



Conservation Easement Plan (map).

### Holding and Stewarding Easements

- The grantee or primary holder of an easement is often a land trust, and the municipality and other grant providers may be named as co-grantees, co-holders or beneficiaries. Any of these entities are considered qualified conservation organizations under the Internal Revenue Code and can serve as the primary grantee/holder.
- The advantages of having a land trust serve as the as primary easement holder and steward include experience, staff capacity, technical capabilities and tools such as GIS mapping, and dedicated endowment funds for stewardship and enforcement. On the other hand, the municipality is closest to the property and has local contact with the landowners.

### Success

#### *Where has this tool been used successfully?*

- Throughout Chester County and the United States.

#### *What were the outcomes of using the tool?*

- In the Brandywine Creek watershed (shown outlined in red) as of March 2013, 8,823 acres (4% of the watershed) were preserved with agricultural conservation easements (shown in dark green); and 23,047 acres (11% of the watershed) were preserved with easements held by the Brandywine Conservancy (shown in light green).

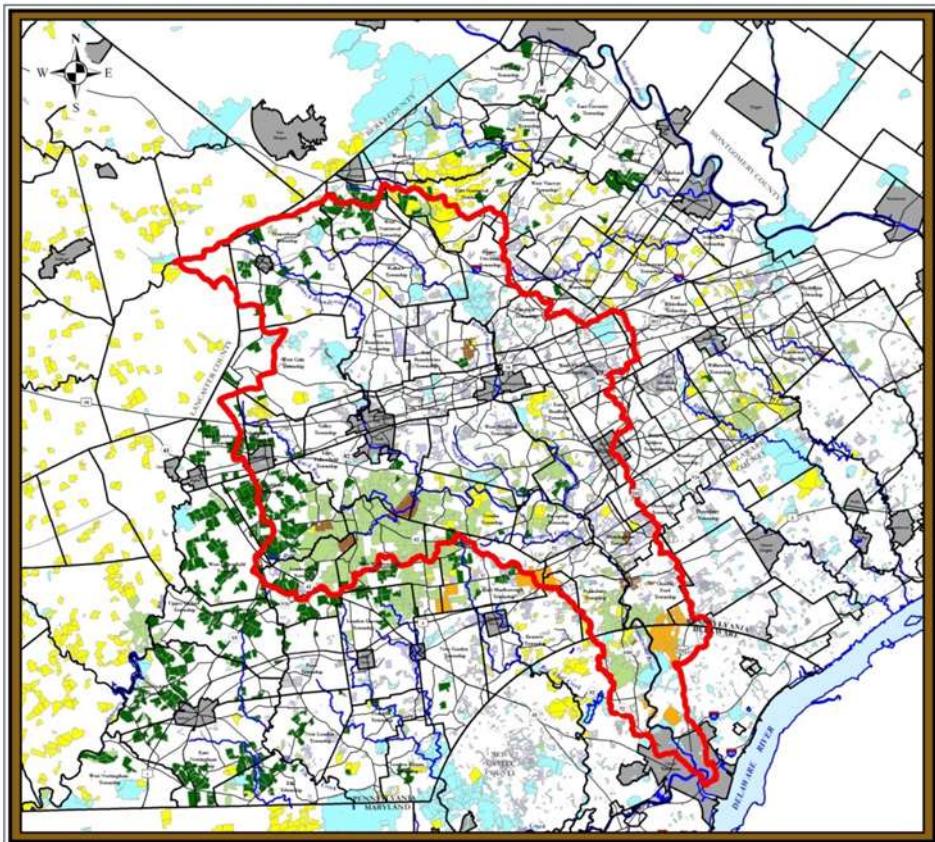
### Applicability

#### *How can this tool be used in the BCG?*

- Conservation easements can be donated by willing landowners, purchased with various grant and municipal funds, or partially purchased and partially donated. Municipal outreach to landowners can include public meetings and individual visits. A land trust can create



mapping and analysis of particular parcels and can provide materials on conservation easements and the easement process. Staff can then follow-up with discussions regarding landowner goals, easement terms, and funding opportunities.



Brandywine Creek Watershed Preserved Lands Map

### More Information

#### *Where can someone learn more about this tool?*

The Brandywine Conservancy's materials include a Conservation Easement brochure and General Guidelines for Conservation Easements.

A good source of more information regarding conservation easements in Pennsylvania is the Pennsylvania Land Trust Association (PALTA) website: [conserveland.org](http://conserveland.org).

Information regarding Chester County's Open Space Preservation Program can be found on their website: <http://www.chesco.org>.



## Fee Interests

### Introduction

#### *What issues does this tool address?*

Municipalities can acquire full ownership of open space, historic buildings, or high priority real estate through purchase or donation. .

#### *What does this tool accomplish?*

- Public parks and preserves allow active and passive recreation for residents.
- Purchase or donation of land can be used to preserve important natural, agricultural, and historic resources.
- Public parks and open spaces often provide opportunities for environment education.



### Implementation

#### *How is this tool implemented?*

- Land may be donated by private landowners.
- Land may be purchased by a municipality with a combination of grant and municipal funds.
- Township has sole control of the property as well as the obligation to maintain it. A stewardship plan should be prepared that outlines the projected uses and maintenance tasks.

### Applicability

#### *How can this tool be used in the BCG?*

- Interested municipalities can partner with county agencies, state agencies, other municipalities, local non-profit organizations, and private foundations to pursue grants and matching funds.
- Public open space may be used for the conservation of natural habitats, historic preservation, agricultural preservation, flood mitigation, or recreation.

### More Information

#### *Where can one learn more about the tool?*

- Chester County Planning Commission.



- Visit the PALTA website at [conserveland.org](http://conserveland.org).
- Visit the Pennsylvania DCNR website for grant programs at <http://www.dcnr.state.pa.us/brc/grants/c2p2programguidance/index.htm>

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## Joint Ventures and Leveraging Funds

### Introduction

#### *What issues does this tool address?*

- Lack of expertise, experience, or resources.
- Limited funding or ineligibility to apply for funding.

#### *What does this tool accomplish?*

- Creates meaningful partnerships.
- Offers supporting talents.
- Builds a broader funding base.
- Improves scores on grant applications.
- Reduces cash outlays by providing matching funds.

### Implementation

#### *How is this tool implemented?*

1. Find a willing partner with mutual interests.
2. Agree on preservation goals and method and division of responsibilities.
3. May want a memorandum of understanding (MOU) with partners.
4. Determine funding needs.
5. Appraisals and/or bids.
6. Identify potential funders, considering both public and private sources (Federal, State, City, Non-Profit, Private)

### Applicability

#### *How can this tool be used in the BCG?*

- Park Acquisition.
- Land Preservation.
- Tail Easements.





- Suitable in all municipalities.

## More Information

Contact

PA DCNR

- Community Conservation Partnership Grant Program (C2P2).

DVRPC

- Regional Trails Program.

Chester County

- Open Space Preservation Programs.
- Farmland preservation.
- Conservancy grants.
- Municipal grants.
- Community Revitalization Program.

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## Land Trust Assistance

### Land Trusts can provide :

- expertise & experience,
- new sources of matching funds,
- staff assistance.

### Services Including:

- Property Stewardship Plans
- Municipal Prioritization Planning.
- Grant Application Assistance.
- Marketing Assistance & Outreach.
- Legal Document Development.
- Project Management & Implementation.
- Mapping Services thru GIS.



### Finding a Land Trust

- Go to Chester County Open Space Preservation Program website for links to local land trusts and non-profits.

### *Caution:*

- Land trusts have their own priorities.
- May charge for their services.

### *Examples:*

- Solebury Township.
- Birmingham Township.
- Franklin Township.
- Londonderry Township.
- East & West Bradford Townships.
- Honey Brook Township.



- Pocopson Township.

#### More Information

- The Brandywine Conservancy.
- Pennsylvania Land Trust Association – [ConserveLand.org](http://ConserveLand.org).

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## Open Space Referenda and Bonds

### Introduction

#### *What issues does this tool address?*

Lack of funding for open space preservation efforts.

#### *What does this tool accomplish?*

Helps a municipality find a funding source to leverage their resources.

### Implementation

#### *How is this tool implemented?*

Through Act 153

- Requires Referendum.
- Establishes Dedicated EIT or Property Tax.
- May only Fund Acquisition.

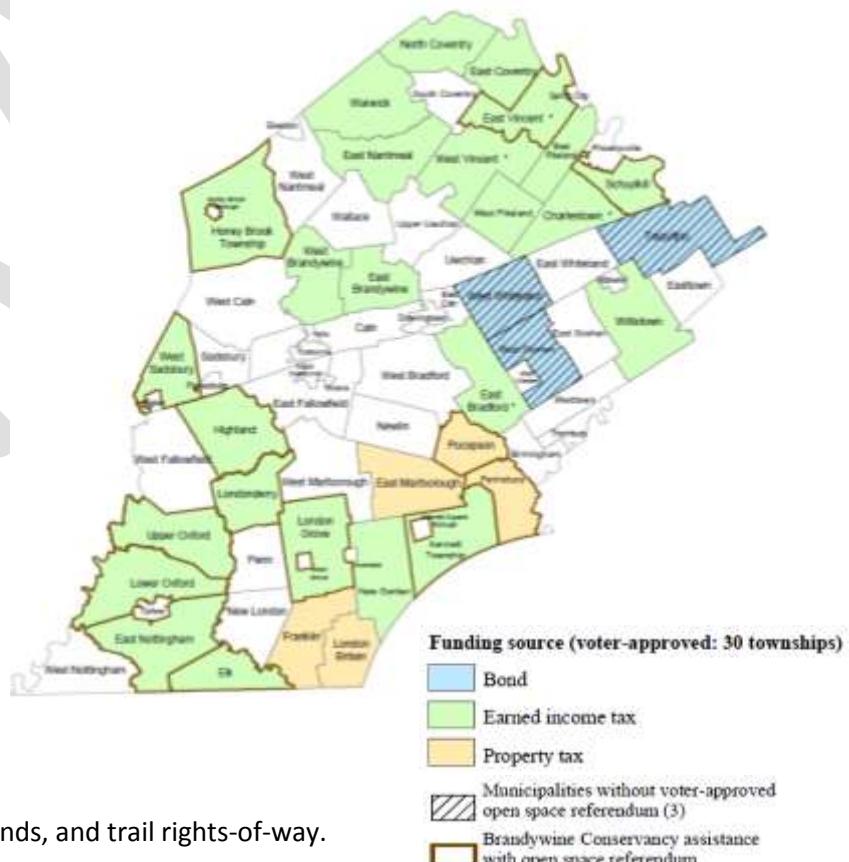
#### *Other Funding*

- Electoral Debt.
- Non-Electoral Debt.
- May fund Recreational Development.

### Applicability

#### *How can this tool be used in the BCG?*

Thirty-three Chester County Municipalities have established dedicated open space preservation funding sources and rely on county, state, federal, and other funds to leverage their limited resources to meet local and regional open space preservation goals.



### Applicability

#### *How can this tool be used in the BCG?*

- Acquisition of open space, park lands, and trail rights-of-way.
- Acquisition of agricultural and conservation easements.



- Stewardship Planning.
- Recreational Development.

## More Information

*Where can someone learn more about this tool?*

- DCNR.
- Chester County Planning Commission.
- Your Bond Council.
- The Brandywine Conservancy.
- Natural Lands Trust.

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## Open Space Planning and Prioritization

### Introduction

#### *What does this tool accomplish?*

- Defines Open Space Conservation Objectives.
- Natural Resource Protection.
- Agricultural Preservation.
- Cultural Resource Preservation.
- Provision for Recreation/Trails.

#### Identify Priorities for Acquisition and Development.

- Required for Act 153 Funding.
- Establish Rationale for Grant Funding.

### Implementation

#### *How is this tool implemented?*

- Comprehensive Plan.
- Open Space Plan.
- Zoning Ordinance or SALDO.
- Official Map.

### Applicability

#### *How can this tool be used in the BCG?*

- BCG Municipalities engage in Open Space Planning to varying degrees.
- Comprehensive or Open Space Plans should be updated regularly (e.g., every ten years).
- Official Map can be utilized to cement Open Space priorities.





## More Information

*Where can someone learn more about this tool?*

- Chester County Planning Commission.
- Brandywine Conservancy.
- Natural Lands Trust.



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## Preferential Tax Incentives (319)

### Introduction: What is 319 Clean and Green?

#### *What issues does this tool address? What does the tool accomplish?*

Clean and Green – Pennsylvania Farmland and Forest Land Assessment Act, Act 319 (amended by Act 156 of 1998 and Act 235 of 2004) is a state law, authorized by the state constitution, that allows qualifying land which is devoted to agricultural and forest land use, to be assessed at a value for that use rather than Fair Market Value. The intent of Act 319 is to encourage property owners to retain their land in agricultural, open space, or forest land use, by providing some real estate tax relief.

When a county implements a Clean and Green program, it places two values on each parcel of land that qualifies. These values are known as the Fair Market Value and the Use Value, better known as the Clean and Green Value. After these new values have been certified by the county, tax bills are calculated for each taxing district, using either the Fair Market Value assessment or the Use Value assessment, depending upon whether or not the property owner has enrolled his property in the Clean and Green program.

- A preferential assessment for parcels of land 10 acres\* or larger.
- Value derived from agricultural use potential instead of market approach.
- Land value is typically lowered by 30% or more.
- Owner agrees to not subdivide or develop and must pay 7 years of rollback taxes plus 6% interest if agreement is 'breached.'

### Implementation

#### *Who qualifies and how do they enroll?*

- Any parcel(s) over 10 acres\* may qualify.
- Yearly enrollment period runs from March 1 to June 1 of each year and values take affect the following tax year.
- Enrollment is by notarized application only and there is a \$65.50 fee + \$5.00 per application.
- Rejected applicants fees are refunded.

### Applicability

#### *How the Agricultural Value is Calculated*

- Each class of soil has an 'AgUse' value which is multiplied by the acreage to derive the preferential land assessment.
- Wooded portions are valued at a different rate than the 'tillable' (Chester County uses one wooded rate).



## More Information

### *Who to contact for more information?*

Chester County Planning Commission.

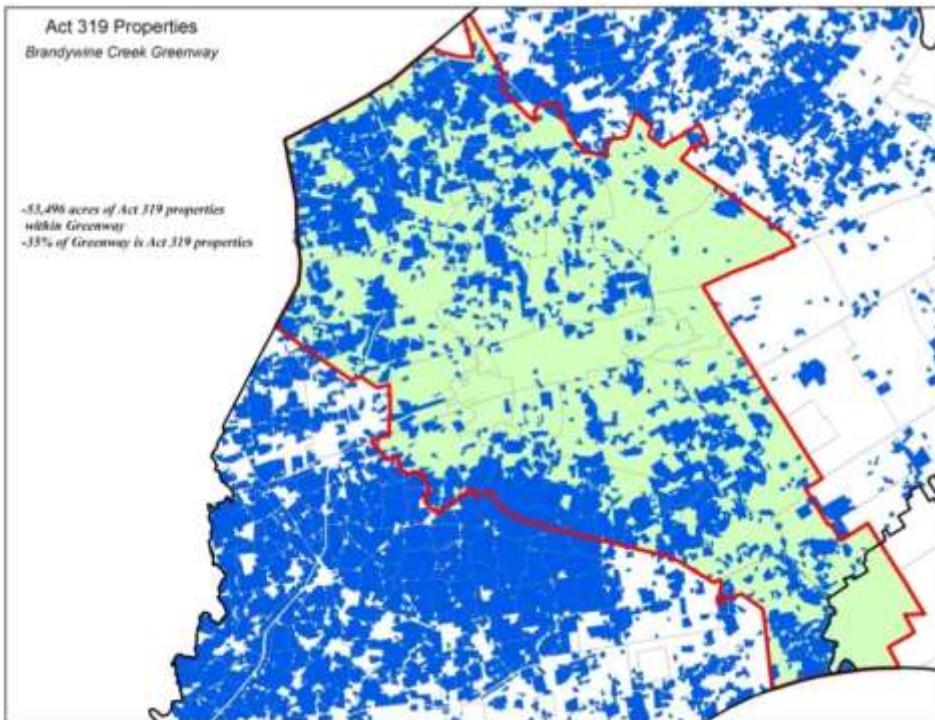
The Chester County Assessment Office.

- Cheryl Pringle
- 610-344-6105

Brandywine Conservancy.

- John Goodall 610-383-9515

Deadline June 1





## Trail Easements

### Introduction

#### *What does this tool address?*

Municipalities that are planning a public recreational trail system cannot afford to purchase properties in order to implement the trail system.

#### *What does this tool accomplish?*

Trail easements allow public access to private lands at a reduced cost.

### Implementation

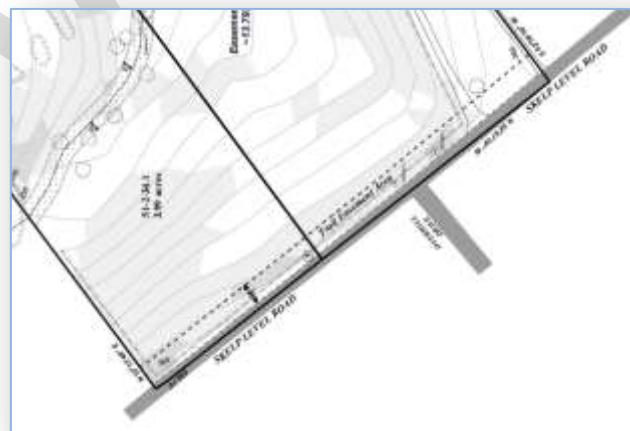
#### *How is this tool implemented?*

- Adopt a Municipal Trails Plan or an update to the Comprehensive Plan.
- Trail Easement Agreement: A municipality is the best Holder or Grantee—it is closest to the location, and able to regularly maintain the trail.
- Trail easements can be granted as a condition of conservation easement purchase by a municipality. A higher easement purchase price may be offered if a trail easement is also conveyed.

### Applicability

#### *How can this tool be used in the BCG?*

- Trail easements can be utilized for any planned trail as illustrated on the Greenway Recreation Map.
- The tool is especially useful for the Brandywine Trail—an existing footpath that extends from the Mason-Dixon Trail in Pennsbury Township to the Horse-Shoe Trail in west Vincent Township. It is considered an endangered trail as much of the length occurs on private property with verbal permission from the landowners. Trail easements would formalize the use of the trail and ensure that it will be open to the public in perpetuity.
- By donating or selling a trail easement to a government (the “holder”), a landowner may provide their land for a public trail without having to subdivide the land or lose ownership and control of the land. The easement may address matters such as:





- How wide is the trail and what sort of facilities are allowed?
- Are bicycles allowed? Horses? Picnicking?
- May the landowner close the trail temporarily for hunting? Timber harvests? Manure spreading?
- Who is liable if there is an accident?

## More Information

*Where can one learn more about the tool?*

- Chester County Planning Commission.
- Visit the PALTA website at [conserveland.org](http://conserveland.org).
- The Brandywine Conservancy.



# Resource Summary Maps



## Resource Summary Maps

Four Resource Summary maps depict tax parcels of 10 acres or greater that are likely to contain important natural and cultural resources. The Resource Summary maps are to be used as a basis for municipalities to explore potentially important parcels for natural and cultural resource conservation. The data for the maps was obtained from: Chester County GIS Department, 2012; Delaware County GIS Department, 2012; and Chester County Planning Commission, 2013.

Each municipality has its own unique set of priorities for conservation; therefore the maps are presented according to four themes: Natural Resources (wildlife habitats); Water Resources; Agricultural Resources; and Cultural Resources. This suite of maps will provide a basis for municipalities and landowners as they consider parcels of land for natural, cultural, agricultural, and water resources conservation.

Generally, only parcels of 10 acres or greater were analyzed for the presence of resources. The darker colors indicate parcels with a presence of the greatest number of resources and the lighter colors show parcels with the least number of resources. No minimum acreages of resources were taken into account in the analysis – so parcels with 20 acres of woodlands received the same credit as parcels with .01 acres of woodlands. **No prioritization is implied by this mapping.** The summary maps are to be used as a primitive indicator of what is located on each parcel. A detailed site inventory and analysis is required in each case to determine the true extent of any resources. The natural and cultural resource data that was used to create the Summary maps is illustrated on the Water Resource, Agricultural Resources, Cultural Resources, and Natural Resources Inventory maps provided in Appendix A.

The resources data were rated according to the presence of the following values:

### *Water Resources* - maximum possible score=5

Received a point for each of the following:

- Located within Special Protection Watershed (EV/HQ)
- Presence of forested riparian buffer
- Presence of 100-year floodplain
- Presence of NWI wetlands
- Presence of 1st order streams

### *Agricultural Resources* - maximum possible score=3

Received a point for each of the following:

- 50% prime ag. soils
- 75% prime ag. soils
- Adjacent to conserved land



Also shown but not counted are Agrarian Landscapes from Chester County's *Landscapes 2 Comprehensive Plan*. See <http://chescopagreen.org/intro/landscapes2.cfm> for a complete description of this future land use category applied to prime agricultural lands within the County.

#### *Cultural Resources*-maximum possible score=3

Received a point for each of the following:

- Frontage along Brandywine Creek-Main Branches only, not tributaries
- Frontage along Brandywine Valley Scenic Byway
- Frontage along designated township scenic roads, along with route 82 and route 282

Also shown are stars which represent the center point of National Register or National Register eligible parcels, but are not counted. A star does not imply resource location, and there may be more than one historic structure located at that location. This data is derived from the Chester County Historic Atlas which is in the process of being updated.

#### *Natural Resources*-maximum possible score=4

Received a point for each of the following:

- Presence of Woodlands
- Presence of Woodland Interior
- Presence of NWI Wetlands
- Parcels with at least 1 acre of Forested Riparian Buffer

Also shown on the map are the location of PNDI sites and Important Bird Area-IBAs, but they are not counted.

