

Submission
By
CANOEKAYAK CANADA
to
The Standing Committee on Finance
In regard to
Bill C-10 (specifically changes to the NWPA)
February 23, 2009

Who is CanoeKayak Canada?

CanoeKayak Canada is the National Sport Organization for paddle sports in Canada. We encompass all age groups and all skill levels from the 6 year-old beginner to the Olympic Gold Medalist, Adam Van Koeverden. We have 50,000 members nation-wide using a system of over 100 clubs. We are also a regular participant in Transport Canada's Marine Advisory Council. Specifically, we are a member of the Standing Committee on Recreational Boating which provides advice to Transport Canada on safety issues. If we had known about the Transport Committee's meetings in 2008 we would have been pleased to make a submission to the committee.

We wish the Committee members to consider the following three points.

CANADIAN IDENTITY & THE HISTORIC RIGHT OF ACCESS

The NWPA is the most important piece of legislation for protecting the public's right of access to Canada's streams, rivers and lakes. It enshrined the history of Canada as a nation founded upon access to its waterways. This legislation has been the key bulwark for ensuring the right of all Canadians to pick up a kayak or a canoe, carry it to a stream or waterway of their choice, put it in the water and paddle it. The legislation was and is a beautiful combination of the historic Common Law right to waterway access and the Aboriginal peoples' inherited right to access of all waterways. The identity of all Canadians is too tied up with the NWPA to have it hollowed out with little consultation with Canada's key paddling organizations. If changes are to be entertained, we would be pleased to contribute to an open and broadly consultative process.

ECONOMIC

The NWPA was designed and implemented when the waterways of Canada were the key economic engines of old Canada. The leading economic interests of that time were lumbering, transportation and manufacturing interests using water as the power generator. The NWPA balanced these interests with navigation rights being paramount. Today, a new user group with significant economic benefit has been added and that is the canoe & kayak touring industry. In particular, this industry has significant benefits for the rural and natural parts of Canada who generally struggle to find new business opportunities. Reducing navigation opportunities is another reduction of economic opportunity for rural Canada. The NWPA should not be changed without consultation with this business community.

SAFETY

This issue trumps all other issues. Canadians deserve the right to access their waterways with a minimum of man-made hazards. Clearly, the intention of the amendments are to make significant portions of Canada's waterways non-navigable. By ignoring the navigation rights of canoeists, new man-made obstructions could turn innocent looking obstructions into extremely dangerous hazards under flooding conditions. Will all non-navigable waterways be adequately signed at every public access point to ensure paddlers are aware of upcoming hazards on 'non-navigable rivers'? This is, in fact, unworkable given the multitudinous public access points to Canada's waterways. The current NWPA has successfully prevented man-made hazards from being constructed on our waterways. Issues of reduced water safety and increased risks of hazards on waterways need to be fully explored before any changes to the NWPA are brought forward.

CLOSING

Like all taxpayers, the members of CanoeKayak Canada want the Government to ensure Federal legislation is efficient and focused in order that we may all have the best government for the cost. There appear to be anecdotal examples where the NWPA has been carried too far in its implementation. CanoeKayak Canada would be pleased to work with the Government and other stakeholders on the above noted issues to ensure the NWPA is applied appropriately in the 21st century. We don't think this has ever been done with Canada's paddling community. We think the committee members are well aware of what an effective and full consultation process looks like. Without a full and effective public consultation we do not think the issues of right of access, economic benefit and safety can be adequately addressed.

We are also well aware of the need for the Government to expedite infrastructure spending in the near term of two years. We respectfully suggest the Budget Implementation Act of 2009 be amended to permit Transport Canada to retain additional staff to expedite these approvals.

Finally we recommend the NWPA amendments section of the Bill be removed from the Budget Implementation Act of 2009 so that a proper consultation can occur.

Thank-you,

John Edwards
Domestic Development Director
CanoeKayak Canada

Anne Merklinger
Director General
CanoeKayak Canada