

## Guidance for Dock Repairs and Rebuilds Okanagan Large Lakes Post Flood 2017

Ministry of Forests, Lands and Natural Resource Operations staff recognize the significant damages that have occurred as a result of the high water and wind events that the Okanagan experienced this spring. As such, we have developed some streamlined processes to assist in the restoration and/or rebuilding of damaged docks. This guidance document specifically applies to damages that have occurred to dock structures on the large lakes in the Okanagan.

To repair or rebuild a dock the following provincial laws dock owners must:

- obtain Water Sustainability Regulation (WSR) - Terms and Conditions for works and design; **and**
- obtain Land Act permissions being either a General Permission or Specific Permission

In addition docks being completely rebuilt (pilings replaced) must conform to local government bylaws to qualify for a General Permission dock designation.

### **To streamline the process guidance has been broken down into five categories:**

- 1) Complete rebuilds and repairs to structures that recently received an Authorized Change ('notification') under WSR issued 2015-2017 – these are newer docks that have been impacted by high water
- 2) Complete rebuilds – General Permission (GP) eligible (constructed pre-2015)
- 3) Complete rebuilds – Specific Permission (SP) required (constructed pre-2015)
- 4) Major repairs to existing structures (constructed pre-2015)
- 5) Minor repairs to existing structures (constructed pre-2015)

### **General Comments:**

- The new GP criteria combined with the Water Sustainability Act (WSA) application and the Habitat Officers standard conditions template have made applications for new docks (or docks that have to be rebuilt new) extremely efficient.
- Most GP dock applications can be, and likely will be, processed in well under 45 days providing the applications meets the GP criteria.
- All "changes in and about a stream" will require an application under the WSA. The processes outlined below will ensure the legal requirements of the WSA are met while providing for reasonably balanced assessment of proposed works for legislative and policy requirements.

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### **1) Complete rebuild and repairs to structures that recently received an Authorized Change ('notification') under WSR issued 2015-2017 – these are newer docks that have been impacted by high water**

All docks that were issued Terms and Conditions for an Authorized Change under Part 3 of the WSR (i.e., receipt of a Terms and Conditions from Habitat Officer (L. Nield)) dating back to January 1, 2015 can potentially use existing documents in place of a new Authorized Change.

Send to FrontCounter BC (FCBCvernon@gov.bc.ca):

- 1) Photos of damaged structure

- 2) Copy of site plan from original application that was assessed by Habitat Officer
- 3) Clear identification of what is being repaired/replaced on a site plan
- 4) Copy of Terms and Conditions from original application

Lands staff will review to ensure structure was built as submitted and if yes recommend to Habitat Officer (L. Nield) that previous Terms and Conditions be extended to include repairs.

Habitat Officer (L. Nield) to advise applicant and FCBC District staff (P. Tobin or alternate) via e-mail whether or not the previous Terms and Conditions can be extended.

**2) Complete rebuilds – General Permission eligible (i.e. pre-2015 dock has been significantly destroyed and a complete rebuild is required)**

Authorized change under Part 3 of the WSR is required (WSA applications submitted by client and/or dock builder through FCBC).

Application to FCBC should include:

- 1) Completed WSA application through FCBC
- 2) Reference existing Land File if one exists for the property
- 3) Plan view of new dock
- 4) Depth profile of dock
- 5) Letter of Agency from client
- 6) Civic address of dock (this will allow us to search for previous tenures etc)
- 7) Locator map if possible
- 8) Design and construction requirements outlined in Terms and Conditions must be followed (attached for reference). NOTE: a qualified environmental professional may be required. Please consult attached reference.

Lands staff will review and make a determination as to whether the GP criteria apply (land status, GP criteria, etc.). If GP applies, notification will be sent to client with a carbon copy to local government along with copy of the design. The dock design must conform to local government bylaws.

NOTE: If doing multiple installs in a specific area consider having qualified environmental professional do a report for all the docks in one combined report. Each client can be an appendix in that report.

**3) Complete rebuilds – Specific Permission required (i.e., pre-2015 dock that is not eligible for a GP -e.g., over an Archeological site, the dock is fronting a Paper Subdivision, the dock is a shared dock, dock does not otherwise meet GP criteria)**

Structures with existing tenures will be prioritized.

Structures that never had tenure and require a SP will need to go through the full Land Act tenuring process – a Crown land application will be required.

Those non-conforming tenures that authorized multiple moorage structures (i.e., a dock and a boat ramp) may require the client to make a choice as to the one structure they wish to keep.

Authorized change under Part 3 of the WSR will be required as described above in #2.

#### **4) Major Repairs to existing structures (Major Repairs are defined as damage or destruction of a piling and or pilings) pre-2015**

Major repairs to any structure will be treated like new builds and structures will be required to be brought up to the standard of the day – follow steps 1 or 2 above.

For existing non-conforming structures (met standard of day when built, but not standard of today) individual file review will be conducted to determine if entire structure or just damaged portion will be required to be brought to the standard of the day.

#### **5) Minor repairs to existing structures (Repairs that do not involve piling replacement) pre-2015**

All structures eligible for minor repairs must qualify for a GP or have an active SP.

The following types of repairs are considered minor in nature and assume that the structure was or could be authorized (note the list is not exhaustive)

- Replacing deck boards and supporting stringers
- Replacing face boards
- Re-attaching an end section to existing pilings (provided the end section was not unauthorized)
- Re-attaching a boatlift that has suitable depth and was or would have been authorized

**\*Minor repairs does not include piling replacement, nor does it include rebuilding non-conforming structure such as boat roofs, foreshore decks, etc.**

Habitat Officer (L.Nield) will issue a “blanket minor repair Authorized Change” to dock builders for the works described above.

Dock builder will submit the following:

- Application through FCBC for blanket minor repair on private moorage structures in the Okanagan.
- Photo’s of damage to be sent to [FCBCVernon@gov.bc.ca](mailto:FCBCVernon@gov.bc.ca) for verification of piling presence and inclusion on the file.

Private individuals wishing to engage in minor works will be required to make a completed WSA application through virtual FCBC.

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#### **Non Private Moorage structures (unauthorized or existing non conforming)**

Roof structures, foreshore decks, boathouses, etc that have been damaged in the flood will not be authorized for replacement or repair and must be removed (see below).

#### **Removal of Man Made Debris**

Guidance on the removal of debris will be issued in a separate process.

