

Environmental Property Reports - A Commentary

By G.K. Allred, A.L.S., C.L.S.

(Accountants) "face an unprecedented opportunity and challenge to respond to significant emerging needs and expectations arising from concerns to protect the environment for future generations."

Ann Davis, C.A.

Just like accountants, the concern for the environment offers a multitude of opportunities for land surveyors. Surveyors have always been close to the land but, like most people, have taken the environment for granted. But who is more qualified than the land surveyor to be conducting some of the environmental assessments, audits, or other studies required prior to virtually all new development these days?

A U.S. bank executive was recently quoted in the *Financial Post* as stating:

"Canadian lenders should require environmental audits just as they now require appraisals when dealing with real estate."

Surveyors have contributed significantly to assure lenders and owners concerned with marketable title in the field of real estate transactions. I propose that land surveyors should provide *Environmental Property Reports* similar to a real property report but obviously adapted to provide an opinion as to whether a parcel of real estate may have been subjected to any environmentally hazardous activity, which could subject the prospective new owner or lender to liability for cleanup costs, etc.

The surveyor has a wealth of information at his fingertips; survey plans, title searches, field notes, an enquiring mind, and the ability to

perform methodical surveys to locate subsurface structures. In his practice, he is accustomed to interviewing land-owners to determine historical evidence. If he has practiced in one area for a lengthy period he has likely been on the site, or knows a colleague who has been.

The sceptics will say, *"It's too risky; the liability is too great."*

Liability is what life is all about and environmental concerns bring that to the forefront. Purchasers and developers are cautious. They do not want to assume liability for something they have no knowledge about, but they are prepared to take the risks if they can be reasonably reassured that their investment is not unnecessarily subject of unknown quantities.

Environmental audits often run between \$2,000 and \$25,000. Certainly for that fee, a surveyor can do sufficient research, both documentary and in the field, to render a professional opinion on the history of the parcel and its potential for environmental contamination, and still sleep at night.

Many surveyors have access to the old Canadian Underwriters Association fire insurance maps. These maps, prepared for the CUA in the first half of the century, contain valuable information on the location of fire hydrants, underground storage tanks, and even the location of

coal piles and oil drum storage facilities. These maps contain valuable historical information as to the location of *"buried treasures."*

Alberta Environmental Protection Services has set up a computerized depository of underground storage tanks. There is not much questions that it will be soon become mandatory to record the exact location of new underground storage tanks. As the Alberta Land Surveyors' Association has often proclaimed:

"Before you bury it, survey it!"

Certainly a case can be made to file a standard Real Property Report as part of the record for the UST repository.

The land information era has been the domain of the land surveyor for centuries, yet he has usually been the last person to realize he is in the land information business and certainly the last to capitalize on it. The financial and development industry is crying for reliable information on the environmental history of land parcels and the land surveyor has the resources at his fingertips to provide it.

Land surveyors *"face an unprecedented opportunity and challenge to respond to significant emerging needs and expectations arising from concerns to protect the environment for future generations."*

Go for it!



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Ken Allred, former Executive Director of the Alberta Land Surveyors' Association, has served as Secretary, Treasurer and President of the CCLS and currently serves as Chairman of the CCLS Professional Liability Insurance Committee. Mr. Allred has been employed in the public and private sector as well as being adjunct professor in Geography at the University of Alberta.