

**MOORING BUOYS**

Our Love-Hate Relationship

Top Picks:  
**SURVIVAL CLOTHING**



# Pacific Yachting

BOATING IN BRITISH COLUMBIA

## The Broughtons

# 8 FUNKY MARINAS

HOW TO  
GET THE BEST  
INSURANCE FOR  
YOUR BOAT

SAN JUAN  
GETAWAY  
FRIDAY  
HARBOR

CRITTER  
CONTROL  
DEALING  
WITH  
PESTS



## UNDERSTANDING WEST COAST WEATHER

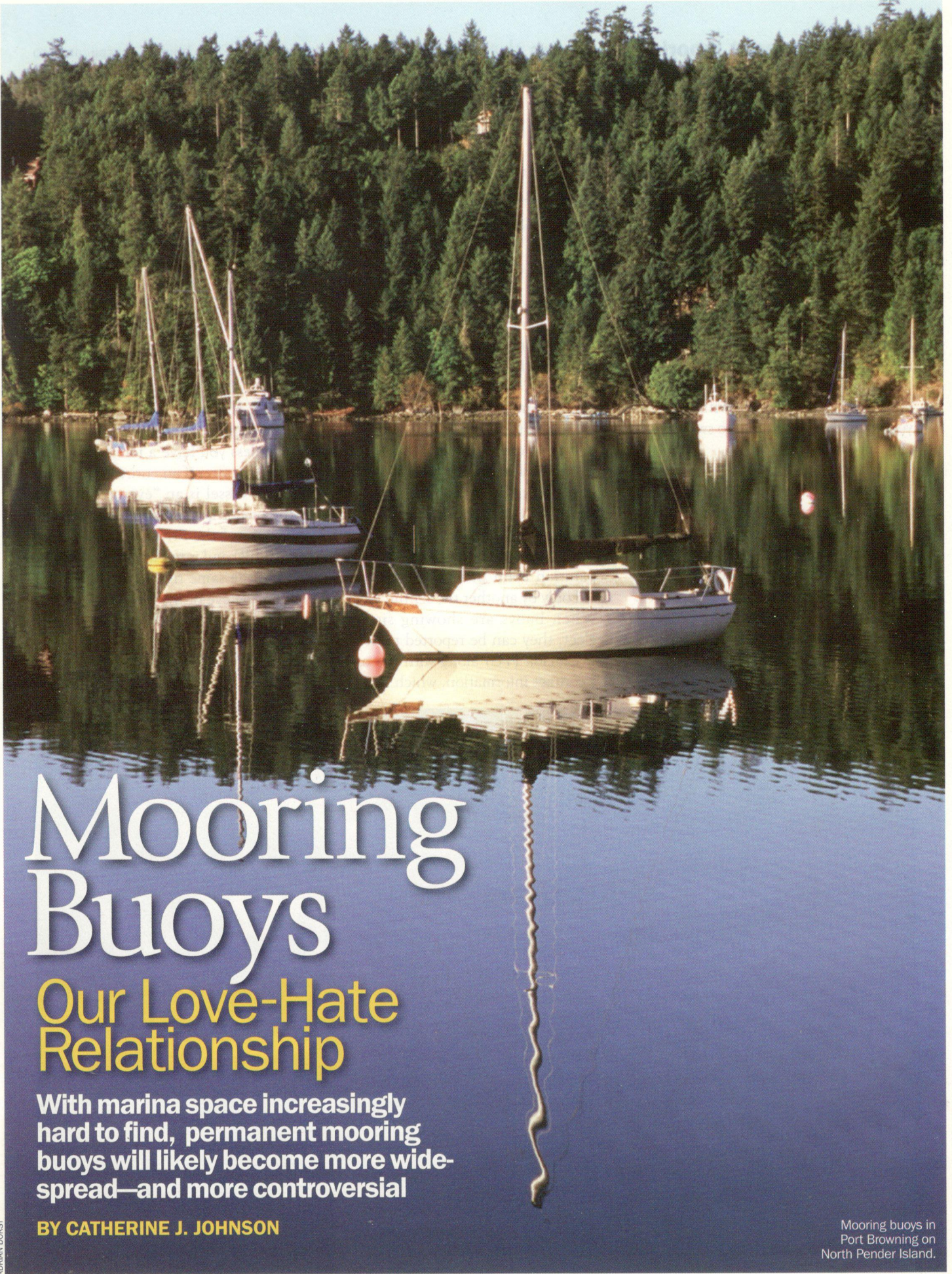
www.oppublishing.com

November 2007

\$6.95



PM40069700 R07765



# Mooring Buoys

## Our Love-Hate Relationship

With marina space increasingly hard to find, permanent mooring buoys will likely become more widespread—and more controversial

BY CATHERINE J. JOHNSON

Mooring buoys in Port Browning on North Pender Island.

ADRIAN DORST

**P**ermanent mooring buoys on the south coast of B.C.: a bane to some, a joy to others. It's all a matter of perspective, but they are dotting our waters with increasing frequency. You could be the boater who loves them: You get up early and walk to the beach, push the dinghy in and row out to your yacht, pleased with your permanent mooring buoy—the boat is close to home without the worry of leaving it at anchor, and you save on moorage fees.

Or you could be the boater who hates them: You motor into a favourite bay after planning the trip all year, but there's no room to anchor; mooring buoys dot the place from shore to shore—some with boats tied to them, some without—but you know there's no room to swing if you set your anchor.

**MOORING MYTHS** As in the advent of urban legends, we now have “marine myths” that include these buoys. The myth of “squatters' rights” is one example, asserting that it's legal to lay claim to an unused or unidentified mooring buoy. Not true. The buoy is private property regardless of markings or frequency of use, and you risk confrontation by the owner if you use one. That point aside,

it may not be prudent to risk the safety of your vessel by tying to a mooring where its condition and holding power are unknown. Just recently, an errant sailboat in Cowichan Bay went winging by the government dock in a southeasterly, headed for the mud flats, and ultimately re-anchored itself with whatever remained of the buoy it was tied to; it was later hauled to the dock by some considerate locals. Another sailboat, also from Cowichan Bay, cut loose from its mooring buoy in a westerly and was flying toward Separation Point in a three-foot chop, saved only by another thoughtful local.

When buoys are showing signs of neglect, they can be reported to Transport Canada (TC) along with the owner's contact information, which must be

displayed on the buoy. Reports can also be made to the Canadian Coast Guard (CCG) who will forward them to TC.

Another marine myth is that a vessel tied to a permanent mooring buoy is required to be mobile under its own power. Not true. There are no provisions under the Canada Shipping Act that address this issue. Float homes are a different matter and require approval from TC and the municipality in question.

**POINTS OF CONTENTION** Permanent mooring buoys are often a point of contention with property owners as well as with boaters. As many waterfront and near-waterfront homeowners have discovered, the view you get from your living room window is the luck of the draw unless you have a foreshore lease. It doesn't matter if an entire community thinks a vessel is an “eyesore” as long as the owner is in compliance with the provisions of the Private Buoy Regulations (PBR) and is not in trespass. Everyone has the same rights, and beauty is, well, in the eye of the boat owner. Only those with a foreshore lease may remove

---

Brentwood Bay in Saanich Inlet is commonly cited as having too many mooring buoys.



BRUCE JOHNSON



At Avalon Harbor on California's Catalina Island the public can purchase private buoys starting at \$110,000.

removed when necessary. Compliance refers to appropriate colour(s), placement and identification.

**TOO MANY BUOYS** There are increasing rumbles of dissent along the south coast about bays that have become "clogged" with permanent mooring buoys; Degnen Bay on Gabriola Island and Brentwood Bay in Saanich Inlet are two areas commonly griped about. Sometimes there are navigation issues, rather than ones of inconvenience or esthetics.

"Clogged," like "eyesore," is subjective. Generally, TC becomes aware of these situations when a complaint is received from the boating public, the CCG or a landowner. Upon receiving a complaint, an NWPP officer will determine the extent of the obstruction to navigation and will attempt to develop mitigation if required to reduce any impact. Buoys may be ordered relocated or removed. It is usually the cumulative effect of

a mooring buoy that belongs to someone else, and then only when the buoy is in trespass on their lease—that is, when it is placed on an offshore tenure held by the person who wishes to remove it.

A lone buoy is seldom a substantial obstruction in terms of navigation or access. Once a vessel is secured to the

mooring buoy, however, it could become a hindrance. Complaints are dealt with on a case-by-case basis by TC's Navigable Waters Protection Program (NWPP), which recently took over responsibility from CCG for administering and enforcing the PBR. Buoys that are not compliant with the PBR can be ordered

COURTESY CITY OF CATALINA

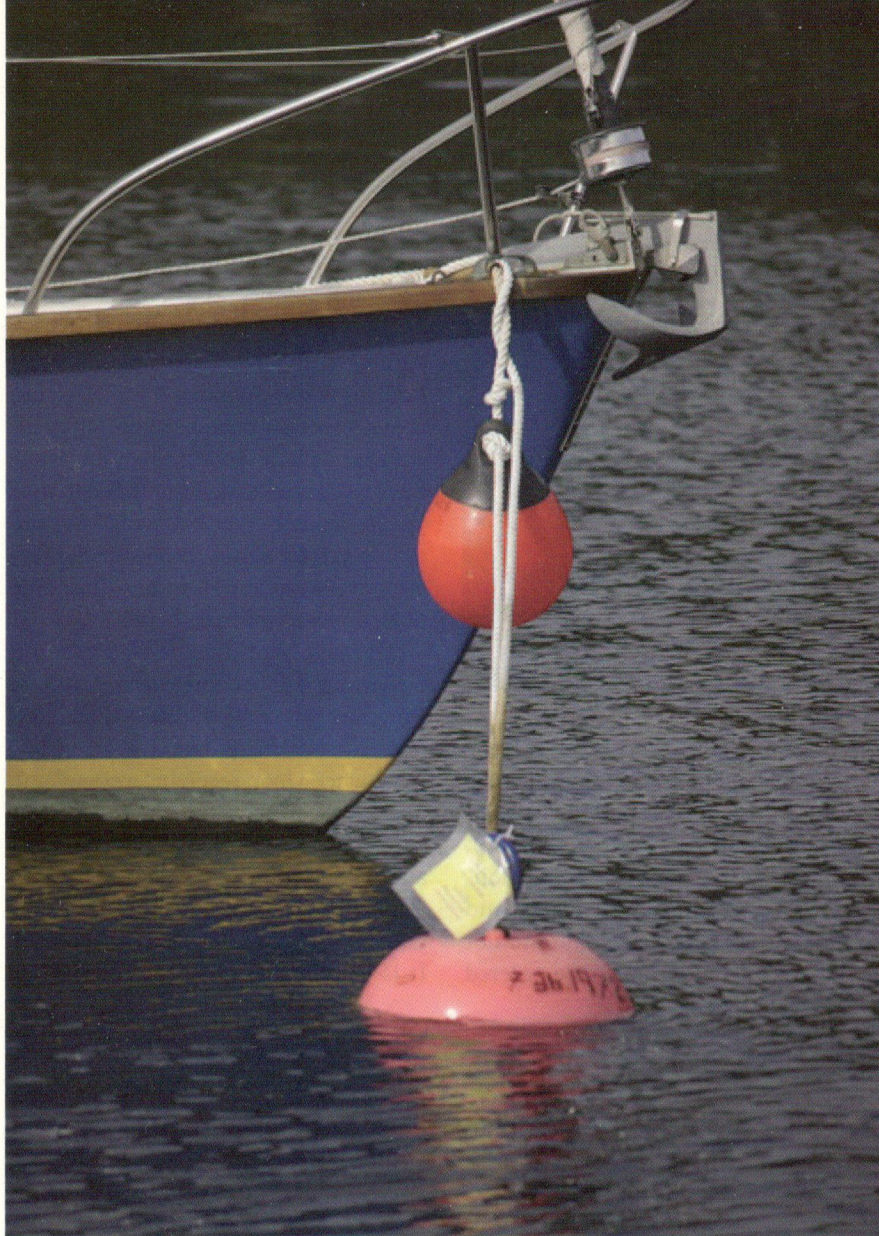
**SkipperCress**  
Yacht Sales

**Now Offering  
Ranger Tugs.**

SkipperCress is now adding the entire line of Ranger Tugs to their already impressive fleet.

Ranger Tug R25 which is a semi-planing, trailerable cruiser with faster cruising capabilities and comfortable accommodations for up to five persons! The 110 hp Yanmar Cruises comfortably at 10 knots while burning only 3.5 gph!

**SkipperCress Yacht Sales • Call 800-856-0471 • [www.skippercress.com](http://www.skippercress.com)**



The placement and marking of all private buoys is governed by Transport Canada's Private Buoy Regulations.

numerous buoys that results in navigational issues. It then becomes a case of which buoys are creating the problem and which can remain. But nothing will be done if TC is not aware of the matter. Boaters need to issue complaints—not just grumble about it to the next boater.

Anyone on the coast of B.C. can legally place a buoy, providing it complies with the PBR. (Integrated Land Management Branch does not require Licenses of Occupation for buoys that are for private use only.) Since mooring buoys with no vessels attached have very little impact on navigation, they are generally just an inconvenience to local traffic, which would naturally prefer not to have to dodge buoys.

It's unfortunate when a bay carries so many mooring buoys that we can't always anchor when we'd planned to do so, but it is akin to a marina being full when we arrive—there were others ahead of us. There is, of course, an unfortunate permanency about mooring buoys that make their presence seem doubly unfair and difficult to accept. And as with any freedom that is exploited, even when that exploitation is unwitting and due merely to sheer population, heavier restrictions will no doubt be applied over time.

**THE U.S. MODEL** The U.S. has a workable yet fairly regulated system governing mooring buoys. Three levels of permission (encompassing four agencies) are required by those wishing to install a permanent mooring buoy: a shoreline permit from the local jurisdiction; a hydraulic

## PRIVATE BUOY REGULATIONS

UNDER THE CANADA Shipping Act, private buoys are prohibited in any waters where interference to navigation might occur or where any vessel operator might be misled.

When placing private buoys, ensure that the part of the buoy that shows above the surface of the water is at least 15.25 centimetres wide and 30.5 cm high. The buoy must also display the capital letters "PRIV" on opposite sides, as large as possible and in designated colour combinations: white lettering when the background colour is red, green or black, or black lettering when white or yellow. The name, address and telephone number of the private buoy owner must be displayed (and maintained) in a conspicuous location and in a permanent and legible manner. The buoy should comply with the requirements set out in *Canadian Aids to Navigation*, published by the Canadian Coast Guard in 1995, as amended from time to time. The buoy and its anchor should be constructed and maintained in a manner and with materials that ensure that the buoy remains in position and retains the characteristics specified above.

If there is a need for increased visibility or better identification of a buoy for safety and the prevention of accidents, Fisheries and Oceans Canada may order the owner of the buoy to modify it according to the requirements set out in the *Procedures Manual for Design and Review of Short-Range Aids to Navigation Systems* (TP9677), published in March 1989 by the Canadian Coast Guard, as amended from time to time.

No person shall place in any Canadian waters a private buoy that has a light unless the light remains lit throughout the night and meets the requirements set out in *Canadian Aids to Navigation*.

Fisheries and Oceans Canada may remove from any Canadian waters a private buoy that does not comply with these regulations. —Adapted from the *Canada Shipping Act: Private Buoy Regulations*, [www.tc.gc.ca](http://www.tc.gc.ca).

project approval from the Department of Fish and Wildlife; and a Core Permit from the U.S. Army Corp of Engineers.

Buoys must not exceed four per acre; they must not be located over or adjacent to vegetated shallows or spawning habitats; anchors must be installed so the line does not drag; flotation must be contained to prevent breakup (continuous

# “THE OWNER’S NAME, ADDRESS AND TELEPHONE NUMBER OF MUST BE CONSPICUOUSLY DISPLAYED.”

beating from the elements, etc.); and the vessel attached to the buoy must not ground out at low water—certainly a more stringent system than our own.

The U.S. also has an “after the fact” permit if a buoy is found placed without prior permission but meets the three levels of criteria, although the owner of the buoy is responsible for all costs incurred, including hiring a diver to check the underwater installation. Buoys in Washington State will be pulled out if environmental infractions or neighbour or navigational complaints are valid. The U.S. Army Corp of Engineers has also experimented with cleaning up bays and closing them to further mooring buoys—tools used were aerial photos of the buoys, public notices and surveys within five blocks of the waterfront to ascertain ownership, and numbering of the buoys. There have also been instances of residents petitioning to have local bays kept free of mooring buoys or to request that no further buoys be installed, with a spokesperson approaching the local jurisdiction. This could be attempted anywhere.

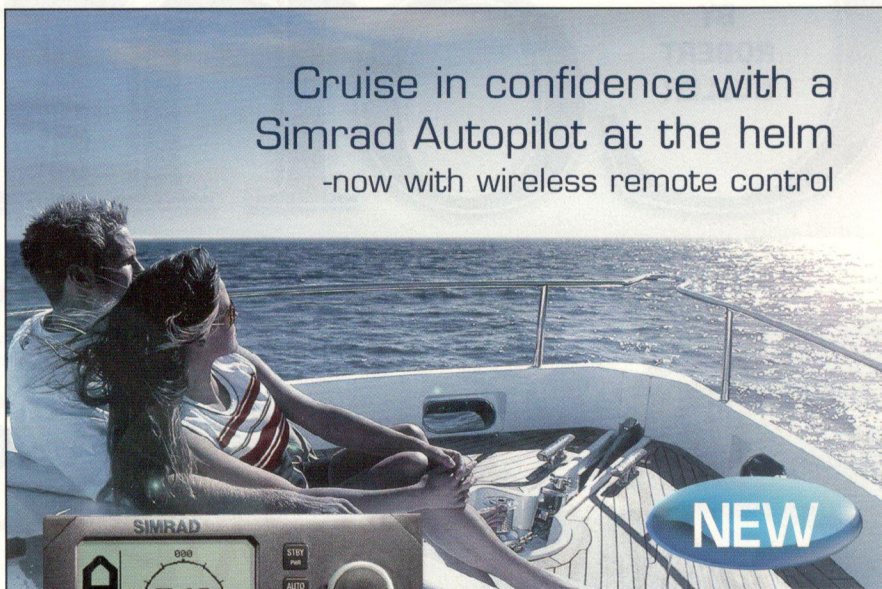
There are incidences in B.C. of mooring buoys being installed then rented out or sold, and so far there is nothing in the Canada Shipping Act or the Navigable Waters Protection Act that would preclude these business ventures. According to the Ministry of Agriculture and Lands, anyone renting out mooring buoys would legally need to apply for commercial tenure of the foreshore. The installation and selling of mooring buoys could, however, be argued under the present regulations.

Avalon Harbor on Catalina Island off the coast of California demonstrates some entrepreneurial regulations. The harbour authority installs permanent mooring buoys and controls the harbour—the public may purchase their own private buoy, paying anywhere from US\$110,000 up to last year’s high of \$2.2 million. Moorage is at a premium due largely to open ocean exposure, so boaters wanting to be sure of moorage space in a popular area will purchase one, even at an exorbitant rate. The owner is then required to pay yearly maintenance and renewal fees, and must notify the harbour in advance of the dates that the

buoy will be in use so it can be rented to transients and the revenue collected.

Change is difficult, especially for boaters and landowners who’ve been around awhile and can remember what these bays used to be like—when they were empty except on long weekends and when there were no

permanent mooring buoys, nor any myths to muddle through. With moorage rates continually on the rise, it will become difficult for many boaters to afford to keep their boats, and the issue of permanent mooring buoys will continue to plague us with controversy as federal and provincial authorities attempt to keep up with confusing and evolving regulations. ☛



Cruise in confidence with a Simrad Autopilot at the helm -now with wireless remote control

**NEW**

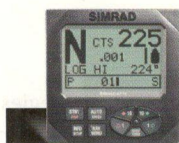
The world’s most awarded autopilots - 39 NMEA awards! (The National Marine Electronic Association).

AP25 Autopilot

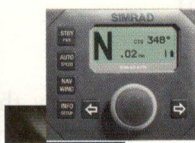
- Wireless remote control • NoDrift® mode
- Thruster Control • Automatic Depth Contour Tracking
- Advanced Wind Steering
- Approved for Volvo Penta IPS system
- Pre-programmed turn patterns • NMEA 2000 certified
- Outstanding Rate compass/mini gyro
- Virtual Rudder Feedback for outboards



NEW WIRELESS REMOTE CONTROL



AP16 Autopilot



AP26 Autopilot



AP27 Autopilot



WR20 Remote Control

Call for the new Yachting Catalog or visit our web site.

For more information, please contact:

Navico NW, Inc. 1010 SE Everett Mall Way #101, Everett, WA 98208.  
Tel. 425-778-8821. Fax: 425-771-7211.

[www.simradyachtingusa.com](http://www.simradyachtingusa.com)

**SIMRAD**