

Martin, Doris L CSNR:EX

From: Ellen Zimmerman <ellenzim@uniserve.com>
Sent: Friday, June 5, 2015 8:14 AM
To: Holmes, Peter N FLNR:EX
Subject: boating regulation

Hi peter, can you give me a call when you can at s.22 thanks
Ellen Zimmerman
ellenzim@uniserve.com
s.22

Martin, Doris L CSNR:EX

From: Holmes, Peter N FLNR:EX
Sent: Friday, June 5, 2015 10:30 AM
To: 'Ellen Zimmerman'
Subject: FW: Inquiry - Columbia River VORR

As discussed.

From: Geary, Nicole [<mailto:Nicole.Geary@tc.gc.ca>]
Sent: Friday, May 22, 2015 9:29 AM
To: Holmes, Peter N FLNR:EX
Subject: Inquiry - Columbia River VORR

Hello Peter,

Here is the response I received from Ottawa on VORR status update:

'The proposed regulatory amendment package is currently in the Ministers office. It is there with approximately 11 other regulatory packages. We are waiting for sign off so that the regulatory package can move forward for a Treasury Board meeting and approval for pre-publication in Part I of the Canada Gazette.'

Thank-you,
Niki Geary

Boating Safety Officer, Office of Boating Safety
Transport Canada/ Government of Canada
nicole.geary@tc.gc.ca/ Tel: 604-666-1496

Agent de la sécurité nautique, Bureau de la sécurité nautique
Transports Canada/ Gouvernement du Canada
nicole.geary@tc.gc.ca/ Tél.: 604-666-1496

Martin, Doris L CSNR:EX

From: Ellen Zimmerman <ellenzim@uniserve.com>
Sent: Monday, December 21, 2015 5:19 PM
To: Holmes, Peter N FLNR:EX
Subject: confluence

Hey Pete, hope this email finds you well. I was wondering if there is any forward movement on including the confluence area by the Kicking horse and Columbia in the WMA? any motorized closure in there? have a great holiday season and thanks

Ellen Zimmerman
ellenzim@uniserve.com
s.22

Martin, Doris L CSNR:EX

From: Rae, Michele <michele.rae@tc.gc.ca>
Sent: Friday, April 29, 2016 6:57 AM
To: OBS - PAC - BSN
Cc: Tam, Ada; Holmes, Peter N FLNR:EX; Frenette, Katie; Walsh, Honey; Ellen Zimmerman
Subject: FW: Columbia river
Attachments: Boats #2.jpg; Boats #3.jpg; Boats #4.jpg

Last one...sorry for filling up your inboxes. Should you have any questions – do not hesitate to contact me.

Michele

From: s.22
Sent: Thursday, April 28, 2016 10:03 AM
To: Rae, Michele
s.22

Subject: Re: Columbia river

Morning Michele

Thank you again for your attention to the river running issue. I attach more photos as further evidence as to how large and fast boats race up and down the Columbia river s.22 in Fairmont BC. I'm sure anyone reviewing these photos would agree, that in the interest of safety to rafts, canoes, etc. that this type of behaviour must be stopped.

We realize it's impracticable, but it's unfortunate that those making the decision on this issue can't witness this activity first hand and speak to those of us s.22. The majority of the community are very upset that nothing has been done thus far and look forward to required changes and enforcement of same.

I tried sending several photos but the file was too large so I will send 3 with this email and 2 in a follow-up email. Sorry for the inconvenience.

Kind Regards
s.22

On Tue, Apr 26, 2016 at 2:43 PM, Rae, Michele <michele.rae@tc.gc.ca> wrote:
Good afternoon s.22

Thank you for your email regarding the proposed regulatory amendments. I would like to acknowledge your comments as being received and indicate that they will be included with all other correspondence received during this comment period. When the Part I – Canada Gazette, 30-day comment period ends (2 May 2016), Transport Canada will evaluate all of the comments received and respond accordingly.

Michele

Michele M. Rae, CD, CHRL
A/Chief, Regulatory Development

Legislative, Regulatory, Policy and International Affairs/
Politique, affaires législative, réglementaires et internationales
Marine Safety and Security / Sécurité et sûreté maritimes
Transport Canada/Transports Canada
Government of Canada / Gouvernement du Canada
330 rue Sparks Street (AMXX)
Ottawa, Ontario K1A 0N5
Tel: (613) 991-3008 / Fax: (613) 991-5607
Email: michele.rae@tc.gc.ca

From: s.22

Sent: April 26, 2016 11:11 AM

To: Rae, Michele

s.22

Subject: Re: Columbia river

Michele M. Rae, CD, CHRL
A/Chief, Regulatory Development
Legislative, Regulatory, Policy and International Affairs/
Marine Safety and Security Transport Canada Government of Canada

Dear Ms. Rae,

re: Canada Gazette, Part 1, Vol. 150, No. 14 — April 2, 2016
Regulations Amending the Vessel Operation Restriction Regulations Columbia River

I was prompted to send you an email with respect to boats and Sea Doo's on the Columbia river. We live in a
s.22 Fairmont BC and this has been an on going problem for years with
boats/Sea Doo's speeding up and down the river in the Fairmont area. At some point someone is going to get
seriously hurt as many rafts, rubber tubes and canoes are on the river, most of them with children. In short it's a
serious safety issue as well as environmental.

The following is an email s.22

s.22 met with the RCMP in Invermere on this issue: after s.22

"As some of you may have noticed there have been several boats running at high speed on the Columbia River
s.22

s.22 met with the RCMP this morning and they, as we, are concerned about someone getting hurt,
not to mention the annoyance and potential damage to waterfowl nests, etc.

s.15

s.15

s.15,s.22

I've also included some photos that were taken by a concerned citizen of Fairmont as evidence of boats running the river (typically jet boats and Sea Doos) and how volatile the situation can get. Those running the river at high speed obviously get very indignant when advised they are speeding and should desist.

This issue has been on-going far too long on the Columbia river in the Fairmont area and must be addressed before someone gets run over. We understand you have the authority to do something about it and look forward to you and your department implementing regulations, and enforcing them, as soon as possible.

I look forward to your positive response and comments by return email. Upon receipt I will advise others in our community.

Regards
s.22

Page 07 to/à Page 09

Withheld pursuant to/removed as

s.22

Martin, Doris L CSNR:EX

From: Rae, Michele <michele.rae@tc.gc.ca>
Sent: Friday, April 29, 2016 6:52 AM
To: OBS - PAC - BSN
Cc: Holmes, Peter N FLNR:EX; Tam, Ada; Walsh, Honey; Frenette, Katie; Ellen Zimmerman
Subject: FW: Columbia river
Attachments: P1040755.JPG; P1050145.JPG

Good morning all;

I'm forwarding you some information from a stakeholder in support of the current pre-publication in Part I of the Canada Gazette regarding the 20hp restriction on the main channel of the upper Columbia River.

Michele

From: s.22
Sent: Thursday, April 28, 2016 8:46 PM
To: Rae, Michele
s.22

Subject: Re: Columbia river

Michele

The last 2 photos on the Columbia river - I won't bother you any more.

Cheers
s.22

On Thu, Apr 28, 2016 at 6:41 PM, s.22
Michele

wrote:

I hope I'm not bothering you but I've been asked by s.22 to pass these photos on to you as well. It indicates how the Columbia river is used by children, etc. in the Fairmont area.

Once again I have to send it to you in two separate emails as the photos are so large, sorry.

Regards
s.22

On Thu, Apr 28, 2016 at 8:18 AM, s.22

wrote:

Your welcome Michele. Thank you for your help and let me know if I can be of assistance in any way, both here locally or otherwise. I'm prepared to travel to meet/discuss this issue to move it forward.

Cheers
s.22

On Thu, Apr 28, 2016 at 8:13 AM, Rae, Michele <michele.rae@tc.gc.ca> wrote:

Thank you very much for the additional information.

M

From: s.22

Sent: Thursday, April 28, 2016 10:06 AM

To: Rae, Michele

s.22

Subject: Re: Columbia river

Michele

Here are the other 2 photos of boats on the Columbia river that I spoke of.

Regards

s.22

On Tue, Apr 26, 2016 at 2:43 PM, Rae, Michele <michele.rae@tc.gc.ca> wrote:

Good afternoon s.22

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Transport Canada/Transports Canada

Government of Canada / Gouvernement du Canada
330 rue Sparks Street (AMXS)
Ottawa, Ontario K1A 0N5
Tel: (613) 991-3008 / Fax: (613) 991-5607
Email: michele.rae@tc.gc.ca

From: s.22
Sent: April 26, 2016 11:11 AM
To: Rae, Michele
s.22

Subject: Re: Columbia river

Michele M. Rae, CD, CHRL
A/Chief, Regulatory Development
Legislative, Regulatory, Policy and International Affairs/
Marine Safety and Security Transport Canada Government of Canada

Dear Ms. Rae,

re: Canada Gazette, Part 1, Vol. 150, No. 14 — April 2, 2016
Regulations Amending the Vessel Operation Restriction Regulations Columbia River

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The following is an email s.22 after s.22
s.22 met with the RCMP in Invermere on this issue:

"As some of you may have noticed there have been several boats running at high speed on the Columbia River s.22

s.22 met with the RCMP this morning and they, as we, are concerned about someone getting hurt, not to mention the annoyance and potential damage to waterfowl nests, etc.

s.15

s.15,s.22

I've also included some photos that were taken by a concerned citizen of Fairmont as evidence of boats running the river (typically jet boats and Sea Doos) and how volatile the situation can get. Those running the river at high speed obviously get very indignant when advised they are speeding and should desist.

This issue has been on-going far too long on the Columbia river in the Fairmont area and must be addressed before someone gets run over. We understand you have the authority to do something about it and look forward to you and your department implementing regulations, and enforcing them, as soon as possible.

I look forward to your positive response and comments by return email. Upon receipt I will advise others in our community.

Regards
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Martin, Doris L CSNR:EX

From: Rae, Michele <michele.rae@tc.gc.ca>
Sent: Friday, April 29, 2016 6:54 AM
To: OBS - PAC - BSN
Cc: Tam, Ada; Frenette, Katie; Walsh, Honey; Holmes, Peter N FLNR:EX; Ellen Zimmerman
Subject: FW: Columbia river
Attachments: P1000112.JPG; P1060639.JPG

Here is another email with pictures regarding the Columbia River file.
Michele

From: s.22
Sent: Thursday, April 28, 2016 8:41 PM
To: Rae, Michele
s.22

Subject: Re: Columbia river

Michele

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Sent: Friday, April 29, 2016 6:56 AM
To: OBS - PAC - BSN
Cc: Tam, Ada; Holmes, Peter N FLNR:EX; Frenette, Katie; Walsh, Honey; Ellen Zimmerman
Subject: FW: Columbia river
Attachments: Riverrunner.jpg; Riverrunner1.jpg; Riverrunner2.jpg; Riverrunner3.jpg; Riverrunner.jpg

More pictures.

M

From: s.22
Sent: Tuesday, April 26, 2016 11:11 AM
To: Rae, Michele
s.22

Subject: Re: Columbia river

**Michele M.
Rae, CD,
CHRL**

A/Chief,
Regulatory
Development

Legislative,
Regulatory,
Policy and
International
Affairs/

Marine Safety and Security Transport Canada Government of Canada

Dear Ms. Rae,

re: Canada Gazette, Part 1, Vol. 150, No. 14 — April
2, 2016

Regulations Amending the Vessel Operation
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Regards

s.22

Page 21 to/à Page 27

Withheld pursuant to/removed as

s.22

Martin, Doris L CSNR:EX

From: Holmes, Peter N FLNR:EX
Sent: Friday, June 5, 2015 10:30 AM
To: 'Ellen Zimmerman'
Subject: FW: Inquiry - Columbia River VORR

As discussed.

From: Geary, Nicole [<mailto:Nicole.Geary@tc.gc.ca>]
Sent: Friday, May 22, 2015 9:29 AM
To: Holmes, Peter N FLNR:EX
Subject: Inquiry - Columbia River VORR

Hello Peter,

Here is the response I received from Ottawa on VORR status update:

'The proposed regulatory amendment package is currently in the Ministers office. It is there with approximately 11 other regulatory packages. We are waiting for sign off so that the regulatory package can move forward for a Treasury Board meeting and approval for pre-publication in Part I of the Canada Gazette.'

Thank-you,
Niki Geary

Boating Safety Officer, Office of Boating Safety
Transport Canada/ Government of Canada
nicole.geary@tc.gc.ca/ Tel: 604-666-1496

Agent de la sécurité nautique, Bureau de la sécurité nautique
Transports Canada/ Gouvernement du Canada
nicole.geary@tc.gc.ca/ Tél.: 604-666-1496

The Honourable Lisa Raitt
Minister of Transport
Tower C - 330 Sparks St.
Ottawa, Ontario, Canada
K1A 0N5
Telephone: 613-991-0700
E-mail: mintc@tc.gc.ca

Dear Hon. Minister,

RE: Proposed Columbia River VORR Amendment (to limit motors to a maximum of 20 horsepower)

I am writing to bring to your attention the resolute and widespread support of local stakeholders for this last component of the three part regulations designed to protect the world-renowned Columbia Wetlands Wildlife Management Area (CWWMA) while protecting local historic and common boating practices.

In 1996, Columbia Valley residents, industry, First nations and government agencies came together, agreeing that the stretch of the Columbia River and wetlands from Donald in the north to Fairmont in the south should be protected for wildlife. A Wildlife Management Area was enacted under provincial law, protecting wildlife under the BC Wildlife Act throughout the whole 180-kilometre stretch. Recreational and historical uses — fishing, hunting and trapping — would continue, but under an innovative philosophy that places wildlife and habitat values first.

In 1996, the Columbia Wetlands were designated as Wildlife Management Area (WMA, protected under the *BC Wildlife Act*). In 1997 the Province of BC enacted a regulation restricting all vehicle use (snowmobiles, all boats, jet boats, jet skis and ATVs) to 10 horsepower or less. This regulation was an important component of the provincial management strategy designed to protect the ecological integrity of this critical habitat for wildlife and migratory birds. Noise, intrusion, brood disruption and pollution associated with fast moving and large motored conveyances causes a number of negative environmental impacts, including damage to water quality and sensitive aquatic ecosystems, habitat destruction, and nest abandonment. The regulation to restrict horsepower grew out of both the need to fulfill the mandate of the WMA to protect wildlife and their habitat and out of the public consultation processes.

In 1998, the province's jurisdiction to regulate vessels, even in local areas and for environmental reasons, was challenged in the courts. The Canadian Coast Guard became involved and argued that the provincial government could not apply restrictions to waterways such as the Columbia Wetlands as this was solely the jurisdiction of the federal government. Initially, a challenge was raised in BC Provincial Court disputing that the provincial Ministry of Environment had the ability to restrict motorized vessels on the Columbia Wetlands Wildlife Management

Area.

The case was decided in the province's favor at the BC Supreme Court level. The matter was appealed to the BC Court of Appeal and was heard, November 5, 2001. In January 2002, the Court of Appeal struck down the provincial 10 hp restrictions as it pertained to vessels, but left the restriction in place on land-based conveyances, like snowmobiles and ATVs. Regulation of vessels was deemed jurisdiction of the federal government.

The Court of Appeal emphasized, in their decision summary, the following: "Nevertheless, where protection of the environment requires regulation of vessels operating in navigable waters, the Province cannot legislate. Fortunately, the existing shipping regulations do provide machinery for provincial authorities to request that the federal power be exercised." (Citation: *R. v. Kupchanko* Date: 20020130 2002 BCCADocket: CA026665)

Shortly after this decision, the provincial government of British Columbia partnered with a local conservation group, Wildsight, and started the application process to develop a regulation under the Canada Shipping Act.

On June 5, World Environment Day, 2005, the Columbia Wetlands, including the river, received much deserved international recognition as a Ramsar Wetland of International Importance. The largest wetland of its kind in British Columbia and protected under the BC Wildlife Act, the Columbia Wetlands qualified under all eight Ramsar Criteria, and comprise a regionally unparalleled diversity of 16 habitats, sheltering around 216 species.

On June 28, 2008, a package of amendments to the boating regulations was published in Part I of the *Canada Gazette*, containing proposed amendments to the Regulations which would control the navigation of vessels in the Columbia River and Wetlands between Fairmont Hot Springs and Donald Station (north-west of Golden), BC in order to protect environmental values. Two of these regulations became law, August 19, 2009:

Vol. 143, No. 17 — August 19, 2009
Registration
SOR/2009-213 July 30, 2009
CANADA SHIPPING ACT, 2001

A year-prohibition on the operation of power-driven vessels in the wetlands of the Columbia River.

A year-round prohibition on towing persons on water skis, surfboards or other similar equipment in the main channel of the Columbia River at any time.

The third and final portion of what was always intended to be a three-part regulation remains in limbo awaiting your signature.

Back in May of 2009, our multistakeholder group, representing provincial and local government, First Nations, Industry and broad and diverse NGOs, met with representatives of Transport Canada. At that time, the group developed the proposed regulation, to limit boating on the stretch of Columbia River within the CWWMA to vessels with motors of 20 hp or less. I attach the minutes. Yet here we are six years later with no boating regulation on the Columbia River through this fragile protected area, and this leads to negative environmental impacts.

The existing regulations, quoted above, remain difficult if not impossible to enforce while the main channel remains open to any and all boating activity, something that the majority of residents wish to see curtailed.

Over the many years this regulation has been languishing in your department, all local governments, the provincial government and area First Nations have formally resolved unequivocal support for the 20 horsepower restriction on the main channel of the Columbia River through the CWWMA. This recommended regulation was derived through compromise with many of the stakeholders preferring no motors at all.

We ask that you give the highest priority to guiding this last and most crucial portion of the regulation to completion. Local residents, local and provincial governments, First Nations, and the national and international community will meet enacting of this regulation with wide approval and acclaim.

Thank you for your immediate attention to this urgent matter

Sincerely,

Gerry Wilkie, President, Columbia Wetlands Stewardship Partners

Box 2284, Invermere, British Columbia V0A1K0

3 attachments

cc

David Wilks, MP Kootenay Columbia

Norm Macdonald, MLA Columbia River Revelstoke

Mary Polak, British Columbia Minister of Environment,

Martin, Doris L CSNR:EX

From: Ellen Zimmerman <ellen@wildsight.ca>
Sent: Wednesday, January 6, 2016 10:15 AM
To: Rae, Michele
Cc: Wayne.Stetski@parl.gc.ca; Holmes, Peter N FLNR:EX
Subject: Re: Columbia River VORR Amendment - Update

Hello Michele, are there any updates on this situation? I am so eager to see this move forward. Thank you for any information you can share.

On 2015-11-26, at 1:37 PM, Rae, Michele wrote:

> Thank you Ellen. Have a good evening.

>

> Michele

> _____

> From: Ellen Zimmerman [ellen@wildsight.ca]

> Sent: November 26, 2015 3:00 PM

> To: Rae, Michele

> Subject: Re: Columbia River VORR Amendment - Update

>

> Thanks Michele, we all seem to have the same goal and I am hoping this solidarity will finally get that goal accomplished.

> On 2015-11-26, at 12:07 PM, Rae, Michele wrote:

>

>> Thank you Wayne for your introductory message. s.22

s.22 I have included Katie Frenette who is managing the file in my absence. I have also included my counterpart with the Ministry of Environment for information and other colleagues that are active on this file from our program groups. I will ask that Katie respond to the exact whereabouts of the file - it was with the previous Minister, but due to the government transition, the docket was returned to us, and I am not 100% sure where it is right now in the approval chain with our new Minister. We will keep on top of this file as we would like to see it move forward as well.

>>

>> All the best,

>>

>> Michele

>> _____

>> From: Stetski, Wayne - M.P. [Wayne.Stetski@parl.gc.ca]

>> Sent: November 25, 2015 5:34 PM

>> To: Rae, Michele

>> Cc: 'ellen@wildsight.ca'

>> Subject: Columbia River VORR Amendment - Update

>>

>> Hi Michele.

>>

>> My name is Wayne Stetski and I am the new Member of Parliament for the Kootenay Columbia riding which includes the area proposed for the Columbia River VORR Amendment.

>>

>> I am writing to you today to let you know that I appreciate the work that you have done to date on moving this important Regulation forward, and to let you know that I am in complete support of it proceeding as soon as possible.

The Regulation is a compromise between many groups with a variety of interests and is very important to the long term health of the Columbia River wetlands, which are recognized world-wide for their significance.

>>

>> When do you think it will signed off by the Minister? Please let me know and also let me know if I can be of any assistance in moving it forward. Thanks Michele!

>>

>> Wayne Stetski

>> Member of Parliament

>> Kootenay Columbia

>>

>>

>>>

>>> From: Ellen Zimmerman <ellen@wildsight.ca>

>>> Sent: November 23, 2015 5:35 PM

>>> To: Stetski, Wayne - M.P.

>>> Subject: Fwd: Columbia River VORR Amendment - Update

>>>

>>>

>>>

>>> Begin forwarded message:

>>>

>>> From: "Rae, Michele"

>>> <michele.rae@tc.gc.ca<mailto:michele.rae@tc.gc.ca>>

>>> Date: June 20, 2014 6:18:31 AM MDT

>>> To: 'Ellen Zimmerman'

>>> <ellen@wildsight.ca<mailto:ellen@wildsight.ca>>

>>> Subject: RE: Columbia River VORR Amendment - Update

>>>

>>> Hello Ellen;

>>>

>>> I hope you are well. s.16

s.16

>>>

>>> I am sorry for this bad news. I have communicated with our Environment Canada colleagues regarding the status.

>>>

>>> Michele

>>>

>>> From: Ellen Zimmerman [mailto:ellen@wildsight.ca]

>>> Sent: Monday, April 14, 2014 12:00 PM

>>> To: Rae, Michele

>>> Subject: Re: Columbia River VORR Amendment - Update

>>>

>>> thanks so much

>>> On 2014-04-14, at 9:58 AM, Rae, Michele wrote:

>>>

>>>

>>> Yes I will. Once I know that it has been signed by the Minister - I will have a better idea of which Treasury Board meeting it will make and then it would be published the following Saturday in the Gazette.

>>>

>>> Michele

>>>

>>> From: Ellen Zimmerman [mailto:ellen@wildsight.ca]

>>> Sent: Monday, April 14, 2014 11:57 AM

>>> To: Rae, Michele

>>> Subject: Re: Columbia River VORR Amendment - Update

>>>

>>> Hi Michele, that is really good news, I look forward to tit after

>>> all this time. Will you give me a heads up when it is confirmed? thanks On 2014-04-14, at 9:48 AM, Rae, Michele wrote:

>>>

>>>

>>>

>>> Good morning Ellen;

>>>

>>> I hope this e-mail finds you well. s.16

s.16

>>>

>>> Have a good day,

>>>

>>> Michele

>>>

>>> From: Ellen Zimmerman [mailto:ellen@wildsight.ca]

>>> Sent: Friday, February 14, 2014 3:38 PM

>>> To: Rae, Michele

>>> Subject: Re: Columbia River VORR Amendment - Update

>>>

>>> thanks Michele, I appreciate the information.

>>> On 2014-02-14, at 12:35 PM, Rae, Michele wrote:

>>>

>>>

>>>

>>>

>>> Hello Ellen;

>>>

s.16

>>>

>>> Michele

>>>

>>> From: Ellen Zimmerman [mailto:ellen@wildsight.ca]

>>> Sent: February 14, 2014 2:18 PM

>>> To: Rae, Michele

>>> Subject: Re: Columbia River VORR Amendment - Update

>>>

>>> Hi Michele, any update? not a week goes by that I am not asked. It

>>> would be helpful to have something to tell people. thanks On 2013-11-26, at 1:48 PM, Rae, Michele wrote:

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>>> Hello Ellen;
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>>> It is hard to give an exact date/timeframe.so many variables. Currently, the departmental priorities are Rail and Transportation of Dangerous Goods, so the majority of resources (including legal staff) are focused on these issues. I hope that our legal review will go quickly, then I would predict - with the upcoming parliamentary holidays - we won't see it until late January (my optimistic estimate). It also depends how long it takes to get Ministerial sign-off. So, my best guess right now is February.
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>>> Best regards,
>>> Michele
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>>> From: Ellen Zimmerman [mailto:ellen@wildsight.ca]
>>> Sent: November 26, 2013 3:46 PM
>>> To: Rae, Michele
>>> Subject: Re: Columbia River VORR Amendment - Update
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>>> Thank you so much for keeping me informed. Do you have any sense of when Gazette 1 publication will happen?
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>>> Sent from my iPad
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s.16

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>>> Michele
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>>> Michele M. Rae, CD, CHRP
>>> Project Manager/Gestionnaire de projet Legislative, Regulatory and
>>> International Affairs/ Affaires législatives, réglementaires et
>>> internationales <Picture (Device Independent Bitmap) 1.jpg> Marine
>>> Safety and Security / Sécurité et sûreté maritimes Transport
>>> Canada/Transports Canada Government of Canada / Gouvernement du
>>> Canada
>>> 330 rue Sparks Street (AMSXP)
>>> Ottawa, Ontario K1A 0N8
>>> Tel: (613) 991-3008 / Fax: (613) 991-5607
>>> Email: michele.rae@tc.gc.ca<mailto:michele.rae@tc.gc.ca>
>>
>>
>
> Ellen Zimmerman
> ellen@wildsight.ca
s.22

>
>
>

Ellen Zimmerman
ellen@wildsight.ca
s.22

Martin, Doris L CSNR:EX

From: Holmes, Peter N FLNR:EX
Sent: Wednesday, January 6, 2016 10:39 AM
To: 'Ellen Zimmerman'
Subject: RE: Columbia River VORR Amendment - Update

Thanks for keeping me up to date Ellen, I have forwarded it up to Krebs for his information.

-----Original Message-----

From: Ellen Zimmerman [mailto:ellen@wildsight.ca]
Sent: Wednesday, January 6, 2016 11:15 AM
To: Rae, Michele
Cc: Wayne.Stetski@parl.gc.ca; Holmes, Peter N FLNR:EX
Subject: Re: Columbia River VORR Amendment - Update

Hello Michele, are there any updates on this situation? I am so eager to see this move forward. Thank you for any information you can share.

On 2015-11-26, at 1:37 PM, Rae, Michele wrote:

> Thank you Ellen. Have a good evening.

>

> Michele

> _____

> From: Ellen Zimmerman [ellen@wildsight.ca]
> Sent: November 26, 2015 3:00 PM
> To: Rae, Michele
> Subject: Re: Columbia River VORR Amendment - Update

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> Thanks Michele, we all seem to have the same goal and I am hoping this solidarity will finally get that goal accomplished.

> On 2015-11-26, at 12:07 PM, Rae, Michele wrote:

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>> Thank you Wayne for your introductory message. s.22

s.22 I have included Katie Frenette who is managing the file in my absence. I have also included my counterpart with the Ministry of Environment for information and other colleagues that are active on this file from our program groups. I will ask that Katie respond to the exact whereabouts of the file - it was with the previous Minister, but due to the government transition, the docket was returned to us, and I am not 100% sure where it is right now in the approval chain with our new Minister. We will keep on top of this file as we would like to see it move forward as well.

>>

>> All the best,

>>

>> Michele

>> _____

>> From: Stetski, Wayne - M.P. [Wayne.Stetski@parl.gc.ca]
>> Sent: November 25, 2015 5:34 PM
>> To: Rae, Michele
>> Cc: 'ellen@wildsight.ca'
>> Subject: Columbia River VORR Amendment - Update
>>

>> Hi Michele.

>>

>> My name is Wayne Stetski and I am the new Member of Parliament for the Kootenay Columbia riding which includes the area proposed for the Columbia River VORR Amendment.

>>

>> I am writing to you today to let you know that I appreciate the work that you have done to date on moving this important Regulation forward, and to let you know that I am in complete support of it proceeding as soon as possible. The Regulation is a compromise between many groups with a variety of interests and is very important to the long term health of the Columbia River wetlands, which are recognized world-wide for their significance.

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>> When do you think it will signed off by the Minister? Please let me know and also let me know if I can be of any assistance in moving it forward. Thanks Michele!

>>

>> Wayne Stetski

>> Member of Parliament

>> Kootenay Columbia

>>

>>

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>>> From: Ellen Zimmerman <ellen@wildsight.ca>

>>> Sent: November 23, 2015 5:35 PM

>>> To: Stetski, Wayne - M.P.

>>> Subject: Fwd: Columbia River VORR Amendment - Update

>>>

>>>

>>>

>>> Begin forwarded message:

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>>> From: "Rae, Michele"

>>> <michele.rae@tc.gc.ca<mailto:michele.rae@tc.gc.ca>>

>>> Date: June 20, 2014 6:18:31 AM MDT

>>> To: 'Ellen Zimmerman'

>>> <ellen@wildsight.ca<mailto:ellen@wildsight.ca>>

>>> Subject: RE: Columbia River VORR Amendment - Update

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>>> I hope you are well. s.16

s.16

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>>> I am sorry for this bad news. I have communicated with our Environment Canada colleagues regarding the status.

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>>> Sent: Monday, April 14, 2014 12:00 PM

>>> To: Rae, Michele

>>> Subject: Re: Columbia River VORR Amendment - Update

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>>> To: Rae, Michele
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>>> Project Manager/Gestionnaire de projet Legislative, Regulatory and
>>> International Affairs/ Affaires législatives, réglementaires et
>>> internationales <Picture (Device Independent Bitmap) 1.jpg> Marine
>>> Safety and Security / Sécurité et sûreté maritimes Transport
>>> Canada/Transports Canada Government of Canada / Gouvernement du
>>> Canada
>>> 330 rue Sparks Street (AMSPX)
>>> Ottawa, Ontario K1A 0N8
>>> Tel: (613) 991-3008 / Fax: (613) 991-5607
>>> Email: michele.rae@tc.gc.ca<mailto:michele.rae@tc.gc.ca>
>>>

>>
>
> Ellen Zimmerman
> ellen@wildsight.ca
> s.22
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>

Ellen Zimmerman
ellen@wildsight.ca
s.22

Martin, Doris L CSNR:EX

From: Ellen Zimmerman <ellen@wildsight.ca>
Sent: Tuesday, March 29, 2016 8:05 AM
To: Holmes, Peter N FLNR:EX
Subject: Fwd: Treasury Board Approval - VORRs (Columbia River)

Begin forwarded message:

From: "Rae, Michele" <michele.rae@tc.gc.ca>
Subject: Treasury Board Approval - VORRs (Columbia River)
Date: March 29, 2016 at 7:35:03 AM MDT
To: "Jensen,Olaf [NCR]" <Olaf.Jensen@ec.gc.ca>, "Hammond, Blair: EC" <IMCEAEX-
_O=TC OU=OTTAWA CN=RECIPIENTS CN=HAMMOND+2C+20BLAIR+3A+20EC@tc.gc.ca>,
Ellen Zimmerman <ellen@wildsight.ca>
Cc: "Jerome, Christine" <christine.jerome@tc.gc.ca>, "Weatherdon, Scott"
<scott.weatherdon@tc.gc.ca>, "Haubert, Marie-Christine" <marie-christine.haubert@tc.gc.ca>,
"Frenette, Katie" <katie.frenette@tc.gc.ca>

Good morning all;

s.16

Michele

Michele M. Rae, CD, CHRL
A/Chief, Regulatory Development
Legislative, Regulatory, Policy and International Affairs/
Politique, affaires législative, réglementaires et internationales
Marine Safety and Security / Sécurité et sûreté maritimes
Transport Canada/Transports Canada
Government of Canada / Gouvernement du Canada
330 rue Sparks Street (AM SX)
Ottawa, Ontario K1A 0N5
Tel: (613) 991-3008 / **Fax:** (613) 991-5607
Email: michele.rae@tc.gc.ca

Martin, Doris L CSNR:EX

From: Ellen Zimmerman <ellen@wildsight.ca>
Sent: Monday, April 4, 2016 6:38 AM
To: Holmes, Peter N FLNR:EX
Subject: Fwd: Published in the Canada Gazette, Part I (Saturday, April 2, 2016)

Sent from my iPad

Begin forwarded message:

From: "Rae, Michele" <michele.rae@tc.gc.ca>
Date: 4 April, 2016 6:22:15 AM PDT
To: "Jensen,Olaf [NCR]" <Olaf.Jensen@ec.gc.ca>, Ellen Zimmerman <ellen@wildsight.ca>, "Hammond, Blair: EC" <IMCEAEX-O=TC OU=OTTAWA CN=RECIPIENTS CN=HAMMOND+2C+20BLAIR+3A+20EC@tc.gc.ca>
Cc: "Frenette, Katie" <katie.frenette@tc.gc.ca>, "Walsh, Honey" <honey.walsh@tc.gc.ca>, "Campbell, Ian" <ian.w.campbell@tc.gc.ca>, "Brisebois, Luc" <luc.brisebois@tc.gc.ca>, "Haubert, Marie-Christine" <marie-christine.haubert@tc.gc.ca>, "Jerome, Christine" <christine.jerome@tc.gc.ca>, "Lawson, Hilary" <hilary.lawson@tc.gc.ca>, "Tam, Ada" <Ada.Tam@tc.gc.ca>, "Meisner, Tim" <tim.meisner@tc.gc.ca>, "MSS Questions / Questions SSM (TC/TC)" <TC.MSSQuestions-QuestionsSSM.TC@tc.gc.ca>, "Weatherdon, Scott" <scott.weatherdon@tc.gc.ca>
Subject: Published in the Canada Gazette, Part I (Saturday, April 2, 2016)

Good morning all;

For your information, the following was published this Saturday, April 2nd in the Canada Gazette, Part I (Vol. 150, no. 14):

Regulations Amending the Vessel Operation Restriction Regulations
(Canada Shipping Act, 2001)
<http://www.gazette.gc.ca/rp-pr/p1/2016/2016-04-02/html/reg2-eng.php>
<http://www.gazette.gc.ca/rp-pr/p1/2016/2016-04-02/html/reg2-fra.php>

Please circulate as you see fit. As of this morning – we have received 1 comment.

Michele

Michele M. Rae, CD, CHRL
A/Chief, Regulatory Development
Legislative, Regulatory, Policy and International Affairs/
Politique, affaires législative, réglementaires et internationales
Marine Safety and Security / Sécurité et sûreté maritimes
Transport Canada/Transports Canada
Government of Canada / Gouvernement du Canada
330 rue Sparks Street (AMX)
Ottawa, Ontario K1A 0N5

Tel: (613) 991-3008 / **Fax:** (613) 991-5607

Email: michele.rae@tc.gc.ca

From: Ellen Zimmerman <ellen@wildsight.ca>
Sent: Wednesday, April 6, 2016 11:36 AM
To: Holmes, Peter N FLNR:EX
Subject: this might be useful

In 1998, the province's jurisdiction to regulate vessels, even in local areas and for environmental reasons, was challenged in the courts. The Canadian Coast Guard became involved and argued that the provincial government could not apply restrictions to waterways such as the Columbia Wetlands as this was solely the jurisdiction of the federal government. Initially, a challenge was raised in BC Provincial Court disputing that the provincial Ministry of Environment had the ability to restrict motorized vessels on the Columbia Wetlands Wildlife Management Area.

The case was decided in the province's favor at the BC Supreme Court level. The matter was appealed to the BC Court of Appeal and was heard, November 5, 2001. In January 2002, the Court of Appeal struck down the provincial 10 hp restrictions as it pertained to vessels, but left the restriction in place on land-based conveyances, like snowmobiles and ATVs. Regulation of vessels was deemed jurisdiction of the federal government.

The Court of Appeal emphasized, in their decision summary, the following:

nevertheless, where protection of the environment requires regulation of vessels operating in navigable waters, the Province cannot legislate. Fortunately, the existing shipping regulations do provide machinery for provincial authorities to request that the federal power be exercised." (Citation: R. v. Kupchanko

Date: 20020130 2002 BCCADocket: CA026665)

Ellen Zimmerman
ellen@wildsight.ca
s.22

Martin, Doris L CCSR:EX

From: Ellen Zimmerman <ellen@wildsight.ca>
Sent: Saturday, April 16, 2016 9:50 AM
To: s.22
Cc: Wendy; Suzanne Bayley; Rick Hoar; Nola Alt; Gerry Wilkie; Paul Galbraith; Rachel Darvill; Carol Hoar; Derek.petersen@pc.gc.ca; Blair.hammond@ec.gc.ca; Holmes, Peter N FLNR:EX; jim@ccrirc.org; Caleb.Moss@Golden.ca; Director Cathcart; Clara Reinhardt; Al; Ute Juras; amcleod@rdek.bc.ca; memery@redshift.bc.ca; Warner E Einer; snowpeak2@uniserve.com; Klara Trescher; s.22 Dave
White; Larry Halverson; Taoya Schaefer; degoodwin@mac.com; manager@tourismgolden.com; Mark Columbia Extreme; Deverne Durning
Subject: Re: AGM 2016 and boating regulation

FYI, I have been pushing this since 2002. This 20 hp regulation was always the CWSPs initiative. It is too bad that the truth is so reasonable and moderate, because it certainly seems to motivate some people to tell outright lies in order to upset and frighten people. You rumour mongers should be ashamed of yourselves.

Ellen Zimmerman
ellen@wildsight.ca
s.22

On Apr 16, 2016, at 9:06 AM, s.22

wrote:

Hi to you all,

Thanks to you all that attended the meeting on the 12th in Radium.

I just found out why Ellen Zimmerman pushed to have the proposed boating published in the Canada Gazette when she did...

s.22

From: Wendy |s.22
Sent: Saturday, April 16, 2016 8:14 AM
To: Suzanne Bayley
Cc: Suzanne Bayley; Rick Hoar; Nola Alt; Gerry Wilkie; Paul Galbraith; Rachel Darvill; Carol Hoar; Derek.petersen@pc.gc.ca; Blair.hammond@ec.gc.ca; Holmes, Peter N FLNR:EX; jim@ccrirc.org; Caleb.Moss@Golden.ca; Director Cathcart; Clara Reinhardt; Al; Ute Juras; amcleod@rdek.bc.ca; memery@redshift.bc.ca; Grant Arlt; Warner E Einer; snowpeak2@uniserve.com; Klara Trescher; s.22 Dave White; Larry Halverson; Taoya Schaefer; degoodwin@mac.com; manager@tourismgolden.com; Mark Columbia Extreme; Deverne Durning; Ellen Zimmerman
Subject: Re: AGM 2016 and boating regulation

Hi Suzanne

I am unable to attend the meeting on May 26th as I will be in Valemount for CBT board meetings.

Hope it is a good meeting.

Wendy

Sent from my handheld electronic device.

On Apr 14, 2016, at 1:39 PM, Suzanne Bayley <sbayley@ualberta.ca> wrote:

To CW Stewardship Partners

From Suzanne Bayley- President

April 14, 2016

Two Items:

- 1) 1. Notice of Annual General Meeting on **May 26 at Brisco Hall**. Please put this on your agenda and if you cannot attend yourself, please send an alternate (alternates are also welcome to attend even if the designated person is attending). I will be sending out an agenda later.
- 2) 2. Notice of Boating Regulation from Transport Canada. Attached is an email from Michele Ray (TC) who is handling the boating regulation. I would like to encourage all Partners and their organizations to write in support of this.
Regulations Amending the Vessel Operation Restriction Regulations
(Canada Shipping Act, 2001)
<http://www.gazette.gc.ca/rp-pr/p1/2016/2016-04-02/html/reg2-eng.php>
<http://www.gazette.gc.ca/rp-pr/p1/2016/2016-04-02/html/reg2-fra.php>

CWSP and its members worked very hard to come to a compromise on the boating regulation and we want the regulation to be promulgated. The regulation does not apply to Windermere and Columbia Lakes and only covers the main channel(s) of the Columbia River.

Getting this regulation passed will permit us to move onto important issues like boater access and sanitary facilities at the access points. This legislation reflects an enduring legacy that CWSP was instrumental in achieving.

I want to thank all the Partners for hanging in there through the process and I hope we can now address some of the other pressing issues in the wetlands & river.

Suzanne Bayley

President

--

Dr. Suzanne Bayley

Emeritus Professor of Ecology
B 217 Biological Sciences Bldg
University of Alberta
Edmonton, Alberta
T6G 2E9

Home
s.22

<Boating Regulation for Columbia River.docx>

Page 49 to/à Page 50

Withheld pursuant to/removed as

s.3

Martin, Doris L CSNR:EX

From: ellenzim@uniserve.com
Sent: Tuesday, April 26, 2016 11:01 AM
To: Rae, Michele
Cc: Holmes, Peter N FLNR:EX; blair.hammond@ec.gc.ca
Subject: Re: FW: 20 hp limit on Columbia River Hurrah!

hard to know how to combat the fear tactics. there have been several letters in local papers restating the truth, but obviously this group only wants to stir up fear

Quoting "Rae, Michele" <michele.rae@tc.gc.ca>:

> Good morning all;
>
> I thought you would be interested in this notice sent to us from a
> stakeholder who indicated their concern that the handful who oppose
> this proposal have gone to great effort spreading disinformation
> amongst the boating community that has inflamed everyone who owns a
> powerboat. (Please see an attachment of a pdf letter from one such
> community to its members)
>
> Michele
>
> Michele M. Rae, CD, CHRL
> A/Chief, Regulatory Development
> Legislative, Regulatory, Policy and International Affairs/ Politique,
> affaires législative, réglementaires et internationales Marine Safety
> and Security / Sécurité et sûreté maritimes Transport
> Canada/Transports Canada Government of Canada / Gouvernement du Canada
> 330 rue Sparks Street (AM SX)
> Ottawa, Ontario K1A 0N5
> Tel: (613) 991-3008 / Fax: (613) 991-5607
> Email: michele.rae@tc.gc.ca

Martin, Doris L CSNR:EX

From: Holmes, Peter N FLNR:EX
Sent: Wednesday, January 6, 2016 10:27 AM
To: Krebs, John A FLNR:EX; Knapik, Mike B FLNR:EX
Subject: FW: Columbia River VORR Amendment - Update

FYI. Our local MP has provided support for the horsepower restriction in the CWWMA and is trying to get it passed.

-----Original Message-----

From: Ellen Zimmerman [mailto:ellen@wildsight.ca]
Sent: Wednesday, January 6, 2016 11:15 AM
To: Rae, Michele
Cc: Wayne.Stetski@parl.gc.ca; Holmes, Peter N FLNR:EX
Subject: Re: Columbia River VORR Amendment - Update

Hello Michele, are there any updates on this situation? I am so eager to see this move forward. Thank you for any information you can share.

On 2015-11-26, at 1:37 PM, Rae, Michele wrote:

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>> All the best,

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>> I am writing to you today to let you know that I appreciate the work that you have done to date on moving this important Regulation forward, and to let you know that I am in complete support of it proceeding as soon as possible. The Regulation is a compromise between many groups with a variety of interests and is very important to the long term health of the Columbia River wetlands, which are recognized world-wide for their significance.

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>> When do you think it will signed off by the Minister? Please let me know and also let me know if I can be of any assistance in moving it forward. Thanks Michele!

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>> Wayne Stetski

>> Member of Parliament

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>>> To: Stetski, Wayne - M.P.

>>> Subject: Fwd: Columbia River VORR Amendment - Update

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>>> <michele.rae@tc.gc.ca<mailto:michele.rae@tc.gc.ca>>

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>>> <ellen@wildsight.ca<mailto:ellen@wildsight.ca>>

>>> Subject: RE: Columbia River VORR Amendment - Update

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>>> Hello Ellen;

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>>> I hope you are well. s.16

s.16

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Transportation of Dangerous Goods, so the majority of resources (including legal staff) are focused on these issues. I
hope that our legal review will go quickly, then I would predict - with the upcoming parliamentary holidays - we won't
see it until late January (my optimistic estimate). It also depends how long it takes to get Ministerial sign-off. So, my
best guess right now is February.
>>>
>>> Best regards,
>>> Michele
>>>
>>> From: Ellen Zimmerman [mailto:ellen@wildsight.ca]
>>> Sent: November 26, 2013 3:46 PM
>>> To: Rae, Michele
>>> Subject: Re: Columbia River VORR Amendment - Update
>>>
>>> Thank you so much for keeping me informed. Do you have any sense of when Gazette 1 publication will happen?
>>>
>>> Sent from my iPad
>>>
>>> On 2013-11-26, at 1:37 PM, "Rae, Michele" <michele.rae@tc.gc.ca<mailto:michele.rae@tc.gc.ca>> wrote:
>>> Hello Ellen;
>>>
s.16

>>>
>>> Michele
>>>
>>> Michele M. Rae, CD, CHRP
>>> Project Manager/Gestionnaire de projet Legislative, Regulatory and
>>> International Affairs/ Affaires législatives, réglementaires et
>>> internationales <Picture (Device Independent Bitmap) 1.jpg> Marine
>>> Safety and Security / Sécurité et sûreté maritimes Transport
>>> Canada/Transports Canada Government of Canada / Gouvernement du
>>> Canada
>>> 330 rue Sparks Street (AMSP)
>>> Ottawa, Ontario K1A 0N8
>>> Tel: (613) 991-3008 / Fax: (613) 991-5607
>>> Email: michele.rae@tc.gc.ca<mailto:michele.rae@tc.gc.ca>
>>

>>
>
> Ellen Zimmerman
> ellen@wildsight.ca
> s.22
>
>
>
>
>

Ellen Zimmerman
ellen@wildsight.ca
s.22

Martin, Doris L CSNR:EX

From: Rasmussen, Paul FLNR:EX
Sent: Tuesday, March 29, 2016 8:45 AM
To: Cadogan, Iris FLNR:EX
Cc: Krebs, John A FLNR:EX
Subject: FW: Treasury Board Approval - VORRs (Columbia River)

This should probably go on the list for items to update MBB on. Out of his constituency, but access questions often come to him. Would be good to provide him some background (John).

Thanks.

Paul

From: Holmes, Peter N FLNR:EX
Sent: Tuesday, March 29, 2016 9:35 AM
To: Rasmussen, Paul FLNR:EX; Krebs, John A FLNR:EX; Knapik, Mike B FLNR:EX; Martin, Doug FLNR:EX
Subject: FW: Treasury Board Approval - VORRs (Columbia River)

Good news to start the week off! The 20 hp boating restriction will be published on Saturday in the Canada Gazette that will initiate the last consultation phase. This process may take 6 – 12 months to complete and may require some of our time since we are a co-sponsor.

From: Ellen Zimmerman [<mailto:ellen@wildsight.ca>]
Sent: Tuesday, March 29, 2016 9:05 AM
To: Holmes, Peter N FLNR:EX
Subject: Fwd: Treasury Board Approval - VORRs (Columbia River)

Begin forwarded message:

From: "Rae, Michele" <michele.rae@tc.gc.ca>

Subject: Treasury Board Approval - VORRs (Columbia River)

Date: March 29, 2016 at 7:35:03 AM MDT

To: "Jensen,Olaf [NCR]" <Olaf.Jensen@ec.gc.ca>, "Hammond, Blair: EC" <IMCEAEX-OU=TC OU=OTTAWA CN=RECIPIENTS CN=HAMMOND+2C+20BLAIR+3A+20EC@tc.gc.ca>, Ellen Zimmerman <ellen@wildsight.ca>

Cc: "Jerome, Christine" <christine.jerome@tc.gc.ca>, "Weatherdon, Scott" <scott.weatherdon@tc.gc.ca>, "Haubert, Marie-Christine" <marie-christine.haubert@tc.gc.ca>, "Frenette, Katie" <katie.frenette@tc.gc.ca>

Good morning all;

s.16

Michele

Michele M. Rae, CD, CHRL

A/Chief, Regulatory Development

Legislative, Regulatory, Policy and International Affairs/

Politique, affaires législative, réglementaires et internationales

Marine Safety and Security / Sécurité et sûreté maritimes

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Email: michele.rae@tc.gc.ca