

“PUBLIC TRAILS / PRIVATE LAND”

On August 9, 2007 Frances Thurlow wrote:

In answer to several received letters and a phone call inquiring about recreation trail problems versus unhappy farmers, I submit the following.

Definition of Agriculture.

“AGRI” in Latin means “of the land” and “CULTURE” is the act of tilling the soil, tending farm animals and growing of crops. Hence the term **Agriculture** by definition is actually a **“Class of People working with the land or animals”** The different sectors in Agriculture whether it be crops, animals, birds or fish, make up a diverse occupation known as **“Farming.”** Very few people can give the definition of agriculture.

To begin, my experience is with an abandoned railway corridor. However each trail location is a unique situation, and many common problems occur whether a trail is on a rail corridor, a road allowance or through private property.

Trail groups constantly preach the same rhetoric, namely: Improved health from getting out into the great outdoors; Increased economic spin offs for host communities due to spending by trail users on food, fuel, souvenirs, accommodation; Education through the experience of getting out and communing with nature and Job creation due to Bed and Breakfasts and trail maintenance. As for cost of trails, they tell you, it won't cost you a cent because they get grant monies. I wonder if these people know that tax dollars make up grants.

Trails have been around for a number of years, and I have yet to find the streets of any community paved in gold due to economic spin offs. I have yet to learn where the over-all health of Ontario citizens has improved because of getting out into the great outdoors on recreational trails. I contend trails are a means of owning and controlling more rural lands and its peoples. Buffer zones along trails control activities that will be allowed in adjacent fields. Hunting will be controlled a certain number of meters from a trail. The cutting of trees and brush on your own property along fence lines will be controlled. I have even heard of controlling the colour of paint on a house. Do you get the theme of control?

Fencing

Trail people and municipalities complained the Line Fence Act (section 20) prevented the creation of new trails, due to costs, so they campaigned until government sided with them and changed the Act. Registered farms with land along abandoned rail corridors still qualify to have fences constructed and maintained 100% by whomever takes ownership of the corridor. I am not clear on the fencing of farm swamps and woodlots. The rest of the landowners along the corridor have to haggle to see if municipal government will share part of the cost. The same government didn't change the Line Fences Act dealing with fencing along road allowances? Once a fence is constructed, you the adjacent landowner whether in Agriculture or not are 100% responsible for fence upkeep or any further construction. Another question is what type of fence is being erected?

Loss of Privacy and Security In many instances trails are within a few feet of private homes, taking away privacy and sense of security. Barns become a favourite target for vandalism.

Bio-security We need security on our farms as never before. Foot paths in England were immediately closed during the devastating outbreak of BSE a few years ago. Farmers did not want them re-opened but government wouldn't/didn't heed. At the present time there is a serious outbreak of Foot and Mouth in England and once again we see herds of cattle being destroyed. It is unknown if it was an act of terrorism or transmission of diseases from one farm to another through public trails.

Call Of Nature Now this is where it gets plain dirty. Trail users are told to "go" 50 feet from the trail. Guess who ends up with the "end result?" Farmers along some trails have had to pick up toilet paper by the bushel basket from off their fields.

FARM CROSSINGS Ranchers in Alberta can tell you about this one. The Trans Canada Trail wanted land owners to sign agreements, whereby farm crossings would be maintained by the adjacent land owner and insurance premiums for the crossing paid by the landowner. To this date, ranchers have never signed agreements. Trans Canada Trail Foundation has relinquished title to the corridors, giving them to the trail groups. I understand the TCTC found them too expensive to maintain. Farm crossings need to be registered to the farm.

Insurance If a trail is not properly surveyed and the lateral boundaries clearly marked, and an accident occurs at the fence line, it could fall to the adjacent landowner to prove the fence line is in the correct position.

Species at risk Farmers have enough to contend with without worrying about trail people investigating something interesting to report as an endangered species.

Anything that interferes with agriculture needs to be avoided. Farmers have rights to the roads, and should not have to be bothered watching for somebody out for a leisure time on the road trail. Trails are great when in the correct location. Unfortunately trail people always want them where they shouldn't be.

Finally, very few people on trails know the slightest thing about farming. A farmer in this area happened upon people from Toronto, putting their children over his fence so the children could get closer to the animals. In short order, they were ordered off his land.

Good luck to the unhappy farmers along the road trail. It will be a long struggle to be recognized.

Frances Thurlow