



<b>PER No.:</b>	<b>20-199</b>
<b>Tenant:</b>	<b>City of Port Moody</b>
<b>Project:</b>	<b>Rocky Point Park Boat Ramp Repair in Port Moody</b>
<b>Project Location:</b>	<b>Rocky Point Park, Port Moody</b>
<b>Vancouver Fraser Port Authority SID No.:</b>	<b>PTM100</b>
<b>Land Use Designation:</b>	<b>Recreation</b>
<b>Applicant/Permit Holder:</b>	<b>City of Port Moody</b>
<b>Category of Review:</b>	<b>B</b>
<b>Date of Approval:</b>	<b>February 1, 2021</b>
<b>Date of Expiry:</b>	<b>February 28, 2022</b>

## 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. 20-199: Rocky Point Park Boat Ramp Repair in Port Moody (the “Project”) proposed by the City of Port Moody (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, Port Authority authorization is required for the proposed Project to proceed and in such circumstances, where applicable, Section 82 of the *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 City of Port Moody proposes to install new scour protection and repair the concrete boat launch ramp located at Rocky Point Park in Port Moody. The proposed scour protection includes the installation of custom gabion structures at the toe of the ramp. Gabions are proposed to be installed by excavator and extend two meters

beyond the edge of the existing ramp. The concrete ramp repairs include pressure washing and concrete repair. The works are proposed to take place during applicable least risk fish window for Burrard Inlet.

In this project permit, the Project means the physical activities authorized by the Port Authority to be carried out pursuant to **PER No. 20-199**, as described below.

## 2.1 Proposed Works

The proposed works include:

- Power washing and concrete repair to the boat ramp
- Ground preparation of sediment at the toe of the boat ramp
- Placement of geotextile or other filter material
- Placement of custom gabions along the toe of the boat ramp for erosion protection

The custom gabions can be placed and secured onto the existing bed level and no excavation is proposed. Ground preparations will include minimal scraping or compaction to level the surface at the toe of the ramp. Works will be conducted from land, with the use of an excavator working from the boat ramp to conduct ground preparations and to lift gabions into place.

## 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 type="checkbox"/> Transportation         |

## 4 INDIGENOUS CONSULTATION

The Port Authority has reviewed the proposed works and determined that the project may have the potential to adversely impact Indigenous or Treaty rights.

The following Indigenous groups were consulted:

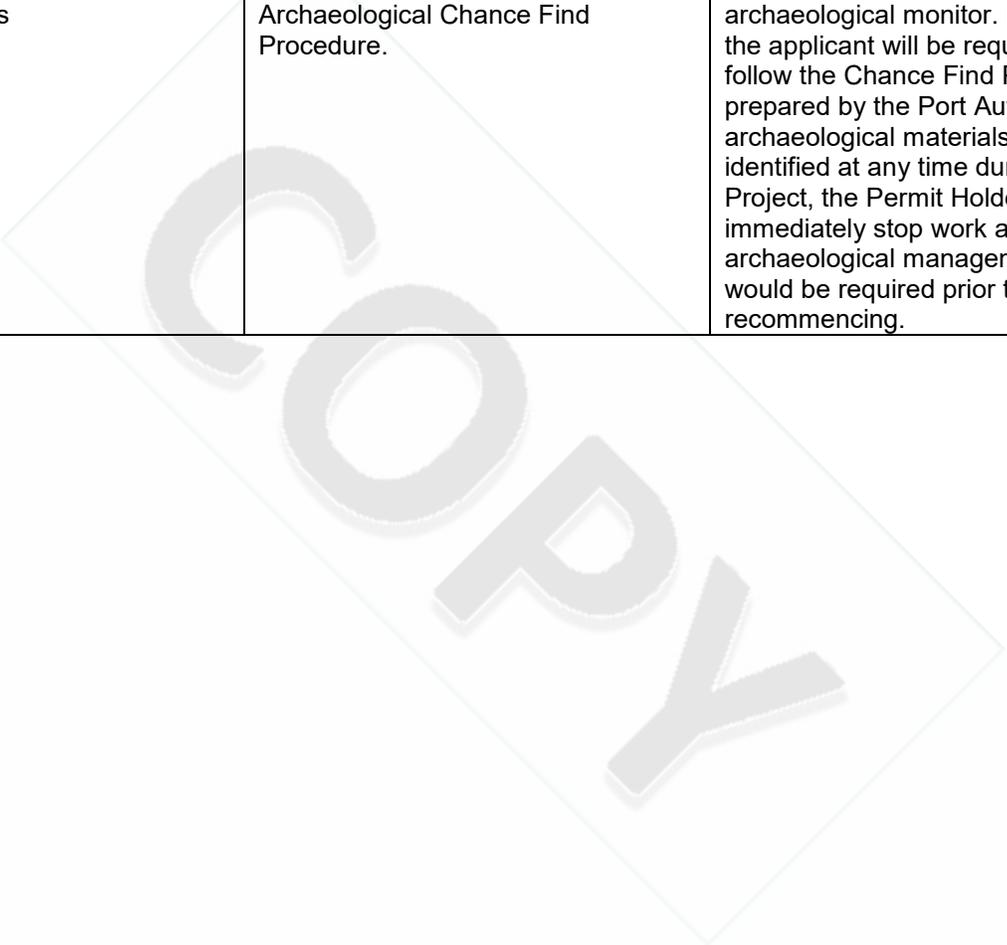
- a) Musqueam Indian Band
- b) Kwikwetlem First Nation
- c) Squamish Nation
- d) Sto:lo Nations, through the People of the River Referrals Office
- e) Tsleil-Waututh Nation

The following consultation activities were conducted:

- On December 4, 2020, project application referral letters and supporting documents were sent to Indigenous groups regarding the proposed project.
- The Port Authority offered participation funding to the respective Indigenous groups to facilitate their participation in the project and environmental review process. Comments on the application were requested by January 13, 2021.

Below is a table summarizing key comments received by Indigenous groups and how they were considered as part of the project and environmental review.

Issue	Mitigations and Permit Conditions	Rationale
Request an improved Chance Find Procedure is developed for the project	Condition 20 of the Permit requires the Permit Holder to carry out the Project in accordance with the Archaeological Chance Find Procedure.	The Port Authority has developed a Chance Find Procedure (CFP) which has been provided to the Permit Holder, and will be implemented during Project works. A copy of the CFP was shared with Indigenous groups in late 2020.
Request archaeological monitor, including Indigenous monitors, be present during project works	Condition 20 of the Permit requires the Permit Holder to carry out the Project in accordance with the Archaeological Chance Find Procedure.	With a limited scope of physical works within the developed area, the Port Authority will not require an archaeological monitor. However, the applicant will be required to follow the Chance Find Procedure prepared by the Port Authority. If archaeological materials are identified at any time during the Project, the Permit Holder will immediately stop work and an archaeological management plan would be required prior to any work recommencing.



Issue	Mitigations and Permit Conditions	Rationale
<p>Requests assurance project works will be completed within DFO’s least risk fish window, and during low tide to avoid materials entering and impacting the receiving waterbody</p>	<p>Condition 28 of the Permit states there shall be no in-water works during the fisheries sensitive period from March 1 to August 15, inclusive, unless otherwise approved in writing by DFO or the Port Authority. The Port Authority shall be notified of any DFO exemptions allowing works within the fisheries sensitive period.</p> <p>Condition 34 of the Permit states 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 to 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.</p>	<p>Should a project permit be issued, all in-water works will be completed within the least risk fish window for Burrard Inlet to mitigate potential impacts to fish. The least risk window will close February 28.</p> <p>An environmental monitor will be on site throughout the works. Water quality monitoring will be done in areas where grout will be used near water. A carbon dioxide canister will be on site to counteract changes in pH resulting from any grout accidentally introduced to the water.</p> <p>Additionally, work will be conducted at low tide to reduce impacts during in-water works. Night time works are anticipated in order to work during winter low tides. A silt curtain will be installed to encompass the area of works and ensure that disturbed materials do not migrate into the waterbody. The curtain will extend from the high water mark down and around the work area and back up to high water.</p>

Based on the record of consultation, the Port Authority is of the view that the duty to consult has been met.

## 5 EXISTING POLICIES OR GUIDELINES

The Project area is designated as “Recreational” in the Port Authority Land Use Plan (2020). The proposed repair to the existing boat ramp to support recreational activities at the park is an appropriate use of the site. The Project is therefore compliant with the Land Use plan.

## 6 NOTIFICATIONS

### 6.1 Municipal Notification

As the City of Port Moody is the Applicant for the proposed project, Municipal Notification was not required.

### 6.2 Adjacent Tenant Notification

The proposed Project was assessed by the Port Authority to have minimal to no potential impacts to adjacent tenant interests. As a result, a notification was not sent to adjacent tenants.

### 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

The comment period ran from November 27 to December 26, 2020. 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 potential impacts to community interests during construction. These include potential temporary access restrictions to daytime boat launch users, including recreational and commercial users.

The City of Port Moody has indicated they will follow all appropriate notifications needed for a capital project given the need to work within extended hours. These notifications are typically shared through the City's website, the Recreation group, on-site signage and direct notification to relevant individual user groups. As a result, the City of Port Moody is required to follow typical municipal channels for notification at least 10 business days prior to the start of the works. This is Condition 14 in the permit.

## 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 November 8, 2020
- All Project correspondence from November 2020 to January 2021
- All plans and drawings submitted by the Applicant

## 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*

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**LISA MCCUAIG**  
**MANAGER, ENVIRONMENTAL PROGRAMS**

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February 1, 2021  
**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. 20-199 is approved by:

ORIGINAL COPY SIGNED

**LISA MCCUAIG**  
MANAGER, ENVIRONMENTAL PROGRAMS

February 1, 2021

**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 City of Port Moody (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/wp-content/uploads/2020/01/VFPA-Record-Drawing-Standards-version-2-3.pdf>.

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: <b>per@portvancouver.com</b> and referencing <b>PER No.20-199</b> .	
10.	Unless otherwise specified, all plans, schedules, and other Project-related documentation that the Permit Holder is required to provide under this Permit, and any subsequent updates, 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.	
	<b>CONDITIONS – PRIOR TO COMMENCING CONSTRUCTION OR ANY PHYSICAL ACTIVITIES</b>	<b>SUBMISSION TIMING (business days)</b>
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.	The Permit Holder shall notify boat launch users about construction in accordance with the City of Port Moody's typical municipal channels for notification. The Permit Holder shall notify the Port Authority when such requirement has been completed.	10 business days before commencing construction or any physical activities
15.	The Permit Holder shall provide a copy of the construction environmental management plan to interested Indigenous groups and notify the Port Authority upon completion.	5 business days before commencing construction or any physical activities
16.	At least two days prior to commencing any physical activities, the Permit Holder shall notify the Harbour Master and Environmental Programs, email: <a href="mailto:Harbour_Master@portvancouver.com">Harbour_Master@portvancouver.com</a> and <a href="mailto:EnvironmentalPrograms@portvancouver.com">EnvironmentalPrograms@portvancouver.com</a> .	2 days before commencing construction or any physical activities

CONDITIONS – DURING CONSTRUCTION OR ANY PHYSICAL ACTIVITIES	
17.	All general construction and physical activities related to the Project shall be conducted from <b>Monday to Saturday</b> between the hours of <b>7:00 am and 8:00 pm</b> , except for those works requiring nighttime low tide conditions. 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.
18.	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.
19.	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.
20.	The Permit Holder shall carry out the Project in accordance with the Archaeological Chance Find Procedure, and any subsequent updates made to the Port Authority's satisfaction.
21.	The Permit Holder shall provide opportunities for interested Indigenous groups to monitor and be present on the Project site at all times during ground disturbing activities with the potential to intrude into native soils.
22.	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 of the <i>Fisheries Act</i> ; or (b) adversely affect fish or fish habitat in a manner contrary to Section 35 of the <i>Fisheries Act</i> .
23.	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.
24.	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.
25.	The Permit Holder shall maintain equipment in good mechanical condition and free of fluid leaks, invasive species, and noxious weeds

26.	<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"> <li>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</li> <li>b) when background is greater than 50 NTU, induced turbidity shall not exceed the background values by more than 10% of the background value.</li> </ul> <p>For the purposes of this condition, “background” means the level at an appropriate adjacent reference site (as determined to the satisfaction of the Port Authority) 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>
27.	Rip rap or other fill materials shall be clean and free of fines.
28.	There shall be no in-water works during the fisheries sensitive period from March 1 to August 15, inclusive, unless otherwise approved in writing by DFO or the Port Authority. The Port Authority shall be notified of any DFO exemptions allowing works within the fisheries sensitive period.
29.	The Permit Holder shall immediately cease work and notify the Port Authority 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 the Port Authority.
30.	The Permit Holder shall use an environmentally clean excavator bucket. The bucket and any portion of the arm that will be in contact with or near the water shall be cleaned of any residual hydrocarbons or other contaminants prior to the start of works.
31.	The Permit Holder shall repair and/or remediate any damage or erosion resulting from disturbance to the intertidal foreshore during the Project.
32.	The Permit Holder shall not disturb the seabed outside the Project site.
33.	During hours of darkness, the Permit Holder shall ensure that lights from the project area are positioned so as not interfere with passing vessels.
34.	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 to 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.
35.	The Permit Holder shall engage a qualified environmental professional to monitor the Project in order to ensure that the works are carried out in compliance with this Permit. Monitoring events shall take place as required by the environmental monitor, the construction environmental management plan, or the Port Authority, provided that monitoring will be full time when works are under way that have the potential to adversely affect fish or fish habitat.

36.	Without limiting the generality of permit condition #2, the Permit Holder shall not release chlorinated water, paint chips, cleaning products, coatings, or other potentially deleterious materials to the aquatic environment. The objective shall be 100% containment of all removed paint and other residues.	
	<b>CONDITIONS – UPON COMPLETION</b>	<b>SUBMISSION TIMING (Business Days)</b>
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: <a href="https://www.portvancouver.com/wp-content/uploads/2020/01/VFPA-Record-Drawing-Standards-version-2-3.pdf">https://www.portvancouver.com/wp-content/uploads/2020/01/VFPA-Record-Drawing-Standards-version-2-3.pdf</a> ), 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
<b>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.</b>		
<b>LENGTH OF PERMIT VALIDITY</b>		
The Project must be completed no later than <b>February 28, 2022</b> (the Expiry Date).		
<b>AMENDMENTS</b>		
<ul style="list-style-type: none"> <li>• 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.</li> <li>• For an extension to the Expiry Date, the Permit Holder must apply in writing to the Port Authority no later than 40 business days prior to that date.</li> </ul>		
<b>Failure to apply for an extension as required may, at the sole discretion of the Port Authority, result in termination of this Permit.</b>		

## 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](mailto:PER@portvancouver.com)  
Website: [www.portvancouver.com](http://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.