



Compliance monitoring and enforcement program

2022, 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, we conduct environmental reviews of projects in accordance with Section 82 of the *Impact Assessment Act*.

The Vancouver Fraser Port Authority (port authority) uses its [Project and Environmental Review \(PER\)](#) process to fulfill our responsibilities under the *Canada Marine Act* and the *Impact Assessment Act*, carefully reviewing and considering potential effects from 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 project scope and conditions 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 beyond the scope of work authorized in a project permit.

Overview of compliance monitoring and enforcement program

The intent of our CME program is to achieve the following objectives:

- Formalize permit compliance expectations
- Effectively monitor compliance with permit conditions
- Communicate 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

Compliance verification activities conducted by the port authority during the third quarter of 2022 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
- Four site visits

Enforcement actions

A summary of active enforcement actions in the third quarter of 2022 are provided in the table below.

Summary of enforcement actions

Permit holder / proponent	Project	PER number	Permit Category	Enforcement action	Date Issued	Status
BC Ministry of Transportation and Infrastructure	Pattullo Bridge Replacement Project	17-107	D	Non-compliance	July 2022	Resolved

17-107: BC Ministry of Transportation and Infrastructure

A notice of non-compliance was issued to BC Ministry of Transportation and Infrastructure as the permit holder did not meet the requirement for an environmental monitor to be present during activities that could affect fish and fish habitat. As a result, the environmental monitor was absent during dewatering activities and there was a spill of construction wastewater to the aquatic environment. The permit holder resolved this by establishing a protocol between the construction and environment teams to communicate any changes to the timing of construction activities.

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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