

# TRAILS ACT

## Chapter T-6.2

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

### Interpretation

**1(1)** In this Act,

- (a) “associated structures”, in respect of a designated trail or designated trail area, means any improvement of a long-term or permanent nature, including but not limited to parking space, launching ramps, trail treads, trail shelters, bridges, litter shelters, corrals, signs or notices and outhouses;
- (b) “designated trail” means a trail designated under [section 4\(1\)\(a\)](#) or (b);
- (c) “designated trail area” means a trail area designated under [section 4\(1\)\(c\)](#);
- (d) “Minister” means the Minister determined under [section 16](#) of the *Government Organization Act* as the *Minister* responsible for this Act;
- (e) “municipality” means a municipality as defined in the *Municipal Government Act*;
- (f) “trail agreement” means an agreement made under [section 7](#);
- (g) “trail management plan” means a plan established under [section 5](#);
- (h) “trail manager” means a person appointed under [section 6](#).

**(2)** Unless otherwise provided in this Act or the regulations made under this Act, or unless the context otherwise requires, words and phrases used in this Act or the regulations have, as the case may be, the same meaning as provided in the *Public Lands Act* and the *Public Lands Administration Regulation (AR 187/2011)*.

### Purposes of Act

**2** The purposes of this Act are

- (a) to recognize designated trails as a key component of sustainable outdoor recreation that contribute to positive environmental, economic and social outcomes and individual well-being,
- (b) to establish a trail management planning process with consideration of the many land uses and values on the landscape,
- (c) to provide for the establishment and management of designated trails to support desirable user experiences, conservation of landscapes and protection of the environment, in concert with other enactments,
- (d) to recognize the cultural and historical significance of trails, and
- (e) to enable collaborative partner participation in trail management and encourage shared stewardship by all users of public land.

### Application

**3** This Act applies to public lands administered under the *Public Lands Act*.

### Designated trails and designated trail areas

**4(1)** The [Minister](#) may, by order,

- (a) designate an area of public land and associated structures as a designated trail,
- (b) designate a provincial trail as a designated trail,
- (c) designate an area of public land and associated structures containing a network of designated trails as a designated trail area,
- (d) increase or decrease the area of a designated trail or designated trail area, and
- (e) if applicable, declare a designated trail or designated trail area to be included in a prescribed class or subclass, as the case may be.

**(2)** All designated trails and designated trail areas are resources of the Crown.

**(3)** The [Regulations Act](#) does not apply to an order made under subsection (1).

**(4)** The [Minister](#) shall ensure that an order made under subsection (1) is published and available, which may include publication on the [Minister's](#) website.

#### **Trail management plan**

**5(1)** Subject to the regulations, the [Minister](#) may establish trail management plans for designated trails and designated trail areas.

**(2)** All designated trails and designated trail areas are subject to an applicable trail management plan established under subsection (1).

**(3)** If there is a conflict or inconsistency between a trail management plan and any applicable ALSA regional plan, the ALSA regional plan prevails to the extent of the conflict or inconsistency.

#### **Trail manager**

**6(1)** Subject to the regulations, the [Minister](#) may appoint any person, including a municipality, as a trail manager.

**(2)** The trail manager may post prescribed signs or notices on a designated trail or designated trail area for the purpose of implementing the applicable trail management plan.

**(3)** The signs or notices posted under subsection (2) must conform to the applicable trail management plan.

#### **Trail agreement**

**7** Subject to the regulations, the [Minister](#) may enter into a trail agreement with any person, including a municipality, for the purpose of the operation, management, construction, development or maintenance of a designated trail or designated trail area.

#### **Paramountcy**

**8** If there is a conflict or inconsistency between this Act and the [Public Lands Act](#), the [Public Lands Act](#) prevails to the extent of the conflict or inconsistency.

#### **Regulations**

**9** The Lieutenant Governor in Council may make regulations

- (a) defining a word or expression used but not defined in this Act;
- (b) respecting any other matter that the Lieutenant Governor in Council considers necessary or advisable to carry out the intent and purposes of this Act.

#### **Deficiency regulations**

**10(1)** The Lieutenant Governor in Council may make regulations

- (a) modifying the provisions of the [Public Lands Administration Regulation \(AR 187/2011\)](#) to make those provisions applicable in respect of a designated trail or designated trail area or any other matter under this Act in addition to, or instead of, any provision of the [Public Lands Administration Regulation \(AR 187/2011\)](#);
- (b) remedying any confusion in the application of or any difficulty or impossibility in applying any provisions of this Act.

**(2)** A regulation made under subsection (1) is repealed 5 years after the regulation comes into force or on the date specified in the regulation, whichever is earlier.

**(3)** The repeal of a regulation under subsection (2) does not affect anything done or incurred under the authority of the regulation before the repeal of the regulation.

(4) A regulation made under subsection (1) that is in force on or after the repeal of this section remains in force until it is repealed in accordance with subsection (2).

(5) A regulation may not be made under subsection (1) extending the 5-year period set out in subsection (2).

(6) This section is repealed 5 years after this section comes into force, but the repeal does not affect anything done or incurred under the authority of a regulation made under subsection (1) before the repeal of this section.

#### **Ministerial regulations**

**11** The [Minister](#) may make regulations

(a) respecting the establishment, operation and enforcement of trail management plans;

(b) respecting the eligibility of a person to be appointed as a trail manager, including the duties and responsibilities of a trail manager;

(c) respecting signs or notices to be posted under [section 6](#);

(d) respecting rules and procedures for making and enforcing a trail agreement, including the terms and conditions of a trail agreement;

(e) respecting rules for sustainable management, operation, maintenance and protection of designated trails and designated trail areas;

(f) prescribing classes and subclasses of designated trails and designated trail areas.

**12** *(This section amends another Act; the amendments have been incorporated into that Act.)*

#### **Coming into force**

**13(1)** This Act, except [section 5](#), comes into force on Proclamation.

(2) [Section 5](#) has effect on May 1, 2022.

*(NOTE: Proclaimed in force, except [section 5](#), February 23, 2022.)*