



October 27, 2021

Columbia Shuswap Regional District
555 Harbourfront Drive NE
PO Box 978
Salmon Arm, BC V1E 4P1

Dear Members of the CSRD Board:

We are a group of homeowners, seasonal residents, community members, business owners, and job-creators who are deeply connected to the Shuswap. We have come together to form the *BC Dock Owners Coalition* (the Coalition) and we write to seek a meeting with you in relation to the difficult issue of “upland owners” located along the proposed Shuswap North Okanagan Rail Trail (the Rail Trail). This letter is written on behalf of those across the Shuswap/Okanagan who will be negatively impacted by decisions taken by the Columbia Shuswap Regional District (CSRD) in relation to dock ownership, enjoyment, and use by upland owners – and the deeply negative impact of these decisions on our communities and region.

Like you, we want Sicamous and the entire Shuswap to be a leading place to live, work, and do business – and we believe this should be the central objective of our local, regional, provincial, and federal representatives, demonstrated daily through policy commitments and good governance. We also believe the way individual residents are treated speaks volume about the overall health of a community.

We are deeply concerned by orders and pending orders to remove docks and buoys within CSRD jurisdiction. This action has sharply divided sentiment towards what should be a celebrated regional project: the Rail Trail. The Rail Trail has the potential to bring extraordinary benefits to communities from Sicamous to Armstrong which are being overshadowed by sustained jurisdictional overreach, interference with real property rights, and degradation of both land values and community cohesion. Upland owners in the District of Sicamous have, with great effort and for close to two years, tried to work collaboratively to find a mutually-beneficial response to the by-law that purports to permit CSRD to remove semi-waterfront docks. To date, there has been no positive movement. Due to this ongoing conflict, the Coalition has engaged international law firm **Fasken Martineau DuMoulin LLP** to represent us in efforts to preserve our docks and buoys, while also preserving the value of private lands, community economic development, and the very reputation of the Shuswap as a desirable place to live and visit.

Many of the docks in question have been in place for more than 50 years. The “crossing agreements” proposed by CSRD contain unreasonable, punitive clauses that carry substantial drawbacks for affected property owners. Moreover, the implications of treating any resident in this manner is that all residents become threatened in their enjoyment of property, economic security, and sense of community. Boating, fishing, backcountry motorized sport, and a welcoming spirit are in the D.N.A. of the Shuswap. If Sicamous is not dock-friendly, Sicamous is not Sicamous.



There is an alternative, and we ask you respectfully to consider it: there is a precedent in Lake Country along the southern Okanagan Rail Trail where upland owners were provided a fair crossing agreement which respected both community interests and private property rights. This type of agreement could rapidly resolve the current conflict with CSRD, leading to equitable treatment of all dock and buoy owners and make the Rail Trail the celebrated achievement it deserves to be.

Should a fair agreement with upland owners not be struck, the implications for the entire community are stark: financial losses are already being experienced as property owners enter the real estate market with homes on an incredibly desirable lake, but with the likelihood of no dock access. Interaction with real estate agents and potential buyers indicate that property values have drastically declined --by up to 50% in some cases-- due directly to CSRD actions and threatened actions. Indeed, land may not be saleable at all as prospective buyers decide to avoid Sicamous entirely. In this way, the chill effect on the housing market will infect the entire community as the Shuswap becomes known for its draconian approach to docks, motorized water sports, and backcountry activities – all of which have been, until recently, hallmarks of the Region.

This leads to a broader issue: CSRD's approach to docks not only impacts individual owners but holds consequences across industries such as real estate, construction, tourism, and all small-to-medium size enterprises. It sends a highly-negative message: this is not a community welcoming to outsiders or growth; it is not a boating-friendly community; it is not a community in which you should invest. The results for Sicamous and the entire Shuswap could be economically and socially disastrous.

All told, there has been very poor engagement with the District of Sicamous, directly-impacted upland owners, and the community generally. Representative bodies have a responsibility to consult and take fully into account the concerns of residents, seeking healthy compromise. In this case, CSRD has failed to discharge its obligation to engage meaningfully with the 22 landowners on Mara Lake and all of those in the broader community who want a dock-friendly, backcountry-positive Region. This hard-line approach has no place in the Shuswap.

There is also broader community concern with Rail Trail project costs and the current budgetary plan: at present, the vast majority of funds appear to be directed at fixing problems *along* the trail, rather than the trail itself. This leads to questions about overall project costs. As was raised at the Rail Trail Governance Committee on October 8, 2021, there does not seem to be any plan for parking or public accessibility to the trail which is a significant issue if tourism and economic benefits are top-of-mind.

Lastly, the land in question was purchased without thorough environmental investigation and regard for environmental liability. There is significant concern among community members that the land where the trail is set to be constructed is questionable in its environmental state. When this land is disturbed, there will be great risk to the water, adjacent shorelines, and plant and animal wildlife inhabiting both. Environmental disturbance could increase financial costs and further decrease property value for all landowners. This must be further examined prior to any disruption on the proposed Rail Trail route.



**BC
Dock
Owners
Coalition**

We look forward to hearing from you at your earliest convenience to schedule a meeting. You may contact us at bcdockownerscoalition@gmail.com to provide your availability.

Yours very truly,

Natalie Sorkilmo

Jeremy Fehr

Randy MacDonald

On behalf of:

BC Dock Owners Coalition



**BC
Dock
Owners
Coalition**

cc:

Sicamous-to-Armstrong Rail Trail Governance Advisory Committee

District of Sicamous Council

Mr. Greg Kylo, MLA

Mr. Mel Arnold, MP

Mr. Charles Hamilton, CAO, CSRD

Mr. Evan Parliament, CAO, DOS