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Voting Member Organizations

Allegheny Land Trust
Armstrong Trails
Allegheny Valley Trails Association
Appalachian Trail Conservancy
Armstrong County Conservancy
Berks Nature
Brandywine Conservancy
The Buck Hill Conservation Foundation
Central Pennsylvania Conservancy
Centre County Farmland Trust
Chesapeake Conservancy
Chestnut Hill Conservancy
ClearWater Conservancy
The Conservation Fund, Pennsylvania Office
Countryside Conservancy
Delaware Highlands Conservancy
Earth Conservancy
Edward L. Rose Conservancy
Evergreen Conservancy
Farm and Natural Land Trust of York County
Foundation for Sustainable Forests
Fox Chapel Area Land Trust
French & Pickering Creeks Conservation Trust
French Creek Valley Conservancy
Glade Run Lake Conservancy
Hawk Mountain Sanctuary Association
Heritage Conservancy
Hollow Oak Land Trust
Independence Conservancy
Lackawanna Valley Conservancy
Lancaster Conservancy
Lancaster Farmland Trust
The Land Conservancy for Southern Chester County
Land Conservancy of Adams County
Land Trust of Bucks County
Lebanon Valley Conservancy
London Britain Land Trust
Manada Conservancy
Merrill Linn Land & Waterways Conservancy
Mid-Atlantic Karst Conservancy
Mokoma Conservancy
Montour Trail Council
Natural Lands
Neighborhood Gardens Trust
North American Land Trust
North Branch Land Trust
Northcentral Pennsylvania Conservancy
Open Land Conservancy of Chester County
Pensbury Land Trust
Pennsylvania Recreation & Park Society
Pennypack Ecological Restoration Trust
Pine Creek Land Conservation Trust
Pine Creek Valley Watershed Association
Pocono Heritage Land Trust
The Radnor Conservancy
Regional Trail Corporation
Schuylkill County Conservancy
Schuylkill River Greenways
Somerset County Conservancy
The Nature Conservancy
The Trust for Public Land
The Wallace Trust
Tinicum Conservancy
Western Pennsylvania Conservancy
Westmoreland Conservancy
Westmoreland Land Trust
Wild Waterways Conservancy Inc.
Wildlands Conservancy
Willistown Conservation Trust
Wissahickon Trails

September 29, 2020

Pennsylvania House of Representatives [transmitted via email]

Re. HB 2724—Prescriptive Easements—Public Property Rights

Dear Pennsylvania Representative:

I write on behalf of the 70 member organizations of WeConservePA (formerly the Pennsylvania Land Trust Association) and the more than one hundred thousand Pennsylvanians they count as members and supporters.

WeConservePA opposes HB 2724.

The work of land trusts is grounded in property rights and providing conservation benefits to the public. We conserve land by purchasing or accepting donations of property rights, working within a well-established framework of common and statutory law.

HB 2724 appears to upend this law, providing favor to one class of property owners at the expense of another class of property owners—namely, the public. WeConservePA supports private property rights and likewise the property rights of the public. And just as we object to undue impingement on private property rights for public interests, we object to the usurping of public rights by private interests.

By prohibiting private groups from stepping up to defend potential property interests of the public in court, HB 2724 puts those public rights at risk given the often limited capacity of and potential political constraints on public agencies to address such matters.

WeConservePA recognizes an argument that if the bill does not pass, there is a risk that landowners will cease to permit trails to pass through their properties; we also recognize the counter-argument that landowners can quite easily prevent prescriptive easement claims by granting simple, revocable licenses. WeConservePA welcomes discussion of these conflicting views and other issues raised in this bill.

Thank you for your time and consideration.

Sincerely,

Andrew M. Loza
Executive Director

cc: board of directors
member organizations