

THE RESOURCE



THE OFFICIAL NEWSLETTER OF THE EQUINE LAND CONSERVATION RESOURCE

Successful Private Trail Organization Models to Protect Endangered Trails

By Dot Moyer for Equine Land Conservation Resource

Equestrian trails on private property are in danger of disappearing. Concerned riders need to organize to protect their endangered trails—the sooner, the better!

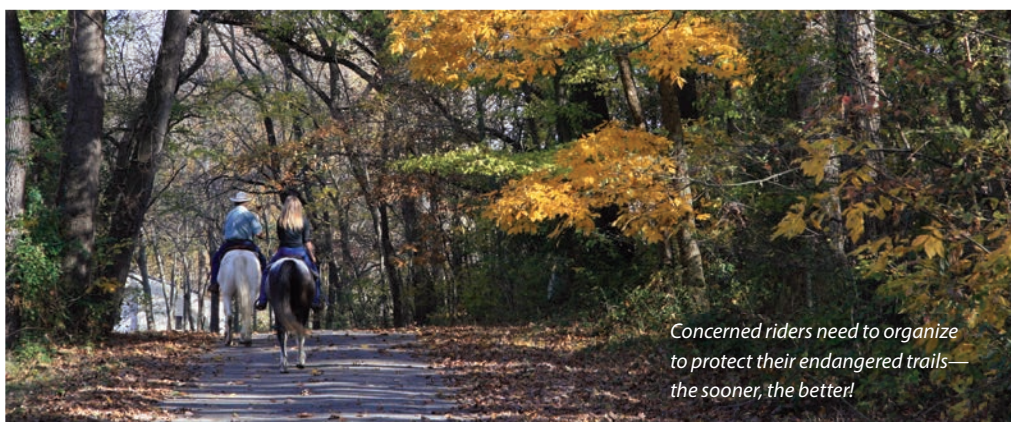
Creating a trail system organization is a great start to focus efforts, incentivize volunteers, create enthusiasm and produce a tangible result. Here, I'll discuss three successful trail-organization models for trails on private property. Then I'll outline a few other key issues to address as you develop your trail organization.

Trail Organization Models

In my area of the Carolina foothills, three main models of trail organizations have been successful.

Loose Network: Formed by agreement among neighbors to use and maintain the area trails. This works best when there is low usage and density, and good relationships exist among landowners of similar interests. **Advantages:** No formal legal organization is necessary. Limited participation in trail upkeep and no membership regulation requires little work. **Disadvantages:** Easily destroyed by irresponsible users or development. Loose organization makes trail maintenance, communication, legal protection and accountability a problem. There is no revenue to cover costs.

Landowner-Only: Organized through homeowners' associations or neighborhoods, this is the model often used in equestrian developments and with a high concentration of equestrian landowners. **Advantages:** More clearly defined "membership" facilitates, communication,



Concerned riders need to organize to protect their endangered trails—the sooner, the better!

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usage rules, accountability, trail maintenance and legal liability issues. Trails can be permanently protected by development deed restriction and covenants. **Disadvantages:** Often very limited riding potential. Work and expense for maintenance concentrated on small number of users. Slower turnover so volunteers age out or burn out. "If I can't use your trails, you can't use mine" retaliation may prevent members from using trails outside of the defined area.

Open-Use: With membership, it is open to non-landowners. Often a natural extension for areas with a long equestrian history. **Advantages:** More available volunteers for organizational functions. Greater usage revenue generates income to pay maintenance, insurance and other expenses, creating greater landowner satisfaction with equestrian use. The trail system may become a valuable "community asset," increasing land values. Landowners are more likely to qualify for Recreational Use Statute legal protection. **Disadvantages:** Requires greater organization to establish and administer. There is a need to limit numbers to sustainable levels by quota or residency restrictions.

Key Issues

Other issues that need to be addressed early in the process of your trail organization include:

Legal Liability is the biggest concern for landowners. Properly drawn and executed liability release/indemnification agreements are absolutely necessary to protect landowners. Recreational Use Statutes in every state lower the landowners' duty and provide the best statutory liability protection to landowners who permit uncompensated recreational use, but legal precedent has required "public use" access to achieve this level of protection. Equestrian Activity Statutes in every state define what is "not negligence," but they do not change the ordinary negligence standard and require strict adherence to statutory requirements. Liability laws are different in every state. Check with your state's



Will the trails be equestrian-only or multiuse? It's really up to the landowners how their lands are used, but address this issue early. Be flexible regarding non-equestrian use.

There is a lot to think about in starting a trail association. ELCR recently hosted a webinar titled "How to Create & Sustain a Private Trail System," which may be viewed on the ELCR website at www.elcr.org/how-to-create-sustain-a-private-trail-system.

horse council for EAS requirements and referrals for equine attorneys in your state.

One bad accident can spook landowners and lose trails, so prevention is the best defense against liability. Riding on private property is a privilege, not a right. Requiring SEI-approved helmets will lower landowner risk and it is the least riders can do for the landowner.

"Entitled" attitudes and inconsiderate usage lose trust and trails. Landowners have reasonable expectations that they and their property will be treated with respect (polite riders wearing helmets, and no smoking, littering, drinking or using landowners' stuff, etc. Loose dogs riding near landowners' livestock and pets, and riding while the trails are wet are big landowner complaints.) Rules and consequences must be clear, and riders are to be held accountable. It is important that members all agree not to ask for "special exemptions" to the rules as this can increase landowner liability and make enforcement difficult.

Dues should be assessed to cover reasonable expenses. For liability reasons, they should not be tied to the amount of usage. All users, including landowners, should pay dues.

Equestrian Only or Multi-Use Trails? It is really up to the landowners how their land is used, and you must be flexible regarding non-equestrian use. In my "home" system, our members only have a right to ride or carriage drive, but nothing else. Many landowners allow walking, running and dog walking, but restrict biking and motorized vehicles as too dangerous. Other systems are multi-use. This will really depend on negotiation with landowners, but should be addressed early.

Commercial use allowed? Private property owners usually don't want their trails used to make money for other people. Commercial trail riding, short-term rentals and horse B&Bs are a problem because of usage regulation, landowner consideration, and privacy and liability.

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Based in the Tryon, North Carolina area with a lifelong interest in horses, agriculture and nature, Dot Moyer has represented and served on the boards of many community-based nonprofits during her career, including the Foothills Equestrian Trails Association. Now retired, she focuses her efforts on preserving land and equestrian access.

From the Saddle

A Letter From the ELCR President

While taking a leisurely trail ride with friends today, it occurred to me how lucky we were to be able to haul our trailers into the heart of Tallahassee, Fla., drive through a suburban neighborhood and end up on a 600-acre preserve with miles of wooded trails, open meadows, water, wildlife and just a peaceful place to ride! Not everyone can do that. In fact, this type of experience is becoming less and less of an opportunity.

That is why ELCR exists. We want this type of opportunity to not only to continue but to expand. This also translates to those of you who enjoy your experience with horses in the ring doing dressage, reining, roping, hunter jumper competition, and really any horse experience that exists.

Because ELCR is strictly a donor based nonprofit and the only national level organization dedicated exclusively to all horse activity and land, we need you to be continually thinking about us and helping us meet our important mission.

In recent months we have shared with you our 2016-2018 Strategic Plan. Recognizing that conservation occurs at the local level, the plan calls for expanding our existing network of equine and land conservation partnerships to include more locally based organizations. We are excited about this next phase of ELCR's mission that will ultimately help strengthen and enhance local equine land conservation efforts.

In order to boost our effectiveness of realizing these goals, we have launched a new effort called Gaining Ground. Through our Gaining Ground campaign we intend to build a new local focus



ELCR President Ken Haddad with his horses Flying Cloud, Jamison and Forrest

by networking local horse and land conservation interests and then providing the tools for them to be a sentinel and local influence on conserving land for the horse and horse activities. We have found we can do much at the national scale but the real work needs local attention!

So keep an eye out as we unfold the public part of our Gaining Ground campaign. We need you, your friends, your friends' friends and anyone else who recognizes that our future with horses depends on having the land to support them to help us achieve our Gaining Ground goals.

With your help, we can turn the tide on land loss and ensure that horsemen and women everywhere are aware of the threat of land loss, are educated on what it takes to prevent it, and are supported in their efforts to conserve and protect their local horse lands for the benefit of this generation, and generations to come.

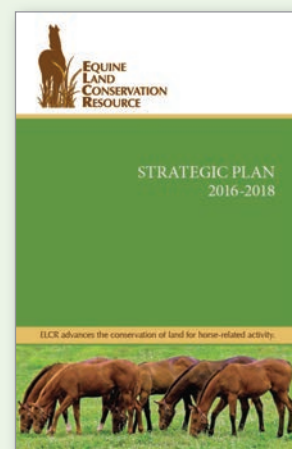
A handwritten signature in black ink that reads "Ken Haddad".

2016-2018 Strategic Plan Update

ELCR to Conduct National Survey of Local Advocacy and Horse Land Conservation Organizations

ELCR is pleased to announce that we will be conducting a national survey of local organizations working on equine advocacy and land related issues, in partnership with the University of Kentucky's Community and Economic Development Initiative of Kentucky (CEDIK), as part of our ambitious three-year strategic plan.

Recognizing that conservation is a local issue, ELCR is excited about this national survey and the insight it will provide. The groundbreaking comprehensive survey will reveal important information about survey respondents such as mission, existing partnerships, historical activities, model organizations, best practices, successes and failures as well as common issues and challenges shared among respondents. ELCR looks forward to identifying and sharing these success stories and best practices identified in the survey. The results of the survey will also be used to inform and fine-tune ELCR educational programming resources and technical assistance services in order to better support local advocacy and conservation efforts.



The full 2016-2018 Strategic Plan may be viewed online at www.elcr.org/strategic-plan

EQUINE PLACES AND SPACES

NEW: Milwaukee Community Equestrian Center | Wisconsin

A plot of city-owned land was given to the Milwaukee Police Department to provide a closer location to store its police horses. Acquired by the city of Milwaukee in 1981 through property tax foreclosure, four acres of land that used to be land for a former factory, will now be home to the Milwaukee Community Equestrian Center, which is planned to hold 24 horses. The project is scheduled to be completed by this fall, with the goal of providing a permanent home for the Milwaukee Police Department mounted patrol and expanding outreach to public schools.

To learn more, visit www.google.com/HsmOIS

SAVED: Salt Lake County Equestrian Park | Utah

The Salt Lake County Equestrian Park in South Jordan, Utah, is beloved by thousands of horse lovers. Built more than 40 years ago, no other equestrian park in Utah offers a race track, polo and jumper fields, and long-term boarding. However, Councilwoman Aimee Winder Newton questioned whether funding the center is the best use of the land and taxpayer dollars and suggested closing the park. Salt Lake County conducted a facilities study of the park, and the Parks and Recreation Department worked to produce 4 scenarios to present that would save the park. Citizens mobilized, with thousands attending meetings and collecting signatures for a petition. In August 2016, the County Council voted unanimously to maintain and improve the facility, with even further advancements being made since, including passing a proposition that allocates additional funding to the park for maintenance and improvement projects.

To learn more, visit www.equestrianparkcoalition.com

THREATENED: Osborne Farms | Ohio

The iconic Osborne Farms in Mentor and Kirtland Hills, Ohio, is facing a threat of land loss. Self-made tycoon Jerome "Ace" Osborne Sr. often wore Carhartt work gear and rode horses on this 100-acre farm. Heirs of the late Osborne family are in the works to try to rezone approximately four acres of the farmland to build a hotel, alongside other future development projects. Additionally, a subdivision may someday come to the portion of the farm that includes its picturesque Tudor-style barns along the

highway. Sooner or later, according to a family representative and a local official, the whole farm may eventually fade into Lake County's rural past.

To learn more, visit [www://goo.gl/SLW03c](http://www.google.com/SLW03c)

REBORN: Balmoral Park | Illinois

A new owner of the former Balmoral Park racetrack in Crete, Illinois, has plans to reopen the park for hunter/jumper events. Although Balmoral Park hosted its last race at the close of 2015, the New York company Horse Shows in the Sun (HITS) recently closed the deal on this 200-acre site to prepare the grounds for competitions starting this coming May. HITS plans to hold up to 14 competitions per year at the facility during the spring and summer, and has begun work on remodeling the park's permanent stables and construction of six competition rings. Although the company has placed its name on other facilities it owns, Balmoral Park will retain its name as a throwback to its tradition and history. The park has been well known for years as a venue for harness racing, but much of Balmoral's early history centered around thoroughbred racing. The park opened in 1926 as Lincoln Fields, and changed to Balmoral Park in 1955 under new ownership.

To find out more, visit: www.google.com/OAYosc

If you are aware of an equine-related place that has been lost, saved or is in danger, please let us know about it. You can contact us at 859-455-8383 or info@elcr.org, or visit the Report an Issue page on our website.

Thanks to our corporate friend:



Active Interest Media

Equine Network and its fine family of equestrian print and online publications:

American Cowboy, Arabian Horse World, Discover Horses, Dressage Today, EquiManagement, Equine.com, EquiSearch.com, EquiShopper, EQUUS, Horse & Rider, HorseBooksEtc.com, Horse Journal, HorseLinkMagazine.com, MyHorse.com, Practical Horseman, Spin to Win Rodeo, and The Trail Rider

ELCR Welcomes New Board Members

ELCR is pleased to welcome two new members to the board of directors.



Gary Carpenter

Gary Carpenter, a native Texan, is currently serving as the Commissioner and CEO of the National Reining Horse Association in Oklahoma City, Oklahoma. His experience encompasses a broad spectrum of the horse industry, and includes 10 years as executive director of the American Association of Equine Practitioners, as well as executive positions with The Jockey Club, the American Quarter Horse Association and the Arabian Horse Trust. In 2016, Gary was awarded the Equine Industry Vision Award, presented by Zoetis in partnership with American Horse Publications, recognizing ingenuity and service, and innovation across the equine industry. Gary has traveled the world working on equine projects involving veterinary, welfare, publishing, stud-book and racing endeavors. Gary has been involved hands-on with horses for his entire life and is a member of the renowned Roundup Riders of the Rockies.

Peter Fenwick, a lifelong resident of Worthington Valley in Baltimore County Maryland, brings to ELCR many years of experience in land use planning and the equine industry. In 1998, he joined the board of directors of the Valleys Planning Council (VPC), an organization founded in 1962 to plan and manage the pressures of development in the rural portion of Baltimore County, and has served as president and race director since 2005. He has been president and race director for the Grand National Steeplechase Association since 2002, a historic steeplechase event in Baltimore County first run in 1898. He currently serves as secretary of the Maryland Steeplechase Association and has served in the past as secretary of the National Steeplechase Association. Peter and his family have a farm in the Worthington Valley area where they combine their love of open space and horses.



Peter Fenwick

ELCR Named a Charitable Beneficiary of 2016 Rolex Kentucky Three-Day Event

ELCR is honored to have been named a charitable beneficiary of the 2016 Rolex Kentucky Three-Day Event (RK3DE). Equestrian Events, Inc., the official organizer of RK3DE, has been a long-standing friend and ally of ELCR for many years.

RK3DE is the only four-star three-day event (CCI****) held in the Western Hemisphere, and one of only six in the world. This prestigious designation makes it one of the most popular annual equestrian events held in the United States.



Please join us April 27-30, 2017

Best Weekend All Year!

Rk3de.org



Equestrian Events, Inc. Executive Director Lee Carter (left) and President Stewart Perry (right) present a check to ELCR Executive Director Holley Groshek, designating ELCR as a charitable beneficiary of the 2016 Rolex Kentucky Three-Day Event.

Thanks to our corporate friend:





Upcoming Webinars

ELCR and My Horse University will be co-presenting two webinars in 2017.

Fall Webinar Topic: equine trail building & maintenance

Date: October 10, 2017

Winter Webinar Topic: planning and zoning issues

Date TBA

Further information will be made available on our website at www.elcr.org, and through My Horse University at www.myhorseuniversity.com

ELCR Pledges Support to AHC Economic Impact Study

ELCR is proud to pledge support to the American Horse Council Foundation's initiative to update their Economic Impact Study of the Horse Industry in 2017. This study of the horse industry will document the economic effects of the racing, showing, recreation and other segments of the horse industry on the state and national economy, in addition to providing invaluable demographic data and other insights into professions and related industries that are impacted by equine ownership. These findings are important in facilitating the equine industry in advocating for horses, and in educating the public, media and elected officials regarding the industry's economic size, impact and importance.

The 2005 AHC Economic Impact Study has been the primary source of economic data in the equine industry. The study established that the horse industry had a \$39 billion effect on the U.S. economy, involving more than 4 million Americans and 9.2 million horses, supporting 1.4 million full-time jobs. The study has been extremely useful to the industry's efforts in Congress and state legislatures; however, now that the data is over 10 years old, its usefulness is limited.

Plans for the 2017 study involve expanding demographic information to include the impact that youth involvement has on the industry, as well as a more in-depth analysis of all segments of the industry, including horse rescues and therapeutic riding centers.

To learn more about the updated Economic Impact Study, visit the American Horse Council at www.horsecouncil.org

National Forest System Trails Stewardship Act Passed

The National Forest System Trails Stewardship Act (NFSTSA) was signed by President Obama in late November 2016. The bill directs the U.S. Forest Service to take actions to help address the current trail maintenance backlog, including developing a strategy to more effectively utilize volunteers and partner organizations to assist in maintaining national forest trails.

The bill directs the U.S. Forest Service to identify and prioritize areas with the greatest need for trail maintenance in the national forest system. Additionally, the bill includes directives that will allow outfitters and guides to perform trail maintenance activities in lieu of permit fees, and also addresses a liability issue that has discouraged some national forests from utilizing volunteers and partners to perform trail maintenance. It is unlikely that Congress will appropriate additional funds to directly address the trail maintenance backlog, and this bill will help improve trail maintenance without the need for additional funding.

This is expected to improve trail quality for all user groups, including equestrians. The U.S. Forest Service has 158,000 miles of trails, many of which are integral to equestrian activity. Organizations including the American Horse Council, Back Country Horsemen of America, American Endurance Ride Conference, American Hiking Society and Wilderness Society were proud proponents of the bill.



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YOUTUBE

www.youtube.com/elcrvideos



Peter Fenwick Honored with Robert N. Clay Award

Peter Fenwick of Glyndon, Maryland, was honored as the 2016 recipient of the Robert N. Clay Conservation Award on September 10, 2016. The award, named in recognition of Robert N. Clay's equine land conservation leadership in the Thoroughbred industry, is a combined effort between ELCR and the Thoroughbred Owners and Breeders Association (TOBA).

"TOBA is pleased to have established this award in partnership with ELCR to help increase awareness of the importance of land conservation to the Thoroughbred industry and to serve as an inspiration to others within the industry," says TOBA President Dan Metzger. "We are thrilled to present the award this year to Peter Fenwick in partnership with Equine Land Conservation Resource."

Mr. Fenwick, a lifelong horseman and Thoroughbred owner, has served as a board member of the Valleys Planning Council (VPC) since 2001 and as president since 2005. The VPC was started in the 1960s by a group of individuals, many of whom were horsemen, with the vision and foresight to preserve the historic character and maintain the rural feel and land uses in the valleys amidst the threat of urbanization and sprawl associated with the construction of the Beltway through Green Spring Valley. Today, with over 62,000 acres of land under conservation easements, Baltimore County has more conservation easements than any other county in the state of Maryland and the VPC continues the tradition of protecting the agriculture and equestrian lifestyle, along with the area's heritage, for the benefit of future generations with the conservation of over 30,000 acres of land.



ELCR Vice President Dan Rosenberg (right) presents the Robert N. Clay Award to Peter Fenwick.

Horses represent a significant part of the history of Baltimore County with over 10,000 horses comprising an equine inventory valued at over \$121 million. Steeplechase racing and fox hunting are major activities in the VPC territory. Four major events are held in the area each year: Green Spring Point-to-Point, Grand National, Maryland Hunt Cup, and Legacy Chase. The Grand National and Hunt Cup races date back to 1898 and 1894 respectively. Peter Fenwick continues to demonstrate his commitment to conserving the land and equestrian lifestyle and heritage of the area through his dedication to the mission of VPC and by serving on the board of the Maryland Steeplechase Association and as chair of the Grand National Steeplechase and member of the Green Spring Valley Hounds.



ELCR Education Corner

Recent additions and updates to the ELCR Online Resource Library.

Frequently Asked Questions

Our recently incorporated FAQ Section is designed to quickly link users directly to the most pertinent articles, tools and templates related to their specific issue.

www.elcr.org/conservation-resources/frequently-asked-questions/

Seven Steps to Influencing Zoning Change in Your Community

Advocating for Horses during Planning & Zoning Changes

www.elcr.org/seven-steps-to-influencing-zoning-change-in-your-community/

How to Create & Sustain a Private Trail System

Webinar on Successful Trail Organization Models

www.elcr.org/how-to-create-sustain-a-private-trail-system/

Nurturing Land Management Relationships

Maintaining and Acquiring Horseback Access to Public Land, Trails and Facilities

www.elcr.org/nurturing-land-management-relationships/



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