



## Department of the Environment

### *Canadian Environmental Protection Act, 1999*

Notice is hereby given that, pursuant to section 127 of the *Canadian Environmental Protection Act, 1999* (CEPA), disposal at sea permit no. 4543-2-03728 authorizing the loading for disposal and the disposal of waste or other matter at sea is approved. The permit is published on the Canadian Environmental Protection Act Registry on Tuesday, July 30, 2019.

1. Permittee: Heavy Metal Marine Ltd., Malahat, BC.
2. Waste or other matter to be disposed of: dredged material.
  - 2.1. Nature of waste or other matter: dredged material consisting of rock, gravel, sand, silt, clay, and wood waste or material typical to the approved loading site, except logs and usable wood. The permittee shall ensure that every effort is made to prevent the deposition of log bundling strand into waste or other matter approved for loading and disposal at sea and/or remove log bundling strand from waste or other matter approved for loading and disposal at sea.
3. Duration of permit: permit is valid from August 15, 2019, to August 14, 2020.
4. Loading site(s): Various approved sites near Vancouver Island, British Columbia, at approximately 49.37416° N, 123.94032° W North American Datum of 1983 (NAD83).
5. Disposal site(s):
  - a. Five Finger Island Disposal Site, within a 0.5-nautical-mile radius of 49.25333° N, 123.91166° W (NAD83), and
  - b. Point Grey Disposal Site, within a 1-nautical-mile radius of 49.25666° N, 123.36500° W (NAD83)
6. Method of loading: loading will be carried out using a barge-mounted excavator or a clamshell dredge.
7. Route to disposal site(s) and method of transport: most direct navigational route from the loading site to the disposal site via towed scow.
8. Method of disposal: disposal will be carried out by bottom dumping or end dumping.
9. Total quantity to be disposed of: not to exceed 16 000 cubic metres, place measure.



10. Fees: the fee prescribed by the *Disposal at Sea Permit Fee Regulations* shall be paid by the permittee in accordance with those regulations.

11. Approvals: the permittee shall obtain from the permit-issuing office a letter of approval for each loading and disposal activity prior to undertaking the work, and conduct these activities in accordance with the relevant letter of approval. The permittee shall follow the procedures outlined in the document titled "Multi-Site Dredging Projects Involving Disposal at Sea: Requests for Letters of Approval – Standard Procedures" (February 2013).

12. Inspection:

12.1. By accepting this permit, the permittee and its contractors accept that they are subject to inspection pursuant to Part 10 of CEPA.

12.2. The permittee shall ensure that records of all loading and disposal activities are kept on site for the duration of the permit and are available for inspection by any enforcement officer or analyst, for 2 years following the expiry of the permit.

12.3. Ships operating under the authority of this permit shall carry and display a radar-reflecting device at all times mounted on the highest practical location.

13. Contractors:

13.1. The loading or disposal at sea referred to under this permit shall not be carried out by any person without written authorization from the permittee.

13.2. The permittee shall ensure that all persons involved in the loading, transport or disposal activities authorized by this permit conduct these activities in accordance with the relevant permit conditions.

14. Reporting and notification:

14.1. The permittee shall provide the following information at least 48 hours before loading and disposal activities commence: name or number of ship, platform or structure used to carry out the loading and/or disposal, name of the contractor including corporate and on-site contact information, and expected period of loading and disposal activities. The above-noted information shall be submitted to the following parties:

For the Department of the Environment:

Department of the Environment  
Pacific and Yukon Region  
201–401 Burrard St  
Vancouver BC V6C 3S5

Fax: 604-666-9059

Email: [ec.immersionenmerrpy-disposalatseapyr.ec@canada.ca](mailto:ec.immersionenmerrpy-disposalatseapyr.ec@canada.ca)

For potentially affected First Nations:

- a. Katherine Wheatley (Point Grey disposal site)  
Major Projects Coordinator  
Musqueam Indian Band  
6735 Salish Dr  
Vancouver BC V6N 4C4

Email: [kwheatley@musqueam.bc.ca](mailto:kwheatley@musqueam.bc.ca)

- b. Amanda King (Point Grey disposal site)  
Senior Referrals Analyst  
Tsleil-Waututh Nation  
3075 Takaya Dr  
North Vancouver BC V7H 3A8

Email: [aking@twnation.ca](mailto:aking@twnation.ca)

- c. Perry Point (Five Finger Island disposal site)  
Fisheries Coordinator  
Snuneymuxw Nation  
668 Centre St  
Nanaimo BC V9R 4Z4

Email: [perry.point@snuneymuxw.ca](mailto:perry.point@snuneymuxw.ca)

14.2. The permittee shall submit a written report to the Minister, as represented by the Regional Director of the Environmental Protection Operations Directorate, Pacific and Yukon Region, within 30 days after the expiry of the permit. This report shall contain the following information: a list of all work completed pursuant to the permit, including the location of the loading and disposal site(s) used, the quantity of matter disposed of at the disposal site(s) and the dates on which disposal activities occurred. The report shall be sent to the Regional Director at any of the following coordinates:

Regional Director  
c/o Tiffany Paul  
Environmental Protection Operations Directorate  
Pacific and Yukon Region  
201–401 Burrard St  
Vancouver BC V6C 3S5

Fax: 604-666-6800

Email: [ec.immersionenmerrpy-disposalatseapyr.ec@canada.ca](mailto:ec.immersionenmerrpy-disposalatseapyr.ec@canada.ca)

14.3. At all times, a copy of this permit and of documents and drawings referenced in this permit shall be available at the loading site and on all powered ships directly engaged in the loading and disposal operations.

15. Special precautions:

15.1. The permittee shall submit a written dredged material disposal plan to the Minister, as represented by the Regional Director of the Environmental Protection Operations Directorate, Pacific and Yukon Region, identified in paragraph 14.2, for approval by the Department of the Environment prior to the commencement of the first dredging operation authorized by this permit. The plan shall address procedures to accurately measure or estimate quantities of dredged material disposed of at the disposal site(s), vessel tracking, and a schedule for use of the disposal site(s). Modifications to the plan shall be made only with the written approval of the Department of the Environment.

15.2. The loading and disposal at sea referred to under this permit shall be carried out in accordance with the mitigation measures summarized in the document titled “Environmental Protection Plan – Heavy Metal Marine Ltd. – Permit #4543-2-03728” (July 2019).

15.3. Potentially affected First Nations listed in paragraphs 14.1 a, b and c shall be notified of any modifications to the environmental protection plan.

15.4 The permittee shall send all project-related notifications to First Nations identified in paragraphs 14.1 a, b and c.

15.5 The permittee shall ensure that dredging, transportation and disposal activities do not impede Fisheries and Oceans Canada’s authorized food, social and ceremonial fisheries for Indigenous Peoples.

Saul Schneider  
Regional Director  
Environmental Protection Operations Directorate  
Pacific and Yukon Region

On behalf of the Minister of Environment and Climate Change

Signed on July 18, 2019