



October 5, 2021

Job Number: 117542
File Number: 2008627

City of New Westminster
C/O ENGINEERING DEP
511 ROYAL AVE
NEW WESTMINSTER BC V3L 1H9

Sent by email to: hedayatnassab@newwestcity.ca

Attention: Hooman Hedayatnassab

Dear City of New Westminster,

Re: Application for Approval to make changes in and about an unnamed tributary to the Fraser River located within the Wood Street Canal, New Westminster, BC.

An Approval for the proposed Changes In and About an unnamed tributary to the Fraser River located within Wood Street Canal, New Westminster, BC has been granted, subject to the conditions noted on the attached Approval document 2008627.

A copy of this Approval (and associated plans/drawings listed on this Approval) must be available for inspection, upon request, at any location where the authorized changes in and about a stream are being undertaken.

This Approval does not constitute authority of any other agency. The holder of this Approval shall have the necessary permits from other agencies concerned prior to the commencement of the works authorized herein.

The holder of this Approval must have permits or other written consent from any affected right-of-way holders before commencing work that could affect utilities or other structures within the right-of-ways.

This Approval does not authorize the alteration or removal of any works held under a water license.

The holder of this Approval shall take reasonable care to avoid damaging any land, works, trees, or other property and shall make full compensation to the owners for any damage or loss resulting from the exercise of rights granted hereunder.

This Approval does not authorize entry on privately held land or Crown land.

This Approval requires the oversight of an appropriately Qualified Professional. For the purposes of this authorization, that professional must be an applied scientist or technologist, acting alone or together with another qualified professional. He or she must be registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association.

The holder of this approval shall ensure that any proposed development and/or changes do not impact traditional or special sites in accordance with the Heritage Conservation Act or the ability of First Nation community members to participate in traditional activities on the land and water.

Archeological sites (both recorded and unrecorded) are protected under the Heritage Conservation Act and must not be altered or damaged without a permit from the Archeology Branch. The holder of this approval must advise everyone who will be involved in ground-disturbance and construction that if archeological materials are encountered, activities must be halted, and the Archeology Branch contacted at 250-953-3334 for direction.

You are advised that your project may be inspected during and post construction. You are reminded to notify our office 5 days prior to the start of construction, to facilitate the timing of inspections. Notification emails should be sent to SouthCoastWSAReporting@gov.bc.ca with the number of this Approval in the subject line.

Section 105 of the Water Sustainability Act gives the recipient of this notice the right to appeal my decision. You may file an appeal within 30 days of the date indicated on this letter. Information on filing an appeal can be found on the Environmental Appeal Board WEB site at <http://www.eab.gov.bc.ca/>.

If you have any questions or concerns regarding the document issued or the content of this letter, please contact the South Coast Office at WaterActReferrals.LowerMainland@gov.bc.ca.

Sincerely,



Emily Elsliger
Assistant Water Manager

Cc:
Donna MacKinnon / dmackinnon@pggroup.com

Kwikwetlem First Nation
Musqueam Nation
Semiahmoo
Kwantlen First Nation
Tsleil-Waututh Nation
Stz'uminus First Nation
Cowichan Tribes
Lake Cowichan First Nation
Halalt First Nation
Lyackson First Nation
Penelakut First Nation
Katzie First Nation
People of the River Referral Office
Seabird Island
Shxw'ow'hamel First Nation
Tsawwassen First Nation

Enclosure(s)



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APPROVAL
WATER SUSTAINABILITY ACT - Subsection 11(1) and 11(2)
(Changes in and about a stream)

City of New Westminster

is hereby authorized to make changes in and about a stream as follows:

- (a) The name of the stream an unnamed tributary to the Fraser River, herein referred to as “the stream”.
- (b) The changes to be made in and about the stream are:
 - 1. To remove approximately 117 cubic meters of sloughed sediment from the stream;
 - 2. To install scour protection (riprap) at the toe of the canal bank not exceeding 56 linear meters on the west bank
 - 3. To install a vegetated wall system not exceeding 30 linear meters on the east bank; and
 - 4. To revegetate at minimum of 921 square meters of riparian areas of the canal with native species.

The works are to occur within the City of Richmond River Road Right of Way, in the vicinity of Parcel C (Ref Plan 50211) Lot 3, Section 15, Block 5 North, New Westminster District, Plan 1417.

- (c) All works shall be completed in accordance with:
 - 1. Change Approval form prepared by Bruce Nidle R.P. Bio. And Katharine Scotton R.P. Bio., PGL Environmental Consulting Ltd. dated March 19, 2021.

2. Environmental Impact Assessment – Wood Street Canal Restoration, New Westminster, BC. Prepared by Bruce Nidle R.P. Bio. And Katharine Scotton R.P. Bio., PGL Environmental Consulting Ltd. dated March 19, 2021.
 3. Key Aquatic Habitat Questions for Qualified Environmental Professionals, Bank Protection prepared by Bruce Nidle R.P. Bio. And Katharine Scotton R.P. Bio., PGL Environmental Consulting Ltd. dated March 19, 2021.
 4. Construction Environmental Management Plan prepared by Bruce Nidle R.P. Bio. And Katharine Scotton R.P. Bio., PGL Environmental Consulting Ltd. dated April 2021.
 5. Design Drawings Wood Canal Storm Works prepared by Mark Casidy, Aplin Martin Engineering dated April 2019.
 6. Design Drawings Wood Canal Storm Riparian Impacts Sheet 2 of 7, prepared by Mark Casidy, Aplin Martin Engineering dated April 2019.
- (d) The work(s) authorized in this Approval shall be completed on or before September 15, 2026.
- (e) The holder of this approval must adhere to the standards of professional accountability, as signed off by Qualified Professional(s), Bruce Nidle R.P. Bio. And Katharine Scotton R.P. Bio., PGL Environmental Consulting Ltd. dated March 19, 2021, regarding the Key Aquatic Habitat Questions for Qualified Professionals, on behalf of the holder of this Approval. It is the responsibility of the holder of this Approval to retain an appropriately qualified professional(s) to oversee the work.
- (f) The holder this Approval shall advise Water Authorizations at SouthCoastWSAReporting@gov.bc.ca, with the approval number in the subject line, five working days prior to commencement of the authorized work and five working days upon completion of the authorized works in this Approval.
- (g) All work shall be carried out in accordance with the Provincial “Standards and Best Practices for In-stream Works” (2004). The Provincial guidance document can be found at the following link:
<http://www.env.gov.bc.ca/wld/documents/bmp/iswstdsbpsmarch2004.pdf>.
- (h) The holder of this Approval must hire an appropriately Qualified Professional to conduct Environmental Monitoring on all in-stream works authorized under this Approval. The Qualified Professional is responsible for observing the methods of construction and preparing information and reports on the compliance of the construction activities. The Qualified Professional shall:

1. Ensure all best management practices and mitigation measures are in place to avoid and minimize environmental impact on the land and on fish and fish habitat of the stream.
2. Where applicable, assist in the isolation of the stream prior to the commencement of works.
3. Implement and ensure erosion and sediment control measures are constructed, installed, and maintained appropriately for the full duration of instream works.
4. Supervise all instream works authorized under this Approval. Be granted authority to stop the work authorized under this Approval if deemed necessary to address risks to the environment. The Qualified Professional or their designate (specified in writing) must be on site during all phases of construction in and around the stream to ensure this component is upheld.
5. When the works involve temporary diversions to isolate the work site,
 - i. Monitor all diversion works daily to ensure pumps & flow bypasses are in proper working condition; ensure diversion works that include pump intakes be screened for fish and aquatic species in accordance with the “Interim code of practice: End-of-pipe fish protection screens for small water intakes in freshwater” (Fisheries and Oceans Canada, 2020); and ensure fish are prevented from entering the works.
6. When the works involve dewatering or isolation of flow and the stream is known or suspected to contain fish and/or amphibians,
 - ii. Attend the site prior to conducting any instream works to complete fish and wildlife search and salvage(s);
 - iii. Obtain any permits needed prior to undertaking the salvage(s); and
 - iv. Inspect the extraction area for fish stranding at least once after water levels have declined.
7. Be granted authority to stop the work authorized under this Approval if deemed necessary to address risks to the environment. The Qualified Professional or their designate (specified in writing) must be on site during all phases of construction in and around the stream to ensure this component is upheld.
8. In the event of an environmental incident or non-compliance with any of the terms or conditions of this Approval, an appropriately Qualified Professional must immediately mitigate the situation. Within 48 hours, each incident must be reported to the Water Manager

at SouthCoastWSAReporting@gov.bc.ca with the approval number in the subject line. The incident report shall describe mitigation measures employed and a rationale as to why works have resumed or the next steps required before works may resume. The holder of this approval must follow the advice of the appropriately Qualified Professional.

- (i) Work in the stream and stream channel shall occur only during the periods outlined below, so that the fisheries interests are protected:
1. Instream work during the reduced risk instream work window shall occur during the period of **August 1 – September 15**; or
 2. Based on project justification and risk, instream work outside of the reduced risk instream work window (as stated above), subject to the following:
 3. The Qualified Professional shall provide advice to the holder of this Approval on the timing of the work based on: the nature of the works, environmental values (including fish, amphibians, wildlife, any listed species present), water quality, channel stability, weather conditions, water levels, and any other relevant factors); and
 4. The Qualified Professional shall also provide additional construction mitigation advice to the holder of this Approval, and daily or full-time supervision of all work in or near the stream; and
 5. Work must be timed and planned appropriately, the stream must be completely dry or have marginal flows for the duration of the construction activities; and
 6. The advice of the Qualified Professional on construction timing (as per (i) above) and mitigation measures (as per (ii) above), as well as the timing of work and the presence of the Qualified Professional, must be documented in writing. This documentation must be submitted as part of the post construction reporting required under this Approval.
- (j) Upon commencement of the project, the work shall be pursued to completion as quickly as possible.
- (k) The hydraulic capacity of the new stream must be equivalent to the hydraulic capacity of the existing stream channel or be capable of passing the 1 in 200 year maximum daily flow.
- (l) All equipment and machinery used in or near the stream channel:
1. Must be in good operating condition and free of leaks, excess oil and grease;

2. Must have a spill containment kit readily accessible on-site.
 3. Refueling must occur a minimum of 30 metres away from all streams; and
 4. Must use environmentally sensitive hydraulic fluids which are non-toxic to aquatic life and which are readily or inherently bio-degradable
- (m) Any spill of a substance that is toxic, polluting, or deleterious to aquatic life of reportable quantities must be reported to the Dangerous Goods Incident Report 24-hour phone line at 1-800-663-3456.
- (n) In the event that distressed, injured or dead fish are observed following the initiation of work, all work shall halt immediately and the appropriately Qualified Professional must mitigate the situation. Each incident shall be reported to the Water Manager at SouthCoastWSAReporting@gov.bc.ca with the approval number in the subject line within 48 hours. The report shall describe mitigation measures employed and a rationale as to why works have resumed.
- (o) The holder of this Approval shall ensure that instream works are designed and installed so as not to restrict fish passage and/or lead to fish stranding. The works shall not result in depressions that have the ability to trap fish and other aquatic life.
- (p) Large woody debris and the stubs of large diameter trees must be left in place or retained on-site where it is safe to do so.
- (q) Sediment and Erosion Control measures to prevent the release of silt, sediment or sediment-laden water must be in place before starting works that may result in sediment mobilization. Care shall be exercised during all phases of the work to prevent the release of silt, sediment, sediment-laden water, raw concrete, concrete leachate or any deleterious substances. All control measures must meet or surpass the Provincial "Standards and Best Practices for In-stream Works" (2004) and the "Land Development Guidelines for the Protection of Aquatic Habitat" (Fisheries and Oceans Canada and the British Columbia, 1993).
- (r) All excavated material and debris shall be removed from the site or placed in a stable area above the high water mark of the stream. Mitigative measures must be applied to protect the excavated material and debris from erosion and reintroduction into the watercourse. These measures may include covering the material with erosion blankets, seeding and planting with native vegetation, or as otherwise directed by a Qualified Professional.

- (s) Discharge and runoff water from the site into any watercourse(s) must comply with the BC Approved Water Quality Guidelines for the Protection of Aquatic Life (<https://www2.gov.bc.ca/gov/content/environment/air-land-water/water/water-quality/water-quality-guidelines/approved-water-quality-guidelines> and <https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/waterquality/water-quality-guidelines/approved-wqgs/turbidity-tech.pdf>) and/or the applicable Local Government Bylaw(s).

Water quality monitoring must be conducted by an appropriately qualified professional or a designated (in writing) Environmental Monitor on every day in which instream works are being conducted. Measurements must be taken upstream of any works taking place and within the extent of the sedimentation downstream of where instream work is actively occurring. Measurements are to be taken immediately prior to works beginning, and then at regular intervals until the works are completed and may require additional frequency during wet weather conditions. Wet weather conditions will be defined as being equal to or greater than 25 millimetres of rainfall within a 24 hour period.

- (t) The holder of this Approval must develop a three-year Invasive Species Removal and Monitoring Plan to document and ensure invasive species have been removed successfully from the project area. Annual reports summarizing monitoring observations and recommendations must be labelled with this Approval file number and labelled in the subject line of the email and submitted to SouthCoastWSAReporting@gov.bc.ca, by December 1 of each year for three consecutive years.
- (u) The holder of this Approval must retain an appropriately Qualified Professional to design, implement and report on the effectiveness of mitigation, restoration, and/or offsetting measures required in this Approval.

1. Monitoring Duration Requirements

- i. Onsite Locations: The effectiveness monitoring term required for works is 5 years, following the completion of construction. Monitoring must be conducted for a minimum of 5, timing of which must be determined by the Qualified Professional.

2. Report Submission Requirements: Effectiveness Monitoring Reports shall be completed no later than December 1 of each calendar year for the duration of monitoring. The reports shall be made available by the Proponent upon request.

The reports shall include:

- i. Documentation (including photographs) and summary of the survival of planted trees and shrubs. Tree survival rates must be

- 100%. Shrub and other plant survival rates must exceed 80%. Replanting may be required to achieve this success rate. If the area is susceptible to invasive species, the riparian planting plan should be modified to include a denser plant spacing as well as additional monitoring and maintenance to ensure an adequate plant survival rate of 100% can be achieved. It is recommended that trees and shrubs be protected from beavers and voles with metal fencing and vole guards, respectively.
- ii. Observation and documentation (including photographs) related to flows and function of the restored or new channel and its features.
 - iii. Assessment of fish stranding (direct observations or observation of potential stranding sites) within the newly constructed channel. Where stranding is suspected to be a problem, an appropriately Qualified Professional must provide solutions to be implemented by the holder of this Approval.
 - iv. Monitoring, maintenance and implementation of the above recommendations if required.
- (v) The final monitoring report shall include a signed statement from the appropriately Qualified Professional outlining the rationale for concluding monitoring or, if applicable, the next steps required before restoration works are considered functioning as intended. The holder of this approval must follow the advice of the appropriately Qualified Professional.

The holder of this Approval must provide (via email to SouthCoastWSAReporting@gov.bc.ca) a detailed post-construction report by December 1 of the year that works have been completed. The Approval file number must be identified in the report and in the subject line of the email.

The post-construction reports shall include: a signed statement from the Qualified Professional summarizing the in-stream works undertaken, the timing of those works, the total in-stream area directly affected, the frequency of monitoring; the turbidity reporting and accompanying data along with a description of any levels higher than the authorization and what immediate steps were taken (if applicable), representative site photographs; whether or not they observed or were otherwise aware of any non-compliance with the terms and conditions of this Approval; and a description of any environmental incidents, non-compliance or other difficulties, and how these were addressed and reported.

Sincerely,



Emily Elsliger
Assistant Water Manager