

View of Land Conservation



By Bob Barnett



Without protection, could your land end up like this? PHOTO PROVIDED BY EBC.



Protected land can look like this. PHOTO BY MIKE DAVIS.

Don't like gravel pits? Then get \$50,000. We've won some important victories over gravel pits and quarries, but it's been an expensive fight. The Mt. Nemo confrontation alone cost the residents \$500,000 of a total \$2,000,000 expended between the Niagara Escarpment Commission, the Region and the Conservation Authority. Fighting these applications through the tribunals and hiring experts is very expensive. It's like being on the operating table in a hospital. Preventative medicine is far less expensive and may be much more effective. If you're not a rural landowner, skip to the bottom of this article to learn how inexpensive it is to protect rural land using preventative medicine.

Let's keep up the momentum against the pits and quarries. Landowners who don't want one on their property can save a lot at income tax time. Here's how it works ...

A landowner can select from a list of covenants to be placed on title for their own property. They can say, "I never want rock, sand or gravel taken from my property," or "I never want my property subdivided" or "I never want a commercial wind generator." Other common restrictions can include commercial timber cutting, hunting, sport ATV riding,

draining wetlands or allowing dumping. Such restrictions can be placed on the parts of the property you want to protect like the forest and wetland. You can protect your farmland from subdivision. Each agreement is custom made to suit your wishes. Some owners want no hunting at all, others want no commercial hunting while most wish to remove nuisance species like groundhogs or porcupines which girdle trees. You can talk to one of the 40 families, often near you, who already have an agreement.

Some landowners want this protection because we need our farmland, forests and wetlands. Others appreciate that they can get an income tax receipt for putting these covenants on title. Such donations are normally appraised at about half the value of the land, not including the "improvements" like houses and barns which are unaffected by the restrictions. Values run from \$1,000 to \$5,000 per acre plus the value of lots not created and trees not harvested commercially.

Here are the steps to protect both your land and that of your neighbours:

1. Have an on-site discussion with a conservation organization like Escarpment Biosphere Conservancy (EBC) to discuss the process, potential restrictions and probable value.

2. Have EBC draft up an agreement which meets your needs and check it with your family and advisors.
3. Have EBC appraise that agreement professionally.
4. Get approval from Environment Canada so you can save the capital gains tax and have the receipt value accepted by Canada Revenue Agency.
5. Register the agreement on title and get your tax receipt. Your income tax receipt saves you 40 to 46 per cent of its face value and can be used against up to five years of earned income, capital gains tax, spousal income and RRSP income.

If we had such an agreement right in the middle of a proposed quarry it would be crippled. Even having an agreement next door means there is a big setback required. If enough landowners agree to such an agreement on their own land, we'll make sure that the misfortune about the nice young couple who assured the nice older couple they wanted to bring up their kids on the farm, but who turned out to have far different plans, never happens again.

Protecting rural land at a low cost to you is the "preventative" medicine which keeps land free from development like gravel pits and protects the habitat of our rare and endangered species.

EBC always has both donation and purchase projects on hand to protect land from development. Such donations are a great gift, but EBC must come up with the funds to accept them. Appraisals, legal work and staff time cost about \$10,000, but that's not bad when the donation is worth \$50,000 to \$600,000.

Generally:

- ▶ \$100 can protect \$2,000 worth of "donated" land or about two acres
 - ▶ \$100 allows us to purchase a quarter of an acre. We already have 60 per cent of the money raised for our project on Manitoulin's south shore, protecting a half km of shoreline with alvar and rare species
 - ▶ \$300 allows us to steward a whole nature reserve for a year. We're exempt from property taxes, but we do need to insure and visit them
 - ▶ \$3,000 allows us to steward a property in perpetuity
- Just call me to discuss protecting land without any obligation whatsoever.

EBC has protected 9,000 acres on 117 sites from Acton to Goderich on Lake Huron and along the Niagara Escarpment to the west end of Manitoulin. **NEV**

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