

## **PRESS RELEASE**

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Immediate Release

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### **Marin Horse Council Donates \$5,000 for Lawsuit to Protect Safety of Equestrians**

On July 25, 2018, the Marin Horse Council's (MHC) Board of Directors approved a \$5,000 donation from its Save Our Trails Fund to defray some of the \$23,000 in legal expenses incurred by Community Venture Partners (CVP) in its lawsuit against the Marin County Open Space District (MCOSD) for failing to comply with the California Environmental Quality Act (CEQA/ <http://resources.ca.gov/ceqa/more/faq.html>) on the Bob Middagh Trail project. The county's project aims to accommodate cyclists on the trail, and while the various parties agree that safety for all users is a prerequisite, the process that the county followed for this project within its Road and Trail Management Plan (RTMP) was deemed insufficient by the Marin County Superior Court. MCOSD has now appealed the Court's decision.

The Middagh Trail has served as a hiker/horse trail adjacent to the Horse Hill Open Space Preserve, and the county has performed work on the trail with the intention of converting it to a multiuse trail to include cyclists. In May 2017, CVP brought suit alleging that MCOSD had violated CEQA in opening the Middagh Trail to bikes without considering the impacts this would have on the safety of hikers and equestrians. In April 2018, the Marin County Superior Court (Haakenson, J.) ruled in favor of CVP and prevented MCOSD from opening the Middagh Trail to bikes until it had conducted a proper analysis of safety impacts. The court's 20-page tentative ruling (which it adopted, without change, as its final ruling) can be found at <https://s3-us-west-1.amazonaws.com/themarinpost/doc/126/Tentative-Ruling.pdf>.

The issue highlighted by this lawsuit is whether the county is required to provide an environmental impact report (EIR) for each trail project that results in a change of use to accommodate an increase in user groups, as well as a physical change to the trail itself. MHC's Save Our Trails Fund was created in 2009 to enable MHC to support a lawsuit brought by the Marin Conservation League to prevent Bill's Trail, a hiker/horse trail in Samuel P. Taylor Park, from being opened to bikes without adequate environmental review, and to fund other efforts to protect equestrian access to public lands in Marin County. MHC has an excellent relationship with MCOSD and works in collaboration with several other trail user groups to promote safety.

"In summary," stated MHC President, Rick Holland, "our support of CVP in its lawsuit against the County is a statement that we will hold the County responsible to comply with state law for the safety of all user groups."

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