

Request for Decision Natural Resource Operations Referral

File No: P 151 200
Reference: 612376
Date: May 2, 2022

Subject: Crown Land Licence of Occupation – Tie Lake / Thistle Road Owners Group Society

Applicant: Thistle Road Owners Group Society

Agent: Mike Sosnowski

Location: South shore of Tie Lake, Tie Lake area

Legal: Unsurveyed land in the vicinity of Tie Lake

Proposal: Licence of Occupation application for an amendment to an existing private moorage recreational dock, fronting Crown land. There are currently two docks under the existing tenure and they are proposing to move one of the docks to a new location approximately 100 m to the west along the shoreline.

- Options:**
1. THAT the Ministry of Forests, Lands, Natural Resource Operations and Rural Development be advised the RDEK supports the Thistle Road Owners Group Society Crown Land Licence of Occupation for an amendment to a group moorage on Tie Lake.
 2. THAT the Ministry of Forests, Lands, Natural Resource Operations and Rural Development be advised the RDEK does not support the Thistle Road Owners Group Society Crown Land Licence of Occupation for an amendment to a group moorage on Tie Lake.

Recommendation: **Option #1**
Docks are identified as a low risk activity in this shoreline designation. The included report identifies how the dock can be moved with minimal impact to the surrounding environment. The work completed as a result of this application should follow the recommendations outlined in the report.

Property Information: **Zone Designation:** Land adjacent to the area under application is zoned RS-1; minimum parcel area is 0.3 ha.

OCP Policies:

- To protect fish and wildlife values.
- To protect surface and groundwater quality.
- To respect and protect those attributes that contribute to the rural quality of life that makes the area attractive as a place to live and recreate.
- To minimize the risks to persons, their property and possessions that could result from inappropriate development on hazard prone or environmentally sensitive lands.

Parcel Size: Area affected: approx. 60 m² (0.014 ac)

**Property
Information -
cont'd:**

Density: N/A

ALR Status: N/A

BC Assessment: N/A

Water / Sewer Services: N/A

Interface Fire Hazard Rating: N/A

Flood Hazard Rating: N/A

**Crown Land
Management
Plans:**

N/A

**Lake Management
Plans:**

N/A

**Shoreline
Management
Guidelines:**

- The Tie Lake Shoreline Management Guidelines for Fish and Wildlife Habitats designate the shoreline type in this area as having high current ecological values. These are made up of areas that are relatively natural; possessing high value areas for fish and/or wildlife. These areas are sensitive to development, continue to provide important habitat functions, but may be at risk from adjacent development pressures. Restoration opportunities potentially exist in these areas. Proponents should consider moving high risk activities to other areas if possible or pursuing activities that have lower associated risks. The Guidelines state that this shoreline type accounts for 38% of the total shoreline length of Tie Lake.
- Docks are identified as a low risk activity within this shoreline type.

**Additional
Information:**

- The application states that the proposed new location of the dock will allow for better boat access. Sediment mobilization along the shoreline is a common issue around Tie Lake and the current dock location no longer allows for boat access due to the amount of sedimentation.
- The application states that the docks each have four berths and provide moorage to the Society members. Access to the docks is via two designated trails to the shoreline from Thistle Road, and the Society members private lots. MoTI owns the upland land and have provided support to the group to make application.
- The applicants have obtained an Environmental Assessment and Management Plan prepared by VAST Resource Solutions in October 2021. The assessment stated that potential amphibian, bird, and terrestrial wildlife habitats may exist within the riparian and littoral habitats of the project footprint and care should be taken to avoid harm to any wildlife species.

**Additional
Information -
cont'd:**

Prior to starting the project activities, the work area should be outlined and visually inspected for any signs of active wildlife, particularly breeding birds and western painted turtles. If any signs are spotted these areas should be avoided. Since the proposed work is set to occur during the general bird nesting period a nest sweep should be completed by a Qualified Professional immediately before work. A survey of western painted turtles and their nest sites should also be completed by a QP immediately prior to the dock relocation. If any nest sites are suspected or identified, appropriate setback distances or other appropriate mitigation measures must be provided to avoid disturbing the nests.

Consultation: **APC Area B:** Support recommended

**Documents
Attached:**

- Location Map
- Proposal
- MoTI Letter of Support
- Photos from Applicants

**RDEK
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