



Protect America's Climbing

Climbing Conservation Loan Program Funding Guidelines

Background:

The Climbing Conservation Loan Program provides local climbing organizations and land trusts with bridge financing and transaction expertise for time-sensitive projects. The Climbing Conservation Loan Program is a revolving fund—money is loaned out, repaid by the local community, and then reinvested into another threatened climbing area. The guidelines are modeled after conservation revolving loan programs from across the nation while taking into account the unique nature of climbing areas and our affiliate network of local climbing organizations. Please carefully review the following guidelines.

Organizational qualifications:

Any qualified 501(c)(3) non-profit organization that works within the United States and is eligible to hold interests in land for conservation purposes. If a local climbing organization (LCO) is not a 501(c)(3) non-profit organization, the LCO must:

- (a) complete this process prior to approval; or
- (b) partner with a qualified 501(c)(3) organization such as a local or regional land trust. In this scenario, the land trust would apply for the loan.

Project qualifications:

1. Qualifying conservation projects include the following types of transactions:
 - (a) Fee-simple acquisition with long-term ownership by borrower
 - (b) Fee-simple acquisition with hold and transfer or assignment to public agency
 - (c) Option agreement for fee-simple acquisition
 - (d) Public access easement to protected climbing area
 - (e) Conservation easement with public access
 - (f) Refinancing prior acquisition
2. Greater consideration is given to permanent long-term access and conservation project types listed above. The Access Fund will also consider a loan for temporary conservation projects, especially if a temporary solution is helpful in moving towards long-term conservation. The following types of projects will also be considered:
 - (g) Recreational lease or license
 - (h) Term-limited access easement
 - (i) Emergency stewardship action
3. The following costs qualify for coverage under an AFLCC loan:
 - a. Purchase price
 - b. Associated title policy
 - c. Closing costs
4. The Access Fund will only fund projects that secure public access.

Project due diligence criteria:

1. For fee-simple acquisitions: borrower must secure title insurance at closing, with Access Fund added as an insured if the property is used as security.
2. For fee-simple acquisitions with hold and transfer at market value to a public agency:
 - (a) An appraisal is required at time of initial purchase by an appraiser certified by the Appraisal Institute (MAI) following Unified Standards of Professional Appraisal Practice (USPAP) or Yellow Book standards for transfer to federal agencies.
 - (b) Letter of commitment from “take-out” source(s)
3. At its sole discretion, the Access Fund may require an appraisal, environmental site assessment, or property survey.
4. Existing zoning regulations must allow for recreational use of the property and installation of improvements that may be needed, such as parking areas and other on-site improvements.

Loan terms:

Loan terms are tailored specifically to the needs of the borrower and any partners. The terms of each loan depend on the borrower’s qualifications, their capacity to fundraise, and the critical nature of the project. The following requirements are designed to ensure that the loan funds are preserved over time while allowing the greatest flexibility for the borrower:

Note	The loan is documented by a promissory note between the borrower and the Access Fund
Interest	Please contact us for current rate
Term	Typical length of loan is one year, and loans shall not be made for a term in excess of three years unless a longer term is necessary for extraordinary circumstances
Payment Schedule	Due at maturity. There is no pre-payment penalty for partial or early payments
Origination Fee	None
Loan Closing Costs	Borrower covers
Security	We seek to secure our loans 100%. Since all projects vary, the type of security will be tailored to the needs of the borrower and the project. The following list is an example of acceptable forms of security or collateral: <ol style="list-style-type: none">(a) Deed of trust or first mortgage on the purchased property, a portion thereof, or another property of sufficient value(b) Personal guarantees (individual supporters guarantee portions of loan)(c) Unconditional letter of credit for the full loan amount guaranteed by an accredited banking institution(d) Collateral assignment¹ (most applicable for limited property rights like option agreements)(e) No security required for loans under \$10,000

¹ Asset assignment in which ownership rights are transferred only as an additional security for a loan, and revert to the assignor when the loan is repaid.

Communication guidelines:

The Access Fund requires that all public announcements of projects funded through the Climbing Conservation Loan Program include approved language about our partnership. Access Fund staff are available to assist with content for press releases and other materials. The following guidelines create a framework for sharing the news:

1. All projects with 50% or more funding from the loan program require joint press releases and coordinated public launch activities.
2. Press releases, events, and fundraisers must acknowledge Access Fund support.
3. Please use the Access Fund logo in your materials. Logos are available for download at www.accessfund.org/logos.
4. The Access Fund can also help kick-start fundraising efforts by distributing your news through our communication channels.

The Access Fund respectfully requests our partners to contact us to review and approve all language regarding our partnership.

Long-term ownership considerations:

If the borrower is seeking fee-simple long-term ownership:

1. **Deed restrictions:** The Access Fund may require deed restrictions to permanently protect the property and public access at closing or at release of the mortgage/deed of trust. This can be accomplished a number of ways, including but not limited to public covenants or an Access Fund conservation and recreation easement.
2. **Land Trust Standards and Practices:** The borrower is highly encouraged to adopt these standards as established by the Land Trust Alliance.
3. **Stewardship funding:** Securing long-term stewardship funding with the property is *highly recommended* as further emphasized under the Land Trust Standard and Practices.
4. **Liability Insurance:** The borrower may want to consider obtaining annual liability insurance to cover property damage and claims of bodily harm, if not cost-prohibitive. If no insurance is obtained, carefully review your liability protection under the state's Recreational Use Statute.

Application Process

Applicants should contact the Access Fund at landprotection@accessfund.org or 303-545-6772 prior to submitting a loan application to discuss the project.

The Climbing Conservation Loan Program (Fund) is administered by the Acquisitions and Loan Committee, a sub-committee of the Access Fund Board of Directors (Board). When possible, the Access Fund may arrange a site visit of the property. The Access Fund reserves the right, in its sole discretion, to determine the use of the Fund. As the size of the Fund is limited, the Access Fund will evaluate competing proposals with preference given to a) projects providing maximum conservation value and public benefit for the cost, b) projects involving properties that are imminently threatened by development, and c) projects backed by an organization with a strong record of success or capacity to fundraise.

Please use the attached loan application and submit electronically with attachments sent separately.

Applicant must provide the following information along with the application:

1. Map(s) of property, including parcel boundaries and aerial imagery
2. Two or more representative photos of the property and climbing activities
3. An attested copy of the authorizing resolution of the loan-seeking organization's board of directors or responsible officers approving the transaction, the AFLCC loan, and form of security.
4. Title Commitment (Access Fund added as an insured if property used as security)
5. IRS 501(c)(3) Letter of Determination
6. Certificate of Good Standing from Secretary of State
7. Last three years of financial statements including IRS Form 990s
8. Loan documents: the applicant will work together with the Access Fund and legal counsel to draft Promissory Note and other loan document(s) required to secure the loan

Depending on the nature of the project, the Access Fund will likely request the following items once available:

1. Purchase and Sale Agreement or equivalent contract
2. Letter of commitment from "take-out" source(s) for hold-and-transfer projects
3. Borrower's Counsel Opinion Letter for final review of loan documents
4. Appraisal (if completed or requested)
5. Survey (if completed or requested)
6. Environmental Site Assessment (if completed or requested)
7. Draft deed restriction (if requested by applicant or Access Fund)
8. Project estimates and statements for emergency stewardship action