



Durham County Soil and Water Conservation District
201 E. Main Street, 5th floor
Durham, NC 27701
(919) 560-0558 | DSW@anjaliboyd.com

October 27th, 2021

To Whom It May Concern,

On September 22, 2021, the North Carolina Soil and Water Conservation Commission (NCSWC) made an unprecedented decision to appoint Ken Browning, over Phoebe Gooding (the candidate recommended by the Durham County Soil and Water Conservation District (DCSWCD) Board of Supervisors to fill the vacant appointed supervisor position on our board.

In a [letter](#), sent by the NCSWC to John Langdon (Chair), Eddie Culberson (Director) and the Durham County SWCD, the Commission cited North Carolina General Statute 139-7, which authorizes the Commission to appoint any resident for a County to their local District Board who is willing to serve in that capacity. In addition to stating their reasoning for appointing Browning as “it more closely aligns with the Commission’s recent emphasis on increasing farmer representation among district supervisors”. However, this reason holds little validity, as the candidate the DCSWCD Board of Supervisors voted on and recommended for the position, Phoebe Gooding, is also a farmer in our county.

Phoebe Gooding is a minority farmer, who runs Hawk’s Nest Healing Gardens, a family-farm in Durham, NC. Gooding also serves as the Program and Organizing Director for Toxic Free NC, leading the Just and Sustainable Agriculture program. Additionally, Gooding has a wealth of knowledge pertaining to environmental education, natural resource management, agriculture and environmental conservation, having received a Bachelor of Science degree in Natural Resource Studies with a minor in Recreation and Wildlife, and receiving her Master’s degree in Environmental Studies with a concentration on Conservation Biology. Furthermore, Gooding is well known and respected throughout our county and the state of North Carolina. She is also an active vendor at the Black Farmers Market and formerly served on the Parent-Teacher Association at Southern High School in Durham, NC, where her younger son attends. She is currently working with her older son to form an environmental club for students at Middle College High School in Durham, NC, where he attends and is also involved in numerous coalitions and community groups throughout the county and the state.

During the DCSWCD’s June 28, 2021 board meeting, our Board voted and unanimously recommended Gooding to fill the vacant Appoint Supervisor position on our board. During our discussion of candidates for the position, our board thoroughly went through the [Guiding Principles for Nomination of Supervisor for Appointment or Reappointment](#), a document that lists 11 guiding principles approved by the NCSWC to “guide local soil and water conservation districts when evaluating candidates for appointment and recommending supervisors for reappointment.” Of the 11 principles listed, Gooding met eight, which was significantly more than any other candidate. The principles Gooding met are listed below:



Durham County Soil and Water Conservation District
201 E. Main Street, 5th floor
Durham, NC 27701
(919) 560-0558 | DSW@anjaliboyd.com

1. **Principle 1:** Because agriculture is North Carolina’s number one industry and because of the importance of soil and water conservation to production agriculture, the Commission strongly recommends that at least two members of each district board be actively engaged in, or recently retired from, an agriculture operation. Examples of an “agriculture operation” include those operations that are eligible to participate in the Agricultural Cost Share Program, or fall within the definition of “Agriculture,” as provided in N.C.G.S. § 106-581.1.
2. **Principle 2:** An effective board of supervisors requires motivated members with strong leadership skills and diverse knowledge of natural resource needs in the district. Will the appointment bring new leadership skills to the board?
3. **Principle 3:** A strong district is led by supervisors who are effective at approaching elected and appointed officials to advocate for resources and policies needed to meet the conservation priorities in the district. Will the appointment strengthen the political connection/influence of the district, especially at the county level?
4. **Principle 5:** North Carolina agriculture is growing increasingly diverse. Often, non-traditional agricultural operations require focused outreach from leaders they believe understand their unique needs. Will the appointment provide a better opportunity to work with a segment of agriculture not currently being served?
5. **Principle 6:** Many districts have built relationships with other organizations who share interest in natural resource conservation. Will the appointment improve opportunities to work with non-traditional partners (e.g., land trust, forest landowners, grant making organizations, environmental advocacy groups)?
6. **Principle 8:** Often a district can improve its ability to reach traditionally underserved groups and its overall public support by increasing the diversity of its board. Will the appointment improve the diversity of the board?
7. **Principle 9:** One key to a successful district is the willingness of the district supervisors to study and learn from the successes of other districts and other organizations. It is often instructive to observe a supervisor candidate’s involvement in other organizations (e.g., trade groups, civic clubs, church). Has the nominee shown past involvement in an organization beyond the local level?
8. **Principle 11:** Among the most visible district activities are environmental education, marketing, and public outreach. These programs are often key to achieving widespread public support for the district. Will the appointment strengthen the District’s education, marketing, and outreach efforts?

On July 1, 2021, Lisa Marochak, the DCSWCD’s Executive Assistant, submitted our Board’s recommendation for Gooding to fill the Appointed Supervisor position, through the NCDA&CS Sharepoint site. The NCSWC was scheduled to discuss Gooding’s appointment during the July 2021 Commission meeting. We were later notified, during our August 2, 2021 DCSWCD Board meeting, that the Commission decided to push the discussion of Gooding’s appointment to the



Durham County Soil and Water Conservation District
 201 E. Main Street, 5th floor
 Durham, NC 27701
 (919) 560-0558 | DSW@anjaliboyd.com

September 2021 Commission meeting with no explanation. After the September 2021 Commission meeting, our board received a letter (attached) from the NCSWC stating their decision to appoint Browning to our vacant board position with no justifiable explanation as to why Gooding’s appointment was not approved.

After consulting with current and past Durham SWCD supervisors, it has become clear that the Commission has not invoked North Carolina General Statute 139-7 (with regards to appointment recommendations from the DCSWCD), in over 40 years. The September 22, 2021 decision by the NCSWC, while within their rights, sets a dangerous precedent. There is no group more knowledgeable and aware of the needs of the DCSWCD and our local community, than the DCSWCD Board of Supervisors. The September 2021 decision by the NCSWC deprives our District (and potentially others) of our right to govern our Districts and fill the Appointed Supervisor positions with community members and leaders that represent and address the needs of our local community.

We, the undersigned, are requesting the North Carolina Soil and Water Conservation Commission to appoint Phoebe Gooding to the Durham County Soil and Water Conservation District Board of Supervisors, as recommended by our Board on 1 July 2021.

Anjali Boyd
 District Supervisor (elected)
 Durham County Soil and Water Conservation
DSW@AnjaliBoyd.com

David Harris
 DCSWCD, *Supervisor (elected)*

Sheena Mathews
 DCSWCD, *Associate Supervisor*

Mark Dewitt
 DCSWCD, *Supervisor (appointed)*

Jillian Riley
 DCSWCD, *Associate Supervisor*

Danielle Adams
 DCSWCD, *Associate Supervisor*
 DCSWCD, *Supervisor (elected 2008-2020)*

Melissa Rooney
 DCSWCD, *Associate Supervisor*

Becky Emmons
 DCSWCD, *Associate Supervisor*

And over 1000 community members, leaders, business owners, organizers, and more.