

What Is a Land Trust?



Simply stated, a land trust is a charitable organization that acquires land or conservation easements, or that stewards land or easements, for conservation purposes. However, this simple definition leaves much to be explained.

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Definition

A land trust is a charitable organization that acquires land or [conservation easements](#),¹ or that stewards land or easements, to achieve one or more conservation purposes.

The conservation purposes may include protecting natural habitat, water quality, or scenic views; ensuring that the land is always available for farming, forestry, or outdoor recreational use; or protecting other values provided by open land.

Land trusts work cooperatively with landowners to complete real estate transactions, sometimes purchasing property interests and sometimes accepting donations of those interests.

Land trusts also work to ensure that land previously acquired or placed under easement is properly conserved. They seek to bring lasting conservation benefits—permanent improvements—to communities.

Types of Conservation Work

Some land trusts own and operate preserves and recreation areas that are open to the public. Others own no land at all but hold [conservation easements](#). Others work to acquire and then transfer land of significance to governments for use as parks, trails, game lands, or

other public spaces. Some engage in all of these activities.

Many (if not most) land trusts do more than acquire, hold, or transfer real estate interests. They may run education and science programs, maintain trails and other outdoor recreational facilities, help municipalities with land-use planning, manage historic sites, or engage in any number of other activities. Each organization makes its own decisions regarding its programming and priorities.

Conservation Priorities

Land trusts may have one or more conservation priorities. They may work first and foremost to protect water quality. They may prioritize the protection of open space for new parks, scenic views, wildlife preserves, or neighborhood gardens. They may focus on conserving productive farmland or working forests. Some emphasize protecting biodiversity while others are more concerned with preserving hunting grounds.

Naming

A land trust is defined by what it does, not by what it is named. Organizations such as Berks Nature, the Northcentral Pennsylvania Conservancy, Natural Lands, the Foundation for Sustainable Forests, and the French & Pickering Creeks Conservation Trust are all land trusts, but none use the term *land trust* in their names.

Conversely, land development companies can and sometimes do include *land trust* in their names. These entities are not related to the land trusts described in this guide.

Some states prohibit the use of the word *trust* in corporate names except when individually approved by

free to use the land within the agreed-to constraints. As the holder of a conservation easement, the land trust has the right to block uses inconsistent with the objectives and constraints.

¹ A [conservation easement](#) limits certain uses of the land in order to accomplish conservation objectives. These objectives are expressly identified in the agreement that establishes the easement. The owner of an eased property is

the government for particular purposes, resulting in alternative name choices for many land conservation organizations.

The word *conservancy* often appears in the names of land trusts. But don't assume that the XYZ Conservancy is a land trust. It may be an organization wholly dedicated to raising money for public park improvements, or a land development company, or something else entirely.

Structure

Most land trusts are completely independent, private charitable corporations that are tax exempt under section 501(c)(3) of the Internal Revenue Code. The board of directors or trustees, which directs and is responsible for the actions of a land trust, is comprised of individuals drawn from the communities the land trust serves.

Some land trusts are arms of larger charitable organizations whose missions extend beyond conservation. For example, the Brandywine Conservancy & Museum of Art consists of one division focused on land conservation and another division focused on art.

Some land trusts are conservation organizations with broad missions that include both the work of land trusts (as defined above) and much more. For example, the Western Pennsylvania Conservancy has conserved tens of thousands of acres; it also manages Frank Lloyd Wright's Fallingwater, promotes science-based public policy, and orchestrates a massive urban greening program.

A few land trusts are quasi-governmental agencies that may operate with some or much of the flexibility of a private land trust but whose governance involves some element of government participation (such as appointment of directors or staff by elected officials, or government control of the budget). For example, the Maryland Environmental Trust is governed by a private board of trustees and is a unit of the Maryland Department of Natural Resources.

Scale and Staffing

Some land trusts confine their conservation efforts to landscapes as small as a single municipality or neighborhood. A few work nationally or worldwide. The rest work at scales in between.

Some land trusts define their service areas by natural features such as watersheds or mountains; some by manmade features such as trails; others by local, county, state, and national borders.

Some land trusts are run entirely by volunteers. Some supplement volunteer efforts with a part-time staff person. Others have staffs ranging from one full-time person to, in a few cases, a hundred or more.

Land Trust Standards and Practices

[*Land Trust Standards and Practices*](#) are the land trust movement's ethical and technical guidelines for responsibly operating a land trust. The governing boards of most well-functioning land trusts have adopted these guidelines and continuously strive to conform to them.

The [Land Trust Accreditation Commission](#) is an independent body that confirms a land trust's conformance with many elements of [*Land Trust Standards and Practices*](#). Accreditation is purely voluntary. While land trusts accredited by the Commission demonstrate strong, ongoing conformance with *Standards and Practices*, land trusts can and do achieve excellence without going to the expense of obtaining accreditation.

Is It a Land Trust?

An organization may focus on nature education, public recreation, or watershed cleanups, and, to the extent that it supports its central focus, occasionally engage in land trust work. For example, the Audubon Society of Western Pennsylvania stewards its hundreds of acres of land holdings and, from time to time, expands those holdings; however, education is the organization's primary goal. Is the organization a land trust? Reasonable people can deliver differing answers.

What about trail groups? One trail group might acquire a narrow strip of land or an easement in order to

build a public trail. Another might go on to acquire land or conservation easements adjoining the trail to protect the scenic views for trail users. Is either a land trust? Again, reasonable people can offer different answers. There is no hard-and-fast rule.

How about community land trusts? Wikipedia defines a community land trust as “a nonprofit corporation that develops and stewards affordable housing, community gardens, civic buildings, commercial spaces and other community assets on behalf of a community.”² Depending on the mission and activities of the specific organization, a community land trust may or may not be reasonably identified as a land trust in the conservation sense.

For-profit land development companies and individuals can and do establish “land trusts” as title-holding vehicles to hide the identity of property owners from the public, avoid probate, facilitate ownership changes, or serve other non-conservation purposes. These arrangements are unrelated to the land trusts described in this guide.

History

The first land trust, The Trustees of Reservations, was founded in Massachusetts in 1891. By the mid-twentieth century, Americans had established several dozen land trusts. Today, more than 1,200³ land trusts work across the country. Four hundred of them are accredited by the Land Trust Accreditation Commission.

Find a Land Trust

Land trusts conserve land in all 50 states. To find land trusts working in a particular geographic area, visit www.findalandtrust.org or, in Pennsylvania, ConservationTools.org.

Resources at ConservationTools.org

To learn more about land trusts and their work, visit ConservationTools.org.

The most recent version of this guide can be found online at <https://conservationtools.org/guides/150>.

Submit Comments

Help improve the next edition of this guide. Email your suggestions to the Pennsylvania Land Trust Association at info@conserveland.org. Thank you.

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² Retrieved from https://en.wikipedia.org/wiki/Community_land_trust at 2/22/2017

³ Greater precision in the count is hampered by the ambiguities described above.