



**PORT of  
vancouver**

Vancouver Fraser  
Port Authority

**VANCOUVER FRASER PORT AUTHORITY  
PROJECT AND ENVIRONMENTAL REVIEW  
REPORT AND PERMIT**

<b>PER No.:</b>	<b>20-211</b>
<b>Tenant:</b>	<b>The Province of British Columbia – Ministry of Transportation and Infrastructure (MoTI)</b>
<b>Project:</b>	<b>Truck Parking – Nordel Way Area</b>
<b>Project Location:</b>	<b>10008-10022 River Road, Delta, BC</b>
<b>Vancouver Fraser Port Authority SID No.:</b>	<b>DEL357</b>
<b>Land Use Designation:</b>	<b>Industrial</b>
<b>Applicant/Permit Holder:</b>	<b>The Province of British Columbia – Ministry of Transportation and Infrastructure (MoTI)</b>
<b>Category of Review:</b>	<b>B</b>
<b>Date of Approval:</b>	<b>January 13, 2021</b>
<b>Date of Expiry:</b>	<b>January 31, 2023</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. 20-211 – Truck Parking – Nordel Way Area (the “Project”) proposed by The Province of British Columbia – MoTI (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 *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

Pacific Gateway Constructors General Partnership (PCGCP) on behalf of the Province of BC (MoTI) are proposing to modify an existing storage yard to construct a temporary parking lot at 10008-10022 River Road in

Delta, BC in support of the Highway 91/17 Upgrade project. The parking lot will consist of 40 truck stalls and 7 passenger vehicle stalls and will be in operation for approximately 15 months. The Applicant is also proposing to install a temporary portable restroom facility and 12 LED operated overhead lights/poles. The works will require 12 augured hole excavations to install the light poles that are protected with concrete barriers.

In this project permit, the Project means the physical activities authorized by the Port Authority to be carried out pursuant to **PER No. 20-211**, as described below.

## 2.1 Proposed Works

- Installation of 12, 10 to 17 metre high utility poles to support overhead power service, which require augured depths between 1.7-2.3 metres.
- Installation of a 28 square metre temporary washroom facility block, which is located above ground and will connect to the new overhead power service. Underground water and sewage services are not required – this service will be managed by truck delivery of water, and holding tank pump out.
- Removal of all installed structures prior to the conclusion of the port authority lease.

The proposed works are expected to take place during regular port authority working hours (Monday-Saturday between 7 a.m. and 8 p.m., excluding holidays) and it is anticipated that construction would occur over a 2-week period, during spring 2021.

Estimated project cost is \$228,000.

## 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.

Planning

Environmental Programs

Engineering

Public Engagement

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) Katzie First Nation
- b) Kwantlen First Nation
- c) Kwikwetlem First Nation
- d) Musqueam Indian Band
- e) Qayqayt (New Westminster) First Nation
- f) Semiahmoo First Nation
- g) Tsleil-Waututh Nation
- h) Tsawwassen First Nation

The following consultation activities were conducted:

- A notification letter of the proposed project work was provided to each Indigenous group; and,
- Interested Indigenous groups will be invited to attend any ground disturbing activities associated with the subject property.

## 5 EXISTING POLICIES OR GUIDELINES

The Project area is designated as “Industrial” in the Port Authority Land Use Plan (2020). The proposed construction of the temporary truck parking lot to support highway upgrades is an appropriate use of the site, as parking is an acceptable use in all land-based designations. The Project is therefore compliant with the Land Use Plan.

## 6 NOTIFICATIONS

### 6.1 Municipal Notification

The Project was assessed by the Port Authority to have no impacts to municipal interests. Consequently municipal notification was not conducted.

### 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 letter 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 December 7, 2020 to January 5, 2021. At the close of the 30 calendar day public comment period, no comments were received from the public.

The proposed Project was assessed by the Port Authority to have minimal or no potential impacts to community interests in the surrounding area either during construction or once the project is completed. Therefore no 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 Pacific Gateway Constructors General Partnership (PGCP) on behalf of MoTI on November 24, 2020.
- All Project correspondence with Joe Shearer and Sam MacKenzie from November 27, 2020 to January 11, 2021.
- All plans and drawings labelled PER No. 20-211-A and 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

January 13, 2021

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

**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. 20-211 is approved by:

ORIGINAL COPY SIGNED

January 13, 2021

**CHRIS BISHOP**  
**MANAGER, PLANNING**

**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 Province of BC (MoTI) (“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/permitting-and-reviews/per/project-and-environment-review-applicant/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. 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: <b>per@portvancouver.com</b> and referencing <b>PER No. 20-211</b> .
11.	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.
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.

	<b>CONDITIONS – PRIOR TO COMMENCING CONSTRUCTION OR ANY PHYSICAL ACTIVITIES</b>	<b>SUBMISSION TIMING (business days)</b>
14.	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
15.	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.	5 business days before commencing construction or any physical activities
16.	The Permit Holder shall submit an Archaeological Chance Find Procedure for the Project site, to the Port Authority's satisfaction. The Permit Holder shall carry out the Project in accordance with this Procedure, and any subsequent updates made to the Port Authority's satisfaction.	2 business days before commencing construction or any physical activities
<b>CONDITIONS – DURING CONSTRUCTION OR ANY PHYSICAL ACTIVITIES</b>		
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 <b>Monday to Saturday</b> between the hours of <b>7:00 am and 8:00 pm</b> . 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.	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.	
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 in relation to the installation of the 12 lighting poles, which have the potential to intrude into native soils.	
22.	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.	
23.	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> .	
24.	The Permit Holder shall maintain equipment in good mechanical condition and free of fluid leaks, invasive species, and noxious weeds.	
25.	The Permit Holder shall contain and collect debris and waste material in the immediate working area within the Project site. The Permit Holder shall dispose of waste material at suitable upland locations and maintain records of off-site disposal.	

	CONDITIONS – UPON COMPLETION	SUBMISSION TIMING (Business Days)
26.	The Permit Holder shall notify the Port Authority upon completion of the Project.	Upon substantial completion
27.	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/permitting-and-reviews/per/project-and-environment-review-applicant/guidelines/">https://www.portvancouver.com/permitting-and-reviews/per/project-and-environment-review-applicant/guidelines/</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>January 31, 2023</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 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  
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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.