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## INFORMATION BULLETIN

For Immediate Release  
2018FLNR0053-000568  
April 4, 2018

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

### **New rules in effect for Pender Harbour dock owners**

SECHELT – The Pender Harbour dock management plan, released today, provides mandatory requirements for dock design and construction to meet environmental and archeological concerns, and defines three zones within Pender Harbour where additional requirements or restrictions apply.

The dock management plan was developed collaboratively with shíshálh Nation, and with input from Pender Harbour dock owners and stakeholders. The final plan was informed by the 13 recommendations from consultant Barry Penner’s 2016 report, including the results from the recently completed archeology survey and environmental study.

The dock management plan divides Pender Harbour into three zones, with no new docks allowed to be built in Zone 1. The existing unauthorized docks in this zone will need to be removed.

Zone 2 allows for the construction of new docks, if shared by multiple parties and for commercial use. The structures need to be consistent with the new dock management plan requirements. New applications for private moorage will not be accepted.

Zone 3 allows for new applications. Any existing unauthorized docks in zones 2 or 3 will need to be brought into compliance with the new rules under the dock management plan.

The existing 321 dock owners seeking replacement tenures will now be able to begin the tenure replacement process. Ministry staff will be contacting those dock owners directly about the application process.

The environmental study found that increasing numbers of docks are associated with a decrease in kelp cover and fish abundance, and harm critical eelgrass habitats, which support species at risk. The archeological survey found that no portion of the Pender Harbour area can be considered low potential for archeological materials.

The Pender Harbour dock management plan aims to address environmental stewardship and resource management concerns by minimizing impacts to marine resources, protecting archeological resources from disturbance, and advancing collaborative management between the shíshálh Nation and the Province.

### **Learn More:**

A copy of the Pender Harbour dock management plan is available online at:  
<https://arfd.gov.bc.ca/ApplicationPosting/viewpost.jsp?PostID=43285>

Two backgrounders follow.

**Contact:**

Media Relations  
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## BACKGROUND 1

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### **Pender Harbour archeology survey**

An archeological survey of Pender Harbour was conducted in October 2017 by the archeology unit of Inlailawatash Limited Partnership.

The preliminary survey was limited to the foreshore, and shows that any development in Pender Harbour has the potential to adversely impact archeological materials, with many impacts having already occurred.

In total, 66 previously recorded archeological sites were assessed. Forty-one were observed to have docks, marinas or other built structures, such as retaining walls, on the adjacent foreshore, most with the potential to negatively impact archeological materials. Twenty-nine of the 41 sites observed may be negatively impacting an archeological site, but require further study to verify any potential impacts. However, 12 of the 41 sites are known to have been negatively impacted. In addition, ongoing use of existing infrastructure may also be impacting existing recorded and unrecorded archeological materials.

The study concludes with the following recommendations:

1. All future study and assessments of the archeology of Pender Harbour and the offshore islands involve the shíshálh Nation.
2. An Archaeological Impact Assessment be conducted to determine the spatial size and complexity of the recorded and newly identified sites.
3. The Archaeological Impact Assessment consist of comprehensive shovel-testing to update site boundaries of recorded and unrecorded sites.
4. The Archaeology Branch's Site Inventory Database of previously recorded archeological sites be updated with the new information recorded from this survey.
5. All new sites identified during this survey be registered in the Archaeology Branch's Site Inventory Database.
6. Subsurface testing be conducted in the intertidal zones adjacent to shoreline archeological sites and features, to identify sites that were not visible superficially.
7. That profiles of rock layers (stratigraphic profiles) be recorded for all foreshore site exposures.
8. Soil, charcoal, artifactual and faunal samples be taken at all site exposures along the shoreline, and possibly within the inland portions of the sites, for analysis of baseline, chronological, and cultural history information, and as a mitigation measure for impacts that have already occurred.
9. Any ground-disturbing activities conducted within the boundaries of a registered archeological site require a Site Alteration Permit under Section 12 of the Heritage Conservation Act.
10. A public education program be conducted by the Province, in partnership with the

shíshálh Nation and a professional archeologist(s), to inform the public about the nature, value and protection of archeological sites in their community.

Archeological sites are highly sensitive in nature, and the precise location and details of these sites are not widely publicized to prevent vandalism or theft of valuable artifacts. Copies of the full study will only be made available to professional archeologists.

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## BACKGROUND 2

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### **Pender Harbour environmental study**

In March 2018, M.C. Wright and Associates Ltd. (MCW) concluded a two-phased environmental study in Pender Harbour. The study found evidence that increasing numbers of docks, including marinas, had adverse effects on algae diversity, kelp coverage, fish abundance and eelgrass beds.

Eelgrass, a critical component in marine ecosystems, was not growing under docks or areas where boats might be moored, due to shading. It was also noted that the affected area of eelgrass underneath a dock ranged from 2.6 to 5.4 times larger than the dock itself.

Due to the negative effects of dock density on marine habitats and community composition that were observed, MCW states that a successful dock management approach must combine protection of critical habitats, stringent dock design regulations and regulatory oversight.

The study highlights the need for public education regarding Pender Harbour's marine environment, particularly in reference to eelgrass and its importance in providing critical habitat for fish, while mitigating against climate change. MCW also notes that eelgrass is protected from destruction under the federal Fisheries Act.

A copy of the study can be downloaded  
from: <https://arfd.gov.bc.ca/ApplicationPosting/viewpost.jsp?PostID=43285>

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