

February 7, 2019

David Kensall
Tyee Pacific Marine Operations
13911 Mitchell Road,
Richmond, BC V3V 1M7

Dear Mr. Kensall:

Re: Brighton Beach Residential Dock System Repair – North Vancouver, BC
PROJECT PERMIT 19-013

Reference is made to your January 24, 2019 application, and attachments. The Vancouver Fraser Port Authority (VFPA) understands Tyee Pacific Marine Operations on behalf of Brighton Beach Properties Ltd. (the Permit Holder) proposes to replace a dock system, like for like, within their lease boundaries in North Vancouver, BC (the Project). VFPA understands the Permit Holder will replace the shore-based infrastructure and will either repair or replace floating infrastructure. The footprint of the new dock system must not exceed the footprint of the previous dock system. Works will require the use of a cargo vessel, crane, cement mixer, generator, and hand tools. The Permit Holder has indicated the laydown space will be upland of the high water mark. Concrete columns for the pier will be cast-in-place below the high water mark, and will be timed to maximize curing before the columns are submerged. The base of each column will require steel rods drilled into the bedrock for reinforcement.

Existing piles have been inspected and do not need replacement at this time. Treated wood will be used for the pier, stairs, and walkway framework. Adequate spill kits and spill training are required for near water projects with the potential of hydraulic oil or fuel spills.

Within four weeks of Project completion the Permit Holder shall submit, to VFPA's satisfaction, a post-installation survey complete with spatial data that demonstrates the new replacement dock system is the same footprint or smaller than the previous dock system.

It is noted that the previous dock system was neglected and entered a state of complete disrepair, and was at risk of breaking away from the shore. Floating debris not only constitutes pollution, but would be dangerous to the navigation of vessels within Indian Arm. The tenant would be held responsible for any damages, and is expected to monitor its assets to mitigate risks to public safety and the environment.

VFPA has completed a review of these activities and concludes that with the implementation of proposed mitigation measures and conditions described in the attached Schedule of Environmental Conditions, the Project is not likely to cause significant adverse environmental effects.

Pursuant to the Port Authorities Operations Regulations under the *Canada Marine Act*, by way of this letter, the Project is authorized to proceed **provided that all of the Conditions outlined above and on the attached Schedule of Environmental Conditions are adhered to**. In the event of any breach of any of the Conditions, or of any of the

background information being determined by VFPA to be incorrect or misleading, then VFPA, acting at its sole discretion, may arbitrarily cancel this Project Permit. This Project Permit may also be cancelled for any other reasons set out in Section 29 of the Port Authorities Operations Regulations. **This Project Permit is valid until January 31, 2020.** Please contact the undersigned, at 604-665-9389 with any questions regarding the Conditions.

Regards,

A handwritten signature in cursive script that reads "Spencer Chaisson".

Spencer Chaisson
Environmental Coordinator, Project Review and Monitoring

cc: Katarina Stoyko, VFPA Real Estate
Cornelia Bodo Price, Brighton Beach Properties Ltd
Donald Christian, Tyee Pacific Marine Operations

Reference is made to the physical activities (the **Project**) described in the permitting letter that these conditions are attached to. VFPA has undertaken and completed a review of the Project in accordance with Section 5 of the Port Authorities Operations Regulations and, as applicable, Section 67 of the *Canadian Environmental Assessment Act, 2012*.

The Project Permit is based on the understanding that the Project consists of minor non-intrusive in-water works, as identified in the permitting letter, and on the understanding that the works will be conducted outside of the navigation channel and that species at risk and archaeological resources are not known to be present in the Project area.

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 VFPA's rights, under such lease, licence, or access agreement.

The Project Permit in no way endorses or warrants the design, engineering, or construction of the Project and no person may rely upon the Permit for any purpose other than the fact that VFPA has permitted the Project, in accordance with the terms and conditions of the Project Permit.

If at any time the Permit Holder fails to comply with any of the environmental conditions set out below, or if VFPA determines that the Permit Holder has provided any incomplete, incorrect or misleading information in relation to the Project, VFPA may, in its sole and absolute discretion, cancel its authorization for the Project or change the conditions to which such authorization is subject.

Pursuant to Section 29 of the Port Authorities Operations Regulations, VFPA may also cancel its authorization for the Project, or change the conditions to which such authorization is subject, if new information is made available to VFPA at any time in relation to the potential adverse environmental effects of the Project.

The following are the minimum conditions that must be followed by the Permit Holder to mitigate potential adverse environmental and other effects:

1. 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 described in the application document(s) referenced in the permitting letter. The Permit Holder shall not carry out any other physical activities unless expressly authorized by VFPA.
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. 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 *Fisheries Act*; or (b) adversely affect fish or fish habitat in a manner contrary to Section 35(1) of the *Fisheries Act*.
4. 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.
5. The Permit Holder shall not permit barges or other vessels used during the Project to ground on the foreshore or river/seabed or otherwise disturb the foreshore or river/seabed (including disturbance as a result of vessel propeller wash), excepting only such disturbance as is reasonably required resulting from the use of barge spuds.
6. The Permit Holder shall not disturb the river/seabed outside the Project site.

7. 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:
- 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
 - When background is greater than 50 NTU, induced turbidity shall not exceed the background values by more than 10% of the background value.
- For the purposes of this condition, “background” means the level at an appropriate adjacent reference site (as determined to the satisfaction of VFPA) that is affected neither by physical activities at the Project site, nor sediment-laden or turbid waters resulting from physical activities at the Project site.
8. Prior to commencing construction or any physical activities, the Permit Holder shall have in place a spill prevention, containment and clean-up plan for hydrocarbon products (including fuel, oil and hydraulic fluid) and any other deleterious substances. Appropriate spill containment and clean-up supplies shall be available on the Project site at all times and all personnel working on the Project shall be trained on the spill prevention, containment and clean-up plan. The Permit Holder shall carry out the Project in accordance with the spill prevention, containment and clean-up plan.
9. If the Permit Holder encounters, expects to encounter, or should expect to encounter an actual or potential archaeological resource, the Permit Holder shall:
- Immediately stop any activities that may disturb the archaeological resource or the site in which it is contained (Site);
 - Not move or otherwise disturb the archaeological resource or other remains present at the Site;
 - Stake or flag the Site to prevent additional disturbances; and,
 - Immediately notify VFPA by email and phone.
10. The Permit Holder shall maintain equipment in good mechanical condition and free of fluid leaks, invasive species, and noxious weeds.
11. At least two days prior to commencing any physical activities, the Permit Holder shall notify the Harbour Master and VFPA Environmental Programs, email: Harbour_Master@portvancouver.com and EnvironmentalPrograms@portvancouver.com.
12. Prior to the commencement of any vessel-related activities, the Permit Holder shall contact the appropriate Canadian Coast Guard (CCG) Marine Communications and Traffic Services (MCTS) centre regarding the issuance of a Notice to Shipping (NOTSHIP) to advise the marine community of potential hazards associated with the Project.
13. During any vessel-related activities, the Permit Holder shall:
- Position vessels and equipment associated with the Project in such a manner so as not to obstruct line of sight to navigational aids or markers;
 - Exhibit the appropriate lights and day shapes at all times;
 - Monitor the VHF channel used for MCTS communications in the respective area at all times and participate as necessary;
 - Be familiar with vessel movements in areas affected by the Project;
 - Plan and execute the Project in a manner that will not impede navigation or interfere with vessel operations; and,

- f) During night hours, unless working 24 hours per day, ensure that the rig and associated equipment is moored outside the navigation channel and lit in accordance with all applicable regulations.
14. The Permit Holder shall cooperate fully with VFPA in respect of any review by VFPA of the Permit Holder's compliance with this Permit, including providing information and documentation in a timely manner, as required by VFPA. The Permit Holder is solely responsible for demonstrating the Permit Holder's compliance with this Permit.
15. 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.
16. The Permit Holder shall make available upon request by any regulatory authority (such as a Fishery Officer) a copy of this Permit.

The above conditions are based solely upon VFPA's review of the Project and in no way limits the authority of, or constitutes any form of permit, authorization or approval by, any other governmental authority having jurisdiction. The Permit Holder is solely responsible for obtaining any and all required permits, authorizations and approvals from any other governmental authority having jurisdiction.