

HELPFUL LINKS:



Crown Land Use – Private Moorage:

- ▶ http://www.for.gov.bc.ca/Land_Tenures/tenure_programs/programs/privatemoorage/index.html

Section 9 Notification:

- ▶ http://www.env.gov.bc.ca/wsd/water_rights/licence_application/section9/

Transport Canada application:

- ▶ <http://www.tc.gc.ca/eng/marinesafety/oep-nwpp-guide-2053.htm>

Transport Canada Buoy Information:

- ▶ <http://www.tc.gc.ca/eng/marinesafety/tp-tp14799-menu-634.htm>

Shoreline Management Guidelines:

- ▶ http://www.cmnbc.ca/sites/default/files/shoreline%2520Management%2520Guidelines%2520for%2520Fish%2520and%2520Fish%2520Habitat_0.pdf

Species at Risk:

- ▶ <http://www.env.gov.bc.ca/atrisk/toolintro.html>

Federal Fisheries Act:

- ▶ <http://www.dfo-mpo.gc.ca/Library/140198.pdf>
- ▶ <http://laws-lois.justice.gc.ca/eng/acts/F-14/>

REMEMBER:

It is important to remember that private moorage facilities must not:

- ▶ obstruct public access along the foreshore
- ▶ include covered structures
- ▶ include apparatus not related to moorage (e.g. hot tubs, picnic tables, slides, etc.)
- ▶ include fill and/or retaining walls below the natural boundary of the lake
- ▶ Include solid-core structures
- ▶ result in harm to fish habitat or species at risk

WE ARE HERE TO HELP!

Okanagan Shuswap Resource District

2501 14 Avenue, Vernon, BC V1T 8Z1

Kamloops Resource Management Building

441 Columbia St., Kamloops, BC V2C 2T3

Phone: 1 877 855-3222

Email: FrontCounterBC@gov.bc.ca

This brochure is a guide only and should not be a substitute for reviewing applicable federal, provincial legislation and local government bylaws.



Ministry of
Forests, Lands and
Natural Resource Operations

Private Moorage on Shuswap, Mara & Mabel Lakes

Ministry of Forests, Lands and
Natural Resource Operations
THOMPSON OKANAGAN REGION



Ministry of
Forests, Lands and
Natural Resource Operations

PRIVATE MOORAGE ON SHUSWAP, MARA & MABEL LAKES

BUILDING A DOCK?

Before you build a dock, you must:

- ▶ own the property upland of the dock site; have an approved Crown land tenure in the form of a Specific Permission (under the *Land Act*);
- ▶ have a Section 9 notification (*Water Act*);
- ▶ your Section 9 application may require an environmental impact assessment to determine if the construction and placement of the dock will cause any harm to fish, wildlife or habitat (to be completed by a qualified environmental professional);
- ▶ you may also be required to obtain approval from Transport Canada if the structure extends into navigable waters;
- ▶ check local bylaws for rules on private moorage;
- ▶ ensure that you are not within a critical fisheries zone according to the shoreline Management Guidelines.



PURCHASING LAKEFRONT PROPERTY?

Dock licences are not transferred with the purchase of upland property. The new property owner must apply to have the licence re-assigned once the purchase is complete. Before you buy shoreline property, you should ensure an existing dock is licensed and meets design and land tenure requirements. Ministry staff can assist you in determining what these requirements are.

YOU ARE NOT GUARANTEED A DOCK LICENCE JUST BECAUSE THE DOCK ALREADY EXISTS

If an existing dock is not authorized, the owner of the upland property is required to apply for a Specific Permission. If the property borders on critical habitat you may be denied a dock licence. If an unauthorized dock exists within a critical habitat area, you may be required to remove the dock at your own expense.

REPAIRING YOUR DOCK?

Before you repair a dock, you must have an approved Crown land tenure. Minor work (e.g. repairing decking) does not require provincial government consent. Other work such as replacing structural components or new pile driving requires Crown land consent (as per tenure documents) and may require consent under Section 9 *Water Act* consent.

HELPING YOU PLAN

The Shoreline Management Guidelines provides information for the general public, consultants and government agencies to assist with planning of projects within the foreshore area to reduce impacts to foreshore habitat.



WHAT ARE MY RIPARIAN RIGHTS?

As an owner of lakefront property, you have riparian rights and responsibilities. The boundary of waterfront property extends to and changes with the natural boundary (high water mark). Beach and water (the foreshore) fronting the property is owned by the Province and is open for public use. You have access rights to and from the water but you must ensure public access along the foreshore is maintained. Riparian rights do not include moorage.

THE FEDERAL FISHERIES ACT

When working in or around water you must consider implications of your work on fish and fish habitat. You can not cause harm to either.

For the purposes of the *Fisheries Act*, “*fish*” is defined to include all life stages of fish, shellfish and crustaceans.

“*Fish Habitat*” refers to spawning grounds and areas associated with nursery activities, rearing, food supplies and migration, and which fish directly or indirectly depend on to carry out their life.