



# CELEBRATING 25 YEARS!

*Looking Back, Looking Forward*



FALL 2020



## Dear Friends of Conservation,

My daughter was not yet born when the Pennsylvania Land Trust Association—now WeConservePA!—hired me in 2000. This past summer, I was proud to have her intern with us as a college sophomore, creating illustrations and graphics in support of our conservation advocacy.

Like my daughter, WeConservePA has grown. Initially focused on assisting land trusts, the organization's mission has broadened to support many facets of conservation. Helping land trusts continues to be central to the organization's work, but WeConservePA for years now has provided service to all who seek to protect, wisely use, and enjoy what nature offers. WeConservePA advocates for pro-conservation, life-sustaining governmental policy, whether that entails strengthening legal protections for conservation easements, increasing state investments in conservation projects, ensuring the permanence and integrity of parks and other public lands, or promoting equitable solutions for protecting water quality.

WeConservePA's many accomplishments are summarized on pages 6 through 9, but perhaps more important than any particular achievement is that WeConservePA has fostered and become a community for conservationists who are shaping Pennsylvania for the better. Thank you to all who have been and are a part of WeConservePA. It is personally and professionally rewarding to work with so many outstanding and dedicated volunteers and professionals. It is because of you that WeConservePA has been able to achieve what it has, and it is your support and involvement that will make our current and future goals obtainable.

WeConservePA has potential to accomplish a whole lot more in the next quarter century. If you'd like to become more engaged with the people and in the endeavors of our community, please explore the possibilities on the following pages. If you have thoughts on how WeConservePA might better serve the people and organizations seeking to advance conservation in Pennsylvania, please reach out to me directly at [aloza@weconservepa.org](mailto:aloza@weconservepa.org).

Stay well,

A handwritten signature in black ink that reads "Andy".

Andrew M. Loza  
*Executive director*



“I’m amazed by WeConservePA’s ever-expanding portfolio of success and knack for finding new ways to help people conserve, enjoy, and wisely use what nature offers us. The formula of conservation organizations and individuals sharing and uniting under the WeConservePA banner coupled with a dynamite WeConservePA staff makes a powerful force for expanding the volume, quality, and permanence of conservation efforts in Pennsylvania and beyond. I’m most recently impressed by WeConservePA’s quick pivot this spring to help conservation leaders and staff with addressing the challenges of the pandemic; also, the thoughtful steps being taken by the organization in regards to addressing issues of diversity, equity, inclusion, and justice. If you haven’t yet

engaged with WeConservePA or would like to engage more, I encourage you to explore the opportunities in the following pages. If nothing else, please be sure to avail yourself of the wealth of wholly original publications researched and developed by WeConservePA and its training and networking events.”

Kim Murphy  
*Chair, Board of Directors*

## WAYS TO ENGAGE

*WeConservePA provides many ways in which individuals can engage and contribute toward conserving land, protecting water and wildlife, and improving communities.*

### SIGN UP FOR E-NEWSLETTERS AND ALERTS

If you don’t subscribe to WeConservePA e-newsletters and alerts, you are missing a lot! Catch the latest conservation news. Find out about new technical resources and learning opportunities. Learn about public policy issues. Sign up at [weconservepa.org](http://weconservepa.org).

### SOCIAL MEDIA

Find WeConservePA on Facebook, Twitter, Instagram, and LinkedIn @weconservepa.

### DIVERSITY, EQUITY, INCLUSION, AND JUSTICE (DEIJ) COMMUNITY

Conservation is crucial but not sufficient for ensuring that all people have the opportunity to prosper in healthy communities. WeConservePA is committed to providing a variety of programming focused on or incorporating DEIJ principles and resources to help individuals and conservation organizations engage in the work of DEIJ. You can engage more deeply in DEIJ initiatives with WeConservePA through these channels:

- The Diversity, Equity, Inclusion, and Justice Community provides a forum for people to share experiences, learn about and advance effective practices, and identify opportunities to individually and collectively promote diversity, equity, inclusion, and justice in conservation work and organizations.

- The DEIJ Community Organizing Body led by facilitator Marcelo Bonta serves as the planning body for the DEIJ Community and broader conservation community. This group focuses on co-creation and building power together.

Contact Sara Painter at [spainter@weconservepa.org](mailto:spainter@weconservepa.org) for more information.

### POLICY ADVISORY COMMITTEE

Committee members study and deliberate conservation issues and advise WeConservePA board and staff on these matters. Prospective committee members must be nominated by a WeConservePA member organization and subsequently appointed by the board of directors. Contact Andy Loza at [aloza@weconservepa.org](mailto:aloza@weconservepa.org) for more information.

## AFFINITY GROUPS

Affinity Groups are made up of individuals linked by a common interest or purpose who gather together to share ideas, experiences, and knowledge in furtherance of their work. (Don't see an affinity group addressing your interests or needs? Consider volunteering to help start a new one. Contact Carol Grayshaw at [cgrayshaw@weconservepa.org](mailto:cgrayshaw@weconservepa.org) to discuss.)

- **EAC Network.** Open to current and former environmental advisory council members, municipal officials, and those interested in starting an EAC in their community. Contact Carol Grayshaw at [cgrayshaw@weconservepa.org](mailto:cgrayshaw@weconservepa.org) for more information.

- **GIS for Conservation Network.** Open to staff of conservation organizations who use Geographic Information Systems on a regular basis. Contact Irina Beal at [ibeal@weconservepa.org](mailto:ibeal@weconservepa.org) for more information.
- **Land Stewardship Network.** Open to people engaged in the stewardship of preserves and other conserved lands and in monitoring and other duties associated with conservation easements. Contact Hilary Hirtle at [hhirtle@weconservepa.org](mailto:hhirtle@weconservepa.org) for more information.
- **Open Space Program Network.** Open to people volunteering on, staffing, or assisting local government open space programs. Contact

Hilary Hirtle at [hhirtle@weconservepa.org](mailto:hhirtle@weconservepa.org) for more information.

- **DRW Land Protection Group.** Open to land trust and government staff working in land protection in the Delaware River Watershed in the states of Delaware, New Jersey, New York, and Pennsylvania. The group helps individuals share information, assess and improve practices, collaborate, identify and

access existing technical resources, determine needs for the development of new guidance and resources, and explore other opportunities to advance land protection. Contact Sara Painter at [spainter@weconservepa.org](mailto:spainter@weconservepa.org) for more information.

## VOLUNTEER

Assist with planning the annual WeConservePA Conference or volunteer during the event (such as serving at the registration desk or as a classroom monitor) to help it run smoothly. There is also opportunity to volunteer for the Greenways & Trails Summit and various other WeConservePA functions. Contact Carol Grayshaw at [cgrayshaw@weconservepa.org](mailto:cgrayshaw@weconservepa.org) for more information.

## MODEL DOCUMENTS

*WeConservePA develops and maintains model documents to help nonprofits and governments be efficient and effective. The models—most accompanied by a commentary rich with explanations and optional and alternative provisions—are the products of extensive research, scrutiny by legal professionals, real world testing, and user feedback.*

### CONSERVATION EASEMENTS

#### Grant of Conservation Easement and Declaration of Covenants

Shaped by numerous cycles of practitioner review and continuing user feedback, no easement document in the nation has undergone greater public scrutiny and testing. The model is accompanied by nearly a hundred pages of commentary.

#### Grant of Conservation Easement...for Riparian Buffer Protection

An easement tailored for riparian buffer projects.

#### Conservation Easement Donation Agreement

Spells out the terms for donating and accepting an easement.

#### Stewardship Funding Covenant

Structures and guarantees payments for easement stewardship.

#### Guide and Model Policy for Conservation Easement Amendment

Serves as a highly detailed policy or, for organizations who prefer a short policy, as guidance on appropriately addressing potential amendments.

WeConservePA's educational resources are invaluable to us.

*—Betsy Aiken, Westmoreland Land Trust*

### **Amendment of Grant of Conservation Easement**

For use when making relatively simple changes to an easement document.

### **Stewardship Cost Calculator**

Helps estimate the long-term costs of holding a conservation easement.

## **OTHER REAL ESTATE DOCUMENTS**

### **Grant of Purchase Option**

Creates the right but not the obligation to purchase land or easements.

### **Grant of Right of First Offer**

Ensures that the landowner will first offer the property to the grantee before others have an opportunity to purchase.

### **Grant of Right of First Refusal**

Gives the grantee the opportunity to match any offer from a prospective buyer.

### **Consent, Non-Disturbance, and Subordination Agreement**

Protects easements from extinguishment due to bank foreclosures and supports claims for tax benefits.

The model documents are just invaluable, including the commentary, etc. There is no way that our land trust would be able to keep up on the latest language, requirements, trends, etc. to develop our own easements and agreements from scratch—so thanks!

*—Bill Kern, Countryside Conservancy*

## **ACCESS EASEMENTS**

### **Trail Easement Agreement**

The document of choice for most trail projects.

### **Grant of Trail Easement**

A short form to use when brevity is crucial.

### **Grant of Fishing & Boating Access Easement**

Ensures public access for fishing and/or boating.

### **Grant of Access Easement for Environmental Stewardship**

Provides access to undertake AMD remediation or other environmental restoration and stewardship projects.

## **MODELS SPECIFIC TO LOCAL GOVERNMENT**

### **Declaration of Public Trust**

Provides local governments a tool to unambiguously and permanently dedicate land to public recreation and open space purposes.

### **Maintenance and Operation Agreement**

Helps local governments and private recreation groups establish partnerships for providing recreational opportunities on public lands.

### **Riparian Buffer Protection Overlay District**

Helps local governments draft practical, science-based, legally enforceable regulations to protect riparian buffers.

## **OTHER MODELS**

### **Release of Liability Form**

Having participants in an organization's activities sign a well-crafted release form is a significant step to managing risk.

### **Permission for Encroachment**

Provides a tool for an organization to permit a neighbor to continue encroaching on its land without risking loss of ownership through adverse possession or incurring liability due to injuries or property loss.

*Find these models as well as more than 130 wholly original guides at WeConservePA's ConservationTools.org.*

# PUBLIC POLICY ENDEAVORS AND SUCCESSES 2001-2020

## ADVOCACY FOR CONSERVATION INVESTMENTS.

*For two decades, WeConservePA has led campaigns to boost state investments in land conservation, environmental restoration, and outdoor recreation and turned back numerous legislative efforts to eliminate or slash the investments made by the state's *Keystone Recreation, Park and Conservation Fund*, the *Environmental Stewardship Fund*, and the *Agricultural Conservation Easement Purchase Fund*. WeConservePA's continuing efforts have ensured \$3 billion in state conservation investments in the new millennium.*

### 2020

Congress fully and permanently funds the **Land and Water Conservation Fund**, the culmination of years of advocacy by WeConservePA and other organizations. Going forward, several million more federal dollars will be invested each year in Pennsylvania's public lands.

### 2018

Governor Wolf signs Act 98 of 2018, which better **protects from liability** those who open their land to public recreation, a culmination of WeConservePA efforts begun in 2006.

After a whirlwind campaign by WeConservePA and allies, Governor Wolf signs Act 45 of 2018, which requires school districts, local governments, and others to prove to court that there is no reasonable and prudent alternative before taking a **conservation easement by eminent domain**.

WeConservePA agrees to lead a reboot of the **Growing Greener Coalition** and serve as its managing partner.

### 2017

The PA Supreme Court adopts the arguments made by WeConservePA in its amicus curiae briefs (2014 and 2016) in **defense of parks** and other open space lands held by government. The court rejects the arguments of the developer and municipality who sought to liquidate a portion of a park for a housing development.

### 2016

WeConservePA advocates for and achieves changes in state tax law to **broaden realty transfer tax exclusions** to include more types of conservation projects.

WeConservePA leads a successful charge to **prevent large-scale commercial development in state parks**, stopping a fast-tracked bill that would have facilitated the development.

### 2015

Congress makes the **conservation easement tax incentive permanent**, the fruit of years of advocacy by LTA, WeConservePA, and land trust partners.

### 2013

Governor Corbett signs Act 115 of 2013, an amendment to the open space law. WeConservePA achieves its goals of ensuring that **voter-approved open space taxes** may be repealed only through referenda and accommodating municipal needs for spending flexibility while keeping dedicated open space money focused on open space.

## 2012

WeConservePA leads the campaign that derails the fast-tracked “**sell-parks-for-cash**” bill that threatened the permanence of parks.

## 2011

Governor Corbett signs Act 44 into law. The product of a multi-year campaign by WeConservePA, the Act amends the Agricultural Area Security Law to ensure that state-funded **agricultural easements can't be extinguished after 25 years**.

Governor Corbett signs Act 8 of 2011 to prohibit **private transfer fees** in real estate transactions. WeConservePA succeeds in carving out an exception for conservation easements, strengthening the ability of land trusts to raise funds for stewardship.

The 9th Circuit Court rules for WeConservePA and its six partners, who challenged the Department of Energy’s designation of the Mid-Atlantic National Interest Electric Transmission Corridor (a designation that ignored good energy planning and conservation, giving federal preference for eminent domain and coal-fired power).

## 2010

The PA Supreme Court rules for conservation in the Erie Golf Course case, preventing municipalities from liquidating their protected open spaces for easy revenue. In its ruling, the court quotes WeConservePA’s amicus curiae brief and other briefs inspired and supported by WeConservePA.

## 2009-2010

WeConservePA co-leads the coalition that successfully **protects PA State Forests from a drilling free-for-all**.

## 2006

Governor Rendell signs Act 154 into law. The Act, a WeConservePA legislative priority, **empowers local governments to give land, easements and cash to land trusts** in support of conservation.

WeConservePA’s initiative snowballs into a nationwide push, leading to President Bush signing **expanded conservation easement tax incentives** into law.

## 2005

Responding to WeConservePA and partners’ outreach, Pennsylvanians vote 60.5% to 39.5% to authorize a **\$625M Growing Greener bond**. WeConservePA’s advocacy results in \$80 million dedicated to farmland preservation and \$90 million to open space protection—dwarfing the open space monies previously available under Growing Greener.

WeConservePA initiates an ambitious push to **expand federal conservation easement tax incentives** as most conservation organizations are hunkered in defensive positions as a result of Congressional Joint Committee on Taxation proposals to gut the existing tax deduction.

## 2002

WeConservePA plays a lead role in the establishment of a dedicated funding source—a landfill tipping fee—to support the **extension of Growing Greener**.

## 2001

Governor Ridge signs Act 29, the **Conservation and Preservation Easements Act**. WeConservePA was the principal advocate for the law, which greatly strengthens the effectiveness of conservation easements.

I feel like we are constantly under attack in terms of state funding and we really do rely on WeConservePA to take the lead in doing the heavy lifting in terms of direct advocacy, and more importantly keeping us informed about the threats and the issues so that we can do our own advocacy.

*—Elaine Paul Schaefer,  
Schuylkill River  
Greenways National  
Heritage Area*

# MILESTONES IN TECHNICAL ASSISTANCE, TRAINING, AND EDUCATION 2001-2020

## 2001

- Held six regional land trust gatherings.
- Began building relationships outside the land trust community.
- Held half-day PA Land Trust Meeting with 65 attendees during the Mid-Atlantic Land Trust Conference co-organized by WeConservePA.
- Published 1st guidance: the Guide to the Conservation and Preservation Easements Act.

## 2002

- Launched the Technical Assistance Program: supported six guided organizational assessments and provided direct staff assistance by phone, email and in-person.
- Published the first installments of the 18-part Stories of Land and People series.

## 2003

- Held the 1st Pennsylvania Land Conservation Conference with 130 attendees and two days of programming.
- Launched ConserveLand.org.

## 2004

- Made 1st Conservation Easement Assistance Program grants.
- Critiqued proposed changes to and advocated for strengthening of Land Trust Standards & Practices.
- Established the Lifetime Leadership Award.

## 2005

- Published 1st edition of the Model Grant of Conservation Easement and Declaration of Covenants.

## 2006

- Expanded Conservation Easement Assistance Program to cover amendments, baseline documentation and signage.

## 2007

- Published In Their Own Words and distributed 16,000 copies.
- Expanded the Pennsylvania Land Conservation Conference to three days with 315 attending. (Attendance going forward always exceeds 300 until the Covid-19 cancellation of 2020.)

- Established the local government Conservation Leadership Award.
- Published the 1st edition of the Model Trail Easement Agreement.

## 2008

- Held two-day Natural Gas & Land Conservation Conference in response to the Marcellus boom.
- Published Public Dedication of Land and Fees-in-Lieu for Parks and Recreation, WeConservePA's first guidance regarding the Municipalities Planning Code.

## 2009

- Published guides on stewardship fees, pledges and donation agreements, and more as WeConservePA moved to fill the many gaps in technical guidance available to land trusts.
- Published the PA Land Choices land use curriculum for schools.

## 2010

- Debuted ConservationTools.org with guidance on dozens of conservation and planning tools and topics, expert listings, and more.

## 2011

- WeConservePA's greatly expanded its guidance, publishing four new model documents associated with easement transactions and twenty guides featuring original content.
- Published the 1st natural gas drilling violations report, which drew attention across the continent.

## 2012

- Teamed up with DCNR, et al. to promote outdoor recreation, expanding Get Outdoors PA to involve local government and land trusts.

## 2013

- Published WeConservePA's first model documents to go beyond easement transactions: a release of liability agreement and grant of purchase option.
- Initiated effort to improve the Land Trust Accreditation system.
- Took responsibility for facilitating the previously quiescent EAC Network for environmental advisory councils.

## 2014

- Published WeConservePA's 1st model ordinance (riparian buffer protection) and 1st model organizational policy (easement amendment).
- Published groundbreaking manual on Universal Access Trails.

## 2015

- Facilitated the development of the Land Stewardship Network peer group.
- Published Nature Play to promote nature play by children and highlight its criticality to conservation.

## 2016

- Created an on-line gallery of sign images to inspire and assist organizations in sign design.
- Published model documents for obtaining rights of first refusal and offer.
- Participated substantially in developing the new edition of Land Trust Standards and Practices.

## 2017

- Launched the mentorship program.
- Published WeConservePA's 100th original guide (and several more).
- Held 1st Western PA Land Conservation Summit, attracting 87 individuals, the majority being land trust board members, over the two days.

## 2018

- Launched comprehensive, interactive online maps of privately and publicly conserved PA lands and of the service areas of conservation organizations.
- Created the groundbreaking Model Declaration of Public Trust to help permanently protect publicly-held parks and open spaces.

## 2019

- Produced 17 new guides and rebuilt and updated 17 more, ensuring the continuing utility of WeConservePA guidance.
- Published the Model Permission for Encroachment and updated three more models.
- Organized the PA Greenways & Trails Summit.

## 2020

- Initiated and facilitated the coming together of the Diversity, Equity, Inclusion, and Justice Community for people working in conservation and expanded DEI programming.
- Adapted swiftly to the Covid-19 crisis, using emerging digital platforms to gather together and connect PA conservation staff and volunteers as well as national leaders, provide guidance and training, and disseminate guidance.
- [more to come]

I am continuously impressed by the quality of work accomplished by WeConservePA in land conservation policy, providing technical assistance and an important forum for the exchange of ideas.

*—Jeff Marshall,  
Heritage Conservancy*

# WeConservePA STAFF



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# WeConservePA BOARD OF DIRECTORS



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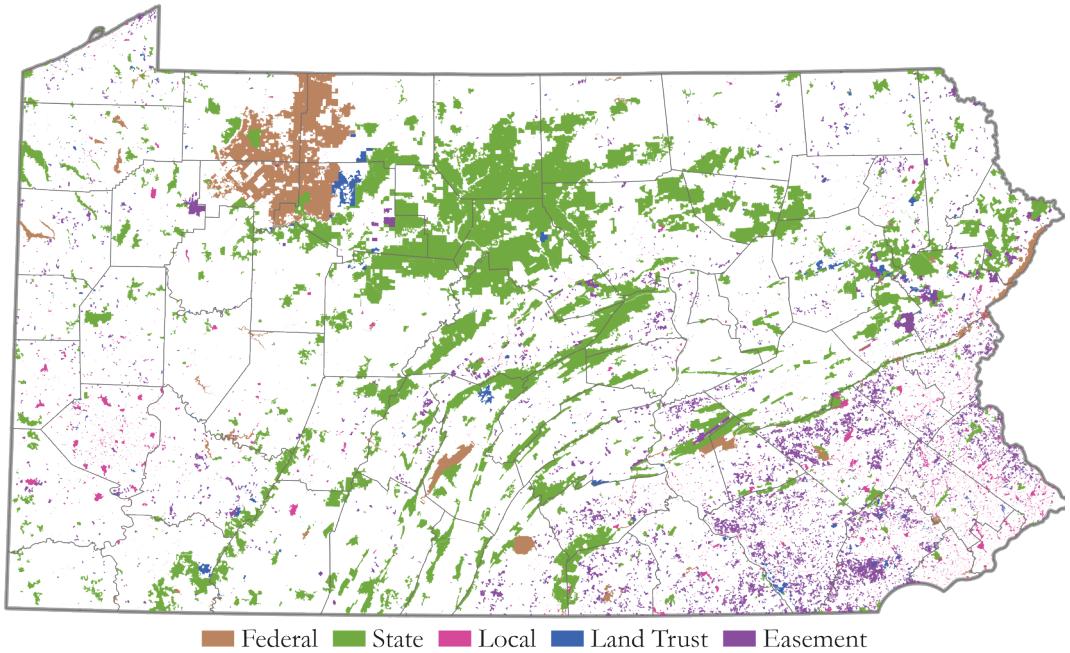
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# CONSERVED LAND IN PENNSYLVANIA PRODUCED FROM WECONSERVEPA'S SPATIAL DATABASE

First created in 2018, WeConservePA updates and refines its database of conserved land on a regular basis. The database supports a variety of conservation planning endeavors by nonprofits and government agencies. It is accessible to anyone via WeConservePA.org, which also provides a wealth of other geographic information and mapping tools.



WeConservePA—Thank you. You are invaluable. You saved our asses with Renewal. Thank you in perpetuity.  
—Kristina Ortez de Jones, Executive Director, Taos Land Trust

The COVID-19 roundtables are great –really helpful to know what people in the state are doing.  
—Annie Succi Maloney, Foundation for Sustainable Forests

The strong leadership of WeConservePA over the years and to the present time has enabled the organization to be invaluable to those of us working to conserve our lands and rich natural resources in Pennsylvania.  
—Thomas Saunders, Western PA Conservancy

As a staff of one, the CEAP grants are lifesaving. Same with legal support—when a document already exists, it saves tons of time and money.  
—Laurie Crawford, Lebanon Valley Conservancy

The Conservation Easement Assistance Program has allowed Wildlands Conservancy to preserve irreplaceable open space and natural resources.  
—Chris Kocher, President, Wildlands Conservancy

I wanted to tell you and ask you to share with those who contributed that I was absolutely blown away by your Nature Play booklet. It was the most poignant, concise, important and helpful document I've ever seen on nature play and the issues we all must grapple with around children, parents, every one of us and the conservation of our planet. I commend the vision and resources devoted to its creation and thank you as someone whose work will benefit from its existence!

—Karen Seidel, Central Ohio Program Manager,  
The Nature Conservancy



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**MARCH 24-26, 2021**

*Virtual for the first and hopefully last time!*

Also known as the Pennsylvania Land Conservation Conference, the WeConservePA Conference is Pennsylvania's premier networking, training, and inspirational event for those involved with private and public land conservation.

*Submit workshop and roundtable proposals now.*

**Visit [WeConservePA.org](http://WeConservePA.org) for more information.**



*From Blue to Green & Everywhere in Between:  
Connecting our Water and Land Trails*

**Keynote by Shelton Johnson**

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## **LAND STEWARDSHIP ROUNDTABLE**

**December 1, 2020**

**Register for this and 2021 events at  
[WeConservePA.org](http://WeConservePA.org)**