

1979 BILL 217

First Session, 19th Legislature, 28 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 217

THE RECREATIONAL RIVERS ACT

DR. BUCK

First Reading

Second Reading
Committee of the Whole

Third Reading

Royal Assent

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Bill 217
Dr. Buck

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THE RECREATIONAL RIVERS ACT

(Assented to _____, 1979)

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 and Parks;
- (b) "recreational river" means any river or section of it that
 - (i) in the opinion of the Minister, has potential for recreation, education or tourism, is particularly scenic or warrants protection for its actual or potential wildlife, and
 - (ii) 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) does not apply to a part of a 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 pursuant to section 7 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 the river or those parts of a river 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 for his decision.

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).

(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 land 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
- (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.

3. Petitions from public requesting designation.

4. Purchase of land near recreational river.

5. Fund established.

6. Designation of shorelands preservation area and limit of development.

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, at the earliest opportunity after its completion.

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

- (a) 2 persons designated by the Minister of Recreation and Parks, 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; report to Legislative Assembly.

9. Recreational Rivers Committee established.