

# Baseline Documentation Reports– Who, What, Why and When?

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NC Coastal Land Trust

## BDR's – Who Prepares?

- ▶ Grantor or Grantee (or consultants)
- ▶ IRS requirement if Grantor is seeking tax incentives.
- ▶ Recommend that Grantee prepare BDR
  - Allows Grantee to become familiar with property.
  - Can prepare it to your own specifications.



## BDR's – What Are They?

- ▶ An inventory of the human improvements and conservation values of the property at the time the easement is granted.
- ▶ Also, called EDR's or Baselines.



## BDR's – Why are They Necessary?

- ▶ Agreed upon baseline conditions of the property– Grantor and Grantee sign the report and/or a Property Certification Form.
- ▶ IRS requirement.
- ▶ The foundation for enforcement of conservation easement –vital evidence!



## BDR's –When Do They Need to Be Prepared?

- ▶ Prior to closing in order to get landowner signature(s).



## BDR Outline

- ▶ Cover page
- ▶ Qualifications of Preparer
- ▶ Introduction
  - Purpose of Easement
  - Property Background
  - Landowner Information
  - Directions to property
  - Legal Description



## BDR Outline

- ▶ Location and Physical Setting
- ▶ Scenic and Open Space Values
- ▶ Human Structures and Improvements
- ▶ Prior Land Use and Existing Land Use –
  - How was/is the land managed?



## BDR Outline

- ▶ Natural Features
  - Water Courses, Water Quality
  - Soils
  - Vegetative Communities
  - Wildlife
- ▶ T&E Species
- ▶ Natural Heritage Areas



## BDR Outline



### ▶ Appendices

- Copy of Survey
- Forest Management Plan or Soil Conservation Plan
- Forest stand maps
- Map of Human Improvements
- Soils Map
- Photodocumentation



## Photodocumentation is critical!

1. Make sure you take photos of all human improvements (roads, barns, accessory structures, homes, etc.) and conservation values (e.g., riparian areas, farmland).
2. Try to select photopoints that are replicable in the future (GPS the point).
3. Document time of day, camera, weather.
4. Keep good records; develop a record-keeping policy and a policy on handling of files.
5. Create a map of photopoints.



## Photopoint Map–Reid Farm



State Plane North Carolina, NAD 1983  
 2005 Aerial Imagery (2005)  
 The State of North Carolina and  
 the State of Virginia do not warrant or  
 are not responsible for and do not update the  
 accuracy, completeness, or currency of the  
 data. The information is provided  
 in order to the user with the information  
 provided to ensure the usability of the  
 information.

Map 3C: Aerial with Photopoints  
 Reid Farm  
 Perkins Lane/Pitts Chapel Road Tract-(Parcel 2)  
 Pasquotank, Co. NC  
 Aerial 2005



## BDR's –When to Update

- ▶ First, need annual monitoring of Easement.
- ▶ Update pictures and BDR content, if you note a change(s) in property conditions.
- ▶ Try to obtain landowner signature(s) on update.
- ▶ Take new photos of any potential violation.



## BDR Case Studies

- ▶ Jubilee Farm – Chowan County
  - Prepared by a consulting firm hired by Grantor
- ▶ Rayburn Farm Phase II – Perquimans County
  - Prepared by NCCLT staff

NCCLT staff photo



Jubilee Farm

Photo by John Derrick

Rayburn Farm

