# Land Stewardship And an Annotated Bibliography By Tim Desson

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#### Abstract:

This document is a component of a larger project that focused on developing an annotated bibliography database on stewardships. Specifically, the purpose of this report is to investigate different types of Land Trusts and their utility. Land Trusts are used to preserve natural or farm land, and are of particular importance given the current trends in community expansion and population growth. Land Trusts are typically established by non-governmental charitable organizations, operate at the local level, and work with pieces of land acquired through various means. In addition to protecting and managing the land, Land Trusts raise public awareness regarding the value of the land, encourage stewardships, advocate for the land preservation, and devise economic alternatives to sustain the Trust. This paper provides a detailed description of the various land stewardship options that are available such as leases, licenses, written and management agreements, and land transactions including purchase/salebacks, co-ownerships, donations and conservation easements. Moreover, the pros and cons of each option are outlined, as well as recommendations on how certain options could be changed to accommodate more land owners. Finally, this report examines several Land Trust cases in North America, specifically conservation easements in Saskatchewan, conservation covenants between landowners and conservation organizations in British Columbia, and conservation restrictions in Massachusetts. The research for this report entailed an extensive review of existing literature. Enclosed as appendices, are the summaries of all resources consulted for the report. For a complete overview of all articles read and catalogued for the entire project, please refer to the created database.

### INTRODUCTION

Imagine Paul and Linda. They own a little farmhouse located in one corner of their 100 acre plot. They have a pasture with a couple of horses, a vegetable garden out back, rolling hills where they grow hay for the cows in the far field and two children. Paul and Linda purchased this farm several decades ago, made their living on it, raised two children here and are planning to retire here. However, both Paul and Linda have created a name for themselves in both vegetable and beef sales, and wish for that to continue well into the next generation. Their plan is to leave the farm to both children in their will, however they are worried about the two boys selling the property. Both Paul and Linda wish for the land to remain in the same shape, and to be used for the same purposes.

Every week at the town meetings, Paul and Linda read flyers posted by the Ganaraska Grassroots, a local Land Trust advertising land stewardship. This week, they decide to call and inquire. During an friendly chat around the dinner table, Paul and Linda are told of the numerous land conservation techniques; management agreements, conservation agreements and leases. The Land Trust asks a few simple questions regarding the nature of the property, and what both Paul and Linda would like to see in the future. Do you want your kids to keep the property? Do you want them following the same practices? What if the children decide to sell, do you want the farm still used for vegetables and cattle? After only a few minutes, the Land Trust has narrowed the choices down to one; a conservation easement.

You decide what the land is to be used for, the Land Trust says. It is attached to your land title they add, so whoever owns the property, even if it is not your children, they must abide by the provisions set forth in the easement. The beauty of this particular land securement option is that it lasts forever. It is permanently attached to your property.

Although not all Land Trusts work in similar fashion. They are not posting flyers on the town hall, or even make house calls. Some work on the Provincial level, and even the National level. Advertising is done through all forms of media, and the staff is compromised of paid employees, not volunteers. No matter the size of the organization, or the number of land securements held under their belt, Land Trusts share one common theme; protection of the environment. Every Land Trust utilizes the same conservation techniques, and each goal is always the same. Whether the landowner is to be the steward for land conservation, or the Land Trust hold the title, preserving the state of the environment is all that is at stake.

# LAND TRUSTS IN GENERAL

Contrary to popular belief, Land Trusts are not a method for preserving land, such as legislation or statutes, but rather they are "local organizations directly involved in land-saving". Land Trusts, although sometimes referred to as Conservancy, Foundation, Association or Society, are a group of people with common interests of promoting stewardship and other protection techniques. Often times Land Trusts are formed in response to a local crisis, for example a cherished piece of land is threatened because of development and the community is struggling in response. However, they are also formed by local groups as preventative measures before a crises arise. Although Land Trusts often operate at the local level, there are many organizations which extend far beyond a community base. Several Land Trusts perform at the regional and provincial level, while others extend beyond that to operate nationally. The size of the Land Trust is inconsequential in terms of why action is required.

Generally speaking, organizations become involved because pressure is clearly placed upon natural lands. In some cases this pressure is a result of expansion into rural areas. Although tension is created because of development, other factors are also of

<sup>&</sup>lt;sup>1</sup>Hilts, Stewart. Pg3

major concern in that large sections of land are being torn apart across the countryside. Golf courses, for example, require large areas to be built, and the construction of roads for access to these new commercial developments are another important issue that Land Trusts must address. Whether a provincial organization operating with a full staff, such as the Federation of Ontario Naturalists, or a remote community whose group hold weekly meetings are centered around a volunteers kitchen table, like the Ganaraska Grassroots, Land Trusts of all sizes play an integral role in conserving our natural spaces and providing options for landowners who would otherwise sell and/or develop their land due to external pressures.

#### **CRITERIA**

Land Trusts can be defined by a few distinct features. They are usually registered as non-government charitable organizations that work for the benefit of the public. They work with specific pieces of land acquired through purchase, donation or cooperative landowner programs. Land Trusts are community supported and dedicate themselves to the protection and management of natural land. Large Trusts are at an advantage because they are able to carry out dozens of activities while other smaller Trusts only specialize in a few of the possible techniques. These common activities are from a wide range including the acquisition of threatened land through donation, managing land according to the Trusts objectives, providing education, advocating protection to government and working with landowners through land stewardship programs.

## **ALTERNATIVES**

The importance of a Land Trust's presence is unquestionable. They raise public awareness of the values of greenspace, they encourage stewardship and they advocate for greenspace protection. Another important activity performed by these organizations is

<sup>&</sup>lt;sup>2</sup>Ibid. Pg. 8

<sup>&</sup>lt;sup>3</sup>Ibid. Pg. 9

that they offer economic alternatives to those who are experiencing financial pressure. For example, due to rising costs, farmers are searching for alternatives. Without the education and help provided by Land Trusts, many farmers have been known to develop land or sell it to developers in order to earn more money. Others have converted natural areas on their property, such as wetlands to agricultural land in order to maximize their output.

One of the reasons that Land Trusts are so important is that there is a lack of alternatives. Ontario's institutions responsible for planning and directing growth towards preservation are unable to do so. Protective measures are often implemented and then changed, and it is very difficult to obtain a freeze on land uses while negotiations are being made. Since immense development pressures are being experienced in every region, land prices are being negatively influenced. Also, further growth in population and an increase in housing demands leave little open space for natural and farming areas. Due to this, other land stewardship options such as direct acquisition and land use planning are limited. Ontario's land use planning process often times ends in conflict and failure, resulting in an enormous loss of time and money. Also, the public experiences deficits, land values increase dramatically, the costs of owning and maintaining land rises, and the land may not even be for sale.

#### **TOOLS**

Land Trusts have worked effectively for many years now. In both the U.S. and Britain "...there are hundreds of local land trusts that have protected millions of acres of natural and historic landscapes through a variety of innovative tools such as landowner agreements, conservation easements, purchase and saleback"<sup>4</sup>. Although the alternatives to Land Trusts are not as favorable, there are other factors supporting the superiority of these organizations. Land Trusts are heavily involved with land acquisition through

<sup>&</sup>lt;sup>4</sup>Reid, Ron. Pg.4

donation, they offer alternatives and conserve open space, agricultural land, historic buildings and natural areas.

Land Trusts have many tools at their disposal as land stewardship options. Some of the more commonly occurring ones are leases and licenses, agreements, land transactions such as purchase/saleback and conservation easements. Each of these land stewardship options have their own positive and negative attributes, and while no one is better than another, each of them have their own optimal uses. When entering into a lease, the landowner agrees to give the party exclusive rights to use the land for a specified term and fee. For example, naturalist clubs have leased local nature reserves for the purpose of natural area protection. Leases are both renewable and able to bind future owners and are generally used when it is impossible to purchase land. The advantages of entering into a lease is that they are simple legal documents and are negotiated quickly. These aspects create a feeling of comfort with landowners, which is evident from their widespread use. However, one major disadvantage to leasing property is that it does not provide permanent land protection. Once the lease has ended, the party no longer has control of the land. A slight variation on leasing is licensing, where the only major differences are that the party does not have exclusive rights to the land and you are not able to bind future owners.

Of all the possible agreements between a landowner and an interested party, a written agreement and a management agreement are the two most commonly used. A written agreement is not a formal legal document, it is a simple signed agreement between two people. In short it involves a general promise of protection for the land specified. Possibly the best example, and most widely used written agreement is the Conservation Lands Tax Rebate Program. This agreement states "...landowners of certain significant natural areas are eligible for 100% property tax rebate on the natural

area portion of their land, provided they sign an affidavit promising to leave the area in a natural state." Some of the advantages of using a written agreement are that they are less legally complex than many other agreements, and they do carry some weight. In comparison to management agreements and conservation easements, they are fairly simple in nature. Also, they are capable of handling a large number of landowners very quickly, efficiently and cheaply. However, the Conservation Lands Tax Rebates Program is only available to a certain number of landowners, and the rebate itself is only a few hundred dollars.

The other popular form of agreement is a management agreement. This is a contract which permits a person to manage one's property. This is generally done when the landowner either does not have the resources or the expertise to manage the land themselves. The general terms of the contract are that a private agency provides both technical and financial assistance, and the landowner provides the land and follows specific management practices. Management agreements most commonly relate to forestry. For example, during an agreement the Ministry of Natural Resources (MNR) would provide labour and trees to replant marginal land, they would improve stand quality and mark stands for commercial cutting. The landowner would agree to protect the forest and permit the MNR to inspect it.

One of the benefits of using a management agreement is that it provides the agency with a piece of land for their program at a very low cost. Both their maintenance and carrying costs are low compared to purchasing land for the same use. Also, it has the ability to encourage a large number of landowners to follow appropriate management practices. Management agreements are a great tool to educate greater landowner awareness, involvement and appreciation for natural land. However, management agreements have-limited duration, generally 15-years, and low penalties for those who do

<sup>&</sup>lt;sup>5</sup>Ibid. Pg. 16

not follow their contract. Landowners who break terms of the agreement are required to repay the direct management costs incurred. However, to a landowner who is considering developing their land, the penalty is unlikely to have much influence. The single major problem associated with management agreements is that they are often structured toward resource production, which may create resistance among parties.

Purchase/saleback is another popular tool used by Land Trusts, and it is exactly what the name suggests. An agency purchases a piece of land, protects its significant features and then sells the remainder. This type of transaction does not guarantee a profit, if the land sells at all, which is a major drawback. Another negative aspect is that sometimes a large piece of land needs to be purchased in order to protect a small area. Often times, landowners are not willing to sell only portions of the land. Therefore the entire plot of land must be purchased for protection. Also, a substantial amount of time and money needs to be put into acquiring approvals to buy the land, sever part of the land and to sell again. Sometimes there is a considerable loss. However, selling the land does avoid management and carrying costs. If severing a section of land is not possible, another alternative is to sell the entire property with some restrictions attached. These restrictions can be put in place to control future uses. Also, land can be exchanged with another owner so that both interests are met. Financial differences can then be calculated and later settled. Another possible transaction is to develop co-ownership. In this situation "[a] person can transfer an undivided (i.e. %) interest in the whole property, or share it jointly or in common with someone else. This allows for gradual transfers and shared decisions."6 Land can also be donated or made a bequest in a will. If donated, the landowner may retain a life estate. Here a previously specified person will receive the property only after the landowner's death.

<sup>&</sup>lt;sup>6</sup>Attridge, Ian. Pg. 2

The final option, and possibly the most effective is that of conservation easements. Conservation easements "provide permanent, property-specific protection for natural features on private land through legal agreements to restrict the management and use of significant areas." Simply, they are agreements that restrict uses for conservation purposes, and they can only be held by government agencies and conservation charities. When a conservation easement is registered on a title, they bind both current and future owners. This means that ongoing monitoring is required. Choosing conservation easements as a land stewardship option has many strengths. The management of the land costs little, and the price for land acquisition may also be less, especially if it has been donated. Since the owners remain on the land, and use it somewhat productively, there is little social disruption. Also, the contract itself is extremely flexible, allowing it to be tailored to suit each owner. The most important aspect of a conservation easement is that the protection it provides is permanent, it affects all owners, even if the land is sold, the land will still be protected. However, there are still some disadvantages to using conservation easements. To many people who are unfamiliar with conservation easements they are seen as complicated. Complexity is often a deterrent for landowners. Often times there is also some unwillingness among parties with entering into such a long-term contract.

The obvious recommendation for written agreements is to make the Conservation Lands Tax Rebate Program available to more landowners. The requirements which must be met to receive the benefit should be re-evaluated. Another possible solution to increase landowner participation is to simply offer more money. If only a few landowners are eligible for the tax rebate, then why are they receiving so little money? More money will always attract more people. Management agreements on the other hand require different changes in order to attract more landowners. The duration of 15

<sup>&</sup>lt;sup>7</sup>Reid, Ron. Pg. 27

years needs to be extended. Perhaps a clause in the contract could allow for reestablishment or extension of the contract. If both parties agree, the agency would be able to continue from where it left off with very little negotiation. Obviously the penalties must be increased. What good is a fine if the landowner can negotiate a new contract, pay the fine and end up better off than before financially? Understandably, the MNR sells the timber to generate income, part of which is to be used toward rental fees for the landowner. However, other areas of the property could be protected, and the landowner could be educated is these practices. Resource production does not need to be the sole focus of a management agreement, maintenance and preservation can easily be incorporated.

The option of leasing is often used because of financial situations. The partial protection provided by a lease cannot compare to the permanent protection provided by outright purchase. However, even one year of leased protection is beneficial, it is better than none. If finances are an issue, perhaps fundraising is a possible solution. Educating the public on the importance of preservation may help to raise funds. Finding an outside source to contribute money is always a viable option as well. With purchase/saleback never guaranteeing profit, or even a sale, this option does not offer too many promising outcomes. Land can be difficult to sell once it has been severed. An excellent alternative is to purchase the land, impose restrictions upon it, and then re-sell the property. In this case, there is a greater chance of sale, and the property remains protected. While conservation easements are viewed as complex, and are unfamiliar to many, public education can remedy the situation. When more landowners become aware of this option, and understand its operation, then there will be an increase in its use.

#### AROUND NORTH AMERICA

The year 1997 marked a significant change in law regarding conservation and protection of the environment in Saskatchewan. Local government enacted the Conservation Easements Act. Prior top this legislation, the only options available for environmental

protection were outright purchases, management agreements and short term leases. Several problems are associated with these conservation strategies. Outright purchase more often than not is extremely expensive. Therefore, those interested in preservation are reluctant to utilize such a method. Also, both management agreements and short term leases are disadvantaged because of their term duration. Quite often, both only lasts as long as the owner retains title to the land. this, however provides no protection for the future. As well, both management agreements and short term leases are comparable to outright purchase regarding price. The development of conservation easements provided an alternate approach for land conservation.

Conservation easements can be required for a number of different reasons. For example, the owner of the land way wish to co-operate in conservation. The owner may wish to keep ownership, but is willing to give up some rights to the land. Also, long term conservation objectives can be defined for the land, in terms of things that are to be done or not to be done. Conservation Easements can be granted by several different authorities; the owner of the land, the Federal government, the Provincial government or the municipality. The same list of institutions are also able to hold conservation easements. A number of non-profit organizations whose purpose is land conservation are also able to hold conservation easements: "The following corporations are presently entitled to hold conservation easements: Ducks Unlimited Canada, Home Place Conservancy of Saskatchewan, Nature Saskatchewan, Rocky Mountains Elk Foundation, Saskatchewan Parks and Recreation Association and Saskatchewan Wildlife Federation."

Conservation easements are voluntary agreements which set out conservation obligations for a property. The nature of conservation easements in Saskatchewan are as follows:

<sup>&</sup>lt;sup>8</sup>Annand, Mel & Curry, Philip. Pg. 5

- (a) The agreement must be voluntary between the owner of the land and the conservation organization;
- (b) The easement <u>cannot</u> be obtained by any other method than voluntary agreement with the landowner;
- (c) The easement is *granted* by the registered owner of the land. The registered owner becomes the *grantor* of the easement. Any landowner may become a grantor;
- (d) The holder of the conservation easement is the organization which receives the rights or privileges or which accepts some obligations with respect to the land;
  - (e) A conservation easement binds the land to which it relates for the period set out in the easement, and is enforceable by the holder against the grantor or any subsequent owner of the land if it is properly registered in the Land Titles Office;
  - (f) Notice of the existence of a conservation easement can be registered on the land title located in the Land Titles Office;
  - (g) The registration process is technical and complex. Obtaining legal advice should be considered when registering conservation easements in the Land Titles Office.<sup>9</sup>

Similar to Saskatchewan, British Columbia residents look to government to protect important environmental areas. This is often done by creating parks and/or ecological reserves. "However, most of these areas are located in the 95% of British Columbia that is owned by the Crown, the publicly owned lands." This is largely because the government is increasingly unable to afford to purchase privately owned land. Unfortunately, most of the valuable land in British Columbia is privately owned. As a result private landowners and conservation organizations are turning to voluntary stewardship. The purpose of this is to save the land permanently.

<sup>&</sup>lt;sup>9</sup>Ibid. Pg. 3

<sup>&</sup>lt;sup>10</sup>Andrews, William & Loukidelis, David. Pg. 1

In July 1994, the British Columbia government passes Bill 28, The Land Title Amendment Act 1994. This legislation "allows landowners to grant a conservation covenant to any person designated by the Minister of Environment, Lands & Parks." A conservation covenant is a voluntary, written agreement between a landowner and a conservation organization in which the owner of the land promises to protect the land in certain ways. The covenant is both held and enforced by the conservation organization, and is filed in the BC Land Title Office. The covenant binds future owners of the land, not just current landowners; its intention is to last forever.

Conservation covenants held by conservation organizations are useful in a wide variety of situations:

- protecting ecologically valuable features of the land;
- providing a buffer zone adjoining a park or other protected area;
- requiring agricultural land to be used for farming without damaging important waterfowl habitat;
- limiting private forest land to ecologically sustainable forestry
- requiring specific management or development practices that protect a variety of values relating to the land.<sup>12</sup>

Written into the conservation covenant are provisions regarding release and modification of the agreement. When a landowner who has entered a conservation covenant later sells or gives away their land, the obligation to comply with the covenant passes to the new owner. The original landowner can no longer be held liable for breach of the covenant. The covenant only binds the owner while that person continues to be the owner. It is very important to draft a conservation covenant carefully, in case a situation arises where it must be altered. There are only three ways in which a covenant can be

<sup>&</sup>lt;sup>11</sup>Ibid. Pg. 2

<sup>&</sup>lt;sup>12</sup>Ibid. Pg.3

changed. The first is through a formal written agreement between the landowner and the conservation organization holding the covenant. The second involves the conservation organization holding the covenant, if they wish to, can terminate the covenant. Finally, someone with legal interest in the land can apply to the court to have the covenant modified or discharged in certain circumstances.

The two circumstances where the court can modify or terminate a covenant. The first involves the court deciding the land to be obsolete because of changes in the land, neighborhood or other circumstances. The second circumstance is that if reasonable use of the land will be impeded if the covenant is not altered or terminated. It is important to note that although a covenant may have these provisions included, these statements will not guarantee the court to either modify or discharge the conservation covenant.

Although landowners are obligated to comply with the covenant, sometimes they do not. When this situation occurs, the conservation organization has a few options available. First, the problem can be discussed between both parties, and an acceptable solution can be negotiated. If unsuccessful, the conservation organization can rely on remedies set forth in the covenant itself. Often times covenants have the owner pay a certain amount of money if the agreement is broken. Finally, a conservation organization can apply to the court to enforce the covenant. An injunction can be granted ordering the landowner to do or not to do whatever is required by the covenant.

According to Sections 31-33 of Chapter 184 of the General Laws of the Commonwealth of Massachusetts, a conservation restriction is used to "limit the use of land in order to protect specified conservation values including the natural, scenic or open condition of the land." Conservation restrictions differ from other kinds of specified restrictions created under Massachusetts law, such as agricultural preservation restrictions, in that every conservation restriction must be submitted according to the

<sup>&</sup>lt;sup>13</sup>Weld, William & Cellucci, Argeo & Tierney, Susan & Lerner, Joel. Pg. 1

written procedures of and approval by the Secretary of Environmental Affairs. These provisions must be followed in order for certain legal protections to apply to their creation.

When submitting a conservation restriction for approval, there are eight steps which apply:

- 1. Applicant submits conservation restriction to Director together with:
  - a. Application form
  - b. Plan of land
  - c. Field report filled out by local conservation commission, including:
    - i. topographical map
    - ii. photographs
    - iii. municipal certification
- 2. Staff review
  - a. State interagency review
  - b. Inter-municipal review
- 3. Modification, if necessary
- 4. Review by Executive Office of Environmental Affairs counsel
- 5. Approval and signature by Secretary
- 6. Return of conservation restriction to applicant by Director
- 7. Recordation by applicant
- 8. Notice of registry data to Director by applicant 14

A conservation restriction can be released in whole, or in part, by the holder.

This can only be done after a public hearing where reasonable public notice has been given. The release can be done by the governmental body holding the restriction, or any other institution eligible of holding a conservation restriction; a charitable corporation or

<sup>&</sup>lt;sup>14</sup>Ibid. Pg. 2

trust, the mayor or city council. Approval must then be granted by the Secretary of Environmental Affairs. Modifications may be made to any conservation restriction, however only under two circumstances. The first change may be made when the restriction becomes a burden without benefit. The second instance is when there is no practical alternative and there is public benefit in the release.

The process of release in the state of Massachusetts follows five simple steps. First, the holder of the conservation restriction votes to release the restriction. Next, notice of the decision is sent in writing to both the Mayor and City Council. Upon this, City Council then publishes notice of the hearing where they will consider the release, after which they will vote on release of the restriction. Then, City Council will convey release of the restriction to the Secretary after a two-thirds vote of approval. The final step is the Secretary's approval and recordation by the proponent.

If not for Land Trusts, landowners could be forced to sell or develop portions of their property whenever pressure is felt or money is needed. These land saving organizations educate landowners of how valuable and precious their natural land is, and provide numerous options to ensure that they are financially safe and their natural areas can be preserved. A Land Trust's toolbox is full of Land Stewardship Options such as management agreements, purchasing options, leases and conservation easements. Land Trusts are priceless organizations, often times comprised of volunteers dedicating themselves to the preservation and management of natural open spaces and agricultural land. Their growing popularity is offering new opportunities to those working to save natural land and this is definitely beneficial in protecting land for the future.

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Since beginning the academic portion of this placement, the only aspect which has remained constant is that of the progress report/final essay. Even when the agreement form was read over and signed by all parties, some parts continued and still continue to change. What I am talking about specifically is the 'key words', which is supposed to be handed in before Christmas holidays. I am unsure if everyone is seeing this portion of the project as something different, or if some people want something different. Perhaps I could have prevented this by writing a more specific agreement and clearly stating what each piece actually is. However, I am now at the point where I can only move forward and develop ways out of these dilemmas rather than thinking of how I could have prevented them. However, this is not to say that I have not learned anything valuable so far, and I am sure that I will continue to remember many things to take to my next placement. Anyway, talking with both the professor and the host I find that the key word portion is being viewed two completely different ways. This does not mean that they are wrong, actually I think both are fantastic, and I was hoping to complete both in time to be submitted, however the host, who controls the research material which is to be referenced is adamant it is done his way, which does not allow me to continue with what I have agreed I will submit. Obviously the situation I am in is clear, and so is the problem. Sometimes I find myself trying to solve the problem, and sometimes I think I should do this, however I still must continue with what I have agreed upon to the full extent I am capable. I will continue with the plan I have made with the professor, seeing as that is what is being marked, and with each day I am hoping some progress will be made in the right direction.

Although the aspect of the 'key words' have changed dramatically, my views of the project have not. My picture of the final result has remained fairly constant throughout the duration of my work. This has made me very fortunate when doing my research; the topic I am searching and the evidence I am seeking has not changed. My broad topics of research are obviously fundamentals of land trusts. Since I am somewhat

unfamiliar with the subject, I must first familiarize myself with the topic. I am researching anything and everything on land trusts; what they do, how they function, how they are formed. Everything about their creation and their maintenance is important. Following from there are the techniques they use. I understand that there are quite a few, some being the same, some different, all useful in different situations. I plan on outlining the positive and negative aspects of the techniques and where they are most effective. Also, upon receiving more information I plan on extending the paper outside Ontario, to other regions of Canada and possibly the United States. Although this paper will be mostly explanatory/informative, it will also argue the importance of land trusts.

After doing a great deal of research and putting the major problems with the key words aside, I have developed the beginnings of my paper. Actually I would pat myself on the back and argue that I have gone past the half-way point and am on my way to 'rounding third base'. However, before I throw the party, a lot of information still needs to be researched and more topics need to be covered. On the positive side, it is started, well it is well beyond started, and for me that is always the hardest part. I am well on my way, and I am excited to research more and continue writing.

One major problem I have noticed while editing my essay is that I have written a paper which does not include a lot of referencing. Although this is directly related to the owner of the information not giving it to me, I am not forgetting that when I am able to research more I will come across information I have already written about. And this is what I am hoping for. I want to consult many different books on the same thing, which actually is what you are supposed to do while writing (please don't think I don't do that), but after reading through that box of books I anticipate developing a very strong and accurate paper.

Now that I have quite a bit of my paper done I am far more familiar with the topic. I understand many things which I did not before and am familiar with several techniques. I have developed my argument, and begun to support it. Although I understand that so much work has to go into this, this beginnings are there. I have begun to argue the importance of land trusts and have developed that argument and supported it. I have

included optional techniques used by land trusts and their importance. Of course this will all be further developed, but then so will the rest of the paper. I have not yet begunto look outside Ontario, mainly because I have no information, well I have one book, but definitely not enough to write on. Hopefully I will be able to get the books soon. Focusing only on the paper right now, getting those books would allow me to further my research on this topic. Having only a few references is not allowing me to do a lot with this project. I can only extract so much from each book. I think I am almost at the point where I have exhausted the books I have in my possession. Without new books soon, I will be low on sources. Trent's library does not provide me with much help for information, and I have always been skeptical of the internet. Unless I am getting information from a government or education (university) website I try not to use that as a source. Also, I find myself doing a lot of procrastination while on the computer; i.e. e-mail. I know myself well enough to know what will distract me and when and where I can work efficiently.

<b>1.0</b> 1.1	<b>JURISDICTION</b> Canada
1.1.1	Alberta
1.1.2	British Columbia
1.1.2.1	Surrey
1.1.3	Manitoba
1.1.4	New Brunswick
1.1.5	Newfoundland
1.1.6	NWT
1.1.7	Nova Scotia
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1.1.9	Ontario
1.1.9.1	Belfountain
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1.1.9.7	Markham
1.1.9.8	Niagara Escarpment
1.1.9.9	Oak Ridges Moraine
1.1.9.10	Orangeville
1.1.9.11	Ottawa
1.1.9.12	Seaton
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#### **Creative Conservation**

Hilts, Stewart & Reid, Ron. <u>Creative Conservation</u>. <u>A Handbook For Ontario Land Trusts</u>. Commerce Press, Toronto:1993.

Title: Creative Conservation. A Handbook For Ontario Land Trusts.

Author: Stewart Hilts & Ron Reid.

Publishing Company: Commerce Press, Toronto, 1993.

ISBN Number: 1-896059-00-7

## Summary:

This information handbook begins by describing the fundamentals of Land Trusts. It describes what they are, what they do and what makes them successful. They are organizations which work at the local, provincial and national level to save land. They are usually registered as charitable organizations and are non-government. Land trusts are community supported and are dedicated to the protection and management of natural land. The authors outline the need for conservation action within Ontario and beyond. Land, specifically agricultural, is experiencing enormous amounts of developmental pressure. There is a huge demand for large open spaces to facilitate commercial development such as golf courses and major roadways. After explaining the basics, this handbook begins to help the reader assess their own conservation problems. A series of situations and explanations helps the reader decide whether to use an existing group or to begin one of their own. The authors ask questions such as "what makes the community distinctive?", "what would visitors from another country want to see?" and "what features are important to the community?" One key aspect in deciding upon a land trust is whether or not the answers to the questions would be valued by other people. Since no Sone land trust can address every community need, perhaps one can be found which satisfies most of the communities needs. If a land trust can not be found to meet your needs, then perhaps the community should construct their own. Approximately twothirds of this handbook is dedicated to helping the reader develop their own Land Trust. It outlines steps to help increase its effectiveness and how to register the Trust as a charity. It discusses liability and insurance as well as budgeting for the proposed Trust. One single chapter deals with internal management. Suggestions are made for the implementation and maintenance of a board of directors and once that is completed, holding effective meetings. Obviously filling the position of the board is an important decision, one that should not be done hastily. The members should have diverse representation of the community, farmers, academics, businessmen. Diversity of income is another important aspect. The authors note that meetings should be scheduled regularly, and good minutes should be kept. A written agenda is essential as well as establishing a comfortable tone. Deciding upon staff and volunteers is very important and should not be rushed. Staff should be knowledgeable and committed. They should

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have experience in negotiation, finance and fund-raising. Volunteers must be made to feel important the staff should create a sense of belonging to the organization. One important aspect while in the beginning stages of creating a Land Trust is to develop public support. The reader is told about improving the image of the Land Trust, creating memberships and the importance and effectiveness of working with the media to develop public awareness. One major difficulty that is outlined is that of finances, fund-raising often determines the success of the land trust. Begin with the community, you are representing them. Other sources include donations, foundations, government and businesses. Be persistent but polite and remember you will not get money if you do not ask. Once started, a mission statement must be created and long-term plans should be developed, both of which are discussed in detail. This will help to establish the character of the trust. You will be defining the broad goals and the nature of the organization. The authors stresses that you should not be afraid to work cooperatively with other organizations. Fund-raising and land maintenance will be far more successful. Some organizations include the Ministry of Natural Resources, Conservation Authorities, the Ministry of culture and the Ministry of Housing. An appendix found at the back of the handbook offers contact information for other Land Trusts and also sample brochures.

## **Key Words:**

-conservation -land trusts -protection -ecological quality -preservation -nature -land acquisition -land management -negotiate -agricultural land -historical/natural features -affordable housing -land saving actions/techniques -family trust -community -community land trust-conservation land trust -open space -natural heritage -land use planning -resource -landscape -woodlots -conservancy -society -environmental -conservation easement -greenspace -maintain -forestry -geographic -foundation -managing -secure -conservation organization -restore -ecological -development -watershed -association -purchase -agreements -landowners -wetlands -improve

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## **Land Stewardship Options**

Reid, Ron & Hilts, Stewart. (1990) <u>Land Stewardship Options</u>. Toronto: The Ontario Government Bookstore.

Title: Land Stewardship Options.

Author: Ron Reid & Stewart Hilts.

Publishing Company: The Ontario Government Bookstore.

ISBN Number: 0-7729-7391-1

# Summary:

This particular report was written upon request to provide background information for the Greater Toronto Area Greenlands Strategy. Designed to be a background paper, this report provides an excellent outline of Land Stewardship Options. Chapter one outlines the argument supporting Land Stewardship. Since there is an immense development pressure in the region, something must be done to preserve the land. These pressures of development require experimentation of different tools to help maintain a good quality of land in the region, and land stewardship is that answer. Finally, this type of conservation has worked effectively in many other countries, and is expected to do the same in Canada. This argument explains the justification behind Land Stewardship as a viable technique for greenspace protection. The next chapter, which is almost the entire paper, is broken into subsections and outlines in great detail 12 different Land Stewardship Options. These 12 options are (1)Information and Education (2) Verbal Agreements (3) Written Agreements (4) Management Agreements (5) Leases (6) Conservation Easements (7) Purchase/Saleback (8) Creative Development (9) Conservation Real Estate (10) Land Trusts (11) Designation (12) Dedication. Each option has been broken into individual chapters and each section gives examples of that particular Land Stewardship Option, analyzes its strengths and weaknesses, outlines its application to the Greater Toronto Area and describes the incentives which follow utilizing that particular stewardship option. Both written and verbal agreements are basically the same, however a legal contract is the only fundamental difference. Management agreements differ only lightly in that an outside party agrees to manage the land for the landowner. Leasing land is no different from leasing anything else, the landowner gives exclusive rights to the party leasing the property. Conservation easements are possibly the most effective stewardship option because restrictions are placed on a piece of property, and those restrictions bind future owners. Purchase/saleback involves the purchase of land, severing off the endangered land, and then selling the remainder of the property. Creative development and conservation real estate are very similar to purchase/saleback. Both enable the landowner to determine the development of the land. Land Trusts are a type of organization who help landowners to conserve their natural space. Designation refers to the process of designating historic

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buildings under the Heritage Act. Dedication is a process where a landowner can dedicate his land for conservation purposes. The next chapter outlines both the integration and implementation of a Land Stewardship Options. Finally, as part of a greenlands strategy, the authors list their seven recommendations which are to be applied directly to the Greater Toronto Area and the Ontario government. These recommendations are (1)An integrated system of stewardship options (2)To adopt a more integrated approach to greenlands management in the GTA (3)Extend tax incentives to include more landowners (4)Change the requirements for those who can hold conservation easements (5)More encouraging for conservation easement use (6)Establish more organizations to address greenlands through community action (7)Establish a Greenlands Trust Fund. Listed in the back as appendices, the authors have included sample agreements, easements and conservation programs.

## **Key Words:**

-stewardship -agreements -verbal agreements -written agreements -management agreements -leases -licences -conservation easements -purchase/saleback -creative development -land trusts -acquisition -land use planning -greenlands -landowner -conservation programs -natural heritage -private lands -landforms -land use -land stewardship options -conserve -development -property -donations -conservation strategy -ecological management options -conservation programs -natural heritage -incentives -site protection -recreational -negotiate -permanent protection -wetlands -public trust -natural features -ecologically significant -recreational value -private owners -heritage -natural features -protection -conservation authorities

-landscape

-conservation real estate

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-dedication

-conservation organization

-designation

# **Preserving Family Lands**

Small, Stephen. <u>Preserving Family Lands</u>. <u>Essential Tax Strategies For The Land Owner</u>. Landowner Planning Center, Boston:1992.

Title: Preserving Family Lands. Essential Tax Strategies For The Landowner

Author: Stephen J. Small

Publishing Company: Landowner Planning Center

**ISBN Number**: 0-9624557-1-7

Summary:

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Written by a lawyer in the United States who was worried of millions of acres of family land lost because landowners are unaware of possible tax problems, "Preserving Family Lands" is an excellent resource for those who are unfamiliar with land use planning. Written in layman's terms, this book can be understood by everyone, yet remains effective. Introduced in the first pages of the book are a series of fictional) families; John and Mary and Bob and Sue. These families are used throughout the book to help the reader understand possible tax problems in potential real-life situations. The scenarios begin the same: if the family dies, what are the options? A chart found early in the book outlines possible options and their outcomes. John and Mary could potentially leave the land to their children in their wills. This scenario means no income tax savings, a catastrophe for estate tax and the land will only be sold to developers. They could possibly make a gift now to an organization of a conservation easement and then leave the land to their children. Here there would be both an income tax saving and an estate tax saving, the property would go to the children and remain protected. If the property was given to the children no, no income tax saving would be incurred, however there would be no estate tax saving but there would be no guarantee of property protection. Another possible option is to sell the land for cash now. The land would be sold to developers and there would be neither an income tax nor estate tax saving.

The author lists several different options available to landowners. These include a conservation easement, a remainder interest and a gift by will. Put very simply, a conservation easement is a restriction placed on a property. It is given to a charitable organization or government agency who is tax-exempt. An easement allows for the land to be protected against future real estate development, industrial use and commercial uses. A major benefit is that the landowner is able to continue current uses and residing on the land. A remainder interest means that the landowner retains the right to live on the land until his/her death, at which time the land goes to a previously selected organization. This differs greatly from an easement in that you donate away certain rights you have to do with your property, but you are not giving up ownership today or you can sell it in the future. A remainder interest means that you may live on the land, but when you die the property goes to an organization you have already chosen. A

charitable contribution of a conservation easement or an outright donation of property can be made out in a will.

The author stresses many times to avoid certain things such as transferring ownership during your lifetime and leaving the property to a family member in a will. The main reason for this is the estate tax. Generally, this tax is 30% of the lands value, and in many states other taxes are added on top. The usual result is to sell the land in order to pay the taxes. Found in the appendix is a list of every state and the individual estate taxes.

# Key Words:

-family lands -landowner -gift by will -estate tax -conservation easement -remainder interest -testamentary gift -charitable gift -estate -will -development -acreage -inherit -farmland -watershed -forestland -openspace -wildlife habitat -land use planning -land value -protect -preservation -organization -tax incentive -land conservation -property -tax purposes -restriction -residential -commercial -industrial -recreational -agriculture -deduction -value -transfer -trusts -ownership -conservation agency -deduction

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# **Holding Our Ground**

Daniels, Tom & Bowers, Deborah. <u>Holding Our Ground. Protecting America's Farms and Farmland</u>. Island Press, Washington:1997.

Title: Holding Our Ground. Protecting America's Farms and Farmland.

Author: Tom Daniels & Deborah Bowers.

Publishing Company: Island Press.

**ISBN Number:** 1-55963-482-0

**Summary:** 

This book helps landowners and communities develop and implement effective strategies for protecting farmland. The authors begin this book by describing the importance of agricultural land. They offer statistics for all over America Central Valley in California loses approximately 100,000 acres per year, Utah farmers constantly farmland sold to developers and farmers in Iowa watch as the suburbs creep closer to their property. The authors state that most people take for granted the food they eat, not knowing the land it is grown on is in jeopardy of becoming developed. Keeping a supply of fresh food, protecting environmental quality and keeping farmland to buffer parkland are only a few important reasons to protect America's agricultural land.

development of land. The first is called the comprehensive plan, which includes an inventory of land uses, an analysis of future needs and a view of what the community is expected to need over the next 20 years. The zoning ordinance puts the comprehensive plan into action. It works to seperate conflicting land uses and promote orderly development. The subdivision regulations controls the division of land into lots. These regulations ensure the new lots will be able to support development. Recommendations are made to continually re-evaluate these process every three to five years.

-commodity -cultural -government -resource -consumer -non-farm uses -urban sprawl -landownership -agriculture -funding -high-quality -state programs -federal -incentives -right-to-farm -assessment -techniques -voluntary -open-space -successful -growth -productive -restricted -community -boundaries -consistent -buffer -district -land trusts -limited development -life estate -easement -lease -purchase -stewardship -remainder trust -sale

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#### The Conservation Easement Handbook

Diehl, Janet & Barrett, Thomas. <u>The Conservation Easement Handbook.</u>

<u>Managing Land Conservation and Historic Preservation Easement Programs.</u>

Land Trust Alliance, Washington:1988.

**Title:** The Conservation Easement Handbook. Managing Land Conservation and Historic Preservation Easement Programs.

Author: Janet Diehl & Thomas Barrett.

Publishing Company: Land Trust Alliance.

**ISBN Number:** 0-943915-03-1

**Summary:** 

This book is all about conservation easements; what they are, common questions, managing them. This book answers almost every possible question a landowner could have about easements. A conservation easement is a legal document between a landowner and a charitable organization restricting the type of development which can happen on the property. The landowner may retain ownership until death, or donate it away. Easements are given different names depending on the resource they are protecting. Those restricting the surroundings of a historic structure or historic land areas are called historic preservation easements. Easements used to preserve agricultural operation are called agricultural preservation easements. Sometimes conservation easements are also called conservation restrictions.

Any landowner is able to obtain an easement and they are able to protect any type of property; forests, wetlands, farms beaches, historic areas and scenic areas. The restrictiveness of an easement depends of the protection required. Sometimes all construction may be prohibited or just the development of a subdivision. Conservation with the development of a subdivision. Conservation with the development of a subdivision. The construction was be written so that they last forever, while some may be for just a few with the development of a subdivision. The construction of the protection required. Sometimes all construction may be prohibited or just the development of a subdivision. Conservation with the development of a subdivision. The construction of the protection required to the construction of the protection required. Sometimes all construction may be prohibited or just the development of a subdivision. Conservation with the construction of the protection of the protection of the protection required. Sometimes all construction was also that they last forever, while some may be for just a few with the protection of the protectio

# **Key Words:**

-conservation easement -agricultural -scenic -grant -property -duration -protect -donation -restrictive -income tax -develop -natural -habitat -open space -forest -landowner -purchase -preservation -private ownership -deduction -tax benefits -acquisition -organization -appraisal -responsibility -owners -criteria -mortgage -land conservancy -farmland -land trust -tailored -private ownership -tax incentives -land title

# **Using Conservation Covenants**

Loukidelis, David. <u>Using Conservation Covenants To Preserve Private Land In</u>
<u>British Columbia</u>. Press Gang Printers, Vancouver:1992.

Title: Using Conservation Covenants To Preserve Private Land In British Columbia.

Author: David Loukidelis.

Publishing Company: Press Gang Printers.

ISBN Number: 0-919365-10-8

**Summary:** 

In recent years, there has been a dramatic increase of environmental issues in

British Columbia. The most pressing concern about land use is the allocation and management of land and resources. Often times struggling parties look to the government to solve the problems, however their abilities are sometimes limited. This is why private measures have been taken to preserve the land in British Columbia. This report examines conservation covenants as a tool to ensure the protection of land.

The first major constraint against the government is about the scale at which land use planning operates. This type of protection often is run with parks, valleys and forests; all very large areas. The opportunities to protect smaller pieces of land, especially privately owned, are often overlooked. Another limited factor for the government is that of finances. Land values are increasing which makes it difficult to purchase. Although difficult for conservation organizations, private purchase is a popular form of land protection, where the government is unable to do so.

A conservation covenant is only another name for a conservation easement. They are legal agreements between the landowner and an organization agreeing to restrict the uses on the land for its protection. One of the many benefits of covenants are tax incentives. If the land owner decides to donate the land to the organization, then they are entitled to a tax deduction. Also, the original landowner is able to continue residing on

sensitive wetland area is preserved even though the remaining land is developed for residential purposes. -6000 8and  $\sqrt{0}$ 

# **Key Words:**

-private land -conservation -covenants -preserve

-organization -British Columbia -charitable

-farming -culture -wildlife -landowner

-agriculture -environment -nature -trust

-parks -government -purchase -easement

-management -common law -legislation -Canada

-enforcement -green spaces -property

-government limits -conservation purposes -land conservancy

-protection -habitat -tax incentive -taxes

-land use planning -deduction -stewardship -urban

**Ontario's Natural Heritage** 

Wells, Yvette. "Ontario's Natural Heritage: Options for Protection. A Manual

for Land Conservation Organizations". Ontario Ministry of Natural Resources,

Toronto:1989.

Title: Ontario's Natural Heritage: Options for Protection. A Manual for Land

Conservation Organizations.

Author: Yvette Wells.

**Published By:** Ontario Ministry of Natural Resources.

**Summary:** 

For many years now there has been a cooperative effort between public and

private agencies to protect natural areas. New participants and options are continually

being created. The protection of natural areas focuses more on private stewardship than

direct land acquisition. This manual provides any agency interested in land stewardship

information on several different available options.

A management agreement allows landowners who require technical assistance to

maintain their property the opportunity to gain assistance from an organization. This

specific agreement allows the landowner, with assistance from the agency, to manage the

property a specific way for a pre-determined period of time. The landowner voluntarily

enters into this legally binding contract and is financially compensated by the

organization for the land use. The voluntary aspect and flexibility makes management

agreements extremely popular. Similar to a management agreement is a simple lease.

Here, under a contract, the landowner gives temporary use of the property in exchange

for payment of rent. This payment plan may be extended to a lease-to-own program,

where the payment would be applied to the future purchase price. Leases are a well

known, easily understood and voluntary method for preserving land.

A conservation easement is simply a legal document which places restrictions on

the use and development of the land. The restrictions are clearly defined in the contract

# **Key Words:**

-natural heritage -protection -options -land

-conservation -resources -agencies -organizations

-land prices -private stewardship -Ontario -landowners

-heritage -tax reduction -leases -tax incentives

-conservation easement -right of first refusal -donation

-option to purchase -bargain sale -restrictions -purchase

-sale -conservation -environmental -forestry

-land use planning -woodlands -agriculture -securement

-property -management agreements -foundation

-conservation authorities -land use options

**Conservation Easement Guide For Alberta** 

Kwasniak, Arlene. Conservation Easement Guide For Alberta. Environmental

Law Centre, Edmonton: 1997.

**Title:** Conservation Easement Guide For Alberta.

Author: Arlene Kwasniak.

Publishing Company: Environmental Law Centre.

**ISBN Number:** 0-921503-57-1

**Summary:** 

It is natural for every landowner to love their land. To love the tree, the wildlife,

every aspect of the land. However, what happens when you die? Will the forest still stand

when your children inherit the land or will it be sold immediately to a developer. This

does not have to happen to the land. The property can be preserved in its natural state,

possibly forever. In this guide the author has outlined how to use conservation easements

to preserve landowners property.

A conservation easement is a legal document, entered voluntarily by the landowner

to protect the natural feature of the land. This agreement grants some of the landowners

rights of developing and use away to an organization in order to protect the land.

Easements are negotiable, simple to establish and easily tailored to specific landowners.

The actual easement is registered on the land title, which makes it enforceable forever.

This land protection technique was made possible through the 1996 Alberta

Environmental Protection and Enhancement Act.

When transferring the land to an organization, the landowner may wish to sell the

property or make a donation. Although through a sale the landowner receives money,

however organizations often times experience trouble raising funds and therefore favour donation. Those landowners who choose to donate their property do receive some benefits. After the donation is made, the landowner is entitled to a tax rebate.

There are certain steps which must be followed when initiating a conservation easement. The first place to begin is by matching the landowner with the right organization. It is irrelevant who approaches who first, however it is important that each give party is satisfied with the agreement. Does the property fit the description of what the organization is looking for? The next step is to search the title of the property. This will provide the organization with information such as ownership, prior registration of an easement and any liens or mortgages on the property. Next, the organization should begin compiling information and data on the property. This included developing an ecological inventory, drafting restrictions and setting appropriate boundaries.

The next phase is to begin negotiation. The basic wording and terms of the easement should be agreed upon. Obtaining an appraisal is next for the organization. Whether the land is being sold or donated, the landowner will need an appraisal for income tax purposes. If the land is being bought, the organization will need an appraisal to know the market value. Finally, both parties should finalize and execute the documents. When all of the terms have been agreed upon by both parties, it is time to sign.

After a conservation easement has been implemented, it is possible to modify or terminate it. Sometimes it is necessary to modify the agreement, and this can be done by the original parties. Simple negotiation can be done to reach a new agreement. Also, the easement may be either terminated or modified by the Minister of Environmental

Protection or the court. This is generally done with proof that the modification will be

beneficial to the parties involved.

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**Key Words:** 

-conservation easement

-Alberta

-environmental-land use planning

-taxes

-tax incentives

-tax rebate

-grantee

-deduction

-environmental protection

-conservancy

-wetlands

-forests

-prairie

-grasslands

-conservation

-landowner

-property

-natural areas

-sensitive land

-ecological

-landscape

-biodiversity

-land values

-granted

-donation

-sale/purchase

legislation

-permanent

-maintain

-future

**Stewardship Bylaws** 

Lanarc Consultants Ltd. Stewardship Bylaws: A Guide For Local Governments.

Ministry of Environment, British Columbia: 1997.

Title: Stewardship Bylaws: A Guide For Local Governments.

Author: Lanarc Consultants Ltd.

Publishing Company: Ministry of Environment.

**ISBN Number:** 0-7726-3173-5

**Summary:** 

This is a guide to environmental management that applies specifically to local

governments in British Columbia. It is designed to help in developing better bylaws and

guidelines. The authors state that environmental stewardship is a joint effort, done by

senior governments, local governments, non-government organizations and the general

public. This handbook provides information to the local governments on how to work

efficiently and effectively.

The first chapter focuses on policy development and the bylaw writing process.

Once a general stewardship program has been determined the next phase is to develop a

set of stewardship bylaws to accompany the program. The first step is to complete the

policy development. This includes working with the council/board and the public to refine

a stewardship bylaw policy. Workshops with staff and politicians are often held for better

understanding. Sometimes discussions are held with neighboring local governments to

consider the standardization of bylaw definitions, wordings and procedures.

Step two includes collecting relevant legislation and regulations. The council

should be checking for the most recent versions of legislation, and seek legal interpretation

of court decisions which may enable or limit bylaw applications. The council should remember that sometimes bylaws are guided and enforced by more than one Act. Next is to identify the purpose and context of the specific bylaw. You must identify the changes necessary to other local government bylaws and clarify relationships with other agencies.

The next step is to decide the bylaw structure. Do you want all the stewardship clauses in one Environmental Protection Bylaw, or have some in the Zoning Bylaw? The context may be broken down again; have different bylaws for tree protection, erosion control and watercourse protection. The next three steps include writing detailed purposes for each section, writing key clauses and writing the bylaw enforcement provisions. This secures against duplication or conflict with other bylaws.

Before reviewing the final draft with staff, definitions must be written for those terms not already defined in the legislation and for any vagueness of meaning. After all the writing has been completed, the legislation is ready to be reviewed by staff, committees, stakeholders and legal council. Once the review process is completed, the bylaw is ready for formal approval.

Included in this guide, the author has selected several stewardship bylaws to use as samples. These bylaws include the Soil Removal and Deposit Bylaw, the Tree Protection Bylaw and the Watercourse Protection Bylaw. The Soil Removal Bylaw plays a significant role in the prevention of flooding. This Bylaw requires everyone to obtain a permit for all soil removal or deposit. It educates contractors and the general public by providing erosion control manuals, and requires the best management practices and high standards of design and construction be met.

The Tree Protection Bylaw has a significant stewardship role in protecting tree cover along riparian zones, other environmentally sensitive areas and areas commonly experiencing natural hazards. This Bylaw restricts the removal of trees in all environmentally sensitive areas and restricts tree removal before and after development. Any trees removed are to be replaced. The Watercourse Protection Bylaws role in stewardship by improving water quality, incorporating water quantity standards, preventing damming and other obstructions of the waterway and by incorporating benefits 6000 8 of flood protection with habitat protection.

# **Key Words:**

-stewardship -bylaws -local -government -British Columbia -guide -land use planning

-private -sample -zoning -watercourse

-protection -clauses -tree -removal

-soil -development -subdivision -permit

-rural -agency -council -committee

-plan -deposit -enforcement

-drafting -design -municipal -stream

-regulation -legislation -greenways

-preservation -environmental -sensitive areas

# **Doing Deals**

The Trust for Public Land. <u>Doing Deals. A Guide to Buying Land for Conservation</u>. Land Trust Alliance, Washington: 1995.

Title: Doing Deals. A Guide to Buying Land for Conservation.

Author: The Trust for Public Land.

Publishing Company: The Land Trust Alliance.

**ISBN Number:** 0-943915-11-2

### **Summary:**

Land Trusts have a number of different tools to use when dealing with conservation. This book focuses on their primary one, buying land. When purchasing land, it gives the land trust the most control over its use. Sometimes land is bought because it is the land trust has to or it is the only option the landowner will consider. Regardless of the motive, this book outlines the basics or real estate every land trust should know.

Before purchasing land, the trust must decide what to do with the land after acquisition. There are a few options available and they include own and manage, own and others manage, resell to a third party and limited development. Own and manage is the most straightforward approach to managing land. After acquisition, the land trust is in full control of the property. Another similar option is to purchase the land and have others manage it. In some cases the land trust can acquire land and at the same time develop a management agreement with another organization. This option saves the land such as trust long-term management costs and responsibility.

Property can also be protected by reselling the land to a suitable third party.

Sometimes this third party is found after the land has been purchased while other times

they have been present from the beginning. Often times other landowners are interested in purchasing land with restrictions attached. The final option available is limited development, and this means portions of the property can be developed without sacrificing the goal of protection. Sometimes this means developing the less sensitive areas of the property and then selling them to a private buyer.

The key ideas expressed by the author are for the land trust to familiarize themselves with the land before purchase. Get to know the geographic features and resources, its history and previous uses. The first question you should ask is whether or not the property's resources match that of the land trust's goals. Is this the type of land you wish to protect? Obviously the land trust should not proceed without the answer being yes.

The best way to learn about the site is to walk it, preferably with the landowner. See for yourself the land's features and hear from about it from someone who knows better than anyone. Before visiting the site prepare whatever information you have on the property, be prepared to ask questions. Inspect key features, boundaries and survey markers. This would be best done with the landowner. If the property is too large to walk of drive, an aerial photograph is another option. Be sure to record and evaluate your inspection and definitely visit the site more than once.

When looking at the land's physical characteristics and the relationship to adjacent land, you are able to create the 'development capacity'. This term refers to the practical and legally allowed uses of the land; its development potential. By analyzing the capacity you are able to determine protection strategies. For example, this will help

you predict the development of adjacent land that may adversely affect your protection strategy. Also, find out what zoning laws affect the property.

The final aspect to consider is to identify income possibilities. Land improvements may offer the land trust income potential. You may be able to rent out a building, lease a field to neighboring farmers or charge user fees for access to a beach or trail system.

# **Key Words:**

-buying -guide -land -conservation -land trust -real estate -transaction -decisions -project -inspecting -site -characteristics -owning -managing -protection -land values -landowners -constraints -acquisition -information -property -strategy -negotiation -resell -zoning -preservation -interest -evaluation -key features -property -income potential -boundaries -land uses

**Conservation Stewardship** 

MacDougall, Andrew & Foley, John. Conservation Stewardship. An Options Guide for Private Landowners Within the Fundy Model Forest of Southeastern

New Brunswick.

Title: An Options Guide for Private Landowners Within the Fundy Model Forest of

Southeastern New Brunswick.

**Author:** Andrew MacDougall & John Foley.

Summary:

This is an information guide for the landowners who own property on the Fundy

Model Forest. This is a 420,000 hectare area located between Moncton and Saint John in

southeastern New Brunswick. This land is very diverse, containing a mixture of large

forest area, river valleys, open farmland, lakes, marshes, ponds and other wetlands.

Several hundred years ago, human activity altered much of the landscape; farms, roads

and settlements were cleared and most of the forest has been harvested. However there

are still pockets of ecologically significant areas which many people are trying to protect.

Many landowners many be residing on ecologically significant land and not even

know it. A significant natural area contains either one or a combination of biological

features. This may include populations of rare species, plants, birds or mammals. Also,

sites may be a forest or a wetland. Some land may be in pristine condition showing little

or no disturbance from humans, while others may have been developed somewhat but

still remain with some original integrity. The authors have listed a series of conservation

options for landowners.

A verbal agreement is simply a 'handshake' agreement, where the landowner

generally makes a commitment to maintain the habitat to the best of their ability.

Another agreement is a written agreement. This type of agreement is no more than a written and signed form of a verbal agreement. The written agreements is not a legal documents, which means neither of these agreements are binding. However, a management agreement is a legally binding contract. This is a contract where land management assistance is provided. A sponsoring agency develops a management with the landowner. This is to encourage the landowner to restrict certain land use activities.

Local conservation agencies may be able to lease a property which includes all or part of an ecologically significant area. Leasing agreements allow for an organization to manage a set property for a determined price. At some time, landowners may wish to sell part of their property, and an organization mat be interested in an outright acquisition. Another possible acquisition technique for agencies is for landowners to donate their property away to the organization. This can be done while the landowner is still alive, or it can be made bequest in a will. 6000- 8.5

# **Key Words:**

-conservation -stewardship -options -guide -private -landowners -New Brunswick -forest -significant -natural -area -verbal agreement -written agreement -management agreement -property lease -restrictions -donation -will -species -ecological -human disturbance -rare -river -valley -farmland -lakes -marshes -wetland

### Conservation Easements Guide For Saskatchewan

Annand, Mel & Curry, Philip. <u>Conservation Easements Guide For Saskatchewan</u>. Centre for Studies in Agriculture, Law and the Environment, Saskatoon.

Title: Conservation Easements Guide For Saskatchewan.

Author: Mel Annand & Philip Curry.

Publishing Company: Centre for Studies in Agriculture, Law and the Environment.

**Summary:** 

The enactment of The Conservation Easement Act in Saskatchewan marked a significant change in the law regarding conservation and protection of the land. Since the law has only been present for a few years, it is difficult for it to be fully understood, however this paw does has great potential as it ha worked extremely well in other provinces. Conservation easements are a legal contract held by conservation organizations, government organizations or municipalities and are used in a wide variety of situations. They are used in protecting ecologically valuable features of land, protecting nature trails and requiring specific land management practices for landowners.

A conservation easement sets out obligations for the landowner to follow regarding the property. These agreements are voluntary, and are granted by the owner of the land. One of the most appealing aspects of conservation easements is their ability to bind all future owners of the land because the easement is attached to the actual title of land.

Although conservation easements are not intended to be modified or terminated, it is possible. If a modification is desires or necessary, it can be done through a formal written agreement between the owner and the holder. Any modifications must follow the same registration process as the original agreement. Sometimes it is recommended to

discharge the original easement and register a new agreement. A conservation easement may be terminated three different ways. First, if the term of the easement has expired.

Next, through a written agreement between the holder and the owner of the land. Finally, conservation easements can be terminated by the court.

Listed in the appendices are segments of the Conservation Easements Act. As well, the authors have also included sample easements and site assessment forms.

# **Key Words:**

-conservation easements -guide -Saskatchewan

-nature -purposes -land use -duration

-technical -conservation -significant -biological

-conservation organizations -government agencies

-municipalities -protection -valuable features

-land management -wildlife -permanent

-nature trails -development practices -voluntary

-landowner -registered -organization

-modification -termination -contract -agreement

Conservation Kit

Tingley, Donna & Kirby, Patrick. Conservation Kit: A Legal Guide To Private

Conservancy. Environmental Law Centre, Alberta: 1986.

**Title:** Conservation Kit: A Guide To Private Conservancy.

**Author:** Donna Tingley & Patrick Kirby.

**Publishing Company:** The Environmental Law Centre.

**Summary:** 

The authors of this book have outlined several different conservation options for

landowners who wish to protect their property. These available stewardship options

include leases, licenses and restrictive covenants. Outlined with these options are a series

of advantages, disadvantages and case studies to help the reader better understand the

conservation techniques.

Simply put, a lease is a rental agreement between two people over an interest in

land. During the set term, the 'tenant' has exclusive rights to the property. Leases are

generally granted inn return for payment to rent the land. Leases always expire at the end

of the designated term, however it may expire by notice from the landowner or forfeiture

fro the 'tenant'. The only essential components to the lease are a description of the

leased premises, parties to the lease, the dates for commencement and the term.

The main advantage to leasing land for conservation purposes is that the

organization renting will have many of the same right the landowner will but at a lesser

cost. Acquiring a lease, even long term, will be far less expensive than outright purchase.

However, the limited period of time does not allow for a lot of land preservation. At the

end of the term, the organization has no remaining interest in the land, unless the lease is

renewed.

A license is an agreement, either written or unwritten, which grants permission to enter onto land to do something which would otherwise be considered trespassing.

Licenses are not considered to create interest in a piece of land, which means it does not bind future owners. Licenses, although similar to leases, do not grant exclusive rights to the organization, whereas a lease does. A license is a useful tool to legally go onto someone's property and perform a specified task. The cost of a license will depend of the use of the land, however licenses are generally less expensive than leases. Licenses are very flexible and straightforward. Very rarely is legal advice required. The major disadvantage is that licenses provide no security. No exclusive possession is guaranteed. Since it is not well used, landowners may be reluctant to enter into a licensing agreement because of its unfamiliarity.

A restrictive covenant is a very complex legal technique used to protect land. They are very effective in restricting the use of a piece of property for conservation and recreational purposes. A covenant is an agreement between two landowners where one agrees to not use his land in a particular manner, thereby benefiting the other's land. For example, one landowner may agree not to develop his land so as to preserve the other's scenic view. Once the agreement is registered, it binds future owners. Restrictive covenants are a very useful technique for preserving open space for conservation purposes. It allows the land to be preserved forever, while the landowner still resides there and enjoys the land. Also, the cost of acquiring a restrictive covenant is far less than outright purchase. However, because of its complex nature, legal advice is definitely required. Since future owners may not feel bound by the covenant, court action may be required to enforce the covenant.

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# **Key Words:**

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-restrictive covenants

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-future

-binding

-landowners

-technique

-stewardship

-agreement

-relationship

# **Options For Landowners**

The Ontario Heritage Foundation. <u>Options For Landowners. A Guide To The</u> Voluntary Protection of Heritage Properties Along the Niagara Escarpment. Ontario Ministry of Culture:1990.

**Title:** Options For Landowners. A Guide To The Voluntary Protection of Heritage Properties Along the Niagara Escarpment.

**Author:** The Ontario Heritage Foundation.

Publishing Company: The Ontario Ministry of Culture.

**ISBN Number:** 0-7729-7342-3.

### **Summary:**

Private landowners have a crucial role in-ensuring the protection of the Niagara Escarpment. They own most of the natural areas on the Escarpment, and are the major decision makers affecting its use. The authors prepared this booklet to act as a guide to assist the many landowners in management of the natural and historic features on their property.

Escarpment. The voluntary participation of private property owners is crucial in protecting the natural and historic features. In certain situations landowners can donate their land to an organization to ensure its preservation. Often times this results in a significant tax advantage for the landowner. However, most property owners care about their land and are not in a position to donate it. In this situation, a conservation easement is the best remedy.

A conservation easement is a legal document that places restrictions on the use and development of a parcel of land. Easements are also available for specific aspects of a building or structure to preserve its natural or historic features. Conservation easements

are extremely flexible and can be written to include almost any kind of restrictive use that has been agreed upon by the owner and the easement holder.

An easement could require that the land be left completely in its natural state; it could permit such activities as farming, hunting or fishing. Also, it could provide for limited development, including the construction of dwellings. This agreement does not allow any activities by the agreement holder that are prohibited by the landowner.

Aside from the restrictions set out in the easement, the landowner retains all other rights pertaining to the property. The owner holds the title to the land and can use it any way as long as it follows the restrictions. One of the major incentives to conservation easements is its ability to bind future owners. Future owners of the property are obligated to follow the restrictions set out in the easement agreement.

Listed in the appendices are a list of organization offering assistance to the protection of the Niagara Escarpment. This list includes the Ministry of Natural Resources, the Halton Region Conservation Authority, the Ministry of Agriculture and Food, the Canadian Environmental Law Association and the Federation of Ontario

Naturalists.

### **Key Words:**

-options -stewardship -guide -voluntary

-protection -heritage -property -Niagra Escarpment

-land acquisition -private land -donations

-preservation -land use -management

-assist -natural/historic features -conservation easement

-tax incentive -agreement -organization

# **Options For Wetland Conservation**

Fischer, Michael & Wheeler, Douglas. Options For Wetland Conservation. A Guide For California Landowners. California State Conservancy:1994.

Title: Options For Wetland Conservation. A Guide For California Landowners.

Author: Michael Fischer & Douglas Wheeler.

Publishing Company: California State Conservancy.

**Summary:** 

Previously, many landowners viewed wetlands as a burden, an obstacle standing between tem and the use or development of their property. Often times agencies who wished to protect the natural features were considered adversaries. Recently, wetlands have meant the opposite for landowners; their views have radically changed. Now, wetlands often times increase the property value. They are now viewed as valuable assets to a broad range of land uses, these include keeping banks from eroding, improving fish and wildlife habitat and keeping topsoil from washing away. Before the authors wrote this book, landowners had no source of easy-to-read information on how to make the most of the wetland.

The authors have outlined a series of voluntary approaches to land protection, and these include conservation easements, remainder interests and leases. A conservation easement is a legal document that grants an interest in your property to an organization. In granting an easement, the landowner transfers certain property rights to a non-profit organization or government agency. The landowner agrees to restrict uses of the property and the organization gains the right to ensure that the restrictions are upheld. One benefit

is that the landowner retains the land title, which means they are able to continue residing on the land.

Often times landowners give up their right on the property to make a permanent personal commitment to the protection of the natural feature of their land. Other times it is for economic reasons, conservation easements provided economic incentives as they can be donated or sold. Landowners receive direct income for selling the easement and sometimes experience lower property taxes. When donating an easement, the landowner often times receives an income tax deduction.

A remainder interest transfers full title or partial interest in a property to a predetermined organization after the death of the landowner. This allows the landowner to enjoy all the uses of their property while still alive but ensuring the permanent protection in the future. The donation of a remainder interest qualifies the landowner for a tax deduction. The amount depends on the anticipated time before the title is transferred. Also, dedication of a remainder trust lessens the burden of estate taxes.

A landowner who is not in the position to grant a conservation easement may be able to lease a wetland to a conservation organization for active management. A lease the lessee the right of access as well as any other rights agreed upon for proper management of the land. Leases are generally in effect for 15 to 25 years and can be drafted to cover only specific purposes or a large range of uses. The lease can be donated or entered into in exchange for rental payments. The benefit of leasing the property is that it provides long term protection of the wetland, however it does not require a large commitment on part of either the landowner or the conservation organization.

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# **Key Words:**

-options

-wetland

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-conservation organization

-nonprofit

-title holder

-lifetime

-leases

-management responsibilities

-proper management

-rental payment

# Land Stewardship: An Annotated Bibliography

By: Tim Desson

# Completed for:

Ian Attridge at the Kawartha Heritage Conservancy Supervisor: Stephen Bocking, Trent University Trent Centre for Community-based Education

Department: Environmental and Resource Studies

Course Code: ERST 383

Term: Fall/Winter, 2001-2002

Date of Project Submission: April, 2002

Project ID: 266

Call Number: 333 Des

**Keywords**: land trusts, stewardships, natural land, natural, legal, land management conservation, preservation, protection, environment, farming, land use planning, database, catalogue

### Abstract:

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- Carrier

This database is a catalogued collection of resources about land stewardships.

The database was created in Microsoft Access and there are 78 resources catalogued.

Each catalogued file in the database lists the authors and keywords, along with other publication information. As part of the database project, the researcher selected resources related to land trusts specifically, summarized them in an annotated bibliography, and wrote a final report. Please refer to the Land Trust final report for more information.

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# Creative Conservation

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	Number	Year Published ISBN Number	Publishing City
			Land Trust Alliance
			Publishing Company
		4th Author Last Name	4th Author First Name
			Jackson
ame 3rd Author First Name 3rd Author Last Name	2nd Author Last Name	2nd Author First Name	1st Author Last Name
			Ted
			1st Author First Name
		rotection	Economic Benefits of Land Protection
			Title

April 30, 2001

Title				
Conservation Easements as a	Conservation Easements as a Groundwater Protection Tool in Ontario.	Ontario.		
1st Author First Name		a contain and apply		
David				
1st Author Last Name	2nd Author First Name	2nd Author Last Name	3rd Author First Name	3rd Author Last Name
George				
4th Author First Name	4th Author Last Name			
University of Waterloo				
Distinction City	Your Birklished ISBN Nimber			•
Waterloo	1999			
Key Word 1				
Canada				
Key Word 2	Key Word 3	Key Word 4	Key Word 5	
Ontario	Groundwater	Land Securement	Conservation Easements	

Title					
Managing Conservation Ease	nents. Sample Policies and I	Managing Conservation Easements. Sample Policies and Forms From the Land Trust Community.	unity.		
1st Author First Name					
Rosemary					
1st Author Last Name	2nd Author First Name	e 2nd Author Last Name	3rd Author First Name	3rd Author Last Name	
Infante					
4th Author First Name	4th Author Last Name				
Publishing Company					
Land Trust Alliance					<del></del>
Publishing City	Year Published ISBN Number	Number			
Washington	1995				
Key Word 1			The state of the s		
United States					
Ney Front L	Montana	New Jersey	Vermont		

A Landowners Guide for Res	toring the Rice Lake Plains an	A Landowners Guide for Restoring the Rice Lake Plains and Tallgrass Prairie in Central Ontario.	ario.	
1st Author First Name Sir Sanford Fleming College	1st Author First Name Sir Sanford Fleming College Ecosystem Management Project	ect		
1st Author Last Name	2nd Author First Name	2nd Author Last Name	3rd Author First Name	3rd Author Last Name
4th Author First Name	4th Author Last Name			
Publishing Company				
Sir Sandford Fleming				
Publishing City	Year Published ISBN Number	Number		
Key Word 1	1986			
Canada				
	Key Word 3	Key Word 4	Key Word 5	
Key Word 2				

Title				
Environmental Taxes in New	England. An Inventory of Env	ironmental Taxes and Fee Mecha	Environmental Taxes in New England. An Inventory of Environmental Taxes and Fee Mechanisms Enacted by the New England States and New York	nd States and New York.
1st Author First Name				
Janet				
1st Author Last Name	2nd Author First Name	2nd Author Last Name	3rd Author First Name	3rd Author Last Name
Milne	Susan	Hasson		
4th Author First Name	4th Author Last Name			
Publishing Company				
Vermont Law School				
Publishing City	Year Published ISBN Number	umber		
Vermont	1996			
Key Word 1				The state of the s
United States				
Key Word 2	Key Word 3	Key Word 4	Key Word 5	
SU	New York	New England	Natural	

Title					
A Landowners Guide To Selling StandingTimber. Managing Your Woodlot for Profit and Pleasure.	ng StandingTimber. Ma	naging Your Wo	odlot for Profit and Ple	easure.	
1st Author First Name					
Dave					
1st Author Last Name	2nd Author First Name		2nd Author Last Name	3rd Author First Name	3rd Author Last Name
Pridham					
4th Author First Name	4th Author Last Name	ame			
Publishing Company				1 1 2 2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
Ontario Woodlot Association					
Publishing City	Year Published ISBN Number	BN Number			
	2001				
Key Word 1					
Canada				-	
Key Word 2	Key Word 3	Key I	Key Word 4	Key Word 5	
Ontario	Woodlot	Education	ition		

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-141-				
Protection of Acquatic and Ri	Protection of Acquatic and Riparian Habitat On Private Land. Evaluating the Effectiveness of Covenants In the City of Su	. Evaluating the Effectiveness of	of Covenants In the City of Surrey.	1.
1st Author First Name				
S.D.				
1st Author Last Name	2nd Author First Name	2nd Author Last Name	3rd Author First Name	3rd Author Last Name
Inglis	Thomas	Child		
4th Author First Name	4th Author Last Name			
Publishing Company				
Diblishing City	Year Published ISBN Number	mber		
	1995			
Key Word 1				
Canada				
Key Word 2	Key Word 3	Key Word 4	Key Word 5	
British Columbia	BC	Surrey	Acquatic Habitat	

Title				
Private Conservancy: The Path to Law Reform.	h to Law Reform.			
1st Author First Name				
Arlene				
Tot Author   act Name	and Author First Name	2nd Author I ast Name	3rd Author First Name	3rd Author Last Name
Kwasniak				
4th Author First Name	4th Author Last Name			
Publishing Company				
Alberta Law Foundation				
			-	
Publishing City	Year Published ISBN Number	Number		
	1994			
Key Word 1				
Canada				
Key Word 2	Key Word 3	Key Word 4	Key Word 5	
Alberta	Natrual	Agriculture	Land Securement	

Title				
Creative Land Development.	The second secon			
1st Author First Name				
Robert	THE THE PARTY OF T			
1st Author Last Name	2nd Author First Name	2nd Author Last Name	3rd Author First Name	3rd Author Last Name
Lemire				
4th Author First Name	4th Author Last Name			
Publishing Company				
Publishing City	Year Published ISBN Number	nber		
	1979			
Key Word 1		-		
United States				
Key Word 2	Key Word 3	Key Word 4	Key Word 5	
US	Massachusettes	Natural	Land Management	

Title				
Policy Aspects of a Statuatory	Policy Aspects of a Statuatory Basis for Conservation Easements In Ontario.	nts In Ontario.		
			And Andrews and the second sec	
1st Author First Name			The state of the s	
Susan	The state of the s			
1st Author Last Name	2nd Author First Name	2nd Author Last Name	3rd Author First Name	3rd Author Last Name
Lieberman				
4th Author First Name	4th Author Last Name		AND THE RESIDENCE OF THE PROPERTY OF THE PROPE	
Publishing Company				
Publishing City	Year Published ISBN Number	mber		
And the state of t	1993			
Key Word 1				
Canada				
Key Word 2	Key Word 3	Key Word 4	Key Word 5	
Ontario	Conservation Easements	Education	Legal	

Title				
Fundraising Essentials for Land Trusts.	d Trusts.			
1st Author First Name				
Kieran				
1st Author Last Name	2nd Author First Name	2nd Author Last Name	3rd Author First Name	3rd Author Last Name
Roe				
4th Author First Name	4th Author Last Name	-		
Publishing Company		And the second s		
Land Trust Alliance				
Publishing City	Year Published ISBN Number	Number		
	1995			
Key Word 1				
United States				
Key Word 2	Key Word 3	Key Word 4	Key Word 5	
US	Cultural	Education	Fund Raising	

Title					
Creative Conservation Forum	on New Directions for Non-	Creative Conservation Forum on New Directions for Non-Profits, Local Groups and Government Agencies.	nment Agencies.		
1st Author First Name					
Adam					
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1st Author Last Name	2nd Author First Name	e 2nd Author Last Name	3rd Author First Name	3rd Author Last Name	
Thomson					
4th Author First Name	4th Author Last Name				
Publishing Company					
Federation of Ontario Naturalists	ists				
Publishing City	Year Published ISBN Number	Number			
Toronto	1993				
Key Word 1					
Canada					
Key Word 2	Key Word 3	Key Word 4	Key Word 5		
Natural	Wetlands	Farmland	Land Management		

Title				
Lessons From the States. Stre	engthening Land Conservation	Lessons From the States. Strengthening Land Conservation Programs Through Grants to Non-Profit Land Trusts.	n-Profit Land Trusts.	
1st Author First Name				
Phyllis				
1st Author Last Name	2nd Author First Name	ne 2nd Author Last Name	3rd Author First Name	3rd Author Last Name
Myers				
4th Author First Name	4th Author Last Name	Ф		
Publishing Company				
Tand Tauct Alliance				
Land Trust Alliance				
Publishing City	Year Published ISBN Number	Number		
Washington	0-943	0-943915-08-2		
Key Word 1				
United States				
Key Word 2	Key Word 3	Key Word 4	Key Word 5	
US	Rhode Island	Vermont	California	

Intle	Approximation				
Canadian Legislation for Con	Canadian Legislation for Conservation Easements and Servitudes. The Current Situation.	ides. The Current Situation.			
1st Author First Name		The second secon	на в ден на подова ден ден ден ден порежение по порежение по порежение по поставляющих поставляющих поставляющих по		
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1st Author Last Name	2nd Author First Name	2nd Author Last Name	3rd Author First Name	3rd Author Last Name	
Silver	Ian	Attridge	Maria	MacRae	
4th Author First Name	4th Author Last Name	Annual by Angel Copyright of the Copyrig			
Kenneth	Cox				The same of the sa
Publishing Company					
North American Wetlands Conservation Council	onservation Council				
Publishing City	Year Published ISBN Number	mber			And the second s
Ottawa	1995 0-662-23641-6	541-6			
Key Word 1					
Canada					
Key Word 2	Key Word 3	Key Word 4	Key Word 5		
Natural	Land Securement	Conservation Easements	Common Law Covenants		

Title				
Ecological Gifts. Implementing	Ecological Gifts. Implementing Provisions of the Income Tax Act of Canada.	Act of Canada.		
1st Author First Name				
Clayton		erwy wygo a war a da a da a da a da a da a da a d	And Andread Andread Andread Andread William (Andread Andread A	
1st Author Last Name	2nd Author First Name	2nd Author Last Name	3rd Author First Name	3rd Author Last Name
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4th Author First Name	4th Author Last Name			
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Publishing Company		The state of the s	Account to the second s	
Publishing City	Year Published ISBN Number	nber		
Ottawa	1997 0-662-26092-9	92-9		
Key Word 1				
Canada				
Key Word 2	Key Word 3	Key Word 4	Key Word 5	
Vatural	Donations	Economics	Taxes	

Title				
Conservation Easement Valuation and Taxation in Canada.	ation and Taxation in Canada.			
1st Author First Name				
lan				
1st Author Last Name	2nd Author First Name	2nd Author Last Name	3rd Author First Name	3rd Author Last Name
Attridge				
4th Author First Name	4th Author Last Name			
Publishing Company				
North American Wetlands Conservation Council	nservation Council			
Publishing City	Year Published ISBN Number	mber		
Ottawa	1997 0-662-25401-5	01-5		
Key Word 1				
Canada				
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Natural	Land Securement	Conservation Easements	Other Restrictions	

Title				
Economic Impacts of Protecti	Economic Impacts of Protecting Rivers, trails and Greenway Corridors.	Corridors.		
1st Author First Name				
US Department of the Interior National Park Science	or National Park Science			
1st Author Last Name	2nd Author First Name	2nd Author Last Name	3rd Author First Name	3rd Author Last Name
	AND THE PROPERTY OF THE PROPER			
4th Author First Name	4th Author Last Name			
Publishing Company	assemble of the second			
Rivers, Trails and Conservation Assistance Program	on Assistance Program			
Publishing City	Year Published ISBN Number	nber		
	1995			
Key Word 1				
United States				
Key Word 2	Key Word 3	Key Word 4	Key Word 5	
US	Natural	Economics	Property Tax	

Key Word 4 Key Word 5	Key Word 3	
		Key Word 2
		Canada
		Key Word 1
5-5	1992 1-895643-15-5	Ottawa
ber	Year Published ISBN Number	Publishing City
	Conservation Council	North American Wetlands Conservation Council
		Publishing Company
	4th Author Last Name	4th Author First Name
		Denhez
2nd Author Last Name 3rd Author First Name 3rd Author Last Name	2nd Author First Name	1st Author Last Name
		Marc
		1st Author First Name
Lands.	You Can't Give it Away. Tax Aspects of Ecologically Sensitive Lands.	You Can't Give it Away. T.
		Title

Title					All the second
The Massachusetts Conservation Restriction Handbook	on Restriction Handbook.				
1st Author First Name					
William					
1st Author Last Name	and Author First Name	2nd Author Last Name	3rd Author First Name	3rd Author Last Name	
Weld	Arego	Cellucci	Susan	Tierney	
4th Author First Name	4th Author Last Name				
Joel	Lerner				
Publishing Company	A TO	The second secon			
The Commonwealth of Massachusetts	husetts				
Publishing City	Year Published ISBN Number	lumber			
Boston	1992				
Key Word 1	and distinct property of the state of the st				
United States					
Key Word 2	Key Word 3	Key Word 4	Key Word 5		
SU	Massachusettes	Natural	Agricultural		

Title				
Leaving a Living Legacy: Using Conservation Covenants in BC	Conservation Covenants in B	C.		
1st Author First Name				
William				
1st Author Last Name	2nd Author First Name	2nd Author Last Name	3rd Author First Name	3rd Author Last Name
Andrews	David	Loukidelis		
4th Author First Name	4th Author Last Name			
Publishing Company				
West Coast Environmental Law Research Foundation	Research Foundation			
Publishing City	Year Published ISBN Number	nber		
Vancouver	1996 0-919365-13-2	13-2		
Key Word 1				
Canada				
Key Word 2				
Ney Word &	Key Word 3	Key Word 4	Key Word 5	

Title				
Conservation Design for Sub	Conservation Design for Subdivions. A Practical Guide to Creating Open Space Networks.	eating Open Space Networks.		
1st Author First Name				
Randall				
1st Author Last Name	2nd Author First Name	2nd Author Last Name	3rd Author First Name	3rd Author Last Name
Arendt				
4th Author First Name	4th Author Last Name			
Publishing Company				
Island Press				
Publishing City	Year Published ISBN Number	mber		
Washington	1996 1-55963-489-8	189-8		
Key Word 1				
United States				
Key Word 2	Key Word 3	Key Word 4	Key Word 5	
SU	Natural	Land Use Planning	Land Management	

	Land Securement	Land Use Planning	Natural	Ontario
	Key Word 5	Key Word 4	Key Word 3	Key Word 2
4				Canada
		AND THE RESERVE OF THE PROPERTY OF THE PROPERT	Andrews and the Control of Contro	Key Word 1
		.04-x	1996 1-896059-04-x	Toronto
	A CONTRACT TO A	mber	Year Published ISBN Number	Publishing City
			lists	Federation of Ontario Naturalists
				Publishing Company
			Reid	Ron
			4th Author Last Name	4th Author First Name
Cundiff	Brad	Attridge	lan	Gonzalez
3rd Author Last Name	3rd Author First Name	2nd Author Last Name	2nd Author First Name	1st Author Last Name
				Neida
				1st Author First Name
			G TOMBO	V Chrysles Onios to 1 1000cm
			o Wetlands and Woodlands	Title  A Citizen's Guide to Protecting Wedlands and Woodlands

Title				
Protecting The Niagra Escarpment. A Citizen's Guide	nent. A Citizen's Guide.			
1st Author First Name				
Linda				
	Sal Anti-	and Author Last Namo	2st Author Eirst Namo	and Author Last Name
1st Author Last Name	2nd Author First Name	2nd Author Last Name	3rd Author First Name	3rd Author Last Name
Pim	Richard	Lindgren	lan	Attridge
4th Author First Name	4th Author Last Name			
Publishing Company				
Coalition On the Niagra Escarpment	pment			
Publishing City	Year Published ISBN Number	ımber		
Toronto	1998 0-9683691-0-3	)1-0-3		
Key Word 1				
Canada				
Key Word 2	Key Word 3	Key Word 4	Key Word 5	
Ontario	Niagra Escarpment	Natural	Legal	

Title			AND THE REST OF THE PARTY OF TH	
Saving the Countryside. Cons	Saving the Countryside. Conserving Rural Character In the Countryside of Aouthern Ontario.	ountryside of Aouthern Ontario.		
1st Author First Name				
Brian				
1st Author Last Name	2nd Author First Name	2nd Author Last Name	3rd Author First Name	3rd Author Last Name
Byrnes		a Additional Control of the Control		
4th Author First Name	4th Author Last Name			
Publishing Company				
Conservation Council of Ontario	າrio			
Publishing City	Year Published ISBN Number	nber		
Toronto	-			
Key Word 1				
Canada				
Key Word 2	Key Word 3	Key Word 4	Key Word 5	
Ontario	Natural	Rural	Land Management	

Land Conservation

Key Word 5

John

3rd Author First Name

3rd Author Last Name

1st Author First Name

The Natural Heritage of Southern Ontario's Settled Landscapes.

Title				
New Planning for Ontario				
1st Author First Name				
John				
1st Author Last Name	2nd Author First Name	2nd Author Last Name	3rd Author First Name	3rd Author Last Name
Sewell	George	Penfold	Toby	Vigod
4th Author First Name	4th Author Last Name	•		
Publishing Company				
			HARL STREET, WHITE CO., The Co	
Queen's Printer for Ontario				
Publishing City	Year Published ISBN Number	mber	-	
Toronto	1993 0-7778-1325-4	25-4		
Key Word 1				
Canada				
Key Word 2	Key Word 3	Key Word 4	Key Word 5	
Ontario	Natural	Rural	Agricultural	

Title				
Municipal Land Use Plannin	Municipal Land Use Planning and Natural Heritage Protection In Ontario	on In Ontario		
1st Author First Name				
Lisa				
			and a minimum of the control of the	
1st Author Last Name	2nd Author First Name	2nd Author Last Name	3rd Author First Name	3rd Author Last Name
Ainsworth	Reid	Kreutzwiser		
4th Author First Name	4th Author Last Name		AAAAAAA AAAAAAAAAAAAAAAAAAAAAAAAAAAAAA	
Publishing Company				
University of Guelph				
Publishing City	Year Published ISBN Number	umber		
Guelph	1986			
Key Word 1				A CALLES AND A CAL
Canada				
Kev Word 2	Kev Word 3	Key Word 4	Key Word 5	
Ontario	Natural	Hamilton	Conservation Easements	

Title				
Guideleines for the Integration	Guideleines for the Integration of Wildlife and Habitat Evaluations With Ecological Land Survey.	tions With Ecological Land Su	rvey.	
1st Author First Name				
Gary				
1st Author Last Name	2nd Author First Name	2nd Author Last Name	3rd Author First Name	3rd Author Last Name
Ironside				
4th Author First Name	4th Author Last Name	THE PROPERTY OF THE PROPERTY O		
Publishing Company				
Wildlife Habitat Canada				
Publishing City	Year Published ISBN Number	nber		
Ottawa	1991 0-662-19143-9	43-9		
Key Word 1				
Canada				
Key Word 2	Key Word 3	Key Word 4	Key Word 5	
Natural	Land Surveys	Education		

Title				
Quideleines for the Integration	on of Wildlife and Habitat Eval	Guideleines for the Integration of Wildlife and Habitat Evaluations With Ecological Land Survey.	lrvev.	
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1st Author First Name		A THE PARTY OF THE		
John				
1st Author Last Name	2nd Author First Name	2nd Author Last Name	3rd Author First Name	3rd Author Last Name
Kansas				
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Wildlife Habitat Canada				
Publishing City	Year Published ISBN Number	umber		
Ottawa	1991 0-662-19143-9	)143-9		
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Canada				
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Natura	Wildlife	Land Surveys	Education	

Title				
Guideleines for the Integratio	Guideleines for the Integration of Wildlife and Habitat Evaluations With Ecological Land Survey.	itions With Ecological Land Su	гvеу.	
1st Author First Name	TOTAL CONTROL OF STATE OF STAT	Wildlaw (Wildlaw) And a market		
Harry		Tenning (Montal plants or - Africa or		
1st Author Last Name	2nd Author First Name	2nd Author Last Name	3rd Author First Name	3rd Author Last Name
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Wildlife Habitat Canada				
Publishing City	Year Published ISBN Number	mber		
Ottawa	1991 0-662-19143-9	43-9	The second secon	
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Key Word 2	Key Word 3	Key Word 4	Key Word 5	
Natural	Wildlife	Education		

irist Name  2nd Author First Name  Harry  Stelfox  Tompany  Telty  Year Published   ISBN Number   1991   0-662-19143-9    Key Word 3   Key Word 4   Key Word 5					
rd Author First Name	Title	And the contract of the contra			
uthor First Name  2nd Author First Name  Harry  Ath Author Last Name  Stelfox  Iffe Habitat Canada  Ishing City  Year Published SBN Number  Va 1991 0-662-19143-9  Word 1  da  Key Word 3  Key Word 4  Key Word 5	Guideleines for the Integration	of Wildlife and Habitat Evalu	ations With Ecological Land Su	rvey.	
uthor Last Name 2nd Author First Name 2nd Author Last Name 3rd Author First Name   Harry Stelfox   Author First Name 4th Author Last Name   Ishing Company   Iife Habitat Canada ISBN Number   Ishing City Year Published ISBN Number   va 1991 0-662-19143-9   Word 1 Key Word 3   Key Word 4 Key Word 5	1st Author First Name				
Author Last Name   2nd Author First Name   2nd Author Last Name   3rd Author First Name   2nd Author Last Name   3rd Author First Name   4th Author Last Name   5telfox   5telfo	Paul				
Author Last Name     2nd Author First Name     3rd Author First Name       Harry     Stelfox       Author First Name     4th Author Last Name       ishing Company     Ishing City     Year Published ISBN Number       ishing City     Year Published ISBN Number       va     1991 0-662-19143-9       Word 1     Key Word 3     Key Word 4     Key Word 5					
Author First Name 4th Author Last Name  ishing Company life Habitat Canada  shing City Year Published ISBN Number va 1991 0-662-19143-9  Word 1  da  Word 2 Key Word 3 Key Word 4	1st Author Last Name	2nd Author First Name	2nd Author Last Name	3rd Author First Name	3rd Author Last Name
Author First Name 4th Author Last Name ishing Company life Habitat Canada    SBN Number   SBN Nu	Gray	Harry	Stelfox		
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Key Word 3 Key Word 4					
The state of the s	Key Word 2	Key Word 3	Key Word 4	Key Word 5	
Natural Land Management Education	Natural	Land Management	Education		

Title				
Guideleines for the Integration of Wildlife and Habitat Evaluations With Ecological Land Survey.	of Wildlife and Habitat Evalue	tions With Ecological Land Sur	rvey.	
1st Author First Name				
Paul				
1st Author Last Name	2nd Author First Name	2nd Author Last Name	3rd Author First Name	3rd Author Last Name
Gray	John	Kansas	Duncan	Cameron
4th Author First Name	4th Author Last Name			
Publishing Company		The state of the s		
Wildlife Habitat Canada				
Publishing City	Year Published ISBN Number	mber		
Ottawa	1991 0-662-19143-9	143-9		
Key Word 1				
Canada				
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		Land Surveys	Wildlife	Natural
	Key Word 5	Key Word 4	Key Word 3	Key Word 2
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		43-9	1991 0-662-19143-9	Ottawa
	ALL AND THE PROPERTY OF THE PR	mber	Year Published ISBN Number	Publishing City
				Wildlife Habitat Canada
				Publishing Company
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			4th Author Last Name	4th Author First Name
Ironside	Gary	Flather	Curtis	Hoekstra
3rd Author Last Name	3rd Author First Name	2nd Author Last Name	2nd Author First Name	1st Author Last Name
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				Thomas
				1st Author First Name
	vey.	tions With Ecological Land Su	Guideleines for the Integration of Wildlife and Habitat Evaluations With Ecological Land Survey.	Guideleines for the Integration
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Title				
Ecosystem Protection In An U	Ecosystem Protection In An Urbanizing Environment. Innovations In Planning and Design.	tions In Planning and Design.		
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1st Author Last Name	2nd Author First Name	2nd Author Last Name	3rd Author First Name	3rd Author Last Name
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4th Author First Name	4th Author Last Name			
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Fubilishing Company				
Credit Valley Conservation				
Publishing City	Year Published ISBN Number	mber		
Meadowvale	1994 0-88955-424-2	124-2		
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Canada				
Key Word 2	Key Word 3	Key Word 4	Key Word 5	
Ontario	Natural	Policy		

zing Environment. Innovat	ions In Planning and Design.		
Author First Name	2nd Author Last Name	3rd Author First Name	3rd Author Last Name
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Author Last Name			
r Published ISBN Nun	ıber		
1994 0-88955-42	4-2	MANAGEMENT TO THE PROPERTY OF	
Word 3	Key Word 4	Key Word 5	
ural	Aquatic Habitat	Land Management	
	2nd Author First Name 4th Author Last Name 1994 0-88955-42 Key Word 3 Natural	First Name  First Name  Last Name  1994 0-88955-422	3rd Author First Nam  Key Word 5  Land Management

Title				
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1st Author First Name	The second secon	The second secon	WARRIED TO SERVICE OF THE SERVICE OF	
Credit River Subwatershed				
1st Author Last Name	2nd Author First Name	2nd Author Last Name	3rd Author First Name	3rd Author Last Name
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Publishing Company				
Credit Valley Conservation				
Publishing City	Year Published ISBN Number	nber		
Meadowvale	1994 0-88955-424-2	24-2		
Key Word 1				
Canada				
Key Word 2	Key Word 3	Key Word 4	Key Word 5	
Ontario	Credit River	Land Management		
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Title				
Ecosystem Protection In An	Ecosystem Protection In An Urbanizing Environment. Innovations In Planning and Design.	tions In Planning and Design.		
1st Author First Name				
Todd				
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Credit Valley Conservation	A STATE OF THE STA			
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Meadowvale	1994 0-88955-424-2	124-2		
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