Rock Climbing at the Becket Quarry

Draft Permit System

Prepared by The Western Mass Climbers’ Coalition

For The Becket Land Trust

March 3, 2015

# Summary

The purpose of this draft document is to provide a framework to develop a plan to permit rock climbing at the Becket Quarry, an agreement between the Becket Land Trust (BLT) and the Western Mass Climbers’ Coalition (WMCC). This document a) outlines the precedent and use of access permits in recreational rock climbing, b) addresses the specific application of a climbing/use permit at the Becket Quarry and c) proposes three options to develop such a recreational permit.

# Parties Involved

The Becket Land Trust is a not-for-profit organization which owns and operates the Historic Quarry and Forest. It was founded by a group of citizens concerned about protecting the Town of Becket's rural character, natural resources and ecologically sensitive areas. The Historic Quarry and Forest was the result of an extraordinary community fund-raising campaign to save a 300+ acre parcel of primarily wooded land from industrial development. To prevent detrimental impact on the site and the community, local citizens donated money to enable the Becket Land Trust to purchase the property and open the site to the public for recreational enjoyment.

The Western Mass Climbers’ Coalition is a not-for-profit volunteer climbers' organization that works to build cohesive relationships with advocacy groups, state and local governments, landowners, and conservation groups to keep climbing areas open and conserve the climbing environment in Western Massachusetts. The WMCC builds grassroots support for climbers' concerns and promotes the protection of the natural resources of Western Massachusetts for outdoor recreation through environmental stewardship and education.

# Prospectus

Climbing at the Becket Quarry is a one-of-a-kind experience and is incomparable to any other cliff resource within the entire Northeast. The BLT has a vested interest in the environmental and recreational importance of the quarry while maintaining the historic, cultural and ecological significance of its 300 acres. The WMCC strives to open and maintain access to Massachusetts’s invaluable yet limited climbing resources while acting as both environmental and recreational stewards. A partnership between the two groups strengthens the organizations’ missions by appealing the goals of the BLT to a the WMCC and its member base to encourage responsible recreation and appreciation for

# Tim Keenan Sensitive Indian.jpgClimbing Access, Stewardship & Conditions

The following conditions have been discussed, pending final approval:

* The BLT and WMCC agree that a permit for climbing is in the interest of both parties.
* To protect both organizations from liability, under *Massachusetts Recreational Use Statute, Part I, Title II, Chapter 21*, permits should be free of charge. However, membership and donations to respective groups may be encouraged.
* A permit should include a “one-sheet” with rules, regulations, BLT history and necessary climbing information. See *Proposed Options - Administrative* for further details.
* The WMCC may/should host trail days to help make improvements to hiking trails as well as to clean loose rock and vegetation from cliff face
* Other? Fundraising??

The following conditions are unresolved and may require further attention:

* Are climbers the only user group with a permit, and does that alienate climbers from other groups who wish to use the quarry responsibly? Is there a All Access Permit that better meets the need?
* Other?

## 

# Climbing Permit Precedent:

Permits for recreational access and climbing are not new and come in many forms, such as hunting licenses, waivers, paid permits or notifications on kiosks. In climbing, various private and state entities have enacted permit systems for use, with mixed success.

The following are examples of permits used to manage recreational climbing and a review of the most salient points:

## The Mohonk Preserve (Gunks), New York

**Permit Link:**

<https://mop.memberclicks.net/index.php?option=com_mc&view=mc&mcid=form_164578>

**Type of entity:** New York State’s largest non-profit nature preserve

**Application type**: Digital online form or at visitor’s center

**Hardcopy Permit Type**: ID card or event-bracelet with waiver language printed on it

**Includes waiver / disclaimer:** Yes on website (with radio button) and on hardcopy permit

**Cost associated:** Yes

Review: The digital form makes for ease of use and provides the Preserve with a digital database of members. It is reassuring that a large preserve is comfortable using a digital disclaimer. It is not in the interest of the BLT or WMCC to attribute a cost (see *Massachusetts Recreational Use Statute, Part I, Title II, Chapter 21*)

## Muir Valley, Kentucky

**Permit Link:** <http://www.muirvalley.com/sign-waiver.html>

*See Appendix 1 for Release Waiver*

**Type of entity:** LLC. A nature preserve and rock climbing area

**Application type**: Digital waiver form with signature

**Hardcopy Permit Type**: n/a

**Includes waiver / disclaimer:** Yes. In signing the waiver you agree to the terms displayed

**Cost associated:** No

Review: The digital form makes for ease of use and provides a digital database of members. Having an actual digital signature seems stronger than merely a radio button. There is no hardcopy of the permit, making enforcement a challenge

## Deep Creek, Tennessee

**Permit Link:** <http://seclimbers.org/modules.php?name=Content&pa=showpage&pid=97>

**Type of entity:** TN Department of Environment and Conservation Land, administered by the Southeastern Climber’s Coalition

**Application type**: Online, one radio button to agree

**Hardcopy Permit Type**: No

**Includes waiver / disclaimer:** No

**Cost associated:** No

Review: In agreement with the Dept of Environment and Conservation, the SCC acts as the climbing stewards to disseminate access information, general regulations, climbing regulations, Leave No Trace info to administer the “permit” system. In agreeing to the regulations, users are granted access to the code for the gate blocking passage to the road

## Asheboro Boulders , North Carolina

**Permit Link:**

<http://carolinaclimbers.org/climbing-areas/asheboro-boulders/asheboro-boulders.html>

**Type of entity:** Privately held land leased and administered by the Carolina Climbers’ Coalition.

**Application type**: Permits are only generated for CCC members

**Hardcopy Permit Type**: Parking permit

**Includes waiver / disclaimer:** No waiver, CCC’s insurance covers "club members" and "duties associated with the club"

**Cost associated:** CCC Membership

Review:

## Garden of the Gods, Colorado

**Permit Link:** <http://www.gardenofgods.com/parkinfo/index_113.cfm>

*See Appendix 2a and b for Release Waiver and Rules*

**Type of entity:** City of Colorado Springs

**Application type**: In person at visitors center

**Hardcopy Permit Type**: unclear

**Includes waiver / disclaimer:** Yes.

**Cost associated:** No

Review: ………..

# Proposed Options

## Administrative Suggestions

* Permits should be registered and administered online. Google Forms hosts a free and user friendly option with database management options
* Permits should be automatically generated online (if possible) or sent via email. Not snail mail
* The WMCC offers to manage climber permitting and communications. If an All Access Permit is used, the BLT may want to administer
* Permits should be accepted in hardcopy and digital format (e.g., presented on a telephone)
* Permits should be annual or lifetime

## Option 1 – All Access Permit

## Option 2 – Climbing Permit, Administered by WMCC

## Option 3 -

# Appendix:

## 1 – Mur Valley

**Release Waiver**

|  |
| --- |
|  |
| |  |  | | --- | --- | | |  | | --- | | **Acknowledgment of Risks, Assumption of Risk and Responsibility, and Release of Liability**  Muir Valley is open to individuals and groups for noncommercial recreational outdoor activities such as hiking, nature study, earth caching, bird watching, etc. You do not need to execute this document unless you are entering Muir Valley for the purpose of rock climbing. Access to Muir Valley for the purpose of rock climbing is limited to those individuals who are competent rock climbers.  **Terms and Conditions**  I, \_\_\_\_\_\_\_\_\_\_, whose date of birth is \_\_\_\_\_\_\_, whose address is \_\_\_\_\_\_\_\_\_, in the city of \_\_\_\_\_\_\_, State of \_\_\_\_ with zip code of \_\_\_\_, in the country of United States, whose daytime phone number is \_\_\_\_\_, and whose email address is \_\_\_\_\_\_\_\_, on this day of \_\_\_\_ day of January 2011 do hereby acknowledge, appreciate, and agree that:  1) The risk of injury from rock climbing is significant, including the potential for permanent paralysis or other injury, or even death, and while particular skills, equipment, and personal discipline may reduce this risk, the risk of serious injury does exist; and,  2) I confirm that I am physically and mentally capable of rock climbing, that I have attained the age of 18 years, that I am an experienced and competent rock climber. I hereby KNOWINGLY AND FREELY ASSUME ALL RISKS ASSOCIATED WITH ROCK CLIMBING AND ANY AND ALL OTHER RISKS ASSOCIATED WITH MY ENTRY UPON THE LANDS OF MUIR VALLEY, LLC, WHETHER HIDDEN, OPEN, OBVIOUS OR OTHERWISE, BOTH KNOWN AND UNKNOWN TO ME, EVEN IF SUCH RISKS ARISE FROM THE NEGLIGENT, RECKLESS, WANTON OR INTENTIONAL ACTS OF MYSELF OR OTHERS, EQUIPMENT FAILURE OR FORCES OF NATURE, and I assume full responsibility for my participation and for any minor children for whom I am responsible, and any expense as a result of my negligence or the negligence of others; and,  3) I willingly agree to comply with the posted rules and regulations of Muir Valley. If I observe any unusual hazard during my visit to Muir Valley I agree to bring such hazard to the attention of Muir Valley, LLC immediately by contacting Rick Weber at rweber@accenttech.com or 317-291-0354 or 606-668-9066, and to take whatever action is reasonably necessary to protect myself and other third-parties; and,  4) I understand and agree that all artificial installations typically used in rock climbing, including, but not limited to, rock anchors, glue-in bolts, bolted hangers, chains, cables, quicklinks, permadraws, quickdraws, and carabiners, found on the property have been placed by a number of individuals, including the owners of the property, for their convenience, and that my use of any of these installations is undertaken solely at my discretion and risk ; and,  5) I, for myself and on behalf of my heirs, assigns, personal representatives and next of kin, HEREBY RELEASE, INDEMNIFY, DEFEND AND HOLD HARMLESS Muir Valley, LLC its officers, officials, agents, members, employees, other participants, sponsoring agencies, sponsors, advertisers, and, if applicable, owners and leasers of premises used for the activity (“RELEASEES”), WITH RESPECT TO ANY AND ALL INJURY, ILLNESS, DISABILITY, DEATH, or loss or damage to person or property, WHETHER ARISING FROM THE NEGLIGENCE OF THE RELEASEES OR OTHERWISE, to the fullest extent permitted by law; and,  6) I agree that if any legal proceeding is instituted by myself or my heirs, assigns, personal representatives or next of kin, then venue shall be proper only in the Fayette County Circuit Court, Lexington, Kentucky and that this Agreement shall be construed and interpreted under the laws of the Commonwealth of Kentucky; and,  7) This Agreement is not assignable.  8) I am legally responsible for any minors (under age 18) who accompany me into Muir Valley.  **I, \_\_\_\_\_\_\_\_\_\_\_\_ have read and understood the foregoing agreement: Acknowledgment of Risks, Assumption of Risk and Responsibility, and Release of Liability. I understand that by executing this on-line release, I have given up substantial legal rights, and execute it freely and voluntarily without inducement.** | | |

## 2a- Garden of the Gods

**Signage at Property**

Welcome to Golden Cliffs Preserve

This open space land is privately owned by

**The Access Fund**

Public access is offered in accordance with the Colorado Recreational Use Statute (C.R.S. 33-41-101 et seq.)

If you choose to use this area you are voluntarily assuming all risk of injury or death from your use. Numerous hazards exist on the property, some of which may not be obvious or apparent. These hazards include, but are not limited to: steep unguarded cliffs; slippery surfaces; steep and unmaintained walkways, trails, and roadways; loose and unstable rocks and ice; falling objects; the possible failure of fixed climbing anchors; and the conduct of other users.

Climbers Be Aware: The Access Fund does not maintain any fixed climbing hardware, including bolts. The Access Fund makes no representations or warranties regarding the safety, reliability, or suitability for use of any fixed climbing anchors or other hardware currently existing or installed in the future at Golden Cliffs Preserve.

Please support the Access Fund, a tax-exempt non-profit corporation for its invaluable assistance in acquiring Golden Cliffs Preserve and its support in maintaining hiking trails.

2b - Garden of the Gods

**Technical Rock Climbing Regulations and Guidelines:** <http://www.gardenofgods.com/yourvisit/resources/Climbing%20Regulations%20and%20Guidelines.pdf>