



Criteria for the Preparation of Baseline Inventory Reports

Updated 11/2023

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 inventory report (the "Baseline") 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 Baselines 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 Baselines 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 incorporate the terms and restrictions of the conservation easement document and document the consistency with the Conservation Purpose and Conservation Values of the conservation easement. The Conservation Purpose and Conservation Values should match those identified in the conservation easement. Additional conservation values that are inconsistent with those identified in the conservation easement or with the conservation purposes of the conservation easement should not be included.

II. Photographic Documentation:

Clear, labeled and precisely located photographs are a critical part of any Baseline. Photographic documentation should cover as much of the Property as necessary and in as much detail as possible. All structures and improvements located on the Property at the time of the conservation easement must be documented. 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, headgates, other ditch infrastructure, utilities, 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 Baselines with photographs showing the Property covered by snow. CCALT understands that draft Baselines may contain photographs with snow to**

meet interim/pre-closing deadlines (e.g., to provide draft Baselines to the appraiser or funders) but must be updated with new photographs prior to the transaction closing.

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 Baselines to use GPS coordinates with projection used clearly labelled 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. Acknowledgement Statements.

All Baselines 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. A template is attached to this document as **Appendix I**.

All Baselines should also be signed by the baseline preparer to ensure accuracy, which signature can be on its own page at the time of report finalization.

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 property managers;
3. Date or proposed date of easement acquisition;
4. Legal description and Property acreage, as well as a description of how the acreage was calculated;
5. Detailed directions to the Property from the nearest town, including mileage to turns and important local landmarks;
6. Supporting governmental policies (should match deed of conservation easement);
7. Statement of Conservation Purpose (should match the deed of conservation easement);
8. Summary of the conservation values protected;
9. Donor's Intended Use of the Property;
10. Purpose Statement for the Baseline;
11. Extent of investigation – Who did the work, when was the Property visited, who else was consulted for information that is in the report etc.;
12. Reference the Deed of Conservation Easement's restrictions to document critical areas on the Property. Do not paraphrase the prohibited uses and

reserved rights in the baseline document. Describe how the restrictions and reserved rights in the conservation easement support the conservation values. For example, describe how the building envelopes and/or building envelope location points were sited to minimize impacts to the conservation values.

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 and should include a review of available old aerial imagery. Uses that are of particular interest are agricultural uses different than current uses, as well as trash dumps, 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. Describe how the current and planned agricultural and other uses of the Property are consistent with and support the Conservation Purposes and support the protection of the Conservation Values.

F. Inventory of Property Improvements

This section is perhaps the most important in the entire Baseline. 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 Baseline. 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 (meaning all buildings or structures used for permanent or temporary occupancy), inhabited or not, and the square footage of living area, excluding garages, porches, and decks, of each structure. The square footage (footprint) should be measured in the field as opposed to relying on county assessor records or estimates from aerial imagery. Relying on county assessor records or building plans provided by the landowners for living area is acceptable.
- Major agricultural structures such as barns, sheds, and riding arenas . Note, the square footage of each structure may be needed depending on the terms of the specific conservation easement.

- Minor agricultural structures such as corrals, loafing sheds, stock tanks, windmills and the like. Note, the square footage of each structure (if applicable) may be needed depending on the terms of the specific conservation easement.
 - Any recreational improvements, including but not limited to recreational trails and hunting blinds, present on the Property. Note, the square footage of each structure may be needed depending on the terms of the specific conservation easement.
 - Any building envelopes and building envelope location points described in the conservation easement should be listed in this section and assessments of their consistency with the protection of the conservation values should be provided.
 - A table should provide the following information for each structure:
 - Name of structure; square footage of structure; building envelope structure is located in; reference to photograph(s) showing structure; use of structure.
2. 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 as well as any recreational trails. Check old aerial imagery to see the full extent of the road network, as some roads may have overgrown, but the landowner may still plan to clear and utilize them. Ask the landowner if there are any old roads that they intend to improve or clear.
 3. Legal access: All legal and physical access to the Property 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 disputes should be described and mapped if necessary.
 4. 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.
 5. Any additional structures such as existing radio towers, cell towers, trash dumps, oil and gas wells, transfer stations, mines/gravel pits, cemeteries etc.
 6. Fencelines, both interior and boundary fences, should be fully mapped and 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.
 7. Any signs which exist on the Property should be documented.
 8. 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. .
 - Separate tables should provide the following information for water rights decreed and used for irrigation purposes and water rights decreed and used for any other purposes:

- Water Right Name; Case Number/Decree; Decreed Amount; Appropriation Date; Adjudication Date; Decreed Use; Source
 - 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, including headgate(s), both from the main source and to the Property, measuring devices, ditches, pipes, pivots, irrigated areas, etc. All water rights improvements shown on the map(s) should also be photographed.
 - 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 undecreed.
9. 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 Baseline. 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 Baseline. Any historic and/or past mineral development should also be noted.

G. Description of Property and Conservation Values

1. Physical Description

- Topography: A general description and notable landmarks referenced in the report.
- Geology: Note the underlying geology and any notable features located on the Property. This information can be referenced from the mineral assessment report associated with the easement acquisition, if it is available.
- Soils: Note the major soil types and their locations on the Property. Note the location and acreage of any soils of significance as designated by the Natural Resource Conservation Service (NRCS).
- 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 and Other Cover Types

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 as well as general health and condition of community. Note that any digital data predicting vegetation type should be ground truthed for accuracy. Noxious weeds should also be documented, photographed, and mapped. The total acreage of all vegetative

communities and other cover types (e.g., barren/rock; developed; etc.) must add up to the total acreage of 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, hay production, and crop land. Note that the agricultural operation may include recreational aspects such as hunting or fishing. Any additional commercial uses and their impact to the property should also be documented.

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 if there are notable uses, such as elk or deer winter range, sage grouse leks or bald eagle nests. Colorado Parks and 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 are not required to 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 should 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. Aerial Map;
3. Improvements Maps (include additional improvements maps for each building envelope that includes structures at the time of the conservation easement);
4. Environs Map (including public lands and other properties conserved with conservation easements);
5. USGS Topographic Map;
6. Vegetative Community Map;

7. Soils Maps;
8. Water Rights Map;
9. Relevant Habitat Maps;
10. Bibliography;
11. Qualifications of the Report Preparers.

V. Conservation Easements funded by the Natural Resource Conservation Service

The Natural Resource Conservation Service (NRCS) has Baseline Documentation Report Criteria that must be met for all NRCS funded transactions. They are attached to this document as Appendix 2.

VI. Final Notes:

In addition to the copy provided to the landowner, CCALT requires one hard copy of each Baseline for our records.

CCALT will require digital information be created as part of the Baseline, 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, fence lines, and rights of ways. Any additional GIS files created should also be given to CCALT.
- Copies of all original and unedited digital photographs used in the report.

Appendix 1
Sample Owner Acknowledgement Statement

EXHIBIT C
BASELINE INVENTORY REPORT ACKNOWLEDGMENT PAGE

I. OWNER ACKNOWLEDGEMENT STATEMENT

Please complete to satisfy Section 1.170A-14(g)(5)(i)(D) of the federal tax regulations and the Standards and Practices of the Land Trust Alliance.

Grantor: **[Grantor Name]**
 [Grantor Address]

Grantee: Colorado Cattlemen's Agricultural Land Trust
 PO Box 16088
 Denver, CO 80216

Property Description:

The Property consists of _____ acres of land in _____ County.

A baseline inventory report has been prepared by _____ and is dated
_____ (the "Baseline Inventory Report").

In compliance with Section 1.170-14(g)(5)(i)(D) of the Treasury Regulations, Grantor and Grantee agree that the Baseline Inventory Report is an accurate representation of the Property at the time of the conservation easement donation.

[Grantor Name] _____ Date _____

Grantee – _____, CCALT _____ Date _____

Appendix 2

NRCS Criteria

- A. Location map (on a USGS topographic map or county road map)
- B. Land use/land cover map (major land uses: cropland pasture, hay land, forest, rangeland, farmstead, buffers along streams, water bodies, sinkholes, and wetlands)
- C. Soils map and legend with prime, unique, and important soils designated
- D. National wetlands inventory map and legend (if applicable)
- E. Floodplain map (if applicable)
- F. Field crops grown and rotations
- G. Conservation practices (structural practices such as diversions, terraces, and grassed waterways and management practices such as conservation tillage, nutrient management, and integrated pest management)
- H. Hay crops grown and condition (for example, 75 percent stand of 70 percent timothy and 30 percent red clover)
- I. Pasture and condition (for example, 80 percent stand of 60 percent orchard grass and 40 percent white clover)
- J. Grassland or range species and condition (for example, switch grass, big bluestem, Indian rice grass in fair condition)
- K. Grasslands of special environmental significance description and location (if applicable)
- L. Forest species, average diameter and height (for example, 75 percent red oak and 25 percent shagbark hickory with an average diameter of 12 inches and an average height of 50 feet)
- M. Irrigation rights and volume of irrigation water rights to be retained for the easement;
- N. Critical nesting habitat for declining grassland bird populations or other designated critical habitat areas
- O. Special features for which the parcel is being protected, such as historical or archeological resources
- P. All physical structures, infrastructure and improvements, including but not limited to houses, barns, sheds, corrals, fences, ponds, watering facilities, and roads
- Q. Animal Inventory (for example, 100 mature dairy cows, 25 dairy heifers, and 25 female dairy calves)
- R. Animal Waste Storage and Handling (for example, one 100,000-gallon slurry storage for dairy manure applied to cropland, hay land, and pastures through a traveling gun irrigation system)
- S. Potential Problem Areas (concentrated flow areas, heavy use areas, pesticide mixing and storage areas, underground storage tanks, septic systems, wetlands, riparian areas, stream banks, shorelines)