



**PORT of
vancouver**

Vancouver Fraser
Port Authority

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

PER No.:	20-165
Tenant:	Prudential Transportation Ltd.
Project:	Olsen Road site development for truck parking
Project Location:	11090 Olsen Road, Surrey
Vancouver Fraser Port Authority SID No.:	SUR361
Land Use Designation:	Industrial
Applicant/Permit Holder:	Tyam Excavating and Shoring Ltd.
Category of Review:	B
Date of Approval:	April 7, 2021
Date of Expiry:	April 30, 2022

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. 20-165: Olsen Road site development for truck parking (the “Project”) proposed by Tyam Excavating and Shoring Ltd. working on behalf of Prudential Transportation 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, 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 Applicant proposes to prepare a currently vacant site at 11090 Olsen Road, Surrey, measuring approximately 37,000 m², to enable use for trucking operations and container storage. Proposed works include vegetation removal, site excavation, site grading, and sand and gravel placement to prepare the site for these operations.

Approximately 15,000 m² of the site has early successional vegetation mostly comprised of grasses with small thickets of shrubs and trees. The vegetation is proposed to be stripped and removed with the exception of a setback area to watercourses. Excavation of this area is proposed to a maximum depth of 1.5 metres, not disturbing native soils. Sand and gravel is proposed to backfill the excavated area and be graded throughout the site. During construction, an estimated 40 trucks per day will visit the site. There is sufficient space within the site to stage trucks as they await loading or dumping time, therefore no offsite staging is proposed on Olsen Road.

Once site preparation work is complete, the site will be operated by Prudential Transportation Ltd. Operations will consist of commercial truck and trailer parking and repair, non-stacked containerized cargo storage, and steel storage. Repair activities will be minimal and confined to the existing paved area. The paved area drains to catch basins that are connected to an oil interceptor. An estimated 20 to 65 trucks will frequent the site per day during operations.

In this project permit, the Project means the physical activities authorized by the Port Authority to be carried out pursuant to **PER No. 20-165**, as described below.

2.1 Proposed Works

- Removal of approximately 15,000 m² of early successional vegetation
- Removal of approximately 25,000 m³ of soft soil material to a maximum depth of 1.5 m.
- Disposal of excavated material at an appropriate off-site location.
- Infill of approximately 30,000 m³ of structural, engineered sand and gravel fill to bring the site to an appropriate grade.
- Site grading and compaction of new fill materials.
- Installation of lock block wall or physical barrier along the 15 m setback area

Existing knotweed has been identified onsite and the applicant will undergo a knotweed treatment program in 2021 to eradicate knotweed prior to undertaking construction in this area. Fencing will be installed around the area containing knotweed until appropriate treatment and removal are complete. Construction equipment would include excavators, bulldozer, compactors, and dump trucks.

The Project is anticipated to take approximately three months to complete and will adhere to standard Port Authority construction hours of 7:00 a.m. to 8:00 p.m., Monday to Saturday.

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

Marine Operations

Public Engagement

Transportation

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 NOTIFICATIONS

5.1 Municipal Notification

The Project was assessed by the Port Authority to have potential impacts to municipal interests. A referral letter was sent to the City of Surrey on January 15, 2021, notifying them of the proposed Project.

The City responded in a letter on February 10, 2021. Below is a table summarizing the City's comments and how they were considered as part of the project and environmental review.

Issue	Mitigations and Permit Conditions	Rationale
<p>Impact of construction and operation on ecologically sensitive waterbodies</p>	<p>Condition No. 36 of the Permit requires that the Permit Holder shall establish and maintain a 15-meter setback from the top of bank of all waterbodies within the boundaries of the site. The Permit Holder shall install a physical barrier to maintain the setback area and no construction activities shall occur within the setback.</p> <p>Condition No. 14 of the Permit requires that the Permit Holder submit a sediment and erosion control plan to the Port Authority's satisfaction. The Permit Holder shall carry out the Project in accordance with the sediment and erosion control plan, and any subsequent updates made to the Port Authority's satisfaction.</p> <p>Condition No. 28 of the Permit requires the applicant 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".</p> <p>Condition No. 32 of the Permit prohibits the refueling or temporary storage of petrochemicals within 30 metres of any waterbody.</p>	<p>The City identified two watercourses at the perimeter of the property that are located on Municipal lands. The Applicant has committed to maintaining a 15 m setback from the watercourses. Considering the scope of the project and proposed mitigation measures, including the 15-meter setback, and sediment and erosion control measures in place, waterbodies are not anticipated to be impacted from construction or operation (i.e., truck parking and laydown area).</p>

Issue	Mitigations and Permit Conditions	Rationale
Removal of Vegetation	Condition 30 and 38 of the Permit requires responsible management of invasive plants in a manner that prevents their spread, as well as the eradication of any knotweed plants found on the site.	The site is currently covered in early succession plant species, mostly comprising of grasses with several thickets of brushes and trees. There is a high composition of invasive species, notably Himalayan blackberry and Japanese Knotweed, which have been spread by industrial use and neglect. These plants must be appropriately eradicated from the development area.
Site drainage impacting Olsen Road	Condition 25 of the Permit requires the Permit Holder to conduct appropriate site grading, as required, to direct storm water drainage away from Olsen Road. Condition No. 14 of the Permit requires that the Permit Holder submit a sediment and erosion control plan to the Port Authority's satisfaction. The Permit Holder shall carry out the Project in accordance with the sediment and erosion control plan, and any subsequent updates made to the Port Authority's satisfaction.	The City had concern that water from the site would drain onto Olsen Road. No water currently flows toward the road network and grades are proposed to be maintained to ensure the water flows away from Olsen Road. The drainage plan proposes directing water on the paved areas to the existing catch basins and improving the infiltration capacity by installing structural, engineered sand and gravel fill.
Impacts of operation on Old Yale Road and Olsen Road road network	Condition 41 of the Permit requires the submission of a topographic survey plan that demonstrates the road network (pavement width) meets the needs of the truck traffic generated by the operations.	Given the industrial nature of the area, it is expected that the existing road network should be sufficient to meet the needs of site operations. The topographic survey plan will either demonstrate this consideration or identify areas that require improvements. It is understood that the permit holder will work directly with the City of Surrey should improvements be required, to the satisfaction of the Port Authority.
Municipal services	None	There is no water service or sanitary sewer service connection proposed for the site at this time.

The Port Authority provided a written response to the City on March 11, 2021.

5.2 Public Engagement

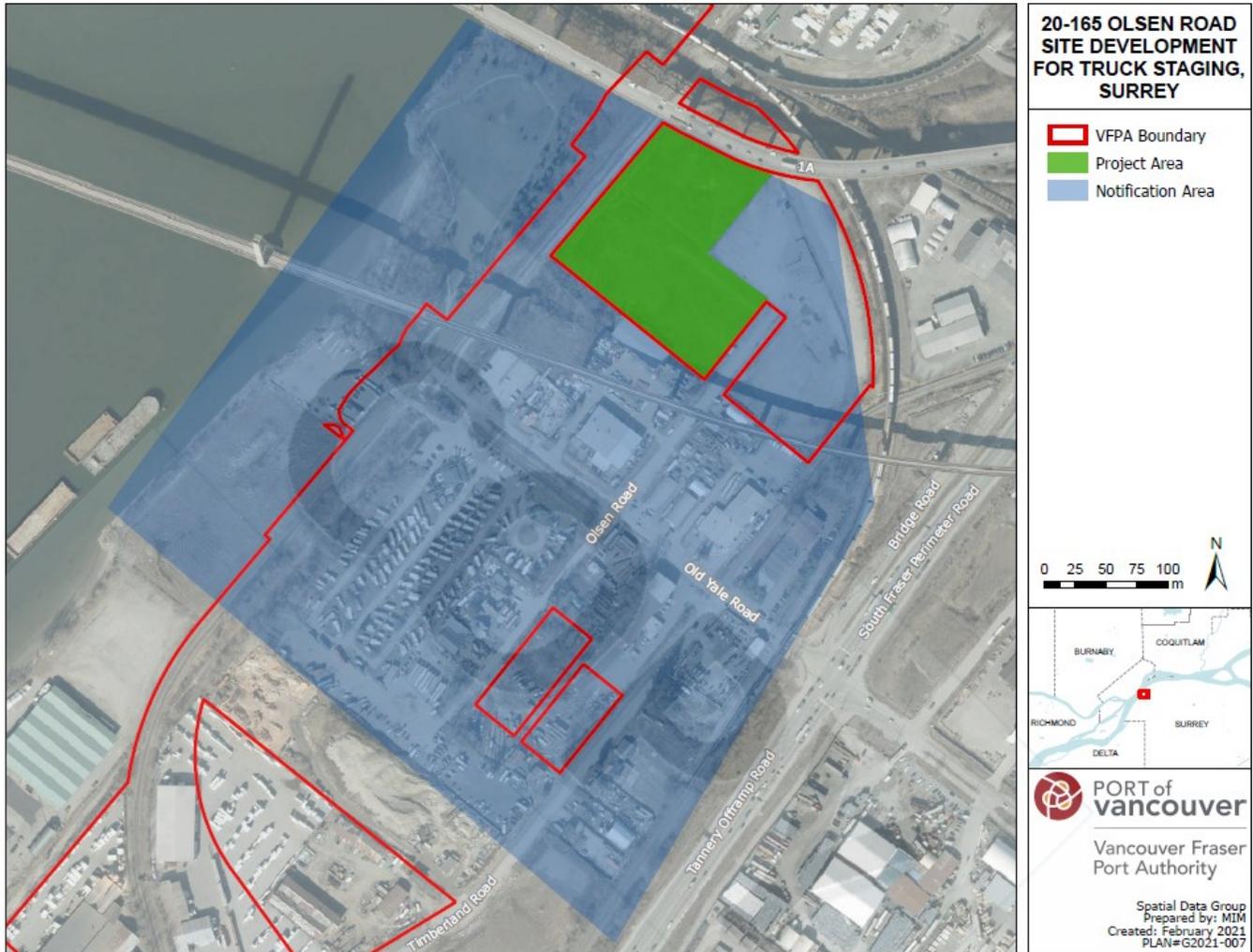
To meet requirements of section 86 of the *Impact Assessment Act*, the Port Authority posted a description of the Project and notice of public participation to the Canadian Impact Assessment Registry to provide the public 30 calendar days to comment on the project and provide community knowledge. The public comment period ran from February 5 to March 6, 2021. At the close of the 30-calendar public comment period, no comments were received from the public.

5.3 Summary of Public Engagement

The proposed Project was assessed by the Port Authority to have potential impacts to community interests during construction. These include potential impacts such as increased traffic from proposed construction activities.

As a result, the Applicant is required to send a construction notice to adjacent residents and businesses as specified in the following map. The construction notice shall be distributed by the Permit Holder at least 10 business days prior to the start of the works. This is condition No. 18 in the permit.

Map of notification area



6 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 August 27, 2020.
- All Project correspondence from August 27, 2020 to March 8, 2021.

7 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

LISA MCCUAIG
MANAGER, ENVIRONMENTAL PROGRAMS

April 8, 2021

DATE OF DECISION

8 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. 20-165 is approved by:

ORIGINAL COPY SIGNED

CHRIS BISHOP
MANAGER, PLANNING

April 8, 2021

DATE OF APPROVAL

9 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 Tyam Excavating and Shoring Ltd. working on behalf of Prudential Transportation Ltd. (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: per@portvancouver.com and referencing PER No. 20-165 .
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.

	CONDITIONS – PRIOR TO COMMENCING CONSTRUCTION OR ANY PHYSICAL ACTIVITIES	SUBMISSION TIMING (business days)
14.	The Permit Holder shall submit a sediment and erosion control plan to the Port Authority's satisfaction. The Permit Holder shall carry out the Project in accordance with the sediment and erosion control plan, and any subsequent updates made to the Port Authority's satisfaction.	10 business days before commencing construction or any physical activities
15.	The Permit Holder shall submit a site plan identifying the delineation of the following site features: <ul style="list-style-type: none"> • Storm water catch basins • 15 m setback area • Knotweed management area 	10 business days before commencing construction or any physical activities
16.	The Permit Holder shall conduct nest surveys if vegetation is removed between April 1 and July 31, or outside of this time span if occupied nests are present. For any nests identified in surveys, a qualified environmental professional shall confirm that the nest is not occupied by a species protected at that time of year under applicable legislation. To reduce the risk of Project-related harm, the Permit Holder should avoid certain physical activities during the general bird-breeding season, which falls between April 1 and July 31. A copy of nest surveys shall be provided to the port authority upon request.	Immediately prior to activities with the potential to affect birds and/or their active nests and eggs.
17.	The Permit Holder shall provide a draft construction notice to the Port Authority's satisfaction in accordance with the Port Authority's Public Consultation Guidelines.	20 business days before commencing construction or any physical activities
18.	The Permit Holder shall distribute a construction notice to residents and businesses as specified. This shall be completed to the Port Authority's satisfaction. The Permit Holder shall notify the Port Authority when such distribution has been completed.	10 business days before commencing construction or any physical activities
19.	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.	Before commencing construction or any physical activities
CONDITIONS – DURING CONSTRUCTION OR ANY PHYSICAL ACTIVITIES		
20.	The Permit Holder shall notify the Port Authority upon commencement of construction, or any physical activities (e.g., mobilization to the Project site).	
21.	All general construction and physical activities related to the Project shall be conducted from Monday to Saturday between the hours of 7:00 a.m. and 8:00 p.m. 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.	
22.	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.	

23.	<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.
24.	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.
25.	The Permit Holder shall conduct appropriate site grading, as required, to direct storm water drainage away from Olsen Road.
26.	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. The Port Authority shall be notified of such activities and provided relevant documentation upon completion.
27.	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.
28.	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".
29.	The Permit Holder shall not dewater excavations unless a dewatering plan has been submitted to the Port Authority's satisfaction.
30.	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.
31.	The Permit Holder shall maintain equipment in good mechanical condition and free of fluid leaks, invasive species, and noxious weeds.
32.	During upland construction activities, the Permit Holder shall not conduct refueling 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.
33.	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.
34.	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> .

35.	No in-water works or activities below the top of bank shall be conducted as part of the Project.	
36.	The Permit Holder shall establish and maintain a 15-meter setback from the top of bank of all waterbodies within the boundaries of the site. The Permit Holder shall install a physical barrier to maintain the setback area and no construction activities shall occur within the setback.	
37.	The Permit Holder shall repair and/or remediate any damage or erosion resulting from disturbance to the 15-meter setback area during the Project.	
38.	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.	
39.	All non-road diesel equipment in use within the Port Authority jurisdiction shall be reported as required under the Non-Road Diesel Emissions Program (https://www.portvancouver.com/environmental-protection-at-the-port-of-vancouver/climate-action-at-the-port-of-vancouver/non-road-diesel-emissions-program/).	
40.	The Permit Holder may place temporary construction trailers on the Project site while this Permit remains in effect, provided such trailers meet all of the criteria set out in the Port Authority's Temporary Construction Trailer Criteria, available at: https://www.portvancouver.com/permitting-and-reviews/building-permits/ . Should one or more of the criteria not be met, a Port Authority Building Permit is required.	
	CONDITIONS – UPON COMPLETION	SUBMISSION TIMING (Business Days)
41.	The Permit Holder shall conduct a topographic survey plan from the site south to the junction with Old Yale Road and then east to SFPR intersection. A copy of this survey shall be provided to the City of Surrey.	Prior to operation of the facility for truck parking
42.	The Permit Holder shall notify the Port Authority upon completion of the Project.	Upon substantial 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, 2022 (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.

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