

Q & A for Rural Communities

This document gives answers to commonly asked questions, with a particular emphasis on landowner concerns.

Issue: *The trail may be used by only a small part of our population. Why should we encourage strangers to come to our community?*

Trail studies consistently show that 65-80% of the users of a trail are from the immediate local area. Provincial recreation surveys show that walking and hiking score the highest as Albertans' preferred recreational activity, followed by cycling, which is typically ranked third or fourth. Accessible trails encourage otherwise inactive people to use trails daily, increasing health and wellness, and potentially reducing pollution from motor vehicles. Trail use continues to grow along with public demand for new trail infrastructure.

Issue: *The organization proposing the trail is a volunteer group. Does that mean that our municipality will need to pay the largest percentage of the maintenance costs and that any policing or health services needed on the trail are public responsibilities?*

Many people and groups promote trail development for the opportunities and benefits trails provide, in particular enhanced quality of life opportunities. People would like to be able to access trails in the areas where they live and work, and not have to drive to the mountains to have a trail experience. In addition, people increasingly would like to travel longer distances on trails; from community to community and from province to province. For these reasons, many municipalities are either building trails for the first time or expanding their local trail systems and see them as an important part of local infrastructure. Local residents are the primary users and beneficiaries of trails and other community recreational infrastructure. Alberta TrailNet does not build or operate trails – we support local initiatives by providing information, advice, materials and, if possible, funding.

Issue: *Trails may contribute very little or nothing to local economies.*

Trails provide economic and tourism opportunities. The average long-distance trail user spends \$40 per day locally. The 800-kilometre Bruce Trail in Ontario supports 200 direct and 800 indirect jobs within 10 kilometres of the trail. Snowmobilers spend close to \$200 million annually in Alberta alone. By promoting active living, every investment in trails saves dollars in health-care costs. Trails are becoming the recreation experience of choice among an ever-increasing number of Albertans of all ages. People who enjoy hiking, skiing, cycling, horseback riding or snowmobiling all use trails, as do others who enjoy nature appreciation, birdwatching and other outdoor pursuits. Trails provide and support family recreation opportunities and assist in engaging youth in healthy outdoor activities, and environmental awareness and stewardship.

Issue: *Landowners adjacent to trails could be negatively impacted. Trails may lower real estate values, divide agricultural land and block access to pastures and fields, resulting in loss and damage to property, or increased insurance costs.*

Devaluation of property

Research indicates that property values typically increase or remain unchanged when a trail is constructed in proximity to private property; it is rare or unusual for property to devalue. Land developers promote trails as a value-added benefit for people who consider purchasing in their development; properties adjacent to a trail have higher values because of that location.

Loss and damage of property Trail users are informed of appropriate behaviour through signage and messages in trail guides and on maps. Other users provide “eyes on the trail” and promote self-regulation; local trail stewards assist the local trail operator, who is responsible for ensuring that users are aware of and obey the regulations for that trail.

Legislation such as the *Petty Trespass Act* and the *Trespass to Premises Act* apply to Crown and all other lands, except land under grazing lease. Both Acts create offences for persons who enter onto land without permission or otherwise do not have the right to enter.

Both Alberta TrailNet and the Government of Alberta do not believe that landowners should be responsible for the safety of recreationists on their land. Both have worked successfully to have the *Occupier’s Liability Act* changed to reduce the duty owed by landowners to visitors.

Most long-distance trail users share a respect and love of the land with rural landowners. Trails offer rural residents many benefits: they connect communities to each other, allow users to interact with nature, and offer a peaceful setting for sharing family experiences.

Increased insurance costs or difficulty getting coverage Trails are treated no differently than roads, since both provide access to habited areas of the province. Insurers have indicated that a landowner’s insurance amounts or costs will not increase due to a trail being developed on adjacent land. They have also indicated that rural property insurance policies have a minimum \$1,000,000 general liability insurance built into the rural insurance policy. Adjacent landowners are added to Alberta TrailNet’s general liability insurance as additional insureds at no cost to the landowner.

Issue: *Trail brochures promote off-trail excursions to investigate points of interest. This could infringe on my privacy.*

Trails provide economic and tourism opportunities. Most communities develop brochures and signage to promote their local trails, local recreational and tourism opportunities, and historic and other points of interest in their areas. Community trail groups work in partnership with their communities on trail projects (development and promotion) for that area. User awareness is encouraged. “Use Respect” and “Respect the Land” messages are important components of public information materials. Trail users are directed to “Stay on the Trail” and to respect the people who live along the trail, the working and natural environments along the trail, and other users.

Issue: *Who determines what kinds of recreational activity will occur on this trail?*

The Trans Canada Trail recognizes five potential approved uses for this trail: hiking, cycling, equestrian, cross-country skiing, and snowmobiling, where those uses are approved by the local municipality or land manager. The Trans Canada Trail requests that at least two of these

The decision regarding approved uses for a section of trail is made by the municipality in consultation with residents and the local trail operator group. In Alberta, in particular on public lands such as parks and protected areas, approved uses are determined by the Government of Alberta, and may include other uses besides those listed above. Where the trail crosses private land (which can only occur with specific written permission from that landowner), the landowner determines approved uses in consultation with the local trail operator. For municipal lands, the municipality determines approved uses in consultation with the community. Once a local decision is made regarding approved trail uses, the trail is designed to accommodate those uses and managed to control unauthorized use.