



Compliance monitoring and enforcement program

2021, 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, we 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

We have updated our approach to compliance monitoring and enforcement 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 programs 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 first quarter of 2021 and the compliance verification activities conducted during that period:

Permit category	Number of permits issued	Projects under construction	Site visits*
Category A permits	32	Data not available	1
Category B permits	11		1
Category C permits	0	14	1
Category D permits	0		2
Designated projects permits	0		0
Potentially unauthorized works	N/A	N/A	0

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

Compliance verification activities conducted by the port authority during the first quarter of 2021 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 visits

Enforcement actions

A summary of enforcement actions which have been issued or resolved in the first quarter of 2021 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	
Metro Vancouver	Annacis Island Wastewater Treatment Plant New Outfall System	17-093	C	Notice of Non-Compliance	January 20, 2021	Resolved
Goodrich Terminals	Lumber Transload Facility and Rail Spur	18-037	C	Restoration order	February 16, 2021	In progress

17-093: Metro Vancouver

A notice of non-compliance was issued to Metro Vancouver on January 20, 2021 as VFPA became aware that Metro Vancouver had conducted impact pile driving outside of the approved construction hours. Metro Vancouver has returned to compliance.

18-037: Goodrich Terminals

A restoration order was issued to Goodrich Terminals on February 16, 2021 in response to the unauthorized installation of a gravel access road within the riparian zone. The restoration order remains 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/>

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

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