



# Compliance monitoring and enforcement program

## *2021, Quarter 4 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.

### **Compliance Activities**

Compliance verification activities conducted by the port authority during the fourth 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.

## Enforcement actions

A summary of enforcement actions which have been issued or resolved in the fourth 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	
BC Ministry of Transportation and Infrastructure	Pattullo Bridge Replacement Project	17-107	D	Correction order	July 2021	In progress
Fraser Grain Terminal Ltd.	Fraser Grain Terminal	15-041	D	Correction order	July 2021	Resolved

#### 17-107: BC Ministry of Transportation and Infrastructure

A correction order was issued to BC Ministry of Transportation and Infrastructure on July 12, 2021 as VFPA became aware that the permit holder had failed to retain an independent monitor responsible for reviewing the construction environmental records and on-site construction activities for compliance.

#### 18-037: Fraser Grain Terminal Ltd.

A correction order was issued to Fraser Grain Terminal Ltd. on July 9, 2021 to address a number of outstanding monitoring reports required under permit conditions. The correction order was satisfied in November 2021.

## 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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