Waterfront Protection Coalition

October 8, 2026

To: Ministry of Water, Land and Resource Stewardship
Subject: Feedback on the Draft Strategic Management Plan (SMP) for Private Moorage

The Waterfront Protection Coalition is submitting this feedback regarding the draft Strategic Management Plan (SMP) for Private Moorage in the Southern Gulf Islands and Southeast Vancouver Island. While we support environmental stewardship, we are concerned that the proposed framework unnecessarily complicates basic water access, adds overlapping administrative layers, and creates a restrictive approach to private moorage.

We encourage the Ministry to consider the following key concerns, ordered from highest priority to lowest priority:

1. **Explicit Grandfathering for Docks Currently in the Water:** Existing, in-water private docks must be fully grandfathered. Property owners built or maintained these structures in good faith under historical guidelines and retroactively subjecting them to costly replacement mandates creates severe legal and financial instability for residential waterfront owners.
2. **Fair Transition Rules for Pending Applications:** The SMP leaves existing, pending applications in legal limbo. The lack of explicit grandfathering protections penalizes property owners who applied in good faith before any new stringent rules and retroactive Best Management Practice (BMP) compliance timelines implemented. Applications filed under prior frameworks must be processed under the rules in effect at their submission date.
3. **Preserve General Permissions and Avoid Overreach:** Replacing a simple, compliance-based **General Permission** model with discretionary provincial reviews creates unnecessary administrative friction for standard, low-impact private moorage. Predictable rule-based permissions are a must for residential waterfront access.
4. **Questionable Science and Mandated Retrofits:** Requirements like 43% light penetration (grating) impose heavy financial burdens under rigid, mandated timelines without clear, site-specific scientific evidence demonstrating a localized environmental benefit. Broad grating requirements generated significant public pushback under the *swiya* DMP. Enforcing rigid light transparency standards without clear localized science imposes heavy engineering costs on property owners and generates widespread public resistance.
5. **Overly Restrictive Approvals and Presumption Against Docks:** The draft framework relies on restrictive, blanket zoning (Zone 1 and Zone 2) and broad provincial discretion that effectively acts as a potential ban on private moorage in some areas. Rather than starting from a position of how to safely permit docks, the plan creates an environment where dock approvals are treated as an exception rather than a standard property right.
6. **Lack of Reasonableness and Unchecked Ministry Discretion:** A major defect in the proposed framework is the level of sole, unconstrained authority granted to provincial officials. The draft plan allows the Ministry to deny, modify, or cancel tenure at its sole discretion without any

explicit requirement to act reasonably. Any regulatory framework governing private property access must bind the Ministry to principles of administrative fairness, procedural transparency, and basic reasonableness as well as an appeals process.

7. **Eliminate Government Waste and Support the Local Marine Economy:** Implementing an overly complex, multi-layered regulatory oversight model creates significant administrative overhead, permit backlogs for the Province at a time when public budgets are stretched and public debt is mounting. Instead of spending public funds reviewing individual private dock applications, the Ministry should adopt streamlined rules that avoid bureaucratic waste while supporting local commercial marine contractors, pile-driving companies, and suppliers who drive the coastal economy.
8. **Disregard for Community Needs and Lack of Infrastructure Support:** Directing private applicants to use commercial marinas or shared community docks ignores the lack of regional capacity. Existing commercial marinas are at full capacity with years-long waitlists, no new public facilities are being constructed, or approved and the draft plan provides no framework, funding, or clear management guidelines to build or maintain shared and commercial infrastructure.
9. **Exorbitant Upfront Costs and Financial Risk for Applicants:** In this proposed process applicants are forced to shoulder high out-of-pocket costs including hiring Registered Professional Biologists for marine habitat assessments and consulting archaeologists with zero guarantee of authorization. Requiring expensive professional studies before knowing if a dock will be rejected creates an unfair financial risk for residents.
10. **Erosion of Private Property Rights:** Property owners are alarmed by the plan's implicit erosion of upland rights, including the proposal for a mandatory course on foreshore rights as a prerequisite for dock approval. Using Crown land policies to restrict private water access effectively acts as a form of de facto expropriation without compensation, infringing established riparian rights to access the water.
11. **Avoid Regional Patchworks:** Varying dock management overlays across B.C.'s coast such as the *swiya* DMP and the Gulf Islands SMP create a confusing patchwork of rules. A unified, consistent, low administrative provincial approach across all coastal regions is far clearer for property owners.

We encourage the Ministry to simplify these procedures, reduce red tape, and focus on practical guidelines that enable clear, predictable private moorage access.

Sincerely,

The Waterfront Protection Coalition