



Access Fund Photo

CLIMBING ON YOUR LAND

RISK MANAGEMENT & CONSERVATION SUPPORT



Protect America's Climbing

ABOUT CLIMBING

More than 6 million Americans participate in rock and ice climbing each year, thanks to the climbing-friendly management of thousands of private and public landowners. Climbing areas are found on federal, state, county, city, and private lands across the country. Formerly an activity for the adventurous few, climbing has exploded in popularity and is now a mainstream sport enjoyed by millions of Americans. Climbing makes its debut in the 2020 Olympics, and its popularity is expected to continue growing.

BENEFITS OF CLIMBING

A growing body of research shows that climbing is good for health and physical fitness, as well as local economies. Climbing is great cardiovascular exercise that helps participants build endurance and strengthen muscles, both shown to prevent chronic illnesses. It also gets people outside, into nature, which has been shown to improve emotional well-being.

While iconic climbing destinations like Yosemite National Park get a lot of media attention, the majority of climbers across America visit close-to-home backyard crags. Many of these cliffs and boulders are located in rural areas—places where the economic boost outdoor tourism creates could make a big difference to the local economy. In fact, research shows that climbing is making a substantial economic contribution in some of the most economically depressed areas of the country, which once relied on coal and timber. Wherever climbing areas are located—whether they're in rural, suburban, or urban areas—they provide substantial health and economic benefits.

The climbing community also has a strong conservation ethic, represented nationally by Access Fund and supported locally by hundreds of volunteer-led local climbing organizations across the country. Climbers view themselves as stewards of the lands on which they climb.

If considering a sale, the value must also match up with the local community's ability to fundraise among climbers, funding partners, and grant sources. For time-sensitive needs, Access Fund may consider direct acquisition and short-term ownership as an accredited land trust when there are no local, qualified partners ready and capable of serving in

this immediate role. Access Fund's long-term goal is to help manage initial fundraising and stewardship improvements, and then transfer the property to a climbing-friendly local climbing organization, land trust, or public entity for permanent protection.

ABOUT ACCESS FUND

Access Fund is the leading nonprofit climbing advocacy organization working to protect and steward America's climbing areas. We work with climbers and landowners—both private and public—across the country to open and conserve land valued by the climbing community. Access Fund's goal is to help landowners steward their property and mitigate both the real and perceived risks of climbing, giving them the confidence and protections to open their land to public access and leave a legacy of conservation. Since 1991, Access Fund has partnered with landowners and local nonprofits to protect and open over 100 properties across the country through conservation easements, leases, access agreements, and acquisitions.

An accredited land trust, Access Fund has been awarded the distinguished seal of the national Land Trust Accreditation Commission. We must meet national standards for excellence, working to uphold the public trust and ensure that conservation efforts are permanent. Access Fund is proud to champion conservation efforts by local communities and to act as caretaker for their treasured lands, making sure they are safeguarded for future generations.

This information is provided for general education; Access Fund is not providing legal advice. Laws vary from state to state and change regularly. Interested parties should always seek qualified legal counsel by consulting their own private counsel in their local jurisdictions.





New York landowner Ellen Wood worked with Access Fund to donate an 18-acre parcel with high-quality bouldering enjoyed by local climbers. Access Fund facilitated transfer of the property to the New York Department of Environmental Conservation for permanent protection.

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OUR PARTNERSHIP APPROACH

Access Fund works with a wide range of partners in land conservation efforts, including family estates, timber companies, mining companies, land trusts, local climbing organizations, city and state municipalities, and many others. Our goal is to protect both you and your land, and we provide a library of resources to help you confidently open your property to the people who will appreciate it the most. As the country's largest climbing conservation organization, Access Fund can help customize and maintain the best agreement and stewardship plan for your specific situation. While Access Fund is a national organization, we have a vast network of qualified affiliate local climbing organizations and land trusts across the country that help provide local support.

"I have always marveled at the size and features of these magnificent glacial erratics. While not a climber myself, walking among the boulders you could just see their value for the local recreational community, and it was eye-opening," says landowner Ellen Wood. "Here was a user group that could steward the land, and I'm glad to know the property will be preserved."

LIMITING RISKS OF PUBLIC ACCESS

When you hear the term "rock climbing," you may imagine scenes from "Cliffhanger," but the reality is much tamer. Millions of Americans safely enjoy outdoor rock climbing each year, and the perception of risk associated with climbing is often overstated and misunderstood. For landowners, risk is easily managed if you use the right tools. Let's review them.

RECREATIONAL USE STATUTES: STATE LAWS THAT PROTECT YOU

Recreational use statutes are laws designed to encourage private landowners to open their properties for recreational access by limiting their liability in the event of an accident. All 50 states have recreational use statutes, though they vary in their degree of liability protection. Some states—including Alabama, Colorado, Maine, Minnesota, New Hampshire, Tennessee, Texas, Vermont, Virginia, Washington, West Virginia, and Wisconsin—specifically list climbing in their recreational use statute, providing improved liability protection for climbing. Other states have a nonexclusive list of recreational activities with the phrase "such as but not limited to." In most cases, public access must be free of charge in order for the landowner to enjoy protections under the statute. Access Fund actively works to strengthen protections for climbing under state recreational use statutes.

SIGNAGE: EDUCATION AND LIABILITY PROTECTION

Every landowner who allows the public onto their land needs to evaluate the degrees of liability and their level of risk tolerance. If you choose to charge for access, a landowner assumes a certain "duty of care" to those entering the property. If you don't charge for access, duty of care is low. Posting signs is one effective way to make these limitations explicit and help mitigate landowner risks by describing possible dangers on the property, such as loose rock or other natural hazards that might not be readily apparent to the public. The goal of such signage is to educate visitors about entering at their own risk and prevent accidents, which in turn reduces your liability as a landowner. These signs can also educate climbers about important rules and leave no trace ethics to follow and practice. Access Fund is happy to partner with landowners to design and install signs.

TEMPORARY RECREATIONAL LEASES & ACCESS AGREEMENTS

Recreational leases and access agreements are both options that relieve landowners of some liability by sharing it with a partner organization—in this case, a local climbing organization or Access Fund. The partner organization assumes a certain level of responsibility for managing climbing, and climbing is only allowed subject to the lease/agreement, which the partner is responsible for carrying out.

A recreational lease is a written agreement between a landowner and an organization outlining certain uses of the land, for a defined period of time. Recreational leases can help landowners gain more control over their land, encouraging appropriate recreational use and discouraging other forms. Annual lease payments are common, providing a financial benefit to the landowner.

An access agreement is a written agreement and partnership between a landowner and a local climbing organization and/or Access Fund. It typically includes risk management strategies, public access requirements (such as day-use only), and stewardship support. These agreements are generally temporary and can be either terminated or renewed for future years.

INSURANCE

Landowners may consider insurance coverage as another tool to address the potential liability of permitting public access for recreation. If you choose to enter into a recreational lease or access agreement with Access Fund or a local climbing organization (as outlined above), a certificate of insurance can provide additional insured status. A general liability insurance policy of \$1 million per occurrence and \$2 million aggregate is the standard coverage for all parties in an agreement. Each entity is encouraged to have its own insurance coverage and to review what is and isn't covered in each policy. Access Fund works with landowners to find the most appropriate insurance and access agreement options.



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WEST VIRGINIA HOUSING DEVELOPER PARTNERS WITH CLIMBERS ON ACCESS AGREEMENT

Wild Rock West Virginia, a growing housing community perched atop the New River Gorge, partnered with Access Fund and New River Alliance of Climbers (NRAC) on an access agreement to provide parking and trail access across its property to reach Bubba City, one of the most popular climbing areas in the New River Gorge.

“We view sustainability not only in terms of light-touch building and living practices, but also in how we are partnering with our neighbors to promote access to the outdoors,” says Carl Frischkorn, founder of Wild Rock West Virginia. “We are proud to partner with NRAC and Access Fund to help ensure that visiting and local climbers have unfettered paths to Bubba City.”

PERMANENT SALE AND EASEMENTS

If you're a landowner who is looking for a more permanent conservation strategy for your property, you may consider either a conservation and recreation easement or a permanent sale or donation to a qualified land trust, local climbing organization, or public entity. You may be eligible for federal deductions and/or state tax credits for donating land or recording a conservation and recreation easement. These are benefits that you should explore with your accountant and attorney. Access Fund and our network of affiliated organizations have worked with dozens of landowners to permanently protect recreation and conservation values through easements and direct acquisition.

CONSERVATION AND RECREATION EASEMENTS

If you prefer to maintain ownership of the land, or transfer it sometime in the future, a conservation and recreation easement is a good option to permanently protect the land's natural and open space values while allowing compatible, low-impact forms of outdoor recreation like climbing. An easement can also be tailored to permit other uses—such as timber harvest, agriculture, or limited residential use—while setting requirements and designating certain areas for public access and climbing. Access Fund holds and maintains easements on a number of properties across the country to ensure long-term conservation and access, and we'd be happy to explore this option with you.

SALE, DONATION, TRANSFER

If your primary interest is to transfer ownership of your property, Access Fund can work with you to outline the process of selling, donating, or facilitating transfer to another landowner for long-term protection and public access. Whether you're considering a sale or donation, an appraisal by a qualified third party is the best method for determining fair market value.



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ILLINOIS LANDOWNERS PARTNER WITH CLIMBERS TO PERMANENTLY PROTECT BOULDER FIELD

The Tripp family farmstead in Southern Illinois was home to a large boulder field, highly valued by local climbers who discovered the area in 2003. The Tripps allowed climbing on their land and partnered with local climbers to care for the boulder field, known as the "Holy Boulders". In 2012, the family decided to sell their family property. After years of positive relationships with local climbers, the Tripps agreed to sell their home of 50 years to Access Fund, which purchased the property using funds from its Climbing Conservation Loan Program. Access Fund worked with local climbers to steward the land, and eventually transferred the property to Illinois Climbers Association for long-term protection. This multi-phased conservation initiative is an excellent example of private landowners and climbers working together to permanently protect a valued recreation resource.

PARTNERS IN STEWARDSHIP AND MANAGEMENT

Access Fund is committed to stewarding your land and promoting sustainable, low-impact climbing access. We have professional conservation crews who travel the country helping landowners and local communities care for climbing areas. These Access Fund-Jeep Conservation Team crews are experts in building and maintaining sustainable climbing areas—from parking lots to trail design and build, reinforcing staging areas, removing graffiti, advising on human waste management, and dozens of other conservation initiatives. We also have a network of hundreds of volunteer local climbing organizations around the country who are ready to support stewardship initiatives. When you work with Access Fund, our crews and volunteers are part of the deal. We commit to partnering with you in the long-term sustainability of your land.



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CLIMBER EDUCATION

Access Fund promotes a strong ethic of responsibility and minimum impact within the climbing community. We ask all climbers to sign The Climber's Pact, a promise that they will respect the land on which they climb.

THE CLIMBER'S PACT

- Respect regulations and closures.
- Be considerate of other users.
- Park and camp in designated areas.
- Dispose of human waste properly.
- Stay on trails whenever possible.
- Place gear and pads on durable surfaces.
- Respect wildlife, sensitive plants, soils, and cultural resources.
- Clean up chalk and tick marks.
- Minimize group size and noise.
- Pack out all trash, crash pads, and gear.
- Learn the local ethics for the places you climb.
- Use, install, and replace bolts and fixed anchors responsibly.
- Be an upstander, not a bystander.

COSTS AND FUNDING SUPPORT

Opening your land to climbing should cost you little to nothing. Access Fund works with its network of affiliate local climbing organizations to fundraise and cover the costs for climbing access and conservation projects. Access Fund has 30 years of fundraising experience and, depending on the project, we work to fundraise within the local climbing community, secure grants, and/or obtain public funding (such as the Land and Water Conservation Fund).

Access Fund also has its own revolving loan fund—the Climbing Conservation Loan Program—to secure and protect climbing areas through permanent acquisition and easements. We lend funds to qualified affiliate local climbing organizations and climbing-friendly land trusts to purchase land or easements, and the loans are paid back into the revolving fund for future land purchases. We also have our own Climbing Conservation Grant Program to fund conservation and access projects.

Access Fund commits to helping local communities and landowners secure funding for climbing access and land conservation projects. We welcome partnership requests from landowners so that together, we can protect climbing resources.

LET'S CONNECT

Together with local climbing organizations, Access Fund can help landowners and managers with viable options for public access that mitigate risk and liability. Contact us to discuss partnership opportunities.



Protect America's Climbing

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