

**Date** December 17, 2019  
**Author** Andrew McLeod, Development Services Manager  
**Subject** Kootenay River Tributaries – Vessel Operation Restriction Regulations

---

### REQUEST

Consider the letter received from St. Eugene Golf Resort and Casino.

### OPTIONS

1. THAT St. Eugene Resort and Casino be thanked for their letter regarding motor restrictions on the Upper Kootenay River tributaries and advised that the RDEK is not aware of any work the East Kootenay River Alliance has undertaken in regards to establishing motor boat restrictions on the tributaries of the Kootenay River.
2. (As directed by the Board)

### RECOMMENDATION

Option 1.

### BACKGROUND/ANALYSIS

The attached letter requests that the RDEK support and help lead an initiative of the East Kootenay River Alliance to ban motor boats from the classified tributaries of the Kootenay River.

The Manager has had one conversation with a representative of the above organization in the summer of 2019. During that conversation, the federal Ministry of Transportation's Local Authorities Guide for Vessel Operation Restriction Regulations (VORR) was discussed. The Guide places an emphasis on the need to consult widely about the nature of the boating issue as well exploring, testing and evaluating non-regulatory options before making an application for a federal regulatory change. Staff is not aware of what if any work may have been undertaken by East Kootenay River Alliance in this regard.

Only a government organization, including local governments, are eligible to apply for a VORR. The process to establish a regulation is very onerous and has on-going legal obligations for the regulation sponsor. For example, the Province's application to regulate power driven vessels and towing on the main stem of the Columbia River and adjacent wetlands was over a decade-long process. In addition, the existing VORR regulations that the RDEK is responsible for, has required us to purchase and install regulatory signage and buoys.

To sponsor a VORR application and work with a local non-profit towards this purpose is a major project that will require considerable time and resources over several years. The work will need to be considered as part of the RDEK's strategic plan and project priorities.