

## **Dock Management Plan**

*Note that the Town Hall DMP report was compiled prior to the announcement of the proposed new amendments.*

Sean McAllister provided a history of the DMP and our efforts to date. Most notably, it appears that previous dock tenures are now being grandfathered within the Red Zone and the only docks that were removed were those without any previous tenure (though they could not get tenure due to the moratorium on dock applications that was in place for 15 years).

Though not addressed in the DMP, it appears that boathouses are now permitted.

Regarding tenure length for approved docks, we have no way of telling whether they're going to be renewed and if renewed on what basis.

To date, the DMP regulations concerning constructions of new docks has not been strictly enforced, in our opinion, on existing docks. We have no way of predicting whether the DMP will be strictly enforced on the next renewal or the next. There doesn't seem to be any rhyme or reason to the approvals that are being made by the government or to the length of time to the next renewal.

When it comes to renewing tenure, some folks are being put through the ringer and others being dealt with leniently. However, most dock owners appear to be treated reasonably by the government and can renew their permissions by playing by the rules without having to make major changes to their docks. Note that variations to the DMP are generally permitted if supported by qualified professional reports.

There's no way for us to check what decisions are being made so there's no precedent, no bank of decisions we can look at and say, well,

you made this decision here so that must apply to me. They're just picking us off one by one, so to speak.

We are still trying to meet with the Province and the Band regarding the lack of science behind the zoning, the 43 percent light penetration requirement and 1.5 metre maximum dock width. Following significant opposition to the DMP, in 2015, the Province commissioned Mr Penner to review the DMP. Following this, Mr Penner told the province to get some evidence to support the requirements laid out in the DMP. The province did so, and their ecological report did not support the specifics of the DMP. In 2019 we commissioned our own report that showed there was no real science behind the zoning, dock width and light penetration, clearly contrary to the DMP (these are available on the phara.ca website). In 2021, the Province commissioned a second engineering report which we presume was done to counter our engineering and biological reports. (One must wonder how many drafts they've had to go through to get it where they want it in order to go contrary to what our experts report say.) We've been told that we will be given the results of that report in the coming month or so.

Some advice: Do not let your permissions or your tenure lapse, especially if you're in the red zone. Play by the rules if you can and get a qualified professional support, your variation if required. PHARA probably can't solve your problems, but we might be able to send you in the right direction or tell you what we know. Don't be surprised if you get an email at some point saying that we may need some funds in order to take the next step with the lawyers.