



<b>PER No.:</b>	<b>21-119</b>
<b>Tenant:</b>	<b>FRPD Realty Inc.</b>
<b>Project:</b>	<b>FRPD New Westminster Works Yard – Dock Upgrades</b>
<b>Project Location:</b>	<b>447 20<sup>th</sup> Street, New Westminister</b>
<b>Vancouver Fraser Port Authority SID No.:</b>	<b>NEW327</b>
<b>Land Use Designation:</b>	<b>Industrial</b>
<b>Applicant/Permit Holder:</b>	<b>FRPD Realty Inc.</b>
<b>Category of Review:</b>	<b>B</b>
<b>Date of Approval:</b>	<b>September 20, 2021</b>
<b>Date of Expiry:</b>	<b>September 30, 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. 21-119: FRPD New Westminister Works Yard – Dock Upgrades (the “Project”) proposed by FRPD Realty Inc. (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 consultation 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

FRPD Realty Inc. proposes to upgrade part of their existing timber pile supported dock at 447 20<sup>th</sup> Street, New Westminister (Figure 1). The dock upgrade will increase the load capacity of the dock and will accommodate heavier cranes for loading and offloading materials between the work yard and vessels moored at the dock.

The Project involves replacing an approximate 63 square meter section of the existing dock's timber foundation with a new steel foundation supported by steel piles. Overall, the Project will result in an increased footprint of approximately three square meters on the upland side of the dock.

In this project permit, the Project means the physical activities authorized by the Port Authority to be carried out pursuant to **PER No. 21-119**, as described below.

## 2.1 Proposed Works

The proposed Project works include the following components:

- Eight 762 mm diameter steel piles will be installed to support the new dock. Four piles will be within the existing footprint and aligned parallel to the shoreline on the southern (river-side) of the dock; four piles will be aligned parallel to the shoreline on the northern upland side of the dock (i.e., installed just outside the existing footprint and in-the-dry).
- Additional steel foundation components will be installed on top of the new piles, including four steel pile top plates, two 8.5 m long steel pilecap beams, and three 8 m long steel stringers (two triple stringers and one double stringer).
- All components of the new steel foundation, including piles, will be installed using a land-based crawler crane. A vibratory hammer will be used to set the new piles into the ground until refusal. An impact hammer will then be used to install the piles down to design elevations (i.e., 25 m embedment).
- The existing timber piles are anticipated to remain in place, but can be removed (via crane and/or vibratory hammer) if necessary to facilitate the installation of the new steel piles. Most of the existing timber deck will be reused as the deck on the new steel foundation, except for some sections that will be cut away as access holes for the installation of the steel piles. Sections of the existing timber deck that are removed will be replaced with new timber.
- A containment boom will be installed on the water surface around the work area to contain any wood chips generated from the cutting of the existing timber dock.
- Temporary falsework frames will be installed on the surface of the existing deck and upland area to facilitate the installation of the new steel piles.
- The removal of rock/debris along the river bank beneath the dock is not anticipated to be required for the installation of the piles. However, in the event that it is, debris would be placed into a bin for later offsite recycling and/or disposal in accordance with applicable regulations.

The Project is anticipated to take three weeks to complete and is planned to be conducted between October 1, 2021 and February 28, 2022.



Figure 1. Project location

### 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
- Project Engagement

### 4 INDIGENOUS CONSULTATION

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

### 5 EXISTING POLICIES OR GUIDELINES

The Project area is designated as “Industrial” in the Port Authority’s Land Use Plan. The dock upgrades do not represent a change in use of the Project site. The Project supports the primary use under this designation and is, therefore, consistent 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 New Westminister on August 24, 2021, notifying them of the proposed Project. The City of New Westminister had no comments.

#### 6.2 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 comment period ran from August 3, 2021 to September 1, 2021. At the close of the 30-calendar day public comment period, no comments were received. The proposed Project was assessed by the Port Authority to have potential impacts to community interests during construction. These include potential impacts such as noise disruption from pile driving during construction activities.

As a result, the Applicant is required to send a construction notification to adjacent residents and businesses in New Westminster as shown in the map below. The construction notification will be distributed at least 10 business days prior to the start of the works. This is set out in conditions 15 and 16 in the Permit.

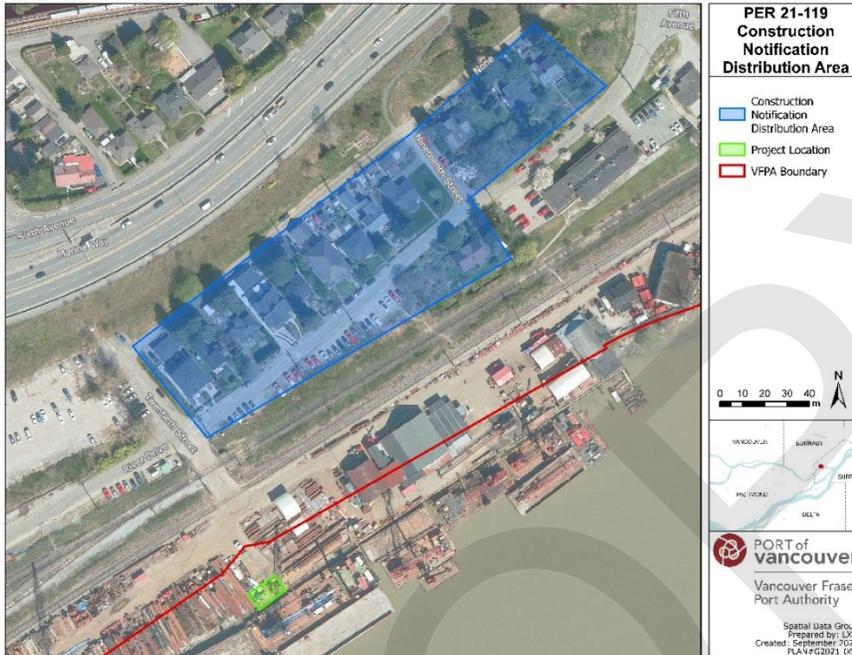


Figure 2. Map of notification area

## 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 July 20, 2021
- Project correspondence from July 28, 2021 to September 2, 2021

## 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 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

September 20, 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. 21-119 is approved by:

ORIGINAL COPY SIGNED

**LISA McCUAIG**  
MANAGER, ENVIRONMENTAL PROGRAMS

September 20, 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 FRPD Realty Inc. (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.**

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 plans, documents, and notices required under this Permit to the following email address: <b>per@portvancouver.com</b> and referencing <b>PER No. 21-119</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 Issued For Construction Drawings for proposed works in accordance with the Port Authority's Record Drawing Standards. These drawings shall be signed and sealed and approved for construction by a professional engineer licensed to practice in the Province of British Columbia. In addition, these drawings shall be submitted in both AutoCAD and PDF format and shall be named according to the record drawing index numbering system set out at Section 2.10 of the Port Authority's Record Drawing Standards.	5 business days before commencing construction or any physical activities

15.	The Permit Holder shall provide a draft construction notification to the Port Authority's satisfaction in accordance with the Port Authority's Public Engagement Guidelines.	20 business days before commencing construction or any physical activities
16.	The Permit Holder shall distribute a construction notification to residents and businesses in the notification area shown above. 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
17.	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
18.	If there is potential to affect birds and/or their active nests and eggs, the Permit Holder shall conduct nest surveys. 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, or outside of this time span if occupied nests are present.	Immediately prior to activities with the potential to affect birds and/or their active nests and eggs
<b>CONDITIONS – DURING CONSTRUCTION OR ANY PHYSICAL ACTIVITIES</b>		
19.	The Permit Holder shall notify the Port Authority upon commencement of construction, or any physical activities (e.g., mobilization to the Project site).	
20.	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 a.m. and 8:00 p.m.</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.	
21.	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.	
22.	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.	
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 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> .	
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.	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.	
27.	The Permit Holder shall cap any exposed hollow pipe piles to prevent wildlife entrapment.	
28.	Sediments contained within piles after driving shall be left in place. If it is determined that they must be removed for engineering reasons, the Permit Holder shall consult the Port Authority for review and authorization prior to initiating the proposed physical activities.	
29.	<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>	
30.	The Permit Holder shall not disturb the riverbed outside the Project site.	
	<b>CONDITIONS – UPON COMPLETION</b>	<b>SUBMISSION TIMING (Business Days)</b>
31.	The Permit Holder shall notify the Port Authority upon completion of the Project.	Upon substantial completion
32.	The Permit Holder shall provide record drawings, including a Project site plan that clearly identifies the location of works, in both AutoCAD and PDF format (with an Engineers stamp where applicable) in accordance with the Port Authority's Record Drawing Standards. All drawings shall be named according to the record drawing index numbering system set out at Section 2.10 of the Port Authority's Record Drawing Standards.	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>September 30, 2022</b> (the “Expiry Date”).		

## AMENDMENTS

- 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](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.