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## INFORMATION BULLETIN

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Ministry of Forests, Lands, Natural Resource Operations  
and Rural Development

### **Reminder to waterfront landowners about land status**

KELOWNA – Private waterfront landowners on the Okanagan lakes who want to repair docks, boat moorage facilities, retaining walls or eroded land are reminded to contact their local government to find out what kind of authorization is required.

This spring's flooding and high water levels resulted in damage to many waterfront and near-shore structures in the Okanagan lakes system.

Waterfront landowners must also ensure that any proposed work is done on their property and not Crown land. A landowner is required to hire a certified B.C. land surveyor to determine the present natural boundary (PNB) of the lake. A lake bed is considered Crown land.

If a recent survey indicates a retaining wall or land damaged in the flood is near or next to the PNB, the landowner needs to apply for authority to make changes under the Water Sustainability Act on the FrontCounter BC website. The application should include the recent survey, as well as a development plan that describes how the work will be completed. Engineered drawings may also be required.

If the survey indicates a retaining wall or infilled land is below the PNB, these are considered to be in trespass on Crown land. In this case, the landowner is required to make an application, including a recent survey and development plan, which describes how the retaining wall and/or fill will be removed from Crown land and how any subsequent work on private land will be undertaken.

In extenuating circumstances (e.g. the foundation of a home may be compromised by the removal of the retaining wall/fill), FrontCounter BC may accept a Land Act application to tenure your retaining wall/fill on Crown land.

Natural resource officers and ministry staff are currently on the lake providing information to landowners and monitoring compliance.

#### **Learn More:**

FrontCounter BC: <http://www.frontcounterbc.gov.bc.ca/guides/surface-water/changes-in-about-stream/overview/>.

Private moorage general permissions: <http://www2.gov.bc.ca/gov/content/industry/natural-resource-use/land-use/crown-land/crown-land-uses/residential-uses/private-moorage>

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