

Risk Management Policy for Trails and Open Spaces

Introduction

In Canada, the Occupiers Liability Act established a clear duty to ensure that a trail is reasonably safe. The Occupiers Liability Act also establishes that a person who enters “recreational trails reasonably marked as such” shall be deemed to have willingly assumed all risks. It is important to understand and ensure that the risks associated with trail use are properly managed and exposure to accidents is mitigated.

To prevent accidental injuries and potential claims, local governments who manage trails need policies, standards, inspection and maintenance programs and signage that provide a safe environment for trail users based on the financial abilities, resources and the service level provided by that local government. In all local governments, resources are limited and are allocated on a priority and needs basis. It is therefore critical to maintain documentation, maintain standards of service and enforce policies that provide evidence that the local government has taken reasonable actions to prevent accident or loss. Recent court decisions have reaffirmed policy as a reasonable defence for local governments.

Risk Management Process

Risk management is the process used to minimize the adverse effects of accidents. Loss prevention measures are steps taken to reduce the likelihood of injuries. The following five steps are required in an effective Risk Management Program:

1. Identify exposures – inspections, maintenance practices, training of workers and volunteers, signage, equipment, structures and facilities, incident reports, claims, public input, etc.
2. Review current policies, procedures, priorities, standards, forms
3. Refine or develop new policies or procedures to deal with identified or potential risks
4. Implement changes
5. Monitor results and review annually.

Risk management cannot prevent all accidents from occurring, however, good risk management can control exposures to loss. Technology, Mother Nature, users, uses, and standards will change over time, so it is important to monitor risk management plans and activities to ensure that guidelines and operating policies remain relevant.

Risk Management Responsibility

The Open Spaces Coordinator will be responsible for managing, monitoring and evaluating the risk management process. The Coordinator will also be responsible to recommend policy updates and new policies affecting planning and operations.

This policy is applicable to trails under SLRD management and tenure within SLRD established Trails and Open Spaces services.

Signage

Proper informational signage on trails is critical to an effective risk management program (RMP). Users need to know where they are, where they are going, distances, and direction. They may also need to know degree of difficulty, type of trail (primary use), warnings and potential hazards, and reminders that use of trails is at their own risk.

Trail mapping and information signs on kiosks will help visitors find their way through unfamiliar territory.

The SLRD will provide and maintain information signage at trail heads and key connections, to include degree of difficulty, hazard warnings and type of trail (if needed).

Inspections, Safety and Security Issues

Inspections are a critical element in the RMP. Inspection reports and subsequent maintenance to rectify trail issues is a preventative measure designed to identify potential or real hazards before there is an incident. Issues will arise from time to time on specific trails and they must be addressed through the trail maintenance process, the priority system in place, and the resources available. The SLRD will provide inspections and maintenance based on the attached matrix and funds available.

Trail Standards for Construction and Repair

For new trail construction, and repair of existing infrastructure, the Whistler Trail Standards for:

- Trail Types
- Mountain Bike Trail difficulty Levels
- Supporting Guidelines and Standards
- TTF Construction Standards
- Fall Zone Guidelines
- Sign Guidelines
- Management Guidelines
- Terminology

are adopted as the SLRD standards and are set out in Appendix A of this policy.

Employees, Volunteers, Volunteer Organizations and Insurance

All persons working on trails must be properly oriented and trained, including volunteers. The training may vary depending on the complexity of the task. WCB working standards must be maintained for all workers. Volunteers working under Regional District staff will be covered for insurance and will be required to sign in on a daily basis. Volunteer organizations working with the Regional District must carry their own liability insurance, indemnify the Regional District and additionally name the Regional District on the insurance.

Partnering and Service Agreements

There will be more opportunities to work with existing or new community groups and service clubs on both maintenance and trail development issues. Where there are financial considerations, partnering and service agreements based on the trail standards and guidelines may be negotiated between the Regional District and these groups.

Trail Inspection Schedule

	High Rated Trail	Medium Rated Trail	Low Rated Trail
Frequency of Detailed inspection	Twice per year	Once per year unless there are TTF's*, then twice per year	Once per year
Scheduled Maintenance	Twice per year	Once per year	Trail sweep days should suffice
Mitigate problem trail issues	Immediately	As able, subject to funds available	As able, subject to funds available
Funding	High priority	Medium priority – suggest adoption by trail clubs or other interests	Low priority – suggest adoption by trail clubs or other interests

*TTF – technical trail feature, generally (but not always) a manmade structure.

Inspections

Inspections will be carried out by volunteers, contractors, or staff, all under SLRD supervision.

Inspection Documentation

A Trail Inspection form will be completed for each scheduled inspection, and kept in the SLRD records. A sample trail inspection form is attached.

Trail Classifications

Trails will be rated “high”, “medium” and “low” value based on the following classification system, which has been filtered through the Ministry of Tourism, Culture and the Arts *Determination of Significance for Recreation Trails*”. The points assigned consider the value of the trail to both recreational trail users and land managers.

The following matrix is used to rate trails based on the following criteria:

- Linkage and connectivity
- Cultural/historic significance
- Setting
- Use level
- Investment
- Trail infrastructure, and

- Trail surfacing

Category	Descriptor	Attribute	Points
Linkage and connectivity	Community or network link	Critical linkage	Automatically rated 'high'
		Important linkage or connection	3
		Recognized trail connection	2
		Non-connecting trail	1
Heritage, historic value	Heritage designation	Heritage designation by order in council	Automatically rated 'high'
		Historic Value	Recognized historic value
Setting	Disturbance	Natural	3
		Semi-natural	2
		Disturbed	1
Scenic features	Along route or at destination	High value	3
		Moderate value	2
		Low or no value	1
Use level	Estimated use	Very high (>1001 user days/year)	3
		High (501 – 1000 user days/year)	2
		Moderate (101 – 500)	1
		Low (<100)	0
Investment	Trail Infrastructure	Major bridges, trestles, built facilities, fences	3
		Minor bridges/culverts	1
	Trail Surface	Major surfacing/ballast construction	3
		Minor surfacing	1

Trails achieve a “high” rating with a score of >15 points

Trails achieve a “medium” rating with a score of 9 -15 points

Trails achieve a “low” rating with a score of <9 points

RELATED POLICIES: (draft) Equipment Disposal Policy

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