



**Tourism, Recreation and Access  
Management Recommendations**

**Discussion Paper for the Milk River  
Integrated Watershed Management Plan**

**Based on discussion held by the  
Recreational Access/Flow Management Sub-Committee,  
held March 15, 2012**

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**Revised November 19, 2012**

**Note to Reader:**

**This is a working document. You will note that there are areas highlighted in red, some areas where question marks remain etc. or thoughts are not well developed. Your comments and feedback will be considered in the final version of this document.**

- **Targets and Thresholds should be considered.**
- **Need to further address camping options, wildlife, tourism opportunities, other?**
- **Please add in your comments!**

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## 1.0 INTRODUCTION

The Milk River watershed offers numerous opportunities for tourism and recreation. Hunting, hiking, canoeing, wildlife viewing, camping and other recreational activities attract numerous users to area every year. With public use increasing, it is important to have access guidelines and conditions in place that protect agricultural operators and their livestock, that ensure the safety of recreational users, and that protect waterbodies, riparian areas and other important landscape and environmental features which draw recreation users to the basin.

In the Milk River watershed virtually all of the public land is covered by either grazing leases, farm development leases or grazing reserves. For the most part these leases and reserves comprise native prairie which contains wildlife and other landscape resource values that attract recreational users. To address issues, the GoA has adopted a recreation access policy to guide access management on public lands under an agricultural disposition. A quick look at satellite imagery (i.e., Google Earth) will reveal a proliferation of motorized access trails on the native prairie landscape. Satellite imagery shows the vestiges of numerous old trails and the presence of many new access routes. The lack of good access roads in more remote parts of the Milk River basin has resulted in reduced human activity in such places – which many view as a desirable.

Access is also sought to private lands: by hunters pursuing waterfowl, upland birds or big game; and by recreational users who need to cross private land to gain access to the Milk River (or other water bodies), and to particular landscape features.

### 1.1 Objectives and Outcomes

Recreational land use is highly valued in the watershed. Relative to other areas in Alberta, the Milk River watershed contains contiguous landscapes and offers unobstructed view scapes. Here one can experience big skies, endless sightlines, and solitude in a prairie wilderness setting. Within the Milk River Integrated Watershed Management Plan planning area, tourism and recreation activity falls within the land use objective described below.

**Objective 7.** Recommend land use and development practices which are congruent with the objectives and resource management strategies for the Milk River watershed and its unique semi-arid environment.

#### Outcome/Policy Statements

**Specific:** The Milk River watershed provides for public recreational access while:

- 1) protecting the ecological, scenic and historic values of this unique landscape, and
- 2) **preserving the existing rights of landowners and leaseholders with respect to privacy, production value and commercial value of their land.**

**General:** Innovative and sustainable land use and development practices take place in the watershed.

**General:** A healthy, vibrant economy that will attract people and investment to the watershed.

## 2.0 BACKGROUND

### 2.1 Recreation and Access to Public Lands

Due to the large area of public land in Alberta (over 100 million acres), the province has developed a recreational access policy that ensures reasonable access to public lands for recreational users while ensuring that livestock/agricultural operators can protect their herds and the grasslands that sustain them. The Recreational Access Regulation, which falls under the *Public Lands Act*, is legislation that provides for the needs of recreationists and disposition holders on public lands. The regulation outlines how recreational use of public land can occur in a responsible and sustainable fashion while protecting the rights and livelihood of disposition holders. Further information about recreation on agricultural public land can be accessed at this link:

<http://srd.alberta.ca/RecreationPublicUse/RecreationOnAgriculturalPublicLand/Default.aspx>

Recreational use of public land requires that the (grazing or agricultural) leaseholder or the grazing reserve be contacted prior to access and that permission be obtained beforehand. Leaseholders have the right to deny access to public lands for the following reasons:

- access is by any means other than foot access
- livestock are present in a pasture
- a crop has not yet been harvested
- you intend to camp
- a fire ban has been issued by a municipal or provincial authority
- the use is disallowed by a recreational management plan or a condition set by the government

Obtaining permission is generally not required for the following disposition types – though some basic conditions for access must be followed (NOTE - these dispositions are located mainly in the forested regions of the province):

- grazing licences
- head tax permits
- grazing permits
- hay permits
- cultivation permits

When access is granted to enter public land, some basic conditions (that apply uniformly to all public land parcels) must be observed. If vehicle access is permitted, then all vehicles must stay on designated trails and roads. The random operation (i.e., departure from established trails and routes) of vehicles (i.e., automobiles, ATVs, motorcycles, bicycles) is strictly prohibited to protect native grasslands, cultural sites and wildlife habitat. Vehicles are prohibited from entering watercourses unless there is a clearly established fording site and the watercourse bed/channel is able to support vehicles. Camp fires are generally restricted on public land to prevent wildfires. All garbage must be removed and contamination of waterbodies with any material (natural or manmade) is strictly forbidden.

All access trails and roads on public land, where these are not managed by the Alberta Government, must be under a disposition. Most access routes are authorized under a License of Occupation. Whether the access is used by industry or an agricultural producer, government regulation requires that

the primary user obtain a letter of authority from the Alberta Government to utilize, maintain and ultimately reclaim the access route. Where persistent or long standing access issues exist on public lands, the Province may initiate the completion of an access management plan to address such issues.

### 2.1.1 Bed and Shore Management

Land ownership adjacent to the shores of lakes and wetlands in the Milk River watershed is mixed. Likewise, the bank and adjacent uplands along the Milk River and its tributaries are a mixture of private and public land. In order to facilitate responsible management of water resources and habitats, as well as maintain public access to waterbodies and watercourses, the Province of Alberta has retained ownership of the bed and shore of these features. Section 3 of the Public Lands Act indicates that the Province holds *“title to the beds and shores of all permanent and naturally occurring bodies of water and all naturally occurring rivers, streams, watercourses and lakes”*. Crown ownership allows the province to ensure that activities which take place within the bed and shore do not negatively impact water quality, create erosion, impact habitats or result in user conflicts.

Certain activities within the bed and shore of a waterbody/watercourse require approval from the Province. Activities include anything that permanently changes or modifies the characteristics of the bed or shore. Approval is granted under the Public Lands Act and the Water Act. Most activities are subject to the approval process. The following activities do not require approval:

- temporary/seasonal docks or mooring structures that are removed yearly
- pipeline watercourse crossings (except where public land exists on both sides)
- road allowances that intersect the bed and shore

All other activities/structures require approval. For a more detailed overview of common activities that require approvals for rivers and stream beds, see:

[http://srd.alberta.ca/LandsForests/Shorelands/documents/Activity\\_Approval\\_Table2.pdf](http://srd.alberta.ca/LandsForests/Shorelands/documents/Activity_Approval_Table2.pdf)

The **bed** of a watercourse or waterbody is defined as that land which is normally saturated with or completely covered by water for all or most of the year. This area is dominated by aquatic vegetation.

The **shore** of a watercourse or waterbody is defined as that area between the bed and the bank. The shore is often covered by water for certain periods of the year depending on normal yearly fluctuation of water levels. The shore often shows a mix of terrestrial and aquatic vegetation. Short term, non-typical floods or drought do not change the location of the bed, shore or bank. The boundary between the shore of a waterbody and the bank is defined as the “ordinary high water mark”. The high water mark and areas further upslope represent the area where normal yearly fluctuation of water levels does not result in any submergence or saturation of the soil. The vegetation on the **bank** is characterized by terrestrial species with little to no evidence of aquatic vegetation. (NOTE: The legal bank is a natural boundary formed from the action of water for a long enough time to leave its signature on the ground – and is usually associated with distinct vegetation change). It is important to note that long term (multi-year) changes in water levels as well as normal erosion and deposition processes can result in a change of location of the bed, shore and bank of any given waterbody or watercourse.

Because the beds and shores of most rivers and streams are public land, users can often walk along the water’s edge below the legal bank without trespassing on adjacent land. Accidental trespassing on adjacent land can however occur whenever the location of the legal bank is not readily identifiable.

Users must ensure they have legal access to reach the bed and shore of any water course within the Milk River basin. Users should contact the land owner (land holder) to obtain permission to cross any private or lease land to access the Milk River or its tributaries. Users should also inform themselves if the Province has placed any restrictions on the public use of a given stretch of bed and shore.

## **2.2 Recreation and Access to Private Lands**

Recreational access to the Milk River is a challenge for many canoeing enthusiasts, private landowners, provincial departments, Rural Municipalities, and area resource managers. Adaptive management approaches must be initiated and used as the basis for access management decisions. This will require development of a process to gather and analyze data about usage and watershed integrity. There must be a systematic effort to gather information about the resources in the area, and about best approaches to manage recreational activities in the area in a way that reduces landowner conflicts, improves recreational access, promotes responsible use, provides economic development opportunities, and conserves the area for future generations. The following targets/thresholds and management recommendations are designated as potential solutions to identified access management concerns in the Milk River watershed.

## **3.0 TARGETS AND THRESHOLDS**

Desired recreational uses include, but are not limited to, rafting, tubing, canoeing, kayaking, swimming, hiking, biking, wildlife viewing, fishing and hunting.

### **3.1 Targets**

Milk River water quality meets contact recreation guidelines for fecal coliform bacteria<sup>1</sup>.

Reduce the number of public health notices posted at Writing-on-Stone Provincial Park

The number of access points to the Milk River is limited to existing sites (2012). Improvements (e.g., infrastructure, accessibility) may be made to encourage use.

Number of camp sites should be increased to: XXXX sites to alleviate pressure from random camping on private land.

Reduced number of conflict incidents between landowners/leaseholders and recreational users.

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<sup>1</sup> Note that this target may not be achievable. A current fecal coliform source-tracking study that aims to identify sources of fecal coliform bacteria (e.g., livestock, wildlife, humans, environmental isolates) is being conducted on the Milk River. Preliminary results suggest that there are multiple sources of fecal coliform bacteria including a substantial wildlife component; humans are however not a significant contributor.

## 4.0 RECOMMENDATIONS

### 4.1 Landowner/Lease Holder Considerations<sup>2</sup>

- a) Existing land titles, leases, licenses, and permits, need to be recognized and respected by recreational users in the watershed.
- b) In consideration of GoAs discontinued Recreational Access Management Program (RAMP) pilot project, provide a voluntary general liability waiver forms for the use of private landowners who are willing to grant river access to the general public (and can thereby protect themselves should an incident arise).
- c) Provide onsite property access maps which also describe general “Rules of the River and Ethics” as well as property specific considerations such as parking, signage restricted areas, and other special considerations for voluntary landowner co-operators.

### 4.2 Mapping

- a) Develop an updated detailed area map that clearly identifies legal access points, river distances and timing, camping, shelter facilities, potable water availability, wash room facilities, and other as identified.
- b) Establish rules of the river (e.g., obtaining landowner permission on private land and leased land, no fires, garbage, historical resources), mechanisms for contact (landowners/lease holders) and registration (for walking access and/or overnight camping) if available. (This is similar to 3.1 b)

### 4.3 Road Allowances

- a) Standardize road allowance policies and bylaws among rural municipalities in the watershed to provide clear and common information for river users, as well as map available road allowance access points to the Milk River.<sup>3</sup>
- b) Identify areas in the watershed where access via road allowance is a concern.

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<sup>2</sup> Note that a [Leaseholder](#) is someone who holds a grazing disposition to use [public land](#) for livestock grazing and a [Landowner](#) is someone who possesses land title to [private land](#).

<sup>3</sup> Currently each municipality in the watershed has different guidelines they use to determine access to right-of-ways. In Cypress County, for example, some road allowances are rented, some are not marked and some are assumed to be a part of the landowner’s parcel of land. There are some “graded trails” or “goat trails” that are fenced on each side that can be easily travelled in dry conditions. Each case needs to be assessed individually. If access onto a road allowance is needed and it appears that it is not meant to be accessible to the public (a closed gate, not much traffic) the adjacent landowner should be contacted for information. In the County of Warner, all developed road allowances are accessible to the public and it is unlawful to obstruct access by way of blocking the road allowance or putting up a gate. However, the County allows farmers to carry out farming activities on undeveloped road allowances.

- c) Clearly mark road allowances that have “no river access” with appropriate signage.
- d) Clearly mark private roads with “no river access” signage where trespassing is a concern.

#### **4.4 Bed and Shore Access**

- a) Increase understanding among public as to public land use definitions and how they apply to recreational use in the Milk River watershed. (Refer to Section 2.1)
- b) Define bed and shore and user responsibilities; develop clear statements on use and responsibility of users, place information and key messages on access signage and mapping products. (Refer to Section 2.1)

#### **4.5 Random Camping**

- a) Increase the availability of overnight camping sites within designated areas along the Milk River.
- b) Develop maps for permitted overnight camping and restricted camping areas to reduce trespassing concerns and safety concerns such as fire.
- c) Provide an information link for access information and contacts for ACA/NCC properties and provincial grazing reserves along the river.

#### **4.6 User Education**

- a) Develop and disseminate educational information to river users on hazards, safety, ethics, wildlife, traditional landuse/ranching, etc.
- b) Enhance river signage to inform users of the value and significance of the local landscape.
- c) Create a Milk River watershed brochure with access information and user responsibilities:
  - a. Link to map of the watershed
  - b. Identify wildlife concerns.
  - c. Other?
- d) Explore opportunities in social media for providing user education.
- e) Develop approaches for reducing the spread of Invasive Species. Invasive plant information (i.e., location of weed infestations, species, rate of spread, threats, movement vectors, effective management interventions, etc.) may be shared among resource managers, including the Alberta Invasive Plant Council (AIPC).

#### **4.7 User Health and Safety**

- a) Improve reporting and communication of user health and safety risks.
  - i. Make water level and advisory information available.



- b) Voluntary River Use Registration Program – establish a program for extended/multi day user trips to register with local authorities prior to departure and follow up check in when complete to reduce the potential for un-prepared users and potential of burden on emergency services.

#### **4.8 Protection of Archeological, Historical and Cultural Artifacts**

- a) Clearly define restrictions to access, and penalty for vandalism and disruption of significant sites along the river (\$50,000.00 fine or 2 years in jail).
- b) Improve signage informing the public about heritage protection, the penalties for vandalism and provide information on how to report vandalism to the proper authorities.

#### **4.9 Wildlife Considerations**

#### **4.10 Economy**

- a) Investigate the potential for increased promotion and development of sustainable economic activity in the watershed related to Bed and Breakfasts, eco-tourism and other support businesses for river recreation.

## 5.0 IMPLEMENTATION (Draft - To be completed)

Recommendation	Action	Jurisdiction	Priority
3.1 a) Existing deeds, licenses, and permits, need to be recognized throughout the watershed.			
3.1 b) In consideration of the ASRD discontinued Recreational Access Management Program (RAMP) pilot project, provide a voluntary general liability waiver for private landowners who grant river access to the general public.		Cardston County, County of Warner, County of Forty Mile, Cypress County, Southern Alberta Outdoorsmen, Alberta Fish and Game Association	M-H
3.1 c) Provide onsite property maps indicating general "Rules of the River and Ethics" as well as property specific considerations such as parking, signage restricted areas, and other special considerations for voluntary landowner co-operators.		Cardston County, County of Warner, County of Forty Mile, Cypress County, Southern Alberta Outdoorsmen, Alberta Fish and Game Association	
3.2 a) Develop an updated detailed area map that clearly identifies legal access points, river distances and timing, camping, shelter facilities, potable water availability, wash room facilities, and other as identified.	Update map with proper access information.	MRWCC, Private Vendors, Municipalities, Alberta Parks	H
3.2 b) Establish rules of the river (e.g., obtaining landowner permission on private land, no fires, garbage, historical resources), mechanisms for contact (landowners) and registration (for walking access and/or overnight camping) if available. (This is similar to 3.1 b)	Update map with proper, access information.	MRWCC, Private Vendors, Municipalities, Alberta Parks	H
3.3 a) Standardize road allowance policies and bylaws to provide clear and common information for river users, as well as map available road allowance access points to the Milk River.		MRWCC, Cardston County, County of Warner, County of Forty Mile, Cypress County, <b>Tourism?</b>	M
3.3 b) Identify areas in the watershed where access via road allowance is a concern.		MRWCC, Cardston County, County of Warner, County of Forty Mile, Cypress County, <b>Tourism?</b>	M
3.3 c) Clearly mark road allowances that have "no river access" with appropriate signage.		MRWCC, Cardston County, County of Warner, County of Forty Mile, Cypress County, <b>Tourism?</b>	M
3.3 d) Clearly mark private roads with "no river access" signage where trespassing is a concern		MRWCC, Cardston County, County of Warner, County of Forty Mile, Cypress County, <b>Tourism?</b>	
3.4 a) Increase understanding among public as to public land use definitions and how they apply to recreational use in the Milk River watershed. (Refer to Section 2.1)	Signage, action	Cardston County, County of Warner, County of Forty Mile, Cypress County, Alberta Parks, ASRD	H
3.4 b) Define bed and shore and user responsibilities; develop clear statements on use and responsibility of users, place information on access signage and mapping resources. (Refer to Section 2.1)	Signage, action	Cardston County, County of Warner, County of Forty Mile, Cypress County, Alberta Parks, ASRD	H
3.5 a) Improve availability of designated and appointed random camping sites along the river.			
3.5 b) Develop maps for permitted overnight camping and restricted camping areas to reduce trespassing concerns and safety concerns such as fire.	Contact potential stakeholders and identify contacts and restrictions, provide available information on MRWCC website as well as inclusion in potential communication and outreach such as updated mapping.	MRWCC(?)	M
3.5 c) Provide an information link for access information and contacts for ACA/NCC properties and provincial grazing reserves along the river.			M

3.6 a) Develop and disseminate educational information to river users on hazards, safety, ethics, wildlife, traditional landuse/ranching, etc.	Develop user education initiatives and identify other potential partners.	MRWCC(?), Outfitters,	M
3.6 b) Enhance river signage.			M
3.6 c) Create Milk River watershed brochure with access and user responsibilities: <ul style="list-style-type: none"> <li>i. Link to map of the watershed</li> <li>ii. Identify wildlife concerns.</li> <li>iii. Other?</li> </ul>			M
3.6 d) Explore opportunities in social media for providing user education.			M
3.6 e) Develop signage and approaches for reducing the spread of Invasive Species. Invasive plant information may be shared among resource managers, including the Alberta Invasive Plant Council (AIPC).			M
3.7 a) Improve reporting and communication of user health and safety risks. <ul style="list-style-type: none"> <li>i. Make water level and advisory information available.</li> </ul>	Provide a link on the MRWCC website to up-to-date advisories and of St Mary river water diversion and closure of diversion information. Build a river landowner/stakeholder email contact list and send it out as necessary.  Look into a voluntary registration system with potential stakeholders: Feasibility, Liability Logistics	MRWCC, GOA (specific?), municipalities (emergency services?)	H
3.7 b) Voluntary River Use Registration Program – establish a program for extended/multi day user trips to register with local authorities prior to departure and follow up check in when complete to reduce the potential for un-prepared users and potential of burden on emergency services.		MRWCC, GOA (specific?), municipalities (emergency services?)	H
3.8 a) Clearly define restrictions to access, and penalty for vandalism and disruption of significant sites along the river (\$50,000.00 fine or 2 years in jail).		Alberta Culture, Alberta Parks (full names?)	M
3.8 b) Improve signage informing the public about penalties for vandalism and provide information on how to report vandalism to the proper authorities.		Alberta Culture, Alberta Parks (full names?)	M
3.9			
3.10 a) Investigate the potential for increased promotion and development of sustainable economic activity in the watershed related to Bed and Breakfasts, and other support businesses for river recreation.			

## APPENDIX A. SUMMARY OF RECREATION AND ACCESS SUB-COMMITTEE NOTES.



### Recreational Access/Flow Management committee

#### Meeting Minutes

March 15<sup>th</sup> 2012 – MRWCC Office 1:00pm-3:30pm

**Attendance:** Tim Romanow, Mary Lupwayi, Ed Sloboda, Ken Brown, Darcy Wills, Greg Ottway, Will Lindeman, John Ross.

#### Review of Access Management Recommendations:

##### Context

Recreational access to the Milk River is a challenge for many canoeing enthusiasts, private landowners, Public Lands, Alberta Parks, Rural Municipalities, and area Resource Managers. The following management recommendations are designated as potential solutions to identified access management concerns in the Milk River Watershed that fit the context of the MRWCC Integrated Watershed Management Plan.

##### General Notes

- Limited availability of designated and appointed random camping sites along the river needs to be addressed.
- Outdated Mapping needs to be updated with the possibility of providing improved information regarding infrastructure, access, ethics, etc.
- Trespassing Concerns need to be addresses in all 4 municipalities
- Potential for increased promotion and development of sustainable economic activity in the watershed related to Bed and Breakfasts, and other support businesses for river recreation.
- Adaptive management approaches must be initiated and used as the basis for access management decisions. This will require development of a process to gather and analyze data about usage, watershed integrity, and traditional aboriginal sites. There must be a systematic effort to gather information about the resources in the area, and about best approaches to manage recreational activities in the area in a way that reduces landowner conflicts, improves recreational access, promotes responsible use, provides economic development opportunities, and conserves the area for future generations.
- Existing deeds, licenses, and permits, need to be recognized throughout the watershed.
- No need for additional private access along the river, there are sufficient designated access points.
- Where do private lands start? Clear definition of where you can and can't go.
- Designated sites (negotiated access) need to be identified.
- No need to open up additional access points for day trips...