

# Groundswell Conservancy Policy

**Name:** **Public Use of Fee-Owned Properties**

**Approval:** Approved by Stewardship Committee March 3, 2009  
Approved by Executive Committee April 9, 2009  
Approved by Board of Directors September 9, 2009  
Amended by Stewardship Committee December 6, 2010  
Amendment Approved by Executive Committee January 13, 2011

Land Trust Alliance Standards and Practices 12B1. Land Management and Stewardship. (d) Specify the uses that are appropriate for the property, in keeping with the property's conservation values, any restrictions and donor or funder requirements. (i) Provide public access opportunities as appropriate to the property and the land trust's mission.

Consistent with our mission of protecting lands with significant natural or agricultural resources for the purposes of enhancing the quality of life for residents of the Dane County region, all fee-owned lands will generally be open to public use. Specifically, nature-based outdoor recreation activities will be allowed unless an explicit determination is made by Groundswell Conservancy to prohibit one or more activities for reasons of public safety, protection of natural resources, or accommodation of existing usership patterns. Before any hunting is allowed, Groundswell Conservancy will have adequate liability insurance in place. If Groundswell Conservancy acquires property without the use of Knowles-Nelson Stewardship Program funds, other considerations may be given to allowing or disallowing certain public uses.

## Reasons to Disallow a Public Use

The Wisconsin Department of Natural Resources recognizes that the five nature-based recreation activities (hunting, fishing, trapping, hiking, and cross-country skiing) required on fee-owned properties funded by the Knowles-Nelson Stewardship Program may be legitimately prohibited for three general reasons: public safety, protection of unique plant or animal communities, and accommodation of usership patterns. Groundswell Conservancy follows the guidance provided by the DNR for the prohibition of any of the five nature-based recreation activities:

### Public Safety Restrictions

- Activity is restricted by local ordinance, zoning, or regulation
- Proximity to public institutions, residences, trails, developed businesses, commercial or industrial areas, or roadways endangers public safety

### Protection of Unique Plant or Animal Community Restrictions

- Activity will degrade, destroy, or otherwise impair individual species or natural communities to be protected by the project
- Activity will degrade, destroy, or otherwise impair individual species or natural communities protected under state or federal law

- Activities that have been allowed may subsequently be restricted if they are found to negatively impact plant, animal, or natural communities protected in the project

#### Accommodation of Usership Patterns

- Activity will alter or significantly curtail a primary recreational use of the property
- Activity significantly interferes with land management activities necessary to preserve, enhance, and restore the conservation values protected in the project
- Activity is retained for a period of years by the sellers of the grant property and will not be available to the public until a date in the future

#### **Public Uses that are Generally Prohibited on Groundswell Conservancy Properties**

The following public uses are prohibited in general, but may be allowed on certain properties with explicit permission granted by Groundswell Conservancy:

- Off-leash and/or off-trail pets
- Operation of motorized vehicles (except for management purposes)
- Collection of plants or animals (without a permit for research or educational purposes)
- Building of fires
- Camping
- Any use prohibited by federal, state, or local law or ordinance
- Uses inconsistent with the conservation values for which the property was protected

#### **Documenting Prohibited Uses**

Prohibited uses will be documented in the management plan for the given property. In cases where Groundswell Conservancy is acting as temporary holder of the property, public use prohibitions (if any) will be identified in collaboration with the future landowner and may be recited in relevant agreements between Groundswell Conservancy and the future owner (such as an assignment agreement, grant application, or other agreement).

<p>Groundswell Conservancy is accredited by the Land Trust Accreditation Commission. Policies may be updated to reflect changing accreditation standards and practices, as well as changing local organizational needs.</p>
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