

## **Report to Development Permit Panel**

To:

**Development Permit Panel** 

Date:

September 20, 2017

From:

Re:

Wayne Craig

File:

DP 16-741741

Director, Development

Application by Vancouver Airport Fuel Facilities Corporation (VAFFC) for a

**Development Permit at 15040 Williams Road** 

### **Staff Recommendation**

That a Development Permit be issued which would permit the construction of a Marine Terminal Facility for aviation/jet fuel delivery at 15040 Williams Road on a site zoned "Industrial (I)" and partially designated as an Environmentally Sensitive Area (ESA).

Wayne Craig

Director, Déveløpment

DCB:blg

Att. 5

### Staff Report

### Origin

The Vancouver Airport Fuel Facilities Corporation (VAFFC) has applied to the City of Richmond for permission to develop a Marine Terminal Facility for aviation/jet fuel delivery at 15040 Williams Road on a site zoned "Industrial (I)" and that is partially designated as an Environmentally Sensitive Area (ESA). The site is currently vacant.

The proposed use conforms to the existing "Industrial (I)" zoning and the subject site does not require rezoning.

To accommodate the proposed Marine Terminal Facility one or more Servicing Agreements will be required at Building Permit stage. The Servicing Agreement(s) will include the design and construction of approximately 350 m of new dikes across the subject site, design and construction of a new publically accessible trail and associated landscaping through the site, design and construction of utility and frontage works and off-site ESA and Riparian Management Area (RMA) landscaping as outlined in this DP plan submission.

### **Development Information**

The VAFFC is currently working on a Vancouver Airport Fuel Delivery project involving three main components:

- A "Fuel Receiving Facility" for fuel storage on Port of Vancouver owned lands on the north side of Williams Road (Richmond Key 42267) (currently under construction).
- A 13 km (8 mile) long underground pipeline running from the Fuel Receiving Facility to the aviation tanks at the Vancouver Airport on Sea Island.
- A "Marine Terminal" for off-loading aviation/jet fuel from vessels at 15040 Williams Road.

The applicant's stated intent for the Fuel Delivery project is to "secure and enhance the present and future aviation fuel delivery to the Vancouver International Airport".

The overall project has been reviewed under a five year harmonized Federal and Provincial environmental review led by the BC Environmental Assessment Office (BCEAO) and was awarded an Environmental Assessment Certificate (EAC) in December, 2013. The Environmental Assessment Office attached 64 conditions to the EAC which it felt are in the public interest and "will prevent or reduce potential adverse environmental, social, economic, heritage or health impacts of the project, such that no significant residual adverse effects are expected". Key issues addressed in the 64 EAC conditions include:

- Development and implementation of a Construction Environmental Management Plan (CEMP);
- Implementing a Traffic Management Plan;
- Retaining the Services of an Environmental Monitor;
- Developing and implementing an Operations Environmental Management Plan (OEMP);
- Fisheries, Aquatic and Surface Water Quality;

- Fuels, Chemical and Materials Storage and Handling;
- Vegetation and Wildlife;
- Air Quality;
- Noise;
- Social and Economic issues;
- Spill Prevention, Preparedness and Emergency Response;
- Accidents or Malfunctions; and
- Fire Prevention, Preparedness and Emergency Response.

The VAFFC obtained a construction permit from the Port of Vancouver in February 2016, allowing them to begin construction of the Fuel Receiving Facility on Port of Vancouver property on the north side of Williams Road.

A permit has also been issued to the VAFFC (April 3, 2017) by the BC Oil and Gas Commission, authorizing it to construct and operate a pipeline to transmit jet fuel as described in their application to the Commission and allowing it to utilize a waterlot lease under Provincial jurisdiction adjacent to the subject site. Note that the fuel storage facility on Port Metro Vancouver lands and the pipeline are not part of this Development Permit application.

With regard to the subject Development Permit application the City's jurisdiction is limited primarily to the subject site and the immediate surroundings with the specific focus on the project's implications to the protection of the natural environment, its ecosystems and biological diversity as authorized under the Local Government Act (2015). The City's Official Community Plan outlines the Development Permit Guidelines for Environmentally Sensitive Areas and form the framework for assessing the development proposal.

A separate report, prepared by City Engineering staff, will be presented for Council's review and consideration of a Municipal Access Agreement (MAA) which is required for those portions of the proposed pipeline to be located on City land.

### **Development Permit Application Requirement**

A portion of the Marine Terminal site has a designated 'intertidal' and 'shoreline' Environmentally Sensitive Area (ESA) that will be impacted by the proposed Marine Terminal development and a Development Permit (DP) is therefore required.

Impacts to Riparian Management Area features arising from the Marine Terminal development will also be addressed through the proposed DP. The primary focus of this Development Permit is to ensure that the environmental impacts to the ESA and RMA features are identified and acceptable mitigation, compensation and enhancement actions are incorporated into the proposed development plan in accordance with the Official Community Plan's Development Permit guidelines for Environmentally Sensitive Areas.

### Marine Terminal Project Description

The subject site, located at 15040 Williams Road, covers an area of approximately 40,468.56 m<sup>2</sup> (10 ac.), including 31,241.73 m<sup>2</sup> (7.72 ac.) of land and a 9,226.83 m<sup>2</sup> (2.28 ac.) area in the Fraser

River covered by a Provincial water lot lease. The site is bisected by a 30 m (98.4 ft.) wide CN Rail right-of-way (ROW).

The portion of the site north of the CN Rail ROW is currently proposed to contain only limited infrastructure including, an underground fuel delivery pipe to carry fuel from the subject property to YVR, an underground potable water pipe line and a small shed structure to house a water meter and a backflow preventer.

The portion of the site south of the CN Rail ROW abuts approximately 300 linear metres (984 ft.) of the Main Arm of the Fraser River and is proposed to contain the primary infrastructure of the Marine Terminal facility – some of which will extend out over the water and into the Provincial water lot lease area. Any structures within the Provincial water lot are outside City jurisdiction. The water lot falls under the jurisdiction of the BC Oil and Gas Commission (OGC) under a Provincial interdepartmental working agreement for projects regulated by the OGC.

The purpose of the Marine Terminal facility is to allow marine vessels to dock and safely transfer aviation/jet fuel from the vessels to the fuel receiving facility being built on Port of Vancouver property on the north side of Williams Road (Richmond Key 42267). The fuel is proposed to be transferred from the Marine Terminal facility to the fuel receiving facility by pipelines that will cross under Williams Road. According to the VAFFC's submission to the BC Environmental Assessment Office, the Marine Terminal facility will receive approximately one fuel barge each week. The standard barge will have an average capacity of between 30 to 40 million litres of fuel. When in operation, the Marine Terminal facility will have up to approximately 10 employees on site.

The proposed Marine Terminal site was previously used as a scrap metal storage and transfer facility. The previous owner partially filled the property and constructed a wharf, allowing vessels to moor and transfer scrap metal to and from the site. The VAFFC intends to undertake the following actions to repurpose the site:

- Removal of an existing 30 m x 120 m wharf and concrete filled piles at the waterfront.
- Re-grading of the foreshore and intertidal zone.
- Upland seismic stabilization in the form of ground densification within the ESA.
- Construction of new berthing and mooring structures for a range of marine vessels.
- Install pile-supported containment structures upstream and downstream of the proposed vessel moorage area.
- Construct fuel uploading arms, piping and manifold to transfer fuel from vessel to pipeline to the fuel receiving facility on Port Metro Vancouver's property on the north side of Williams Road.
- Install both Municipal and river water fire pump systems for redundant supply of fire protection water to both the Marine Terminal and fuel receiving facility.
- Install six buildings or enclosures, totalling approximately 205.94 m<sup>2</sup> (2,216.7 ft<sup>2</sup>) in area to provide a control room/washroom, a fuel lab, an electrical house, fire pumps and hydro foam storage for fire suppression.
- Install a utility dock for dedicated full time spill response vessels.

- Install a containment and treatment system for storm run-off and contained transfer areas.
- Install perimeter landscaping and fencing.

The development proposal includes:

- The provision of a pedestrian trail accommodated within a 6 m wide right-of-way (ROW) through the site;
- The design and construction of a 4.7 m high dike and an associated 7.5 m wide ROW that will connect to existing City dikes on the adjacent properties to the east and west of the subject site;
- A\$62,000 cash donation is also proposed for the construction of a pedestrian observation platform to be located on "Lot K" east of Williams Road and overlooking the Fraser River; and
- Environmental enhancements and compensation planting are proposed to address the anticipated impacts to environmental features within the designated ESA and RMA areas.

The Development Permit considerations include the requirements for registration of the various right-of-way agreements and the proposed cash donation for the pedestrian observation platform.

One or more Servicing Agreements will be required for various works, including utility connections (water services with backflow prevention device, storm sewer outfall with an oil and grit separator), dike design and construction, off-site riparian area improvements and ESA compensation, trail design and construction. These Servicing Agreements will be addressed under separate applications and will need to be entered into prior to Building Permit issuance. The requirements for the Servicing Agreements are included in the Development Permit considerations.

Please refer to the attached Development Application Data Sheet (Attachment 1) for a comparison of the proposed development data with the relevant bylaw requirements.

### **Background**

Development surrounding the subject site is as follows:

To the north is:

- A 30.45 ha (75.24 ac.) "Industrial (I)" zoned parcel owned by the Fraser River Port Authority (aka Port Metro Vancouver). Most of that site is vacant except for the south western corner, which is currently under construction to accommodate the VAFFC "fuel receiving facility".
- An 11.77 ha (29.08 ac.) "Industrial (I)" zoned parcel owned by Ecowaste Industries. That site is part of a 15 to 20 year redevelopment project approved under Development Permit (DP 11-566011 issued January 23, 2017).

To the east is:

• A City-owned waterfront parcel known as "Lot K". The lot is zoned "Industrial (I)" and is approximately 7.05 ha (17.41 ac.) in size. It includes a segment of the City's dikes.

To the west is:

• The continuation of the 30 m (98 ft.) wide CN Rail right-of-way. There are currently no rail lines within the right-of-way.

- A vacant 2.65 ha (6.56 ac.) City-owned lot zoned "Light Industrial (IL)".
- A vacant 3.64 ha (9 ac.) City-owned waterfront lot zoned "Entertainment & Athletics (CEA)". This property contains both a segment of the City's dike system and a recreational trail.

To the south is:

• The Main Arm of the Fraser River.

### Rezoning and Public Hearing Results

A rezoning is not required to accommodate the proposed uses on the subject property, as they conform to the site's existing "Industrial (I)" zoning.

### **Staff Comments**

The proposed scheme attached to this report has satisfactorily addressed the environmental and site planning issues and other staff comments identified as part of the review of the subject Development Permit application. In addition, it complies with the intent of the applicable sections of the Official Community Plan (OCP) and is in compliance with the "Industrial (I)" zone. No variances are requested for this application.

### **Analysis**

### Environmentally Sensitive Area Designations (ESA)

The City's Official Community Plan (OCP) identifies the subject site as having both an 'Intertidal' ESA and a 'Shoreline' ESA. The 'Intertidal' ESA runs along the site's interface with the Fraser River extending from the average high water mark outward 30 m into the river. The 'Shoreline' ESA runs along the site's interface with the Fraser River but extends landward 30 m into the site. These two ESA types are described by the City as follows:

'Intertidal': Applicable to coastal areas within 30 m (98.43 ft.) (seaward) of the high water mark which are influenced by waves, tides, and other processes along the Fraser River of Strait of Georgia. This area can include mudflats, vegetated estuarine or salt marsh communities and developed shorelines with riprap, docks and pilings. The intertidal is important for fish and wildlife and particularly for fish such as juvenile salmon. They are also important for dike protection.

'Shoreline': Applicable to coastal areas within 30 m (98.43 ft.) landward of the high water mark with environmental values related to their association to the Fraser River and Straight of Georgia. This is a marine riparian zone that typically includes the crest and back slope of the perimeter dike, as well as developed or natural areas landward of the dike. Shoreline areas are important for fish and wildlife within forests and other ecosystems within the shoreline area. They also serve to filter contaminants and sediments and help protect Richmond's dikes.

### Biologist's ESA Assessment

The biologist's ESA assessment indicates that the Marine Terminal property has undergone significant alterations by the previous owners. They note that the 'intertidal' ESA area was "green coded" (i.e. low productivity habitat) under the Fraser River Estuary Management Program (FREMP). The biologist assessed the intertidal ESA as having a low diversity of

habitats (no mudflat, marsh or sandflat) and only small patches of poor quality habitat and a high level of invasive plant cover.

With regard to the 'shoreline' ESA area, the biologist's assessment is that this area is largely devoid of vegetation with the majority of the existing vegetation consisting almost entirely invasive plant species. The sole exception to this assessment is a 208 m<sup>2</sup> patch of native Red Alder and Black Cottonwood saplings near the south-western area of the site which the report indicates "constitutes marginal wildlife habitat". As confirmed by the arborist, none of these trees are bylaw-sized trees (i.e. 20 cm or greater diameter) and will be removed.

No Provincially designated plant or animal 'species at risk' were identified in the biologist's assessment of the Marine Terminal site.

City staff concur with the biologist's assessment of the RMA and ESA conditions at the subject site.

### Riparian Management Areas (RMA)

As part of the City's 2006 Riparian Response Strategy, and in consultation with the Department of Fisheries and Oceans, a 5 m (16.4 ft.) wide Riparian Management Area (RMA) setback was established along a minor watercourse fronting the subject site within the Williams Road ROW to the north of the site. A similar designation was not assigned to the minor watercourse along the Savage Road ROW south of Williams Road, however, discussions between staff and the applicant's biologist have resulted in an agreement to note the area along the Savage Road ROW between the CN Rail ROW and Williams Road as an "inferred RMA" effectively treating this area as a minor RMA also requiring a minimum 5 m (16.4 ft.) wide setback. The RMA areas are shown on Plan #12 in the applicant's submission package.

### Biologist's RMA Assessment

A registered professional Biologist was hired by the proponent to assess the baseline bioinventory environmental conditions at the Marine Terminal site and provide recommendations on habitat impact mitigation, compensation and enhancement in accordance with the City's Official Community Plan.

Assessment reports (Hatfield Consultants, July 2016, November 2016, December 2017, February 2017, June 2017) were submitted for the subject property assessing both the Riparian Management Areas (RMA) and the Environmentally Sensitive Areas (ESA). With regard to the RMA, the biologist indicates that the watercourse adjacent to Williams Road is a non-fish-bearing, ephemeral and highly disturbed drainage ditch with opportunity for improvement. Their environmental inventory shows that Red Alder trees encompassed an area of approximately 276 m2, approximately 29.3% of the Williams Road RMA. Himalayan Blackberry and non-native herbs cover approximately 332 m² and remnant infrastructure materials over an area of approximately 198 m² within the RMA. The reports note that an existing solid barrier fence installed overtop of lock blocks by the previous owner approximately 2.5 m from the high water mark (HWM) limits the amount of vegetation that could otherwise occur within the 5 m RMA setback.

The Savage Road "inferred RMA" was also identified as an ephemeral drainage ditch, lacking fish and having no connectivity to fish-bearing habitat. The reports indicate that this narrow RMA area is highly disturbed, comprised primarily of Himalayan Blackberry and bordered by reed canary grass and non-native herbs. Red Alder trees cover approximately 107 m² primarily on the east side of the ditch within the Savage Road RMA. Similar to the situation along Williams Road, the existing fence along the Savage Road RMA is also located about 2.5 m from HWM and again reduces the effective RMA setback area by half.

### Impacts to the Site's RMAs and ESAs from the Proposed Development

As proposed, the Marine Terminal development is anticipated to result in the following impacts to the RMA and ESA features:

- a) RMA (riparian areas along Savage Road and Williams Road)
  - Removal of the existing property fence and the underlying concrete blocks.
  - Re-grading of the two RMA areas (with retention of the existing trees).
  - Installation of a new property fence outside the RMA 5 m buffer.
- b) Intertidal ESA (area extending 30 m below the high water mark (HWM))
  - Removal of the existing bulkhead wharf.
  - Re-grading of the riverbed below the HWM to a 2:1 slope.
  - Recovering the bank with clean, coarse armour (rip rap).
  - Re-grading most of the banks north and south of the existing wharf and replacement of the concrete rubble with clean, coarse armour (approximately 75% of the river frontage will be improved (cleaned and stabilized).
  - Installation of infrastructure into the water area to provide for the moorage of vessels, offloading of fuel, and various safety and containment measures. The biologist indicates that the in-water infrastructure (an unloading platform with spill containment, berthing and mooring dolphins and a utility boat dock) will total approximately 0.29 ha of the project footprint much of this occurring in the same location as the existing wharf which is proposed to be removed. In-river structures will be supported by steel pipe piles and will have concrete and steel decks.
- c) Shoreline ESA (upland area within 30 m of the HWM)
  - Excavation of top soil and replacement with clean, imported fill landward of the top of bank.
  - Compaction and stabilization using stone columns.
  - Removal of the 208 m<sup>2</sup> (2,239 ft<sup>2</sup>) of native tree saplings as a result of the need to undertake seismic compaction and stabilize the site.
  - Portions of the site will be raised to approximately 4.7 m GSC for dike installation and flood protection.

### Proposed Compensation and Enhancements for RMA and ESA Impacts

- a) RMA
  - Establishing a new property fence at a minimum of 5 m setback from the RMA.
  - Re-grading the RMA to remove invasive vegetation and create better growing areas for re-vegetation.
  - Re-vegetation of the new 5 m wide RMA with native vegetation.

• The net compensation will be an approximate 2 for 1 replacement/enhancement for both RMA areas (Williams Road and Savage Road) for a total of 1,090.6 m<sup>2</sup> enhanced RMA.

### b) Intertidal ESA

- Restoration of approximately 36,000 m<sup>3</sup> of the Fraser River flowing water environment as a result of the removal of the existing wharf.
- Re-grading of the water interface in place of the existing wharf will create a narrow intertidal band along the shoreline providing new microhabitats for small aquatic plants, fish and invertebrates.
- The biologist indicates that upgrading the bank armour will benefit for small aquatic life forms.
- A total of 283 linear metres of the intertidal ESA foreshore will be improved.
- Staff asked the VAFFC to consider additional foreshore habitat enhancements (e.g. bench marshes) at the subject site or on nearby intertidal areas. After a more detailed review was undertaken by a professional Biologist it was determined that the developer's proposed modifications to the foreshore/intertidal area will, of themselves, provide intertidal and sub-tidal habitat gains and improvement to habitat conditions at the site in comparison to the baseline situation. On this basis, no further foreshore enhancement works were sought. The Biologist's assessment is provided in Attachment 4.

### c) Shoreline ESA

- Compensation for the anticipated loss of 208 m<sup>2</sup> of tree saplings from the shoreline ESA is proposed to be undertaken both on-site, with the installation of:
  - O Approximately 344.0 m<sup>2</sup> of native riparian shrubs and ground cover vegetation in the north-eastern corner of the site adjacent to the Fraser River.
  - O An additional 144.6 m<sup>2</sup> of native trees, riparian shrubs and ground cover vegetation to be installed in two off site locations on adjacent City-owned lands to the south west of the subject property.
  - O The combined 488.5 m<sup>2</sup> of compensation will result in a 2.34 for 1 enhancement/replacement by area with more than 70% of the compensation occurring on-site.
- Registration of legal agreements on Title for the on-site portions of the RMA and ESA enhancement/compensation areas is included in the Development Permit (DP) considerations to ensure these areas are retained. The DP considerations also include a requirement for submission of securities in the amount of \$82,049 to ensure that the required ESA and RMA landscaping is installed to the satisfaction of the Director of Development.
- Submission of securities in the amount of \$54,252.00 for three years of maintenance and \$8,712.00 for monitoring with annual reporting by a Qualified Environmental Professional (QEP) for both the on-site and off-site ESA, RMA and trail enhancement areas is included in the Development Permit considerations.
- As proposed, landscaping plans for the ESA, RMA, the public trail buffer planting and the additional planting adjacent to the proposed pedestrian trail includes approximately 340 trees, 2016 shrubs and 4,760 ground cover plants. All selections will be species native to the area.

A balance sheet summary of the anticipated impacts and compensation/enhancements is provided on Plan #25 of the applicant's submission plans.

### Arborist Report

As part of the required base-line assessment of the Marine Terminal site, the proponent contracted with uTree Environmental Consultants to undertake an assessment of the trees on and around the property that may be affected by the project. The submitted arborist's report has the following findings:

### a. On-site Trees

The arborist's report indicates that there are no bylaw-sized (i.e. > 20 cm) trees present on the Marine Terminal site. The report indicates that a small stand of non-bylaw sized Alder sapling trees will be impacted by the development. Compensation for these trees is addressed in the Environmentally Sensitive Area (ESA) section earlier in this report as the stand is located within a designated ESA.

### b. Off-site Trees

The arborist's report identifies 37 off-site Alder, Cottonwood and Birch trees located along Williams Road and within the Savage Road ROW. Most of these trees are within the City's designated Riparian Management Areas (RMA). The report indicates that these trees are "all young and show good vigour despite historical damage by ditch cleaning, wind and other factors". All these trees are recommended to be retained.

The report also comments on a mature stand of trees treed area on City owned land outside the south-western corner of the Marine Terminal property. Many of these mature trees are up to 24 m (80 ft.) tall and their condition ranges from good to dead. The report recommends mitigation measures in this stand for safety reasons before any work can begin on-site on the dike/trail in the vicinity of this stand.

### c. Arborist Recommendations

The arborist recommends the installation of tree protection fencing for the off-site trees being retained, pruning and limb removal in the vicinity of the off-site dike/trail areas to be under supervision of a certified arborist, invasive vegetation removal within the tree protection area by hand only and activity within the drip line of retained trees to be done under the supervision of a Qualified Environmental Professional (QEP) or a certified arborist. The report also recommended the removal of four dead / hazardous trees from the City's tree stand at the southwestern corner of the Marine Terminal site.

### d. Staff Review

Parks staff reviewed the arborist's findings and are in agreement with them. Parks staff have authorized the removal of four hazardous dead and leaning cottonwoods from the City owned tree stand at the south-western corner of the Marine Terminal site due to concerns of crew safety.

The arborist's recommendations regarding protective fencing and the supervision by a QEP or certified arborist have been incorporated into the Development Permit considerations.

### ESA Guideline Checklist

The applicant was asked to respond to an Environmentally Sensitive Areas DP Guideline checklist. The intent of the checklist is to provide an overview of the anticipated ESA impacts and the proposed compensation/enhancement, as well as to ensure that the overall objectives of the City's ESA Strategy are being achieved. The guidelines address both the intertidal and shoreline areas and include aspects such as maintaining ecological processes, minimizing shade coverage from structures, requiring environmental assessments and implementing mitigation measures, providing safe access to the public, restoration of degraded habitat, etc.

A copy of the applicant's responses is provided in Attachment 2. Staff's assessment is that the applicant's proposed compensation and enhancement plan adequately addresses the City's ESA DP guidelines.

### Construction Environmental Management Plan

One of the 64 conditions of the Environmental Assessment Offices' (EAO) Environmental Assessment Certificate (EAC) requires the proponent to prepare and implement a Construction Environmental Management Plan (CEMP). The CEMP is a requirement of the EAO and has been approved by them for this project. There is no requirement for Municipal approval of the 200 plus page document however the CEMP has been provided to, and has reviewed by, the City's Environmental Sustainability Department and the Engineering Department. City staff do not have any specific concerns with the CEMP as it relates to the Development Permit.

The CEMP is required to include the following:

- Accidents or Malfunctions Management Plan:
- Air Quality and Dust Control Management Plan;
- Archaeological Management Plan;
- Contaminated Sites Management Plan;
- Fuels, Chemicals and Materials Storage and Handling Plan;
- Noise Management Plan;
- Spill Prevention and Emergency Response Plan;
- Surface Water Quality/Fisheries Protection and Sediment Control Plan;
- Vegetation and Wildlife Management Plan; and
- Waste Management Plan.

The intent of the CEMP is to ensure that construction activities will comply with the EAC.

### Proposed Public Trail

The VAFFC had originally proposed a public trail alignment around the perimeter of the subject site. Because of the concerns raised by City staff with regard to the trail crossing over the CN Rail ROW, an alternative alignment a-top the proposed dike alignment near the waterfront was suggested to the applicant. The VAFFC reviewed this proposal in terms of the implications to the anticipated future operations of the site and the attendant safety concerns to the public and the facility. The VAFFC also reviewed the proposed waterfront trail location with Transport Canada; the agency responsible for reviewing and approving safety and security measures for port related activities and were advised by Transport Canada that a trail located at the waterfront would be a significant concern for both pedestrian safety and site security.

The VAFFC subsequently submitted a detailed rationale statement examining and assessing each of the alignment options for the trail location (see Attachment 3). The VAFFC ultimately concluded that a trail alignment in proximity to the shoreline would not be viable and instead, proposed an alternative alignment for the trail running parallel to the CN Rail right-of-way, as a compromise between the options of going across the CN Rail line and around the subject site or locating the trail across the subject site's waterfront. The proposed alternative alignment paralleling the CN Rail right-of-way has been reviewed and accepted by City Park's staff.

The revised pedestrian trail alignment is proposed to be accommodated within a 6 m wide right-of-way with public right-of-passage. The right-of-way would be designed to accommodate a 3 m wide limestone pathway with 1.5 m wide vegetated strips along both sides. The proponent will be responsible for the trail construction to the City's standards. After the usual maintenance period, on-going maintenance and liability of the trail will transfer to the City. Conceptual planting plans and cross sections for the trail are include in the Development Permit plans (see Plans #18-20), but minor modifications may occur through the required Servicing Agreement for the trail's design and construction.

Both the trail right-of-way registration and the requirement to enter into a Servicing Agreement for the construction of the trail are included in the Development Permit considerations. Requirements for submission of trail landscape securities in the amount of \$105,065.40 are also included in the DP considerations.

In recognition of the City's desire for direct access to the waterfront for viewing, the proponent has also agreed provide a voluntary cash contribution of \$62,000 toward the future construction of a pedestrian observation platform to be located on "Lot K" east of Williams Road and overlooking the Fraser River. The proponent has submitted a conceptual design for the viewing platform which was reviewed and approved by Parks staff. Actual construction of the viewing platform will occur in conjunction with future dike improvement works along the Lot K area. The cash contribution for the viewing platform is also included in the Development Permit considerations.

### Dike Provision and Foreshore Covenant Requirements

The current Marine Terminal proposal will result in the subject site being raised, seismically stabilized and a new 4.7 m high dike being constructed within a 7.5 m wide right-of-way (see Plan # 3 for the proposed dike alignment). The dike will be designed to accommodate the future raising of the dike to 5.5 m elevation, the height recommended by the Province. Buildings will be required to be setback a minimum of 7.0 m from the dike right-of-way. Registration of a legal agreement establishing the right-of-way and obligating the applicant to enter into a Servicing Agreement for the design and construction of the dike are included in the Development Permit considerations. The Development Permit considerations also include a requirement for discharge of the existing foreshore maintenance covenant (BG 285960) and registration of a new legal agreement to ensure that the newly reshaped river bank and armament is maintained and will not be altered without City approval. Maintenance of the foreshore armament will be the proponent's responsibility. Both the dike construction and the foreshore armament will be subject to the City's and the Provincial Diking Authority's satisfaction.

### <u>Transportation Issues</u>

A traffic impact study was undertaken by Tetra Tech (final version dated Jun 29, 2017). The Marine Terminal portion of the study includes information on: the type and number of vehicles expected to access the facility, the time of day vehicles access the site, anticipated travel routes and the number of vehicles generated by employees at any given time. As a result of study, modifications were made to the development plans to ensure that all parking and loading needs will be appropriate for the site and that vehicle accesses and fronting roadways are able to accommodate the anticipated vehicle movements. The study indicates that the proposed Marine Terminal will only generate a minimal amount of traffic with less than 20 cars per day and a maximum of one truck (less than 5 tonnes in size) per day.

Based on the traffic impact study the proposed development will provide:

- A single vehicle access to Williams Road.
- Four regular parking spaces.
- One handicapped parking space.
- One Class 1 bicycle space and three Class 2 bicycle spaces.

The City's Transportation staff reviewed and concurred with the submitted traffic impact study's recommendations for the Marine Terminal.

As proposed, the development will comply with the relevant parking and loading provisions of Zoning Bylaw No. 8500.

In addition to addressing the parking and loading provisions, an on-site location has been designated for garbage and recycling containers and has been reviewed and accepted by staff.

### CN Rail Review

As the CN's rail corridor runs through the site, the applicant was requested to seek comment on the proposed development from CN Rail.

CN Rail is still undertaking their detailed review of the proposed development plan to "ensure that it is compliant with all Transport Canada Rules and Regulations related to crossings and construction adjacent to a rail corridor", but has provided a letter (dated August 28, 2017) confirming "at this point, that we are not opposed to VAFFC's development, and that a technical solution in compliance with all applicable regulations and standards can be developed."

Based on CN Rail's response, a requirement has been included in the Development Permit considerations that, prior to Building Permit issuance, the proponent is to submit a final sign-off letter of from CN Railway, to the satisfaction of the City's Director of Transportation and the Director of Engineering, for the VAFFC Marine Terminal project at 15040 Williams Road. If CN Railway's approval includes conditions or requirements, the proponent must provide means to meet those conditions/requirements to the satisfaction of the City's Director of Transportation.

Note that should any future mitigation measures be triggered when / if CN Rail constructs and activates the railway the requirement for the proponent to implement such measures, at its sole cost, has been included in the proposed Municipal Access Agreement (MAA).

### Frontage Improvements

As a result of the proposed development, the City will take ownership of developer-contributed assets, such as dike maintenance, roadworks, waterworks, storm sewers, sanitary sewers, street lights, street trees. The anticipated operating budget impact for the ongoing maintenance of these assets is \$125,000.00 per annum. The majority of this figure is associated with the maintenance of the proposed addition of approximately 350 m of new dike infrastructure across the subject site. Dike maintenance costs for the City typically average approximately \$350.00 per linear metre.

The operating budget impacts will be considered as part of the 2019 Operating Budget.

### Conclusions

Staff worked with the applicant to ensure that all the Environmentally Sensitive Area (ESA) and Riparian Management Area (RMA) impacts arising from the proposed development have been identified and appropriate mitigation, compensation and enhancement measures are incorporated into the development plans. Compensation/enhancement for the impacts to the ESA and RMA features will result in a better than 2 for 1 net habitat gain and will incorporate native vegetation species enhancements and secure appropriate monitoring measures for three years.

Changes to the intertidal area will result in an improved, more stable and properly armoured bank for the 283 m length of the property's foreshore. The project will also result in the installation of a full 4.7 m high dike and a separate public trail connection through the subject site - both of which will be designed and constructed to City standards and secured with registered right-of-way agreements. A voluntary cash contribution for the future construction of a pedestrian observation platform overlooking the Fraser River near the subject site is also provided.

As the proposed development will meet applicable policies and the Development Permit Guidelines for Environmentally Sensitive Areas, staff recommend that the Development Permit be endorsed, and issuance by Council be recommended.

David Brownlee

Planner 2

(604-276-4200)

DCB:blg

### List of Attachments

Attachment 1: Development Application Data Sheet

Attachment 2: Response to ESA DP Guidelines

Attachment 3: Proponent's Trail Location Rationale Statement

Attachment 4: Biologist Professional Opinion on Potential for Post Development Foreshore Habitat Improvement

Attachment 5: Development Permit Considerations



## **Development Application Data Sheet**

Development Applications Department

DP 16-741741 Attachment 1

Address: 15040 Williams Road

Vancouver Airport Fuel Facilities Corporation

Applicant: (VAFFC) Owner: Same

Planning Area(s): Fraser Lands

Floor Area Gross:  $205.94 \text{ m}^2 (2,216.7 \text{ ft}^2)$ 

	Existing	Proposed
Site Area:	40,468.56 m <sup>2</sup> (10 ac.) including 31,241.73 m <sup>2</sup> (7.72 ac.) of land and 9,226.83 m <sup>2</sup> (2.28 ac.) of land covered by water	Same total area however the area of land and land covered by water will change.
Land Uses:	Vacant	'Industrial' - Marine Terminal Facility
OCP Designation:	Industrial	Same
Zoning:	Industrial (I)	Same

	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	1.0	0.006	none permitted
Lot Coverage:	Max. 60%	0.52%	None
Setback – Front Yard:	Min. 3.0 m	More than 3.0 m	None
Setback – Exterior Side Yard:	Min. 3.0 m	More than 3.0 m	None
Setback – Interior Side Yard:	No Minimum	More than 3.0 m	None
Setback – Rear Yard:	No Minimum	More than 3.0 m for buildings. Structures extend out into the Provincial water lot lease area.	None
Height (m): Buildings	Max. 12 m	Less than 6.0 m	None
Height (m): Structures	Max. 20 m	19.7 m (gangway tower)	None
Lot Size:	No Minimum	40,468.56 m <sup>2</sup>	None
Off-street Parking Spaces –	1 space per 100.0 m <sup>2</sup> of gross leasable floor area of building (3 spaces required)	5 including 1 handicapped space	None

Bicycle Spaces:	Class 1: 0.27 spaces per each 100.0 m² of gross leasable floor area greater than 100.0 m² (1 space required).  Class 2: 0.27 spaces per each 100.0 m² of gross leasable floor area greater than 100.0 m² (1 space required)	Class 1: 1 space Class 2: 1 space	None
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# 2012 OCP DEVELOPMENT PERMIT GUIDELINES FOR ESA AS APPLICABLE TO 15040 WILLIAMS ROAD

# Intertidal Guidelines

RESPONSE	Summary Approximately 75% (283 m) of the property river frontage will be modified/ enhanced to achieve a more stable (2:1) intertidal slope. Clean, competent materials will be added to a depth of approximately 16 m below the river bed. Bank stabilization works will involve: (1) removing the existing 127 m long wharf resulting in restoration of approximately 36,000 m³ of the water column and 400 m² of new shoreline; and (2) replacing 156 m of overly steep (1.5:1 slope) and poor quality concrete rubble currently armouring the bank on either side of the wharf.	Overall, approximately 8,000 m³ of bank armour will be upgraded below the high water mark. The intertidal zone associated with the property will be significantly more stable, and will have clean, rounded materials which are more conducive to providing interstitial refugia for small aquatic organisms than densely-packed angular rubble or vertical steep pipes.  Linear metres of intertidal:  retained - 94 m  removed - 0 m  enhanced/created - 283 m
PERFORMANCE CRITERIA	<ul> <li>Linear metres of intertidal retained, removed, enhanced/created.</li> <li>Overall net gain/loss of intertidal habitat.</li> </ul>	
DP GUIDELINE	a) Preserve all intertidal zones, except in accordance with the conditions of the Development Permit and other necessary permits or approvals (e.g., FREMP, Port Metro Vancouver, and Navigable Waters).	

Replacing the closely spaced vertical steel pipes that form a sealed 'box' in the river with stable, coarse bank armour, will lead to the creation of a continuous, linear, sloped, interstitial habitat, below the high water mark. Although the post-development intertidal zone of the property will be enhanced when compared with existing conditions, this positive ecological net change is not expected to contribute significantly to the ecological processes of the already green-coded (low productivity) intertidal habitat along the property (i.e., the newly created interstitial habitat associated with the property's intertidal zone will likely remain green-coded low productivity habitat).	In-river infrastructure will be minimal and installed on low density piles to minimize shading and flow interference. With this design, the effects are expected to be negligible through the low productivity intertidal zone fronting the marine terminal, and considering the typically high turbidity of the river and consequent absence of a perceptible photic zone. Construction mitigation measures will be described in detail in the construction	There is no natural vegetation in the shoreline ESA area of the property beyond a small 208 m² patch of native saplings, set 7 m from the high water mark. The saplings have no notable influence on the intertidal zone. However, compensation is proposed for the loss of this small patch, in the form of habitat enhancement in the northeast corner of the marine terminal property and along the more productive
Replacing the closel that form a sealed 'b coarse bank armour continuous, linear, s below the high wate development intertid be enhanced when conditions, this posit not expected to contexpected to contexpec	In-river infrastructi installed on low de shading and flow i the effects are exp the low productivit marine terminal, a high turbidity of the absence of a perco Construction mitig described in detail	There is no natura ESA area of the propatch of native say water mark. The scompensation is promal patch, in the in the northeast coproperty and along
Assess proposed net change to intertidal ecological processes.	Area of shading coverage     Measures employed to avoid, mitigate, compensate impacts.	<ul> <li>Assess impact of removal/relocation of adjacent shoreline habitat.</li> <li>Measures employed to avoid, mitigate, compensate impacts.</li> </ul>
b) Maintain ecological processes important to the long-term health of the intertidal zone including drainage and hydrology and natural sediment or detritus movement (accretion and erosion).	c) Development must not increase shade or disrupt the movement of detritus or other materials. Where water access is necessary for transportation or recreation facilities, filling of the intertidal zone shall be avoided. The preferred method of development over the intertidal zone is on pilings or floating structures.	d) Consider contiguous or nearby ESA areas such as shoreline zone which have the potential to influence the intertidal zone.

shoreline areas adjacent to the property (refer to Shoreline Guidelines section). Construction mitigation measures will be described in detail in the construction environmental management plan (CEMP).	A harmonized federal and provincial environmental assessment of the potential effects of the marine terminal development, including mitigation measures, potential residual effects and cumulative effects was conducted over a 5-year period. That review process was comprehensive and robust, with both levels of government concluding that significant effects were unlikely. Conditional environmental assessment approvals were granted in December 2013.	Notwithstanding the aforementioned environmental assessment, the potential effects of the marine terminal development to the intertidal and shoreline ESAs associated with the property were further assessed as described in the Environmental Report that was prepared for the City of Richmond, and submitted to the City as part of the Development Permit (DP) application. The Environmental Report describes the site features and characteristics in detail, and presents recommended protection, mitigation and compensation measures.  A habitat compensation plan was prepared as part of the DP application to the City, which includes a habitat balance sheet. However, the development of the marine terminal will result in
	<ul> <li>Submission of an acceptable Environmental Report inclusive of protection, mitigation and compensation measures.</li> <li>Habitat Balance</li> <li>Vegetation assessment, habitat utilization, sediment transfer modeling.</li> <li>Construction and post construction monitoring plans.</li> </ul>	
	e) No alterations should be made to the intertidal area without an appropriate environmental assessment and implementation of mitigation measures. The City may require preparation of an Environmental Protection Plan (EPP) prepared by a qualified professional to guide environmental management on sensitive, complex, or large sites.	

zero loss of intertidal habitat (there will be an increase in interstitial refugia availability through wharf removal and bank stabilization works, but this is considered a negligible-to-marginal gain in intertidal habitat).	Foreshore works will involve a mix of floating and land-based equipment. Details on construction mitigation measures are provided in the project's environmental assessment certificate application document, and will be described in detail in the construction environmental management plan (CEMP). The City will be provided a copy of the draft CEMP at least 60 days before the start of construction.	No trail will be constructed in the intertidal zone.	Foreshore works along the green-coded (low productivity habitat) shoreline will be conducted in accordance with federal (DFO) and provincial (OGC) regulatory permits for works in or next to water. Construction mitigation measures will be described in detail in the construction environmental management plan (CEMP).	There will be no safe access to the waterfront on the marine terminal property itself. A trail will be safely set back from the shoreline, which will connect the existing City trail (115 m to the southwest of the property) to an unobstructed view point immediately northeast of the marine terminal. There is currently no intertidal vegetation in the marine terminal ESA area
		Linear metres of trail encroachment into intertidal zone.	<ul> <li>FREMP habitat coding.</li> <li>Measures employed to avoid, mitigate, compensate impacts.</li> </ul>	<ul> <li>Accommodation of safe, access and unobstructed views of the waterfront.</li> <li>Area of mature intertidal vegetation retained.</li> <li>Area of replanted native intertidal vegetation.</li> <li>Invasive species control plan.</li> </ul>
		f) No recreational trails or other facilities shall be constructed in the intertidal zone.	g) Permitted works shall use careful site design to avoid the most sensitive portions of the intertidal zone (see FREMP habitat coding).	h) All works within or adjacent to the intertidal zone shall be constructed, where required, to preserve and enhance the shoreline by:  providing safe, durable access such that people are afforded an unobstructed view of the waterfront wherever possible;

<ul> <li>retaining mature vegetation, including existing large trees, shrubs, and aquatic vegetation;</li> </ul>	Monitoring Plan.	(except algae on rip-rap rubble); nor will there be once the marine terminal is constructed.
<ul> <li>replanting disturbed areas with native vegetation.</li> </ul>	40	
<ul> <li>i) Where possible, restore degraded intertidal zones by removing historical fill, structures, or contaminated sediment, and recreating natural habitats such as mudflats and marsh.</li> </ul>	<ul> <li>Linear metres of intertidal fill removed.</li> <li>Area and type of mudflat / marsh created.</li> </ul>	Mudflat and marsh creation is not possible along this green-coded section of the intertidal zone, nor is it warranted. Bank stabilization is a priority at this location (approximately 283 m; refer to Intertidal Guidelines section row a).
Conformance with these guidelines does     not exempt applicants from meeting	External agency approvals achieved.	Noted.
requirements of other agencies, such as participating in the Fraser River Estuary Management Program (FREMP), and Port		
Metro Vancouver. It is the responsibility of proponents to ensure they meet all external		
requirements.		

# Shoreline Guidelines

RESPONSE	Summary A 52-m long by 4-m wide patch of native pole sapling trees represents the only natural vegetation to be removed during the development of the marine terminal (the remainder of the site is comprised of compacted fill with scattered weeds and herbs; there are invasive shrubs at the top of bank on either side of the current wharf).	A compensation plan was prepared as part of the DP application, which proposes to compensate for its loss by mechanically removing Himalayan blackberry and other non-native plants in portions of the shoreline ESA that are on site, and on either side of the marine terminal (along a red-coded intertidal zone to the southwest, and a yellow-coded intertidal zone to the northeast) and planting native trees, shrubs and herbs. This compensation work will be done at a 2:1 ratio, resulting in a habitat net gain of 416 m <sup>2</sup> .	Linear metres of shoreline zone:  • retained – N/A  • removed - 52 m (alder patch)  • enhanced/created: 104 m  Overall net gain/loss: 52 m
PERFORMANCE CRITERIA	<ul> <li>Linear metres of shoreline zone retained, removed, enhanced/created.</li> <li>Overall net gain/loss.</li> </ul>		
DP GUIDELINE	a) Preserve all natural vegetation and all trees in the shoreline zone, except in accordance with the conditions of the Development Permit and other necessary permits or approvals (e.g., FREMP, Port Metro Vancouver, and Navigable Waters).		

b) Maintain ecological processes important to the long-term health of the shoreline	<ul> <li>Assess proposed net change to shoreline ecological processes.</li> </ul>	property has no sensitive habitats, no wildlife habitat features, and borders a
zone including dramage and nydrology.	-	green-coded (low productivity habitat) intertidal zone. Wildlife is limited to
		transient, foraging birds. The ESA provides minimal contributions to the ecological
		processes typical of a fiver ripalian zone (i.e., shade and nutrient inputs to river, water filtration, flood management, or the provision of wildlife habitat).
<ul> <li>c) Consider contiguous or nearby ESA areas such as the intertidal zone which have the potential to influence the shoreline zone.</li> <li>d) No alterations should be made to the shoreline zone without an appropriate environmental assessment and implementation of mitigation measures. The City may require preparation of an</li> </ul>	Assess impact of changes to the intertidal zone to the adjacent shoreline habitat.     Measures employed to avoid, mitigate, compensate impacts.      Submission of an acceptable Environmental Report inclusive of protection, mitigation and compensation measures.	Loss of some native saplings on the marine terminal property can be readily compensated for by planting native species along the property's northeast edge and enhancing adjacent, more functional ESA areas (refer to Shoreline Guidelines section row a). Construction mitigation measures will be described in detail in the construction environmental management plan (CEMP).  A harmonized federal and provincial environmental assessment of the potential effects of the marine terminal development, including mitigation measures, potential residual effects and cumulative effects was conducted over a 5-vear period. That
Environmental Protection Plan (EPP) prepared by a qualified professional to guide environmental management on sensitive, complex, or large sites.		review process was comprehensive and robust, with both levels of government concluding that significant effects were unlikely. Conditional environmental assessment approvals were granted in December 2013.  Notwithstanding the aforementioned environmental assessment, the potential

for the marine terminal and the trail sections planting prescription plan provides guidance (2) revegetation (native species to plant, pot City as part of the Development Permit (DP) Shoreline Guidelines section, rows a and c). on: (1) invasive plant removal and handling; Environmental Report that was prepared for Shoreline Guidelines section rows a and b), the City of Richmond, and submitted to the prescription guidelines were prepared. The atter is in addition to the landscape design effects of the marine terminal development A habitat compensation plan (including a associated with the property were further recommended protection, mitigation and mitigation measures will be described in size, spacing); and (3) the monitoring of detail in the construction environmental property for the City of Richmond. This compensation measures. Construction application. The Environmental Report being established on either side of the which will be compensated for through characteristics in detail, and presents There will be a minor loss of marginal habitat in the shoreline ESA (refer to adjacent ESA areas bordering more nabitat improvements on site and in to the intertidal and shoreline ESAs productive shoreline zones: refer to nabitat balance sheet) and planting native plant survival/invasive plant describes the site features and assessed as described in the management plan (CEMP).

		colonization rates during the subsequent three years, so that additional plant management actions can be outlined. The cost of the planting and monitoring, including a 10% contingency for supplemental planting, will be provided by the landscape architect once the project and trail designs are approved.
e) No recreational trails or other facilities shall be constructed in the shorelines zone without written approvals from FREMP or other regulatory bodies.	<ul> <li>Approvals from external agencies for works within the shoreline zone (e.g. DFO, Provincial Diking Authority, FLNRO, EC)</li> </ul>	Noted.
<ul> <li>f) Permitted works shall use careful site design to avoid the most sensitive portions of the shoreline zone.</li> </ul>	<ul> <li>FREMP habitat coding.</li> <li>Measures employed to avoid, mitigate, compensate impacts.</li> </ul>	There are no sensitive areas in the shoreline zone of the marine terminal, which borders low productivity habitat (green-coded intertidal zone).
g) Water quality and natural systems shall be protected by leaving stream banks intact and by not altering natural slopes and existing vegetation.	<ul> <li>Water quality measures employed.</li> <li>Area of natural slopes/existing vegetation impacted / enhanced.</li> </ul>	Works below the high water mark will be conducted in compliance with regulatory permit conditions. Refer to Intertidal Guidelines section rows e and g. Water quality measures will be described in the Project CEMP. Habitat enhancement works in the ESA areas will occur above the dike crest (avoid the high water mark and dike slope). Sediment and erosion control measures will be used to isolate the high water mark from revegetation areas upslope
h) All works within or adjacent to the shoreline zone shall be constructed, where required, to preserve and enhance shoreline values by:  o providing safe, durable access such	<ul> <li>Accommodation of safe, access and unobstructed views of the waterfront.</li> <li>Area of mature shoreline vegetation retained.</li> </ul>	Refer to Intertidal Guidelines section row h re. water front access. There is no mature shoreline vegetation to retain. Areas of replanted native shoreline

vegetation are addressed in the Shoreline Guidelines section (rows a to c).  A planting prescription, including monitoring, was prepared (refer to Shore Guidelines section row d).	Old fill material from the marine terminal property will be removed and replaced with cleaner and more suitable materials. Works will occur along approximately 75% (283 m) of the property's shoreline zone, which is approximately 377 m long.  No natural habitat will be created in the Shoreline ESA on the marine terminal property. The removal of 208 m² of native saplings in the shoreline ESA will be compensated for as outlined in Shoreline Guidelines section row a to c). There is currently no other 'natural habitat' on site.	Noted.
<ul> <li>Area of replanted native shoreline vegetation.</li> <li>Submission of an acceptable, detailed planting and monitoring plans.</li> </ul>	<ul> <li>Linear metres of shoreline fill removed.</li> <li>Area of natural habitat created.</li> <li>Number of trees removed and replanted.</li> </ul>	External agency approvals achieved.
that people are afforded an unobstructed view of the waterfront wherever possible;  o retaining mature vegetation, including existing large trees, shrubs, and aquatic vegetation;  o replanting disturbed areas with native vegetation.	i) Development proposals that include measures to restore degraded shoreline zones by removing historical fill, structures, or contaminated sediment, and recreating natural habitats such as riparian forest may increase the level of support by the agencies provided that the works comply with DFO and FREMP guidelines. In many areas, the shoreline zone has been developed or landscaped and improvements including tree planting will enhance its ecological value over the long-term.	j) Conformance with these guidelines does not exempt applicants from meeting requirements of other agencies, such as those participating in FREMP and Port Metro Vancouver. It is the responsibility of proponents to ensure they meet all external requirements.





March 13, 2017

David Brownlee, Planner 2 – Urban Design Planning & Development Division City of Richmond 6911 No. 3 Road Richmond, BC, V6Y 2C1

RE: Rationale for Dyke Trail location at 15040 Williams Road Vancouver Airport Fuel Delivery Project

### Dear Mr. Brownlee:

This letter is provided to the City of Richmond in support of the Vancouver Airport Fuel Facilities Corporation (VAFFC) application for Development Permit (ESA) in connection with the development of its property at 15040 Williams Road, Richmond, BC.

VAFFC is constructing a Marine Terminal and fuel offloading system at this property as part of the Vancouver Airport Fuel Delivery Project. The industrial waterfront property is located at the east end of Williams Road and is bisected by a CN Rail corridor and a dyke structure that forms part of the perimeter dyke system protecting Lulu Island from flood and sea level rise conditions associated with the Fraser River estuary. The property is currently fenced and does not provide for any trail connectivity through or around the property to connect to existing trail systems northeast or southwest of the property boundaries.

In establishing the conditions for approval of the project under the harmonized Environmental Assessment process between 2009 and 2013, VAFFC agreed to construct a connecting trail on the property to contribute to the City's overall Trail Strategy as described in the Official Community Plan. In its Environmental Assessment application, VAFFC proposed that the trail follow the suggested trail network identified in the 2010 Richmond Trail Strategy (Option 1 in Figure 1 below). However, in its comments to the subsequent Development Permit application made by VAFFC, the City identified a preference for the trail to connect across the property as close to the shoreline as possible, estimated as Option 2 in Figure 1.

VAFFC has reconsidered its design to accommodate the City's request, and has determined that the position of the trail immediately next to the shoreline is not viable from an operational standpoint. VAFFC is offering to construct the trail in the location identified as Option 3 in Figure 1. The rationale for the route is discussed in the next section.

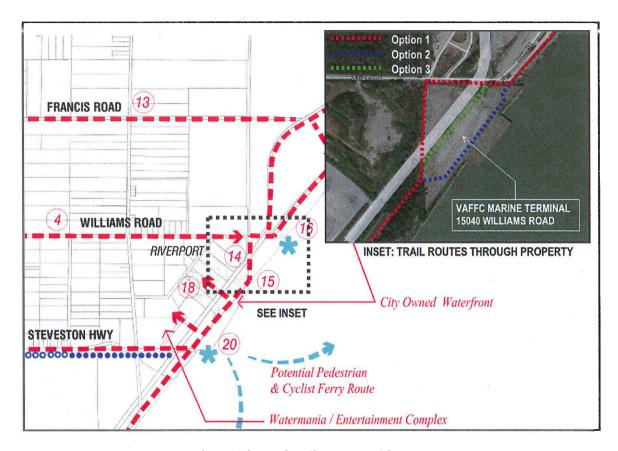


Figure 1. Excerpt from Richmond Trail Strategy with VAFFC property inset.

### Rationale

VAFFC proposed route Option 1 in its initial Development Permit application to achieve consistency with the OCP. VAFFC identified further merits of this option as follows:

- Maximizes separation from operational areas of the Marine Terminal
- Aligns with properties boundaries with limited development value
- Overlaps with roads or road right-of-ways minimizing property dedication to this use.

As indicated earlier, the City has identified the desire to place the trail adjacent to the shoreline if possible (Option 2), consistent with public trail development in other areas of the city, and to avoid crossing of the CN Rail corridor in two locations as would be required under Option 1. VAFFC accommodated this request and has prepared a revised design aligning the trail across the front portion of the site, identified as Option 3, away from the shoreline but on the river side of the CN corridor. VAFFC recognizes the value of having the trail avoid rail crossings and align with the waterfront, however, due primarily to strict operational requirements, asserts that the trail must be set back from the waterfront area to provide security to the terminal and safety to the travelling public.

The following details are provided for additional clarity:

- Option 3 maximizes separation from operational areas of the Marine Terminal without pushing the trail across the CN rail corridor;
- Option 3 would have greater success in meeting the International Ship and Port Facility Security Code "ISPS Code" requirements which identifies restricted areas that must be considered in the Port Facility Security Plan "PFSP", including:
  - o shore and waterside areas immediately adjacent to the ship;
  - embarkation and disembarkation areas, passenger and ship's personnel holding and processing areas including search points;
  - o areas where loading, unloading or storage of cargo and stores is undertaken;
  - o locations where security sensitive information, including cargo documentation, is held;
  - o areas where dangerous goods and hazardous substances are held;
  - vessel traffic management system control rooms, aids to navigation and port control buildings, including security and surveillance control rooms;
  - o areas where security and surveillance equipment are stored or located;
  - essential electrical, radio and telecommunication, water and other utility installations;
     and
  - o other locations in the port facility where access by vessels, vehicles and individuals should be restricted.

The placement of any public space or public right-of-way in areas identified as restricted would require operational constraints such as closure during operations, confinement by fencing on both sides, significant physical barriers to protect against ship mooring ropes and cables, and highly restrictive signage warning the public of the danger and prohibited activities.

- Due to the safety and security constraints in the operational area, Option 3 will provide a more enjoyable public experience than Option 2 for the following reasons:
  - Fencing will be required on only one side of the trail;
  - Mild grade changes will provide for some landscaping and visual variability;
  - Users will experience less operational noise and visual distraction of the facility operations;
  - o Trail closures will be minimized or eliminated during the securing of vessels upon arrival;
  - There will be less restrictive signage identifying safety requirements for public passage (ie smoking, loitering, etc).

VAFFC is currently undertaking a Security Vulnerability Assessment (SVA) which must be reviewed and approved by Transport Canada. The assessment considers the facility operations and layout and recommends security features (ie fencing, surveillance, access control, barrier protection, etc) to be incorporated into the facility to maximize safety and security of the facility. The assessment and findings are confidential, however the draft assessment contains the following excerpt specific to this facility and would not be compromised by the trail if positioned in accordance with Option 3:

### Restricted Areas

The Marine Transportation Security Regulations (MTSR) of Canada and the IMO's International Ship and Port Facility Security (ISPS) Code require that certain areas be restricted to avoid any possibility of sabotage and limit accidents. Such areas include those that require deterrence of unauthorized access; places where security and surveillance systems are located; land areas adjacent to where vessels interface with the facility; places where security sensitive information is kept, inclusive of cargo documentation; location of central controls for security and surveillance systems; location of central lighting controls; location of critical infrastructure including water, electric, telecommunications and process control rooms; areas designated for the unloading of cargo, and areas containing dangerous cargoes. (MTSR – 329.) Such restricted areas must be alarmed, have access control, lighting and be monitored in some way to ensure any tampering or breach is detected and responded to. Further, the level of surveillance of the restricted areas must increase in response to any raised marine security level (MARSEC) above level 1. The restricted areas for this facility should include:

- 1. The marine terminal area which contains:
  - a. The dock and off-loading equipment
  - b. The spill containment areas
  - c. The building housing utilities controls (electric, water, telecommunications) and security equipment (alarm panels, security lighting, video recording.)
  - d. The building housing operations controls.
- 2. The tank farm which contains
  - a. An operations building
  - b. A power transformer
  - c. An emergency generator
  - d. An electrical building (E-house) for all electrical cabling and controls
  - e. A foam monitor enclosure and a foam distribution enclosure
  - f. Six storage tanks for Jet A-1
- 3. Piping and pumps for the product which are exposed and/or accessible and which are thereby vulnerable to tampering or attack.

For organizational purposes each of these designated areas will be addressed separately.

### 1. Marine Terminal -General

The terminal includes many of the key assets including operational controls for the terminal, utility controls, backup power, fire suppression buildings and equipment and the spill containment areas. This area is to be surrounded by a fence line which will extent from the water on the southwest boundary to the location of the easement that runs through the property, and back to the waterline in the northeast of the property. It is noted that local pedestrians have in the past walked along the river bank onto what is now part of the facility. It is therefore imperative that the fence line extend to and into the river to preclude passage along the bank. This needs to be done on both the northeast and southwest ends of the fence line.

### Closure

VAFFC requests that the City consider the alternative presented by VAFFC in its updated submissions related to the Development Permit application supporting the Option 3 location. Updated design drawings, landscape drawings, and Environmental Reports have all been recently submitted with this option in mind.

VAFFC recognizes the need for public access and wishes to do its part in connecting neighbourhoods with this initiative. VAFFC's recommendation for the trail location maximizes safety and security for both the public users and the operational staff at the marine terminal facility. The VAFFC development team would be happy to meet to discuss these items in more detail if required.

Sincerely,

Vancouver Airport Fuel Facilities Corporation

Adrian Pollard, P.Eng.

**Project Director** 



# MEMO

Date:

May 23, 2017

HCP Ref No.: VAFFC6773-NV

From:

Cory Bettles, MSc, RPBio, FP-C, Senior Fisheries Manager

To:

Adrian Pollard, PEng, Director of Engineering, FSM Management Group Inc.

Subject:

Vancouver Airport Fuel Delivery Project, Marine Terminal Development: Professional

opinion on potential for post-development foreshore habitat improvement

### 1.0 Context

Vancouver Airport Fuel Facilities Corporation (VAFFC) has received Environmental Assessment (EA) approvals from the provincial and federal governments to construct and operate a new aviation fuel delivery system (the Project) to serve Vancouver International Airport (YVR). The Project was subject to a robust 5-year coordinated provincial and federal environmental assessment review that involved agencies and departments from all levels of government, which was concluded in December 2013 with the issuance of conditional approvals from British Columbia (BC) Ministers and Vancouver Fraser Port Authority (VFPA). Fisheries and Oceans Canada (DFO) was an active participant throughout the Project review process and all issues of concern with respect to potential residual effects to fish and fish habitat were addressed in the EA to the satisfaction of the federal regulator.

The Project includes construction and operation of a marine terminal located at 15040 Williams Road on the north shore of the South Arm of the Fraser River located in Richmond, BC; a fuel receiving facility located on nearby industrial zoned property that VAFFC has leased from VFPA; and underground pipelines to transfer fuel from the marine terminal to the fuel receiving facility (fuel transfer pipeline) and then to YVR (fuel delivery pipeline).

As part of VAFFC's permitting requirements post-EA certification, submission of a Development Permit (DP) application to the City of Richmond (CoR) was executed for the marine terminal component. Since DP application filling, follow-up information requests (IRs) and position statements have been issued by the CoR. Most recently, the CoR issued their position with respect to the anticipated habitat improvement to be gained with the removal and replacement of the current infrastructure at the site. Their position stated that,

"[t]he foreshore restructuring will not be considered as habitat improvement along the water edge of the property. As the CoR feels that the water flows are too high to provide any benefit increases. The CoR requests that VAFFC submit a proposal for improving habitat upland of the MT. (Bench marsh)."

VAFFC has requested an unbiased professional opinion as to whether the planned marine terminal development will result in "improved habitat" compared to existing conditions and whether additional habitat enhancement is justified. Professional opinion has been formulated based on a review of pertinent information including the EA information record, the DP application submitted to the CoR, DP Guidelines

for Environmentally Sensitive Areas (ESAs) applicable to 15040 Williams Road, site-specific engineering designs, and scientific literature.

### 2.0 Summary of Intertidal (Foreshore) Baseline Conditions

Characterization of the current intertidal (foreshore) habitat conditions at the marine terminal site is described in detail in the DP application submitted to the CoR. Below, I highlight key features.

Intertidal areas are influenced by waves, tides, and other processes along the Fraser River or Strait of Georgia. Typical conditions of an intertidal zone include mudflats, tidal channels and pools, salt marsh communities, as well as developed shorelines (wharves, pilings, bank armouring). Natural intertidal zone features represent important fish and wildlife habitat. The majority of habitat and aquatic resource information available for the Lower Fraser River has been synthesized by the Fraser River Estuary Management Program (FREMP). The intertidal (foreshore) of the property has been classified as low productivity habitat ("green coded"; FREMP, 2006).

There is a CoR designated ESA along the property shoreline, which encompasses an intertidal (foreshore) zone 30 m seaward of the high water mark (HWM), and a shoreline zone 30 m landward of the HWM. The entire portion of the ESA on the property represents the south-eastern portion of the Project's DP Area.

The shoreline of the industrial-zoned property includes a backfilled protruding steel pipe pile bulkhead wharf and steep intertidal areas on either side comprising poor quality concrete rubble with embedded rebar.

### 3.0 Net Result of Bulkhead Wharf Removal and Regrading of the Existing Foreshore

Based on a review of the current footprint conditions and proposed engineering design for the site, there will be additional intertidal and subtidal area gained below the HWM with the removal of existing and development/construction of new structures and shoreline. Removal of the bulkhead wharf and re-grading of the shoreline is aimed to create a new intertidal area of approximately 730 square meters (m²), and additional subtidal area of approximately 3,000m². The proposed re-grading of the existing shoreline on either side of the removed dock to a shallower slope will result in approximately 625 m² of new intertidal area. The resulting net gain of intertidal area post-development will be approximately 1,355 m² while the net gain of subtidal area is to be approximately 3,000 m². The shoreline to be exposed by the dock removal and large volume of existing rubble on either side of the dock, will be replaced by appropriate and fit-for-purpose angular rip-rap material.

### 4.0 Positive Effects of Replaced Rip-Rap on Fish and Fish Habitat

Positive effects of rip-rap on fish and aquatic resources in lotic environments has been described in scientific literature. Positive effects have been reported in large and small riverine systems and were usually attributed to degraded conditions prior to rip-rap installation in combination with the use of other mitigative measures (Craig and Zale 2001). Below I provide a couple of those examples where rip-rap resulted in positive outcomes and supports the position that the proposed use of rip-rap at the marine terminal will provide an improvement of habitat conditions.

Schmetterling et al. (2001) found that rip-rap provided habitat for juvenile salmonids in watercourses that have been severely degraded. Whether juvenile salmonids would utilize the proposed rip-rap at this site

along the Fraser River is unknown. However, the presence of the rip-rap would provide additional refuge habitat (albeit a small amount) for juvenile salmonids in the lower Fraser River.

Hinch and Rand (1998) observed that rip-rap placed to control erosion along the Nechako River, BC, generated small reverse flow fields (i.e., eddy vortices) along the foreshore that were used by adult sockeye salmon to facilitate their migration upstream. Migration through reaches with constrictions (e.g., large islands, gravel bars or large rock outcroppings) was found to require higher energy expenditure than that through reaches with parallel, straight banks. The additional placement of rip-rap at the site, including replacement of existing rubble, may provide improved conditions (reduced velocities) during upstream migration of all adult salmon species.

Craig and Zale (2001) observed that aquatic invertebrates flourish in rip-rap because it provides many interstices and high surface area suggesting that it may provide a superior food source for fish. Regardless of whether fish utilize the increased abundance of invertebrates as a food source, the expected increase in productivity is of overall benefit to the aquatic environment.

### 5.0 Opinion

Based on my review of the existing information that characterizes current baseline intertidal and shoreline conditions of the site, available scientific literature that highlights where the use of rip-rap can offer improvements to habitat conditions in degraded areas, and the 2012 CoR OCP DP Guidelines for ESAs (specific to Intertidal Guidelines), I am of the opinion that the dock removal, shoreline regrading and proposed use of angular rip-rap in the intertidal (foreshore) area will provide intertidal and subtidal habitat gains and some level of improvement to habitat conditions at the site in comparison to what baseline conditions currently offer. The scientific literature provides evidence that rip-rap can provide some enhancement opportunities in areas that have been tarnished, as is the case here including the potential to reduce flow velocities in the area. Additionally, the area will likely benefit from the protruding steel sheet pipe pile spill containment walls that are proposed at the upriver and downriver extents of the property providing further (secondary opportunity to reduce flow velocity in the terminal area.

The level of 'improvement' is not expected to be substantial – I agree with the response provided in (b) of the 2012 OCP DP Guidelines for ESA that states, "...[any] positive ecological net change is not expected to contribute significantly to the ecological processes of the already green-coded (low productivity) intertidal [foreshore] habitat along the property". However, no additional degradation of habitat conditions at the site through the use of rip-rap are to be expected (given the site is already low productivity habitat), hence no additional enhancement (e.g., upland habitat as requested by the CoR) is warranted.

### 6.0 Closing

My professional opinion is based solely on the information reviewed as described herein. I reserve the right to expand, modify or otherwise amend my opinion as additional information becomes available.

Regards,

Cory Bettles, MSc, RPBio, FP-C Senior Fisheries Manager Certified Fisheries Professional

Hatfield Consultants

### Literature Cited

Craig, A.J., and A.V. Zale. 2001. Effects of bank stabilization structures on fish and their habitat. US Geological Survey, Washington Department of Ecology, and Montana State University. Bozeman, MT, 29 pp.

Schmetterling, D.A., C.G. Clancy, and T.M. Brandt. 2001. Effects of rip-rap bank reinforcement on stream salmonids in the western United States. Fisheries 26(7):6-13.

Hinch, S.G., and P.S. Rand. 1998. Swim speeds and energy use of upriver-migrating Oncorhynchus nerka: Role of local environment and fish characteristics. Can. J. Fish. Aquat. Sci. 55:1821-1831.



### **Development Permit Considerations**

Development Applications Department 6911 No. 3 Road, Richmond, BC V6Y 2C1

Address: 15040 Williams Road

File No.: <u>DP 16-741741</u>

### Prior to approval of the Development Permit, the developer is required to complete the following:

- 1. Receipt of a Letter of Credit/security for \$250,078.40 inclusive of the following:
  - On-site ESA and RMA landscaping in the amount of \$67,589.50,
  - On-site non ESA/RMA landscaping (slope adjacent to trail) in the amount of \$14,459.50,
  - On-site Trail landscaping in the amount of \$105,065.40
  - Three years of maintenance (ESA/RMA/Trail/non ESA/RMA) in the amount of, \$54,252.00.
  - Three years of monitoring (ESA/RMA/Trail) in the amount of \$8,712.00.

(The above amounts being based on the costs estimate provided by a BCSLA Registered Landscape Architect including 10% contingency).

Off-site ESA/RMA securities will be addressed through a Servicing Agreement.

- 2. Submission of a contract entered into between the applicant and a Qualified Environmental Professional (QEP) to monitor all planting ESA, RMA and trail vegetation installations and to provide three years of post-installation monitoring with annual reporting for the on-site and the off-site ESA and RMA enhancement areas and the pedestrian trail vegetation installation. The Contract should include the scope of work to be undertaken, including: the proposed number of site monitoring inspections, and a provision any remedial works during the monitoring period. Planting within RMA areas is to comply with Provincial RAR re-vegetation guidelines.
- 3. Submission of a contract to ensure that pruning and limb removal of retained trees is under supervision of a certified arborist, invasive vegetation removal within the tree protection area by hand only and activity within the drip line of retained trees to be done under the supervision of a Qualified Environmental Professional (QEP) or a certified arborist as outlined in the arborist's report.
- 4. Installation of appropriate tree protection fencing around all trees identified for retention by the Arborist (uTree Environmental Consultants report). Fencing is to be installed to the City's standards as part of the development prior to any construction activities occurring on-site.
- 5. Submission of payment in the amount of \$62,000 to the City of Richmond, as a voluntary contribution for the design and future construction of a pedestrian observation platform overlooking the Fraser River and located to the east of Williams Road at the City's discretion. Timing of the platform construction may be affected by future dike improvements.
- 6. Registration of a 6 metre wide statutory right-of-way with public right of passage through 15040 Williams Road to accommodate a public trail in an alignment generally along the southern side of the CN Rail right-of-way as indicated in the Development Permit application and to the satisfaction of the Senior Manager of Parks. After completion of the Servicing Agreement maintenance period, the City will be responsible for maintenance and liability associated with the SRW.
- 7. Registration of a 7.5 metre wide statutory right-of-way for dike through 15040 Williams Road in an alignment generally near the property's foreshore with the Fraser River as indicated in the Development Permit application and to the satisfaction of the General Manager of Engineering. After completion of the Servicing Agreement maintenance period, the City will be responsible for maintenance and liability associated with the SRW. The SRW will provide the City with rights for access and the ability to maintain the works. The agreement should include a minimum building setback from the SRW of 7.0 metres.
- 8. Registration of a flood plain covenant on title identifying a minimum habitable elevation of 3.0 / 4.35 m GSC split approximately at the alignment of the southern edge of the CN Rail right-of-way.

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- 9. Registration of a legal agreement on title to ensure that landscaping planted as part of the on-site ESA and the on-site RMA is maintained and will not be abandoned or removed. Registration of a statutory right-of-way, and/or other legal agreements or measures, as determined to the satisfaction of the Director of Development.
- 10. Discharge of the existing foreshore covenant (BG 285960).
- 11. Registration of a legal agreement on title to require the owner to design and construct bank protection along the river to the satisfaction of the General Manager, Engineering and the Inspector of Dikes and to provide the City with access to the land to inspect and maintain the works should the owner fail to do so. The owner will be responsible for the ongoing maintenance and liability of the works. The intent of the covenant is to ensure that the area outside of the 7.5 m right-of-way will be constructed and maintained in a manner that protects the dike and cannot be modified without consent of the City of Richmond and the Provincial Inspector of Dikes.

### Prior to Building Permit Issuance, the developer must complete the following requirements:

- 1. Enter into a Servicing Agreement\* for the design and construction of a dike across 15040 Williams Road within the 7.5 m wide right-of-way and integration with existing dikes on adjacent properties acceptable to the General Manager, Engineering.
- 2. Enter into a Servicing Agreement\* for the design and construction of a 6 m wide park trail across 15040 Williams Road and integration with existing trails on adjacent properties acceptable to the Senior Manager of Parks. Works include, but may not be limited to, a 3 m wide aggregate trail surface with vegetation strips on both sides to the satisfaction of the Senior Manager of Parks.
- 3. Enter into a Servicing Agreement\* for the design and construction of utility and frontage works and the off-site ESA/RMA landscaping enhancement areas identified as per the landscaping plans submitted under DP 16-741741. Works include, but may not be limited to the following: Water Works:
  - a. Using the OCP Model, there is 583 L/s of water available at a 20 psi residual at the Williams Road frontage. Based on your proposed development, your site requires a minimum fire flow of 250 L/s.
  - b. The Developer is required to:
    - Submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm development has adequate fire flow for onsite fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage Building designs.
    - Install a single water service connection to serve the development site. The service connection can be split at the property line, and two meters installed (one for fire, one for domestic use) inside meter chamber(s).
    - Install backflow prevention device at property line.
    - Provide statutory right-of-way for meter and meter chamber.
  - c. At Developer's cost, the City is to:
    - Complete all tie-ins for the proposed works to existing City infrastructure.

### Storm Sewer Works:

- a. The Developer is required to:
  - Design and construct a storm sewer outfall into the RMA ditch utilizing appropriate sediment and
    erosion control methods, such as deltalok bags, and provide a functional plan within the first servicing
    agreement submission for review and approval by the City.
  - Install an oil & grit separator upstream of the proposed outfall, and provide the City with a separator maintenance plan within the first servicing agreement submission for review and approval.

### Sanitary Sewer Works:

- a. The Developer is required to:
  - N/A

### Frontage Improvements:

a. The Developer is required to:

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- Coordinate with BC Hydro, Telus and other private communication service providers:
- When relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
- To locate all above ground utility cabinets and kiosks required to service the proposed development within the developments site (see list below for examples). A functional plan showing conceptual locations for such infrastructure shall be included in the development process design review. Please coordinate with the respective private utility companies and the project's lighting and traffic signal consultants to confirm the requirements (e.g., statutory right-of-way dimensions) and the locations for the aboveground structures. If a private utility company does not require an aboveground structure, that company shall confirm this via a letter to be submitted to the City. The following are examples of statutory right-of-ways that shall be shown in the functional plan and registered prior to SA design approval:
  - BC Hydro PMT 4mW X 5m (deep)
  - BC Hydro LPT 3.5mW X 3.5m (deep)
  - Street light kiosk 1.5mW X 1.5m (deep)
  - Traffic signal kiosk 2mW X 1.5m (deep)
  - Traffic signal UPS 1mW X 1m (deep)
  - Shaw cable kiosk 1mW X 1m (deep) show possible location in functional plan
  - Telus FDH cabinet-1.1 m W X 1 m (deep show possible location in functional plan
- Implement a riparian enhancement planting plan in the 5.0 m RMA watercourse along the Williams Road frontage.

### **Dike Improvements:**

- a. The Developer is required to satisfy the following for the dike:
  - The dike shall be designed by a Professional Geotechnical Engineer.
  - The elevation of the dike crest shall be raised to minimum 4.7 m geodetic, and designed to accommodate a future elevation of 5.5 m. On the waterside of the dike, the slope shall be maximum 2:1. On the landside of the dike, the slope shall be maximum 3:1.
  - The crest of the dike shall be minimum 4.0 m wide.
  - Provide a 7.5 m statutory right-of-way for the dike.
  - There shall be a minimum building setback of 7.0 m from the dike right-of-way.
  - The drip line of any trees shall be set back at least 8.0 m from the future toe of the dike.
  - Above ground pipes crossing the dike right-of-way shall be removable to allow for dike inspection and maintenance.
  - Design the dike and operations in a manner that allows for vehicular and man access along the dike upon the City's request.
  - The dike along the frontage of the development site shall be tied in to the adjacent dikes to the north and south at a maximum slope of 3:1. Developer to be responsible to locate the dike to the north and south for a smooth transition. No retaining walls within the dike crest or slope area are allowed.
  - All dike construction, including materials, shall be in conformance with City standard drawing MB-98 or MB-99, Dike Design and Construction Guide Best Management Practices for British Columbia (2003), and Environmental Guidelines for Vegetation Management on Flood Protection Works to Protect Public Safety and the Environment (1999).
  - The design and construction of the dike shall be done to the satisfaction of the General Manager, Engineering and Public Works, and any other relevant dike approving authorities.
  - Discharge existing foreshore covenant and register a new foreshore covenant to ensure that the area outside of the 7.5 m right-of-way will be constructed and maintained in a manner that protects the dike and cannot be modified without consent of the City of Richmond and Inspector of Dikes.

### General Items:

a. The Developer is required to:

- Develop a sediment and erosion control and protection fencing plan for the proposed works to minimize impact to the 5.0m RMA along Williams Road during construction, to the satisfaction of the City. A functional plan must be reviewed and approved by the City prior to development permit issuance.
- Provide, within the first servicing agreement submission, a geotechnical assessment of preload and soil preparation impacts on the existing utilities fronting the development site and provide mitigation recommendations.
- Enter into, if required, additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering, including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
- Prepare and submit a design and sealed cost estimate (inclusive of a 10% contingency) as prepared by a qualified professional for the construction of a foreshore observation deck to the satisfaction of the Senior Manager, Parks and the Director, Engineering.
- Submit a voluntary cash contribution for the construction of the foreshore observation deck to the satisfaction of the Senior Manager, Parks and the Director, Engineering.
- b. Plan and undertake the off-site ESA and RMA landscaping as per the landscaping plans submitted under DP 16-741741. A Qualified Environmental Professional (QEP) to monitor all planting ESA, RMA and trail vegetation installations and to provide three years of post-installation monitoring with annual reporting for the on-site and the off-site ESA, the RMA enhancement areas and the pedestrian trail vegetation installation. Planting within RMA areas is to comply with Provincial RAR re-vegetation guidelines.
- c. Ensure that all pruning and limb removal of retained trees is to be under supervision of a certified arborist, invasive vegetation removal within the tree protection area is by hand only and activity within the drip line of retained trees to be done under the supervision of a Qualified Environmental Professional (QEP) or a certified arborist as outlined in the arborist's report.
- 4. City arborist (Conor Sheridan: 604-244-1208, <u>CSheridan@richmond.ca</u>) to be notified prior to commencement of works within the drip line of existing retained offsite trees. Provide 3 business days minimum notice.
- 5. City Parks to review all offsite planting after it is in place (contact Steve Priest, Supervisor of Horticulture: 604-244-1208, and Miriam Plishka, Park Planner: 604-233-3310). Once plant material and placement have been accepted by the City, the maintenance period will commence.
- 6. Submission of a final sign-off letter of from CN Railway, to the satisfaction of the City's Director of Transportation and the Director of Engineering, for the VAFFC Marine Terminal project at 15040 Williams Road. If CN Railway's approval includes conditions or requirements, the proponent must provide means to meet those conditions / requirements to the satisfaction of the City's Director of Transportation.
- 7. Submission of a Construction Parking and Traffic Management Plan to the Transportation Department. Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.
- 8. Obtain a Building Permit (BP) for any construction hoarding. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For additional information, contact the Building Approvals Department at 604-276-4285.

### Note:

- \* This requires a separate application.
- Where the Director of Development deems appropriate, the preceding agreements are to be drawn not only as personal covenants of the property owner but also as covenants pursuant to Section 219 of the Land Title Act.
  - All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the

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Director of Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director of Development.

- Additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering may be required including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial Wildlife Act and Federal Migratory Birds Convention Act, which contains prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on site, the services of a Qualified Environmental Professional (QEP) be secured to perform a survey and ensure that development activities are in compliance with all relevant legislation.

	T.	
Signed		Date



### **Development Permit**

No. DP 16-741741

To the Holder:

VANCOUVER AIRPORT FUEL FACILITIES CORPORATION

Property Address:

15040 WILLIAMS ROAD

Address:

C/O FSM MANAGEMENT GROUP INC.

108 - 12300 HORSESHOE WAY

RICHMOND, BC V7A 4Z1

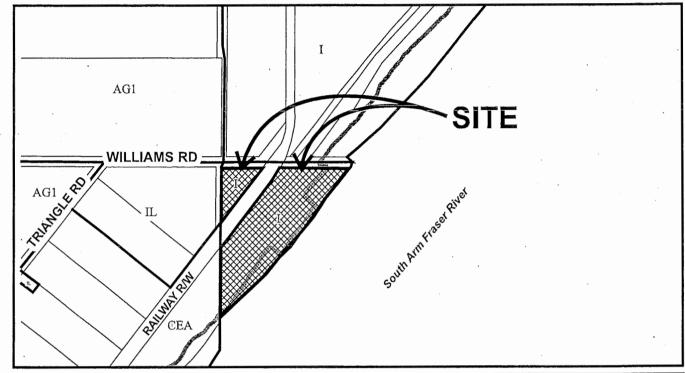
1. This Development Permit is issued subject to compliance with all of the Bylaws of the City applicable thereto, except as specifically varied or supplemented by this Permit.

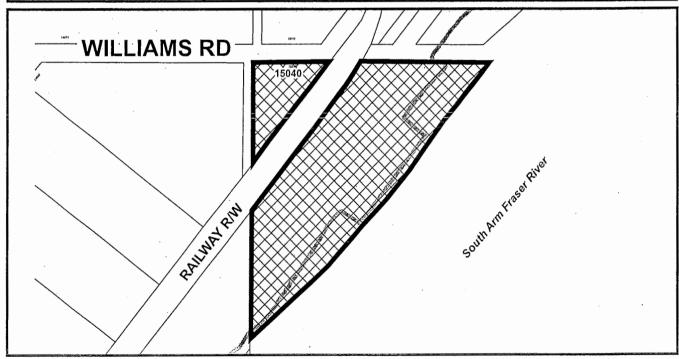
- 2. This Development Permit applies to and only to those lands shown cross-hatched on the attached Schedule "A" and any and all buildings, structures and other development thereon.
- 3. Subject to Section 692 of the Local Government Act, R.S.B.C.: buildings and structures; off-street parking and loading facilities; roads and parking areas; and landscaping and screening shall be constructed generally in accordance with Plans #1 to #25 attached hereto.
- 4. Sanitary sewers, water, drainage, highways, street lighting, underground wiring, and sidewalks, shall be provided as required.
- 5. As a condition of the issuance of this Permit, the City is holding the security in the amount of \$250,078.40 (including, on-site ESA/RMA \$67,589.50, on-site non-ESA \$14,459.50, on-site trail planting \$105,065.40, 3 years of maintenance \$54,252.00 and 3 years of monitoring \$8,712.00) to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Holder if the security is returned. The condition of the posting of the security is that should the Holder fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the City may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Holder. Should the Holder carry out the development permitted by this permit within the time set out herein, the security shall be returned to the Holder. The City may retain the security for up to three years after inspection of the completed landscaping in order to ensure that plant material has survived.
- 6. If the Holder does not commence the construction permitted by this Permit within 24 months of the date of this Permit, this Permit shall lapse and the security shall be returned in full.

### Development Permit No. DP 16-741741

To the Holder:	VANCOUVER AIRPORT FUEL FACILITIES CORPORATION
Property Address:	15040 WILLIAMS ROAD
Address:	C/O FSM MANAGEMENT GROUP INC. 108 - 12300 HORSESHOE WAY RICHMOND, BC V7A 4Z1
	n shall be developed generally in accordance with the terms and sof this Permit and any plans and specifications attached to this a part hereof.
This Permit is not a Build	ling Permit.
AUTHORIZING RESOLUT DAY OF ,	TION NO. ISSUED BY THE COUNCIL THE
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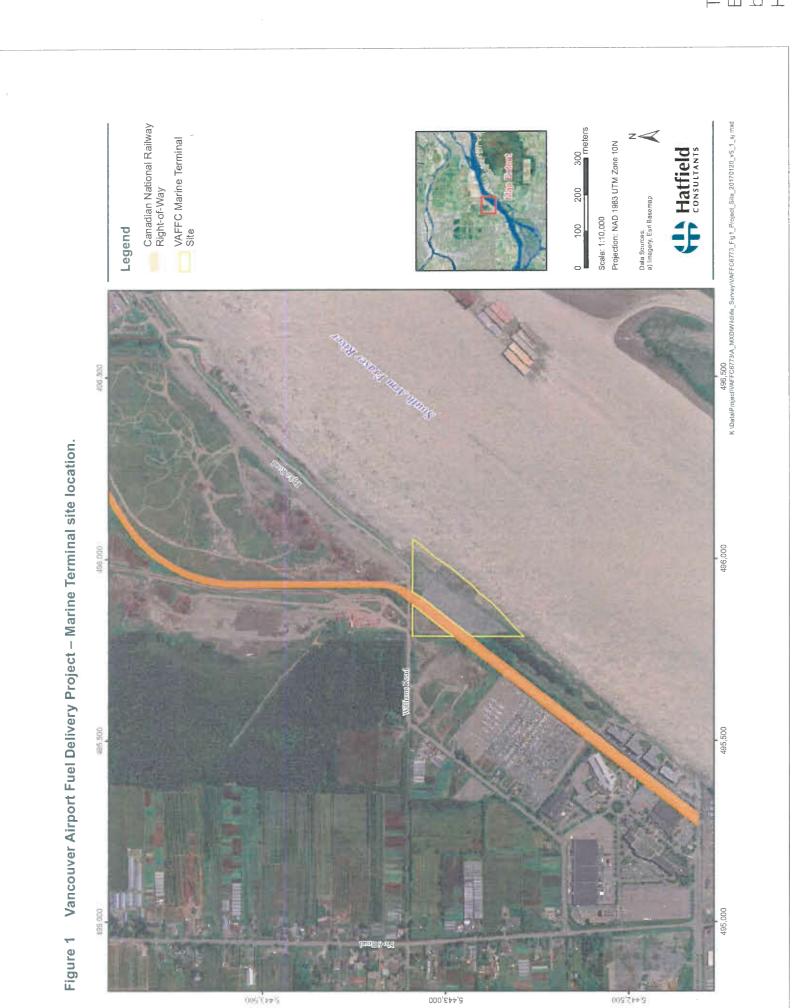
DP 16-741741 SCHEDULE "A" Original Date: 08/22/16

Revision Date:

Note: Dimensions are in METRES

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This plan is reprinted from the ESA and RMA Environmental Report by Hatfield Environmental Consultants



Scale:

Project Number:

30 June 2017 Development Permit Application Resubmission

MARINE TERMINAL SITE LOCATION

VAFFC MARINE TERMINAL FACILITY

15040 Williams Road, Richmond BC

w. damonoriente,ca

#306 - 4464 West 10th Avenue t. 604-222-9200 Vancouver, BC, Canada e. dvo@telus.net V6R 2H9

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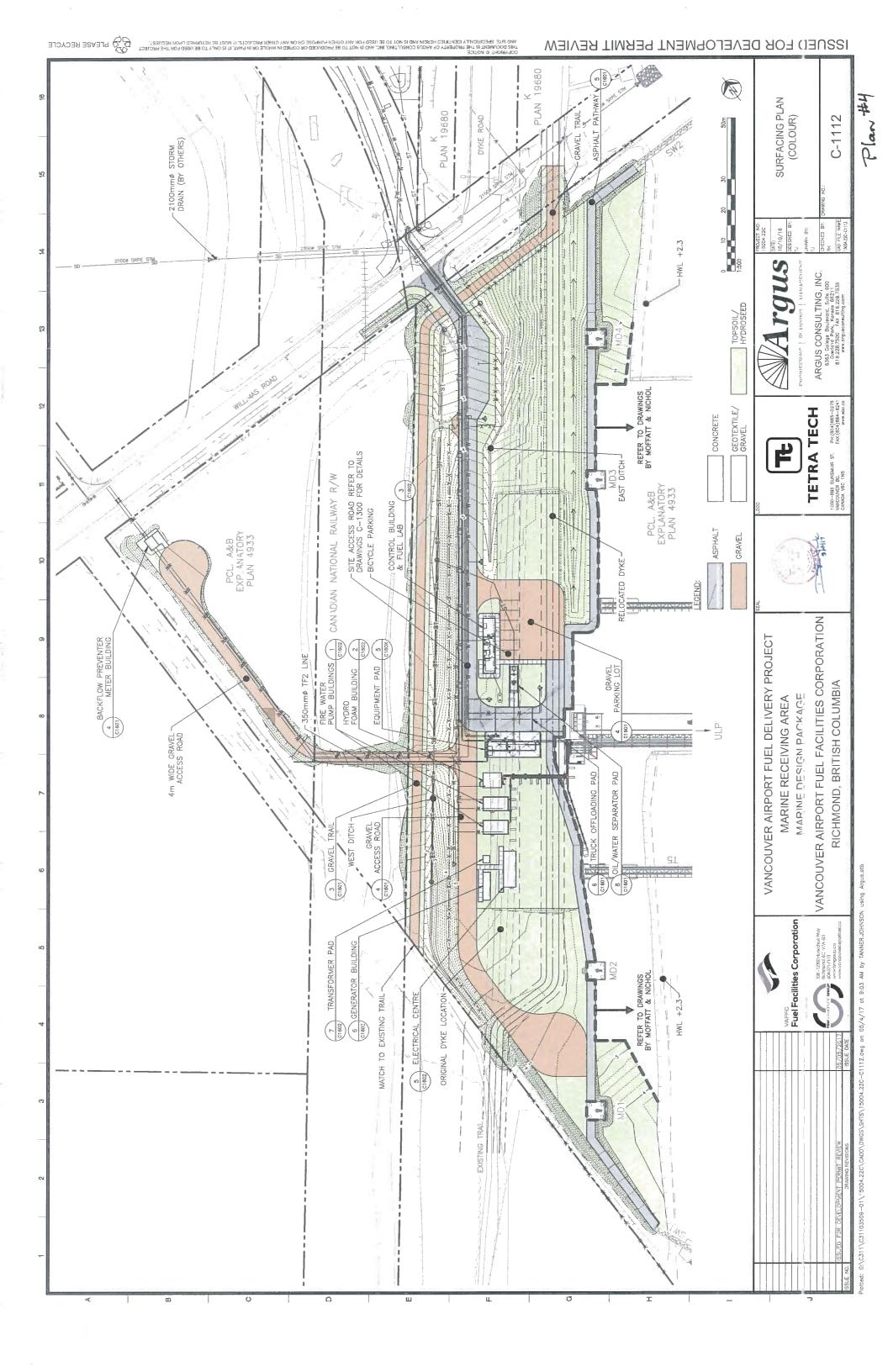
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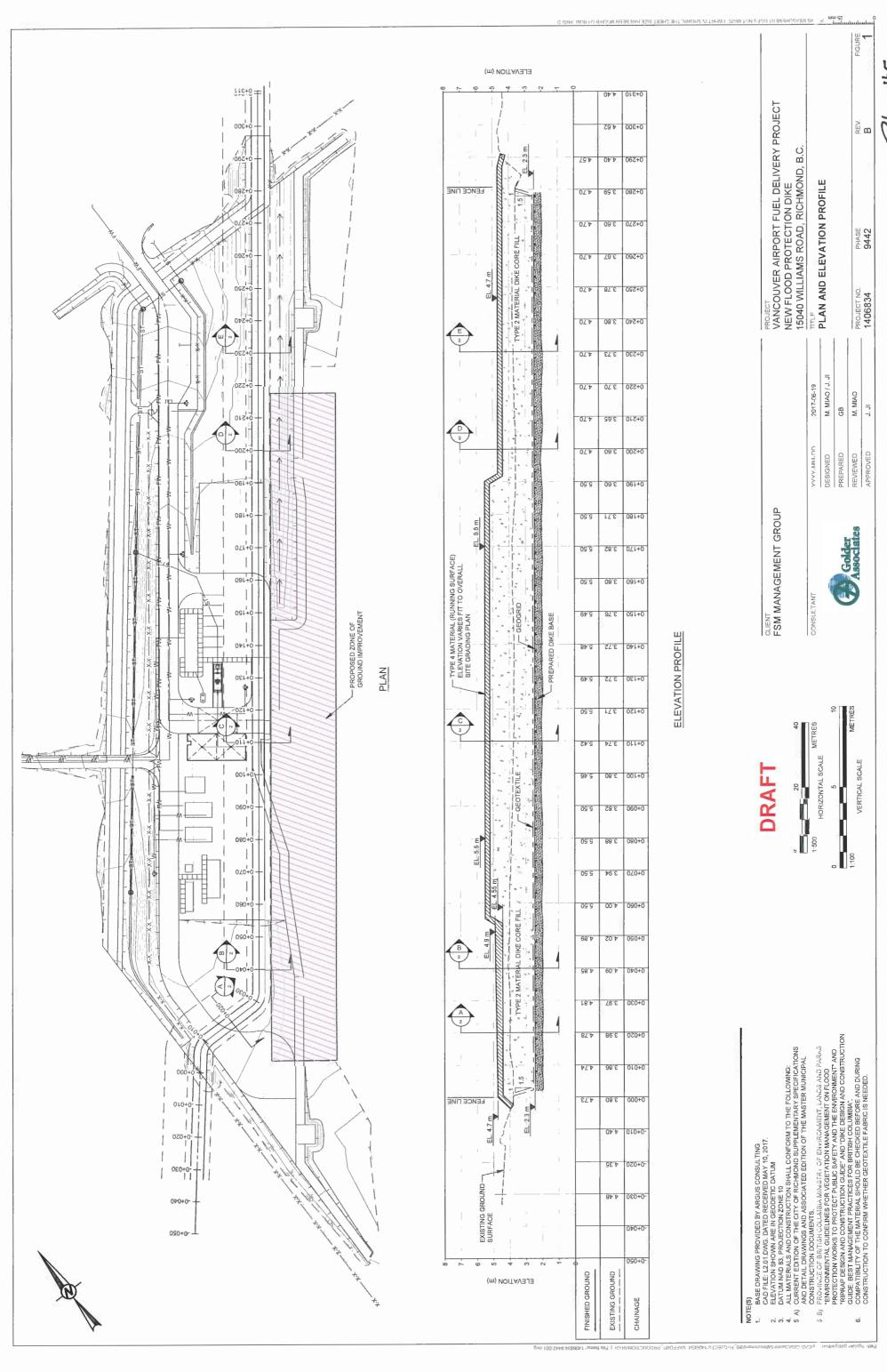
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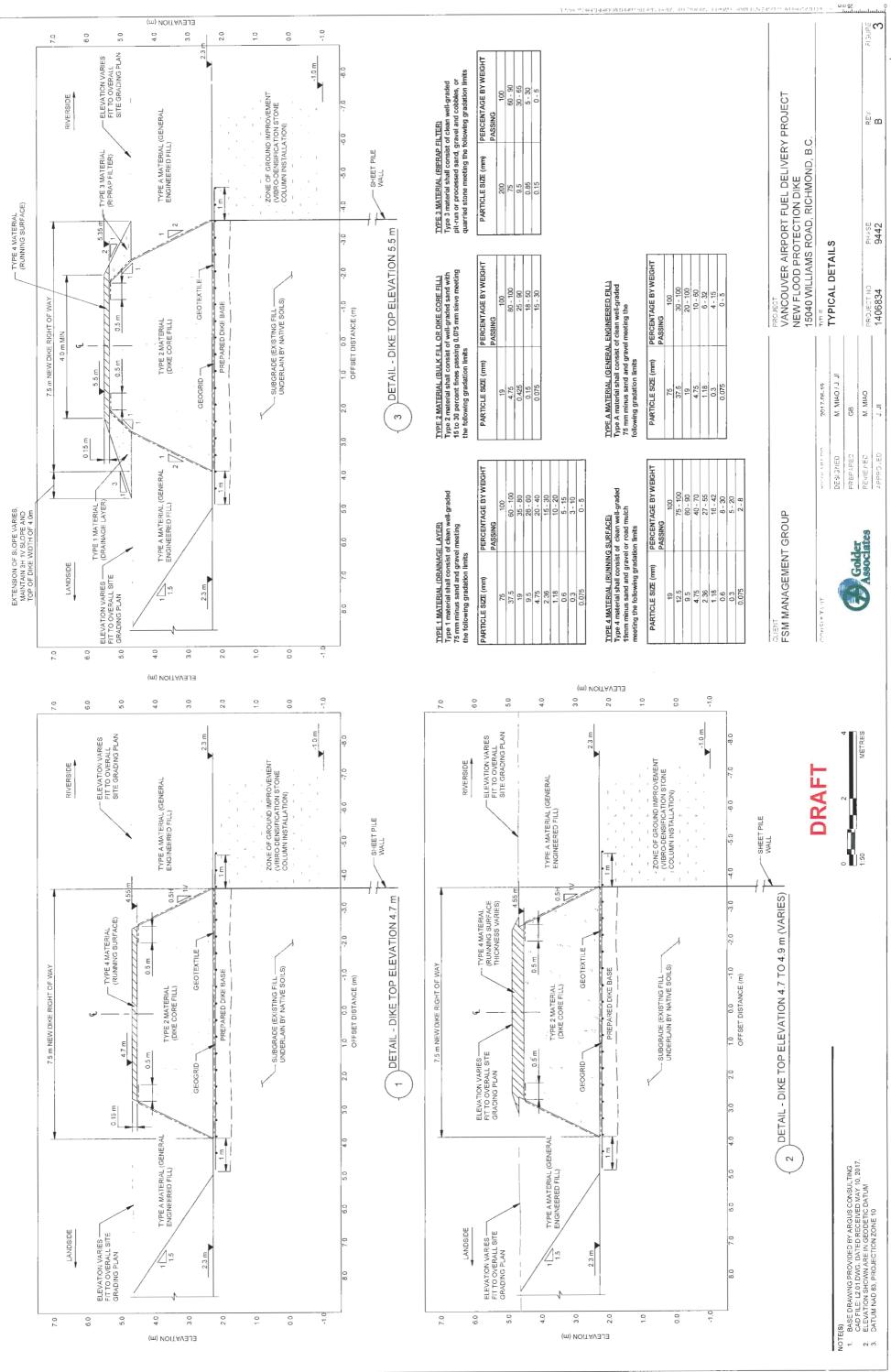
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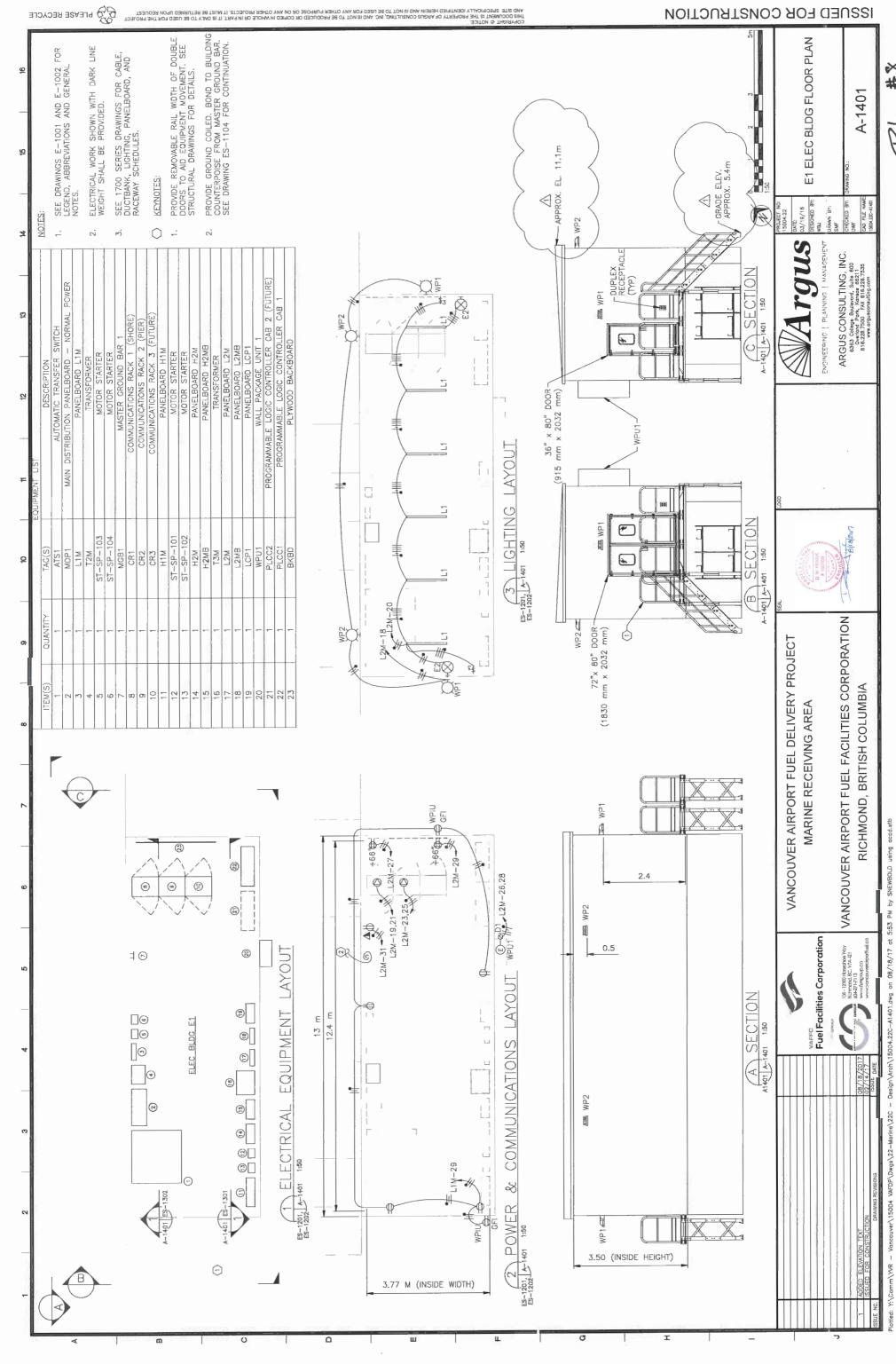
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2. ELEVATION SHOWN ARE IN GEODETIC DATUM
3. DATUM NAD 83, PROJECTION ZONE 10

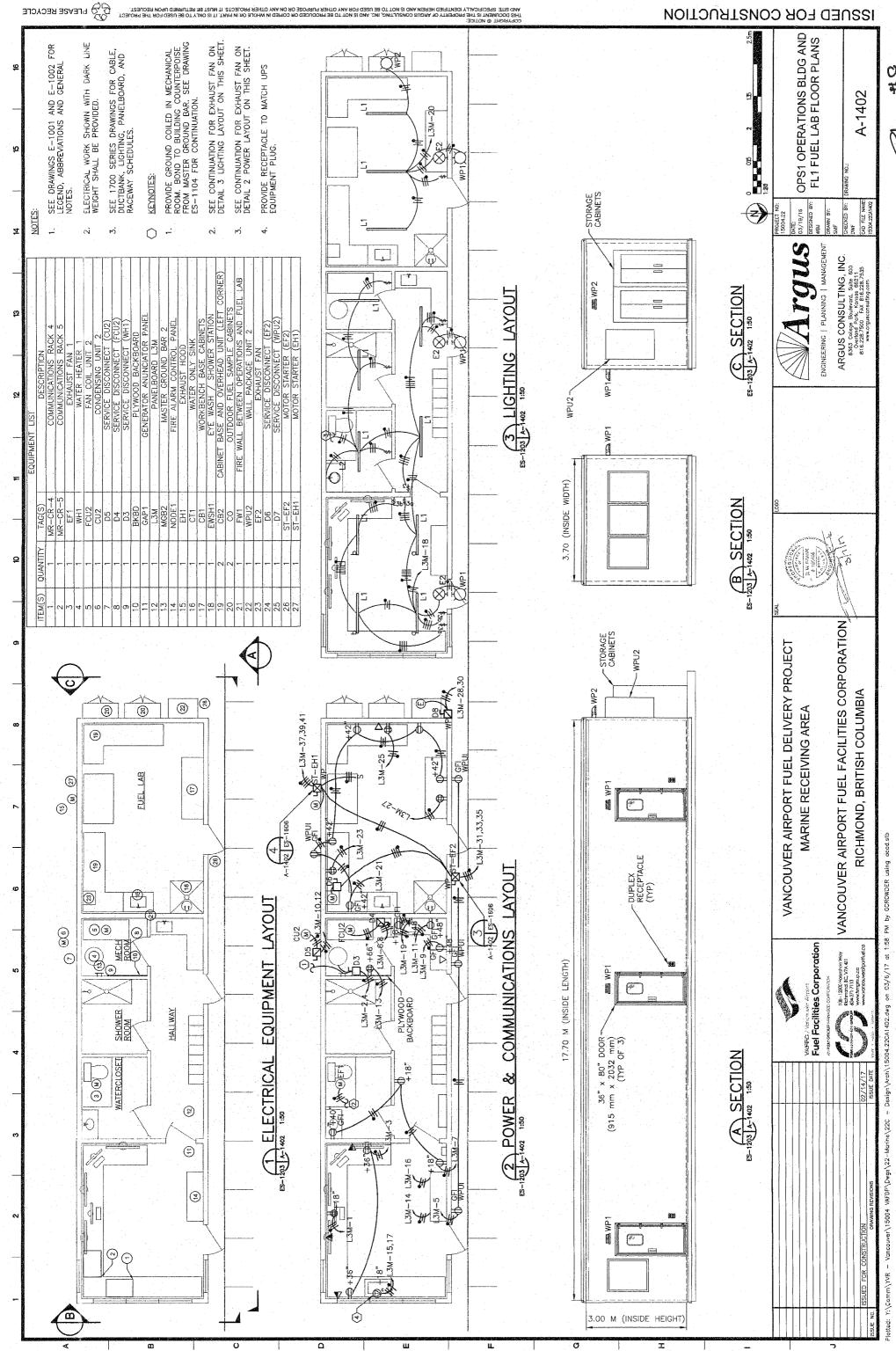
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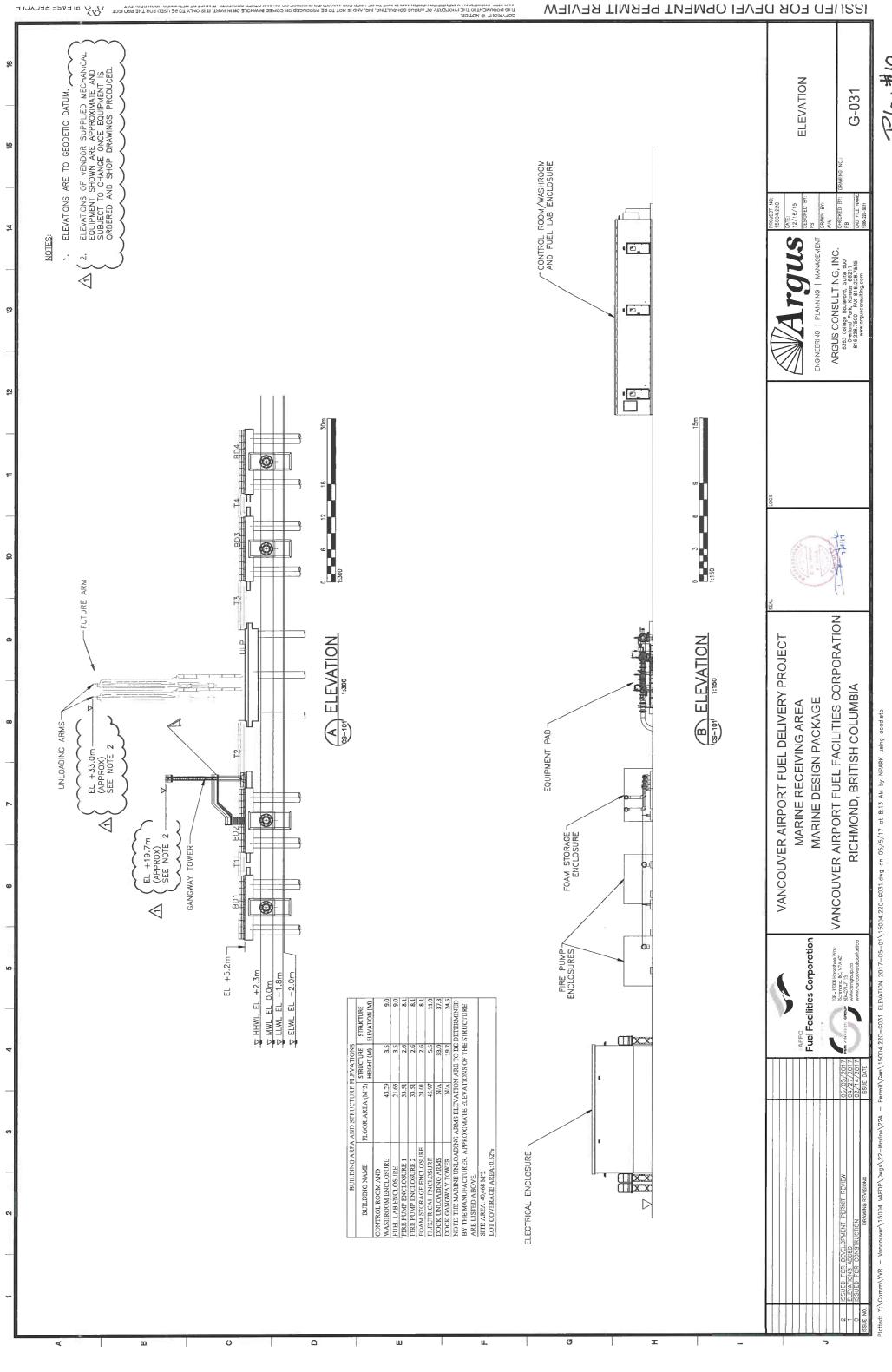
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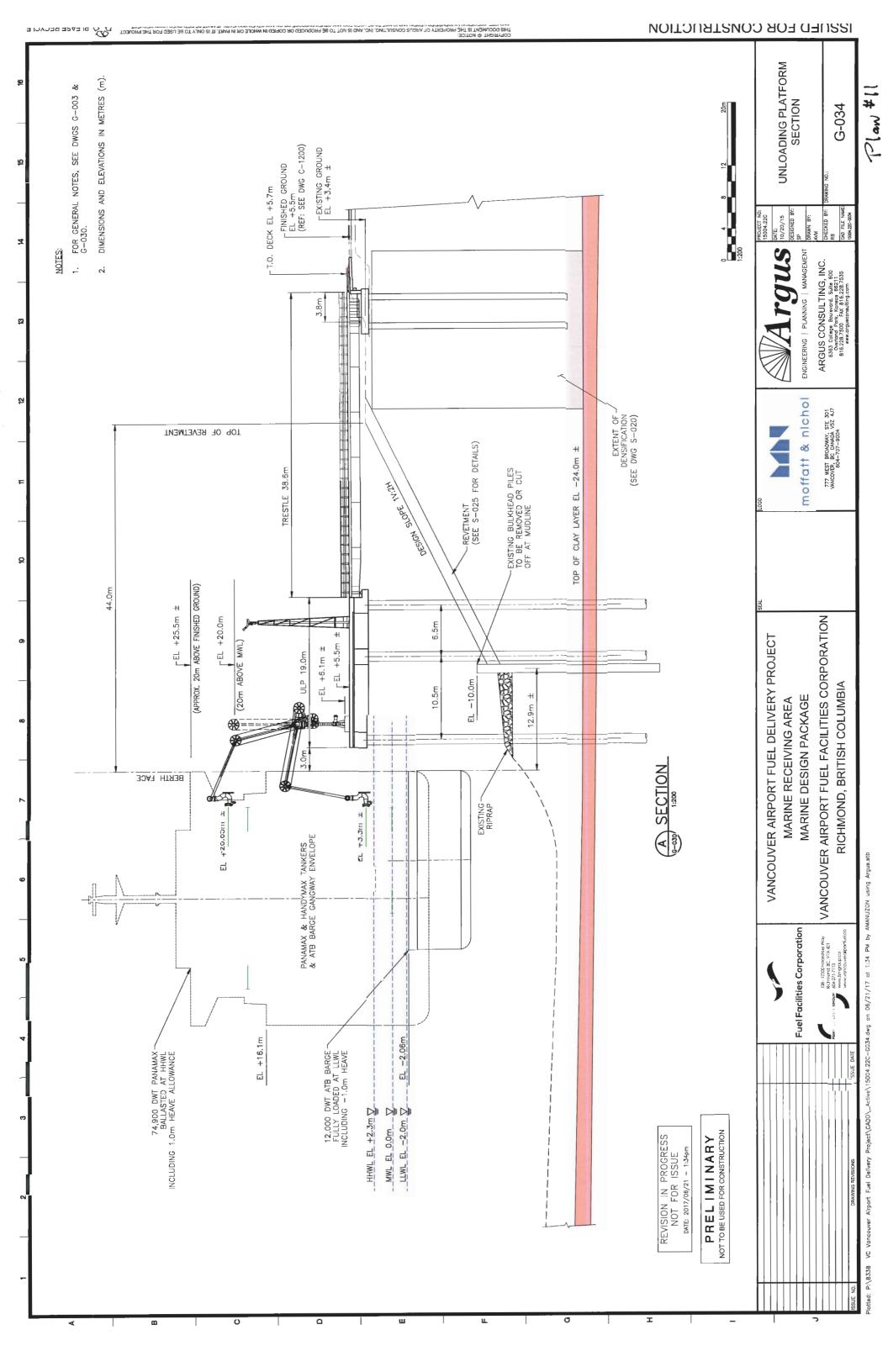


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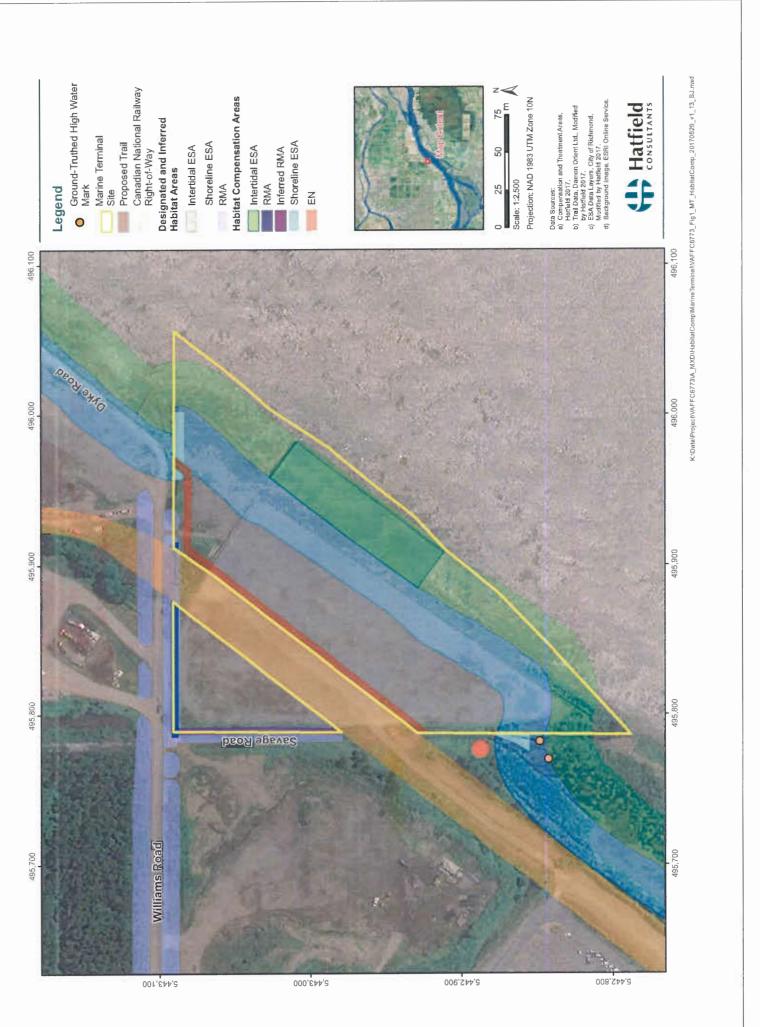


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Vancouver Airport Fuel Delivery Project - Marine terminal proposed habitat compensation areas Figure 1



This plan is reprinted from the ESA and RMA Environmental Impacts Report by Hatfield Environmental Consultants

DruMON ORIENTE LTD andscape archtects

#306 - 4464 West 10th Avenue Vancouver, BC, Canada V6R 2H9

w. damonoriente.ca t, 604-222-9200 e, dvo@telus.net

NE TERMINAL FACILITY VAFFC MARI **Project** 

Richmond BC

15040 Williams Road,

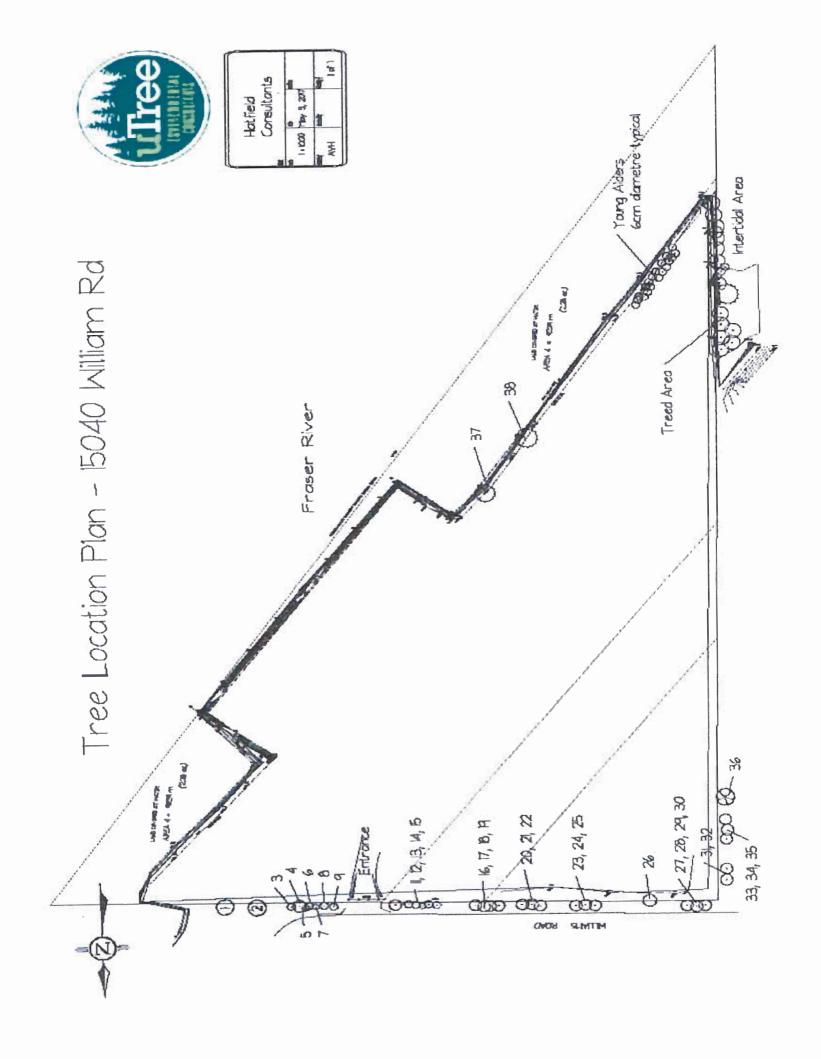
Drawing
PROPOSED COMPENSATION AREAS

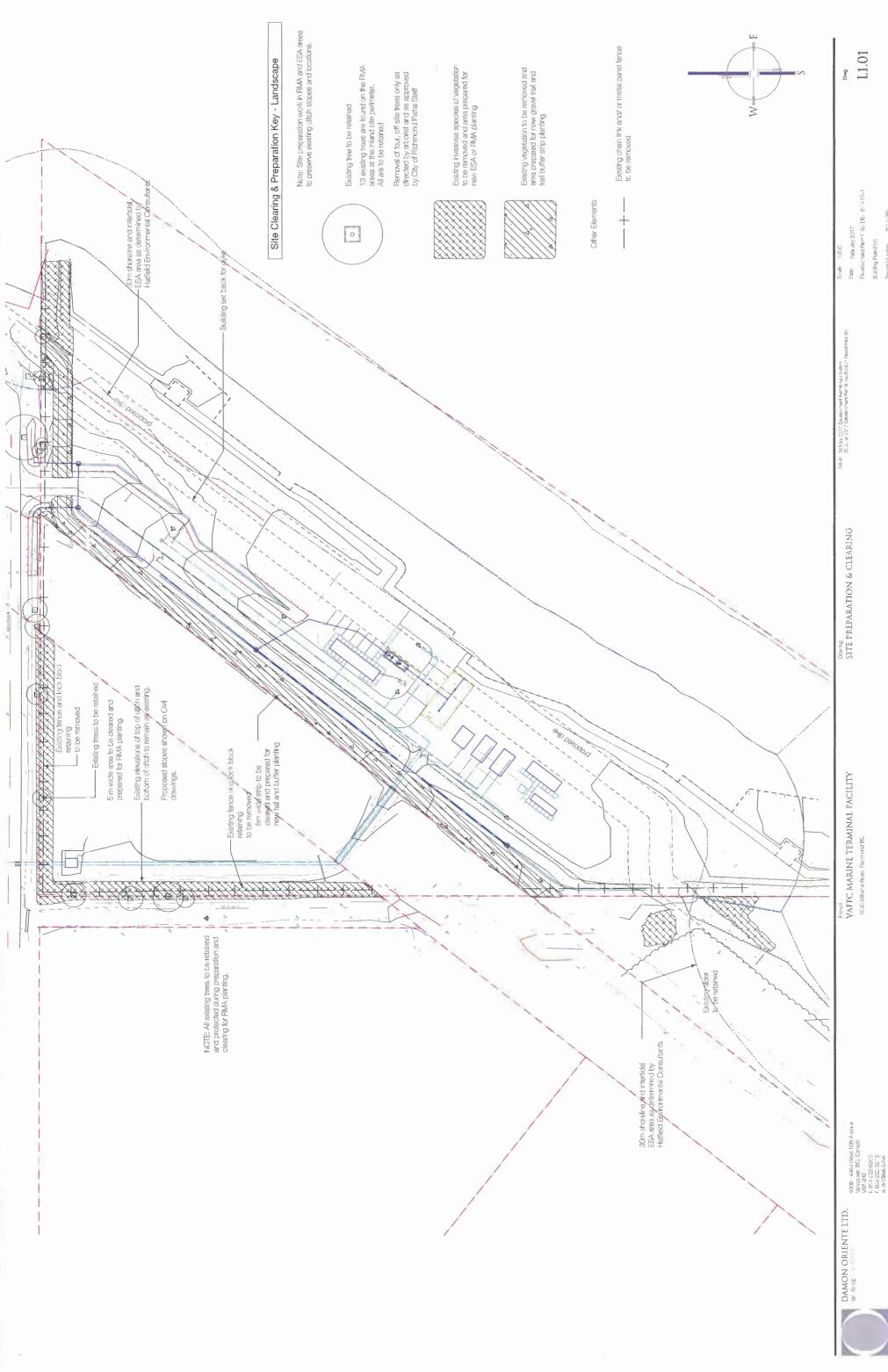
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30 June 2017 Development Permit Application Resubmission

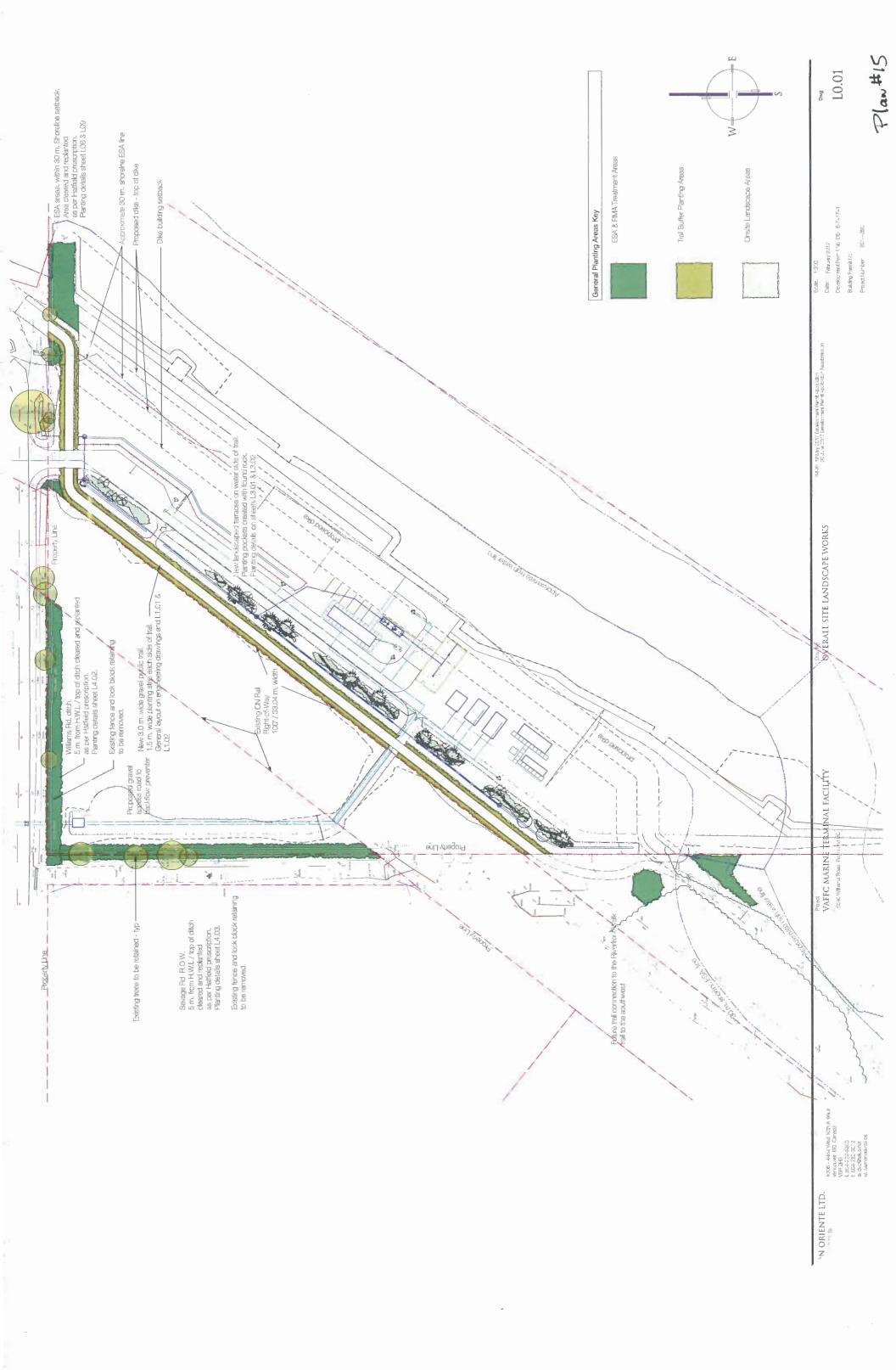
uTree Environmental Consultants.
p 604-328-0614 e avanderhelm1(a)gmail.com www.utree.com

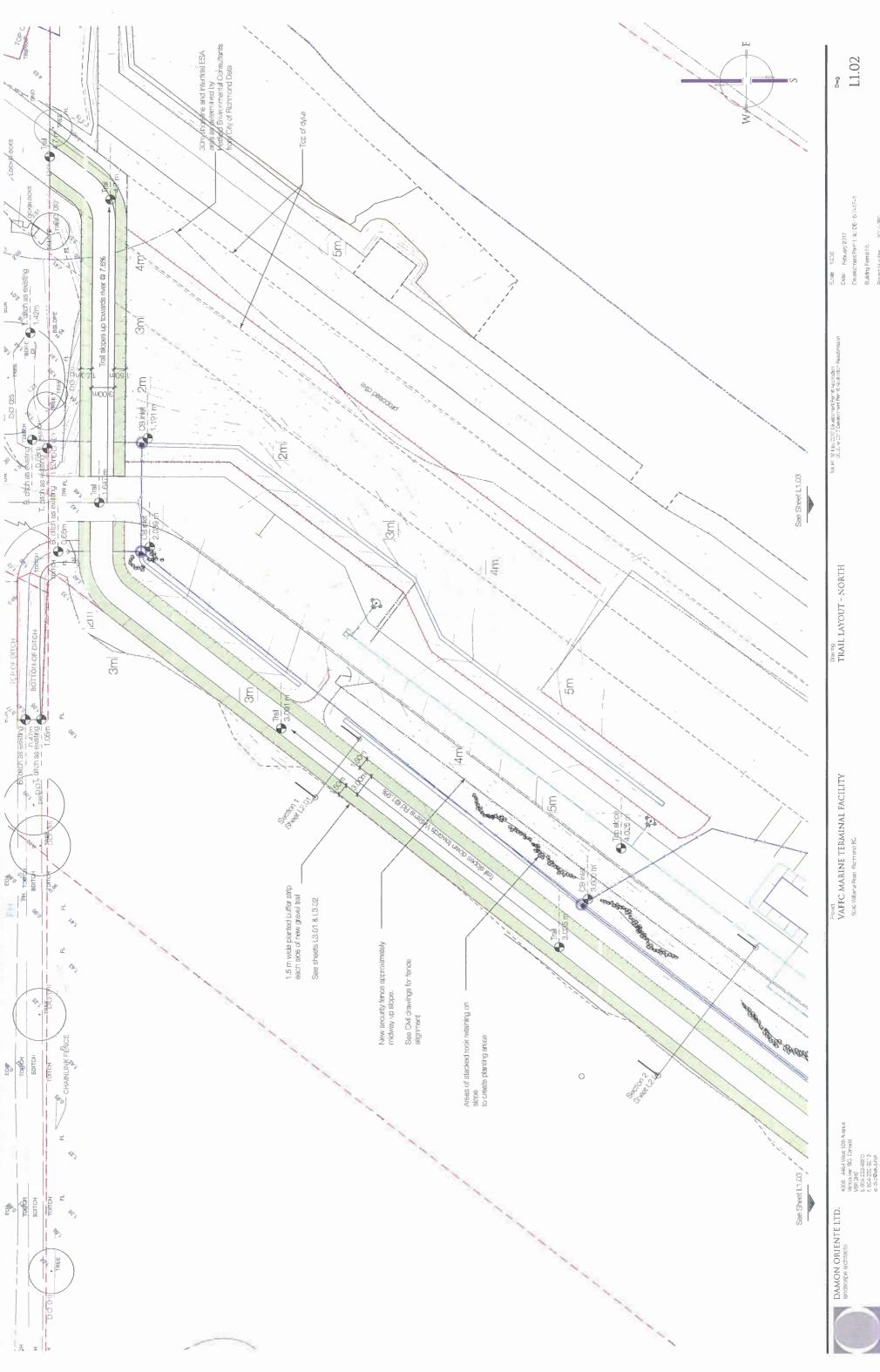




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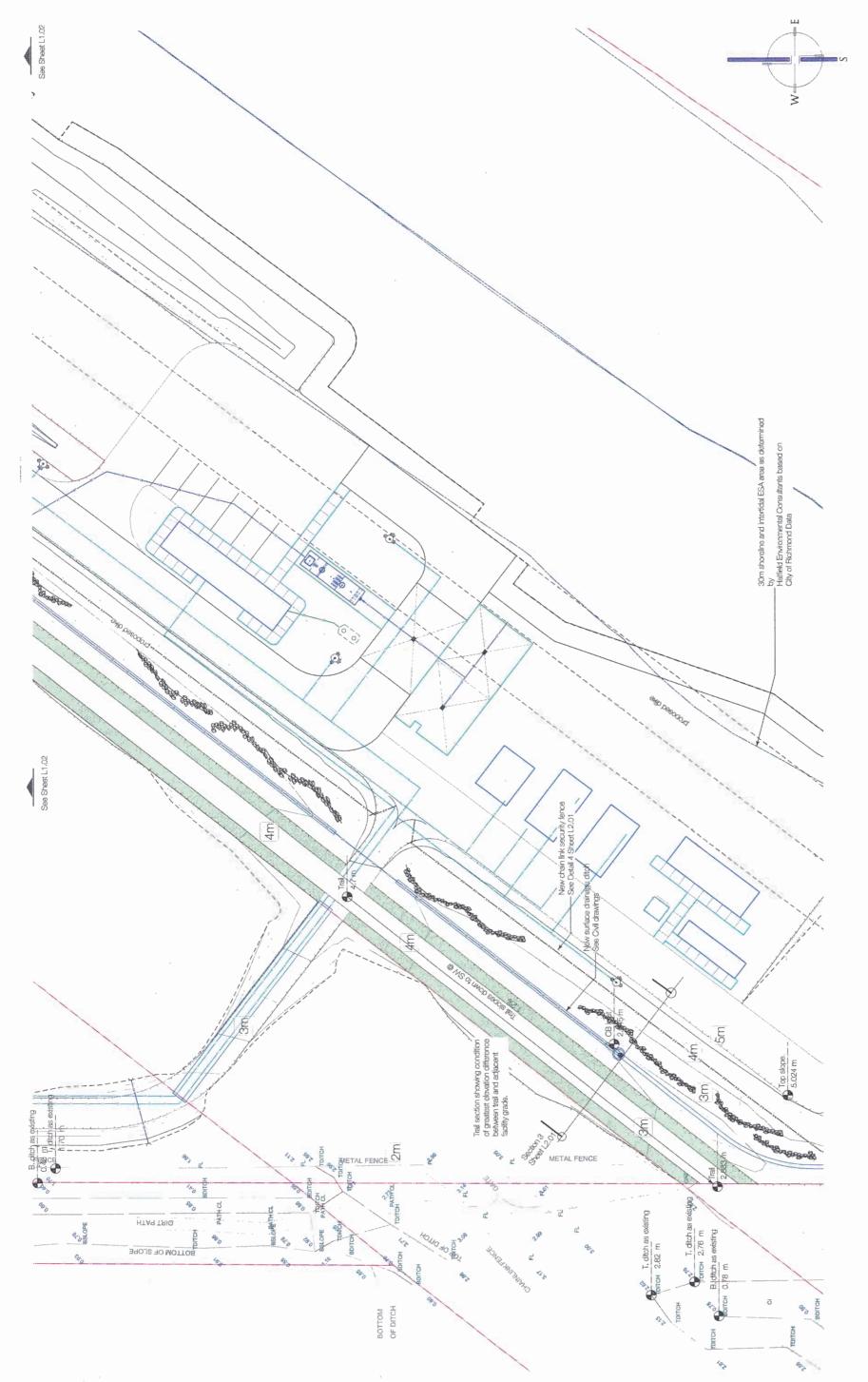
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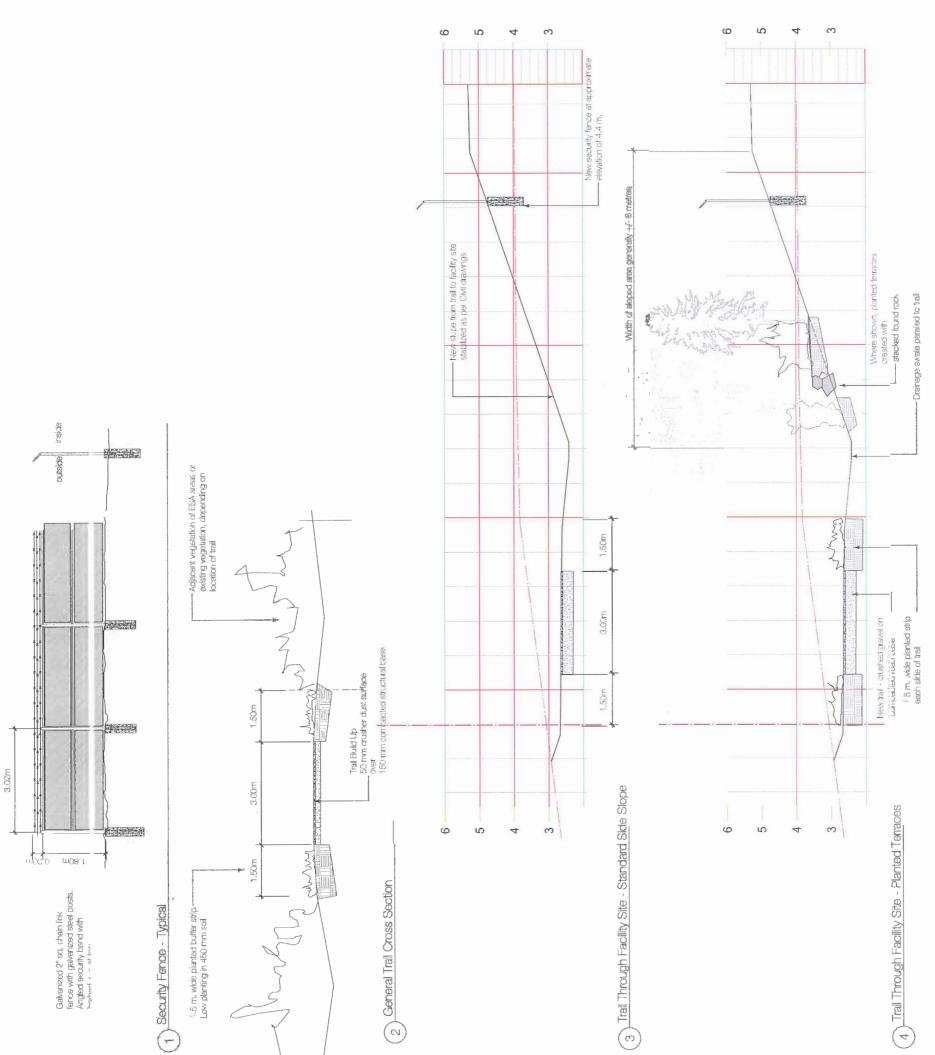
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DAMON ORIENTE LTD. Inndscape architects

Drawing
TRAIL LAYOUT - SOUTH

Prised
VAFFC MARINE TERMINAL FACILITY
15040 Willens Bred, Butmord BC



Disaving TRAIL SECTIONS

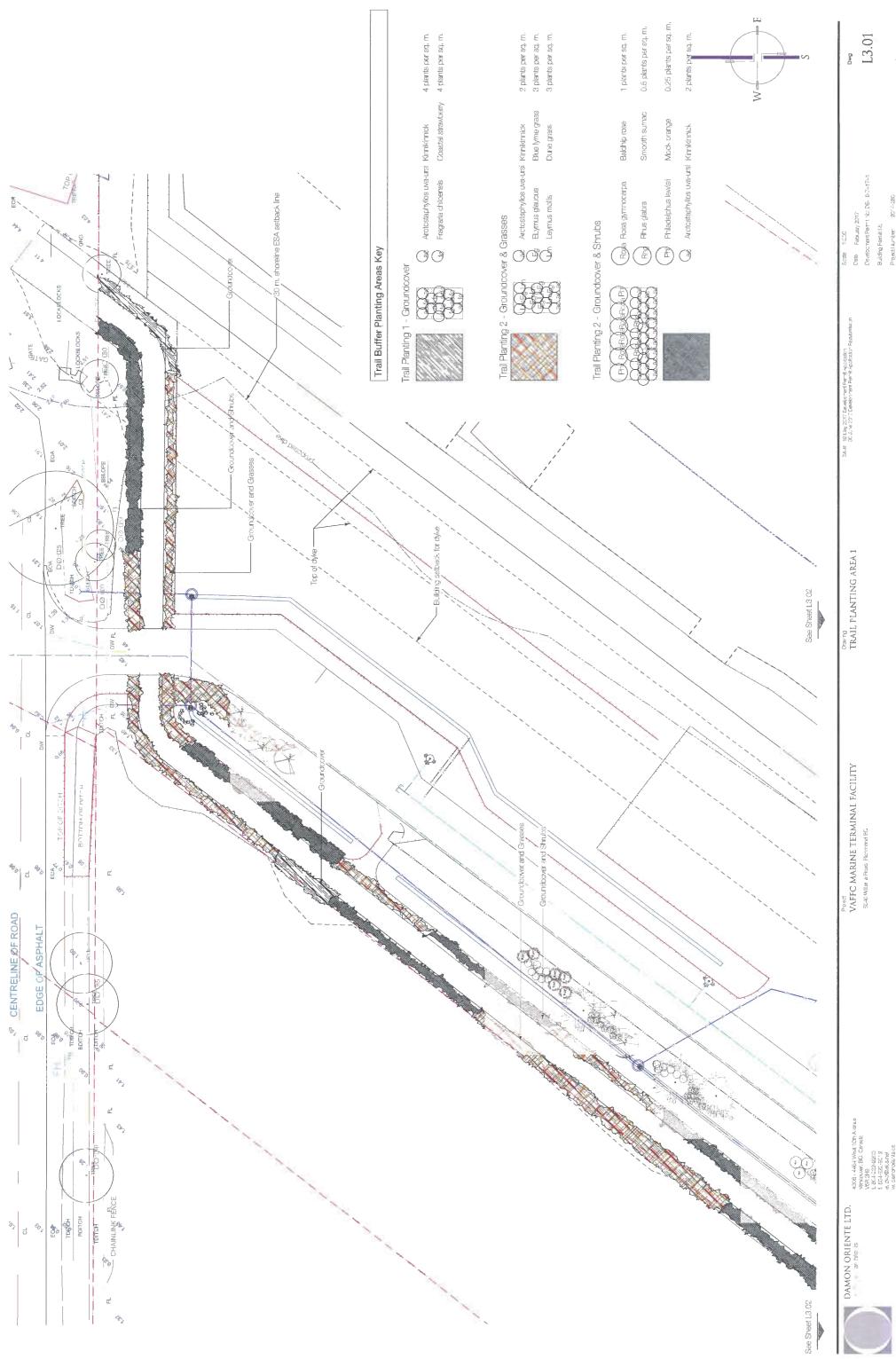
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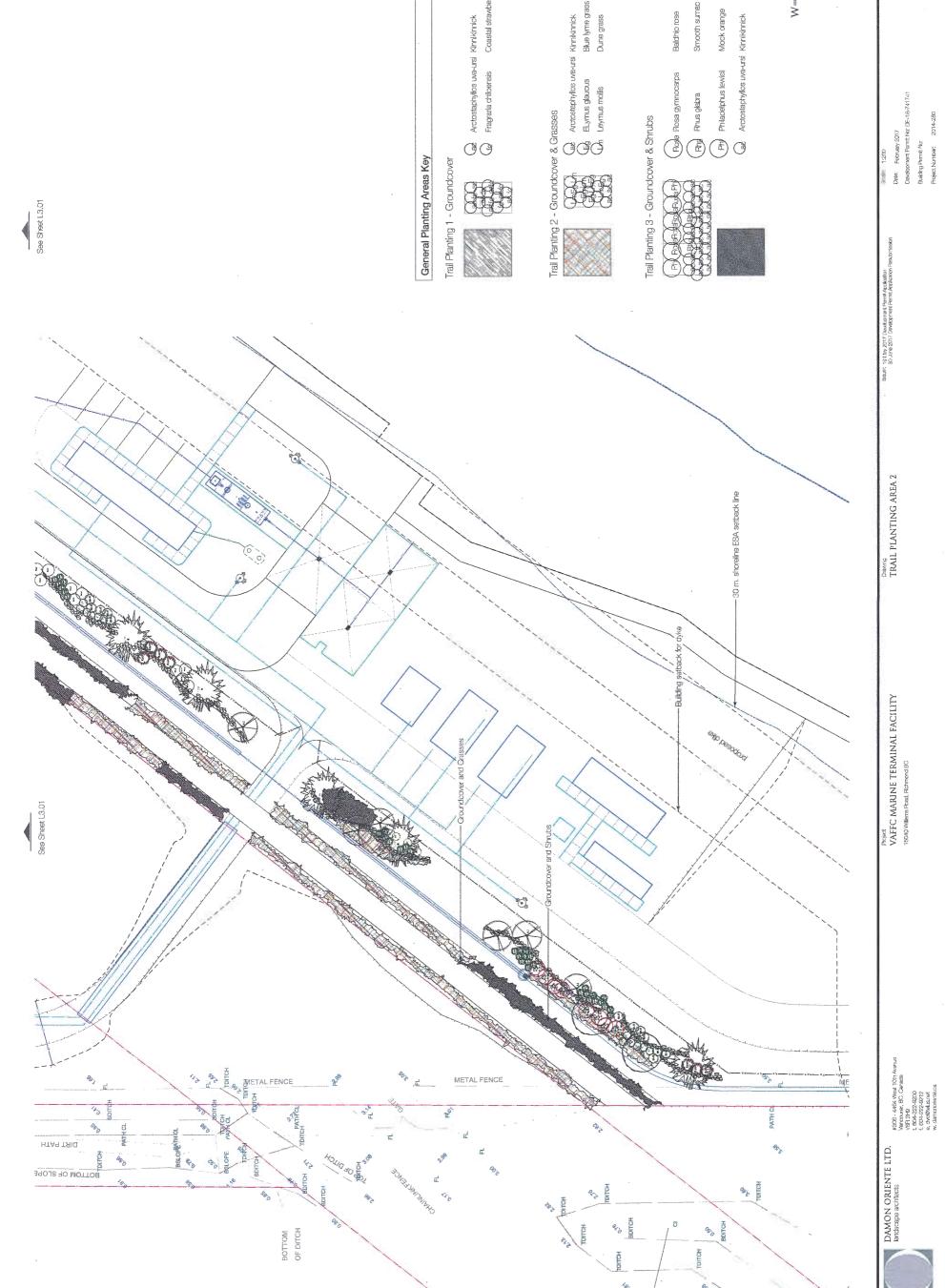


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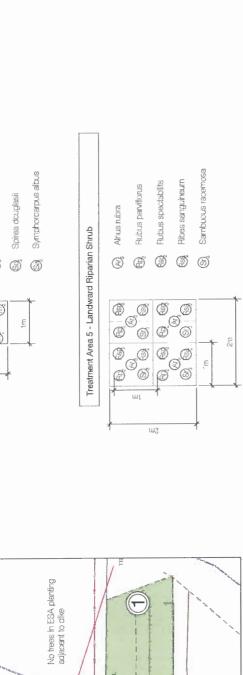
plan #19

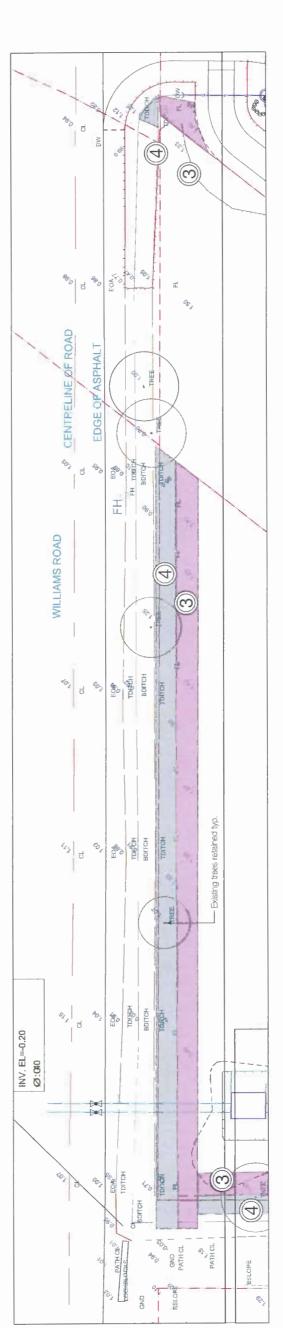


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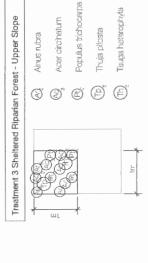
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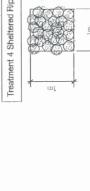
Sambucus racemosa Symphorcarpus albus Ribes sanguineum Rubus spectabilits (M) Mahonia nervosa (R) Rubus parvitorus Rubus parviflorus Rubus spectabilits Spirea dcuglasii Anus rubra Treatment Area 5 - Landward Riparian Shrub Treatment Area 1 - Shoreline Riparian Shrub **(3**) (b) Ŧ Ø 3 B **3** (3) (5) W3

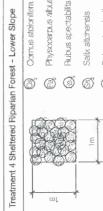




## (2) Willams Road RMA Areas







	Physocarpus albus	Rubus spectabilits	Salk sitchensis	Spirea douglasii	Symphorearpus albus	
)	<b>3</b>	<b>(</b>	(3)	3	Ĩ	
	DIT.		E.			

Symphorcarpus albus

Rubus spectabilits

**6** 6 6

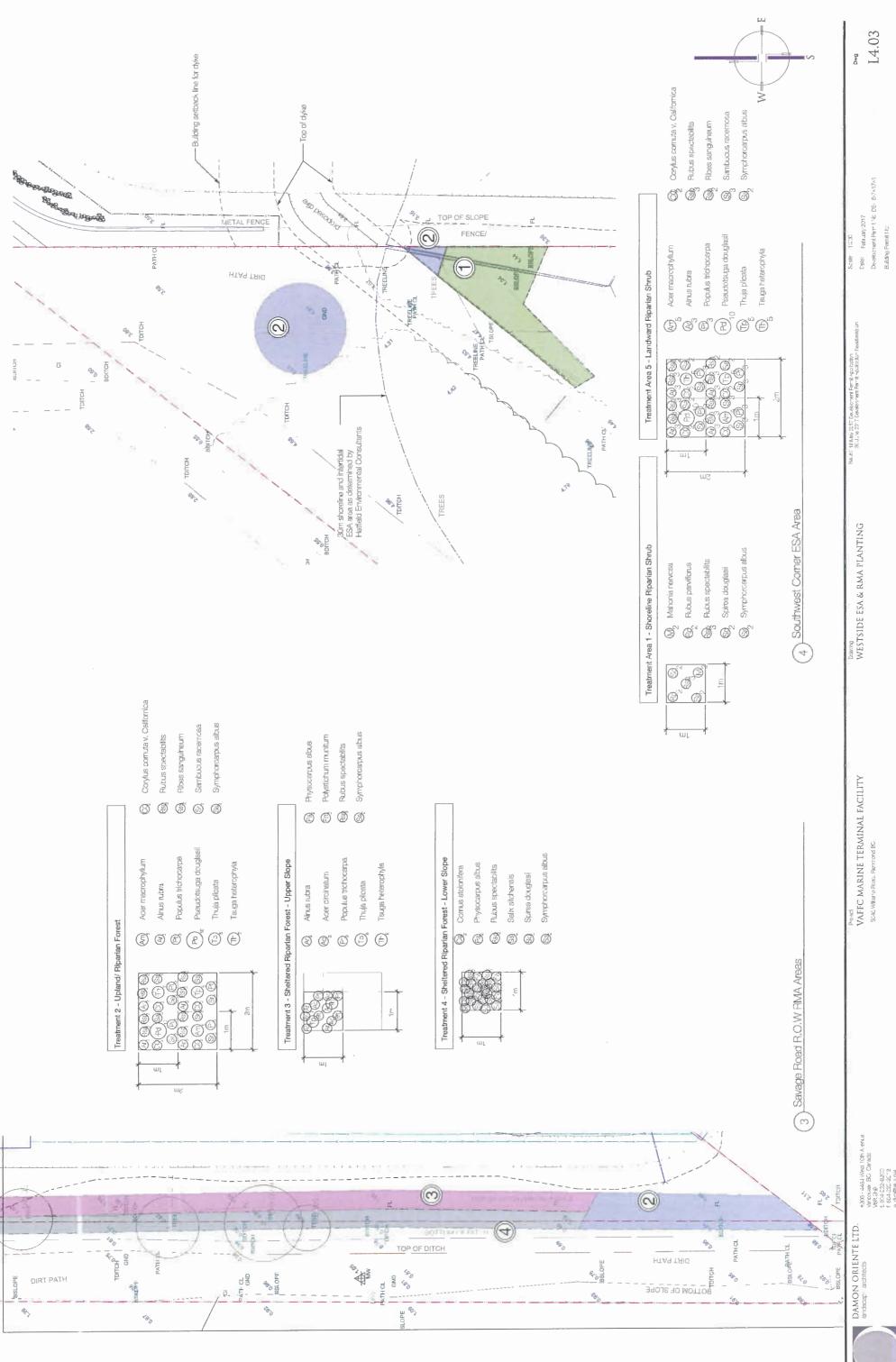
Polystichum munitum Physocarpus albus

DIRWING NORTH SIDE ESA & RMA PLANTING

Scale 1120 Dails: Fabruary 2017 Development Perr 1 4: DE- 8-7-17-11 Bulding Permit No:

Dwg L4.02





## Plant List for ESA, RMA Planting Areas

	Notes										Notes												
	Scheduled Size	#3 pot	#5 pot	#3 pot	#2 pot	#3 pot	#10 pot	#5 pot	#5 pot		Scheduled Size	#2 pot	#2 pot	#2 pot	#2 pot	#2 pot	#2 pot	#2 pot	#2 pot	#2 pot	#2 pot	#2 pot	
	Соттоп Name	Vine maple	Bigleaf maple	Red alder	Beaked hazlenut	Black cottonwood	Douglas fir	Western redcedar	Western hemlock		Common Name	Redosier dogwood	Dull Oregon grape	Pacific ninebark	Swordfern	Red flowering currant	Thimbleberry	Salmonberry	Red elderberry	Sitka willow	Steeplebush	Snowberry	
	Quantity Latin Name	Acer circinatum	Acer macrophyllum	Alnus rubra	Corylus cornuta var. 'Californica''	Populus trichocarpa	Pseudotsuga menziesii	Thuja plicata	Tsuga heterophylia	SC	Quantity Latin Name	Cornus stolonifera	Mahonia nervosa	Physocarpus albus	Polystichum munitum	Ribes sanguineum	Rubus parviflorus	Rubus spectabilis	Sambuccus racemosa	Salix sitchensis	Spiraea douglasii	Symphorocarpus albus	
	Quantity	80	7	112	17	74	4	13	12	Shrubs & Herbs	Quantity	62	33	72	40	34	22	420	69	62	149	148	
Trees	۵									Shrubs	Q												

### Scheduled Size Scheduled Size 10 cm pot 10 cm pot 10 cm pot 10 cm pot Oregon grape Dull Oregon grape Baldhip rose Kinnikinnick Blue lyme grass Coastal straberry Dune grass Common Name Common Name Plant List for Trail Buffer Planting Areas Arctostaphylls uva-ursi Elymus glacus Fragraria chiloensis Leymus mollis Quantity Latin Name 0 1740 Arctostaphylls u 1395 Elymus glacus 160 Fragratia chilose 1365 Leymus mollise Groundcover & Grasses Quantity Latin Name Shrubs & Herbs 80 324 325

# Plant List for On-site Slope Areas Adjacent to the Trail

Notes

Notes

### General Landscape Specifications

Acess requiring topsoil shall be fine graded by raking out spot material and debris such as roods, assigniate and councerto over 50 mm in diameter, and scarring to a minimum depth of 150 mm anneallettly before placing topsoil.

ntainer Shrub N.T.S.

- Topsoil and any amendments to the growing medium shall meet the criteria described in the British Columbia Landscape Standards for background (natural) areas (refer to adjacent table for particle size, acutify and drainage specifications).
- Topsoil shall be tested by an accredited soil testing laboratory, prior to delivery,
- Screened topsoil must be applied with a minimum thickness of 450 mm in shrub planting areas and 500 mm in fered areas. Topsoil must be free of subsoil, wood (including woody plant parts). Ionic malarials, stones over 30 mm, foreign objects, propagulee of plant species designated are motives under the EC Weed Confrol Aci and Regulation, and other invasive or undestrable plant species.

ypical Container Tree Planting Detail N.T.S.

- All plant maturial that has not been salvaged from the construction footprint shall be of guaranteed nursay stock, densely branchest, welesstablend frinnium leaf density of 50%; the of invasivancious plant material and meet the criteria specified in City of Rehamon Engreening and Public Works Department Supplementary Specifications and Deall Deavings, Version 3, 2016. Schedule G. Tiee Planting on Sidewalfs and Boulewords (they replace the specifications in Section 32 of 0 Planting of Tiees, Shruke, and Ground Covers in the MMCD Planting Control Covers in the MMCD Planting Covers in the C
- Plants in containers shall have a well-established root system, reauthing the sides of the conts but not being root bound. Soil must hold together when a plant is removed from its container.
- The City of Richmond's Engineering and Public Works department must be notified once nursery stock has arrived on site, for inspection prior to planking, Fall planting (following the last drought parted in September or October), or spring planting (March or April) is recommended.
- Native trees, thrubs and horts must be sat plumb and fully immersed in graving medium, such that the ord of the nodula lise set at or slightly above the facilities grave. Planting wells will be established to increase the capture and retendon of valuet. The soil anound each new plant will be temped and waltered in layers. Those will be securally staked on both sides.
- The soil must be raked once the revegetation work is complete. A fall nye should be surred in the enhancement areas to prevent erosion and provide some sheller for new plants until they become
- Habitat enhancement works should be supervised by a certified landscape architect (or furticulturalist) to ensure compliance with the BC Landscape Standards and City and Richniund specifications for the planting of thee, shrubs, and ground cover.
  - The contractor shall provide maintenance including, watering, removal of invasive species and replacement of dead stock to a period of three (3) years following planting.

6773-01

DATE Feb 2. 2017 ¥

Vancouver Airport Fuel Delivery Project – Habitat Enhancement On/By Marine Terminal

# Hatfield

_	_					
			ď.	eatment 1 (Shorell	Treatment 1 (Shoreline Riparian Shrub) - 197 m²	rn²
			ပိ	Common name	Botanical Name	% of Area
			Sa	Salmonberry	Rubus spectabilis	20
			Ę	Thimbleberry	Rubus parvillorus	10
			Ste	Steaplebush	Spirea douglasii	20
			S	Snowberry	Symphoricarpos albus	10
			Do	Dull Oregon Grape	Mahonia nervosa	10
			T.	eatment 2 (Upland	Treatment 2 (Upland/Riparian Forest) 246 m²	41
			8	Common name	Botanical Name	% of Area
			ပိ	Coastal Douglas-fir	Pseudotsuga douglasii	9
			Ň	Western redoedar	Thuja plicata	9
			8	Western hemlock	Tsuga heterophylla	7
			Big	Bigleaf inaple	Acer macrophyllum	9
			Re	Red alder	Alnus Rubra	17
			BIS	Black cottonwood	Populus frichocarpa	12
			Sa	Salmonberry	Rubus spectabilis	14
			Be	Beaked hazelnut	Corylus comuta var. Califomica	7
			R	Red elderberry	Sambucus racemosa	15
			2.2	Red-flowering currant	Ribes sanguineum	2
		_	ς.	Snowberry	Symphoricarpos albus	7
-						
			Ť	eatment 3 (Shelter	Treatment 3 (Sheltered Riparian Forest - Upper Slope) - 4	er Slope) – 4
			ŏ	Сопттоп пате	Botanical Name	% of Area
-	-					

Treatment 4 (Shelte	Treatment 4 (Sheltered Riparian Forest - Lower Slope) - 412 m <sup>2</sup>	wer slope) -	*112 FII*	
Common name	Botanical Name	% of Area	% of Area Stock Size	Planting Density
Redosier dogwood	Cornus stolonifera	15	No. 2 pot	1 plant per 1 m²
Sitka willow	Salix sitchensis	15	No. 2 pot	1 plant per 1 m²
Salmonberry	Rubus spectabilis	25	No. 2 pot	1 plant per 1 $\mathrm{m}^2$
Pacific ninebark	Physocamus albus	10	No. 2 pot	1 plant per 1 m²
Snowberry	Symphoricarpos albus	15	No. 2 pot	1 plant per 1 m²
Staaplebush	Spires douglasii	20	No. 2 pol	No. 2 pot 1 plant per 1 m <sup>2</sup>

Planting Density
1 plant per 1 m²

Stock Size No. 3 pot No. 2 pot No. 2 pot No. 2 pot No. 2 pot

Planting Density	Treatment 5 (Land	Freatment 5 (Landward Riparian Shrub) - 147 m <sup>2</sup>	17 m <sup>2</sup>	١	0
plant per 4 m²	Соптоп пате	Botanical Name	% of Area	Stock Size	Planting Density
plant per 4 m <sup>2</sup>	Red alder	Alnus rubra	18	No. 2 pot	1 plant per 1 m <sup>2</sup>
plant per 4 m <sup>2</sup>	Red elderberry	Sambucus racemosa	22	No. 3 pot	1 plant per 1 m²
plant per 2 m²	Salmonberry	Rubus spectabilis	30	No. 2 pot	1 plant per 1 $m^2$
1 plant per 1 m <sup>2</sup>	Thimbleberry	Rubus parviflorus	15	No. 2 pot	1 plant per 1 m²
1 plant per 1 m²	Red-flowering	Ribes sanguineum	15	No. 2 pot	1 plant per 1 m²

Stock Size
No. 10 pot
No. 5 pot
No. 5 pot
No. 5 pot
No. 3 pot

1 plant per 1 m² 1 plant per 1 m² 1 plant per 1 m²

No. 3 pot No. 2 pot

Солтоп пате	Botanical Name	% of Area	Stock Size	Planting Density
Western redoedar	Thuja plicata	80	No. 5 pot	1 plant per 4 m <sup>2</sup>
Western hemlock	Tsuga helerophylla	7	No. 5 pot	1 plant per 4 m²
Red alder	Alnus Rubra Populus	10	No. 3 pot	1 plant per 1 m²
Black cottonwood	trichocarpa Rubus	10	No. 3 pot	1 plant per 1 m²
Salmonberry	spectabilis	23	No. 3 pot	1 plant per 1 m²
Pacific ninebark	Physocarpus albus	7	No. 2 pot	1 plant per 1 m²
Vine maple	Acer circinatum	18	No. 3 pol	1 plant per 1 m <sup>2</sup>
Snowberry	Symphoricarpos albus	60	No. 2 pot	1 plant per 1 m²
Sword fern	Polystichum munitum	6	No. 2 pot	1 plant per 1 m <sup>2</sup>

On/By Marine Terminal	GN DRAWN PROFESSIONAL SEAL DRAWING NUMBER	44	SION DATE 6773-01	June 26, 2017	Challenger of the company of the company of the company
# Hatled	DESIGN DRAW	d X	REVISION DATE	June 2017	61

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VAFFC MARINE TERMINAL FACILITY

SPECIFICATION NOTES AND PLANT LISTS

Skale 1,57.0 Data: Fabruary 2317 Detelopment Petrit 14: DE: R-7-1741

Dwg L0.05

Location		Ĩ	Habitat (m <sup>2</sup> )		Comments
					Habitat Impact Summary
Marine Terminal Property	Existing	Post- construction	Net Change	Enhancement Area	
Shoreline ESA	208.0	344.0	+136.0	+344.0	Existing ESA is an area of fill and gravel, and largely barren. Two young trees and one small marginal habitat patch containing native red alder and black cottonwood saplings with an understory of invasive shrubs and herbs will be lost to development. A 2.4:1 compensation for this loss will be achieved by enhancing Shoreline ESA in northeast corner of the property (344 m²) and adjacent to the property (see below). Overall, 70% of ESA enhancement works would be onsite.
Intertidal ESA		Refer to	Refer to comments		Green-coded low productivity habitat. Replacing the 3,256 $\rm m^2$ wharf structure with clean, stable bank armour will restore approximately 36,000 $\rm m^3$ of open river flow environment and provide approximately 3,800 $\rm m^3$ of new, stable micro-refugia for flora and fauna. Upgrading concrete rubble rip-rap on either side of the existing wharf footprint will improve stability and quality of substrate refugia over 4,400 $\rm m^3$ (total of 8,000 $\rm m^3$ at base of slope along marine terminal property).
Williams Road RMA	176.3	413.2	+236.9	+413.2	These RMAs are degraded by invasive species and dust generated by the high volume of Ecowaste truck traffic. Only the trees are native and these will not be eliminated by the development. Although there is no defensible ecological rationale for it, 2.2.1
Savage Road RMA (inferred)	95.0	387.6	+292.6	+387.6	habitat compensation is proposed, by removing the existing fences to restore the full 5 m width of each RMA, and by regrading the sites and replacing invasive shrubs and herbs with native vegetation. Overall, 82% of RMA enhancement works would be onsite.
					Proposed Habitat Compensation
Adjacent to Property					
Shoreline ESA	A/A	N/A	A/N	+144.6	To further compensate for marginal habitat loss from the marine terminal property Shoreline ESA, invasive plants southwest of the property, by red-coded intertidal habitat, will be replaced with native plants.
Williams Road RMA	50.7	50.7	. 0	50.7	
Savage Road RMA (inferred)	129.0	129.0	0	129.0	A portion of the KMAs are beyond the property boundary, which will thus involve limited offsite enhancement work (11% for Williams Road RMA, 25% for Savage Road RMA).
Upland Habitat	A/N	A/N	A/N	+110.1	A portion of the CN ROW in the Williams Road RMA will be compensated for by replacing invasive species with native ones between the Savage Road RMA and Shoreline ESA, as a contribution to the local Ecological Network (the remaining 72 m² of the ROW compensation was shifted to the onsite Shoreline ESA).
					Gains and Losses
Terrestrial Habitat	fat			+1,579.2 m <sup>2</sup>	2:1 habitat enhancement in Shoreline ESAs for a 208 m² onsite shoreline disturbance and a portion of the Williams RMA overlapping with the CN ROW (53% on site). Approximately 2:1 habitat compensation and enhancement to RMAs (54% on site).
Aquatic Habitat				+3,800.0 m <sup>3</sup>	Improvements to Intertidal ESA by replacing vertical steel-pilc wharf with clean, stable bank armour.

This schedule is reprinted from the ESA and RMA Environmental Impacts Report by Hatfield Environmental Consultants

DAMON ORIENTE LTD.

Project

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15040 Williams Road, Richmond BC

VAFFC MARINE TERMINAL FACILITY

HABITAT BALANCE Draw rg

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Scale: rits Date:

2014-280 Project Number: 201 30 June 2017 Development Permit Application Resulbhission

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