



Land Trust Property Use Protocol

Created June, 2015 Updated: May, 2016

Guiding Philosophy:

The Crested Butte Land Trust (the Land Trust) is a private, non-profit corporation that owns and manages land to provide ecological, social and economic benefits in the Gunnison Valley. Preserving and restoring natural areas provides both direct and indirect benefits to the public. Lands owned by the Land Trust safeguard important community amenities, such as hiking, bicycling and Nordic trails, and scenic views. Protected lands also provide important ecosystem services including water purification, flood control, erosion control, and spiritual renewal. Lands are also managed to promote the sustainability of Gunnison Valley's ranching heritage, and safeguard habitat for wildlife.

The Land Trust is obligated to ensure that the diversity of uses on Land Trust lands are compatible with the character and natural resource values of the landscape. As recreational demands escalate in Crested Butte, protected lands will be under increasing pressure to serve more needs and uses. Therefore, proposed new or expanded uses must be carefully scrutinized, justified and assessed for their impact. Recognizing that ecological management and public use of natural areas can sometimes be in conflict, the Land Trust hereby outlines the protocol for reviewing new and expanded uses on conserved lands. The protocol will offer the Land Trust a stream-lined process through which it can respond to use requests reasonably and equitably. This protocol is applicable only to lands the Land Trust owns in fee title. However, it may be used as a guideline for landowners who have encumbered their land with a conservation agreement.

General Criteria for Use

Use of Crested Butte Land Trust lands and waters are generally appropriate if they meet **all** of the following criteria:

1. They are within the mission, goals and objectives of the Crested Butte Land Trust.
2. They are compatible with the overall management plan objectives for the particular parcel(s) in question.
3. They do not permanently exclude, eliminate, degrade or conflict with other established and accepted public uses of an area.
4. They protect or avoid impact to critical natural resources or resource values.
5. They are not specifically prohibited by law, rule or regulation.

Preserving the present for the future

P.O. Box 2224 Crested Butte, Colorado 81224 970-349-1206 cblandtrust.org



6. They are not specifically prohibited by conservation easement, if encumbered.

When Permission is Needed

A. Special Events or Short Term Activities.

Some activities and events, while legally and environmentally permissible, and in compliance with 1-6 above, may affect natural resources, or exclude other public uses for varying periods of time. Any event, or short term expanded or new use may be conducted only with prior written permission from the Land Trust.

Generally, written permission is requested when the use is:

1. Organized or publicized,
2. Involves a fee (charge to participants),
3. A new or expanded use,
4. Likely to, or may, conflict with other established, traditional uses, such as hiking, bicycling, cross-country skiing, wildlife habitat, agriculture and scientific research.

Written permission is not transferable, and will include a description of the permitted use, all imposed conditions, and guidelines.

B. Longer-Term Activities

A formal written lease may be entered into with the Land Trust for certain longer-term activities that may allow the user some interest in the land but does not transfer contractual, vested, or property rights. The proposed use will not permanently exclude all other public uses of the land.

Process to Request Permission

Any individual or organization seeking a new or expanded use shall file a request in writing stating a description of the use or expansion being requested, a written description or a map of the property showing the areas affected by the proposed use, and other pertinent documentation.

Depending upon the complexity of the request, the Land Trust may require a deposit of \$1,000 to cover Land Trust costs, including staff time and direct costs, for reviewing the request, whether or not permission is granted. In addition, the applicant may be responsible for providing information and reports necessary to determine the feasibility and environmental impacts of its proposal, compliance with applicable laws and regulations, and terms and conditions to be included in the authorization. Any unexpended portion of the \$1,000 deposit shall be refunded. Likewise, the organization may be responsible for costs exceeding the initial fee. The Land Trust may request a contribution to its Stewardship Fund if the nature of the use will increase the Land Trust's stewardship responsibilities.

The new or expanded use request will be reviewed by the Land Trust for consistency with regard to the conservation easement deed, related documentation, and the features of the

land. This review may include a site visit, contacting funding sources or donors of the land if applicable, and contacting surrounding neighbors. The Land Trust may determine that an impact deposit is also necessary, in an amount reasonable to the size and planned activities of the event. In all cases, however, the Land Trust shall have no obligation to confer with third parties, and, if it does, any third party opinions about the propriety of granting or denying a special or expanded use request shall be advisory only. The Land Trust retains exclusive authority to grant or deny special or expanded use requests.

The Land Trust may approve or deny a request for a new use at its discretion. Consideration will not occur between December 15 and January 15. All considerations will be taken up as schedules of Land Trust staff allow, which may take up to 90 days. The Land Trust may approve, approve with modification, or reject the request for a special or expanded use. There shall be thorough documentation of all decisions and supporting information including updating Management Plans, and opinions of other organizations involved in the decision, as appropriate. All new or expanded uses that are approved by the Land Trust must be made in writing, and signed by both parties.

Any organization that provides hikes, tours, workshops, etc., is requested to contribute to the Land Trust so that it can continue to preserve additional land, water and trails, and care for the land and trails it currently owns. A guideline for contributions is outlined based on the operating expenses of the organization, as follows:

<u>Operating Budget</u>	<u>Suggested Contribution</u>
Under \$10,000	\$120 per year or \$10 per month
\$10,000-\$50,000	\$200 per year or \$17 per month
\$50,001-\$100,000	\$300 per year or \$25 per month
\$100,001 - \$300,000	\$500 per year or \$42 per month
\$300,001-\$500,000	\$850 per year or \$71 per month
\$500,001-\$1,000,000	\$1,200 per year or \$100 per month
\$1,000,000 or more	\$1,500 per year or \$125 per month

Any organization that provides hikes, tours, workshops, etc., for which a fee is charged to clients, shall include in its written materials a statement that “No part of the fee for this activity is being paid to CBLT; CBLT is permitting the described activity to occur on CBLT lands free of charge”.