

NCDEQ STEWARDSHIP PROGRAM
CORRECTIVE ACTIONS FOR CONSERVATION EASEMENT VIOLATIONS

The corrective action required to remedy an easement violation is based on both the severity of the violation and the cooperation of the landowner or responsible party. Enforcement begins with personal contact with the landowner or responsible party, discussion of the violation, corrective actions required, and the establishment of a deadline for resolution. If deemed necessary a certified mail letter detailing the violation and resolution is mailed to the landowner. If the landowner or responsible party does not meet the compliance deadline, then enforcement escalates and the matter is referred to the NC Attorney General’s Office for resolution. In the most egregious cases the Department will use temporary restraining orders or injunctions to ensure the corrective action is completed.

Violation Categories

Minor violations include activities or uses that violate the conditions of the easement, but which do not have, or are not expected to have, a substantial negative impact on the easement. Major violations include activities or uses having, or are expected to have, a substantial negative impact on the easement. Examples are provided in the table below.

Category	Violation Type	Examples	Corrective Action
Minor	Construction of Insignificant Structures	<ul style="list-style-type: none"> • Construction of temporary, mobile, or turnout shed structures not permitted by the easement 	<ul style="list-style-type: none"> • Removal of Structure • Restoration and replanting of damaged area
Minor	Minor Disturbance	<ul style="list-style-type: none"> • Incidental cutting of one or a few trees • Un-authorized grazing/mowing 	<ul style="list-style-type: none"> • Restoration and replanting of damaged area • Fencing
Minor	Minor Dumping, Stockpiling, or Composting	<ul style="list-style-type: none"> • Small amounts of trash, debris, or discarded items/materials • Composting or stockpiles 	<ul style="list-style-type: none"> • Cease activity • Remove non-Biodegradables • Restoration and replanting of damaged area
Minor	Failure to Control Erosion	<ul style="list-style-type: none"> • Excessive trail, stream crossing, or field/pasture erosion 	<ul style="list-style-type: none"> • Stabilization (e.g. rip/rap, waterbars, contour strips, grading) • Restoration and replanting of damaged area
Minor	Trespass / Vandalism	<ul style="list-style-type: none"> • Motorized vehicle damage • Destruction of signs or fences 	<ul style="list-style-type: none"> • Posting of site • Report to Sheriff
Major	Construction of Significant Structure	<ul style="list-style-type: none"> • Construction of Residence • Construction of Pond or Road • Construction of Indoor Riding Arena 	<ul style="list-style-type: none"> • Removal of structure • Compensation of lost value • Restoration and replanting of damaged area
Major	Prohibited Disturbance	<ul style="list-style-type: none"> • Timbering • Destruction of streams and/or wetlands • Mining, Grading, Excavation 	<ul style="list-style-type: none"> • Cease activity • Compensation of lost value • Restoration and replanting of damaged area
Major	Major Dumping, Stockpiling, or Composting	<ul style="list-style-type: none"> • Permanent disposal of substantial amounts of waste 	<ul style="list-style-type: none"> • Cease activity • Removal of waste • Compensation of lost value • Restoration and replanting of damaged area