

RECORD KEEPING

Conservation easements are a tool which communities use to protect their scenic qualities and important natural, recreational and historic resources. Up to date records and databases will ensure that this important information is available so that others know where and what kind of resources are being protected. This will allow knowledgeable land use decisions to be made regarding open space and conservation issues in the town or city as a whole. There are two very important reasons for keeping diligent, accurate and standardized records concerning conservation easements. These are the ability to pass information within and without an organization, and the ability to defend the easement in a court of law if any violations occur that cannot be settled otherwise. All information concerning an easement's history should be easily passed from one person to another. This ensures that stewardship responsibilities of each easement can continue when there are personnel changes. It is also important that information be easily shared with other land trusts, government agencies and the public.

Stewardship of a conservation easement begins the moment the paper work has been signed. This also begins the formal record keeping process. Records that should be kept include all baseline documentation; any contact regarding any aspect of the easement; be it oral or written, between the grantor and grantee; all findings collected during monitoring visits; and any documentation regarding decisions made or explanations of easement terms or actions taken regarding amendment requests.⁶ Records keeping for stewarding tasks that are done repeatedly, such as baseline reports and monitoring inspections, should be kept on standardized forms. This will help guarantee consistent important data is gathered in the present and in the future.

All records kept on a conservation easement may some day impact decisions made on how a potential easement violation is handled. If accurate and complete records are kept, it may help deter costly legal proceedings. If legal proceedings become necessary, then records that have been kept become very important in any decisions that are rendered. For these reasons it is crucial that all records are signed and dated, including any photographs. For ease of photographic comparison, it is also a good idea to label the location and orientation of where the photograph was taken, and in what direction. They should be kept on archival quality material and copies, including computer backups, should be kept in a safe place.⁶

A database, whether or not you have access to a computer for data collection, should contain important information concerning each of your conservation easements. It should always include the easements grantor; the grantee; any subsequent owners; its current owner; date of sale for each transaction; the volume and page number as listed in the land records of the municipality; street address; the map, block and lot number as shown on the town or city tax assessor's map, for each lot associated with each conservation easement; total acreage; date of each monitoring visit; the name of the monitor; method of monitoring (aerial or personal visit); and the date of planned visits for the future. Any other data needed or collected during the monitoring process unique to each easement should also be kept.

Keeping records and databases up to date and complete will facilitate the flow of information regarding conservation easements. Many government and private organizations now use GIS (Geographic Information Systems) to collect, map, and analyze information. Even if your organization does not have access to a computer or a GIS at this time, the keeping of a complete database as suggested above will enable other organizations or agencies that collect such information to include your data in their database. In turn, it will allow your organization, department or agency to easily incorporate others' information into your database. This is especially useful for long term planning purposes, such as when trying to work with other organizations, to preserve large areas of habitat or protect water quality within a single watershed. Data content and its ability to be shared with others are key issues when designing your record keeping process.
