



# Water Quality Improvement Easement Project





## LANDOWNER ACCESS AUTHORIZATION

I, \_\_\_\_\_(property owner) do hereby authorize and agree to permit \_\_\_\_\_ (Applicant) to enter my property for the purpose of conducting a water monitoring program on \_\_\_\_\_ (specific waterway) accessible from my property beginning \_\_\_\_\_ (specific date). This permission allows the above-named individual or his/her designee(s) to carry out monthly/semiannual/annual water quality tests while exercising due diligence in protecting my property and personal safety and health.

I understand that if an Environmental Stewardship and Watershed Protection (Growing Greener) Grant is awarded by DEP, this form will serve as authorization to access my property.

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Property Owner Name (Printed)

\_\_\_\_\_  
Applicant Signature (Printed)



## LANDOWNER LETTER OF COMMITMENT

I, \_\_\_\_\_ (property owner) do hereby authorize and agree to permit \_\_\_\_\_ (Applicant) to enter my property, with the intent to design and/or install Conservation Practices/Best Management Practices (CP/BMPs) on my property for the purpose of improving water quality on \_\_\_\_\_ (specific waterway).

I understand that if an Environmental Stewardship and Watershed Protection (Growing Greener) grant award is made by DEP, I will be required to execute a Landowner-Grantee Agreement with an Operation and Maintenance Plan. This Agreement will identify specific maintenance tasks and the parties that will be responsible to perform those tasks to ensure that the CP/BMP is properly maintained.

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Property Owner Name (Printed)

\_\_\_\_\_  
Applicant Signature (Printed)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



Document Number  
\_\_\_\_\_

**LANDOWNER – GRANTEE AGREEMENT**

This Agreement, made this \_\_\_\_\_  
(Date)

by \_\_\_\_\_  
\_\_\_\_\_  
(Landowner(s))

residing at \_\_\_\_\_ telephone # \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(city) PA \_\_\_\_\_  
(ZIP)

and \_\_\_\_\_  
(Grantee)

Project description: \_\_\_\_\_  
\_\_\_\_\_

The Project is located at: \_\_\_\_\_  
\_\_\_\_\_

Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_

**Section 1 – Agreement Provisions**

- A. In consideration of the benefits that incur from the investment in the property, and/or monies received, the Grantee and the undersigned Landowner agree to participate in the Pennsylvania Department of Environmental Protection ("PA DEP") Growing Greener Grants Program and comply with the terms set forth in this Agreement.
- B. Landowner represents and agrees that he/she is the sole owner of the real property on which the Project is to be performed, or has secured a sufficient property interest, including any easements or right-of-ways, necessary to grant access for the completion and maintenance of the Project. A map of the Project site, including adjacent streams and roads, is attached hereto as Exhibit A ("Premises").
  - 1. Landowner agrees that the PA DEP and/or Grantee, its employees, agents and contractors shall have the right to enter upon the Premises to perform the work described in "Attachment D, Scope of Work" of the DEP Grant Agreement. The right to enter shall also include periodic monitoring visits for the life of this Agreement.
  - 2. By offering the Premises for implementation of this Project, Landowner agrees to allow access, design preparation and implementation and repair of the Project for the duration of construction and for the time period identified in Section 1, Paragraph B (11) of this Agreement.



# How it all started

- William Penn Foundation
- Schuylkill River Cluster Grants
- To focus on improving water quality
- Through policy change
- Demonstration projects

# Documented Problem

- AMD A major source of pollution in Schuylkill River
- Schuylkill River Conservation Plan
- 21<sup>st</sup> Century Environment Commission Report



A vertical strip on the left side of the slide shows a topographic map of a river valley. The map features contour lines, a river channel, and some infrastructure like roads and bridges. The colors range from light green for lower elevations to brown and tan for higher elevations.

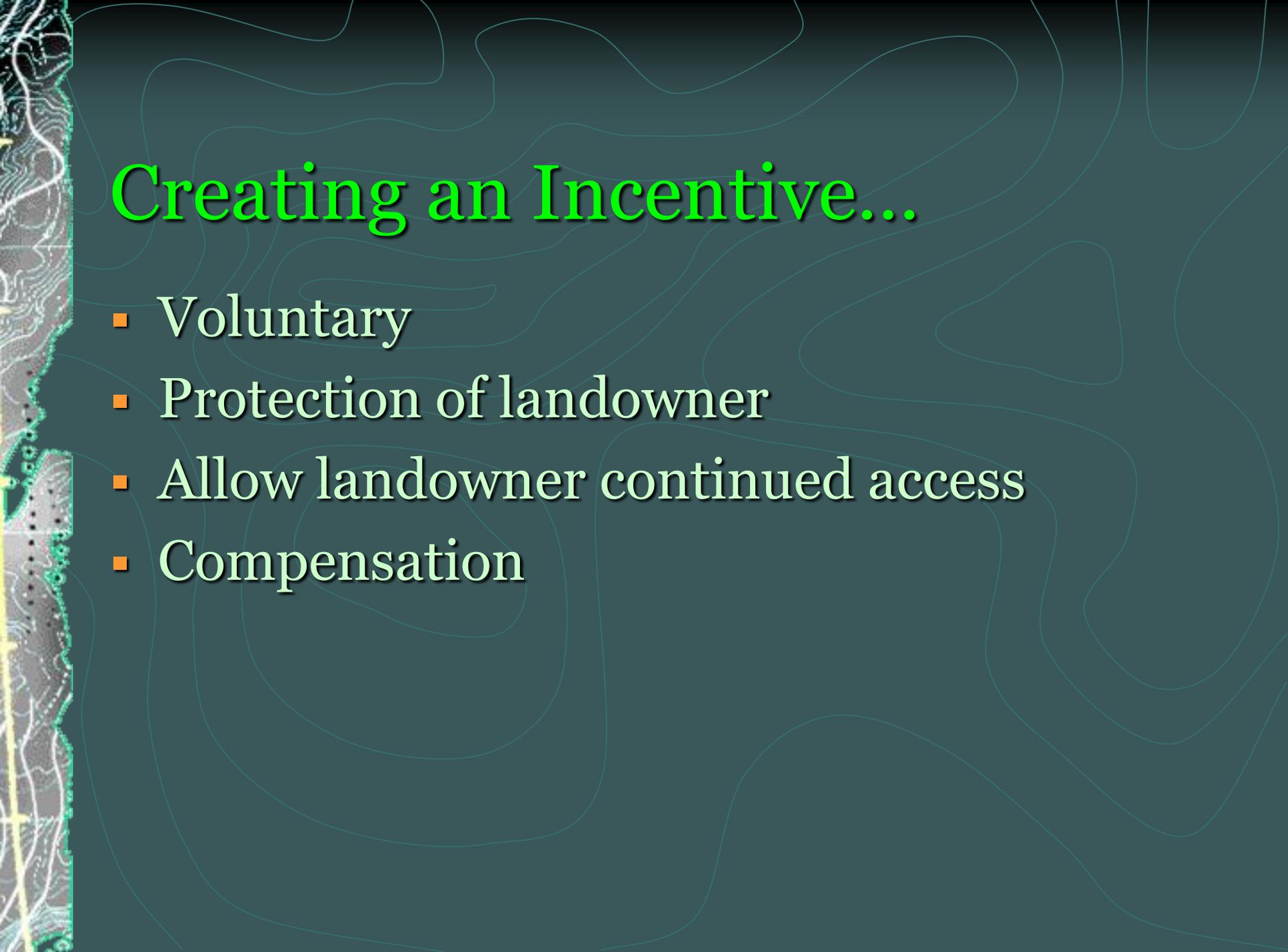
# AMD Issues

- Many discharges not mitigated after spending millions of \$ on AMD in PA
- Pre-Act discharges
- No regulatory driver
- Lack of Landowner incentives to allow treatment system construction



# Problems / barriers?

- What problems need to be solved
- What barriers keep us from fixing the problems

The background of the slide is a topographic map with contour lines. The map is oriented vertically, with the top of the map at the top of the slide. The contour lines are light blue and white, showing the elevation of the terrain. The map is partially obscured by the text and list on the right side.

# Creating an Incentive...

- Voluntary
- Protection of landowner
- Allow landowner continued access
- Compensation

A vertical strip on the left side of the slide shows a topographic map of a river valley. The map features contour lines, a river channel, and various land parcels. The colors are muted, with greens and browns. The river flows from the top towards the bottom of the strip.

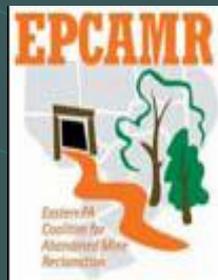
# Potential solutions

- Acquire land – fee simple (purchase)
  - Don't want to sell
  - Continue using property
  - Liability
- Conservation easement
  - No conservation value associated with contaminated property
  - DCNR does not buy contaminated land
- DEP landowner agreement - weak

# An Idea is Conceived

- Water Quality Improvement Easement
  - Protects landowners
  - Valued on improvement to water quality
  - Compensates landowner
  - Allows treatment of AMD
  - Ensures treatment system permanence
  - Improved water quality

# The Partnership



Schuylkill Township  
Board of Supervisors

A vertical strip on the left side of the slide shows a topographic map of a river valley. The map features contour lines, a river channel, and various terrain features. The colors range from light green to brown, indicating different elevations and land cover.

# Partnership Goes to Work

- Develop easement language
- Identify project sites
- Engages communities and landowners
- Identifies and brings funding and other partners (from \$30K to \$1M)



# A New Planning Tool is Born

- Model Easement Language on PALTA website [www.conserveland.org](http://www.conserveland.org)
- Three Demonstration Projects
  - Mary D
  - Bell Colliery
  - Mackeysburg







# Mary D Community Improvement

- Remove dangerous ball field
- Use location for AMD Treatment System
- Donate and reclaim mine land
- Develop recreation complex



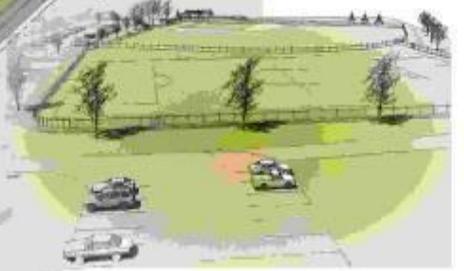
# Mary D...Before



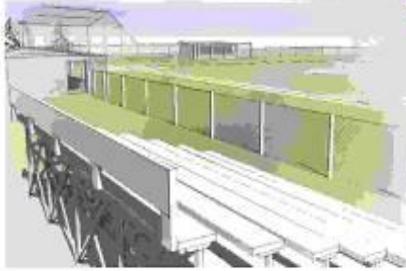


# Mary D Ballfields Project

SCHUYLKILL TOWNSHIP SCHUYLKILL COUNTY, PA



SCALE: 1" = 100' (AS SHOWN)  
 ALL DIMENSIONS SHOWN HEREON ARE BASED ON THE LATEST RECORDS.



Schuylkill Township Board of Supervisors

WILLIAM PENN FOUNDATION





A vertical strip on the left side of the slide shows a topographic map of a river valley. The map features contour lines, a river channel, and various land use patterns. The colors are muted, with greens and browns. The river flows from the top left towards the bottom left.

# Water Quality Easement Document

- Model Easement Language on PALTA website [www.conserveland.org](http://www.conserveland.org)