

Key Points of an Agricultural Conservation Easement

Please note – this is not an all-inclusive list. Consult the Administrative Manual for the Lebanon County Agricultural Land Preservation Program (LCALPP) available at Lebanon County Conservation District for further information.

- 1) Property may only be used for commercial production agriculture and can be enrolled in USDA Conservation Reserve or Conservation Reserve Enhancement Programs.
- 2) Soil Conservation Plan (Resource Management System) and Nutrient Management Plan (written to Act-38 standards) must be implemented and updated as required.
- 3) One residential structure, occupying no more than 2 acres, in addition to those present at the time of easement purchase may be built. This structure should be occupied either by the owner of the farm, or full or seasonal employee of the farm. This structure cannot harm the economic viability of the farm.
- 4) Subdivision of the farm is not permitted beyond what may be required by the local municipality for construction of a residential structure. However, a separately deeded and recorded preserved tract may be sold individually.
- 5) No new right of ways (even agricultural) can be established on a farm once it is preserved, with the exception of utility right-of-ways (water, sewage, electric, and telephone).
- 6) The construction of additional structures pertaining to the agricultural operation, such as barns, equipment storage, etc. is permitted.
- 7) No more than 10% of soils currently available for agricultural production on the property may be covered by buildings. Federal grant regulation may change this on some farms.
- 8) Customary part-time or off-season minor or rural enterprises are permitted as long as they remain incidental to the overall farm operation. All such enterprises must have approval from the LCALPB.
- 9) **ALL** new deeds involving transfer of ownership of the property and/or subdivision and construction of the additional residential structure need to contain the easement restriction language verbatim. Reservation of or prohibition of the one additional residential structure must also be stipulated on all resulting deeds as appropriate.
- 10) The LCALPB **must** be notified 30 days prior to change of ownership. Necessary information includes the name of the new owner, purchase price per acre, and volume and page # on which the transfer is recorded at the Lebanon County Recorder of Deeds Office after the sale.
- 11) The property is subject to an annual inspection by a representative of the LCALPB to ensure that the easement provisions, including the Soil Conservation Plan and the Nutrient Management Plan, are being followed.