

Response to a brief e-mail request for information about the process of placing a conservation covenant on land (adapt as necessary if sending a package by mail):

Dear Name;

Thank you for your inquiry about placing a conservation covenant on your land. Here is a brief summary of conservation covenants.

A conservation covenant is a powerful tool that places legal restrictions on how a property can be developed in the future. It is a voluntary written agreement between the landowner and one or two covenant holders. Covenants can be held by the Crown or a Crown corporation or agency, a municipality, a regional district, or a Land Trust such as *TLC The Land Conservancy*. The covenant is registered with the British Columbia Land Title Office, and remains on the property title permanently. Covenants can cover all or a portion of the property, and are individually tailored to address the ecological, scientific, heritage, cultural, or other features of your particular parcel of land.

There are many steps involved in developing, registering and monitoring a conservation covenant. First, we would like to talk with you and find out more information about the property. We can review what a conservation covenant is and ensure that this tool is the most appropriate to meet your vision for your property.

We then request that the landowner submit an application form to have TLC hold the covenant (attached). The information you provide will be reviewed to ensure that your property and vision for it fits with TLC's mandate, and that we have the resources to enter into the process. We will also need to visit the property before making a decision to proceed.

TLC strongly recommends that you seek independent legal and financial advice about the specific implications that registering a conservation covenant may have on your personal and financial situation.

Once the application is approved by TLC's Senior Management, we can start discussing the terms of the covenant. We will start from a standard covenant template which TLC will provide to you and your lawyer. It may be necessary to have a registered land surveyor complete a survey of the property or a particular portion of it, and an appraisal may also need to be completed to determine the value of the property before and after the covenant is registered. A baseline inventory of the area will need to be included in the covenant. The costs of surveys, appraisals, and the baseline are usually covered by the landowner.

After the covenant is registered, TLC must monitor it on an annual basis, to ensure that the terms of the covenant have not been breached. This annual monitoring visit forms the basis of a complete property history should we ever need to refer to it in the future, for example if a subsequent landowner does not follow the terms of the covenant. This is your assurance that your vision for the property, as laid out in the covenant, is maintained in perpetuity. An endowment set up by the landowner is highly encouraged to cover the costs of the annual monitoring.

I have attached the conservation covenant application form, so that you can see the kinds of information we will be considering. Following this note I have also included a number of websites with additional information on conservation covenants and the process. I would be happy to send additional information by mail if you wish.

Please do not hesitate to contact me at (250) 492-0173 if you have any questions, or when you are ready to discuss this further. Thank you again for contacting TLC, and for considering this option for the protection of your property.

Sincerely,

Name  
Title, Region

Additional online resources:

<http://www.wcel.org/wcelpub/2000/13247.pdf> - Greening Your Title, by West Coast Environmental Law; this is an extensive guide to conservation covenants, and includes a sample annotated covenant.

<http://www.landtrustalliance.bc.ca/research.html> - the Land Trust Alliance of BC's resource page. The conservation brochures at the bottom of the page are particularly useful.

[http://www.landtrustalliance.bc.ca/docs/Developer\\_Info\\_Kit\\_rev\\_07.pdf](http://www.landtrustalliance.bc.ca/docs/Developer_Info_Kit_rev_07.pdf) - This introduction to covenants is geared toward developers and planning departments, but still provides an informative summary.

[www.cws-scf.ec.gc.ca/ecogifts](http://www.cws-scf.ec.gc.ca/ecogifts) - Information on the Ecological Gifts program of Environment Canada.