

Law Amendments Submission
Bill 57: Environmental Goals and Climate Change Reduction Act

Submission by Bonnie Sutherland, Nova Scotia Nature Trust Executive Director on behalf of
Nature Conservancy of Canada, the Nova Scotia Nature Trust and Sespite'tmnej Kmitkinu Conservancy

Nova Scotia's major land trust partners congratulate and thank the provincial government for committing to the ambitious target of protecting 20% of Nova Scotia's lands and inland waters by 2030, and to a collaborative protected areas strategy by 2023.

We would like to draw your attention to the critical role of private land conservation in meeting this commitment and to suggest how the Act, and supporting government actions, can unlock the significant capacity of conservation partners to help achieve the 20% target.

Why Private Land Conservation?

Nova Scotia has limited Crown lands, serving diverse needs and purposes. Getting to 20% on Crown land alone would be challenging.

Private lands are critical to ensuring the government truly meets the intent behind the ambitious global, national, and now provincial protected areas targets—biodiversity conservation. This work is not just about acres, it is about protecting our rich, diverse, and unique biodiversity. The quality of those acres matters. Over 65% of Nova Scotia, including over 85% of our treasured coastal lands, are in private ownership. These lands support disproportionate ecological value, from much of the critical habitat for endangered species and migratory birds to many of our last best remaining old growth forests, unique gypsum karst landscapes and rich floodplains. Private lands are essential to a protected areas system with representation of all our unique natural landscapes. Private lands are also critical to build landscape connectivity to ensure climate resilience and long-term viability for the species, habitats, natural processes and the ecosystem services upon which we depend.

Why Land Trusts?

Land trusts are non-government charities dedicated to the conservation and stewardship of ecologically important private lands, and they are an essential partner to government.

Land Trusts can secure land governments cannot. We are community-based, with a strong track-record of landowner and community education, engagement, and trust. We provide an alternative to landowners seeking a non-government partner for protecting their lands. We are nimble, flexible and can move quickly on conservation opportunities. Land Trusts leverage significant corporate, private and government funding, as well as donations of land and conservation easements—all costs government would otherwise have to pay. The new Mi'kmaw land trust provides a key tool for advancing Indigenous protected and conserved areas across Mi'kma'ki.

In so many ways our role is complementary and essential to government in achieving its environmental and conservation goals.

We are long-time trusted partners to the province. In recent years we have come together in unprecedented collaboration with the province, land trusts, Indigenous partners, federal and municipal governments, and other partners. We are all keen to step up even more.

Recommendations for the Act

Private land conservation is a critical tool in meeting the 20% commitment by 2030. But creative, new ways of thinking and doing business, policy levers and government investment are needed to maximize the potential and impact of private land conservation.

We recommend enshrining this recognition in the Act, by adding a clause under Section 10a, “*to support the goal in clause 10(a) with policy levers, incentives and investment to accelerate and support private land conservation.*”

Priority Actions to Unlock the Power of Private Land Conservation

While there are many ways to accelerate and support private land conservation to play a significant role in reaching 20%, two emerge as highest priority.

1. Recapitalize the Nova Scotia Crown Land Legacy Trust

Since its founding by the provincial government in 2008, the \$23 million Nova Scotia Crown Share Land Legacy Trust has been transformative for private land conservation, advancing the pace and scale of conservation exponentially.

The Land Legacy Trust has invested \$17 million to date in land trusts to protect priority conservation lands across Nova Scotia. Land Trusts have leveraged \$38 million in land conservation projects, resulting in a 300% return on the provincial investment.

Land Trusts have an unprecedented opportunity to increase our collective impact even more, with our ability to access the federal government’s historic investment in biodiversity conservation and nature-based solutions to climate change, incredible public support for conservation, the emergence of new land trusts, and well-advanced and effective conservation collaborations.

The fund, however, is nearing its end. Without the Land Legacy Trust, land trusts lose an irreplaceable and essential conservation tool. Without it, land trusts will not be able to contribute significantly to the 20% commitment.

The province will lose out on 8 years of significant federal dollars that land trusts could bring to Nova Scotia, and lose out on three times that federal investment in fundraised dollars and land that land trusts could leverage. Finally, the Province would lose the unique capacity of land trusts

to deliver otherwise unachievable biodiversity conservation results, ensuring ecologically rich, diverse, and threatened private lands are included in the 2030 parks and protected areas system.

Extending and replenishing the Land Legacy Trust, providing an additional \$50 million in funding through immediate recapitalization (at least \$30 million), and the creation of ongoing funding mechanisms to build and sustain the fund, is critical to accelerate and amplify private land conservation impacts. Many other jurisdictions in Canada are making similar major investments in private land conservation.

2. Remove the Mineral Rights Impediment to Private Land Conservation

Land trust protected areas are not afforded the same protection from mineral development as Nature Reserves and Wilderness Areas. This inconsistency in provincial policy puts biodiversity at risk. It creates a barrier to private land conservation as some landowners fear the mining risk, and land trusts' inability to ensure protection from mining. The potential risk means that land trust protected areas may not be counted in national reporting on protected areas/biodiversity results (protected areas must meet International Union for the Conservation of Nature land conservation standards).

While the mining threat has long been problematic for land trusts, now, with the opportunity of a lifetime to meet an incredibly bold and ambitious biodiversity conservation target in Nova Scotia, the time is right for creative solutions, and for all departments and community partners to work together to remove this significant barrier to private land conservation. Again, if not resolved, even more of the 20% would need to come from Crown lands and almost all the funding for conservation from the Provincial government.

3. Other Key Government Actions Required

1. Continuation of the Conservation Property Tax Incentive
2. Sustaining provincial support and engagement in a collaborative conservation model with land trusts, all levels of government, Indigenous and other conservation partners.
3. Sizeable tangible capital asset budget for NSECC Protected Areas until 2030, with flexibility for creative partnerships/collaborations
4. New tools, incentives, and ways of doing business to accelerate and enhance private land conservation

Urgency

The government must replenish the Land Legacy Trust and enact key policy levers and incentives as soon as possible. We have only 8 years to reach 20%. Private land conservation can take time, sometimes several years, especially to leverage significant and cost-effective land donations and conservation easements. The more time we have, the greater chance of private land conservation success, and greater assurance of reaching 20%, and doing so with 'the *right* lands.'

We also only have eight or less years of the current Federal Government conservation funding windfall. We have municipal, corporate, foundation and private funding that land trusts could leverage right now, while momentum for conservation action and inspiration to help make it happen are both at an all-time high. We have landowners inspired to be a part of the 20% target, keen to protect nature on their lands. Every year delayed means even less funding to accomplish 20%, less private land conservation possible, and more demand on Crown lands to meet that target.

Finally, there is opportunity cost. With real estate booming, developments changing lakeshores, coastlines, and forests at an accelerating pace, we are losing opportunities every day to protect the most ecologically significant natural areas. With land prices escalating, delaying action increases the cost of conservation.

Private Land Conservation Partners Ready to Deliver

Nova Scotia's major land trusts are keen to continue working collaboratively with government and other partners to deliver the private land conservation needed to help meet the 20% commitment, and to protect the best and most threatened of Nova Scotia's biodiversity.

We respectfully encourage the Government to include reference to private land conservation in the Act, and to put the necessary investment, collaboration, policy levers, and other tools and incentives in place to unlock the full conservation power, momentum, and public support of your private land conservation partners.

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