



PORT of
vancouver

PROJECT AND ENVIRONMENTAL REVIEW REPORT

PER NO. 15-096 NEW BRIGHTON PARK SHORELINE HABITAT RESTORATION PROJECT

Prepared for: Director, Environmental Programs

August 8, 2016

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 VANCOUVER FRASER PORT AUTHORITY (VFPA) PROJECT AND ENVIRONMENTAL REVIEW PROJECT REPORT	
PER No.:	15-096
Tenant:	City of Vancouver / Untenanted
Project:	New Brighton Park Shoreline Habitat Restoration Project
Project Location	New Brighton Park, Vancouver
VFPA SID No.:	VAN048-04394F-001
Land Use Designation:	Recreation
Applicant(s):	Habitat Enhancement Program, Vancouver Fraser Port Authority
Applicant Address:	100 The Pointe, 999 Canada Place, Vancouver V6C 3T4
Category of Review:	C
Recommendation:	That PER No. 15-096 for the New Brighton Park Shoreline Restoration Project be approved, subject to the recommended permit conditions.

1 INTRODUCTION

The Vancouver Fraser Port Authority (VFPA), a federal port authority, manages lands under the purview of the *Canada Marine Act*, which imparts responsibilities for environmental protection. VFPA accordingly conducts project and environmental reviews of works and activities undertaken on these lands to ensure that the works and activities will not be likely to cause significant adverse environmental effects. This project and environmental review report documents VFPA's project and environmental review of PER No. 15-096: New Brighton Park Shoreline Habitat Restoration Project (the Project) proposed by the Vancouver Fraser Port Authority's Habitat Enhancement Program (the Applicant).

This project and environmental review was carried out to address VFPA's responsibilities under the *Canada Marine Act*, and to meet the requirements of the *Canadian Environmental Assessment Act*, 2012 (CEAA 2012), as applicable. The proposed Project is not a CEAA 2012 "designated project" and an environmental assessment as described in CEAA 2012 is not required. However, VFPA authorization is required for the proposed Project to proceed and in such circumstances, where applicable, Section 67 of CEAA 2012 requires federal authorities to first assure themselves that projects will not be likely to cause significant adverse environmental effects. This review provides that assurance. In addition, VFPA considers other interests, impacts and mitigations through the project and environmental review.

The project and environmental review considered the application along with supporting studies, assessments and consultations carried out or commissioned by the Applicant, as well as other information provided by the Applicant. In addition, this project and environmental review considered other information available to VFPA and other consultations carried out by VFPA. A full list of information sources germane to the review is provided in Appendix B.

This project and environmental review report is NOT a project authorization. It is a prerequisite to the issuance of a project permit (the Permit) and the conclusions described in this report require compliance with the conditions in the Permit.

2 PROJECT DESCRIPTION

VFPA's Habitat Enhancement Program proposes to undertake a shoreline habitat restoration project in New Brighton Park to enhance biodiversity and create a more interesting experience for park visitors. The proposed works include:

- Creation of approximately 20,000 m² of intertidal, subtidal, instream, and riparian habitat (and associated plantings), and
- Creation/modification of park features, including off-leash dog amenities, viewing decks, pathways, improved beach access, and plantings.

The site, which was historically filled to create industrial land, has been selected for restoration based on its potential to provide high-value habitat for a broad range of fish, birds, and other wildlife species. In particular, the creation of a tidal wetland feature will improve habitat in Burrard Inlet for the rearing of juvenile salmon and generally enhance marine productivity in the area.

Upland park features include modified pathways, modified off-leash dog amenities with new gate vestibules, two raised berm areas (western and eastern), two viewing decks, off-leash dog area fencing, habitat fencing, a modified pedestrian beach access area, and plantings throughout the works areas.

Drawings and figures of the proposed works are provided in Appendix A.

Proposed Works

Tidal Marsh, Berms, Plantings, and Disposal

- Excavation of approximately 19,800 m³ of soil from the northeast section of the property;
- The construction of a tidal marsh area comprised of a dual stream outlet surrounding a habitat island that includes channel (1,660 m²), mudflat (1,230 m²), salt marsh (2,335 m²), dune grass (1,530 m²), and other riparian plantings (5,300 m²) (all areas approximate);
- Placement of fill in two berms, along the eastern boundary of the park (approximately 8,350 m³) and along the western boundary of the property (approximately 6,700 m³);
- Planting of a variety of native trees and shrubs on top of the eastern berm;
- Import and placement of approximately 750 m³ of rock hardscape (rip rap, under layer, cobble) at the two channel outlets and one stream outlet in the proposed tidal marsh area; and,
- Off-site disposal of approximately 250 m³ (petroleum hydrocarbon contaminated) soil and 4,000 m³ (excess clean) soil. Removal, prior to infill, of existing trees within the Western Berm footprint, and potential replanting of trees in an on-site location yet to be determined;
- Planting of the western berm with grass. No park features will be placed on the western berm.

Off-leash Dog Area

- Installation of a wooden fence around the off-leash dog area;
- Installation of a double gate vestibule, service gate, and a granular path at the entrance.

Beach Access Area, View Decks, and Pathways

- Construction of three concrete pads to improve beach access east of the public pier;
- Construction of two view decks, both including beach grass plantings, logs and boulders, stone benches, signage, and concrete paving areas;
- Installation of a wooden fence, and granular pathways throughout the entire project area.

The placement of fill from the tidal marsh excavation in the eastern berm includes approximately 1,300 m³ of metals-contaminated soil that will be managed in accordance with the project's Soil and Groundwater Management Plan.

The proposed works will occupy areas under both VFPA and City of Vancouver jurisdictions. Although the project is contiguous across both jurisdictions, the Project and Environmental Review and all works described in this PER Report and Permit refer to activities proposed to be undertaken on lands administered by VFPA only.

Maintenance of all upland park feature components is the responsibility of the Vancouver Board of Parks and Recreation (on behalf of the City of Vancouver). Monitoring and maintenance of habitat restoration and foreshore features (i.e., the salt marsh and associated riparian areas) within VFPA jurisdiction will be undertaken by the Applicant (Habitat Enhancement Program, Vancouver Fraser Port Authority). No proposed utility work or exterior lighting is associated with this project. All dimensions and quantities are approximate and based on preliminary design, and all elevations are Geodetic (GD).

3 VANCOUVER FRASER PORT AUTHORITY INTERNAL REVIEWS

The following VFPA departments have reviewed the application and have the following project considerations.

3.1 Planning

Planning has reviewed the application and has the following land use comments. Planning supports the recommendation to approve the Project subject to adherence to the listed project and environmental conditions in the Permit.

3.1.1 Land Use Designation

The proposed shoreline habitat restoration works conform to the designation of "Recreation" in Vancouver Fraser Port Authority's Land Use Plan.

3.1.2 Existing Land Use Policies

The proposed Project is within the East Vancouver Port Lands (EVPL) Area Plan and is considered to be an Outright Approval Green Use in the Plan. Nevertheless, given the importance of this park to the community, consultation with the EVPL Liaison Committee was conducted. These activities are described in detail in Section 4 – External Referrals.

The following policies contained in the EVPL Area Plan were considered as part of the review of this Project. A description of how the Project conforms with these policies is provided below. The park is located in Area 6 in the EVPL Area Plan.

<i>Applicable EVPL Area Plan Policy</i>	<i>VFPA Considerations</i>
<ul style="list-style-type: none"> H6 – All new structures, including those that meet the height guideline limit, will be sited to minimize view impacts. 	<ul style="list-style-type: none"> The tallest structures/ modifications associated with the new park project include two berms with peak heights of approximately 9.2 m, and 8 m. Potential view impacts of the North Shore mountains and Burrard Inlet due to the proposed berms are negligible from the closest residential areas to the south, which are all significantly higher than the park.
<ul style="list-style-type: none"> H9 - The design aesthetics of new structures will be optimized through high quality industrial materials, colour, detailing, landscaping and general design to reduce the obtrusiveness and minimize the visual impact of the structure. 	<ul style="list-style-type: none"> New structures include excavations, berms, salt marsh and other plantings, granular pathways, wooden fencing and gates, concrete paving, stone benches, signage, and various landscaping materials such as boulders and logs. VFPA is satisfied that all materials, colours, detailing, landscaping, and general layout are appropriate to this park setting.
<ul style="list-style-type: none"> L1 – Applications for new development within the EVPL will include a lighting plan that ensures new light fixtures provide no more than the minimum lighting needed for the intended purpose, considering nationally recognized standards. 	<ul style="list-style-type: none"> The project does not propose any exterior lighting.

The East Vancouver Port Lands (EVPL) Landscape Design Guidelines apply to lands under the jurisdiction of VFPA along the south shore of Burrard Inlet between Victoria Drive and New Brighton Park. As the proposal is within New Brighton Park, the EVPL Landscape Design Guidelines do not apply.

The Project is considered to be in conformance with the EVPL Area Plan.

3.1.3 Building Permit Requirements

A building permit is not required for the Project.

3.2 Engineering

Engineering has reviewed the application and requires the Applicant to ensure the following:

- The Applicant shall submit signed and sealed drawings (5 days prior to the start of construction) for proposed works approved for construction by a professional engineer licensed to practice in the Province of British Columbia.
- The Applicant shall remove all abandoned utilities from the site, both underground and aboveground. At locations of connection to municipal work (i.e. at property lines), the abandoned utilities shall be capped.
- The Applicant shall provide record drawings, in both AutoCAD (if available) and Adobe (PDF) format to VFPA within 40 days of completion.

These are reflected in conditions No. 16, 26 and 51 in the Permit.

Engineering supports the recommendation to approve the Project subject to adherence to the listed project and environmental conditions in the Permit.

3.3 Transportation

The proposed Project could affect traffic as excavated soil will be transported via truck from the eastern boundary of the park via New Brighton Road and Commissioner Street to the western park boundary.

Transportation has reviewed the application and requires the Applicant to provide a Construction Parking and Traffic Management Plan to the satisfaction of VFPA prior to project construction.

These are reflected in conditions No. 19 in the Permit.

Transportation supports the recommendation to approve the Project subject to adherence to the listed project and environmental conditions in the Permit.

3.4 Marine Operations

The proposed Project will be constructed on upland areas of the park and is not anticipated to affect marine navigation. The project was designed in consideration of potential effects of the project on currents in the adjacent waters.

Marine Operations has reviewed the application and requires the Applicant to observe the conditions related to on-water safety, and record keeping (charting).

These are reflected in conditions No. 22, 41 and 53 in the Permit.

Marine Operations supports the recommendation to approve the Project subject to adherence to the listed project and environmental conditions in the Permit.

4 EXTERNAL REFERRALS

The proposed Project was assessed to have potential impacts to stakeholders and the local community and consultation activities were determined to be required. The following sections describe the stakeholder and public consultation activities undertaken by the Applicant and VFPA as part of the project and environmental review.

VFPA has reviewed the record of consultation and related documents and is of the view that the Project has adequately addressed the concerns raised during stakeholder and public consultation.

4.1 Stakeholder Consultation

4.1.1 Municipal Referrals

The proposed Project was assessed by VFPA to have potential impacts to municipal interests. A referral letter was sent to the City of Vancouver on April 22, 2016 notifying them of the proposed Project, and soliciting any feedback.

VFPA did not receive any municipal comments.

4.1.2 Adjacent Tenant Referrals

The proposed Project was assessed by VFPA to have potential impacts to adjacent VFPA tenant operations. A referral letter was sent to Viterra Inc. (acting on behalf of Cascadia Port Management Corporation) on April 22, 2016 notifying them of the proposed Project.

Viterra responded with comments on the proposed Project. The table below summarizes comments received and how they were considered as part of the project and environmental review.

<i>VFPA Tenant Comments</i>	<i>VFPA Considerations</i>
<ul style="list-style-type: none"> • Viterra usually defers to the community on issues that do not directly affect or harm our operations. Given the latest execution plan and layout we certainly cannot express any concerns for harm to our operations and welcome the increased buffer on our west lease side. • [A Viterra representative] will attend the May 12th [open house] consultation session. 	<ul style="list-style-type: none"> • A Viterra representative attended the May 12th consultation session. Any comments provided were included in the Consideration Report (July 2016). • VFPA understands that Viterra is satisfied with this proposed project.

4.1.3 East Vancouver Port Lands (EVPL) Liaison Group

The proposed Project was assessed by VFPA to be within the East Vancouver Port Lands (EVPL) Area Plan. The EVPL Liaison Group was notified of the proposal in accordance of section 2.7 of the EVPL Area Plan.

Due to the public nature of this project area, VFPA arranged for additional courtesy presentations to the Liaison Group by the Applicant (VFPA Habitat Enhancement Program). These presentations were made on the following dates:

<i>Review Phase</i>	<i>Dates</i>
Preliminary Review Phase (To solicit initial comments)	December 8, 2015
Application Review Phase (To provide project updates and solicit additional comments).	April 12, 2016
Application Review Phase (Courtesy meeting to provide further project updates and solicit additional comments).	June 30, 2016

The EVPL Liaison Group responded with comments on the proposed Project. The table below summarizes the comments received and how they were considered as part of the project and environmental review.

<i>EVPL Liaison Group Comments</i>	<i>VFPA Considerations</i>
<p>December 8, 2016:</p> <ul style="list-style-type: none"> • EVPL Liaison Group inquired about feedback from dog owners, and VFPA expectations pertaining to increased use of the park. • EVPL Liaison Group committed to forward design comments and a suggested public consultation format to VFPA. 	<ul style="list-style-type: none"> • Applicant confirmed that comments from dog owners were being explicitly solicited in preliminary community consultations. • The residential area surrounding New Brighton Park is anticipated to grow in the future and, consequently, park use is expected to increase.
<p>April 12, 2016:</p> <ul style="list-style-type: none"> • The group requested an update package and committed to forward any additional comments should they arise. 	<ul style="list-style-type: none"> • Applicant was able to continue to share information with the group as the project evolved.
<p>June 30, 2016:</p> <ul style="list-style-type: none"> • The EVPL Liaison Group inquired as to the timing/status of the permit review. 	<ul style="list-style-type: none"> • VFPA is satisfied that project notification (and additional courtesy consultation) to the EVPL Liaison Group has been adequately undertaken and completed by the Applicant.

4.2 Public Consultation

The proposed Project was assessed by VFPA to have potential impacts to adjacent residents and the local community. Public consultation was determined to be required and a description of the Project and proposed works and all application materials were posted to VFPA’s website on December 2015 with subsequent updates provided in the following months for public review and comment.

The Applicant was required to conduct public consultation activities as part of the Project and Environmental Review.

Prior to broad public engagement, initial meetings were held in May and June 2015 with Aboriginal groups and key stakeholders, including the East Vancouver Port Lands Liaison Committee. The project team also established and engaged with the New Brighton Park Shoreline Habitat Restoration Project stakeholder advisory group. This group is made up of 11 members, representing Vancouver Board of Parks and Recreation, Vancouver Fraser Port Authority, BCIT Rivers Institute, Wild Research, Burrardview Community Association, Hastings Community Association, Hastings Park Conservancy, Evergreen BC and park users and the general public.

The project completed three rounds of preliminary public engagement between August 2015 and February 2016. Conceptual design public consultation was conducted from August 26 to September 9, 2015, to provide project information and gather feedback from community members, stakeholders and the public about features of the proposed project and general park usage. Preliminary design public consultation was conducted from November 2 to 18, 2015 to provide project information and gather feedback from communities, stakeholders and the public about preliminary design options for the proposed project. Public engagement regarding dog off-leash areas was conducted from February 1 to 15, 2016, to provide information and to gather feedback from the public about two options for dog off-leash areas.

From May 2 – 27, 2016, the project team consulted with communities, stakeholders and the public regarding the detailed design of the proposed New Brighton Park Shoreline Habitat Restoration Project. This phase of public consultation for the detailed design of the project builds on the three previous rounds of preliminary consultation. The purpose of the consultation was to provide project

information and seek input regarding project design, educational features, potential effects and proposed mitigation measures.

There were a total of 191 participant interactions as part of the detailed design public consultation conducted in May 2016 as part of the application process:

- 31 people attended a public information session
- 151 feedback forms were received
- 9 written submissions were received via email

The Applicant has also provided a Detailed Design Consultation Summary Report and a Consideration Report, both dated July 2016, describing how they responded to public comments received. VFPA has reviewed and found both documents to be acceptable.

Below is a table summarizing the general public comments received by the Applicant, and how they were considered as part of the Project and Environmental Review.

<i>Public Comments grouped by theme</i>	<i>VFPA Considerations</i>
<ul style="list-style-type: none"> • Selected Design – design options for restored habitat and dog off-leash area. <ul style="list-style-type: none"> • Support for selected design • Concern that the sandy beach (i.e., the west beach) will be closed off (via fencing) from park users for use by dogs • Concern that the beach left for people to use is not a good replacement for the sandy beach that the dogs will be able to use 	<ul style="list-style-type: none"> • The Applicant undertook two rounds of public engagement in 2016 and received support for the project from public engagement and feedback from the stakeholder advisory group. • The majority (70%) of participants supported the proposed design with the designated dog beach at the west beach and the project design was advanced as such. • Based on consultation input indicating competing interests as to how the west beach is to be utilized, and an agreement between project partners, the Applicant is not including an off-leash area at the west beach. • A future consultation and planning process regarding on- and off-leash areas in all of Vancouver’s parks, including New Brighton Park, is being undertaken by the Vancouver Board of Parks and Recreation. • The current uses of both (east and west) beaches will not change until a decision is made by the Vancouver Board of Parks and Recreation regarding how to accommodate water and beach access for dogs in New Brighton Park, informed by the future planning process.

<i>Public Comments grouped by theme</i>	<i>VFPA Considerations</i>
<ul style="list-style-type: none"> • Educational/Interpretive Signs <ul style="list-style-type: none"> • General support for the proposed content • Support of inclusion of ecological information • Support of inclusion of cultural information 	<ul style="list-style-type: none"> • The Applicant anticipates signage to incorporate cultural, historical, and ecological values and is also incorporating input from various Aboriginal groups regarding plans for educational/interpretive signage. • As part of the review process, VFPA will review and approve the content of interpretive signage.
<ul style="list-style-type: none"> • Potential project and construction effects and proposed mitigation measures: <ul style="list-style-type: none"> • General support for proposed mitigation measures • Request that access to park be maintained and disruption minimized • Good communication with Fisheries and Oceans Canada that fish work windows will be observed 	<ul style="list-style-type: none"> • Construction is to occur following the closure of New Brighton pool for the season to minimize disruption to park patrons. • Permit condition No. 19 requires the Applicant to submit a project-specific Construction Environmental Management Plan (CEMP) which provides detailed mitigation measures during construction operations. • The CEMP also includes measures to mitigate higher risk activities, such as in-water works
<ul style="list-style-type: none"> • Construction Updates – methods for receiving the updates and ideas for posting community notices: <ul style="list-style-type: none"> • Informational signage or posters in the park • Web updates • Email updates • Community notices (community centers, libraries, local businesses, including cafes) 	<ul style="list-style-type: none"> • Permit condition No. 16 requires the Applicant to submit a Construction Communications Plan which addresses communications regarding construction activities via the following mediums: <ul style="list-style-type: none"> • Informational signage or posters in the park • Web updates • Email updates • Community notices • Up to date information will also be provided on both the websites of the Vancouver Board of Parks and Recreation, as well as the VFPA.

VFPA has reviewed the record of public consultation and is of the view that the concerns raised have been adequately addressed by the Applicant.

5 ABORIGINAL CONSULTATION

Upon receipt of the accepted Project Application, VFPA reviewed the proposed project and determined that Aboriginal consultation is required given the project may have the potential to adversely impact Aboriginal or Treaty rights. This determination is recorded in the Pre-Consultation Report for Project Permit 15-096.

The Applicant, the VFPA Habitat Enhancement Program, led the Aboriginal consultation activities for the proposed project. VFPA reviewed and considered the Applicant’s record of consultation to ensure that the duty to consult has been met.

The report below summarizes the Applicant's consultation.

5.1 Objectives

The objectives of the Applicant's Aboriginal consultation process were:

- Engage identified Aboriginal groups during project development to determine potential impacts of the proposed project on their asserted or established Aboriginal rights;
- Provide opportunities for identified Aboriginal groups' involvement in project development activities such as field studies, as applicable;
- Provide updates and share information about project development activities as they become available;
- Work with identified Aboriginal groups to determine appropriate mitigation of project impacts as appropriate;
- Explore opportunities for identified Aboriginal groups to share in the economic and social benefits of the project, through avenues such as employment and training; and
- Provide information to the project team with respect to issues raised by identified Aboriginal groups and in the development of responses to enquiries.

5.2 Scope of Consultation

The proposed project falls within the asserted traditional territories of the following Aboriginal groups:

- Cowichan Tribes;
- Halalt First Nation;
- Lake Cowichan First Nation;
- Lyackson First Nation;
- Musqueam First Nation;
- Penelakut Tribe;
- Squamish Nation;
- Stó:lō Nation/Stó:lō Tribal Council;
- Stz'uminus First Nation; and
- Tsleil-Waututh First Nation.

Musqueam First Nation, Squamish Nation and Tsleil-Waututh Nation have been actively engaged in project consultation from the outset and have clearly articulated their connection to the proposed project area as well as their past, current and future desired use of the area. A notice of deferral was received from the Stó:lō Nation and Tribal Council member Nations represented by the People of the River Referral Office.

Lake Cowichan and Lyackson First Nations have indicated that their interests are focused on the South Arm of the Fraser River. The Penelakut, Stz'uminus, Halalt and Cowichan Tribes, working as the Cowichan Nation Alliance, have stated that they will comment on projects on the South Arm of the Fraser River. As appropriate, the project team has shared project-related information with these Nations for their information.

5.3 Overview of Consultation Activities

In order to ensure the objectives of Aboriginal consultations are met, the Applicant sought input from Aboriginal groups with respect to their current use of the proposed project area, Aboriginal Traditional Knowledge, potential effects on Aboriginal interests, and project design.

5.3.1 Consultation and Communication Activities

The Applicant undertook the following consultation and communication activities:

- Presentations to staff or Chief and Council (Habitat Enhancement Program overview);
- Meetings, including the First Nations Technical Review Committee;
- Emails and phone calls;
- Letters requesting review of project design/project updates;
- Field studies notification;
- Provision of project-related materials and studies (see Section 5.3.5 below);
- Request for input into planting plan; and
- Invitation to participate in fieldwork.

5.3.2 Meetings

Where requested by Aboriginal groups, the Applicant conducted one-on-one meetings. The Applicant also hosted a series of First Nations Technical Design Meetings that included multiple Aboriginal groups. During the meetings, the Applicant discussed project design and development and Aboriginal groups provided a significant amount of input and feedback that informed project design.

5.3.3 Site Visits

In summer 2015, the Applicant undertook three separate site visits with Aboriginal groups. The intent of the site visits was to share knowledge, discuss the concept of the proposed project, obtain input from the Aboriginal groups with respect to the proposed project and the project area, identify and discuss concerns and determine preferences with respect to consultation on the proposed project.

5.3.4 Materials Provided

Materials shared with Aboriginal groups for review and comment include:

- Project overview/updates;
- Archaeological Monitoring Report(s) for the project (draft/final);
- Archaeological Monitoring Report for geotechnical drilling;
- Map of Stantec geotechnical borehole locations with 1912 survey map;
- Project design packages;
- Existing Ecological Conditions report;
- Preliminary Planting Plan;
- Field Studies notification;
- Canoe Landing memorandum;
- Phase 1 and Phase 2 Environmental Investigation Reports (soil and groundwater);
- Soil and Groundwater Management Plan.

The Applicant provided Aboriginal groups with public consultation materials and invited Aboriginal groups to participate in the public and stakeholder consultation activities undertaken to date. Aboriginal groups were invited to join the proposed project's Stakeholder Advisory Group but indicated a preference to participate in a series of First Nations Technical Design and one-on-one meetings.

Documents were shared either in hard copy format at meetings, and/or provided via email and/or courier.

5.4 Participation Funding

The Applicant offered and provided participation funding to Aboriginal groups on a case by case basis.

5.5 Overview of Issues Raised by Aboriginal Groups

The following table summarizes the issues raised by Aboriginal groups, the Applicant’s response and/or mitigation and VFPA’s consideration of those issues. Where possible, VFPA has categorized these issues according to the factors listed under Section 5(1)(c) of the *Canadian Environmental Assessment Act, 2012*.

Topic	Issue	Applicant Response/ Mitigation	VFPA Considerations
Aboriginal physical or cultural heritage, or any structure, site or thing that is of historical, archaeological, paleontological or architectural significance (CEAA Section 5(1)(c)(ii) and (iv))			
Archaeological resources	Importance of protecting archaeological/cultural heritage sites, including the paleomarine shoreline, and in participating in archaeological monitoring where it is required.	<p>The original Archaeological Overview Assessment was undertaken by an Aboriginal-owned company (as part of the South Shore Corridor Project). Aboriginal groups were invited to participate in the subsequent archaeological monitoring for the project (two events in 2015) during soil investigations onsite.</p> <p>Aboriginal groups will be invited to participate in any monitoring required during construction.</p>	<p>Permit condition no. 27 requires the Applicant to ensure that an appropriately qualified archaeological monitor be on site at all times during ground disturbing activities that may intrude into native soils.</p> <p>And:</p> <p>Permit condition no. 28 requires the Applicant to provide interested Aboriginal groups the opportunity to participate in any archaeological monitoring conducted as part of the project.</p>

Topic	Issue	Applicant Response/ Mitigation	VFPA Considerations
Archaeological resources	Importance of an archeological monitoring plan and strategy should archaeological deposits be encountered.	<p>Where required and as appropriate, archaeological monitoring will be undertaken during construction.</p> <p>The Applicant will require the contractor to have a Chance Find Protocol should archaeological deposits be encountered.</p>	<p>Permit condition no. 29 requires that, in the event that evidence of what is suspected to be an archaeological resource is encountered, the Applicant shall:</p> <ul style="list-style-type: none"> • Immediately stop any activities that might disturb the archaeological resource or the site in which it is contained ("Site"). • Not move or otherwise disturb the artifacts or other remains present at the Site. • Stake or flag off the Site to prevent additional disturbances. • Immediately notify VFPA. <p>And:</p> <p>Permit condition no.20 requires that the Applicant submit an Archeological Chance Find Procedure to the satisfaction of VFPA, and provide interested Aboriginal groups the opportunity to review and comment on the Archeological Chance Find Procedure prior to submission to VFPA.</p>

Topic	Issue	Applicant Response/ Mitigation	VFPA Considerations
Project design	Recognition of Aboriginal heritage, past, current and future use of the project area and inclusion of cultural components into the project's design.	The Applicant has committed to incorporating interpretive signage and art on the project. The Applicant is leading planning with Aboriginal groups on this component.	Permit condition no. 23 requires that the Applicant seek input from Aboriginal groups on content for interpretive signage.
Aboriginal health and socio-economic conditions (CEAA Section 5(1)(c)(i))			
Economic interests	Interest in potential contracting opportunities related to the construction of the project.	The project procurement process has been developed to support Aboriginal participation in the construction of the project.	Permit condition no. 10 requires that the Applicant and their contractor(s) shall make available employment, training and contract opportunities relating to project construction to qualified members and/or businesses of interested Aboriginal groups.
Economic interests	Interest in training and employment opportunities.	To date the Applicant has ensured all Habitat Enhancement Program projects have been undertaken with the involvement of Aboriginal businesses and First Nations employees. The Applicant has successfully provided First Nations training opportunities on Habitat Enhancement Program projects to date and is committed to seeking opportunities to support Aboriginal businesses and communities on the proposed project.	Permit condition no. 10 requires that the Applicant and their contractor(s) shall make available employment, training and contract opportunities relating to the project construction to qualified members and/or businesses of interested Aboriginal groups.
Current use of lands and resources for traditional purposes (CEAA Section 5(1)(c)(iii))			
Current use for traditional purposes	Spiritual importance of the site	The Applicant acknowledges and respects that the site is of significant importance to Aboriginal groups.	VFPA is of the view that the depth of consultation conducted is appropriate considering the spiritual importance of the site.

Topic	Issue	Applicant Response/ Mitigation	VFPA Considerations
Current use for traditional purposes	Importance of protecting areas for cultural purposes and a requirement for privacy during use.	During project consultation, Aboriginal groups provided input into the design and the Applicant undertook discussions related to the protection of areas for cultural purposes. Aboriginal groups and the Applicant explored opportunities to protect areas for cultural use. While cultural activities may be undertaken by Aboriginal persons in the proposed project area, due to the proximity of the site to industrial activities, safety considerations and recreational use of the park by the public and dogs, alternative locations were considered more appropriate for cultural use, especially use requiring privacy.	None.
Fish and fish habitat	Interest in upstream channel connection to Hastings Park to enhance fish migration.	Restoring fish access was deemed not viable largely because the variable water flow prohibits fish migration.	Restoring fish access to Renfrew Creek extends beyond the project scope as it would require major infrastructure changes between the project area and Hastings Park. The highest fish habitat values are found in the intertidal zone of the proposed project.
Fish and fish habitat	Interest in the compatibility of recreational use and the habitat enhancement objectives (e.g. concern with potential impacts from dogs and the public accessing the enhancement area).	The Applicant is continuing efforts to ensure that the habitat area is protected from impacts from dogs or public access. Mitigation measures include fencing, design features, signage and enforcement.	None.

Topic	Issue	Applicant Response/ Mitigation	VFPA Considerations
Fish and fish habitat	Importance of construction timing and that construction avoid impacting fish passing through or using the area.	Construction activities will be undertaken in accordance with the least-risk fisheries window and measures will be employed to avoid impacting fish.	Permit condition no. 33 requires that there shall be no in-water works during the fisheries sensitive period from March 1 to August 15 inclusive.
Fish and fish habitat	Aboriginal groups noted concern with the potential for the proposed project to be used in the future to offset a large project impacting their Aboriginal interests or one which they oppose.	Fisheries and Oceans Canada will address concerns related to the future application of banking credit (offsetting credit) derived from the proposed project.	Any future projects in VFPA managed lands will be subject to project and environment review. Adverse impacts to Aboriginal and/or treaty rights will be considered, regardless of the use of banked habitat credits in any proposed project.
Fish and fish habitat	The role of Fisheries and Oceans Canada in the broader Habitat Enhancement Program, especially as it relates to the determination of banking credit and the use of projects for offsetting large infrastructure projects.	The Applicant is of the understanding that Fisheries and Oceans Canada has responded directly to Aboriginal groups regarding these concerns.	None.
Marine environment	Importance of ensuring effective management of invasive plants during construction of habitat enhancement projects.	The Applicant recognizes the importance of effectively managing invasive species and will incorporate invasive species management requirements into ongoing monitoring programs to ensure that the habitat functions as intended.	Permit condition no. 45 requires that invasive plants shall be handled in a manner that will prevent their spread and shall be appropriately contained, collected and disposed of. Disturbed soil will be managed to prevent establishment and spread of invasive plant species.

Topic	Issue	Applicant Response/ Mitigation	VFPA Considerations
Marine environment	Aboriginal groups have requested the inclusion of traditional plants in the project’s planting plan and that community goals and aspirations related to future harvesting be considered during plant selection.	The Applicant sought input from Aboriginal groups on the planting plan and is committed to continuing to working with Aboriginal groups to ensure that opportunities to re-vegetate the project area with traditional plants are identified and that community knowledge informs the planning and design of the project as well as project planting plans. The Applicant has been made aware of certain plants of cultural, spiritual and medicinal significance that may be included within the project planting plan and will continue to seek input on this subject.	Permit condition no 49 requires that the Applicant provide interested Aboriginal groups the opportunity to review and comment on the Project Planting Plan.
Marine use and transportation	Opportunity to include a canoe landing in the project design.	The opportunity to include a canoe landing was explored during the design phase. Due to technical, engineering, safety and operational concerns, the Applicant and Aboriginal groups agreed that the proposed project area is not a suitable location.	None.
Issues Associated with Process and/or Consultation			
Capacity funding	Aboriginal groups have indicated that funding is required to meaningfully engage in the review of the proposed project.	The Applicant made funding available to Aboriginal groups to support the review of project-related materials and to facilitate participation in consultation activities.	None.
Consultation process	Certain Aboriginal groups expressed the desire for one-on-one engagement.	The Applicant consulted Aboriginal groups on the project’s Aboriginal Consultation Plan and met one-on-one with those groups who requested such meetings during the consultation period.	None.

Topic	Issue	Applicant Response/ Mitigation	VFPA Considerations
Consultation process	Importance of meaningful Aboriginal involvement in planning and development of the design rather than review of completed plans.	The Applicant has actively involved Aboriginal groups in project planning and development through the First Nations Technical Design meetings.	None.
Other Issues			
Soil and groundwater	Importance of stormwater assessment and interest in the findings of the soil and groundwater investigation report (Phase 1 and Phase 2 Investigations).	Appropriate steps will be taken during construction to mitigate potential stormwater run-off/erosion, consistent with past Habitat Enhancement Program projects. A Construction Environmental Management Plan (CEMP) will be developed for the project, and works will be undertaken in accordance with the CEMP which will include mitigation measures such as environmental monitoring requirements (by a Qualified Environmental Professional), appropriate application of the least risk work window, erosion and sediment control measures, and spill prevention planning. The Phase 1 and Phase 2 Environmental Investigation Reports (soil and groundwater) were provided to Aboriginal groups for review and comment.	None.

5.6 Conclusion

The Applicant worked closely with Aboriginal groups with respect to project planning and design. During their review of the design, the Aboriginal groups participating in consultation expressed full support for the final design. The Applicant is confident that by continuing to work with the participating Aboriginal groups in a manner consistent with the approach taken to date, there will be continued support for the project as it moves into the construction phase.

VFPA has reviewed the record of Aboriginal consultation and is of the view that the duty to consult has been met.

6 ENVIRONMENTAL REVIEW

To fulfill its responsibilities under the *Canada Marine Act* and *CEAA, 2012*, VFPA must make a determination on the potential environmental effects of a proposed project on VFPA managed lands and waters prior to authorizing those works to proceed. To make that determination, VFPA considers the residual adverse effects of the project, that is, the effects after mitigation measures have been taken into account. In addition, should a project be approved, VFPA includes additional environmental conditions in the project permit to further reduce the identified potential impacts.

This section of the project and environmental review report summarizes the environmental review conducted for the New Brighton Park Shoreline Habitat Restoration Project, and provides the environmental review decision in Section 6.3. The environmental review also considered the information provided in the previous sections of this report.

6.1 Scope of Environmental Review

The environmental review includes consideration of the potential environmental effects of the proposed project, taking into account mitigation measures to avoid or reduce those effects. This review considered the project components and physical activities described in Section 2. Additional project information pertinent to the environmental review includes the following:

- Sixty percent design – drawing: VFPA New Brighton Park Shoreline Habitat Restoration Project
- Sixty percent design – excavation and materials summary: VFPA New Brighton Park Shoreline Habitat Restoration Project
- Soil and groundwater management plan revised (May 12, 2016): VFPA New Brighton Park Shoreline Habitat Restoration Project
- A letter from Fisheries and Oceans Canada to the Applicant that, provided that the habitat functions as intended, the Project would conform to the Fisheries Productivity Investment Policy as habitat development and/or restoration projects that may be deposited into a Habitat Bank.

The temporal scope of the review includes site preparation, project construction, planting, monitoring, ongoing habitat maintenance, and installation of park features.

The environmental review considered potential adverse environmental and social effects of the project on 14 environmental components (e.g., species with special status, aquatic species and their habitat, recreational interests, etc.) and from Accidents and Malfunctions. These environmental components are aspects of the biophysical and socio-economic environment considered to have ecological, economic, social, cultural, archaeological, or historical importance. Section 6.2 below summarizes the results of the review.

Though VFPA does not have a legislative requirement to conduct a cumulative effects assessment in our PER process, the past and current effects of development on the environment provides the context for our review of project effects, and so consideration of cumulative effects is inherently integrated into our environmental reviews and decisions. Potential project effects on vegetation, fish and wildlife are considered in the context of the existing environment taking into account past effects and current pressures on species.

6.2 Environmental Effects Summary

Environmental Component	Potential Adverse Effects?		Overview of Potential Adverse Effects, Mitigation Measures, and Residual Adverse Effects	Significant Residual Adverse Effects?	
	Yes	No		Yes	No
Air Quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>There is potential that construction activities will result in adverse effects on air quality from soil excavation and the use of heavy machinery.</p> <p>Mitigation measures will be implemented to reduce dust and air emissions. Soil stock piles will be covered as needed, unnecessary vehicle idling will be avoided, and diesel equipment will comply with the VFPA Non-Road Diesel Emissions Program. The Construction Environmental Management Plan will describe the specific mitigation measures that will be used to reduce adverse effects.</p> <p>These mitigation measures are reflected in Permit conditions No. 21, 46, and 47.</p> <p>With mitigation in place, residual adverse effects on air quality are expected to be not significant.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lighting	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The project is not expected to affect lighting.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Acoustic Environment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>There is potential for adverse effects of increased noise on park users and nearby residents during Project construction. Noise will be produced from heavy equipment during Project construction.</p> <p>Construction activities will occur from Monday to Saturday between 7:00 am and 8:00 pm. Project construction is also planned to start in late summer (after August 15, 2016) which will avoid peak park use in mid-summer. The Construction Environmental Management Plan will describe the specific mitigation measures that will be used to reduce adverse Project effects.</p> <p>These mitigation measures are reflected in Permit conditions No. 21 and 25.</p> <p>With mitigation in place, residual adverse effects on the acoustic environment are expected to be not significant.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Component	Potential Adverse Effects?		Overview of Potential Adverse Effects, Mitigation Measures, and Residual Adverse Effects	Significant Residual Adverse Effects?	
	Yes	No		Yes	No
Soils	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>There is potential for adverse effects on soil quality from the excavation and reuse of soils on site.</p> <p>Approximately 20,000 m³ of soil will be excavated for the project. Soil will be excavated and used to create two berms, one on the eastern edge of the Park, and the other on the western edge.</p> <p>There are two areas of known soil contamination; a petroleum hydrocarbon area in the northwest portion of the site and an area of metals contamination in the centre of the site. The soils contaminated with petroleum hydrocarbons will be excavated and disposed of at an off-site licensed disposal facility. The soils contaminated with metals will be excavated and managed on site by placing it in the centre of the berm to be created to the southeast of the habitat enhancement feature. The metals-impacted soil will be placed above the seasonal high water table, and will be capped by 2 m of fill material, reducing or eliminating receptor pathways and impacts to groundwater.</p> <p>If contaminated soils are encountered in other areas during construction they will be temporarily stockpiled, sampled, and if soil contamination exceeds appropriate criteria it will be disposed of at an appropriate disposal facility</p> <p>The detailed mitigation measures described in the Soil and Groundwater Management Plan will be implemented to reduce potential adverse effects. This plan includes specific information on handling and disposal of the petroleum hydrocarbon contaminated soils. Further, a qualified professional will conduct environmental monitoring during excavation activities.</p> <p>The mitigation measures are reflected in Permit conditions No. 38 and 40.</p> <p>With mitigation measures in place, potential residual adverse effects on soils are predicted to be not significant.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Component	Potential Adverse Effects?		Overview of Potential Adverse Effects, Mitigation Measures, and Residual Adverse Effects	Significant Residual Adverse Effects?	
	Yes	No		Yes	No
Sediments	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The project is not expected to affect sediments.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Groundwater	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>There is potential for adverse effects on groundwater quality during soil excavation. Approximately 20,000 m³ of soil will be excavated for the project. Some excavations will be below the groundwater table and will require dewatering.</p> <p>There is groundwater contaminated with petroleum hydrocarbons in the northwest portion of the site (see Soils above). During excavation of the known petroleum hydrocarbon contaminated area, the source soil and wood debris along with entrained groundwater will be removed simultaneously. The collected groundwater from the area will be disposed of at an off-site facility.</p> <p>If groundwater contamination that exceeds appropriate criteria is encountered in other areas during construction it will be managed according to the procedures outlined in the Soil and Groundwater Management Plan.</p> <p>The detailed mitigation measures described in the Soil and Groundwater Management Plan will be implemented to reduce potential adverse effects. Additionally, a qualified professional will conduct environmental monitoring during excavation activities.</p> <p>The mitigation measures are reflected in Permit conditions No. 38, 39 and 40.</p> <p>With mitigation measures in place, potential residual adverse effects on groundwater are predicted to be not significant.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Component	Potential Adverse Effects?		Overview of Potential Adverse Effects, Mitigation Measures, and Residual Adverse Effects	Significant Residual Adverse Effects?	
	Yes	No		Yes	No
Surface water and water bodies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>There is potential for adverse effects on the water quality in Burrard Inlet during in-water works. Project construction activities can affect water quality if sediments or contaminants enter the aquatic environment.</p> <p>No in-water works will be conducted during the fisheries sensitive period (March 1 to August 15). The Construction Environmental Management Plan will also describe mitigation measures that will be used to reduce potential adverse Project effects on water quality, including sediment and erosion control measures and spill prevention plans.</p> <p>The mitigation measures are reflected in Permit conditions No. 30, 32, 33, 35, 36, 37, 43 and 44.</p> <p>With mitigation measures in place, residual effects on surface water and water bodies (i.e., Burrard Inlet) are expected to be not significant.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Species/habitat with special status	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The Project is not expected to result in adverse effects on species, or habitats, with special status.</p> <p>The vegetation in the upland area consists primarily of maintained lawn interspersed with western red cedar, and Douglas fir. Invasive plant species, such as Himalayan blackberry, Scotch broom, and English ivy are also present. Riparian shrub and trees border the shoreline including black cottonwood and red alder.</p> <p>The existing site vegetation and adjacent aquatic areas may provide limited foraging habitat for some species with special status. However, since most of the project footprint is maintained grass lawn no adverse effects on species, or habitats, with special status are expected from the Project.</p> <p>Additionally, the Project may enhance habitat for species with special status, including, great blue heron, black swift, barn swallow, peregrine falcon, Keen’s myotis, and/or little brown myotis.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Component	Potential Adverse Effects?		Overview of Potential Adverse Effects, Mitigation Measures, and Residual Adverse Effects	Significant Residual Adverse Effects?	
	Yes	No		Yes	No
Terrestrial resources (vegetation, wildlife and wildlife habitat)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>There is potential for adverse effects on terrestrial resources from vegetation removal for the Project.</p> <p>Approximately 2 hectares of vegetation would be removed for the Project. The vegetation in the upland area consists primarily of maintained lawn interspersed with western red cedar, and Douglas fir. Invasive plant species, such as Himalayan blackberry, Scotch broom, and English ivy are also present. Riparian shrub and trees border the shoreline including black cottonwood and red alder. The trees and shrubs present may provide nesting habitat for migratory birds.</p> <p>Mitigation measures will be implemented to reduce potential effects on terrestrial resources. Invasive plants will be handled and disposed of in a manner to reduce their risk of spreading, and, to reduce the risk of adverse effects on nesting birds, vegetation clearing will avoid the nesting season (from April 1 to July 31). The Construction Environmental Management Plan will also describe mitigation measures that will be used to reduce adverse Project effects on terrestrial resources.</p> <p>Once the tidal wetland and salt marsh area is constructed, native upland, riparian, and intertidal vegetation will be planted to enhance fish and wildlife habitat.</p> <p>The mitigation measures are reflected in Permit conditions No. 45, 49 and 50.</p> <p>With mitigation in place, no residual adverse effects on terrestrial resources are expected. Additionally, once complete, the Project is anticipated to result in a net gain in terrestrial resource values.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Component	Potential Adverse Effects?		Overview of Potential Adverse Effects, Mitigation Measures, and Residual Adverse Effects	Significant Residual Adverse Effects?	
	Yes	No		Yes	No
Wetlands	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The project is not expected to result in adverse effects on wetlands as there are no existing wetlands within the Park. The purpose of the project is to create a tidal wetland area, with a salt marsh component, to enhance habitat for fish and wildlife. Overall, the project is anticipated to result in a net gain in wetland resources.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Aquatic resources (e.g., aquatic plants, fish and fish habitat, waterbirds, marine mammals, etc.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>There is potential for adverse effects on aquatic resources during in-water construction activities.</p> <p>Fish, invertebrates, and marine plants use the aquatic habitats adjacent to the Project site. There is a potential risk of effects on aquatic resources through injury or mortality, or through adverse effects on water quality during in-water construction activities.</p> <p>Mitigation measures will be implemented to reduce potential effects on aquatic resources. No in-water works will be conducted during the fisheries sensitive period (March 1 to August 15). The Construction Environmental Management Plan will also describe mitigation measures that will be used to reduce adverse Project effects on aquatic resources.</p> <p>The mitigation measures are reflected in Permit conditions No. 30, 32, 33, 34, 35, 36, 37, 43 and 44.</p> <p>In May 2015, Fisheries and Oceans Canada reviewed the Project information and confirmed that the Project would conform to the Fisheries Productivity Investment Policy as a habitat development and/or restoration project that may be deposited into a habitat bank.</p> <p>With mitigation measures in place, residual effects on aquatic species are expected to be not significant. Additionally, once complete, the Project is anticipated to result in a net gain in aquatic resource values.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Component	Potential Adverse Effects?		Overview of Potential Adverse Effects, Mitigation Measures, and Residual Adverse Effects	Significant Residual Adverse Effects?	
	Yes	No		Yes	No
Archaeological/ heritage resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>There is potential for adverse effects on archaeological/ heritage resources from ground disturbance and excavation activities (that may encounter native soil) during construction.</p> <p>An Archaeological Overview Assessment and an Archaeological Impact Assessment for the area were previously conducted in 2012/2013. No archaeological materials were identified during site-specific archaeological monitoring conducted in May 2015 and November 2015.</p> <p>Archaeological monitoring will be conducted for any ground disturbance with potential to affect native soils and a Chance Find Protocol will be in place for construction activities with potential to affect heritage resources.</p> <p>The mitigation measures are reflected in Permit conditions No. 20, 27, 28, and 29.</p> <p>With mitigation measures in place no residual adverse effects are predicted for archaeological or heritage resources.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Aboriginal Group interests	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Section 5.5 provides an overview of the concerns raised by Aboriginal Groups during VFPA consultation about the Project.</p> <p>These include potential effects on:</p> <ul style="list-style-type: none"> • Health and socio-economic conditions; • Physical and cultural heritage; • Current use of lands and resources for traditional purposes; and • Any structure, site or thing that is of historical, archaeological, paleontological or architectural significance. <p>With mitigation measures in place (as described and listed in Section 5.5) residual adverse effects on Aboriginal interests are expected to be not significant.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Component	Potential Adverse Effects?		Overview of Potential Adverse Effects, Mitigation Measures, and Residual Adverse Effects	Significant Residual Adverse Effects?	
	Yes	No		Yes	No
Recreational interests	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The project is proposed within New Brighton Park, which is a popular park that is well used by the public. The project will replace recreational areas (lawn and tennis courts) with a tidal wetland area, including a salt marsh component, to enhance habitat for fish and wildlife.</p> <p>The Applicant undertook four rounds of public consultation on the project (see Section 4.2 for details). Overall, the majority of participants in public consultation support the project as designed.</p> <p>VFPA has reviewed the record of public consultation, is of the view that the concerns raised have been adequately addressed by the Applicant. As a result, no residual adverse effects on recreational interests are anticipated as a result of the project.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Accidents and malfunctions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The potential adverse environmental effects from accidents and malfunctions was considered as part of the review.</p> <p>The Construction Environmental Management Plan will describe mitigation measures that will be used to reduce adverse Project effects of the project and will include a spill prevention plan.</p> <p>This is reflected in Permit conditions No. 7, 21, and 42.</p> <p>With mitigation measures in place the likelihood of residual adverse effects on the environment are low and if they do occur are predicted to be not significant.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Residual adverse effects (i.e., effects that remain with mitigation in place) were identified for the following environmental components:

- Air quality
- Acoustic environment
- Soils
- Groundwater
- Surface water and water bodies
- Aquatic resources.

The residual adverse effects of the project on these environmental components are characterized as:

- low in magnitude due to predicted effects on air quality and the acoustic environment during construction, and from the potential effects on soils and groundwater during soil excavation;
- Project-specific in geographic extent because effects will be limited to the Project site (New Brighton Park);
- Short-term in duration because adverse effects will be limited to project construction;
- Daily in frequency because noise and air emissions will occur throughout project construction; and
- Reversible because all of the residual adverse effects of the project would be reversible once project construction is complete.

Taking into consideration all of the above, and with the implementation of proposed mitigation measures and Permit conditions, the residual adverse effects from the Project are predicted to be not significant.

6.3 Environmental Review Decision

In completing the environmental review, VFPA has reviewed and taken into account relevant information available on the proposed project, has considered the information and proposed mitigations provided by the Applicant and other information as listed elsewhere in this document, and concludes that with the implementation of proposed mitigation measures and Permit conditions, the Project is not likely to cause significant adverse environmental effects.

Original copy signed

CARRIE BROWN
DIRECTOR, ENVIRONMENTAL PROGRAMS

August 8, 2016

DATE OF DECISION

7 RECOMMENDATION

In completing the project and environmental review, VFPA concludes that with the implementation of proposed mitigation measures and conditions described in the Permit, the Project has appropriately addressed the identified concerns.

It is the recommendation of staff that this application be approved subject to conformance with the project and environmental conditions listed in project permit **PER No. 15-096**.

APPENDIX A
Figures and Drawings

Application Drawings **PER No. 15-096 A to F**

APPENDIX B
List of Information Sources

VFPA has relied on the following sources of information in the project and environmental review of the Project:

- Application form and materials submitted by Applicant on December 18, 2015.
- All Project correspondence from December 18, 2015 to July 15, 2016.
- All plans and drawings labelled PER No.15-096-A to F
- "Project Description: VFPA New Brighton Park Shoreline Habitat Restoration Project", April, 2016, VFPA Habitat Enhancement Program.
- "Soil and groundwater management plan revised: VFPA New Brighton Park Shoreline Habitat Restoration Project", May 12, 2016, Hemmera Envirochem Inc.
- "Sixty percent design – drawing: VFPA New Brighton Park Shoreline Habitat Restoration Project", May 12, 2016, Moffat and Nichol/VFPA Habitat Enhancement Program.
- "Sixty percent design – excavation and materials summary: VFPA New Brighton Park Shoreline Habitat Restoration Project", May 12, 2016, Moffat and Nichol/VFPA Habitat Enhancement Program.
- Application Review Phase Detailed Design Summary Report and Appendices, dated July 14, 2016
- Application Review Phase Consideration Report, dated July 14, 2016.