

Compliance monitoring and enforcement program

2019, Quarter 3 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 82 of the *Impact Assessment Act*¹.

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 *Impact 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 works as 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:

- Formalize permit compliance expectations;
- More effectively monitor compliance with permit conditions;
- Communicate more effectively with applicants/permit holders; and
- Ensure fair, consistent and transparent responses to permit non-compliance.

CME Program Statistics

In the third quarter of 2019, the port authority issued the following permit volumes, and a summary of the compliance verification activities conducted by the port authority is provided in the table below:

¹ On August 28, 2019 the *Impact Assessment Act* replaced the *Canadian Environmental Assessment Act, 2012*.

Permit category	Number of permits issued	Projects under construction	Compliance Verification Activities conducted by port authority: Site visits
Category A permits	35	Data not available	3
Category B permits	14		2
Category C permits	1	19	2
Category D permits	0		2
Designated projects permits	1		1
Potentially unauthorized works	N/A	N/A	2

Additional compliance verification activities conducted by the port authority during the third quarter of 2019 included:

- 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 third quarter of 2019 (July 1 to September 30, 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	
Amix Salvage & Sales Ltd.	Building demolitions	19-124	B	Stop work Order	July 2019	In progress
Fibreco Export Inc.	Fibreco Terminal Enhancement Project	16-268-1	C	Correction Order	August 2019	In progress

Permit Holder / Proponent	Project	PER number	Permit Category	Enforcement action		Status
				Tool used	Date issued	
Westshore Terminals Limited Partnership	Berth 2 Variable Frequency Drive Enclosure	17-299	B	Correction Order	September 2019	In progress

19-124: Amix Salvage & Sales Ltd.

A stop work order was issued to Amix Salvage & Sales Ltd. on July 19, 2019 as several building demolitions were underway at 12021 Musqueam Drive, Surrey, without the required authorization from VFPA. The unauthorized work is in contravention of VFPA's PER process. The requirement to obtain a project permit prior to continuing with the building demolition activity is in progress.

16-268-1: Fibreco Export Inc.

A correction order was issued to Fibreco Export Inc. on August 13, 2019 as VFPA became aware that Fibreco Export Inc. had conducted unauthorized works by installing several temporary construction trailers and associated construction equipment, and upgrading their berth fenders, beyond the scope of their permitted works. VFPA is unable to confirm whether the unauthorized construction trailers are compliant with the National Building Code 2015 as a building permit application was not completed. There were also several pre-construction conditions that need to be satisfied. Fibreco Export Inc. is working to address the items outlined in the correction order.

17-299: Westshore Terminals Limited Partnership

A correction order was issued to Westshore Terminals Limited Partnership on September 24, 2019 as VFPA became aware that Westshore Terminals Limited Partnership had not provided their signed and sealed drawings, obtained a Building Permit, nor provided record drawings for the Berth 2 Variable Frequency Drive Enclosure. Westshore Terminals Limited Partnership is required to address the items outlined in the correction order.

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/>.

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