



Notice is hereby given that, pursuant to section 127 of the *Canadian Environmental Protection Act, 1999* (CEPA), disposal at sea permit no. 4543-2-03756 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, June 9, 2020.

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 sand.
3. Duration of permit: permit is valid from June 16, 2020, to June 15, 2021.
4. Loading site(s): South Arm of the Fraser River Estuary, British Columbia. The loading of dredged material authorized by this permit is restricted to the following locations: Sand Heads, Sand Heads Reach, Steveston Bend and Steveston Cut, as described in the drawing titled "Vancouver Fraser Port Authority Main Channel Reaches" submitted in support of the permit application.
5. Disposal site(s): Sand Heads Disposal Site, 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 North American Datum of 1983 (NAD83).
6. Method of loading: loading will be carried out using a cutter suction dredge, a trailing suction hopper dredge, 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 pipeline, hopper scow, towed scow or hopper dredge.
8. Method of disposal: disposal will be carried out by pipeline, bottom dumping, end dumping or hopper dredge.
9. Total quantity to be disposed of: not to exceed 1 500 000 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 as modified according to the provisions of the *Service Fees Act*. The applicable fee rates for April 1, 2019, are in effect for the duration of this permit.
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 2 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.immersionenmerry-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

Email: engage@musqueam.bc.ca

b. Cora den Hartigh
Referrals Analyst
Tsleil-Waututh Nation
3178 Alder Crt
North Vancouver BC V7H 2V6

Email: referrals@twnation.ca

c. Candace Charlie
Referrals Coordinator
Cowichan Nation Alliance
5760 Allenby Rd
Duncan BC V9L 5J1

Email: Referral.Coordinator@cowichantribes.com

d. Chief Jim Hornbrook and Councillors
Hwlitsum First Nation
PO Box 18613 Ladner PO
Ladner BC V4K 4V7

Email: info@hwlitsum.ca

e. Mark Diffin
Katzie Nation Lands Department Referrals Consultant
Katzie First Nation
10946 Katzie Rd
Pitt Meadows BC V3Y 2G6

Email: mark@katzie.ca

f. Kumba Boima
Referrals Coordinator
Kwantlen First Nation
23684 Gabriel Lane
Fort Langley BC V1M 2S4

Email: info@seyemkwantlen.ca

g. Chief Ron Giesbrecht and Councillors
Kwikwetlem First Nation
2-65 Colony Farm Rd
Coquitlam BC V3C 5X9

Email: referrals@kwikwetlem.com

h. Chief Georgina Livingstone and Councillors
Lake Cowichan First Nation
PO Box 159
Lake Cowichan BC V0R 2G0

Email: info@lakecowichanfn.ca

i. Chief Pahalicktun (Richard Thomas) and Councillors
Lyackson First Nation
7973A Chemainus Rd
Chemainus BC V0R 1K5

Email: chiefthomas@lyackson.bc.ca

j. Chief Rhonda Larrabee and Councillors
Qayqayt First Nation
105-3680 Rae Ave
Vancouver BC V5R 2P5

Email: gayqayt@shaw.ca

k. Chief Harley Chappel and Councillors
Semiahmoo First Nation
16049 Beach Rd
Surrey BC V3S 9R6

Email: mail@semiahmoofirstnation.org; semiahmoojoanne@gmail.com

l. Victoria Williams
Territory Management Coordinator
Tsawwassen First Nation
1926 Tsawwassen Dr
Tsawwassen BC V4M 4GT

Email: vwilliams@tsawwassenfirstnation.com

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 Tiffany Paul
Environmental Protection Operations Directorate
Pacific and Yukon Region
201-401 Burrard St
Vancouver BC V6C 3S5

Fax: 604-666-6800

Email: ec.immersionenmerry-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. Special precautions:

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.

14.2. 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 - Fraser River Pile & Dredge (GP) Inc. – Maintenance Dredging of the Fraser River Main Navigational Channel – Permit #4543-2-03756" (April 2020) and with the following measures:

- 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 the following:
 - 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 Paul Cottrell, 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

14.3. 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.

14.4. Potentially affected First Nations listed in paragraph 13.1 shall be notified of any modifications to the environmental protection plan.

14.5. The permittee shall send all project-related notifications to First Nations identified in paragraph 13.1.

14.6. 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 June 1, 2020