



Soil and Water Conservation District

☎ 919-250-1050

Wake County Office Park
Agricultural Services Building
4001 Cary Drive, Suite D • Raleigh, NC 27610
wake.gov/swcd

September 13, 2024

Michael Deaton

Water Resources Director

Town of Apex

Dear Mr. Deaton:

The Wake County Agricultural Advisory Board appreciates your cooperation with the public hearing held on September 10, 2024, regarding impacts to parcels enrolled in the Wake County Voluntary Agricultural District (VAD) and Enhanced Voluntary Agricultural District (EVAD), from the proposed condemnation due to the Big Branch Force Main Project.

It is the Board's primary goal to advocate for the protection of VAD and EVAD properties, and in this case, a route was chosen that impacts enrolled properties over one that does not. As a result of the information provided by the Town of Apex and comments from the impacted VAD and EVAD landowners, the Wake County Agricultural Advisory Board finds that until the Town can demonstrate appropriate consideration of alternatives and address the recommendations below, the need for the project has not been satisfactorily established. The Board provides the following recommendations to minimize impacts to the subject properties:

- An environmental impact study must be conducted to ensure that appropriate measures are taken to avoid damage to sensitive wetland areas on the impacted parcels.
- The Town of Apex should assume liability for matters relating to the easement area and any changing circumstances encountered by the VAD or EVAD landowners from the construction and future maintenance of the force mains.
- Landowner questions and concerns should be addressed prior to any condemnation or construction. In addition, the board requests a finalized justification of route choice with complete documentation of alternatives.

The Voluntary Agricultural District program is non-regulatory and dependent on the willing contributions of agricultural landowners; therefore, appropriate effort is required to ensure that these lands are minimally impacted by encroaching development. In this case, three distinct farms will be negatively impacted so all necessary precautions must be taken to ensure a stable continuity of operations.

We hope that these recommendations will be considered as the project progresses. If you have any remaining questions, please contact the Wake County Agricultural Advisory Board.

Sincerely,

Patrick Johnson

Patrick Johnson – Chair, Wake County Agricultural Advisory Board