

PER No.:	19-230
Tenant:	Katzie First Nation
Project:	Katzie First Nation Shoreline Clean-up
Project Location:	North Bank of the Fraser River adjacent to Katzie 1 Indian Reserve, Pitt Meadows
Vancouver Fraser Port Authority SID No.:	000000-000000-000
Land Use Designation:	Port Water, Log Storage
Applicant/Permit Holder:	Katzie First Nation
Category of Review:	B
Date of Approval:	January 27, 2020
Date of Expiry:	January 31, 2021

1 INTRODUCTION

The Vancouver Fraser Port Authority (the port authority), a federal port authority, manages lands under the purview of the *Canada Marine Act*, which imparts responsibilities for environmental protection. The port authority accordingly conducts project and environmental reviews of works and activities undertaken on these lands to ensure that the works and activities will not likely cause significant adverse environmental effects. This project and environmental review report and project permit (the Permit) documents the port authority's project and environmental review of PER No. 19-230: Katzie First Nation Shoreline Clean-up (the Project) proposed by Katzie First Nation (the Applicant).

This project and environmental review was carried out to address the port authority's responsibilities under the *Canada Marine Act*, and to meet the requirements of the *Impact Assessment Act*, as applicable. The proposed Project is not considered a "designated project" under the *Impact Assessment Act* and an impact assessment as described in the *Impact Assessment Act* is not required. However, the port authority authorization is required for the proposed Project to proceed and in such circumstances, where applicable, Section 82 of *Impact Assessment Act* requires federal authorities to assure themselves that projects will not likely cause significant adverse environmental effects. This review provides that assurance. In addition, the port authority 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 the port authority and other consultations carried out by the port authority. A full list of information sources germane to the review is provided in the following pages of this report.

This Permit is the authorizing document allowing the Applicant to proceed with the Project subject to the listed project and environmental conditions.

2 PROJECT DESCRIPTION

The Applicant is proposing to remove approximately thirty (30) timber wood piles, and two (2) derelict vessels from the shoreline immediately adjacent to the Katzie 1 Indian Reserve. The Project consists of using a barge-mounted crane to remove derelict vessels and timber piles. The waste materials will be collected on the barge, offloaded at the Pacific Custom Log Sorting Inc., facility, sorted into appropriate recycling or disposal bins, and transported to an appropriate facility for recycling or disposal. The shoreline clean-up activities will be conducted entirely from the water, no equipment will operate on the foreshore.

In this project permit, the Project means the physical activities authorized by the port authority to be carried out pursuant to **PER No. 19-203**, as described below.

2.1 Proposed Works

The proposed scope of works include:

- Mobilization of a spud barge towed by a tug vessel to site from Pacific Custom Log Sorting Inc.;
- Removal of approximately thirty (30) timber piles using a barge-mounted crane with clamshell bucket;
- Removal of two derelict vessels using a barge-mounted crane;
- Transport of waste materials from the Katzie 1 Indian Reserve shoreline to Pacific Custom Log Sorting Inc. for sorting and transport to appropriate facility for recycling or disposal;

All physical activities will occur during regular construction hours of Monday to Saturday, between 7:00 am and 8:00 pm, excluding holidays.

Estimated project cost is \$40,000 and the anticipated construction timeline is February 2020.

3 VANCOUVER FRASER PORT AUTHORITY INTERNAL REVIEWS

The following the port authority departments have undertaken and completed a review of these works and confirm that the proposal meets their requirements, subject to the listed project and environmental conditions.

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Planning | <input checked="" type="checkbox"/> Environmental Programs | <input checked="" type="checkbox"/> Indigenous Consultation |
| <input checked="" type="checkbox"/> Marine Operations | <input checked="" type="checkbox"/> Public Engagement | |

4 INDIGENOUS CONSULTATION

The port authority has reviewed the proposed works and determined that adverse impacts to Aboriginal or Treaty rights are not expected.

5 EXISTING POLICIES OR GUIDELINES

The Project area is designated as “Port Water” and “Log Storage” in the port authority Land Use Plan (2014). The demolition and vessel removal works do not represent a change in use of the site, and any future development of the site would require a separate project and environmental review. The Project is therefore compliant with the Land Use Plan.

6 NOTIFICATIONS

6.1 Municipal Notification

The proposed Project was assessed by the port authority to have potential impacts to municipal interests. A notification letter was sent to the City of Pitt Meadows on January 6, 2020, notifying them of the proposed Project.

The City of Pitt Meadows responded via email on January 6, 2020 requesting further details of the proposed project. An email response was sent to the City on January 8, 2020 to clarify that all works would take place from a barge and provide further detail on the equipment and methodologies to be used.

6.2 Adjacent Tenant Notification

The proposed Project was assessed by the port authority to have limited potential impacts to adjacent tenant interests. The City of Pitt Meadows has been notified as part of a municipal notification.

6.3 Public Engagement

To meet requirements of section 86 of the *Impact Assessment Act*, the port authority posted a description of the Project and notice of public participation to the Canadian Impact Assessment Registry to provide the public 30 calendar days to comment on the project and provide community knowledge.

6.4 Summary of Public Engagement

At the close of the 30 calendar day public comment period, no comments were received from the public.

The proposed Project was assessed by the port authority to have minimal or no potential impacts to community interests in the surrounding area either during construction or once the project is completed. Therefore, no community consultation or construction notification was required.

7 INFORMATION SOURCES

The port authority has relied upon the following sources of information in its review of the Project.

- Application form and materials submitted by the Applicant on December 6, 2019
- All Project correspondence from December 6, 2019 to January 22, 2020
- All plans and drawings labelled PER No.19-230-A
- Katzie First Nation Shoreline Clean-up, December 18, 2019, prepared by Forest Marine Ltd.

8 ENVIRONMENTAL REVIEW DECISION

In completing the environmental review, the port authority 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 conditions described in the project and environmental conditions section below, the Project is not likely to cause significant adverse environmental effects.

ORIGINAL COPY SIGNED

ANDREA MACLEOD
MANAGER, ENVIRONMENTAL PROGRAMS

January 24, 2020

DATE OF DECISION

9 CONCLUSION

In completing the project and environmental review, the port authority concludes that with the implementation of proposed mitigation measures and conditions described in the project and environmental conditions section below, the Project has appropriately addressed all identified concerns.

PROJECT AND ENVIRONMENTAL REVIEW DECISION

Project Permit PER No. 19-230 is approved by:

ORIGINAL COPY SIGNED

January 24, 2020

ANDREA MACLEOD
MANAGER, ENVIRONMENTAL PROGRAMS

DATE OF APPROVAL

10 PROJECT AND ENVIRONMENTAL CONDITIONS

The port authority has undertaken and completed a review of the Project in accordance with the *Canada Marine Act* and Section 5 of the Port Authorities Operations Regulations and, as applicable, Section 82 of the *Impact Assessment Act*.

If at any time Katzie First Nation (the Permit Holder) fails to comply with any of the project and environmental conditions set out in the project permit (the Permit) below, or if the port authority determines that the Permit Holder has provided any incomplete, incorrect or misleading information in relation to the Project, the port authority may, in its sole and absolute discretion, cancel its authorization for the Project or change the project and environmental conditions to which such authorization is subject.

Pursuant to Section 29 of the Port Authorities Operations Regulations, the port authority may also cancel its authorization for the Project, or change the project and environmental conditions to which such authorization is subject, if new information is made available to the port authority at any time in relation to the potential adverse environmental and other effects of the Project.

The following are the minimum conditions that must be followed by the Permit Holder to mitigate potential or foreseeable adverse environmental and other effects.

All port authority Guidelines and Record Drawing Standards referenced in this document can be located at: <https://www.portvancouver.com/development-and-permits/project-and-environmental-reviews/technical-guidelines/>.

No.	GENERAL CONDITIONS
1.	The Permit Holder must have a valid lease, licence, or access agreement for the Project site prior to accessing the Project site or commencing construction or any other physical activities on the Project site. This Permit shall in no way limit any of the Permit Holder's obligations, or the port authority's rights, under such lease, licence, or access agreement.
2.	The Permit Holder shall at all times and in all respects, comply with and abide by all applicable statutes, laws, regulations and orders from time to time in force and effect, including all applicable environmental, labour and safety laws and regulations.
3.	This Permit in no way endorses or warrants the design, engineering, or construction of the Project and no person may rely upon this Permit for any purpose other than the fact that the port authority has permitted the construction of the Project, in accordance with the terms and conditions of this Permit.
4.	The Permit Holder shall indemnify and save harmless the port authority in respect of all claims, losses, costs, fines, penalties or other liabilities, including legal fees, arising out of: (a) any bodily injury or death, property damage or any loss or damage arising out of or in any way connected with the Project; and (b) any breach by the Permit Holder of its obligations under this Permit.

5.	The Permit Holder shall undertake and deliver the Project to total completion in a professional, timely and diligent manner in accordance with applicable standards and specifications set out in the sections above entitled Project Description and Information Sources. The Permit Holder shall not carry out any other physical activities unless expressly authorized by the port authority.	
6.	The Permit Holder shall cooperate fully with the port authority in respect of any review by the port authority of the Permit Holder's compliance with this Permit, including providing information and documentation in a timely manner, as required by the port authority. The Permit Holder is solely responsible for demonstrating the Permit Holder's compliance with this Permit.	
7.	The Permit Holder shall review the Permit with all employees, agents, contractors, licensees and invitees working on the Project site, prior to such parties participating in any construction or other physical activities on the Project site. The Permit Holder shall be solely responsible for ensuring that all such employees, agents, contractors, licensees and invitees comply with this Permit.	
8.	The Permit Holder shall make available upon request by any regulatory authority (such as a Fishery Officer) a copy of this Permit.	
9.	The Permit Holder shall immediately notify Metro Vancouver of any actual or potential damage to Metro Vancouver infrastructure (including pipelines and outfalls) at: 604-985-1478.	
10.	Unless otherwise specified, the Permit Holder shall provide all plans, documents, and notices required under this Permit to the following email address: per@portvancouver.com and referencing PER No.19-203 .	
11.	Unless otherwise specified, all plans, schedules, and other Project-related documentation that the Permit Holder is required to provide under this Permit must be to the port authority's satisfaction.	
12.	The port authority shall have unfettered access to environmental compliance documentation and the Project site at all times during construction without notice.	
13.	The Permit Holder must maintain and retain any records associated with, or produced by, actions or activities undertaken to achieve compliance or that indicate non-compliance with project permit conditions. These records must be made available at the request of the port authority.	
	CONDITIONS – PRIOR TO COMMENCING CONSTRUCTION OR ANY PHYSICAL ACTIVITIES	SUBMISSION TIMING (business days)
14.	The Permit Holder shall submit an Archaeological Chance Find Procedure for the Project site, to the port authority's satisfaction. The Permit Holder shall carry out the Project in accordance with this Procedure, and any subsequent amendments approved by the port authority.	5 business days before commencing construction or any physical activities
15.	Prior to the commencement of any vessel-related activities, the Permit Holder must contact CCG Marine Communications and Traffic Services (MCTS), (email: NAVWARN.MCTSPRinceRupert@innav.gc.ca Telephone: 250-627-3070) regarding the issuance of a Navigational Warning (NAVWARN) to advise the marine community of potential hazards associated with the Project.	As per Coast Guard requirements

16.	<p>The Permit Holder must submit a marine construction and staging plan, including the following, for VFPA review and approval:</p> <ul style="list-style-type: none"> a) Staging and construction areas; b) Dates and hours of operations; c) Description of activities taking place; d) Participating equipment and vessels (dimensions and load capacities must be included); e) Detailed mooring arrangement of barges during and after working hours; f) Detailed lighting schematic; g) Identification of potential navigation related hazards and risk mitigation measures from construction related activities h) Method of preferred communication; and i) Special requests and/or additional information. <p>The Permit Holder shall carry out the Project in accordance with the marine construction and staging plan, including any subsequent amendments.</p>	5 days before commencing construction or any physical activities
17.	<p>Prior to commencing construction or any physical activities, the Permit Holder shall have in place a spill prevention, containment and clean-up plan for hydrocarbon products (including fuel, oil and hydraulic fluid) and any other deleterious substances. Appropriate spill containment and clean-up supplies shall be available on the Project site at all times and all personnel working on the Project shall be trained on the spill prevention, containment and clean-up plan. The Permit Holder shall carry out the Project in accordance with the spill prevention, containment and clean-up plan.</p>	Prior to commencing construction or any physical activities
CONDITIONS – DURING CONSTRUCTION OR ANY PHYSICAL ACTIVITIES		
18.	<p>The Permit Holder shall notify the port authority upon commencement of construction, or any physical activities (e.g., mobilization to the Project site).</p>	
19.	<p>All general construction and physical activities related to the Project shall be conducted from Monday to Saturday between the hours of 7:00 am and 8:00 pm. No construction and physical activities shall take place on Sundays or holidays. These hours shall not be modified without prior approval of the port authority. To request permission to conduct activities outside these hours, the Permit Holder must submit a written request no less than 20 business days prior to the desired start date.</p>	
20.	<p>The Permit Holder shall notify the port authority within two business days of any complaints received from the community and stakeholders during construction and indicate how the Permit Holder has responded to such complaints.</p>	
21.	<p>The Permit Holder shall maintain equipment in good mechanical condition and free of fluid leaks, invasive species, and noxious weeds.</p>	
22.	<p>The Permit Holder shall remove piles completely by extracting the entire length of pile from the riverbed. If physical conditions result in the breakage of timber piles, the Permit Holder shall remove the remaining pile stubs with the least amount of disturbance of the riverbed as possible. Particular effort shall be made to extract or reduce the height of pile stubs which may pose a hazard to navigation. If pile stubs are left in place, the location shall be surveyed and the location coordinates provided to VFPA within five days of Project completion.</p>	

23.	The Permit Holder shall not permit barges or other vessels used during the Project to ground on the foreshore or riverbed or otherwise disturb the foreshore or river/seabed (including disturbance as a result of vessel propeller wash), excepting only such disturbance as is reasonably required resulting from the use of barge spuds.	
24.	The Permit Holder shall not disturb the riverbed outside the Project site.	
25.	There shall be no in-water works during the fisheries sensitive period from March 1 to June 15, inclusive, unless a plan is provided to VFPA's satisfaction. The plan shall describe the proposed activities and additional mitigation measures to reduce effects. VFPA shall be notified of any DFO exemptions allowing works within the fisheries sensitive period.	
26.	The Permit Holder shall immediately cease work and notify VFPA if the Permit Holder has reasonable grounds to believe that the Project has harmed fish or fish habitat, including observation of distressed, injured, or dead fish. The Permit Holder shall not resume work until authorized by VFPA.	
27.	<p>During any vessel-related activities, the Permit Holder shall:</p> <ul style="list-style-type: none"> a) Position vessels and equipment associated with the Project in such a manner so as not to obstruct line of sight to navigational aids or markers; b) Exhibit the appropriate lights and day shapes at all times; c) Monitor the VHF channel used for MCTS communications in the respective area at all times and participate as necessary; d) Be familiar with vessel movements in areas affected by the Project. e) Plan and execute the Project in a manner that will not impede navigation or interfere with vessel operations; and, f) During night hours, unless working 24 hours per day, ensure that the rig and associated equipment is moored outside the navigation channel and lit in accordance with all applicable regulations. 	
28.	The Permit Holder shall contain and collect debris and waste material in the immediate working area within the Project site. The Permit Holder shall dispose of waste material at suitable upland locations and maintain records of off-site disposal.	
	CONDITIONS – UPON COMPLETION	SUBMISSION TIMING (Business Days)
29.	The Permit Holder shall notify the port authority upon completion of the Project.	Upon substantial completion
The port authority reserves the right to rescind or revise these conditions at any time that new information warranting this action is made available to the port authority.		
LENGTH OF PERMIT VALIDITY		
The Project must be completed no later than January 31, 2021 (the Expiry Date).		
AMENDMENTS		
<ul style="list-style-type: none"> • Details of any material proposed changes to the Project, including days and hours when construction and any physical activities will be conducted, must be submitted to the port authority for consideration of an amendment to this Permit. • For an extension to the Expiry Date, the Permit Holder must apply in writing to the port authority no later than 30 days prior to that date. 		
Failure to apply for an extension as required may, at the sole discretion of the port authority, result in termination of this Permit.		

CONTACT INFORMATION

Vancouver Fraser Port Authority
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Project & Environmental Review
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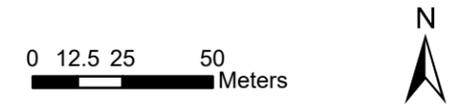
After normal business hours:

In the event of any land or marine construction incidents or concerns related to works carried out on-site under this permit, please contact the 24/7 Port Operations Centre 604-665-9086. In the event of an emergency requiring 'First Responders', please call 911 first.

PER 19-230 Katie First Nation Shoreline Clean-Up

- VFPA Boundary
- Vessel Removal
- Pile Removal

Vancouver Fraser Port Authority: This drawing has been reviewed by Vancouver Fraser Port Authority solely for the purpose of VFPA's issuance of a Project Permit. This Permit in no way denotes design, engineering, or structural approval or endorsement.



VFPA Spatial Data Group
Prepared by: MGM
Created: Dec. 19, 2019
Last updated: Dec 19, 2019
PLAN#G2019-130

