

PER No.:	20-064
Tenant:	Beedie Development
Project:	Fraser Mill Pile Removal
Project Location:	Fraser River fronting River Front Park in Coquitlam
Vancouver Fraser Port Authority SID No.:	COQ332
Land Use Designation:	Industrial
Applicant/Permit Holder:	Beedie Development
Category of Review:	B
Date of Approval:	July 13, 2020
Date of Expiry:	July 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. 20-064: Fraser Mill Pile Removal (the Project) proposed by Beedie Development in care of Fraser Mills Properties Ltd. (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

Beedie Development in care of Fraser Mills Properties Ltd. proposes to remove approximately 300 creosote treated timber piles from the Fraser River fronting River Front Park in Coquitlam. The piles will be removed from a previous log storage area to meet port authority lease exit requirements and to make-way for shoreline improvements associated with an upland development. Steel pipe piles in the area will be left in place.

In this project permit, the Project means the physical activities authorized by the port authority to be carried out pursuant to **PER No. 20-064**, as described below.

2.1 Proposed Works

The proposed works include removal of approximately 300 creosote treated timber piles by vibratory or cable extraction. The works are proposed to be conducted by barge and crane, and from upland equipment, for those piles that are along the shoreline. Deteriorated piles that cannot be removed by extraction, are proposed to be cut at the mudline by pile snipper and capped with clean sand to a minimum depth of 30 centimeters. Piles shall be extracted in accordance to Condition 36 outlined below.

Extracted creosote piles will be placed within a contained area of a scow or within a large disposal bin on land. Extracted piles will not be reused and will be disposed of at an appropriate disposal facility. Any sediment attached to extracted piles will not be washed off during extraction, but loaded into containment structures along with piles for disposal. Similarly, sediment captured by the hydraulic snipper will be loaded into containment structures for disposal to a permitted disposal facility.

Pile extraction conducted utilizing a scow will be conducted at high tide to minimize the risk of grounding. Pile extraction from land will be conducted during low tide to enhance visibility for extraction, in particular cutting at the mudline, and to minimize induced turbidity. A hydraulic boom will be operated from the top-of-bank in areas with no vegetation and will utilize timber pads on the foreshore, where required.

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 type="checkbox"/> Engineering |
| <input checked="" type="checkbox"/> Marine Operations | <input checked="" type="checkbox"/> Public Engagement | <input 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. However, recognizing the interest in the area, notification about the project was made to Katzie First Nation, Kwantlen First Nation, Kwikwetlem First Nation, Musqueam Indian Band, Tsawwassen First Nation, and Tsleil-Waututh Nation.

5 EXISTING POLICIES OR GUIDELINES

The Project area is designated as “Industrial” in the port authority Land Use Plan (2014). The proposed removal of the piles does not impact the land use, and allows for industrial uses to take place in the future. 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 Coquitlam on June 9, 2020, notifying them of the proposed Project. The City requested that they be kept informed on this process moving forward. A copy of the project permit decision will be sent to the City following issuance.

6.2 Adjacent Tenant Notification

The proposed Project was assessed by the port authority to have potential impacts to adjacent tenant interests. A notification letter was sent to Balaclava Holdings Ltd., Timberwest Forest Company Ltd. and Pacific Custom Log Sorting Ltd. on June 9, 2020, notifying them of the proposed Project. The port authority did not receive any comments.

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 behalf of the tenant on April 27, 2020.
- All Project correspondence from April 27, 2020 to July 2, 2020.
- All plans and drawings submitted in the application.

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.

ANDREA MACLEOD
MANAGER, ENVIRONMENTAL PROGRAMS

July 13, 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. 20-064 is approved by:

ANDREA MACLEOD
MANAGER, ENVIRONMENTAL PROGRAMS

July 13, 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 Beedie Development (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.	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.20-064 .	
10.	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.	
11.	The port authority shall have unfettered access to environmental compliance documentation and the Project site at all times during construction without notice.	
12.	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)
13.	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
14.	Prior to the commencement of any vessel-related activities, the Permit Holder shall contact Canadian Coast Guard (CCG) Marine Communications and Traffic Services (MCTS), (email: NAVWARN.MCTSPRinceRupert@innav.gc.ca ; Phone: 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
15.	At least two days prior to commencing any physical activities, the Permit Holder shall notify the Harbour Master and VFPA Environmental Programs, email: Harbour_Master@portvancouver.com EnvironmentalPrograms@portvancouver.com	At least 2 business days before commencing construction or any physical activities

16.	<p>The Permit Holder shall submit a marine construction and staging plan, including the following, for VFPA review and approval:</p> <ul style="list-style-type: none"> • Staging and construction areas (in relation to Navigation channel); • Dates and hours of operation; • Description of activities taking place; • Equipment and vessels (dimensions must be included); • Method of preferred communication with marine users; • Proposed plan to implement and mitigate potential for barges to break free from moorage • Special request 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 approved by VFPA.</p>	30 business days before commencing vessel related 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. 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 30 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.	Without limiting the generality of permit condition #2, 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 <i>Fisheries Act</i> ; or (b) adversely affect fish or fish habitat in a manner contrary to Section 35(1) of the <i>Fisheries Act</i> .	
21.	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 riverbed (including disturbance as a result of vessel propeller wash), excepting only such disturbance as is reasonably required resulting from the use of barge spuds.	
22.	There shall be no in-water works during the fisheries sensitive period from March 1 to June 15, inclusive.	
23.	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.	
24.	The Permit Holder shall not disturb the riverbed outside the Project site.	
25.	The Permit Holder shall repair and/or remediate any damage or erosion resulting from disturbance to the intertidal foreshore during the Project.	
26.	No dredging shall be conducted as part of the Project. Any proposals to dredge shall be the subject of a separate application to VFPA.	

27.	<p>The Permit Holder shall not permit sediment, sediment-laden waters, or other deleterious substances to enter the water during the Project. The Permit Holder shall carry out all physical activities in a manner that prevents induced sedimentation of foreshore and near shore areas and induced turbidity of local waters, and the release of sediment, sediment-laden waters, and turbid waters to the aquatic environment. The Permit Holder shall manage turbidity in compliance with the following water quality criteria:</p> <ul style="list-style-type: none"> (a) when background is less than or equal to 50 nephelometric turbidity units (NTU), induced turbidity shall not exceed 5 NTU above the background values; and (b) when background is greater than 50 NTU, induced turbidity shall not exceed the background values by more than 10% of the background value. <p>For the purposes of this condition, “background” means the level at an appropriate adjacent reference site (as determined to the satisfaction of VFPA) that is affected neither by physical activities at the project site, nor sediment-laden or turbid waters resulting from physical activities at the project site.</p>
28.	<p>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.</p>
29.	<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>
30.	<p>The Permit Holder shall maintain equipment in good mechanical condition and free of fluid leaks, invasive species, and noxious weeds.</p>
31.	<p>During upland construction activities, the Permit Holder shall not conduct refuelling or maintenance activities on non-road 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.</p>
32.	<p>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).</p>
33.	<p>All non-road diesel equipment in use within VFPA jurisdiction shall be reported as required under the Non-Road Diesel Equipment Program (http://www.portvancouver.com/environment/air-energy-climate-action/cargo-handling-equipment/nrde/).</p>
34.	<p>If the Permit Holder encounters, expects to encounter, or should expect to encounter an actual or potential archaeological resource, the Permit Holder shall:</p> <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.

35.	<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; have an understanding of the forces a passing vessel exerts and the possible interaction with passing vessels; 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, any variations must be referred to the marine working users group and approved by VFPA. 	
36.	<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 piles, the Permit Holder shall remove the remaining pile stubs with the least amount of disturbance of the river/seabed as possible. Should it be impossible to remove the remaining pile stubs, they are to be cut as close as possible to the nominal bed elevation in the immediate area of each pile.</p> <p>In regards to batter piles, If the angle of the pile is such that the construction equipment is unable to extract the pile, then a document from the contractor stating the limitations of the equipment and rationale for not being able to extract the piles is required. If the rationale is reasonable, the piles are to be cut as close as possible to the nominal bed elevation in the immediate area of each pile.</p> <p>Upon successful completion of the pile extraction work, a hydrographic survey of the location is required with survey data and post extraction drawing provided to VFPA within 30 days of completion.</p>	
	SUBMISSION TIMING (Business Days)	
37.	The Permit Holder shall notify the port authority upon completion of the Project.	Upon substantial completion
38.	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
39.	The Permit Holder must send record drawings of all newly constructed and/or demolished marine works to the Database Information Office of the Canadian Hydrographic Service (250-363-6360 or chsdatacentre@dfo-mpo.gc.ca) to arrange for the relevant Canadian Hydrographic Service charts to be updated. VFPA's Marine Operations department must be carbon copied into the request (navigation.review@portvancouver.com).	Within 30 business days of completion
40.	Upon completion, the permit holder shall conduct a post construction hydrographic survey which must be provided to the VFPA's Marine Operations department (navigation.review@portvancouver.com) within 30 days of completion.	Within 30 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 July 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 40 business prior to that date. <p>Failure to apply for an extension as required may, at the sole discretion of the port authority, result in termination of this Permit.</p>

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.