

# APPENDIX G: Baseline Documentation Report Requirements Checklist

## NCLWF Acquisition Program

Baseline documentation reports (BDRs) involve collecting detailed information depicting the condition and characteristics of a conserved property and its resources assets and current uses at the time the conservation easement is executed. As a snapshot of the property, the report is used as a basis for identifying changes to the property and whether they are manmade or naturally occurring. The BDR is therefore critical to enforcing the terms and conditions of the easement in perpetuity.

### BDR General Requirements

All grant recipients with projects with an easement or declaration of covenants and restrictions to be held by the State (collectively, state-held conservation agreements) are required by contract to author a BDR for the easement.

Standards for BDRs are set both by the US Treasury (with specific requirements when there is a qualified charitable donation) and the Land Trust Alliance Standards and Practices 11.B for all conservation easements. As each conservation agreement is different, and each preparer has different policies and procedures for preparing BDRs, the intent of these requirements is to balance flexibility in the documentation technique and depth of reporting, while encouraging a degree of standardization between BDRs for state-held conservation agreements.

In general, all BDRs should be prepared with the following in mind:

1. All BDRs should be completed prior to the execution of the conservation agreement.
2. If a BDR cannot be completed prior to the execution of the conservation agreement, then a plan for its completion must be provided in writing. As part of post-closing documentation, final disbursements cannot be made until the BDR is completed, received, and approved by NCLWF.
3. If a BDR was completed more than three months prior to the execution of the conservation agreement, or there was a known event or disturbance, the preparing organization must revisit the property to ensure that it is an accurate representation of conditions and provide date of visit to NCLWF staff. NCLWF may also require a supplemental statement that attests to current conditions and can provide a template at request.
4. The report must include a statement signed by the grantor and grantee that acknowledges that the BDR accurately represents the condition of the property at the time the conservation agreement was executed.
5. The applicant may request a NCLWF staff site visit prior to the signing of the BDR; similarly, NCLWF staff may reach out to the applicant to schedule a site visit.

### Required Elements

The following outline lists the required elements for inclusion in baselines for state-held conservation agreements funded by NCLWF. The volume and specificity of information required in the baseline will vary depending on the terms of the conservation agreement, conservation values, and current uses of the property. The preparer may organize these minimum requirements as they wish and may opt to include other materials at their discretion. As a general rule, if additional information will aid in future monitoring and enforcement of the easement, please include it.

- **Cover Page:** Include the name of property, NCLWF grant number, date of report, authors' names, and affiliations
- **Table of Contents:** List all sections and appendices to the report with page numbers
- **Purpose of the Conservation Agreement:** Recite the conservation values as stated in the conservation agreement and include a summary of the reserved rights.

- **Purpose of the Baseline Documentation Report:** Include a brief statement that the purpose of the BDR is to document the property's conservation values and existing conditions, provide a basis by which to measure compliance of the conservation agreement, and to provide information for annual monitoring of the property. Include disclaimer that the BDR does not preclude the use of other information for purposes of enforcement.
- **General Property Information:**
  - Acreage of the property and acreage of the easement area (if different)
  - Legal description of the property, including the property deed reference and the recording date of the conservation agreement
  - Directions to the property from land trust monitoring office, including directions for legal access, parking location, and notes on gated or keyed entries
- **Landowner Information:**
  - Name, address, and phone number of current landowner(s)
  - Name and phone number of any land manager or gatekeeper
  - Description of current leases and/or contact information for current tenants
- **Preparation of the Report:**
  - Date(s) of field work, report compilation, and any follow-up visits
  - Summary of data collection methods, including accuracy of GPS equipment
  - Preparer's qualifications
- **Land Use and Existing Human Modifications:** Document all features and uses that may impact the monitoring or enforcement of the conservation agreement. Include management plans (forestry plan, prescribed burning plans, agricultural conservation plans, etc.) as an appendix to the BDR when available.
  - *\*When an item is followed by an asterisk, please include these elements in the map section.*
  - Prior land use, noting any significant archaeological, cultural and/or historical features on the property\*
  - Current land use
  - Intended future uses and management of the property
  - Existing roads and trails\*
  - Description of right-of-way encumbrances that impact the property\*
  - Description of conservation agreement boundary markings
  - Any other existing human modifications\*
- **Natural Features:** Supporting information for the conservation values listed in the easement.
  - *\*When an item is followed by an asterisk, please include these elements in the map section.*
  - Forest and natural communities, including early successional habitat as listed in the conservation agreement\*
  - Natural Heritage Areas and Element Occurrences\*
  - Aquatic resources, including location of streams, and other bodies of water with general condition of water quality\*
  - Major soil types\*
  - Non-native invasive species present\*
- **Photographic Documentation:** The permanent photo record established for the property, to be used in future monitoring. Photos should be adequate to document the conservation value of the property while also identifying any stewardship concerns. Emphasis should be given to conservation agreement boundaries (especially where encroachment is likely) and any area of the interior where land use/condition differs, such as early successional habitat, presence of invasive species, existing structures, etc. Photos should be in color, have time, date, and coordinate stamping, and include captions. All photo points should be depicted on a map. For photo acknowledgement, it is the applicant's discretion whether to request landowner signature on each photo page, or to add the affirmation that these photos are an accurate depiction to the Acknowledgement Statement.
- **Maps:** Include concise color maps, each with the name, affiliation, and title of the preparer, along with the date the map was created. All maps should have boundaries for the conservation agreement.
  - Contextual locator map

- Orthographic map
- USGS topographic map
- Soils map
- Natural communities map, with any Natural Heritage elements marked
- Manmade features map
- A copy of the survey is optional, but encouraged
- Additional maps as needed to depict the property's land use, human modifications, and/or natural features
- **Acknowledgement Statement(s):** Statement that the BDR accurately reflects the condition of the property as of the date of conservation agreement granting. At the organization's discretion, an acknowledgement statement may also be signed by the preparer(s).
  - Please note that for conservation agreement in which the original grantee is the state (i.e., not assigned), this acknowledgement statement is not required as an exhibit to the recorded conservation agreement and will only be signed by the grantor of the conservation agreement.
  - If an easement is assigned to the state immediately following conveyance of an easement to the land trust, it is the land trust's discretion whether the acknowledgement statement is included as an exhibit to the recorded conservation easement. The acknowledgement statement should be signed by the grantor and the grantee.