Protecting Natural Values on Your Property
An introduction to nature conservation on private land in Nova Scotia

Why should I consider conservation on my land?

Landowners who protect their land help to protect natural ecosystems. Insect natural areas moderate our climate, provide the oxygen we breathe, and absorb the carbon dioxide and other greenhouse gases that cause the problem. Natural land also controls floods, purify water, absorb pollution, and provide spiritual renewal and opportunities for outdoor recreation.

What land protection options are available to landowners?

If you are interested in conserving your land, you have several options. Consider the benefits and limitations of each option described below, and choose one that best meets your needs.

Donation
You can protect your land by donating it to a conservation organization or government agency (e.g., Nova Scotia Environment). Donations of ecologically significant land can be accepted by the Nova Scotia Nature Trust, the Nova Scotia Environment's protected areas branch, and other agencies.

Conservation Easement
If you want to restrict future development of your land, but do not want to sell or donate it, your best option could be a conservation easement. A conservation easement is a legally binding agreement between a landowner and a conservation organization or government agency. The agreement is written into the title to the land. Development restrictions contained in the agreement are registered with the province and apply to both current and future landowners.

Partial Donation/Split-Receiving
If you cannot afford to donate your land, but are willing to sell it to a conservation organization or a government conservation agency for less than market value, the remaining value may qualify as a tax-deductible gift. For example, if you sell your $25,000 property to a conservation organization for $15,000, you could receive $10,000 in cash and a charitable donation receipt for $10,000.

What is private land conservation important?

Nova Scotia is a special place. As an island, it has a 10,000-kilometer coastline that juts into the North Atlantic. Noted worldwide for its range of geological types and landscapes, the province supports at least 4,000 species of plants and animals and hundreds of distinct habitat types.

Nova Scotians have always had a strong relationship with the land. It has sustained us, challenged us, and inspired us. And, of course, our scenery is world-renowned.

Approximately 9 percent of the province is protected from resource extraction and industrial and residential development. But less than 1 percent of the province has been formally protected on private land. In 2007, the Environmental Goals and Sustainable Prosperity Act required the province to protect 12 percent of the total land mass of the Province by the year 2015.

Ensuring that there are natural areas for plants and animals to inhabit and for future generations to enjoy depends on the interest and commitment of landowners and conservation organizations. Nova Scotia is fortunate to have strong conservation organizations that encourage private land stewardship.

We are starting to see positive results. By building on these achievements and by increasing understanding of the options available to private landowners, we can continue to work together to improve the protection of land in Nova Scotia.
Environmental Goals and Sustainable Prosperity Act

In 2007 Nova Scotia created groundbreaking legislation with the Environmental Goals and Sustainable Prosperity Act, which requires that 12% of the total land mass of the Province is legally protected by the year 2015. The term “legally protected” means designated and protected under the Wilderness Areas Protection Act, under the Special Places Protection Act, as a provincial park under the Parks Act (Canada), under the Conservation Easements Act, or under the Canada Wildlife Act (Canada), primarily dedicated to the protection of biodiversity and natural processes under the Provincial Parks Act, or held by non-government charitable land trusts. Private conservation land that is either designated, donated or acquired for legal protection or subject to a conservation easement, will be counted toward the province’s 12% goal by 2015.

The Environmental Goals and Sustainable Prosperity Act has driven some of the Province’s recent initiatives to improve the climate for private land conservation, including the Nova Scotia Crown Share Land Legacy Trust and the Conservation Property Tax Exemption.

The Crown Share Land Legacy Trust

The Nova Scotia Crown Share Land Legacy Trust (NSCSLLT) is a $2.4 million land conservation trust established in 2008 by the provincial government using a portion of the Crown Share Adjustment Payment. The fund is used to help purchase some of the province’s most ecologically significant, threatened, and irreplaceable areas on private land. Trust funds are available to charitable, non-governmental land conservation organizations (land trusts) to secure lands of provincial conservation significance and protect them to high, internationally recognized standards. Such lands are recognized as contributing to the Province’s goal of legal protection for 12% of Nova Scotia’s land mass by 2015.

The organizations eligible to obtain funds from the Trust are the Nova Scotia Nature Trust, the Nature Conservancy of Canada, and any other charitable, non-governmental, nature conservation land trusts designated as “eligible bodies” under the Conservation Easements Act.

Ownership of lands purchased and protected through the NSCSLLT will remain private. NSCSLLT lands must be expended by no later than March 31, 2023.

Conservation Property Tax Exemption

In 2008, the Conservation Property Tax Exemption Act came into effect, providing a property tax exemption on private property used for conservation. The Act removes a significant barrier to private land conservation to encourage owners of ecologically significant lands to protect them. In addition, the Province ensures that municipalities see no loss in revenue by providing them with grants in lieu of property taxes for property exempted under the Act. Eligible properties (“conservation properties”) include land that is:

- subject to a conservation easement that is primarily dedicated to the protection of native biodiversity and natural processes, prohibits any form of development and is entered into in perpetuity within the meaning of the Conservation Easements Act;
- owned or held primarily for the protection of native biodiversity and natural processes by an eligible body within the meaning of the Conservation Easements Act;
- designated under the Special Places Protection Act or the Wilderness Areas Protection Act, and excludes buildings or structures on the land and any of the land used in connection with those buildings or structures, and including any lands used or permitted to be used primarily for purposes other than the protection of native biodiversity and natural processes.

and

- developing legislation and programs to facilitate private land protection
- advising and assisting landowners and land conservation organizations
- working directly with landowners to protect their significant natural areas through designation under the Wilderness Areas Protection Act or the Special Places Protection Act, or through purchase, donation, or conservation easement
- identifying barriers to private land conservation and improving the climate for private land conservation initiatives
- conducting studies of selected sites and sharing inventory information with private landowners and other interested parties
- working in close partnership with the Nova Scotia Department of Natural Resources and other government agencies

Private Land Conservation in Action

The Brothers Islands: Landowner Donates Coastal Islands

These two islands known as “The Brothers,” had been in Jack Herbin’s family for almost a century. His grandfather, John Herbin, a jeweller by trade and a keen naturalist and rock collector, bought these two gems from the province in 1898 for $25. Every summer, he and his wife would take a ferry from Wolfville to Pochards and spend several weeks exploring the islands, collecting rocks, and observing the plants and animals, including purple trilliums, Canada yew and nesting Bald Eagles, Common Eiders, Red-breasted Mergansers, Black Guillemots, and Great Black-backed and Herring gulls. In 1995, Jack Herbin permanently protected the Brothers Islands by donating them to the Nova Scotia Nature Trust.

Brier Island: Partners in Conservation

At the westernmost point in the province where the Gulf of Maine and the Bay of Fundy meet, Brier Island is an important rest and feeding area for many migratory birds including phalaropes, shearwaters, petrels, murres, and puffins. The island has many habitats—brackish ponds, beaches, dune systems, sea cliffs, raised bogs, and coastal meadows. Several birds are endemic to Brier Island, like the Dwarf Birches, the endangered Eastern Mountain Avens, and the Tony Cary (Gay) Fern.

In 1987, Alister Jack and Joanne Harebells, Brier Island, for conservation protection.

Conservation Easements (Northeast Bay): Innovation in Conservation

The 223-acre Northeast Bay easement, which lies within Lake Bicottasil Wilderness Area, is dominated by exceptional old-growth hemlock forests with many trees over 200 years old. The provincially rare Wood Barble (listed as vulnerable under the Nova Scotia Endangered Species Act) is known to the area, as are some rare plants, including Yellow Sore程iif or the Provincial Parks Act. The Province is working with land trusts on a variety of conservation projects aimed at securing ecologically significant areas on private land and promoting land conservation.

Keep It Wild: Nova Scotia’s Protected Areas

Photography: Province of Nova Scotia, unless noted.
Background music by One Music.
Cover image: Great Forest Lake, a conservation easement held by the Nova Scotia Nature Trust, is located in Geary Allocate, a volunteer with the Trust.