

**A08. When Perpetuity Isn't Static:
Documenting Changes on Conservation
Easements**

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Room 506

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Methow Conservancy
STEWARDSHIP PROCEDURES
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This document provides a detailed guide for Methow Conservancy Stewardship Staff to assist them in implementing the Methow Conservancy's Stewardship Policies. Because it is a procedural, rather than policy document, it is maintained and updated by staff and is not approved by the Board of Directors.

BASELINE DOCUMENTATION

The Methow Conservancy (MC) aims to prepare accurate, timely and high quality baseline documentation for each conservation easement held, thus working toward ensuring adequate protection of easement "Conservation Values" in perpetuity. A baseline report will be completed before the closing of each easement. If circumstances do not allow for a completed baseline survey prior to easement closing, then an interim baseline document with a finalization schedule will be signed at the time of each easement closing.

The following protocol is intended to provide at least the minimum data required to adequately facilitate monitoring, stewardship, and protection of conservation values of each easement property, and if necessary, to help defend and enforce the conservation values protected in each conservation easement. To meet these obligations, we aim to adhere to current standards and best practices as recognized by land conservation professionals and the Land Trust Alliance. MC stewardship staff will keep up to date on baseline documentation standards and amend this protocol as deemed necessary or appropriate.

Timeline and process of baseline survey and baseline documentation:

1. We will conduct an initial site visit and literature search regarding a proposed property's conservation values. This step will coincide with easement development by Land Program Staff. A summary of conservation values will be written and saved in Land Program and Stewardship files.
2. We will ask the current landowner(s) to complete a land history and use questionnaire and include this information in the baseline document.
3. Our site visit will include a field survey and photographs. The purpose of the site visit is to become familiar with the property, identify the habitat types and elements present, and to map out man-made infrastructure (e.g. roads, fences, and buildings), and natural features (water courses, wetlands, primary flora and fauna, and other significant natural elements of the property). The property is photographed at key areas (described in sections 3A - J) and the latitude/longitude of photo points are derived using a GPS unit and recorded on photopoint data sheets. The location and a unique identification number for each photograph is noted on a field map and transferred to a digital photo point map in step 4 below. Relevant data and photos from the site visit should be filed according to MC Records Policy. Hard copies of all photos are printed and included in the baseline and easement notebook with ID number, compass bearing, description of subject, date of photograph, and the name of the photographer.

Guidelines for placement of photo points:

- A. Property boundaries and corners.
 - B. All existing buildings and significant structures to document character, condition, size and location of structure.
 - C. Unique protected features, natural and man-made.
 - D. Photos representative of each significant land cover type (riparian, deciduous forest, conifer forest, shrub steppe, etc.).
 - E. Photos representative of different conservation zones.
 - F. Significant ecological areas such as rookeries.
 - G. Locations, objects, or features particularly referenced in the conservation easement.
 - H. A view of the main entrance to the property from the public road system.
 - I. Aesthetic pictures that may show conservation values or be used for public relations.
 - J. Any land that has been used or altered from its natural state such as for agriculture, forest management, etc.
4. Relevant Geographic Information System, U.S.G.S. and aerial maps (see required components below for list of maps) are prepared with a geographic extent of the protected property. Ideally property boundaries are obtained from local surveyors using either a legal survey or a delineation of the boundary using the property description combined with field knowledge of survey points in the vicinity. This boundary is then used as the easement boundary in all baseline maps. When this data is not available, boundaries may be obtained from Okanogan County GIS parcel coverage.
5. All required components of baseline are completed:
- A. Required for compliance with IRS Section 1.170A-14(g)(5)(i): “Such Documentation may include:” (“must include” according to LTA 2007)
 - i. Appropriate survey maps from United States Geological Survey, showing the property line and other contiguous or nearby protected areas.
 - ii. A map drawn to scale showing existing man-made improvements or incursions, vegetation, identification of flora and fauna, land use history, and distinct natural features.
 - iii. Aerial photograph at an appropriate scale taken as close as possible to date of donation.
 - iv. On-site photographs taken at appropriate locations on the property.
 - v. Signed owner acknowledgement of condition.
 - B. Additional components to be included in Baseline Report:
 - i. Cover page with preparation date, preparer’s name and signature, and landowner(s) name(s).

- ii. Table of contents.
- iii. Purpose of baseline.
- iv. Property legal description, property title information (existing easements, ROWs, etc.), directions, and landowner information.
- v. Baseline author, author's qualifications, and methods.
- vi. Purpose of easement.
- vii. Background easement information (including conservation values).
- viii. Easement restrictions and reserved rights reference or summary.
- ix. Physical features of property (geology and topography, soils, climate, aquatic resources, scenic, etc.).
- x. Ecological features of property (vegetation, fish, wildlife, etc.).
- xi. Land use and human-made features.
- xii. Landowner written statement of conservation purposes and intent.
- xiii. References.
- xiv. Photographs of easement, including bearing, author's name, date and GPS data.
- xv. Maps of conservation easement property:
 - a. Vicinity map.
 - b. Topographic map.
 - c. Exhibit B (from the Deed of Conservation Easement)
 - d. NWI wetlands map (if relevant).
 - e. Scenic values map (if relevant).
 - f. Washington DNR geology map.
 - g. FEMA 100 year floodplain and severe channel migration zone map (if relevant).
 - h. Soils map.
 - i. Vegetation map.
 - j. Salmon redds map (if relevant).
 - k. Infrastructure map.
 - l. Photopoint map, showing conservation zones, roads and trails (if applicable) and aerial background.

- 6. Total acres, acres of riparian/agriculture/forest/shrub-steppe, and riverfront miles are in the baseline report and are given to the Executive Director for input into easement tracking spreadsheet.
- 7. Prior to closing we will obtain a signed Acceptance of Baseline, acknowledging the baseline as "an accurate representation of protected property at the time of transfer" signed by Methow Conservancy Executive Director and landowner(s). Duplicate copies are signed (one for each landowner and one for MC archive).
- 8. Four hard copies of the baseline document will be prepared and administered: an original to landowner(s), a copy to the conservation easement stewardship notebook, a copy for the land program working file, and an original into MC archives (legal file). Copies will also be provided to successive landowners. A digital copy will be placed in the MC digital archives as explained in the MC Records Policy.

9. In all conservation easement transactions, MC will request a voluntary Stewardship donation, as per the MC Stewardship Donation Worksheet (see Appendix A), to support the costs of easement monitoring and enforcement. At its discretion the Methow Conservancy Board may reduce or waive the donation requirement. In such cases the staff will prepare alternatives to address the outstanding funding requirements for Board review. The Board shall adopt a reasonable funding alternative to support the Stewardship requirements prior to accepting any property interest.
10. Upon recording of the conservation easement, stewardship staff will create a conservation easement stewardship binder. Staff will ensure that this binder is updated with sections/dividers for a copy of the conservation easement, baseline report, photos, maps, monitoring reports, correspondence, and stewardship plans.
11. Amendments and updates of the baseline will be handled as necessary according to the MC Conservation Easement Amendment Policy.
12. MC will develop a Stewardship Plan to document land management goals and objectives for each protected property. The Stewardship Plan is intended to outline stewardship options and concerns, and it is non-binding for either the landowner or the MC unless mutually agreed upon and signed by MC and landowner(s). Periodic updates to the Stewardship Plan will be funded by the party requesting the update.

BASELINE AMENDMENTS AND CURRENT CONDITION REPORTS

The following describes the protocol for amending baselines or generating a Current Conditions Report due to a lack of an adequate original baseline document

1. CE Partial Amendment or CE Amendment in its Entirety: When there is a partial amendment or amendment in its entirety to a conservation easement with changes required to the baseline, a “Baseline Amendment” will be developed. The Baseline Amendment may either a) include only required changes to the original Baseline, or b) replace the original Baseline entirely. The signature page will reflect whether the original baseline remains in full force and effect, except with respect to the amended changes, or the new Baseline replaces the old one entirely.
2. CE Amendment to Add Land: If there is an addition of land to the conservation easement with otherwise no changes required to the baseline, a “Baseline Amendment to Add Land” will be developed that will add the new land with its associated photos, maps, description of improvements and conservation values. The signature page will state that the original baseline remains in full force and effect, and that the Grantor and Grantee agree that the Baseline Amendment to Add Land accurately represents the additional land as of the date of signature.
3. Current Conditions Report: When a property is transformed by natural disaster, or a baseline document was not completed or signed by both parties (MC and landowner) at the closing of the conservation easement, a “Current Conditions Report” (CCR) will be

developed that addresses the conditions of the easement at the time the CCR is signed. This report will reference or incorporate information or portions of the original baseline document, but must update any information that has changed, and include updated photos of these changes.

CONSERVATION EASEMENT MONITORING:

Easement monitoring is an essential component of conservation easement stewardship. The purpose of monitoring is to ensure that easement restrictions and provisions are being abided by, provide an opportunity for landowner communication and involvement, and to address any stewardship concerns, needs, or opportunities. In doing so, the monitoring process helps to ensure adequate protection of easement “Conservation Values” in perpetuity.

Annual monitoring of each conservation easement will begin the year following the easement closing. MC staff will visit each conservation easement at least once each year. Staff will report on monitoring to each landowner with a personal letter and to the Stewardship Director. Any indications of potential violations shall follow the MC Violations and Enforcement Policy.

Below is a step-by-step process for typical annual monitoring:

1. Stewardship staff use the Sage database to send out the reminder/hello (“HiYa”) letter to the landowner before the stewardship field season begins. The database is used so that the names and addresses of the conservators are correct. The letter notes the name of the monitor. It is signed by the staff person that will be monitoring the particular property that year.

This letter serves as a notice to the landowner(s) about the annual monitoring and the approaching stewardship field season. It serves as a request for ongoing land stewardship information and documented permission to visit. Ideally, the monitor and landowner can find a time to meet in person to form relationships, build trust, and develop ideas or discuss needs regarding land stewardship.

2. The CE monitor will thoroughly review any materials pertaining to the easement to be monitored.
 - The monitor shall study the Stewardship Binder for the easement before meeting with the landowner. He/she will review the Baseline Report periodically as a refresher for the conservation values protected and to read over any developed Stewardship Plans and past monitoring reports and letters.
 - The monitor shall also review the “correspondence” section of the Stewardship Binder. This will be a good refresher on what has gone on with the easement in the past, and any follow-ups that are needed from previous years.

- The monitor will also be familiar with any specific items in the title report for the property (e.g., road/power easements/mineral rights etc.).
 - The monitor will also review the conservation easement rights and restrictions as well as the baseline maps.
 - All CE monitors will be familiar with the **MC Violations & Enforcement Policy**.
- CE monitors will go out into the field well-prepared and bring with them the following: The Stewardship Binder (especially the printed baseline photos and photo point map).
 - Monitoring report form.
 - A camera with extra batteries.
 - A GPS.
 - A compass set to proper declination.
 - Plenty of writing utensils.
 - All-weather gear.
 - Food and water (as necessary).
 - First aid gear.
 - Allergy medication for bites and stings.
4. Monitors will attempt to meet with the landowner in person if possible.
- Many landowners will walk the property with the monitor. Whether or not the landowner decides to join the monitor for the monitoring tour, it is very useful to sit down with the landowner and talk if at all possible. This is a key time for building important relationships, discussing stewardship possibilities, getting information on any new developments in the greater vicinity (potential land use changes, neighbors interested in easements, etc.).
 - It is also a key time for the monitor to share his/her knowledge about the local ecology, provide education/guidance/resources and ideas for ongoing stewardship projects/ideas/grant funds, etc.
 - All monitoring visits should be conducted by foot, or on bike or horseback where appropriate. Monitors are not to ride in vehicles driven by conservators or ride on ATVs during monitoring visits. Monitors are reimbursed for their travel to CEs as delineated in the MC Employee Handbook.
5. Monitors shall take photograph at the designated photopoint locations and walk through the property. They will also observe and take notes on any ongoing land stewardship issues and projects in addition to any changes in the vicinity of the property including on neighboring properties.

- Using the baseline photos as a guide, the monitor will put his/her observation skills to work. The monitor will look for interesting flora (noxious weeds/rare plants) and fauna and other interesting finds to share with the landowner.
 - The monitor shall use his/her judgment to look over the Photopoint map and devise a good route for taking the annual photos. The photopoints will not offer a complete picture of what may be happening on the land. These are mainly designed to get the monitor on a good route to see a full extent of the land.
6. The monitor shall discuss potential future meeting times with the landowner, especially if there are ongoing stewardship projects to help guide, implement, and monitor.
 - The monitor will be sure to ask if any assistance can be given and remind the landowner to email, call or visit anytime. The monitor will also thank the landowner for their time and show appreciation for their dedication to conservation and stewardship.
 7. Upon concluding the field visit, the monitor will download all pictures, GPS waypoints, etc. Photos will be stored digitally in the MC photo folder for the particular easement. The monitor will make a new folder for the current year. At the end of each field season, these photos, once labeled, will also be downloaded onto a DVD which is then labeled with the easement name, monitor's name, date of the visit and then signed by the monitor and filed in the "Blue" permanent CE file.
 8. The monitor will then go over the Monitoring Form again and fill in any missing fields. The Stewardship Director will review the form, and both the Stewardship Director and the monitor will sign the completed form.

The monitor will be responsible for sending a copy to any agencies that require a copy, and ensuring that the original forms are filed in the "Blue" permanent CE file (following our records policy procedures) and a copy in the Stewardship Binder under Monitoring. The monitor will scan the form for the MC electronic backup of the master file and for the regular electronic CE files as delineated in the MC Records Policy.

9. Each easement visit will be documented in the given fields in the CE section of the Sage database.
10. The monitor will complete the monitoring letter and send it to the landowner. The monitor will make a duplicate signed copy for the "Blue" permanent CE file and another for the stewardship binder. The monitor will scan the signed letter and save it for the MC electronic backup of the master file and for the regular electronic CE files as delineated in the MC Records Policy.

- This letter should be generated from the Sage database and follow the “CE letter template” developed by the Stewardship Director for that year. There are some elements of this letter that are formal and common to every letter, other parts of the letter are more anecdotal and are based on things learned or observed on the visit. This letter must include the current date and the date of the visit. If the conservator has more than one CE they must get a unique letter for each CE.

11. The monitor will keep abreast of the easement property between annual monitoring visits.

- As necessary, the monitor will follow up with the landowner(s) and conduct follow-up visits for easements with planned or on-going projects (e.g., house being built, driveway being installed, forest management activities, restoration occurring). The monitor will be responsible for keeping the Sage Database up to date with the conservators’ contact information.
- For all easements, monitors will attempt to maintain regular communications with the landowner(s) to further develop the relationship.

*** Note: Should any enforcement issues arise, it is NOT the role of the monitor to inform the landowner of any potential violations. The monitor should follow the **Methow Conservancy Violations & Enforcement Policy**. (please review this policy at the start of each field season before monitoring easements)***



Procedures for Baseline Documentation Reports

I. Purpose Statement:

Each conservation easement shall have a complete and usable baseline documentation report (“BDR”) which shall document the condition of the entire conserved property (the “Property”) at the time of the grant of the conservation easement and will contain the necessary information to ensure CCALT can meet its stewardship obligations going forward. Each BDR and any subsequent updates prepared by a third party will be reviewed by Project Staff to ensure it meets CCALT’s Criteria for the Preparation of Baseline Documentation Reports. Each BDR and any subsequent updates prepared by a CCALT staff member will be reviewed by another member of the Project or Stewardship Staff.

II. Acknowledgement

All BDR’s and subsequent updates will have their accuracy attested to at the time of the closing of the conservation easement in accordance with Section 1.170-14(g)(5)(i)(D) of the Federal Tax Regulations through a written acknowledgement signed by both the Grantor and Grantee of the conservation easement (the “Acknowledgment”). For all new conservation easements CCALT accepts, the Acknowledgement will be recorded as an exhibit to the conservation easement and the original Acknowledgement will be stored with the original conservation easement. In the case of an Acknowledgement of an update to the BDR (as further described below in Section V) where the Acknowledgement is not recorded, the original Acknowledgement will be stored with the updated BDR in accordance with Section III below.

III. Storage:

CCALT will receive three copies of each BDR or subsequent updates/amendments to those BDRs. A fourth copy will be stored electronically. One copy of the BDR will be kept in the office or storage center of CCALT’s legal counsel. One copy will be kept in the CCALT offices at all times in the permanent conservation easement file located in a fireproof cabinet and will be referred to as the “Office Copy.” The third copy will be used as the “Field Copy” and will be used during annual monitoring visits. The Field Copy is the only BDR that will be allowed to leave the CCALT offices. The fourth copy will be stored in CCALT’s electronic files, and is known as the “Electronic Copy.”

Over time, information related to the monitoring and stewardship of each conservation easement will be collected. This information will include annual monitoring reports, photographs documenting changes to the Property, information on new ownership of the Property and any additional relevant information. New information collected during monitoring will be placed in both the field copy and stored in the permanent conservation easement file as well as stored electronically.

IV. Use of the Field Copy:

Project Managers are responsible for ensuring that a Field Copy of the BDR gets created. Each Field Copy of the baseline inventory can be taken out of the CCALT office for monitoring or other uses. The individual who removed the document is responsible for its safe return to the CCALT office following its use.

V. Updating of Baseline Inventory Reports

Periodically, our BDR's will be need to be updated and this information will then be included in a present conditions report ("PCR") which will document the present state of the Property. PCR's may need to be completed if the original BDR is determined to be insufficient, or if an amendment to the conservation easement is completed, which alters the necessary information to be collected to ensure CCALT's long term stewardship for the Property. If an Acknowledgement is missing from CCALT's files, a PCR will be completed and a new Acknowledgement signed.

The PCR will not replace the original baseline but will add to CCALT's records of the Property. CCALT will always keep one copy of the original BDR in long-term storage in the files as well.

During the Annual Monitoring, CCALT Staff will keep track of all BDRs which they determine need to be updated and note that information on the monitoring report and projects database. The PCR will be acknowledged by the landowner and the land trust, just as new BDR's are acknowledged. Costs for completing PCRs will be negotiated with the landowners, if possible, since both CCALT and the landowner benefit from an updated report.

CCALT will also have to update baselines when doing phased projects. An update letter will be sufficient if the original BDR documented the full property, unless there have been significant changes on the Property which have occurred between the time of the original baseline and the time of the phase donation. Update letters for phases will also require a new Acknowledgement.



Criteria for the Preparation of Baseline Documentation Reports

I. Purpose Statement:

The monitoring, stewardship and enforcement of the conservation easements held by the Colorado Cattlemen's Agricultural Land Trust (CCALT) are critical to the long-term viability of the organization. To assist in the goal of stewarding each conservation easement, a baseline documentation report (the "BDR") will be prepared for each conserved property (the "Property") and will assist in the monitoring and enforcement of CCALT's conservation easements over time. It is important that each of CCALT's BDRs include accurate information that relates to each individual Property and information that will allow CCALT to complete our monitoring and stewardship responsibilities effectively in the future. The following criteria have been drawn up to help the preparers of BDRs in creating reports that will have consistent formats, information and effectiveness for all of the conservation easements held by CCALT.

Informational needs will obviously vary, sometimes quite widely, from Property to Property. It is also important to reflect the terms and restrictions of the conservation easement document and not to include superfluous information that is not pertinent to the conservation values being protected by the conservation easement, or to insert conservation values that are inconsistent with those identified in the conservation easement.

II. Photographic Documentation:

The old saying goes "A picture says a thousand words" and CCALT believes that nothing can describe a Property like pictures. Clear, labeled and precisely located photographs are a critical part of any BDR. Photographic documentation should cover as much of the Property as possible and in as much detail as possible. This is particularly true for all structures and improvements located on the Property at the time the conservation easement is recorded. While photographs of things such as ranch roads, building areas, fencelines, and storage sheds may not be very exciting, they can prove to be very useful in our future stewardship responsibilities. To that end, every existing structure on the Property should be photographed (regardless of livability or structural dilapidation), and representative photos should be taken of all other improvements, including but not limited to ditches and ranch roads. All photo points must be clearly labeled on a map of the Property and be labeled as to direction and subject so that they can be replicated in the future. CCALT will not accept BDRs with photographs showing the Property covered by snow. CCALT understands that interim or draft BDR may contain photographs with snow due to the timing of easement transactions. In these rare instances, any interim BDR must be updated with new photographic documentation as soon as the snow melts.

III. GPS Information:

Global Position Systems (GPS) location information will be immensely useful in the future as CCALT staff changes, properties change landowners, and landscapes change over time. CCALT requires the preparers of our BDRs to use GPS coordinates when locating photo points, structures, and other important features of a property.

IV. Baseline Inventory Reports Should Contain the Following Items: Note, this list is not all inclusive. The specific terms of the conservation easement need to be reviewed to determine which information is necessary for the long term stewardship of the Property. For example, conservation easements with limits on impervious surfaces need to contain a calculation of the current existing total impervious surface on the Property.

A. Table of Contents.

Page numbers and information included in each of the following sections.

B. Owner Acknowledgement Statement.

All BDR's and will have their accuracy attested to at the time of the closing of the conservation easement in accordance with Section 1.170-14(g)(5)(i)(D) of the Federal Tax Regulations through a written acknowledgement signed by both the Grantor and Grantee of the conservation easement.

C. Summary information:

1. Grantor's name, contact information, including all relevant phone numbers and email address, as well as property address
2. Names and contacts for local managers
3. Date or proposed date of easement acquisition
4. Property acreage and legal description
5. Detailed directions to the Property from the nearest town, including mileage to turns and important local landmarks.
6. Supporting governmental policies
7. Summary of the conservation values protected
8. Donor's Intended Use of the Property
9. Purpose Statement for the BDR
10. Extent of investigation – Who did the work, when was the Property visited, who else was consulted for information that is in the report etc.
11. Reference the attached Deed of Conservation Easement in the Appendices.
Do not paraphrase the prohibited uses and reserved rights in the baseline document.

D. History of the Conservation Project

This section can be developed through short conversations with the staff of CCALT and the landowners. This section should describe how contact was initiated between the two parties and why, who the key players were in developing the conservation easement, and if funding came to the project, noting who helped pay for the acquisition of the conservation easement. This section should also make clear if all the Property covered by the report is intended to be added into the conservation easement or if a multi-year conservation strategy is being contemplated.

E. Land Uses and Management

1. Historic

This should include all of the known historical uses of the Property. Uses that are of particular interest are agricultural uses different than current uses, as well as past logging, mining, mineral extraction, and residential/recreational uses.

2. Current

This section should describe what the Property is currently being used for including residential, commercial, and recreational uses. Agricultural uses should be listed and then described in detail below.

F. Inventory of Property Improvements

This section is perhaps the most important in the entire BDR. Disagreements between landowners and land trusts often hinge on the construction of new buildings or Property improvements. For this reason it is critical that all existing improvements be detailed in the BDR. This information should include a description of all improvements, and all improvements should also be shown on a map and be fully represented in the photographic documentation. The following need to be listed in this section:

1. Inventory of Structures:

- Residential buildings, inhabited or not, and the square footage of each structure if required by the conservation easement's terms.
- Major agricultural structures such as barns, sheds, riding arenas and corrals, and the square footage of each structure if required by the conservation easement's terms.
- Minor agricultural structures such as loafing sheds, stock tanks, windmills and the like, and the square footage of each structure if required by the conservation easement's terms.
- Any recreational improvements present on the Property, and the square footage of each structure if required by the conservation easement's terms.

2. Access & Roads: roads, both public and private, paved and unpaved need to be located on a site map and preferably shown in photographs. This includes two-tracks present on the Property. Legal access to the Property as well as all other access should be clearly described and mapped. Any access rights third parties have to or across the Property should be described and mapped if necessary. Any access dispute should be described and mapped if necessary.
3. Right-of-Ways & Easements: Any and all utilities serving and/or located on the Property should be described and shown on a map. An evaluation of the title commitment for the Property can help with this portion of the report. It should be noted whether an easement exists across the Property for each utility.
4. Any additional structures such as existing radio towers, cell towers, dumps, oil and gas wells, transfer stations, mines/gravel pits, cemeteries etc.

5. Fencelines, both interior and boundary fences, should be described. Any boundary disputes or areas where the boundary fences are not online with the legal description should be described and shown on a map.
6. Any signs which exist on the Property should be documented.
7. Water Rights: Any water rights which are adjudicated to the Property and tied to the conservation easement should be fully described including their source, amount used, decreed usage, delivery method, location, and condition of the infrastructure used for delivery, location of use of the water, general timing of use, and history of use. To be consistent with CCALT Deed terms, it is important to distinguish those rights decreed and used for irrigation purposes from water rights used for any other purposes. Any disputes or legal challenges regarding the water rights should also be fully described. A water rights map should be included in the appendices which locates all of the water infrastructure. In addition, all man-made ponds, stock tanks, springs, wells, and reservoirs which serve the Property should be documented, described and mapped, whether adjudicated or unadjudicated.
8. Mineral Rights: A general description of whether the mineral rights are whole or severed from title to the surface should be included. An extensive mineral ownership report is beyond the scope of the BDR. However, review of the title commitment for the Property can provide relevant information and information on whether a mineral report is being completed for the Property should also be included. If energy development is occurring on the property, all well sites and other related sites should be photographed, mapped, and described in the BDR. Any historic and/or past mineral development should also be noted.

G. Description of Property and Conservation Values

1. Physical Description

- a. Topography
A general description and notable landmarks referenced in the report.
- b. Geology
Note the underlying geology and any notable features located on the Property.
- c. Soils
Note the major soil types and their locations on the Property. Note the location and acreage of any soils of significance.
- d. Hydrology
Note natural water features found on the Property, watershed information and any other information related to water courses on the Property.

2. Vegetative Communities

Description of the main vegetative community types found on the Property. The descriptions should also include human altered vegetative communities such as hay meadows or pastures. It is important to note the general locations of each community type and include a map showing the locations of the communities. It is very useful to note the dominant species in each vegetative community found on the Property.

3. **Agricultural Values**

This section is a detailed description of the current agricultural operation on the Property. This should include a description of livestock operations, irrigated land and crop land.

4. **Wildlife Values**

Each Property is used in different ways by wildlife and wildlife uses change over time. A description of the notable species found on the Property is a minimum for the report. Detailed descriptions of wildlife uses should be included only if there are notable uses described in the easement, such as elk or deer winter range, sage grouse leks or bald eagle nests. The Colorado Division of Wildlife and Colorado Natural Heritage Program have a large amount of mapped information which can be used in this section.

5. **Scenic, Open Space and Historical Values**

This section should describe the public open space values that are protected by the conservation easement. These can include views of the Property from public roads or public lands, community buffers and the general protection of working agricultural landscapes.

Historical and/or archaeological values are not known for many properties. These values should not be described in detail unless they are mentioned in the easement document.

H. Appendices

Information included in Appendices to the document are generally used for reference and can include a wide array of information depending upon the property. These typically include:

1. **Photographic Documentation.** Clear color photographs showing the Property, with a description of each photo and direction each photo was taken along with photopoints located on a map and GPS coordinates for each photopoint.
2. Regional Map (showing the location of and directions to the Property in a regional context)
3. Aerial Map
4. Improvements Maps
5. Environs Map (including public lands and other properties conserved with conservation easements)
6. USGS Topographic Map
7. Vegetative Community Map
8. Soils Maps
9. Water Rights Map
10. Mineral Ownership and COGCC Maps(if necessary or applicable)
11. Relevant Habitat Maps and Colorado Parks and Wildlife Potential Wildlife Species List
12. Bibliography

13. Copy of the Conservation Easement. If the conservation easement is not completed before the baseline inventory is completed, reference this document in an Appendix and it will be added by CCALT once the easement is complete.
14. Qualifications of the Report Preparers

V. Final Notes:

In addition to the copy provided to the landowner, CCALT requires three copies of each baseline documentation report for our records. We request that at least one copy of the report be delivered to us unbound. In this way we will be able to update the reports as conditions change in the future.

CCALT will require digital information be created as part of the BDR, and such digital data must be given to CCALT for our files as part of the final product. The digital information shall at a minimum include:

- Geographic Information System (GIS) shapefiles, including property boundaries, vegetation boundaries, ranch roads, water infrastructure, utilities, and rights of ways. Any additional GIS files created should also be given to CCALT.
- CCALT will also require a copy of all original and unedited digital photographs used in the report be given to CCALT for our files.

VI. Sample Owner Acknowledgement Statement

Property Name:

Grantor: *Name*
 Address
 Town, State, Zip

Grantee: *Colorado Cattlemen’s Agricultural Land Trust*
 8833 Ralston Road
 Arvada, CO 80002

Property Description:

[Including acreage, general location, and relevant agricultural and natural features, not to exceed more than a few paragraphs]

In compliance with Section 1.170-14(g)(5)(i)(D) of the Federal Tax Regulations this baseline inventory report is an accurate representation of the property at the time of the conservation easement donation.

Grantor *Date*

Grantee *Date*