

APPENDIX A

Marine Dock Construction and Maintenance Guidelines – Best Management Practices

1 Wherever possible proponents are encouraged to develop dock facilities that can facilitate numerous upland owners. In pursuing multi-owner/use facilities the footprint on marine habitats is minimized. These types of facilities also help to alleviate potential cumulative impacts from high density, individual dock infrastructures.

2 Habitat should be avoided within the Dock Footprint, where “Habitat” means habitat that is important for:

- (a) sustaining a subsistence, commercial, or recreational fishery, or
- (b) any species at risk (e.g. terrestrial or aquatic red and blue-listed species, those designated by the Committee on the Status of Endangered Wildlife in Canada, or species listed under Schedule 1 of the Federal Species at Risk Act (SARA)), or
- (c) its relative rareness, productivity, or sensitivity (e.g. eelgrass meadows, kelp forests, foreshore salt marsh vegetation, herring spawning habitat, and potential forage fish spawning beach habitat); or
- (d) sustaining area biodiversity and the recovery of native coastal flora in the marine riparian area.

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 Habitat.

3 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.

4 The bottom of all floats must be a minimum of 1.5 metres above the seabed 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 seabed during the lowest tide of the year.

5 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.

6 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*.

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

8 Docks should be aligned in a north-south direction, perpendicular to the shoreline, to the maximum extent that is practicable given site-specific conditions. This orientation increases the potential for adequate light penetration under the Dock to the water surface.

9 Concrete, steel, treated (except creosote), or recycled timber are acceptable piling 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*).

10 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.

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

12 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.

13 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.

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

15 The use of Styrofoam to keep docks afloat is prohibited for new construction and repairs unless the foam is encapsulated. Encapsulated foam is defined as 'foam which is fully enclosed in a solid, molded shell to prevent breakdown and discharge into the environment.' Styrofoam floats on existing docks that are showing evidence of breakdown should be replaced using an alternative material.

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