

Reference: 213348

Owen Plowman, President  
Bowen Island Conservancy

Dear Mr. Plowman:

Your letter of March 13, 2015, addressed to Honourable Steve Thomson, Minister of Forests, Lands and Natural Resource Operations, regarding four *Land Act* applications for Residential Private Moorage purposes fronting Property Lots 1, 3, 14 and 17 at Cape Roger Curtis on Bowen Island, has been referred to me for response.

Docks are a common and acceptable use of Crown land in British Columbia and add to the recreational enjoyment of waterfront properties. Applications for Crown land are referred to applicable governmental agencies, local government, First Nations and the public for comments. With respect to Bowen Island Municipality (BIM), one of their primary considerations is whether the application is consistent with approved bylaws, including zoning. These *Land Act* applications are still under review and no decision has been made at this time.

As requested by BIM in their referral response, all four applicants were required to conduct a biophysical survey and marine assessment to ensure the proposed private moorage facilities would not negatively impact eelgrass meadows, kelp beds, clam beds or mussel beds. In response, an environmental impact assessment was completed by each applicant and submitted to BIM along with recommended mitigation measures, Best Management Practices and environmental monitoring. This submission is also intended to address BIM's 'no net loss' strategy to the area's productive capacity.

As mentioned in your letter, there is a covenanted area on the upland within 30 meters of the natural boundary. In addition to this covenanted area, dock owners are not permitted to interfere with public access along the foreshore, in accordance with their tenure documents. Based on the submitted site designs, the public will be able to walk and kayak under the planned approaches (when high tide allows) without interference. The applicants are also aware that prior to construction and in order to obtain a Building Permit, they must consult with BIM to ensure their facilities are compliant with BIM Building Bylaw No. 65, 2002 / amendment Bylaw No. 336, 2013.

Thank you for identifying concerns regarding high winds in the vicinity of Cape Roger Curtis and the potential for damage to improvements. This will be considered during the review of these applications.

If you have any questions regarding these applications, please contact Jacqueline Cavill, Section Head, Crown Land Authorizations, by phone at [604 586-4313](tel:604-586-4313) or by email at [Jacqueline.Cavill@gov.bc.ca](mailto:Jacqueline.Cavill@gov.bc.ca).

Sincerely,

Craig Sutherland  
Assistant Deputy Minister  
Coast Area