January 2024

FAQs: Frequently Asked Questions

shíshálh swiya Dock Management Plan Proposed Amendments – Commercial Moorage

1. **Why are the Best Management Practices (BMPs) for commercial moorages different than private moorages?**

Best Management Practices have been separated for commercial moorages from private moorages given the unique differences between the uses and designs of each moorage type. Uses under a commercial moorage tenure are diverse and often require a specific set of Best Management Practices to accommodate for the use and intent of services provided in commercial scenarios.

The shíshálh swiya Dock Management Plan (the Plan) aims to minimize impacts to marine resources, protect archaeological resources and address the impacts of private and commercial dock development. To meet these objectives, commercial moorages play a key role in aggregating impacts away from moorages in multiple sensitive locations across the foreshore, and as such, have unique BMPs to promote sustainable development and maintenance.

2. **What are the main differences between the BMPs for commercial moorages and private moorages?**

There are many technical differences between the BMPs for commercial moorages and private moorages, however, the main principle is to enable increased flexibility for commercial moorages. This increased flexibility includes larger float sizes than for private moorage docks and the opportunity for boathouses where impacts to the environment or archaeological resources are considered and mitigated. The table in the "What's Changed" document (linked here) provides further clarification on the differences proposed between the private moorage and commercial moorage Best Management Practices.

3. **Is there a maximum number of boats permitted on my commercial moorage?**

No, there is no maximum number of boats permitted on commercial moorages under the Dock Management Plan. It is encouraged to design commercial moorage infrastructure in a way that maximizes the number of boats that can be moored adequately on the same float within the BMP guidelines.

4. **What qualifies as a commercial moorage?**

Commercial moorage are moorages used for commercial operations. These can include but are not limited to marinas, public and private yacht clubs, docks required for moorage space with upland hotels or motels, fishing docks, fuel docks, air/boat charter facilities, docks for tourist attractions etc.

5. **How long do I have until my commercial moorage tenure needs to come into alignment with the Plan?**

Interim tenure terms are provided for Commercial Moorages for up to 30 years and at the end of this interim tenure term, it is expected that the Commercial Moorage structures will be in alignment with the Best Management Practices. Commercial Moorage tenure holders are strongly encouraged to start implementing changes as early as possible and as the existing structures require repair, in line with business planning. If commercial moorage tenure holders wish to undertake improvements ahead of the issuance of an interim tenure, they must contact Ministry of Water Land and Resource Stewardship at AuthorizingAgency.SurreyLandManage@gov.bc.ca to have the proposed changes evaluated against the Dock Management Plan Best Management Practices and the terms of the existing tenure

6. **What are interim tenure terms for Commercial moorage holders?**

Commercial moorage holders are provided interim tenure terms of either 10, 20 or 30 years. These interim tenure terms are determined based on a review of existing conditions of the environment and archaeological resources at the location of existing structures. Existing commercial moorage tenures are not required to comply with the BMPs immediately. Instead, tenure holders are offered interim tenure terms where they are expected to work towards compliance with the Plan and become fully compliant at the end of their interim term. This allows commercial moorage owners and operators to plan over time the improvements and amendments to their structures.

7. **What does the requirement "Floats should not exceed a maximum area of 40 square metres per vessel up to 40 feet length overall" mean?**

As with private moorage, the proposed amendments move away from a maximum width requirement for floats to an area-based requirement. The proposed amendment of this requirement is being considered to allow flexibility in dock design to support multiple boats consistent with commercial moorage use. It is intended to promote designs that minimize the total float area required to support multiple boats to mitigate the impact of the structures on the environment. The 40 square metres per vessel up to 40 feet length overall provides an opportunity for increased float area in scenarios where the vessels the floats are supporting are significantly greater than 40 feet length overall.

With the understanding that vessels (boats) moored at commercial moorages can vary greatly in length and size, considerations for float areas for larger vessels will be reviewed upon application on a case-by-case basis. There may be scenarios where commercial moorages provide moorage for longer boats (greater than 40 feet length overall) which may require more float area.

8. **Am I only permitted to have boats that are 40 feet length overall moored at my commercial moorage?**

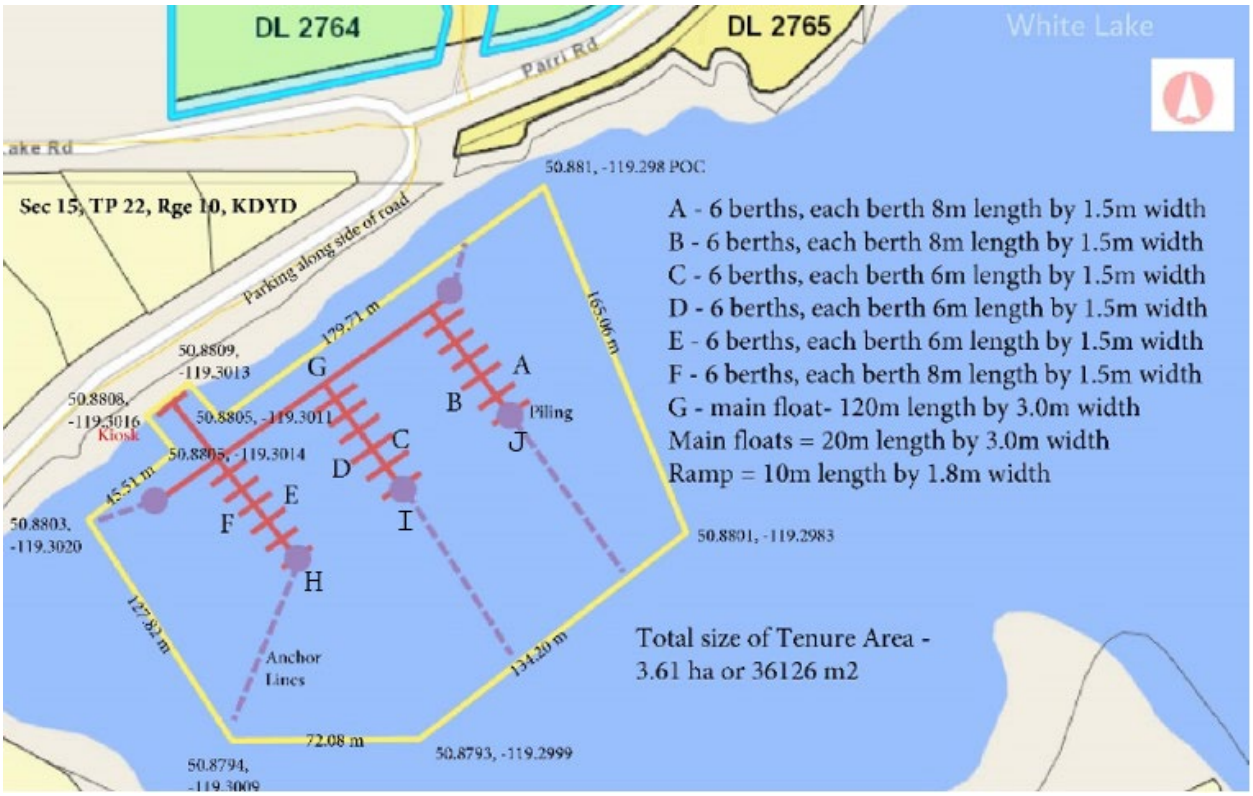
No, your commercial moorage can have boats of any length moored! If your commercial moorage requires additional floatation as a result of providing moorage for longer boats, that would be taken into consideration during the application review of your specific application. As mentioned in Question 1, commercial moorages provide the opportunity to aggregate impacts of moorages, and the Province and shíshálh will work with applicants during their review process to determine opportunities to accommodate a wide range of commercial moorage scenarios.

9. **How do I calculate if my commercial moorage meets the 40m^2 per 40 feet length overall Best Management Practice?**

The easiest way to calculate the minimum number of vessels your commercial moorage should support as part of the Best Management Practice is based on the total area of floatation (inclusive of main floats and fingers) of your commercial moorage. Calculate the total floatation area of your commercial moorage and divide that by 40m^2. The answer will provide you with the number of boats your commercial moorage could support at a minimum. Many commercial moorages floatation configurations are designed to maximize the number of boats that can be moored and in practice, this means that typically there are more vessels capable of being moored than the minimum requirement. An example of this calculation and scenario is provided on the next pages.

Example Calculation:

The site plan below provides the example commercial moorage structure and numbers we will base our example calculation on.



Calculation of total float area:

Float Section	# of Floats	Length (m)	Width (m)	Total Float Area Per Section (m^2)
A	6	8	1.5	*= 6 x 8 x 1.5* = **72**
B	6	8	1.5	*= 6 x 8 x 1.5* = **72**
C	6	6	1.5	*= 6 x 6 x 1.5* = **54**
D	6	6	1.5	*= 6 x 6 x 1.5* = **54**
E	6	6	1.5	*= 6 x 6 x 1.5* = **54**
F	6	8	1.5	*= 6 x 8 x 1.5* =**72**
G – main float parallel to shore	1	120	3	*= 1 x 120 x 3* = **360**
Main floats perpendicular to shore (H,I,J)	3	20	3	*= 3 x 20 x 3* = **180**
Total Float Area				*= Float Sections A + B+ C + D + E + F + G + main floats* *= 72m^2 + 72m^2 + 54m^2 + 54m^2 +54m^2 + 72m^2 + 360m^2 + 180m^2* **= 918m^2**

With a float area of 918m^2, how many boats should this commercial moorage support at minimum under the Best Management Practices? To determine this, 918m^2 should be divided by 40m^2 to determine the minimum number of boats the commercial moorage should support.

Minimum number of boats commercial moorage should support = 918m^2 % 40m^2

= 22.95 (round to 23 vessels)

Therefore, under the Best Management Practices, this commercial moorage should support at least 23 vessels. In reality, the commercial moorage scenario above easily supports over 30 vessels having 30 slips present and potential other moorage space available.

Therefore, this commercial moorage meets the Best Management Practice of 40m^2 per 40 feet length overall.

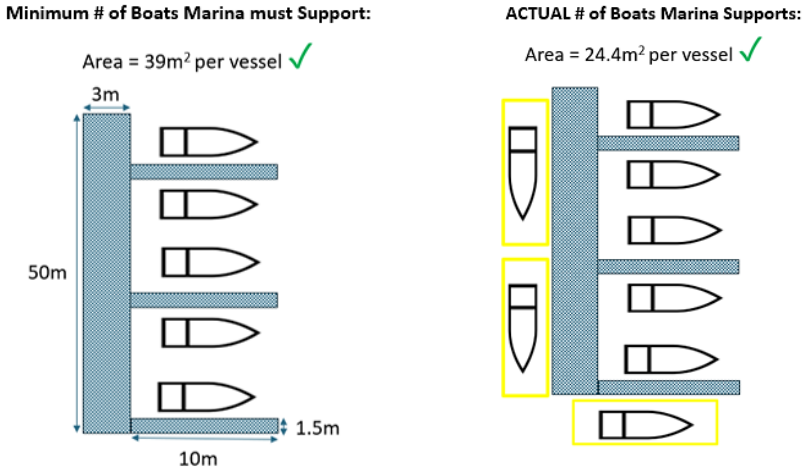
10. Have you tested these calculations for float areas on existing commercial moorage structures?

Yes, a table is provided below that used the same calculation method outlined above of 5 existing commercial moorages (marinas) within the swiya as examples. Using the same method of calculating the total float area and dividing it by 40m^2, the minimum # of boats the commercial moorage must support was determined. This was compared against the actual reported number of vessels the marina supports and determined that each of these marinas was in line with the Best Management Practice.

MARINA EXAMPLE	TOTAL FLOAT AREA (m^2)	MINIMUM # of VESSELS MARINA MUST SUPPORT (total float area % 40m^2)	ACTUAL # OF VESSELS SUPPORTED AT MARINA (based on marina's reporting)
A	542	14	50
B	491	12	32
C	768	19	44
D	1154	29	49
E	1110	28	33

11. What do you mean that more vessels are supported at a commercial moorage than the minimum required?

There is a minimum number of vessels that a commercial moorage must support, but there is no maximum. This means that commercial moorages can have more vessels on the same float configuration if they choose. An example diagram is provided below, where the minimum number of vessels the moorage must support is 5 based on total float area, however, there is opportunity to moor an additional 3 boats (seen in yellow outline) should the commercial moorage choose.



*Note – the diagrams above are illustrative examples and do not represent the only design configurations that would be in alignment with the shíshálh swiya dock management plan BMP's.

12. How do I measure the 60m total length?

The 60m total length is to be measured from the high-water mark to the end of the float perpendicular to the shoreline. Two diagrams are included below that indicate how to measure the 60m total length.

Diagram 1: The total length is demonstrated on this example moorage below from the high-water mark (squiggly line) to the end of the float by a red arrow.

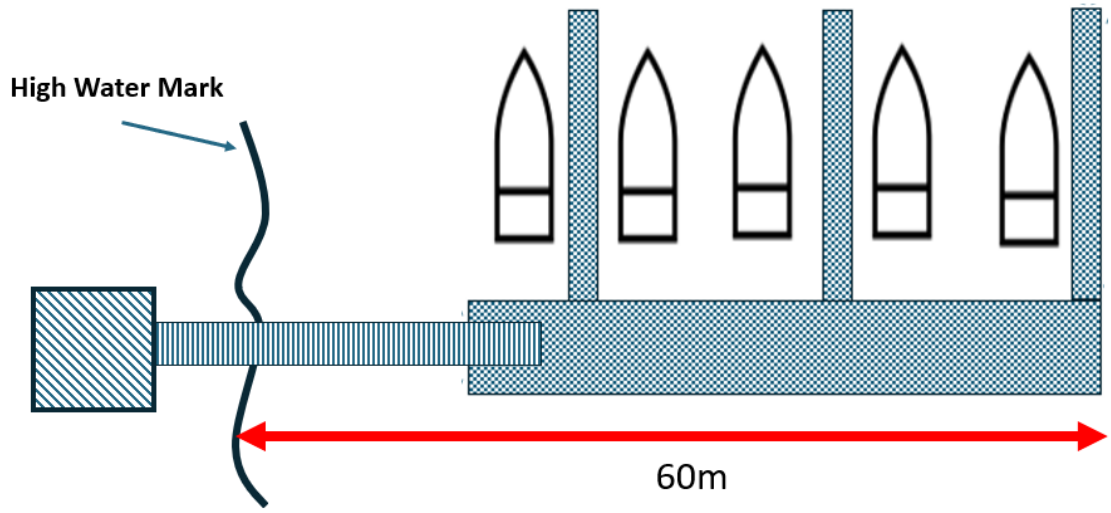
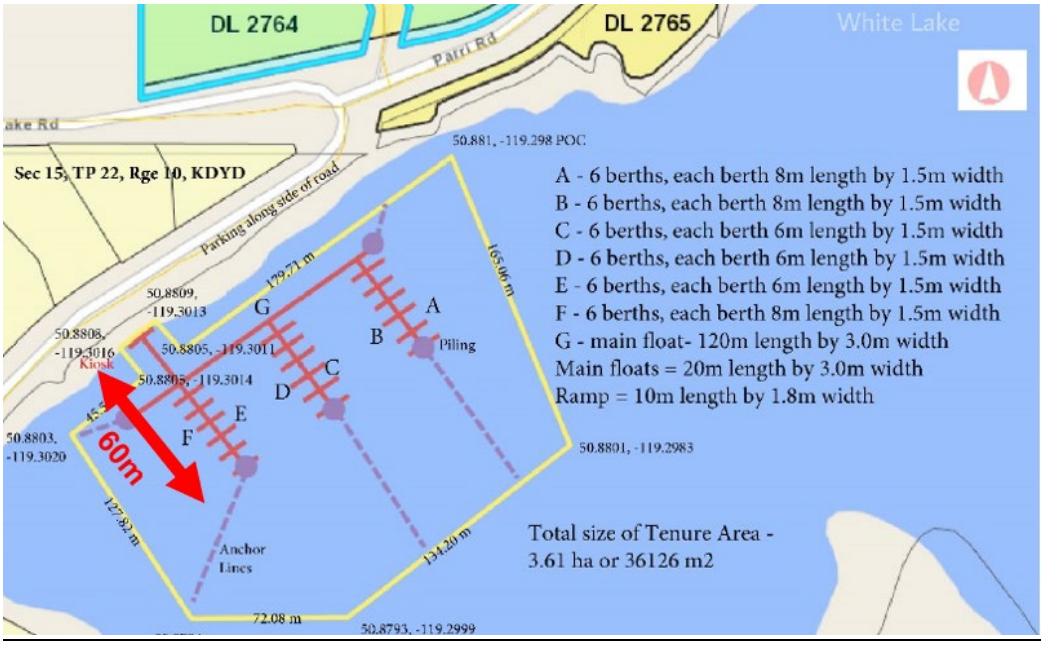


Diagram 2: This diagram is provided to give an example of a more complex commercial moorage structure and how to measure the total length in a scenario with multiple fingers and main floats. The total length is provided below with a red arrow.



13. **What if my commercial moorage is longer than 60m total length?**

60m total length may not be feasible in all commercial moorage scenarios. One example includes moorages that may not meet the 1.5m clearance from the seabed if following the 60m maximum length; in this case, your dock design may require anchoring the moorage further out into deeper water. Each application for commercial moorage is individually assessed and reviewed on a case-by-case basis and site-specific considerations. If your commercial moorage has unique scenarios, the expectation is that the commercial moorage would meet the Best Management Practices, and any flexibility beyond the Best Management Practices in the Dock Management Plan would be considered on a case-by-case basis for each business.

As a note, commercial moorages are required to meet all applicable laws and regulations, including those set by Transport Canada, which may limit the length of structures for navigational purposes.

14. **Does the 43% open space for light penetration Best Management Practice apply to commercial moorages?**

Yes, 43% of open space on floats for light penetration applies to commercial moorages. Increasing light penetration below aquatic and marine structures mitigates negative impacts to the environment from shading.

15. **How do I demonstrate my boathouses align with the BMPs in my applications?**

Boathouses are required to meet as many of the Best Management Practices as practicable for commercial moorage. It is generally understood that boathouses will be difficult to achieve 43% light penetration. However, it is recognized that these are important features and services provided by commercial moorages, and the dock management plan is intended to support the continuation of those services. This allows us to provide community members alternate moorage options. As with all moorages, an archaeological and environmental review completed by Qualified Professionals may be required to demonstrate that boathouses do not adversely impact archaeological resources and important habitats, and that appropriate mitigation measures have been taken.

16. **I have a fuel storage dock/small store/storage shed/unique structure on my floats. These are not in line with the Best Management Practices. What do I do?**

Many commercial moorages have diverse and unique moorage designs. Each application for commercial moorage is individually assessed and reviewed on a case-by-case basis and site-specific considerations. If your commercial moorage has unique scenarios like the noted examples (fuel storage/small store/shed etc.), the expectation is that the commercial moorage would meet the Best Management Practices, and any flexibility beyond the Best Management Practices in the Dock Management Plan would be considered on a case-by-case basis for each business.