

**Upper Shuswap River Motorized Vessel Management Advisory Committee
Recommendations to the Regional District of North Okanagan
May 2017
FINAL DRAFT**

1.0 Introduction

The Regional District of the North Okanagan (RDNO) is committed to improving the management of motorized vessels on the Shuswap River in order to increase public safety and reduce environmental risk. In order to build greater community consensus on how to address these issues, RDNO hired an independent mediator to convene a collaborative public negotiation process to develop recommendations for management of motorized vessels on the lower Shuswap river between Mara lake and Mabel lake; and the upper Shuswap between Mabel Lake and the headwaters. The RDNO passed the following resolution to support the mediation process:

The Board of the Regional District of North Okanagan is:

- 1. Desirous to reduce risk to public safety and the environment through increased management of motorized vessels on the river. This may or may not include making recommendations to Transport Canada.*
- 2. Open to a range of options including, but not limited to those identified in the Shuswap River Watershed Sustainability Plan.*
- 3. Committed to follow the consensus advice from a public advisory group that represents the range of stakeholders and perspectives subject to:
 - a. Reasonable cost implications of the recommendations;*
 - b. Effective representation of the full spectrum of public interests;*
 - c. Opportunities for broad public input have been provided;*
 - d. First Nations have been consulted or directly involved.**

Once retained, the mediator convened two Advisory Committees (ACs); one for the upper river and one for the lower river.

In order to ensure broad public representation the advisory committees convened by the mediator include local representatives of the range of public interests in motorized vessel management (e.g. fish and wildlife groups, paddlers, local residents, conservation and environmental groups – see signature page for full list). Each representative is required to have a constituency that includes like-minded people and organizations and is open to the participation of additional people and organizations with similar interests. All told, the combined constituencies for the Upper River and Lower River Advisory Committees is well over 1000 people for each committee and both are still expanding. The Advisory Committees are also open to additional representatives and associated constituencies provided that those new representatives and constituencies bring a group of constituents and interests to the table that are not already represented. The constituency development process has been a powerful mechanism for engaging the public in a meaningful way. In order to increase public awareness and participation beyond the constituency development process, the mediation process is featured in the local media by way of regular media updates from the mediator, and the progress and meetings of the

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ACs are documented on the RDNO website where interested members of the public can also read about the various constituencies including the interests they represent.

The Splatshin First Nation is participating on the Lower River Advisory Committee as an active observer providing the range perspectives of their community which are grounded in the long term sustainability of the River and preserving the historical relationship between the River and their people.

The Okanagan Indian Band is participating on the Upper River Advisory Committee as an active observer where they have emphasized the historical relationship between their people and the River and their concern for its protection.

RDNO is committed to engaging with each of these Nations on a government to government basis after the ACs finalize and presents their recommendations and the ACs recognize that formal consultation duties will need to be fulfilled when the regulatory aspects of the recommendations are acted upon.

This is the Report and Recommendations of the Upper Shuswap River Motorized Vessel Management Advisory Committee. The representatives of the Upper River Advisory Committee are listed on the signature page and their constituency descriptions and interests are described on the RDNO website at RDNO.com.

2.0 Description of the Upper Shuswap River

The Upper Shuswap can be easily divided into three distinct parts on the basis of physical geography, ecological characteristics, access, and dams. However, all three sections of the river share these characteristics: they are narrow and not subject to Transport Canada's regulations that affect rivers that are at least 100 metre wide, they are shallow in places, contain numerous obstacles such as log jams, and are highly variable.

Motor boats were not a threat to public safety nor did they present environmental risks in the past in these parts of the river but do now that they are increasing rapidly in some sections of the river both in number and power, with jet boats and jet skis making it possible to navigate parts of the river not previously accessible, and because lakes are becoming so overcrowded with motor boats that many boaters are seeking less crowded places.

- The section of the river between Mabel Lake and Wilsey Dam/Shuswap Falls is a narrow meandering channel and an important salmon habitat. Side channels and tributaries are small with rich bird life (herons, kingfishers, eagles, owls, etc...) and they, as well as the river itself, offer a healthy habitat able to sustain diverse lifeforms. Its abundant diversity includes the threatened screech owls as well as otters, white tail and mule deer, moose, beavers, bears, coyotes, cougars and, at times, wolves.

This section of the river is used by fishers, swimmers, non motorized watercraft users, as well as motor boat users. While the river is navigable by motorized vessels it is relatively small and narrow with many bends that make it impossible to see far ahead.

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There is a fish hatchery on this part of the river, the W. J Tolley Park where the Mabel Lake Hall is situated, large farms (some of them organic), and a strong engaged population that really cares for the welfare of the river and its habitat. New residents are eager to protect the river, some even having put covenants on their land. The Mabel Lake Community Club board has recently passed a motion that will include education and stewardship of the river ecosystems as part of its social mandate.

- The section of the river between Wilsey Dam/Shuswap Falls and Brenda Falls is narrow, rocky, shallow and highly changeable.

There is no salmon in this section of the river because of Wilsey Dam but there are ample other fish that provide food for the eagles, herons, bears, etc.. The potential to reintroduce salmon via a fish ladder at Wilsey is strongly supported amongst all users and the Okanagan Indian Band and was actually promised in 1929. Other wildlife on this part of the river includes river bank beavers, rubber boas, screech owls, ferrets, kingfishers, and the other animals that frequent the section below Wilsey Dam/Shuswap Falls.

This section of the river is used mainly by kayakers, canoeists, tubers and swimmers. Various clubs such as the scouts use this part of the river annually for outings and training. The riparian area of this stretch of the river is mainly wild and heavily treed. There is no access for motorized vessels but a canoe launch exists on Highway 6.

- The section of the river above Sugar Lake to the headwaters consists of small mountain streams, in addition to the main stem, and is used by nature and wildlife enthusiasts, hikers, campers, hunters and fishers.

Motorized vessels do use Sugar Lake and Greenbush lake but access upstream on the Shuswap and tributaries is limited by the size and depth of these streams and by numerous obstacles such as log jams. It is possible for small powerful jet boats and jet skis to access these streams but the speed they need to travel and the obstacles they need to navigate makes the location very dangerous for them and other users when they are there. Some users do use motorized vessels to cross this part of the river.

3.0 Motorized Vessel Management Recommendations

Public Education

There are two public groups that need to be provided with information about the existing and new regulations and about the river itself: residents and visitors.

1. The Advisory Committee recommends that RDNO develop and provide residents with written information regarding the existing and new river regulations including direction on how local people can support enforcement in case they witness an infraction. At the same time residents should be informed about their own responsibilities for protecting the river, such as leaving the riparian area wild,

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maintaining their septic systems, a list of plants and animals of special concern, and other reminders such as those on: <http://homeguides.sfgate.com/ten-ways-keep-water-clean-globally-79399.html>

2. The Advisory Committee recommends that RDNO improve signage along the river and at points of entry (see below) and a river information booklet that should be made available at tourist centres, accommodation facilities and other places where tourists gather information. The booklet should include a map of the river that clearly indicates the regulations that apply to each section, as well as points of access and egress, hazards, and a list of places of special interest.
3. The Advisory Committee recommends that three types of signs be posted adjacent to the river: River Information signs; Hazard signs; and, Ecological signs.
 - a. **River Information signs** should be posted at all major access points where motorized and non-motorized vessels can be launched. Suggested locations include: north end of Sugar Lake on the road and the river mouth, Cherry Creek confluence with the Shuswap River, the Meadows launch site, Byers Road launch site, Hydro launch site, Mabel Lake Hall launch site, junction of Shuswap River Drive and the Mabel Lake Road launch site, the mouth of the river where it enters Mabel Lake, and the boat launch at Mabel Lake Provincial Park.
 - a.i. River Information Signage should include:
 - Regulations governing motorized restrictions as recommended herein and approved by Transport Canada. [While Transport Canada is considering these recommendations RDNO should seek voluntary compliance through non-regulatory means];
 - a map of the relevant section of the river noting hazards and distance/time info to downstream takeouts;
 - information highlighting habitat, the salmon fishery, water quality, and the role the public can play in watershed stewardship;
 - fines relative to all infractions (including leaving garbage in or near the river);
 - the Report All Poachers and Polluters RAPP reporting protocol and contact phone number;
 - a protected pocket where sheets showing the areas of interests on the river can be stored for people to take with them as they float down or motor up the river, (sort of a reduced field guide).
 - b. **Hazard signs** should be posted in places where there are potential dangers and be highly visible either from land or water, depending on the hazard.
 - c. **Ecological signs** should be posted near significant ecological locations or wildlife viewing areas (e.g. side channels that provide rearing habitat and Beaver Lodges). The purpose of the signs is to enrich the experience of people already interested in the flora and fauna of the river and to alert them to any

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sensitivities of the ecosystem feature. These signs should be small but visible from the river and offer simple information as to the habitat around a particular area and any sensitivities to disturbance that visitors may inadvertently cause. Extra information concerning the habitat could be made available via a pocket guide.

- d. The RDNO should consult with local experts on the specific content and design of these recommended signs.

Publicity

4. The Advisory Committee recommends that RDNO supplement the recommended public education efforts with:
 - a. regular reporting by RDNO through the media and the internet on the progress that is being made in implementing motorized regulations, (including newspapers, radio, television, Facebook, and the RDNO website);
 - b. Public reports highlighting enforcement activity, charges, convictions, and fines;
 - c. creation of a pamphlet/brochure for public distribution through tourism offices and at launch sites;
 - d. inclusion of the motorized restrictions in the biennial Freshwater Fishing synopsis;
 - e. requested changes to BC Hydro information on their website and at their recreation site consistent with these recommendations.

Monitoring/Reporting

Improved public education also needs to be supplemented by enhanced monitoring and reporting.

5. The Advisory Committee recommends that RDNO:
 - a. provide riverfront property owners and regular river users with a monitoring protocol and detailed guidance on how to go about recording an infraction so that perpetrators can be fined;
 - b. enroll the hatchery personnel in providing monitoring information;
 - c. install remote cameras at strategic locations (such as launching sites) and ensure that their presence, though not their specific location, is widely publicized.

Enforcement

Effective enforcement is key to backstopping public education and monitoring.

6. The Advisory Committee recommends that RDNO provide additional funding to support expanded Conservation and other enforcement Officer patrols on the river, and to follow up on all reported infractions as stated above. The Advisory Committee further recommends that RDNO seek sources of long term funding to support enforcement efforts.

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New Regulations

The AC supports increased management of motorized vessels in order to reduce risks to other river users experience and safety and the environment .

7. The Advisory Committee recommends that RDNO advance the following recommendations to Transport Canada for establishment of regulations under the Vessel Operating Restriction Regulation:
 - a. no motorized vessels on the Shuswap River and its tributaries above Wilsey Dam /Shuswap Falls upstream to the headwaters excluding Sugar and Greenbush Lakes. There are several crossings of the section above Sugar lake that are used by local fishers and hunters as well as licensed guides that should remain open. These are crossings are specified on the attached map.
 - b. A 15 hp restriction on powerboats on the main channel of the Shuswap from Mabel Lake to Wilsey Dam / Shuswap Falls and no motorized vessels on tributaries and side channels in this section of the river.

In developing these recommendations for new regulations, the Upper River AC contacted the Lumby Fish and Wildlife Club, the Oddfellows campground on the Shuswap River, Stephan Wolski (biologist) at the Shuswap River Salmon Hatchery, and many fishermen, landowners along the Shuswap River, rafters, canoeists and swimmers in the local community and had well over a 90% approval for these proposals. There are some people who want to ban motorized vessels altogether, but are willing to accept small boats and motors (15 hp) on the Mabel to Wilsey section in order to compromise and get some restrictions in place, and ensure responsible use. We understand the fisheries jetboat is exempt from the horsepower restrictions in order to carry out their work with the salmon.

The reason we are recommending a 15hp limit, over the commonly accepted 10 hp limit, is for the safety of the fishermen. Most of the experienced fishermen using small powerboats in the river felt that a 10 hp was could be insufficient for two people in a twelve foot boat at certain times of the year when the current is faster. We felt there wouldn't be any more noise and very little speed difference with 15 hp, and the extra power could be safer for navigating this twisty, small river.

4.0 Additional Recommendations

Recognizing that the RDNO is seeking recommendations respecting motorized vessel management, the Upper River AC believes that it is important that the enhanced management of motorized vessels is complemented by enhanced management of other sources of potential impact and risk to the river ecosystem including agriculture, forestry, waste water treatment etc.. The AC recognizes that the Shuswap River Sustainability Plan includes provisions to address issues related to these other uses.

8. The Advisory Committee recommends that the RDNO strengthen the Shuswap River Sustainability Plan to reduce impacts and risks to the Upper Shuswap River from agriculture, forestry, and waste water treatment and other sources to complement the enhanced management of motorized vessels recommended by the AC. Where this enhanced management is not within the jurisdiction of the RDNO, the AC

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recommends that the RDNO advocate for improved management by the Provincial and/or Federal government depending on where the management authority is held.

9. The Advisory Committee recommends that the RDNO increase its efforts to support the reintroduction of salmon above Wilsey Dam.

5.0 Implementation Recommendations

The Advisory Committee recognizes that RDNO has extensive experience with the efficient implementation of new initiatives, policies and regulations and therefore does not wish to be prescriptive about how the Motorized Vessel Management Recommendations should be implemented. Having said this, in order to successfully implement the recommendations the Upper River AC would like the RDNO to consider the following recommendations.

9. The Advisory Committee recommends that RDNO:
 - a. Work collaborative with the Splotsin First Nation and the Okanagan Indian Band to enhance the stewardship of the River through a coordinated monitoring, enforcement and education program that involves other agencies with authority to manage uses on, and adjacent, to the river.
 - b. Establish partnerships with existing community based organizations to enhance stewardship of the River. For example, the recommended ecological signage could be implemented in partnership with local environmental groups.
 - c. Coordinate implementation and monitoring of these recommendations with implementation bodies that may be established for the Shuswap Watershed Sustainability Plan.

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Signature Page

We, members of the Upper Shuswap River Motorized Vessel Management Advisory Committee, submit these recommendations to the Regional District of North Okanagan on behalf of our constituencies.

Name	Signature	Constituency
Huguette Allen		Pro-River Conservation and Stewardship
Dwayne Hackett		Lumby Wildlife Association and BC Wildlife Federation
Terri Deuling		Pro-River Local residents
Barbara Fresz		Pro-River Non-motorized Watercraft Enthusiasts
Claude Labine		Pro-River Swimmers, Responsible Floaters, Shoreline Users
Tim Staker		Cherryville Water Stewards
Ron Stone		Pro-River Businesses involved in Non-motorized use
Clint Whitecotton		Local Families in Support of Motorized and Non-motorized Use