



*Living with  
Our Rivers...*

## **FEDERAL LEGISLATION SAYS “NO” TO POWER BOATS**

The *imagineCALGARY Plan for Long Range Urban Sustainability* sums it up well: “For thousands of years, people have met at the confluence of two vital rivers to imagine and realize their futures.” For thousands of years, the Bow and Elbow rivers endured, largely intact and with only nominal recreational activities occurring along its shores and from drift boats and canoes. In the early 1990s, members of the fledgling River Valleys Committee foresaw a movement in local leisure activities, with the emergence of new forms of motorized watercraft, namely personal power boats and jet-skis.

Up until that time, the Bow and Elbow rivers were unclassified and therefore had no legislated boating restrictions. On June 24, 1996, however, the Government of Canada reclassified the rivers within Calgary’s city limits to “Schedule II” under the Canada Shipping Act, which states:

*No persons shall operate a power driven vessel or a vessel driven by electrical propulsion in any of the waters described on Schedule II unless authorized by the Minister pursuant to paragraph 8 (1.1) (b). However, operation of emergency vessels is permitted.*

A group of volunteers with the River Valleys Committee were the driving force behind this reclassification, which involved officials from all three levels of government and took two and a half years. Several arguments were offered in favour of the restrictions and these remain valid today:

### **1. Safety of Drivers, Passengers and Others**

Calgary’s rivers are shallow, fast flowing, winding, cold and filled with hidden and otherwise dangerous obstructions. Although powered craft innovations will now tempt some to challenge these very conditions, it is done with very serious risk to both operators and other river users.

### **2. Incompatibility of Sports and Recreation**

Calgary’s river conditions provide for many potential conflicts between power craft and anglers, waders, rafters, drift boats, swimmers, snorkelers, rowers and canoeists. This wide range of conflicts is a concern for all of the noted recreationists, as well as government safety, rescue and enforcement agencies, and indeed all citizens of Calgary.

**3. Environmental and Ecological Incompatibility**

Current populations of fish, wildlife and birds (particularly waterfowl), could be disturbed and decreased by the potential noise and activity of power craft. Over time, these disturbances are bound to increase and put additional pressures on local habitat and migratory corridors, and will greatly diminish the enjoyment of our parks and natural amenities by cyclists, pedestrians and others.

**4. Courtesy to Entrepreneurs**

In recent years, several requests have been received by the City to establish commercial boating enterprises on Calgary's rivers, which thus far have not materialized. The establishment of regulations prior to capital outlays is considered desirable. In other cities, commercial ventures such as Jet Ski rentals have been established, followed by significant public objections to curtail the activities, with resultant loss of business opportunities to entrepreneurs.

The process of passing this reclassification was time-consuming due to the numerous steps necessary to bring the recommendation to the federal Department of Fisheries and Oceans and the Navigable Waters department of Transport Canada, who control boating activities on Canadian waterways. In summary, a letter was sent to the Calgary Parks and Recreation Board in December 1993, requesting the reclassification and describing the reasons outlined above. The Parks and Recreation Board then recommended, via City Council's Standing Policy Committee on Community Services, that the municipality should make the application for reclassification through the Provincial Department of Energy and Natural Resources, Fish and Wildlife Division. After reviewing the request, the provincial government submitted it to the federal Department of Fisheries and Oceans for Ministerial approval and enactment in April, 1995.

On June 24, 1996, the federal government reclassified Calgary's rivers as requested by the original small group of conservation-minded volunteers. Since that date, the Calgary Fire Department, Calgary Police Services and Calgary Bylaws jointly monitor and patrol the river system to ensure that the rivers remain safe, attractive and accessible for all, and to enforce this federal legislation – violators of which can face steep fines and penalties.

Today, late in 2011, some of those same volunteers have banded together again on the Board of Directors of Calgary River Valleys – championing and engaging the public in the protection, appreciation and stewardship of Calgary's rivers, creeks, wetlands and watershed resources.