

JUL 15 2011

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Senate of Pennsylvania

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**TO:** ALL SENATORS  
**FROM:** Senator Patricia H. Vance *P.H.V.*  
**DATE:** July 14, 2011  
**SUBJECT:** Memo #22 - Amendment to the Agricultural Area Security Law

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In the near future, I plan to introduce legislation to amend the Agricultural Area Security Law (Act 43) to bring subdivision of agricultural conservation easements in line with Clean and Green requirements related to subdivisions.

All farms subject to the agricultural conservation easement program are enrolled in Clean and Green. Two farms in my district have been unable to establish subdivisions due to the Agricultural Area Security Law. The law allows subdivisions without limitation as to acreage for construction of a principal residence for the landowner or an immediate family member §914.1(i)(1)(ii). However, in §914.1(c)(6)(iv), the law permits construction of one residence on not more than two acres for the landowner's principal residence or for the purpose of providing necessary housing for seasonal or full-time employees. Clean and Green allows a two-acre split off per year up to a maximum of 10 acres or 10 percent of the parent track, whichever is less. Clean and Green restricts the use to "residential, agricultural, or forest reserve." 72 P.S. §5490.6.

This legislation would amend the Agricultural Area Security Law to remove the conflict in the two sections of the law and allow a county program to permit one subdivision, provided the tract of land so subdivided shall not exceed two acres and only be used as residential, agricultural or forest reserve as defined by 72 P.S. §5490.02.

If you are interested in co-sponsoring this legislation, please contact my office at 787-8524 or email Tracy Polovick at [tpolovick@pasen.gov](mailto:tpolovick@pasen.gov).