

Lake Diefenbaker Yacht Club  
Elbow, SK.  
ldyc.sk@shaw.ca

Navigation Protection Program – Transport Canada  
344 Edmonton Street  
Winnipeg, MB  
R3C 0P6

March 16, 2022

**RE:** Marina Development Application

Prairies Edge Development Corp.  
NPP File Number 2022-606105.  
Registry Number 5007  
Lake Diefenbaker – Sunset Beach

## **OVERVIEW**

We strongly oppose the design and nature of the proposed marina at Sunset Beach – Lake Diefenbaker. We feel that this marina unfairly restricts access to public waters and creates an exclusive environment for property owners in the adjacent cottage development (Sunset Beach). The Sunset Beach development has effectively consumed two coulees, Dogs Leg and Cooper Bay, for their private and exclusive use. We feel this violates the Canadian Navigable Waters Act.

We are not specifically opposed to development on Lake Diefenbaker, rather concerned about development that is exclusive and motivated primarily by profit for the benefit of a Development Corporation. Lake Diefenbaker has become extremely popular since the LDYC first “discovered” it almost 50 years ago. Our approach has always been to share the Lake in a manner that includes many recreational activities. The proposed Prairies Edge Development Corp. marina at Sunset Beach is entirely in opposition to this approach.

We feel as custodians of these waters that it is critical that we work together in a way that provides access and fair use for everyone.

***We respectfully ask that you decline this proposal as it stands.*** Please consider the following:

## **LDYC HISTORY**

The Lake Diefenbaker Yacht Club (LDYC) was founded in 1976. At that time there were no other recreational users of the lake. The original members of the LDYC had a vision for the lake that was inclusive providing fair access to anyone interested.

The club has grown to include over one hundred members. Once, primarily a sailing club, the LDYC has evolved into a club that represents all types of watercraft including keel boats, large power/cruising yachts, sport boats, fishing boats and pontoon boats.

The LDYC uses the public harbour at Elbow as its home base. Slips in this marina were designed to accommodate a vast variety of watercraft. The marina slips occupy one shoreline leaving a large navigable waterway deep into the Elbow coulee. Access to slips in the Elbow Marina are open to everyone on an annual first in first out basis. A membership with the LDYC is not a requirement to leasing a slip at the Elbow Marina.

The LDYC has been the catalyst for all subsequent development on Lake Diefenbaker since 1976. We are a major contributor to the local economy and valuable stewards of the environment. We expect the same consideration from everyone that uses the lake.

## **MOORING BALL PROGRAM**

The LDYC operates a Government of Canada sanctioned mooring ball program that places permanent mooring balls throughout the lake. The LDYC has established mooring grounds in more than 25 coulees including Dogs Leg. **Dogs Leg has been a mooring ground for LDYC members for almost 50 years.** LDYC members also use the shoreline at Dogs Leg to “pin to shore” (a 5-point mooring method that allows a keel boat to secure itself to land without a dock).

LDYC Mooring Balls comply fully with the regulations for private buoy placement set out by Transport Canada. Transport Canada Placement of Private Buoys.

GPS coordinates for every ball have been registered with Transport Canada under the Navigation Protection Program. Permitted under section 9(1).

These mooring grounds provide a safe harbour during inclement weather, and a point of secure anchorage for longer stays.

## **MARINA DESIGN/OPERATING OBJECTIONS**

- **The boat launch at Sunset Beach is private.** This is unique on Lake Diefenbaker. Launches at Danielson, Douglas, Elbow, Palliser, and Saskatchewan Landing are all public. The Sunset Beach development should be no different. Increased use of Lake Diefenbaker has placed a great deal of stress on the existing marinas and launch sites.
- **The marina at Sunset Beach is private and exclusive.** The proposed marina is in public waters while the slips are being offered exclusively to property owners at Sunset Beach. Sunset Beach property owners should not have an advantage in acquiring slips.
- **The marina is a significant impediment to important navigable water.** The marina design places the slips in the center of the coulee providing access to small watercraft from both sides. This design reduces the amount of navigable water especially for larger cruising boats and keel boats, effectively prohibiting them from entering.
- **The sunset Beach development has claimed two coulees’, Dogs Leg and Cooper Bay for restricted exclusive use.** The shoreline of Cooper Bay is lined with cottages and an increasing number of private docks that restrict access to once public beaches. Now the

proposed marina will eliminate all access into Dogs Leg for large vessels and keel boats. These are public waterways that should remain accessible to all. Ownership of a land parcel has never included the right to private access on beaches (easements apply) and waterways.

- **Dogs Leg is a coulee that is essential to the LDYC** as a safe harbour and an overnight destination. Dogs Leg is the only significant refuge for many deep draft keelboats between Elbow and the Gardiner Dam. Limiting safe navigable water in Dogs Leg creates a significant risk for cruising sailors that count on this coulee as a refuge in storm conditions.
- **Losing Dogs Leg will have a detrimental effect on our ability to use the NW arm of Lake Diefenbaker.** Dogs Leg is the only significant mooring ground on the NW arm of Lake Diefenbaker. It is spacious and can accommodate several vessels either on mooring balls, anchor or pinned to shore. Without Dogs Leg cruising boaters will have limited mooring options on this arm of the Lake.
- **This development plan is clearly designed to cater specifically to Sunset Beach property owners.** This marina provides nothing to the greater recreational community at Lake Diefenbaker yet creates a significant impediment to public use of public waters. We would like to draw attention to the other marina developments on the lake. Rusty's Marina at Palliser, Elbow Marina, and the Saskatchewan Landing Marina. Each of these marinas support public access and provide facilities that accommodate vessels of all sizes. Additionally, these marinas provide services like mooring, slips, day docks, fuel, pump outs and mooring balls.

## RECOMENDATIONS

1. The objective of the marina siting and design should ensure that Dogs Leg continues to provide navigable water to all vessels and that the slips and ancillary structures optimize use of a popular waterway.
2. The initial offering of slips should be through a public auction operated by a third party. Sunset Beach property owners should not have an advantage or priority in acquiring these slips. After the initial lease disbursement, a waiting list managed on a first in first out basis should be maintained. Future property sales at Sunset Beach should not include a preowned slip at the Sunset Beach Marina.
3. The design and operation of both the marina and launch should include facilities that relieve pressure from other over used launches/marinas on Lake Diefenbaker.
4. The Marina should support the general recreational use of the Lake providing services such as fuel, supplies, moorage, slips, day docks, dump station, garbage collection etc.
5. The Sunset Beach Marina launch should be for public use as are all other ramps on the lake. If a fee is charged it should be reasonable and regulated.

6. The marina should include slips large enough to accommodate the largest deep draft boats (40' LOA and 7' draft) on lake Diefenbaker.
7. Slips should be placed on a single shoreline to maximize navigable water thus maintaining a waterway that provides access to the back of the coulee.
8. Marina siting should accommodate the placement of Government sanctioned mooring balls with adequate swing room for 40' LOA, 7' draft, vessels within the coulee.