oconee County • Oconee County Cooperative Extension Service 	2025
<u>Strategy 8.1.2.9.</u> Encourage and support programs that educate and engage residents of all ages in aspects of farming and agriculture.	<ul style="list-style-type: none"> • Oconee County • Oconee Cooperative Extension Service • Agriculture Advisory Board • Organizations such as FFA and the Oconee Cultivation Project • FARM Center 	2023
Goal 8.2. Protect Oconee County's Forest Resources.		
<u>Strategy 8.2.1.1.</u> Maintain an accurate inventory of important forestland.	<ul style="list-style-type: none"> • Oconee County • SC Forestry Commission • US Forest Service 	2025



Goals/Objectives/Strategies	Accountable Agencies	Time Frame for Evaluation
<u>Strategy 8.2.1.2.</u> Coordinate and plan infrastructure and development to protect forestland.	<ul style="list-style-type: none"> • Oconee County • SC Forestry Commission • SCDOT • US Forest Service • Conservation Groups 	2025
<u>Strategy 8.2.1.3.</u> Support efforts to permanently preserve important forestland.	<ul style="list-style-type: none"> • Oconee County • SC Forestry Commission • US Forest Service • Conservation Groups 	2025
<u>Strategy 8.2.1.4.</u> Work with the Forestry Commission to educate citizens about wildfire hazards.	<ul style="list-style-type: none"> • Oconee County • SC Forestry Commission • Rural Fire Departments • US Forest Service • CCE 	2025
<u>Strategy 8.2.1.5.</u> Consider adopting the International Wildland-Urban Interface Code, or relevant portions, to help mitigate wildfire risk.	<ul style="list-style-type: none"> • Oconee County • Rural Fire Departments 	2030
Goal 8.3. Ensure continuing access to healthy, fresh food.		
Objective 8.3.1. Eliminate food deserts and ensure access to healthy food.		
<u>Strategy 8.3.1.1.</u> Integrate food system policies and planning into County land use, transportation, and capital improvement plans.	<ul style="list-style-type: none"> • Oconee County • Local food banks • Oconee County Cooperative Extension Service • SDOC 	2030
<u>Strategy 8.3.1.2.</u> Encourage residents to supplement personal food sources with gardening and fresh food preservation.	<ul style="list-style-type: none"> • Oconee County • Oconee County Cooperative Extension Service • SDOC 	2025
<u>Strategy 8.3.1.3.</u> Recruit, support, and incentivize businesses that provide healthy food choices in all areas of the County.	<ul style="list-style-type: none"> • Oconee County • Oconee County Chamber of Commerce • CCE 	2023
<u>Strategy 8.3.1.4.</u> Revise land use policies to require healthy food access as a part of development standards, prohibit private restrictions that limit gardens, and community gardens, in residential areas when economic incentives are offered by the County to a developer .	<ul style="list-style-type: none"> • Oconee County • Municipalities 	2023



Goals/Objectives/Strategies	Accountable Agencies	Time Frame for Evaluation
<p><u>Strategy 8.3.1.5.</u> Work collaboratively with non-profits and other entities to address the needs of vulnerable populations (e.g. elderly, children, homeless).</p>	<ul style="list-style-type: none"> • Oconee County • Municipalities • Local non-profits • Faith-based community • Farmers' markets 	<p>2023</p>
<p><u>Strategy 8.3.1.6.</u> Support new opportunities for distribution of locally and regionally produced food.</p>	<ul style="list-style-type: none"> • Oconee County 	<p>2023</p>
<p><u>Strategy 8.3.1.7.</u> Revise the zoning code to require healthy food access as a part of development standards.</p>	<ul style="list-style-type: none"> • Oconee County • Municipalities 	<p>2023</p>
<p><u>Strategy 8.3.1.8.</u> Work collaboratively to ensure that regional emergency preparedness programs include food access and distribution and are working toward the goal of establishing regional capacity for feeding the population for 2 to 3 months in an emergency.</p>	<ul style="list-style-type: none"> • Oconee County • Municipalities • SC Emergency Management • Private organizations • NFPO • Disaster relief organizations 	<p>2023</p>
<p><u>Strategy 8.3.1.9.</u> Demonstrate the use of agriculture as a method of mitigating climate change.</p>	<ul style="list-style-type: none"> • Oconee County • SDOC • CCE • Agricultural groups • Private organizations • Municipalities • Conservation groups • Local non-profits • Faith-based community • Farmers' markets • Oconee County Chamber of Commerce • Local food banks • SC Forestry Commission 	<p>2023</p>

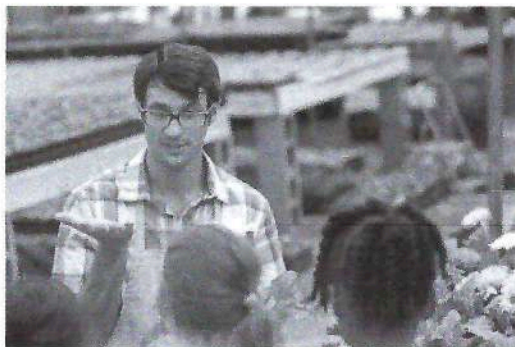


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Source: S.C. Farm Bureau

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<u>Strategy 8.1.1.2.</u> Encourage and support collaboration between landowners and public and private agencies in the development of ecologically and economically sound plans for preservation and restoration of farmland and forests.	<ul style="list-style-type: none"> • Oconee County • CCE • Conservation groups 	2025
<u>Strategy 8.1.1.3.</u> Work with SCDOT and other state and regional agencies to ensure projects for infrastructure facility maintenance and expansion will not be detrimental to the continuation of agriculture and silviculture.	<ul style="list-style-type: none"> • Oconee County • SCDOT • Oconee County Chamber of Commerce • Municipalities 	2021
<u>Strategy 8.1.1.4.</u> Limit non-agricultural development in productive and prime agricultural areas to densities and development patterns that are consistent with the continuation of economically viable agriculture.	<ul style="list-style-type: none"> • Oconee County 	2021
<u>Strategy 8.1.1.5.</u> Support state legislation that links incentives to continue farming (such as state income tax credits or differential assessment for property taxes and affirmative supports for the business of agriculture) with controls preventing conversion of the recipient's agricultural land to non-farm uses.	<ul style="list-style-type: none"> • Oconee County • Oconee County Chamber of Commerce 	2025



Goals/Objectives/Strategies	Accountable Agencies	Time Frame for Evaluation
<p>Strategy 8.1.1.6. Seek grants and take advantage of state and federal programs to assist with the purchase of development rights and agricultural easements on prime agricultural land.</p>	<ul style="list-style-type: none"> • Oconee County • Oconee County Cooperative Extension Service • Oconee County Chamber of Commerce • Conservation groups 	<p>2023</p>
<p>Strategy 8.1.1.7. Ensure that the impacts to adjacent farms and forest land is part of the deliberation and decision making for proposed public projects.</p>	<ul style="list-style-type: none"> • Oconee County • Oconee County Cooperative Extension Service • Oconee County Chamber of Commerce 	<p>2021</p>
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<p>Strategy 8.1.1.9. Activate vacant and underutilized County owned property to facilitate a program that invites entrepreneurs, non-profits, residents, and other groups to begin entry-level agricultural businesses, community gardens, and pilot programs for engaging residents in the agricultural processes.</p>	<ul style="list-style-type: none"> • Oconee County • NGO • Not-for-Profit organizations • CCE • Municipalities • Agriculture Organizations • School District of Oconee County (SDOC) 	<p>2023</p>
<p>Strategy 8.1.1.10. Create a staff position of Agricultural communication and coordination to coordinate and communicate with farmers, foresters, local governments, agricultural groups, and the public on agricultural and forestry matters.</p>	<ul style="list-style-type: none"> • Oconee County 	<p>2023</p>
<p>Objective 8.1.2. Enhance agricultural operations and opportunities.</p>		
<p>Strategy 8.1.2.1. Work with state and federal agencies to attract agribusiness-related grants and revenue sources and support efforts to establish pilot programs related to new agricultural technologies and products.</p>	<ul style="list-style-type: none"> • Oconee County 	<p>2021</p>
<p>Strategy 8.1.2.2. Provide appropriate assistance to expand non- traditional and specialty agribusiness opportunities.</p>	<ul style="list-style-type: none"> • Oconee County 	<p>2021</p>
<p>Strategy 8.1.2.3. Ensure the ability of a farm to have a farm-related business onsite.</p>	<ul style="list-style-type: none"> • Oconee County 	<p>2021</p>



Goals/Objectives/Strategies	Accountable Agencies	Time Frame for Evaluation
Strategy 8.1.2.4. Promote the establishment of new farm enterprises through support of training for interested persons.	<ul style="list-style-type: none"> • Oconee County • Oconee County Cooperative Extension Service 	2023
Strategy 8.1.2.5. Allow agricultural products processing facilities to locate in areas with convenient access to farms, but ensure that they do not negatively impact rural character or scenic vistas.	<ul style="list-style-type: none"> • Oconee County 	2025
Strategy 8.1.2.6. Support South Carolina right-to-farm laws and consider adopting a county right-to-farm policy.	<ul style="list-style-type: none"> • Oconee County • Oconee County Cooperative Extension Service • Oconee County Chamber of Commerce 	2021
Strategy 8.1.2.7. Promote farm stands and farmers markets in rural and urban areas and local food hub(s) with adjoining counties	<ul style="list-style-type: none"> • Oconee County • Oconee County Cooperative Extension Service • FARM Center 	2023
Strategy 8.1.2.8. Consider adopting a Voluntary Agricultural and Forestal Areas program.	<ul style="list-style-type: none"> • Oconee County • Oconee County Cooperative Extension Service 	2025
Strategy 8.1.2.9. Encourage and support programs that educate and engage residents of all ages in aspects of farming and agriculture.	<ul style="list-style-type: none"> • Oconee County • Oconee Cooperative Extension Service • Agriculture Advisory Board • Organizations such as FFA and the Oconee Cultivation Project • FARM Center 	2023
Goal 8.2. Protect Oconee County's Forest Resources.		
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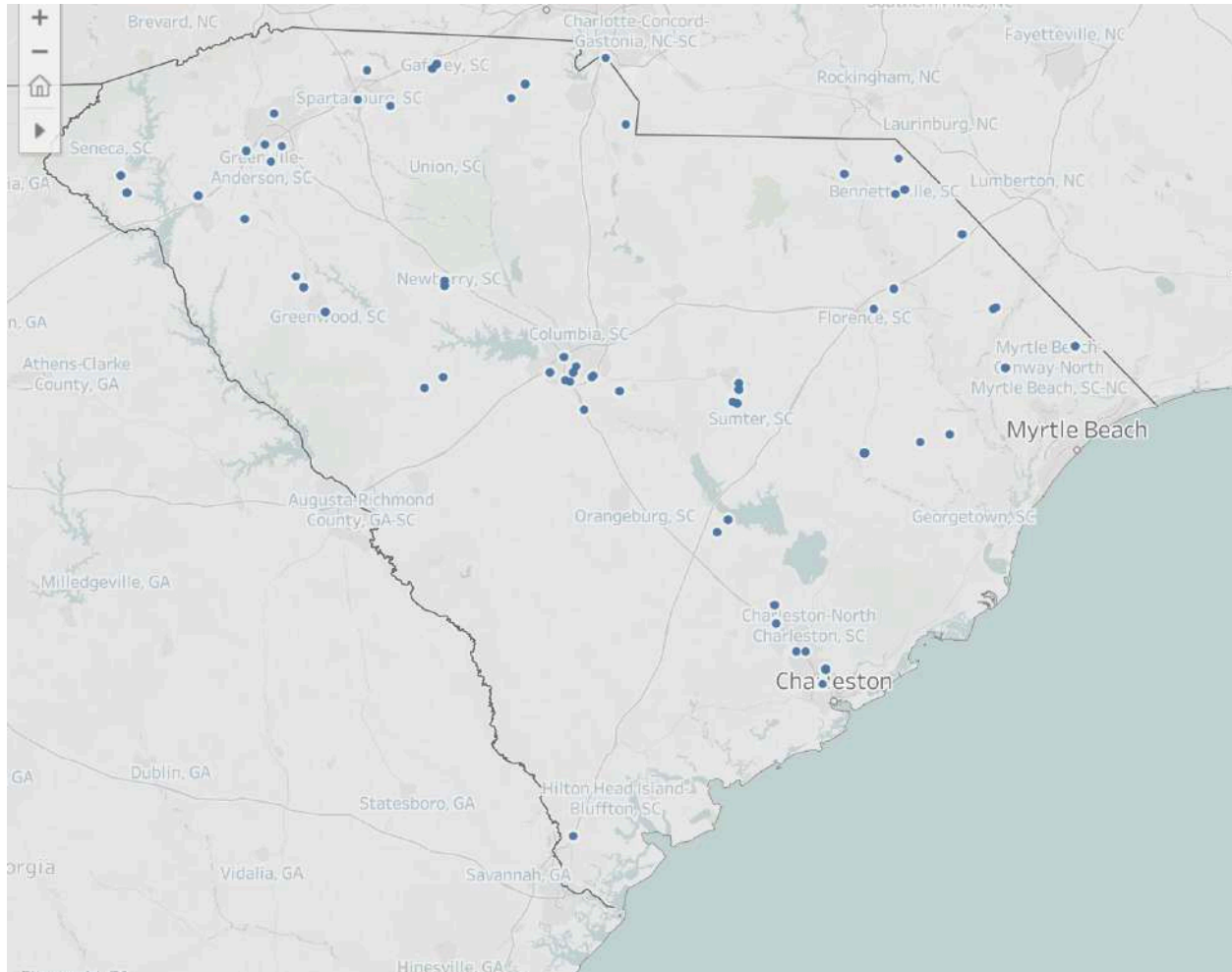
Goals/Objectives/Strategies	Accountable Agencies	Time Frame for Evaluation
<u>Strategy 8.2.1.2.</u> Coordinate and plan infrastructure and development to protect forestland.	<ul style="list-style-type: none"> • Oconee County • SC Forestry Commission • SCDOT • US Forest Service • Conservation Groups 	2025
<u>Strategy 8.2.1.3.</u> Support efforts to permanently preserve important forestland.	<ul style="list-style-type: none"> • Oconee County • SC Forestry Commission • US Forest Service • Conservation Groups 	2025
<u>Strategy 8.2.1.4.</u> Work with the Forestry Commission to educate citizens about wildfire hazards.	<ul style="list-style-type: none"> • Oconee County • SC Forestry Commission • Rural Fire Departments • US Forest Service • CCE 	2025
<u>Strategy 8.2.1.5.</u> Consider adopting the International Wildland-Urban Interface Code, or relevant portions, to help mitigate wildfire risk.	<ul style="list-style-type: none"> • Oconee County • Rural Fire Departments 	2030
Goal 8.3. Ensure continuing access to healthy, fresh food.		
Objective 8.3.1. Eliminate food deserts and ensure access to healthy food.		
<u>Strategy 8.3.1.1.</u> Integrate food system policies and planning into County land use, transportation, and capital improvement plans.	<ul style="list-style-type: none"> • Oconee County • Local food banks • Oconee County Cooperative Extension Service • SDOC 	2030
<u>Strategy 8.3.1.2.</u> Encourage residents to supplement personal food sources with gardening and fresh food preservation.	<ul style="list-style-type: none"> • Oconee County • Oconee County Cooperative Extension Service • SDOC 	2025
<u>Strategy 8.3.1.3.</u> Recruit, support, and incentivize businesses that provide healthy food choices in all areas of the County.	<ul style="list-style-type: none"> • Oconee County • Oconee County Chamber of Commerce • CCE 	2023
<u>Strategy 8.3.1.4.</u> Revise land use policies to require healthy food access as a part of development standards, prohibit private restrictions that limit gardens, and community gardens, in residential areas when economic incentives are offered by the County to a developer .	<ul style="list-style-type: none"> • Oconee County • Municipalities 	2023

Goals/Objectives/Strategies	Accountable Agencies	Time Frame for Evaluation
<p>Strategy 8.3.1.5. Work collaboratively with non-profits and other entities to address the needs of vulnerable populations (e.g. elderly, children, homeless).</p>	<ul style="list-style-type: none"> • Oconee County • Municipalities • Local non-profits • Faith-based community • Farmers' markets 	<p>2023</p>
<p>Strategy 8.3.1.6. Support new opportunities for distribution of locally and regionally produced food.</p>	<ul style="list-style-type: none"> • Oconee County 	<p>2023</p>
<p>Strategy 8.3.1.7. Revise the zoning code to require healthy food access as a part of development standards.</p>	<ul style="list-style-type: none"> • Oconee County • Municipalities 	<p>2023</p>
<p>Strategy 8.3.1.8. Work collaboratively to ensure that regional emergency preparedness programs include food access and distribution and are working toward the goal of establishing regional capacity for feeding the population for 2 to 3 months in an emergency.</p>	<ul style="list-style-type: none"> • Oconee County • Municipalities • SC Emergency Management • Private organizations • NFPO • Disaster relief organizations 	<p>2023</p>
<p>Strategy 8.3.1.9. Demonstrate the use of agriculture as a method of mitigating climate change.</p>	<ul style="list-style-type: none"> • Oconee County • SDOC • CCE • Agricultural groups • Private organizations • Municipalities • Conservation groups • Local non-profits • Faith-based community • Farmers' markets • Oconee County Chamber of Commerce • Local food banks • SC Forestry Commission 	<p>2023</p>



USDA inspected facilities

<https://www.fsis.usda.gov/inspection/establishments/meat-poultry-and-egg-product-inspection-directory>



- G1547 - ISE Newberry, Inc.
- I5 - Americold Logistics LLC
- I45 - Lineage Logistics
- I682 - New Orleans Cold Storage & Warehouse Co. Ltd.
- M86A+P86A - Cargill Meat Solutions
- M242+P6685 - ECP Foods LLC
- M244B+P244B - Tyson Fresh Meats, Inc.
- M888 - The Pork Rind Factory
- M1085 - Brown Packing Co., Inc.
- M1290+P248+V1290 - SOPAKCO Packaging
- M4005+P4005+V4005 - Williamsburg Packing Company Inc.
- M6592+P6592 - Harvin Choice Meats, Inc.
- M6645+P6645 - Carolina Fresh Foods
- M6670 - Stanton's Bar-B-Q
- M7333+P7333+V7333 - Manchester Farms, Inc.
- M7341+P7341 - Winningham's Meats
- M7964+P7964 - Columbia Meats, Inc.
- M7991+P7991 - Nestle Prepared Foods Company
- M8003+P8003 - Piggie Park Enterprises, Inc.
- M9070+P9070 - Kraft Heinz Foods Company

STATE MEAT ESTABLISHMENTS

<i>EST. NAME/ ADDRESS</i>	<i>MAILING ADDRESS (If Different)</i>	<i>EST. #</i>	<i>PHONE/ FAX</i>	<i>OWNER MANAGER</i>	<i>OPERATION S = Slaughtering P = Processing</i>
AVS Meat Lab 106 Newman Hall Clemson SC 29634	138 Poole Agr. Center Clemson SC 29634	1 & P-1	864/656-1505 864/656-3131	Susan Duckett (Faculty coordinator)	S & P
Beach Meats 1018 8th Avenue North Myrtle Beach SC 29577		131 & P-131	843/448-7584 843/626-1648	Joseph D. King, Jr. Janet King	P
Big Buck Horn Deer Processing 20949 North Fraser Street Georgetown SC 29440	6637 Hunting Swamp Rd. Conway SC 29527	209 & P-209	843/527-4488 843/397-3141	Leo J. Martin, Jr. Leo J. Martin, Jr.	P
Brice Corbitt's Meat, Inc. 1738 Airport Blvd. Cayce SC 29033		224	803/794-0465	Brice P. Corbitt Beverley Corbitt & Shanna Farrar	P
C. G. Burbage Wholesale Meats 361 Liberty Hall Road Goose Creek SC 29445		46	843/797-0221 843/764-0404	Dennis Burbage	P
Carter's Wholesale Meats 323 Fire Tower Road N.E. Orangeburg SC 29118		45	803/534-5658 803/534-9000	Michael E. and Tracy A. Carter Michael E. Carter & Tracy A. Carter	P
Caughman's Meat Plant, Inc. 164 Meat Plant Lexington SC 29073		51	803/356-3216 803/356-4413	Ronald A. Caughman, Alacia C. Quinton Ronald (plant), Alacia (Office)	S & P
Cone's Meats, LLC 1012 W. Main Street Ridge Spring SC 29129	763 Richland Creek Road Ward SC 29166	110	803/685-7188	Brent and Melissa Gilliland Jeff Autry	P
Conway Fresh Meat 1701 4th Avenue Conway SC 29527		10	843/248-9187	Randal Lewis Christina Lewis	S & P
Cordray's Processing 6708 County Line Rd. Ravenel SC 29470		119	843/766-7922	Michael & Claudia Cordray	S & P
Darlington Packing Co. Inc. 319 Society Hill Road Darlington SC 29540	P.O. Box 1812 Darlington SC 29540	122	843/393-5801 843/393-5801	Steven L. Irick, Joseph C. Irick Steven L. Irick, Joseph Irick,	P

EST. NAME/ ADDRESS	MAILING ADDRESS (If Different)	EST. #	PHONE/ FAX	OWNER MANAGER	OPERATION S = Slaughtering P = Processing
Dillon Provision Co. 408 North 1st Avenue Dillon SC 29536	P.O. Box 427 Dillon SC 29536	113 & P-113	843/774-9491 843/774-5628	Jay Horne Jay Horne	P
Doscher's Food Stores 1133 Savannah Highway Charleston SC 29407	1622 Ashley Hall Rd. Charleston SC 29407	237	843/766-6011 843/766-5011	Johnny, Ricky Doscher, Wesley Haselde Ricky Doscher, Bruce Lauder	P
Dowd's Hash 303 Pender Ridge Road Newberry SC 29108	P.O. Box 666 Newberry SC 29108	61	803-276-1845 803/405-0955	Robert K. Dowd Robert Dowd/Carolyn Dowd	P
G & W Inc 938 GW Packing Road Hickory Grove SC 29717		30 & P-30	803/925-2147	JoAnna Clayton	S & P
Gambrell's Meats 108 Billy Gambrell Rd. Honea Path SC 29654	P.O. Box 627 Honea Path SC 29654	231	864/933-3697	Diane Davenport Perry Davenport	P
Greenville Meats Inc. 824 White Horse Road Greenville SC 29605	P.O. Box 9201 Greenville SC 29604	108 & P-108	864/277-5570 864/277-8946	Gerald Sloan Tate Nicolini - Steve Asbell	P
Grubb's Meats & Processing 5th Street Gaffney SC 29340	424 Edge Water Dr. Gaffney SC 9340	4	864/487-6797	Lemuel Grubb Lemuel Grubb-Ernest Foster	P
Harper's Meathouse LLC 4427 Dobbins Bridge Road Anderson SC 29626		15 & P-15	864/225-5751	Kimsey Scott Harper	P
Knockout Butchery 1038 Pinckney Rd. Pauline SC 29374		32	864/921-6888	Travis and Misty Howard Travis Howard - Misty Howard	P
Lees Barbecue, Inc. 16994 Hwy 72 West Waterloo SC 29384	346 Sid Lee Rd Waterloo SC 29384	219	864/998-3411 864/998-3554	Hiram Sidney Lee & Patricia Lee Buddy Lee	P
Lee's Sausage Co. Inc. 1054 Neeses Hwy. Orangeburg SC 29115		69	803/534-5517 803/531-2809	Freddy W. Lee Brad Lee	S & P

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McCalls 409 McCall Road Honea Path SC 29654		202	864/245-0853	Mike McCall Michael McCall Jr.	P
Michael's Deer/Hog Processing 524 Bazzle Rd. Ehrhardt SC 29081		92	803/267-2025	Michael Hiers Gracie Hiers	S
Mullins Food Processing, Inc. 139 West Wayne George Ave. Mullins SC 29574		6	843/464-8641	Chip Smith	S & P
Ole Timey Meat Market 710 Main Street W. Columbia SC 29170	144 Torrey Pine Lane Chapin SC 29036	208 & P-208	803/755-3171	Karl L. Derrick Mark Plaehn	P
Ole Timey of St. Andrews Inc. 6352 St. Andrews Road Columbia SC 29212	144 Torrey Pine Lane Chapin SC 29036	204 & P-204	803/772-3602	Karl L. Derrick B. Cruz Cooper	P
Orchard View Meats 350 Blakely Avenue Piedmont SC 29673		210 & P-210	864/277-5630	James Rector, W. Todd Hester Angela Hester	P
PF Meat Co. 2945 Lebanon Rd. Anderson SC 29620	950 Shackleburg Rd. Anderson SC 29621	16	864/444-6568	Donald Snow/Dave Werth	P
Prosser's BBQ Legacy LLC 430 B East Broad St. Hemingway SC 29554	P.O. Box 157 Hemingway SC 29554	201	843/558-7792 843/558-7792	Ryan Prosser Ryan Prosser	P
Richard's BBQ 10575 Hwy 19 W Loris SC 29569		225	843/340-7907	Richard Faircloth Richard Faircloth	P
Sowells Meats 251 East White Street Rock Hill SC 29730		121 & P-121	803/327-7770	Keith Sowell/Kris Sowell Keith Sowell	P
Stone Enterprises, Inc. 131 Broad Street Bennettsville SC 29512		229	843/479-3481	Cam & Cindy Stone Cam & Cindy Stone	P

EST. NAME/ ADDRESS	MAILING ADDRESS (If Different)	EST. #	PHONE/ FAX	OWNER MANAGER	OPERATION S = Slaughtering P = Processing
Sumter Provision Co. 2475 Pipkin Sumter SC 29154		48	803/481-2093	Johnnie M. Timmons Johnnie M. Timmons	P
Sunnydale Meats Inc. 165 Hyatt Street Gaffney SC 29341		111 & P-111	864/489-6091 864/489-6092	Tony & Chad Hopper Tony & Chad Hopper	P
Thad Weinberg's Sausage 1014 Pearl Street Darlington SC 29532		72	843/393-2544	Peggy Ruthven, Thad Weinberg, Thad Weinberg	P
The Meat Center 657 Lancaster By-Pass E. Lancaster SC 29720		216	803/286-5077	Billy Everall Ann Boss, Brian Everall	P
Vaughn Packing Co. Inc. 2100 Country Club Road Greer SC 29651	P.O. Box 568 Greer SC 29652	93	864/877-0926 864/469-9445	John G. Waldrop Brenda B. Smith	S & P
Wayne's Hog Processing 314 Bryan Road Hampton SC 29924		150	803/942-1377	Troy Wayne Nettles Troy Wayne Nettles	P

STATE POULTRY ESTABLISHMENTS

<i>EST. NAME/ ADDRESS</i>	<i>MAILING ADDRESS (If Different)</i>	<i>EST. #</i>	<i>PHONE/ FAX</i>	<i>OWNER MANAGER</i>	<i>OPERATION S = Slaughtering P = Processing</i>
East View Farms 199 Harris St. Pelzer SC 29669	P.O. Box 821 Pelzer SC 29669	P-147	864/947-9633	Jamie Fuller Jamie Fuller	P
Manchester Farms Inc. 5765 Lower Richland Blvd. Hopkins SC 29061	P.O. Box 9597 Columbia SC 29290	P-144	803/783-9024	Brittney Miller Brandon Myers	S & P

CROSS UTILIZATION FEDERAL MEAT ESTABLISHMENTS

<i>EST. NAME/ ADDRESS</i>	<i>MAILING ADDRESS (If Different)</i>	<i>EST. #</i>	<i>PHONE/ FAX</i>	<i>OWNER MANAGER</i>	<i>OPERATION S = Slaughtering P = Processing</i>
Foster Wholesale Meats 305 O'Neal Street Belton SC 29627		19834 & P- 19834	864/338-7111	Brad Foster Brad Foster	P
Halal International Processing 461 Kelly Road York SC 29745	2976 Propst Rd. Clover SC 29710	19825 & P- 19825	803/684-9248	Mohamad Suleiman David Reed	S & P
Loris Cold Storage & Retail 2371 Main Street Loris SC 29569		33916 & P- 33916	843/756-1741 843/756-2340	George Rogers Tim Rogers	S & P
Snow Creek Meat Processing 329 Snow Creek Rd. Seneca SC 29678		20478 & P- 20478	864/972-1570 864/972-1570	Roy L. Tilson Andres Garcia	S & P
Wilson Processing Co. Inc. 250 Richland Road Richland SC 29675	P.O. Box 18 Richland SC 29675	45371 & P4537	864/882-9073 864/882-2300	Gary Wilson/Connie James Gary Wilson/Connie James	S & P