

Fairness for Clear Lake – Potential Governance Models Briefing

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1. Introduction & Purpose

This brief draws on two reference cases—Waskesiu (Prince Albert National Park) and Waterton (Waterton Lakes National Park)—and integrates first-hand insights from Waskesiu Community Council leaders Jim Kerby and Don Ravis. The goal is to inform a practical, Manitoba-appropriate model for Clear Lake (Wasagaming) in Riding Mountain National Park.

Because this document is intended for briefing, it keeps legal points high-level while preserving the core facts and lessons that matter for decision-making. A full, clickable table of contents is provided.

2. Why Community Governance in Park Townsites?

Park townsites are unique: residents and leaseholders live on federal Crown land administered by Parks Canada. On day-to-day issues—service levels, seasonality, fees, visitor pressures—local voices want structured input, but federal law preserves ecological integrity and national park purposes as the top priority. Simply put according to Don Ravis, townsites are not within the Parks Canada mandate. A community council can bridge this gap by providing democratic representation, a predictable consultation channel, and the continuity to carry community priorities across the reoccurring superintendent turnover.

Two mature models exist on a spectrum. At one end is Waskesiu’s advisory council formalized by a Memorandum of Understanding (MOU) with Parks Canada. At the other is Waterton’s Improvement District No. 4 (ID4), a municipal-like body created under Alberta law. Both are ultimately subordinate to the Canada National Parks Act on land use and environmental decisions, but they differ profoundly in powers, funding, and legal origins.

3. Waskesiu Community Council (Prince Albert National Park)

3.1 Origins & Creation (with Kerby/Ravis context)

The Waskesiu Community Council (WCC) emerged in the mid-1990s as residents reacted to budget reductions and to a long history of friction with Parks Canada. Before the council existed, Parks set service levels, rents, and fees unilaterally. An Interim Advisory Council was tried at the superintendent’s initiative but met infrequently and lacked traction. Community leaders—including former MP, Don Ravis—pressed for a more stable, democratic structure. After two years of negotiation, Parks Canada and residents signed an MOU in 2002 that created the elected council as the recognized community voice.

Kerby and Ravis emphasized several founding motivations that remain relevant to Clear Lake: (1) residents needed a predictable place to be heard; (2) Parks Canada needed a single, representative interlocutor; (3) both sides sought continuity across superintendent turnover; and (4) a council could help triage scarce funds by proposing trade-offs residents would accept (e.g., prioritizing recreation improvements over added waste pick-ups).

3.2 Legal Basis & MOU Framework (high-level)

The WCC's external role is defined by a Memorandum of Understanding made under section 10 of the Canada National Parks Act. Section 10 authorizes agreements with local bodies concerning municipal-type services, fee arrangements, land-use planning and conditions, and development permits. All such agreements must remain consistent with the Act, regulations, and the park management plan.

Internally, the Council is incorporated under Saskatchewan's Non-Profit Corporations Act (as Waskesiu Community Association Inc.), which supplies the corporate machinery for elections, meetings, officers, and finances. The MOU defines how WCC interacts with Parks Canada; the bylaws define how WCC governs itself.

3.3 Functions & Scope under the MOU

The MOU makes the WCC advisory only, but with defined responsibilities and expectations of consultation. In practice, the Council:

- Proposes service levels and delivery programs for the community (Community Action plans, waste services, recreational infrastructure, etc.).
- Reviews and recommends operating and capital budgets that affect townsites services.
- Advises on land-use planning, development standards, and community design where consistent with federal policy.
- Sets its own meeting procedures and publishes minutes to ensure transparency.

Parks Canada, for its part, commits to timely consultation on planning, environmental protection, management plans, and fee/rent issues—and to provide reasons when rejecting Council positions. Kerby and Ravis noted that this reason-giving practice is central to trust and accountability.

3.4 Internal Governance & By-Laws (corporate machinery)

The bylaws create a seven-director council with category seats to ensure balanced representation: (1) cabin leaseholder, (1) cottage leaseholder, (1) commercial leaseholder, (1) resident seat, and (3) at-large positions. Nomination rules, eligibility by category, and election timing (traditionally around the August long weekend) are spelled out in detail. A quorum of four is required for decisions; ties defeat a motion. Officers include Chair, Vice-Chair, Secretary, and Treasurer, with defined duties for agenda-setting, records, communications, and financial stewardship.

Financial controls are explicit: a March 31 fiscal year-end, proper accounting records kept in specified locations, and inspection rights for members. Committees—sometimes including non-director members—can be struck for specific files (e.g., recreation, heritage, AIS). Together these rules create legitimacy and predictability without conferring municipal status or taxation powers.

3.5 Achievements & Community Outcomes (since creation)

Strategy & Planning: The Council convened and led long-term visioning—first as “Vision 2020 & Beyond,” later refreshed as “Vision 2028”—to keep priorities current as visitor volumes, resident needs, and climate considerations evolved. WCC worked with Parks Canada on the 2015 Waskesiu Community Plan, an official planning document that guides land use, infrastructure renewal, cultural preservation, and the visitor experience.

Importantly, the vision plan, also referred to as the Community Action plan, is a collaborative project which involves the WCC, the Waskesiu Seasonal Residents Association (WSRA), Parks Canada, and other stakeholders in the park. It is an initiative which was created by WCC and is a WCC document, which includes Parks. This plan facilitates collaboration between the different organizations in Waskesiu and involves Parks to ensure that prior to any investment into a project, that the project will not be “vetoed”. The development of this collaborative action plan has been applauded by the highest positions of Parks Canada, and ensures that the priorities of the community are not lost to the “revolving door” of Superintendents in Waskesiu.

Recreation & Public Realm: Guided by the vision plans, the community (often through its charitable arm) financed and delivered a string of upgrades: pickleball and tennis courts, Little Al’s mini-golf renewal, a multi-use sport court, fitness park and “ninja” features, trail loops and wayfinding, camp kitchens and picnic nodes, and heritage art like the tree carvings that celebrate Waskesiu culture.

Funding Leverage: The Waskesiu Foundation—of which the Council is the sole member—according to Kerby and Ravis, have raised more than \$4.5 million. This philanthropic capacity lets the community rapidly pilot or co-fund Parks projects that federal budgets might not prioritize in a given year (such as 2 additional AIS decontamination machines in the Park’s fight against invasive species).

Operating Cadence & Accountability: The Council meets roughly every five weeks with Parks Canada. The council first convenes privately to set a focused agenda, then invites the Park’s staff (Superintendent, Townsite Manager, and potential project experts) so that issues receive clear responses in the room or tracked follow-ups. Additionally, according to Kerby, it is important that the Parks members receive their questions/agenda in advance to allow for a trusting relationship between the parties and facilitate an effective meeting. This rhythm builds continuity across superintendent changes and keeps multi-year projects moving.

3.6 Dispute Resolution & Overrule (how it actually works)

The MOU’s dispute process is simple: start local, escalate if needed, and recognize that Parks (through the Minister) has the final word. In practice, Kerby and Ravis stress that formal escalation has NEVER been necessary in over 25 years. Most disagreements are handled informally through honest, good-faith conversations—often aided by the fact that the Council can bring resources (via the Foundation) to achieve a mutually acceptable outcomes.

When Parks Canada declines a Council recommendation, it MUST provide reasons—budget constraints, legal constraints, management plan alignment, or ecological integrity considerations. The expectation of reasons, and the ability to ask follow-up questions in scheduled meetings, preserve trust even when the answer is “no.”

Jim Kerby and Don Ravis emphasized that the intimate relationship of frequent, face to face meetings promote a healthy, working relationship. They stress that hostility and inefficiency is not an issue in Waskesiu, given the intimacy of the relationship between WCC and Parks.

3.7 Takeaways from Kerby & Ravis

- A recognized council gives Parks “one body” to consult, rather than fragmented voices from cottage owners, cabin owners, the chamber, etc.
- Democracy matters: elections and minutes provide legitimacy and reduce friction.
- The council often drafts or shapes policy language that Parks later adopts, even with Parks own regulations. The Waskesiu community and their council bring their own people, from all professions to the table, and help those within Parks who may have undertaken projects above their expertise.
- The Foundation partnership turns community priorities into funded projects quickly.
- IN certain events, this arrangement has been favorable for the park when both parties agree that certain services/costs/projects must be done or cannot be done. This is because in the event that a community desire must be rejected, the council has taken the side of the Park when necessary, and acted as a united front from the angered community.
 - According to Kerby, not all community wishes are attainable or feasible, and this partnership has allowed the park to better navigate these situations.

3.8 The Other Associations in Waskesiu

- Like Clear Lake, Waskesiu has other associations beyond the WCC, which include namely the Waskesiu Chamber of Commerce, the Waskesiu Seasonal Residents Association (WSRA), the Waskesiu Foundation, the Waskesiu Recreation Association, and others.
- Similarly to Clear Lake, the WSRA is funded in part by voluntary annual contributions by seasonal residents, of approximately 25\$ annually, to fund their advocacy to the WCC and the park. The WSRA do not have a formal agreement with the Park, which can lead to frustration. The WSRA and the council contain overlap with their members, and therefore the WCC can advocate on the behalf of the council, but this does not always occur. There is a difference between “community concerns,” and the concerns of seasonal resident. This can be a barrier to the initiatives of the WSRA.
 - For instance, a frustration which the WSRA are fighting with Parks, without the aid of the WCC, is the inconsistent regulation of cottage square footage. Certain National Parks have higher acceptable square footage regulations than Waskesiu (and Clear Lake), regardless of lot size.

- Similarly to the WSRA, the Chamber often has overlap with its members, and its interests, to the WCC. However, once again, they lack a formal agreement with the park, such as a Memorandum of Understanding, to ensure that their projects and interests are considered seriously by the park, and do not legally require written rationales for rejection by the Park.
- The Waskesiu Foundation as previously stated is an independent entity to the WCC, although the WCC is the only sitting member of the Foundation.

4. Waterton Community Governance (Waterton Lakes National Park)

4.1 Improvement District No. 4 (ID4) – legal origin & powers

Waterton’s primary local body is Improvement District No. 4, a municipal authority under Alberta’s Municipal Government Act. ID4 is an elected council which can levy property taxes on leasehold interests, pass certain bylaws, and manage municipal-type services such as road maintenance, emergency services and waste management. This municipal layer exists only because Alberta law provides for Improvement Districts in remote or special areas—including national park townsites.

- Improvement Districts—including ID4 (Waterton)—are not fully autonomous municipalities. Although they have local advisory councils, **ultimate authority rests with the Minister of Municipal Affairs**, which can lead to their decisions being overturned by the provincial government. The improvement district’s authority is delegated and overseen by the minister/province, not inherent.

4.2 Interplay with Parks Canada

Even with local taxation and bylaws, ID4 sits under federal authority for land-use planning, development permits, and environmental protection. Any ID4 decision that conflicts with the Canada National Parks Act, regulations, or the park management plan can be vetoed or conditioned by Parks Canada.

This means that although the ID4 has more direct authority in its community than the Waskesiu Community Council, it remains subordinate to the province and Parks as well.

4.3 Other Waterton organizations (brief)

- Waterton Park Community Association (WPCA): non-profit delivering programs; partner to ID4 in a joint venture on facilities such as the Golf course and community centre.
- Waterton Lakes Leaseholders Association (WLLA): advocacy for seasonal and commercial leaseholders; advisory only.
- Chamber of Commerce: business advocacy and tourism support; advisory only.

5. Waskesiu vs. Waterton – Key Differences

Core Body	Waskesiu Community Council (advisory, elected;	Improvement District No. 4 (municipal authority under
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	non-profit corporation).	Alberta's MGA).
Legal Basis	MOU under CNPA s.10 + SK Non-Profit Corporations Act.	Alberta MGA statutes + CNPA constraints.
Powers	Advisory only; proposes budgets/service levels/fees; no taxation.	Municipal-like: taxes, some bylaws, all municipal service delivery. (Overseen by the province and minister).
Park Authority	Parks Canada retains final say; reasoning is required if overruled.	Parks Canada can veto land-use or environmental conflicts.
Funding	Memberships/sponsorships, Parks funding + Waskesiu Foundation philanthropy.	Property taxes/levies; facility revenues; local fundraising.
Organizations	Waskesiu Foundation (sole member: Council) + partners (Chamber, Rec Association, etc.).	WPCA joint venture with ID4; WLLA; Chamber of Commerce; local foundations.
Fit for MB	Replicable in Manitoba (non-profit + CNPA MOU).	Not replicable in Manitoba; no Improvement District statute.

6. Recommended Model for Clear Lake (Wasagaming)

6.1 Rationale: Why not Waterton's municipal model?

Clear Lake is unlikely to model Waterton's ID4 for two reasons. First, Manitoba does not have an Improvement District legal framework akin to Alberta's Municipal Government Act; therefore, there is no provincial statute to create a municipal authority inside Riding Mountain National Park. Second, local stakeholders may not be interested in taking on the work akin to running a municipality. For instance, in Waskesiu, it was attempted to have the park become a recognized municipality, but the community rejected this idea with a vote, and it was also not legally accepted by the province.

6.2 The Clear Lake Community Council (CLCC) concept

Create a Manitoba-incorporated non-profit—"Clear Lake Community Council Inc." (CLCC)—recognized by Parks Canada through a section 10 MOU. Like Waskesiu, this body would be advisory only, but with defined functions and an agreed cadence of consultation. Its legitimacy rests on transparent elections, published minutes, and balanced representation.

6.3 CLCC–Parks Canada MOU: functions & commitments

- Council functions (advisory):
 - Propose annual and seasonal service levels (waste, washrooms, parking, trail grooming, hours).
 - Review and recommend operating/capital budgets that affect townsite services.
 - Recommend non-tax user fees/utility fees to reflect agreed service standards.
 - Advise on land-use, design guidelines, and development permits in alignment with federal policy.
 - Co-develop lake stewardship/AIS operating plans and lake use (e.g. boat ban).
 - Develop a vision plan to ensure the communities priorities are maintained through Superintendent/townsite manager turnover.
- Parks Canada commitments:
 - **Pay for the governance and operation of the council**, as it does in Waskesiu. (E.g. transportation/mileage costs, facility fees, experts, etc.)
 - Consult the Clear Lake Community Council (CLCC) on planning, environmental protection, fees/rents, and management plan updates.
 - Provide written reasons when declining Council advice.
 - Maintain a dispute-resolution ladder: local discussion → escalation in the Agency → ministerial decision.

6.4 Operating cadence & transparency

Adopt Waskesiu's rhythm: Council meets every 5–6 weeks; first in camera to set agendas and positions, then jointly with Parks for responses and action-tracking. Publish agendas, minutes, and an issue log. Use committees and experts where necessary (AIS & Lake Health, Budget & Utilities, Planning & Permits, Business & Tourism, Heritage & Culture, Communications).

6.5 Philanthropy: Foundation option

Create a new Clear Lake Foundation (registered charity). Over time, establish an endowment so investment income provides predictable funding for recreation, culture, heritage, and environmental projects. Keep governance clean: the CLCC may be the sole member of the foundation or have a formal MOU to align projects with community priorities. It is important to use this foundation to pursue community interests, and to also further important parks projects, to leverage the park for CLCC projects.

6.6 Dispute resolution & reason-giving

Mirror Waskesiu's approach: most disagreements should resolve informally. Where Parks Canada cannot accept Council advice, a written rationale should reference budget constraints, legal/regulatory limits, or management plan alignment. This preserves trust and provides a public record. If necessary, the disagreement will go up the chain of

command within Parks Canada, but according to Jim Kerby and Don Ravis, it is crucial that this is avoided wherever possible to improve upon the relationship with the Clear Lake community and Parks.

7. Conclusion

Clear Lake can secure a strong, legitimate community voice without forming a municipality by adopting the Waskesiu-style council model: a Manitoba non-profit with a section 10 MOU that formalizes consultation, reason-giving, and an operating cadence with Parks Canada. This approach fits Manitoba's legal context, aligns with local preferences, and has a proven track record of delivering tangible benefits to residents and visitors in a national park setting.

According to Jim Kerby and Don Ravis, the Waskesiu community council has been very effective at promoting and implementing the interests of the community. Ultimately, the WCC has "Done a lot more good than bad for all the people here" – Jim Kerby.

To create a similar structure in Clear Lake would allow the community to unite on its various fronts (e.g. Cabin Owners, Cottage Owners, Chamber, etc.), and create one unified voice for their constituents. Through the legal agreement, the council and community would be guaranteed accountability and reasoning for the park's decisions.

8. Moving Forward

Jim Kerby and Don Ravis made it clear that they will remain accessible to FFCL going forward. They said that it may be a good idea to actually send several members of the group to Waskesiu to attend one of the upcoming WCC meetings with parks, to see how it works on the ground! Additionally, they would like to remain in the loop if this model is one that FFCL decides to pursue. This model has been praised by those in the highest levels of Parks Canada, therefore, if FFCL were to be met by any major barriers, they would be curious as to why?