

COUNTY OF RENFREW



DEVELOPMENT & PROPERTY
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March 9, 2011

Township of Horton
RECEIVED

MAR 14 2011

Mackie McLaren
Township of Horton
2253 Johnston Road
R.R. #5
RENFREW, ON K7V 3Z8

Dear Mr. McLaren:

RE: Ottawa River Heritage Designation

I am providing a copy of the attached report that was prepared at the request of Renfrew County Council. The report was prepared after concerns were raised about the impact of the Heritage River Designation on rural landowners.

The Canadian Heritage Rivers System (CHRS) is Canada's national program for freshwater heritage conservation. It is a cooperative program of the federal, provincial and territorial governments of Canada. The objectives of the program are to give national recognition to Canada's outstanding rivers; a natural fit for the Ottawa River.

In the case of the Ottawa River, extensive public, community and committee meetings held between 2003 and 2008 enabled a diverse group of citizens and organizations to be involved. Expressions of support were provided from members of federal and provincial parliament and municipal government. Contributions were also made by various organizations and partners. These grassroots actions and levels of involvement and support demonstrate the commitment to this initiative. In spite of these efforts, concerns over increased regulation have been raised. The attached report dispels the concerns.

In closing, I want to acknowledge the passionate interest of communities and volunteers along the Ottawa River that have raised the profile and appreciation of the historical importance of the Ottawa River by seeking the nomination under the Canadian Heritage Rivers program and ask you for your support in furthering the nomination.

Sincerely,

Bob Sweet
Warden
bsweet@countyofrenfrew.on.ca

BS/jhk
Attachment

- c. Mayor Jim Watson, City of Ottawa; Mayors along the Ottawa River; Local MPPs; MPs – Eastern Ontario; Mr. Anthony Rota, MP, Nipissing-Timiskaming; Mr. Fred Blackstein, Ottawa River Heritage Designation Committee; Mr. Larry Graham, Ottawa River Heritage Designation Committee; Ottawa Valley Tourist Association



MEMORANDUM

TO: Renfrew County Council

FROM: Paul Moreau, Director of Development and Property

DATE: February 23, 2011

RE: **Approval of the Designation of the Ottawa River to the Canadian Heritage Rivers Systems (CHRS)**

BACKGROUND:

Currently, Ontario has 11 rivers designated as part of the CHRS. These are the French, Mattawa-La Vase Portages, Grand, Boundary Waters-Voyageur Waterway, Bloodvein, Humber, Rideau Waterway, Thames, St. Marys, Detroit and the Missinaibi.

The Ottawa River heritage designation initiative began in 2003. It has received a significant degree of grass-roots involvement, demonstrated by the organization of the Ottawa River Heritage Designation Committee (ORHDC); a citizens' group representing the general public, organizations, agencies and municipalities along the Quebec and Ontario shores of the Ottawa River. There have been expressions of support from members of federal and provincial parliament and municipal government, as well as contributions made by numerous organizations and partners.

The first four principles of the CHRS as documented in its 1997 "Charter," best summarize the salient points (emphasis added).

- i) Participation in the Canadian Heritage Rivers System is **voluntary**.*
- ii) Participants in the Canadian Heritage Rivers System will **retain their traditional jurisdictional powers over rivers included in the System including ownership of land, the choice to nominate a river to the System and the right to continue to operate and manage designated rivers in accordance with the objectives of the system.***
- iii) All participants in the Canadian Heritage Rivers System will **respect the rights and concerns of communities, Aboriginal Peoples, land owners and other stakeholders in the nomination, designation and management of Canadian Heritage Rivers.***
- iv) Rivers, **or sections of rivers**, included in the Canadian Heritage Rivers System will **meet the spirit of the heritage and recreational value selection guidelines as set out by the Canadian Heritage Rivers Board.***

Issues of private ownership and development have already been dealt with, as noted in (then) Warden Donald Rathwell's July 8, 2010 letter to Prime Minister Harper.

"Over the past seven years, numerous public meetings and consultation sessions were held and hundreds of stakeholders participated in the process, including the First Nations communities. The Algonquins of Pikwakanagan have been a vital member of the Designation Committee since its inception.

Concerns raised by Cheryl Gallant, MP for Renfrew-Nipissing-Pembroke, concerning potential negative impacts on development have been addressed numerous times by the Designation Committee and staff of the Canadian Heritage Rivers System. Quite simply, **the designation will not affect existing laws and existing laws and regulations will continue to apply.**

Prime Minister Harper, the Council of the County of Renfrew respectfully requests your consideration of this extremely important matter and hopefully, the Ottawa River can be recognized as the great and historic river that it truly is."

With respect to concerns that designation of the Ontario side of the Ottawa River would be precedent setting, Mayor Raye-Anne Briscoe's letter of September 21, 2010 to Prime Minister Harper notes:

"Prime Minister Harper, it is clearly understood that Heritage Designation in no way affects any existing municipal, provincial or federal legislation.

It is further clearly understood that in Canada, there is precedent for an inter-provincial river system at the outset to be successfully nominated within the jurisdiction of only one province. The classic example would be the Clearwater River with Saskatchewan at the beginning and Alberta following a number of years later."

ROLE OF CONSERVATION AUTHORITIES:

As a result of concerns raised at Renfrew County Council on January 26, 2011 regarding the possible impact of a Conservation Authority, the following is based on a study of existing legislation, discussions with former colleagues and other sources.

Conservation Authorities are corporate bodies created by the province at the request of two or more municipalities in accordance with the requirements of the *Conservation Authorities Act (CA Act)*. Section 20 of the *CA Act* provides the mandate for an Authority to offer a broad resources management program. Section 21 of the *CA Act* provides the mandate to have watershed-based resource management programs and/or policies that are approved by the Board of Directors.

Conservation Authorities operating under the authority of the *CA Act*, and in conjunction with municipalities, develop business plans, watershed plans and natural resource management plans within their jurisdictions (watersheds). These plans may recommend specific approaches to land use and resource planning and management that should be incorporated into municipal planning documents and related development applications in order to be implemented.

Conservation Authorities may become involved in the review of municipal planning documents (e.g., Official Plans, zoning by-laws) and development applications under the *Planning Act* to ensure that program interests developed and defined under Section 20 and 21 of the *CA Act* are addressed in land use decisions made by municipal planning authorities. In this role, the Conservation Authority is responsible to represent its program and policy interests as a watershed based resource management agency.

What is important in this report is that Conservation Authorities have only a small portion of their watershed that enters Renfrew County. Therefore, they have no authority or mandate to operate in Renfrew County.

It is also important to recognize that the powers granted to a Conservation Authority are limited to the watershed as defined by regulation under the *CA Act*.

Finally, heritage river designation does nothing to expand or enhance the authority or jurisdiction of a Conservation Authority.

While researching the files on the Ottawa River Heritage Designation initiative, I discovered the press release issued by Federal Environment Minister John Baird and Provincial Minister of Natural Resources Donna Cansfield. I have attached their May 16, 2008 news release for reference, as I believe it summarizes the arguments most eloquently.

PM/jhk

Attachment



News Release Communiqué

CP2008-00259

BAIRD AND CANSFIELD APPROVE NOMINATION OF OTTAWA RIVER AS A CANDIDATE CANADIAN HERITAGE RIVER

OTTAWA, ONTARIO, MAY 16, 2008 – Canada's Environment Minister, John Baird, and Ontario's Minister of Natural Resources, Donna Cansfield, are pleased to announce the official endorsement of the nomination of the Ottawa River as a Canadian Heritage River.

"Being born and raised in Nepean, I'm delighted to recognize the cultural, natural and recreational significance of the Ottawa River by approving the nomination of the Ottawa River to the Canadian Heritage Rivers System," said Minister Baird. "This river represents a critical link to our country's settlement and growth, and continues to be an important waterway to local communities."

"The Canadian Heritage River nomination and future designation will ensure the Ottawa River gets the full recognition it deserves as a vital part of our history, and will support our efforts to ensure a healthy, vibrant future for this important waterway and the communities it serves," said Minister Cansfield.

The Ottawa River can now be considered for full designation in the Canadian Heritage Rivers System. The area recommended for designation includes the entire section of 590 km of the Ottawa River bordering the Province of Ontario, from the head of Lake Timiskaming to East Hawkesbury.

The average flow of the Ottawa River is one of the greatest in Canada, making it a world-class paddling and rafting destination. The river spans 1271 km with a watershed covering 146,300 sq. km, an area twice the size of New Brunswick. The river provides a home for over 300 species of birds and is one of the continent's most important flyways. Its rich ecosystems also sustain more than 80 species at risk.

"Minister Cansfield and I want to thank the Ottawa River Heritage Designation Committee for their hard work and dedication. This nomination will be good for the river, good for the citizens living along it, and good for Canada," said Minister Baird. "We would especially like to acknowledge the support of the former Member of Parliament Len Hopkins who, unfortunately, is not with us today to see the nomination move forward. I'm sure Mr. Hopkins would have been pleased to see the community's hard work come to fruition."

The Ottawa River and surrounding area is of outstanding cultural heritage value as the heartland of the Algonquin people and their culture, as well as for being the definitive route of Canadian exploration, providing Canada's most famous European explorers such as Samuel de Champlain, with a passage into central and western North America. The Ottawa River was gateway to Canada's most famous trade routes used during the *coureurs de bois* and *voyageur* era in Canada, and was critical to the development of commercial enterprise, mapping and settlement in Canada.

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The Canadian Heritage Rivers System is a joint federal-provincial-territorial initiative that gives national recognition to Canadian rivers of extraordinary natural, cultural and recreational significance.

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