

District of Central Saanich
Proposed Management Plan for a Nominal Rent Tenure for Transient and Permanent Moorage in
Brentwood Bay

Proposed Tenure Location: The waters and foreshore of Brentwood Bay, as described below but excluding all existing tenures within the described area:

Point of Commencement at the end of a beach access lane on Willis Point at 48.57518° North, 123.47861° West, then to a point at 48.57965° North, 123.47437° West, then approximately 350 metres east to the shoreline at the end of Stellys X Road at 48.57966° North, 123.46973° West, then following the natural boundary of Brentwood Bay south and west to the boundary of Gowlland Tod Provincial Park at 48.56855° North, 123.47275° West, then northerly along the boundary of Gowlland Tod Park to the shoreline of Willis Point at 48.57232° North, 123.47405° West then northwest along the shoreline of Willis Point returning to the Point of Commencement. Containing approximately 73 hectares. The proposed tenure boundary is shown on Map 1, attached.

Intended Land Use and Benefits of the Proposed Tenure: The intended land use for the application area is community use for both transient and permanent moorage. The proposed use will be managed by District of Central Saanich and will help to meet local moorage requirements in a manner that minimizes the impact of vessel moorings on the environment, commercial navigation, First Nations and recreational users of the waters of Brentwood Bay.

There are currently over 100 vessels, floating platforms/dock sections and other objects moored on Crown foreshore (outside of private tenures or commercial marinas) within Brentwood Bay. There are rising local concerns associated with the high density of vessels permanently moored on the Crown foreshore including discharge of sewage, impacts on navigation and on other recreational users, vehicle parking and congestion at public beach access points and visual aesthetics. Management of the moorings in the Brentwood Bay is currently reactive only (i.e. actions taken by Transport Canada only when moorings are clearly impeding navigation).

The proposed use will be non-exclusive and will accommodate both temporary visitors and permanent moorage, including liveaboard vessels. Up to 40 mooring buoys meeting all Transport Canada specifications will be established in specific portions of the proposed tenure area, and will initially give preference to accommodate permanently moored liveaboard vessels already present in Brentwood Bay. Moorage fees (annual or quarterly) will be collected by District of Central Saanich, or a contracted moorage operator operating on behalf of District of Central Saanich. The exact number and placement of the mooring buoys within the tenure area will be refined during the consultation and referral process, with input from Transport Canada, local stakeholders and First Nations. Mooring buoys will not be placed within 50 metres of existing private foreshore tenures or in the proposed navigation channels shown on Map 2 (attached), and will be secured to the seabed using heavy concrete or steel screw anchors (whichever proves to be most secure and cost effective). Four existing mooring buoys placed and owned by Butchart Gardens and not in the main area of Brentwood Bay are exempt from this plan.

Consistent with the terms of a nominal rent tenure, fees will be established by District of Central Saanich at a rate that allows for cost recovery only. A financial model based on estimated operating costs and required moorage fees is shown in Table 1, attached. The estimated maximum number of mooring buoys that may be placed within the proposed licence area was based on an estimated swing diameter of 60 metres for each mooring (calculations shown in Table 2, attached).

Use of the proposed moorages will require agreement to terms of use established by District of Central Saanich. The terms of use will include provisions requiring vessel licencing, insurance, and the installation of sewage holding tanks in all liveaboard vessels and prohibiting the discharge of untreated sewage, except in local pump-out stations. Two pump out stations are already available at local marinas and operation of a privately run mobile pump out service for vessels that are unable to access the pump out stations is also being explored. Temporary (e.g. overnight) anchoring that does not impact on the operation of the tenure will continue to be allowed, but Installation of permanent mooring buoys within the tenure area by parties not authorized by the District of Central Saanich will impact on the lawful use of the tenure and will not be allowed.

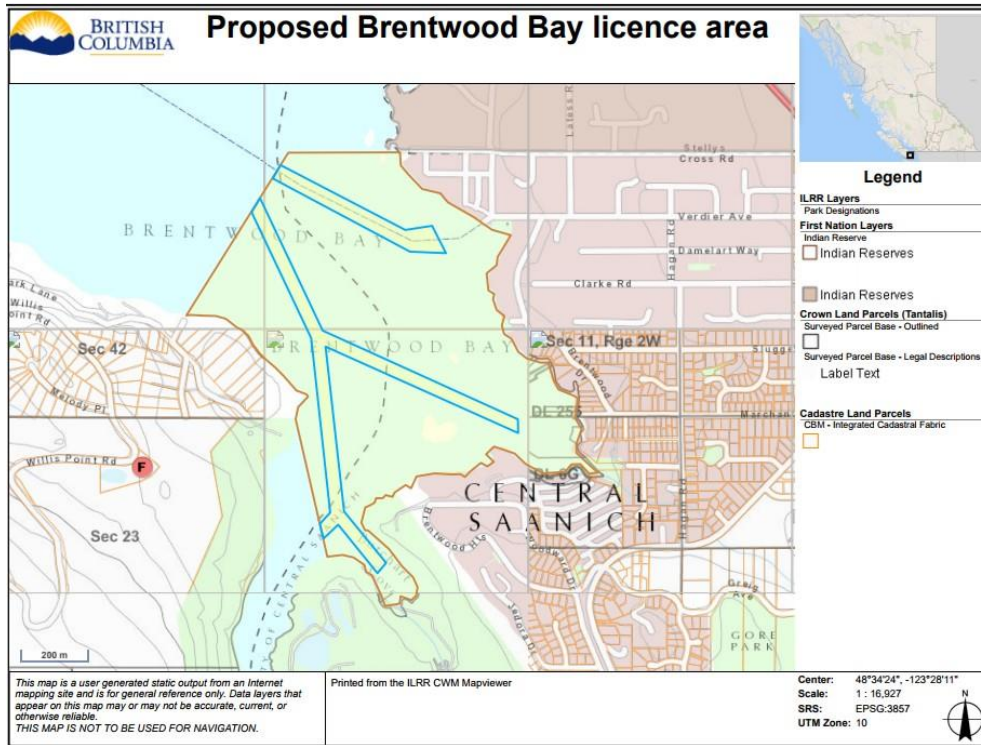
Consistency with Crown Land Allocation Principles:

The proposed nominal rent tenure will ensure that Brentwood Bay is managed for a wide public benefit. At present, there is no management of moorings with the proposed tenure area and the high number of unauthorized moorings is beginning to create conflict between vessel owners, waterfront property owners and commercial and recreational users of the waters. Management of the tenure including enforcement of tenure terms by the District of Central Saanich will help to reduce environmental impact caused by improperly installed mooring anchors, ensure that permanent moorings do not conflict with established navigation corridors and will help to reduce or eliminate the discharge of sewage within the tenure area. Fees associated with public use of the moorings within the tenure area will be relatively inexpensive and will only be used to cover the costs of managing the tenure. Local First Nations are generally supportive of improved management of Brentwood Bay, especially the elimination of sewage discharge as the area is currently closed to all shellfish harvesting due to contamination.

The District of Central Saanich understands the non-exclusive nature of a nominal rent licence of occupation, and that the tenure area may be amended over time at the discretion of the Province to accommodate higher value Crown land applications such as expansion of commercial marina facilities.

An amendment to current zoning that would prohibit permanent (liveaboard) moorage within the tenure area, except on moorings established by the District of Central Saanich for that purpose may also be considered by the District to further reinforce management of the proposed tenure area. The District of Central Saanich assumes that any moorings that are placed illegally by persons and without the consent of the District of Central Saanich, will be dealt with jointly by the Province and the District, using all available enforcement capability. Notwithstanding, the District does not assume responsibility or liability for vessels, moorings or any other object placed within the tenured area without the Districts' permission.

Map 1 – Proposed nominal rent tenure boundary in Brentwood Bay



Map 2: Potential mooring buoy layout within proposed licence area

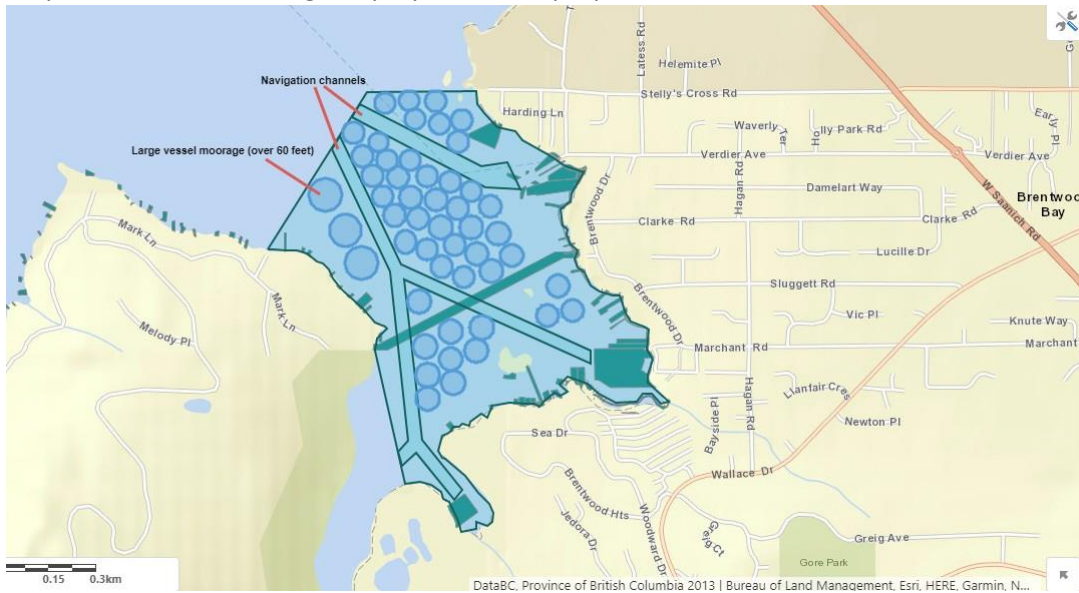


Table 2: Calculation of mooring spacing requirements

Chart depth (m)	High tide depth (m)	High tide Angle of drift (from vertical)	High tide Horizontal swing (m)	Rode length (m)	Low tide horizontal swing (m)	Boat length (m)	Total area occupied (diam. In metres)
12	17	30	9.81	19.63	15.53491	15	61.07

