

THE RESOURCE



THE OFFICIAL NEWSLETTER OF THE EQUINE LAND CONSERVATION RESOURCE

Equine Trail Easements: The Good, the Bad and the Muddy

By Laurel A. Florio for Equine Land Conservation Resource

Many aspects of equine activities rely on large areas of land. The need for trail access over privately-owned land can be essential to equine use, and the lack of access threatens to minimize trail availability in many parts of the country. This condensed article provides a basic overview about how trail easements can support equestrian access. The full version of the article is available at <https://tinyurl.com/Trail-easements>

Access to Land

Community conservation highlights the benefits of land conservation for an entire community. It can help the establishment of trail easements over private lands, highlighting the communal engagement necessary to maintain trail access. Many landowners are willing to conserve land for trails or trail access, and they may grant a trail easement to allow access to larger trail networks. Conservation easements on a larger swath of land are also common. Some organizations pay the landowner for the conservation/trail easements to ensure continuity of a network or as a stand-alone community aesthetic. Trail easements are used for access over private land and held by a conservation organization, municipality, or governmental agency.



The Walthour-Moss Foundation (W-MF) of Southern Pines, NC, successfully secured trail easements on neighboring properties, providing public access to 4,200 acres of conserved land.

Continued next page...

NO LAND NO HORSE



elcr.org

In This Issue

Equine Trail Easements.....	1-3
ELCR Remembers James C. Wofford	3
Best Practices for Managing Stock Use Sites at Public Campgrounds.....	4
Equine Places and Spaces	5
Charles Fenwick, Jr., Honored with Robert N. Clay Conservation Award	6
Education Corner.....	7

Establishment of the Trail

A conservation easement over a large parcel of land is written differently from a trail easement. Although both will have specific legal provisions, two important aspects of trail easements are its purpose and location. A trail easement is usually a network of strips of land over many different properties that are connected to provide access to a greater trail network. Some trail easements permit multiple types of users, and all strive to provide a safe user experience. Usually, the trail is posted as to acceptable use, thus making it very clear to all.

The location of the trail easement is very important. Community conservation is the ideal way to bring together the landowners to establish and map the intended trail. The design and location of trails will determine the viability as a recreational community asset. The physical location of the trail is important, the better the footing, the better the experience.

Talking Points for Landowners Considering a Trail Easement

PROS:

- Perpetual in nature (usually)
- Maintenance plans (by holding organization)
- Distinct boundary lines
- Signage displaying permitted use (horses, pedestrians, non-motorized, etc.)
- Enhance value of the community
- Meet community desire to access trails without need to trailer in
- Build community spirit and sense of place

CONS:

- Liability issues
- Landowner concern as to devaluation of property due to trail easements over land
- Perpetuity is a long time
- Difficulty choosing a conservation organization to hold the easements
- Worry that trail users will not be respectful of use restrictions and boundaries

Laws

Each state has its own laws pertaining to conservation and trail easements. Horse-centric organizations can partner with conservation organizations to establish trails for equine use only or include other groups for multi-use recreation. The laws of the state in which the trail system will be located dictate the structure of the trail easement. Although there are many template examples of such easements, each must be tweaked to adhere to state law. It is imperative that both landowners and conservation organizations engage local legal counsel familiar with conservation easements to ensure adherence to local, state, and federal laws.

Examples of Trail Easements in Local Communities

Here are two examples of conservation/trail easements that are specific to certain uses and the states in which the land is located.

The Green Mountain Horse Association (GMHA) Trail System in South Woodstock, Vermont, is an example of community conservation and trail use. This system consists of over 100 landowners participating in the establishment of 400 miles of multi-use trails, most of which are located on private land. Landowner permissions for equestrian access equal about 15 percent permanent trail easements. The remainder are licenses. These landowners often allow other uses on the trails as well.

GMHA generally offers equine trail easements. Additional uses can exist on the same trail, but it can get complicated and lead to user conflicts. Lastly, there is no financial or tax advantage for a trail easement in the state of Vermont. Those who have done it are content in knowing that they have preserved equestrian trails for the future, even if the trails are multi-user. A system of this size generally thrives on multiple user groups, thereby enhancing the concept of community conservation and involvement.

Another example is the Walthour-Moss Foundation (W-MF). This is a 4,000-acre natural treasure for equestrians in the Carolina Sandhills region of North Carolina. It started because the lack of access over private property, due to loss of contiguous farmland, threatened access to the Foundation land.

The Foundation sought to retain accessibility by capitalizing on the community's emotional attachment to the Foundation lands, its desire to maintain the horse-friendly culture, and physical access. By securing trail access easements from landowners, the Foundation was successful. Additionally, neighborly

Continued next page...

encouragement facilitated the sense of community conservation necessary for trail access via such easements.

To learn more about the Walthour-Moss and Green Mountain Horse Association trail systems go to <https://tinyurl.com/Private-trails>.

Conclusion

The use of perpetual trail easements has been proven to successfully retain accessibility as well as community in many horse-centric areas threatened by development and diminishing farmland. Many local land trusts, conservation organizations, and government entities can provide assistance to groups seeking to retain or establish a trail network with the use of trail easements. The Equine Land Conservation Resource (www.elcr.org) can provide additional information and contacts.

In the face of loss of land or access for horses and riders, these resources continue to influence and inspire change to ensure horse-related communities will survive and thrive for the benefit of this and future generations. For additional information and resources, please see the full version of this article at <https://tinyurl.com/Trail-easements>.

*Thanks to our
corporate friend:*



ELCR Remembers James C. Wofford

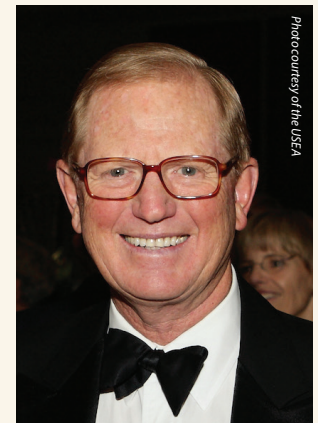
We at ELCR are deeply saddened by the passing of renowned horseman James “Jimmy” C. Wofford on February 2, 2023. Jimmy was born into a family of equestrians on November 3, 1944, with a father and brothers who were all accomplished international competitors. He was a graduate of Culver Military Academy in Indiana and the School of Business at the University of Colorado.

Jimmy’s career began at the age of 19, when he started training with the United States Equestrian Team (USET) in Gladstone, New Jersey. He first represented the U.S. Eventing Team in 1965 and continued competing internationally with the program through 1985. During this time, he earned two team silver medals at the 1968 and 1972 Olympics; an individual bronze at the 1970 World Eventing Championships; and a team bronze at the 1978 World Eventing Championships, and he was a member of the gold-medal team at the 1967 Pan American Games. In addition, Jimmy won the Rolex Kentucky Three-Day Event in 1981 and 1986.

After Jimmy retired, he continued to work as a coach, and at least one rider on every U.S. Olympic, World Championship, and Pan American team since 1978 had been a student of his. Jimmy provided leadership to several organizations, including serving as president of the American Horse Shows Association (now United States Equestrian Federation), vice-president of USET, secretary of USCTA (now United States Eventing Association) and was a member of the FEI Eventing Committee. He was inducted into the USEA Hall of Fame in 2003 and received the USEF Lifetime Achievement Award in 2012. In addition to his competition achievements, he was also a well-known author, penning several books as well as contributing a column to the magazine *Practical Horseman* for many years. Jimmy was also a longtime friend and supporter of Equine Land Conservation Resource’s mission and work.

Jimmy is survived by his wife of over 50 years, Gail; two daughters, Mrs. Hillary (Tim) Jones and Mrs. Jennifer (Charles) Ince; and several grandchildren.

To read more about his incredible life please visit <https://tinyurl.com/4mux2mhe>



James “Jimmy” C. Wofford

Best Practices for Managing Stock Use Sites at Public Campgrounds

The recreational use of public lands has been steadily increasing over many decades due to factors such as increased population, expanded interest in healthy living, new outdoor recreational activities, and advancements in technology and equipment. However, the onset of the COVID-19 pandemic had a profound impact on outdoor recreational activity across outdoor recreation sectors.

While it is great that more Americans are out enjoying recreational activities, the increase in usage can lead to issues and conflicts. In 2021, Back Country Horsemen of America (BCHA) alerted the American Horse Council's Recreation, Trails, and Land-Use (RTLUL) Committee about the issue of an increased number of campers without livestock camping in livestock campgrounds, and while this had been a problem prior to the pandemic, it was clearly becoming an even more significant problem in some areas.

A Horse Camp Working Group (HCWG) was organized by the RTLUL Committee under the leadership of BCHA. The working group included the American Horse Council, American Endurance Ride Conference, Equine Land Conservation Resource, and others to investigate the livestock camp site issue. BCHA and the HCWG approached the United States Forest Service (USFS) regarding what options exist to minimize the extent to which parties without stock were occupying designated equestrian campsites throughout the National Forest System. Although there was a policy for developed campgrounds prohibiting parties from "bringing in or possessing a saddle, pack, or draft animal except as authorized by posted instructions," there was no corresponding regulation to prevent parties without stock from occupying developed equestrian campsites.

At the prompting of BCHA and its allies, the Forest Service national office circulated a memo to all national forests and national grasslands, titled "Recommended Best Practices for Managing Stock Use Sites at Developed Campgrounds." This memo, which details the implications of this growing problem for stock users, can be found at <https://tinyurl.com/Campground-Best-Practices>. Equestrians are encouraged to review this memo and to use it as a reason to schedule a meeting with personnel at their local national forest to assist them in achieving the following objectives:

- Ensure the memo was received by the local Forest Service office,
- Discuss with forest staff the magnitude of the problem locally and the memo's relevancy and implications, and
- Come to agreement on what adjustments in the management of equestrian campsites within Forest Service jurisdiction might be implemented to communicate to the public the need to prioritize equestrian campsites for use by parties with stock.



Bull Trout Lake Horse Camp - Boise National Forest (credit: Freddy Dunn)

Horse Camp Incident Report Form

To help identify specific locations where this issue is most problematic, BCHA and its allies developed a Horse Camp Incident Report form for equestrians to capture and record incidents where parties without stock are occupying Forest Service equestrian campsites. The purpose of the form is to support BCHA and its allies should there be a need to make the case for new regulations to prevent parties without stock from occupying equestrian campsites. An online version of the form can be found at <https://tinyurl.com/yeyja3wy>

ELCR wants to thank our partner BCHA (www.BCHA.org) for their work and leadership on the horse campground issue.

EQUINE PLACES AND SPACES

SAVED:

Ashwood Training Center, Lexington, Kentucky

In Lexington, Kentucky, the Board of Adjustments had approved the Ashwood Training Center property as the site for 12 youth soccer fields for the Lexington Sporting Club during the summer of 2022. This property borders and is surrounded by world-class Thoroughbred and sport horse farms, as well as Fasig-Tipton, North America's oldest Thoroughbred auction company. Many concerns were raised by the equine and agriculture industries, including the effects of noise and light pollution, increased traffic, and the precedent it set for agriculture/equine properties in the future. Several organizations, including ELCR and the Fayette Alliance, and countless citizens fought the proposed soccer fields, and the Lexington Sporting Club withdrew its proposal.

As of December 2022, the former Ashwood Training Center is reopening under new management and a new name, Three Diamonds Training Center.

LOST:

Essex Equestrian Center, West Orange, New Jersey

Clients were sad to learn in early December that the Essex Equestrian Center would be closing on December 19, 2022. The facility was built in the early 20th century and was known by several names before being owned and operated for the past 20 years by the Hall family. It was centrally located in urban Essex County, not far from Newark, and there is speculation about the future of the property. From a post on their Facebook account, all equines will be "re-homed to only the best of homes and our older herd of ponies and horses will be going to retirement to enjoy a big grass field that they so deserve." Current and previous clients were quick to share fond memories and photos of their time spent at the Essex Equestrian Center.

LOST:

Griffith Park Pony Rides, Los Angeles, California

The over 4,200-acre Griffith Park is one of the largest municipal parks in the United States and has been home to the

Griffith Park Pony Rides and Petting Zoo since 1948. It was a place for urban children to get experience around horses and ponies as well as to learn about other farm animals. It was a place where parents and grandparents could share their own fond memories with their children and grandchildren. Sadly, this all came to an end on December 21, 2022, when the contract between the LA Department of Recreation and Parks and Griffith Park Pony Rides was allowed to expire. The city could face backlash if they try to develop this area, as the structures are listed as "historically sensitive," according to both the Cultural Heritage Commission and the Friends of Griffith Park. A group called Save Griffith Park Pony Rides (savegriffithparkponyrides.com) is still fighting to have them reopened.

REBORN:

T90 Ranch, Tenino, Washington

From the 1940s through the 1990s, T90 Ranch was home to a thriving cattle business and both Thoroughbred racehorses and Quarter Horse cutting horses. These businesses were started by father and son Sam and Jay Agnew. In the 1960s and '70s, Jay was one of the top non-pro cutting competitors. In the 1980s, Jay's son Dan renamed the ranch DanDar Farm and became one of the top Thoroughbred breeders in the state. In 1993, the farm was sold to a timber company. By 2002, it was home to the largest Alpaca herd in North America.

In 2020, a portion of the original ranch was purchased by a great grandson of Marvin Guptill, a renowned Pacific Northwest cutting trainer and competitor who had worked for the Agnews. It was the connection to the land and the desire to turn the property into a premier equestrian facility which prompted the purchase. T90 is now a destination multi-purpose equestrian facility, including breeding, training, rehabilitation, and boarding. It is also a premier facility for shows, clinics, and events and includes a camping area. <https://t90ranch.com/>

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: www.elcr.org.

Charles Fenwick, Jr., Honored with Robert N. Clay Conservation Award

Equine Land Conservation Resource (ELCR) was pleased to recognize Charles Fenwick, Jr., as the recipient of the 2022 Robert N. Clay Conservation Award at the Thoroughbred Owners and Breeders Association (TOBA) National Awards Dinner on September 10 in Lexington, Kentucky.

The Robert N. Clay Conservation Award was established in 2014 as a partnership between TOBA and ELCR to help increase awareness of the importance of land conservation in the Thoroughbred industry and to serve as an inspiration to members of the industry. The award is presented annually at the TOBA National Awards dinner.

Charles Fenwick, Jr., was honored with the Robert N. Clay Conservation Award for his leadership in organizing the efforts to protect a portion of Shawan Farms in Baltimore County, Maryland, from the threat of residential development. Rebranded as Shawan Downs, it has grown into a first-class equestrian center and steeplechase course.

Prior to World War I, Shawan Farm, a 2,500-acre estate near Hunt Valley in Maryland, was filled with horses and cattle. Local equine enthusiasts enjoyed frequent cross-country races and the annual Worthington Valley Horse Show, which benefited the Women's Hospital in Baltimore. Over time, the expansive estate was divided among several descendants of the original owners living on nearby farms, all part of the original acreage.

Between 1982 and 1992, Baltimore County lost 16,000 acres of farmland to development despite some of the nation's strictest zoning. Concerned about the loss of local farmland, in 1997, area residents foresaw the possibility that the core of Shawan Farms could be saved from development and conserved as open space for farming and as an equine facility to support local equine traditions.

Horseman Charles Fenwick, Jr., was one of the local leaders that made this dream a reality, shoring up support from 19 neighbors to acquire the property under the aegis of the Land Preservation Trust (LPT), a nonprofit 501(c)(3) corporation. An additional 175 neighbors donated at least \$10,000 each to share in creating an equestrian venue, notably the current steeplechase course and its amenities.

The Shawan Downs property is in preservation to maintain its agricultural legacy, allowing no new residential development, with the facility developing into a first-class equestrian center over the years. Today, over 250 acres are preserved as open space while hosting equine events including The Legacy Chase, The Green Spring Valley and Shawan Point-to-Points, Steeplechase Schoolings, The MCTA Three Day Horse Trials, The Junior Hunt Cup, and, for many years, The Pony Club tetrathlon – with the addition of farming over 150 acres for hay. In keeping with the center's preservation mission, no significant infrastructure is required to accommodate the equestrian facilities.

"Shawan Downs is an important example of conservation of horse lands in our local communities," said ELCR President Ken Haddad. "Not only did these efforts prevent additional sprawl in this community, but agriculture land was kept open and accessible to support our equine industry, heritage, and tradition. We are thrilled to honor Charles Fenwick, Jr., with the 2022 Robert N. Clay Conservation Award for his leadership in this effort."



Charles C. Fenwick, Jr. (left), receives the 2022 Robert N. Clay Award from ELCR Executive Director Holley Groshek.

Thanks to our corporate friends:



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 Education Corner

Recent additions and updates to the ELCR Online Resource Library

New Article: "Equine Trail Easements: The Good, the Bad, and the Muddy"

Many equestrians would like to enjoy access to areas for recreational riding, such as local, state, and national parks. Sometimes these areas are not far from where horses are boarded, but they are landlocked or only accessible through a limited area. Trail easements may open access to these facilities.

In "Equine Trail Easements: The Good, the Bad, and the Muddy," Laurel Florio discusses what trail easements are and how they can provide access across private land to connect trails and increase trail availability. Included are some tips on how to approach land-owners about providing such easements, as well as some additional resources. Check it out here: <https://tinyurl.com/Trail-easements>

New Article: "Trail Etiquette and Safe Passing Plans When Encountering Equestrians"

Equestrians who use public lands often must share the trails with other outdoor enthusiasts, such as hikers and bikers. In early 2021, ELCR joined with Back Country Horsemen of America and other trail user groups to develop the Trails are Common Ground campaign. Learn about the campaign at www.trailsarecommonground.org.

In support of this campaign, ELCR has developed a collection of educational resources focusing on trail etiquette and safe passing plans when encountering equestrians. Be sure to share this resource with your friends who use trails, and not only equestrians, but also hikers and bikers. It is possible for all to enjoy the outdoors together in an inclusive, safe, and respectful way. See the article at <https://tinyurl.com/Trail-etiquette>.

Recorded Webinar: Equestrian Trails

ELCR staff served on an equestrian trails webinar panel in February 2023 hosted by the Florida Department of Environmental Protection, Office of Greenways and Trails. The recorded webinar can be accessed at <https://elcr.org/webinar-equestrian-trails/>. Topics include why public equestrian trails are important to outdoor recreation, considerations for building and maintaining them, safety measures when sharing the trail with horses and riders, working with equestrian groups in your area, and more.



Recorded Webinar: Sustainable Equine Management – Water, Flood, and Mud Management

Did you know that mud and dust, flooding, and drought have the same solutions? That good manure management ensures clean rivers and streams? That what you plant in your landscape can mitigate flooding and drought while reducing flies and unwanted pests without the use of chemicals?

Daily Acts, in cooperation with ELCR and several organizations, hosted a webinar in March 2023 to address these issues. This webinar highlighted innovative management solutions to mitigate problems caused by both excessive rain and drought. Special thanks to Sonoma Resource Conservation District for sponsoring this webinar. The archived webinar can be found here: <https://elcr.org/webinar-sustainable-equine-management/>





4037 Iron Works Parkway
Suite 120
Lexington, KY 40511

Non-Profit Org.
U.S. Postage Paid
Lexington, KY
Permit No. 1

Support ELCR

I wish to support ELCR's

☐ Annual campaign ☐ Gaining Ground campaign

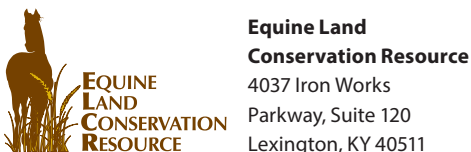
with my gift of:

☐ \$2,500 ☐ \$1,000 ☐ \$750
☐ \$500 ☐ \$250 ☐ \$100
☐ \$50 ☐ \$25 ☐ \$_____

☐ I wish to join ELCR as a Conservation Member (\$28)

☐ I wish to join ELCR as a Business Member (\$100)

Send completed form with check to:



If you prefer to donate online, visit www.elcr.org.

SPRING 2023

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

My gift is ☐ in honor of ☐ in memory of (Name)

Please notify: _____

☐ My check is enclosed ☐ Please charge my ☐ Visa or ☐ Mastercard

☐ Please contact me regarding monthly donations.

☐ Please contact me about becoming a Business Partner or Conservation Partner.

Name on Card: _____

Account Number: _____

Expiration Date: _____ Signature: _____