



City of Port Moody

Report/Recommendation to Council

Date: June 7, 2021
Submitted by: Community Services Department – Environment Division
Subject: Renewal of the Licensing Agreement for the Designated Anchorage Area

Purpose

To report back to Council on implementation of the DAA Pilot Program (2016-2021) and recommend renewing the existing Licensing Agreement.

Recommended Resolution(s)

THAT the Mayor and Corporate Officer be authorized to renew the existing Licence with the Vancouver Fraser Port Authority to extend the term of the Designated Anchorage Area for five (5) years;

AND THAT an annual budget of \$12,000 be included in the 2022-2026 Financial Plan for insurance and other costs associated with administration of the program for the Designated Anchorage Area as recommended in the report dated June 7, 2021 from the Community Services Department – Environment Division regarding Renewal of the Licensing Agreement for the Designated Anchorage Area.

Background

The current agreement with the Vancouver Fraser Port Authority (“the Port”) for the Designated Anchorage Area (DAA) will be completed on June 30, 2021, following a five-year pilot period (**Attachment 1**). Since the DAA was established, staff have reported to Council on two occasions to recommend administrative changes. Most recently, at the Regular Council Meeting on March 12, 2019, Council passed the following resolution:

RC19/110

THAT the 2020 Parks operating budget include funding of \$5,000 for the Designated Anchorage Area (DAA) Pilot Program;

AND THAT staff be directed to report back after Year 4 of implementation of the DAA Pilot Program with recommended actions prior to renegotiation of the DAA Licence Agreement.

The Port wishes to modify the existing Licensing Agreement to extend the term for five (5) years.

Discussion

The DAA has successfully achieved its original objective to proactively address issues associated with increased boat use and long-term anchorage in Port Moody Arm, in particular, to minimize recreational, aesthetic, and environmental impacts from these activities. Establishment of the DAA and its user-fee system appears to deter long-term anchorages. There have been no issues with extended non-compliance and no abandoned or derelict boats required removal during the pilot period. The DAA's success in reducing long-term anchorages is a positive community benefit, especially as recreational use of Port Moody Arm increases (35% increase in recreational boating activity in 2020, pers. comm. Port Operations, April 19th, 2021).

Typical users include recreational boaters, some temporary live-aboards working locally, and boats waiting for repair space at the marina. Users are allowed to stay for 21 out of every 40 days. Staff have responded to complaints as needed, and inspection has been infrequent (once per month during high season). The annual income generated through user fees is less than operating costs, which is not unexpected as a partial cost recovery approach was chosen for the pilot period based on a review of alternative financial options. Staff costs (i.e., facility booking, inspection and enforcement, and project management) were embedded into existing operating budgets and have not been separately tracked (Table 1).

Table 1. Income and approximate expenses associated with operating the DAA.

	Year 1	Year 2	Year 3	Year 4	Year 5 (to date)
Use and Income¹					
# overnight users	24	17	6	10	14
# days of use	115	64	35	44	114
Total fees paid	\$1,332	\$768	\$496	\$556	\$1,575
Costs					
Insurance	\$5,000	\$5,000	\$5,000	\$5,150	\$5,408
Facility booking ²	\$2,400	\$1,700	\$600	\$1,000	\$1,400

Note: each year is counted from July 1 to June 30

1. Current user fees are \$12.50 per night.
2. Two hours staff time estimated per user booking (approximate total cost of \$50/hour).

Some challenges or limitations with the DAA should be recognized moving forward:

- Limited jurisdiction: Any abandoned or derelict boats outside of the DAA are not within the City's jurisdiction. The removal of derelict boats that are a risk to navigation or the environment falls under the responsibility and decision-making authority of the federal government. Any action is based on the Port or Coast Guard's assessment of urgency and prioritization within limited resources.
- Financial risk: The City can decide to remove non-compliant or abandoned vessels in its DAA, but no reserve fund is in place. As previously recommended by staff, accumulated surplus would be used to pay for any boat removals (which could be upwards of \$20,000 per vessel). In the case of abandoned or derelict boats, the City could decide to wait for action by senior government agencies. This would be at no cost to the City, but would be based on the Port or Coast Guard's assessment of urgency and need.

- Realistic expectations: Enforcement is complaint-driven, often with an expectation for immediate action. However, limited on-water access restrict staff's ability to monitor and enforce. Removal of vessels from marine waters can take significant time and resources for any regulatory agency. Although the City can remove boats from its DAA, the cost of boat removal may outweigh the benefit.

Recommendation

Staff recommend renewing the existing Licence Agreement to extend the term of the DAA for five (5) years, based substantially on the terms set out in **Attachment 2**, with such further changes as may be recommended and agreed to by the City Solicitor. Implementation of the DAA has adapted over time, and opportunities for streamlining administration, improving cost recovery, and supporting on-water inspection and enforcement will continue to be undertaken.

Other Option(s)

THAT staff be directed to terminate the existing Licence Agreement with the Vancouver Fraser Port Authority for the Designated Anchorage Area.

Financial Implications

Annual insurance costs were included in the City's financial plan during the DAA pilot period, but staff time has been incorporated within existing operating budgets across various departments. An annual operating budget of \$12,000 is required to cover insurance and staff time for administration of the DAA as a program. Partial cost recovery through user fees will continue.

Communications and Civic Engagement Initiatives

Information about the DAA on the City's website and signage at Rocky Point Park will be updated.

Council Strategic Plan Objectives

This project supports the following Council Strategic Plan Objectives:

- Environmental Leadership – Expand and make the most of our parks and green spaces and design them to create positive and diverse experiences throughout the community; and
- Exceptional Service – Form effective relationships with service delivery partners, industries, and stakeholders to improve service delivery.

Attachment(s)

1. Existing Licensing Agreement for the Designated Anchorage Area.
2. Amending Agreement for the Designated Anchorage Area.

Report Author

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Report Approval Details

Document Title:	Renewal of the Licensing Agreement for the Designated Anchorage Area.docx
Attachments:	- Attachment 1 - Existing Licensing Agreement for the Designated Anchorage Area.pdf - Attachment 2 - Amending Agreement for the Designated Anchorage Area.pdf
Final Approval Date:	Jun 14, 2021

This report and all of its attachments were approved and signed as outlined below:

Julie Pavey-Tomlinson, Director of Environment and Parks - Jun 10, 2021 - 4:04 PM

Theresa Cochran, General Manager of Community Services - Jun 11, 2021 - 5:27 AM

Dorothy Shermer, Corporate Officer - Jun 11, 2021 - 2:27 PM

Natasha Vander Wal for Rosemary Lodge, Manager of Communications and Engagement - Jun 11, 2021 - 3:00 PM

Paul Rockwood, General Manager of Finance and Technology - Jun 12, 2021 - 6:32 PM

Tim Savoie, City Manager - Jun 14, 2021 - 9:18 AM