

## THE ECOLOGICAL GIFTS PROGRAM

Since 1995 donations of ecologically sensitive land, or easements on such lands, have been eligible for special tax advantages from Environment Canada's Ecological Gifts Program. In addition, since 2006 land donations certified under the Ecological Gifts Program are no longer subject to capital gains tax.

To receive enhanced tax benefits under the EcoGift Program the donation must meet two requirements. The property must be certified by Environment Canada as ecologically sensitive, and the fair market value of the donation must be certified by a national panel of qualified appraisers.

Once a donation or Conservation Easement has been finalized, MMLT will assist with the preparation of a detailed ecological assessment of the property for consideration by Environment Canada. If approved, Environment Canada will issue a "Certificate for Donation of Ecologically Sensitive Land". To fulfil the second requirement a qualified professional appraiser, recognized by the Ecological Gifts Program, will be contacted to determine the fair-market value of the property. In the case of a conservation easement, the appraisal will determine the value before an easement is placed on it and the value afterwards. The difference is considered to be the amount of the gift given by the donor to the land trust. The appraiser's report is forwarded to Environment Canada for their review. Once accepted, they will issue a Statement of Fair Market Value, which will be the value used by MMLT to issue the tax receipt. The charitable deduction resulting from an ecological gift may be carried forward for up to 10 years.



Mississippi Madawaska Land Trust  
Preserving the land • Protecting the future

# THINKING OF CONSERVING YOUR LAND?

Why not have a conversation with a representative  
from your local land trust. Call 613-253-2722.

[mmlt.ca](http://mmlt.ca)



The Mississippi Madawaska Land Trust is situated in an area that, compared to many other locations, is relatively rich in wilderness forests and scenic areas with many ecologically sensitive habitats. It is natural therefore that a major focus for MMLT is to preserve as much of this wilderness heritage as possible. MMLT must make difficult decisions regarding which properties best meet its long term objectives. MMLT must be assured that it has the necessary financial resources to meet the long term needs for protecting and managing properties entrusted to our care.

Just as different land trusts will have different priorities, so do landowners. Whenever the wishes of the donor match those of the land trust both are winners. This brochure describes the property selection criteria used by MMLT and the various options which a landowner may want to consider.

As part of its Strategic Planning, MMLT has developed a list of evaluation criteria to assist in the assessment of a property's contribution to natural heritage features of the area.

### PROPERTY EVALUATION CRITERIA

1. **Wilderness Quality:** High wilderness quality or potential for wilderness restoration.
2. **Old Growth:** Old growth and near old growth forest with features such as snags, old trees and full canopy development.
3. **Quality of Ecodiversity and Biodiversity:** Exceptionally rich ecodiversity (different habitats) and biodiversity (many different native species).
4. **Critical Location:** Lands adjoining a protected area or connecting two areas of high ecodiversity or biodiversity.
5. **Rare Species:** Lands where regionally, provincially or nationally rare species are found, as for example, alvars or calcareous seeps along lake and river shorelines, native jackpine forests with their blueberry and sometimes prairie species.
6. **Regionally Rare Ecosystems:** Bogs and fens (because these are rare in the MMLT region and inevitably contain regionally rare plant and animal species such as orchids, pitcher plants, sedges, invertebrates and other rarities).
7. **Quality Marsh and Swamp Ecosystems:** Those with provincially or federally rare or threatened species, such as terns, herons, amphibians, fish and turtles.
8. **Strategic Location:** Quality natural areas close to larger towns (Pakenham, Almonte, Carleton Place, Lanark, Perth) or the City of Ottawa that would be suitable for public outdoor education and enjoyment through trail and facility development in the future.
9. **Trader Lands:** Trader lands and properties, which are accepted on the understanding that they will be sold at a later date with proceeds used to acquire high quality natural areas.
10. **Restoration Criteria:** Lands, which on the basis of their physical and biological characteristics, location and size are professionally assessed as having high potential to serve as quality natural ecosystems in the future. Ecological restoration work will aim at regaining ecosystem integrity and biodiversity for the different sites. Costs of restoration may need to be estimated in advance of land acquisition using objective criteria and a source of funding to meet some obvious restoration costs should be identified.

MMLT appreciates that your property may be deeply cherished by you and your family and hold great sentimental value. However, like many land trusts, we are sometimes faced with more opportunities than we can handle within our human and financial limitations.

### THE MEANING OF TRADER LAND

Properties that do not meet MMLT criteria can still be donated. These would be accepted as "trader lands", that is, sold and the proceeds used towards the purchase or maintenance of priority properties. A tax receipt will be issued for the appraised value of the land donated. A property deemed ecologically significant, but for which MMLT cannot for financial or other reasons take on ownership, also could be treated as a trader land. In this case it could be sold with a Conservation Easement on title to ensure the long term conservation of its high natural values. The donor would receive the tax receipt based on the value at the time of transfer but MMLT would receive a lower return given the restrictions of the conservation easement.

In both instances, the donor could consider retaining a life-long interest, achieving the tax benefits immediately but continuing to enjoy the property.

In all cases, it is important that any potential tax consequences be discussed with an accountant.

The following are some examples of ways to conserve your land in perpetuity (provided it meets the property evaluation criteria outlined).

#### Land Donation

The simplest option is to donate your land to MMLT to be protected forever. The donor is consulted regarding the future management of the land.

#### Bequest

You can name a land trust as a primary or secondary beneficiary in your will. Your lawyer and the land trust will work with you to find wording that meets the needs of all involved.

#### Conservation Easement

A Conservation Easement is a legally binding document that places agreed-upon restrictions on title that bind all future owners in perpetuity. The donor continues to own and enjoy the land and remains responsible for all costs associated with the ownership.

#### Conservation Severance

You can choose to sever and donate just part of your property to a land trust. This could allow you to continue living in your home adjacent to a nature preserve maintained by professional land stewards, without the burden of personal liability.

#### Life Interest

You can donate your property to MMLT and continue to live there or use it through a Life Interest Agreement. The agreement can be for the remainder of your life or for a specified term.

#### Split-Receipt

If you donate part of your land and receive cash for the remainder it is called a split-receipt. A tax receipt will be issued for the donated portion. This option is available only if the land trust has the necessary funds.

### OTHER WAYS TO SUPPORT LAND CONSERVATION

If you can't donate land in the MMLT catchment area, but you want to contribute to land preservation, you can make a donation in cash or securities to MMLT. Donations qualify for a charitable tax receipt. For more information, see the [mmlt.ca](http://mmlt.ca) website.