

May 10 – 2021 Conservation Commission

Conservation Land Monitoring Report Examples

Purpose

- It satisfies the easement holder's legal obligation to steward the easement.
- It also provides a regular record of activity and changes on a property over time, which may provide important information in the future.
- An annual visit can also help maintain a positive relationship with the landowner, and provides an opportunity for questions and continued communication between the easement holder and landowner.
- Perhaps most importantly, annual monitoring is the most effective way to prevent easement violations. Legal enforcement of easements can be costly and time consuming. Preventing violations or catching them early can be critical to maintaining the integrity of the land and the easement itself.

Conservation Easement Monitoring Materials

- **Conservation Easement Deed**

- Preamble describing the conservation purposes
- Use limitations
- Reserved uses and rights
- Affirmative rights of the easement holder
- Administrative provisions

- **Survey Map of Property**

- **Landowner Contact information**

- **Aerial Imagery (if possible)**

- **Baseline Documentation**

- Prior reports and surveys
- Building sketches
- Easement documents
- Appraisals
- Board approval minutes

- **Conservation Easement Form**

Suggested Supplies

Paperwork and Recording

- Copy of easement deed
- Aerial photos
- Baseline documents, maps, photos of markers, etc.
- Previous monitoring reports
- Monitoring form
- Camera (or phone with camera)
- Notepad/clipboard
- Pencils

Navigation and Boundaries

- Compass
- GPS (or phone with GPS)
- Flagging tape
- Appropriate signage (land trust or town signs)*
- Hammer and aluminum nails*
- Field tape measure*

Personal

- Drinking water and snack
- Appropriate clothing and footwear for terrain and weather
- Sunscreen
- Protection from insects
- First aid kit
- Cell phone with fully charged battery
- Field guides*
- Binoculars*

*recommended but not required

Procedures - A monitoring report form should include

- Identification of the specific conservation easement being monitored
- Date of the inspection
- Identification of the monitor
- Observations relative to the restrictions, reserved rights and conservation values recorded during the inspection
- Monitor's affiliation, address and signature
- Property owner and location
- Information to substantiate the specific monitoring visit, such as:
 - Description of the area that was observed during the inspection (such as the entire property, eastern boundaries and south road and so forth)
 - Information that helps substantiate the monitor's observations (including substantiation of "no change observed")
 - Observation of the conditions and context of the inspection (such as weather or ground conditions, routes of travel, means of travel and so forth)
 - Boundaries or other areas that are vulnerable to encroachment
 - Roads and other access ways
 - New trails or access points
 - Flagging tape
 - Areas of recent activity permitted by the easement
 - Signs of disturbance (for example, excavation, vegetation distress, dumping, tree felling)
 - Indicators of property conditions (for example, erosion, residual dry matter, invasive species, water quality)
 - Activity in or around building areas (existing or reserved), if applicable
 - Areas heavily used by landowners or by the public
 - Streambanks and lakeshores, if restricted by the easement

Sample Form #1

Annual Monitoring Inspection Report ~ Date: ___/___/___

Town:
Grantor / Acres: / acres
Fee (F) or Easement (E):
Local Property Name:
Tax Map / Lot:

___ *Check here if ownership has transferred from owner listed below, provide new landowner information, and include: Transfer Date: _____ Book / Page: _____*

Current Owner:
Mailing Address:
Town: State: Zip Code:
E-mail Address:
Phone Number:

Landowner Communications

It is highly recommended that you communicate with the landowner, annually.

Did you **communicate** with the landowner or land manager?

Yes ___ / Date: _____ or NO ___

Is there a **management plan** for the property?

Yes ___ / Date of plan: _____ or NO ___

Describe any landowner and/or municipality communications regarding **any changes** noted from the past year, **any changes considered** in the coming year, and **level of confidence there are no encroachments** along any of the bounds. Include any and all other information you think could be valuable.

Describe any communications and / or actions in the past year regarding **concerns, interpretations, or violations**. Attach pertinent written documentation and communications if available.

Monitoring Inspection Description

Provide a detailed description of where you walked and what you observed.
List man-made alterations and management activities (conducted or planned) noting extent, location, and purpose. Examples include: construction, trails, timber harvest, clearing new fields, etc. Please note if management activities being conducted are in accordance with a current Stewardship / Forest Management Plan. List natural alterations / occurrences - Examples: erosion, fire, ice, invasive species, flora / fauna, etc. Note locations and attach maps, photos, illustrations, etc. List all people in attendance.

* Attached to this report are: ___ GPS Track ___ Sketch Yes Photos ___ Other (please list)

People in Attendance:

Date Monitored:

To the best of your knowledge, judgment, and observation, is there compliance?

___ Yes / ___ No or Uncertain (please explain):

Report prepared by:

Please file this report in a secure location, provide a copy to the Selectmen, and send a copy to:

Amanda.Hollenbeck@osi.nh.gov
Conservation Land Stewardship Program
Office of Strategic Initiatives
107 Pleasant Street, Johnson Hall
Concord, NH 03301
603-271-6809

Sample Form #2

Volunteer Conservation Easement Monitoring Form

CONSERVATION EASEMENT NAME: _____

Property Location (address, town): _____

CONTACT INFORMATION

Landowner/manager: _____ Volunteer monitor name: _____

Landowner/manager mailing address: _____ Volunteer monitor address: _____

phone: _____ phone: _____

e-mail: _____ e-mail: _____

SITE VISIT DETAILS

Date of Site Visit: _____

Weather and ground conditions at time of visit: _____

Reviewed conservation easement deed before visit?

Yes No

Contacted landowner/manager before visit?

Yes No

Met with landowner/manager during visit?

Yes No

Landowner/manager participated in site walk?

Yes No

Others present during site walk: _____

AREA WALKED

Walked boundaries: All Some None N/A

% of boundary walked: _____

Walked trails/woods roads: All Some None N/A

Walked interior: All Some None N/A

BOUNDARY CLARITY, ISSUES, AND POSTING

LINES:

Well defined Need improvement Not defined

CORNERS:

Well defined Need Improvement Not defined

LAND TRUST SIGNS:

Well defined Need Improvement Not defined

Describe the boundary condition including status of flagging/blazing, presence of conservation easement signs, posting against uses and any other issues found: _____

OBSERVATIONS AND QUESTIONS

Provide a detailed narrative of your visit (include description of specific areas or route inspected and summary of communication with the landowner/manager):

Did you observe evidence of any major natural alterations (flooding, fire, blowdowns, other)?

Yes No Describe: _____

Did you observe any evidence of human-caused alterations (new structures, trails, dredged ponds, agricultural use, timber harvest, trash dumping, soil erosion, signs, etc)?

Yes No Describe: _____

Did you observe or learn of any third party activities or plans (such as abutters, town, public users) that affect or have potential to affect the property?

Yes No Describe: _____

I have completed this Monitoring Field Form based on my personal site visit observations.

Signed _____ Date _____

Thank you very much for your work! Please estimate the support you have donated for this visit:

Field Time (hours): _____ Total Time (hours): _____ Mileage (round trip, miles): _____ Other: _____

Reviewed by _____ Date _____

Is there anything staff/officials should double-check or consider further, in the event that it might apply to the conservation easement? :

Yes No Describe: _____

Any additional observations (such as significant ecological features, recommendations for next visit)?

Does the landowner have any questions or concerns?

List questions and your responses.

Monitoring Field Map: Note directly on paper map the route walked, boundaries found/not found, natural and manmade changes, photos taken (photo number & orientation). Provide key for any symbols. Be sure notations are legible and reproducible by photocopier. Sign and date the map.

Photos: Include a print-out of photos numbered with date, time, and note of subject.

Sample Report - Amherst

2011 Annual Monitoring Inspection Report - Land Conservation Investment Program -

Town: Amherst
 Grantor / Acres: Arnold / 88.9 + 30.1 = 119 (both tracts reported)
 (ACC does not distinguish between the two lots)
 Fee (F) or Easement (CE): F
 Local Property Name: Joe English / Arnold Land
 Tax Map / Lot:

Current Owner: * Please fill in NEW or CHANGED landowner information *

Name: Office Of The Selectmen
 Address:
 Town: State: Zip:

Phone Day: Cell:
 Phone Eve:
 E-Mail:

For new landowner: Date of Transfer: _____ Book / Page: _____

*** Date of Monitoring Inspection: 10/26/11. (last)

Monitoring Checklist:

- Reviewed deed/stewardship plan Yes No
- Met owner/property manager Yes No NA
- Walked boundaries Yes No %
- Walked interior All Some None
- Walked trails/woods/roads All Some None N/A
- Walked road frontage All Some None N/A
- Walked outlot/developed area All Some None N/A

Condition of Boundaries: Good Fair Poor

Are you aware of plans that may affect property? Yes (Please explain) No

Which activities/changes have taken place since the last monitoring? Please explain.

ATV use Agriculture Field Maintenance Boundary Maintenance
 Trail Work Subdivision Abutting lands activity Other (please describe)
 Timber harvest / land clearing *Is harvest according to a current management plan?* _____

>

Please provide a detailed description of the monitoring inspection (including attendees) particularly where you walked, and / or include your GPS track.

> Figure 1 shows tour of 26 October 11; previous activities covered trails to the west of junctions shown. Arrows indicate route traversing Hemlock and portion of Bicentennial Trails. Figure 2 shows part of bog bridging on Hammond Brook Trail where planks have been replaced this year. Figure 3 shows Hemlock Trail bridge across Hammond Brook, which has been rebuilt over the past month (partly by a high school service crew).

Because trails are the most important (and labor-intensive) feature of the Reservation, monitoring focuses on trail condition and required improvements. This inspection tour discovered unreported deadfalls at two places indicated on Figure 1; also missing treads from the Hammond Brook bridge on Bicentennial Trail. ACC will provide repairs at earliest opportunity, probably within a month.

Note the proposed Pestle Mill Trail, a flagged route across the adjacent Hammond land, on which ACC has committed to funding a Conservation Easement. Final routing of that trail will depend on resolution of conflicting requirements of intended equestrian trails yet to be planned.

The invasion of this parcel by Hemlock Woolly Adelgid has drawn the attention of Jen Weimer, Forest Health Specialist at NH Division of Forests & Lands, who has been monitoring the spread of the infestation and has introduced laricobius beetles to counter its advance. She proposes to establish three test plots on this land to continue active research on this topic.

To the best of your knowledge, judgment, and observation, are the conservation purposes being adhered to? If "PENDING" or "NO" please explain, and contact CLS if we can be of assistance.

OK no violation observed PENDING, further evaluation NO

Submitted by: WM Wichman, ACC

Date: 10/27/11

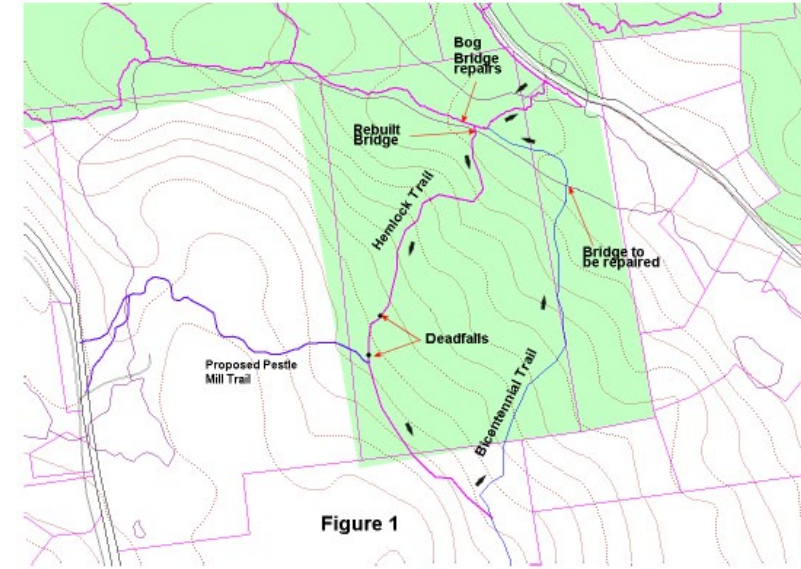


Figure 1



Figure 2



Figure 3

Additional Sample Reports

- Links to sample reports for Amherst, Barrington, Hollis, Mason and New Boston can be found at the link here
 - <https://www.nh.gov/osi/planning/programs/clsp/resources.htm>

Additional Resources

- Following are useful resources for additional research
- <https://www.nh.gov/osi/planning/programs/clsp/index.htm>
- https://extension.unh.edu/resources/files/Resource005965_Rep8368.pdf
- <https://naturegroupie.org/training-guides/how-monitor-conservation-easements-training-guide>
- https://gatheringwaters.org/sites/default/files/practice-element-11C2_2017_SPs.pdf