

# The Alberta Hunter Education Instructors' Association



Working to Conserve Alberta's Wilderness Resources  
Through Education and Communication

*presents*

## Hunting Access & Ethics



Regulations encourage respectful cooperation ...  
good ethics demand it!

# Hunting Access & Ethics

## Introduction

Alberta is endowed with millions of acres of huntable land. Understanding all the legal and ethical parameters can often seem overwhelming to new or experienced hunters.

However, enjoyment and comfort increases exponentially when you are on land that you know you have permission or legal access to. When hunting, either seek permission from the owner or leasee, or move to public land to which you have legal access when hunting.

As demands on the landscape increase, the general population is demanding that hunters act legally and morally while hunting.

The future of hunting depends on your comportment.

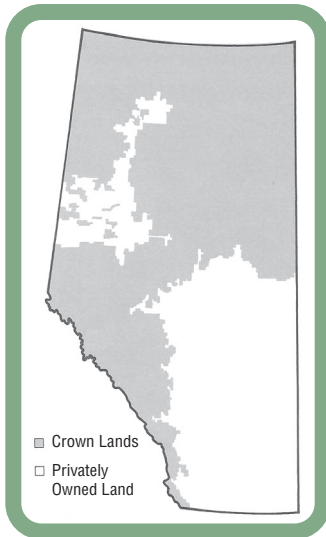
**Respect the land you hunt on!**



Alberta can be basically divided into 2 major types of lands that hunters try to access for hunting:

- 1) Privately Owned Land
- 2) Crown Land

Privately owned land comprises approximately 40% of the province land base leaving the remaining 60% as Crown lands.



Crown lands can further be divided into public and privately leased public lands. Private leased public lands could be issued to businesses, farmers, corporations or individuals. The only leased lands referred to in this document will be agricultural leased lands.

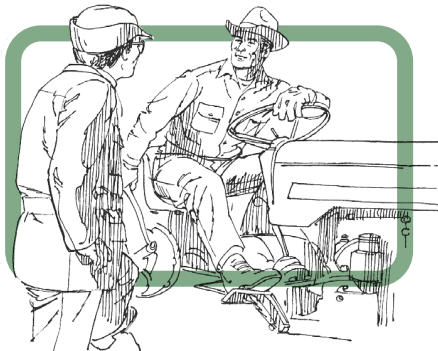
Know what type of land you are accessing to hunt.

**If private or public leased land – get permission.**

## Rules While Hunting on all Lands

- 1) Do some pre-season scouting well before hunting season.
- 2) Seek permission from landowners or lessees before the hunting season opens.
- 3) When permission is denied, accept the situation gracefully.
- 4) Leave all gates as you find them and, if closed, ensure they are secure after entering or leaving.
- 5) Do not disturb any livestock (e.g.: control all dogs).
- 6) Only hunt on the land for which permission has been granted.
- 7) Hunt only with the people to whom permission was granted.
- 8) Avoid littering and remove all garbage you find.
- 9) Stay on all designated trails or roads.
- 10) Avoid interfering with other hunters hunting in the same area.

**People are judged by their behaviour;  
hunt ethically.**



## Hunting Public Crown Lands

A hunter may hunt, subject to The Wildlife Act and Regulations in Alberta, on all vacant public land except areas under special disposition. Under the Public Lands Act, a variety of regulations result in some public lands to be considered as occupied. For example, under a Mineral Surface Lease, access to the designated area can be prohibited. However, under a License of Occupation on public land, access cannot be denied. Similarly, under the Forests Act, dispositions of timber on public lands do not restrict access for hunting. On grazing leases or permit areas, hunters are trespassing if they do not have permission of the lessee or permittee.



# Hunting Leased Agricultural Public Lands

## Introduction

In 2003, the Government of Alberta clarified the rules for recreational access to agricultural public lands leased for grazing or cultivation.

Alberta has about 100 million acres of public land in total. The new legislation specifically applies to about five million acres of agricultural land leased for grazing and cultivation. Only a very small amount of this land is located in the forested area of the popular foothills area of the province.

New legislation requires you to contact the leaseholder before you access this leased land (does not include forest grazing allotments in the forested area of the foothills).

The legislation balances the needs of the leaseholders to protect the land and livestock from harm with the rights of the recreational users for reasonable access.



**Regulations encourage respectful co-operation;  
good ethics demand it!**

## Hunting Private Land

Alberta's privately owned lands can be divided into 2 groups:

- 1) Occupied Lands
- 2) Unoccupied Lands

Relative to hunting, Occupied Lands are defined as:

- A) Privately owned lands under cultivation or enclosed by a fence of any kind and not exceeding one section in area on which the owner or occupant actually resides, and
- B) Any other privately owned land that is within 1.6 km (1 mi.) of the section referred to in clause (a) and that is owned or leased by the same owner or occupant.

Section 38 of the Wildlife Act specifies that no person shall hunt wildlife or discharge firearms on or over occupied lands, or enter onto such lands for the purpose of doing so, without the consent of the owner or occupant.

The Occupied Lands described in legislation do not need to be posted with signs to receive protection under Section 38 of the Wildlife Act.

31	32	33	34	35	36
30	29	28	27	26	25
19	20	21	22	23	24
18	17	16	15	14	13
		x			
7	8	9	10	11	12
6	5	4	3	2	1



Legally  
Occupied Lands

X

Residence

The shaded area in the map above shows an example of nine square miles of land that could contain land falling within the definition of Occupied Lands.

In Alberta, approximately 200 prosecutions each year are a result of hunters trespassing on Occupied Lands.

**Get permission before entering.**

## Hunting on Occupied Private Lands

Existing laws such as the Wildlife Act, Petty Trespass Act, Criminal Code and other statutes, each deal with a different aspect of a hunter's right of access to private land.

For example, amendments to the Petty Trespass Act came into force June 1, 2004. While it is still possible for a landowner to prohibit entry onto his or her land by giving oral or written notice or by posting signs prohibiting entry, the amendments now set out certain kinds of property where entry is prohibited without any notice required. These lands include those privately owned lands and leased public lands not associated with grazing or cultivation that are under cultivation, fenced or enclosed by a natural boundary or enclosed in a manner that indicated the landholder's intention to keep people off the premises or animals on the premises. **Importantly, hunters or others who access those lands must have permission before entering.**



**The legislation may appear complex, however, in ethical terms, this situation is clear. A hunter should not hunt on private land unless first obtaining the permission to do so from the landowner or occupant.**

When accessing unoccupied private lands for hunting, don't take any chances!

**Get permission on all occupied private lands.**



## Rights & Responsibilities of the Hunter

The hunter must contact leaseholders before accessing the land. The purpose of the act is to provide leaseholders with information about the visit and how the visit would impact their operation. As well, leaseholders can provide the recreational user with additional information about the land.

Recreational users are required to give the leaseholder the following information:

- Type of recreational activity proposed,
- Time and location the activity will occur on the land,
- Number of people in the group,
- Name of the recreational contact person and method of contact and
- Other related information that is requested, such as the names of all recreational users and license plate numbers of vehicles used to transport people to the land.



Hunters should also plan to contact the leaseholder well ahead of time in case there are specific conditions that apply to the lease.

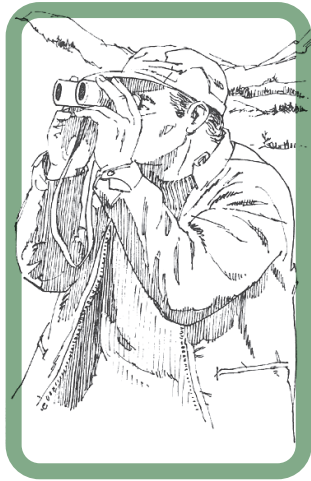
Hunters must always:

- Pack out all litter,
- Park vehicles so the approach to the land is clear,
- Refrain from lighting fires without consent,
- Leave gates in the same state in which they were found (e.g.: closed) and
- Not cause any damage to the leased land or the property of the agricultural leaseholder.

Treat the lessee of public land just as you would a private landholder.

**Respect their decisions.**

To ensure that hunters are able to contact leaseholders before they use the land, leaseholders must provide Alberta Environment and Parks (AEP) with the name of a contact person for recreational access. The contact information must include a telephone or fax number, or e-mail address. Leaseholders can also specify some conditions on access, such as whether or not to allow motorized vehicle access. Alternatively, leaseholders can specify that they don't want to be contacted prior to a visit, but leaseholders must inform AEP of that choice.



Leaseholders can specify times to be contacted, for example evenings only, as long as recreational users have a reasonable chance to reach the leaseholder.

This information can be found on the  
Recreational Access Internet Mapping Tool at  
**[geospatial.alberta.ca/RecAccess/  
Viewer/?Viewer=RecAccess](http://geospatial.alberta.ca/RecAccess/Viewer/?Viewer=RecAccess)**

Before going onto the land, the recreational user must get in touch with the contact person for the grazing or farm development lease. If this information is not provided, the recreational user can come on the land without contacting the leaseholder.

**For more information,  
please call 310-LAND (5263)  
or visit <http://alberta.ca/>**

## Rights and Responsibilities of the Lessee

As the holder of a grazing lease or farm development lease, leaseholders must allow reasonable access to the land for recreation.

Leaseholders may have legitimate concerns about some hunters' use. There are circumstances when access is not reasonable and under which leaseholders may restrict access, or specify conditions for, the use of the grazing or farm development lease. Generally, this would be based on protecting the land, grazing resource or livestock from possible damage from the proposed activity, or on the timing or season of use. The Government of Alberta may also add conditions or restrictions on use of the land. For example, these restrictions may be placed during times of high fire hazard or to protect the land from erosion.



Under the regulations, the leaseholder may deny or apply conditions to access when:

- Access would be anything other than foot access, including bicycles, horse or other animal or motor vehicles.
- The proposed use would occur in a fenced pasture where livestock are present or on cultivated land on which a crop is growing or has not been harvested. (If livestock are not impacted by the visit, leaseholders are expected to provide access.)
- Access to all or part of the agricultural lease land has been prohibited due to a fire ban, as determined by either the Provincial or Municipal authority.
- The proposed use would involve hunting at a location that is unreasonably close to a fenced pasture in which livestock of the agricultural disposition holder are present.
- The proposed use is camping.
- The proposed use would be contrary to a recreational management plan.

## Access Maps and Information

### **Public Leased Agricultural Land Map Access:**

For all information about recreational access on agricultural public lands, please contact your local Public Lands and Forests Office, or go to

[geospatial.alberta.ca/RecAccess/Viewer/?Viewer=RecAccess](http://geospatial.alberta.ca/RecAccess/Viewer/?Viewer=RecAccess)

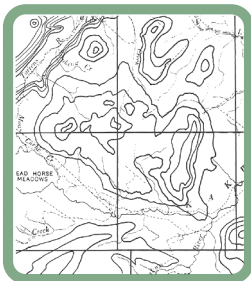
or call Public Lands Division toll free at 310-LAND (5263).

### **Public Lands Map Access:**

Provincial and federal access and topographical maps are available from various private map dealers throughout the province. Also many large sporting goods, archery or outdoor stores also sell maps.

### **Private Land Access Maps:**

Hunters are reminded to check with county, special area and municipal offices for detailed maps showing land ownership status. These maps are available for a nominal fee and are useful for determining land status and ownership, which can help you obtain permission for access.



**Always carry your maps.**

## Personal Code of Ethics

Ethics are standards of behaviour or conduct which are considered to be morally right.

Personal ethics are 'unwritten laws' which govern your behaviour all the time — when you are with others or when you are alone. They are YOUR personal standard of conduct. Your personal code of ethics is based upon your respect for other people and their property, for all living things and their environment and your self-image.

“The hunter ordinarily has no gallery to applaud or disapprove his conduct. Whatever his acts, they are dictated by his own conscience rather than a mob of onlookers.” (Aldo Leopold - respected hunter and pioneer in wildlife management)

**The basis of a personal code of ethics is a 'sense of decency'.**

You need to ask yourself the question ... “What if someone else behaved the way I am — would I respect him/her?”



## **Ethical Hunters ...**

- 1) Will show the same respect for other users while hunting on public lands as they do for landowners on private land.
- 2) Will treat the land with respect — will not litter or damage the terrain.
- 3) Know that alcohol and drugs can seriously impair judgment while hunting.
- 4) Will respect the rights and feelings of non-hunters.
- 5) Never overstay a welcome on land on which they have permission to hunt.
- 6) Take extra care to avoid disturbing livestock.
- 7) Leave all gates as found.
- 8) Cross all fences so as to avoid loosening the wires and posts.
- 9) Only go on those portions of private land to which the owner has granted permission.
- 10) Never assume they are welcome on private property simply because others are hunting there.
- 11) Avoid disturbing landowners early in the morning or late in the evening.
- 12) Plan ahead and obtain permission to hunt prior to the season.
- 13) Realize they are guests of the landowner while hunting on private land.
- 14) Avoid doing anything that will interfere with another's hunt or their enjoyment of it.
- 15) Do not hog an unfair number of shots or opportunities — in fact, do just the opposite.
- 16) Accept the fact that non-hunters and anti-hunters are just as sincere in their beliefs as we are about hunting.

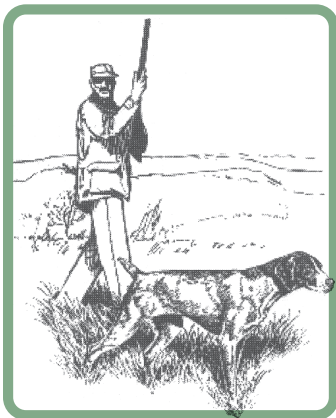
While regulations govern activities of the hunter, a personal code of conduct may apply additional and even more stringent guidelines for each person to follow. Your personal ethics are self-imposed restrictions that add to your enjoyment of the hunting experience.

An ethical hunter is best positioned to appreciate the hunt itself! Create your own personal code of conduct and enjoy a new sense of freedom and independence while hunting legally and ethically.

## Remember

People are judged by their actions. How we behave and how we follow the rules affects other people. As a hunter, you must be aware of how your personal behaviour and activities, as well as the actions of your companions, will affect others.

When driving a car, we are expected to follow the rules of the road. When we play in any sport, we are expected to follow the rules of the game. As a hunter or angler, we are also expected to behave responsibly while in the field or stream ... to hunt or fish according to the rules.



For further information or additional training contact:

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Through Education and Communication**



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