

Nova Scotia Crown Share Land Legacy Trust

Supporting the Protection of High-Conservation-Priority Lands in Nova Scotia

Trustees - Karen Beazley - Bill Freedman - Dale Smith

TERMS OF REFERENCE

For

NOVA SCOTIA CROWN SHARE LAND LEGACY TRUST - SCIENTIFIC ADVISORY COMMITTEE

November 25, 2009

BACKGROUND

The Nova Scotia Crown Share Land Legacy Trust (NSCSLLT) was established by the Province of Nova Scotia in 2008 to fund the protection of the province's most ecologically significant, threatened, and irreplaceable natural areas on private land. NSCSLLT funds are available to charitable, non-governmental land conservation organizations (land trusts) recognized under the *Conservation Easements Act* to secure lands of provincial conservation significance and protect them to internationally recognized standards for protection (IUCN protected area categories I, II, or III). To be eligible for NSCSLLT funds, land proposed for securement must be determined to be a high priority for protection on the basis of conservation biology principles and current conservation planning work relevant to the province of Nova Scotia. While lands secured will have high provincial conservation value, they will also in many cases have regional, national, or even global conservation value. The NSCSLLT is administered by three Trustees independent of government.

PURPOSE

The purpose of the Nova Scotia Crown Share Land Legacy Trust - Scientific Advisory Committee is to advise the Trustees on the conservation value and priority of lands proposed for securement by applicants to the NSCSLLT. In so doing, the Scientific Advisory Committee assists the Trustees in performing due diligence to ensure that Trust funds are expended consistent with the purposes of the Trust Indenture.

In particular, the roles of the Scientific Advisory Committee are to:

- provide ongoing scientific advice and recommendations on the conservation value and priority of specific parcels of land proposed for securement by applicants to the NSCSLLT, giving due regard to conservation value relative to priority themes and parcels identified by the Committee and adopted by the Trust, and to securement cost relative to conservation value;
- provide comment on the adequacy and appropriateness of documentation provided in support of applications and on costs claimed and/or estimated, most particularly in regard to field inventory and site assessment activities and to ongoing conservation management requirements, and also in regard to any aspect of a proposal which falls within the area of its collective expertise;
- identify thematic conservation values, priorities, and gaps, and criteria for assessing the conservation value of lands proposed for securement;
- develop, and recommend to the Trust, a priority list of high-conservation-value land parcels and assemblies targeted for securement based on conservation value;
- inform the Trustees where existing ecological information is insufficient to provide a basis for

determining conservation value, and advise on how such information gaps can be filled;

- serve as an ongoing forum for information sharing, coordination, cooperation, and synergism of efforts among organizations undertaking conservation land securement;
- seek advice, as necessary to perform the foregoing roles, on specific subjects outside members' areas of expertise, and establish a network of biodiversity experts to provide such advice; and
- undertake other tasks as requested by the Trustees.

MEMBERSHIP

The Scientific Advisory Committee is comprised of the following individuals:

Sean Blaney, Atlantic Canada Conservation Data Centre
Sherman Boates, Nova Scotia Department of Natural Resources
Kermit deGooyer, Ecology Action Centre
Dennis Garratt (or designate), Nova Scotia Nature Trust
John LeDuc
Craig Smith (or designate), Nature Conservancy of Canada
David MacKinnon, Nova Scotia Department of Environment (Chair)
Chris Miller, Canadian Parks and Wilderness Society

Members of the Scientific Advisory Committee serve at the pleasure of the Trustees and may be appointed, replaced, or removed at the discretion of the Trustees. In the event of resignation, committee members are expected to give reasonable notice.

The Trustees will, from time to time, appoint a Chair of the Scientific Advisory Committee from among its members. David MacKinnon currently holds this appointment.

OPERATION

Meetings:

- Meetings of the Scientific Advisory Committee are to be called by the Chair.
- Meeting agendas and deliberations are to be documented and copied to the Trustees. The Trustees are to ensure that assistance is available for this purpose.
- The Scientific Advisory Committee is to schedule meetings as often as necessary to accomplish the tasks assigned in a timely fashion. From time to time it may be necessary to schedule additional meetings on short notice to respond to time-sensitive applications. In the interests of efficiency, meetings may include face-to-face meetings or tele-conferences. Discussions and decisions may also take place via electronic mail.
- Trustees and staff of the NSCSLLT are to be notified of upcoming meetings of the Scientific Advisory Committee and may attend at the discretion of the Trustees in an ex-officio, non-voting capacity. The Chair of the Scientific Advisory Committee will normally attend meetings of the Trustees.
- The Scientific Advisory Committee may, for the purpose of performing its roles, invite guests to participate in its meetings. Such guests will not have the right to vote on motions of the Committee.

Proposal Review and Recommendation:

Proposals for land securement funding which are to be reviewed by the Scientific Advisory Committee are normally to be distributed by the Chair by electronic mail at least two weeks before a recommendation is required, except in extraordinary circumstances. Proposals are to be reviewed in a timely manner. Following review, the Committee is to make motions recommending whether or not a proposal should be funded. Decisions are to be made on the basis of conservation science, priorities, and values, and consensus should be sought whenever possible. In the event consensus cannot be reached, a vote of the majority shall rule, with the Chair voting in the event of a tie. Rationale in support of decisions and a summary of the associated conservation values are to be provided, along with recommendations, by the Chair to the Trustees. Where there is not unanimity of opinion on a proposal, a summary of dissenting views is to also be provided for the information and consideration of the Trustees. A quorum of the Scientific Advisory Committee for decision-making purposes is a simple majority of the members.

Reimbursement for Travel Expenses of Scientific Advisory Committee Members:

As the role of the Scientific Advisory Committee is complementary to the purposes of members' organizations, members are normally expected to cover their costs of attending Committee meetings. However, where a member's travel expenses are not paid by another organization, the NSCSLLT will reimburse travel costs for meeting attendance. Approval must be sought through the Chair, and granted, prior to expenses being incurred.

Reimbursement for Work Undertaken by Scientific Advisory Committee Members:

Except for reimbursement of travel expenses to attend meetings as described above, members are not normally to be financially compensated for carrying out their duties as members of the Scientific Advisory Committee.

Notwithstanding the foregoing, the Trustees may pay reasonable and necessary expenses, costs, and fees of activities which are directly supportive of the purpose of the Trust, including ecological inventory or research leading to the identification or prioritization of significant natural areas. At the discretion and on the prior approval of the Trustees, a member of the Committee may be compensated for reasonable and necessary costs, expenses, and fees associated with work undertaken on behalf of the Committee where the work is sufficiently voluminous, costly, or time-consuming as to be beyond a reasonable expectation for a member to undertake in the normal course of their duties.

Conflict of Interest:

A member of the Scientific Advisory Committee is to disclose at the first opportunity to the other members in writing or by requesting it to be entered in the minutes of a meeting of the Committee, the nature and extent of any personal interest the member has in a material contract, transaction, or decision, whether made or proposed to be made by the Committee or the Trustees; if the member is a party to the contract or transaction or may be affected by the decision, is a director or officer, or an individual acting in a similar capacity, of a party to the contract or transaction, or affected by the decision; or has a material interest in a party to the contract or transaction or that may be affected by the decision. Notwithstanding the foregoing, it is acknowledged that members of the Committee may also be members or employees of beneficiary organizations and such membership or employment will not be considered a conflict of interest so long as, in performing their duties and obligations under this Terms of Reference, the members act at all times with due regard to the purposes of the Scientific Advisory Committee and the Trust.

Confidentiality:

Members of the Scientific Advisory Committee are to treat as confidential each application received, and the Committee's deliberations regarding same, until such time as the applicant has informed the Trustees and the SAC members have been so advised.