

1978 BILL 262

Fourth Session, 18th Legislature, 27 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 262

THE RECREATIONAL RIVERS ACT

DR. BUCK

First Reading -----

Second Reading -----

Committee of the Whole -----

Third Reading -----

Royal Assent -----

Bill 262
Dr. Buck

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THE RECREATIONAL RIVERS ACT

(Assented to _____, 1978)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

1. In this Act,

- (a) "Minister" means the Minister of Recreation, Parks and Wildlife;
- (b) "recreational river" means any river or section thereof that, in the opinion of the Minister, has potential for recreation, education or tourism or is particularly scenic or warrants protection for its actual or potential wildlife and is designated as a recreational river pursuant to this Act.
- (c) "river" means any river or stream and includes any small lake through which a river or stream runs and which does not exceed 100 hectares in area;

2. (1) The Minister may designate any river or section of a river to be a recreational river.

(2) Subsection (1) shall not apply to that part of any river that abuts or passes through a municipality.

(3) A designation pursuant to subsection (1) shall not be made unless

- (a) a study has been made of the river to recommend whether it should be designated,
- (b) the study has been completed and a report in writing thereon has been submitted to the Minister,
- (c) the Minister has received a recommendation in writing on the report from the Recreational Rivers Committee established pursuant to section 9,
- (d) the Minister has filed a copy of the report made pursuant to clause (c) in the Legislative Assembly for placement in the Legislature Library.

Explanatory Notes

1. Definitions.

2. Rivers designated by Minister after study.

3. (1) Any person may submit to the Minister a petition signed by no less than 25 persons requesting that a river or section of a river be designated by him pursuant to section 2.

(2) Every petition submitted pursuant to subsection (1) shall be accompanied by a map showing exactly those parts of the river or rivers to which the petition relates.

(3) Upon receiving a petition the Minister shall within 6 months either

- (a) designate the river or section in accordance with the petition,
- (b) designate a section of the river mentioned in the petition,
- (c) hold a public hearing into the subject matter of the petition, or
- (d) advise the person that he does not intend to follow the request contained in the petition and give his reasons therefor.

4. (1) The Minister may purchase, exchange or expropriate lands which form or are in the vicinity of the banks of a recreational river designated pursuant to this Act, but not so as to acquire, with relation to any one river an average of more than 30 hectares of land per kilometer of river.

(2) The Minister may provide for the clearing, reforestation or preservation of public lands or lands acquired pursuant to subsection (1), forming or in the vicinity of the banks of a recreational river.

(3) The Minister may make grants to an owner of land forming or in the vicinity of the banks of a recreational river to enable the owner to carry out operations described in subsection (2).

5. For the purposes of section 4 there is hereby established the Recreational Rivers Fund, into which from time to time there may be appropriated funds by the Legislature.

6. (1) The Minister may designate any land in the vicinity of a river which has been designated pursuant to this Act to be a shorelands preservation area.

(2) No person may commence or continue any development of lands in a shorelands preservation area without the authority of the Minister.

(3) The Minister shall grant his authority pursuant to subsection (2)

- (a) in cases where the proposed development will contribute to the protection of the river in its natural state or the recreational or educational interests of the people of the Province, or

3. Petitions from public.

4. Purchase of land near recreational river.

5. Fund established.

6. Designation of preservation area and limit on development.

- (b) where the development will have no adverse effect on the preservation of the natural state of the river or the recreational or educational interests of the people of the Province.

7. The Minister may cause studies to be made of rivers in the Province to determine their suitability for designation hereunder.

8. Within one year after the commencement of this Act the Minister shall cause to be carried out and completed studies of the rivers listed in Schedule A hereto, to determine the suitability of them or sections of them to be designated pursuant to this Act and on the conclusion of the studies shall cause a report thereon to be prepared which he shall table in the Legislative Assembly.

9. (1) The Lieutenant Governor in Council may establish a Recreational Rivers Committee consisting of

- (a) two persons designated by the Minister of Recreation, Parks and Wildlife; one of whom shall be chairman;
- (b) one person designated by the Minister of the Environment;
- (c) one person designated by the Minister of Energy and Natural Resources; and
- (d) one person designated by the Minister of Municipal Affairs.

(2) The Committee may be paid such remuneration and receive such reimbursement of expenses as is determined by the Lieutenant Governor in Council providing that money has been appropriated to that purpose by the Legislature.

10. This Act comes into force on a date to be fixed by Proclamation.

7. Studies.

8. Studies to be made on scheduled rivers.

9. Recreational Rivers Committee established.

Schedule A

Milk River and Tributaries
South Saskatchewan River and Tributaries
North Saskatchewan River and Tributaries
Peace River and Tributaries
Hay River and Tributaries
Athabasca River and Tributaries
Castle River
Crow's Nest River
Dutch Creek
Racehorse Creek
Clearwater River and Tributaries
Wabasca River and Tributaries
Hay River and Tributaries
Old Man River from its source to the Forest Reserve Boundary
Bow River from the Calgary city limits (south) to the Carse-
land Weir
Raven River and Tributaries from its source to its confluence
with Stauffer Creek
Stauffer Creek
Red Deer River from its source to the Town of Sunde
Red Deer River from its intersection with Highway 36 and
downstream from that point.