

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>

Okanagan Large Lakes Foreshore Protocol

<http://www.env.gov.bc.ca/okanagan/esd/ollp/ollp.html>

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 private moorage facilities must not:

- obstruct public access along the foreshore;
- include covered structures;
- include non moorage related apparatus (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 and species at risk.



This brochure is a guide only and should not be considered a substitute for the review of applicable Federal, Provincial legislation and Local Government bylaws.

We are here to help!

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Private Moorage in the Okanagan Valley



Ministry of Forests, Lands and
Natural Resource Operations
Thompson Okanagan Region



BUILDING A DOCK?

Before you build a dock, you must:

- be the upland owner;
- 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 (EIA) to assess 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 for a structure which extends into navigable waters;
- Check local bylaws for rules on private moorage;
- Ensure you are not within a critical fisheries zone as per the Okanagan Large Lake Foreshore Protocol.

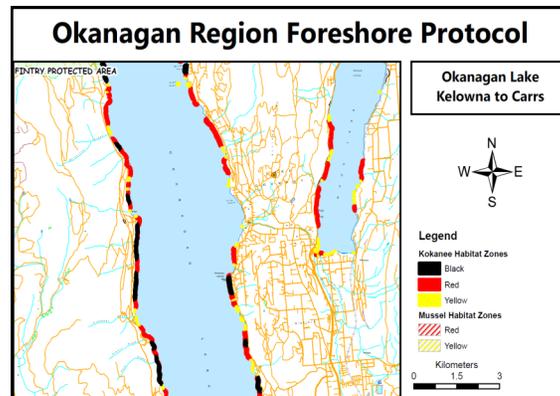
PURCHASING LAKEFRONT PROPERTY?

Dock licenses are not transferred with the purchase of the upland property. The new property owner must apply to have the license assigned once the purchase is complete. Before you buy, you should ensure the 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 license just because the dock exists.

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

HELPING YOU PLAN



The Okanagan Large Lakes Foreshore Protocol provides information for the general public, consultants and government agencies to assist with planning of projects within the foreshore area to reduce impacts to Kokanee and species at risk.

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 (foreshore) fronting the property is owned by the Province and is open to public use. You have the right for access to and from the water and you must ensure public access along the foreshore is maintained.

Riparian rights do not include moorage.



THE FEDERAL FISHERIES ACT

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

For the purposes of the *Fisheries Act* "fish" is defined as all life stages of fish, shell fish, and crustaceans.

Fish habitat refers to spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes.