

NOTTAWASAGA VALLEY CONSERVATION AUTHORITY (NVCA)

LAND SECUREMENT STRATEGY



January 2007

TABLE OF CONTENTS

EXECUTIVE SUMMARY	4
1.0 INTRODUCTION	6
2.0 REGIONAL CONTEXT	6
3.0 PROJECT BACKGROUND	8
3.1 Conservation Areas and other Conservation Authority Lands.....	8
3.2 Parks and Public Open Space	9
3.3 Crown, County, and Agreement Forests.....	9
3.4 Crown Land and Areas of Natural and Scientific Interest	9
3.5 Amount of Protected Land within the NVCA Watershed	9
3.6 Goals for Land Securement	12
4.0 FORMS OF LAND SECUREMENT	13
4.1 Fee Simple	13
4.2 Conservation Agreements.....	13
4.3 Leases and Agreements	14
4.4 Summary.....	14
5.0 ALTERNATIVES TO LAND SECUREMENT	14
5.1 The Planning Process.....	14
5.2 Stewardship Agreements	15
6.0 METHODS OF LAND SECUREMENT	15
6.1 Donations.....	15
6.1.1 Bequests.....	16
6.1.2 Gratuitous Dedication.....	16
6.1.3 Trade Lands	16
6.2 Partial Takings/Direct Conveyance	16
6.3 Split Receipt	17
6.4 Property Purchase	17
6.4.1 Option to Purchase.....	17
6.4.2 Right of First Refusal.....	18
6.5 Life Interest Agreement/Lease Back Arrangements.....	18
6.6 Exchanges.....	18
6.7 Project Requirements.....	18
6.8 Municipal Lands.....	18
7.0 LAND SECUREMENT PARTNERS	18
7.1 Federal Government	19
7.2 Provincial Government.....	19
7.3 Regional or Municipal Government	19
7.4 Land Trusts and Non-Government Organizations	19
8.0 LAND SECUREMENT CRITERIA	21
9.0 LAND SECUREMENT PRIORITIES	25
9.1 Historical Land Acquisition Objectives.....	25
9.2 Criteria to Identify Land Securement Target Areas.....	26
9.3 Identified Target Areas for Landowner Contact and Potential Securement	28
9.3.1 Minesing Wetlands	32
9.3.2 Niagara Escarpment.....	33
9.3.3 Oak Ridges Moraine.....	36
9.3.4 Wasaga Beach.....	37
9.3.5 Area Linking Minesing Wetlands to the Niagara Escarpment.....	38
9.3.6 Area Linking Minesing Wetlands to Oro-Medonte	39
9.3.7 Area Linking Minesing Wetlands to Wasaga Beach	40
9.3.8 Collingwood/Georgian Bay Shoreline.....	41
9.3.9 Nottawasaga River Corridor	42
9.3.10 Additional Lands Adjacent to and in Close Proximity to Existing NVCA Land Holdings	43
9.3.11 Opportunity Sites.....	47

10.0	LANDOWNER CONTACT.....	49
10.1	Developing a Landowner Contact List	49
	Recommended Staff Implementation.....	49
10.2	Mailing	49
	Recommended Staff Implementation.....	49
10.3	Telephone Solicitation	49
	Recommended Staff Implementation.....	50
10.4	Drop-Ins.....	50
	Recommended Staff Implementation.....	50
10.5	Scheduled Site Visits	50
	Recommended Staff Implementation:.....	50
10.6	Landowner Leads.....	50
10.7	Timelines and Expectations	50
10.8	Other Items of Discussion.....	50
11.0	PROPERTY EVALUATION PROCEDURES	51
12.0	PROGRAM FUNDING.....	52
12.1	Costs	52
12.2	Funding Alternatives	53
12.2.1	Municipal Funding.....	53
12.2.2	Provincial Funding.....	53
12.2.3	Land Sale Funding.....	54
12.2.4	Federal Funding.....	54
12.2.5	Partner Funding Support.....	54
12.2.6	Financing Projects	56
12.3	Land Securement Success and Promotion	56
12.3.1	Recommendations for Community Communications and Promoting Land Securement	56
12.4	Stewardship Endowment Funds.....	56
12.5	Enforcement or Legal Defence Funds	57
13.0	LAND DISPOSITION POLICY	58
14.0	CONCLUSIONS	60
15.0	REFERENCES	61
16.0	APPENDICES.....	62

EXECUTIVE SUMMARY

Over the past 46 years, the NVCA has secured 14 sites and several conservation agreements totalling 11,491 acres of environmentally sensitive areas within the watershed. In combination with the lands protected by other agencies (i.e. Ontario Parks and Counties) a total of 43,579 acres are protected within the watershed. The entire watershed is approximately 882,274 acres in area which means that approximately 4.9% is in some degree of protection. The International Union for Conservation of Nature and Natural Resources (IUCN) recommends that a minimum level of 12% of land within a region is preserved.

The NVCA watershed continues to face increasing development pressures, especially in the Collingwood, Wasaga Beach and encroaching Barrie area. As a reaction to this increase in population pressures, in addition to being proactive in nature, the NVCA would like to develop and implement a Land Securement Program for its watershed. In order to meet this objective, this report lays out a detailed strategy for such a program.

A preliminary analysis of existing natural features within the watershed and already protected areas was performed using available data. From the analysis, 11 sub-target areas were identified and evaluated based on the following 6 criteria:

- 1) Areas with historical acquisitions or lands already in public ownership;
- 2) Areas which already have 'buy-in' from stakeholders;
- 3) Areas with funding opportunities and partnerships;
- 4) Areas where the average parcel fabric is a minimum of 40 acres (16 ha);
- 5) Areas where development pressure and urgency of securement is high; and
- 6) Areas where the cost of land is relatively inexpensive.

Based on the above criteria the following 11 sub-target areas are recommended:

- 1) Minesing Wetlands (includes Fort Willow CA);
- 2) Niagara Escarpment (includes Nottawasaga Bluffs CA and Petun CA);
- 3) Oak Ridges Moraine (includes Tottenham CA);
- 4) Wasaga Beach;
- 5) Minesing to Niagara Escarpment;
- 6) Minesing to Oro-Medonte;
- 7) Minesing to Wasaga Beach (includes Edenvale CA);
- 8) Collingwood and Georgian Bay Shoreline (includes Black Ash Creek and Pretty River CA);
- 9) Nottawasaga River Corridor;
- 10) Other CA Lands; and
- 11) Opportunity Sites.

The general take-line areas for landowner contact within these sub-target areas are illustrated in the various figures in the report and have been identified through a coarse analysis. It is recommended that for a finer analysis, each property be evaluated on a case by case basis against these additional factors of consideration. These factors could include:

- The shape of the property and how it contributes to existing protected areas, in order to minimize the 'edge effect';
- The viability of the sites species and features, given existing conditions and practical stewardship actions (or possible restoration);
- The compatibility of the property with the current and potential future surrounding uses (i.e., with conservation of the site is there potential for major change in the landscape due to urbanization agriculture, forestry or other causes);

- The existing or potential ecological connections between the property and other natural areas; and
- The potential of acquiring other lands that may add to the viability of the site.

Based on these sub-target areas and additional property-specific criteria, this strategy discusses the tools and mechanisms by which the NVCA can develop and implement a land securement program. By leveraging existing funding and land securement partnerships in the watershed, it is expected that the NVCA could establish a program with the goal of securing 800 acres (i.e. 325 hectares) per year. To achieve this goal, the NVCA must first dedicate staff to this program that can focus on the implementation of this strategy by first establishing a landowner contact program. To achieve a goal of 800 acres/year, the anticipated budget for this program is \$55,000 for the first year and \$115,000-\$190,000 for each subsequent year, with the majority of these costs being recovered through the various funding programs outlined in this report. This strategy encourages the acquisition of ecologically sensitive lands in the watershed, through a 'donation-focused' approach

Through the implementation of this strategy, the NVCA can move towards an achievable goal of securing more ecologically significant lands in the watershed. Early and quick success will be communicated to local and regional governments and the community, which will enhance NVCA's image in the watershed as a leader in environmental protection.

1.0 INTRODUCTION

Since 1960, the Nottawasaga Valley Conservation Authority (NVCA) has secured 11,491 acres (4,650 hectares) of land including; environmentally significant areas (wetlands, woodlands), flood susceptible lands and day use park lands for passive recreation and outdoor education. The mandate of the NVCA under Section 20 of the *Conservation Authorities Act* is “to establish and undertake, in the area under which it has jurisdiction, a program designed to further the conservation, restoration development and management of natural resources other than gas, oil, coal and minerals” R.S.O. 1990, c. C.27, s. 20.. Based on this mandate, the NVCA has defined its mission:

“Working together to value, protect, enhance, and restore our watershed resources, for a healthy sustainable future”.

The NVCA strives to achieve its mission based on the following five major objectives:

- To protect, enhance and restore water;
- To protect, enhance and restore land;
- To protect life and property from flooding and erosion;
- To provide educational and recreational opportunities for the public; and
- To partner with our Watershed Municipalities, provincial/federal agencies, Conservation Ontario, and other interested stakeholders to achieve mutual goals.

This Land Securement Strategy furthers the NVCA’s mission and goals by securing interests in land both through purchase and holding rights to property thereby removing ecological areas from potential future development and incompatible uses (e.g. agriculture). Where possible, the rehabilitation and restoration of land that has or is experiencing degradation will be implemented by the NVCA and other partners.

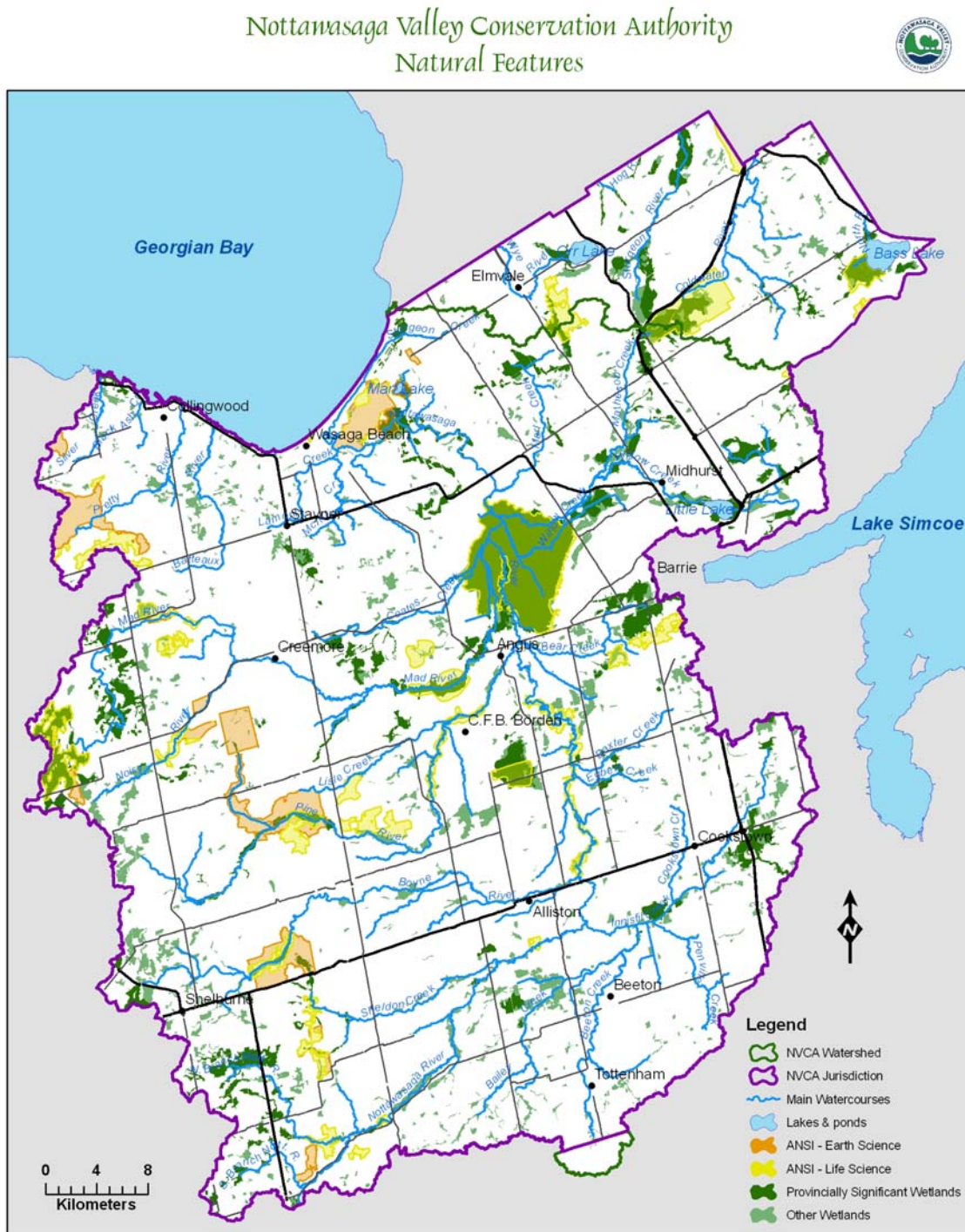
In the “Nottawasaga Valley Conservation Authority Business Plan 2006-2008”, the Conservation Lands Program has identified that land acquisition focuses on lands that have been deemed significant by local, provincial or international agencies, as well as NVCA, and have demonstrated abilities that offer protection to ground and surface waters as well as significant flora/fauna habitat. Although no securement goals have been established in the business plan, a conservative yet achievable goal of 800 acres or 325 hectares per year will be recommended for the purposes of this report. The securement or acquisition of these ecological lands will be achieved through fee simple donations first (full value or split-receipt), followed by conservation easement agreements and purchase last.

2.0 REGIONAL CONTEXT

The NVCA is bordered by five other Conservation Authorities including: Lake Simcoe Region, Toronto and Region, Credit Valley, Grand River, Saugeen and Grey Sauble Conservation Authorities (Figure 2). At approximately 3700 km², NVCA's watershed is one of the larger conservation authority jurisdictions in Ontario. The watershed drains northward to Georgian Bay and is composed of 18 municipalities. The Nottawasaga Valley Watershed lies within the Counties of Simcoe (74%), Dufferin (22%), and Grey (4%). The northern boundary of NVCA’s jurisdiction is Nottawasaga Bay. The watershed is bounded to the south by the Humber and Credit River Watersheds. The Niagara Escarpment forms part of the western boundary, separating the Nottawasaga from the Grand and Saugeen Watersheds. On the east, the Nottawasaga Watershed is bounded by the numerous streams which drain into Lake Simcoe. NVCA’s watershed contains significant portions of the Niagara Escarpment and a relatively small area of the Oak Ridges Moraine as well as the Oro Moraine, Provincially Significant Wetlands (PSWs), Environmentally

Significant Areas (ESAs), Earth Science and Life Science Areas of Scientific Interest (ES-ANSIs or LS-ANSIs), watercourses and shoreline features (Figure 1) and rare, threatened and endangered species and vegetative communities.

FIGURE 1 – Map of NVCA Natural Features “Feature Occurrences”



3.0 PROJECT BACKGROUND

Collectively, conservation lands, provincial parks, and crown lands constitute the most significant public holdings of natural heritage areas and features across southern Ontario (M.N.R., 1994, p.37). Public conservation lands are important to many watershed residents as they provide opportunities for recreation, education, and environmental conservation and protection. These conservation lands also provide important habitat for many diverse ecosystems. In some cases, the habitat protects federally recognized species at risk.

The NVCA currently owns 14 properties for a total of 11,491 acres (4,650 hectares) of land, of which twelve (12) are within Simcoe County comprising 10,620 acres (4,298 hectares); and two (2) are in Grey County comprising 831 acres (337 hectares) (Table 1). There are currently no NVCA owned lands in Dufferin County. These include lands for flood control, wetlands, managed woodlots, day use parks, passive recreation and outdoor education, and undeveloped natural and environmentally significant areas. The NVCA also has approximately 18 acres (7 hectares) in conservation agreements (Table 2).

3.1 Conservation Areas and other Conservation Authority Lands

Conservation areas are owned and managed by conservation authorities. These lands were established to conserve important watershed resources such as floodplains, valley lands, wetlands, forest regeneration areas, and water management structures. NVCA lands are mainly acquired for their environmental significance. For example, the NVCA has acquired environmentally significant lands in the Minesing Wetlands and Osprey Wetlands. As seen in Figure 2, NVCA has 12 Conservation Areas (all but Elba Wetlands is owned) and 3 other landholdings in the watershed.

Table 1: NVCA Owned Lands

Property Name	County	Municipality	Acres	Hectares
1. Edenvale	Simcoe	Springwater	13	5.3
2. Fort Willow	Simcoe	Springwater	9	3.6
3. Minesing Wetlands	Simcoe	Springwater	7444	3012.5
	Simcoe	Clearview	2176	880.6
4. Nottawasaga Bluffs	Simcoe	Clearview	351	142.0
5. New Lowell	Simcoe	Clearview	146	59.1
6. Tottenham	Simcoe	Tecumseth	115	46.5
7. Tiffin	Simcoe	Essa	196	79.3
8. Utopia	Simcoe	Essa	100	40.5
9. Glencarin	Simcoe	Adjala Tosorontio	6	2.4
10. Osprey Wetlands	Grey	Grey Highlands	731	295.8
11. Petun	Grey	Blue Mountains	100	40.5
Subtotal 1 - Conservation Area Lands			11,387	4,608.2
12. Riverdale Park	Simcoe	New Tecumseth	18	7.3
13. Pretty River	Simcoe	Collingwood	18	7.3
14. Black Ash Creek	Simcoe	Collingwood	28	11.3
15. Ravines of Matheson	Simcoe	Springwater	40	16.2
Subtotal 2 - Non-Conservation Area Lands			104	42.1
Total NVCA Owned Lands (Subtotal 1 + Subtotal 2)			11,491	4,650.3

In addition to the 196 acres (79.3 hectares) of land owned by NVCA at the Tiffin Conservation Area, an additional 108 acres (43.7 hectares) are managed by NVCA but owned by the Ontario Heritage Trust

(OHT). NVCA also manages the Elba Wetlands (73 acres or 29.5 hectares) in Amaranth (Dufferin County), which is also owned by OHT.

As seen in Table 2, since 2003, the NVCA has secured 11 conservation agreements which total approximately 82.5 acres (33.4 ha). These agreements are all restrictive covenants except only two have easements. The agreements were put into place as part of development planning for reasons of protection of wetlands, floodplain, shoreline protection, woodlands, and endangered species protection. These conservation agreements are typically monitored on an annual basis. The lands under conservation agreement are not included in Figure 2.

3.2 Parks and Public Open Space

Park lands are managed for the public by municipalities, Ministry of Natural Resources (MNR) through Ontario Parks, and Parks Canada. In the NVCA jurisdiction, these lands include numerous municipal parks and 11 Provincial Parks (see Figure 2). The Provincial Parks account for 10,851 acres (4,391 hectares) of protected land, which include:

1. Wasaga Beach Provincial Park;
2. Pretty River Provincial Park;
3. Nottawasaga Lookout Nature Reserve;
4. Devil's Glen Provincial Park;
5. Springwater Provincial Park;
6. Noisy River Provincial Park;
7. Pine River Provincial Fishing Area;
8. Boyne Valley Provincial Park;
9. Earl Rowe Provincial Park;
10. Mono Cliffs Provincial Park; and
11. Hockley Valley Provincial Park;
12. Bass Lake Provincial Park;
13. Alliston "Beatie" Pinery; and
14. Mud Lake Provincial Park.

3.3 Crown, County, and Agreement Forests

There are agreements between municipalities, counties, and the MNR to manage woodlands for fibre production, forest regeneration, and woodland conservation. Simcoe County has 91 forest tracts within the NVCA watershed totalling 18,527 acres (7,497 hectares). Dufferin County has 7 forest tracts within the NVCA watershed totalling 2,330 acres (120 hectares) and Grey County has 2 forest tracts in the NVCA watershed totalling 297 acres (943 hectares). Altogether in the NVCA watershed there are 21,154 acres (8,561 hectares) of forest tracts owned by the counties.

3.4 Crown Land and Areas of Natural and Scientific Interest

Some MNR Crown land management plans have identified and set aside Areas of Natural and Scientific Interest for the protection of identified natural heritage features.

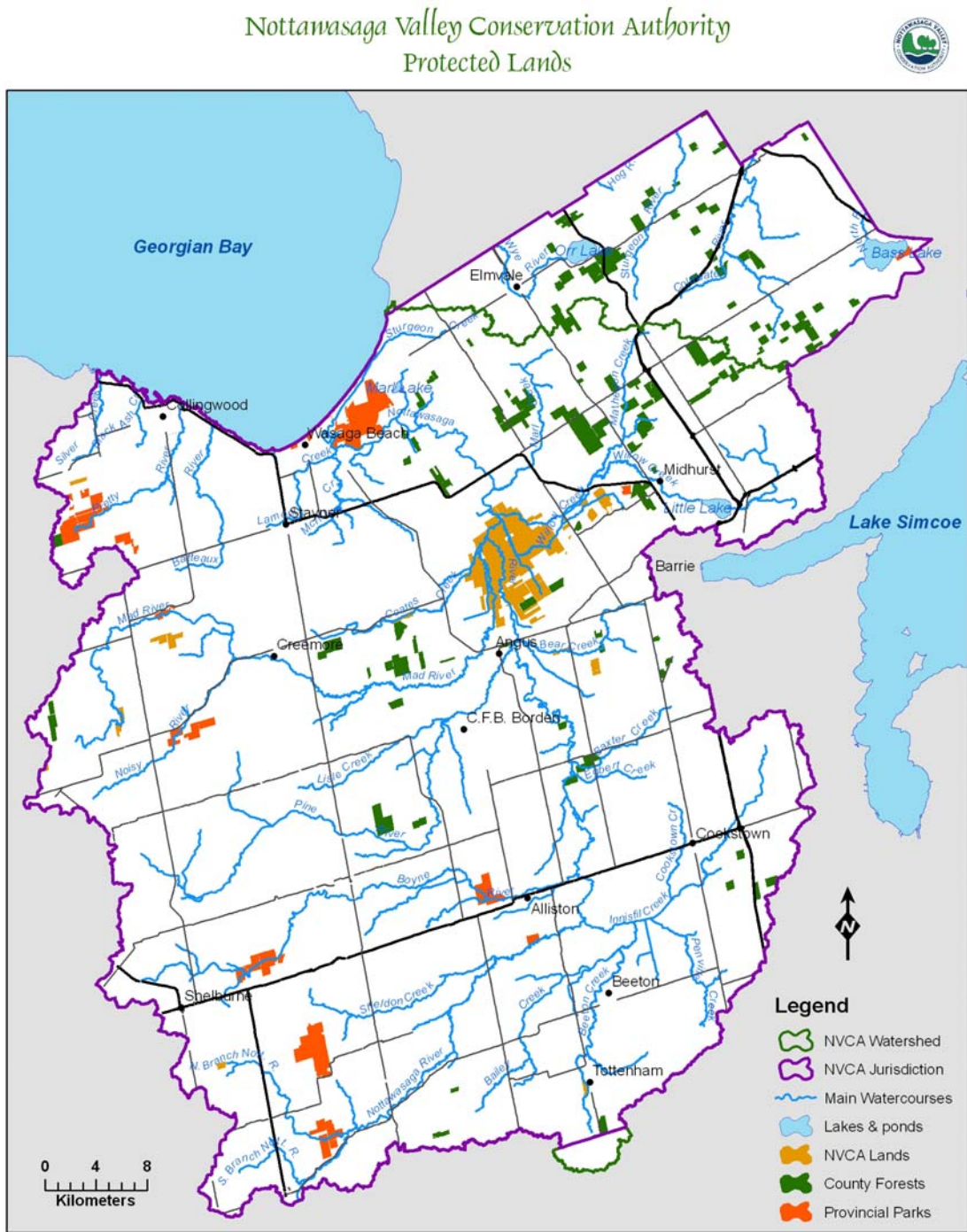
3.5 Amount of Protected Land within the NVCA Watershed

Including NVCA owned lands and conservation agreements, Provincial Parks, Simcoe, Dufferin and Grey County Forests there are a total of 43,579 acres of protected lands within the NVCA watershed. The total watershed has an area of 882,274 acres therefore the amount of Protected Lands in the watershed is approximately only 4.9%.

Table 2: NVCA Conservation Agreements

Landowner Pin #	Municipality	County	Lot Concession	Municipal Address	Year	Conservation Agreement	Restrictive Covenant	Easement	Significance	Area of Parcel
Heartland Produce Ltd.	Adjala-Tosorontio	Simcoe	12, 7		2004	Yes	Yes	No	Wetland	~10-15 acres (4 – 6.1 ha)
Sharpe, David F.	Clearview	Simcoe	9, 12		2005	Yes	Yes	No	Floodplain/Wetland	50 acres (20.2 ha)
Krystal Blue Dev't	Wasaga Beach	Simcoe	35, 3	2314 Shore Lane	2006	Yes	Yes	No	Shoreline Protection	Shoreline
Radema, T.	Wasaga Beach	Simcoe		350 Oxbow P. Dr.	2006	Yes	Yes	No	Shoreline Protection	Shoreline
Barrie Paintball 58102-0118 (LT)	Essa Twp	Simcoe	27, 9		2005	Yes	Yes	Yes	Wetland	~10.0 acres (4 ha)
Hendrie Ltd.	Springwater Twp.	Simcoe	3, 7		2003	Yes	Yes	Yes	Endangered Species	~ 2.5 acres (1 ha)
Harmony Bay Dev't	Collingwood	Simcoe	46, 47, 10		2004	Yes	Yes	No	Shoreline Protection	Shoreline
Orsi, R.	Wasaga Beach	Simcoe	56/57, Plan 829	542 Oxbow P. Dr.	2006	Yes	Yes	No	Shoreline Protection	Shoreline
Cappuccitti, F. & R.	Wasaga Beach	Simcoe	21, 2	1260 River Road E	2006	Yes	Yes	No	Shoreline Protection	Shoreline
Bowers, D.	Wasaga Beach	Simcoe	42, Plan 696	1234 River Road W	2006	Yes	Yes	No	Shoreline Protection	Shoreline
Sargant Company	Springwater Twp.	Simcoe	17, 5		2006	Yes	Yes	No	Woodland	~5.0 acres (2 ha)
									Total	~82.5 acres (33.4 ha)

FIGURE 2 – Map of Protected Lands in the NVCA Watershed



3.6 *Goals for Land Securement*

The NVCA needs to determine what its long-term securement goal is for the watershed. The three main questions are:

- 1) What type of lands does the NVCA want to protect and where?
- 2) How much land does the NVCA want to protect to meet its goals?
- 3) How can NVCA best secure and manage more land cost-effectively?

In terms of defining the type of lands that require protection, the World Conservation Union's (IUCN, 1980) definition is as follows: An area of land or waters especially dedicated to the protection and maintenance of biological diversity, and of natural and associated cultural resources, and managed through legal or other effective means. More is discussed about what types of land should be secured in Section 8.0 and 9.0.

In terms of defining how much land to target for protection, in 1987, the report of the World Commission on Environment and Development recommended tripling the amount of protected areas then around four percent throughout the world. Many countries, including Canada, now use the 12 percent figure as a minimum target for protected space. The goal is to protect critical wildlife habitat, as well as a part of each of Canada's ecosystems, which will add up to about 12 percent. Today about 8.3 percent of Canada has some degree of protection. This includes all federal, provincial and territorial locations with an environmental conservation purpose, as well as lands held by private organizations.

To meet the minimum 12% target, within the watershed, NVCA must increase protected areas. This need should be considered urgent as development pressure in the NVCA watershed is rapidly increasing with the expansions of such urban centres as Barrie, Collingwood and Wasaga Beach (some areas are among the highest growth rates in all of Canada) and could potentially impact high value natural areas. With strategic planning, these areas could potentially improve water quality, maintain aquifer recharge areas, reduce flooding and soil erosion, protect endangered species and biodiversity, provide residents with outdoor recreational opportunities, opportunities for environmental education, research, and interpretive sites. Protect critical habitats and preserve low-impact recreational opportunities.

The 4.9% (i.e. 43,579 acres) of the watershed that is under permanent protection includes Provincial Parks, Simcoe, Dufferin and Grey County Forests and NVCA owned lands. At this time, this value does not include lands owned by land trusts or the BTA within the watershed. In order to achieve a goal of 12% of protected lands in the watershed there would need to be 105,873 acres secured in the watershed by all conservation partners. This is an additional 62,399 acres of land.

NVCA historically has secured over 800 acres per year on average since its inception. Keeping with this reasonably achievable securement goal of 800 acres per year on average, after the first year of initial landowner contact, it would take the next 78 years to achieve the goal of 12% protection in the watershed. Although, this time could be reduced if securement goals are exceeded on an annual basis or if other securement partners are involved, the timeframe remains far too excessive. Thus, more acreage needs to be secured annually.

In order to cost-effectively maximise annual securement targets, there are the following necessities:

1. Develop a land securement program;
2. Focus on donations of land and conservation easements;

3. Work with other securement and funding partners; and
4. Fundraising.

All of the above requirements will be discussed throughout this report. First, the types of land securement need to be identified.

4.0 FORMS OF LAND SECUREMENT

Under this project there are two primary ways of protecting environmentally significant lands; holding title (fee simple) or holding rights on the land (easements, covenants, lease agreements). The following provides a brief overview of these securement tools.

4.1 Fee Simple

This method is the purchase or donation of the total interest in a property and is the most effective way for the protection of greenspace. In this situation, the landowner (i.e. NVCA) has total control of the management and rights of the property.

4.2 Conservation Agreements

Conservation agreements are legally binding agreements registered on title, whereby the landowner transfers specific rights, such as the ability to create building lots or cut trees, to an easement holder such as a conservation authority. Depending on how the agreement is set-up, the easement holder usually has the right and responsibility to monitor the property (thus the term “easement”) and ensure that the terms of the conservation agreement are being respected. If no easement is granted under the agreement, the agreement can be referred to as simply a “restrictive covenant”.

Conservation easement agreements can be an effective tool for protecting the conservation values of a property because they contain negative or restrictive covenants. The goal is usually to prevent the destruction of a resource on a particular property. The rights to the uses of a property (i.e. subdivision rights, development rights, tree cutting rights) can be donated or purchased from the landowner however it is more common to have conservation easements donated. Conservation easements can provide for the protection of a resource, trail construction, and construction and maintenance of rehabilitation works.

In 1994 the provincial government passed Bill 175 amending the Statutes of Ontario including the *Conservation Land Act*. This amendment allows landowners to grant easements or enter into covenants for the protection and conservation of land. The owners may grant easements or enter into covenants with “conservation bodies” (such as the Crown, conservation authorities, municipal councils, bands, or registered charities) which may be registered on title and a binding on future purchasers. A further amendment to the *Conservation Land Act*, was passed in 2006 called Bill 16 which introduced new requirements that:

- The owner of the land shall not amend an easement or covenant without the written consent of the Minister of Natural Resources;
- The conservation body cannot release the easement or covenant without the written consent of the Minister of Natural Resources; and
- No person shall commence legal proceedings to amend or release an easement or covenant without giving notice to the Minister.

Also, over the past few years, the land trust community in the United States and Canada has made the ‘improvement of conservation easement programs’ a primary focus. Standards and practices

relating to conservation easements has been at the forefront of training and implementation especially when it comes to drafting and negotiating, budgeting for, preparing Baseline Documentation Reports (BDRs) and monitoring and defending these agreements. Several recent publications on the standards and practices related to conservation agreements (EC, 2005; WCELRF, 2005; LTA, 2005) are an excellent resource for any conservation organisation to use as our knowledge of these agreements is continually evolving. These agreements are complex, expensive to negotiate and manage and are not always easily interpreted by future landowners. Therefore, easement holders need to practice ultimate due diligence and have a robust conservation agreement program in order to support and effectively maintain these agreements in perpetuity.

One of the starting points to having a strong conservation agreement program is having a legally robust template to negotiate from. Attached (see Appendix 2) is an example of a conservation easement template or 'boiler plate' document which the NVCA may want to consider to use in its land securement program. This template meets the current standards and practices as set out by the land trust community and it is directly applicable to any conservation organisation seeking to preserve ecologically sensitive lands using this tool. The restrictions or negative covenants in the document are listed as examples of the type of covenants monitored and enforced by land trusts and are not meant to be inclusive. In general, there are no published guidelines on the correct wording for these covenants, however many conservation organisations and lawyers have debated their necessity and their interpretation in an agreement as well as the ability for a conservation organisation to properly monitor and enforce them.

4.3 Leases and Agreements

Leases and agreements, depending on their terms, can range from more than a right to occupy to almost an equivalent of fee simple interest. The benefits and costs associated with the interests obtained vary accordingly.

4.4 Summary

There are benefits and limitations associated with each method of securement. A case by case assessment will be undertaken to determine the quality and significance of the resources or function of each property. Based on the individual property assessment and resources available, NVCA would determine the most appropriate type of securement to ensure the protection of the features and functions of the land.

5.0 ALTERNATIVES TO LAND SECUREMENT

5.1 The Planning Process

As part of NVCA's involvement in the planning process under the *Planning Act*, (i.e., Official Plan Amendments, Draft Plans of Subdivision, re-zoning and land severance applications) environmentally significant areas may be identified through supporting studies and where appropriate designated open space, environmental protection or other designation that would restrict future development. The opportunity to acquire some of these lands may arise from time to time. NVCA staff will review these opportunities when they arise. NVCA has a policy for this which came into effect on May 10, 2002 and it is described in their publication titled "Conservation Land Protection and Acquisition Policy – Through Ontario's Land Use Planning Process."

This process is reactionary as it only occurs once a landowner makes an application. In order to receive approvals, the proponent must convey land or an easement for conservation or parkland. The result is not always an ideal amount or configuration of protected land, but a compromise.

Nevertheless, this is a worthwhile conservation practice to continue.

5.2 Stewardship Agreements

Where the securement of a parcel of land or an interest in land is unable to be negotiated between NVCA and an individual property owner(s), staff would continue to work with interested landowners to foster land stewardship as an alternative non-binding approach to natural heritage protection. This could be achieved through a Stewardship Agreement with the landowner.

A Stewardship Agreement is a hand-shake agreement which is not enforceable and does not confer any rights to NVCA. In this instance, the owner would agree to protect the significant lands within their property or undertake rehabilitation initiatives (i.e. tree planting, livestock fencing). This usually involves consultation and technical assistance from NVCA. The agreement usually includes a request of the owner to contact NVCA prior to a change of use or proposed sale of the property in an attempt to continue protecting a specific resource. This method has been used by other Authorities to cultivate relationships with landowners and protect lands that are under development pressures. While this does not confer any rights to NVCA, it is an important tool for resource protection.

Since these are friendly arrangements, stewardship agreements can be the transitional step towards land securement negotiations. A good experience between the NVCA and a landowner may lead to a donation of land or an easement in the future.

6.0 METHODS OF LAND SECUREMENT

The following outlines the various methods which could be employed in the securement of environmentally sensitive or significant lands. These options need to be clearly communicated to landowners in various media, publications or through the landowner contact program discussed in this strategy. In order to maximize available resources, this land securement strategy recommends an emphasis on donations first, followed by split receipts and then purchases last.

6.1 Donations

NVCA encourages donations of land or property rights (i.e. fee simple or conservation easement agreements). These gifts, at appraised value, may qualify as charitable donations under the Federal Income Tax Act through the Ecological Gifts Program which is administered by Environment Canada (see Appendix 3). NVCA, in pursuing donations of land or property rights, will work with municipalities, environmental organizations and the Nottawasaga Valley Conservation Foundation (or a surrogate fundraising program) as well as other potential funding partners in order to secure environmentally significant/sensitive lands.

Several changes by the Canadian Revenue Agency (CRA) have provided more tax incentives to landowners willing to donate ecologically sensitive lands. The 1995 federal budget provided for amendments to the Income Tax Act to increase the 20% limitation in respect of charitable donations to 100% for donations made after February 27, 1995, to Canadian Municipalities and registered charities designated by the Minister of the Environment, of land certified by the Minister to be important to the preservation of Canada's environmental heritage. Recently in May 2006, an announcement was made that all donations of ecologically sensitive lands through the federal Ecological Gifts (Ecogifts) Program are subject to 0% capital gains tax as opposed to the previous amount of 25%. All lands donated outside of this program are still subject to 50% capital gains. In addition, as part of the Ecogifts Program all appraisals are reviewed by an expert panel of appraisers, therefore landowners and NVCA can be assured that the appraisal is accurate and legitimate. All of the advantages to using the Ecological Gifts program are outlined in

Appendix 3. The NVCA has been designated by the Minister of the Environment to accept donations through the Ecogifts Program.

6.1.1 Bequests

Landowners may elect to provide for a gift to the NVCA in their will – perhaps a gift of property. The biggest advantage of making a bequest is that it costs nothing during the landowner's lifetime, while they can be cost effective from a tax perspective against the estate and create a legacy for the donor and their family.

6.1.2 Gratuitous Dedication

In this instance, a developer dedicates land within a development proposal as a condition of approval of the application. This will usually result in a dedication of valley lands already in the floodplain with minimal table lands as only indicated by setbacks.

6.1.3 Trade Lands

Trade lands are similar to donations where a landowner wishes to donate their property to NVCA or to bequeath the property to NVCA. However, in these instances the property does not contain any significant environmental features. Where NVCA accepts these donations these properties would be sold with the proceeds being directed into land securement of ecologically significant lands or other program areas as directed by the donor. It is recommended that the NVCA develop a trade lands policy. Lands disposed of by NVCA will follow the procedures outlined in Section 13.0.

6.2 Partial Takings/Direct Conveyance

This is an acquisition of part of a property by either a fee simple purchase or donation scenario. For example, if a landowner has a residence he/she may be willing to dispose of the majority of the property while retaining the residence and amenity area (see Figure 3). The advantage to this method is that usually the part of the property severed for conservation purposes, does not include the bulk of the value of the property. Therefore landowners can retain a residential lot and acreage around their residence, and maintain the majority of the value of the property. The land severed is then owned and managed by the NVCA (or its partners) and the landowner is then adjacent to publicly owned lands that they no longer have to manage or have liability for. In addition, if the landowner wants to sell the property in the future, they have a much more manageable property to sell and will have ultimately increased the number of potential buyers. Lastly, if the landowner wishes they can retain a life interest agreement to use the severed portion (i.e. for hiking) for a specified term. See Section 6.6 for more information on life interest agreements.

It is recommended that the NVCA submit a proposal to MNR based on this securement strategy and the areas outlined as priority areas for land securement. Once approved by MNR, it would permit the direct conveyance (partial taking) of lands containing environmentally significant features such as wetlands by the NVCA, as allowed under Section 50 (3)(e) of the *Planning Act*.

Figure 3

Partial Taking Example



6.3 Split Receipt

This can be viewed as either a donation of land or easement with cash consideration back to the donor or a purchase of land with a donation of land value in cash back to the purchaser. Once the land value is determined by a qualified appraiser, the percentage of the fair market value of the land to be donated versus be accepted in cash will be negotiated. Through the Ecogifts Program, the donated portion must a minimum of 20% of the value to qualify for a split receipt. Conversely, the landowner cannot receive more than 80% cash for the appraised value. .

6.4 Property Purchase

The most commonly used method of land securement is fee-simple purchase. Purchase of full title and rights to a property, these are typically situations with a willing buyer and a willing seller.

6.4.1 Option to Purchase

An Option to Purchase is a contract that allows the NVCA to buy a property at a set price for a stipulated period of time. It is a written contract by the landowner to sell the property and not to withdraw this offer during the stipulated period of time. The NVCA pays a fee for this option. This mechanism is often used by a conservation group as a means of “buying time” in its attempts to acquire a specific piece of land and is the perfect time to fundraise for the purchase costs (see Section 12.2.6 for more information).

6.4.2 *Right of First Refusal*

This is an agreement between a landowner and the NVCA, or other prospective buyer that gives the NVCA a chance to match any third party offer to buy a specific piece of property. It sets out the conditions of sale and is registered on title to the property. It is an interim measure, allowing the NVCA to acquire a key property some time in the future. It can be a good tool to use if negotiations have been halted e.g. unacceptable appraised value. Or it can be registered on title, to allow the NVCA to buy a property that already has a conservation easement agreement in cases where the NVCA decides they would rather own title than be the easement holder. Right of First Refusal is also a means by which to discourage other potential buyers (perhaps developers) as they will know they have competition and the holder of the first rights has priority. There is a fee associated with the Right of First Refusal.

6.5 *Life Interest Agreement/Lease Back Arrangements*

When the vendor/donor wishes to retain an interest in the property they can enter into either a life interest agreement or a lease back arrangement. In either case, the land can be donated, purchased or split- received. The value of the retained interest would be determined by a qualified appraiser. The agreement would specify a set term or would continue as long as the vendor resides on the subject property.

6.6 *Exchanges*

Landowners who own property within a valley system, flood plain or environmentally sensitive feature may exchange their parcels of surplus tableland owned by NVCA. These arrangements may bring to NVCA funds which can be used to acquire additional conservation lands. While these transactions traditionally consist of the exchange of fee simple interests, they can consist of any combination of property interests. Note that land exchanges are not necessarily acre for acre, any exchange would be based on appraised value as valley lands would not be valued the same as developable tableland.

6.7 *Project Requirements*

When lands become part of an approved NVCA project, they may be purchased outright or a limited interest obtained directly from the owner at market value. Where the project is mutually beneficial, i.e., erosion work on all or part of which is on private land, landowners may be required to deed property rights to NVCA for a nominal amount to ensure access for future maintenance.

6.8 *Municipal Lands*

NVCA may acquire property interests in municipal lands, at a nominal cost, when they are located within the boundaries of approved NVCA acquisition projects.

7.0 LAND SECUREMENT PARTNERS

It is very common to have several partners involved in the securement of a particular property. Sometimes additional partners are needed for funding purposes or if they have additional expertise (i.e. negotiating leverage) which is needed to help secure a property. In other cases involving title or an interest in title, a partner group may be a better suited recipient than the original group involved in the protection of the property. There may be a better suited recipient of the land because of property taxes, funding requirements (i.e. OHT's current Natural Spaces program) or because the landowner has requested the involvement of another group due to

personal preferences. These circumstances will depend on the unique characteristics of the property, the type of securement method involved and the requests of the landowner (depending on whether it's a donation or purchase). It is important to note that any partnership involvement that the NVCA has in the securement of a property within its watershed should be viewed as a securement success. This is also referred to as an 'assist'. An assist can include the involvement of NVCA's staff time, resources, technical expertise or funding towards the securement of a particular property. Even if NVCA does not end up holding title, an interest in title or even managing a particular property, any contribution by NVCA should be recognized by NVCA Board and staff. After all, the end goal is to secure these key properties and protect them in perpetuity by whatever means possible.

As an example, the Bruce Trail Association (BTA) secured about two dozen properties over the last two years, almost all of which are not in BTA ownership. Partners such as OHT and Ontario Parks (OP) agreed to take title. Nevertheless, BTA played a lead role in negotiating and processing each deal, and thus, claimed each as a success. The result was a very pleased and proud BTA membership that can be approached for fundraising for ongoing acquisitions.

The following sections describe the various land securement partners in terms of the primary benefits to NVCA, as well as their strengths and weaknesses in terms of holding title or interests in title (i.e. conservation easement agreements). This information is also summarised in Table 3. For a more detailed discussion about funding partners refer to Section 12.0 on Program Funding.

7.1 Federal Government

Before the turn of the century, the federal government partnered with NCC with the federal government for the Canada Millennium Partnership Program (CMPP). As part of this program there was a country wide land and conservation easement donation program called Natural Legacy 2000. Soon after the millennium, the program ended. Currently, unless the lands being acquired are of National Significance and or would contribute to a National Park, the federal government would have little involvement in the land holding aspect of lands acquired through this strategy as well as little buy in to the contribution of funding. Possible funding is available from the Federal Government is outlines in Section 12.2.4 and it relates to flood protection.

7.2 Provincial Government

Some properties/sites at a level of provincial status may be a candidate for OP. For example, the Nature Conservancy of Canada (NCC) has transferred title to several OP provincial reserves. This is almost always involving leveraged funds rather than full funding.

7.3 Regional or Municipal Government

The counties or local municipalities are excellent partners in land acquisitions. NVCA should determine which municipalities or counties are interested in potentially holding title of properties for conservation purposes as this is not always a focus for them.

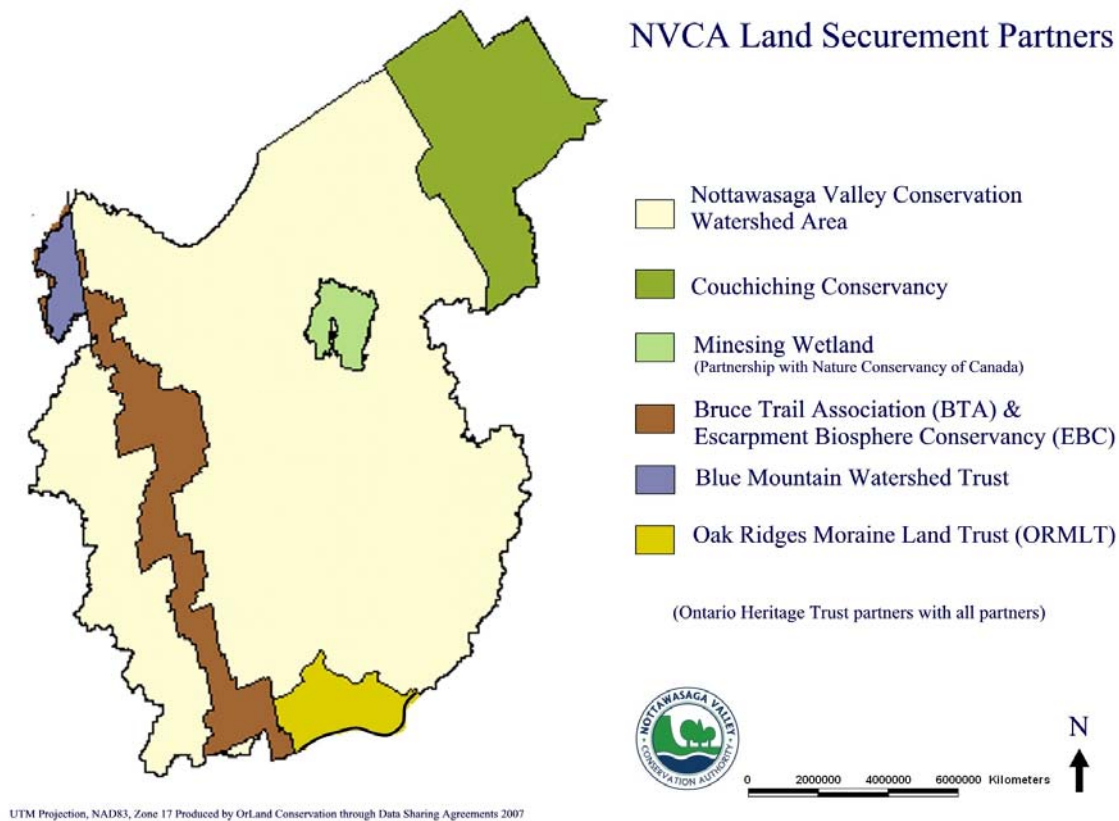
7.4 Land Trusts and Non-Government Organizations

A number of Land Trusts and Non-Government Organizations have been formed to secure natural heritage lands (i.e., NCC, BTA, Oak Ridges Moraine Land Trust, Blue Mountain Watershed Trust, Couchiching Conservancy, OHT and the Escarpment Biosphere Conservancy) and to protect significant ecological features. The geographical areas of focus for each of these groups are illustrated in Figure 4. It is important to work with these organizations to avoid duplication of effort and to ensure all natural heritage lands are provided with the maximum sustainable protection. NVCA staff will develop and expand on partnerships with these and other organizations involved in holding title to or providing funding for the acquisition of ecologically sensitive and significant lands.

Table 3: Land Securement Partners in the NVCA Watershed

Partner	Primary Benefit(s) to NVCA	Strengths	Weaknesses
Federal Government	Possible Financial support	Programs linked with tax advantages. Publicly accountable and provide additional assurance to protect land. National focus and support	Operate at a high level, broad scale that may not address local needs. Financial support is limited.
Provincial Government	Probable Financial Support Data and Mapping Support Ability to Hold Land	High level of support through MNR programs. Able to hold land and perform direct conveyance etc. Access to data for the province.	Usually involves matching dollars (1:1 ratio). Strict adherence to process can hinder negotiations. Only accepts land at a Provincial Park Status.
Counties	Probable Financial Support Data and Mapping Support Ability to Hold Land	Provide assistance with mapping and natural and cultural information	Support restricted by regional planning goals
Local Municipalities	Probable Financial Support Ability to Hold Land Stewardship Partner	Provide natural, cultural and specific property information	Support restricted by local planning goals Mostly interested in municipal parks and not always protection of natural heritage features.
Land Trusts (ORMLT) (CC) (BMWT) (ON) (NCC) (OHT) (EBC)	Ability to Hold land Stewardship Partner Financial Support	Non-government and operate for the public benefit and are registered charitable organizations Dedicated to the protection and management of natural areas open space, and agricultural landscapes Work directly with specific parcels of land through purchase, donation, or cooperative landowner programs Community supported through memberships, donations, and volunteer involvement resource management agencies and organizations	Some are all-volunteer or have minimal staffing and capacity.
Other NGO's (i.e. Friends of Minesing Wetlands, Naturalists Clubs)	Stewardship Partner Financial Support	Able to provide strong support to area of specific interest.	Most are all-volunteer or have minimal staffing and capacity. Often have a narrow area of interest

INSERT FIGURE 4 – NVCA Partner Organisations and Areas of Interest



8.0 LAND SECUREMENT CRITERIA

The NVCA has mapped many components of the Natural Heritage System within its jurisdiction. This includes Provincially Significant Wetlands (PSWs), other wetlands, Earth Science and Life Science Areas of Scientific Interest (ES-ANSIs or LS-ANSIs), watercourses (including coldwater streams) and shoreline features among other features (Figure 1). These are important features to include in NVCA's land securement criteria as they allow for additional tax incentives over lands which would not meet these criteria. These have been divided into two categories, first priority lands which contain features which would be eligible for the MNR Conservation Land Tax Incentive Program (CLTIP) (Table 4 and Appendix 4) and second priority lands which would meet the Federal Ecogifts program.

For lands where full title to a property is acquired, the CLTIP program will allow NVCA owned properties to significantly reduce or eliminate the tax burden associated with the long term management costs associated with the property. Based on the CLTIP criteria (Appendix 4), it can be obvious which properties will be eligible for the program. For example, a property which is located under a provincially designated area (i.e. Niagara Escarpment Protection) will be sure to qualify. For properties in areas that meet other CLTIP criteria (i.e. lands designated protection in municipal Official Plans), it might not be so obvious and final approval is dependant on the MNR. So to be sure, or when in doubt, the NVCA will request a pre-determination from the

MNR for tax exemption for any lands that they are considering taking ownership to. This will require the NVCA to submit supporting documentation to the MNR on a case-by-case basis. These are categorised as “subject to certification” in Table 4. For timing purposes, this request would have to be done far in advance, as responses can take months to receive. Nonetheless, this is the only way to have absolute prior knowledge for budgeting purposes about whether property taxes will be exempt or not.

Lands which fall into the secondary priority areas for acquisition include other ecological and strategic lands that meet the Ecogifts Program requirements (Table 4 and Appendix 3). Typically, these lands would require greater long term funding or funding from other partners to address the higher maintenance costs associated with land ownership to elevate specific projects to a securement priority. Once identified and evaluated, these potential securement opportunities would be discussed with various funding sources to attempt to find the resources to acquire full or partial rights to lands which provide an ecological benefit for the protection of natural heritage features.

Not all of these natural heritage feature criteria have been identified and mapped at this time. As technical studies are undertaken within NVCA’s jurisdiction, additional significant natural heritage features will be identified and mapped. These features, once identified, will be considered as part of future land securement priorities.

NVCA has developed very detailed Natural Heritage Studies for three areas within its watershed. These include Wasaga Beach, Essa and New Tecumseth. Studies for the remaining areas of the watershed have been put on hold until the Province’s Inter-governmental Action Plan (IGAP) and Natural Spaces Natural Heritage System are completed in order to avoid duplication of resources and efforts. The IGAP involves the Province of Ontario, the County of Simcoe, NVCA and member municipalities and the goal is to address concerns about population growth and development pressures, and help municipalities plan for the future. The MNR through the Natural Spaces Natural Heritage Systems Study is developing and testing an approach for identifying landscape-scale natural heritage systems for southern Ontario. The systems identified are intended to recognise, build on and support the natural heritage work of MNR, municipalities, conservation authorities, the NCC, Ducks Unlimited, Carolinian Canada and Ontario Nature. As these studies identify additional features and provide recommendations for priority acquisition areas, they will be considered along with the land acquisition priorities outlined in this report.

Table 4: NVCA Proposed Land Securement Criteria

Criteria	Tax Exempt (i.e., CLTIP)	Meets Ecogift Requirement	NVCA Potential Securement
Priority Areas:			
Provincially Significant Wetlands	Yes	Yes	Yes
Areas of Natural and Scientific Interest (Earth Science - Provincial)	Yes	Yes	Yes
Areas of Natural and Scientific Interest (Life Science - Provincial)	Yes	Yes	Yes

Criteria	Tax Exempt (i.e., CLTIP)	Meets Ecogift Requirement	NVCA Potential Securement
Habitat of Endangered Species (Ontario Endangered Species Act)	Yes	Yes	Yes
Community Conservation Lands:			
Natural Heritage Features or Areas identified in the Provincial Policy Statement (PPS).	Yes	Yes If appropriately designated in municipal Official Plans and Zoning By- laws.	Yes
Regionally Significant ANSI's.	Yes	Yes	Yes
Habitats of species of special concern designated by MNR (species at risk).	Yes	Yes	Yes
NHIC species occurrences or ecological communities (S1, S2, S3).	Yes	Yes	Yes
Designated Natural Core, Natural Linkage or Countryside in the ORMCP	Yes	Yes	Yes
Designated Escarpment Natural or Escarpment Protection in the Niagara Escarpment Plan	Yes	Yes	Yes
Natural heritage areas identified within a regional or watershed plan or strategy by a CA under the CAA (i.e. County of Simcoe Greenlands)	Yes	Yes	Yes
Lands designated environmental protection or equivalent in municipal Official Plans. (NVCA, ESA's)	Yes	Yes	Yes
Areas within or adjacent to protected areas (i.e., provincial park) that contribute to the natural heritage objectives of the protected area.	Yes	Yes	Yes
Other criteria as may apply under the CLTIP program requirements.	Subject to Certification	Yes	Yes

Criteria	Tax Exempt (i.e., CLTIP)	Meets Ecogift Requirement	NVCA Potential Securement
Lands adjacent to existing NVCA holdings	Subject to Certification	Yes	Yes
Previously identified NVCA property acquisitions	Subject to Certification	Yes	Yes
Secondary Priority Areas:			
Georgian Bay Waterfront	Subject to Certification	Subject to Certification	Yes
Bruce Trail Optimum Route and Trail Corridor	Subject to Certification	Subject to Certification	Yes
Wetlands (Not of Provincial Significance)	Subject to Certification	Yes	Yes
Significant water bodies, rivers, streams, shorelines and valleys	Subject to Certification	Yes (PPS)	Yes
Groundwater recharge and discharge areas	Subject to Certification	Yes	Yes
Significant wildlife or fish habitats	Subject to Certification	Subject to Certification	Yes
Regional Flood Plain (flood and erosion risk)	Subject to Certification	No	Yes
Significant Woodlands	Subject to Certification	Yes (PPS)	Yes
Areas with enhanced ecological values through restoration and/or remediation (i.e., forest, stream, wetland)	Subject to Certification	Yes	Yes

Criteria	Tax Exempt (i.e., CLTIP)	Meets Ecogift Requirement	NVCA Potential Securement
Natural buffers adjacent to lands that contribute to other ecologically sensitive lands	Subject to Certification	Yes	Yes
Connections/Corridors/Features identified by Natural Heritage Programs or Watershed Plans that contribute to conservation or biodiversity	Subject to Certification	Yes	Yes
Lands under Forest Management Plans (designated areas of concern for biodiversity)	Subject to Certification	Yes	Yes

9.0 LAND SECUREMENT PRIORITIES

Governments at various levels have recognized the importance of protecting the natural heritage system. The Official Plan for the County of Simcoe and various municipal official plans have all recognized the important role the environment plays in the quality of life within the Region and have adopted various policies that identify and protect the natural heritage/open space system. The following sections outline the NVCA's historic land acquisition priorities and the target areas for this project.

9.1 Historical Land Acquisition Objectives

Of the 12 conservation areas currently operated by the NVCA, 2 have Master Plans or Management Plans which have identified properties adjacent to these existing lands for acquisition. These historically identified lands are included within the target areas in this strategy; however, they also must be evaluated as any other securement potential would be evaluated. The lands identified for acquisition within the Master Plans include the following:

1. **Minesing Wetlands:** The Minesing Swamp Management Plan (2003-2008) under Section 3.2 identifies land acquisition as a focus because of the numerous properties in the area under private ownership. Land continues to be secured within the swamp boundary and parcels are determined when funding becomes available through the Nature Conservancy of Canada.
Proposed Acquisition: There is a securement take-line that surrounds the wetlands that is recognised by NVCA and NCC. The current management plan does not provide any detail about landowner contact or a strategic securement approach. It is recommended that this area be a target area for future landowner contact and a more detailed strategy is developed for this area.
2. **Nottawasaga Bluffs:** The Nottawasaga Bluffs Conservation Area Management Plan (2007-2012) under Section 7.2, Table 5, Issue 8, identifies "The need to continue with the land acquisition program". It further identifies that there are lands of interest surrounding the Nottawasaga Bluffs CA and that the NVCA needs to continue to liaison with provincial and community partners (i.e. MNR, BTA and the NCC) to acquire additional lands abutting

Nottawasaga Bluffs CA.

Proposed Acquisition: The current management plan does not provide any detail about which parcels of land or how much land should be targeted for further acquisition. It is recommended that this area be a target area for future landowner contact and a more detailed strategy is developed for this area.

3. Tiffin: The Tiffin Conservation Area Management Plan (2005-2010) does not appear to make any direct reference to the expansion of this conservation area or the acquisition of adjacent lands. Under Section 2.5.2 “Corridors and Linkages” the plan does make reference that Tiffin is part of several linkages at the local, watershed and provincial scale.

Proposed Acquisition: The current management plan does not provide any detail about which parcels of land or how much land should be targeted for further acquisition. It is recommended that this area be a target area for future landowner contact and a more detailed strategy is developed for this area.

4. Fort Willow: The Fort Willow Conservation Area Management Plan works within the take-lines for Minesing Wetlands and therefore does include the expansion of this conservation area or the acquisition of adjacent lands.

Proposed Acquisition: The acquisition strategy for Fort Willow is to work within and follow the take-lines established for Minesing Wetland.

5. Petun: The Petun Conservation Area Management Plan does not appear to make any direct reference to the expansion of this conservation area or the acquisition of adjacent lands.

Proposed Acquisition: The current management plan does not provide any detail about which parcels of land or how much land should be targeted for further acquisition. It is recommended that this area be a target area for future landowner contact and a more detailed strategy is developed for this area.

6. Elba: The Elba Conservation Area Management Plan does not appear to make any direct reference to the expansion of this conservation area or the acquisition of adjacent lands.

Proposed Acquisition: The current management plan does not provide any detail about which parcels of land or how much land should be targeted for further acquisition. It is recommended that this area be a target area for future landowner contact and a more detailed strategy is developed for this area.

9.2 *Criteria to Identify Land Securement Target Areas*

Even with a donation focused securement program, accepting land donations is dependant on NVCA’s available and dedicated staff time, available funding and requires that the lands meet NVCA’s land securement criteria. Figure 1, Natural Feature Occurrence, identifies the multiple occurrence of significant environmental features within the NVCA watershed, specifically, provincially significant wetlands, areas of natural and scientific interest and environmentally significant areas (biological and hydrological). This natural heritage analysis was used as a foundation for determining high priority areas for securement focus, identified in this report as sub-target areas. It is important to note that the Simcoe County Greenlands data is indicated on some mapping in this report but it was not used as a basis for identifying sub-target areas.

This is considered a “coarse” approach to determining sub-target areas as it does not involve any analysis of orthoimagery. Besides using the natural feature data, an additional six main criteria were also used to develop land securement target areas. These include:

- 1) Areas with historical acquisitions or lands already in public ownership;
- 2) Areas which already have 'buy-in' from stakeholders;
- 3) Areas with funding opportunities and partnerships;
- 4) Areas where the average parcel fabric is a minimum of 40 acres (16 ha);
- 5) Areas where development pressure and urgency of securement is high; and
- 6) Areas where the cost of land is relatively inexpensive.

Although criteria #5 and #6 seem diametrically opposed, they both have strong merit for attention. The next step in this Land Securement Strategy would be to take the sub-target areas and do a fine-filter analysis looking at each property individually. Focusing in more on the properties within a defined target area, factors that could be considered at a property-specific level include:

- 7) The shape of the property and how it contributes to existing protected areas, in order to minimize the 'edge effect';
- 8) The viability of the sites species and features, given existing conditions and practical stewardship actions (or possible restoration);
- 9) The compatibility of the property with the current and potential future surrounding uses (i.e., with conservation of the site is there potential for major change in the landscape due to urbanization agriculture, forestry or other causes);
- 10) The existing or potential ecological connections between the property and other natural areas; and
- 11) The potential of acquiring other lands that may add to the viability of the site.

Criteria 1-6 are further discussed in the following sections below.

Criteria #1 Area's of historical acquisitions or lands already in public ownership

These already established conservation areas are excellent core sites to expand upon. The community is most likely very aware and connected to these conservation lands and because they are already in permanent protection, adjacent lands can be secured to increase core habitat or to provide linkages to other protected areas.

Criteria #2 Areas which already have 'buy-in' from stakeholders

It is much easier to protect land and garner support (both emotionally and financially) from the community where stakeholders (i.e., the landowners, the municipality, local businesses) are conservation minded and appreciate the need for conserving locally ecologically sensitive lands.

Criteria #3 Areas with funding opportunities and partnerships

There are numerous areas within the NVCA watershed where there are already established funding opportunities and partners for land securement. It is best to start with these areas in order to get quicker and easier successes which can then be used to demonstrate that more support is needed in other parts of the watershed, equally as important in terms of conservation, but maybe weaker in terms of funding and partnership opportunities. It is also easier to fundraise when leveraged funds are already committed by a partner(s).

Criteria #4 Areas where the average parcel fabric is a minimum of 40 acres (16 ha)

The costs relating to securing ecologically sensitive lands (i.e. staff time and resources, appraisal costs, surveying costs etc) can be substantial and are not always directly correlated with acreage. Therefore, it is more cost effective to secure as much land as possible in a given transaction and that is why larger parcels will be targeted first. Some properties have relatively large rural residential areas, which may not be part of the lands to be acquired therefore a minimum lot size of 40 acres (16 ha) is used as a benchmark for landowner contact. Properties with smaller acreages may also be targeted for landowner contact, especially if they have a significant feature

or they add to existing protected areas or act as corridors or linkages.

Criteria #5 Areas where development pressure and urgency of securement is high

There are areas within the watershed where development pressures are higher than others (i.e. Collingwood, Wasaga Beach and Barrie area). Sometimes, these areas are already in the hands of speculators and developers as numbered companies, however other times there are landowners who have been 'holding out' because they want to preserve their land and way of life. If in the hands of developers, most likely the only way to protect some features of the land would be through dedication of lands through the planning process. But, if the lands are still with a conservation minded landowner, there may still be opportunity for securement. In addition, the urgency in protecting these properties adds to the 'call for action' and can sometimes bring an overwhelming response for the community in terms of fundraising support (this is discussed more in Section 12.0).

Criteria #6 Areas where the cost of land is reasonably priced

Again, the principle idea here is to strategically protect as much ecologically sensitive land as possible and target areas which make it feasible to do so. Looking at this from a donation perspective (whether full donation or split receipt), the landowner may not get as much of a tax benefit, but if the landowner only wants to sell their land, and won't consider any donation options, the low cost of land in a particular area, is very advantageous (i.e. Minesing Wetlands). The end result is that more land ends up being secured, at less cost. It may be strategically beneficial to be able to announce an impressive amount of acreage secured to foster more fundraising. Success excites potential cash donors and breeds more success.

9.3 Identified Target Areas for Landowner Contact and Potential Securement

A recommended overall natural heritage system of connected protected areas has been outlined in Figure 5, based on the existing natural features in the NVCA watershed. The system includes the Minesing Wetlands, the Niagara Escarpment, the Oak Ridges Moraine, the Nottawasaga River, Wasaga Beach, Oro-Medonte and the lands linking the Minesing Wetlands to the Niagara Escarpment, linking Minesing Wetlands to Wasaga Beach and linking Minesing Wetlands to Oro-Medonte. These linkages are based on those already identified by NVCA's Wildlife Corridor Linkages Map (see Figure 6). In addition, the Collingwood/Georgian Bay Shoreline, additional lands adjacent to and in close proximity to existing NVCA land holdings and opportunity sites are identified as sub-target areas for landowner contact and potential securement.

Based on the overall natural heritage system described above and Criteria #1-6 outlined in Section 9.2, 11 sub-target categories have been identified. These sub-target areas and justification for their selection are summarised in Table 5. Within these sub-target areas a list of properties with a minimum of 40 acres (16 ha) and their associated acreages were tabulated. The result of this calculation indicated that approximately 1629 properties and over 178,154 acres (72,097 ha) of land within the NVCA's watershed sub-target areas could be targeted for landowner contact. However it is important to remember that these numbers reflect a coarse-level analysis at this stage, and further analysis at a property level, will refine the numbers accordingly. The ongoing focus of land securement initiatives will be based on the priority areas identified by the Land Securement Committee (see Section 11.0 for more discussion) and potential funding sources. As part of the annual budget process, priority areas will be identified for each given year within this program area.

Table 5 Summary of Land Securement Target Areas

Target Area	Selection Criteria ¹					
	Existing Public Lands	Existing Buy-in	Existing Funding/ Partners	Avg. min 40 acre parcels	Urgency	Minimal Land Costs
1 - Minesing Wetlands (includes Fort Willow CA)	Yes	Yes	Yes	Yes	Medium	Yes
2- Niagara Escarpment	Some	Yes	Yes	Yes	Medium	Depends on Area of NE
2a-Nottawasaga Bluffs CA	Yes	Yes	Yes	Yes	Medium	TBD
2b – Petun CA	Yes	Yes	Yes	Yes	Medium	TBD
3 - Oak Ridges Moraine	Some	Yes	Yes	Yes	Medium	TBD
3a - Tottenham CA	Yes	Yes	Yes	Yes	Medium	TBD
4 – Wasaga Beach	Yes	Yes	Yes	Yes	High	TBD
5 – Minesing to NE	Some	TBD	TBD	Yes	Medium	TBD
6 - Minesing To Oro-Medonte	Yes	TBD	TBD	Yes	Medium	TBD
7 - Minesing to Wasaga Beach (includes Edenvale CA)	Yes	TBD	TBD	Yes	High	TBD
8 - Collingwood and Georgian Bay Shoreline (includes Black Ash Creek and Pretty River CA)	Minimal	TBD	TBD	Some	High	TBD
9 - Nottawasaga River Corridor	Some	Some	TBD	Yes	TBD	TBD
10 - Other CA Lands						
10a - New Lowell and Glencairn CA	Yes	Yes	TBD	TBD	TBD	TBD
10b – Tiffin CA	Yes	Yes	TBD	TBD	TBD	TBD
10c – Utopia CA	Yes	Yes	TBD	TBD	TBD	TBD
10d – Osprey Wetlands CA	Yes	Yes	TBD	TBD	TBD	TBD
11 Opportunity Sites	TBD	TBD	TBD	TBD	TBD	TBD

TBD = To Be Determined

FIGURE 5 – Recommended Sub-Target Areas for Landowner Contact and Potential Securement

**Nottawasaga Valley
Conservation Authority
Land Securement Strategy
Sub-Target Areas**

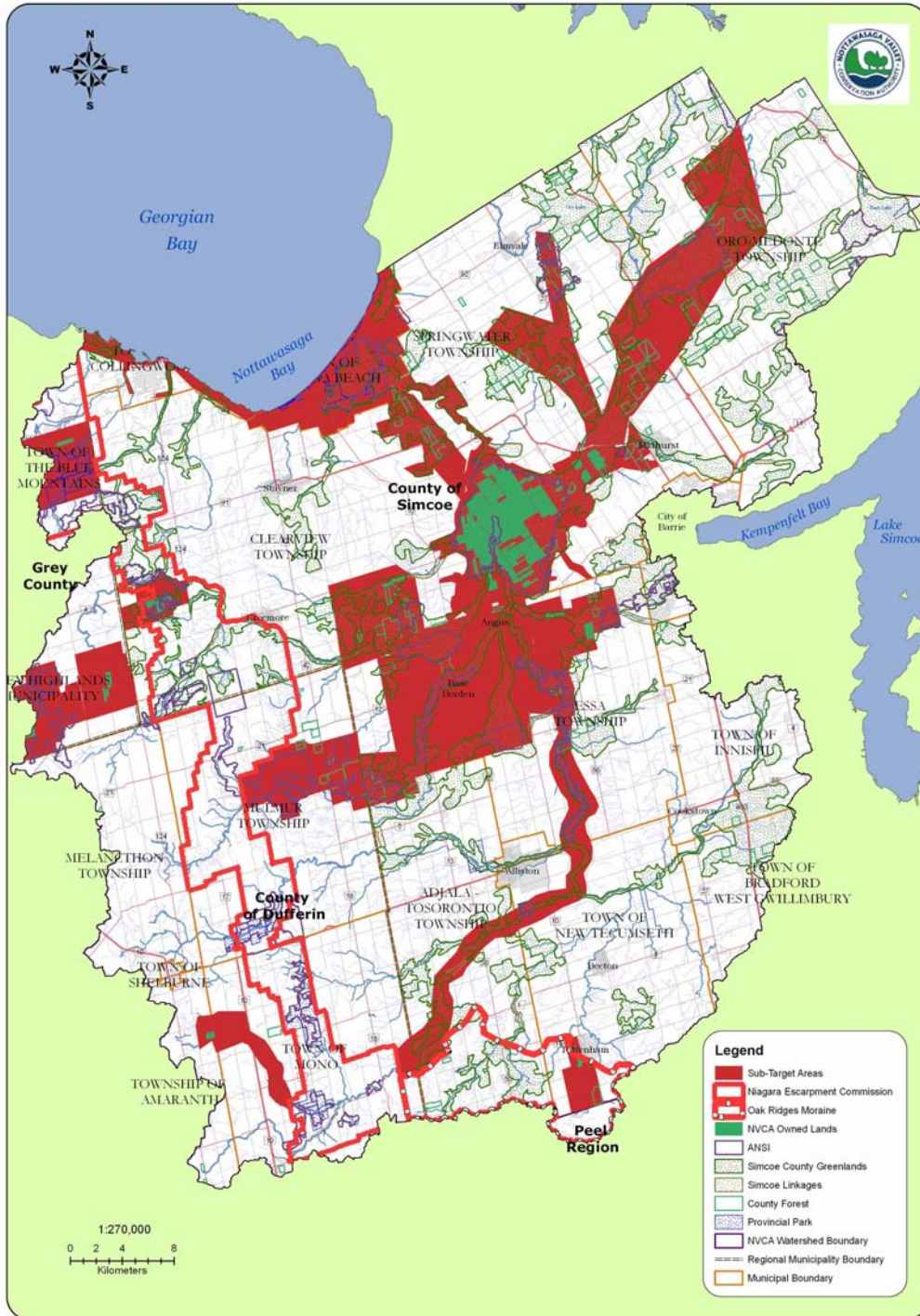
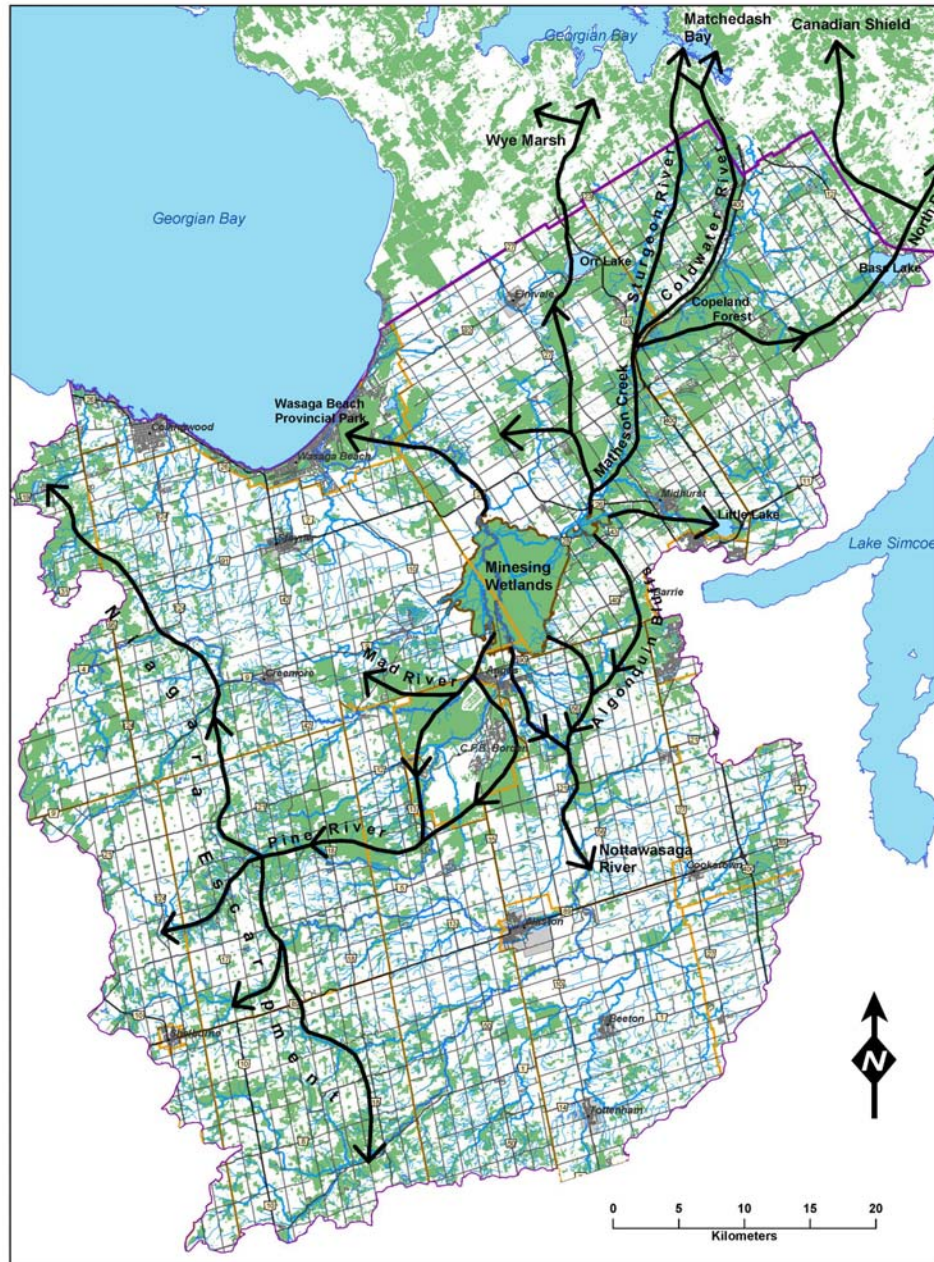


FIGURE 6 – NVCA Wildlife Corridor and Linkages

Wildlife Corridor Linkages



Legend

- Lakes & Ponds
- NVCA Jurisdiction
- Municipalities
- Minesing Wetlands
- Woodlands and Wetlands
- Watercourses

This map has been produced for illustrative purposes only. While every effort has been made to accurately depict the information, data/mapping errors may exist.

© 2006 ~ Reproduction of this map is prohibited without written permission from the Nottawasaga Valley Conservation Authority

August, 2006
 Universal Transverse Mercator
 Zone 17 North
 North American Datum 1983

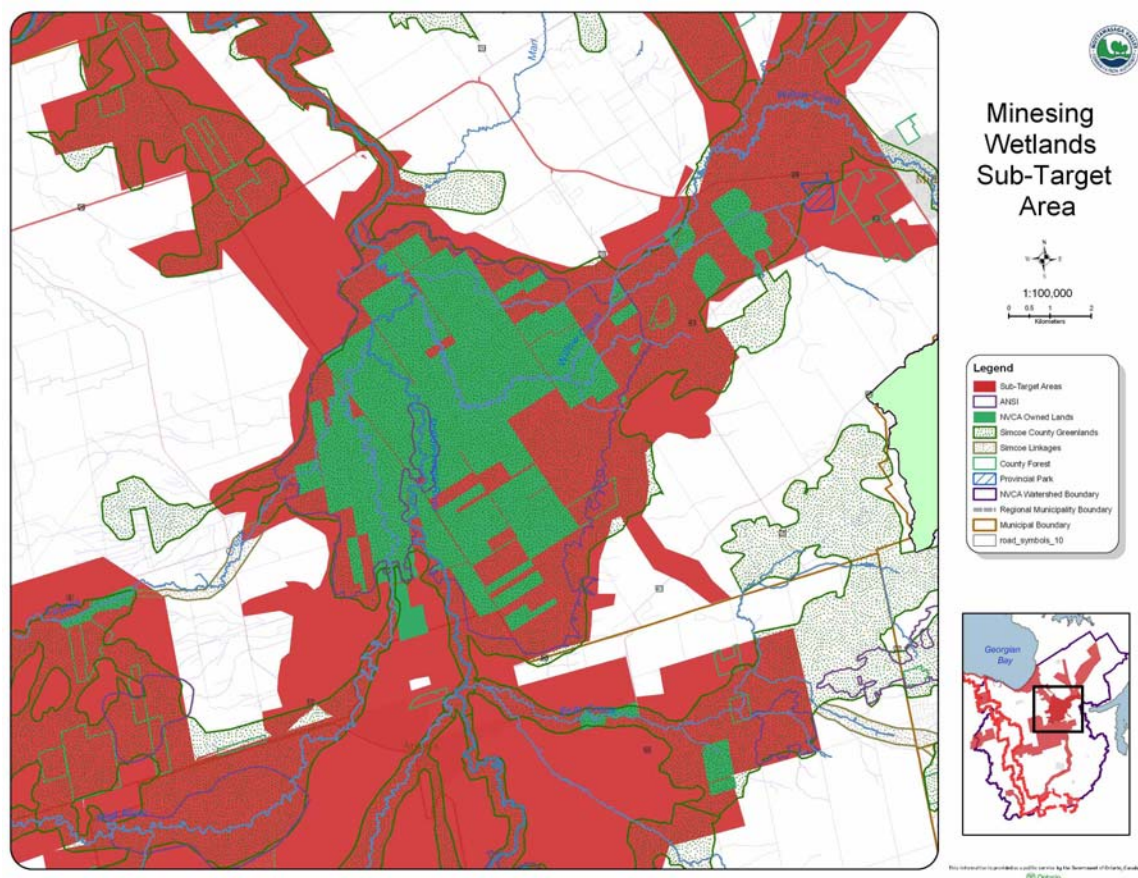
9.3.1 Minesing Wetlands

Minesing Wetlands is a 15,000 acre, Provincially Significant Wetland and the NVCA already owns the majority of lands within this area (over 9000 acres). This PSW not only has provincial designation but also national and international significance. It has been designated by RAMSAR and ranks internationally with the Florida Everglades and Baltic Marshes. The Minesing Wetlands provides habitat for eleven provincially significant plant species and one nationally rare species.

The wetland can be divided into three major vegetation complexes: Glacial Lake Shoreline, Boreal Wetland and Deciduous Bottomland. The Glacial Lake Shoreline provides conditions for two major vegetation types. The first is the deciduous forest of the Nippissing bluff, which is characterized by *Acer saccharum* and other hardwoods such as *Fagus grandifolia* and *Betula papyrifera*. The second is the gently sloping Lake Payette terrace. This hummocky area with scattered pools of water is colonized by a dense cedar/balsam fir forest. The Boreal Wetland complex encompasses three distinct vegetation communities. The peat plain fen with string islands forms an extensive network of sedges and grasses mixed with coniferous and low shrub islands. The peat plain-conifer complex surrounds the fens (and has colonized the string islands which are dominated by cedar and tamarack). This alternating hummock-hollow ground is vegetated by balsam fir, black spruce and white pine, with many shrubs. The peat plain-big marsh is defined by remnant tamarack/cedar islands, dead standing trees and alder thickets. The Deciduous Bottomland complex is also made up of three distinct vegetative communities. The river Levee is dominated by *Celtis occidentalis* and *Tilia americana* forest with scatterings of *Juglans cinera*, *Ulmus americana* and *Quercus macrocarpa*. The bottomland, which experiences heavy spring floods, is dominated by dense silver maple stands. Bur oak stands also prevail in areas where flooding is more moderate. Marsh areas can be found in patches throughout. Dominate species are *Typha latifolia* and *Sparangium eurycarpum* (Frazier, 1999 NHIC website).

Minesing Wetlands continues to be a primary area of focus within NVCA watershed as land prices are reasonable and NCC is a long-term acquisition partner. Within the Minesing Wetlands there is an established take-line of 28 or more properties in private ownership comprising approximately 2764 acres (1119 ha). These properties are identified for potential acquisition and these are outlined in Figure 7 and Table 6. Some of these areas are currently being pursued as part of the partnership with NCC. The Minesing Wetlands take-line includes those lands surrounding the Fort Willow Conservation Area.

FIGURE 7 – Minessing Wetlands Sub-Target Area - Landowner Contact and Potential Securement



9.3.2. Niagara Escarpment

In 1990, UNESCO (the United Nations Educational, Scientific and Cultural Organization) named the Niagara Escarpment a World Biosphere Reserve -- an internationally recognized ecosystem. Ontario's Niagara Escarpment stretches over 700 km from Queenston on the Niagara River to Tobermory on the Bruce Peninsula. A relatively large portion of the Niagara Escarpment runs through the NVCA watershed through the townships of Mono, Mulmur, Clearview and the Blue Mountains. The Township of Mono contains a significant section of the Niagara Escarpment and is highly representative of a diversity of escarpment features and associated species. Characteristics include limestone and dolostone rock, shallow soils, coniferous and deciduous forest, open fields and wetlands. Coniferous forests can be dominated by Eastern White Cedar with associates of Eastern Hemlock, White Pine, and White Spruce with Yellow Birch, Basswood and Iron Wood. Deciduous forests are likely to be composed of Sugar Maple, American Beech, and White Ash with likely associates of White Elm, Black Cherry and various Aspen species.

The Niagara Escarpment is also a primary area of focus because there is funding available for land securement and there remains interest and momentum within the area as well as a number of securement partners, like the BTA, the OHT and the EBC. A sub-area already identified for securement by the NVCA through their Natural Resource Management Plan is the Nottawasaga

Bluffs Conservation Area. Using the evaluation criteria summarized below, Orland Conservation concurs with NVCA and recommends it as a sub-target area within the NE. Using coarse-level analysis, 39 properties and 4025 acres (1629 ha) of land has been identified for securement and these are outlined in Figure 8 and Table 6. Although there is no Management Plan or Master Plan for Petun Conservation Area, it too is recommended as a sub-target area within the NE as it expands on current NVCA owned lands. Approximately 73 properties and 8098 acres (3277 ha) of land has been targeted for landowner contact and these are outlined in Figure 9 and Table 6. More landowners will be targeted for landowner contact along the Niagara Escarpment then identified in this report, especially in Dufferin County. These landowners will be identified through future discussions with partnering groups like the Bruce Trail Association (BTA), who already have established landowner relations volunteers along the Niagara Escarpment.

Securing the Bruce Trail Optimum Route and a conservation corridor surrounding it is a prime focus for the BTA. The BTA is active along the entire NE, including the parts that include the NVCA watershed. It is recommended that the NVCA continue to partner with the BTA in these efforts.

FIGURE 8 – Nottawasaga Bluffs Area - Landowner Contact and Potential Securement

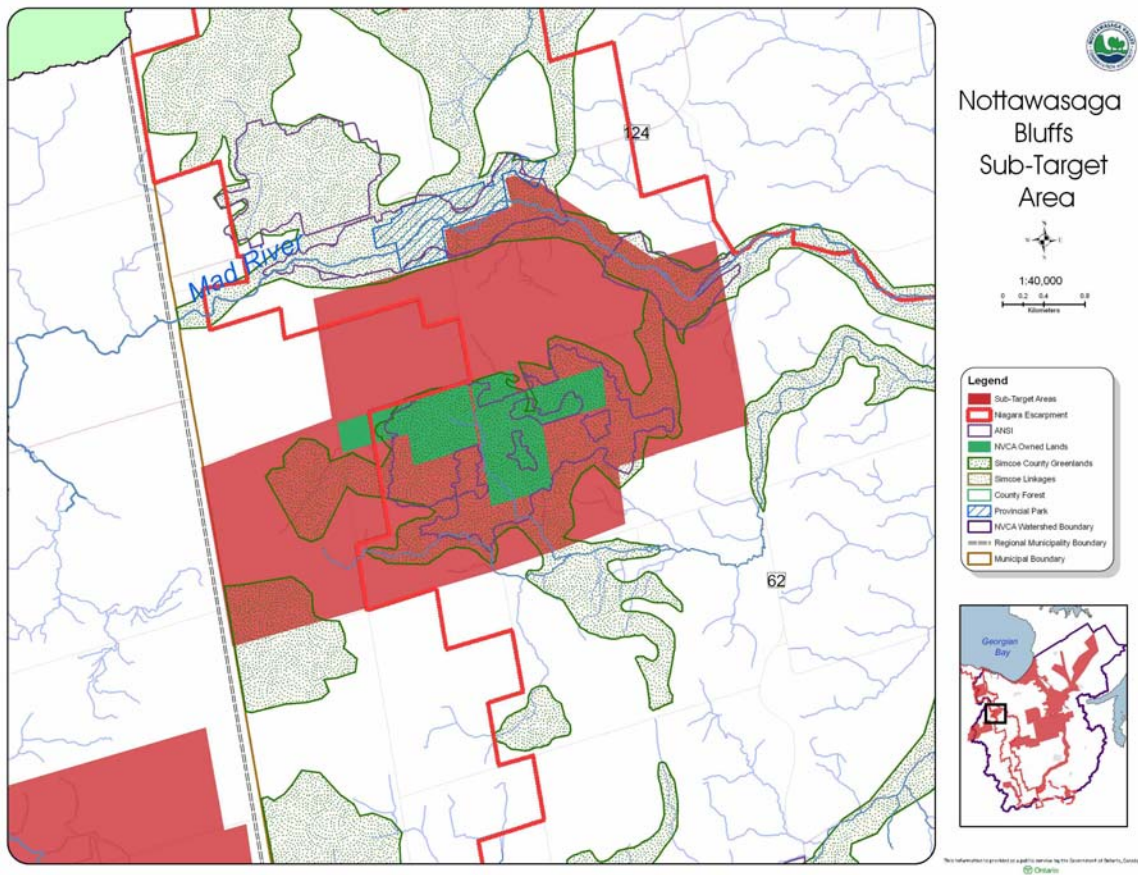
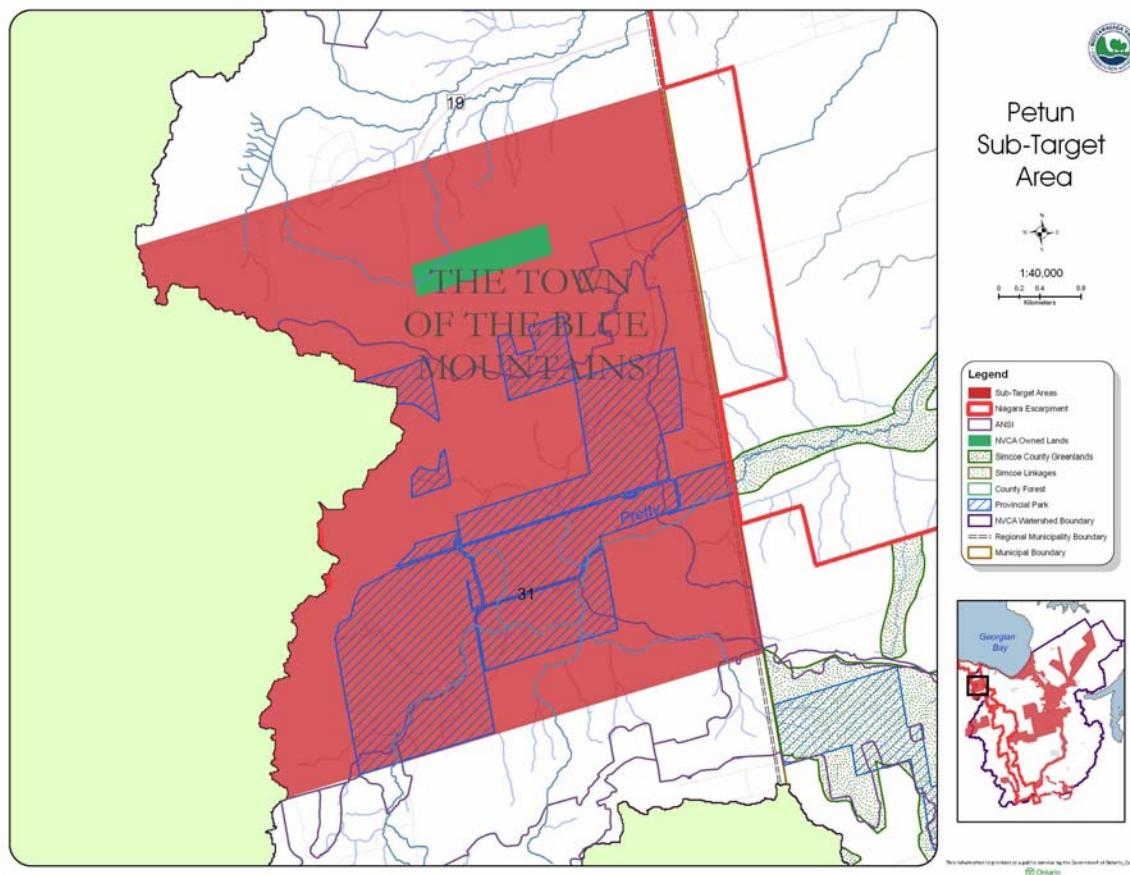


FIGURE 9 – Petun Sub-Target Area - Landowner Contact and Potential Securement



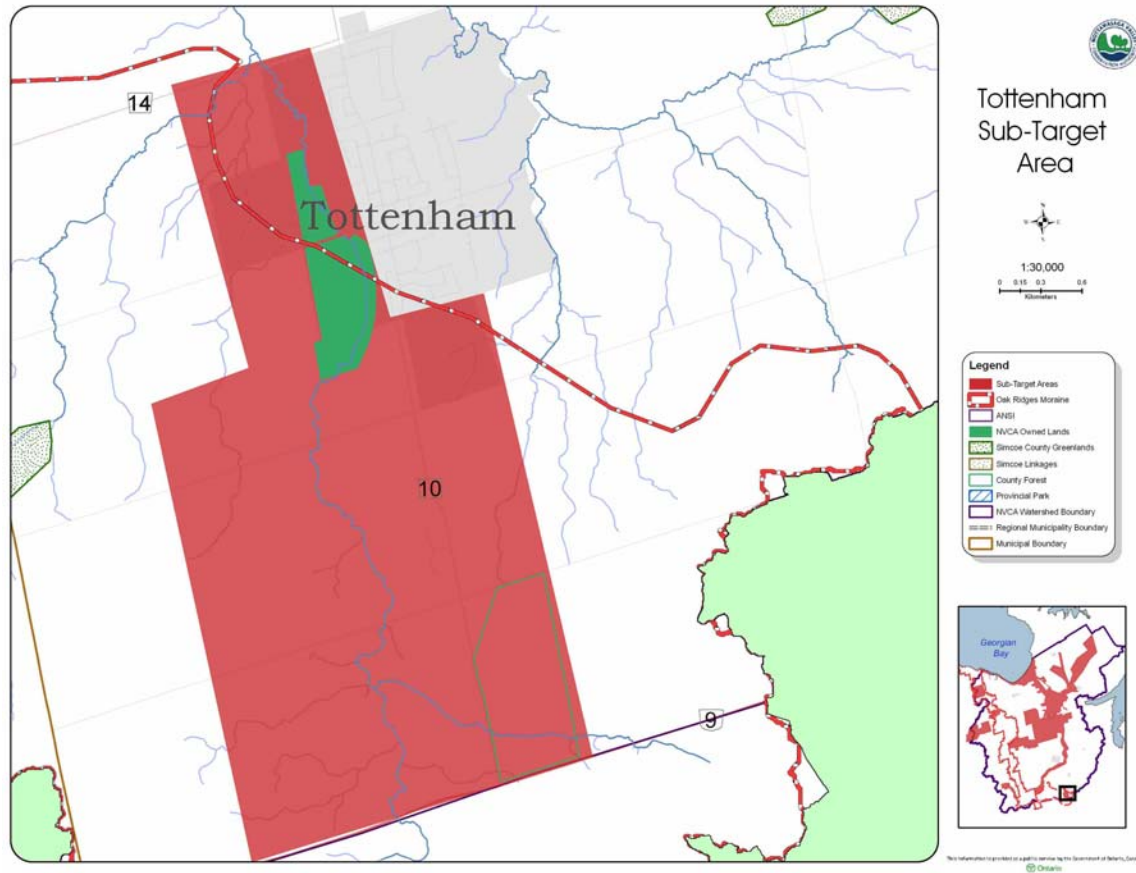
9.3.3 Oak Ridges Moraine

A relatively small portion of the Oak Ridges Moraine is located in the southern portion of the NVCA watershed. The moraine is about 180 kilometres in length from Niagara Escarpment to Trenton and varies in width from 3 to 23 kilometres and is a critical hydrological ecosystem home to the headwaters of more than 65 rivers and streams. It is characterized by rolling hills, scenic landscapes, stream valleys and wildlife habitats including wetlands, forested areas, fields and kettle lakes.

The Oak Ridges Moraine has been given a lot of provincial and NGO attention over the last two decades. Consequently, there is funding potential available for securement and stewardship activities along the Moraine.

A sub-target area within the ORM is the Tottenham CA. Using coarse-level analysis, 30 properties and approximately 2665 acres (1078 ha) of land has been identified for landowner contact and these are outlined in Figure 10 and Table 6. More landowners will be targeted for landowner contact on the Oak Ridges Moraine than identified in this report, especially in Adjala-Tosoronto. These landowners will be identified through future discussions with partnering groups like the Oak Ridges Moraine Land Trust (ORMLT) who already have established contacts on the ORM.

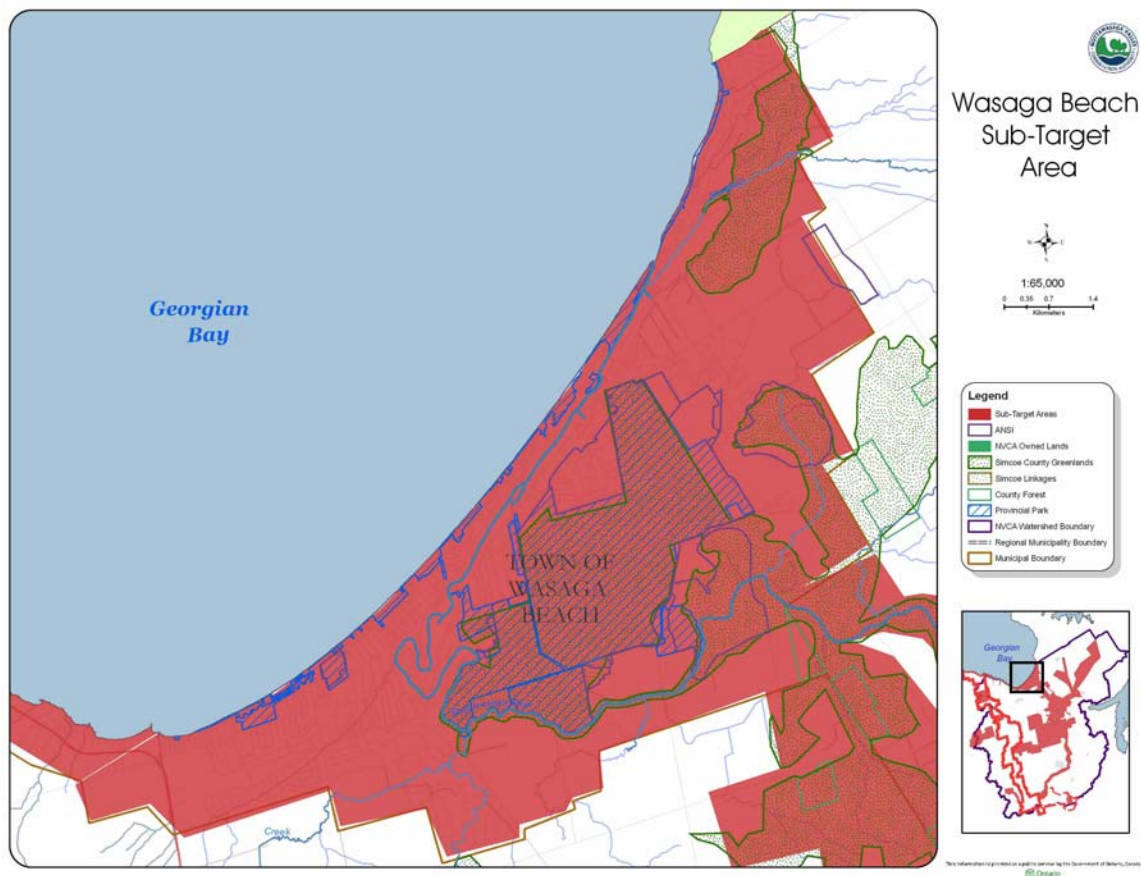
FIGURE 10 – Tottenham Sub-Target Area - Landowner Contact and Potential Securement



9.3.4 Wasaga Beach

In September 2005, the NVCA released its Natural Heritage System - Background Review and Landscape Model for this area. In this Natural Heritage Plan detailed mapping shows a Natural Heritage Feature overlay. Several areas are identified as “Recommended Additions” to the Existing Natural Heritage System. These lands are mostly those adjacent to or surrounding existing Provincial Parks. There are no NVCA lands in this area, however adding to the existing Provincial Parks would increase the amount of core protected area. Partnering with OP should be investigated. Using coarse-level analysis, 91 properties and approximately 7278 acres (2945 ha) of land have been identified for landowner contact and these are outlined in Figure 11 and Table 6.

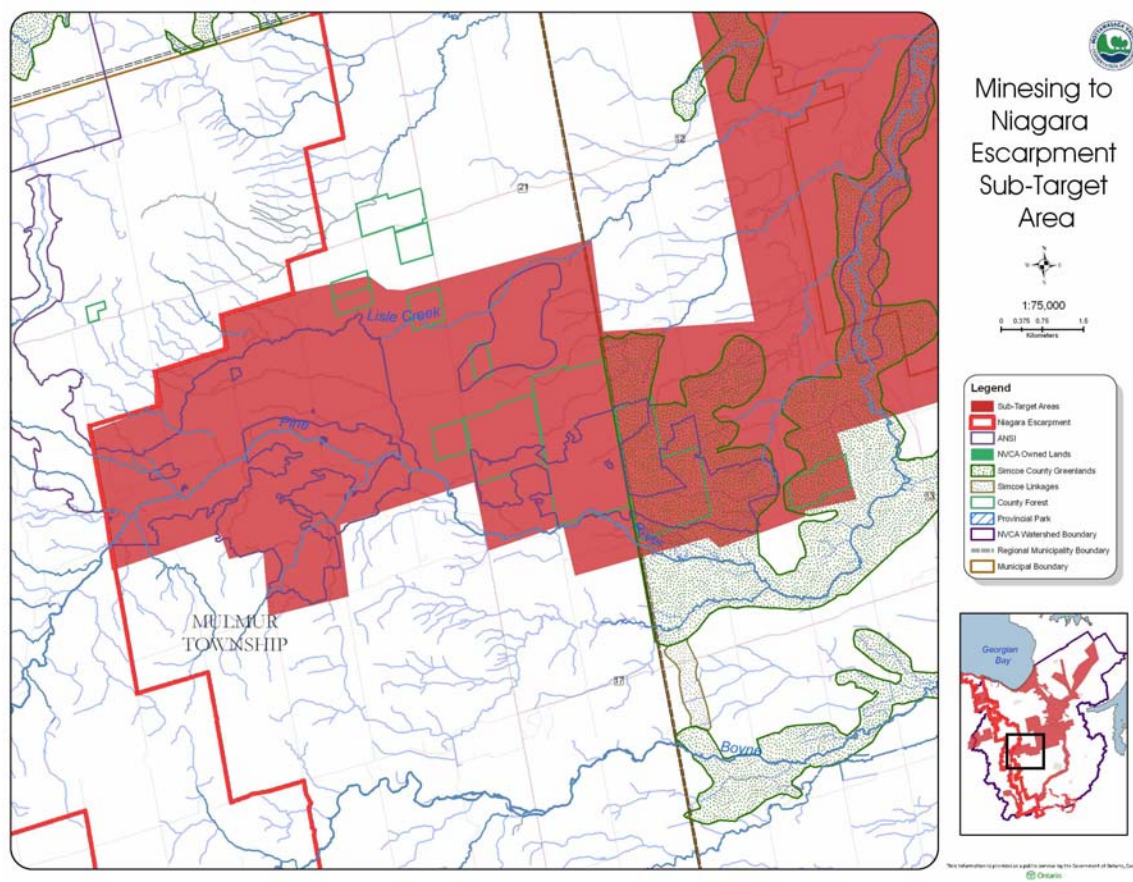
FIGURE 11 – Wasaga Beach Sub-Target Area - Landowner Contact and Potential Securement



9.3.5 Area Linking Minesing Wetlands to the Niagara Escarpment

This sub-target area was ultimately chosen because of the array of natural features linking these two areas, the relatively large parcels and the relative affordability of land. This area encompasses the lands within and surrounding Base Borden and also includes the Mad River Subwatershed, Middle Nottawasaga River Reach and Pine River Subwatersheds. Several ANSIs are located within this linkage area as well as the East Borden Swamp (PSW), the Terra Nova Wetland Complex (PSW) and the Glencairn Wetland Complex (locally significant). There are a few NVCA lands just outside of this sub-target area (New Lowell, Tiffin and Utopia), and there are numerous publicly owned lands directly in the area (i.e. Simcoe County Forest and Dufferin County Forest) which provides a basis for future land securement adjacent to or surrounding these lands. Using coarse-level analysis, 280 properties and approximately 42,784 acres (17,314 ha) of land have been identified for landowner contact and these are outlined in Figure 12 and Table 6.

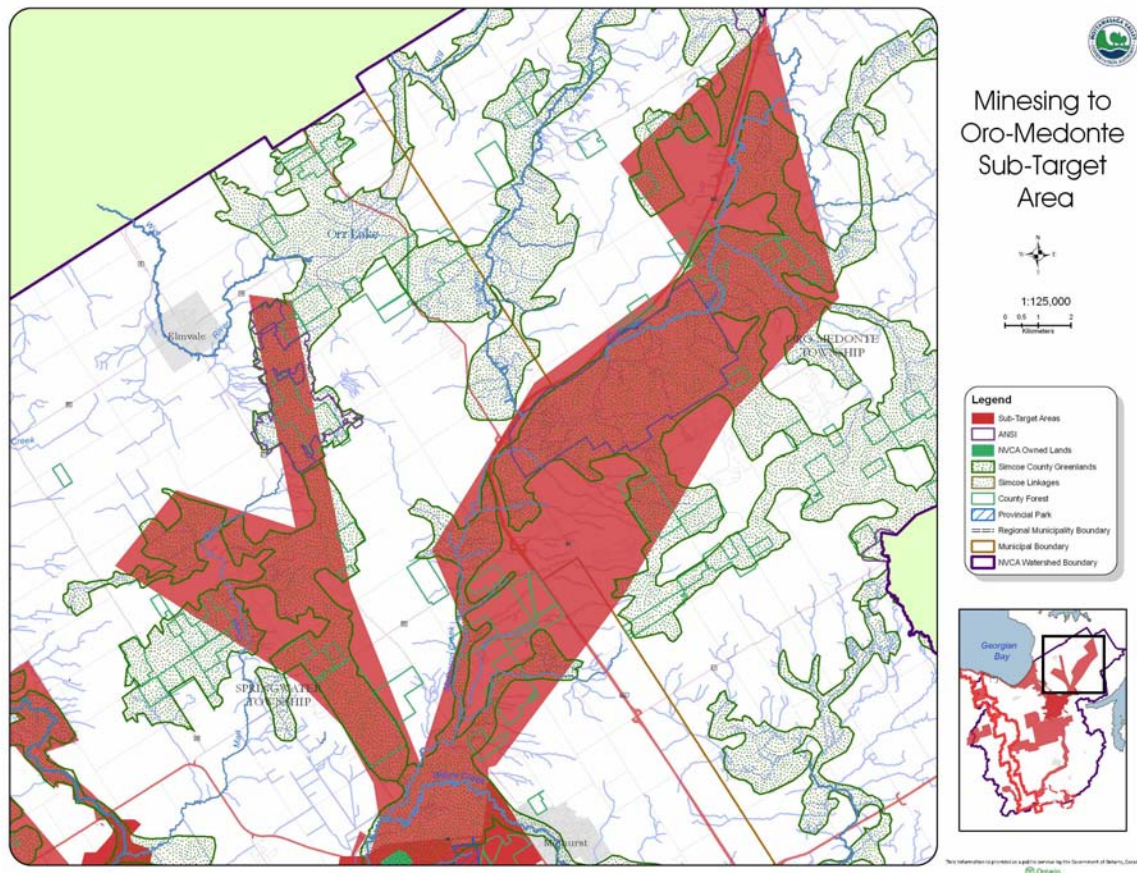
FIGURE 12 – Mining to Niagara Escarpment Sub-Target Area - Landowner Contact and Potential Securement



9.3.6 Area Linking Minesing Wetlands to Oro-Medonte

This sub-target area was chosen because of the array of natural features linking these two areas, the relatively large parcels and the relative affordability of land. This area includes the Willow Creek Subwatershed and Severn Sound Watersheds. Several ANSIs are located within this linkage area as well as the Copeland-Craighust-Guthrie Complex (PSW), the Midhurst Swamp (locally significant) and the McMahon Creek Swamp (locally significant). There are no NVCA lands in this area, however there are numerous publicly owned lands in the area (i.e. Simcoe County lands and Simcoe County Forest) which provides a basis for future land securement adjacent to or surrounding these lands. Using coarse-level analysis, 343 properties and approximately 32,789 acres (13,269 ha) of land have been identified for landowner contact and these are outlined in Figure 13 and Table 6.

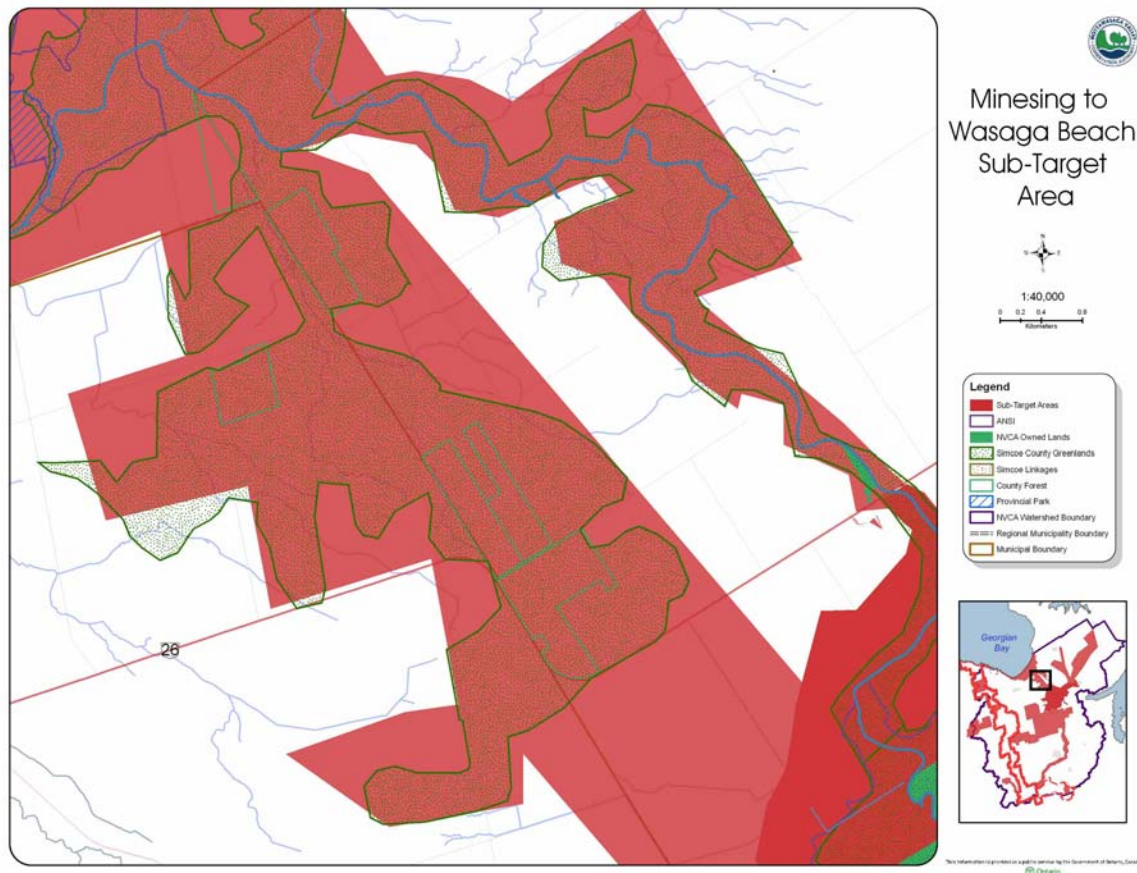
FIGURE 13 – Minesing to Oro Medonte Sub-Target Area - Landowner Contact and Potential Securement



9.3.7 Area Linking Minesing Wetlands to Wasaga Beach

Further to the lands identified in the Town of Wasaga there are a series of properties linking Wasaga to the Minesing Wetlands in the Municipality of Springwater. These lands are being recommended as a proposed target area for land securement. A main natural feature in this corridor is the Provincially Significant Wetland called Jack’s Lake Complex. This sub-target area also includes the Edenvale Conservation Area which could be expanded through future acquisition. In addition, there are numerous publicly owned lands in the area (i.e. Simcoe County lands and Simcoe County Forest) which provides a basis for future land securement adjacent to or surrounding these lands. Using coarse-level analysis, 111 properties and approximately 11,002 acres (4,452 ha) of land have been identified for landowner contact and these are outlined in Figure 14 and Table 6.

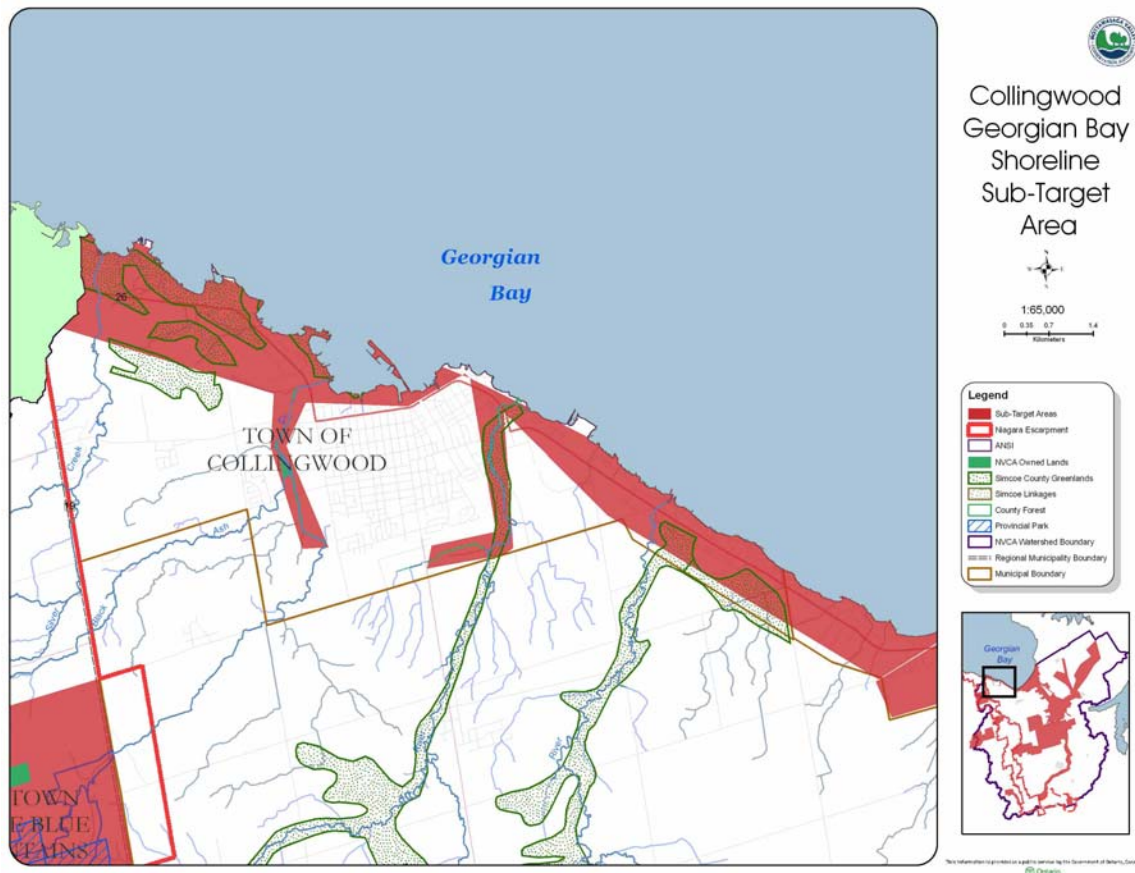
FIGURE 14 – Mining to Wasaga Beach Sub-Target Area - Landowner Contact and Potential Securement



9.3.8 Collingwood/Georgian Bay Shoreline

Although this area is the weakest sub-target area in general because the land may already be developed or in the hands of developers and land parcels are smaller with most likely, higher per/acre prices, the shoreline is a sub-target area of priority because these areas generally have the highest threat due to shoreline development. Because of this threat there may also be a lot of community support to protect these areas, especially in the western edge of the watershed at the Provincially Significant Silver Creek Wetland Complex where larger land parcels still exist. Using coarse-level analysis, 23 properties and approximately 1584 acres (641 ha) of land have been identified for landowner contact and these are outlined in Figure 15 and Table 6. In order to build on already protected areas, this subtarget area includes Black Ash Creek Conservation Area and Pretty River Conservation Area which are both in the Collingwood Area.

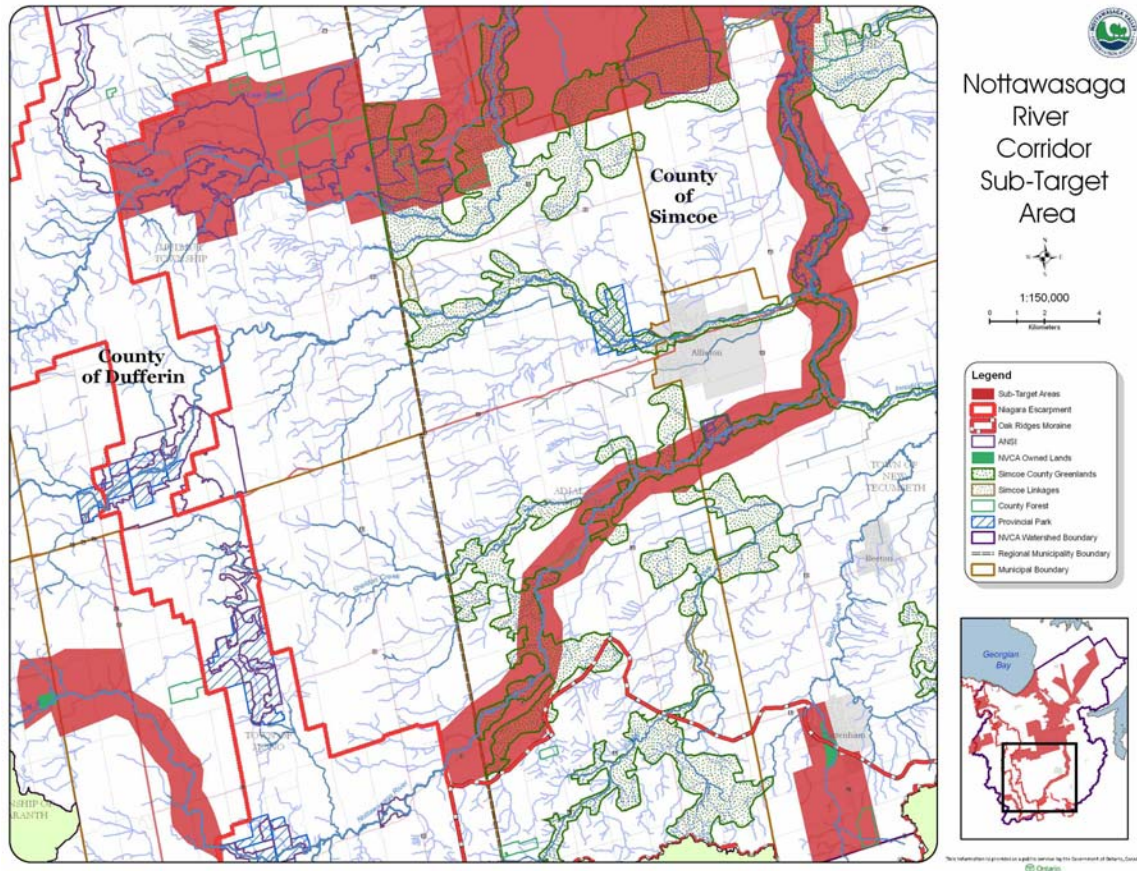
FIGURE 15 – Collingwood/Georgian Bay Shoreline Sub-Target Area - Landowner Contact and Potential Securement



9.3.9 Nottawasaga River Corridor

The Nottawasaga River Corridor is an important ecological feature in the watershed. It also serves as a corridor or linkage between environmental features and protected lands. The Nottawasaga River Corridor has been chosen as a subtarget area for landowner contact and acquisition because of its importance for protecting the shoreline of the Nottawasaga River main branch, a way to protect water quality and quantity along the river and because of the potential for it as a future trail corridor. Many sections of the Nottawasaga River have already been identified for landowner contact and potential acquisition through many of the subtarget areas already discussed in this report including the Wasaga Beach Area, the Minesing to Wasaga Beach Area, Minesing Wetlands, and the Minesing to Niagara Escarpment Area. The sections of the Nottawasaga River Area that have not been identified through other sub-target areas include the long stretch of river between the Camp Borden Area and the junction of the Niagara Escarpment/Oak Ridges Moraine and the stretch of river between the Niagara Escarpment and the Elba Wetlands Conservation Area (which is owned by the OHT but managed by the NVCA). Using coarse-level analysis, 267 properties and approximately 22,242 acres (9001 ha) of land have been identified for landowner contact and these are outlined in Figure 16 and Table 6

FIGURE 16 – Nottawasaga River Corridor Sub-Target Area (Specifically from Mining to Niagara Escarpment/Oak Ridges Moraine Area and From Niagara Escarpment to Elba Wetlands Area) – Landowner Contact and Potential Securement



9.3.10 Additional Lands Adjacent to and in Close Proximity to Existing NVCA Land Holdings

The remaining sub-target areas are those CA lands which were not included in the above list of sub-target areas. These include New Lowell and Glencairn (combined on Figure 17), Tiffin, Utopia, Glencairn and Osprey Wetlands. These subtarget areas will allow for the potential expansion of existing protected areas through the watershed. See Figures 17, 18, 19, 20, and 21, respectively. Using coarse-level analysis, the amount of landowners and the acreage targeted for potential landowner contact are summarized in Table 6.

FIGURE 17 – New Lowell and Glencairn Sub-Target Area - Landowner Contact and Potential Securement

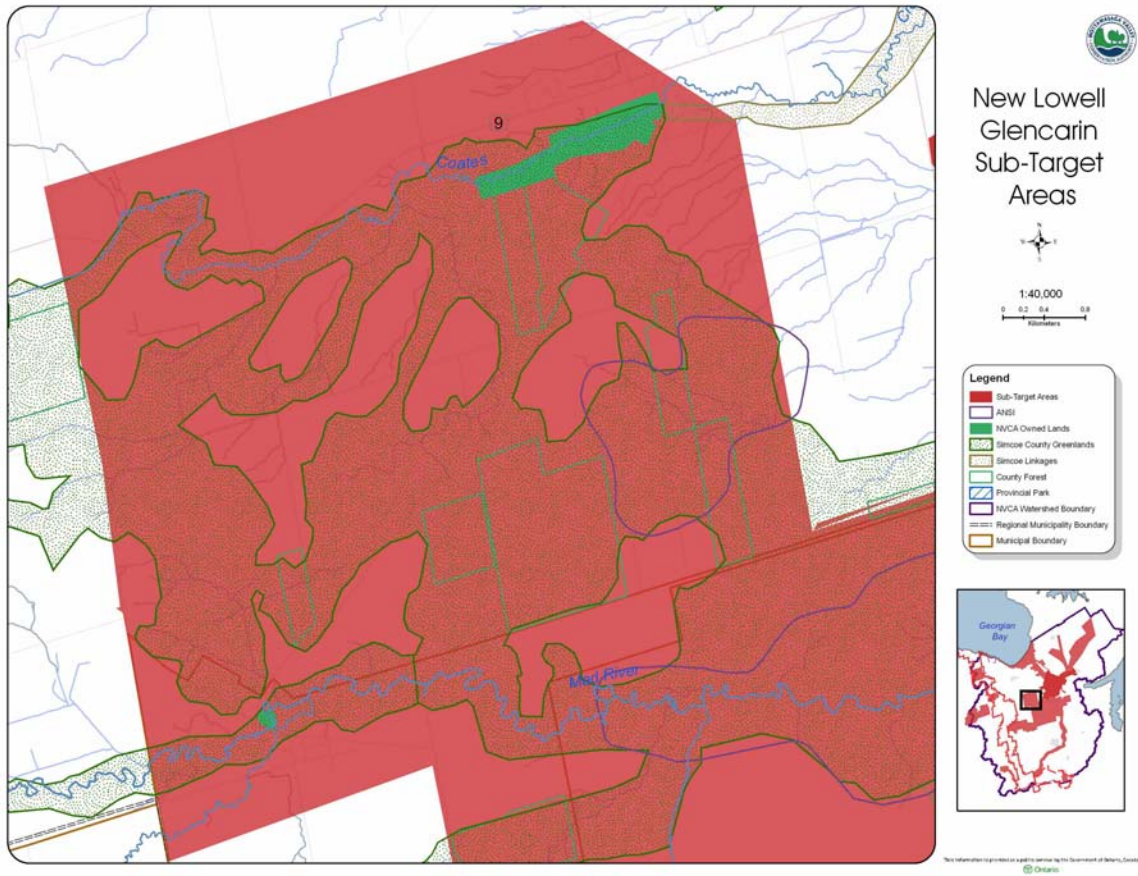


FIGURE 18 – Tiffin Sub-Target Area - Landowner Contact and Potential Securement

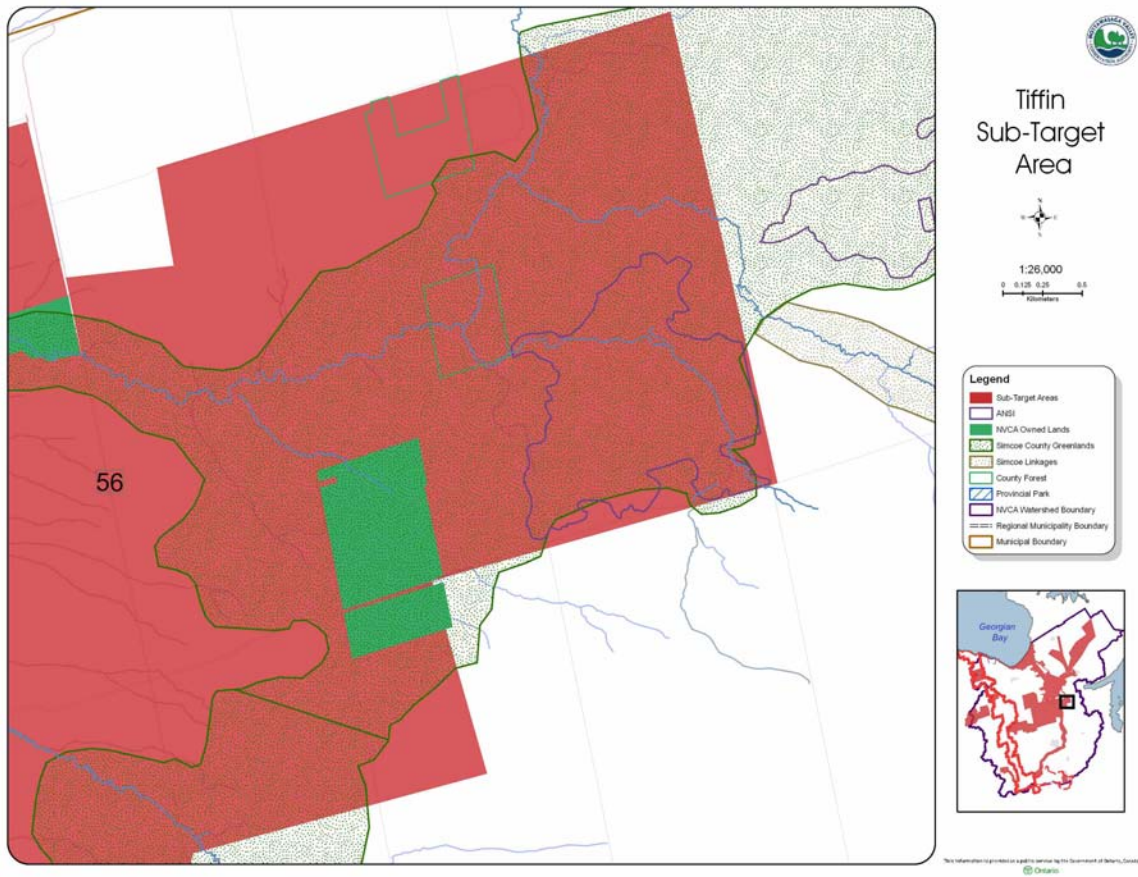


FIGURE 19 – Utopia Sub-Target Area - Landowner Contact and Potential Securement

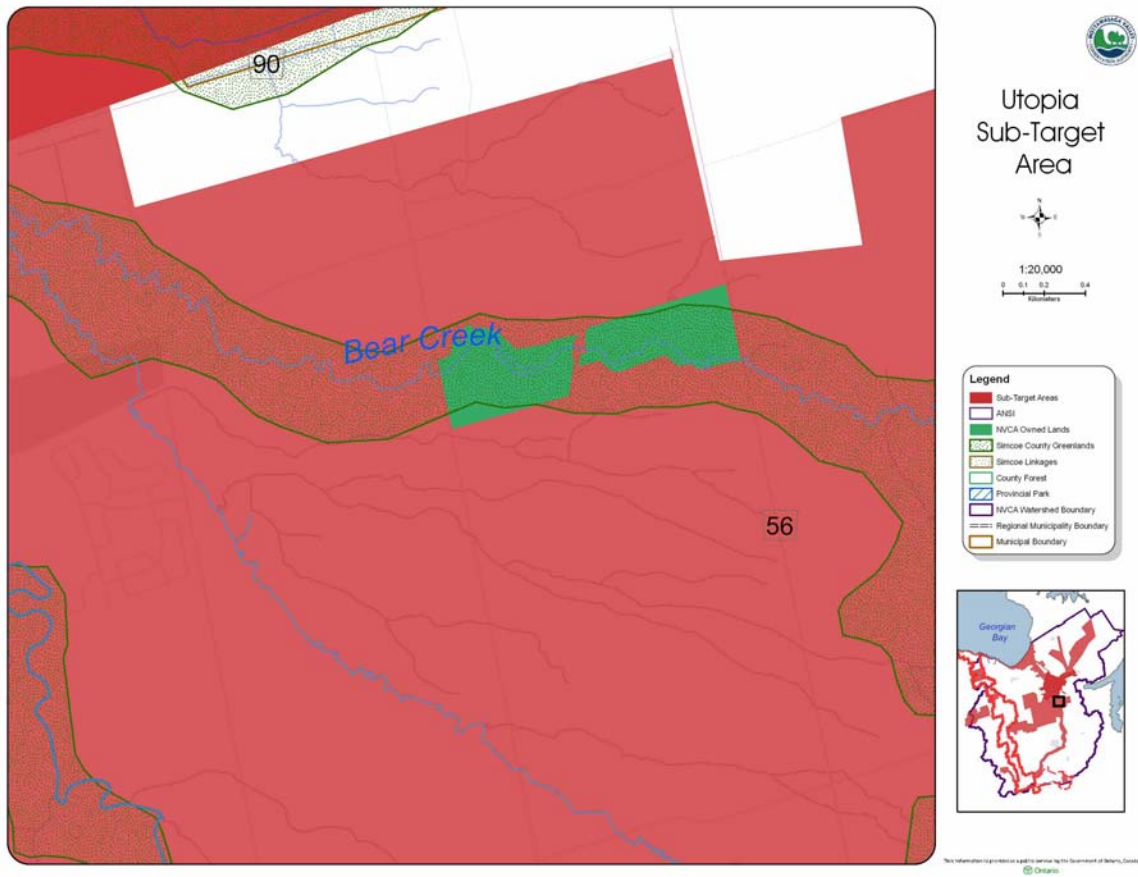
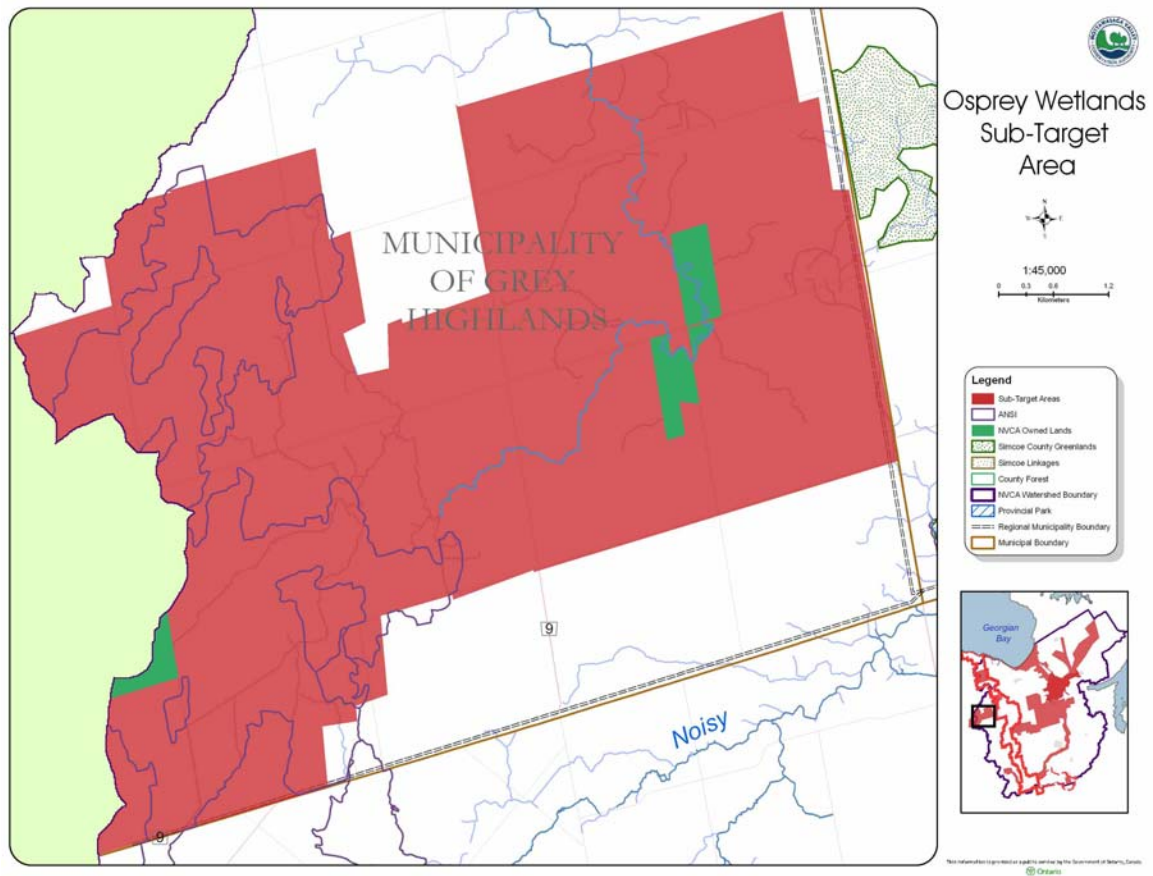


FIGURE 20 – Osprey Wetlands Sub-Target Area - Landowner Contact and Potential Securement



9.3.11 Opportunity Sites

Properties outside of these sub-target areas that contain important ecological, physical or hydrogeological features that come to the attention of the NVCA through a willing owner or funding support. These may also include lands identified within the Essa Township Natural Heritage System – Background Review and Landscape Model (September 2004) or the Town of New Tecumseth Natural Resource Management Plan – Background Review and Natural Heritage Model (April, 2004). In this Natural Heritage Plan detailed mapping shows a Natural Heritage Feature overlay and indicate potential areas for securement based on medium to high natural heritage scoring using the NVCA model.

Table 6 Summary of Landowners and Acreages of Sub-Target Areas

Sub-Target Area	No. Parcels >= 40 acres	Acreage	Hectares
Minesing Wetlands	28	2764	1119
Nottawasaga Bluffs	39	4025	1629
Petun	73	8098	3277
Tottenham	30	2665	1078
Wasaga Beach	91	7278	2945
Minesing to Niagara Escarpment	280	42784	17314
Minesing to Oro-Medonte	343	32789	13269
Minesing to Wasaga Beach	111	11002	4452
Collingwood and Georgian Bay Shoreline	23	1584	641
Nottawasaga River Corridor	267	22242	9001
New Lowell	99	20447	8275
Glencairn	25	2075	840
Tiffin	50	3645	1475
Utopia	20	1679	680
Osprey Wetlands	150	15077	6102
TOTAL	1,629	178,154	72,097

10.0 LANDOWNER CONTACT

Now that the target areas have been selected within the watershed and individual landowners have been selected, the process begins of contacting those landowners. A primary goal of this land securement program is to educate landowners with significant landholdings within the NVCA watershed (i.e. > 40 acres) about the various long-term conservation options that are available to them. Most landowners only know about 2 options when it comes to their land:

- 1) Sell it; or
- 2) Leave it to their children.

Deciding to protect one's property for the long-term is a big decision and the decision can take a landowner several years to make. Even if a landowner doesn't express interest in the various conservation options available to them at this time, the landowners now have increased awareness about conservation options in case they change their mind in the future. As in fundraising, approaching people for land donations also requires patient cultivation. Building relationships is the key.

The approaches listed below involve proactive landowner contact; however, the possibilities are good that some landowners will take the lead at contacting the NVCA to discuss the donation or sale of their land. Especially, if the NVCA or its partners are active in the watershed, have a good reputation with landowners and the community, and are practicing good communication of land securement programs and tax incentives to landowners.

The initial steps associated with landowner contact include developing a landowner contact list, preparing landowner packages and property mapping. These activities can be undertaken by NVCA staff or by a third-party contractor. The contact program will include:

10.1 Developing a Landowner Contact List: Using the recommended take-lines outlined in Figures 7-22, a landowner list is developed for each targeted area. Landowner contact information needs to be collected (i.e., mailing address, phone number) so that packages can be mailed and followed-up on. For areas where partners are directly involved in landowner contact (i.e. BTA), these landowners can be included on the list, but the contact can be left to the partner organisation, therefore reducing duplicate efforts. This is why communication between partner conservation organisations, is so important.

Recommended Staff Implementation: If staff resources are minimal, this step can be performed by Summer Students or contract staff.

10.2 Mailing: This will involve sending out an introductory letter (see Appendix 5), a brochure outlining the various long-term securement options (see Appendix 6), a photo mosaic map of the subject property (potentially showing ecological features), a Ecological Gifts Program Brochures and if appropriate, NVCA program brochures. The goal here is to introduce the landowner to the material and 'break the ice' so that a telephone call can be made several weeks later (see 10.3), following up on the material provided.

Recommended Staff Implementation: If staff resources are minimal, this step can be performed by Summer Students or contract staff.

10.3 Telephone Solicitation: This step involves calling target landowners to introduce them to the program, to identify other program information they may be interested in and attempt to arrange a meeting with the appointed Land Securement representative to discuss the

program and landowner options. It is highly recommended that this step follow Step 10.2 so that the telephone call is not a 'cold call'. If the landowner is not interested in any long-term securement options at this time, then the Land Securement representative can educate them on the various stewardship programs that may be of interest to them.

Recommended Staff Implementation: This step requires trained staff as they will need to be familiar with the mapping of the property as well as be able to answer any questions that the landowner may have.

10.4 Drop-Ins: On occasion drive target areas and drop in on properties for sale or properties that are ecologically significant to engage the landowner in the securement or stewardship program. This is a necessary action for landowners who are unreachable via the telephone or who have unlisted contact information.

Recommended Staff Implementation: This step requires trained staffs that are well-versed on the various land securement options. For safety reasons, depending on the property and the landowner it may be prudent to have two representatives attend the drop-in or scheduled site visit.

10.5 Scheduled Site Visits: Once a landowner is contacted and they express some interest in the program, a site visit or landowner visit can be scheduled and a Property Evaluation Form can be filled out (Appendix 7). This may not include a site visit of the property but may instead be a detailed discussion of the initial landowner package that was sent to them. At this time, more information can be provided to the landowner about the potential options available to them. It is always stressed to the landowner that they need to seek personal legal and financial advice before making any decisions.

Recommended Staff Implementation: This step requires highly trained staff.

10.6 Landowner Leads: This involves taking leads from various individuals from the community, organizations and municipalities. These will be followed up after discussion with the hand off agency on the appropriate next steps.

Recommended Staff Implementation: This step requires highly trained staff.

10.7 Timelines and Expectations

It is recommended that in Year 1 of implementing this strategy, 100-150 landowners will be contacted. The number of landowners contacted in subsequent years can be adjusted based on landowner response from previous years however 100-150 landowners/year is a general recommended number. Based on other landowner contact programs, there is an expected response rate of 10-20% of landowners who are interested in learning more about conservation. Of these, a smaller percentage will be interested in detailed securement discussions. The focus of Year 2's work not only involved contacting new landowners, but also involves the continual follow-up of contacts previously established in Year 1. Sometimes it can take several years to cultivate a relationship with a landowner to earn their trust, before they will make a decision involving the permanent protection of their land. The process is repeated every year, with new contacts being established, and relationship building with those who express interest in the program.

10.8 Other Items of Discussion

Obviously the main goal of having a landowner contact program is to secure more ecologically sensitive lands. However, there are also two other advantages to having this program, which the NVCA can directly benefit from. Even if a landowner decides not to become involved with putting their land or a part of their lands into permanent protection, they may decide to support the NVCA and its mission through a financial contribution. This is a perfect opportunity for any

involvement from the NVCF or a Development Officer from the NVCA to foster or cultivate the relationship with the landowner to seek an individual “ask” for support. Another advantage to this landowner contact program is the spin off message about the long-term stewardship options available to landowners. The NVCA has stewardship programs that can provide funding to landowners who may want to enhance their property through tree-planting, wetland improvement etc. So, even if the landowner is not interested in the land securement options, the landowner contact person can educate them about the various stewardship options and give them the necessary contact information to follow-up with.

Besides the mailing of packages described in Section 10.2, another way of communicating the information to landowners about the various long-term securement options and donations of land is to add this information to the NVCA website. This will allow landowners to review donation information posted on the site, and contact the NVCA proactively, if they are interested. Also, the NVCA is encouraged to give presentations to the various groups and clubs (i.e. Rotary Club) in the watershed, as another means of educating the public and landowners about conservation options and tax benefits.

Some landowners who are considering long-term options for the protection of their property can be very sceptical of whether or not they will have a guarantee that the land they donate would never be sold or destroyed in the future. The long-term protection of their properties is definitely a concern from the landowner’s perspective. The NVCA will need to consider its key messaging and policies relating to long-term protection and securement, in order to communicate this to landowners and alleviate any concerns they may have.

The above steps recommends using either a staff person from NVCA or a contractor or third-party agency. One advantage of this is that the landowner is contacted by someone who is not directly staffed by the NVCA and therefore it minimizes any preconceived notions that the landowner may have about the agency who is contacting them. As a result, the contact person has a better chance of getting the securement message across and keeping the lines of communication open with the landowner.

11.0 PROPERTY EVALUATION PROCEDURES

Given the vast area of ecological features identified on Figure 1 (Map of Natural Heritage Features), it is inconceivable that all of these lands would be secured by public agencies or land trusts. With existing funding levels and the ability to locate willing parties, only the most suitable lands which may be available in any given year will be considered by the NVCA for securement.

In order to evaluate potential securement opportunities in an efficient manner, it is recommended that a Land Securement Committee (LSC) be established. The purpose of this committee is to screen the potential land securement initiatives to focus the time and resources utilized within the department on the most ecologically significant securement opportunities. The Committee will be comprised of internal staff members including, the Director of Conservation Lands, the NVCA’s ecologist, hydrogeologist, and aquatic biologist as needed. This committee will be chaired by the Director of Conservation Lands and would typically meet monthly or less often depending on securement opportunities.

The committee will work to develop two property securement lists, list one would be ‘active’ properties for securement and list two the ‘potential’ properties for securement. The list of potential securement opportunities will include those properties that have been brought to the attention of the field Land Securement representative, whether this person is staff or contractor,

and warrant further consideration. Once a candidate property has been identified, a property evaluation involving desk top analysis and where necessary field investigation, will be undertaken (see Appendix 7). This will provide an assessment of the ecological significance of the property in the context of the target areas identified on Figure 1. Further, the desire of the NVCA to acquire the property and the landowner's interest in working with the NVCA to develop a mutually acceptable transaction will need to be assessed. This could take the form of a fee-simple purchase, donation, or easement. Depending on the property history and preliminary site evaluation, additional environmental studies may also be required (i.e., Phase 1 Environmental Assessment).

Properties that have been moved on to the active list will then be pursued for securement upon review and recommendation by the CAO and approval of the Board. This will involve identifying the funding source or program to secure the property (i.e., purchase, easement and donation). Once the funding is determined, the field representative will proceed to secure the property (i.e., obtain appraisal, negotiate agreement, commission survey, etc.).

When assessing the suitability of land for securement, consideration will be given to the cost of taxes and long-term maintenance of the property. Where it is desirable to have a municipality or a local NGO help manage a property, arrangements would be made in advance with the respective municipality to have an agreement in principle to include the land under a management agreement.

12.0 PROGRAM FUNDING

NVCA has not had a pro-active land securement program for many years. NVCA's land securement program has been mostly reactive by responding to landowners or other securement partners as properties become available. The most activity has been in the Minesing Wetlands with the help of NCC.

Today there are several provincial sources of securement funding available. The following sections outline the costs associated with acquisitions in the past few years and the projected costs over the five year program.

12.1 Costs

The NVCA currently has a relatively small land securement budget within the Conservation Lands Reserve Fund which generally accumulates user fees from various NVCA land open to the public. Previous NVCA budgets and projections of \$5,000 to \$10,000 per year for land securement funding are too low to achieve the land securement goals being outlined in this report. Just one fee-simple land donation has the following approximate securement costs associated with it:

- Appraisal \$2,500 - \$5,000
- Legal \$1,500 - \$2,000
- Survey (if required) \$2,500 - \$7,000
- Staff/contractor time \$4,000 - \$6,000

Some of the above costs can be recovered through some available funding programs. Nevertheless, it would be prudent to budget at least \$15,000 per acquisition.

If the NVCA is to achieve its goal of 800 acres/year or 325 hectares/year, the NVCA will require a budget allocation of about \$115,000-\$190,000.00/year. The primary cost associated with the land securement program is hiring a dedicated staff Land Securement Officer or retaining an

experienced contractor to establish the land securement program (i.e. someone whose time is solely dedicated to landowner contact and the entire land securement process from start to finish). This program will be focused on donations of land or purchases of land through leveraged partnership funds or split-receipt options to keep land costs at a minimum. In addition, monies will be raised through various securement programs in order to cover costs associated with legal, appraisal, survey, environmental audits, demolition and property clean up, G.S.T., land transfer tax, interest charges, fencing, administration, and other related costs. These expenditures will be based on the funding provided to date and the opportunities for various programs and partnerships outlined below.

Therefore, Year 1 would be \$40,000 staffing plus an addition \$15,000 to close the first project. In Year 2, anticipating that 5 - 10 projects would close the securement costs would be \$40,000 plus \$15,000 for each project for a total of \$115,000-\$190,000 per year. Each subsequent year the securement costs would marginally increase as the number of projects would naturally increase as a result of the intensive landowner contact performed in 2007. Based on the funding programs described below, it is anticipated that most of the project related costs (i.e. \$15,000 per project for surveys, appraisals etc), if not all of these costs, could be fundraised for.

12.2 Funding Alternatives

The following outlines a variety of potential funding sources for land securement. Table 7 lists some agencies and project parameters.

12.2.1 Municipal Funding

The conservation of lands benefits all municipalities within the jurisdiction of the NVCA by maintaining their ability to accommodate the natural functions and features of the ecosystem and providing open space for the enjoyment, health, and well being of all residents. The conservation of the natural heritage system including issues related to the quantity and quality of water is of benefit to the people of the entire region and will contribute positively to the quality of life for future generations.

Where appropriate, as land securement opportunities present themselves, each upper and lower tier municipality would be consulted to determine if there is any funding available to support the securement initiative.

Currently, the adjacent Regions of York and Peel have Land Securement Working Groups and funding in place that provides an opportunity for area municipal, agency and other key stakeholders to network and discuss land securement activities and priorities. This is an important forum for sharing approaches and avoiding duplication of efforts and resource utilization. Unfortunately, the NVCA's watershed does not fall within York Region's jurisdiction and only a very small area falls within Peel Region's jurisdiction however the Counties of Grey, Dufferin and Simcoe should be approached with the land securement model used by Peel and York for consideration of adopting a similar program in the future.

12.2.2 Provincial Funding

Natural Spaces Land Acquisition and Stewardship Program (NSLASP)

Since August 2005, the Ontario Minister of Natural Resources (MNR) announced the Natural Spaces Land Acquisition and Stewardship Program (NSLASP). This new program included a \$6-million allocation to OHT for the acquisition and stewardship of provincially significant natural heritage lands in southern Ontario. This program provides up to 50% funding to partners for acquisition and stewardship programs. The program has already gone through one round of funding and the application deadline for the second round was December 15, 2006. However, it is expected that a third round will be announced sometime in the Spring of 2007 and this would

be an excellent opportunity for the NVCA to secure matching dollars for securement proposals.

The Greenlands Program

In November 2006, NCC and MNR announced a renewal of Greenlands Program funding. Proposals are being accepted for January 15, 2007 and April 15, 2007 for matched funding (up to 50% of costs) for securement of ecologically sensitive lands.

12.2.3 Land Sale Funding

Generally, NVCA does not endorse selling off conservation lands. Where revenues are realized through the sale of any surplus lands, and where NVCA receives the necessary approvals to allocate the funds to acquisition, these monies will be applied to properties identified as suitable for acquisition by this project. In the case of trade lands, properties that do not contain environmental features would typically be sold with the proceeds being directed to the land securement program.

12.2.4 Federal Funding

In the 1960's under the Plan for Flood Control the NVCA received funding from the Federal Government for the acquisition and construction of flood control structures. This project was funded 37.5% by the Federal Government, 37.5% by the Province and 25% by the Municipality. It is recommended that the NVCA approach the Federal Government for support and funding of this project for areas which have high susceptibility to flooding.

12.2.5 Partner Funding Support

The NVC Foundation (NVCF) has historically been an active partner in fundraising etc., but unfortunately the foundation has been very inactive in recent years and is not a viable partner at the moment. A key component to having the NVCA Land Securement Strategy supported and financed would be through having a viable NVCF. In other Conservation Authority Foundation models (i.e. TRCA and the TRCA Foundation), the Foundation is a key part of the success of the Conservation Authority and its securement agenda. First and foremost, the Foundation can be relied on for fundraising support, whether its general operations fundraising to implement the Land Securement Strategy, or to raise money to purchase specific properties. Secondly, the Board Members of the Foundation are a great source of referrals of people who may donate land, or may donate money to the NVCA. Board members are usually well-known ambassadors of the community, and they can serve as great assets for getting important introductions. The Board can act as volunteer members in the community, helping with landowner contact as well as performing direct donation asks from high-end donors. The Land Securement Team of the NVCA and the NVCF can be great allies in achieving the goal of increased land securement in the NVCA watershed. It is highly recommended that the NVCA strive to resurrect its Foundation.

In addition to the NVCF, there are numerous other potential funding partners including NCC, ORMF, BTA, ORMLT, Ontario Nature (formerly the Federation of Ontario Naturalists), OHT, Couchiching Conservancy, the Blue Mountain Watershed Trust, Ducks Unlimited, the EBC and NVCA's municipal partners (Table 7). With the assistance of potential funding partners it is anticipated that the solicitation of donations of money and land can be significantly increased in the NVCA watershed.

Table 7: Potential Funding Partnerships

Organization	Project Parameters
--------------	--------------------

Organization	Project Parameters
Nottawasaga Valley Conservation Foundation (NVCF)	Potential funding for specific projects on a case by case basis.
MNR/NCC – Greenlands Program	Based on projects that support biodiversity and species at risk. Potential funding 1:1 matching for specific projects on a case by case basis.
MNR/OHT – Natural Spaces Land Acquisition and Stewardship Program (NSLASP)	Potential 1:1 matched funding for specific projects on a case by case basis - focus provincially significant feature protection.
Oak Ridges Moraine Foundation (ORMF) (Provincial)	Specific projects within the ORM Plan Area.
Friends of the Greenbelt Foundation (Provincial)	Potential funding for activities that have multiple benefits that link ecological enhancements with economic, educational or cultural components.
<p>Land Trusts:</p> <ul style="list-style-type: none"> - Oak Ridges Moraine Land Trust (ORMLT) - Couchiching Conservancy (CC) - Blue Mountain Watershed Trust (BMWT) - Ontario Nature (ON) - Nature Conservancy of Canada (NCC) - Ontario Heritage Trust (OHT) - Escarpment Biosphere Conservancy (EBC) 	Potential support in fund raising efforts for specific projects. Focus of various geographical areas of interest. Potential funding for specific projects on a case by case basis.
Bruce Trail Association (BTA)	Support in fund raising efforts for specific projects that secure the Optimum Route.
Ontario Land Trust Alliance (OLTA) Ontario Land Trust Assistance Program (OLTAP)	Through the Environment Canada stream of funding CA's can access \$1-6K for securement related costs.
Upper Tier Municipalities (Counties of Simcoe, Dufferin, Grey)	Potential funding for specific projects on a case by case basis (i.e., York Region - focus on tree cover restoration, linkages).
Local Municipalities	Potential funding for specific projects on a case by case basis (i.e., focus public access, community related projects).
Private Sector Funding	TD Canada Trust - Friends of the Environment. Industry (i.e., Aggregate Producers)

12.2.6 Financing Projects

For fee-simple purchases and split receipts, long closing dates (6 - 12 months) should be negotiated to allow for fundraising. Furthermore, an escape clause can be established if funds raised are insufficient by a certain date eliminating the risk to NVCA. Such a strategy has been proven successful in project specific fundraising campaigns. A recent example was BTA's acquisition of Rush Cove on the Bruce Peninsula. This was a \$700,000 offer to purchase with nine months to close. The call to action of having a real deal created a very successful result with all the money raised for the purchase price, securement and stewardship costs.

As described in Sections 6.3.1 an Option to Purchase allows the NVCA to buy a property at a set price for a stipulated period of time. This mechanism not only gives the NVCA a means of "buying time" in its attempts to acquire a specific piece of land but it also provides the perfect opportunity for fundraising. There is no greater success in the land securement community than when a 'call for support' or a 'call to action' is expressed. The sense of urgency to raise funds for a key property is always a perfect recipe for success. Many conservation organisations have secured key properties this way by calling on individuals, partners, members and corporations to assist in buying and protecting a particular property. When this type of campaign is done properly, the money is usually raised at the pre-determined goal, and sometimes it is exceeded. If there is only a short period of time to raise the funds, the NVCA can consider bridge financing or 'borrowing' funds from another internal account until the money is raised and repaid or they can borrow money from a lending institution and essentially mortgage the property until the funds are raised.

12.3 Land Securement Success and Promotion

The term "success breeds success" is highly applicable to the securement of ecologically sensitive lands. Unless highly confidential for whatever reason, once there is the 'success' of securing a property within a given area, the NVCA should give close consideration to the messaging and leveraging of this success to create even more success. Whether the property was purchased or donated, a single success can be used to generate local, regional or even provincial attention which in turn can lead to increased funding, an increase in interested landowners and an increase in partnership support. Especially in the case of land donations, this may encourage other landowners to do the same. This landowner can in turn be invited to act as a champion in their area of the watershed. Below are some recommendations for communicating success in the NVCA watershed.

12.3.1 Recommendations for Community Communications and Promoting Land Securement

1. Ensure that all partners involved in the securement of a property are given proper recognition.
2. Invite local, regional and provincial politicians to the event (federal if donation).
3. Ensure that the event or success is covered by all forms of local and regional media (i.e. newspaper, television, radio).
4. Ensure that the event is communicated through internal media like newsletters, websites etc.
5. Use the media articles, or newsletters or other internal communications to send to interested partners, landowners etc.

12.4 Stewardship Endowment Funds

This strategy is recommending the securement and ownership of more lands by the NVCA. In order to provide adequate resources in perpetuity for properties and stewardship related activities, a detailing of stewardship costs is required for each new property that is to be acquired (both fee-simple and conservation easement properties). Costs should include both infrequent and short-

term costs (i.e. tree planting) and repetitive and long-term costs (i.e. property taxes, insurance, clean-up, monitoring, fencing, etc.). The costs can be categorized as those that are administrative (Category A below), or conservation stewardship related (Category B below). There is obviously more direct management on land that NVCA owns versus lands under conservation easement agreement. Examples of stewardship costs are listed below as well as their likelihood for fundraising.

A. Land Administration - Carrying Charges

- For NVCA owned properties: taxes, risk management, insurance, access, perimeter signage, fencing for neighbours or trespass;
- (note - difficult to fundraise for and more reliant on Endowment funding)

B. Conservation Stewardship - Managing Sites based on NVCA Mission

- NVCA owned properties: conservation fencing, burning, removal of invasives; interpretive signage; partner/volunteer support; community relations.
- Both owned and easement properties: Inventory; site monitoring;
- (note - higher likelihood of fundraising for projects but also the object of Endowment fundraising)

Once the NVCA has a detailed understanding of stewardship costs, a strategy for managing these in perpetuity can be developed. Depending on the budgeting structure of the NVCA, one highly recommended approach is to develop a stewardship endowment fund.

The fund is generally managed and set-up as a separate fund, with income (e.g. interest) allocated for stewardship purposes. Up to 5% of income in any one year is allocated for stewardship purposes. Income above 5% remains in the fund to offset annual inflation, grow the fund and to protect the purchasing power of the endowment over time. This type of fund would ensure that funding for most stewardship activities or land-related costs are secure. For special projects that may be periodic and require additional funding (i.e. restoration), further fundraising would be required. The amount required in the fund would be determined from the projected stewardship costs and would change over time as the NVCA property portfolio changes.

As the NVCA increases the amount of land protected, it is recommended that the NVCA consider developing and implementing a Stewardship Endowment Fund, based on its current and future costs of its stewardship program (for both fee-simple and conservation easement agreements). An easy way to implement and fundraise for this fund is to have a policy whereby any new property secured must have stewardship endowment funds in place before the property closes. It can become part of the securement proposal. Sometimes the best person to ask to contribute to this fund is the landowner themselves. Who better to see the property protected and stewarded in perpetuity than the person who has nurtured the lands for so long?

12.5 Enforcement or Legal Defence Funds

In addition to having a stewardship endowment fund, it is important to consider having a legal defence fund for NVCA easement properties. For example, in the event where a conservation easement agreement has been violated, the NVCA will take every measure possible to mitigate the situation with the landowner in a friendly benign way. However, this approach may not always be successful and may require the support of legal counsel, or involvement in legal proceedings. The cost of defending an easement could range from thousands to hundreds of thousands of dollars per property depending on the situation. By having a separate legal defence fund, these funds could be properly allocated, tracked and managed to ensure that they are in place when needed. The determination of the amount for the fund could be based on the number of NVCA conservation easements and the likelihood of risk to these easements.

It is the responsibility of the NVCA to uphold its conservation easements and set a precedent for other landowners. Therefore, by having a legal defence fund, it shows the community and future easement landowners, that the NVCA is serious about enforcing its easements and protecting the natural features of the watershed as well as its reputation as a conservation authority.

13.0 LAND DISPOSITION POLICY

Through the process of securing ownership of lands through purchase, donation or bequest, the NVCA may receive lands that contain no or only portions of ecologically significant features. Generally, the NVCA does not endorse the sale of lands containing provincially significant features. Through the development and refinement of the natural heritage system reports for the NVCA's areas of focus lands may be identified as surplus due to limited or no ecological significance.

Where the land still warrants protection but NVCA determines that another conservation group would be better suited to manage the property, such lands can be transferred with a land holding agreement to ensure the land remains protected.

In either case, the lands that are recommended for disposition, the following requirements would apply:

- 13.1 That all surplus lands be offered "as is".
- 13.2 That land proposed for use for transportation, infrastructure, utilities or other routine public purposes identified by a municipality or lands identified through an individual Environmental Assessment or Class Environmental Assessment is disposed of at nominal consideration. Where a municipality or public agency requests the disposition of NVCA lands, all costs associated with the transfer of title or easement (i.e., legal, appraisal, survey costs) will be the responsibility of the requesting agency. If a property appraisal is required, it will be commissioned by the NVCA and paid for by the requesting agency.
- 13.3 That a staff report be prepared detailing the technical concerns of the disposition, the environmental significance of the lands, potential impacts of the disposition, any mitigation requirements associated with the lands and remaining NVCA land holdings. The proponent may be required to prepare an environmental review documenting the above noted matters. The scope of this assessment will be determined in consultation with NVCA staff, agency staff and/or their consultants prior to any work being undertaken.
- 13.4 That the proposed disposition of land first is offered to the local municipality and the county within which the lands are located for either purchase or lease. Where lands have been acquired through a donation or bequest of lands that do not contain environmentally significant lands and the owner has given permission for the NVCA to use or dispose of the lands as the NVCA desires, the staff report outlined in 12.3 may not be required. This will be determined at the discretion of the Board.
- 13.5 When the disposition involves any lands where the Ministry of Natural Resources (MNR) provided funding for the acquisition of the subject lands, that the proposed disposition be circulated to the Ministry for approval as outlined in MNR's Policies and Procedures for the Disposition of NVCA Lands.

- 13.6 That all land sales generally be appraised at market value by an AACI qualified appraiser (Accredited Appraiser Canadian Institute). The sale may be subject to conditions to ensure that the NVCA's objectives are met. Where an appraisal of land value is required, the appraisal will be commissioned by the NVCA. Lands with an anticipated value of less than \$25,000.00 may not require a full appraisal at the discretion of the Board.
- 13.7 Generally, where lands are donated to the NVCA, the family who donated the property will be given first right of refusal or requested for consent to sell unless otherwise stated in the terms of the donation or bequest.
- 13.8 The NVCA should develop a policy whereas any proceeds from the sale of conservation lands and easements shall be used to acquire other conservation lands and easements or be used for the direct care of the existing conservation lands and easements.

14.0 CONCLUSIONS

This detailed Land Securement Strategy describes the development and implementation of a Land Securement Program within the NVCA watershed. There are 11 sub-target areas presented in this strategy with approximately 1629 properties and 178,154 acres (72,097 ha) for potential landowner contact and securement (based on a coarse analysis). It is recommended that the NVCA set an annual goal of 800 acres/year, for the securement of lands within these areas in order to increase the amount of protected lands within the watershed from 4.9% to 12.0%.

By strategically targeting specific landowners within the watershed, the NVCA can maximize their time, efforts and resources in securing more ecologically significant lands. By utilising existing land securement partners, funding partners and other available resources within the watershed, the NVCA can succeed in securing more lands while keeping costs at a minimum. This is achieved by emphasising the donation of land first (full value or split-receipt), followed by conservation easement agreements and purchase last.

The information presented in this strategy is for 2007-2011 timeframe, and it is recommended that this strategy be reviewed and revised accordingly every 5 years.

15.0 REFERENCES

(EC). Environment Canada. 2005. Best Practices and Performance Measures (BPPM) for Conservation Easement Programs, Environment Canada, 2005.

(LTA). Land Trust Alliance. 2005. The Conservation Easement Handbook, US LTA, 2005.

NHIC. 2007. Natural Heritage Information Centre. Minister of Natural Resources.

www.nhic.gov.on.ca

(WCELRF). West Coast Environmental Law Research Foundation. 2005. Greening Your Title, West Coast Environmental Law Research Foundation, 2005

World Conservation Union (IUCN), United Nations Environment Program (UNEP), & World Wildlife Fund (WWF). (1980). *World Conservation Strategy: Living resource conservation for sustainable development*. Gland Switzerland: International Union for the Conservation of Nature and Natural Resources.

World Commission on Environment and Development. (1987). *Our common future*. Oxford University Press.

16.0 APPENDICES

APPENDIX 1

NATURAL FEATURES

*All data from the following tables was retrieved from the NHIC website (NHIC, 2007).

SUMMARY TABLE AREA TYPES IN NOTTAWASAGA WATERSHED		Description	Number of Areas
Earth Science ANSI Area of Natural & Scientific Interest (ANSI-ES)	OMNR identified area having provincially or regionally significant representative geological features.	16	
Life Science Area of Natural and Scientific Interest (ANSI-LS)	OMNR identified area having provincially or regionally significant representative ecological features.	32	
Earth Science (ES)		10	
International Biological Program Site (IBP)	A site inventories in the late 1960's and early 1970's as part of the International Biological Program.	17	
Life Science (LS)	An area recognized as having ecological features. Environmentally Sensitive Areas (ESA's) are areas identified by municipalities as being ecologically important; these areas are tracked by the NHIC as life science sites.	14	
Non-Government Organization – Natural Heritage Property (NGO-NHP)	A property which is owned by a non-governmental conservation organization.	4	
Non-Government Organization – Trust Land (NGO-TL)	A property which is owned by a non-governmental conservation organization, specifically a land trust.	11	
Provincial Park – Natural Environment (PP-NE)	A provincially owned and managed park.	3	
Provincial Park – Nature Reserve (PP-NR)	A provincially owned and managed park.	4	
Provincial Park - Recreational (PP-R)	A provincially owned and managed park.	5	
Ramsar Site (RAM)	Wetlands recognized by the Ramsar Convention as being of international importance, especially as waterfowl habitat.	1	
Wetland (WET)	Any wetland that has been evaluated by the OMNR using the Ontario Wetland Evaluation System (OWES) and is recognized as having ecological significance. The official status of the wetland is provided in the record. Some wetlands have been flagged as 'Unofficial'. These wetlands have been evaluated by the OMNR using the OWES but, have undergone complexing with other evaluated wetlands to form a new official wetland.	65	
		Total	182

ANSI –ES IN NVCA		
	Size (ac)	Size (ha)
BANKS MORaine	1742	705
CALEDON MELTwater DEPOSITS (NOTTAWASAGA)	519	210
CANNINGS FALLS	42	17
CREVICE CAVES OF BLUE MOUNTAIN AREA	0	0
GIBRALTAR MORaine	581	235
HATHERTON WETLANDS (ESKER SITE)	5706	2309
KOLAPORE SWAMP	1025	415
MONO CLIFFS PROVINCIAL PARK	1804	730
MORAINES OF BLUE MOUNTAIN AREA	1977	800
NOTTAWASAGA LOOKOUT	717	290
PINE RIVER VALLEY	4060	1643
PRETTY RIVER VALLEY	3329	1347
PRETTY RIVER VALLEY-SOUTHEAST	Not specified	Not specified
SHRIGLEY ESKEr	Not specified	Not specified
VIOLET HILL CHANNEL - BOYNE VALLEY	3277	1326
WEST OF PRETTY RIVER VALLEY (PL-28)	0	0
Total	24,777	10,027
ANSI – LS IN NVCA		
	Size (ac)	Size (ha)
ALLISTON PINERY	198	80
BANKS MORaine FORESTS	Not specified	Not specified
BLUE MOUNTAIN SLOPES	1013	410
BOYNE VALLEY	964	390
CANNINGS FALLS	618	250
DEVIL'S GLEN	596	241
DUNTRON WEST ESCARPMENT FOREST	242	98
FERGUSONVALE NORTH	1606	650
GLEN CROSS UPLAND FOREST	200	81
GLEN HURON GORGE	133	54
GLEN HURON SOUTHWEST SWAMP AND ESCARPMENT	519	210
HATHERTON WETLANDS	5903	2389
LAVENDER FALLS	741	300
MAD RIVER AT CAMP BORDEN	1483	600
MARL LAKE	371	150
MINESING SWAMP	10297	4167
MONO CLIFFS	741	300
NORTH OF CAMP BORDEN	494	200
NOTTAWASAGA LOOKOUT	605	245
NOTTAWASAGA RIVER	2644	1070
NOTTAWASAGA RIVER NORTH	148	60
OAK RIDGES NORTH	0	0
OAK RIDGES SOUTH SLOPE FORESTS	749	303

ANSI – LS IN NVCA	Size (ac)	Size (ha)
PINE RIVER AT CAMP BORDEN	1112	450
PRETTY RIVER VALLEY	2029	821
PRETTY RIVER VALLEY MORAINE	319	129
PRETTY RIVER VALLEY SOUTH	304	123
SINGHAMPTON SOUTH SWAMP	Not specified	Not specified
SOUTH OF CAMP BORDEN	988	400
TERRA NOVA FORESTS	902	365
VIOLET HILL SOUTH ESCARPMENT	284	115
Total	36203	14651

IBP'S IN NVCA	Size (ac)	Size (ha)
CRAIGLEITH CRANBERRY LAKE	165	66.8
DUNEDIN	240	97.1
DUNTROON ESCARPMENT FOREST	126	51
EARL ROWE PROVINCIAL PARK	743	300.7
GLEN CROSS UPLAND FOREST - SECTION ONE	150	60.7
GLEN CROSS UPLAND FOREST - SECTION THREE	180	72.8
GLEN CROSS UPLAND FOREST - SECTION TWO	180	72.8
HENDERSON PROPERTY	68	27.5
HIGH LIME WOODS	57	23.1
MACKINNON WOODS	23	9.3
MINESING SWAMP	22400	9065
NOTTAWASAGA SAND HILLS	670	271.1
OAKVIEW BEACH RIDGES	552	223.4
OSLER BLUFF	100	40.5
PINE RIVER RIDGE	410	165.9
SUNNIDALE HILLS AND BRACKEN-GRASSLAND	793	320.9
TERRA NOVA VALLEY FOREST	268	108.5
Total	27,125	10977

LS IN NVCA	Size (ac)	Size (ha)
BLACK BANK RIVER VALLEY	Not specified	Not specified
CANADA COMPANY FOREST	39	15.8
CFB BORDEN	Not specified	Not specified
CFB BORDEN PRAIRIE	Not specified	Not specified
CRAIGLEITH CLAY SLOPE FOREST	Not specified	Not specified
DEVIL'S GLEN GORGE	279	113
DEVIL'S GLEN UPLAND FOREST	316	128
DUNEDIN ESCARPMENT	Not specified	Not specified
FORT WILLOW CONSERVATION AREA	Not specified	Not specified
GIBRALTER FOREST	Not specified	Not specified
OSPREY WETLANDS, NORTHEAST CORNER	1235	500
OSPREY WETLANDS, SOUTH FINGERS	Not specified	Not specified
PRETTY RIVER VALLEY ANNEX	299	121

LS IN NVCA	Size (ac)	Size (ha)
SWAN ESTATE	Not specified	Not specified
Total	2168+	878+

NGO-NHP IN NVCA	Size (ac)	Size (ha)
BEATTIE PINERY PROVINCIAL NATURE RESERVE	165	66.8
CREEMORE SPRINGS	200	81.0
GRANT PROPERTY	74	29.9
TIFFIN CONSERVATION AREA	133	54.0
Total	573	232

PP NE IN NVCA	Size (ac)	Size (ha)
BOYNE VALLEY PROVINCIAL PARK	1065	431.0
MONO CLIFFS PROVINCIAL PARK	1808	732.0
PRETTY RIVER VALLEY PROVINCIAL PARK	1996	808.28
Total	4869	1971

PP NR IN NVCA	Size (ac)	Size (ha)
BEATTIE PINERY PROVINCIAL NATURE RESERVE	70	68.08
HOCKLEY VALLEY PROVINCIAL NATURE RESERVE	933	377.7
NOISY RIVER PROVINCIAL NATURE RESERVE	934	378.2
NOTTAWASAGA LOOKOUT PROVINCIAL NATURE RESERVE	321	130.0
Total	2356	954

PP – R IN NVCA	Size (ac)	Size (ha)
CRAIGLEITH PROVINCIAL PARK	162	65.69
DEVIL'S GLEN PROVINCIAL PARK	147	59.34
EARL ROWE PROVINCIAL PARK	772	312.42
SPRINGWATER PROVINCIAL PARK	117	47.31
WASAGA BEACH PROVINCIAL PARK	3777	1529.2
Total	4975	2014

RAM IN NVCA	Size (ac)	Size (ha)
MINESING SWAMP	14820	6000.0

WET IN NVCA	Size (ac)	Size (ha)
ADJALA SWAMP	90	36.6
ANTEN MILLS FEN	133	53.9
BAILEY CREEK SWAMP	404	163.3
BAXTER SWAMP	44	18.0
BOLTON WETLAND COMPLEX	14	5.7
BOYNE RIVER SWAMP	262	106.2
CARDWELL SWAMP	363	146.9
COLLINGWOOD HARBOUR MARSH	238	96.4
COPELAND FOREST COMPLEX- WETLAND	5794	2344.7
CRANBERRY LAKE MARSH	114	46.2

WET IN NVCA	Size (ac)	Size (ha)
CROMBIES WETLAND COMPLEX	185	74.8
DALSTON WETLAND COMPLEX	1387	561.5
EAST BORDEN SWAMP	1756	710.6
ELBA COMPLEX- WETLAND	2053	830.8
GLENCAIRN WETLAND	990	400.7
GLENCROSS SWAMP	228	92.2
HATHERTON WETLAND	5219	2112.1
HIGHWAY 27-131 FEN	22	9.0
INNISFIL CREEK SWAMP	570	230.6
JACKS LAKE COMPLEX- WETLAND	1852	749.6
KOLAPORE HEADWATERS- WETLAND	1293	523.1
LAUREL WETLAND COMPLEX	841	340.5
LAVENDER SWAMP	68	27.6
LISLE SWAMP	220	89.0
LITTLE LAKE (WILLOW CREEK)- WETLAND	704	285.0
MAD RIVER COMPLEX- WETLAND	1460	591.0
MARL LAKE- WETLAND	300	121.4
MAXWELL SWAMP WETLAND COMPLEX	719	290.9
McMAHON CREEK SWAMP	669	270.9
MELANCTHON #10- WETLAND	158	63.8
MELANCTHON #12- WETLAND	156	63.0
MELANCTHON #17- WETLAND	176	71.3
MELANCTHON #18- WETLAND	106	42.8
MELANCTHON #21- WETLAND	76	30.7
MELANCTHON #22- WETLAND	179	72.6
MELANCTHON #23- WETLAND	432	175.0
MELANCTHON #24- WETLAND	150	60.7
MELANCTHON #25- WETLAND	89	35.9
MELANCTHON #26- WETLAND	60	24.4
MELANCTHON #27- WETLAND	228	92.3
MELANCTHON #30- WETLAND	Not specified	Not specified
MELANCTHON #31- WETLAND	236	95.5
MELANCTHON #32- WETLAND	334	135.1
MELANCTHON #34- WETLAND	1945	787.0
MELANCTHON #35- WETLAND	83	33.5
MELANCTHON #37- WETLAND	514	208.0
MELANCTHON #38- WETLAND	1072	434.0
MELANCTHON #9- WETLAND	33	13.2
MIDHURST SWAMP	1113	450.4
MUD CREEK- WETLAND	30	12.1
MUD LAKE SWAMP	197	79.6
PHELPSTON SWAMP	1141	461.9
ROB ROY SWAMP	1008	408.1
SHELDON CREEK SWAMP	150	60.8
STAYNER WETLAND COMPLEX	321	129.86
STRONGVILLE SWAMP	458	185.5
TERRA NOVA SWAMP COMPLEX	1075	435.0

WET IN NVCA	Size (ac)	Size (ha)
THE MARSH	3075	1244.5
THORNTON SWAMP	353	143.0
TIFFIN SWAMP	151	61.3
VIOLET HILLS COMPLEX	707	286.1
WALKER'S CREEK SWAMP	200	81.0
WASAGA BEACH- WETLAND	616	249.3
WHITTINGTON- WETLAND	1410	570.7
WILLOW BROOK SWAMP	388	157.0
Total	18784	46417

APPENDIX 2

CONSERVATION EASEMENT AGREEMENT TEMPLATE

1.5 "NVCA" means Nottawasaga Valley Conservation Authority and any successor or assign thereof permitted or contemplated by the Act.

1.6 "Owner" means the above named Grantor and any person who at any time after registration of this Agreement becomes the registered or beneficial owner of the Property or any part thereof or of any ownership interest therein including being a trustee for any beneficial owner of the Property.

1.7 "Property" means the lands and premises of the Owner situate in the Province of Ontario and more particularly described in Schedule "A" attached hereto and includes any buildings, erections and improvements now existing or constructed during the Term, including any constructed by NVCA pursuant to this Agreement.

1.8 "Protected Area" means the area designated as such in Schedule "B" attached.

1.9 "Report" means the baseline documentation report describing the Property and documenting the natural features and current uses of the Property, attached as, or referenced to in, Schedule "B" attached hereto.

1.10 "Restrictions" means the restrictions set out in Schedule "C" attached hereto and as described in Article 4 and as the same may be amended, waived, varied or released by NVCA in accordance with this Agreement

1.11 "Term" means the term of this Agreement being from and including the date of this Agreement to the nine hundred and ninety ninth anniversary of the date of this Agreement or the date the Restrictions or Easement cease to have effect in accordance with this Agreement whichever date shall first occur.

ARTICLE 2 – PURPOSE AND INTENT

2.1 The purpose and intent of this Agreement is to ensure the conservation, maintenance, restoration and enhancement of the natural features of the Property and the wildlife on the Property which is located at X (natural area), a highly significant geographical, hydrological and ecological feature, with particular emphasis on those natural features and wildlife set out **(or to be set out)** in the Report and to prevent any use of the Property that would interfere with, damage or destroy those natural features and wildlife, alter natural processes or prevent the conservation, maintenance, restoration or enhancement of those natural features and wildlife, all is more particularly set out in this Agreement.

2.2 There is public interest and benefit in the conservation, maintenance, restoration and enhancement of the natural values and features of the Property and the wildlife thereon.

2.3 This Agreement is to be construed, interpreted, performed and applied so as to give effect to the purpose and intent of this Agreement and to enforce the Restrictions and Easement.

ARTICLE 3 - CERTAIN REPRESENTATIONS AND WARRANTIES

3.1 The Grantor covenants and warrants that the Grantor is the legal, beneficial and registered owner of the Property with good title thereto (subject only to the encumbrances listed on Schedule "D" ("Permitted Encumbrances")).

3.2 The Grantor covenants and warrants that spousal consent is not necessary to this Agreement under the provisions of the *Family Law Act*, R.S.O. 1990 c.F.3, unless the Grantor's spouse has executed this Agreement.

3.3 NVCA covenants and warrants that it is a corporation incorporated under Part II of the Canada Corporations Act, is a charity registered under the Income Tax Act (Canada), is a conservation body and has the right to enter into this Agreement.

3.4 **(If Report is available)**

The parties represent and warrant that the Report accurately describes the Property and the current use of and the natural values and features of the Property and is intended to serve as an objective information base for monitoring compliance with this Agreement.

(If Report is not available)

The parties represent and warrant that the Report, when completed, will accurately describe the Property and the current use of and natural values and features of the Property and is intended to serve as an objective information base for monitoring compliance with this Agreement.

ARTICLE 4 - RESTRICTIONS

4.1 The parties covenant and agree that the Restrictions shall be deemed to be covenants governed by and having the benefit of the Act, that from the registration of this Agreement the burden of such covenants shall run with and bind the Residential Area and the Protected Area as set out herein and every part thereof and the benefit thereof shall enure to NVCA for the Term.

4.2 The Owner covenants that the Owner and any licensee or lessee thereof and anyone for whom the Owner is in law responsible or for whom the Owner holds the Property will observe and perform the Restrictions during the Term. In addition, the Owner will not knowingly permit any breach of the Restrictions by any person whatsoever, and, if the Owner learns of any breach or the likelihood of a breach occurring, the Owner will notify NVCA of such breach or anticipated breach as soon as possible and, in addition, where reasonable in the circumstances, will take the steps necessary to prevent the breach from occurring or continuing.

4.3 NVCA may, at NVCA's option, from time to time

- (i) waive or release or,
- (ii) with the consent of the Owner, vary, any or all of the Restrictions by an instrument in writing duly executed and registered against the Property.

4.4 Where the covenants and agreements in this Agreement are in furtherance of an ecological gift under the Income Tax Act of Canada, and subject to section 4.3, no waiver, release or variance of Restrictions or other terms of this Agreement may be effected without the

authorization of Environment Canada or any replacement entity responsible for enforcing the provisions relating to ecological gifts, if such authorization is necessary.

4.5 No amendment, waiver or release shall be made, given or entered into except with the consent of the Minister of Natural Resources of Ontario, if required, from time to time and this Agreement is subject to any other applicable laws and regulations in effect from time to time.

ARTICLE 5 - EASEMENT

5.1 The Grantor hereby grants to NVCA, pursuant to the authority of the Act, an Easement and right of entry over the Property: (i) for access to the Property for the purposes of conservation, maintenance, restoration or enhancement of all or any portion of the Property and the wildlife on the Property; (ii) for the purpose of determining through inspection, testing or otherwise whether in its opinion the Restrictions and the obligations of the Owner hereunder are being complied with and the purpose of this Agreement is being achieved; (iii) to carry out any remediation, restoration, removal or rehabilitation of the natural features of the Property as in the opinion of NVCA are necessary or desirable to carry out the purpose and intent expressed in Article 2 of this Agreement and to carry out any work and cure any default contemplated by, or referred to. The Owner acknowledges that where improvements, buildings or structures have been erected in contravention of the Restrictions, NVCA will be entitled to enter the Property, other than the existing residence and other buildings currently on the Property, for the purpose of removing such improvements, buildings and structures. Notwithstanding the foregoing, the owner shall be entitled to maintain and replace, enlarge and improve existing buildings in the Residential Area and nothing herein prevents continued use and enjoyment of the Residential Area.

5.2 The parties covenant and agree that the burden of the Easement shall run with and bind the Property and every part thereof from the registration of this Agreement so long as the Restrictions are in effect and the benefit of the Easement shall enure to NVCA.

5.3 The exercise of the Easement shall be subject to the following:

5.3.1 Entry for inspection of the natural features, and not of buildings and residences may be made by the directors, officers, employees, agents and contractors of NVCA with vehicles, provided that NVCA shall take reasonable measures to interfere as little as reasonably possible with the use and enjoyment of the Property by the Owner, and subject to notice being given as provided in section 5.3.2 or waived by Owner. The easement and right of entry over the Residential Area will not unreasonably interfere with the existing or new buildings and improvements thereon and the use and enjoyment of the Residential Area.

5.3.2 NVCA shall give the Owner prior notice of at least seventy-two (72) hours of its intended entry unless in the opinion of NVCA there is an emergency or other circumstance which precludes the giving of such notice.

5.3.3 Nothing herein shall be considered to permit public entry onto the Property, and entry by the public is prohibited except with the prior consent of the Owner which may be refused by Owner, in Owner's absolute discretion.

ARTICLE 6 - OWNER'S OWNERSHIP RESPONSIBILITIES

6.1 The Owner shall, at the expense of the Owner, continue to care for and operate the Property as would a careful and prudent owner. In particular and without limiting the generality of the foregoing the Owner shall:

6.1.1 Maintain the Property and keep safe and in repair as would a prudent owner.

6.1.2 Carry and maintain adequate comprehensive general liability coverage with NVCA being a named or additional insured thereunder and provide NVCA with evidence of such coverage on a continuing basis.

6.1.3 Pay as the same become due municipal and provincial taxes, rates and fees including any that may be charged or levied against NVCA by reason of this Agreement and rights transferred hereunder and all charges for utilities public or otherwise, the non payment of which may give rise to a lien or charge on the Property that would have priority over the Easement, and provide NVCA with evidence of such payments on its reasonable request.

6.2 Subject to Articles 4 and 5 and Section 6.1 of this Agreement, the Owner reserves all of its rights as owner of the Property, including the right to use and occupy the Property in any way that is not restricted or prohibited by or inconsistent with this Agreement.

ARTICLE 7 - DEFAULT BY EITHER PARTY

7.1 In the event of breach of or default in the obligations owed by either party (the "defaulting party"), to the other party (the "non-defaulting party") under this Agreement the non-defaulting party may take any action available to it at law, in equity, by statute or under this Agreement provided that the non-defaulting party (unless in the opinion of the non-defaulting party because of the nature of the default or other circumstances it is not feasible to delay for the notice period) shall first give to the defaulting party notice of the default and sixty (60) days to remedy the same or make arrangements satisfactory to the other party to remedy the same. If the default is by the Owner and is not remedied or arrangements made as aforesaid NVCA, in addition to its other rights aforesaid, may remedy the default as provided under Article 7.3

7.2 The parties acknowledge that monetary damages may not be effective to compensate for damage to or destruction of the natural features of the Property or adequate to compensate for restoration of the Property. Accordingly, in addition to and without limiting the scope of the other enforcement rights available to the Owner and NVCA under this Agreement, the parties agree that each of the Owner and NVCA may bring an action or an application for, and be entitled to, injunctive relief to prohibit or prevent default or breach or the continuance of default or breach under this Agreement.

7.3 If notice of default has been given pursuant to Article 7.1 by NVCA to the Owner and the default has not been cured within the period provided for therein, NVCA may serve on the Owner a further notice setting out particulars of NVCA's estimated maximum costs of remedying the default. The Owner shall have ten (10) days from receipt of such notice to remedy the default or make arrangements satisfactory to NVCA for remedying the default, and if the Owner does not do so, NVCA, by itself, its servants, agents or contractors, may with vehicles, equipment and

construction materials, enter upon the Property and cure the default. The Owner shall reimburse NVCA for any costs and expenses incurred thereby (including GST and other applicable taxes), up to the estimated maximum costs of remedying the default set out in the aforesaid notice. Such costs and expenses incurred by NVCA shall, until paid to it by the Owner, be a debt owed by the Owner to NVCA with interest as provided in Article 10.9, and the debt with such interest shall be a charge upon the Property enforceable in the same manner as a mortgage, and shall, in any event, be recoverable by NVCA in a court of law.

7.4 Notwithstanding any provisions hereof, the parties agree NVCA does not oblige itself to carry out the inspection, remediation, removal, restoration or rehabilitation referred to in any of the preceding sections or subsections and any failure to do so will not terminate this Agreement or constitute a default or breach of this Agreement by NVCA.

ARTICLE 8 - NOTICES

8. Any notice (which term in this paragraph includes any request or waiver) provided or given hereunder shall be sufficiently given by either party if in writing and delivered by hand, sent by facsimile or other means of electronic communication or mailed by prepaid registered post if to NVCA as follows:

Address: Nottawasaga Valley Conservation Authority
Address
Attention: C.A.O. Secretary-Treasurer

Fax Number: (705) 424-2115

and if to the Owner as follows:

Address:

Fax Number:

Any notice so delivered or any notice so forwarded by facsimile or other means of communication shall be deemed to have been given on the next business day following the day of delivery or forwarding and any notice so mailed shall be deemed to have been given on the fourth business day following the day of mailing. Either party may in any manner aforesaid give notice to the other party of any change in the address or fax number thereof and thereafter the new address or fax number shall be the address of such party for the purpose of giving notice hereunder, and upon a notice given pursuant to section 10.1 and compliance with section 9.1, the notices shall be given to the transferee and assignee and otherwise in accordance with the provisions hereof.

ARTICLE 9 - LIABILITY LIMITATIONS, FORCE MAJEURE, INDEMNITY

9.1 No person who is an Owner shall be liable to NVCA for any breach of or default in the obligations owed to NVCA under this Agreement committed after (i) the registration of a transfer by such person of all of the interest thereof in the Property **and** (ii) notice of such transfer under Article 10.1 and the acknowledgement required under Article 10.2 has been given to NVCA and

the Acknowledgement as referred to in section 10.2 has also been given. No person who is within the definition of NVCA shall be liable to the Owner for any breach of or default in the obligations owed to the Owner under this Agreement committed after (i) the registration of a transfer of the interest of such person in this Agreement as permitted under the Act **and** (ii) notice of such transfer has been given to the Owner.

9.2 Neither the Owner nor NVCA shall be liable to the other hereunder for any damage to or change in the Property resulting from causes beyond the control of such party including, without limitation, accidental fire, flood, storm, earth movement, trespass, insect plague or disease.

9.3 The Owner shall indemnify and save harmless NVCA, its directors, officers, employees, agents and contractors from and against any and all actions, causes of actions, suits, claims, demands by or on behalf of any person, firm or corporation arising out of or occasioned by any act or omission, negligent or otherwise in the operation and maintenance of the Property by the Owner, any licensee or lessee thereof or anyone for whom the Owner is in law responsible. Without limiting the generality of the foregoing, if the Property or any part thereof is certified to be ecologically sensitive land and the entering into of this Agreement was in furtherance of an ecological gift under the Income Tax Act (Canada) and the use of the Property so certified is changed without the authorization required under such act, and without the prior written approval of NVCA, this indemnity shall apply in respect of all costs, expenses, interest, penalty and tax imposed on NVCA as a result of such unauthorized change of use.

ARTICLE 10 - MISCELLANEOUS PROVISIONS

10.1 Notice of change of interest. The Owner shall give notice to NVCA of any change in the ownership of or any interest in the Property and NVCA shall give notice to the Owner of any assignment of the interest of NVCA under this Agreement. Any such notice shall include the name and address of the transferee or assignee and shall be given at least ten (10) days prior to CHange of ownership or interest.

10.2 Priority of interest of NVCA. The Owner shall not transfer or permit any mortgagee to transfer any ownership interest in the Property without first providing an acknowledgement of the Transferee (by acknowledgement addressed and delivered to NVCA) the priority of this Agreement and the interest of NVCA thereunder and agreeing with NVCA to comply with and be bound by the terms hereof, and will not lease or licence the Property or any part thereof without such lease or licence being made expressly subject to this Agreement, and the tenant or licensee agreeing to be bound by the terms hereof.

10.3 Registration. NVCA shall register this Agreement against the title to the Property and the Owner shall execute any document that may be required to allow such registration, whether by one or more separate documents, and the parties shall register this Agreement as required or permitted under any registry maintained from time to time in connection with conservation lands and easements.

10.4 Failure to exercise or enforce rights. No failure by NVCA to require performance by the Owner of any provision of this Agreement shall affect the right of NVCA thereafter to enforce such obligation and no failure by the Owner to perform any of the Owner's rights or obligations hereunder shall be taken as a waiver of such performance or the performance of any other

obligation in the future.

10.5 Time of the essence. Time shall be the essence of this Agreement and shall be deemed to remain so notwithstanding any extension of any time limit.

10.6 Severability. All provisions of this Agreement including the Restrictions and Sub-Leases shall be severable and should any be declared invalid or unenforceable in whole or in part, the validity and enforceability of the remaining provisions shall not be affected thereby.

10.7 Costs. Save as provided herein or ordered by any court or tribunal, each party shall be responsible for its own legal fees and related expenses arising from the negotiation and implementation of this Agreement or from any act in pursuance thereof.

10.8 Interest. Any amount paid by a party hereunder by reason of the default of the other party shall bear interest from the date the amount was paid until the date of repayment at a rate which is the lesser of (i) five (5) percentage points over the prime rate of interest from time to time charged by the Bank of Canada or (ii) the maximum rate allowed by law.

10.9 Entire Agreement. This Agreement embodies the entire Agreement of the parties with regard to the matters dealt with herein, and no understandings or agreements, verbal, collateral or otherwise, exist between the parties except as herein expressly set out.

10.10 Headings. The headings in the body of this Agreement form no part of the Agreement but shall be deemed to be inserted for convenience of reference only.

10.11 Gender and number. This Agreement shall be read with such changes of gender and number as the context requires. Any reference to a person shall be deemed to include a corporation, partnership or trust.

10.12 Applicable law. This Agreement shall be construed and enforced in accordance with, and the right of the parties shall be governed by, the laws of Ontario and the laws of Canada applicable thereto.

10.13 Further assurances. Each party at the request of the other party shall execute and deliver such assurances and do such other acts as may be reasonably required or desirable to give full effect to the provisions and intent of this Agreement.

10.14 Joint and several. Whenever the Owner is comprised of more than one person the obligations of the Owner hereunder shall be joint and several.

10.15 Enurement. This Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

10.16 Spousal Consent. The spouse of the Grantor hereby consents to the within transaction.

10.17 Planning Act. This Agreement is subject to compliance with the Planning Act of Ontario as amended from time to time.

IN WITNESS WHEREOF the parties hereto have executed this Agreement.

SIGNED, SEALED AND DELIVERED in the presence of:

Witness

Grantor

Witness

Grantor or Spouse

Nottawasaga Valley Conservation Authority

Per: _____

SCHEDULE "A"

Attached to and forming part of the Conservation Agreement between Grantor and Nottawasaga Valley Conservation Authority, dated as of the day of , 2007.

Legal Description

SCHEDULE "B"

Attached to and forming part of the Conservation Agreement between Grantor and Nottawasaga Valley Conservation Authority, dated as of the day of , 2007.

Baseline Documentation Report

(Where Report has been completed)

The Baseline Documentation Report comprises the summary of the natural features and current uses of the Property described below, and as more particularly documented below, and in the report entitled "Baseline Documentation Report of the X Property dated X, 20XX which has been signed by the parties and is on file at the offices of NVCA. The Owner acknowledges having received a signed copy of same. In the event of a conflict between this Schedule "B" and the aforesaid Report, the Report shall prevail.

(Where Report has not been completed)

NVCA shall complete a Report at its expense within a reasonable time of the date of the Agreement. When the Report has been completed, the Owner agrees to sign an acknowledgement in the Report to confirm the photographs, maps and written information are accurate depictions and descriptions of the Property and its natural values and features, wildlife and uses. A signed copy of the Report will be provided to the then Owner and an originally signed copy of the Report will be filed at the offices of NVCA. If the parties are unable to agree on the terms of the Report within 30 days of its completion and submission to the Owner, the terms of the Report shall be settled by arbitration in accordance with the Arbitrations Act of Ontario as amended from time to time.

Summary of the Baseline Documentation Report

1.0 Acknowledgement

1.1 The Owner hereby acknowledges and agrees that the following is an accurate description of the Property, as of the reference date of this Agreement.

2.0 Property Location:

3.0 Significance of the Property

4.0 Inventory of Species of Interest

5.0 General Description of Natural Features

6.0 List of Improvements

7.0 Damaged or Disturbed Areas:

8.0 Maps, including those showing Protected Areas

9.0 Additional Materials

10.0 Signatures

SCHEDULE "C"

Attached to and forming part of the Conservation Agreement between Grantor and Nottawasaga Valley Conservation Authority, dated as of the _____ day of _____, 2007.

Restrictions

1.0 Definitions and Interpretation:

1.1 In these Restrictions:

"Existing Trail(s)" means the trail(s) described in Schedule "B" and shown on Map ____ attached to Schedule "B"

"Purposes" means the purposes for which the Restrictions may be entered into pursuant to the Act, as expressed in Article 2

"Protected Area" means the area designated as such on Map ____ attached to Schedule "B"

"Residential Area" means the area designated as such on Map ____ attached to Schedule "B"

Other capitalized terms used in these Restrictions that are defined elsewhere in the Agreement shall have the respective meanings ascribed to them in the Agreement.

Wherever the term "Property" is used in these Restrictions, such term shall be construed to apply to any and all parts of the Property and to any water thereon.

2.0 Restrictions applicable to all parts of the Property

2.1 Water Quality/Quantity

No activity or action on the Property shall be performed or permitted or suffered to be performed, nor shall any use of the Property be made or permitted or suffered to be made, which in the opinion of NVCA, is or may reasonably be expected to be detrimental or adverse to water conservation (in quantity or quality) on, in or about the Property, including the groundwater. Nothing herein restricts the taking and using of water for usual household or residential or farming activities currently located and carried out on the Property.

2.2 Severance/Subdivision

No part of the Property shall be sold, conveyed, mortgaged, charged, leased or otherwise disposed of separately from the remainder of the Property, and no plan of subdivision shall be registered against title to the Property, save and except for conservation purposes and without prior written consent of NVCA.

3.0 Restrictions applicable only to the Protected Area

3.1 Alteration of Topography

No alteration shall be made or permitted or suffered to be made in the general topography of the Property or any part thereof, which, in the opinion of NVCA, is or may reasonably be expected to be detrimental or adverse to the Purposes. Without limiting the foregoing, tilling of the soil, grazing of livestock, construction of drainage ditches, retaining walls, dams, ponds, golf courses and ranges, transmission or generating towers and lines, and any other similar undertaking, as well as the dumping, excavation, dredging, mining or removal of loam, gravel, soil, rock, sand or other material or minerals, shall all be deemed to be detrimental or adverse to the Purposes and shall not be undertaken or permitted or suffered to be undertaken without the prior written consent of NVCA

3.2 Soil Stability

No activities shall take place within the Protected Area that may cause extensive soil compaction, rutting or soil erosion, other than those required to maintain the Existing Trail(s) in the condition described in Schedule "B" (the Report) and indicated on Map X.

3.3 Camping

No mobile home, trailer or boat used or intended for use as a residence or for overnight or short-term accommodation shall be placed, kept or permitted or suffered to be placed or kept in the Protected Area.

3.4 Dumping

No soil, rubbish, ashes, garbage, sewage, waste, or other unsightly or offensive materials of any type or description shall be dumped or stored or permitted or suffered to be dumped or stored on, in, under or about the Protected Area.

3.5 Hunting/Fishing/Trapping

No commercial or sport hunting, fishing or trapping shall occur or be permitted or suffered to occur in the Protected Area.

3.6 Discharge of Firearms

No firearms or explosive devices of any kind shall be discharged or permitted or suffered to be discharged in the Protected Area.

3.7 Collection

No native or naturally occurring plant or animal species shall be gathered or removed from the Protected Area, but this provision shall not prohibit removal in the course of exercise of NVCA's rights under the terms of the Easement.

OR

No native or naturally occurring plant or plant part or animal shall be gathered or removed from the Protected Area, save and except to collect plants or plant parts for uses of personal consumption, protection or restoration of native species on the Property and is conducted in a manner that is not detrimental to the viability of the existing plant population from where the collection is occurring, but this provision shall not prohibit removal in the course of exercise of NVCA's rights under the terms of the Easement.

3.8 Lakes/Ponds/Wetlands

No interference with, or alteration of any lake, pond, wetland, watercourse or any other body of water in the Protected Area shall be undertaken or permitted or suffered to be undertaken, nor shall any use thereof be made or permitted to be made which, in the opinion of NVCA, will or may reasonably be expected to be detrimental or adverse to the Purposes.

3.9 Easements/Rights-of-Way

No easement, right of way or right in the nature of an easement, in, on, over, under or through the Protected Area shall be granted to any person, without the prior written consent of NVCA.

3.10 Non-native Species

No non-native plant or animal species shall be planted or introduced or be permitted or suffered to be planted or introduced in or to the Protected Area. Notwithstanding the foregoing, current and existing plants and animals and natural seeding or offspring arising therefrom as well as plantings and seeding arising from natural causes such as wind or rain or animal wildlife if not brought onto the property by owner shall not be considered to be in contravention of the provisions hereof.

3.11 Buildings/Development

No building, structure, fixture, or other improvement of any kind shall be erected, placed or maintained or be permitted or suffered to be erected, placed or maintained, on, in, under or over the Protected Area, provided that benches for viewing wildlife or scenery may be placed and maintained in the Protected Area and, subject to paragraph 3.17, fences and "no trespassing" and "no hunting" signs may be placed and maintained on the boundaries thereof.

3.12 Roads/Driveways/Paths

No road, driveway, walkway, bicycle or other path, parking area, dock or ramp shall be erected, placed or maintained or be permitted or suffered to be erected, placed or maintained on, in, under or over the Protected Area provided the Owner may maintain the Existing Trail(s) in the condition described in Schedule "B" (the Report).

3.13 Pesticides/Herbicides

No pesticide, insecticide, herbicide, chemical or other toxic material of any type or description shall be used or be permitted or suffered to be used within the Protected Area without the prior written consent of NVCA.

3.14 Trees/Vegetation

No tree, shrub, or any other native or natural vegetation within the Protected Area shall be removed, destroyed or cut, or be permitted or suffered to be removed, destroyed or cut, save and except those that may be removed as part of a mutually agreed Forest Management Plan or to remove a danger or hazard and is conducted in a manner not injurious to the remaining trees, flora, fauna and soils, and maintains soil stability, water quality and quantity and the other conservation features of the Property.

OR

No tree, shrub, or any other native vegetation within the Protected Area shall be removed, destroyed or cut, save and except those that may be removed: (i) as part of a mutually agreed Forest Management Plan written or approved by a Professional Forester to achieve compliance with the purpose and intent of the Conservation Agreement; (ii) to control non-native or exotic intrusion; (iii) for restoration purposes; (iv) to maintain the existing hydro line as indicated on Map 1 or (v) to remove a danger or hazard and is conducted in a manner not injurious to the remaining trees, flora, fauna and soils, and maintains soil stability, water quality and quantity and the other conservation features of the Property.

3.15 Business

No trade, business or calling whatsoever shall be carried on from or within the Protected Area.

3.16 Hydro/Public Utilities

No use of electrical power or any other form of public utility shall be permitted on or about the Protected Area, without prior written consent of NVCA.

3.17 Wildlife Movement

The Owner shall not construct, pursue, permit or suffer the construction of fencing or other obstacles, which would exclude or in the opinion of NVCA, unduly restrict wildlife movement in or through the Protected Area

APPENDIX 3

ECOLOGICAL GIFTS PROGRAM

The Ecological Gifts Program enables owners of property with sensitive natural features to preserve wildlife habitat. Ecological Gifts are qualified charitable land donations that generate enhanced income tax benefits. Donations of fee simple title and partial interests, including conservation easements, are eligible. In many scenarios the landowner can continue to hold title and/or live on the land.

To qualify as Ecological Sensitive, land must satisfy at least one criteria from an 'A' List of Specific Categories of Qualified Lands and one or more from a 'B' List of General Criteria for Other Ecologically Sensitive Lands (see below).

Gift recipients include land trusts and other conservation charities, and government agencies chosen by donors and approved by the federal government. Donors of ecogifts receive a donation receipt for the fair market value of the gift.

Ecological gifts (ecogifts) receive tax treatment that is superior to most other charitable gifts. Ecogift tax advantages include:

- eliminated taxable capital gain on the disposition of the property
- no income limit for calculating the tax credit/deduction
- donation value certified by the Government of Canada
- tax liability for donees that do not protect the gifted land

The process of making an ecological gift is relatively straightforward. The donor will basically have two steps to complete that include providing: (i) information to support the evaluation of the land as ecologically sensitive, and (ii) an appraisal of Fair Market Value by a qualified appraiser along with a signed Application for Appraisal Review and Determination. The donor and recipient will generally cooperate on the application to confirm that the property is qualified as ecologically sensitive. The recipient will also often help the donor arrange for the appraisal of fair market value.

For more information you can visit the Ecological Gift website at:
<http://www.on.ec.gc.ca/wildlife/ecogifts/ecogifts-e.html>

Provincial Ecosensitivity Criteria – Ontario

A) Specific Categories of Qualified Lands

Lands, easements or covenants relative to such lands, which fall into one or more of the following categories shall be deemed to be ecologically sensitive lands in Ontario. This is provided terms of easements or covenants regard and protect the ecologically sensitive features of the land.

A1. Significant portions of the habitat of species determined to be endangered, threatened or vulnerable in Ontario, as specified in a recovery plan or other biological study;

A2. Areas designated as Provincially Significant Wetlands;

A3. Provincial or regional Areas of Natural and Scientific Interest;

A4. Designated Areas of Concern for biodiversity purposes as identified in Forest Management Plans;

A5. Areas qualifying for the Conservation Land Tax Reduction Program;

A6. Areas managed for wildlife habitat conservation purposes that qualify under the Managed Forest Tax Reduction Program;

A7. Areas promoting the conservation of natural heritage and biodiversity that are identified within a regional or watershed plan or strategy developed by a recognized conservation organization;

A8. Areas designated as a World Heritage Site for biodiversity conservation purposes, a core area of a UNESCO Biosphere Reserve, or a Wetland of International Importance under the Ramsar Convention;

A9. Areas of biodiversity significance identified in a Canadian Heritage Rivers Management Plan or Strategy;

A10. Areas designated in the Niagara Escarpment Plan as an Escarpment Protection Area or an Escarpment Natural Area;

A11. Areas designated as Natural Core, Natural Linkage, Sensitive Hydrological Feature, High Aquifer Vulnerability, Significant Landform, Minimum Areas of Influence or Minimum Vegetation Protection Zones within the Oak Ridges Moraine Conservation Plan;

A12. Areas designated Core Area, Corridor or Restoration Area in the Lake Ontario Greenway Strategy;

A13. Areas designated for biodiversity conservation purposes within Management Plans or Strategies for the Trent-Severn or Rideau Waterways;

A14. Areas within a municipal official plan or zoning by-law under the Planning Act (Ontario) designated as an Environmentally Sensitive Area, Environmentally Significant Area, Environmental Protection Area, Restoration Area, Natural Heritage System or other designation for similar purposes that are compatible with the conservation of the biodiversity, ecological features and functions of the site;

A15. Areas within or adjacent to a Provincial Park, Provincial Park Reserve, Conservation Reserve, Conservation Area, Wilderness Area, Provincial Wildlife Area, National Wildlife Area, Migratory Bird Sanctuary, National Park, National Park Reserve or Ecological or Nature Reserve managed by a government or non-government agency;

A16. Municipal parks or other protected areas designated or managed for biodiversity conservation purposes;

A17. Areas identified as Carolinian Canada sites or alternate sites;

A18. Areas designated as Core Natural Area, Natural Area Buffer, Natural Area Link, or Valued Ecosystem Component in the National Capital Greenbelt Master Plan by the National Capital Commission; and

A19. Areas designated for biodiversity purposes by regional agencies such as the Niagara Parks Commission, St. Clair Parkway Commission, St. Lawrence Parks Commission and the Waterfront Regeneration Trust.

B. General Criteria for Other Ecologically Sensitive Lands

Lands, easements or covenants relative to such lands, that meet one or more of the following general criteria may also be considered to be ecologically sensitive lands in Ontario -- subject to the approval of the federal Minister of the Environment or a person delegated by the Minister for this purpose (the term "significant" for the purposes below refers to definitions provided in Provincial Policy Statements): This is provided terms of easements or covenants regard and protect the ecologically sensitive features of the land.

B1. Significant habitats such as alvars, prairies, cliffs, Great Lakes coastal habitats, old growth forest areas, glacial relic communities and sites with enduring geological features that contribute to biodiversity;

B2. Areas of wildlife concentration such as bat caves, snake hibernacula, heronries, deer wintering yards and sites used by migratory water birds and other species for seasonal staging, feeding, breeding and like purposes;

B3. Areas identified, designated or protected as ecologically significant or ecologically important by a government or non-government local, provincial, national or international system or body;

B4. Significant water bodies, rivers, streams, shorelines, valleys, wetlands, groundwater recharge areas, headwaters and aquifers;

B5. Significant wildlife or fish habitats;

B6. Significant woodlands;

B7. Areas that have significant current or potential for enhanced ecological values through restoration, remediation, management or geographic proximity to other ecologically significant properties;

B8. Natural buffers and adjacent lands around areas identified under other ecologically sensitive lands categories or criteria that contribute to the conservation of biodiversity;

B9. Natural links or corridors between areas identified under other ecologically sensitive lands categories or criteria that contribute to the conservation of biodiversity;

B10. Areas used for long-term scientific study or baseline and benchmark monitoring of biodiversity; and

B11. Areas that contribute to Canada's environmental heritage through the maintenance of the genetic diversity of species, ecosystem health, or landscape biodiversity, and other natural spaces of significance to the environment in which they are located.

The categories and criteria listed above, for the purposes of implementation of provisions in the Income Tax Act for ecological gifts, have been agreed to by representatives of the Governments of Ontario and Canada. This list and criteria may be further elaborated and amended by agreement between Environment Canada and the Ontario Ministry of Natural Resources.

APPENDIX 4

CONSERVATION LAND TAX INCENTIVE PROGRAM (CLTIP)

Only lands identified by the Ministry of Natural Resources as Provincially Significant are eligible for this program. These are a small subset of lands found in a natural state in Ontario. The eligible types of land are:

Provincially significant wetland;

Wetlands are lands covered by shallow water all the time, or in certain seasons, as well as lands where the water table is close to or at the surface. The abundant water causes the soil to be water-logged, and encourages growth of plants that either love the water or tolerate it well. Periodically soaked or wet lands that are being used for agricultural purposes and that no longer have the characteristics of wetlands are not considered wetlands under this program. Wetlands play a crucial role in the province. They:

- provide vital habitat for rare and endangered wildlife and many other species;
- maintain and improve water quality;
- help stabilize shorelines and control flooding and erosion;
- provide spawning grounds for fish;
- help ensure a stable, long term supply of water, by functioning as groundwater recharge and discharge areas;
- supply many social and economic benefits, such as opportunities for outdoor recreation and tourism; and
- ensure opportunities for the renewable harvest of products such as timber, fuel wood, fish, wildlife and wild rice.

MNR has evaluated many wetlands more than 2 hectares (5 acres) in size, both in southern Ontario and parts of the north. Only wetlands that MNR has identified as 'provincially significant' are eligible under the CLTIP.

Provincially significant area of natural and scientific interest (ANSI);

ANSIs are areas of land and water that represent significant geological (earth science) and biological (life science) features.

Earth science ANSIs include areas that contain examples of rock, fossil and landform features in Ontario. These features are the result of billions of years of geological processes and landscape evolution.

Life science ANSIs are areas that contain examples of the many natural landscapes, communities, plants and animals found in the 14 natural regions of the province.

MNR identifies ANSIs that are 'provincially significant' by surveying regions and evaluating sites to decide which have the highest value for conservation, scientific study and education.

Habitat of endangered species;

An endangered species is any native species that "is at risk of extinction or extirpation throughout all or a significant portion of its Ontario range". For purposes of the Conservation Land Tax Incentive Program, endangered species are those listed in regulation under Ontario's Endangered Species Act. At present, 36 species are listed in regulation under the Act.

Endangered species habitat is the habitat, which is necessary for the survival of populations of endangered species. The specific requirements of the various endangered species are set out in MNR guidelines for mapping this habitat. These guidelines are used to delineate endangered species habitat on a species-by-

species and site-by-site basis.

For a list of regulated Endangered Species in Ontario, view MNR Rankings by visiting Species at Risk in Ontario (SARO) at the following site:

<http://www.mnr.gov.on.ca/mnr/speciesatrisk/>

More information on these and other Species at Risk are available on the Royal Ontario Museum website at <http://www.rom.on.ca/>

Niagara Escarpment Natural Area

The Niagara Escarpment runs from Queenston, on the Niagara River, to the islands off Tobermory, on the Bruce Peninsula - a total of 725 kilometers. The Niagara Escarpment Plan divides the escarpment into 7 different land use designations, one of which is called "escarpment natural area."

Escarpment natural areas contain important plants and animal habitats and geological features. They are the most significant natural and scenic areas of the escarpment.

Protecting escarpment natural areas is important in order to:

- maintain the most natural escarpment features, stream valleys, wetlands, and related significant natural areas;
- encourage compatible recreation and conservation activities; and
- maintain and enhance the landscape quality of escarpment features.

On December 10, 2004, the government announced the reinstatement of the Community Conservation Lands category (formerly called 'other conservation lands'). The category applies to lands owned by eligible conservation organizations and conservation authorities.

Eligibility criteria for the new category are outlined in Ontario Regulation 388/04 under the Assessment Act. Agencies interested in applying under this category should review this regulation.

Size:

The conservation land must be at least 1/5 of a hectare (1/2 acre) in size. Therefore, if you have a building or structure on your property, the property must be at least 1.5 acres in size.

Buildings and Improvements:

The CLTIP does not provide tax relief for buildings or other improvements and associated land (the land associated with a structure or improvement is generally considered to be 2/5 hectares or 1 acre).

APPENDIX 5

EXAMPLE LANDOWNER CONTACT LETTER

Letterhead

Date

Dear Landowner:

Have you ever thought about leaving a conservation legacy or having your property protected in perpetuity for future generations?

I am sending you this package today to inform you about a long-term land conservation program that is being offered to you and other landowners of ecologically significant properties. From what I can tell from aerial photography and mapping, your property in Simcoe County has important environmental features on it.

To conserve your land in accordance with your wishes, I am working with a wide range of conservation partners (public and private) to help give landowners additional opportunities with regard to protecting their land and leaving their nature legacy. There are many options for you to consider and all options have their tax advantages.

After reviewing the information accompanied with this letter, I will be contacting you by phone. I wish to arrange a meeting with you so that I can explain the program in more detail and discover what serves you best. I am in the area every couple of weeks meeting with landowners.

Thank you for considering protecting your property for the future.

Yours in conservation,

Landowner Contact Person

APPENDIX 6

LONG TERM SECUREMENT OPTIONS BROCHURE

Leaving a Conservation Legacy

LONG-TERM OPTIONS FOR LANDOWNERS

As a landowner you may decide to protect the natural or cultural features of your land for a variety of reasons. Some landowners want to protect the heritage values of their land for future generations. Some may see conservation as a way to resolve property or potential income tax challenges, while others may view it as a way of sorting out future uses of a property now shared by members of an expanding family or community group. The following provides a few examples of ways to link conservation choices with financial benefits, in order to leave a long-term conservation legacy, plus a list of partners who can help.

Ways to Conserve Your Land in Perpetuity

- **Land Donation or Split-Receipt:** The simplest option is to donate your land to your favorite conservation group. Gifts of land can remain in charitable or public hands and be protected forever. Conservation organizations are pleased to provide appropriate recognition of your gift through naming, signage or by other means according to your wishes. A tax receipt is issued for the land's value. Another option is to donate part of the value of the land and receive cash for the remainder. This is called a split-receipt and a tax receipt is issued for the donated portion.
- **Life Interest:** Another option is to donate the property and still continue living on it through the use of a "life interest" agreement. This agreement is for the lifetime of the donor or a specified term. The conservation organization serves as the land steward.
- **Conservation Severance:** Part of your property could be severed and donated for conservation purposes. This option can be attractive for landowners since it allows them to establish a nature preserve around their home that will be professionally managed and protected in perpetuity.
- **Bequest:** A powerful conservation option is a bequest of land. You can name a conservation organization as a primary or secondary beneficiary in your Will. It is recommended that you consult the intended recipient to ensure that your goals can be met and then provide them with a copy of your Will or relevant pages. Conservation organizations will be happy to work with you and your lawyer on drafting the terminology suitable to meet everyone's needs.
- **Conservation Agreement:** A conservation agreement provides you with the flexibility of keeping ownership and use of your land while protecting specific natural or cultural features. Conservation agreements are legal documents by which a landowner voluntarily puts conditions on specific activities on the property or over a designated area. The agreement runs on title and is tailored to fit your particular interests and the natural features to be protected, so that all future owners are bound by your conditions.

It is recommended that you discuss any options of interest with your family, lawyer, accountant and/or financial advisor, as well as the conservation organization involved.

LINKING CONSERVATION WITH FINANCIAL BENEFITS

Land donations, partial land donations or donations of an interest in land through a conservation agreement can provide **significant tax advantages**. A third party, unbiased appraiser determines the value of the donation and a charitable receipt is issued for this value. The appraisal amount for a conservation agreement varies depending on factors such as development potential of the property and the nature of the conditions included in the agreement.

Donating land or a conservation easement through Environment Canada's Ecological Gifts Program provides enhanced income tax savings that can be used against 100% of your total annual income over five years plus the year of donation. In addition, Ecogifts are subject to zero capital gains tax (versus 50 percent on non-Ecogift donations).

Environment Canada's Ecogifts program certifies specific organizations to act as recipients of 'ecological gifts'. They include all levels of government as well as 'qualified charitable conservation organizations' such as land trusts and conservation authorities. For more information please contact the Ecogift Program at:

www.on.ec.gc.ca/ecogifts/ecogifts-e.html, (416) 739-4286, ecogifts.ontario@ec.gc.ca

CONSERVATION PARTNER

Long-term options require you to seek a conservation partner, or a recipient of your donation, to help you protect your land and carry out your wishes beyond your lifetime. The first step is to discuss your vision with one or more conservation partners of your choice. As a landowner, you are aware that the cost and responsibility of managing land should not be taken lightly. The organization you choose should have the capacity to deal with long-term issues such as managing the land according to your wishes.

Many properties have good conservation values; however, each organization has its own set of criteria, programs and resources that will dictate their interest in any specific property.

For more information contact:

Michelle Albanese

OrLand Conservation

Tel: (905) 274-9234

Email: malbanese_oc@rogers.com

Robert Orland

OrLand Conservation

Tel : (519) 829-2281

Email : rorland@sentex.ca

APPENDIX 7

NVCA 2007 PROPERTY EVALUATION CRITERIA



Nottawasaga Valley Conservation Authority Land Securement Property Evaluation Form 2007

Review of a land securement opportunity (purchase/donation/easement) within the watershed based on the following review process.

A. Property and Owner Particulars

Owner Information: Name Address Phone No.Email	
Upper Tier Municipality	
Lower Tier Municipality	
Sub-Watershed	
Property Location	
Roll No.	
Property Description	
Property Size	
Current Official Plan Designation(s)	
Current Zoning Designation(s)	
Priority or Secondary Securement criteria observed	
Willing Donor/Vendor (i.e. donation, purchase, easement)	
Existing Mortgage (Y/N)	
Assessed Value	
Comments	

B. Preliminary Property Investigation

Property Attributes	Yes/No/Not Applicable	Comments
Adjacent to other public lands or private conservation lands		
Tax Exempt (CLTIP, Easement)		
Contains features eligible for the Ecogifts program		
Part of an identified municipal, regional or provincial greenspace system		
History with the NVCA, Permits, Complaints, and Violations		
NVCA Stewardship Projects or Donor		

The ecological sensitivity of the subject lands are based on the following priority and secondary land securement criteria:

C. Priority Securement Criteria

Property Attributes	Yes/No/Not Applicable	Comments
Provincially Significant Wetland.		
Areas of Natural and Scientific Interest (Earth Science).		
Areas of Natural and Scientific Interest (Life Science).		
Habitat of Endangered Species (Ontario Endangered Species Act).		
Community Conservation Lands:		
Natural Heritage Features or Areas identified in the Provincial Policy Statement.		

Regionally Significant ANSI's.		
Habitats of species of special concern designated by MNR (species at risk).		
NHIC species occurrences or ecological communities (S1, S2, S3).		
Designated Natural Area, Protection Area or Rural Area in the NEP		
Designated Natural Core, Natural Linkage or Countryside in the ORMCP.		
Natural heritage areas identified within a regional or watershed plan or strategy developed by a CA under the CAA.		
Lands designated environmentally significant, environmental protection or equivalent in municipal Official Plans (Includes NVCA, ESA's).		
Areas within or adjacent to protected areas (i.e., provincial park, conservation reserve, or provincial wildlife area) that contribute to the natural heritage objectives of the protected area.		
Other criteria as may apply under the CLTIP program requirements.		
Lands adjacent to existing NVCA conservation areas		
Identified NVCA property securement considerations		

D. Secondary Securement Criteria:

Property Attributes	Yes/No/Not Applicable	Comments
Georgian Bay Waterfront_		
Wetlands (Locally Significant)_		
Significant waterbodies, rivers, streams, shorelines and valleys.		
Groundwater recharge areas, headwaters and aquifers.		
Significant wildlife or fish habitats		
Regional Flood Plain (flood and erosion risk).		
Significant Woodlands.		
Areas with enhanced ecological values through restoration and/or remediation (i.e., forest, stream, wetland).		
Natural buffers and adjacent lands under other ecologically sensitive lands that contribute to conservation of biodiversity_		
Natural links or corridors between areas identified under other ecologically sensitive lands that contribute to conservation of biodiversity (i.e., through Natural Heritage Programs or Watershed Plans)_		
Lands under Forest Management Plans (designated areas of concern for biodiversity)_		

E. Determination whether securement is the most appropriate course of action in order to protect natural heritage lands.

Criteria	Yes/No/Not Applicable	Comments
Are the lands significant in the context of the overall natural heritage system.		
Availability of funding for securement (purchase, donation, easement, appraisal, legal, survey etc.).		
Availability of funding for ongoing maintenance.		
Is there an immediate threat to the lands (future development, resource use).		
Proximity of property to lands already in public ownership.		
Willingness of owner to enter into negotiations.		
Sale Price at fair market value.		
Availability of maintenance access to the property.		
Potential municipal lease agreement.		
Preferred agency for securement (i.e., CA, Region, Municipality, NCC, BTA, Couchiching Conservancy, ORMLT).		

Summary and Recommendation for Securement:

Evaluated by: _____

Date: _____

Attach overview/locator map and property sized map.