



COLUMBIA SHUSWAP REGIONAL DISTRICT

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May 8, 2017

File No.: BL900-GEN

The Honourable Christy Clark, M.L.A.
Premier of British Columbia
PO BOX 9041 STN PROV GOVT
Victoria BC V8W 9E1

Via EMAIL: premier@gov.bc.ca

Dear Premier Clark:

Re: Provincial Private Moorage Program

The Columbia Shuswap Regional District (CSRD) contains Shuswap and Mara Lakes, which are important for their ecological and aesthetic values in addition to being drinking water sources for communities and individual residences. Shuswap and Mara Lakes are also known for their fisheries resource as well as for their significance as recreational areas on a provincial level. These lakes also contain a number of known archaeological sites and have been flagged as having high potential for archaeological sites generally. Docks are an issue that the CSRD has been working on for a number of years with development of the Lakes Zoning Bylaw No. 900 as a key outcome of this work.

The CSRD became aware of the changes to the Provincial Private Moorage Program (Program) by way of a copy of a letter from Greg Kockx, Manager Land Tenures Branch, Ministry of Forests Lands and Natural Resource Operations, to Gary MacIsaac, Executive Director, UBCM, dated January 17, 2017. The CSRD Board is very concerned about the negative implications of these changes.

At their meeting held April 20, 2017, the CSRD Board adopted the following resolutions:

"THAT: A letter be sent to Premier Christy Clark and to Steve Thompson, Minister of Forests Lands and Natural Resource Operations, and MLA Greg Kylo, outlining CSRD concerns with the changes to the Private Moorage Program, lack of consultation with local government about the changes, and requesting that Shuswap and Mara lakes be designated as an application-only area for private moorage; and

THAT: A letter be sent to UBCM outlining CSRD concerns regarding the changes to the Provincial Private Moorage Program, and that the letter be copied to SILGA and the District of Coldstream."

Lack of Consultation with Local Government

The CSRD has concerns regarding the lack of consultation with local government with regard to the recent changes made to the Provincial Private Moorage Program. The CSRD has worked closely in the past with Ministry staff to develop local regulations regarding docks and buoys and has always included the Province in our consultation processes to ensure compatible regulations and administration. The CSRD Board is disappointed that the Province did not reciprocate this courtesy and consult with the CSRD during its consideration of changes to the Program.

ELECTORAL AREAS

A GOLDEN-COLUMBIA
B REVELSTOKE-COLUMBIA

C SOUTH SHUSWAP
D FALKLAND-SALMON VALLEY

E SICAMOUS-MALAKWA
F NORTH SHUSWAP-SEYMOUR ARM

MUNICIPALITIES

GOLDEN
REVELSTOKE

SALMON ARM
SICAMOUS

In particular, the CSRD is concerned with the change to remove the 24 m² dock surface area limit as this would allow for significantly larger docks to be constructed without any review by the Province. Prior to changes being made to the Program General Permissions were granted only for residential docks up to 24 m² in size. Anything larger required a Specific Permission which was reviewed by Provincial staff and was also referred to local government to ensure compliance with local government requirements. If there were issues related to local government zoning or other requirements, the Specific Permission would generally not be issued until the local government concerns were met. With a less restrictive approach to General Permissions now in place, the CSRD is concerned that opportunities for review of dock projects prior to implementation will not take place resulting in increased conflict between waterfront property owners and the general public; it is anticipated that this change will also lead to increased bylaw enforcement issues and thus increased costs for CSRD tax payers. There are also concerns regarding a decrease in protection of environmental and archaeological values on these lakes without the necessary provincial oversight.

Request to Designate Shuswap and Mara Lakes as an Application-only Area for Private Moorage

Section 11.2 of the Private Moorage Policy states that "*Application-only areas will cover areas that will generally have a higher risk of impacts or user conflicts related to the construction and use of any dock*", and further states that "*Regional operations of the Authorizing Agency may work with provincial and federal resource agencies, First Nations and communities to identify appropriate application-only areas. Once designated information on these specific areas will be available from the Authorizing Agency*".

Appendix 5 of the Private Moorage Policy further indicates that the Ministry will work with provincial and federal resource agencies, local government and First Nations, as needed to identify potential application-only areas based on certain criteria. These criteria include but are not limited to:

- narrow water bodies where riparian rights are at risk of being infringed, or navigation and safety compromised (e.g. small coves, channels and sections of rivers);
- areas important for public access and use (e.g. beaches, areas adjacent to waterfront parks)
- areas subject to local requirements associated with foreshore development
- environmentally sensitive areas (e.g. fish spawning, critical habitat areas mapped by Ministry of Environment);
- areas where First Nations have expressed a strong interest, or have specifically requested consultation on all private moorage proposals;
- areas which contain Land Act dispositions or other government authorizations that are at risk of being in conflict with dock placement and use; and
- areas that are experiencing significant growth and concerns associated with waterfront development.

General Permissions are not granted for docks proposed to be located in Application-only Areas or Areas of Special Interest. Areas of special interest include known archaeological sites, ecological reserves, parks, and protected areas. Ministry staff have confirmed that there are no Application-only Areas, ecological reserves, parks, or protected areas in the residential foreshore areas of Shuswap or Mara Lakes. However, the CSRD is aware that there are a number of known archaeological sites on Shuswap and Mara Lakes, that these lakes have high ecological significance such as the the Adams River Sockeye salmon population, and are known to be important lakes from a cultural and environmental perspective for First Nations. These lakes are also heavily used recreationally, have a number of public beaches and parks, and are experiencing residential growth along the shorelines resulting in significant pressure for new residential moorage. The CSRD also has local government regulations related to foreshore development including Lakes Zoning Bylaw No. 900, Foreshore Development Permit Areas (DPA) in Electoral Areas C (South Shuswap Lake) and F (North Shuswap

Lake), and a proposed Foreshore DPA for Electoral Area E (Northeast Shuswap Lake and Mara Lake). Thus, many of the criteria for designating Application-only Areas are applicable to Shuswap and Mara Lakes.

The CSRD hopes that you will support our efforts at protecting the ecological and archaeological values along with recognizing the residential and recreational pressures that impact Shuswap and Mara Lakes by working with the CSRD and other relevant stakeholders, to designate the lake system as an Application-only Area with respect to private moorage. The CSRD is of the opinion that such a designation will benefit Shuswap and Mara Lakes in the long term, as well as the property owners, residents and tourists that live in and visit these resources.

Yours truly,

COLUMBIA SHUSWAP REGIONAL DISTRICT

Per:

Rhona Martin
Chair

cc: The Honourable Steve Thompson, Minister of Forests Lands and Natural Resource
Operations
Greg Kylo, M.L.A. Shuswap