

Compliance monitoring and enforcement program

2019, Quarter 1 Summary Report

Background

Canada Port Authorities have been the permitting authority for federal port lands and waters since the introduction of the *Canada Marine Act* in 1998, and as a federal authority, conduct environmental reviews of projects in accordance with Section 67 of the *Canadian Environmental Assessment Act, 2012* (CEAA 2012).

The Vancouver Fraser Port Authority uses its own [Project and Environmental Review](#) (PER) process to fulfill our federal responsibilities under the *Canada Marine Act* and the *Canadian Environmental Assessment Act*, carefully reviewing and considering potential effects from all proposed project development on federal lands and waters before determining if a project should proceed. If a proposed project is approved, a project permit will be issued with conditions. A permit holder must comply with the scope and conditions as outlined in the project permit. Unauthorized work is work or activities that are undertaken without a project permit which would have required a project permit, or work undertaken that is beyond the scope of what is authorized in a project permit.

Overview of compliance monitoring and enforcement program

In 2018, the port authority updated its approach to compliance monitoring and enforcement (CME) to achieve the following objectives:

- More effectively monitor compliance with permit conditions;
- Formalize permit compliance expectations;
- Utilize better tools to communicate more effectively between the port authority and applicants/permit holders; and
- Ensure fair, consistent and transparent responses to permit non-compliance.

CME Program Statistics

In the first quarter of 2019, the port authority issued the following number of permits:

Permit category	Number of permits issued
Category A permits	41
Category B permits	4
Category C permits	2
Category D permits	0
Designated projects permits	0

In the first quarter of 2019, there were 15 category C, D and designated projects in the construction phase.

Compliance verification activities conducted by the port authority during the first quarter of 2019 include:

- Six site visits of permitted projects under construction;
- Five site visits regarding potentially unauthorized works;
- Desktop reviews of self-reports submitted by permit holders indicating the status of compliance with each condition of their permit; and
- Desktop reviews of environmental monitoring reports submitted by permit holders that provide information on the regular environmental monitoring conducted on site to ensure consistency with the project Construction Environmental Management Plan and permit conditions.

Enforcement actions

A summary of enforcement actions which have been issued by the port authority in the first quarter of 2019 (January 1 to March 31, 2019) is provided in the table below.

Summary of enforcement actions

Permit Holder / Proponent	Project	PER number	Permit Category	Enforcement action		Status
				Tool used	Date issued	
Columbia Containers Ltd.	Columbia Containers Partial Bight Infill	PP17-102	C	Stop Work Order	Jan. 18	Returned to compliance (on Jan. 24)
Metro Vancouver	Conveyance for North Shore Wastewater Treatment Plant	PP17-090	C	Stop Work Order	Mar. 12	Returned to compliance (on Mar. 19)
Advisian on behalf of the South Coast British Columbia Transportation Authority (Translink)	Seabus Temporary Berth – North Vancouver	PP18-203	B	Correction Order	Mar. 14	Returned to compliance (on Mar. 27)

Project Permit 17-102: Columbia Containers Ltd. Partial Bight Infill

A stop work order was issued for Project Permit 17-102 on January 18, 2019 as the environmental requirements were not being fully implemented during the infilling and habitat offsetting work at 2775 Commissioner Street, Vancouver. The stop work order was lifted on January 24, 2019.

Project Permit 17-090: Metro Vancouver Conveyance for North Shore Wastewater Treatment Plant

A stop work order was issued for Project Permit 17-090 on March 12, 2019 in response to unauthorized installation of temporary fencing, vegetation removal and soil work at the northern tower of the Lions Gate Bridge, District of North Vancouver. The stop work order was lifted on March 19, 2019.

Project Permit 18-203: Advisian on behalf of the South Coast British Columbia Transportation Authority (Translink)

A correction order was issued for Project Permit 18-203 on March 14, 2019 as the permit holder had commenced construction prior to having a valid tenure agreement in place for the occupancy area. The correction order was lifted on March 27, 2019.

More information

Learn more about our Project and Environmental Review process at

<https://www.portvancouver.com/development-and-permits/project-and-environmental-reviews/>.

Learn more about our Compliance Monitoring and Enforcement program at

<https://www.portvancouver.com/development-and-permits/compliance/>.

If you have questions, please contact the Vancouver Fraser Port Authority at:

Phone: 604.665.9047

Email: per@portvancouver.com