

TCA Land Acquisition Program to Support Forestry Businesses 2020/2021

The Government of Nova Scotia is announcing a Tangible Capital Asset (TCA) Land Acquisition Program to support Forestry Businesses in Nova Scotia (the Program). The Program will allow the Department of Lands and Forestry (the Department) to work with forestry businesses to acquire land from them for a fair negotiated value. Forestry businesses are businesses registered in Nova Scotia that are primarily dedicated to forestry, which includes: mills; contractors; consultants; forest product trucking companies; etc.

The Government of Nova Scotia has allocated Tangible Capital Asset funds (\$1.5 million) to be spent fiscal 2020/2021 to support the Program. Priority will be on purchasing land that supports Government program values and priorities, including: forestry and potential forestry land; land that secures boundaries; lands that provides accessibility and trail connectivity for existing Provincial Park lands; land with biodiversity values (which includes coastal islands and significant wetlands); and land adjoining government owned land and inholdings.

A Program Principles

1. Applications will be reviewed in the order they are received; however, requests will be prioritized based on offered land that supports Government program values and priorities. Applicants will receive confirmation that their application was received. They will subsequently be informed whether or not their lands are moving to the appraisal stage.
2. If lands were offered for sale previously to the Department, the land owner(s) will be required to submit an application under the Program. The Department will not be reviewing past offers or applications previously submitted to the Department for the Program.
3. All acquisitions will be completed following established Department of Lands and Forestry land acquisition policies and procedures, including the following:
 - Land must be appraised by an Accredited Appraiser Canadian Institute (AACI);
 - Land will not be purchased above Appraised Market Value;
 - Land must be reviewed by the Department's Integrated Resource Management (IRM) team to assess such things as land values and risks;
 - Land must contain one or more Department program values and priorities (e.g. forestry, potential forestry, biodiversity, wildlife habitat, and inholdings);
 - Land must not contain any known/identified environmental (contamination) or safety issues;
 - Land must not contain any structures (e.g. camps; wells, sheds; and buildings);
 - Land must be accessible (have legal access or adjoin other Crown lands);
 - Land must be migrated (by the Applicant) prior to the closing date (title to the land can be certified in a manner deemed sufficient by the Department of Justice);
 - Land must be unencumbered (e.g. no mortgages or liens); and
 - Lands and Forestry will not enter into any lease or license-back arrangements.

4. Forestry businesses that are registered in Nova Scotia with its primary business being forestry focused will be eligible to offer its land for sale to the Department of Lands and Forestry under the Program. Examples include: sawmills; pulp/paper mills; fibre board mills; contractors; consultants; private woodlot owners and forest product trucking companies.
5. Complete applications must be submitted by July 1, 2020. Application forms can be found at: https://novascotia.ca/natr/land/pdf/use_sale_application.pdf
6. All forestry businesses on the Department's forestry stakeholder list and all current Registered Buyers (as per the *Registration and Statistical Returns Regulations*) will be provided information on the Program.

B Application Process

1. A forestry business offering to sell land to the Department under the Program must complete an application form located at : https://novascotia.ca/natr/land/pdf/use_sale_application.pdf
 - a. Which will require the following information:
 - i. The parcel identification number (PID);
 - i. The total acreage/hectarage for the parcel;
 - ii. The location of the parcel by county;
 - b. Supplemental information that will be required to begin the review of an application form includes (which may be provided to an appraiser if the land is moved to that stage of review):
 - i. A copy of any forest management plan that is in place or any forest inventory information related to the parcel;
 - ii. Any available survey or mapping information;
 - iii. Any additional information that the company has respecting the parcel that may assist Department's reviews and evaluations of the offered land (e.g. forestry/timber values; habitat and biodiversity values; water frontage information; and inventory information);
 - iv. Disclosure of any known hazards or environmental issues associated with the lands; and
 - v. Copies of any existing land use documents including, but not limited to: agreements; licences; leases and easements.
2. All applications must be marked as being submitted under the Program and sent to the Director of Land Services, Department of Lands and Forestry, P.O. Box 698, Halifax NS B3J 2T9 or electronically at LANDWEB@novascotia.ca by July 1, 2020 and will be processed in order of the date received.
3. All applications will be reviewed by the Department.

C Assessment of Land Values

1. For each parcel being offered for sale, the Department will conduct a preliminary Integrated Resource Management (IRM) assessment. The IRM review will include:
 - a. Identifying any environmental and/or safety issues associated with the parcel;
 - b. Assessing the suitability of the land to support program values and priorities, including: forestry and potential forestry land; land that secures boundaries; accessibility and trail connectivity for existing Provincial Park lands; biodiversity values (which includes coastal islands and significant wetlands); inholdings for Nova Scotia Environment that align with the goals and values of the Department; and
 - c. Assessing the location of the parcel in relation to other Crown lands and Government owned land.
2. Upon receipt of the IRM report, Land Administration staff will order an appraisal from an Accredited Appraisal Canadian Institute (AACI) for parcels assessed as suitable for proposed acquisition. To assist in reaching a fair negotiated determination of value (including timber values), information provided by the forestry business as part of its application will be provided to the appraiser. Land will not be purchased above Appraised Market Value.
3. An Agreement of Purchase and Sale (Letter of Offer) based on the land and will be prepared and forwarded to the forestry business for its review and execution.
4. All land acquisitions must be approved by the Minister of Lands and Forestry and/or Cabinet and are subject to the availability of capital funding.
5. All transactions must close by March 31, 2021.