

Municipal Handbook

A GUIDE TO PRIVATE LAND CONSERVATION IN BC



LTABC
Land Trust Alliance of British Columbia

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Supported in Partnership

Nature organizations are working with municipalities, land trusts, and conservation organizations to be part of the biodiversity solution.

We provide resources, experience, capacity, and partnerships to help you recognize your natural areas. We believe that municipalities are central to protecting biodiversity and habitats, while giving Canadians the chance to appreciate nature close to home.



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Introduction

Nature provides many services that we rely on, including clean air, clean water, flood protection, and natural resources. When nature is threatened, our economy, our communities, and our health and well-being are also threatened. Globally, the loss of nature has been recognized as one of the most significant challenges we face. In Canada, nature loss is most acute in the southern parts of the country, where, because of development pressures, ecologically-intact land is relatively scarce and expensive.

The preservation and protection of our natural environment has become increasingly critical. Private land conservation, lead by BC's 40 land trusts, is critical to saving our environment. Tax incentives can encourage and support private land conservation. Through incentives, we can foster a culture of conservation, enhance the quality of life of residents, and ensure a sustainable future for generations to come.

What is LTABC?

The Land Trust Alliance of British Columbia (LTABC) is the voice of the land trust community in our province. The Alliance works to support land trusts through programs, education, and awareness so they can conserve more land and protect more species at risk. As a leader in awareness, education, training, and capacity building, LTABC helps land trusts with the support they need to operate effectively. The Alliance's many resources, conferences, and webinars support the Canadian Land Trust Standards & Practices which are designed to build capacity at the regional and local level. LTABC also offers many resources to the public about private land conservation.

For more information please contact: info@ltabc.ca

What is a Land Trust?

A land trust is a non-profit, charitable organization committed to the long-term protection of natural heritage. Protected land provides habitat for flora and fauna, and serves as an important carbon sink.

In addition to land conservation, land trusts often engage in stewardship activities such as monitoring land conditions, conducting ecological restoration, promoting sustainable land management practices, and providing educational programs to raise awareness about the importance of land conservation.

LTABC Members

American Friends of Canadian Land Trusts | Bowen Island Conservancy | Central Okanagan Land Trust | Comox Valley Land Trust | Cowichan Community Land Trust | Denman Conservancy Association | Discovery Coast Greenways Land Trust | Ducks Unlimited British Columbia | Elk Valley Regional Land Trust Society | Forest Trust for the Children of Cortes Island Society | Fraser Valley Conservancy | Friends of Cortes Island Society | Gabriola Commons Foundation | Gabriola Land & Trails Trust | Galiano Conservancy Association | Gambier Island Conservancy | Habitat Acquisition Trust | Islands Trust Conservancy | Kiyooka Land Trust Foundation | Malaspina Land Conservancy Society | Mayne Island Conservancy | Nanaimo & Area Land Trust Society | Nature Conservancy of Canada | Nature Conservancy of the North Okanagan Society | Nature Trust of British Columbia | Pender Islands Conservancy Association | Quadra Island Conservancy and Stewardship Society | Raincoast Conservation Foundation | Salt Spring Island Conservancy | Salt Spring Island Water Preservation Society | Savary Island Land Trust Society | Somenos Marsh Wildlife Society | Southern Interior Land Trust | Sunshine Coast Conservation Association | TLC The Land Conservancy | Thetis Island Nature Conservancy Society | Valdes Island Conservancy | Valhalla Foundation for Ecology

For more information on LTABC members, please visit our land trust member directory:

<https://ltabc.ca/land-trusts/directory/>



BC Land Trust Overview

Across BC there are 40 land trusts, protecting 1600 properties, covering 550,000 acres. Land trusts offer many potential economic benefits:

- Millions of people visit BC to enjoy the natural beauty. In 2022, BC's tourism industry generated \$18.5 billion in revenue.
- BC land trusts engage with 289,000 people annually.
- Over 3600 volunteers help land trusts achieve their goals.
- Land trusts in BC have preserved 550,000 acres of land.
- Land trusts receive 150,000 visitors to conservation properties and reach over 60,000 people through social media each year.
- Properties close to open spaces and parks often see increased property values.
- Protected land acts as an important carbon sink, helping in the fight against climate change.
- Protected land is important for habitat protection of local fauna and flora.
- Protecting wetlands and their surrounding land offers greater water quality and increased flood control.
- Protecting agricultural land reduces transportation costs and retains employment opportunities.



BC Nature

Since 1969 BC Nature has been the Province's collective voice for nature conservation. As a federation of natural history clubs and organizations throughout British Columbia, BC Nature represents more than 6,000 members. Through education, practical conservation projects and community engagement BC Nature encourages people of all ages to explore nature and get involved in outdoor activities – from birdwatching, botanizing, searching for mushrooms or insects, to hiking or just being outside exploring. These activities foster awareness, appreciation and understanding of the natural environment which leads to healthier communities and to a deeper personal involvement.

30 x 30

The federal government is working with provincial partners towards preserving 30% of our natural landscapes and waterways by the year 2030. The LTABC and BC Nature are partnering with the Alliance of Canadian Land Trusts to help achieve this goal. We are contributing through the detailed tracking of protected ecologically significant land, and by promoting private land conservation, including the proposal of tax incentives. The 30×30 target is being tracked on the Canadian Database of Protected and Conserved Areas (CPCAD).

To ensure the Municipal Protected Areas Program (MPAP) work is aligned across the country, BC Nature is working with local governments to assess natural areas using the nationally recognized Decision Support Tool process. The free assessment incorporates both ecological value and the policy strength of protective mechanisms. BC Nature undertakes the majority of the assessment and registration process to reduce the capacity constraints of local governments.

Local governments own and manage large amounts of important natural areas, each using different systems of protection for these spaces. As part of the MPAP we are supporting local governments to make sure these protections align with international standards. To date, provincial and federally protected land has been identified, but the amount protected by local governments is still unclear. To count towards this 30×30 goal, areas must:

- Have clearly defined geographic boundaries
- Achieve in-situ conservation of biodiversity
- Prohibit actions incompatible with conservation
- Be protected in perpetuity

Your local government
can find more information
by contacting:
conservation@bcnature.ca

Land Trust Options

There are two common ways to protect private land in BC:

Conservation Covenants

Land can be placed under a conservation covenant, which is a legal agreement between the landowner and a land trust. Though the title of the property remains with the landowner, the agreement is tied to the land and will be passed along even when the title changes. Covenants can be applied to either the entirety of the property or just parts of it.

Donations and Land Purchases

Land trusts own and steward properties. Land can be donated to a land trust. Ownership of the land is passed to the land trust with conditions on its use and maintenance. There are many forms of donations depending on the donor's wishes and needs. There are also tax incentives for donating ecologically significant land such as the federal Ecological Gifts Program.

Land Trusts can directly purchase land. This requires large amounts of capital. Land trusts rely on donations, fundraisers, and grants to undertake direct land purchases.

What is the difference?

Land Trusts and Municipal Conservation

Land trusts are private, non-profit organizations that acquire land through donations, purchases, or other means. They have independent governance structures and are responsible for the long-term stewardship of the land. Their focus is on the preservation of natural habitats, wildlife corridors, cultural or historic sites, and ecologically significant areas. They rely on private donations, grants, endowments, fundraising or conservation easement sales. Land trusts have flexibility in managing their properties based on their conservation objectives and specific land agreements or restrictions. They may have their own conservation plans, restoration projects, and guidelines for public access. The scale of land acquired can vary from small parcels to vast areas.

Municipal conservation can include municipal parks that are owned and operated by local governments. They are part of the public domain and are managed by municipal agencies or departments. They can emphasize conservation, but often have a broader mandate to provide recreational areas, space for community gatherings, playgrounds, and public amenities such as parking, trails, and picnic areas. Funding primarily comes from local governments and taxpayer dollars. They are subject to local government regulations and management plans, such as hours of operation, rules for park use and maintenance protocols established by the municipality. Municipalities may also offer **green spaces**, which are often part of commercial developments for public use. Green spaces offer small, outdoor natural settings, but may be altered over time through Council decision. **Tree cover** is also often thought to be a conservation measure. While important to climate change, tree cover is not a protected space and is subject to fire, disease, removal, etc.



Tax Incentives

Many land owners are “land rich and cash poor.” Others are seeing land transferred through generations. Often land owners want to conserve the ecologically sensitive property they own, however the cost to do so is prohibitive.

Nationally, the federal Eco-gift Program offers incentives to lands that meet national conservation standards.

The Land Trust Alliance of British Columbia supports increased incentives to encourage private land conservation across the Province. The Alliance is encouraging Municipal and Regional Councils to engage with LTABC and the Provincial Government to legislate options for Municipal consideration. All of these options, while legislated, would then be voluntary, yet available across the Province for municipalities wishing to adopt them.

Benefits

Utilizing tax incentives for private land conservation can benefit communities in the following ways:

Encourage Conservation

Incentives are a powerful motivator for private land conservation. This results in greater protection of ecologically significant land, wildlife habitats and cultural sites, getting us closer to the objective of the 30 x 30 initiative.

Long-term Sustainability

We can ensure the preservation of land for future generation, maintaining the beauty of our communities.

Economic Opportunities

Land conservation promotes economic activity through eco-tourism, outdoor recreation, and increased property values. Tax incentives promote these positive economic impacts.

Community Engagement

Tax incentives create a shared commitment to conserving our natural and cultural heritage.



Case Studies

Case Study: Natural Areas Protection Tax Exemption

NAPTEP has been successfully implemented in the Gulf Islands for over a decade. It is a voluntary program which offers a 65% tax exemption for land that is part of a conservation covenant managed by the Islands Trust Fund. To offset the decrease in revenue for municipalities, the tax is shifted from those who participate to those who do not. This restructuring of the tax comes at a minimal cost to other properties, estimated to be a few cents per year.

Case Study: Ontario Conservation Land Tax Incentive Program

The CLTIP is a provincial program that offers a 100% property tax exemption on portions of property deemed ecologically significant. The province identifies eligible areas, and owners can then opt in. There is a minimum size restriction of 0.5 acres, and once part of the program, land use is restricted. Enrollment lasts one year, after which property owners need to apply once again. In 2020, there were 24,900 properties participating, spanning 714,600 acres.

Case Study: Victoria Heritage Tax Incentive Program

This program is a tax incentive for owners of heritage designated commercial, industrial, and institutional buildings that undergo seismic upgrading during renovation or conversion to residential use. It offers a property tax exemption for up to 10 years to offset the cost of the seismic upgrading. Lost revenue for the city is made back in the years following the tax exemption period as with the renovations, the property value and subsequent taxes increase.

Support and Action

Changes to provincial tax laws are required to let municipalities offer incentives as an option. Local governments must first raise the issue to the province for this to occur.

Talk to your constituency to assess whether this is a program they are interested in. Even if it is passed in provincial legislation, it is up to each municipality to choose whether to participate.

We encourage you to support and champion the implementation of these vital conservation incentives in your community and to the province.

Things you can do as an Elected Official:

As a municipal councillor meet with your local land trust – learn about their projects and how your municipality can support local conservation

Take it one step further and invite your local land trust to make a presentation to the entire council

Support funding requests by land trusts for local projects

Provide leadership and ask your Council to pass a motion supporting additional options for conservation such as tax incentives (sample attached)

Have your council write a formal letter to the Province of BC in support of your motion and the efforts of the Land Trust Alliance of BC (See sample in Appendix)

Appendix

Sample Letters

Minister of Municipal Affairs
PO Box 9056 Stn Prov Govt
Victoria, BC V8W 9E2

Dear Minister,

Donation of conservation covenants by landowners is a valuable tool for the protection of environmentally significant features on private land. In order to benefit the wider community of all life, the donors of conservation covenants are voluntarily depriving themselves of some uses of part of their property. With assistance in reducing the costs of conservation covenants, more landowners might be encouraged to protect the ecological values on their land.

For twenty years the Natural Areas Protection Tax Exemption Program in the Islands Trust area has been successful in supporting private environmental stewardship with little or no discernable financial impact on local government or non-participating landowners. We support the efforts of the Land Trust Alliance of British Columbia to extend a similar program to the entire province.

On behalf of our Board of Directors, I am writing to ask the Government to make the necessary legislative amendments to enable local governments to use a “conservation tax incentive program” to encourage landowners to protect natural features on their land. This program would be of assistance in our work as a local community land trust.

Sincerely,
[name & signature]

Dear Minister,

At the Regular Council meeting held ____ the ____ passed a motion to provide a letter of support in principle for the “Conservation Tax Incentive Program”; as proposed by the Land Trust Alliance of BC. The amendment of provincial legislation and would allow local governments to offer property tax reduction to land owners who voluntarily place conservation covenants on their property, which gives permanent protection to ecologically important, privately owned, natural areas.

Our municipality is requesting that the Provincial Government make the necessary legislative amendments to enable local governments to use the Provincial Conservation Tax Incentive Program.

Sincerely,
[name & signature]

Sample motion

CONSERVATION TAX INCENTIVE PROGRAM WHEREAS the Islands Trust has successfully implemented a Natural Area Protection Tax Exemption Program (NAPTEP) which provides 65% property tax relief for landowners who enter into a conservation covenant to protect important natural features on their property;

AND WHEREAS the NAPTEP complements provincial and local programs and policies and does not result in any loss of tax revenue nor any significant additional costs;

AND WHEREAS regional districts and municipalities may wish to support and encourage landowners to preserve natural areas for current and future environmental benefits;

AND WHEREAS regional districts and municipalities currently work with land trusts, the Land Trust Alliance of British Columbia and other conservation groups;

THEREFORE BE IT RESOLVED that the Ministry of Community, Sport and Cultural Development be requested to grant local governments the authority to implement a conservation tax incentive program modeled on the Natural Area Protection Tax Exemption Program or a similar program developed to encourage private land conservation as proposed by the Land Trust Alliance of British Columbia.





Municipal Protected Areas Program

**BC's 40 land trusts –
helping municipalities
with tools and knowledge
to protect nature and
advance Canada's 30x30
conservation target.**



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