Vision Statement

The Access Fund is the national advocacy organization that keeps U.S. climbing areas open and conserves the climbing environment. Founded in 1990, the Access Fund supports and represents over 1.6 million climbers nationwide in all forms of climbing: rock, ice, mountaineering, and bouldering. Five core programs support the mission on national and local levels: climbing management policy, local support & mobilization, stewardship & conservation, land acquisition & protection, and education.

Under this organizational vision, the Access Fund set out on an exciting and innovative opportunity to preserve this special corner of American climbing. In partnership with three local partners, Neil Bradford, Randal Taylor, and Richard Smith, the Access Fund acquired three parcels in Unaweep Canyon in 1991 to conserve this unique climbing area and keep it open to public, passive recreation for generations to come. *Unaweep Canyon is climber-owned and managed.* Unaweep Canyon is an important local resource in the Grand Junction area of Western Colorado. The property gives climbers access to a line up of long, steep granite climbs in an area troubled by difficult access. While off the beaten track, the area sees more than 2,000 user days year-round. Not only is Unaweep a great area to climb in, but it provides a major attraction along the Unaweep/Tabeguache Scenic and Historic Byway along CO-141.

This land management plan (LMP) outlines the unique characteristics of the property and the Access Fund’s commitment to maintaining the site’s ecological and recreational values. This LMP is part of our effort to follow the guidelines set out in Standard 12 of the Land Trust Standards and Practices (*Exhibit D*) to implement a “program of responsible stewardship for the land it holds in fee for conservation purposes.” While a future transfer of the property to a climbing-friendly public entity is periodically evaluated, this LMP assumes ownership and stewardship into perpetuity.

Interactive Map

A land management plan is not simply a static document; it is a *working* document designed to assist the Access Fund staff, board, volunteers, and climbers in long-term management of the climbing area. With this in mind, Google Earth has been used to create an interactive aerial map of the property boundaries and trails. This map can be improved to illustrate social trails, erosion, and invasive species. The aerial map below, overview map (*Exhibit A*) and survey map (*Exhibit B*) are added to the LMP for reference, but please refer to the interactive map and update it appropriately.
Location

Located 24 miles south of Grand Junction near the Utah Border, Unaweep Canyon carves its way through the Uncompahgre Plateau in Mesa County. The 15.8-acre property includes Sunday Wall (Tax Parcel No. 3225-194-00-979), Fortress Wall (Tax Parcel No. 3225-194-00-978), and Hidden Valley Wall (Tax Parcel No. 3225-194-00-977). The parcels border private lands as well as BLM lands to the north of Fortress and Hidden Valley walls.

Driving directions: From Grand Junction: Drive south on US-50 E 8 miles to Whitewater and turn right on CO-141 S into the Canyon. Continue for 16.7 miles and park at a pullout on the north side below Sunday Wall. Follow the marked access trail from here.

Acquisition and Management History

Unaweep Canyon’s stunning beauty and 400’ to 1100’ granite cliffs had been for years the “secret” of local climbers. However, the Canyon began to attract developers who purchased some parcels with plans to subdivide the U-shaped valley. In 1991, the Access Fund, working in collaboration with local climbers, purchased several rock formations from private landowners in the Canyon. The acquisitions provided strategic public access to adjacent BLM lands and protected stunning 400 foot granite walls which hold unique rock climbing opportunities in the scenic Unaweep Canyon.

This exciting and innovative joint venture began in 1991 between the Access Fund and three local climbers, Neil Bradford, Randal Taylor, and Richard Smith. Rick Accomazzo negotiated on behalf of the Access Fund. The partners entered into a conveyance agreement that laid out the framework of the transaction. All four parties would take shared ownership of the Sunday Wall and Hidden Valley Wall parcels for a total of 56.5 acres and later separate the parcels, conveying the access trail and rock climbing areas to the Access Fund Land Foundation (AFLF) and the remaining road side properties to the local climbers. Following this agreement, the partners successfully acquired this part of Unaweep Canyon in June of 1991 (Phase 1). The Access Fund contributed $8,000 towards the acquisition and the local climbers assumed a 15-year note. The American Alpine Club also granted $5,000 towards the project.
Following the acquisition, regional coordinator K.C. Baum provided logistical support for surveying, trail work, and subdivision exemption. Completed in October of 1993, the survey mapped out the access trail, rock climbing areas, and an access easement across the Fortress Wall property. The survey prepared legal descriptions used to receive a subdivision exemption from Mesa County. Since the properties are protected for conservation purposes, a subdivision exemption allows the larger parcels to be split beyond rural zoning limitations of 40-acre lots. This process included the acquisition of an additional 5 acres including Fortress Wall and a 10-foot wide access easement from Sunday Wall to Fortress and Hidden Valley (Phase 2). This second acquisition closed in July 1994 between Melvin Deweese and AFLF.

Phase 2:

Local climbers from the Grand Junction area volunteered under the leadership and expertise of trail expert Jim Angell in April of 1993 to construct the trail. At the trailhead, volunteers constructed a stile or step ladder over the fence to limit access to foot traffic. The trail was constructed up the slope towards Sunday Wall along the western boundary of the property. The trail continued northeast along the cliff face to Hidden Valley and Fortress Walls.

The final phase did not occur until 1999 due to confusion among the partners. The Access Fund built the trail with the purpose of limiting access to pedestrian use for climbers and hikers. It also provided key access to further cliff line on adjacent BLM land. However, the partners believed the trail exceeded what was necessary for climbing access and requested a rider limiting access to only climbing on the three parcels with an additional provision for reversion of the property back to the original grantors if violated. While the deeds were signed in 1994, they were never recorded since the AFLF was unwilling to
consider this provision. In 1999, Rico Thompson of the Access Fund helped illustrate why it was important to provide access for other passive recreational users such as hikers to the climbing area and adjacent public lands. In addition, the stile constructed five years earlier was proving its effectiveness at limiting trail use to pedestrians only. Following agreement, the deeds transferred (a) the access trail and climbing areas to full ownership of AFLF and (b) the AFLF’s 25% interest in the remaining properties to Bradford, Randal, and Smith (Phase 3). Following this final exchange, the roadside parcels were resold.

Phase 3:

AFLF further protected the property with a recorded deed restriction in September 2005 to permit public non-motorized recreation and prohibit development, mining, logging, and other inappropriate uses that would interfere with its conservation. See Exhibit C for deed restriction language.

The Access Fund Land Foundation funded management of the property through annual applications to the Access Fund’s Climbing Preservation Grant Program. These grants covered general liability insurance, nonexempt tax status renewals, and other miscellaneous costs.

In 2009, AFLF and the Access Fund jointly decided to transfer the AFLF properties to the Access Fund and dissolve AFLF as a separate entity starting in 2010. Under direct ownership, the Access Fund can lead by example and directly acquire and manage threatened climbing areas where necessary.

In August of 2008, Neil Bradford passed away and the Access Fund was contacted in 2009 by the executor of Neil Bradford’s estate regarding Parcel No. 322519400185 (yellow parcel below). Under county records, this parcel remains under shared ownership of the AFLF and the local climbers. Following transfer of the three main parcels from AFLF to the Access Fund in 2010, this final discrepancy needs to be further evaluated. Since title records confirm split ownership, the best course of action may be to transfer this parcel to the Access Fund, relieving the local climbers of their annual tax liabilities and a land locked parcel (potential phase 4). The Access Fund board approved this potential transfer in October of 2009.

Potential Phase 4:
Management Goals

- Work with the partner owners to consider a final transfer of Parcel No. 322519400185 to the Access Fund.

Natural Resources

**Topography/Geology:** Located 23 miles southeast of Grand Junction, Colorado, Unaweep Canyon cuts through the heart of the Uncompahgre Plateau. Unaweep Canyon features a dramatic stretch of steep 150 to 1,500 foot cliffs in its middle to upper reaches. The canyon walls are complex, featuring numerous bands, dikes, cracks, buttresses, and protruding towers.

Geologically, Unaweep Canyon is an anomaly. This east-west trending canyon is possibly the only canyon in the world drained by two creeks that flow in opposite directions from a central divide.¹ East Creek drains into the Gunnison River and West Creek into the Dolores River. Its Ute Indian name, Unaweep, literally means “Canyon with Two Mouths.”

There are a few theories to explain this natural wonder. All agree that the small creeks today could never have carved such an extensive gorge. Its formation has been credited towards a deep fault line underneath the canyon while other consider glaciation. Evidence and research based on river gravel deposits points to a more likely series of events. The ancestral Colorado River once ran south from Debeque Canyon and east of Grand Junction before turning west through Unaweep Canyon. Glacier meltwater fed the expansive river as it carved away the canyon walls, until a

tributary creek rode through a divide northwest of the plateau, diverting the entire river into the Grand Valley. Essentially, "stream piracy" turned Unaweep into a river canyon without a river.

The rock on the property is some of the oldest exposed rock in Colorado. This mix of granite and gneiss dates between 1.4 and 1.7 billion years old from the Precambrian Period. Gneiss formed from primeval ocean deposits of sand and silt as sedimentary rock before heat and pressure transformed it into its metamorphic state. Molten magma intruded into the metamorphic rock through fissures and formed dikes and bodies of quartz monzonite, a type of granite. The plateau was uplifted 300 million years during the formation of the ancestral Rocky Mountain Range, which eroded down over the next 200 million years. Deposits of sandstone can be found in the lower reaches of Unaweep Canyon.

**Water resources:** East Creek is found just north of the parking area, yet it is more commonly a streambed. It may form as a stream occasionally with heavy precipitation or snowmelt. The trail crosses via a simple 4x4. Other seasonal, intermittent streams may form periodically from gullies dividing the main walls as well.

**Plant communities:** At approximately 7,000 feet, this high elevation semi-arid climate provides roughly 10 inches of precipitation a year and drought is common. Yet, the canyon features a diverse mix of habitat as the properties transitions from the canyon floor to the steep walls. The property can best be defined as a pinyon-juniper woodland. Big sage plants dominate near the road and gamble oak along the streambed. Upslope from big sagebrush grasses and deciduous coverage, the property quickly becomes dominated by the Colorado Pinyon Pine and Utah Juniper. The trees here range from 5 to 30 feet in height to cope with the low precipitation, extreme temperatures, and high winds. Other varieties of pine and juniper may exist, such as Rocky Mountain Juniper. These woodlands thrive on the rocky soil. At the base of the cliffs, both prickly pear and barrel cactus are abundant, along with Mormon tea plants, yucca, and fringe sage. Other common shrubs in this habitat include three-leaf sumac, mountain spray, and cliff fendlerbush. As with any area in the region, watch for poison ivy on the property.

**Fish and wildlife:** The pinon nuts and juniper berries provide food for a variety of species such as Clark's Nutcrackers, Pinyon Jays, Desert Woodrats, Colorado chipmunks, rock squirrels, and Pinyon mice. These small herbivores attract gray foxes, and the ringtail. Overwintering herds of mule deer, elk, and small bands of bighorn sheep provide food for larger predators such as the mountain lion and coyote. Black bears and bobcats may occasionally visit the area. Raptors and bats frequent the cliffs, yet no raptor nesting sites have been observed along the cliffs. Full documentation of the property's animal communities is necessary.
**Rare species:** There are no known rare, threatened, or endangered species on the property at this time.

List of CO species: [http://wildlife.state.co.us/WildlifeSpecies/SpeciesOfConcern/ThreatenedEndangeredList/](http://wildlife.state.co.us/WildlifeSpecies/SpeciesOfConcern/ThreatenedEndangeredList/)

**Management Goals:**
- If raptor nest sites are reported by volunteers or observed during a quarterly monitoring visit, the Access Fund will institute and publicize an appropriate seasonal closure.
- If rare species are identified on the property, the Access Fund will follow any applicable regulations and institute reasonable best management practices.
- Access Fund will close or block social trails, replant natives in areas of high erosion and other disturbed areas, and educate/encourage leave-no-trace principles to protect sensitive habitat and natural resources.

**Historical/Cultural Resources**

There are no known historical, archaeological, or cultural resources on the property. Archaeological evidence indicates native peoples have frequented the Uncompahgre Plateau for at least 10,000 years. The Ute Indians used the canyon’s lush meadows as a summer camp and hunted game on the plateau above. Following a treaty, the Ute Indians were relocated to reservations in 1881. Settlers quickly moved in to homestead in the Canyon for ranching and mining. On the east end of the canyon, two abandoned towns, Copper City and Pearl City arose in 1897 with the discovery of gold, silver, and copper. No mining, quarrying, hunting, trapping, or removal of cultural artifacts is allowed pursuant to Exhibit C.

**Invasive Species and Control Options**

No known invasive species were identified. Regular monitoring and a full assessment of potential invasive species and noxious weeds is suggested.

**Management Goals:**
- Evaluate and document any invasive species on the property.
- Mark locations of current, spreading, and new invasive species on the interactive Google Map to assist removal efforts.
- Stay appraised of current best management practices for weed removal and consult weed management experts to assist or lead removal efforts.
- Engage local climbing organizations, supporters, and local community through Adopt-a-Crag and other stewardship events to volunteer their time in weed management.
- Remove invasive species as necessary, following best management practices.
- Where possible, re-seed or plant native plants where prior invasive species grew, especially disturbed areas along trails, staging areas, and parking area.
- Continuously monitor, remove invasive species, and replant native species as rehabilitation may take 5-8 years.

**Resources:**
- USDA National Invasive Species Information Center ([www.invasivespeciesinfo.gov/unitedstates/co.shtml](http://www.invasivespeciesinfo.gov/unitedstates/co.shtml))
- Colorado Plant Database ([www.co.jefferson.co.us/coopext/intro.jsp](http://www.co.jefferson.co.us/coopext/intro.jsp))
- Colorado State-listed Noxious Weeds ([http://plants.usda.gov/java/noxious?rptType=State&statefips=08](http://plants.usda.gov/java/noxious?rptType=State&statefips=08))
Trail Maintenance

Main access trail: The trailhead begins at a pullout along CO-141. The pullout can accommodate approximately 8 vehicles parallel parked. Hike over the stile, across the 4x4 over the streambed, and follow the trail as it switchbacks up to the base of Sunday Wall. The trail continues east along the wall and an access easement. The trail eventually forks left to Fortress Wall and right to Hidden Wall and adjacent cliff line (Exhibit B). These trails are in good to fair condition with little sign of erosion issues. The trail meets the demands of current and expected future use.

Erosion, social trails, and control options: The trail is designed to provide an enjoyable approach for climbers and other hikers. It is designed to reduce erosion and limit human impact to the property’s sensitive high-elevation habitat. However, some erosion is inevitable with time and use and the rate of erosion depends on the type and frequency of traffic. In addition, a portion of recreational users may take shortcuts or leave trails to directly access a specific area. This trend leads to the creation of “social trails,” developed by erosion caused by human footfall.

Control/removal options: Block social trails with boulders or slash and post signs to encourage users to stay on main trails.

Historical efforts: Unknown

Current Status: No known social trails.

Management Goals:

- Add sign at trailhead with a statement requesting users to stay on existing trails and follow leave-no-trace principles
- If any social trails have formed, add signs at social trail intersections requesting users to stay on existing trails and block with rocks or native slash (mixed dead wood and branches)
Property Improvements

There are no improvements on the property. After nearly two decades, Unaweep Canyon has grown in popularity, yet it remains off the beaten track. Toilet facilities are not anticipated in the near future.

Management goals:

- Encourage carry-in, carry-out practices and leave-no-trace principles
- No construction or installation of improvements is anticipated. As stated in the Deed Restriction (Exhibit C), only minimum improvements necessary to provide for permitted public uses are allowed.

Public Use

The primary purpose of acquisition and management is open, public use. For specific language with regards to permitted and prohibited activities, see Exhibit C for deed restrictions.

Permitted activities: Primary allowed uses include: rock climbing (including bouldering, rappelling and the use of fixed anchors) and hiking (including cross-country skiing or snowshoeing). The area is generally used for traditional and sport climbing.

Restricted activities: Per the Conveyance Agreement and construction of the stile, the property is limited to pedestrian use. The deed restriction permits secondary uses such as commercial guiding or instructional services as long as they do not substantially interfere with primary uses. All commercial guiding or instructional groups must fill out a guide application and sign a Guiding Company Agreement, Release, Indemnification and Acknowledgment of Risk form. Additionally, the group must provide a copy of their insurance policy certificate with Access Fund as an additional insured, follow LNT principles, and limit the group size to 12. No fees are applied, but donations are encouraged. The area sees little to no commercial activity or other secondary uses.

Prohibited activities: Mining, quarrying, logging, removing plants or wildlife, removing cultural artifacts, hunting, trapping, and the use of motorized vehicles outside of designated access roads and trailhead parking areas. However, the U.S. government has reserved mineral rights and right of ways for ditches or canals pursuant to patents filed in 1939. The 2005 deed restriction is subordinate to these title exceptions.

Climbing route information: Together, Sunday, Fortress, and Hidden Valley walls feature approximately 40 routes ranging from 1 to 4 pitches with potential for more variations and quality routes. The south facing walls allow climbing year round on the cliffs’ complex terrain of cracks, corners, chimneys, and faces.

Guidebooks provide the climbing community with useful climbing information. We thank the early pioneers, route developers, and authors for providing this survey of climbing opportunities. The following guidebooks, as well as Mountain Project provide useful route information:


Management Goals:

- Continue to support the primary purpose and activities, as outlined above and in the Deed Restriction.
• Post requirements for commercial guiding online. If commercial or instructional groups are found operating without a permit, the Access Fund will contact the group to apply and require future activities to stop until the application requirements are completed.
• When possible, enforce all restrictions and requirements. An honor system with self-policing and periodic monitoring has been successful for the last 20 years of ownership. Visitors and members of the community should report illegal activities to the local law enforcement.
• Encourage leave-no-trace principles and stewardship involvement by the local climbing community, Western Colorado Climbers Coalition, and other recreational users.
• Generate support and membership from the local climbing community.

Sweet Sunday Serenade on Sunday Wall (3 pitches, 5.9)

Stewardship Activities

**Standards and Practices:** The Access Fund strives to follow Land Trust Standards and Practices (see Exhibit D) in the management of Unaweep Canyon and all other holdings. Key standards include quarterly monitoring and adequate stewardship funding.

**Volunteer Stewardship:** The Access Fund works with an active volunteer climbing community to conduct stewardship events when appropriate. The local community can assist Access Fund staff in monitoring the property through a volunteer land steward program. Since Access Fund has limited resources, staff can not regularly monitor the property and must rely on volunteer stewards to report any environmental issues, property damage, or public misuse. As a valuable local climbing resource, climbers can both assist as stewards and enjoy a day of climbing during any season of the year. A quarterly monitoring report (see Exhibit E) is a simple document used by Access Fund staff or volunteers to track changes and mitigate as necessary.
As described earlier, dozens of volunteers assisted in the original trail construction of 1993. Many informal clean-ups have occurred in addition to an official Adopt-a-Crag event in 2007 by the Ridgeway/Ouray Climbing Team.

Community Relations: No issues have been brought to the attention of the Access Fund. However, much of the canyon and climbing is still on private land. All climbers should stay on existing trails and respect the wishes of adjacent private landowners.

Management Goals:
- Work towards full compliance with Standard 12 of the Land Trust Standards and Practices
- Monitor the property quarterly with staff visits and the volunteer land steward program.
- Support Adopt-a-Crag stewardship events as necessary to help meet the management goals outlined in this plan.
- Maintain positive relationships with adjacent landowners.

Risk Management

Stewardship funding: Securing long-term stewardship funding with the property is a key provision of the Land Trust Standards and Practices. A “stewardship fund” is set aside for any potential boundary disputes, unanticipated liability issues, invasive species removal, and other reoccurring stewardship needs. Stewardship funds are estimated and calculated into perpetuity, taking into account inflation and the rate of return on investment. A draft calculation of $20,100 as of November 2009 is included as Exhibit F.

Risk Management History and Liability Insurance: The Access Fund Land Foundation (AFLF) was set up as a separate entity in 1991 prior to the formation of the Access Fund when it was initially formed to separate liability from the American Alpine Club. Having a separate entity for land holdings provided an additional barrier from liability issues and lawsuits. The Access Fund maintained this structure through 2009, periodically evaluating the structure. AFLF also maintained general liability insurance to cover property damage and claims of bodily harm through 2005. Records show policies from 2002-2005. When the original insurance provider Colorado Western went out of business in 2005, AFLF could not find an insurance provider to cover the AFLF properties. Working with Harris Dean insurance, affordable liability insurance was reinstated in 2009. The New York law firm Shultz Roth and Zabel evaluated the current Access Fund and AFLF relationship in Spring 2009 and presented three potential courses of action to reduce or limit liability: (i) become a single entity, (ii) maintain the current affiliation with further actions to protect the organization, or (iii) eliminate all association and similar joint efforts. Past board and staff decisions have maintained the status quo position of separate entities, however, current staff and board directors from the Access Fund and AFLF agreed that the operational, legal, and strategic advantages of transferring the properties and dissolving the AFLF outweighed the benefits of the current structure. In August 2009, the Access Fund and AFLF Boards agreed to transfer the properties to Access Fund ownership under the condition of maintaining general liability insurance and developing land management plans for each holding. Current coverage is $1 million per incident and $2 million aggregate.

Management Goals:
- Design and carry out a fundraising plan by 2011 to secure adequate stewardship funding by 2013 as calculated in Exhibit F.
- Maintain general liability insurance. Review the policy annually to evaluate whether the policy includes coverage of reasonable public activities at a cost-effective premium. If the premium substantially increases or certain activities become excluded from coverage, seek bids from alternative providers. Cancel coverage and re-evaluate annually only if liability insurance is deemed inadequate, unnecessary, or cost-prohibitive.
Stakeholders Involved in Planning Process

The original local climbers, Neil Bradford, Taylor Randal, Richard Smith, and K.C. Baum all played central roles in the property’s protection. Other local climbers participated in the 1993 trail construction. Each year, members from the local climbing community help keep the property clean of trash, follow existing trails, and self-police the area.

The following stakeholders reviewed the Unaweep Canyon Long-term Management Plan:

- Rico Thompson
- Steve Johnson
- Eve Tallman
- Rick Smith
<table>
<thead>
<tr>
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Exhibit B

Survey and Trail Map
Exhibit C

2005 Deed Restriction

DECLARATION OF CONDITIONS AND RESTRICTIONS

This Declaration of Conditions and Restrictions ("Declaration") is made this ___
day of September, 2005 by Access Fund Land Foundation, an Illinois non-profit
corporation, as owner of the real property described below ("Owner").

WHEREAS, Owner owns that certain real property located in Jefferson County,
Colorado as more particularly described on Exhibit A attached hereto (the "Property").

WHEREAS, Owner desires to voluntarily condition and restrict certain uses on
the Property by placing of record, in the real property records of Jefferson County,
Colorado, this Declaration.

NOW, THEREFORE, the Owner hereby states and declares on behalf of itself,
and its successors and assigns, that the Property and all improvements now or hereafter
built upon the Property and all appurtenances thereto, shall, from and after the date of this
Declaration, be owned, held, transferred, conveyed, sold, leased, rented, hypothecated,
encumbered, used, occupied, maintained, altered and improved subject to the conditions
and restrictions set forth in this Declaration for the duration thereof, all of which shall
constitute covenants running with the land, shall run with the title to such property and be
binding upon all parties having any right, title or interest in said property or any part
thereof and upon their heirs, personal representatives, successors and assigns, and shall
inure to the benefit of each party having any such right, title or interest in said property or
any part thereof.

1. Permitted Uses on the Property. Grantor hereby reserves unto itself, its invitees,
licensees, successors and assigns the right to engage in or permit all of the uses of the
Property except as expressly prohibited below. Without limiting the generality of the
foregoing, the following uses, though not an exhaustive recital of permitted uses, are
expressly permitted:
(a) The primary uses, to be permitted in perpetuity, shall include technical rock
climbing and associated activities (including bouldering, rappelling, and the use of fixed
safety anchors) and hiking (including cross-country skiing or snowshoeing).

(b) Other permitted uses may include mountain biking, and commercial guiding or
instructional services, provided such uses do not substantially interfere with the primary
uses stated above.

2. Prohibited Uses on the Property. The following uses and practices on the Property
shall be prohibited:

(a) Mining, quarrying, logging, removing plants or wildlife, removing cultural
artifacts, hunting, trapping, and the use of motorized vehicles outside of designated
access roads and trailhead parking areas shall be prohibited.

(b) Construction of improvements shall be limited to the installation of the minimum
improvements necessary to provide for the permitted uses described above. Such
improvements may include hiking trails, trailside benches, picnic areas, bathroom
facilities, additional parking areas, informational kiosks, and educational signage.

3. The invalidity of any of the provisions of this Declaration shall not be deemed to
impair or affect in any manner the validity or enforceability of the remainder of this
Declaration, and in such event, all of the other provisions of this Declaration shall
continue in full force and effect as if such provision had never been included herein.
However, to the extent legally permissible, a court of law with proper jurisdiction shall
substitute for such invalid provisions such other provisions as are legally valid and will
carry out the intent of the parties expressed in any such invalid provision.

4. No provision contained in this Declaration shall be deemed to have been abrogated or
waived by reason of any failure to enforce the same, irrespective of the number of
violations or breaches of such provision which may occur.

5. The conveyance or encumbrance of all or any portion of the Property shall be deemed
to include the acceptance of all of the provisions of this Declaration and shall be binding
upon each owner, occupant and mortgagee without the necessity of including an express
provision to this effect in the instrument of conveyance or encumbrance.

6. Owner does not intend for any third party not specifically granted rights in this
Declaration to rely on or have rights under this Declaration as a third-party beneficiary
hereof, and no such third party shall have any such rights. Any third party granted rights
in this Declaration shall have only such rights as are expressly granted to such third party
herein.
Exhibit D

Land Trust Standards and Practices

Standard 12: Fee Land Stewardship

The land trust has a program of responsible stewardship for the land it holds in fee for conservation purposes.

Practices

• A. Funding Land Stewardship. The land trust determines the immediate and long-term financial and management implications of each land transaction and secures the dedicated and/or operating funds needed to manage the property, including funds for liability insurance, maintenance, improvements, monitoring, enforcement and other costs. If funds are not secured at or before the completion of the transaction, the land trust has a plan to secure these funds and has a policy committing the funds to this purpose. (See 6G.)

• B. Stewardship Principles. The land trust establishes general principles to guide the stewardship of its fee-owned properties, including determining what uses are and are not appropriate on its properties, the types of improvements it might make and any land management practices it will follow.

• C. Land Management. The land trust inventories the natural and cultural features of each property prior to developing a management plan that identifies its conservation goals for the property and how it plans to achieve them. Permitted activities are compatible with the conservation goals, stewardship principles and public benefit mission of the organization. Permitted activities occur only when the activity poses no significant threat to the important conservation values, reduces threats or restores ecological processes, and/or advances learning and demonstration opportunities.

• D. Monitoring Land Trust Properties. The land trust marks its boundaries and regularly monitors its properties for potential management problems (such as trespass, misuse or overuse, vandalism or safety hazards) and takes action to rectify such problems.

• E. Land Stewardship Administration. The land trust performs administrative duties in a timely and responsible manner. This includes establishing policies and procedures, keeping essential records, filing forms, paying insurance, paying any taxes and/or securing appropriate tax exemptions, budgeting, and maintaining files.

• F. Community Outreach. The land trust keeps neighbors and community leaders informed about its ownership and management of conservation properties.

• G. Contingency Backup. The land trust has a contingency plan for all of its conservation land in the event the land trust ceases to exist or can no longer manage the property. To ensure that a contingency holder will accept the land, the land trust has complete and accurate files and stewardship funds available for transfer.

• H. Nonpermanent Holdings. When a land trust holds fee land with the intention to sell or transfer the land, the land trust is open about its plans with the public and manages and maintains the property in a manner that retains the land trust’s public credibility. (See 8L.)

• I. Condemnation. The land trust is aware of the potential for condemnation, understands its rights and obligations under condemnation, and works diligently to prevent a net loss in conservation values.
Exhibit E

Monitoring Report Form

To be completed quarterly. Please print legibly or type answers. Return completed forms and photos to Joe Sambataro, Access Fund, PO Box 17010, Boulder, CO 80308 or joe@accessfund.org.

Date of monitoring visit: __________

Property Name: Unaweep Canyon, Mesa County Parcels 3225-194-00-979, 3225-194-00-978, 3225-194-00-977

Location: CO 141, 2.2 miles west of Divide Road

Conservation Goals:
• Protect canyon walls and its access for rock climbing by future generations of the public climbing community
• Protect the property from development and other alterations

Description of Current Land Use:
• Pedestrian trail to climbing area

Method of Inspection:
Please check all that apply:
• Walked trails: o Yes – All
• Some – Where?
• All
• Walked road frontage: o Yes – All
• Some – Where?
• All
• Walked boundaries: o Yes – All
• Some – Where?
• All

Observations of Property:

<table>
<thead>
<tr>
<th>Condition of:</th>
<th>Problem</th>
<th>Description, Action taken/needed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trails – blow downs, erosion, etc.</td>
<td>None</td>
<td>New</td>
</tr>
<tr>
<td>Signs – property, gate, etc.</td>
<td></td>
<td>Ongoing</td>
</tr>
<tr>
<td>Gates (Note flaking or need to paint)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buildings</td>
<td></td>
<td></td>
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<tr>
<td>Litter or vandalism</td>
<td></td>
<td></td>
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<tr>
<td>Wheeled vehicle use or damage</td>
<td></td>
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<tr>
<td>Natural event – storm, fire, flood, etc.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intrusion on boundaries</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Change in land use adjacent to property</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Other Observations/Comments:

Items in need of Access Fund Staff Attention:

List of All Persons Attending Inspection:
Monitor’s Name:
Signature

Name; Title

Date
Exhibit F

Stewardship Fund Calculation

See separate attachment