



Compliance Monitoring and Enforcement Program

2020, 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*.

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.

Under the compliance monitoring and enforcement (CME) program projects are monitored against permit conditions and enforcement actions are taken for non-compliant projects or unauthorized works. Unauthorized work is work or activities that are undertaken without a required project permit, or work undertaken that is beyond the scope of work authorized in a project permit.

Overview of compliance monitoring and enforcement program

Our approach to compliance monitoring and enforcement is to achieve the following objectives:

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

Since the program's launch in 2018, we have provided education to permit holders and tenants about the CME Program, and worked closely with permit holders to assist with understanding and resolving instances of non-compliance with project permit conditions.

CME Program Statistics

The table below summarizes the number of permits issued by the port authority in the third quarter of 2020 and the compliance verification activities conducted during that period:

Permit category	Number of permits issued	Projects under construction	Compliance verification activities conducted by the port authority:	
			Site Visits*	Report Reviews: self-reports, IM & EM reports
Category A permits	34	Data not available	0	0
Category B permits	11		0	23
Category C permits	1	14	3	21
Category D permits	0		0	42
Designated projects permits	0		0	24
Potentially unauthorized works	N/A	N/A	2	0

*Port authority site visits were reduced starting March 16, 2020 due to COVID-19.

Compliance verification activities conducted by the port authority during the third quarter of 2020 included:

- Desktop reviews of self-reports submitted by permit holders indicating the status of compliance with each condition of their permit
- 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
- Desktop reviews of independent monitoring reports submitted by the independent monitor for Category D and designated projects
- Site inspections

Enforcement actions

A summary of enforcement actions which have been issued or resolved in the third quarter of 2020 is provided in the table below.

Summary of enforcement actions

Permit holder / proponent / location	Project	PER number	Permit category	Enforcement action		Status
				Tool used	Date issued	
Vancouver Fraser Port Authority	Centerm Expansion Project	15-012	D	Correction Order	April 2020	Returned to compliance July 2020.
Indian Arm	Tent platform and Deck	Preliminary Permit 19-065	B	Restoration Order	September 2020	In progress

15-012: VFPA Centerm Expansion Project

A correction order was issued to Vancouver Fraser Port Authority for the Centerm Expansion Project on April 30, 2020 in response to ongoing non-compliances under project permit 15-012. Non-compliances included inadequate containment of waste materials, inadequate or absent erosion and sediment control measures and inadequate storage of hazardous waste materials outside of secondary containment. The port authority implemented appropriate measures to effectively address the non-compliances mentioned above. The correction order was satisfied on July 27, 2020.

Preliminary Permit 19-065: Unauthorized work Indian Arm

A restoration order was issued on September 28, 2020 for work involving the installation of a cabin that was constructed without the required authorization from the port authority. The restoration order is currently in progress.

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/permitting-and-reviews/per/project-and-environment-review-applicant/compliance/>

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