

Docks, Mooring Structures and the Disturbance Standard

ASVA Town Hall – Mooring Q & A

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**Disturbance Standard for Temporary Seasonal Docks and other Mooring
Structures for Personal Recreational Purposes**

April 2021

1

Classification: Protected A

ALBERTA ENVIRONMENT AND PARKS

Public Lands Administration Regulation
AR 187/2011

**MINISTERIAL ORDER
42/2021**

Establishment of Disturbance Standard

I, Jason Nixon, Minister of Environment and Parks, pursuant to section 3 of the *Public Lands Administration Regulation*, as amended, am satisfied that appropriate public consultation has been conducted with respect to the Disturbance Standard for Temporary Seasonal Docks and other Mooring Structures for Personal Recreational Purposes.

Therefore, pursuant to section 3 of the *Public Lands Administration Regulation*, I hereby establish the Disturbance Standard for Temporary Seasonal Docks and other Mooring Structures for Personal Recreational Purposes attached hereto as Schedule 1.

DATED at the City of Edmonton, in the Province of Alberta, this ____ day of _____, 2021.

Jason Nixon
Minister

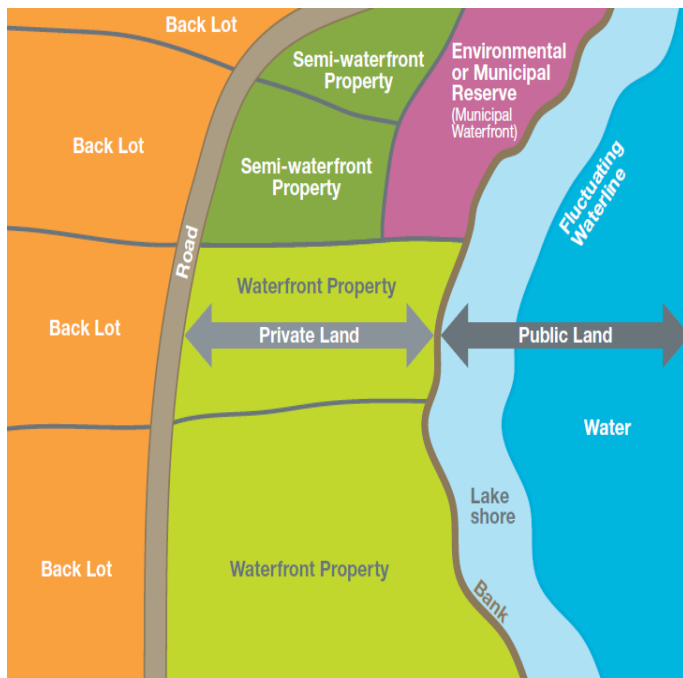
Classification: Protected A



What does Mooring Disturbance Standard do?

- Establishes and defines:
 - who can place a dock/mooring structures out under the standard; and
 - a standard for dock and associated structures including boat lifts, swim platforms, and mooring anchors and buoys.
- Creates a General Permission if the standard is followed.
- The Disturbance Standard is the authorization!
- Reduces, but does not eliminate, the number of people/groups who will need to apply for permission to install mooring structures in bed and shore.

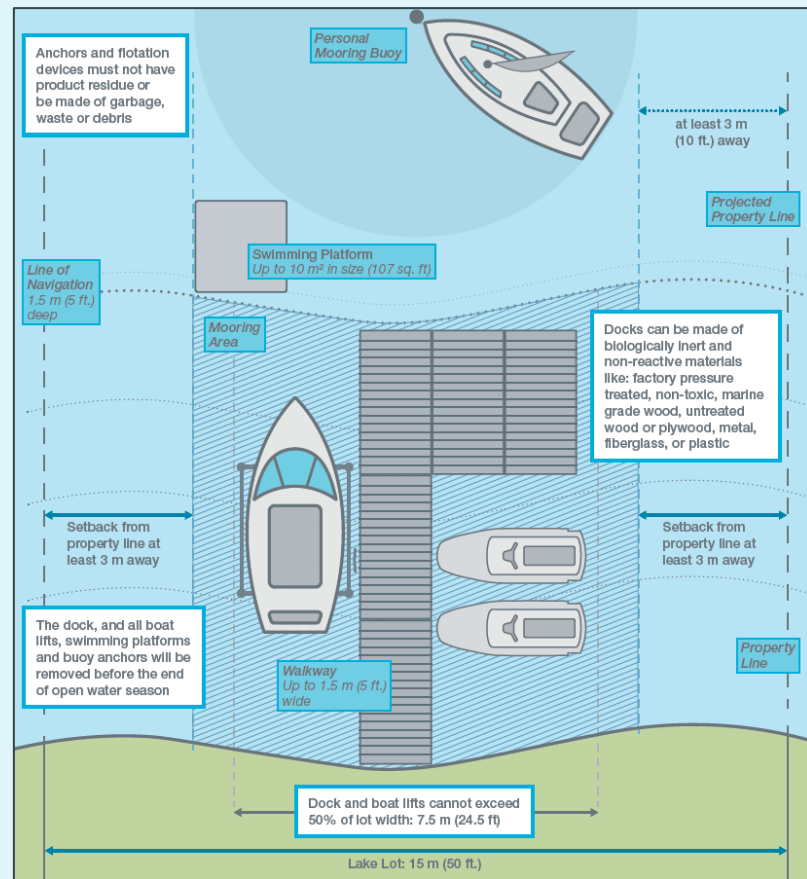
Who does the Disturbance Standard apply to?



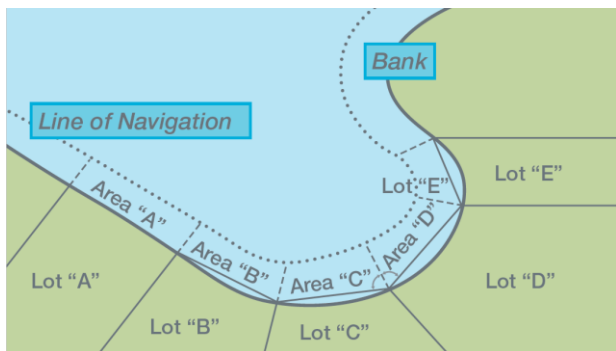
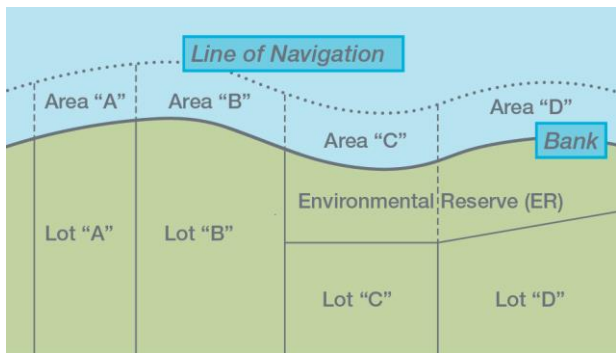
- Waterfront and semi-waterfront holders provided:
 - The activity is temporary and seasonal
 - Meets all the requirements of the maximum acceptable footprint
 - Occurs within the defined mooring area
 - Does not cause loss/damage to public land
 - Does not cause a swimming or navigation hazard
 - Meets federal, provincial, municipal and local government requirements.
- Municipality
 - Temporary and seasonal anchors and buoys

The Common Dock Standard

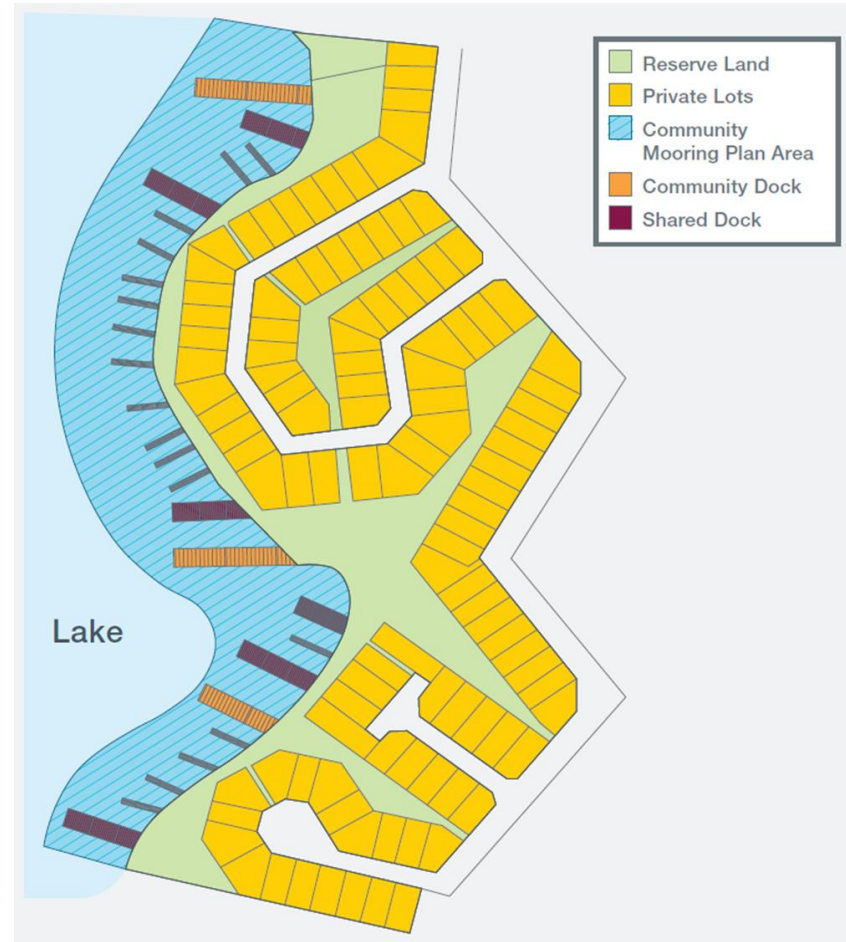
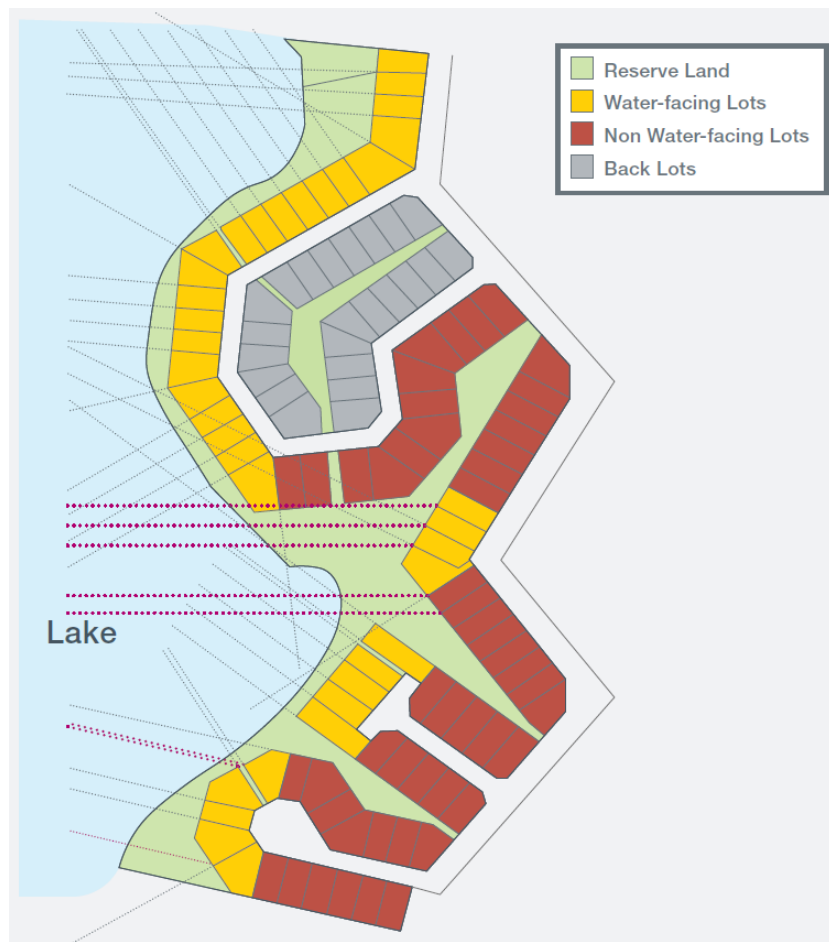
- Based on average lot size
- Defines the following:
 - One dock per mooring area
 - Setbacks from projected property boundary
 - Length of dock (max. line of navigation at 1.5m depth)
 - No limit to number of watercraft
 - Maximum width of all structures combined in any configuration (can occupy mooring area up to 50% of frontage width)
 - Location of mooring buoy
 - Construction standards (does not allow materials that break down or become toxic to aquatic environment)



Defining a Mooring Area for Dock Use



- Each waterfront and semi-waterfront parcel has a mooring area established within which a dock may be placed.
- Generally established by projecting lot lines out to Line of Navigation (1.5m water depth)
- Where this method does not work, alternate methods may be proposed (e.g. cluster lot development)



Aquatic Vegetation Control

- The standard speaks to removing aquatic vegetation for 2 reasons:
 1. Control/eradication of aquatic invasive plants
 - No restrictions
 2. Incidental to a permitted (mooring) activity
 - Single lane, 4m wide max
 - Same location every year
 - One cut only between July 15 and September 15
 - Mechanical means no greater than 1m below water surface



Five Year Transition Period to April 16, 2026

- For existing docks that don't meet specific portions of the standard (e.g. walkway width and materials used).
- Creates a 5 years grace period until April 16, 2026 to meet the standard.
- All new docks will need to meet the standard for the general permission to apply.
- If the general permission does not apply then an authorization or disposition will be required.

What mooring activities still require authorization or disposition?

- Any activity not specifically covered by the standard
 - WF and SWF lot owners, who's dock do not meet the standard criteria
 - Shared dock
 - Multi-user and community dock
 - Back lot owned dock
 - Additional docks in a large mooring area
 - Vegetation removal, beyond the scope in the standard
 - Mooring anchors and buoys, beyond the scope of the standard
 - Permanent structures
 - Commercial activities
 - Reservoirs – many are OIB responsibility
 - Sanctuary under Section 3(qq) of the Wildlife Regulation

Authorization or Formal Disposition

- TFA
 - Small community dock from a municipality, community group or non-profit
 - WF or SWF lot owner whose dock does not meet the standard criteria
 - Back lot owner
- DLO
 - Large community dock
 - Strata/bare-land condo development
 - Commercial docks
 - Mooring field
- DML
 - Marina



Mooring TFA applications & Consent Requirement

- Updated TFA form and user guide released with Disturbance Standard
 - New form (hopefully) more effective and efficient at drawing out where the dock/mooring structure is being proposed and who the applicant is.
- If the applicant is not WF holder then consent from WF is required.
- If the applicant is not WF or SWF then consent from WF is required and the applicant will need to show that there is room in the mooring area (i.e. setbacks can be met).

Compliance

- Transition period
- Education focused
- Complaint based

Implementation Challenges to Date

- Lakes that are wholly defined as a wildlife sanctuary (e.g. Lac La Biche) are outside of Mooring DS and all docks require authorization.
 - To be corrected with future amendment to reduce regulatory burden.
- Update backlot fact sheet to remove any implication that there will be mooring space for such docks.
 - Backlot users have responsibility to find mooring spaces.
- Create fact sheet for municipalities
 - Provide more information on municipal role in dock management and regarding consents.
- Projected lot lines and conflicting traditional dock use
 - User adjustments required to align with standard. Cannot extend into someone else's mooring area.
- Road allowances and dock placement
 - Road allowances as municipal lands and considerations for dock placement.

Questions?

