# **Tomorrow's Trails:**

# A Trail Network Plan for Galiano Island



Report to the Galiano Island Parks and Recreation Commission

Judith Cullington & Associates
October 2007

# **Executive Summary**

This report proposes a Trail Network Plan for Galiano Island, including recommendations for implementation. This Plan is based in large part on suggestions received during community consultations.

The trail network plan provides guidance to the Galiano Island Parks and Recreation Commission (GIPRC) as to where trails should be acquired and/or formalized as the opportunity arises. Implementing this Plan is likely to take many years, and it is flexible to meet changing needs over time. The trail maps and associated notes can be seen on the GIPRC website at http://crd.bc.ca/galianoparks/trails.htm.

The report includes a vision and recommendations for action.

**Vision**: A network of trails that provides quiet, non-motorized recreation and transportation opportunities for Galiano Island residents and visitors. The trail system meets the needs of all age-groups and respects the peaceful nature and natural environments of the island.

#### **Recommendations:**

- 1. The Galiano Island Parks and Recreation Commission should continue working with government agencies and landowners to secure legal trails that are consistent with the Trail Network Plan.
- 2. New trails created along desire lines in the Trail Network Plan should be determined in consultation with landowners, local residents and community groups to select a route that provides a safe, enjoyable experience while taking into account protection of the natural environment and the privacy of landowners.
- 3. Only those trails identified as multi-use on the trail maps should be developed for use by horses and bicycles as well as by hikers. The Galiano Island Parks and Recreation Commission should meet with representatives of the mountain biking community to discuss options for some designated mountain biking routes on the island.
- 4. Trail-side services should be kept to a minimum, in keeping with the low-key nature of the Galiano Island trail experience. Provision should be made for parking at trail-heads, and visitors should be reminded to pack out their garbage and plan ahead for limited toilet facilities. Benches could be placed at some locations.
- 5. Simple trailhead signs should advise whether the trail is 'hiking only' or 'multi-use' (i.e., for hikers, cyclists and horseriders). Signage with information on the trail destination and distance would also be helpful.
- 6. A trail map should be developed for sale in local stores. This map would show all legal trails, and provide information on trail etiquette.
- 7. The Galiano Island Parks and Recreation Commission should establish a trail steward program to assist with monitoring the trail system.
- 8. The Galiano Island Parks and Recreation Commission should investigate options for implementing fines for trail infractions.

# Acknowledgements

Judith Cullington & Associates would like to thank all the Galiano Island residents who provided input into this report through participation in community meetings, e-mails and phone calls.

We would especially like to thank Jerry Azevedo, Paul LeBlond and Sheila Anderson of the Galiano Island Parks and Recreation Commission for their help, support and enthusiasm throughout the development of this report.

Keith Erickson of the Galiano Conservancy Association did a masterful job of creating trail maps.

All photos © Judith Cullington & Associates unless otherwise noted.

Thank you!

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# Introduction





The purpose of preparing this Trail Network Plan is to capture the community's vision for trails on Galiano Island. Galiano is blessed with many trails which are used by residents and visitors. Some of these are legal trails (see below) that are in place through some form of agreement, while others are informal trails which have been in use for many years but without any legal status. A Trail Network Plan will help the community to identify and work towards the goal of a defined network of legal trails for hiking, cycling and horse-riding.

The Trail Network Plan takes a long-term view and proposes a trail network for Galiano that:

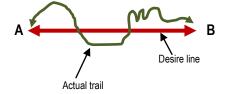
- Identifies the existing legal trails;
- Identifies existing informal trails for which there is community support to convert to some form of legal status, to ensure these routes continue to be accessible for the long term;
- Identifies 'desire lines' where new trails would connect points of interest and destinations;
- Discusses ways to determine which trails should be multi-use (hiking, bicycling and horse-riding) and which should be limited to specific activities only; and
- Provides recommendations for acquisition and management of trails.

The Trail Network Plan will guide the work of the Galiano Island Parks and Recreation Commission (GIPRC) by identifying areas where new trails should be acquired and/or formalized as the opportunity arises.

Legal Trails: These are public trails which have been designated through some form of legal agreement with the landowner. They include beach accesses and trails in parks.

Informal Trails: There are many trails on the island which have been used by residents for many years with the tacit or explicit permission of the landowner. There is no legal protection for these trails, and a new owner might decide not to allow access. There is a risk of losing access to these trails unless they are given some form of legal protection.

'Desire Lines': These trails do not exist, but a new trail link would be desirable. Lines on the map may show a straight line connecting point A to point B, but the final trail may well follow a more circuitous route.



# Existing Trails on Galiano Island



Bellhouse Provincial Park

There are many legal trails on Galiano Island, managed by different organizations. For example:

- BC Parks manages trails in its provincial parks: Bellhouse, Montague, Bodega Ridge, and Dionisio;
- CRD Parks manages trails in the Matthew's Point Regional Park;
- The Galiano Club manages the trails in Bluffs Park, Mount Galiano Park and the Heritage Forest properties;
- The Galiano Conservancy Association manages trails in its preserves, e.g., the trail to Cable Bay. Not all preserves have public access;
- The Galiano Island Parks and Recreation Commission manages trails on CRD property (community parks) and where there is a formal agreement with a landowner, e.g., the Sturdies Bay Trail and dedicated shore accesses.

# Developing the Trail Network Plan through Public Consultation

The Galiano Island Parks and Recreation Commission hired a consultant (Judith Cullington & Associates) to help with the preparation of the Trail Network Plan. Consultation with and input from residents of Galiano Island was identified as a crucial part of the plan development.

The first stage in public consultation was a community workshop held on June 23, 2007 at the South Community Hall. About 30 people attended the meeting to learn more about Galiano's trails and to provide their suggestions on important trails and connections. At the meeting, participants discussed:

- Their vision for trails on Galiano Island;
- Who the trail network should be designed for; and
- Criteria for single-use versus multiple-use trails.

In addition, they spent considerable time preparing maps showing where they felt trails should be.

Following the meeting, a few people wrote or phoned with additional suggestions. Appendix A includes a list of people who attended the public meeting or submitted comments in writing or by phone.

The draft trail network plan (including maps) was posted on the GIPRC website and all island residents were notified of this through information in mailboxes, and articles in the Active Page. This information included an invitation to the second community meeting. A letter and copy of the draft trail report was sent to the Penelakut First Nation to keep them informed of the proposals. In addition, copies of the draft report was sent to the CRD Director, CRD Parks, the Islands Trust (staff and trustees), BC

Parks, Ministry of Transportation, and Ministry of Environment for their review and comment.

A second community meeting was held on September 15, 2007, to provide an opportunity for people to review and comment on the proposed trail network as shown in the draft report. About 35 people attended this meeting, including some people who had also attended the June meeting. A list of participants is provided in Appendix A.

At this meeting, participants discussed:

- The draft vision and draft recommendations; and
- The proposed trail network.

In addition, people noted their comments on flip charts around the room, and filled out response forms with comments on the draft vision, recommendations and proposed trail network. A few people who were unable to attend the meeting sent in comments by e-mail. A summary of public comments is provided in Appendix B.



Community input



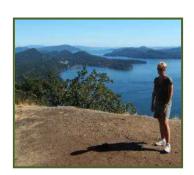
# **Vision and Criteria**

# A Vision for Trails on Galiano Island

When asked about their vision for trails on Galiano Island, residents provided the following suggestions:

- Galiano Island as a place to live and enjoy a healthy lifestyle;
- A well-designed trail network for Galiano Island that provides
  - Opportunities for quiet enjoyment by people of all ages
    - Non-motorized recreation opportunities in natural settings
  - Off-road non-motorized transportation options for residents and visitors
  - A 'ladder' trail system design so that people can do loop routes and use trails to connect from the east to west side of the island
  - Opportunities in each neighbourhood so that all residents have easy access to trails
  - Supporting facilities and services (e.g., composting toilets, maps and signage)
     that support safe, healthy and enjoyable use of trails
  - ♦ Take privacy into consideration, be respectful of neighbourhoods' peace and quiet
- Coordinate with appropriate agencies and organizations; and
- Trails should be considered in planning processes (e.g., subdivisions), and the Parks and Recreation Commission should take advantage of new trail opportunities as they arise.

Participants felt that the trail network should be designed to meet the needs of local residents and neighbourhoods, keeping in mind the needs of visitors to the island. It was noted that the trails system should be designed to attract the 'right kind' of visitor, in other words people who are also seeking quiet enjoyment in natural settings.



Mount Galiano



Based on this input, the vision for Galiano Island's trail network is:

A network of trails that provides quiet, non-motorized recreation and transportation opportunities for Galiano Island residents and visitors. The trail system meets the needs of all age-groups and respects the peaceful nature and natural environments of the island.

# Multi-use versus Single-use Trails

During the two meetings, participants discussed whether trails should be 'single-use' (i.e., hiking only) or 'multi-use' (including use by bicyclists and horse-riders). Key points arising from these discussions included the following.

- Trails should NOT be accessible to motorized uses.
- Some trails should be single-use only, i.e., for hikers (and their dogs).
- Some trails should be multi-use, i.e., open to bicyclists and horseriders as well as hikers. Multi-use trails should
  - Avoid environmentally sensitive areas
  - Avoid places where there are safety concerns (e.g., related to visibility, trail width, steepness, drop-offs, loose rock)
  - Use old roads beds (or trails brought up to similar standards) to ensure trails are wider, have gentler grades, and would minimize trail erosion and muddy areas;
- Other large animals (e.g., alpacas) should use the multi-use trails.
- Stiles and 'kissing gates' could be used at trailheads to prevent horses and bicycles from using hiking trails.
- There is a need for education and etiquettes, e.g., that cyclists should ride single file along roads, and alert pedestrians of their approach.
- Tourism information should not encourage large groups (e.g., bicycle clubs).

There was considerable discussion regarding mountain bikes at the second meeting. Some felt that mountain bikers could co-exist with hikers on trails other than old road beds (which do not offer the challenge that mountain bikers are looking for), and noted that with properly constructed trails, bikes do no more damage than hikers. Others felt that there should be an area set aside for mountain biking, to eliminate conflict between bicyclists and other trail users, especially on narrow trails. It was recognized there are different types of cyclists with very different needs and interests.



AND SHOULDERS

RIDE SINGLE FILE

Signage near ferry

Mountain biking (photo courtesy of South Island Mountain Bike Society website, www.simbs.com)

# Criteria for Identifying the Trail Network

In selecting trails for inclusion in the trail network, the following criteria were used.

- 1. Provide quality recreational opportunities for Galiano Island residents and visitors.
- 2. Provide off-road (non-motorized) transportation options for residents and visitors.
- 3. Provide new trails for neighbourhoods not currently well served by trails.

- 4. Establish legal access to trails that have been enjoyed by residents for many years.
- 5. Provide access to points of interest, such as parks, beaches and lookouts.
- 6. Contribute to a multi-use trail link from Sturdies Bay to Dionisio Provincial Park as part of the CRD regional trail network, in consultation and cooperation with CRD Regional Parks.



View from Matthew's Point Park



Bluffs trail

# The Trail Network Plan

The proposed trail network is shown in the following maps for North, Mid and South Galiano. A higher-resolution image of these maps can be downloaded from the Galiano Island Parks and Recreation Commission website http://crd.bc.ca/galianoparks/trails.htm.

#### **IMPORTANT NOTES**

- The "proposed trails" on these maps are <u>conceptual ideas as to</u> <u>where future trails may be</u>. They are NOT currently open for public access (although some trails are in use courtesy of the landowner).
- These trails would be made accessible for public use ONLY through legal agreements (such as acquisition of a lease or statutory right of way).
- Trail routings are approximate and general. Final trail routings would be determined in consultation with the landowner(s) and the local residents.
- "Multi-use" trails would be open to pedestrians, cyclists and horseriders. These routes would generally follow local roads or former logging roads.
- "Hiking trails" would be open for pedestrian use only (including dogs).

The notes following the maps refer to the trails as numbered on the maps. For some trails, approximate routing is shown. For other trails, a desire line for a connecting trail is identified but specific routes are to be determined.





L: Trail to Morning Beach R: Bluffs Park Trail

North Galiano Map

(for a copy of the map see GIPRC website http://crd.bc.ca/galianoparks/trails.htm).

N1	A hiking trail linking residents of Devina Drive, the northern end of Porlier Pass Road and/or the Indian Reserve to the Dionisio Park trail system.
N2	Shore access points connecting trail N3 to various locations along the shore.
N3	The road right-of-way from the gated end of Bodega Beach Drive to Dionisio Park serving as a multi-use trail into Dionisio.
N4	A second, hiking only, trail providing an alternative route for pedestrians to Dionisio.
N5	A hiking trail that links Cook Road (south of the Ecological Reserve) to the north end of Bodega Beach Drive, providing opportunities for loop walks and providing residents of the northern part the island an option to walk to the Strait side.
N6	Bodega Beach Drive creating an on-road link for cyclists travelling to Dionisio.
N7	A hiking trail following the ridge from the Ecological Reserve to Vineyard Way near Laughlin Lake.
N8	A hiking trail providing an alternate route between the Ecological Reserve and Laughlin Lake, connecting to the trail in Bodega Ridge Provincial Park. With N7, N11 and N12, providing opportunities for loop walks in this area.
N9	A multi-use route following Cook Road from the Ecological Reserve and then Porlier Pass Road to Vineyard Way. Where it passes through Bodega Ridge Provincial Park (and in other parts of this route where possible) creating an off-road cycling route adjacent to the road to provide a safer alternative to on-road travel.
N10	A hiking trail linking Bodega Beach Drive and N7 (ridge route).
N11	A hiking route providing opportunities for a loop trail between N7 and N8 in Bodega Ridge Park. Routing is the jurisdiction of BC Parks.
N12	A hiking route creating a trail connection between the south end of the trail in Bodega Ridge Park and N7, avoiding Laughlin Lake.
N13	A hiking route linking Pebble Beach Reserve to Retreat Cove.

Mid Galiano Map

(for a copy of the map see GIPRC website http://crd.bc.ca/galianoparks/trails.htm).

C1	A hiking trail linking the south end of Bodega Beach Drive to Cable Bay and the trail system in Pebble Beach Reserve. It was suggested that this area has potential as a regional park.
C2	A multi-use trail providing an off-road connection between the south end of Bodega Beach Drive, through the Pebble Beach Reserve and Great Beaver Swamp to C5.
C3	A hiking trail linking Cable Bay to Pebble Beach. Trails on this lot depend on the management plan for the Pebble Beach Reserve.
C4	Several shore accesses giving access to the Strait side through this area.
C5	A multi-use trail linking Great Beaver Swamp to the Cook Cove area. It is a key connection in an island-long multi-use trail. Parts of this route may become a public road in the future, but in the meantime would serve a recreational use.
C6	A hiking trail linking Pebble Beach Reserve and Great Beaver Swamp trails to McClure Road. With C8, it would provide new hiking routes for residents of the McClure/Alder Way/Ganner Drive area.
C7	At least one shore access filling the gap between Retreat Cove and Ganner Drive.
C8	A hiking trail linking Cameron Lane to C5 and creating opportunities for a loop walk. With C5, it would provide new hiking routes for residents of the McClure/Alder Way/Ganner Drive area.
C9	A hiking route linking Ganner Drive to Porlier Pass Road.
C10	A hiking route linking C5 and C8 to Gustin Road. With C8 and C6, it would provide a continuous hiking route from the Pebble Beach Reserve to Gustin Road.
C11	At least one shore access would fill the gap in this area.
C12	A hiking route providing a shoreline trail to and around Cook Cove, linking to the trail at the end of Sticks Allison. It was suggested that this area also has potential as a regional park.
C13	A trail linking Cook Cove to C14 and C15, possibly along the Hydro right-of-way, creating opportunities for loop walks in the area.
C14	A multi-use trail connecting C5 to the Heritage Forest trail system. It is a key connection in the island-long multi-use trail.
C15	A multi-use trail providing a link between Montague Harbour and the east-side multi-use trail, linking C14 to Gustin Road. This could also double as an east-west emergency route.
C16	At least one shore access filling the gap in this area.
C17	A multi-use route following Gustin Road to Porlier Pass and south towards Montague Harbour Park. Where it passes through the Park (and in other parts of this route where possible) creating an off-road cycling route adjacent to the road to provide a safer alternative to on-road travel.
C18	A multi-use route following Porlier Pass Road, with off-road cycling paths adjacent to the road wherever possible.

South Galiano Map

(for a copy of the map see GIPRC website http://crd.bc.ca/galianoparks/trails.htm).

S1	A multi-use route linking the Heritage Forest to Sturdies Bay and the ferry, following the road along Georgia View and Galiano Way to Sturdies Bay Road, and creating an off-road cycling trail along Sturdies Bay Road to provide a safer alternative to on-road travel. (Note: The current Sturdies Bay Trail is for hikers only and not suitable for bikes.)
S2	A multi-use trail linking the Heritage Forest trails to Porlier Pass Road through the Hydro right-of-way. Cyclists, horseriders and pedestrians would connect to this by following the Heritage Forest trails from the east side up to the Hydro right-of-way.
S3	An alternate multi-use trail linking Georgia View with Sticks Allison, through the Tricia Way Community Park, then following Sticks Allison Road and a new multi-use link to Ellis Road.
S4	A multi-use trail following the Hydro right-of-way from Galiano Way to S2, providing another off-road transportation option for cyclists and horseriders as well as pedestrians.
<b>S</b> 5	A hiking trail linking the Heritage Forest trails with Montague Park.
S6	An off-road alternative linking Sturdies Bay Road with Sticks Allison.
S7	A hiking trail providing a route to the lookout, following the Hydro right-of-way in part.
S8	A hiking trail connecting S9 to Mount Galiano trails.
S9	A hiking route linking Montague Harbour through Collinson Point Park to Active Pass Drive.
S10	A hiking trail providing a link from St. Andrews Crescent to Highview Road and Whaler Bay.
S11	A multi-use trail linking Montague Road and Morgan Road, providing an off-road route for residents as well as connections in an alternate route for cyclists to travel from the ferry to Montague Harbour Park.
S12	A hiking trail linking Lord Road Park to Mount Galiano.
S13	A hiking trail linking Georgeson Bay Road to S14, providing loop walks for residents.
S14	A hiking trail providing part of a trail link between Bluffs Park and Mount Galiano, and with S8 and S18, provides a hiking link from Bluffs Park to Montague Harbour.
S15	Additional loop trails on Mount Galiano providing recreational hiking opportunities.
S16	A multi-use off-road connection between the school and the Lions field serving the needs of families with school children, among others.
S17	A multi-use trail providing an off-road route between Sturdies Bay Road and Bluff Road.
S18	A hiking trail linking the Bluffs trail to Active Pass Drive, and then to S14.
S19	Shoreline access from the Bluffs trail, adding a recreational hiking opportunity.

S20	A multi-use trail between Bellhouse and Winstanley providing off-road transportation options for residents.
S21	A multi-use trail between Winstanley and South Warbler providing off-road transportation options for residents.
S22	An extension of the trail in the Matthews Point Reserve, connecting the Bluffs trail and the Matthews shore access (also part of the CRD regional trail plan).
S23	A hiking route linking Montague Road to Bluffs Park.



Sturdies Bay trail sign

# Recommendations

Residents identified several potential concerns related to trails and trail use. These included:

- Landowner/neighbourhood concerns:
  - Loss of privacy
  - Noise
  - Parking cluttering up road accesses
  - Liability (fear of being sued)
  - Vandalism and theft especially where trails are near houses
  - Fire risk
  - Renegade trail builders (building without landowner permission)
  - ♦ Farmers are worried about harassment of livestock by dogs
  - Options for shorter-term trail agreements (to allow landowners to 'test' the reality of a public trail across their property)
- User concerns
  - Access for emergencies: injuries, fire, police
  - Signs being taken down (vandalism)
  - **Enforcement of issues**
  - Safety of hikers (because of lack of signs)
  - Toilets (lack of)
  - Garbage  $\Diamond$
  - Dog faeces
  - Danger trees
  - ♦ Conflicts between trail users e.g., cyclists and walkers
  - Frustration that you can't access the trails you once could
  - Change in population (need to cater to older people e.g., provide benches to sit on)
  - Desire for trail loops
- **Environmental concerns** 
  - Impacts to habitat and wildlife
  - Motorized off-road recreation [concern that this might occur]





Littering

The recommendations were developed following community input at the first meeting, and heartily endorsed (with minor modifications) by participants at the second meeting.

# Acquisition of Legal Trails

Although informal trails likely will continue to play an important role in Galiano's trail system, there are significant disadvantages. Foremost is that these trails only exist through the goodwill of the landowner, and if there is a change in ownership, access to the trail may be denied. This has already happened to some popular routes. Generally these trails are not marked on maps or at trailheads, so most visitors are not aware of them. As well, the landowner becomes responsible for maintaining the trail in a reasonably safe condition, or has to give permission for others to do work on their land.

There are many advantages to landowners and trail users of having legal trails.

• **Liability:** Liability is determined by the *Occupier's Liability Act*<sup>1</sup> (1996), and depends on the circumstances. With informal trails, liability risk is very low. If the person is going onto land "for the purpose of a recreational activity" on "recreational trails reasonably marked as recreational trails" and is not paying for this<sup>2</sup> then the occupier's only responsibility is to not "create a danger with an intent to do harm" nor "act with reckless disregard" for the safety of that person or their property.

However, if a landowner grants a statutory right of way across their land to an agency (e.g., the Parks and Recreation Commission or the Islands Trust Fund), then that agency becomes responsible for liability risk, not the landowner (unless the landowner wilfully sets out to harm visitors!) This means the liability risk for the landowner is further reduced.

- register a conservation covenant that meets the Island Trust Fund's Natural Area Protection Tax Exemption Program (NAPTEP). NAPTEP provides island landowners with the opportunity to receive a 65% property tax exemption on the portion of their property that is protected through a NAPTEP covenant, if their land has one or more of the "eligible features" including:
  - "Social or recreational features such as walking or hiking trails through natural areas and/or outstanding viewpoints, if made accessible to the public;
  - Provides public access to property that is a park or other land to which the public has access for a purpose related to the enjoyment and appreciation of ecosystems and natural areas."



Bodega Ridge Trail

Tomorrow's Trails: A Trail Network Plan for Galiano Island Judith Cullington & Associates, October 2007

<sup>&</sup>lt;sup>1</sup> A copy of the Act is available from http://www.qp.gov.bc.ca/statreg/stat/O/96337\_01.htm.

<sup>&</sup>lt;sup>2</sup> "Other than a payment or other consideration from a government or government agency or a non-profit recreational club or association."

<sup>&</sup>lt;sup>3</sup> For more information see http://www.islandstrustfund.bc.ca/naptep.cfm.

- Security: While people living near trails often cite a fear of increased theft or vandalism, studies<sup>4</sup> suggest that trail use can reduce these problems as they provide 'eyes' on the neighbourhood. In some cases there can be benefits such as earlier reporting of fires or other problems.
- Certainty: Where there is a designated trail operated by an agency, the
  landowner has certainty that the trail will follow the prescribed route, and that it
  will be properly maintained. Users have certainty that the trail will remain open
  for access, even if land ownership changes.
- Maintenance: If an agency (such as the Parks and Recreation Commission) have a statutory right of way, that agency is responsible for the work and cost to maintain the trail, not the landowner.

Appendix C identifies some of the options for acquiring legal trails. In many cases, proposed new trails cross more than one landowner's property, and so negotiations and trail routing will have to meet the needs of multiple landowners.

Many trail decisions will be made by agencies and organizations other than GIPRC. The GIPRC will need to work with these agencies (e.g., Islands Trust, CRD Parks, BC Parks, Ministry of Transportation) to encourage them to make trail decisions in accordance with the Trail Network Plan.

Some landowners may be interested in exploring a short-term option (e.g., a five-year lease) to allow for a 'testing period', as suggested by a landowner at one of the community meetings. However, there is a risk that if the landowner decides not to have a legal trail at the end of the test period, public money spent developing the trail will have been wasted. Further, public expectations of access will have been raised without a guarantee of long-term use of the trail. This option should be used with great caution.

Recommendation 1: The Galiano Island Parks and Recreation Commission should continue working with government agencies and landowners to secure legal trails that are consistent with the Trail Network Plan.



Shaw's Bog Ecological Reserve

## Trail Location

New trails should be routed so that they:

- Avoid environmentally sensitive areas;
- Minimize impacts to the natural environment (e.g., avoiding erosion);
- Minimize any disturbance to residents; and
- Provide an enjoyable recreational experience and/or convenient off-road route.

http://www.railstotrails.org/resources/documents/resource\_docs/tgc\_safecomm.pdf

<sup>&</sup>lt;sup>4</sup> For example,

Recommendation 2: New trails created along desire lines in the Trail Network Plan should be determined in consultation with landowners, local residents and community groups to select a route that provides a safe, enjoyable experience while taking into account protection of the natural environment and the privacy of landowners.

## Multi-use Trails

The proposed multi-use trails focus on use by horse-riders and cyclists using the trails for recreation and/or transportation. The needs of mountain bikers are somewhat different in that they are seeking more challenging trails. Some island residents support the notion of sharing hiking trails with mountain bikes, others do not support this viewpoint. If a suitable location could be found, there may be support for a designated mountain biking area or some designated trails.

Recommendation 3: Only those trails identified as multi-use on the trail maps should be developed for use by horses and bicycles as well as by hikers. The Galiano Island Parks and Recreation Commission should meet with representatives of the mountain biking community to discuss options for some designated mountain biking routes on the island.



Trailhead parking area, Sticks Allison

#### Trail-side Services

**Parking**: Where possible, a small parking area should be provided at trailheads. This might be as simple as a wider verge to allow for roadside parking, or in some cases a small gravel parking lot.

**Toilets**: The Galiano Island Parks and Recreation Commission has provided a few pit toilets in key locations, and more may be added in response to increased visitor use. Toilet facilities come with drawbacks, such as neighbour concerns and promotion of unauthorized camping, and island organizations are reluctant to put up new facilities. Visitors should be made aware that there are only a few public washroom facilities on the island, and this information should be included in visitor information.

**Garbage**: Residents and visitors should be reminded to 'pack it out'. This includes dog faeces, which can pollute streams and groundwater as well as being unsightly.

**Benches**: Benches at strategic locations along well-used routes would be appreciated by all users, especially older people and those with young children. One option is to allow people to purchase benches in memory of loved ones. Location of the benches would be determined in cooperation with the donor and appropriate landowners or agencies.

Recommendation 4: Trail-side services should be kept to a minimum, in keeping with the low-key nature of the Galiano Island trail experience.



Pit toilet

Provision should be made for parking at trail-heads, and visitors should be reminded to pack out their garbage and plan ahead for limited toilet facilities. Benches could be placed at some locations.

The provision of some long-distance trail routes on the island will create opportunities for local entrepreneurs to offer bed and breakfast or other food and lodging services to trail users at strategic places along the route. While these services are to be encouraged, this is not a role for the GIPRC.

# Education, Etiquette and Enforcement



Respect all trail users

**Signage:** Residents and visitors need enough information to find their way safely. Signage at the trailhead should identify hiking-only versus multi-use trails. Ideally, trailhead information would also identify the destination and distance to that destination (e.g., "Cable Cove 1 km") to help users to plan their trip.

Recommendation 5: Simple trailhead signs should advise whether the trail is 'hiking only' or 'multi-use' (i.e., for hikers, cyclists and horseriders). Signage with information on the trail destination and distance would also be helpful.

**Maps:** A trail map should be available for visitors and residents, showing all legal trails on the Island. The map could also contain information on trail etiquette and locations of services (e.g., toilets). To recover the costs of producing and printing the map (including periodic updates), it could be made available for a small cost from Island stores. In the short term, the recreation map currently being prepared by the Chamber of Commerce in cooperation with the GIPRC will identify the existing trail system.

Recommendation 6: A trail map should be developed for sale in local stores. This map would show all legal trails, and provide information on trail etiquette.

**Trail etiquette:** Some concerns arise because visitors (and sometimes residents) do not follow the 'rules of the road' or apply common courtesy. Gentle reminders can help to encourage appropriate behaviour on trails. Appropriate reminders might include:

- Stay on trails;
- No smoking on trails, no fires;
- Keep dogs leashed or under close control;
- Cyclists should ride single-file along roads;
- Respect other trail users.

To avoid a cluster of signs at trailheads, some of this information can be provided on the trail map, and in visitor information materials. Information provided could include the 'yield hierarchy'—dog walkers give way to all users, cyclists give way to hikers and horse-riders, hikers give way to horse-riders.

**Enforcement:** With limited policing on the island, enforcement relies on the goodwill of trail users. Signage at the trailhead could include information on who to call if there are problems (e.g., beach parties). In addition, there could be a series of 'trail patrols' who would report concerns such as fallen trees blocking the path, dumped garbage or issues of misuse.

Recommendation 7: The Galiano Island Parks and Recreation Commission should establish a trail steward program to assist with monitoring the trail system.

**Fines**: Fines could be charged for infraction of trail rules, for example littering of trails or illegal camping, in order to deter illegal and unauthorized activities. The CRD already has some fines that apply, and the GIPRC could investigate its options for imposing and enforcing fines for certain infractions.

Recommendation 8: The Galiano Island Parks and Recreation Commission should investigate options for implementing fines for trail infractions.



# **Next Steps**

This report has been submitted to the Galiano Island Parks and Recreation Commission for their review and recommendations.

The Commission will review the report at its meeting in November 2007.

The Commission will then determine the 'next steps' to begin implementation of this Plan.



Sturdies Bay Trail

# **Appendix A: Community Participants**

The public meeting on June 23, 2007 was attended by about 30 people. Participants included:

Carolyn Jerome **Don Anderson** Tika Okuda Sheila Anderson David Johnson **Doris Recinos** Jerry Azevedo Les Laronde Gloria Schmidt Kathryn Benger Michael Sharp **Doug Latta Helena Chambers** Elizabeth Latta Fred Smith **Dave Fenton** Andrew Loveridge Peggy Smith Dora Fitzgerald Paul LeBlond Mario Szijarto Jeff Ward **Judy Garland** Rose Longini Jocelyn Gifford Libby McClelland Ray Wickland

Kenneth Hardy Ken Millard Mike Hoebel Linda Millard

Note that some people attended but did not sign in. In addition, comments were received from Julia Gardner, Louise Decario, Pam Freir, Gregor Wilson, and Debbie Holmes.

The results of discussion from the first meeting were included in the draft report (August 2007) that was circulated for comment.

The public meeting on September 15, 2007 was attended by about 35 people. Participants included:

Sheila Anderson Anna Keefer Rick Orr Dick Chase **Bowie Keefer** Brenda Orr Mackie Chase Martha Anne Kelly Roger Pettit Ed Chenlyn **Doug Latta** Lisa Pettit Helen Chenlyn Elizabeth Latta **Doris Recinos Gary Coward** Paul LeBlond Joe Stirling Ursula Deshield John McEachen Mario Szijarto Pam Freir Joan MacKenzie Sue Turner **Judy Garland** Don McKinnon **Gregor Wilson** Jocelyn Gifford Linda Millard Jane Wolverton Mike Hoebel Ken Millard Rene Zich

In addition, comments were received by e-mail from Carolyn Canfield, Jeffrey Patterson, Sharon Masui, Fred and Peggy Smith, and Bowie Keefer.

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# Appendix B: Responses to the Draft Trail Network Plan

# Meeting Discussion

#### GIPRC Liaison with Landowners

- How will the GIPRC meet with landowners when there are multiple landowners involved? (Should address in the plan.)
- Use shorter term agreements rather than statutory rights of way, may be more palatable to landowners
- Define options (easements, statutory rights of way etc) some landowners are concerned about land transfers and options that run with the land.
- There are advantages to a statutory right of way (SROW) e.g., agency has obligations such as maintenance, insurance, fire closures. Wording for a SROW can allow some flexibility for future landowners.
- Consider options of a five-year agreement so that landowners can 'test the waters' before signing a long-term agreement.
- Many of the 'proposed' trails already exist, so it will not be physically hard to create them. However, there will need to be sensitivity in dealing with landowners. We need to create a culture of 'trails are a good thing', an opportunity for landowners.

# Policing and Enforcement

- Beach parties are a concern, also cigarettes. Who will police the trails?
- Have trail 'wardens' some paid, some volunteer to help patrol the trails, monitor inappropriate behaviour, report problems, pick up litter, help with maintenance, etc. Similar to the Bruce Trail Associations in Ontario. [Note that GIPRC has such a program, though still in its infancy]
- Beach parties and other problems e.g., garbage, there should be guidelines as to what to do if someone sees a problem who can they report it to?
- Garbage have and enforce a \$2000 fine for littering and other offences (e.g., mopeds on trails). Have signage at trailheads.

#### **Bike-friendly Trails**

- Don't lump cyclists with horseriders, don't keep cyclists just to old roads (dull). Build trails for bikes.
- If trails are properly constructed, damage from mountain bike use is same or less than from foot traffic. Some of the trails proposed as hiking only should also be open to cyclists.
- Bikes and horses should be prohibited from some areas.
- There is a 'yield hierarchy' dog walkers give way to cyclists, who give way to hikers, who give way to horses. If people know and adhere to this, it will help to reduce conflict between users. This should be part of trail etiquette.
- Consider designated mountain biking areas.

- Have some mountain biking-only trails.
- Cyclists should be allowed on some hiking trails where appropriate, they can help to patrol the trail (faster than walkers).
- Some trails should be shared, some dedicated to single users.
- Distinguish between transportation corridors for commuting vs. recreational cycling.
- Attempt inclusion rather than a default exclusion of bikes on trails.
- Set speed limits for cyclists on trails.

#### **Other Comments**

- Put numbers on existing trails as well.
- Consider having B&Bs or lodges placed at strategic intervals along the trails, economic opportunity for local residents.
- Paved routes beside roads MOT will have to re-pave roads at some time in the future, adding a
  cycle pathway should be part of this contract. Apply for gas tax \$\$\$\$\$\$\$\$\$\$ to fund this.

# Comments and Suggestions (from Comment Form)

## **Comments on proposed trail network**

- Bike transportation along Sturdies Bay/Porlier Pass/Montague Roads
- We really need bike and walker trails beside N-S road. It is expensive.
- Must be a bikeable trail from south to north end
- Network of transportation bike routes that cross-cut the island, i.e., Gardner Rd to Georgeson Bay
- All major routes should be upgraded for safe cycling, either by widening paved shoulders (MOT) or building a parallel multi-use pathway (GIPRC)
- Trails C6 and C8 possible multi-use?
- McClure Road/Cameron Way bike and horse access as well keeping in mind the "off road transportation options for Galiano Island residents and visitors" part of the vision.
- Boat access for hiking not everyone arrives by car
- Trails C6 and C8 possible multi-use?
- I support the directions you are taking (or should I say the <u>process</u> is taking)
- Where do the 'unable' motorized hikers go? Where do motorized recreation persons go?
- \$19 should not be a public trail. It is too steep and slippery in summer under dry conditions.
- Need to connect Ellis and Sticks Allison (S3)
- Beach access and trails essential at mid-island east side two beaches.
- Pebble and Cable are more stressed each year. Community and visitors need access to lands and routes now gated.
- A trail from Sturdies Bay to Dionisio should be the priority.
- Paved trail along main road for cyclists. Good for tourism, good for climate change.

- Location of C6 should avoid wetland (alternate location marked on map.)
- On long hikes water on routes, pumps?
- Any night walks with solar lighting?

#### Bikes on Trails: Be inclusive

- I'm all for such a network. I think it's a mistake to keep cyclists off too may trails. Young people like challenges (not me, I'm old and arthritic) and if recruited can be a very positive factor in trail maintenance
- Be more inclusive of bikes on some hiking trails
- Although a few trails should maybe be hike only, most well-designed trails should be accessible to bikers
- Many east-west trails should be open to bikers (especially S5 Heritage Forest to Montague)
- ♦ I support mixed use, protecting Mount Galiano, beaches, etc some place for bikes.
- Old logging routes are generally not interesting for biking for many bikers
- Cyclists must be distinguished from horse riders. Also, distinguish transportation cyclists from mountain bikers.
- Start dialogue with group that monitors Mount Galiano and Bluffs trails to get them to include mountain biking on some hike trails and/or build new bike-specific trails
- Cyclists can supply maintenance work (we have energy!) and eyes on the trails. We can patrol much farther.
- Gates at trailhead that exclude ATVs and motorized dirt bikes by their design
- See information from IMBA (International Mountain Biking Association) provided by e-mail and on www.imba.ca website (especially regarding erosion issues from bicycles)
- Network of transportation bike routes that cross-cut the island, i.e., Gardner Rd to Georgeson Bay
   Rd
- McClure Road/Cameron Way bike and horse access as well keeping in mind the "off road transportation options for Galiano Island residents and visitors" part of the vision.

# Bikes on Trails: Build something specific for mountain bikers

- Mountain bike multi-level challenge course
- Bikes-only off-road trails
- Distinct trails for mountain biking/hikers separate

# Bikes on Trails: No biking on hiking trails

- Trails for hikers only (no horses, camels, bikes)
- I have concerns about trail bikes I've seen damage done by these bikes and I also find them disrupting the tranquility of nature.
- Our topography is fragile. Feet are rough enough for the forest to deal with.

• If trails will be shared between cyclists and pedestrians they must be WIDE, otherwise can become a safety issue. Actually I feel more strongly than that – most trails should be hiking only if already narrow.

#### Trail construction and maintenance

Note – well used trails at Long Beach and other parks are "clad" with elevated walkways

#### **Enforcement**

- Garbage is not a problem as most users will haul out the old beer bottles etc
- Add more signs (e.g., no camping)
- As smoking gets less and less a habit, we will see less and less cigarette butts. I was up on the Bluffs
  very recently and only saw two cigarette butts.
- If dog owners pick up poo, so should the horse crowd!
- Problem situation? Nip it in the bud! The Islands Trust recommends the precautionary principle.
- Creative ideas for dealing with cigarette butts. Maybe we would get cans and have kids at the school paint them colourfully (well maybe not). It seems that some smokers seem to think cigarette butts are not litter, so the cans could be big and hold a lot of butts and maybe some smokers might be willing to keep tabs on the cans and replace them when they are full.
- Garbage removal and patrol/policing must be formally addressed
- Signs re fines for mis-use seems a good idea.
- Procedures for dealing with problem users are essential.
- Trail rider wardens are helpful.
- Develop a trail association to look after the trails.
- Information at trailheads could include information on what to do if harmful activities are observed.
- \$2000 sign for littering.
- Trail and shore access standards to patrol them.

#### Discussions with landowners

- Clarify SROW vs easements
- 5-year trial period for landowners sounds good.

#### General

- Doing a plan for trails is great!
- The plan, as proposed, looks very good to me.
- Great work!
- An excellent start.
- Is there a priority list to establish which trails would be developed first?
- An excellent exercise and first step. Should definitely be a reference document for the OCP and building or revising a vision for our island.

- I though the discussion was useful. It will be helpful to have clear signs and info available about the nature protection areas.
- I strongly support a network in the 'ladder' format.
- Like the idea of transportation corridors vs. walking spots.

## **Vision: Comments**

- Add "non-motorized" and "recreation" into vision
- Add "non motorized".
- Quiet enjoyment is very important for hikers and should be respected. There should be separate provision for bikes and horses.
- Yes. Peace, quiet on the one side. Yes, local transportation on the other. Exclude "challenge" enthusiasts. Let them have their own self-built course. We walk. This bike business is a decade off!
   Walkers have been hiking for thousands of years. Don't mix lubricating oil and water.
- A large focus on transportation is necessary. Not everyone can or wants to drive. Hitchhiking and the expensive, unreliable taxi are not realistic options.
- And the island-wide trail network would seek to connect existing parks, conservation areas, beach accesses, and community facilities around the island.
- Lots of possibilities.
- Because roads are becoming very busy, it is important to have hiking trails both for safety and health (besides pleasure).
- Excellent broad enough but not too particular.
- Well done, great job
- Cheers!
- This is an outstanding opportunity to preserve the appreciation and scope of Galiano community networks to build a unique land use solution.

#### **Recommendations: Comments**

The Galiano Island Parks and Recreation Commission should work with landowners to secure legal trails where possible.

#### 23 Agree 0 Disagree

#### Comments:

- Please try to open up the (existing) trail from Devina to Dionisio
- Explore five- year option [trial period for landowners]
- Use non-threatening language in draft agreements to make them more acceptable
- The sooner the better
- And local trust committee should require trails
- Provision of trails along road dedications should be required during re-zoning and subdivision.
- It is extremely important that permanent trail routes be secured for the benefit of all, including land owners.

New trail routes should be determined in consultation with landowners, local residents and community groups to select a route that provides an enjoyable experience while protecting the natural environment and the privacy of landowners.

# 22 Agree 0 Disagree

#### Comments:

- Connectivity of new trails should be based on long term planning goals. Actual specified detail of route should be flexible within that.
- Route selection will often be governed opportunistically by owner cooperatives defining path of least resistance.

Trail-side services should be kept to a minimum, in keeping with the low-key nature of the Galiano Island trail experience. Provision should be made for a few parking spaces at trail-heads, and visitors should be reminded that garbage and toilet facilities are limited.

# 18 Agree 1 Disagree

#### Comments:

- A few memorial benches and viewpoints would be welcome
- A few benches here and there would be appreciated by older walkers.
- Supply small garbage bags as poop-scoop bags are often supplied at city parks
- Garbage [word unreadable] should be discussed
- We should have a littering fine and a way to enforce it. Sign should say 'take your garbage home with you'.
- Garbage containers, pit toilets and water should be supplied at important trailheads.
- Partly agree. I generally agree if we had an island-long trail, there could be a camp mid-way up.
- Boat access to hikes
- Drinking water on long hikes
- Toilet facilities to be accessible for everybody (e.g., no steps up) e.g., now at Montague re wheelchairs and strollers etc.
- Provide some toilets.
- Perhaps some thought to a "Scottish B&B network" idea.
- B&Bs or backcountry campsites could be added later if demand is there for overnighters
- A trail going from Sturdies Bay to Dionisio is desirable. Perhaps lodges (camping site, small lodging operation) could be developed every 10 miles. This expands tourism and jobs on Galiano (including trail maintenance jobs).
- There may have to be exceptions one day but yes.

Simple trailhead signs should advise whether the trail is 'hiking only' or 'multi-use' (i.e., for hikers, cyclists and horseriders). Signage with information on the trail destination and distance would also be helpful.

### 23 Agree 0 Disagree

#### Comments:

- There should be signage only at trailheads, not polluting the natural scenery along trails.
- There is internationally accepted signage for just this point
- Signage is essential. Distances are always appreciated on the signs
- Location maps would be helpful.
- Signage to include time distance (based on an average walker) as distance does not indicate time (e.g., trail may be flat or up/down).
- Also a yield hierarchy would be good
- Also include yield hierarchy standard: Horses hikers cyclists dog walkers.
- Strongly agree.
- With fines for misuse, phone to report.
- Classifications of trail levels need to consider a number of criteria including anticipated volume of users.
- Pamphlet for cyclists on ferries
- People who rent bikes could help educate cyclists about respecting hikers on trails. They MUST slow down.
- Not too many "hike only"
- Mostly I favour multi-use trails. Perhaps with more challenging trails for mountain bikes.
- Research shows that most bikers create an equal amount of erosion compared to most hikers. They both create erosion but it is usually in different areas.
- Is it practical to mix cyclists and horse riders on public trails?
- Unrealistic to lump cyclists with horses, horses with dirt bikes?
- Forget horses. How about the bad mix of bikes (trailwreckers) and pedestrians?
- I would not like to see cyclists on separate trails, I'd like trails which area peaceful, not where bikes suddenly appeared around corners.

A trail map should be developed for sale in local stores. This map would show all legal trails, and provide information on trail etiquette.

## 19 Agree 2 Disagree

#### Comments:

Great idea!

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- Great idea!
- Yes!!!
- Yes and trails should be numbered and named.
- Very important for local users and tourist visitors.
- Not sure.
- % of sale price to go towards maintenance of existing trails
- If all trails are made public, there will be more users. We would need "Friends of Trails" (volunteers) to monitor. To quote "let's not jerks stop us from doing something".
- The trail map should be free so everyone has one. There could be sponsors to help with expenses of producing maps (sponsors not advertising).

#### **Other Comments**

Comments received by e-mail included the following.

- I'd suggest a hiking, cycling, horseback trail the length of the Island lots o' up and down to make it much more interesting. It might also link the three provincial parks on Galiano.
- I'd suggest a trail hooking up Bodega Ridge and the Provincial Park with the Dionisio Marine Provincial Park at the northern tip.
- While some trail segments might be reserved for low impact hiking by humans, there should be a
  main multi-modal trail (hiking, cycling, horseback riding) the length of Galiano, but with enough hard
  spots that most motorized vehicles could not do it (no way to defend against moto-cross except
  with signage).
- I wish that access to the stretch of foreshore south of Pebble beach was still available. It should be. There is a tremendous opportunity for trails adjacent to this East Road stretch as well.
- I wish that the trail leading from Bodega Beach Drive up to the Ridge and on to the Ecological Reserve and Dionisio was a trail we could count on for the future. It is instead, as I understand, a temporary goodwill gesture.
- I notice that there seems to be no effort towards providing a general bicycle/multiuse trail along Porlier Pass Drive. This particular road has multiple issues with bike/pedestrian/vehicle traffic, putting members of the public constantly at risk. Failing to put a trail along Porlier Pass Drive will not divert all bicycle traffic. If anything cyclists are likely to take advantage of the trail in one direction and the road in the other just for the change in scenery. A loop trail that connects up one side of the island and down the other would solve this problem.
- I strongly support an alternative hiking trail from Bodega Ridge into Dioisio (N4 in your material). I'd be willing to work in obtaining permission from Therah to formalize the informal trail now going along the extreme lower parts of the ridge residential lots lying mostly atop the adjoining ridge. The trail does not disturb the lots and is in any event only a few metres inside Therah's boundary. Alternative routings would see the building of a trail parallel to the Cook Rd easement and down the 'Ledge Trail' just east of Kincaid Lake into Dioisio.
- I'm somewhat anxious about the proposed multi-use trail along Bodega Beach Drive into Dionisio.

  The owner of the forest lot (F1) through which it passes still wants to build a subdivision. I guess, widening it to accommodate cycling and hiking trails parallel to the proposed road might be

- acceptable if it were ever a condition for development approval not favoured by most residents of the north end.
- I strongly support a trail from Davina Dr into Dionisio Park. The strongest possibility involves an easement through what used to be known as the Duthie Estate just west of the north end of the Therah property (DL 91) and into Dionisio by way of what is known as Lighthouse Road. The alternative outlined in your materials seems to involve traveling through the First Nations Reserve also feasible.
- I strongly support the N8 proposal linking Bodega Ridge Provincial Park to the north end and Dionisio Park.
- I strongly support an off-road cycling path parallel to Porlier Pass Rd.
- Keep up the good work. looking forward to the day we can celebrate a Sturdies Bay to Porlier Pass trail...Hopefully it would be a bike trail as well... however. It is great to see that you are committed to sharing this great island with as many residents and visitors as possible.
- Trails suggested should become "right of ways" when land is rezoned.
- Ecological Reserve 128 (Shaw's Bog) off Cook Road—it is possible that the entire Crown-owned district lot may someday become part of the Eco-Reserve. For that reason, routing of N5 should be designed and located especially to minimize environmental impact on the bog's watershed and other adjacent sensitive areas [skirting the reserve as shown on the map].
- One of my personal irritations is the evolution of human trails along deer paths at the edge of ridges. Deer hoof meandering and impact is nothing compared with our sustained plodding in hiking boots, so over time the deer route resembles a thoroughfare. Damage to fragile soil, spring-flowering forbs and manzanita thickets on Bodega Ridge is testament to this lousy trail "development". I think it would be an excellent idea to develop "best practices" for Galiano trail routing and construction standards.
- My version of a preferable route for a scenic trail like Bodega Ridge is to have a trail set back from
  "the view" with periodic spur viewpoints along the way, introduced with an explanation at the trail
  of what is fragile and how to protect it.
- There is an opportunity to punch through an off-road trail (partly built across Galiano Way some years ago) parallel and between S1 and S3.
- A central north-south connection on or paralleling Georgeson Bay Road would be a good idea.
- Strong connections are needed along the spine of the island, preferably at least two routes following ridges and/or valleys with a few ladder links for looping diversity.
- Mid-island links C6, C8 and C10 could be taken along one or both main ridges.
- Another mid-island route could run in the woods on the minor ridge between Porlier Pass Road and Trincomali Channel, connecting Montague Harbour Park and the neighbourhoods around Ganner Drive and Retreat Cove. Cross-connections from the shore to the main ridges are feasible within Montague Harbour Park and at Retreat Cove.
- Collaboration with MOT is required to get safe cycling conditions (either paved shoulders or separate trails within road allowance) on all major roads.
- The offroad island-wide trail network should extend around the entire island for both pedestrians and cyclists.

- The greatest challenge will be to mobilize cooperation and the enthusiastic participation of landowners. The Commission needs to proceed with great delicacy, and to be extremely tactful in approaching owners.
- About 90% of the proposed trail network runs over the much disputed forest zone of the island, whose owners have sensed themselves to be besieged while misunderstood as threatening aliens. Publication of maps suggesting trail routes over specific private properties can easily be misunderstood. One way for the Commission to address these difficulties would be to make a conscious effort to widen its membership base. Another way forward would be for an independent private society (concerned with all aspects of forestry including conservation and recreational benefits) to take this up as a project, in collaboration with other community associations and the Commission.
- What a great job that you and the Galiano island Parks and Recreation commission have done of mapping the proposed trails- I found that the trail notes along with the maps created an exact picture in my mind of the trail locations and eagerly await the granting of easements for public access.

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# **Appendix C: Acquiring Legal Trails over Private Property**

There are various mechanisms for acquiring trails, ranging from outright acquisition of the land during land-use changes or by purchase, to formal agreements with landowners for a right of way. Examples of ways that the Galiano Island Parks and Recreation Commission could acquire legal trails are:

- Park Dedication: When land is subdivided into three or more lots, at least 5% of the property must be dedicated as park land (a local government may ask for more than 5%). These parks can include 'linear parks' (i.e., trails). Land is owned by the agency in perpetuity.
- Fee simple acquisition: If there is a 'willing seller/willing buyer', an agency can purchase property from the landowner at fair market value or other agreed-to price. This could include a linear parcel of land, and would involve re-defining the lot boundaries. The land is then owned by the agency in perpetuity.
- Donation: A landowner can donate all or part of their property to an agency or non-profit organization. If the land is deemed to be environmentally sensitive, the landowner may be eligible for tax benefits under the Ecological Gifts program.<sup>5</sup>
- Lease: A landowner may choose to lease part of their land for a trail in return for financial or other
  considerations. A lease is for a specified period of time only, and may not be binding on future
  landowners. It may not provide long-term security of access, but can be a useful tool in some
  circumstances.
- **Easement**: An easement is the right to use another's land for a specified purpose, such as access to an adjoining property.
- Statutory right of way: This is a form of easement registered under the Land Title Act that allows access for a specified purpose (such as trail use). Regional Districts and a local trust committee under the Islands Trust Act may hold statutory rights of way. Such tenure can be acquired by negotiation with a landowner or as part of the community benefits secured during a change in land use. This is the most commonly used form of tenure for community park trails over private property. Leases, easements and statutory rights of way are a registered interest in the land and continue even if there is a change of land ownership.
- **Licence**: An agreement to use land in some way. Unlike a lease, it can be revoked by the landowner at any time, and does not represent an interest in the land.
- Shore access: Public access routes to the shoreline are created at the time of land subdivision under the Land Title Act. As part of the subdivision process, the developer generally is required to dedicate a 20 m wide access every 200–400 m, depending on the size of the lots. (Older accesses vary in width from 3–6 m.) These accesses are shown as public roadways on subdivision plans, though an actual road might not be constructed, and the land is administered by the Ministry of Transportation (MoT). The Parks and Recreation Commission (not the developer or MoT) is responsible for making these shore accesses safe or usable, under permit or licence of occupation from the MoT.
- **MoT permit:** These are permits issued by the Ministry of Transportation for works to be constructed within highway rights of way under the Ministry's control. This mechanism has been used, for example, to create the Sturdies Bay Trail.

<sup>&</sup>lt;sup>5</sup> For more information see http://www.cws-scf.ec.gc.ca/egp-pde/