

For New Applications for private moorage purposes
in the Pender Harbour Management Area

1. Please confirm the following information:

Application Requirements

Zone	Indicate the management zone your application falls in:
<input type="checkbox"/>	
<input type="checkbox"/>	I have engaged a Registered Professional Archeologist to carry out a Preliminary Field Reconnaissance assessment of the application area.
<input type="checkbox"/>	I have engaged a Registered Professional Biologist to carry out an assessment of any critical habitat as defined in the Pender Harbour DMP in/or near the area I am applying for

General Dock Design and Tenure Requirements

<input type="checkbox"/>	Structures will not unduly block access along the foreshore for public access, or for First Nations harvesting of marine resources for food, social and ceremonial purposes
<input type="checkbox"/>	The upland design of the Dock, including anchor points, avoids as much as feasible, disturbing riparian vegetation adjacent to the Project Footprint due to its role in bank stabilization and erosion control.
<input type="checkbox"/>	Structures will not unduly block the free movement of water along the shoreline
<input type="checkbox"/>	All improvements are a minimum of 5.0 meters from the side property line (6.0 meters if adjacent to a dedicated public beach access or park) and at least 10 meters from any existing dock or structures, consistent with Federal requirements under Transport Canada's <i>Navigable Waters Protection Act</i> .
<input type="checkbox"/>	Dock construction will not include the use of native beach materials (e.g. boulders, cobble, gravel, sand, logs)
<input type="checkbox"/>	Filling, dredging, or blasting will not be undertaken within the Project Footprint
<input type="checkbox"/>	Dock floats will be 1.5 meters above the sea bed during the lowest tide
<input type="checkbox"/>	Access ramp/walkway is 1 meter above highest water mark of the tide

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<input type="checkbox"/>	The Dock and Dock Footprint ¹ will be kept in a safe, clean and sanitary condition
<input type="checkbox"/>	All work, including dock construction, dock use, refueling of machinery and washing of buckets and hand tools, will be conducted in a manner that will not result in the deposit of toxic or deleterious substances (e.g. sediment, un-cured concrete, fuel, lubricants, paints, stains)
<input type="checkbox"/>	The proposed dock allows for a light penetration and proposed decking materials allow a minimum of 43% open space.
<input type="checkbox"/>	Styrofoam is not used in the dock construction. Encapsulated Styrofoam is acceptable.
<input type="checkbox"/>	The design and/or layout of the all structures mitigates any potential impacts to Riparian vegetation along the shoreline

2. Specific Dock Design and Layout

Impacts to Environmental Values

- As per the assessment conducted by a Registered Professional Biologist, will your proposed dock overlap with critical habitat? Yes No

If Yes, please describe how the design and/or layout of your dock will mitigate any potential impacts to Critical habitat, as well as the location of Critical habitat in relation to your project.

¹ **Dock Footprint** means the area that lies directly under the dock and/or boathouse, and the area impacted/influenced by the shadow as determined by a Qualified Professional

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- Does the dock tenure or associated upland construction require upland modification including vegetation removal within 15 m of the shoreline? Yes No

If Yes, how will the design and/or layout of structures mitigate any potential impacts to Riparian vegetation along the shoreline? Please describe below :

- Will your proposed dock exceed a maximum width of 1.5 m? Yes No

If Yes, please describe why your proposed dock needs to be wider than 1.5 m:

- Does your access ramp or walkway exceed a maximum width of 1.2 m? Yes No

If Yes, please describe why your ramp or walkway needs to be wider than 1.2 m:

- Is your dock aligned in a North-South direction to maximum extent practicable?
 Yes No

If no, please indicate any specific circumstances below:

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3. Moorage

- Is this a single owner or multi-owner facility? single multi-owner
- What is the length and draft of all boats generally moored at this facility?

- Are the boats for commercial or pleasure use? commercial pleasure
- Is the property water access only? yes no

If yes, please explain how you currently access your property and describe any access options available to you:

4. Improvements

- Describe all proposed and existing structures (float, walkway, pilings, etc) on the site and how they will be installed:

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- What are the building materials (encapsulated Styrofoam, steel piles, spaced timber boards etc.) and dimensions of all improvements? Demonstrate how the materials meet the Best Management Practices in the Pender Harbour Dock Management Plan. (Dimensions should also be shown on the site plan/sketch described in #6)

Structure:	Dimension:	Material:

Note, dimensions must include the length and width of the Private Moorage Facility, the height of any proposed structures, the length and width of any connecting walkways which will be placed on Crown land and any ancillary structures or Improvements which will be part of or used with the Private Moorage Facility.

5. Maintenance

- Please describe any planned maintenance for the proposed improvements. Note that any new construction requires FLNRORD prior approval, construction and/or maintenance must adhere to the Best Management Practices in the Pender Harbour Dock Management Plan.

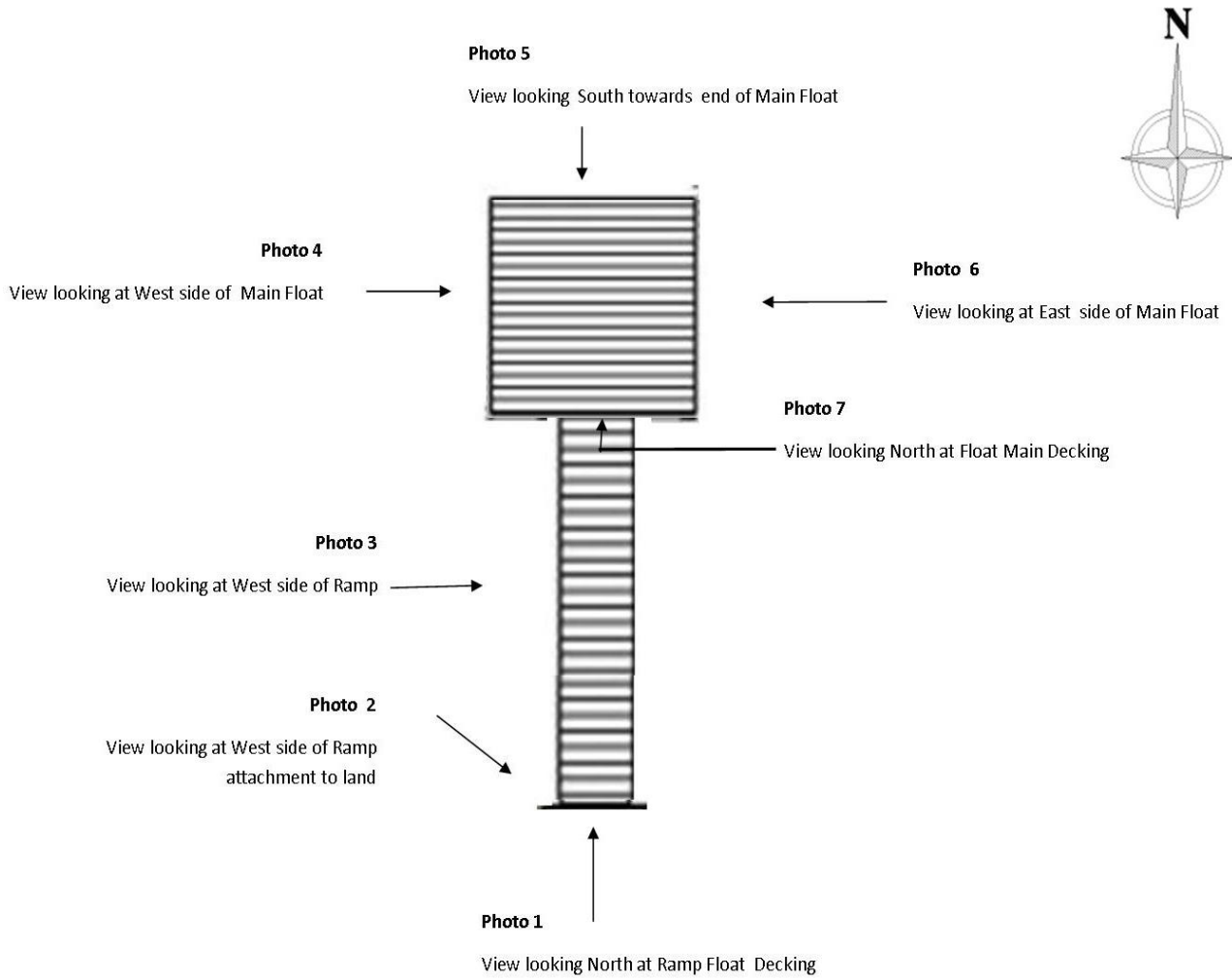
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6. Please complete the following components and attach to your application	
<input type="checkbox"/>	<p>(a) Site Plans A, B and C of the entire application area, drawn to scale with a North arrow, identifying the location of all improvement (buildings, structures, roads, powerlines, fences, etc.) in relation to the boundaries of the tenure area the delineation of riparian rights and other legal boundaries.</p> <p>More information on the specific standards in Appendix 4 of the Land Use Operational Policy – Private Moorage: http://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/private_moorage.pdf</p>
<input type="checkbox"/>	<p>(b) A side profile plan D must be provided for any improvements (i.e. docks, stiff-legs, anchor lines, pilings, log booms, floating storage sheds, fish pens, submarine cables) in the water or crossing the foreshore. The side profile drawing must illustrate the improvements, the average high and low water marks, the profile of the ocean underneath the improvements.</p> <p>More information on the specific standards in Appendix 4 of the Land Use Operational Policy – Private Moorage: http://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/private_moorage.pdf</p>
<input type="checkbox"/>	<p>(c) At least five recent photographs of the site and the existing structures. Photos must be clear and labelled as depicted below.</p>
<input type="checkbox"/>	<p>(d) Proof of adjoining upland ownership or leasehold tenancy must be provided, such as a State of Title Certificate or a copy of Land Title System title search displaying the full legal description of the adjoining upland parcel and the full legal name(s) of the registered owner. In the case of upland tenancy, a copy the Lease page(s) displaying lessee name and description of the land must be submitted. In cases where the applicant is not the registered owner(s) as shown on the document provided, a Letter of Consent from the registered owner must also be submitted.</p>
<input type="checkbox"/>	<p>(e) Statement by the applicant describing any contact they may have had, including the name of the First Nation(s) and individuals contacted. Please consult the Consultative Area Data Base (CAD) Public Map Service for First Nations contact information Instructions on how to access CAD as well as supporting documentation is located at: http://maps.gov.bc.ca/ess/sv/cadb/</p>
<input type="checkbox"/>	<p>(f) Copy of referral to Transport Canada and response received. See the Navigation Protection Program for more information: https://www.tc.gc.ca/eng/programs-623.html</p>
<input type="checkbox"/>	<p>(g) If the proposed structure exceeds 20 m², a copy of a submitted Request for Review to the Department of Fisheries and Oceans Canada and response received. See the following link for more information: https://www.dfo-mpo.gc.ca/pnw-ppe/reviews-revues/request-review-demande-d-examen-001-eng.html</p>

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Guideline for photo angles



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Appendix 1 – Dock Construction and Maintenance Guidelines – Best Management Practices

Source: [Pender Harbour Dock Management Plan](#), Section 8.0, April 4, 2018.

Applicants are asked to review the entire Pender Harbour Dock Management Plan, which can be found at: <https://arfd.gov.bc.ca/ApplicationPosting/getfile.jsp?PostID=43285&FileID=66583&action=view>

8.1 Critical Habitats should be avoided within the Dock Footprint. New Docks must not be installed over these habitats unless the design mitigates for potential impacts and does not result in losses to these habitats. Boathouses must not be built over Critical Habitat.

8.2 Design of a Dock or Boathouse should not include components that block the free movement of water along the shoreline. Crib foundations or solid core structures made of cement or steel sheeting should be avoided as these types of structures result in large areas of vegetation removal and erosion in Riparian areas.

8.3 The bottom of all floats must be a minimum of 1.5 metres above the sea bed during the lowest tide. Dock height above lowest water level must be increased if deep draft vessels are to be moored at the Dock. The Dock and the vessel to be moored at the Dock must not come to rest on the foreshore sea bed during the lowest tide of the year.

8.4 The size of all docks should be minimized. Access ramps, walkways or docks should be a minimum of 1.0 metre above the highest high water mark of the tide. Access ramps and walkways should not exceed a maximum width of 1.2 metres. Docks should not exceed a maximum width of 1.5 metres.

8.5 All improvements should be a minimum of 5.0 meters from the side property line (6.0 meters if adjacent to a dedicated public beach access or park) and at least 10 meters from any existing dock or structures, consistent with Federal requirements under Transport Canada's *Navigable Waters Protection Act*.

8.6 Docks must be constructed to allow light penetration under the structure and used decking materials must allow for minimum of 43% open space allowing for light penetration to the water surface. Light transmitting materials may be made of various materials shaped in the form of grids, grates, and lattices to allow for light passage.

8.7 Docks should be aligned in a north-south direction to the maximum extent that is practicable.

8.8 Concrete, steel, treated, or recycled timber piles are acceptable construction materials although steel is preferred. Detailed information on treated wood options can be obtained on-line from the Fisheries and Oceans Canada website (*Guidelines to Protect Fish and Fish Habitat from Treated Wood Used in the Aquatic Environment in the Pacific Region*).

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8.9 Access to the Foreshore for construction purposes should be from the adjacent upland property wherever possible. If heavy equipment is required to work on the Foreshore or access is required along the Foreshore then the advice of a Qualified Professional or Fisheries and Oceans Canada should be obtained.

8.10 Works along the Foreshore should be conducted when the site is not wetted by the tide.

8.11 Applicants for Docks that exceeds 20 square meters, or such other dimensions as may trigger a review under the *Fisheries Act* from time to time, must contact Fisheries and Oceans Canada and submit a Request for Review or other required documents to ensure proposed activities, and the scheduling of those activities, complies with Fisheries and Oceans Canada requirements including the fisheries works window.

8.12 The upland design of the Dock, including anchor points, should avoid disturbing riparian vegetation adjacent to the Project Footprint due to its role in bank stabilization and erosion control .

8.13 Pile driving is the preferred method of pile installation. All pile driving must meet current Fisheries and Oceans regulations.

8.14 The use of Styrofoam to keep docks afloat is prohibited for new construction and repairs. Styrofoam floats on existing docks that are showing evidence of breakdown should be replaced using an alternative material.

8.15 Docks must be constructed in accordance with requirements under *Navigation Protection Act* as may be amended or replaced from time to time.