

Access Policy for District Owned Lands*[supersedes Aug 31 2010]*

1.0 BACKGROUND

The Eastern Irrigation District (EID) owns approximately 600,000 acres of land within the County of Newell. This land base is vital to the overall operations of the EID as it supports water storage and conveyance, cattle grazing, industrial development, research activities, provides a diverse range of habitat for wildlife and, when possible, allows public recreational opportunities.

These lands are widely dispersed within the County of Newell and are easily accessible off the public and private road network. From time to time, this accessibility creates a number of management concerns for the EID such as grass fires, disturbance to livestock, litter, uncontrolled pets, camping, off-highway vehicle use and other environmental damage.

To help mitigate these risks and protect EID lands while still allowing public use, the EID has adopted this policy to manage public access.

2.0 TYPES OF EID LANDS

In the context of public access there are three types of EID lands. Community Pastures (also known as "Grazing Association" and "Swing Fields"), Right-of-Ways, and Private Leases. EID lands not identified as one of these three types may have varying purposes and access restrictions.

- (a) Contact the EID Land Administrator – Habitat, Wildlife & Access for more information.

2.1 Community Pastures

Community Pastures represent the largest type of EID lands. The primary purpose of these lands is to provide summer grazing for cattle owned by eligible EID water users. Secondary purposes of these lands may include research, public recreational access, and special event access.

- (a) The EID controls all access to these lands. Contact the EID for more information.

2.2 Right-of-Ways

Right-of-Ways represent the second largest type of EID lands. The primary purpose of these lands is water storage and conveyance. These lands may be found under, over and adjacent to EID reservoirs, canals, ditches, drains and pipelines. Secondary purposes of these lands may include research, public recreational access, and special event access.

- (a) The EID controls all access to the lands identified as right-of-ways but may defer management of public access to the right-of-way to the neighboring landowner(s) and in some situations may convert them to Private Lease (Grazing) lands. Contact the EID for more information.
- (b) Contact the EID prior to accessing these lands to ensure they are open to the public.

Access Policy for District Owned Lands

2.3 Private Leases

Private Leases (Irrigated, Grazing, Business and Community Groups) are the smallest type of EID lands. The primary purpose of these lands is to provide farming and grazing opportunities on unique parcels of land to eligible EID water users and to provide businesses or community groups opportunities associated with the use of unused EID facilities or lands.

- (a) The EID controls all access to the lands identified as Private Leases but defers management of public access to the leaseholders. EID lands under private lease require separate permission from the leaseholder for public access. Contact the EID for more information.

3.0 TYPES OF ACCESS

Types of access permitted on EID lands include, but are not limited to:

3.1 Cattle Management Access

Access for the purposes of cattle management is associated with fence construction or maintenance, watering system construction or maintenance, cattle round up and movement, cattle health checks, cattle feeding, etc. Typically, this access is provided for employees or management of the Grazing Association.

- (a) This includes use of off-highway vehicles and driving highway vehicles off Designated Routes or established trails, when necessary, for cattle management purposes only.
 - (i) Members of the grazing association are only permitted this level of access when accompanied or authorized by EID or Grazing Association staff or management.
- (b) Special arrangements for cattle management access, beyond what is provided in this Policy, can be made with the EID Land Administrator – Grazing. In this regard, a cattle trailing permit is available upon request.

3.2 Commercial and Industrial Access

Commercial and Industrial Access is access for activities such as oil and gas exploration and development, power generation and transmission, research and development, construction and operation of non-renewable and renewable energy projects, facility construction, operation and maintenance, and any other activities approved by the District.

- (a) Provided a lease or some other form of access agreement has been entered into with the EID, highway vehicles and off-highway vehicles are permitted on all types of EID lands for these purposes.
- (b) Contact the EID Land Supervisor for more information or for agreements.

Access Policy for District Owned Lands

3.3 EID Access

Access by EID staff and authorized representatives is permitted for all land and water management purposes. This includes use of off-highway vehicles, driving highway vehicles off Designated Routes or established trails, and controlling other third party activities prohibited or restricted by this policy when necessary.

3.4 Emergency Services Access

Access by Emergency Services personnel is permitted for emergency situations and to perform their regular duties. This includes use of off-highway vehicles, and driving highway vehicles off Designated Routes or established trails.

3.5 Leaseholder Access

Holders of Private Leases are permitted to use off-highway vehicles and drive highway vehicles off established trails located on lands within their respective Private Leases.

3.6 Other Access

Upon obtaining EID consent, additional access requirements not specifically mentioned in this Policy may be permitted on EID lands.

- (a) Contact the EID – Land Administrator – Habitat, Wildlife & Access for more information.

3.7 Research Access

Access for the purposes of scientific research projects is only allowed by agreement. Access may accommodate for a variety of different activities, resources, restrictions, and conditions.

- (a) Contact the EID Land Administrator – Habitat, Wildlife & Access for more information or for agreements.

3.8 Special Event Access

Access for the purposes of group recreational or social activities, commercial filming or photography, etc. are only allowed by agreement. Access may accommodate for a variety of different activities, resources, restrictions, and conditions.

- (a) Contact the EID Land Administrator – Habitat, Wildlife & Access for more information or for agreements.

3.9 Water User Access

Water Users are permitted access for the purposes of installation, maintenance or operation of irrigation equipment only in Right-of-Ways and select portions of Community Pastures. This includes use of off-highway vehicles and driving highway vehicles off established trails and Designated Routes when necessary. This level of access is not applicable for any recreational purposes and is only permitted by special agreement.

Access Policy for District Owned Lands*[supersedes Aug 31 2010]*

- (a) Contact the EID for more information or for agreements.

4.0 LIABILITY DISCLAIMER

All individuals accessing EID lands do so at their own risk. Many natural and manmade hazards are present on all EID lands at all times. The EID makes no warranties or guarantees about the safety of any individual or their property while accessing EID lands and assumes no liability whatsoever. All individuals accessing EID lands also assume all risk and liability for the safety of any minors that may accompany them when accessing EID lands.

The EID assumes no liability whatsoever for any injuries to persons, livestock, or pets or for any loss of, or damage to, vehicles, watercraft, planes, structures, shelters, equipment or any other personal property of individuals who access EID lands.

5.0 TYPES OF ACTIVITIES AND RESTRICTIONS ON ACCESS**5.1 Additional Access Restrictions**

Additional access restrictions may be placed on EID lands at any time by the EID Board of Directors or EID management & staff. These restrictions will be posted on the EID website, social media page(s) and possibly local newspapers and/or radio.

5.2 Camping

Camping is not permitted on EID lands unless in an official campground. The official campgrounds on EID lands are:

- (a) Rolling Hills Reservoir Campground;
- (b) Crawling Valley Campground; and
- (c) Kinbrook Island Provincial Park – Group Use Area only.

Overnight camping is also not permitted in watercraft anchored on or to EID lands or EID reservoirs, or pulled ashore on EID lands adjacent to EID reservoirs.

5.3 Designated Routes

Designated routes are in place in the following locations on EID lands:

- (a) Finnegan Swing Field;
- (b) Duchess Community Pasture – Sandhills; and
- (c) Duchess Community Pasture – Coxan.

Access Policy for District Owned Lands

In these locations, highway vehicles used by the public are restricted to travel on the designated route only, as identified by on-site signage. Parking is restricted to the mowed shoulder of the Designated Route or no further than one (1) vehicle width away from the edge of the Designated Route.

5.4 Fire

Fires of any kind are not permitted on any EID lands at any time, unless in a fire pit in an official campground and provided there are no additional fire restrictions in place. The official campgrounds on EID lands are:

- (a) Rolling Hills Reservoir Campground;
- (b) Crawling Valley Campground; and
- (c) Kinbrook Provincial Park – Group Use Area.

5.5 Fire Hazard

If conditions warrant, EID staff or management may designate the whole EID or part of the EID as “High Fire Hazard” and place additional access restrictions on any public using the lands. These restrictions include, but are not limited to, highway vehicles being restricted to travel and park on mowed, graded or graveled trails only and requesting people to refrain from smoking while using EID lands. Depending on conditions, these restrictions could escalate to a full, temporary public access ban.

- (a) When a “High Fire Hazard” is in effect the penalties for noncompliance with this Policy may be increased at the discretion of EID staff & management.
- (b) “High Fire Hazard” conditions commonly coincide with Fire Restrictions or Fire Bans as utilized by the County of Newell.

5.6 Fishing

Access for fishing is permitted for those people fishing under the authority of a recreational fishing license during the legal fishing season. Fishing does not provide any special access privileges for off-trail highway vehicle operation, off-highway vehicle use, or random trailered watercraft launching.

5.7 Float Planes

Float planes are permitted to take off or land on EID owned reservoirs, anchor or pull ashore on EID lands only if they are participating in the EID Aquatic Invasive Species Prevention Program and are abiding by all conditions set out in that program.

- (a) Float planes coming from outside the Province of Alberta are required to contact the EID for approval at least seven (7) days prior to taking off or landing on EID owned reservoirs, anchoring or pulling ashore on EID lands.
- (b) The Float Plane Owner(s) or Pilot(s) must inform the EID where the plane is coming from and where it has been in the last thirty (30) days.

Access Policy for District Owned Lands

- (c) Float plane provisions in this Policy are waived in emergency situations.
- (d) Contact the EID Land Administrator – Aquatic Invasive Species for more information or to enter into the EID Aquatic Invasive Species Prevention Program.

5.8 General

Recreational activities permitted on EID Community Pastures, and those Right-of-Ways where public access is allowed, are hunting, fishing, trapping, wildlife viewing, photography, hiking, geocaching, mountain biking, horseback riding, dog walking, berry picking, skiing, snowshoeing and any other activities as approved by the EID.

- (a) Foot access is permitted in all Community Pastures and those Right-of-Ways that are publicly accessible in support of these activities.
- (b) Highway vehicle use in support of these activities is restricted to Designated Routes or if no Designated Routes are in place they are restricted to established roads and trails only.
- (c) When parking a highway vehicle on EID lands, park no further than one (1) vehicle width away from the edge of the Designated Route or established trail.
- (d) Off-highway vehicles are not permitted on EID lands for any recreational purposes.
- (e) Contact the EID Land Administrator – Habitat, Wildlife & Access for more information.

5.9 Hunting with Written Permission

Written permission is required for hunting on EID Community Pastures and those Right-of-Ways where public access is allowed. Access for hunting is generally permitted for those people hunting under the authority of a recreational hunting license during the legal recreational hunting season. Hunting is not permitted near livestock. Hunting does not provide any special access privileges for off-trail highway vehicle operation, off-highway vehicle use, random trailered watercraft launching, etc.

- (a) Contact the EID or visit the EID website for written hunting permission.

5.10 Ice Fishing Shelters

Ice fishing shelters are generally permitted to be moved across publicly accessible EID lands for use on ice during the winter.

- (a) From November 1 – April 30 during each year, ice fishing shelters in active use may be temporarily stored on publicly accessible EID land (i.e. hauled to shore after each use) if the owner of the shelter is abiding by the Alberta Fishing Regulations by clearly labeling the exterior of their shelter with their WIN number, or name & phone number, and the shelter does not obstruct vehicle traffic.
- (b) Ice fishing shelters found stored on EID lands without a valid WIN number, or name & phone number of the owner, will be considered abandoned and may be disposed of immediately.

Access Policy for District Owned Lands

- (d) After May 1, all ice fishing shelters found on EID land will be considered abandoned and may be disposed of immediately.
- (e) Owners of ice fishing shelters are to remove ice fishing shelters from EID reservoirs immediately if poor ice conditions are likely to occur. Sunken ice fishing shelters pose an environmental and watercraft navigation hazard as well as having the potential to damage or disrupt EID water control structures.
- (f) All EID rules of access must be followed, and care must be taken to avoid damage to EID lands while moving ice fishing shelters. No overnight camping is permitted in ice fishing shelters located on EID lands.

5.11 Litter

Disposal of any kind of waste, including yard waste, on EID lands at any time by the public may be punishable by County of Newell bylaws, Provincial and/or Federal Legislation in addition to the penalties set out in this policy.

- (a) Animal waste (skin, organs, bones, etc.) arising from legally permitted hunting, fishing, or trapping on EID lands may be left behind on EID lands if doing so does not create problems for vehicle traffic, cattle management or hazards to public safety.
- (b) EID staff and authorized contractors may dispose of EID construction and operations related waste in designated areas on EID lands as required.
- (c) Contact the EID Land Administrator – Habitat, Wildlife & Access for more information.

5.12 Livestock

- (a) The primary purpose of the EID Community Pastures is for livestock grazing. Do not disturb livestock while using EID lands and leave all gates as you found them. Please report any sick, injured or dead livestock on EID lands to the EID Land Administrator - Grazing.
- (b) Small areas of the Community Pastures, where the Grazing Association has established a livestock pasture for personal use by the Leaserider, may be closed to public access. Watch for signs on site.

5.13 Off-highway Vehicles

Off-highway vehicle use by the public is not permitted in any EID Community Pasture at any time. Off-highway vehicle use by the public on EID Right-of-Ways may only be permitted at the discretion of the EID. Contact the EID Land Administrator – Habitat, Wildlife & Access for more information.

5.14 Other

Additional activities not specifically mentioned in this Policy may or may not be permitted on EID lands at the discretion of EID management and staff. Contact the EID Land Administrator – Habitat, Wildlife & Access for more information.

Access Policy for District Owned Lands

5.15 Pets

Pets must be supervised and kept under control at all times while on EID lands. The owners of any pets caught chasing livestock (other than for official cattle management purposes) or wildlife (other than for legal recreational hunting purposes), will be subject to an immediate one year recreational access ban from all EID lands.

- (a) Numerous natural and artificial hazards to pets are present on EID lands at all times of the year.

5.16 Signs

Obey all signs on EID lands. Some areas may have additional restrictions beyond those set out in this access policy (i.e. Designated Routes, foot access only, closed to public access, etc.).

5.17 Target Shooting

Target shooting (non-hunting activities) of both rifles and shotguns is not permitted in EID Community Pastures or EID Right-of-Ways.

5.18 Trapping with Written Permission

Trapping on EID Community Pastures, and those Right-of-Ways where public access is permitted, is allowed by written permission only. Access for trapping is generally permitted for those people trapping under the authority of a resident trapping license or conducting animal damage control as requested by the EID. Trapping on EID Private Leases requires additional permission from the leaseholder.

- (a) All traps and snares must be tagged with a unique identification number assigned to the owner by the EID. Traps or snares found without a valid identification tag attached may be immediately removed by EID staff or Fish & Wildlife Officers. Trapping is not permitted near livestock.
- (b) Additional restrictions may be set out under "Authorization to Hunt Fur Bearing Animals (Government of Alberta Form WA 19a)", or as such form may be replaced or amended from time to time by applicable law, and as used by the EID. Trapping does not provide any special access privileges for off-trail highway vehicle operation, off-highway vehicle use, random trailered watercraft launching, etc. unless special written authorization is given by the EID.

5.19 Tree Stands, Duck Blinds, Trail Cameras, etc.

The construction or installation of temporary, simple structures such as tree stands, duck blinds, placement of trail cameras, etc. is generally permitted on EID Community Pastures and on those Right-of-Ways where public access is allowed if they are kept well maintained and do not present a danger to the public, livestock, wildlife, industry, or environment.

- (a) If any issues arise due to the existence of, location or build quality of these structures the EID may remove and dispose of them immediately with no notice. These structures are constructed or installed on EID lands at the owner's risk.

Access Policy for District Owned Lands

5.20 Unmanned Aerial Vehicles

Recreational use of unmanned aerial vehicles or “drones” is generally permitted in EID Community Pastures when done so responsibly. Drones must not be operated near livestock or wildlife and all applicable laws and regulations, including County of Newell bylaws must be followed. Public use of drones is prohibited in High Fire Hazard situations.

- (a) Individuals caught harassing livestock or wildlife with unmanned aerial vehicles will be subject to an immediate one year recreational access ban from all EID lands in addition to any penalties set out by County of Newell bylaws and any other applicable laws and regulations.
- (b) Access for commercial use of unmanned aerial vehicles is by agreement only and at the discretion of the EID. Contact the EID Land Administrator – Habitat, Wildlife & Access for more information or agreements.

5.21 Watercraft and Boat Launches

Watercraft are permitted to operate on EID reservoirs and to cross EID lands to access EID reservoirs if they are participating in the EID Aquatic Invasive Species Prevention Program (“AIS Prevention Program”) and are in compliance with all conditions set out in that program. Watercraft and their operators are also required to satisfy any safety equipment and licensing requirements as set out in any relevant bylaws and applicable laws and regulations, including the County of Newell Boating Safety and Aquatic Invasive Species bylaw.

- (a) Trailered watercraft may only be launched from approved boat launches as identified within the EID AIS Prevention Program and within the County of Newell Boating Safety and Aquatic Invasive Species bylaw. Approved boat launches and locations are as follows:
 - (i) Crawling Valley Reservoir Campground, Legal Land Description 16- 11 - 22 -18 W4M
 - (ii) Rolling Hills Reservoir Campground, Legal Land Description 08- 30 - 16 -14 W4M
 - (iii) Lake Newell Resort Marina, Legal Land Description 08 - 01 - 18 -15 W4M
 - (iv) Kinbrook Island Provincial Park, Legal Land Description 15 & 16 - 19 -17 -14 W4M
 - (v) Little Dam Reservoir, Legal Land Description 06 - 03 - 21 -18 W4M
 - (vi) Rock Lake Reservoir, Legal Land Description 11 - 11 -20-15 W4M
 - (vii) Cowoki Reservoir, Legal Land Description 12 – 35 -18 -13 W4M
 - (viii) Tilley B Reservoir, Legal Land Description 14 - 36 -18 -13 W4M
 - (ix) Snake Lake Reservoir, Legal Land Description 06 – 03 -20-17 W4M
 - (x) 12 Mile Coulee Reservoir, Legal Land Description 03 - 06 -15 -12 W4M
- (b) Any additional location the EID may allow the launching of watercraft by posted EID signage is also an “Approved Boat Launch”.
- (c) Non-trailered watercraft may be launched from any publicly accessible location that does not require operating a highway vehicle off Designated Routes or established trails.
- (d) Contact the EID Land Administrator – Aquatic Invasive Species for more information or to enter into the EID Aquatic Invasive Species Prevention Program.

Access Policy for District Owned Lands

6.0 CLOSURE OF ACCESS

- (a) The EID Board of Directors may permanently close or restrict all, or portions of, EID lands to the public at any time.
 - (i) The EID Board of Directors may permanently ban certain individuals from all EID lands at any time.
- (b) EID management may temporarily close or restrict public access to all, or portions, of EID lands at any time.
 - (i) EID management may permanently or temporarily ban certain individuals from all EID lands at any time.
- (c) EID staff may temporarily close or restrict public access to portions of EID lands at any time.
 - (i) EID staff may temporarily ban certain individuals from all EID lands at any time.

7.0 ENFORCEMENT

The EID Access Policy, in full and in part, may be enforced by:

- (a) Eastern Irrigation District management & staff
- (b) County of Newell - Community Peace Officers
- (c) Government of Alberta - Conservation Officers and Park Wardens
- (d) Government of Alberta - Fish and Wildlife Officers
- (e) Royal Canadian Mounted Police
- (f) Other enforcement agencies as designated by the Eastern Irrigation District

Enforcement personnel are requested to share with the EID publicly available information about individuals caught contravening this policy to ensure first time or repeat offenders are recorded by the EID and disciplined accordingly. Enforcement personnel are also requested by the EID to contact EID staff prior to initiating any enforcement of an offence committed under the *Petty Trespass Act*.

8.0 PENALTY

For the purposes of this EID Access Policy:

- (a) An "offence" is a contravention of any part of the EID Access Policy.
- (b) An "offence" occurs as soon as an individual contravenes any part of the EID Access Policy and continues until that individual stops contravening the EID Access Policy.

Access Policy for District Owned Lands

- (c) Permission to access EID lands is conditional on following the EID Access Policy as well as any additional rules, conditions, programs or policies implemented by the EID as set out in any additional agreement, letter, form, notice, posting, advertisement, or signage.
- (d) Failure to follow the EID Access Policy as well as any additional EID rules, conditions, programs or policies that may be in effect immediately revokes an individual's permission to use EID lands.
- (e) Additional rules, conditions, programs or policies relevant to access may be found on the EID website, the EID Hunting Permission Form, the EID Trapping Authorization Form, the EID Watercraft Information & Commitment Form and within the EID AIS Prevention Program.
- (f) Accessing EID lands in contravention of this EID Access Policy is equivalent to not having permission to access EID lands.
- (g) Failure by an individual to immediately remove him or herself from EID lands upon contravening the EID Access Policy or any additional, rules, conditions, programs or policies relating to the accessing of EID lands results in the individual committing a trespass onto EID lands. Committing a trespass, may result in the individual being charged under applicable laws and regulations, including without limitation, County of Newell bylaws and the Petty Trespass Act.
- (h) Any relevant information about an individual committing an offence will be entered into an EID database to record the non-compliance history of that individual. Such information will be used for the purposes of EID enforcing the provisions of this access policy.
- (i) Loss of recreational use of EID lands applies to all EID Community Pastures, Right-of-Ways (which include all approved boat launches), and EID Campgrounds, namely Rolling Hills Reservoir Campground, Crawling Valley Campground and Kinbrook Island Provincial Park – Group Use Area.
- (j) If the individual committing a contravention of this policy cannot be located, but a highway vehicle or watercraft was used in committing the contravention, the owner of the highway vehicle or watercraft as determined by the license plate or license number may be contacted and be held responsible by the EID for the contravention.
- (k) This policy will be enforced as follows:
 - (i) A **first offence** will result in a verbal warning or an information ticket (served in person or sent by registered mail to the offender) explaining the contravention of the EID Access Policy.
 - Depending on the severity of the contravention, EID staff or management may elect to impose a one (1) year, ten (10) year, or lifetime access ban on the offender.
 - Any individual who is willfully or intentionally harming or damaging EID lands, property or water conveyance/storage works may be immediately subject to a recreational access ban to EID lands for a length of time, as determined by the EID Board of Directors at its discretion, in addition to any applicable civil and/or criminal legal proceedings available to the EID.
 - (ii) A **second offence** within ten (10) years of the date of the first offence will result in the immediate loss of recreational use of EID lands for a period of one (1) year starting on the

Access Policy for District Owned Lands

- date of the contravention. Notice of such will be served upon the offender in person and/or by registered mail.
- If this second offence is a violation of the EID Aquatic Invasive Species Prevention Program the EID may choose to immediately impose either a ten (10) year or lifetime ban of the recreational use of EID lands.
- (iii) A **third offence** within ten (10) years of the date of the second offence will result in the immediate loss of recreational use of EID lands for a period of ten (10) years starting on the date of the contravention. Notice of such will be served upon the offender in person and/or by registered mail.
- (iv) A **fourth offence** any time after the date of the third offence will result in a lifetime recreational access ban from EID lands. Notice of such will be served upon the offender in person and/or by registered mail.
- (l) Accessing while banned:
- (i) Any person accessing EID lands while under a recreational access ban may be charged with trespassing by an enforcement officer and subject to a lifetime recreational access ban from EID lands.

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