

PER No.:	19-237
Tenant:	Vancouver Fraser Port Authority
Project:	Flood Barrier
Project Location:	495 West Waterfront Road
Vancouver Fraser Port Authority SID No.:	VAN 042
Land Use Designation:	Special Study Area
Applicant/Permit Holder:	Vancouver Fraser Port Authority - Engineering
Category of Review:	B
Date of Approval:	April 16, 2020
Date of Expiry:	April 30, 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. 19-237: Flood barrier – 495 West Waterfront Road (the Project) proposed by Vancouver Fraser Port Authority - Engineering (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 proposes to construct a flood barrier along the western perimeter of the parking lot at 495 West Waterfront Road, and along a short length of West Waterfront Road, as this area is susceptible to flooding during extremely high tides events, such as a king tide.

The proposed works comprise the installation of a concrete wall and inter-connecting concrete blocks. It is anticipated that the barrier would be approximately 60 meters long and generally less than 1 meter high. The wall would replace a chain link fence and handrail, which would be mounted on top of the new wall. In some areas the

works would require excavation of approximately 0.5 meters, and any soft or unsound soil would be replaced with a crushed granular base.

In this project permit, the Project means the physical activities authorized by the port authority to be carried out pursuant to **PER No. 19-237**, as described below.

2.1 Proposed Works

- Excavation of sections of sidewalk and parking lot up to approximately 0.5m for placement of retaining wall and concrete blocks.
- Installation of 19m of reinforced concrete combined retaining wall and sidewalk along West Waterfront Road.
- Installation of 30m of reinforced concrete retaining wall along the western edge of the car park.
- Installation of approximately 30 interconnecting concrete blocks along the western edge of the car park in two sections.
- Placement of crushed granular base, as required.
- Installation of chain link fence on top of retaining wall.
- Installation of handrail on top of retaining wall adjacent to West Waterfront Road.

No in-water works or activities below the top of bank are proposed as part of the Project, and no works are proposed to take place from the marine side.

Access to the Harbour Master floats shall be maintained at all times during construction.

The estimated project cost is \$150,000 and works are anticipated to be completed over two weeks in April/ May 2020.

3 VANCOUVER FRASER PORT AUTHORITY INTERNAL REVIEWS

The following 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"/> Engineering |
| <input checked="" type="checkbox"/> Marine Operations | <input checked="" type="checkbox"/> Public Engagement | <input checked="" type="checkbox"/> Transportation |
| <input checked="" type="checkbox"/> Indigenous Consultation | | |

4 INDIGENOUS CONSULTATION

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

5 EXISTING POLICIES OR GUIDELINES

The Project area is designated as “Special Study Area” in the port authority Land Use Plan (2014), and is located within the Central Waterfront policy area. The port authority is working closely with the City of Vancouver to create a framework for potential land uses in this area. Until further analysis has been completed, the current uses are to remain unchanged. The proposed flood infrastructure works are consistent with the existing use; therefore, the Project is 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 Vancouver on March 26, 2020, notifying them of the proposed Project. The City of Vancouver requested confirmation that works are proposed to take place within port authority jurisdiction and whether a road closure would be necessary. The port authority responded confirming that this section of West Waterfront Road is within port authority jurisdiction and that a road closure may be required. A Traffic Management Plan has been requested as a condition of the permit (condition 16); this will be shared with the City of Vancouver once received.

6.2 Adjacent Tenant Notification

The proposed Project was assessed by the port authority to have potential impacts to adjacent tenant interests or port users. A notification letter was sent to South Coast British Columbia Transportation Authority (TransLink), Tymac Launch Services, Imperial Parking Canada Corporation, BC Coast Pilots, Royal Canadian Mounted Police (RCMP), Western Canada Marine Response Corporation (WCMRC) and Vancouver Fire Rescue Services (VFRS) on March 26, 2020, notifying them of the proposed Project. The RCMP responding requesting confirmation that access to the Harbour Master floats would not be blocked. The port authority responded that the floats would not be blocked and that this has been made a condition of the permit (condition 24). No other comments were received.

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. No comments were received.

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 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 February 18, 2020.
- All Project correspondence from February 18, 2020 to March 30, 2020.
- All plans and drawings labelled PER No.19-237-A to B.

8 ENVIRONMENTAL REVIEW DECISION

In completing the project and environmental review, the port authority has reviewed and taken into account relevant information available on the proposed project and has considered any adverse impact that the project may have on the rights of the Indigenous peoples, Indigenous knowledge, community knowledge, comments received from the public, and measures that would mitigate any significant adverse environmental effects of the project. We conclude 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

April 15, 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. 19-237 is approved by:

ORIGINAL COPY SIGNED

CHRIS BISHOP
MANAGER, PLANNING

April 15, 2020

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 the Vancouver Fraser Port Authority – Engineering (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 is responsible for locating all existing site services and utilities including any located underground. The Permit Holder is responsible for repair or replacement of any damage to existing site services and utilities, to the satisfaction of the port authority, that result from construction and operation of the Project.
6.	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, including the attached plans and drawings numbered PER No. 19-237-A to B . The Permit Holder shall not carry out any other physical activities unless expressly authorized by the port authority.
7.	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.
8.	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.
9.	The Permit Holder shall make available upon request by any regulatory authority (such as a Fishery Officer) a copy of this Permit.
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.19-237 .
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.	At least two days prior to commencing construction or any physical activities, the Permit Holder shall notify VFPA Environmental Programs, email: EnvironmentalPrograms@portvancouver.com.	2 business days before commencing construction or any physical activities
15.	The Permit Holder shall submit signed and sealed drawings for proposed works approved for construction by a professional engineer licensed to practice in the Province of British Columbia.	5 business days before commencing construction or any physical activities
16.	The Permit Holder shall submit a construction parking and traffic management plan to the port authority's satisfaction. The Permit Holder shall carry out the Project in accordance with the construction parking and traffic management plan, and any subsequent updates completed to the port authority's satisfaction.	20 business days before commencing construction or any physical activities
CONDITIONS – DURING CONSTRUCTION OR ANY PHYSICAL ACTIVITIES		
17.	The Permit Holder shall notify the port authority upon commencement of construction, or any physical activities (e.g., mobilization to the Project site).	
18.	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. To modify these hours the Permit Holder must submit a plan, describing the proposed activities and additional mitigation, to the port authority's satisfaction no less than 20 business days prior to the desired start date.	
19.	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.	
20.	The Permit Holder shall remove all abandoned utilities from the project site, both underground and aboveground. At locations of connection to municipal work (i.e., at property lines), the abandoned utilities shall be capped.	
21.	The Permit Holder shall ensure that an appropriately qualified archaeological monitor be on the Project site at all times during ground disturbing activities with the potential to intrude into native soils.	
22.	If the Permit Holder encounters, expects to encounter, or should expect to encounter an actual or potential archaeological resource, the Permit Holder shall: <ul style="list-style-type: none"> 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 the port authority by email and phone. 	
23.	The Permit Holder shall ensure when working during hours of darkness, that lighting does not interfere with Marine Traffic.	
24.	The Permit Holder shall ensure that at no point will access be blocked to and from the Harbour Master Floats.	
25.	No in-water works or activities below the top of bank shall be conducted as part of the Project.	

26.	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".
27.	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.
28.	The Permit Holder shall use reasonable efforts to retain existing native riparian vegetation and native soil. Disturbance or clearing of vegetation shall be staged and strictly limited to that required for the Project.
29.	The Permit Holder shall manage invasive plants in a manner that prevents their spread. Invasive plants and potentially affected materials, such as soil, shall be appropriately contained, collected and disposed of.
30.	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.
31.	Without limiting the generality of permit condition #2, 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.
32.	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.
33.	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.
34.	Without limiting the generality of permit condition #2, 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.
35.	Air emissions from vehicle/equipment exhaust, dust and vapours shall be minimized and managed to avoid effects on and off the Project site. More detailed guidance is available in Best Practices for the Reduction of Air Emissions from Construction and Demolition Activities prepared for Environment Canada (Cheminfo Services Inc. March 2005).
36.	All non-road diesel equipment in use within VFPA jurisdiction shall be reported as required under the Non-Road Diesel Equipment Program (https://www.portvancouver.com/environment/air-energy-climate-action/terminal-energy-efficiency/nrde/).

37.	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.	
38.	The Permit Holder shall maintain equipment in good mechanical condition and free of fluid leaks, invasive species, and noxious weeds.	
39.	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.	
	CONDITIONS – UPON COMPLETION	SUBMISSION TIMING (Business Days)
40.	The Permit Holder shall notify the port authority upon completion of the Project.	Upon substantial completion
41.	The Permit Holder shall provide record drawings in accordance with the port authority's Record Drawing Standards (available at: http://www.portvancouver.com/development-and-permits/project-and-environmental-reviews/technical-guidelines/), in both AutoCAD and Adobe (PDF) format to the port authority, including a Project site plan that clearly identifies the location of works.	Within 40 business days of 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 April 30, 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 40 business 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
100 The Pointe, 999 Canada Place
Vancouver BC V6C 3T4 Canada

Project & Environmental Review
Tel.: 604-665-9047
Fax: 1-866-284-4271
Email: PER@portvancouver.com
Website: www.portvancouver.com

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# 19-237

Flood Barrier -
495 West
Waterfront Road

-  Project Location
-  VFPA Boundary



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.



PORT of
vancouver

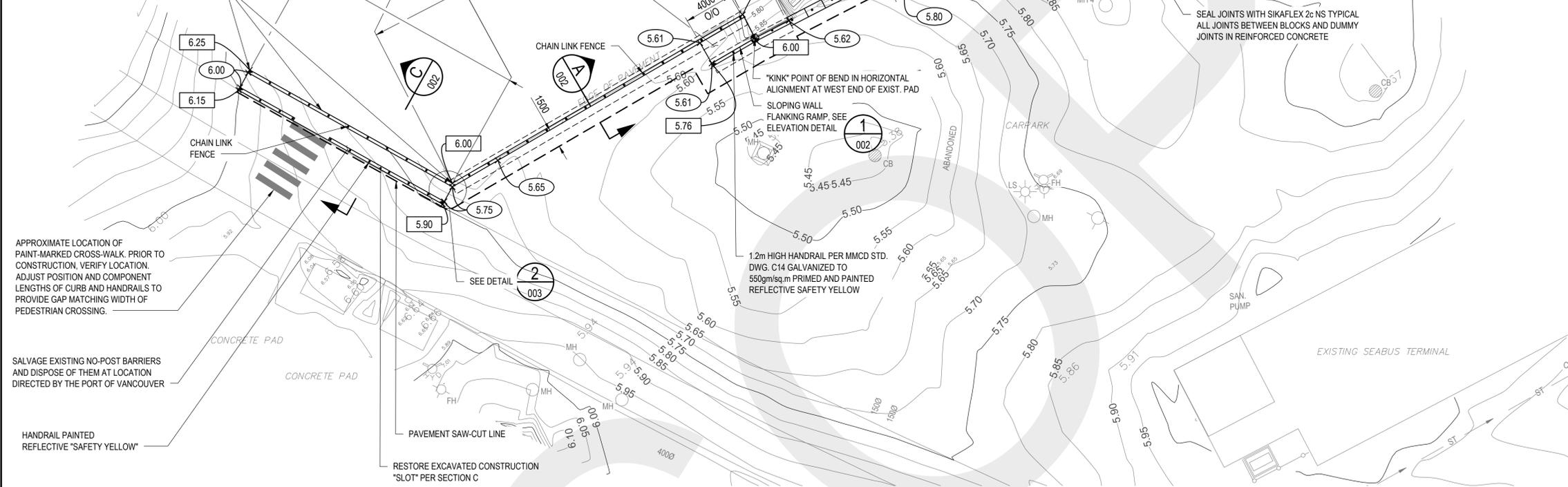
Date: March 20, 2020



LEGEND

- ST — EXISTING STORM SEWER
- W — EXISTING WATERMAIN
- E — EXISTING ELECTRICAL LINE
- LV — EXISTING LOW VOLTAGE ELECTRICAL LINE
- T — EXISTING TELEPHONE LINE
- FOC — EXISTING FIBRE OPTIC CABLE
- SAN — EXISTING SANITARY FORCEMAIN
- - - EXISTING RIGHT OF WAY (R.O.W.)
- ⊕ EXISTING WATER VALVE
- ⊗ EXISTING BACKFLOW PREVENTOR
- ⊠ EXISTING OIL INTERCEPTOR
- MH EXISTING MANHOLE (MH)
- ⊙ LS EXISTING LIGHT STANDARD
- ⊙ FH EXISTING FIRE HYDRANT
- ⊠ CB EXISTING CATCH BASIN
- ⊙ CB EXISTING CATCH BASIN (CB)
- 5.75 — MAJOR CONTOUR (CHART DATUM)
- 5.70 — MINOR CONTOUR (CHART DATUM)
- • • NEW HANDRAIL
- X.XX FINISHED GRADE ELEVATION (CHART DATUM) FOR ASPHALTIC CONCRETE RESTORATION
- X.XX FINISHED GRADE ELEVATION (CHART DATUM) FOR TOP OF WALL OR CURB

NOTE:
ALIGNMENT MAY BE FIELD ADJUSTED, OR DEPTH OF FOOTING MAY BE DIMINISHED, TO AVOID DAMAGING EXISTING STRUCTURAL CONCRETE ALONG CREST EDGE



APPROXIMATE LOCATION OF PAINT-MARKED CROSS-WALK. PRIOR TO CONSTRUCTION, VERIFY LOCATION. ADJUST POSITION AND COMPONENT LENGTHS OF CURB AND HANDRAILS TO PROVIDE GAP MATCHING WIDTH OF PEDESTRIAN CROSSING.

SALVAGE EXISTING NO-POST BARRIERS AND DISPOSE OF THEM AT LOCATION DIRECTED BY THE PORT OF VANCOUVER

HANDRAIL PAINTED REFLECTIVE "SAFETY YELLOW"

RESTORE EXCAVATED CONSTRUCTION "SLOT" PER SECTION C

PLAN
1:200

NOTE:

1. SEE DRAWING B-000 FOR NOTES



REF.	DRAWING No.	REFERENCE DRAWING	No.	BY	DATE	REVISION DETAILS	CHKD	ENG	APPR	PROJ. APPR.
6	102884-0000-B-007	EXIST. ABOVE GROUND & U/G FEATURES PLAN								
5	102884-0000-B-006	EXIST. SERVICES & BURIED UTILITIES PLAN								
4	102884-0000-B-005	EXIST. TOPOGRAPHY & FEATURES PLAN								
3	102884-0000-B-004	PROPOSED CONCRETE BARRIER WALL WITH BACKGROUND	D	BA	13DEC19	REVISED ISSUED FOR PRICING	JBK	GM		
2	102884-0000-B-003	SECTIONS AND DETAILS - SHEET 2	C	BA	22NOV19	ISSUED FOR PRICING	JBK	GM		
1	102884-0000-B-002	SECTIONS AND DETAILS - SHEET 1	B	BA	15NOV19	CONC. BLOCK, FENCE, WIDERSW	JBK			
			A	TTC	08OCT19	ISSUED FOR CLIENT REVIEW	JBK			

Ausenco
Vancouver, British Columbia, Canada
T +1 604 684 9311
W www.ausenco.com

Ausenco

CLIENT **VANCOUVER FRASER PORT AUTHORITY**

TITLE **VFPA PARKING FLOOD BARRIER
SEABUS SOUTH TERMINAL
WEST PARKING AREA
REINFORCED CONCRETE BARRIER WALL**

COPYRIGHT © Ausenco		
PROJECT No. 102884-01	SCALE AS NOTED	SIZE D
DRAWING No. 102884-0000-B-001		REV D

Dec 13 2019 - 9:13am S:\proj\102884-01\CAD\000000\dwg\102884-0000-B-001.dwg - babak.azimi

This document and the information and data contained herein ("Document") was prepared by Ausenco Engineering Canada Inc. ("Ausenco") for the exclusive use of Client (name goes here) ("Client"). Ausenco makes no representation or warranty, expressed or implied, with respect to the reuse, or unauthorized use, of the Document, regardless of its format or the means of its transmission. This Document contains confidential and proprietary information and Client agrees not to alter, reproduce, transmit, divulge, or provide access of this Document, or any part thereof, to another party without prior written authorization of Ausenco. Ausenco accepts no responsibility or liability for any loss or damage to Client or any third party related to the use of this Document which in any way contravenes the above statements.