

### **INTRODUCTION**

A conservation easement is a legal agreement between a landowner and another entity to preserve a piece of land's environmental, cultural, historical or agricultural value.

The entities entering into the agreement can include a land trust, conservation organization or government organization.

Most conservation easements are donated, but some are purchased depending on available funding and the goals of the purchasing organization.

Landowners who enter the agreement maintain a great deal of control over their land and the function of the easement.

The land is still owned by the landowner, who will work with the land trust or government entity to determine what land is included in the easement, its function and restrictions.

While landowners may use their land or sell it, they remain bound to the restrictions on the land.

If the property is sold, the easement and its restrictions remain with the deed and are passed to the next landowner.

Pennsylvania land trusts have conserved a significant amount of land via the easement process. According to We Conserve PA, about 69 land trusts conserved over 200,000 acres between 2010 and 2019.

As development pressure mounts and municipalities become more concerned about sprawl, educating landowners about the easement process may become a more integral part of municipal plan implementation and environmental programs.

### **BENEFITS**

- Land trusts and landowners have flexibility to establish the protections they want;
- Landowners still own their land and public access is not required;
- Conserved land may provide recreational opportunities if permitted by the owner;





- Landowners may receive a tax deduction for the easement's value;
- Potential estate and/or property tax benefits;
- Landowners can protect wildlife habitat, farmland, family land, and cultural, historic or scenic sites;
- Easements can help to meet local conservation planning goals.

## **DRAWBACKS**

- Legal costs;
- Conservation easements are perpetual, and once placed, the landowner and holder are legally bound;
- Conservation easements can affect property values;
- Not all land has a high enough conservation value to qualify for a tax deduction.

## **RESOURCES**

### ***What are Conservation Easements?***

- [Manada Conservancy Land Preservation Packet](#)
- [Land Trust Alliance Q&A](#)
- [We Conserve PA – Conservation Easements](#)

### ***Who offers Conservation Easements?***

- [Brandywine Conservancy](#)
- [Central Pennsylvania Conservancy](#)
- [Manada Conservancy](#)

- [Nature Conservancy](#)
- [Northcentral Pennsylvania Conservancy](#)
- [Western Pennsylvania Conservancy](#)
- [Full List of Land Trusts in Pennsylvania](#)

## **RELATED FACT SHEETS ON PLANNINGTOOLKIT.ORG**

- Agriculture and Natural Resource Conservation
- Stormwater Management
- Traditional Zoning Ordinances
- Wellhead Protection

## **TIPS TO CONSIDER**

- MAINTAIN A LIST OF LOCAL LAND TRUSTS AND GOVERNMENT AGENCIES THAT HANDLE EASEMENTS;
- CREATE PARTNERSHIPS WITH LOCAL LAND TRUSTS TO SHARE EDUCATIONAL INFORMATION, IDENTIFY HIGH PRIORITY CONSERVATION LANDS, AND CONNECT LANDOWNERS WITH CONSERVATION EASEMENT PROVIDERS;
- WORK WITH COUNTY CONSERVATION DISTRICTS TO ENCOURAGE ENROLLMENT IN AGRICULTURAL SECURITY AREAS -- THE FIRST STEP IN THE AGRICULTURAL EASEMENT PROCESS;
- HAVE EDUCATION RESOURCES AND OUTREACH ACTIVITIES ON HAND FOR LANDOWNERS TO LEARN ABOUT THE EASEMENT PROCESS.



## **CREATED BY**

### **TRI-COUNTY REGIONAL PLANNING COMMISSION**

112 Market St., 2nd Fl., Harrisburg, PA 17101  
(717) 234-2639

[planning@tcrpc-pa.org](mailto:planning@tcrpc-pa.org)