

April 20, 2020

Sheila Sherkat
100-45716 Patten Avenue
Chilliwack, BC V2P 1S1

Dear Ms. Sherkat:

Re: **Removal of Concrete Boat Launch – 356 Sea Shell Lane, District of North Vancouver
PROJECT PERMIT 20-043**

Reference is made to your March 13, 2020 application, and attachment. The Vancouver Fraser Port Authority (the port authority) understands Shelia Sherkat (the Permit Holder) proposes to remove a damaged concrete boat ramp from 356 Sea Shell Lane. The Project consists of the mobilization of an approximately 7.5 ton excavator to 356 Sea Shell Lane in the District of North Vancouver. The excavator will be used to break up a concrete boat ramp that is approximately 20 meters long x 3 meters wide and 0.5 meters thick. All the concrete pieces will be disposed of at an upland crushing and recycling depot. The exposed native beach gravel will then be graded with the excavator to be flush with the surrounding foreshore. The port authority has completed a review of these activities and concludes that with the implementation of proposed mitigation measures and conditions described in the attached Schedule of Environmental Conditions, the Project is not likely to cause significant adverse environmental effects.

Pursuant to the Port Authorities Operations Regulations under the *Canada Marine Act*, by way of this letter, the Project is authorized to proceed **provided that all of the Conditions outlined on the attached Schedule of Environmental Conditions are adhered to**. In the event of any breach of any of the Conditions, or of any of the background information being determined by the port authority to be incorrect or misleading, then the port authority, acting at its sole discretion, may arbitrarily cancel this Project Permit. This Project Permit may also be cancelled for any other reasons set out in Section 29 of the Port Authorities Operations Regulations. **This Project Permit is valid until April 17, 2021**. Please contact the undersigned, at 604.649.0653 with any questions regarding the Conditions.

Yours truly,

ORIGINAL COPY SIGNED

Cybele Heddle
Senior Environmental Coordinator

cc: Katarina Stoyko, port authority Real Estate

Reference is made to the upland physical activities (the **Project**) described in the permitting letter that these conditions are attached to. VFPA has undertaken and completed a review of the Project in accordance with Section 5 of the Port Authorities Operations Regulations and, as applicable, Section 82 of the *Impact Assessment Act*.

The Project Permit is based on the understanding that the Project will not adversely impact water quality or quantity, and species at risk and archaeological resources are not known to be present in the Project area.

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 VFPA's rights, under such lease, licence, or access agreement.

The Project Permit in no way endorses or warrants the design, engineering, or construction of the Project and no person may rely upon the Permit for any purpose other than the fact that VFPA has permitted the Project, in accordance with the terms and conditions of the Project Permit.

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

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

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

1. 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 described in the application document(s) referenced in the permitting letter. The Permit Holder shall not carry out any other physical activities unless expressly authorized by VFPA.
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. Without limiting the generality of permit condition 3, the Permit Holder shall not, directly or indirectly: (a) deposit or permit the deposit of a deleterious substance of any type in water frequented by fish in a manner contrary to Section 36(3) of the *Fisheries Act*; or (b) adversely affect fish or fish habitat in a manner contrary to Section 35(1) of the *Fisheries Act*.
4. Without limiting the generality of permit condition 3, storage tank removal, installation and operation shall meet the requirements of the *Petroleum Products and Allied Petroleum Products Storage Tank Systems Regulations* and the *CCME Environmental Code of Practice for Aboveground and Underground Storage Tank Systems Containing Petroleum and Allied Petroleum Products*.
5. Should the Project involve lane-closure measures or civil work directly over a roadway or rail track/crossing, the Permit Holder shall contact the VFPA Operations Centre at 604-665-9086 at least 24 hours in advance of such activities.

6. If there is potential to affect birds and/or their active nests and eggs, the Permit Holder shall conduct nest surveys. For any nests identified in surveys, a qualified environmental professional shall confirm that the nest is not occupied by a species protected at that time of year under applicable legislation. To reduce the risk of Project-related harm, the Permit Holder should avoid certain physical activities during the general bird breeding season, which falls between April 1 and July 31, or outside of this time span if occupied nests are present.
7. Disturbance or clearing of vegetation shall be staged and strictly limited to that required for the Project.
8. The Permit Holder shall conduct all activities involving the use of concrete, cement, mortars and other Portland cement or lime-containing construction materials in a manner that shall not deposit sediments, debris, concrete (cured or uncured), and concrete fines into the aquatic environment, either directly or indirectly. Water that has contacted uncured or partly cured concrete or Portland cement or lime-containing construction materials (such as the water that may be used for exposed aggregate wash-off, wet curing, equipment and truck washing) shall not be permitted to enter the aquatic environment. The Permit Holder shall provide containment facilities at the site for the wash-down water from concrete delivery trucks, concrete pumping equipment, and other tools and equipment, as required.
9. 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.
10. The Permit Holder shall carry out all activities in a manner that prevents the release of sediment, sediment-laden waters, and turbid waters to the aquatic environment. Sediment and erosion control measures shall be implemented prior to the start of ground disturbance activities and should meet or surpass the standards outlined in the 1992 Fisheries and Oceans Canada (DFO) "Land Development Guidelines for the Protection of Aquatic Habitat".
11. The Permit Holder shall not dewater excavations unless a dewatering plan has been reviewed and accepted by VFPA.
12. The Permit Holder shall dispose of any soils excavated from the Project site that are not suitable for backfill at appropriate off-site facilities and maintain records of off-site disposal.
13. Without limiting the generality of permit condition 3, if suspect contaminated materials are encountered, the Permit Holder shall contain, test and dispose of such materials at appropriate licensed off-site facilities and maintain records of off-site disposal. VFPA shall be notified of such activities and provided relevant documentation upon completion.
14. If the Permit Holder encounters, expects to encounter, or should expect to encounter an actual or potential archaeological resource, the Permit Holder shall:
 - a) Immediately stop any activities that may disturb the archaeological resource or the site in which it is contained (Site);
 - b) Not move or otherwise disturb the archaeological resource or other remains present at the Site;
 - c) Stake or flag the Site to prevent additional disturbances; and,
 - d) Immediately notify VFPA by email and phone.
15. Without limiting the generality of permit condition 3, materials brought onto the Project site to be used for backfilling, site preparation, or other uses shall be from sources demonstrated to be clean and free of environmental contamination, invasive species and noxious weeds. The Permit Holder shall maintain records to verify this.
16. 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.

17. The Permit Holder shall maintain equipment in good mechanical condition and free of fluid leaks, invasive species, and noxious weeds.
18. During upland construction activities, the Permit Holder shall not conduct refuelling or maintenance activities on nonroad equipment within 30 metres of any waterbody, or in an area where run-off may potentially reach surface waterbodies. Fuel and other hydrocarbon inventories shall not be stored in such areas, temporarily or otherwise.
19. The Permit Holder shall cooperate fully with VFPA in respect of any review by VFPA of the Permit Holder's compliance with this Permit, including providing information and documentation in a timely manner, as required by VFPA. The Permit Holder is solely responsible for demonstrating the Permit Holder's compliance with this Permit. Accordingly, the Permit Holder shall be familiar with VFPA's compliance and enforcement program:
<https://www.portvancouver.com/development-and-permits/compliance/>
20. 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.
21. The Permit Holder shall make available upon request by any regulatory authority (such as a Fishery Officer) a copy of this Permit.

The above conditions are based solely upon VFPA's review of the Project and in no way limit the authority of, or constitute any form of permit, authorization or approval by, any other governmental authority having jurisdiction. The Permit Holder is solely responsible for obtaining any and all required permits, authorizations and approvals from any other governmental authority having jurisdiction.