

2. RECOGNITION OF THE RIDEAU WATERWAY
AS A CANADIAN HERITAGE RIVER

COMMITTEE RECOMMENDATION

That Council support the effort to have the Rideau Waterway from Ottawa to Kingston recognized as a Canadian Heritage River.

DOCUMENTATION:

1. Councillor Wendy Stewart's report dated 14 Nov is immediately attached.
2. Extract of Draft Minute, 24 Nov 98, immediately follows the report and includes a record of the vote.
3. Correspondence submitted by: Cam McNeil, Chair, Rideau as a Canadian Heritage River dated 13 Nov 98; Bob Woolham dated 24 Nov 98; and, Wayne T. Kirby, CAO, Village of Merrickville-Woolford dated 23 Nov 98 together with a package of documentation submitted by The Canadian Heritage River System Nominating Committee, are issued separately under Clerk's memorandum dated 2 Dec 98.

REGION OF OTTAWA-CARLETON
RÉGION D'OTTAWA-CARLETON

REPORT
RAPPORT

Our File/N/Réf. 03 07-98-0119
Your File/V/Réf.

DATE 14 November 1998

TO/DEST. Coordinator, Planning and Environment Committee

FROM/EXP. Wendy Stewart, Regional Councillor, Ward 16

SUBJECT/OBJET **RECOGNITION OF THE RIDEAU WATERWAY AS A
CANADIAN HERITAGE RIVER**

REPORT RECOMMENDATION

That Planning and Environment Committee recommend that Council support the effort to have the Rideau Waterway from Ottawa to Kingston recognized as a Canadian Heritage River.

BACKGROUND

In correspondence dated 17 July 1998, Mr. Cam McNeil, Chairman of the Coordinating Committee for the Rideau Waterway, requested the Region support its efforts to have the Rideau Waterway recognized as a Canadian Heritage River. This correspondence, together with information on the Canadian Heritage River System (CHRS), is held on file in the Regional Clerk's office.

DISCUSSION

The CHRS is a way of recognizing and celebrating Canada's outstanding rivers. The designation gives municipalities and businesses a marketing opportunity to use or not to use as they see fit. Recognition brings with it awareness and status because the system as a whole is promoted nationally and internationally. By helping to attract visitors, recognition helps attract jobs, residents and economic development. The annual economic benefits attributable to the CHRS in 1997 was estimated at \$32 million.

There is absolutely no downloading of cost to municipalities. There is no regulatory aspect to the recognition at all. There is no power to change, over-ride or alter any existing municipal responsibility, regulation or decision-making power. There is no effect on private property rights.

Heritage rivers do require a management plan, and in the Rideau's case, this will be the existing Rideau Canal Management Plan (1996). It has already been accepted as the management guidelines to be used following the Rideau's recognition. It is the product of extensive public and

municipal consultation all along the waterway, already in use for two years. There will be absolutely no change in management from what exists now.

For more information, a letter from Don Gibson, National Manager of the CHRS explaining more fully what the Heritage River designation means, and does not mean, has been appended to this report.

CONCLUSION

This effort to designate the Rideau waterway has the full moral and logistical support of the Rideau Valley Conservation Authority, Parks Canada (Rideau Canal Office) and the Cataraqui Region Conservation Authority. The nominating committee is in the process of documenting the broad public support expressed through community associations, historical societies, environmental groups, boating and recreational associations, municipalities, political leaders from all levels, chambers of commerce and individuals. A resolution of support from the Regional Municipality of Ottawa-Carleton would become part of this record.

I would urge Planning and Environment Committee and Council to support this endeavour.

*Approved by
W. Stewart*

Attach. (1)



October 13, 1998

Ottawa, Ontario
K1A 0M5

Mr. Cam McNeil
Chair
Rideau (CHRS) Coordinating Committee
c/o Rideau Valley Conservation Authority
Box 599
Manotick, Ontario.
K4M 1A5

Dear Mr. McNeil:

As National Program Manager for the Canadian Heritage Rivers System (CHRS), I am pleased to provide you with an explanation of the CHRS program as it relates to your committee's interest in seeking Canadian Heritage River recognition for the Rideau Waterway. You are welcome to share this information with whomever you wish.

CHRS recognition involves a partnership based on cooperation between a wide range of stakeholders including federal, provincial and municipal governments. While responsibility for administering the CHRS rests with government, achievement of the program's vision depends, in large part, on the support and stewardship of local people. Full respect is shown for the rights and concerns of communities, Aboriginal Peoples, land owners and other stakeholders in the nomination, recognition and management of Canadian Heritage Rivers. Indeed, this principle is reflected in the CHRS Charter which was signed last year by all federal, provincial and territorial Ministers responsible for the CHRS.

To date, 31 rivers totalling 8125 km have been included in the national heritage rivers system. Community interest and support for the CHRS continues to grow rapidly and is the main driving force behind the program and its many successes. Rivers nominated to the CHRS which flow through a large number of municipalities, including major cities and private lands, are the entire 1,375 km Fraser River in British Columbia whose lower section flows through the cities of Coquitlam, New Westminster, Burnaby, Richmond and Vancouver; the Grand in Ontario which includes over 60 rural and urban municipalities in its watershed; the Humber which flows through Mississauga and Toronto and numerous municipalities to the north of Toronto; the Thames which flows through a large number of rural and urban jurisdictions including London and the Hillsborough in Prince Edward Island which flows through various rural municipalities before reaching Charlottetown. In each of these cases, municipal governments expressed overwhelming support for CHRS nomination.

What makes the CHRS such a unique program? The answer lies in the spirit of voluntary co-operation and goodwill which embodies it. Not only do governments pledge co-operation, but the program enables all stakeholders, including municipalities, to voluntarily work together as partners to conserve and present a river's heritage without giving up any of their rights and responsibilities. Municipalities, for example, would retain their existing authorities to enforce local land use bylaws and plans. There would be no loss or transfers of powers.

Neither prescriptive nor restrictive in its approach, the CHRS carries no legislative authority, is non regulatory, prompts no new taxes and places no demands on municipal budgets. Furthermore, it involves no new level of administration and has absolutely no impact on the rights of private property owners. Any suggestions to the contrary are entirely unfounded and belie the CHRS experience. Funding of the Rideau Canal will remain the responsibility of Parks Canada. The CHRS is not a program which downloads costs to municipal governments.

Focused not on imposing limitations but on fostering opportunities, the spirit of voluntary co-operation and partnership which underpins the CHRS is aimed squarely at encouraging local communities to understand, respect and celebrate their river heritage. This has brought many economic, social and environmental benefits to communities adjacent to heritage rivers. For example, the Grand River in Ontario was nominated to the CHRS in 1990. Since that nomination, visitation to conservation areas along the river has increased by over 30%, to approximately 1,100,000 visitors last year. This has created many new jobs and economic benefits to Grand River communities.

The process of nominating and recognizing a river as a Canadian Heritage River is a simple and straightforward one. It requires that a nomination document, prepared with public input, be filed with the Canadian Heritage Rivers Board. The Board then reviews the nomination to ensure that the river meets CHRS requirements and that its values can be maintained. The nomination then must be approved by the federal Minister responsible for Parks Canada and the appropriate provincial or territorial Minister.

Formal recognition of a river to the CHRS requires that an approved management plan, prepared again with public input, be lodged with the Board. The plan must set out policies and practices for development, management and use of the river consistent with CHRS objectives. For the Rideau Waterway, the document which will be lodged with the Board will be Parks Canada's existing management plan for the Rideau Canal (approved 1995). As this document meets all of the requirements of a CHRS management plan, and was prepared with extensive public consultation, the Board will be requested to accept it as the CHRS blueprint for protection and presentation of the Rideau's heritage values. No new planning program will overlay what is already in place and which already enjoys wide public support.

I hope that the information contained herein satisfies your request for clarification on certain key issues affecting the CHRS program. Should you or any other members of the nomination committee wish further information, I would be pleased to assist in whatever way I can.

Yours sincerely,



Don Gibson
National Manager
Canadian Heritage Rivers System

c.c. N. Richards

2. RECOGNITION OF THE RIDEAU WATERWAY
AS A CANADIAN HERITAGE RIVER

- Councillor Wendy Stewart's report dated 14 Nov 98

Charles Billington, Rideau Valley Conservation Authority; Cam McNeil, Chairman, Nominating Committee; Peter Au, Director, Rideau Environmental Action League and Chairman of the Natural Environment Sub-Committee; and Brian Grimsey, Head of Planning for the National CHRS Program, Department of Canadian Heritage appeared before the Committee on this item. Mr. Billington distributed a package of information on the Canadian Heritage Rivers System (CHRS) to members of Committee (held on file with the Regional Clerk).

Mr. Billington advised the CHRS is a voluntary Provincial/Federal partnership which recognizes outstanding rivers based on citizens' nominations. The process for this nomination involves a citizens' group who believe in the outstanding value of their river. This group would then carry out research and prepare a nomination document, highlighting the outstanding features of the waterway. The CHRS Board (made up of volunteers from every Province and Territory in Canada) reviews and recommends its approval; and finally approval is sought from the Provincial Minister of Natural Resources and the Federal Minister of Canadian Heritage.

The speaker explained the Rideau Nominating Committee has had three volunteer committees of experts (on history, recreation and environment) working over the past six months pulling together documentation that will prove the Rideau waterway from Ottawa to Kingston deserves this title and to be placed among Canada's top rivers.

Mr. Billington then expanded on the benefits for communities and rivers of having the CHRS designation. He said once a waterway is accepted, the river is promoted nationally and internationally. Municipalities can use this recognition to increase tourism, business development opportunities, awareness and use of the waterway and also to increase leverage for grants from public and private sources.

Mr. Billington noted that much misinformation had been circulating about the nomination of the Rideau waterway (e.g. it has been called "a leghold trap", "a slippery slope to communism" and "a United Nations conspiracy of internationalist socialist forces"). He vehemently declared these statements to be untrue. Although the Nominating Committee understands there are legitimate concerns about the heritage designation (which they are making every effort to address), he stressed this is simply a river recognition program. The speaker advised CHRS recognition carries no restrictions or regulations of any kind; it will have not have any effect on private property rights nor will it disrupt, alter or override any municipal decision making powers or responsibilities.

Mr. Billington went on to say no new governing body will be formed as result of this recognition and there will be no downloading of costs to municipalities; Parks Canada will

continue to remain the key funder and manager of the Rideau waterway. He advised the Rideau Canal Management Plan, which has been in existence for three years, will continue to be the management plan used if the Rideau waterway is designated a CHRS. He pointed out only the main channels of the waterway are proposed for recognition; not the entire watershed area.

In concluding his remarks, Mr. Billington stated although the economic benefits of designating the Rideau waterway as a CHRS are hard to quantify, they are not hard to foresee – increased tourism, new jobs, grants and new business opportunities. He referred to a letter appended to Councillor Stewart's report from Don Gibson, National Program Manager, CHRS which clearly spells out the municipal reality of CHRS. Mr. Billington also encouraged the Committee to seek input from the business community or the local Chambers of Commerce, as well as from MP's and MPP's with ridings on the Rideau and from municipalities on CHRS designated rivers. He urged the Committee to support the efforts to have the Rideau waterway recognized as a CHRS.

Responding to questions from Councillor Legendre, Mr. Billington explained, because the Rideau is a federal navigable waterway, as well as a Provincial river, this is a joint nomination to the Federal Government and the Province of Ontario. The nominating committee is seeking support from municipalities along the Rideau in an effort to show the broad base of support that exists. He said the committee is currently preparing the nomination document and will be submitting it to the CHRS Board early in the new year.

Councillor Legendre questioned why the Ottawa River is not a CHRS designated river. Mr. Grimsey stated he had heard this question asked many times and he noted there are a number of significant rivers in Canada that are not part of program; which shows this program has significant room to grow. He agreed the Ottawa River deserves to be recognized as an outstanding Canadian river and the CHRS Board is simply waiting for a group to come forward with an expression of interest in having this river looked at.

Councillor Munter thanked the delegations for their work on this program and stated it was unfortunate circumstances dictated that the delegations had to explain what this program is not about, rather than what it is about. He congratulated and encouraged the delegations for the work they have done in recognizing and celebrating the very existence of Region - the Rideau waterway.

Councillor van den Ham stated it was his understanding the Federal and Provincial governments want to do this. He questioned why the delegations would have to go to each community to get support if there are none of these perceived downsides; why would the Federal and Provincial governments not simply designate these waterways as having heritage significance.

Mr. Billington stated the program is set up such that it has to come from the people in the community involved; a “grass roots” nomination from people who care enough about their outstanding river that they want to get it into the system.

Mr. McNeil added when he first encountered the idea, he felt the Rideau was so obvious it should have been “grandfathered”. However, he said having gone through the process, he gained appreciation for the incredible value of the actual process. He said in gathering the information for the nomination document he has learned a great deal, met new people and saw new opportunities. He advised the information gathered will be compiled in some format (e.g. CD) and provided to schools and libraries along the Rideau River.

Councillor van den Ham stated when he, like a lot of rural resident, hears something is going to be designated “heritage”, he fears there will be restrictions on property owner rights. Mr. McNeil, stated as a resident along the Rideau River, he too shared this view. However, he emphasized giving the Rideau this heritage designation, has nothing to do with the ongoing existing management.

Responding to questions from Councillor Hume concerning how the Rideau Canal could be considered a heritage river, Mr. Billington explained the CHRS Board had recently decided to consider rivers with impoundments on them; this left the door open for a nomination of the Rideau. The nominating committee is trying to take into account the waterway from one end to the other because of its historical significance. It would make no sense to call it a “river”, but it is acceptable under the CHRS criteria as a waterway.

Councillor Hume noted the Rideau Canal is significantly regulated under the Historic Canal Regulations and asked how the CHRS designation would affect this. Mr. McNeil stated there would be no change in this regard and likened the CHRS designation to the “Order of Canada”.

David Underwood, Association of Rural Property Owners (ARPO), stated the “notion” of nominating the Rideau as a heritage waterway is a fine idea, noting that clearly this waterway has been key to the development of this country. He agreed residents and school children should have more knowledge about this historical river. However, he said there were things about this whole process that troubled him. He felt it odd that other Canadian rivers of equal or greater historic value, such as the Ottawa River or the St. Lawrence River, have not been nominated.

Mr. Underwood referred to a letter from Mr. Cam McNeil, dated 13 November 1998 that was distributed to members of the Committee. Mr. Underwood stated he too had been at the 9 November 1998 meeting of the Council of Merrickville-Wolford and disputed that comments attributed to Mr. Hindson were actually made. He also voiced his objection to the second last sentence of the letter, which said “don’t be duped by some smooth-talking traveling salesman” and felt this should be withdrawn.

The speaker felt it important for the Committee to consider why three States and a large number of local and county governments in the United States have totally rejected a similar concept. As well, Trent-Severn and Merrickville-Wolford have also rejected the notion of heritage river designation. He advised they rejected it simply because the plan imposes an extra layer of non-elected governance over local elected representatives. Mr. Underwood then referred to a document written by Councillor Lorne Caldwell of the Village of Merrickville-Wolford (copy on file with the Regional Clerk). He noted Merrickville-Wolford had initially supported the heritage designation, however, after Mr. Caldwell researched the matter, Merrickville-Wolford rescinded their support.

Mr. Underwood opined, if there is a management plan in effect for the Rideau River and the RVCA is also looking after it, then no additional management is necessary. He also felt the role of the nominating committee had not been made clear. Mr. Underwood went on to say Parks Canada responsibilities are up to the controlled water elevation (the high water mark) however, the CHRS group's vision document speaks of programs and activities to be developed with groups that the speaker felt would have interests beyond the high watermark.

In conclusion, Mr. Underwood stated ARPO is most concerned that this heritage designation on the Rideau waterway is just another layer of bureaucracy. Quoting from an Ottawa Citizen article, Mr. Underwood read "designating the River is a political and bureaucratic exercise that will needlessly stir up the fears of property owners who have already seen significant intrusions on their rights in the last three decades". And further, Mr. Underwood questioned the need for the government to tell the citizens of the historical significance of the Rideau waterway.

Having heard from all public speakers, the matter returned to the Committee.

Committee Chair Hunter noted this program has been in place for some twelve years and he asked Mr. Underwood if he had examples of residents on other rivers that have received this designation and have experienced any negative impacts, as a result. Mr. Underwood could not offer examples however, he stated it makes him very nervous when a special interest organization advises him they are acting on his behalf, noting these people are not elected or accountable.

Councillor Hill stated she was very familiar with the concerns of the landowners along the Rideau River. She said they are so over-regulated they are not able to do anything, noting their actions are controlled through seven pieces of Federal legislation and five Provincial Acts, in addition to the Regional and Local Official Plans. As well, they are regulated by such bodies as the RVCA, the Ministry of Natural Resources and the Ministry of the Environment.

The Councillor noted in 1993, the Rideau Canal was designated a heritage canal; then it was designated an historical canal and the heritage canal regulations were revoked; everything this group is saying they are going to do (i.e. recognition and status) is already being done. The

Rideau Canal already has recreational and tourist activities (e.g. skating, boat tours) and there are already historic sites along the River (Watson's Mill).

The Councillor related examples of people who have lived along the Rideau River for years and when they tried to sell their land, the title searches found deposited on title, deeds advising that Heritage Canada owns part of their land. These Deeds are dated between 1826 and 1831 but were only registered on title between 1980 and 1993. She said it is no wonder residents along the Rideau are afraid of a heritage designation.

Referring to the CHRS Charter, Councillor Hill found the following statement most troubling: "this charter will be completely reviewed by all ministers responsible for the Canadian Heritage Rivers System during the fiscal year commencing April 1, 2006 in regard to any required revisions and its renewal". The Councillor urged the Committee not to support the designation of the Rideau as a heritage waterway.

Councillor Munter acknowledged the discussion that had taken place on this issue was legitimate, however, he said the designation of the Rideau waterway would "not change the world". He felt it was a good community driven initiative that would bring some attention and profile to the Rideau waterway both nationally and internationally. Although people in eastern Ontario probably know about the Rideau waterway, it is not well known throughout the rest of Canada. He felt that anything that could give a bit of a profile to this piece of the Region's heritage should be supported.

Councillor Legendre expressed his support for the nomination of the Rideau waterway as a Canadian Heritage River and he congratulated the nominating committee for their work on this project. He felt the fears expressed about bureaucracy were not substantiated by the CHRS charter and pointed out in this program's twelve year history, there has been no evidence brought forward that a heritage designation is a negative step. The Councillor felt Ontario has an abysmal record in terms of protecting things of heritage value and he would have preferred it if this initiative had more teeth.

Committee Chair Hunter stated it is clear to anyone who knows the Rideau and Gananoque Rivers that it is a heritage system, with or without the designation. He stated although he could recognize the concerns raised about over-regulation, he said he had not seen proven, the fact that this designation would add another layer of regulation. The Chair pointed out an increasing number of rivers are being added to the system each year. He said although he could understand why some would ask why bother with this designation when the Rideau already has heritage status, he stated if there was community support, the designation would go forward with or without Regional Council's support. He advised he would be supporting the recommendation.

Councillor Hill commented that she could not see that this initiative was driven by the community, as none of the people on the nominating committee appeared to be property owners in this area and felt this was going forward without the residents' knowledge.

Moved by Betty Hill

That the Committee allow one additional member of the public to speak.

CARRIED
(A. Munter dissented)

With leave of the Committee, Fran Johnston, offered the following comments. Ms. Johnston said if this program is exactly what the nominating committee says it is, she would fully support it. However, referring to the CHRS 1997-1998 Annual Report, Ms. Johnston offered examples of a river where camping had been completely eliminated; another where aircraft landings will be modified; and, other examples which she felt illustrated that "nature is going to override humanity". She stressed this plan, as it stands, is going to the high water mark; however, other places in the Annual Report speak to areas beyond the high watermark.

Chair Hunter advised the example provided by Ms. Johnston concerning camping on the Bloodvein River, was not as a result of the heritage designation but rather because the Province of Manitoba had declared the area as the Atikaki Wilderness Park.

Ms. Johnston went on to say the residents along the Rideau are afraid there will be change without their input. Referring to Parks Canada Management Plan (page 49, para. 3), Ms. Johnston quoted "Parks Canada will actively support the incorporation of wetland conservation policies into municipal plans and processes. Municipalities will be encouraged to designate privately owned wetlands and adjacent natural areas as environmental protection areas in their official plans". She felt this illustrated the effect this designation will have on property owners.

She went on to quote from page 18 of the management plan, noting "The government responsible for managing a designated river will assume the costs of the development and operation contemplated in the management plan". She said although this program appears to be a Provincial and Federal responsibility, she cautioned these costs could very well be downloaded to the Region.

The Committee then considered the report recommendation.

Moved by J. Legendre

That the Planning and Environment Committee recommend that Council support the effort to have the Rideau Waterway from Ottawa to Kingston recognized as a Canadian Heritage River

CARRIED

(B. Hill and R. van den Ham dissented)