



## **MOSQUITO CREEK MARINA – TENANT MEMO Q&A**

Updated December 15, 2023

### **RESIDENTIAL OCCUPANTS OF BOATS & BOATSHEDS**

- Mosquito Creek Marina (MCM) has issued a notice to all occupants of berths within the Marina requiring that all those parties' property (including boats and boatsheds) be removed from the Marina by May 31, 2024.
- MCM has also publicly stated that current occupants of floating homes and current residential occupants of boats and boatsheds in the Marina will not be required to vacate the Marina by May 31, 2024.
- Current residential occupants of MCM boats and boatsheds are encouraged but will not be required to vacate the Marina by May 31, 2024. However, MCM cannot commit to indefinite residential occupancy by boat or boatshed residents within the Marina.
- If any current residential occupants of MCM boats and boatsheds are unable to relocate from the Marina by May 31, 2024, MCM will continue to work with those parties to assist in their relocation to other residential accommodation.

### **TIMING OF ANNOUNCEMENT**

#### **Why are you doing this now? How long have you known?**

- The Nch'kay Business Operations team was engaged by the Squamish Nation to oversee management of Mosquito Creek Marina.
- As a component of that management function, MCM contracted an independent professional private marine inspection company to conduct a condition assessment of the Marina so we could assess and plan for required repairs in 2024.
- Unfortunately, the professional assessment, which was finalized in November, resulted in the clear conclusion that many MCM docks and other components have reached their functional end-of-life.
- The MCM has been in service for over 50 years.
- When Nch'kay Business Operations understood the severity of the situation, we wanted to provide our tenants with the maximum feasible period of time to make other arrangements for the removal of any affected tenants' property.
- We understand this news will be difficult for some, especially those who have moored at MCM for many years, but safety is our top priority and implementation of time-critical repairs is an immediate necessity.

#### **Why did we not get more notice or were not consulted?**



- The marine inspection company contracted to conduct a condition assessment recently shared their findings with us, including the need for some critical repairs to take place over the next month to ensure MCM docks are stabilized for the coming winter season.
- Upon receiving this information and the resulting conclusions on necessary actions — and balancing the importance of our relationships with Marina Tenants with the urgency of relevant safety concerns — we decided to issue notice through the tenant memo as quickly as possible.
- We value our relationships with Mosquito Creek Marina tenants and want to provide any affected Marina tenants with the maximum feasible period of time to make other arrangements for your boats and property moorage.
- All tenants of the affected Mosquito Creek Marina docks must vacate their slips or moorage by May 31<sup>st</sup>, 2024.
  - MCM staff will work with tenants of the slips affected by the emergency repairs (i.e., Dock C, southern end) to ensure that they have a place to safely secure their vessels while these repairs take place.
  - The tenants affected by the immediate emergency repairs and relocations will also be subject to the same requirement to vacate the Marina by May 31, 2024 as all other affected MCM tenants.
  - Current **residential** occupants of MCM boats and boatsheds are encouraged but will not be required to vacate the Marina by May 31, 2024,

## THE ASSESSMENT

### What did the condition assessment entail?

Nch'kay engaged a consultant team with strong professional credentials in the area of marine inspections to carry out the condition assessment, as well as to provide professional engineering support as we work to determine the path forward.

These consultants were contracted to perform above and below water visual inspections of:

- 200 timber mooring piles
- 90 steel mooring piles
- 3 steel and concrete gangway landings
- one timber gangway landing
- 5 gangways
- 1 steel and concrete travel lift structure
- 350 float connections
- a floating breakwater consisting of 3 steel barges and anchor chains.

Additionally, they were engaged to perform:

- detailed above-and below water condition assessment of the float billets, float connections, and approaches.
- the condition assessment included the topside elements (handrailing, guardrails, deck and safety ladders), superstructure elements (pile caps, stringers and billets) and the substructure elements (piles, bracing and anchor chains).
- an Ultrasonic Thickness (UT) Survey on the steel mooring, landing and travel-lift piles to quantify the extent of section loss

### **What were the findings?**

As shared with tenants in the December 5<sup>th</sup> memo, the original floats and mooring systems of the marina along Dock Nos. B, C, D, E, G, H, I, a portion of A Dock, Fuel Dock and Approach and the south end of Jerry Kanaka Nahanee Way were found to have reached the end of their service life with widespread and severe deterioration.

I'll quote directly from the consultants' findings here: "Although extensive repairs were observed, the state of decay is such that repairs of repairs are failing and there is little, or no section remaining to undertake and consider further repair options. Credit should be given to the maintenance staff; however, the assets are no longer considered to be feasibly repaired."

Their professional findings further identify safety concerns, particularly entering the stormier winter months, with the section marked as the "emergency repair area" on the map, and strongly recommend that we take immediate remedial action to secure the docks.

### **IMPACTED PARTIES**

#### **I read that you are going to evict the float homes as well. Is that true?**

- MCM has publicly stated that current occupants of floating homes and current residential occupants of boats and boatsheds in the Marina will not be required to vacate the Marina by May 31, 2024,
- There is no current plan to remove any float homes from the Marina.
- The requirement to vacate the MCM does not affect tenants in MCM float homes, who may safely remain in their moorages for the foreseeable future.
- MCM will also take action to repair and reorganize some of the MCM docks so that no currently permitted liveaboard tenants (on boats or in boat sheds) will be affected by the May 31, 2024 departure date.

#### **What about the Nation's canoe shed?**

- The currently required and anticipated repair work will not impact the Squamish Nation's canoe shed.

### **How imminent is the danger, and should I be concerned about my assets?**

- There is a need for some critical repairs to be implemented over the next month to endeavour to ensure MCM docks are stabilized for the coming winter season.
- Emergency repairs (i.e., Dock C, southern end) will occur immediately to ensure those docks are safe for the next few months.
- We will keep our tenants informed and will work to ensure the safety and security of tenants' assets until the May 31 departure date for affected tenants.

### **Are you going to help us find a new moorage?**

- We have contacted other marinas to advise them of MCM's current situation and the required scheduled closure.
- We understand that other marinas are on standby to endeavour to support affected MCM tenants in finding new homes for boats or sheds as soon as possible and to the extent they may have available capacity.
- We strongly suggest that affected MCM tenants begin search and relocation efforts as soon as possible, which is why we have endeavoured to provide as much time for relocation processes as is feasibly possible for MCM.
- MCM cannot realistically assure affected tenants of alternative available moorage opportunities.
- However, MCM cannot commit to indefinite residential occupancy by boat or boatshed residents within the Marina;
- If any current residential occupants of MCM boats and boatsheds are unable to relocate from the Marina by May 31, 2024, MCM will continue to work with those parties to assist in their relocation to other residential accommodation;

### **I live on my boat or in my boat shed. Where am I going to go?**

- We deeply regret having to take these necessary and urgent actions to endeavour to ensure a safe environment for our valued tenants and their property.
- Public and Marina tenant safety is, and continues to be, our highest priority.
- We are focused on addressing the practical realities which we face as a result of the information we have recently received on the age and condition of the Marina and necessary critical repairs.
- MCM has also publicly stated that current occupants of floating homes and current residential occupants of boats and boatsheds in the Marina will not be required to vacate the Marina by May 31, 2024,



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- However, MCM cannot commit to indefinite residential occupancy by boat or boatshed residents within the Marina;
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**I pay an annual lump for my moorage fee. Will it be refunded?**

- MCM will refund pro-rated amounts to all affected tenants who have paid a lump sum for current moorage.

**We just paid a transfer fee to keep our Boat Shed house here. Can we get the \$10,000 transfer fee refunded?**

- We will review all recent transfer fees to determine suitable adjustments.
- We ask that any affected tenants please get in touch with MCM directly.

**Are you doing this to get rid of older boats and tenants?**

- MCM can assure you that the announced actions are based on unexpected and urgent necessities and not to evict or replace any existing MCM tenants.
- The actions and repairs which we have announced are necessary for tenant and environmental safety. We deeply regret having to take these necessary actions to ensure a safe environment for our valued tenants and their property.
- Public and Marina tenant safety is, and continues to be, our highest priority.

**ALTERNATIVE SOLUTIONS?**

**Can you not just fix the docks?**

- The independent professional marine inspection company contracted to conduct a condition assessment of the MCM has advised us that the affected docks have reached their end of functional life and critical repairs are urgently necessary to provide safety and stability for the coming winter.



- MCM and the Squamish Nation face an urgent situation and emergency repairs will be made immediately to endeavour to stabilize several MCM docks for the winter.
- However, it is apparent that additional major repairs and replacement of many components of the MCM docks and facilities is simply not financially feasible for MCM or the Squamish Nation.
- As a result, planning work will begin in January to develop extensive rehabilitation or redevelopment plans, however, the May 31, 2024 departure date for affected MCM tenants remains an unfortunate necessity.

## **FUTURE PLANS — INCLUDING WAITLISTS, SPECULATIONS, ETC.**

### **Are you doing this to build a new marina?**

- Nch'kay Business Operations, MCM and the Squamish Nation are dealing with the investigations and recommendations of the independent professional experts engaged to review the conditions and integrity of the MCM docks.
- Their findings determined that a severe and urgent situation exists and emergency repairs must be made immediately to stabilize several MCM docks for the winter.
- It is apparent that additional major repairs and replacement of many components of the MCM docks and facilities is simply not financially feasible for the Squamish Nation.
- As a result, the May 31, 2024 departure date for affected MCM tenants remains an unfortunate necessity.
- Separately, planning work will begin in January to develop extensive rehabilitation or possible redevelopment plans for the MCM site, however, the Squamish Nation and Nch'kay Business Operations have not yet determined whether future plans for the site will include a new marina.

### **Is this not just a plan to bring in more float homes that you can sell?**

- We do not have a plan for the marina beyond ensuring the safety of people and the environment.
- We recently received the findings and recommendations of independent professionals that the majority of MCM's docks and many major marina components have reached their functional end-of-life.
- We decided to take prompt action to notify all tenants to allow for the maximum feasible period of time to make other arrangements.
- We can assure you that there are no definitive plans in place at this time for the future of the Mosquito Creek Marina.

### **Can I be put on the waiting list for the new marina?**



- We have not developed any conceptual or detailed plans for any new development; of the MCM site and there has been no determination of whether the site will include a new marina.
- Accordingly, there is no waiting list for any possible new marina as yet.
- Following the implementation of the immediate emergency repairs required to stabilize MCM docks for the winter, we expect long-range planning work will begin to develop extensive rehabilitation or possible redevelopment plans for the MCM site.

## **WHO IS BEHIND THIS DECISION?**

### **Is this a government closure? Or which governing body is heading this operation?**

- This was not a government initiative; the assessment was initiated by Nch'kay' Business Operations.
- Nch'kay's Business Operations team, which oversees Mosquito Creek Marina, contracted an independent private professional marine inspection company to conduct a condition assessment of the Marina so we could assess and plan for required repairs in 2024.
- Unfortunately, the professional assessment which we recently received resulted in the clear conclusion that many MCM docks and other components have reached their functional end-of-life.

### **Can we do our own assessment?**

- MCM is owned by the Squamish Nation and currently managed by Nch'kay's Business Operations team. It is their responsibility to conduct assessments of the Squamish Nation's lands and assets.
- An independent private, professional marine inspection company conducted the assessment of the marina, and we have full trust in that assessment.

### **Can we have access to the report?**

- MCM contracted with an independent private, professional marine inspection company to conduct a condition assessment of the Marina so that MCM could assess and plan for required repairs in 2024.
- The findings in that assessment are critical to MCM and future plans for the Marina and the MCM site.
- With respect, MCM will not expect to provide the independent professional assessment to outside parties.



- If affected tenants have specific questions in connection with the condition of the Marina or the assessment, MCM will consider such enquiries.