



**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. 4543-2-03736 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, December 10, 2019.

1. Permittee: Fraser River Pile & Dredge (GP) Inc., New Westminster, British Columbia.
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.
3. Duration of permit: permit is valid from December 17, 2019, to December 16, 2020.
4. Loading site(s):
  - a. Sea Reach 1: Delta, British Columbia, at approximately 49.106160° N, 123.165236° W North American Datum of 1983 (NAD83), as submitted in support of the permit application
  - b. Sea Reach 2: Delta, British Columbia, at approximately 49.087321° N, 123.128757° W NAD83, as submitted in support of the permit application
5. Disposal site(s):
  - a. Sea Reach 1: Sea Reach In-River Disposal Site, at approximately 49.11389° N, 123.18111° W (NAD83), as described in the report titled "Local Channel Dredging Program – Delta Channels, British Columbia – 2019 Sampling Program" (April 19, 2019) submitted in support of the permit application
  - b. Sea Reach 2: Sand Heads Disposal Site (for sand only), bound by 49.10200° N, 123.34033° W; 49.10516° N, 123.31383° W; 49.09566° N, 123.31600° W; and 49.08700° N, 123.32733° W (NAD83)
6. Method of loading: loading will be carried out using a cutter suction dredge 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 pipeline, hopper scow or towed scow.



8. Method of disposal: disposal will be carried out by pipeline, bottom dumping or end dumping.

9. Total quantity to be disposed of: not to exceed 73 500 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. Inspection:

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

11.2. 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 two years following the expiry of the permit.

11.3. 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.

12. Contractors:

12.1. 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.

12.2. 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.

13. Reporting and notification:

13.1. 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 the representatives of potentially affected First Nations:

- a. Yeganeh Asadian  
Environmental Stewardship Manager  
Musqueam Indian Band  
6735 Salish Dr  
Vancouver BC V6N 4C4

Fax: 604-263-4212

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

- b. Chantal Kitamura  
Senior Referrals Analyst  
Tsleil-Waututh Nation  
3075 Takaya Dr  
North Vancouver BC V7H 3A8

Fax: 604-929-4158

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

13.2. 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 Erin Shankie  
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)

13.3. 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.

14. Plans to be submitted to the Department of the Environment before the commencement of the work:

14.1. 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 13.2, 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. Special precautions:

15.1. 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 – Fraser River Pile & Dredge (GP) Inc. – Permit #4543-2-03736" (October 2019) and the following measures applicable to disposal at the Sand Heads Disposal Site:

- a. a Department of Fisheries and Oceans approved marine mammal observer (MMO) (during the period from May 1 to October 31) or officer of the bridge (OB) (during the period from November 1 to April 30) must be dedicated to maintaining constant observations for detecting southern resident killer whales in the ship's vicinity prior to and during loading and/or disposal at sea activities conducted in southern resident killer whale critical habitat and must ensure that the following requirements are met:
  - i. a killer whale safety zone must be established at a radius of 1000 metres from the vessels undertaking the loading and disposal activities
  - ii. loading and disposal activities shall be halted immediately if a killer whale enters the safety zone
  - iii. loading and disposal activities can start, or be re-initiated, only after killer whales have not been observed in the safety zone for 30 minutes
  - iv. if work will be occurring at night or at times of poor visibility, killer whale observations shall be conducted using a hydrophone to monitor for whale sounds in surrounding waters
  - v. the MMO or OB shall document observations of killer whales and ensure mitigation measures (for example, work stoppages) are implemented
  - vi. if disturbance of any killer whale is observed within the safety zone, all operations shall be suspended immediately and notification provided to the local fishery officer or the Department of Fisheries and Oceans reporting hotline at 1-800-465-4336

b. an environmental monitoring report shall be submitted to the Department of Fisheries and Oceans, care of Mr. Paul Cottrell, [Paul.Cottrell@dfo-mpo.gc.ca](mailto:Paul.Cottrell@dfo-mpo.gc.ca) (email), and to the Minister, as represented by the Regional Director of the Environmental Protection Operations Directorate, Pacific and Yukon Region, identified in paragraph 13.2, within 30 days of the expiry of the permit. The report shall include details on the loading and disposal activities in southern resident killer whale critical habitat and any observations from the MMO and OB including the following:

- i. date, time, position (latitude and longitude), and number of killer whale observations
- ii. date and time of all work stoppages or start-up delays because of killer whales, and number of animals
- iii. detailed description(s) of all observations of killer whale disturbance or other impacts

15.2 The permittee shall ensure that reasonable efforts are made to provide potentially affected First Nations listed in paragraph 13.1 the opportunity to participate in environmental monitoring of dredge and disposal at sea activities occurring under this permit.

15.3. Potentially affected First Nations listed in paragraphs 13.1a and b 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 13.1a and b.

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 December 5, 2019