BACKGROUNDER – CONSERVATION OF CAPE LAHAVE ISLAND

OVERVIEW

- On October 21, 2025, the Municipal Council of the Municipality of the District of Lunenburg (MODL) signed a Conservation Easement agreement with the Nova Scotia Nature Trust (the Nature Trust) to ensure permanent, legal protection of Cape LaHave Island.

COMMUNITY ENGAGEMENT

- After a series of meetings/public presentations, Municipal Council passed a motion in November 2019 for MODL staff to develop a conservation easement with the Nature Trust for Cape LaHave Island. A draft conservation easement had to be brought back to Council for consideration and a community engagement process with MODL residents was required.
- In 2020, a field team of biologists from the Atlantic Canada Conservation Data Centre and Nova Scotia Museum spent a few days on Cape LaHave Island, cataloguing the diversity of plant and animal life found there, including hundreds of fauna and flora, forty-three uncommon or rare species (including several species at risk), the wide variety of ecosystems found on the island, and the context of current human use of the island. This data informed the next stage of the process.
- The initial community engagement took place over a 30-day period from November 16 to December 15 2020. This phase helped to inform the development of the conservation easement by providing information on the natural and cultural features and human use of the island.
- In order for the Municipality to enter into a land conservation easement with the Nature Trust, the Lunenburg Common Lands Act required an amendment. With the assistance from the Honorable Becky Druhan, through Bill No. 348, the amendment to the Act received Royal Assent on November 9, 2023, granting the Municipality the ability "to grant a conservation easement with respect to the common lands on Cape LaHave Island."
- Further engagement in May 2024 gave residents an updated opportunity to learn about the proposed conservation easement and give input through another online survey, in particular regarding the permitted uses under the proposal.
- A community information session in June 2025 gave residents the opportunity to hear the answers to the questions that had come up in the 2024 session. Some of these questions had required legal opinions from both the Municipality's and the Nature Trust's solicitors, and these responses were presented.
- The full report on the steps and outcomes from the community engagement process can be found on the Engage MODL website.
- On September 9, 2025, Municipal Council moved to approve the Conservation Easement Agreement; the motion was carried unanimously.

ECOLOGICAL IMPORTANCE

- Cape LaHave Island encompasses 2,608 acres of undeveloped landscape rich in diverse habitats typical of the Atlantic coast of southern Nova Scotia, including rocky

coastline, coastal barren, sand beach, cobble beach, dune, brackish ponds, saltmarsh, and coastal forest.

- The island provides critical nesting habitat for Piping Plover, listed as Endangered under both the federal *Species at Risk Act* (*SARA*) and the Nova Scotia *Endangered Species Act (NS ESA)*.
- The island provides stopover habitat for many migratory birds, including numerous shorebird species such as Ruddy Turnstone, Semipalmated Sandpiper, Greater and Lesser Yellowlegs, Sanderling, Black-bellied Plover, Short-billed Dowitcher, and much more. Shorebird populations have declined by 40% over the last decade globally, making protection and stewardship of stopover sites crucially important.
- The interior of the island features extensive unforested bedrock ridges often dominated by Broom Crowberry, which although fairly common in southern Nova Scotia, is a globally rare community type.*
- The island hosts a suite of rare to uncommon plants, many of which are associated with coastal habitats.
- The undeveloped, undisturbed interior forests support several provincially uncommon or rare lichens, including Blue Felt Lichen—a species at risk listed as Special Concern under SARA and Vulnerable under the NS ESA.*
- Boreal bird species like Canada Jay and Boreal Chickadee are found to be common in the interior of Cape LaHave Island. It is likely that the ocean-moderated climate of the island could provide refuge from climate change-related declines for these species.*
- The island hosts pollinator species in decline like transient Monarch butterfly, as well as Yellow-banded Bumblebee who were common on flowering plants, especially Seaside Goldenrod.*
- The protection of Cape LaHave Island adds significantly to a growing assemblage of protected coastal land within the region, including properties previously protected by the Nature Trust, the Province, Kingsburg Coastal Conservancy, and Nature Conservancy of Canada.

HUMAN USE & CULTURAL/HISTORICAL SIGNIFICANCE

- The original inhabitants of the LaHave Islands area are the Mi'kmaq.
- The area was settled by the French in the 1600s and eventually the land came under British rule in the 1700s.
- In 1785, the land was granted to Pernette, Vogler, Park, Whitford, Grieser and Barker in trust for the inhabitants of the Township of New Dublin. The control of this Common Land and others went from a board of trustees to the Municipal Council of the Municipality of the District of Lunenburg in 1897 (the Lunenburg Common Lands Act).
- In the 1970s, Cape LaHave Island and the LaHave Islands area was proposed to become part of Kejimkujik National Park and National Historic Site.
- The island and surrounding area remain a popular destination for recreation (i.e. boating, kayaking, and camping) by locals and tourists alike.
- Under the terms of the conservation easement, the island will continue to be available for these low-impact activities.

* Atlantic Canada Conservation Data Centre and Nova Scotia Museum. (2020). Overview of findings from biological inventory of Cape LaHave Island, August 17-20, 2020.

WHAT IS A CONSERVATION EASEMENT?

- A conservation easement is a legally binding written agreement between a landowner (in this case the Municipality of the District of Lunenburg as apparent owner) and the holder of the easement (the Nature Trust) that is attached to the title to the land and created to protect a property's conservation values.
- The easement defines what activities/land uses are permitted and prohibited, to ensure the conservation values of the land are protected in perpetuity. The specific terms of the easement are tailored to the property and to the landowner's (or in this case the community's) wishes for the land.
- The community engagement process helped to inform the terms of the conservation easement.
- The conservation easement would apply regardless of changes in Municipal Council or changes in land ownership and is upheld by the Nature Trust in perpetuity. The Nature Trust, as easement holder, will have the legal authority (under the Conservation Easements Act) to enforce the conservation easement and to ensure the terms of the easement are met.

WHO IS THE NOVA SCOTIA NATURE TRUST?

- The Nature Trust is a registered charity, founded in 1994, that focuses on the protection and long-term stewardship of Nova Scotia's most ecologically significant land, through private land conservation.
- Over the last 30 years, the Nature Trust has successfully and permanently protected more than 30,000 acres of significant natural areas on more than 208 conservation properties across Nova Scotia. These lands are protected for nature, and for future generations of Nova Scotians – forever.
- The organization offers a unique solution for a significant conservation challenge. Unlike most of Canada, over 65% of Nova Scotia is owned privately, not by the Crown.
- Private lands include many of the most ecologically important areas, yet they face unprecedented development pressures.
- Through permanent conservation easement agreements, we help communities, families and individuals to protect their treasured and ecologically important lands. We also accept land donations and bequests of land, and in some cases, we purchase outstanding and threatened natural areas.
- The Nature Trust originally pioneered the first partnership of this kind between a community land trust and a municipality in Canada in 2007, with the protection of the Wolfville Watershed Nature Preserve.
- Cape LaHave Island now becomes the Nature Trust's largest conservation land to date.
- All conservation lands entrusted to our care become part of the land legacy that we safeguard for all Nova Scotians. Our commitment is to protect those lands, forever, through ongoing monitoring, stewardship, and management.
- An active program of volunteer "Property Guardians" help to care for this growing network of protected areas.
- The Nature Trust is an active partner and collaborator in conservation with all levels of government, other non-profits, and local communities.

- In 2024, the Nature Trust achieved the goal of a major conservation campaign called ‘Twice the Wild’ to double the amount of land it protects and stewards across the province, for a total of 30,000 acres.
- The Nature Trust recently launched its next major campaign, called *In Our Nature,* the goal of which is to accelerate the conservation of Nova Scotia’s highest priority lands, those with exceptional significance for nature – and for all Nova Scotians. From now through December 31, all donations to *In Our Nature* unlock 4X their value in additional funding toward that goal.
- For more information or to get involved in ongoing stewardship for Cape LaHave Island, visit www.nsnt.ca.

THE NEED FOR CONSERVATION

- There is a growing global biodiversity crisis in which plants and animals are disappearing from our planet at unprecedented rates, showing almost 70% declines in wildlife populations over the last 46 years.
- Habitat loss is recognized as a major driver of biodiversity loss. There is an urgent need to ensure habitat is permanently protected, especially large tracts of land and native biodiversity.
- The Government of Canada has made an ambitious commitment to protect 30% of Canada’s land and water by 2030. To get there, they have made historic investments in nature conservation, including the Canada Nature Fund, which was launched to encourage land trusts, Indigenous groups, and other community partners like municipalities to be a big part of the solution.
- The Province of Nova Scotia has committed to protect 20% of Nova Scotia’s land and water by 2030 through the Collaborative Protected Areas Strategy. Because Nova Scotia has a higher proportion of privately owned land than other provinces, private land conservation (including the work of the Nature Trust) is a critical component of reaching this target.