PORT of vancouver

PROJECT AND ENVIRONMENTAL REVIEW APPLICATION GUIDE

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Canada

PORT of vancouver

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DISCLAIMER

This application guide and its supporting documents are provided as information and should not be taken as scientific, business, legal or other professional advice. This application guide was published in November 2017. It will be updated as needed and made available at www.*portvancouver.com/per*. Readers are responsible for ensuring they are using the latest version of the application guide.

1. INTRODUCTION

PURPOSE OF THE APPLICATION GUIDE

This application guide provides an overview of the Vancouver Fraser Port Authority's Project and Environmental Review process for projects within the port authority's jurisdiction. This guide has been developed to assist applicants in preparing their Project Permit Application to support a timely and efficient Project and Environmental Review (PER) process.

Applicants are responsible for consulting with the port authority to confirm the appropriate application procedures and requirements. Port authority staff are available to answer your questions and to help you through the review process. You can find contact information at the back of this guide. Please note that this guide is provided for information purposes only and may be updated from time to time without notice. For the most current version of this application guide, please visit www.*portvancouver.com/per*.

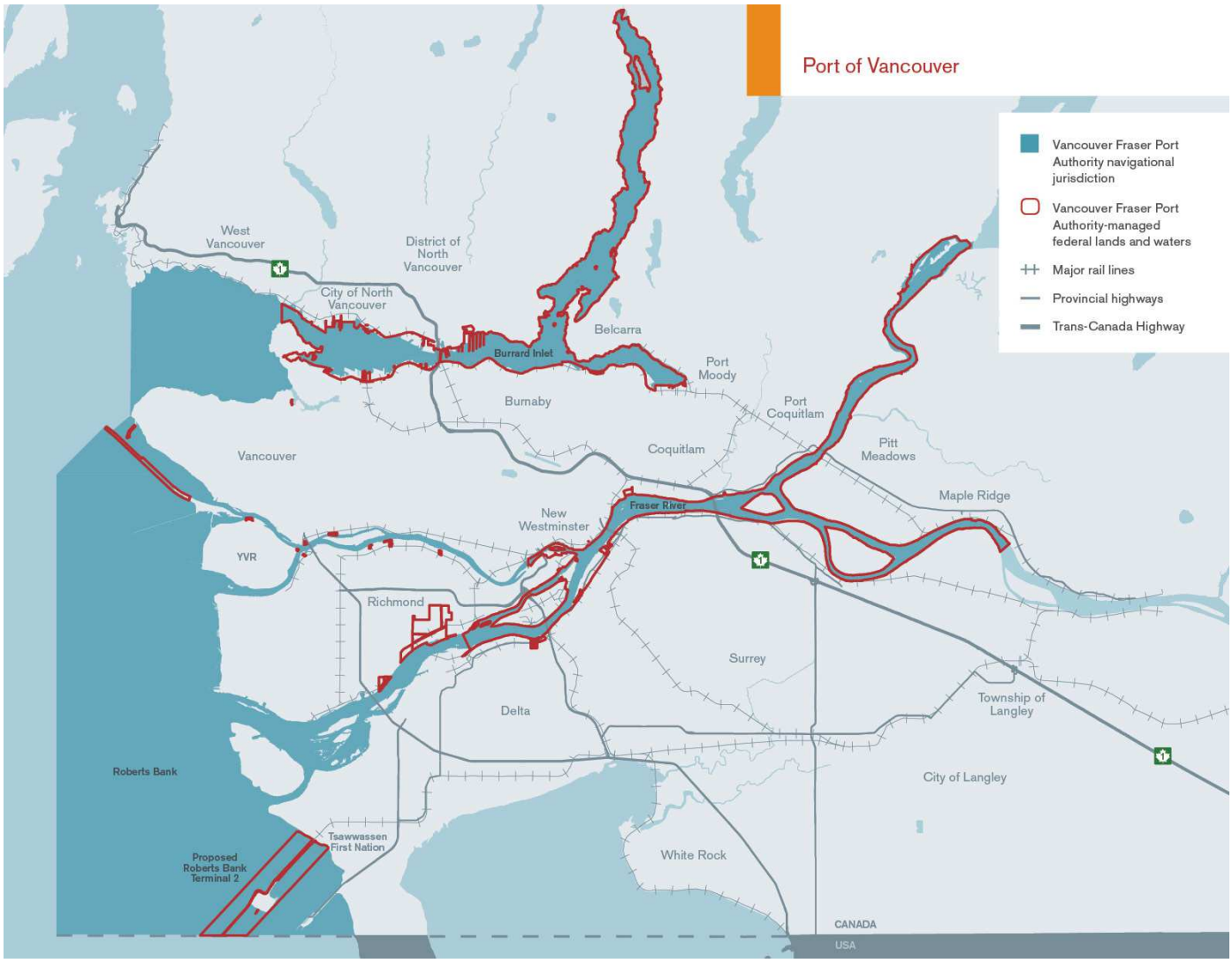
THE VANCOUVER FRASER PORT AUTHORITY'S MANDATE AND JURISDICTION

The Vancouver Fraser Port Authority is a port authority created pursuant to the *Canada Marine Act* and is accountable to the federal Minister of Transport.

Vancouver Fraser Port Authority's mandate includes, among other things:	• Promoting the success of ports for the purpose of contributing to the competitiveness, growth and prosperity of the Canadian economy; • Ensuring that marine transportation services are organized to satisfy the needs of users and are available at a reasonable cost to the users; • Providing a high level of safety and environmental protection; and • Managing the marine infrastructure and services in a commercial manner that encourages and takes into account input from users and the community in which a port or harbour is located.
Land Use Plan	• The Port of Vancouver Land Use Plan contains goals, objectives, policy directions and land use designations to guide the physical development of port lands and waters. All Project Permit Applications considered under the Project and Environmental Review process must be consistent with the *Land Use Plan*.

The Vancouver Fraser Port Authority's jurisdiction borders 16 municipalities, one Electoral Area and intersects the traditional territories and treaty lands of several Coast Salish First Nations. This jurisdiction includes a mix of navigational authority and jurisdiction over certain real property in Burrard Inlet and Indian Arm, lands and waters east of the provincial bed of the Fraser River, various federal holdings in the North, South and Middle Arms of the Fraser River, and at Roberts Bank.

FIGURE 1:
MAP OF THE VANCOUVER FRASER PORT AUTHORITY'S JURISDICTION



Under the *Canada Marine Act,* the Vancouver Fraser Port Authority is responsible for the administration, management and control of land and water within its jurisdiction, including over 16,000 hectares of water, 1,000 hectares of land and assets along hundreds of kilometres of shoreline. The port authority administers a Project and Environmental Review process to ensure all developments and activities meet applicable standards and minimize environmental and community impacts. Independent of the Project and Environmental Review process, the port authority's Real Estate Department attends to all tenure matters.

The Project and Environmental Review process applies to all proposed physical works and activities on federal lands and waters partially or wholly within the port authority's jurisdiction. The process enables the port authority to consider and make a determination on the potential environmental and other effects of proposed Projects before making any decision that would allow a Project to proceed and, if so, under what conditions.

PROJECTS REQUIRING THE VANCOUVER FRASER PORT AUTHORITY'S REVIEW

The Project and Environmental Review process helps the Vancouver Fraser Port Authority fulfill its responsibilities under the *Canada Marine Act* and the *Canadian Environmental Assessment Act, 2012*, and ensures that proposed works and activities within The port authority's jurisdiction are carefully considered in the process of determining if they should proceed.

With some exceptions, proposed works and activities within or partially within the port authority's jurisdiction that fall under the definition of a "project", as described below, will require review through the Project and Environmental Review process.

FIGURE 2:
THE THREE CRITERIA OF A PROJECT

- A physical activity consists of carrying out tasks or actions involved with construction, modification, operation, and decommissioning (i.e. involving a degree of physical effort).
- A physical work includes structures that have been built by humans and that have a defined area and fixed locality (i.e. has a local permanence).
- Federal lands as defined by section 2(1) of the *Canadian Environmental Assessment Act, 2012*: this applies to proposed projects that are wholly or partially located on lands and waters managed by the port authority.

To summarize, a project involves carrying out tasks such as construction, modification or decommissioning in relation to a new or existing physical work (e.g. bridge, building, road or pipeline) situated in part or fully on lands and waters managed by the port authority.

In addition, there are some physical activities that are not associated with a "physical work", as defined above, which require review under the Project and Environmental Review process. Examples of such activities include dredging and other short-term activities such as remedial excavations or waterlot clean up conducted as part of the port's lease termination requirements. For the purposes of the Project and Environmental Review process, these activities are considered to be "projects".

If your project meets all three criteria, or is a physical activity as contemplated above, the Project and Environmental Review process applies.

EXCLUDED PROJECTS – PROJECT PERMIT NOT REQUIRED

The port authority has determined that certain works and activities do not require a Project Permit. Excluded Projects typically include repair and maintenance activities, replacement of existing equipment, and construction/installation of small buildings and structures.

Individuals undertaking these works and activities must be existing port tenants, or authorized contractors or consultants with permission from the tenant to conduct these works. All works should be conducted according to best practices and in accordance with all applicable legislation and regulations. For a detailed list of works and activities that are excluded from the Project and Environmental Review process, please see the Works and Activities Exclusion List in *Appendix A*.

SCOPE OF REVIEW

An important part of the Project and Environmental Review process is to determine the spatial and temporal extent or "scope" of the review to be conducted in relation to a proposed project. The scope of the review will vary between projects, depending on the components of the environment and other factors that could potentially be affected. For projects that require technical studies and documentation, it is necessary to clearly establish the scope of the proposed project components located on federal lands that will be part of the assessment, the scope of the environmental effects associated with those components that will be assessed, and the time period for which impacts will be considered.

In addition to environmental effects, the port authority also reviews other potential impacts of projects pursuant to its responsibilities under the *Canada Marine Act*, the Port Authorities Operations Regulations, and Port policy. This may include traffic and transportation impacts and community concerns such as views, noise, lighting and other matters relevant to the application.

SCOPING PRINCIPLES

In making scoping decisions, the Project Lead assigned to your project will be guided by the following general principles:

- The scope of the project will normally be limited to physical works and activities occurring within the project footprint on federal lands, as well as vessel traffic within the port authority's navigational jurisdiction, if applicable.
- The scope of the assessment will normally include analysis of the environmental and other effects that are directly produced from the physical works that the port authority is authorizing, irrespective of whether those effects occur on port lands. Indirect effects, such as environmental and other effects caused in other locations by utilization of goods and products shipped through the Port of Vancouver, will not be included in the assessment.
- The scope of the assessment will typically consider all physical activities and effects from the date construction is initiated to the time the project is expected to achieve full operating capacity.
- Where potential environmental and other effects are not considered to be significant, they will generally not be included in the scoping of the assessment.

OTHER REGULATORY REVIEWS AND APPROVALS

Applicants should be aware that certain projects may also require regulatory approvals from other authorities in addition to the port authority. This may include environmental reviews and permits from agencies such as Transport Canada, Environment Canada, and Fisheries and Oceans Canada (frequently referred to as "DFO"). Port authority staff can assist applicants in identifying which other regulatory approvals may be necessary; however, applicants are ultimately responsible for obtaining all necessary approvals from the appropriate agencies.

FEDERAL AND PROVINCIAL ENVIRONMENTAL ASSESSMENTS (DESIGNATED PROJECTS)

The *Canadian Enviornmental Assessment Act, 2012* focuses federal environmental assessment efforts on large or complex developments that have a greater potential to cause significant adverse environmental effects. These Designated Projects, which are reviewable by certain federal agencies, are described by the *Regulations Designating Physical Activities* and may undergo an environmental assessment under the act. If your Project meets the criteria of a Designated Project, you will need to contact the Canadian Environmental Assessment Agency to determine the need for a federal environmental assessment prior to a review by the port authority.

The British Columbia Environmental Assessment Office reviews certain major projects on non-federal lands, as set out in the *Reviewable Projects Regulation*. If your project meets the criteria of a reviewable project under this regulation, you will need to contact the British Columbia Environmental Assessment Office to determine the need for a provincial environmental assessment.

The Project and Environmental Review process will be used for the port authority's review of Designated Projects. The scope of the review will rely upon the results of the Environmental Assessment conducted by the federal responsible authority where those results satisfy the port authority's standards and requirements. Vancouver Fraser Port Authority approval of the Designated Project may only be issued if the federal responsible authority or Minister determines that the Designated Project is not likely to cause significant adverse environmental effects, or that those effects can be justified.

OTHER

Generally, major utilities serving port property are provided by local municipalities, the Greater Vancouver Sewerage and Drainage District, BC Hydro, FortisBC and telecommunication providers. Applicants are responsible for proper connections to these services and obtaining all necessary approvals as part of their developments. The Applicant is also responsible for all necessary trade permits for gas, electricity and elevator installations directly from the authority having jurisdiction. Typically, these permits are obtained from the British Columbia Safety Authority.

While the port authority is not involved in the review of the technical documentation and the issuance of trade permits from other authorities, it may request a copy of such permits for documentation purposes.

All development and activities in the port authority's jurisdiction must be consistent with the port authority's mandate,

Canada Marine Act restrictions on the use of port lands and waters, and the Port of Vancouver *Land Use Plan*

2. PROJECT AND ENVIRONMENTAL REVIEW – OVERVIEW

Below is a summary of the guiding principles that will be applied through the Project and Environmental Review process. The full set of Guiding Principles is available at www.*portvancouver.com/per*.

SUMMARY OF GUIDING PRINCIPLES

1. RESPONSIVENESS TO THE CUSTOMER

The Project and Environmental Review process will provide clear and timely reviews for its customers and project applicants.

2. TRANSPARENCY

Information about projects and decisions that are subject to the Project and Environmental Review process will be made available to interested parties with due respect for third party confidentiality and business interests.

3. APPROPRIATE LEVEL OF REVIEW RELATIVE TO POTENTIAL IMPACTS

The Project and Environmental Review process will review projects at a level commensurate with their potential impacts and interests.

4. ABORIGINAL CONSULTATION

The Project and Environmental Review process will include Aboriginal consultation when the proposed project may adversely impact potential or established Aboriginal or Treaty rights.

5. OPPORTUNITIES FOR PUBLIC CONSULTATION AND ENGAGEMENT

The Project and Environmental Review process will provide appropriate opportunities for public consultation and engagement relative to the review.

6. EFFICIENT USE OF RESOURCES

The Project and Environmental Review process will promote the efficient use of resources, including those required of the project applicant, referral agencies, Aboriginal groups, third party participants, as well as the port authority.

7. CLEAR AND ACCOUNTABLE

The Project and Environmental Review process will be clearly defined for participants and process performance measures will be tracked, measured and reported annually.

PROJECT AND ENVIRONMENTAL REVIEW CATEGORIES

The Project and Environmental Review process is divided into four categories of review: A, B, C and D. To assist Applicants in understanding the level of review required for a specific project, the port authority has developed a list of six types of projects likely to be undertaken by applicants:

- Repair, replacement and maintenance;
- New installation, upgrade, expansion and relocation;
- Demolition, deconstruction, decommissioning and removal;
- Dredging;
- Short-term activities (excluding dredging); and
- Other.

Specific examples of each of the projects listed above have been placed into Project and Environmental Review Categories (PER Categories) labeled A, B, C and D. The lettered categories range in complexity with Category A being the least complex and Category D being the most complex.

Applicants are expected to review the Project and Environmental Review Categories document (Appendix B) and make an initial assessment of which PER Category their Project falls into. As noted in Appendix B, where different elements of a proposed project appear to fit into different categories of review, the higher category will generally apply to the project.

FIGURE 3:
DESCRIPTION OF THE PROJECT AND ENVIRONMENTAL REVIEW CATEGORIES

Criteria for applying the categories of review include:

- Project complexity generally increases from A to D. If a project does not meet the criteria set out in Category A, proceed to Category B and so on until the applicable criteria are met.
- If a project includes components that may fall into more than one PER Category, the highest level of review will generally apply.
- Projects that do not clearly fit into a category will be assessed by the port authority on a case-by-case basis.

Port authority staff are available to assist in identifying the appropriate PER Category for a project. A port authority Project Lead will be assigned to a project generally within two business days after receipt of a Preliminary Project Enquiry or application. The Project Lead will confirm the PER Category and will be an applicant's prime contact throughout the Project and Environmental Review process.

In some cases, during the course of reviewing an application, new information or analysis may become available which indicates that a change in PER Category is appropriate. In this instance, the Project Lead will contact the applicant immediately to discuss this change and next steps. Vancouver Fraser Port Authority retains discretion to shift a project from one PER Category to another.

Before submitting a Preliminary Project Enquiry or application, please consult the Project and Environmental Review Categories document (Appendix B) to make an initial assessment of the appropriate level of review for the project.

Who is an Applicant?

Applicants may be:

- A prospective tenant with a documented interest in a property;
- An existing tenant with property agreements in good standing;
- Vancouver Fraser Port Authority; or
- Contractors working on behalf and with permission of the above parties.

Only applicants as defined by the port authority may submit an application and undertake approved projects within the port authority's jurisdiction.

3. PROJECT AND ENVIRONMENTAL REVIEW STEPS

The following section generally outlines the main steps in the Project and Environmental Review process.

Review timelines identified for each PER Category are estimates only and may be dependent on the level of consultation required and other factors. Review timelines begin upon receipt of a Complete Project Permit Application and end when an applicant is advised of the port authority's decision on the application.

Before you begin...

- Prospective tenants without existing land tenure with Vancouver Fraser Port Authority should contact the port authority's Real Estate Department to document and confirm their interest in the property.
- Existing tenants should review their respective property agreements to ensure the proposed works and uses are permitted or if landlord consent or an amendment to an agreement is first required.
- Applicants should review the Port of Vancouver *Land Use Plan* and supporting guidelines (Appendix C) relevant to their project.
- Applicants must review this Application Guide and the PER Categories document (Appendix B) to determine if the Project and Environmental Review process applies, and if so, determine which category of review would likely apply to the project (A, B, C or D).

FIGURE 4:
OVERVIEW OF THE PROJECT AND ENVIRONMENTAL REVIEW STEPS

Step 1
C D

- If your project is a Category A or B, go to Step 3.
- Applicant completes and submits a Preliminary Project Enquiry with supporting documentation.

Step 2
C D

PRELIMINARY PROJECT ENQUIRY REVIEW

- Port authority receives the Preliminary Project Enquiry.
- Port authority Project Lead is assigned.
- Port authority confirms the category of review with the applicant, generally within two business days of receipt of the Preliminary Project Enquiry.
- Port authority reviews the submitted materials and conducts an initial review for completeness.
- Meeting with port authority staff is required for Category C and D reviews.
- Port authority identifies additional information or studies that may be required to support a complete application.
- For Category D projects, applicant conducts comment period and documents the results.
- Depending on the state of design, the applicant may further define or revise their proposal.

Step 3
A B C D

APPLICATION SUBMISSION

- Applicant submits either a Category A/B or a Category C/D online application.
- All required plans, documentation and technical reports are uploaded with the application.
- Application is submitted.
- Port authority reviews and confirms the application is complete.
- Project permit application fee is processed.

APPLICANT CONSIDERED COMPLETE. APPLICANT NOTIFIED. REVIEW TIMELINE STARTS.

Step 4
A B C D

APPLICATION REVIEW

- Port authority conducts its technical review of the application.
- Port authority conducts stakeholder consultation and typically leads Aboriginal consultation as required.
- Referrals to other government agencies will be made as appropriate.
- Applicant conducts public consultation as required.
- Additional technical information may be required during this step.

Step 5
A B C D

PROJECT DECISION

- Port authority completes its technical review and considers all submitted information.
- Port authority makes a decision on the application and, if approved, issues a project permit with conditions and associated documentation.
- Should the project not be approved, the applicant will be notified of the decision. The applicant will have the opportunity to meet with port authority staff to discuss this decision.
- Review timeline ends when the applicant is notified of the port authority's decision on the project.

The port authority DECISION IS MADE. Applicant NOTIFIED. REVIEW TIMELINE ENDS.

Step 6
A B C D

PROJECT PERMIT CONDITIONS

- Applicant submits documents to satisfy conditions in the project permit.
- Port authority confirms if submitted documents satisfy project permit conditions before project construction may proceed and/or a Building Permit may be issued.
- For Category C and D reviews, the applicant meets with the Project Lead to review project permit conditions and debrief on the Project and Environmental Review process.

CATEGORY OF REVIEW A

APPLICANT RESPONSIBILITY

- Prospective tenants without existing land tenure contact the port authority's Real Estate Department to document their interest in the property
- Existing tenants review respective land tenure agreements to ensure proposed works and uses are permitted uses within the purpose clause of the agreement
- Review the Application Guide, PER Categories document and other supporting guidelines

STEP 3*

APPLICANT RESPONSIBILITY

Submit a Category A/B application with supporting documents

a

Project Lead confirms the category of review with the applicant and confirms if the application is complete

STEP 4

APPLICANT RESPONSIBILITY

Provide additional information as required

Technical review of the complete application

MILESTONES

- Minimum requirements for the Application are met
- All requested materials are provided
- Completeness check by the port authority
- If Application is complete, review timeline begins

STEP

PROJECT DECISION

- Complete the technical review and consider all information provided on the project
- Decision on the project permit application is made
- Project permit with conditions is issued to the applicant

STEP

PROJECT PERMIT CONDITIONS

Applicant RESPONSIBILITY

If the project is approved, submit any documents required to satisfy the project permit conditions

Confirm if the submitted documents satisfy the Project Permit conditions

MILESTONE

Review timeline ends

**Steps 1 and 2 of the Project and Environmental Review process do not apply to PER Category A.*

PROJECT CHARACTERISTICS

- Minor in scale, simple and may be temporary in nature
- Predictable, minimal potential impacts

PRELIMINARY PROJECT REVIEW MEETING REQUIRED?

No

CONSULTATION REQUIRED?

No

ESTIMATED REVIEW TIMELINE

1 – 10 business days

EXAMPLE PROJECTS

- One-for-one pile replacement
- Maintenance dredging
- Fender repair and replacement
- Drilling investigation
- Waterlot cleanup
- Repair or replacement of existing utilities located near water
- Construction of a small building near water with no excavation beyond imported fill or new utility infrastructure

For a more complete list of potential projects and their associated PER Category, please refer to the Project and Environmental Review Categories document in Appendix B. Please see the Works and Activities Exclusion List (Appendix A) for projects that do not require a project permit.

CATEGORY OF REVIEW B

APPLICANT RESPONSIBILITY

- Prospective tenants without existing land tenure contact the port authority's Real Estate Department to document their interest in the property
- Existing tenants review respective land tenure agreements to ensure proposed works and uses are permitted uses within the purpose clause of the agreement
- Review the Application Guide, PER Categories document and other supporting guidelines

STEP 3*

APPLICANT RESPONSIBILITY

Submit a Category A/B application with supporting documents

Project Lead confirms the category of review with the applicant and confirms if the application is complete

STEP 4

APPLICANT RESPONSIBILITY

- Submit the complete application
- Provide information as needed to support port authority review of the application

Technical review of the complete application

Lead Aboriginal consultation if required

Conduct stakeholder notification if required

Conduct public notification if required

MILESTONES

- Minimum requirements for the Application are met
- All requested materials are provided
- Complete application is submitted
- Completeness check by the port authority
- If application is complete, review timeline begins

STEP 5

PROJECT DECISION

- Complete the technical review and consider all information provided on the project
- Decision on the project permit application is made
- Project permit with conditions is issued to the applicant

STEP 6

PROJECT PERMIT CONDITIONS

APPLICANT RESPONSIBILITY

If the project is approved, submit any documents required to satisfy the project permit conditions

Confirm if the submitted documents satisfy the project permit conditions

MILESTONE

Review timeline ends

**Steps 1 and 2 of the Project and Environmental Review process do not apply to PER Category B.*

PROJECT CHARACTERISTICS

- Relatively minor in scale, but have attributes requiring additional technical analysis and may require specialized mitigations
- Low potential for environmental and community impacts

PRELIMINARY PROJECT REVIEW MEETING REQUIRED?

No

CONSULTATION REQUIRED?

- May require public and stakeholder notification
- May require Aboriginal consultation

ESTIMATED REVIEW TIMELINE

10 – 60 business days

EXAMPLE PROJECTS

- Most shoreline protection works
- Installation of 20 or more new piles
- Installation of a new stormwater outfall
- Installation of a new fueling facility with a total design storage capacity of less than 100,000 L
- Expansion of an existing wharf in an area that is not environmentally sensitive
- Replacement and upgrade of an electrical substation

For a more complete list of potential projects and their associated PER Category, please refer to the Project and Environmental Review Categories document in Appendix B. Please see the Works and Activities Exclusion List (Appendix A) for projects that do not require a project permit.

CATEGORY OF REVIEW C

APPLICANT RESPONSIBILITY

- Prospective tenants without existing land tenure contact the port authority's Real Estate Department to document their interest in the property
- Existing tenants review respective land tenure agreements to ensure proposed works and uses are permitted uses within the purpose clause of the agreement or if an amendment is required.
- Review the Application Guide, PER Categories document and other supporting guidelines

STEP 1
PREPARING A PRELIMINARY PROJECT INQUIRY

APPLICANT RESPONSIBILITY

Complete and submit a Preliminary Project Enquiry with supporting documentation

STEP 2
PRELIMINARY PROJECT INQUIRY REVIEW

APPLICANT RESPONSIBILITY

Attend one or more meetings with the Project Lead

- Project Lead confirms the category of review with the applicant
- Advise the applicant of any additional information, studies and consultation required as part of a complete application

STEP 3
APPLICATION SUBMISSION

APPLICANT RESPONSIBILITY

- Complete technical studies as required
- Develop consultation materials as required
- Submit a Category C/D application with supporting documentation

Review and confirm the application is complete

MILESTONE

Minimum requirements for the application are met

STEP 4
APPLICATION REVIEW

APPLICANT RESPONSIBILITY

Attend meetings and supply information as needed to support port authority review of the application

Technical review of the complete application

- Lead Aboriginal consultation as required
- Conduct stakeholder consultation as required

APPLICANT RESPONSIBILITY

- Conduct public consultation as required
- Submit revised technical reports, consultation summaries, mitigation measures and any other documents as required

MILESTONES

- All requested materials are provided
- Complete application is submitted
- Completeness check by the port authority
- If application is complete, review timeline begins

STEP 5
PROJECT DECISION

- Complete the technical review and consider all information provided on the project
- Decision on the project permit application is made
- Project permit with conditions is issued to the applicant

STEP 6
PROJECT PERMIT CONDITIONS

If the project is approved, meet with the applicant to review the project permit conditions and debrief on the review process

APPLICANT RESPONSIBILITY

If the project is approved, submit any documents required to satisfy the project permit conditions

Confirm if the submitted documents satisfy the project permit conditions

MILESTONE

Review timeline ends

PROJECT CHARACTERISTICS

- Generally larger or more complicated projects, and may require additional technical studies to support their review
- Moderate potential for environmental and community impacts

PRELIMINARY PROJECT REVIEW MEETING REQUIRED?

Yes

CONSULTATION REQUIRED?

- Public and stakeholder consultation anticipated
- Aboriginal consultation anticipated

ESTIMATED REVIEW TIMELINE

60 – 120 business days

EXAMPLE PROJECTS

- Placement of fill in-water for the purpose of creating land
- Installation of new facilities or equipment which will result in new discharges to air or water
- Installation of structures which may impact neighbouring communities
- Construction of a new warehouse or distribution centre
- Construction / demolition activities in an environmentally sensitive area
- Construction / demolition activities in proximity to a known archaeological site

For a more complete list of potential projects and their associated PER Category, please refer to the Project and Environmental Review Categories document in Appendix B. Please see the Works and Activities Exclusion List (Appendix A) for projects that do not require a project permit.

CATEGORY OF REVIEW D

APPLICANT RESPONSIBILITY

- Prospective tenants without existing land tenure contact the Real Estate Department to document their interest in the property
- Existing tenants review respective land tenure agreements to ensure proposed works and uses are permitted uses within the purpose clause of the agreement or if an amendment is required.
- Review the Application Guide, project categories document and other supporting guidelines

STEP 1
PREPARING A PRELIMINARY PROJECT INQUIRY

APPLICANT RESPONSIBILITY

Complete and submit a Preliminary Project Enquiry with supporting documentation

STEP 2
PRELIMINARY PROJECT INQUIRY REVIEW

APPLICANT RESPONSIBILITY

- Attend one or more meetings with the Project Lead
- Confirm the scope of technical studies as required
- Develop the comment period consultation materials
- Conduct the comment period
- Document the results of the comment period

- Project Lead confirms the category of review with the applicant
- Review and consider results of comment period
- Advise the applicant of any additional information, studies and consultation required as part of a complete application

STEP 3
APPLICATIOM SUBMISSION

APPLICANT RESPONSIBILITY

- Complete technical studies as required
- Develop consultation materials as required
- Submit a Category C/D application with supporting documentation

Review and confirm the application is complete

MILESTONE

Minimum requirements for the application are met

STEP 4
APPLICATION REVIEW

APPLICANT RESPONSIBILITY

Attend meetings and supply information as needed to support The port authority review of the application

Technical review of the complete application

- Lead Aboriginal consultation
- Conduct stakeholder consultation

APPLICANT RESPONSIBILITY

- Conduct public consultation
- Submit revised technical reports, consultation summaries, mitigation measures and any other documents

MILESTONES

- All requested materials are provided
- Complete application is submitted
- Completeness check by the port authority
- If application is complete, review timeline begins

STEP 5
PROJECT DECISION

- Complete the technical review and consider all information provided on the project
- Decision on the project permit application is made
- Project permit with conditions is issued to the applicant

STEP 6
PROJECT PERMIT CONDITIONS

If the project is approved, meet with the applicant to review the project permit conditions

APPLICANT RESPONSIBILITY

If the project is approved, submit any documents required to satisfy the project permit conditions

Confirm if the submitted documents satisfy the project permit conditions

MILESTONE

Review timeline ends

PROJECT CHARACTERISTICS

- Large and complicated projects, and will usually require a variety of supporting technical studies
- Higher likelihood of environmental and community impacts

PRELIMINARY PROJECT REVIEW MEETING REQUIRED?

Yes

CONSULTATION REQUIRED?

- Public and stakeholder consultation required
- Aboriginal consultation required

ESTIMATED REVIEW TIMELINE

120 – 170 business days

EXAMPLE PROJECTS

- Large-scale infrastructure / transportation development
- Substantial terminal capacity increases, arising from new or upgraded facilities, which may significantly impact road, rail or marine traffic
- Construction of a new terminal
- Projects with multiple potential environmental and community impacts requiring multiple technical reports

For a more complete list of potential projects and their associated PER Category, please refer to the Project and Environmental Review Categories document in Appendix B. Please see the Works and Activities Exclusion List (Appendix A) for projects that do not require a Vancouver Fraser Port Authority project permit.

FIGURE 5:
OVERVIEW OF THE PROJECT AND ENVIRONMENTAL REVIEW CATEGORIES

CATEGORY A

Key attributes

- 1–10 business days for review (estimate)
- Internal review only
- No consultation anticipated

Example Projects

- One-for-one pile replacement
- Maintenance dredging
- Fender repair and replacement
- Drilling investigation
- Waterlot cleanup
- Repair or replacement of existing utilities located near water
- Construction of a small building near water with no excavation beyond imported fill or new utility infrastructure

CATEGORY B

Key attributes

- 10–60 business days for review (estimate)
- Preliminary Project Review meeting may be required
- Potential Aboriginal consultation
- Potential public and stakeholder notification

Example Projects

- Most shoreline protection works
- Installation of 20 or more new piles
- Installation of a new stormwater outfall
- Installation of a new fueling facility with a total design storage capacity of less than 100,000 L
- Expansion of an existing wharf in an area that is not environmentally sensitive
- Replacement and upgrade of an electrical substation

CATEGORY C

Key attributes

- 60–120 business days for review (estimate)
- Preliminary Project Review meeting required
- Additional technical studies may be required
- Aboriginal consultation anticipated
- Public and stakeholder consultation anticipated

Example Projects

- Placement of fill in-water for the purpose of creating land
- Installation of new facilities or equipment which will result in new discharges to air or water
- Installation of structures which may impact neighbouring communities
- Construction of a new warehouse or distribution center
- Construction/demolition activities in an environmentally sensitive area
- Construction/demolition activities in proximity to a known archaeological site

CATEGORY D

Key attributes

- 120–170 business days for review (estimate)
- Preliminary Project Review meeting required
- Additional technical studies likely
- Aboriginal consultation required
- Public and stakeholder consultation required

Example Projects

- Large-scale infrastructure/transportation development
- Substantial terminal capacity increases, arising from new or upgraded facilities, which may significantly impact road, rail or marine traffic
- Construction of a new terminal
- Projects with multiple potential environmental and community impacts requiring multiple technical reports

For a more complete list of potential projects and their associated project category, please refer to the Project and Environmental Review Categories document in Appendix B. Please see the Works and Activities Exclusion List (Appendix A) for projects that do not require a Vancouver Fraser Port Authority project permit.

PROJECT AND ENVIRONMENTAL REVIEW APPLICATIONS

Applicants have three ways to submit information to the Vancouver Fraser Port Authority to initiate the Project and Environmental Review process and should select the most appropriate option based on how much detail can be provided about the Project and its anticipated PER Category. The options include:

1. PRELIMINARY PROJECT ENQUIRY

This is intended for projects that are at an early stage of development or where project details, such as the location and footprint of a structure or the construction method, may not yet be decided. A Preliminary Project Enquiry is the required first step for Category C and D projects. Applicants can create a Preliminary Project Permit Application from the *VFPA Project Permit Portal* after registering for a user account. The applicant is required to include the following information in their preliminary application: contact name, project location and a high-level project description. Applicants may also upload any relevant plans, studies, reports and other documents. A port authority Project Lead will contact the applicant about next steps follwing receipt of the Preliminary Project Enquiry.

Additional information on Preliminary Project Enquiries can be found on page 26.

Apply for a *Preliminary Project Enquiry*

2. SUBMIT A CATEGORY A or B APPLICATION

If the project is anticipated to meet the criteria for a Category A or B project and applicants are able to provide the necessary project details, such as estimated depth of any excavation, the size and number of any piles, and the footprint and location of any new structures, the online Project Permit Application for PER Category A and B should be completed. To complete the application, applicants will need to provide general information, such as a primary contact name, the project location, an estimated schedule and a project summary, as well as details of specific activities associated with the project. The activities section of the online application is divided into seven types of activities that may be conducted as part of a project:

a. Repair, Replacement and Maintenance of Existing Structures (Excluding Piles)
b. New Installation, Upgrade, Expansion or Relocation (Excluding Piles)
c. Demolition, Deconstruction, Decommissioning and Removal (Excluding Piles)
d. Pile Installation, Replacement and/or Removal
e. Dredging
f. Drilling or Other Subsurface Investigation or Remediation of Contaminated Land
g. Waterlot Cleanup

The applicant should select all of the activities that apply to the project. An example is provided below:

Example Project: A wharf is in poor condition and sediment infill has reduced the depth of water available for vessels. The applicant plans to replace deteriorated decking and rails with similar but new materials, extract three existing timber piles and replace them in the same location with new steel piles and conduct maintenance dredging to remove up to 4,000 m^3 of sediment from the water lot. The applicant reviews the Project and Environmental Review Categories document and determines that the project meets the criteria for Category A. The applicant then chooses to complete the project permit

Application for Category A and B reviews.

After filling out the general project information in the initial sections of the application, the applicant should select three of the listed activities: (a) Repair, Replacement and Maintenance of Existing Structures (Excluding Piles); (d) Pile Installation, Replacement and/or Removal; and (e) Dredging. Once the activities are selected, the applicant will be prompted to provide additional details for each activity.

The port authority project permit application for Category A and B reviews (Appendix D) is accessible through the online portal. Applicants can create a Category A or B application from the *VFPA Project Permit Portal* after registering for a user accunt. Once the appropriate sections have been completed, the applicant submits the application and uploads any relavent plans, studies, repoorts and other docuemnts. A port authority Project Lead will contact the applicant generally within two business days. If the application is considered to be complete, the Application Review phase of the Project and Environmental Review process begins.

Apply for a *Category A or B project permit*

3. SUBMIT A CATEGORY C or D Application

Projects that meet the criteria for a Category C and D project require a Preliminary Project Review Meeting and Preliminary Review prior to submitting an application. The Preliminary Review can be initiated by submitting a Preliminary Project Enquiry, as described above. Once the technical studies, consultation requirements and any other information requirements identified by the port authority Project Lead during the Preliminary Review have been addressed, the Applicant should complete the Category C and D application on the *VFPA Project Permit Portal* (Appendix E). Because many of the project details are expected to have been discussed during the Preliminary Review and may be described in professionally prepared studies, plans and reports, the Project Permit Application for Category C and D reviews is intended to allow the applicant to provide project information and attach the relevant plans, studies, reports and other documents that form part of the application. Upon receipt of the application, the port will undertake a completeness check of the submitted material. Once the application has been registered and confirmed as complete, the Application Review phase will commense.

Apply for a *Category C or D project permit*

Please note that all docuemnts provided in support of Category C and D projects will be posted on the Port of Vancouver website. Any commercially sensitive documents which are not to be posted on the website must be brought to the Project Lead's attention and marked as CONFIDENTIAL. Confidential information will not be posted on the website.

GUIDANCE DOCUMENTS TO SUPPORT YOUR APPLICATION

Projects with greater complexity and a higher potential for environmental or community impacts may require additional technical studies to support their review, and may require consultation activities. For more information on guidance documents for the Project and Environmental Review process, please visit www.*portvancouver.com/per/technical-guidelines*.

TECHNICAL STUDIES

For projects that may have impacts on the environment and community, specific technical studies may be required. These may include studies such as: air and noise assessments, biophysical surveys, storm water management plans, view and shade impact analysis, landscaping plans, lighting plans, and/or marine risk assessments. The port authority has developed several technical guidelines to assist applicants in determining the scope of required studies. A list of available technical guidance documents can be found on online at www.*portvancouver.com/per/technical-guidelines* (also in Appendix C). The need for such studies will be confirmed in the Preliminary Review phase of the Project and Environmental Review process (i.e. prior to submission of a Complete Application), but will generally only be required for Category C and D reviews.

ABORIGINAL CONSULTATION

The Crown has a legal duty to consult with Aboriginal groups on projects that have the potential to adversely impact Aboriginal or Treaty rights. The port authority has been delegated authority to manage federal lands by the *Canada Marine Act*, and therefore leads consultation on behalf of the Crown. For more information, please refer to the *Aboriginal Consultation – Information for Applicants* guideline available online at www.*portvancouver.com/per/technical-guidelines*. Aboriginal consultation requirements will be discussed in the Preliminary Review phase of the Project and Environmental Review process for Category B, C and D reviews.

STAKEHOLDER CONSULTATION

Certain projects may require consultation activities with stakeholders such as municipal governments, port tenants, government and other agencies, and industry organizations. For more information, please refer to the *Stakeholder Consultation Guide* available online at www.*portvancouver.com/per/technical-guidelines*. Stakeholder consultation requirements will be established in the Preliminary Review phase of the Project and Environmental Review process for Category B, C and D reviews.

PUBLIC CONSULTATION

Public consultation may be required when a project is likely to have potential impacts on adjacent residents or is of significant public interest due to the location and/or nature of the project. Potential impacts may include noise, dust, and lighting that may occur during construction or operation. For more information, please refer to the *External Guidelines for Public Consultation* available online at www.*portvancouver.com/per/technical-guidelines*. Public consultation requirements will be established in the Preliminary Review phase of the Project and Environmental Review process for Category B, C and D reviews.

4. ADDITIONAL INFORMATION

WHAT TO EXPECT AFTER A DECISION

After a Project Permit has been issued, there may be a number of conditions that are required to be satisfied prior to construction or operation of the project. For Category C and D projects, the Project Lead will schedule a Permit Conditions meeting with the applicant to go over the conditions in the approved Project Permit. For Category A and B projects, the applicant may request a Permit Conditions meeting with the Project Lead as appropriate.

For Category C and D projects, a debrief meeting may be arranged between the applicant and the port authority to discuss the PER process and outcomes.

If you have any questions regarding your Project Permit conditions, please contact your Project Lead.

PERMIT AMENDMENTS

After a Project Permit has been issued to an applicant, any proposed substantial changes to a project's design or scope, including changes to construction methods and practices reviewed as part of the Project Permit Application, must be detailed in a Request for Amendment and submitted to the port authority for consideration. Please note that additional application fees may apply to Project Permit amendments. These are detailed on page 23.

The port authority will review the proposed Project Permit amendment and will confirm if the proposed changes require an amendment to the existing permit or require a new permit. Some amendments may also require additional Aboriginal, public and/or stakeholder consultation to address the changes to the project. Generally, minor changes to approved plans that do not substantially alter the project footprint or result in changes to assessed environmental impacts will not require additional consultation; however, they will be considered on a case-by-case basis. Changes to stamped and approved Building Permit drawings may require an amendment to an existing Building Permit.

Please contact the port authority if you are contemplating changes to your project. Your Project Lead will be able to assist you in determining if a Project Permit amendment or new Project Permit is required.

VARYING CONSTRUCTION HOURS

Construction activities associated with a Project Permit generally will be restricted to proceeding between Monday and Saturday from 7:00am to 8:00pm. Construction is generally not permitted on Sundays or Statutory holidays. Varying these construction hours may be considered where an Applicant submits a supporting rationale with their Project Permit Application.

If an applicant already has a Project Permit and would like to request a variance in construction hours, they must submit a Request for Amendment to the port authority at least 30 days before the contemplated works are to begin. As part of the approval for variance to construction hours, the port authority may require the applicant to provide additional documentation and/or amend the Construction Management Plan (as applicable), as well as undertake notification to the adjacent community.

PERMIT EXTENSIONS

Approved Project Permits are valid for a fixed period. Substantial construction must begin and be completed within the period specified in the permit. Extension of this period may be requested by submitting a Request for Amendment to the port authority at least 30 days prior to the expiry date.

Send a Request for Amendment to:

Vancouver Fraser Port Authority
Planning and Development Department
Tel: 604.665.9047
Fax: 1.866.284.4272
Email: *per@portvancouver.com*

Please include the following information in your request:

1. Main contact information
   (name, organization, telephone number and email address)
2. Project Permit number
3. Location description or address of project
4. Provide a brief description of proposed amendment and rationale for amendment
5. If requesting an extension, state the requested date or time frame and rationale for extension
6. If requesting a variance to standard construction hours, state the requested date and hours and rationale for variance
7. Attach plans and drawings (as appropriate)

PHASED DEVELOPMENTS

In certain circumstances, Project Permit Applications may be accepted for a component or phase of a larger development program that features an extended development period, multiple parcels with diverse environmental conditions, or site conditions that require significant preparatory works (e.g. remediation, demolition, and/or pre-load).

Project Permit Applications for a phased development project will be reviewed through the applicable PER Category, and must be accompanied by additional information on the overall development program. Projects that the port authority may review as part of a phased development program include: demolition; decommissioning and removal of structures; preloading; maintenance dredging; and geotechnical or environmental investigation.

Phased developments approved in this manner do not indicate in any way that approvals will be granted for other phases of the overall development program for the site. Please contact the port authority prior to submitting a Project Permit application if you are contemplating a phased development project.

EMERGENCY WORKS

Proceeding with a project immediately in response to an emergency may be in the interest of preventing damage to property or the environment, or may be in the interest of public health and safety. Such emergency works may initially proceed without a Project Permit; however, the port authority must be notified immediately if such an emergency occurs and if works to address the emergency are initiated (a contact number and address must be provided). A Project Permit may be required for any demolition, reconstruction or replacement works after the emergency has been addressed.

5. BUILDING PERMITS

For projects that include new buildings or require modifications to existing buildings or structures, a Building Permit may be required in addition to a Project Permit. During the Preliminary Review phase, port authority staff will confirm if a project requires a Building Permit.

The Vancouver Fraser Port Authority issues Building Permits for buildings and structures within the port authority's jurisdiction using an accredited Building Code Consultant contracted for plan review. The port authority requires that design drawings be reviewed to ensure buildings and structures meet the *2015 National Building Code of Canada* and the *2015 National Fire Code of Canada*. Contracted building code consultants advise port authority staff on the issuance of Building Permits, inspections and building suitability for occupancy.

Building Permits are required for:

- New building construction
- Changes of building use
- Additions and renovations
- Structural modifications
- Interior renovations
- Temporary buildings/structures on port property

Exceptions include works not regulated by the Building Code, and certain in-water works such as:

- Floating docks or piers
- Mooring dolphins, pilings
- Private recreational moorage facilities

Where a project is undergoing a Project and Environmental Review, a Building Permit submission can be initiated early in certain circumstances (i.e. prior to approval of a Project Permit) and processed concurrently; however, a Building Permit will not be issued until a Project Permit has been approved.

Construction of buildings and structures that are subject to a Building Permit cannot begin until an approved Building Permit has been issued. Occupancy and use of a building and structure cannot begin until occupancy approval has been issued by the port authority.

For more information about the port authority's Building Permit process, submission requirements and fees, please review the *Building Code Review Guidelines* online at www.*portvancouver.com/development-and-permits/building-permits/*.

6. FEES

Depending on the category of review, the applicant may be required to submit an application fee, documentation deposit, and incur other expenses as part of the Project and Environmental Review process, including costs associated with preparing technical reports and studies, and undertaking consultation activities and reporting. Please note that all fees are subject to change without notice.

PROJECT PERMIT APPLICATION FEE

Projects reviewed through the Project and Environmental Review process are subject to a non-refundable Project Permit Application Fee to accompany a complete application. These fees do not include expenses related to obtaining a Building Permit from the port authority.

Category A	N/A	N/A	N/A
Category B (if no consultation)	$500.00	$25.00	$525.00
Category B (if consultation required)	$2,500.00	$125.00	$2,625.00
Category C	$12,500.00	$625.00	$13,125.00
Category D	$22,500.00	$1,125.00	$23,625.00
Designated Projects			
Tier 1	$150,000.00	$7,500.00	$157,500.00
Tier 2	$45,000.00	$2,250.00	$47,250.00
Tier 3	$22,500.00	$1,125.00	$23,625.00
Amendment (no consultation)	$500.00	$25.00	$525.00
Amendment (with consultation)	1/2 base permit fee	-	-
Unauthorized Work	2X base permit fee	-	-
3rd party technical analysis to support application review	Cost + 10% service fee	-	-
Building Permit	Cost + 10% service fees	-	-

For Category D reviews, the port authority may retain third parties to assist in the review of technical studies related to the Project Permit application. The port authority will discuss the need for and associated costs of third party reviews during a review of the Preliminary Project Enquiry or application.

All payments are to be paid by cheque made payable to the Vancouver Fraser Port Authority. Payment will be accepted from tenants or consultants working on their behalf.

DOCUMENTATION DEPOSITS AND RECORD DRAWINGS

For Category C and D reviews, a documentation deposit is required along with the Project Permit Application Fee. A documentation deposit may be required for Category B reviews. This deposit is based on the construction value of the project and is retained by the port authority until all required record drawings, such as as-builts, surveys, or letters of assurance have been received. The required deposit is calculated as one per cent of the construction value (minimum $1,500 to a maximum of $10,000). Once all information has been submitted to the port authority's satisfaction, the deposit is refunded in full, with interest.

Category A	Not required
Category B	May be required 1% of Project Costs (minimum $1500 to a maximum of $10,000)
Category C & D	1% of Project Costs (minimum $1500 to a maximum of $10,000)

7. CONTACT INFORMATION

PROJECT PERMIT AND BUILDING PERMIT APPLICATIONS

PLANNING AND DEVELOPMENT

Tel: 604.665.9047

Email: per*@portvancouver.com*

PROPERTY AND LEASING

REAL ESTATE DEPARTMENT

Tel: 604.665.9196

E-mail: *realestate@portvancouver.com*

Those with existing property agreements should contact their Property Administrator directly.

VANCOUVER FRASER PORT AUTHORITY

100 The Pointe, 999 Canada Place

Vancouver, B.C. Canada

V6C 3T4

Tel: 604.665.9000

Fax: 1.866.284.4271

Web: *www.portvancouver.com*

8. ADDITIONAL RESOURCES

GENERAL INQUIRIES

Port authority staff are available to answer any questions about the Project and Environmental Review process or Building Permit process. Staff can assist in identifying the appropriate PER Category for your project prior to submitting an application, assess if the use is appropriate under the Port of Vancouver *Land Use Plan* and the port authority's *Letters Patent,* and direct you to the appropriate department for other inquiries.

PRELIMINARY PROJECT ENQUIRIES

If you are contemplating a Category C or D project please submit a Preliminary Project Permit Application on the *VFPA Project Permit Portal*. Applicants may also request a preliminary review of a Category B project. Preliminary reviews are not required for Category A projects.

All Category C and D projects require a preliminary review given the often complex nature of these projects. During the preliminary review, port authority staff will provide guidance to the applicant on the required scope of studies, consultation requirements and other documents and information that would be required as part of a complete application.

Please register for a user account at the *VFPA Project Permit Portal* and submit the application.

Please include the following information in your request:

1. Main contact information (Name, Organization, Telephone number and Email address)
2. Address or location description (attach Site Plan if available)
3. Confirm if the proposed project is within or outside an existing Vancouver Fraser Port Authority lease area
4. Brief project description (including proposed use, work and construction practices)
5. Upload conceptual plans and drawings (recommended for Category C and D projects)

APPENDICES

Appendix A: *Works and Activities Exclusion List*

Appendix B: *Project and Environmental Review Categories*

Appendix C: *Project and Environmental Review Guidelines*

Appendix D: *Application Form for Category A/B*

Appendix E: *Application Form for Category C/D*

GLOSSARY OF TERMS

Applicant

Party responsible for submitting a project permit application to the port authority on behalf of the holder of valid tenure on the subject port property. In the case of a port authority-led project, the project applicant would be the port authority employee or other designated representative responsible for the proposed project on behalf of the port authority.

Building Permit

Issued by the port authority for buildings and structures within the port authority's jurisdiction.

Complete Project Permit Application (Complete Application)

Accepted by the port authority to conduct a technical review of a project permit application. A complete project permit application contains all required documents, information and fees identified in the PER Application Guide, the PER Guidelines and any additional requirements requested by the port authority during the Preliminary Review Phase of the PER process.

Completeness Check

Conducted by a port authority Project Lead to confirm that a project permit application contains all required documents and information to enable it to proceed to the next stage of review in the PER process.

Preliminary Project Review Meeting

Required meeting between the applicant and the Project Lead for projects that meet criteria for PER Category C and D.

Project

Defined in *Canadian Environmental Assessment Act, 2012* in relation to a physical work, any proposed construction, operation, modification, decommissioning, abandonment or other undertaking in relation to that physical work on federal lands. The Vancouver Fraser Port Authority also considers certain physical activities, such as dredging, to be projects for the purposes of the PER process, due to the port authority's *Environment Policy*, the *Canada Marine Act* and the Port Authoritie's *Marine Operations Regulations*.

Project and Environmental Review (PER)

Process undertaken by the port authority to consider proposed works and activities on port lands and waters.

Project and Environmental Review Application Guide

Comprehensive guidance document to assist applicants in preparing and submitting project permit applications to the port authority.

Project and Environmental Review Category

Category of review assigned to a project permit application. The PER Category establishes the key steps in the review process, the review timeline and project permit decision-making authority.

Project Lead

Port authority employee responsible for coordinating the Project and Environmental Review process for a project permit application, and making recommendations on whether or not to approve that project permit application.

Project Permit

Permit issued by the port authority authorizing a proposed project to proceed.

Project Permit Application

Application made to the port authority for permission to undertake a proposed project.

Project Permit Application Fee

Non-refundable fee submitted with a complete project permit application.

Review Timeline

Expected duration of a Project and Environmental Review process in a given PER Category, including associated consultation activities. It is expressed in the form of a range of business days beginning at the time of receipt of a complete project permit application and ending upon notification to the applicant of the port authority's decision on the project permit application.

VFPA Project Permit Portal

The online permitting portal of the Vancouver Fraser Port Authority (VFPA) used for all permit applications, preliminary applications and user profiles

Waterlot Cleanup

Consists strictly of removing introduced materials from the surface of the seabed or riverbed by diver or other non-intrusive method as part of lease termination or renewal requirements or as otherwise directed by the port authority.

Works and Activities Exclusion List

List of projects that are excluded from the Project and Environmental Review process.

The Vancouver Fraser Port Authority

100 The Pointe, 999 Canada Place
Vancouver, B.C. Canada V6C 3T4

Planning and Development

Tel: 604.665.9047
Fax: 1.866.284.4272
Email: per@portvancouver.com
Web: portvancouver.com

Canada