



Permanently preserving open lands for agriculture,  
wildlife habitat, scenic enjoyment and recreation  
in the greater Roaring Fork and Colorado River Valleys

May 20, 2014

**Board of Directors**

Steve Carter  
*President*

Rosemary Patterson  
*Vice-President*

Bill Kane  
*Secretary*

Dan Brumbaugh  
*Treasurer*

David Bellack

Jim Cardamone

Jeanne Doremus

Dr. Gary Knaus

Fred Lodge

Kate Schwarzler

**Staff**

Martha Cochran  
*Executive Director*

Suzanne Stephens  
*Associate Director*

Melissa Sumera  
*Office Manager*

Connor Coleman  
*Stewardship Manager*

Pitkin County Open Space and Trails  
c/o Dale Will – Executive Director  
530 E. Main St., 3<sup>rd</sup>. Floor  
Aspen, CO 81611

**Re: Notice of VIOLATION of Conservation Easement – North Star Preserve**

The Deed of Conservation Easement for North Star Preserve (Pitkin County reception # 472502) recorded on September 19, 2002 is a voluntary perpetually binding agreement between Pitkin County, Colorado (Grantor) and Aspen Valley Land Trust (AVLT) (Grantee) which outlines permissible and prohibited uses for the property including rights and obligations of the Grantee.

Section 8 of the easement states that: *“The Property shall be operated and managed by Grantor in accordance with the Management Plan. The Management Plan shall be updated by Grantor no less than once every five (5) years. As further provided in paragraph 2(d), Grantee may participate in any North Star Users Group meetings and may recommend changes to the Management Plan. No amendments or changes to the Management Plan may increase the type or intensity of recreational, commercial, or public use beyond what is specified in the existing Management Plan.”* The current management plan being utilized to guide management of this preserve was adopted by the Pitkin County Board of County Commissioners on July 26, 2000 – two years prior to the conveyance of the conservation easement, and has not been updated since.

Recent past easement monitoring reports have provided reminder of the need to review and update the management plan per the requirements of the easement and have indicated an increase of public recreational use of the preserve.

A July 8, 2013 article in the Aspen Daily News brought to light a tremendous increase in public use of the preserve and heightened concerns about noise and trash. Concern from this article prompted the AVLT Stewardship Manager to request a meeting with the Open Space and Trails (OST) Assistant Director which took place on August 28, 2013. During that meeting it was decided that an updated management plan was needed and that efforts would be made to convene the North Star Users Group (which per the terms of the 2000 Management Plan should be meeting twice annually) with the goal of producing and implementing an updated plan by the start of the 2014 summer season. The AVLT Stewardship Manager followed up with the OST Assistant Director on January 2, 2014 and May 6, 2014 as to the status the management plan update with the latter inquiry going unanswered.

To the knowledge of AVLT, an updated management plan has not been produced nor has the North Star Users Group been convened at this time.

*Per section 9 of the conservation easement this letter serves to inform Pitkin County that it is currently in violation of the aforementioned conservation easement and that AVLT is exercising its enforcement authority.*

In an effort to move forward with resolving this violation please provide AVLT with a detailed written timeline including efforts to convene the North Star Users Group and update the management plan, as well as short-term plan to mitigate for the expected high use of the North Star Preserve during this summer season. Please provide AVLT with this document by Friday, May 30, 2014.

To resolve this violation, an updated comprehensive management plan, mutually agreed upon between the Grantor and Grantee, shall be available for implementation no later than August 29, 2014.

Sincerely,



Connor P. Coleman  
Stewardship Manager