

People protecting places



Support land trusts –
your link to a legacy of natural and cultural diversity.



Credits and Acknowledgements



This booklet is intended to provide inspirational and informative details on the many ways people can protect the natural and cultural diversity of special places in British Columbia. The information in these case studies is presented with permission from the landowners and donors who the Land Trust Alliance of BC interviewed during 2006. This diverse selection of people worked with land trusts, using a variety of methods and legal agreements, resulting in the conservation of particular features or uses of lands for the benefit of future generations - both human and other species. These people created a legacy because they cherished the natural and cultural values of these significant places in their communities, and because they were able to come to agreements that in some cases, took considerable time and dedication to complete. Future generations will benefit from these people's choices, and others like them, who cared enough to conserve these places through their own foresight and generous donations.

The interviews took place in the spring and fall of 2006 through the bright questioning and video recording of Briony Penn. Sheila Harrington coordinated the project, assisted with the interviews and where there is no alternate credit, took most of the photographs found within this booklet. The wonderful graphic art was provided by Donald Gunn. The cover was designed by Annie Weeks of Beacon Hill Communications. The video footage that accompanies this booklet was edited by Kevin Wright. The music on the video was written and produced by Holly Arntzen and the Artist Response Team. Lynda Fyfe and Gordon Scott provided editorial assistance.

This project was undertaken to promote the continued success of BC's land trusts in protecting significant places across the province. We are fortunate to have been left this natural and cultural diversity by our ancestors; thus we are able to continue this work. The Land Trust Alliance of British Columbia (LTABC) would like to dedicate this booklet to future donors, volunteers, landowners, land trust staff and board members and to people like you, who are interested enough and care enough to consider protecting a place you love near or in your community.

We thank the generous foundations and agencies that funded this project: The Real Estate Foundation of British Columbia, The Vancouver Foundation, Ducks Unlimited Canada, and VanCity.



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Introduction



A Land Trust is a non-profit, charitable organization committed to the long-term protection of natural and/or cultural heritage. A land trust may own land itself, or it may enter into conservation covenants with property owners to protect or restore natural or heritage features on the owner's land. Land trusts also engage in stewardship, restoration and management of lands. The words "land trust" and "conservancy" are often used interchangeably.

Canadians, and particularly British Columbians, are deeply concerned about the environment. A January 2007 national poll¹ reflected this: the majority of respondents - 26 percent said the environment is the most critical issue facing the country, up from 12 percent in July, and up from 4 percent one year ago. By contrast, health care was chosen by 18 percent of voters, terrorism by 6 percent and crime by 3 percent. Another 2006 national survey showed that more than eight in 10 Canadians believe the government should enact stricter laws and regulations to support a more sustainable economy that protects and manages the country's resources for future generations.² In British Columbia three polls that took place in three different regions between 2004 and 2006 revealed that more than 80 percent of the respondents felt that care for wildlife and the environment are the most significant issues facing us.³

Often people feel so overwhelmed with problems that they think there is nothing they can do to help. Thankfully, charitable land trusts provide tools and methods that people can use to help steward, restore and protect lands in perpetuity.

There are 34 land trusts in British Columbia who through the support of people and various other agencies and foundations have protected more than half a million acres of land within the last two decades. Four land trusts work province wide; whereas all the others work within their regional communities. Some have a specific focus, such as biodiversity protection, whereas others include cultural and heritage values in their mandate. The members of the Land Trust Alliance of British Columbia are listed on page 30. There are many other land trusts successfully conserving special places across Canada and throughout the United States.

Stewardship

Stewardship is the most common and age-old method of caring for land. It is the active management of land so that its natural values and cultural heritage are maintained. Sometimes, a land trust will provide financial or on-the-ground assistance to landowners who agree to practices that sustain or enhance the water, habitats, trails, species, grasslands, forests or other special diverse features found on their land. It sometimes leads to a more permanent level of conservation.

1 Decima Research, January 2007

2 McAllistar Opinion Research, April 2006

3 *The Kingfisher*, Volume 13, Fall 2006, reported by Communities in Transition, Darryl Smith, Katherine Dunster and Sara Muir Owen



Conservation Covenants

A conservation covenant (called a conservation easement in many other jurisdictions) is a voluntary legal agreement that allows landowners to permanently protect specified natural and/or cultural features of the land, while still retaining ownership and use. It can cover all or part of a parcel of property.

Differing from common law restrictive covenants, conservation covenants are often held by one or more land trust organizations (also referred to as conservation organizations). A conservation covenant helps protect specific features, areas or uses in perpetuity. The landowner and their successors still hold title to the land and can continue to use it within the terms of the agreed restrictions within the covenant. In order to ensure protection of the land's conservation values for the long term, often two land trusts jointly hold the covenant, and compliance is monitored regularly by staff or by trained volunteers from the land trust.

A conservation covenant is a legal agreement between a landowner and an organization approved to hold covenants by the Surveyor General, Land Title & Survey Authority of BC. Approved agencies include federal, provincial or local governments (including regional districts) and land trusts. The conservation covenant is registered on the title to the property in the BC Land Title Office under Section 219 of the Land Title Act. It is registered with a summary of the physical description of the property and reference to a detailed baseline inventory. The covenant remains in effect after the land is sold or transferred, binding future owners of the land to the terms of the covenant.

Acquisition

Private lands may be either sold or donated to a land trust by a landowner who wishes to protect the natural and cultural values of their property well into the future. This means that the conservancy itself becomes the registered owner of the subject property.

Donations of Ecologically-Sensitive

The Ecological Gifts Program provides a way for Canadians with ecologically-sensitive land to protect natural areas and leave a legacy for future generations. Since 2000, donations to approved conservation charities of ecologically-sensitive land, or easements, covenants and servitudes on such land, have been eligible for special tax assistance. Under the Ecological Gifts Program, Environment Canada certifies that the land in question is ecologically sensitive, and an expert panel certifies the value of the donation. Under the Ecological Gifts Program, there is a charitable donations tax credit (for individuals) and a charitable donations deduction (for corporations) available to a donor in respect of a donation of ecologically-sensitive land to a conservation charity. The standard capital gains inclusion rate is 50 percent; however in 2006 the capital gains inclusion rate for donations of ecologically-sensitive land was reduced to zero.

Additional information on the legal and economic implications of transferring property ownership or registering a conservation covenant may be found within the resources listed at the end of this document. Be sure to contact your own financial and legal advisors before transferring property or entering into a conservation covenant.



Effects on Taxation

Section 19 of the Assessment Act requires BC Assessment, when determining the assessed value of a property, to take into account any terms or conditions contained in a covenant registered under section 219 of the Land Title Act. Please refer to references on page 31 for further general information on the effects of conservation covenants on property assessments in BC.

Beyond property taxes, and taxes due upon purchase or sale, donations of land or interests in land (a conservation covenant) may also affect income taxes and capital gains.

Property Tax Exemption Program on the Gulf Islands

The only property tax exemption currently available for land subject to a conservation covenant is the Natural Area Protection Tax Exemption Program (NAPTEP). Created by Part 7.1 of the Islands Trust Act, this program provides a 65 percent reduction in property tax on the part of the land under a covenant. In order to receive the tax exemption, the property owner must apply for and obtain a Natural Area Exemption Certificate (NAEC) from the Islands Trust.

For property to qualify for the exemption, it must be:

1. in an eligible area designated by the Island's Trust Council;
2. land which has one or more natural area values or amenities prescribed in the Islands Trust Natural Area Protection Tax Exemption regulation, B.C. Reg. 41/2002; and
3. subject to a conservation covenant under s. 219 of the Land Title Act in favour of the Islands Trust Fund Board.

Furthermore, property with a NAEC is deemed to be in Class 1 Residential, which may result in a lower tax rate being applied by the taxing jurisdiction than if it were classified differently.



Large Douglas Fir, Arbutus and Garry Oak in protected area at Burgoyne Bay, photos Gordon Scott

Masters Greenway and Wildlife Corridor



Ruth Masters donated a forest, greenway and public trail in Courtenay to the Comox-Strathcona Regional district, protecting it with a conservation covenant.

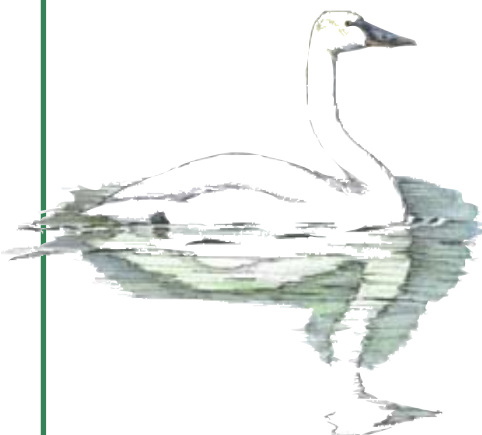
The Method

Ruth Masters wanted to be sure that the trail she had created on her 20-acre property along the Puntledge River would remain “when I’m on the other side of the grass.” She donated 18 acres to the Regional District of Comox-Strathcona and registered a conservation covenant with two land trusts on title to protect it.



Community

The Comox Valley, currently home to 61,668 people, is one of the fastest growing areas in British Columbia. The population of the Valley is projected to increase 21 percent by the year 2020. Like many areas in BC, the area’s forests are rapidly being replaced with subdivisions. The main industries of the past - farming, logging and fishing, are changing to tourism and other services. The Valley’s natural attractions include mountains and alpine meadows, glaciers and river estuaries. The largest population of Trumpeter Swans in North America makes the Comox Valley their home.



Donation of Land with Covenant



The neighbourhood is expanding at breakneck speed, and I don't have any kids to consult with. This development is right outside my property – and they're moving in like wildfire. I realized I couldn't take it upstairs with me, so I have done all I can think of to protect it so it does not get destroyed. I have two acres left. The rest is a greenway.



Greenways

This 18 acre forest and riparian corridor of nature in the city provides a public access trail, stability for the river bank, shelter for wildlife, and a remnant Douglas fir forest. The land is a treasure passed along by Ruth to the people of her community. Its value for people and wildlife is increasing daily as the area surrounding it is developed.

The Land Trusts

TLC The Land Conservancy of British Columbia works across the province with local community land trusts and government agencies to help ensure that natural and cultural heritage sites are protected, in perpetuity.

The Comox Valley Land Trust works on eastern Vancouver Island from Deep Bay to Oyster River, to conserve the land heritage of the Comox Valley - including agriculture and forestry lands, recreation and cultural heritage sites.

Bloomfield Flats



Judy and Brian Bloomfield registered a conservation covenant on a restored a salmon-rearing channel in the Comox Valley.

The Method

Judy and Brian Bloomfield restored a salmon-rearing channel on their 20 acre property in the Agricultural Land Reserve on the outskirts of Courtenay. They donated a conservation covenant to the Comox Valley Land Trust on a 6.5 acre section protecting the channel and the adjacent riparian forest. The Bloomfields have now sold the property. They reported that none of the prospective buyers balked at the existence of the covenant.



Riparian



The Bloomfield's forested covenant area forms part of the larger Millard Creek riparian corridor, which allows for wildlife passage from the creek's headwaters to the estuary. The creek and side channel provide rearing habitat for Coho and at certain times of the year, cutthroat trout are also present. The Bloomfields have sighted and seen evidence of large mammals including wolf, black bear, cougar and black tailed deer on the property, in addition to the blue listed species - the Great Blue Heron.

Conservation Covenant



We wanted to know that when we moved on in our lives the creek would still be protected. Our land is in the Agricultural Land Reserve. The covenant was approved by the Agricultural Land Commission. The local land trust worked with us to make sure that we got what we wanted. They were very patient and creative. We can now move on, knowing we've done something to help future generations.



Corridors

Riparian corridors provide shade, helping to keep stream flows cool. They add nutrients, filter runoff entering the water, stabilize stream banks, help control flooding and supply habitat for wildlife. The abundant sub-canopy flora provides food, shade and shelter for amphibians, reptiles and abundant bird life.

The Land Trusts

The Comox Valley Land Trust is working with the Millard/Piercy Watershed Stewards and landowners, such as the Bloomfields, to implement a conservation strategy for the area. The Nature Trust of BC co-holds this conservation covenant.

Denman Island Chocolates



Daniel Terry wanted to conserve the natural features on his small factory site atop a ridge on Denman Island.



The Method

Daniel Terry worked with the Denman Conservancy Association to register a Conservation Covenant on his 4 - acre chocolate factory property. Located on a ridge, this property contains threatened Douglas-fir and arbutus, which are now protected through the covenant.



Community Context

The property lies within one of BC's rarest forest types: the Coastal Douglas-fir Moist Maritime biogeoclimatic ecosystem. The rarity and beauty of this Gulf Island landscape is created by the rainshadow of the Vancouver Island and Olympic mountains - resulting in warm, dry summers and mild, wet winters. Growing seasons are long, which have resulted in Denman Island's agricultural economy although there are pronounced water shortages on drier sites. Denman Island, now home to more than 1000 people, has experienced extensive logging and farming which has reduced its original thick forests to a few areas where one can still experience the quiet grandeur of an original Coastal Douglas fir forest.



Conservation Covenant on Small Factory Site



I would like to see it spawn from my covenant to having covenants all the way along this ridge, which would be this wonderful green spine that would run the length of Denman island. Typically when someone comes to buy a house up here on the ridge, they create a view window...for me we were talking about view-scapes and having the trees be a part of what they see around them. I want to create a model of that interface between people and nature.



I am a business man, and though it is not all that I am, it is one of the hats that I wear. A number of my customers, both the retailers I sell to and the consumers who love our chocolate have environmental concerns, and they want to support organizations who exhibit concern for the same things that they are concerned about.

Site Context

The covenanted area contains the Douglas-fir/arbutus red-listed plant association that only occurs in small patchy areas on southern Vancouver Island and adjacent Gulf Islands. It is a declining association due to past human disturbances including logging, development, invasive species, grazing and fire suppression. The property also contains the Douglas-fir/dull Oregon grape plant association. This special community of plants is restricted to low elevations along the southern coast of Vancouver Island and adjacent Gulf Islands, and in limited areas on the Sunshine Coast and Fraser Lowlands. It too is in decline, due to development and logging.

The Land Trusts

The Denman Conservancy Association was founded in 1991 by a group of volunteer community members who came together with the goal of preserving unique, environmentally sensitive and historically important parcels of land on Denman Island, B.C.

Leader Covenant



Ilsa Leader wanted to preserve the precious features of her waterfront property on Salt Spring Island.



The Method

This oceanfront property on Salt Spring Island was covenanted with the Islands Trust Fund through the Natural Area Protection Tax Exemption Program. The covenant is co-held by the Salt Spring Island Conservancy.



Tax benefits within the Islands Trust Area

Fifty years ago, Salt Spring Island, like the other Gulf Islands, was relatively undeveloped. It is now one of the fastest growing communities in BC, with land values skyrocketing, especially on waterfront sites like this one. The Islands Trust Fund worked with the Islands Trust and the provincial government to create the Natural Area Protection Tax Exemption Program, (NAPTEP) in order to provide protection in this increasingly fragmented ecosystem through conservation covenants with permanent protection. The NAPTEP program enables landowners to receive a property tax reduction of up to 65 percent of the protected portion of the land.



Waterfront property on Salt Spring Island



I think it's a wonderful idea to preserve the nature on your property for future generations. It was a wonderful place for my kids to grow up. We realized what mother nature really means. It sounds like everybody else is saying it, but the changes on the island are happening so fast, I felt that I could do something. So it actually ended up 85 percent of this property is protected, and I feel that I've gained a lot and lost nothing.



I think living in an environment like this you'd have to be blind to not see the beauty and want to do something with it. I went into weaving and dying using the colours of the arbutus and the greens of the leaves.



Ecological Features

The covenant area is 1.8 hectares (4.5 acres) in size and includes terrestrial herbaceous, coastal bluff and Garry oak ecosystems, which include areas of key habitat for rare native plant species and plant communities. For example, the property contains the red-listed Banded Cord-moss, one of only 16 known occurrences of this species in Canada, as well as several red-listed ecological communities including Douglas-fir/dull Oregon grape, Douglas-fir/arbutus and arbutus/Garry oak. Ilse Leader can continue to live on her property and sell it to a future owner, with the conservation covenant registered on title.

The Land Trusts

The Islands Trust Fund was established to help preserve the unique character and environment of the islands and waters in the Strait of Georgia and Howe Sound.

The Salt Spring Island Conservancy works towards continuing improvements in the stewardship of natural habitats and features of the island's lands, freshwaters, and nearby marine environments.

Matson Conservation Area



David Price, Mandalay Developments, donated 2.5 acres (1 ha.) of development land on the waterfront in Victoria.

The Method

Mandalay Developments purchased the Matson Lands in Victoria to build residential condominiums. They agreed to donate 2.5 acres of endangered shoreline Garry oak habitat through Environment Canada's Ecological Gifts Program, creating a conservation area now owned and managed by Habitat Acquisition Trust (HAT). A conservation covenant is held by the Nature Conservancy of Canada and the Township of Esquimalt.



Left: Sapsuckers
Far right: Anna's nest
Below right: Victoria view, photos by Todd Carnahan



Garry oak Ecosystems

Garry oak ecosystems are one of the three most endangered ecosystem types in Canada, with less than 1 percent remaining in a near natural state. They are only found on southern Vancouver Island, the Gulf Islands and two isolated groves on the lower mainland. They contain habitat for over 100 species at risk. Garry oak meadows on Vancouver Island were burned by the Salish Nation to maintain game populations and gardens of carbohydrate-rich lily bulbs, such as camas and chocolate lily.

Donation on development lands



What was important was to ensure my owners that they are living on a natural parkland; no one is going to build in front of them. It is absolutely pristine. It is probably the most pristine area in the Inner Harbour: the oak trees and Garry Oak meadows and specialized species. We have the Purple Martin that nest here, which is a rarity to the Island. It is definitely a big marketing thing. We have sold 86 percent of our units to people who want to live here because they will be looking over this parkland forever.



This donation came about through the tireless efforts of the Friends of Matson Lands, the West Bay Residents Association and a partnership among HAT, Nature Conservancy of Canada and the Township of Esquimalt. Using the Conservation Area as a demonstration site for urban conservation, HAT staff lead regular tours while working with volunteers on restoration projects and a nature-scaped buffer garden.



Development and Conservation

The Matson Lands were the former site of a lodge which was dismantled in 1987. Successive development proposals were blocked by community groups who wanted to protect the shoreline trail and the last natural waterfront Garry oak habitat on Victoria Harbour. David Price of Mandalay Developments agreed to a deal whereby the density from the shoreline area was moved to the upper slopes. An appraiser valued the lower 2.5 acres as parkland, and Mandalay Developments received a charitable donation for the appraised value through the federal government's Ecological Gift program.

The Land Trusts

Habitat Acquisition Trust (HAT) works on southern Vancouver Island and the southern Gulf Islands to conserve natural habitats through acquisition, community education, research and conservation covenants. HAT now owns and manages the 2.5 acre Matson Conservation Area (MCA).

Singh Farm



Ab Singh sold his land in the Fraser Delta with a leaseback agreement that helped him retain and improve his family farm.

The Method

Ab Singh leases his Delta organic vegetable farm from Ducks Unlimited Canada, who purchased it from him in 1995. Ab follows a management agreement in which he harvests vegetables and then plants a winter cover crop (such as winter wheat or barley) as grazing forage for thousands of waterfowl annually.



The Fraser River Delta

The Fraser River Delta is a key wintering and migrating area for birds in the Pacific Flyway that breed in northern areas of North America. This property is on Westham Island next to the George C. Reifel Migratory Bird Sanctuary and the Alaksen National Wildlife Area (NWA), which has been declared a RAMSAR site because of the internationally significant population of Lesser Snow Geese which use the area in winter. The Bird Sanctuary, NWA and privately owned farms such as the Singh Farm provide thousands of hectares of wildlife habitat at the mouth of the Fraser River. These farms grow a variety of vegetables (potatoes, peas, squash and beans), and berries, sugar beets, mustard seed and livestock on some of the most fertile soils in BC. Migrant waterfowl have historically fed on vegetables, grass and grains, moving between intertidal marshes and farmland depending on the availability of remnant crops, tidal stage and weather.

Sale and leaseback of vegetable farm



These conservation programs assist the family farm to stay a family farm, rather than being sold out to a corporate interest or to some foreign investor who is not interested in the farm but who is speculating on the possibility of the land increasing in value. Also, because it is organic, we use manure. They shared in some of the costs and helped me be more productive and shared in keeping the expenses down, which helps me keep in the business longer.



On the Singh Farm alone, up to 20,000 Lesser Snow Geese forage on crops while tens of 1,000's more concentrate their feeding effort around Westham Island in the fall. Another 300 bird species live or travel through the delta during annual migration, including shorebirds such as Dunlin and Western sandpipers, and residents including the barn owl.



Farmers and Land trusts

Land trusts like Ducks Unlimited Canada and the Delta Farmland and Wildlife Trust work with farmers to protect biodiversity and wildlife, while also helping farmers to be successful and use Best Management Practices. Both organizations work to promote the retention of important wildlife and migratory bird habitat as well as help to ensure that future generations will benefit from some of the most productive agricultural land in Canada. People can support agriculture and wildlife by purchasing locally grown products or buying directly from farms that are open to the public.

The Land Trusts

Ducks Unlimited Canada conserves, restores and manages wetlands and associated habitats for North America's waterfowl. These habitats also benefit other wildlife and people.

Lehman Springs Conservation Area



Dale and Anita Lehman protected their 60 acre old-growth forest with artesian springs near Osoyoos as a nature reserve.



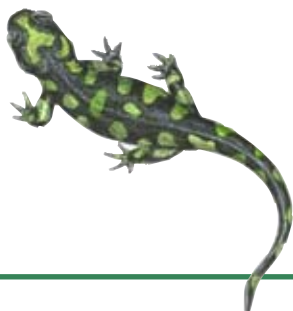
The Method

The Lehman family farmed a 320-acre parcel of land near Osoyoos for 75 years. They sold the bulk of the farm and donated this 60 acre old-growth forest portion to TLC The Land Conservancy of BC. It is now held as a nature reserve, open only for educational tours arranged by the land trust.



The South Okanagan/Similkameen region

The South Okanagan is considered one of the three most endangered ecoregions of Canada. The low elevations of the Okanagan and Similkameen River Valleys, whose dry climate and desert-like habitats form the northern tip of the Great Basin desert, contain one of the greatest concentrations of species diversity in Canada. The rolling hills of grasslands, steppes, desert area and forests were some of the first areas in BC to be converted to agriculture and residential development.



Donation of old growth forest



This spring is probably the largest spring in this bush here and pumps out about 300 gallons a minute, year-round – never changes! It flows down into 9-mile creek, which flows down to Osoyoos Lake. By protecting this forest, we are protecting this water source, and it will never change.

When we were trying to think of how to preserve the bush...we thought if we sold it to someone, even if they were interested in protecting it, who is to say in the future they wouldn't re-sell it or pass it down to their children who may need money. For some reason, it would eventually get logged – we were pretty sure of it! It does not feel like we have to part with it...as this way it is always going to be here.



Lehman Springs

The Lehman Springs Conservation area contains 600 year-old trees, including the second tallest Larch in Canada. Set within a larger agricultural area, it offers refuge for many threatened wildlife, including Williamson's sapsucker, and the more common red-tailed hawk nests here. The springs are home to freshwater shrimp, frogs and salamanders. The Lehmans have seen bear, cougar and deer in the area.

The Land Trusts

TLC The Land Conservancy of BC protects important habitat for plants, animals and natural communities as well as properties with historical, cultural, scientific, scenic or compatible recreational value. TLC works throughout the province, with many partners, all levels of government, other agencies, businesses, community groups and individuals.

Thomson's Wildlife Sanctuary



The Thomson family donated a portion of their farm for wetland restoration and a wildlife sanctuary.



The Method

Ken and Gifford Thomson sold 75.5 acres of their dairy farm to the City of Kelowna and gifted an additional 4.5 acres as a wildlife sanctuary. The Central Okanagan Parks and Wildlife Trust holds a conservation covenant on this section to ensure that it remains protected forever.



Wildlife Sanctuary near an urban area

In the 1890's the Thomson farm was in the Mission area, outside the City of Kelowna boundaries. As the city grew it surrounded the farm. The owners were invited to sell some land in order to build public amenities, including an arena and swimming pool. Gifford's wife Brenda, a supporter of the newly formed Central Okanagan Parks and Wildlife Trust, hoped a donation of land would encourage others to do the same and make use of conservation covenant protection. The resulting waterway and riparian land was developed in part to act as a buffer between the new arena, swimming pool and playgrounds and the remaining part of the farm and to meet the Thomson's request for protected wildlife habitat.



Donation with conservation covenant



I was the President of the Naturalist Club in the early 1990's when the city was developing quickly and everybody was getting nervous about the disappearing valley-bottom wildlife habitat. Our inspiration was to donate a part of my husband's and his brother's farm, so that it would become a wildlife sanctuary in the Mission Creek flood plain and, hopefully, set a pattern.



This part of the farm had been a hay field and had been in my husband's family for over a hundred years. The resulting restoration included creating a wetland by consolidating all the water courses, including our own Thomson Creek, (something we never imagined happening.) It now seems exactly right as this had been a swamp before my husband's ancestors had cleared it for farmland – it is going back to the way it belongs.

Restoration and long-term protection

The City of Kelowna funded the restoration work and the Central Okanagan Parks and Wildlife Trust ensured that the donor's wishes were honoured by holding the Conservation Covenant. Today, the restored, covenanted area has no public access except to some of the ponds on the city's land. The water course is a new home to kokanee salmon, and a staging area for numerous species of birds including sparrows and the newly returned yellow-headed blackbird. Hawks nest here and other waterfowl documented include scaups, golden eye, mallards and herons.

The Land Trusts

The Central Okanagan Parks & Wildlife Trust, formed in 1991, facilitates the preservation of natural areas and parks in the Central Okanagan. This charitable land trust also works with the Regional District to help protect the area's greenways and other publicly accessible sites.

Pine Butte Ranch

Hugh McLuckie, manager and Ray van Steinberg, owner of Pine Butte Ranch protect wildlife and native grasslands on their cattle ranch in the East Kootenays.



The Method

The Nature Conservancy of Canada (NCC) purchased 480 acres (195 ha) of Pine Butte Ranch to conserve the land's precious grasslands and habitats for species at risk. Then they leased the land back to these award-winning ranchers for grazing. The Van Steinburg family generously donated conservation covenants on the remaining 824 acres (334 ha) to prohibit future subdivision and development.

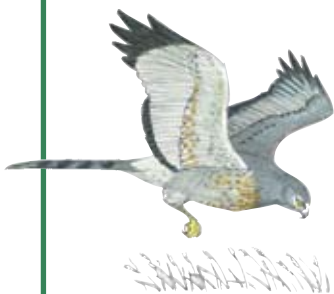


Above - Photo courtesy of Tim Ennis
Top - Lewis woodpecker courtesy NCC



The Rocky Mountain Trench

The Rocky Mountain Trench is an area in the East Kootenay region containing the longest contiguous wetland complex in western North America, supporting tens of thousands of waterfowl on their migratory routes. The grasslands provide forage for ungulate populations, such as mule and white-tail deer and elk. Only 1.2 per cent of grasslands in BC are protected, yet they are home to over 50 species at risk, including American badger, Long-billed Curlew, Lewis Woodpecker and Flammulated Owl.



Sale and leaseback with covenants



The landscape is changing... this farm has changed, yet we are still trying to maintain the integrity of the land, the integrity of the grasses... cattle manage the grass and make it young and more tender every year. Cattle grazing replaces what Mother Nature has historically done in the past, which is creating fires, which do reduce encroachment. The wildlife then moves in to enjoy what the cattle have created for them. In that sense it is a nice circle to see happen. Ray and I are pretty darn proud of this whole country... it is one of a kind and it will be really nice to see it stay in its natural state.



The biggest threat to ranching is the encroachment of "ranchettes" 5 acre lots that people buy because they want the beauty of the country and then the next thing you see is...a huge house being built on it and two years down the road, it is a dust-bowl!



Ranchers and Land Trusts

The property includes Pine Butte and surrounding ranch areas that are grazed by Hereford Cattle on the native grasslands. Located between the growing cities of Cranbrook and Kimberley, habitat fragmentation caused by subdivision for residential development is a concern for the future of both ranching and conservation in the region. In 2004 Pine Butte Ranch won the Environmental Stewardship Award from the BC Cattleman's Assn.

The Land Trusts

The Nature Conservancy of Canada, (NCC) BC Region has a Land Securement, Stewardship and Ecosystem restoration program. NCC continues to work with ranchers, landowners and industry to protect biodiversity and to ensure the health of this planet's land and water.

Luke Creek Wildlife Corridor



Brian McKenzie of Tech Cominco Metals Ltd. facilitated the sale of 600 acres of company lands at bargain prices to retain community trails, a heritage site and wildlife habitat.

The Method

Teck Cominco arranged with TLC The Land Conservancy to sell two 160-acre lot parcels each year over five years at between 75 to 85 percent of the 2001 appraised value. The entire 800 acres provides a wildlife corridor, wetland and grassland habitat, community recreation, and heritage and educational opportunities.



Badger, photo courtesy of TLC
Long-eared Bat -
photo Dr. Merlin Tuttle



Wildlife Corridors



Luke Creek Wildlife Corridor lies east of Kimberley in the Rocky Mountain Trench, a broad valley between the Purcell Mountains and the western edge of the Rocky Mountain. The 600 acre property is connected to lands in the St. Mary's Prairie area of the East Kootenays. The property expands on an extensive wildlife corridor in the valley. Wycliffe Wildlife Corridor (another TLC property that is part of the TLC acquisition) and Luke Creek Corridor contain a number of threatened and endangered species, including the badger, long-eared bat and Lewis woodpecker. Eight endangered plant species have been identified as well as several rare plant communities.

Bargain sale of wildlife corridor & heritage site



The big hill is Lone Pine Butte, and that was the second stage that TLC acquired in 2002. It includes a wetland that is larger than the other. It underscores that industry, conservation, ranching and grassland preservation, all of these can work together.



In the future we see this cabin as a link to the historical values, as important as the conservation values - as a field office for interpretative sessions, a small office where people can be served hot chocolate, after a day of bird identification or seed identification. I think that's where this legacy will end up.



The Luke Creek site

“It’s a neat little jewel of agricultural land and a small wetland in the midst of rocky terrain. The land is quite diverse, lightly treed with mainly conifers. There’s badgers, there’s herds of elk that congregate, come together at certain times of year, generally between 120 and 200 animals is not uncommon, usually cows, calves and bulls and along with the ungulates, there are predators - bears, coyotes, wolves. It features critical grassland and aspen habitat in addition to community trails and a small heritage site. It’s rolling terrain, it’s scenic, and it’s got a view of the Rockies that’s unparalleled.”

(Brian McKenzie)

The Land Trusts

TLC The Land Conservancy of BC (Kootenay Region) works with 41 partner groups including other conservation groups, government and industry, through the East Kootenay Conservation Program. Their conservation goals include using conservation covenants, acquisition and stewardship agreements to maintain the rich biological, economic and social heritage of the East Kootenay.

Burgoyne Bay & other parks

Elizabeth White, volunteer fundraising coordinator, helped garner individual and corporate support to protect Burgoyne Bay, Salt Spring Island



Above: Heron
Far right: Broad-leaf Stonecrop
Photo Todd Carnahan

I was asked if I would coordinate the fundraising efforts to buy back the land. I hesitated because I was neither a professional conservationist nor a fundraiser, but I agreed to take it on for a few months. The few months turned into a two-year marathon. The compelling vision of the land protected for ecoforestry, organic farm trusts, community watershed, and parkland kept me involved. The best thing was meeting so many new friends -- wonderful, talented people.



Left Burgoyne Oak, photo - Gordon Scott
View from Mt Maxwell Ecological Reserve. photo - Tamar Griggs

Community Collaboration

The protection of 2300 acres in the Burgoyne Bay area of Salt Spring Island is but one example of successful collaboration between land trusts and other community groups, individual volunteers and governments to achieve conservation goals. This project was started in 1999 by a call from a local resident who learned that forested areas on the farm they were renting were going to be clear-cut within a week. The community was mobilized, and began working with four land trusts who collaborated on negotiations, fundraising and other support. The regional and provincial governments came to the table, and the area was finally protected with the combination of expanded Ecological Reserve, provincial and regional parks. Conservation covenants were put on the Mt. Maxwell Lake watershed area, the island's largest drinking water source. The local community raised over 1 million dollars toward the acquisition.



Land trusts help protect public parks

The Method

Individual and corporate donations of land, cash and other services, such as volunteer and membership support, helps land trusts protect special places in their communities. With this public support, land trusts can act quickly to protect threatened areas of enormous significance in BC. In some cases, they can negotiate the transfer of these private lands to public bodies, such as regional districts or the provincial or federal governments, to protect them as public parks or ecological reserves.



View of Chatterbox Falls, protected through the Princess Louisa International Society and the Nature Conservancy of Canada



Sooke Potholes, protected through public donations and securement with TLC The Land Conservancy of BC and The Capital Regional District, photo R Harvey

Ecological Significance

The Burgoyne Bay area includes 1000 acres of undeveloped Garry oak woodlands stretching from the ocean to the summit of Mount Maxwell at 2000 feet. The landscape is mixed Douglas fir, Garry oak and arbutus forest with scenic rocky bluffs and lush valley-bottom groves of Red cedar and ancient Douglas firs. Burgoyne Bay itself is the largest undeveloped bay and estuary left in the southern Gulf Islands. It is rich in conservation, recreation, wildlife, fish, and historic values. Two salmon streams run into the bay, which has about 2 kilometres of sensitive tidal flat and extensive healthy eelgrass beds.

The Land Trusts

The protection of lands surrounding Burgoyne Bay including Canada's largest Garry Oak woodlands involved TLC The Land Conservancy of BC, SSIC The Salt Spring Island Conservancy, The Salt Spring Water Preservation Society and The Nature Trust of BC. Additional funding support came through millions of individual donations, sales of calendars and cards, and the provincial government of British Columbia.

Restoration, Education and Stewardship



Education has been a significant activity for the Salt Spring Island Conservancy, photo courtesy David Denning

The Method

Land Trusts often work with people in their communities using a variety of tools other than conservation covenants or acquisition in order to restore, steward and conserve natural and cultural diversity. In some cases these restored sites may be protected by more long-term arrangements at a later time. Here are some examples of stewardship, restoration and education activities that land trusts are engaged in throughout the province.



Over the past two years restoring Cowichan eel grass in the Cowichan estuary has been the focus of the Cowichan Community Land trust. photos courtesy of CCLT and Jen Paton



The Fraser Valley Land Trust has completed watershed level maps to help with community planning. Below: Peter Karsten's Protecting a Rare Island Paradise, part of the Islands in the Salish Sea Community Mapping Project



Land trusts provide public educational opportunities on protected sites and through public events including:

- public tours that build awareness about a specific species, habitat or heritage features;
- programs that facilitate the identification and sharing of community stories and celebrations;
- identification and mapping of land or settlement patterns to assist with community planning;
- programs for children and others, that enable the interaction and exploration of nature;
- interpretive programs that build awareness about ecologically and culturally sensitive practices;
- hands-on opportunities for activities such as gardening, planting, mapping, orienteering and surveying.

Other Land Trust Projects & Services



Cheryl Bryce of the XAXE TENEW Sacred Land Society, photo David Broadland

In addition to the Land Trust members identified in the next page, two new First Nation Land Trusts have recently been registered in British Columbia, currently awaiting charitable status. They will use many of the following methods, in addition to some acquisition projects to protect both natural and cultural heritage sites.



Land Trusts work on restoration projects on both private and public lands:

- restoring lands that have been acquired to help revitalize natural or cultural qualities that had been previously degraded;
- removing invasive species and planting of native species (both on land and water);
- restoring degraded hillsides, grasslands, forests, or streams.



Galiano Island Conservancy has been restoring forest and wetlands surrounding the "Great Beaver Swamp".



Control dyke and wetland area of the South Swan Lake project, at the south end of Swan Lake on Ducks Unlimited Canada property in the Peace Region of BC.

Land trusts take on site specific stewardship projects in their communities:

- providing services to landowners or businesses to help them set up programs which protect native species, streams, wetlands and diverse habitats, in both urban and rural areas;
- designing or promoting sustainable working land agreements such as ecoforestry plans or farm programs that mix habitat, water, and soil protection with food production;
- promoting conservation partnerships which label and identify businesses that provide habitat, heritage or water protection through land stewardship;
- creating and managing interpretative centres, signage and displays.

The Land Trusts

Land trusts rely on public support, including donations to protect places of natural and cultural diversity. These organizations link people to their communities and to nature through membership, volunteerism and land stewardship.

Members of the Land Trust Alliance of British Columbia

LAND TRUSTS: CHARITABLE SOCIETIES THAT HOLD CONSERVATION COVENANTS AND OWN LAND FOR CONSERVATION

Bowen Island Conservancy	email: sefast@shaw.ca	Sue Ellen Fast	604-947-0483
Central Okanagan Parks & Wildlife Trust	www.copwt.ca	Frank Williams	250-861-6160
Comox Valley Land Trust	www.cvlandtrust.org	Jack Minard	250 703-2871
Conservancy Hornby Island	email:ron&june@telus.net	June Crichton	250 335-0699
Coquitlam Land Trust Fund Committee	www.coquitlamfoundation.com	Mike McPhee	604 468-9598
Cowichan Community Land Trust	www.island.net/~cclt	Ann Archibald	250-746-0227
Denman Conservancy Association	www.denmanis.bc.ca/conserv	John Millen	250-335-2868
Discovery Coast Greenways Land Trust	www.greenwaystrust.ca	Luisa Richardson	250-287-3785
Ducks Unlimited Canada	www.ducks.ca	Les Bogdan	604-592-0987
Fraser Valley Conservancy	www.fraservalleyconservancy.ca	Lisa Fox	604 864 5530
Gabriola Land & Trails Trust	www.galtr.ca	Kerry Marcus	250-247-8066
Galiano Conservancy	www.galianoconservancy.ca/	Ken Millard	250-539-2424
Habitat Acquisition Trust	www.hat.bc.ca	Jennifer Eliason	250-995-2428
Islands Trust Fund	www.islandstrustfund.bc.ca	Lisa Dunn	250-405-5186
Kootenay Land Trust Society	eric_clough@netidea.com	Eric Clough	250-226-6988
Naramata Conservation Initiative	www.naramataland.org	Craig Henderson	250 496-5222
North Okanagan Parks & Natural Area Trust	www.nopnat.com/	Adam Moss	250-558-4775
Pender Islands Conservancy Association	pica@gulfislands.com	Sylvia Pincott	250-629-6797
Quadra Is. Conservancy & Stewardship	qicss@yahoo.com	George Barabas	250-285-3582
Salt Spring Island Conservancy	www.saltspringconservancy.ca	Karen Hudson	250-538-0318
Salt Spring Island Water Preservation Society	rrhawkin@telus.net	Ron Hawkins	250-537-5052
Savary Island Land Trust Society	www.silt.ca	Liz Webster	604-414-0073
Silva Forest Foundation	www.silvafor.org/	Susan Hammond	250 226-7222
Sunshine Coast Conservation Association	www.thescca.ca	Brad Benson	604-885-6163
TLC The Land Conservancy of B.C.	www.conservancy.bc.ca	Bill Turner	250-479-8053
The Nature Conservancy of Canada	www.natureconservancy.ca	Katie Blake	250-479-3191
Western Sky Land Trust Society	www.westernskylandtrust.ca	Tracy Tarves	403-974-0756

ASSOCIATED ORGANIZATIONS AND AGENCIES WHOSE PURPOSE IS TO STEWARD, MANAGE OR PROTECT LANDS

Allan Brooks Nature Centre	www.abnc.ca	Carmen Wong	250-558-5392
Burrowing Owl Conservation Society of BC	www.burrowingowl.bc.org	Mike Mackintosh	604 922-6502
Cowichan Valley Regional District	www.cvrld.bc.ca	Tanya Soroka	250-746-2614
D.R. Coell & Associates Inc	www.drcoell.com	Alan Kotila	250-388-6242
Delta Farmland & Wildlife Trust	www.deltafarmland.ca	Margaret Paterson	604-940-3392
Earthworkers Community Organization	www.earthworkers.ca	Brodie Whitney	250-353-2189
First Nations Land Trust	http://www.fnlt.org/	Joseph R. (Banjo) Linkevicius	250-859-7209
Fraser Headwaters Alliance	www.fraserheadwaters.org	Roy Howard	250-968-4490
Friends of Cortes Island Society	foci@island.net	Katherine Smail	250-935-0087
Gambier Island Conservancy	http://www.gambierc.ca/	Peter Scholefield	604 913-9090
Garry Oak Ecosystem Recovery Team	http://www.goert.ca	Chris Junck	250-383-3293
Grasslands Conservation Council of BC	www.bcgrasslands.org	Graham MacGregor	250-371-5296
Mayne Island Conservancy	www.mayneisland.com/parks/mics	Helen O'Brian	250 539-5619
Peace Habitat & Conservation Endowment Trust	www.phacet.ca	Ken Hall	250-785-6474
Peter Mason Geomatics	surveyor@qualicum.ark.com	Peter Mason	250 752-4016
Ruby Lake Lagoon Nature Reserve Society	www.lagoonsociety.com	Dale Jackson	604 740-5895
XAXE TENEW, Sacred Land Society	chers_canoer@shaw.ca	Cheryl Bryce	250 386-1047
Salt Spring Is. Stream & Salmon Stewardship Soc.	thesalmonladies@saltspring.com	Kathy Reimer	250-537-8983
Sea Change Marine Conservation Society	www.seachangelife.net/conservation	Nikki Wright	250-652-1662
The Living By Water Project	www.livingbywater.ca	Sarah Kipp	250-832-7405
West Coast Environmental Law Foundation	www.wcel.org	Patricia Chew	604 684-7378
West Coast Islands Conservancy	rpither@gulfislands.com	Ron Pither	250 653-4692

References on Conservation on British Columbia

British Columbia: provincial government links:

Agricultural Land Commission (re covenants on ALR lands) <http://www.alc.gov.bc.ca/>

BC Assessment Authority Appraisal Fact-Sheet <http://www.bcassessment.bc.ca/publications/index.asp>

List of agencies designated to hold covenants under s. 219 Land Title Act: http://www.ltsa.ca/sgd_home.htm

BC Ministry of Environment, Environmental Stewardship - <http://www.env.gov.bc.ca/esd/index.html>

Environment Canada – Ecological Gifts Program: <http://www.cws-scf.ec.gc.ca/egp-pde>

Hillyer, Ann, Judy Atkins and John B. Miller. *Appraising Easements, Covenants and Servitudes*. (2006: Ottawa: North American Wetlands Conservation Council, Canada)

Hillyer, Ann and Judy Atkins, *Greening Your Title: A Guide to Best Practices for Conservation Covenants* (2005: Vancouver, West Coast Environmental Law Research Foundation) <http://www.wcel.org/resources/publications/>

Hillyer and Atkins, *Giving it Away: Tax Implications of Gifts to Protect Private Lands* (2004: Vancouver, West Coast Environmental Law Research Foundation) <http://www.wcel.org/resources/publications/>

Hillyer and Atkins, and Arlene Kwasniak, *Conservation Easements, Covenants and Servitudes in Canada, A legal Review, Report No 04-1*, 2004 North American Wetlands Conservation Council (Canada) in partnership with Environment Canada, Canadian Wildlife Service

Islands Trust Fund <http://www.islandstrustfund.bc.ca> Information on the NAPTEP Program

Land Trust Alliance of British Columbia offers a multitude of resources on covenants and related topics, including a Registry of covenants and lands owned by conservancies in BC
<http://www.landtrustalliance.bc.ca>

Other resources of interest:

BC Stewardship Centre: <http://www.stewardshipcentre.bc.ca/stewardshipcanada/home/scnBCIndex.asp>

Green Legacies: BC guide to Planned Giving: www.Greenlegacies.ca

Olewiler, N. (2004) *The Value of Natural Capital in Settled Areas of Canada*, Department of Economics and Public Policy Program, Simon Fraser University, B.C., published by Ducks Unlimited Canada and the Nature Conservancy of Canada.

Saucer, A. *The Value of Conservation Easements: The Importance of Protecting Nature and Open Space.*, Atlanta: WestHill Foundation for Nature, Inc., 2002

Land Trust Alliance of British Columbia 204-338 Lower Ganges Road, Salt Spring Island, BC. V8K 2V3
250-538-0112 – 250-538-0172 fax email: info@landtrustalliance.bc.ca, www.landtrustalliance.bc.ca

We stand now where two roads diverge. But unlike the roads in Robert Frost's familiar poem, they are not equally fair. The road we have long been travelling is deceptively easy, a smooth superhighway on which we progress at great speed, but at its end lies a disaster. The other fork of the road-the one "less travelled by" - offers our last, our only chance to reach a destination that assures the preservation of our earth. Rachel Carson



This booklet is printed on Save a Tree 100% post-consumer fiber; no new trees are used in the manufacturing of this paper. This saved 3,568 gallons of water, 2,427 pounds of wood, reduced net greenhouse emissions by 734 pounds, and reduced 4,830 BTU's of energy.