

Land Trust Research

Spirit of the Land Project

Compiled August, 2016

Table of Contents

[Definitions](#)

[Alberta's Legislation](#)

[The Alberta Land Stewardship Act \(ALSA\)](#)

[Purpose of the ALSA:](#)

[Structure of the ALSA:](#)

[Land Trusts](#)

[Creating a Land Trust](#)

[Land Trust Governance](#)

[Conservation Easements](#)

[How Conservation Easements Work](#)

[Creating a Conservation Easement](#)

[Registration of a Conservation Easement](#)

[The following is taken directly from ce-alberta.ca and their page, "How is a Conservation Easement Registered?" When a conservation easement is placed on property in Alberta, the following general registration steps must be followed:](#)

[1. Notice of intent to register a conservation easement](#)

[2. Filing the conservation easement against title](#)

[3. Changing the registration against title](#)

[Tax Benefits](#)

[Examples of Agricultural Land Trusts](#)

[Ontario Farmland Trust](#)

[Western Sky Land Trust](#)

[The Land Conservancy](#)

[Farmland Legacies](#)

[Works Cited](#)

Definitions

Land Trust: According to the Miistakis Institute, and land trust can be defined as: “non-profit, charitable organizations which have as one of their core activities the acquisition of land or interests in land (like conservation easements) for “the direct action [land trusts] take to protect the local land base and that they hold those lands or conservation easements in trust for future generations” (*Conservation Easements in Alberta*, Miistakis Institute). Land trusts provide:

- “conservation efforts tailored to local landscapes and local concerns;
- the opportunity to conserve private land, not just public land;
- organizational creativity, flexibility and responsiveness; and
- empowerment of citizens to conserve land in their area.” (*Conservation Easements in Alberta*, Miistakis Institute)

Conservation Easement: According to the Miistakis Institute, a conservation easement can be defined as “a device whereby a landowner relinquishes certain rights or opportunities in order to protect the conservation values of all or part of their land. That ‘interest in the land’ is granted to an eligible conservation organization or government agency. The conservation easement is typically negotiated in perpetuity, and is registered on the title of the land. The landowner retains title, and continues using the land subject to the restrictions in the easement. They are free to sell, gift or will that property, but the easement binds future landowners to the same land use restrictions. The conservation easement in general - and those land use restrictions in particular - are designed to protect a set of ecological, scenic and/or agricultural values which are catalogued and agreed on at the outset.” (*Conservation Easements in Alberta*, Miistakis institute)

Alberta's Legislation

The Alberta Land Stewardship Act (ALSA)

The Alberta Land Stewardship Act, last updated in 2009, focuses primarily land use planning via regional plans, but includes the concept of Conservation Easements, which can be granted through both the government and non-government organizations (Land Trusts) provided they are qualified organizations¹. Alberta has been separated into seven regions: Lower Athabasca Region, Lower Peace Region, North Saskatchewan Region, Red Deer Region, South Saskatchewan Region, Upper Athabasca Region, and Upper Peace Region. Camrose and the Camrose County is found in the North Saskatchewan Region. As of August 2016, the North Saskatchewan Regional Plan (NRSP) has completed phase one of consultation, has started regional planning, and an NSRP regional Advisory Council has been appointed by the Cabinet. The North Saskatchewan Regional Plan itself has not yet been started (Alberta Environment and Parks).

Purpose of the ALSA:

According to Bernard Roth, a Calgary-based lawyer, the purpose of the ALSA is: [T]o create a single land planning process covering both private and public lands, and to consolidate responsibility for land use planning that was historically distributed across different levels of government, provincial departments, agencies and regulatory tribunals. The ALSA also gives legal effect to land use plans and significantly broadens their scope of planning. Consideration of environmental effects on land, air and water are fundamental to the ALSA planning process. Environmental effects are to be balanced with social and economic goals. (Roth 2009)

Structure of the ALSA:

The primary focus of the ALSA, as previously stated, is the establishment of regional plans based on Alberta's different watersheds. After regional plans are established, sub-regional and issue-specific plans can also be created (Roth 2009). In addition, each regional plan is required to indicate a vision and a minimum of one

¹ See the sub-section *Creating a Land Trust* for more information on what constitutes a qualified organization.

planning objective, and as such, will likely “set thresholds for the achievement of objectives. Issues such as the pace of development, its density, water use, cumulative impacts, disturbance areas and wildlife populations could all be addressed in regional, subregional or issue-specific plans” (Roth 2009).

The link to the entire article, which goes through the responsibilities of the Land Use Secretariat, Lieutenant Governor in Council, Stewardship Minister, and Regional Advisory Councils (if created) in regards to regional planning, as well as what happens in the case of conflict, can be found in Appendix E. For the purposes of this report, however, I will omit these parts and go on to Roth’s summary of Regional Planning Tools as created by the ALSA.

The ALSA creates a number of Regional Planning Tools that can be used for regional plans. In the scope of the ALSA itself, the most prominent regional planning tools are those that enable the expropriation of property, which can occur via direct and indirect ways: either the government will take the title away, in which case compensation is always given to the previous owner, or they can use a conservation directive to indirectly expropriate the property.²

There are two other regional planning tools that are included in the ALSA, which are by far the most pertinent to this report, and hopefully, to the subsequent development of a Land Trust. The first, which was carried over from Alberta’s previous document, the *Environmental Protection and Enhancement Act*, was the concept of a conservation easement, where land can be protected for various conservation purposes. The biggest difference was, as of 2009, the inclusion of agricultural lands and agriculturally focused conservation easements.³ It is important to note that, while the primary focus of the ALSA was regional planning, conservation easements are not dependent on their respective regional plans. In other words, although the Regional Plan for the North Saskatchewan Region is not finished yet, land trusts within the region can continue granting conservation easements. The second tool is that:

the ALSA has the potential to create new property rights by creating "market-based instruments" called "Stewardship Units"...They would include water rights assignable under water licences, air emissions from thermal power generation and carbon credits. It is also possible that future ALSA regulations will allow for the creation of Stewardship Units following the establishment of conservation easements...Stewardship Units are tradable instruments that can

² You can read more in detail about the compensation process for conservation directives in the ALSA in Part 3.3, starting at Section 36.

³ Conservation Easements will be discussed in more detail in the section titled *Conservation Easements*. Appendix C also includes a document which has taken out all of the pertinent clauses within the ALSA that deal with Conservation Easements, and explains them, in the same document, in common language. You can also read more about Conservation Easements directly from the ALSA in Part 3.2, starting at Section 28.

be used in "conservation offset programs" and "Transfer of Development Credit Schemes". Stewardship Units can, for example, create environmental space by undertaking remediation in one area to provide offsets for activities undertaken elsewhere. (Roth 2009)

While this second tool has not yet been used in relation to conservation easements, Stewardship units could prove to be incredibly important in encouraging both private landowners and counties or municipalities to consider or permit having conservation easements. It is still uncertain if the use of Stewardship Units will take off, as it has yet to work out the way the government had originally thought it would, but nonetheless, all the tools still exist.

Overall, the ALSA provided a number of tools and structures for regional planning. While the general focus of the act was for regional plans, Conservation Easements were expanded, and as such, provide an excellent avenue for non-government organizations to get involved with conservation of land for multiple purposes.

Land Trusts

Agricultural Land Trusts

Land trusts can have one of three purposes: the protection, conservation and enhancement of 1) the environment, 2) natural scenic or esthetic values, or 3) agricultural land or land for agricultural purposes (*Conservation Easements in Alberta*, Miistakis Institute). As we are primarily hoping to help farmers protect the quality of their land, soil, and sustainable agriculture they have developed, the Prairie Land Institute Land Trust would focus on the third purpose of a land trust: the protection, conservation and enhancement of agricultural land or land for agricultural purposes.

This Land Trust would also address an untapped niche in conservation easements. According to the Miistakis Institute, “[t]here are currently no land trusts in Alberta dedicated to the protection of agricultural land. There is one regional land trust that includes agricultural land in its mission and another that is currently exploring the addition.”

The ability to apply conservation easement to agricultural land is relatively new.⁴ Almost all rural municipalities in Alberta include a statement about protecting agricultural land in their statutory documents, so rural municipalities are the likely early adopters of this tool (*Conservation Easements in Alberta*, Miistakis Institute).

Creating a Land Trust

In order to create a Land Trust, you must first ensure you are a qualified organization. According to the ASLA, qualified organizations that can hold conservation easements must be charitable organizations with a land conservation mandate.

The following points, (*Conservation Easements in Alberta*, Miistakis Institute and Environmental Law Centre), break down the three limitations imposed by the ALSA:

1. The organization must be a registered charity as defined under the federal *Income Tax Act*. This means it must:
 - have been established in Canada;
 - be based in Canada; and

⁴ The ability to apply conservation easement to agricultural land was granted in 2009 with the enactment of the Alberta Land Stewardship Act, see section 29.1 of the Alberta Land Stewardship Act for more information.

- be registered with the federal government as a charitable organization, private foundation or public foundation.

To qualify for registration as a charity under the *Income Tax Act*, an organization must have objects that are solely charitable and carry out activities that support those objects. The organization must be able to show that it uses all its resources, including money, staff, volunteers and property, to carry out these charitable activities. It must also show that its objects and activities provide a measurable benefit to the public as a whole or to a significant segment of the public. There is no definition of “charity” or “charitable” in the *Income Tax Act*; the meaning has been determined over time by the courts. Based on the common law, there are four broad categories of charitable purpose: poverty relief; advancement of education; advancement of religion; and other purposes beneficial to the community. The Canada Revenue Agency provides the Charities Listing, an online searchable list of charities registered under the *Income Tax Act*.

2. One of the organization’s objects, as set out in its incorporating documents, must be to acquire and hold interests in land for purposes “substantially the same” as any of the purposes for which a conservation easement can be granted. Under *ALSA*, these purposes are protection, conservation and enhancement of:

- the environment;
- natural scenic or aesthetic values;
- agricultural land or land for agricultural purposes; and
- using land for recreation, open space, environmental education or research and scientific study of natural ecosystems, consistent with the previous three purposes.

Note that this makes these organizations different from the government bodies discussed above, which are not required to have any specific link or mandate related to the purposes of conservation easements.

3. The organization’s governing documents (e.g., bylaws) must include a requirement that, if the organization is or plans to be wound up, all conservation easements will be transferred to another qualified organization.

Non-government organizations that do not fit these three criteria will not meet the *ALSA*’s requirements for a qualified organization.

Land Trust Governance

As with any organization, land trusts vary in their governance across the board. There have been a number of documents, however, that were produced to suggest the standards and practices of land trust organizations. This section will primarily be a

summary of the Canadian Land Trust Alliance (CLTA) document, *Canadian Land Trust Standards and Practices*.⁵

As suggested by the CLTA, the **Guiding Principles** of a land trust should be:

- Integrity
- Perpetual Responsibility
- Excellence
- Good Governance
 - Legitimacy and Voice
 - Direction
 - Performance
 - Accountability
 - Fairness

The CLTA's document then breaks down the Standards and Practices for Land Trusts into two parts: Organizational Strength and Land Transactions. The Organizational Strength of a Land Trust, according to the CLTA, is comprised of seven standards.⁶

Standard 1: Mission

“The land trust must have a clear mission that serves a public interest, and all programs support that mission” (*Canadian Land Trust Standards and Practices*). In order to ensure this standard is upheld, the CLTA recommends implementing the following practices:

- A) to adopt and periodically review their mission.
- B) to plan and evaluate programming according to the mission.
- C) outreach to communicate the mission.
- D) to uphold high standards of ethics while implementing their mission.

Standard 2: Compliance with Laws

“The land trust fulfills its legal requirements as a non-profit charitable organization and complies with all relevant laws and statutes” (*Canadian Land Trust Standards and Practices*). In order to ensure this standard is upheld, the CLTA recommends implementing the following practices:

- A) they must comply with the applicable laws.

⁵ The CLTA's *Canadian Land Trust Standards and Practices* is attached in Appendix D.

⁶ The following list of Standards and Practices is a summary directly derived from the *Canadian Land Trust Standards and Practices*, but the full document should be consulted for further details during the formation of a Land Trust's standards and practices.

B) they must maintain their corporate status according to provincial and federal laws, as well as adhere to and periodically review their own bylaws.

C) they must hold and maintain federal charitable status (and maintain requirements if they also grant conservation easements or qualify for the Ecological Gifts program⁷).

D) they must adopt a written records policy that “governs how organization and transaction records...are created, collected, retained, stored and disposed”⁸ (*Canadian Land Trust Standards and Practices*).

E) they may engage in the public policy debate as long as it is in accordance with lobbying laws, and their public policy activities are related to their mandate and comply with the CRA's limitations on political activity. They cannot participate in political campaigns or endorse candidates for office.

F) they must always attempt to remain up to date with relevant changes in laws and legislation.

Standard 3: Board Accountability

“The land trust board acts responsibly in conducting the affairs of the organization and carries out the board’s legal, financial and other responsibilities in an ethical manner” (*Canadian Land Trust Standards and Practices*). In order to ensure this standard is upheld, the CLTA recommends implementing the following practices:

- A) The board is responsible for: establishing the organization’s mission, determining strategic direction, setting policies and priorities to carry out the mission, oversight of finances and operations, ensuring high ethical standards, effective performance through sound information, development of sound relationships, managing risk, taking account of the organization, and ensuring the soundness of the governance system. As the land trust is a charity, the board has a heightened duty of care with respect to the protection of its charitable property.
- B) The board should be sufficient size to conduct its work effectively, composed of members with relevant and complementary skills, backgrounds and experiences who are committed to the mission of the land trust and to board service, and there should be a systematic process for recruiting, training and evaluating board members.
- C) Board members should be provided with clear expectations for their service, informing them about the board’s legal and fiduciary responsibilities. They should meet regularly enough to conduct its

⁷ Read more about the Ecological Gifts program and how to qualify, see Appendix E on page 49 of the Appendices document.

⁸ For more information on the written records policies for Land Trusts, see Standard 9d in the *Canadian Land Trust Standards and Practices*.

business and fulfill its duties, with a minimum of three meetings per year. Board members are provided with adequate information to make good decisions, and must stay informed, attend a majority of meetings and ensure appropriate oversight of the organization, including its policies and programs, in order to achieve the land trust's mission and goals.

- D) The land trust's governing documents contain policies and procedures that prevent a minority of board members from acting for the organization without proper delegation of authority.
- E) Unless prohibited by its governing legislation, incorporating documents or by-laws, the board may delegate some but not all of its decision-making and management functions to committees, provided that committees have clearly defined roles, the board establishes policies defining the limits to committee authority and the method and frequency for reporting back, the board periodically evaluates the effectiveness of these policies and the board establishes an appropriate time period for each committee. The board will remain responsible for all decisions taken pursuant to the delegated authority. If the land trust has staff, the board defines the job of, oversees and periodically evaluates the executive director.
- F) The board reviews and approves every land and conservation agreement transaction, and is provided with timely and adequate information prior to final approval. However, the board may delegate decision-making authority on transactions if it establishes policies defining the limits to that authority, the criteria for transactions, the procedures for managing conflicts of interest, and the timely notification of the full board of any completed transactions, and if the board periodically evaluates the effectiveness of these policies.

Standard 4: Conflicts of Interest

"The land trust has policies and procedures to avoid or manage real or perceived conflicts of interest" (*Canadian Land Trust Standards and Practices*). In order to ensure this standard is upheld, the CLTA recommends implementing the following practices:

- A) The land trust has a written conflict of interest policy to ensure that any conflicts of interest or the appearance thereof are avoided or appropriately managed through disclosure, recusal or other means. The conflict of interest policy applies to insiders, including board and staff members, substantial contributors, parties related to board and staff members or substantial contributors within the meaning of the Income Tax Act, those who have an ability to influence decisions of the organization and those with access to information not available to the general public. Federal and provincial conflict disclosure laws are followed.

- B) Board members do not serve for personal financial interest and are not compensated except for reimbursement of expenses and, in limited circumstances, for professional services that would otherwise be contracted out. Any compensation must be in compliance with charitable trust laws that apply in the jurisdiction the land trust operates in. The board's executive officers are never compensated for professional services.
- C) When engaging in land and conservation agreement transactions with insiders, the land trust: follows its conflict of interest policy; documents that the project meets the land trust's mission; follows all transaction policies and procedures; and ensures that there is no impermissible undue benefit. For purchases and sales of property to insiders, the land trust obtains a qualified independent appraisal by a provincially licensed or certified appraiser who has verifiable conservation agreement or conservation real estate experience. When selling property to insiders, the land trust widely markets the property in a manner sufficient to ensure that the property is sold at or above fair market value and to avoid the reality or perception that the sale inappropriately benefited an insider.

Standard 5: Philanthropy and Fundraising

"The land trust conducts philanthropy and fundraising activities in an ethical and responsible manner" (*Canadian Land Trust Standards and Practices*). In order to ensure this standard is upheld, the CLTA recommends implementing the following practices:

- A) The land trust complies with all charitable solicitation laws, does not engage in commission-based philanthropy and fundraising, and limits costs for philanthropy and fundraising expenditures to a reasonable percentage of overall expenses.
- B) The land trust is accountable to its donors and provides written acknowledgement of gifts as required by law, ensures that donor funds are used as specified, keeps accurate records, honours donor privacy concerns, complies with applicable privacy legislation and advises donors to seek independent legal and financial advice for substantial gifts, whether they be land or monetary gifts.
- C) All representations made in promotional, fundraising, and other public information materials are accurate and not misleading with respect to the organization's accomplishments, activities and intended use of funds. All funds are spent for the purpose(s) identified in the solicitation or as directed in writing by the donor.
- D) Prior to entering into an agreement to allow commercial entities to use the land trust's logo, name or properties, the land trust determines that these agreements will not impair the credibility of the land trust. The land trust and commercial entity publicly discloses how the land trust benefits from the sale of the commercial entity's products or services.

Standard 6: Financial and Asset Management

“The land trust manages its finances and assets in a responsible and accountable way” (*Canadian Land Trust Standards and Practices*). In order to ensure this standard is upheld, the CLTA recommends implementing the following practices:

- A) The land trust prepares an annual budget that is reviewed and approved by the board, and is consistent with board policy. The budget is based on programs planned for the year, and annual revenue is greater than or equal to expenses, unless reserves are deliberately drawn upon.
- B) The land trust keeps accurate financial records in a form appropriate to its scale of operations and in accordance with Generally Accepted Accounting Principles (GAAP).
- C) The board receives and reviews financial reports and statements in a form and with a frequency appropriate for the scale of the land trust's financial activity. At a minimum, small land trusts should review financial statements annually; larger land trusts should review financial statements quarterly.
- D) The land trust has an annual financial review or audit, by a qualified financial advisor, in a manner appropriate for the scale of the organization and consistent with federal and/or provincial law.
- E) The land trust has established a sound system of internal controls and procedures for handling money, in a form appropriate for the scale of the organization.
- F) The land trust has a system for the responsible and prudent investment and management of its financial assets, and has established policies on allowable uses of dedicated funds and investment of funds.
- G) The land trust has a secure and lasting source of dedicated/operating funds sufficient to cover the costs of stewarding its land and conservation agreements over the long term and enforcing its conservation agreements, tracks stewardship and enforcement costs, and periodically evaluates the adequacy of its funds. In the event that full funding for these costs is not secure, the board has adopted a policy committing the organization to raising the necessary funds. (See 6F, 11A and 12A.)
- H) The land trust has established policies and/or procedures on the transfer or sale of assets, including real property. (See 4C, 9K and 9L.)
- I) The land trust assesses its risks, develops a written risk management policy and carries liability, property, and other insurance appropriate to its risk exposure and provincial law. The land trust exercises caution before using its land to secure debt and in these circumstances takes into account any legal or implied donor restrictions on the land, the land trust's mission and protection criteria, and public relations impact.

Standard 7: Volunteers, Staff, and Consultants

“The land trust has volunteers, staff and/or consultants with appropriate skills and in sufficient numbers to carry out its programs” (*Canadian Land Trust Standards and Practices*). In order to ensure this standard is upheld, the CLTA recommends implementing the following practices:

- A) The land trust regularly evaluates its programs, activities and long-term responsibilities and has sufficient volunteers, staff and/or consultants to carry out its work, particularly when managing an active program of conservation agreements. Land trusts will not assume more properties or conservation agreements than they have the capacity to manage.
- B) If the land trust uses volunteers, it has a program to recruit, screen, train, supervise and recognize its volunteers.
- C) If the land trust uses staff, each staff member has written goals or job description and periodic performance reviews. Job duties or work procedures for key positions are documented to help provide continuity in the event of staff turnover.
- D) Volunteers and staff have appropriate training and experience for their responsibilities and/or opportunities to gain the necessary knowledge and skills.
- E) If the land trust has staff, the lines of authority, communication and responsibility between board and staff are clearly understood and documented. If the board hires an executive director (or chief staff person), the board delegates supervisory authority over all other staff to the executive director. (See 3E.)
- F) If the land trust has staff, it has written personnel policies that conform to federal and provincial law and has appropriate accompanying procedures or guidelines.
- G) If the land trust has staff, it provides fair and equitable compensation and benefits, appropriate to the scale of the organization.
- H) Consultant and contractor relationships are clearly defined, are consistent with federal and provincial law, and, if appropriate, are documented in a written contract. Consultants and contractors are familiar with sections of Canadian Land Trust Standards and Practices that are relevant to their work.

As stated previously the CLTA's document then breaks down the Standards and Practices for Land Trusts into two parts: Organizational Strength and Land Transactions. The Land Transactions of a Land Trust, according to the CLTA, are comprised of five standards, as follows:

Standard 8: Evaluating and Selecting Conservation Projects

“The land trust carefully evaluates and selects its conservation projects”
(*Canadian Land Trust Standards and Practices*). In order to ensure this standard is upheld, the CLTA recommends implementing the following practices:

- A) The land trust has identified specific natural, cultural or geographic areas where it will focus its work and may identify priority themes or sites within those focus areas.
- B) The land trust has a defined process for selecting land and conservation agreement projects, including written selection criteria that are consistent with its mission.
- C) For land and conservation agreement projects that may involve federal or provincial tax incentives, the land trust ensures that the project meets the applicable federal or provincial requirements. Projects where the donor is seeking Ecological Gift certification must be certified by Environment Canada and must meet any additional provincial requirements (see 10C).⁹
- D) The land trust conducts a physical site inspection before buying or accepting donations of land or conservation agreements to be sure, they meet the organization's criteria, to identify the important conservation values on the property and to reveal any liabilities or potential threats to those values.
- E) The land trust documents the condition of each property and the important conservation values and public benefit of each property, in a manner appropriate to the individual property and the method of protection.
- F) All land and conservation agreements are individually planned so that the property's important conservation values are identified, protected and restored, if necessary. The project furthers the land trust's mission and goals, and the project reflects the capacity of the organization to meet future stewardship obligations.
- G) The land trust works with the landowner to evaluate and select the best conservation tool for the property and takes care that the chosen method can reasonably protect the property's important conservation values over time. This evaluation may include informing the landowner of appropriate conservation tools and partnership opportunities, even those that may not involve the land trust, including Ecological Gifts and split-receipt sales. Land trusts that do not intend to hold Ecological Gifts should inform landowners about the Ecological Gifts Program and, if necessary, direct interested landowners to other qualified conservation organizations.

⁹ See sub-section entitled “Tax Benefits,” under the *Conservation Easement* section, for more information on the Ecological Gift Program.

- H) The land trust evaluates whether it has the skills and resources to protect the important conservation values on the property effectively, or whether it should refer the project to, or engage in a partnership with, another qualified conservation organization.
- I) If engaging in a partnership on a joint acquisition or long-term stewardship project, agreements are documented in writing to clarify the goals of the project, roles and responsibilities of each party, legal and financial arrangements, communications to the public and between parties, and public acknowledgement of each partner's role in the project.
- J) The land trust examines the project for risks to the protection of important conservation values and evaluates whether it can reduce or manage the risks. The land trust modifies the project or turns it down if the risks outweigh the benefits.
- K) A land trust may receive land that does not meet its project selection criteria with the intent of using the proceeds from the sale of the property to advance its mission. If the land trust intends to sell the land, it provides clear documentation to the donor of its intent and has a plan to manage community expectations. Practices 4C, 9K and 9L are followed.
- L) A land trust engaging in projects beyond direct land protection has criteria or other standard evaluation methods to guide its selection of and engagement in these projects. The criteria or evaluation methods consider mission, capacity and credibility.

Standard 9: Ensuring Sound Transactions

“The land trust works diligently to see that every land and conservation agreement transaction is legally, ethically and technically sound” (*Canadian Land Trust Standards and Practices*). In order to ensure this standard is upheld, the CLTA recommends implementing the following practices:

- A) The land trust obtains a legal review of every land and conservation agreement transaction, by a lawyer or notary experienced with real estate law. As dictated by the project, the land trust secures appropriate expertise in financial, real estate, tax, scientific, and land and water management matters.
- B) The land trust refrains from giving specific legal, financial and tax advice and recommends in writing that each party to a land or conservation agreement transaction obtain independent legal, financial and tax advice.
- C) The land trust takes steps before the land or conservation agreement transaction is complete to identify and document whether there are hazardous or toxic materials on or near the property that could create future liabilities for the land trust.

- D) The land trust determines the boundaries of every protected property through legal property descriptions, accurately marked boundary corners or a survey. If a conservation agreement contains restrictions that are specific to certain zones or areas within the property, the locations of these areas are clearly described in the conservation agreement and supporting materials and can be identified in the field.
- E) Every conservation agreement is tailored for the property according to project planning and: identifies the important conservation values protected; allows only permitted uses and/or reserved rights that will not significantly impair the important conservation values; contains only restrictions that the land trust is capable of monitoring; and is enforceable.
- F) The land trust documents the intended purposes of each land and conservation agreement transaction, the intended uses of the property and the roles, rights and responsibilities of all parties involved in the acquisition and future management of the land or conservation agreement.
- G) Pursuant to its records policy, the land trust keeps originals of all irreplaceable documents essential to the defence of each transaction in one location, and copies in a separate location. Original documents are protected from daily use and are secure from fire, floods and other damage.
- H) The land trust investigates title to each property for which it intends to acquire title or a conservation agreement to be sure that it is negotiating with the legal owner(s) and to uncover liens, mortgages, mineral or other leases, water rights and/or other encumbrances or matters of record that may affect the transaction. Encumbrances that could result in extinguishment of the conservation agreement or significantly undermine the important conservation values on the property are discharged or properly subordinated to the conservation agreement.
- I) All land and conservation agreement transactions are legally recorded at the appropriate records office according to municipal and provincial law.
- J) When the land trust buys land, conservation agreements or other property, it obtains a qualified independent appraisal to justify the purchase price. However, the land trust may choose to obtain a short narrative from a qualified real estate professional in the limited circumstances when a property has a very low economic value or a full appraisal is not feasible before a public auction. If negotiating for a purchase below the appraised value, the land trust ensures that its communications with the landowner are honest, forthright and recorded.
- K) When the land trust sells land or conservation agreements, it first documents the important conservation values, plans the project according to practice 8G, and drafts protection agreements as appropriate to the property. The land trust obtains a qualified independent appraisal that reflects the plans for the project

and protection agreements and justifies the selling price. The land trust markets the property and selects buyers in a manner that avoids any appearance of impropriety and preserves the public's confidence in the land trust, and in the case of selling to an insider follows practice 4C.

- L) If the land trust transfers or exchanges conservation land or conservation agreements, the land trust considers whether the new holder can fulfill the long-term stewardship and enforcement responsibilities, ensures that the transaction does not result in a net loss of important conservation values and, for donated properties, ensures that the transfer is in keeping with the donor's intent. If transferring to a party other than another charitable organization or public agency, the consideration is based on a qualified independent appraisal in order to prevent impermissible undue benefit.
- M) The land trust should be familiar with the CRA's guidelines for split receipting and how it relates to property transactions, including Ecological Gifts. If necessary, the land trust should obtain outside expertise to assist them with any split receipting transactions.
- N) The land trust investigates the ownership of subsurface rights for all property transactions and where possible, works to mitigate the impacts the future development of those rights may have on the conservation values of the property.

Standard 10: Tax Consequences

“The land trust works diligently to see that every charitable gift of land or conservation agreements meets federal and provincial tax law requirements” (*Canadian Land Trust Standards and Practices*). In order to ensure this standard is upheld, the CLTA recommends implementing the following practices:

- A) The land trust advises potential land or conservation agreement donors to get independent legal, financial and tax advice before completing any transactions. The land trust notifies potential donors that there may be negative tax consequences to their donation including capital gains or pension claw backs that should be investigated by the donor's lawyer and accountant.
- B) The land trust informs potential land or conservation agreement donors, in writing, of: Canada Revenue Agency (CRA) appraisal requirements for a qualified appraisal prepared by a qualified appraiser for gifts of property valued at more than \$1,000; as the beneficiary of the tax receipt the donor has the primary responsibility for any determination of the value of the donation; that the donor/land trust should use an independent qualified appraiser who is certified by the Appraisal Institute of Canada and who follows the Canadian Uniform Standards of Professional Appraisal Practice; that the land trust will request a copy of the completed appraisal; that the land trust must be advised of any prior

transactions with respect to the property within 10 years prior to the donation for the purpose of determining whether the anti-tax shelter provisions of the Income Tax Act may apply; and that the land trust will not knowingly participate in projects where it has significant concerns about the tax deduction. Appraisals of Ecological Gifts must be done in a manner that meets the criteria of Environment Canada and will be reviewed independently by the Appraisal Review Panel.

- C) Where appropriate, the land trust informs potential donors about the Ecological Gifts Program including the increased tax benefits associated with making a gift under the program. Land trusts are aware of, and advise potential donors about, the consequences of unauthorized disposal or change in land use of Ecological Gifts. The land trust ensures that properties donated under the Ecological Gifts Program are appraised and certified according to the standards of Environment Canada and provincial standards.
- D) The land trust does not make assurances as to whether a particular land or conservation agreement donation will be deductible, what monetary value of the gift the CRA and/or province will accept, what the resulting tax benefits of the deduction will be, or whether the donor's appraisal is accurate.

Standard 11: Conservation Agreement Stewardship

"The land trust has a program of responsible stewardship for its conservation agreements" (*Canadian Land Trust Standards and Practices*). In order to ensure this standard is upheld, the CLTA recommends implementing the following practices:

- A) The land trust determines the long-term stewardship and enforcement expenses of each conservation agreement transaction and secures the dedicated or operating funds to cover current and future expenses. If funds are not secured at or before the completion of the transaction, the land trust has a plan to secure these funds and has a policy committing the funds to this purpose.
- B) For every conservation agreement, the land trust has a baseline documentation report prepared prior to closing and signed by the landowner at closing. Both the landowner and the land trust should hold at least one original copy. The report documents the important conservation values protected by the conservation agreement and the relevant conditions of the property as necessary to monitor and enforce the conservation agreement.
- C) The land trust monitors its conservation agreement properties regularly, at least annually, except in exceptional and remote circumstances. The land trust keeps written documentation of each monitoring activity to confirm that the present use of the property is consistent with that at the time of donation or acquisition. Monitoring of Ecological Gifts will include confirmation that the present use of the property is consistent with that at the time of the donation and monitoring

documentation relating to Ecological Gifts will be made available to Environment Canada upon request. The land trust will determine the capabilities of its organization to fulfill the short and long-term monitoring responsibilities and will not accept conservation agreements it cannot monitor effectively. If conservation agreements are monitored by volunteers, the land trust shall ensure that they are trained, tailoring the monitoring techniques and requirements to the specific property.

- D) The land trust maintains regular contact with owners of properties with conservation agreements. When possible, it offers landowners information on property management and/or referrals to resource managers. The land trust enlists a contact a trained staff or volunteer assigned to respond to landowner requests or inquiries. The land trust strives to build a positive working relationship with new owners of properties with conservation agreements and informs them about the conservation agreements existence and restrictions and the land trust's stewardship policies and procedures, and establishes and implements systems to track changes in land ownership. Land trusts should offer the new landowners a copy of the conservation agreement and baseline documentation as well as any information about its work in general.
- E) The land trust has a written policy and/or procedure detailing how it will respond to potential violations of a conservation agreement, including the role of all parties involved in any enforcement action. Policies and procedures should ensure that all discussions and actions taken are recorded and that all copies of correspondence and documents are safely retained. The land trust takes necessary and consistent steps to see that violations are resolved and has available, or has a strategy to secure, the financial and legal resources for enforcement and defence.
- F) The land trust has an established procedure for responding to landowner required notices or requests for approvals in a timely and consistent manner, and has a system to track notices, approvals and the exercise of any significant reserved or permitted rights.
- G) The land trust has a contingency plan for all of its conservation agreements in the event the land trust ceases to exist or can no longer steward and administer them. If a backup grantee organization is to be named in the conservation agreement, the land trust secures prior written consent of the backup grantee to accept the conservation agreement. To ensure that a backup or contingency holder will accept a conservation agreement, the land trust has complete and accurate files and stewardship and enforcement funds available for transfer.
- H) If a land trust regularly consents to being named as a backup or contingency holder, it has a policy or procedure for accepting conservation agreements from

other land trusts and has a plan for how it will obtain the financial resources and organizational capacity for conservation agreements it may receive at a future date.

- I) The land trust recognizes that amendments are not routine, but can serve to strengthen a conservation agreement, recognize a boundary, clarify its language or improve its enforceability. The land trust has a written policy or procedure guiding amendment requests. For Ecological Gifts, land trusts should be aware of the authorization requirements of Environment Canada and the potential for penalties under section 207.31 of the Income Tax Act. Land trusts should also be aware of the implications of completing amendments that could lower the receipted value of a gift. Amendments should only be completed in a manner consistent with applicable provincial legislation.
- J) The land trust is aware of the potential for expropriation, understands its rights and obligations under expropriation, and has appropriate documentation of the important conservation values and of the percentage of the full value of the property represented by the conservation agreement. The land trust works diligently to prevent a net loss of conservation values.
- K) In rare cases, it may be necessary to extinguish, or a court may order the extinguishment of, a conservation agreement. In these cases, the land trust notifies any project partners and works diligently to see that the extinguishment will not result in impermissible undue benefit and to prevent a net loss of important conservation values or impairment of public confidence in the land trust or in conservation agreements. In addition, any extinguishment of a conservation agreement should only be completed in a manner consistent with any applicable provincial or federal legislation.
- L) Some land trusts and landowners may enter into agreements that set out how the land protected by the conservation agreement will be managed over the long term, which set out what management activities will be undertaken and by whom. It is preferable that these agreements be established at the same time the conservation agreement is being established or shortly thereafter. In some cases, the provision of a management agreement may be included in the conservation agreement.

Standard 12: Land Stewardship

“The land trust has a program of responsible stewardship for the land it holds, other than through a conservation agreement, for conservation purposes” (*Canadian Land Trust Standards and Practices*). In order to ensure this standard is upheld, the CLTA recommends implementing the following practices:

- A) The land trust determines and documents the immediate and long-term financial and management implications of each land transaction and secures the dedicated and/or operating funds needed to manage the property. The land trust sets priorities, ensuring that the values for which the property was acquired are maintained or strengthened. If funds are not secured at or before the completion of the transaction, the land trust has a plan to secure these funds and has a policy committing the funds to this purpose.
- B) The land trust establishes general principles to guide the stewardship of its fee-owned properties. Principles should be clearly stated in all management plans and all public relations material.
- C) The land trust inventories the natural and cultural features of each property prior to developing a management plan that identifies its conservation goals for the property and how it plans to achieve them. Permitted activities are compatible with the conservation goals, stewardship principles and public benefit mission of the organization. These activities occur only when they pose no significant threat to the important conservation values and reduces threats or restores ecological processes.
- D) The land trust regularly monitors its properties and property boundaries for potential management problems as listed in the management plan and takes actions to rectify such problems. The land trust should mark the property boundaries or have capacity to establish the boundaries in the event of encroachments. Land trusts should record monitoring information and quickly respond to any problems. Monitoring of Ecological Gifts will include confirmation that the present use of the property is consistent with that at the time of the donation and monitoring documentation relating to Ecological Gifts will be made available to Environment Canada upon request.
- E) The land trust performs administrative duties in a timely and responsible manner. Staff and volunteers responsible for administrative duties and responsibilities will be adequately trained.
- F) The land trust keeps neighbours and community leaders informed about its ownership and management of conservation properties.
- G) The land trust has a contingency plan for all its conservation land in the event the land trust ceases to exist or can no longer manage the property. To ensure that a contingency holder will accept the land, the land trust has complete and accurate files and stewardship funds available for transfer.
- H) When a land trust holds fee land with the intention to sell or transfer the land, the land trust is open about its plans with the public and manages and maintains the property in a manner that retains the land trust's public credibility. The ability to resell or transfer property should be explicitly identified within the land trust's land

securement policies. Before a property is sold and while the land is in the land trust's ownership, it should be managed or maintained in such a way that liability risks are minimized and the land trust's credibility is maintained.

- I) The land trust is aware of the potential for expropriation, understands its rights and obligations under expropriation, and works diligently to prevent a net loss in conservation values. Donors should be made aware that expropriation is an action, which is beyond the land trust's ability to control.

Conservation Easements

How Conservation Easements Work

As specified under the “Definitions” section of this document, a conservation easement is a device whereby a landowner gives up certain rights or opportunities in order to protect the conservation values of all or part of their land. These rights are then given to and protected by an appropriate conservation organization or government agency. According to ce-alberta, “the conservation easement is typically negotiated in perpetuity, and is registered on the title of the land. The landowner retains title, and continues using the land subject to the restrictions in the easement. They are free to sell, gift or will that property, but the easement binds future landowners to the same land use restrictions” (*Conservation Easements in Alberta*, ce-alberta.ca).

Conservation easements, as specified in the ALSA, can be granted for three purposes: to protect a set of ecological, scenic and/or agricultural values, which must be catalogued and agreed on at the beginning of the easement agreement. Ce-alberta offers this simple illustration to break down how a conservation easement works:

[T]hink of ownership of land like a bundle of sticks. In that bundle there may be several rights and opportunities - for example the ability to harvest trees, grow crops, modify wetlands, build buildings, etc. With a conservation easement, the landowner grants certain “sticks” in that bundle to a “Qualified Organization” in order to guard the environmental, scenic or agricultural values of the land. The landowner retains all the other sticks. In other words, s/he continues to be the landowner, while the easement holder is said to hold an “interest” in the land. (*Conservation Easements in Alberta*, ce-alberta.ca)

Creating a Conservation Easement

In order to create a conservation easement on your land, you will need to begin discussions with a qualified charitable or government organization. The following, adapted from the Ontario Farmland Trust,¹⁰ offers an example of a step-by-step process of creating a conservation easement. While these processes can vary depending on the Land Trust organization’s policies and principles, the formal structures and steps—particularly the ecological evaluation (if the landowner is seeking tax benefits through the federal Ecological Gifts Program), the property appraisal, the property survey, and the baseline report—remain consistent for all land trust organizations.

¹⁰ The adaptations made to the Ontario Farmland Trust’s document are to make it applicable to conservation easements in an Albertan context.

- 1. Initial Inquiry by Landowner** – The Land Trust organization receives a verbal or written expression of interest from a farm owner who wants to protect their land and is seeking support. The Land Trust and the farm owner discuss land protection goals and options.
- 2. Land Visit & Preliminary Assessment** – Property information is gathered and assessed against the Land Trust’s Land “Protection Strategy and Criteria”¹¹ to determine if the farm will qualify for support from Land Trust’s Protection Program and enhanced tax benefits through Environment Canada’s Ecological Gifts Program. Land Trust representatives meet with the landowner on site and walk the property.
- 3. Approval in Principle** – The land protection opportunity is reviewed by Land Committee and approved ‘in principle’ by the Board of Directors,¹² with a project budget and fundraising plan.
- 4. Letter of Intent from Landowner** – A non-binding letter of intent is signed by the farm owner, expressing commitment to working with the Land Trust to protect their land.
- 5. Ecological Evaluation of Land** – An ecological study is conducted if landowner is seeking tax benefits through the federal Ecological Gifts Program.
- 6. Draft a Conservation Easement/Protection Agreement** – The Land Trust and the landowner work together to draft a Conservation Easement that outlines the land’s features to be protected and which land uses are to be prohibited. Each party engages their own independent advisors (lawyer, accountant) to review and confirm the conditions of the draft agreement.
- 7. Property Appraisal** – An independent appraiser is engaged to assess the effect of the Conservation Easement on the property’s market value. At the end of the easement process the Land Trust Organization will issue the landowner a charitable donation receipt equal to any reduction in the property value based on this appraisal.
- 8. Property Survey Plan** – A surveyor is engaged to document the areas on the land that are to be protected for ***agriculture and/or conservation***, preparing a registered survey plan that is then referenced in the Conservation Easement.
- 9. Long-Term Stewardship Plan** – the Land Trust Organization raises funds and develops a plan for maintaining its perpetual responsibilities associated with stewardship of the Conservation Easement, such as periodic land visits and its legal obligation to defend the Conservation Easement if ever breached by a future owner or other party.

¹¹ Or applicable mission statement or outline that specifies what types of land conservation the Land Trust Organization is involved in.

¹² While this step-by-step contains language with a specific governance structure in mind, such as a Land committee or Board of Directors, this responsibility will fall to whichever structure has been put in place by the Land Trust, which varies depending on the governance structure put in place by the Land Trust at its formation.

10. Final Farmland Protection Agreement – The landowner and the Land Trust Organization finalize the Conservation Easement, and final approval is granted by the Land Trust Organization Board of Directors.¹³

11. Baseline Documentation Report – A baseline report is prepared, documenting current site conditions; this provides a benchmark for monitoring of the Conservation Easement by Land Trust Organization and verifies any Conservation Easement violations that may need to be addressed in the future.

12. Final Agreement & Celebration – The Conservation Easement is formally registered on property title with the Land Registry Office.¹⁴ The Land Trust Organization issues a charitable tax receipt to the landowner for their Conservation Easement donation and tax advantages are triggered. Finally, an event is organized on the land for family, friends and community members to gather and celebrate the permanent protection of the land!

Registration of a Conservation Easement

The following is taken directly from ce-alberta.ca and their page, “How is a Conservation Easement Registered?” When a conservation easement is placed on property in Alberta, the following general registration steps must be followed:

1. Notice of intent to register a conservation easement.
2. File the conservation easement agreement
3. Filing a modifying document where conservation easement is:
 - a. Changed
 - b. Terminated
 - c. Expired

1. Notice of intent to register a conservation easement

Notice must be given to a number of persons at least 60 days before the conservation easement agreement is filed for registration against the property’s land title. Persons who must be notified are:

- the relevant municipal authority for the property’s location, which is:
 - the municipal council for most municipalities in Alberta;
 - the Metis settlement council for Metis settlements;
 - the Minister responsible for the *Municipal Government Act* for improvement districts;

¹³ Or whichever governance structure the Land Trust Organization has put in place to give final approval.

¹⁴ See the following section, “Registration of a Conservation Easement,” for more specifics on this step.

- the Special Areas Board for special areas (which are a specific kind of municipality dealt with under the *Special Areas Act*);
- the Minister of Infrastructure; and
- the Minister of Transportation.

The notice must be in the specific form from the Conservation Easement Registration Regulation and include:

- information about the qualified organization and the landowner;
- property information (location; size; legal description or address); and
- information about the conservation easement (purpose; summary of agreement terms re: land use).

It must be signed by a representative of the qualified organization. The legislation does not specify who is responsible for sending the notices, though the qualified organization usually undertakes this task on behalf of the parties.

2. Filing the conservation easement against title

When at least 60 days have passed since the pre-registration notice or the land trusts have received notice of the 60 days being waived has been given, the conservation easement agreement can be filed with the Land Titles Office or Metis Settlements Land Registry for registration against title. The *Conservation Easement Registration Regulation*¹⁵ requires that a statutory declaration made by the qualified organization, in the specific format set out in the regulation, must be filed with the conservation easement agreement. The statutory declaration must be declared before and signed by a Commissioner for Oaths. In it, an officer of the qualified organization confirms that:

- the qualified organization meets all the requirements of a qualified organization under the *Alberta Land Stewardship Act*;
- the conservation easement being registered is for one or more of the purposes provided under the Act; and
- the required pre-registration notice has been given.

If these documents are acceptable to the Land Titles Office or Metis Settlements Land Registry, the conservation easement will be registered against the land title of the property and will then run with the land, binding future owners. The Registrar of Titles or Registrar of the Metis Settlements Land Registry can refuse to register the conservation easement against title if the boundaries of the conservation easement are not satisfactorily described. To avoid this situation, parties should take care when developing the conservation easement agreement to ensure accurate description. In particular, if the

¹⁵ The *Conservation Easement Registration Regulation* can be found in the Appendices document in Appendix A.

federal incentive, of approximately 50% of the value of the gift. You are strongly advised to seek professional advice concerning your own tax situation.

Examples of Agricultural Land Trusts

Ontario Farmland Trust

Location: Ontario

Mission: “to protect and preserve Ontario farmlands and associated agricultural, natural and cultural features of the countryside through direct land securement, stewardship, policy research and education for the benefit of Ontarians today and future generations.”

Vision: is for a future where Ontario’s best farmland is valued and permanently protected through sound policy, partnerships and proactive community engagement, where diverse farming communities thrive, and where the protection of farmland, agriculture and local food production is recognized as the foundation of a sustainable rural economy in Ontario.

What They Do:

Ontario Farmland Trust focuses on three key areas:

1. Direct land protection (land securement) through farmland easement agreements and land donations;
2. Policy development for improved farmland protection; and
3. Research and education to advance land protection and related policy Development

Governance Structure:

The OFT’s governance structure is based primarily on the CLTA’s *Standards and Practices*, as are most of the Land Trusts governing structures across Canada. This includes the Board of Directors.

The OFT’s Board of Directors has no specific composition rules, but tries to have a diversity of farmers, policy makers, and people in the field within the Board of Directors. Should a conflict of interest rise regarding one particular property involving a board member, they are to excuse themselves from the decision making process in

regards to that property, but there are no further rules in regards to farmers with conservation easements being board members.

In addition to the Board of Directors, the OFT has 3 committees: the policy and education committee, the fundraising committee, and the governance committee. Not all people on the various committees are also a part of the Board of Directors. The Board of Directors meets either monthly or every second month, while most committees meet monthly.

When you become a member, you can vote at the Annual General Meeting and during elections.

As with many land trust organizations, the OFT began fairly small and was originally volunteer run. As the OFT began to expand, they hired on staff, who was the only staff for a number of years. Today, there are a number of staff, and a long waiting list for conservation easements.

More resources:

The Ontario Farmland Trust has some of the most helpful resources regarding agricultural land conservation and farmland conservation easements. These resources, and more information on the organization, can be found at their website:

<https://ontariofarmlandtrust.ca/>

Western Sky Land Trust

Location: Alberta

Mission: Conservation of open and natural landscapes that have important natural, agricultural, scenic, recreational and heritage values

Vision: To achieve a significant and measurable conservation impact in southern Alberta

What they do: “Western Sky protects critical watersheds in our region. We conserve vital habitats and provide managed public access for recreation and education. We also work with other agencies and organizations to further protect and enhance natural areas. We champion the conservation of environmentally sensitive lands that support the health of our watersheds.”

Governance Structure:

At Western Sky Land Trust, the governance model was initially largely based on the CLTA's *Standards and Practices*. From that point, a number of lawyers have been on the boards as governance experts, as well as a few board members with expertise on not-for-profits legal obligations, etc. The Board is not required to have a specific composition of people, although they do try to have board members with a wide skill matrix, and have members with backgrounds in areas such as: accounting, law, land, geospatial, communications and fund development, as well as some landowners themselves. They believe these are essential skills to have for any non-profit. The Western Sky Land Trust also aims to have a fair representation of people who have geographic knowledge of the area they work in. Board members are often sought out through networking and fostered relationships, in order to bring on other knowledgeable members. The Board is comprised of 10 members, and meets regularly. There is no policy on board members having or not have Conservation Easements.

In addition to the Board, the Western Sky Land Trust has an Advisory Committee, which meets on an ad hoc basis and is comprised of different people than those that are on the Board, and four staff members. The staff members are an Executive Director, a Conservation Manager, a Conservation Specialist, and a staff in Development and Outreach.

Membership at the Western Sky Land Trust means that members pay a nominal fee of \$40 per year, and then become formal members of the society and have voting rights at the Annual General Meeting. This means that they may vote on issues such as special resolutions or changes to bylaws. There are currently 23 members.

More information:

Learn more about the Western Sky Land Trust at their website, <http://www.westernskylandtrust.ca/index.php>

The Land Conservancy

Location: British Columbia

Mission: Not explicitly stated

Vision: Not explicitly stated

What they do: "The Land Conservancy of British Columbia is a non-profit, charitable Land Trust working throughout B.C. TLC protects important habitat for plants, animals and natural communities as well as properties with historical, cultural, scientific, scenic

or compatible recreational value. Founded in 1997, TLC is a democratic organization, membership-based, and governed by an elected Board of Directors.”

Governance Structure:

The Land Conservancy of British Columbia’s governance structure is based primarily on the CLTA’s *Standards and Practices*. This is primarily reflected in the Board of Directors.

At The Land Conservancy, the Board of Directors meet once a month, and are nominated to become members, although they can submit their own name or another member’s name. There is no stringent rules about the composition of the Board of Directors, although the goal is to have a group of people with diverse backgrounds from all over the province.

There are also no specific rules about board members holding conservation easements. While this situation has not come up at this point, should it arise, the member affected by the decision would just excuse themselves from that particular discussion and vote.

There are no additional year-round committees, although committees can be struck when needed. For example, a Nomination Committee is struck when new board members are needed.

As of right now, The Land Conservancy decides which properties it will work with as they come up, although this could change in the future.

Membership at The Land Conservancy means that members can vote for elections and Annual General Meetings, have had free access to some of the conservation sites, and have had discounts at some stores and businesses that support The Land Conservancy. To become a member there is a small, non-tax receiptable fee.

As with most Land Trust Organizations, The Land Conservancy started out small and volunteer run, and has expanded to include a number of staff over the years.

More information:

You can find more information about The Land Conservancy of British Columbia at their website, <http://conservancy.bc.ca/>

Farmland Legacies

Location: Saskatchewan

Mission: Farmland Legacies works to alleviate hunger, holds farmland in trust, links land with farmers and works with other organizations to promote and communicate sustainable values, thereby enhancing community life.

Vision: Farmland Legacies envisions a community without hunger that is supported by a healthy mix of farms and food. The landscape, with balanced soils and a healthy ecosystem, will be home to farmers of all ages. Farm interests will be diverse and market influence will be shared by many. Farmland Legacies believes in a renewable and secure food system. The Home Quarter will be a visible model of a more sustainable approach to the current food system.

Guiding Principles: Farmland Legacies follows four Guiding Principles of land stewardship, as compiled by The Land Stewardship Resource Centre. They are as follows:

- Caring for the system as a whole - understanding the fundamental roles and values of natural systems, building up biological fertility in the soil, incorporating an understanding of the ecological cycles of the landscape (water, energy, nutrients) and how land-use practices can either benefit, be in harmony with, or negatively impact these cycles and other land-users, flora and fauna.
- Resource conservation - maximizing efficiency and striving to reduce the one-time consumption of renewable and non-renewable resources; aiming for long-term optimization versus short-term maximization of production.
- Maintaining, building and enhancing stability in Nature - maintaining and encouraging natural biological diversity and complexity; maintaining natural areas and functions on the land (i.e., wildlife habitat conservation).
- Cultural values and ethics - caring for the health of the land for future generations and long-term economic stability; the link between civilization, urbanization, and the land-base and ecosystems that are vital to survival; the intrinsic value and right to exist of all life on Earth.

What they do: “Our work takes many forms: growing food for food banks, stewarding Land in Trust, developing the Home Quarter, and recognizing the contributions of family farms past and present with our Wall of Fame. Each one of us can be a part of the Legacy of One and help create a more sustainable and food-secure system. Our work is intended to be socially responsible and ecologically sensitive with economic realities always at the heart of it.”

Governance Structure: Not currently available publically.

More Information:

Can be found at their website, which is <http://www.farmlandlegacies.org/>

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