



Staff Report

CORPORATE ADMINISTRATION

To: **Council** File: 1855-04/EOF
From: Jon Wilsgard, CAO/CO Date: July 17th, 2018
Subject: Resolution Rescindment for Kicking Horse River Access Study

RECOMMENDATION

THAT per the Staff Report *Resolution Rescindment for Kicking Horse River Access Study* received July 17th, 2018 from the CAO, Council RESCIND its resolution request of May 30th, 2017 to the CSRD Board to release \$25,000 from the Economic Opportunity Fund for the purposes of furthering study and engineering of channel modifications to the Kicking Horse River;

AND THAT Council request the same of a similar request by the Area 'A' Director.

BACKGROUND

See attached Staff Report dated May 30th, 2017 from the undersigned.

DISCUSSION

The undersigned has effectively cancelled this project. Letters of notice have been sent to the Rural Dividend Office and the Columbia Basin Trust with re-imbursement of all funds received to date. The Mayor, president of the Kicking Horse River Rafting Association and local Roads Manager for the Ministry of Transportation and Infrastructure have recently met and agreed upon this course of action. The rationale for this decision is as follows:

- The Town of Golden has been unable to contractually engage its desired contractor (Stantec Engineering) due to their citing liability concerns. Several months ago the company merged with a US based firm which resulted in a sharp increase in risk protocol. For several months the undersigned has attempted to bring representatives of Stantec and the Province together to discuss the Province indemnifying Stantec in association with this initiative – to no avail. The Province has no interest in doing so. Anecdotal evidence suggests that based upon the deliverables of the initiative, the same stance may be taken by other consultancies as well. The result has been a stalemate in project traction with final deadlines from funders imminent or having passed.
- There has been a sense of waning confidence in other funders (CBT) and stakeholders respecting the practicality of the specific deliverables, including a lack of expected consultation and inadequate project scope.
- Enough time has passed that imminent implementation of the final phase of a national scale infrastructure project (TCH Phase 4) is nearly upon us and there is reason to believe that it may be potentially leveraged to this initiative's benefit given the scope of funds, the likelihood of a new and better access road to the rail line traditionally used by lower canyon rafters, and an assessment of CPR's current and future stance on this and other issues with the Town of Golden.
- There is little to be gained in spending significant grant funds toward ends that have a reasonable chance of not being acted upon, particularly if there is a compelling reason not to. Doing so would damage the Town of Golden's reputation amongst grant funders; returning the funds would appreciate it.

In no way should this construe a lesser magnitude of importance on the issue of resuming commercial rafting operations on the lower Kicking Horse River; rather, a number of factors

over time have compelled this decision in order to leverage a more potentially successful outcome and therefore avoid spending valuable granted funding unwisely and unnecessarily. It is of great importance that the Town of Golden maintains its stance that a return to lower canyon rafting is necessary and will seek other means to see it through.

IMPLICATIONS

Strategic

(Guiding Documents Relevancy -Strategic Plan, OCP)

Nil. While of considerable local importance, this project is entirely emergent for Council and staff and while it may align with some strategies in the OCP, its contemplations and implementation are outside municipal jurisdiction. That said, the outcome intent is the re-establishment of a commercial rafting presence within town limits.

Financial

(Corporate Budget Impact)

The decision has no impact on the corporate budget but, subject to the CSRD Board concurrence, will release \$25,000 of EOF from commitment.

Administrative

(Policy/Procedure Relevancy, Workload Impact and Consequences)

To date, the CAO has spent approximately 65 hours on this file since 2016.

OPTIONS

1. Rescind previous resolution as recommended.
2. Do not rescind resolution; direct staff to take other measures deemed appropriate by Council.

Respectfully Submitted,


Jon Wilsgard
Chief Administrative Officer/
Corporate Officer

Attachment-



Staff Report

CORPORATE ADMINISTRATION

To: **Council** File: 1855-04/EOF; 2280-20/Prov of BC/KH Riv
From: Jon Wilsgard, CAO/CO Date: May 30th, 2017
Subject: EOF Leverage to Rural Development Fund for Kicking Horse River Access Study

RECOMMENDATION

THAT per the Staff Report *EOF Leverage to Rural Development Fund for Kicking Horse River Access Study* received May 30th, 2017 from the CAO, Council REQUEST the CSRD Board release of \$25,000 from the Economic Opportunity Fund for the purposes of partially funding continuing analysis, consultation, surveying and engineering necessary to achieve regulatory approval for channel modifications of the Kicking Horse River;

AND THAT Council APPROVE the CAO using these funds in leveraged application to the Province's Rural Development Fund for the same purpose.

BACKGROUND

White water rafting on the lower Kicking Horse River is a nearly 40 year old world class commercial activity that forms a fundamental and identifying component of the Golden area's prominent tourism industry within a provincially designated Resort Region.

In 2016 the commercial white water rafting industry was effectively denied access to the lower Kicking Horse River by the Canadian Pacific Railway in order to meet Transport Canada's 2014 "Grade Crossing Regulations" for safety management of federally regulated grade crossings.

The result has been a significant impact to a major tourism and economic driver in the Golden area which attracts an estimated 40,000 visitors annually; 15,000 of which specifically raft the Lower Canyon.

During 2016, a flurry of international media stories covered the topic, and several negotiations were held and failed between CP Rail representatives and the rafting contingent, local government politicians (namely the Town of Golden Mayor and Area 'A' Director), the MLA, and cabinet ministers.

With the assistance of the Province's Rural Dividend Fund, the Ministry of Jobs, Tourism and Skills Training and the Ministry of Transportation and Infrastructure, the Town of Golden commissioned a report in late 2016 to investigate the feasibility of cost effective alternative access options to the Lower Canyon. The total cost of the study was \$55,000.

Now complete, the study included consultation with rafting industry stakeholders, CP Rail, and provincial transportation engineers, leading to the investigation of three potential options: modifying the existing access route with safety-enhancing infrastructure, modifying the river bed to remove obstacles to safer rafting, or constructing an alternative highway egress point that avoids conflict with CPR tracks. All options were analyzed to determine their relative value measured against economics, engineering, recreation, and tourism.

The study has concluded that the best option for further investigation is the development of a modified stream channel between the Upper and Lower Canyon, with the aim of creating an unhindered stretch of white water for use by highly-skilled rafters and recreational kayakers.

This investigation or next “phase” will require more comprehensive consultation with First Nations and federal government agencies, bathymetric surveys, deeper hydraulic modeling, and environmental studies to support regulatory approval. To this end, the Province has undertaken preliminary queries to gauge the positivity of consultation and process requirements in order to move this file forward.

DISCUSSION

Staff have been encouraged by provincial agency representatives to make application again to the Rural Dividend Fund for the maximum amount permitted under an 80/20 funding contribution formula, requiring a \$25,000 contribution from the applicant. A successful application will yield \$100,000 thereby bringing \$125,000 to the ongoing project.

While this amount will not be sufficient to fund this phase of the project, it remains the only openly available source of meaningful higher level government funds at this time. Following the “restart” of provincial government operations following the current election turmoil, efforts will be made to secure additional funding through ministry cost sharing agreements or corporate sponsorships.

Stantec Engineering representatives have recently met with staff and have committed to providing a phased work plan to meet project goals and financial constraints.

It is the purpose of this report to solicit Council approval for release of \$25,000 from the Economic Opportunity Fund, for which staff will use to leverage by application to the Rural Dividend Fund, an additional \$100,000 for the project.

CSRD staff have confirmed EOF policy applicability to this request and the Area Director has confirmed her support for the application.

The deadline for Rural Dividend Fund applications is May 31st.

IMPLICATIONS

Strategic

(Guiding Documents Relevancy -Strategic Plan, OCP)

Nil. While of considerable local importance, this project is entirely emergent for Council and staff and while it may align with some strategies in the OCP, its contemplations and implementation are outside municipal jurisdiction. That said, the outcome intent is the re-establishment of a commercial rafting presence within town limits.

Financial

(Corporate Budget Impact)

All funds for this initiative have been provided by the Province. Staff anticipates the town providing in-kind contributions such as meeting space, office, and communication services.

Current EOF Funding commitments for 2017:

Kicking Horse Culture	\$90,000 (Area A 50% funded its portion through tax)
Golden Nordic Ski Club	\$45,000 (approved in 2014)
Community Social Service Alignment Project	\$30,000 (2nd year of three year project)
Imagine Kootenay	\$13,000 (2nd year of three year project)
Golden Cycling Club	\$25,000
	<hr/>
	\$203,000

The EOF is replenished annually with approximately \$400,000.

Administrative

(Policy/Procedure Relevancy, Workload Impact and Consequences)

There are no policy or procedure relevancies associated with the project. In 2016 the CAO spent 30 hours on the project; in 2017 to date, 15 hours. Grant applications, messaging, funding negotiations, contract development, management, and engagement are anticipated to include another 15 hours at minimum. Corporate work plan items are being impacted; however, staff recognizes the importance of this issue and will ensure the ability of the corporation to respond and contribute to a needed solution for community benefit.

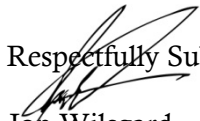
The Province continues to view the municipality as the logical administrative leader on this file; the regional district has indicated its support in principle but has not allocated any direct administrative resources to it.

Subject to the position of Council, staff feel the Town of Golden's role should logically end upon achieving the goals of this next phase of the project.

OPTIONS

1. Approve the recommendation.
2. Approve the recommendation; modify the scope of EOF release.
3. Do not approve the recommendation.

Respectfully Submitted,



Jon Wilsgard
Chief Administrative Officer/
Corporate Officer

Attachment-

- Town of Golden EOF Application
- News Release – Kicking Horse River Access Report



COLUMBIA SHUSWAP REGIONAL DISTRICT

555 Harbourfront Drive NE, PO Box 978, Salmon Arm, BC V1E 4P1 | T: 250.832.8194 | TF: 1.888.248.2773 | www.csr.bc.ca

APPLICATION FOR ECONOMIC OPPORTUNITY FUNDS – Page 1

PREAMBLE:

The EOF were created specifically as a means of compensating for the loss of economic opportunities on those lands affected by the dams and reservoirs and the resultant economic impacts to the affected communities. As such, the EOF are to provide funding assistance for projects deemed by the participating members and ratified by the Corporate Board to be worthy of support in an effort to stimulate economic development within the impact areas.

Impact Areas are as follows:

- Golden and Area 'A'
- Revelstoke and Area 'B'
- Sicamous and Area 'E'
- Area 'B' only

Criteria for accessing each EOF will be based on the demonstrable and enduring benefit to the economy of the affected communities at large. The EOF are designed to stimulate economic generators, transportation facilities and infrastructure development supportable jointly by the participating members involved and approved by the Board.

The EOF shall not be used as grant-in-aid funding.

ONLY NON-PROFIT ORGANIZATIONS ARE ELIGIBLE FOR FUNDING

1. Date: May 17th, 2017
2. Name of Organization: Town of Golden
3. Address: Box 350, Golden BC V0A 1H0
4. (a) Date organization established in the Regional District: 1957
(b) Registered Society in Province of BC:
Reg. No. Incorporated Municipality Date: _____
5. President: Mayor Ron Oszust Phone: 250-344-2271
Address: as above
6. Secretary: Jon Wilsgard Phone: 250-344-2271
Address: as above
7. Board of Directors
 1. C. Bruce Fairley
 2. C. Chris Hambruch
 3. C. Eddie Leigan
 4. C. Connie Barlow
 5. C. Leslie Adams
 6. C. Caleb Moss

APPLICATION FOR ECONOMIC OPPORTUNITY FUNDS – Page 2

8. Executive Director or contact person: Jon Wilsgard, Corporate Officer
Phone: _____ Email: cao@golden.ca

9. Impact Area: Golden and Area 'A'

10. Society or Organization's objectives:

- GOOD GOVERNANCE
- PROVIDING SERVICES AND LAWS FOR COMMUNITY BENEFIT
- PROVIDING STEWARDSHIP OF PUBLIC ASSETS
- FOSTERING ECONOMIC, SOCIAL AND ENVIRONMENTAL WELL BEING IN COMMUNITY

11. Purpose to which funding will be expended:
SEE ATTACHMENT

12. Funding Requested: \$ 25,000

13. Budget (attach copy): \$ \$125,000

14. How will the project stimulate economic development within the community?

SEE ATTACHMENT

15. Details of community support for objectives:

SEE ATTACHMENT

**ATTACH ANY ADDITIONAL INFORMATION WHICH WOULD ASSIST
IN THE EVALUATION OF YOUR REQUEST.**

DATED AT Golden, BC THIS 17th DAY OF May, 2020

NAME _____

SIGNATURE

TELEPHONE

EMAIL

Attachment to Application for Economic Opportunity Funds

Background

White water rafting on the lower Kicking Horse River is a nearly 40 year old world class commercial activity that forms a fundamental and identifying component of the Golden area's prominent tourism industry within a provincially designated *Resort Region*.

In 2016 the commercial white water rafting industry was effectively denied access to the lower Kicking Horse River by the Canadian Pacific Railway in order to meet Transport Canada's 2014 "Grade Crossing Regulations" for safety management of federally regulated grade crossings.

The result has been a significant impact to a major tourism and economic driver in the Golden area which attracts an estimated 40,000 visitors annually; 15,000 of which specifically raft the Lower Canyon.

During 2016, a flurry of international media stories covered the topic, and several negotiations were held and failed between CP Rail representatives and the rafting contingent, local government politicians (namely the Town of Golden Mayor and Area 'A' Director), the MLA, and cabinet ministers.

With the assistance of the Province's *Rural Dividend Fund*, the *Ministry of Jobs, Tourism and Skills Training* and the *Ministry of Transportation and Infrastructure*, the Town of Golden commissioned a report in late 2016 to investigate the feasibility of cost effective alternative access options to the Lower Canyon.

Now complete, the study included consultation with rafting industry stakeholders, CP Rail, and provincial transportation engineers, leading to the investigation of three potential options: modifying the existing access route with safety-enhancing infrastructure, modifying the river bed to remove obstacles to safer rafting, or constructing an alternative highway egress point that avoids conflict with CPR tracks. All options were analyzed to determine their relative valued measured against economics, engineering, recreation, and tourism.

The study has concluded that the best option for further investigation is the development of a modified stream channel between the Upper and Lower Canyon, with the aim of creating an unhindered stretch of white water for use by highly-skilled rafters and recreational kayakers.

This investigation will require more comprehensive consultation with First Nations and federal government agencies, bathymetric surveys, deeper hydraulic modeling, and environmental studies to support regulatory approval. To this end, the Province has undertaken preliminary queries to gauge the positivity of consultation and process requirements in order to move this file forward.

With the encouragement of provincial agency representatives, the Town of Golden intends to apply to the *Rural Dividend Fund* for the maximum amount permitted under an 80/20 funding contribution formula, requiring a \$25,000 contribution from the applicant.

The purpose of this funding will be to continue the investigative, consultative, and engineering work required in order to achieve regulatory approval for river modifications, facilitating a return to access by the commercial river rafting sector to the lower Kicking Horse Canyon. The Town of Golden will re-engage Stantec Engineering, effectively picking up where the initial report left off, to begin this next phase.

A return to commercial river rafting in the lower canyon would restore several million dollars of annual GDP to the Golden area, benefitting a wide variety of tourism associated businesses in the broader community. An unobstructed channel would create a contiguously navigable white water corridor, bringing with it a host of enhanced attributes that would significantly increase recreational use of the river, both commercial and public.

Community support for lower canyon access is strong and indisputable. Residents have held multiple rallies, and media channels continue to have significant activity on the topic.