

**IN THE MATTER OF THE ENVIRONMENTAL ASSESSMENT ACT S.B.C. 2018, c.51  
(ACT)  
AND  
NON-COMPLIANCES  
WITH ENVIRONMENTAL ASSESSMENT CERTIFICATE E14-03  
ORDER UNDER SECTION 53(1)**

**WHEREAS:**

- A. The Coastal GasLink Pipeline Project (Project) is a reviewable project under the *Environmental Assessment Act* (the Act).
- B. Environmental Assessment (EA) Certificate #E14-03 (EAC) was issued to Coastal GasLink Pipeline Ltd. (Certificate Holder) for the Project on October 23, 2014.
- C. Condition 26 of the Table of Conditions (Schedule B of the Certificate) requires the Certificate Holder implement an Environmental Management Plan (EMP).
- D. The EMP contains requirements to avoid or reduce adverse effects through the use of erosion and sediment control measures.
- E. On October 19-23, 2020 and November 2, 2020 Environmental Assessment Office (EAO) Compliance and Enforcement (C&E) Officers conducted a site inspection of the Project (inspection record IR2020-055). Upon review of information gathered on and subsequent to that site inspection, the undersigned confirmed non-compliance with Condition 26 with respect to a failure to mitigate adverse effects through implementation or correct implementation of erosion and sediment control measures.
- F. Section 53(1) of the Act specifies that the Chief Executive Assessment Officer may order the Certificate Holder to carry out measures to mitigate the effects of non-compliance.
- G. The undersigned has received written delegation of the Minister's powers under Section 53(1) of the Act.

**DEFINITIONS:**

In this Order,

- (a) **Environmentally Sensitive Receptor** refers to the location of an environmental feature of importance, including but not limited to:
  - Watercourses;

- Wetlands;
- Surface waters such as lakes and ponds; and,
- Other sensitive features that could be adversely impacted by sediment deposition (for example rare plant locations, sensitive ecosystems, traditional use plant sites).

(b) **Qualified Professional** means a person who has training, experience and expertise in a discipline relevant to the field of practice set out in the Order, who is registered with the appropriate professional organization in British Columbia and is acting under that organization's code of ethics and is subject to disciplinary action by that organization.

(c) **Independent Erosion and Sediment Control Auditor (IESCA)** means a qualified professional who is designated as a Certified Professional in Erosion and Sediment Control (CPESC) or a Certified Inspector of Sediment and Erosion Control (CISEC) with demonstrated experience and knowledge of environmental monitoring and erosion and sediment control practices for construction projects in BC.

**NOW THEREFORE:**

Pursuant to Sections 53(1)(b) of the Act, I order that the Certificate Holder must:

- 1) Control the risk of sediment transport to Environmentally Sensitive Receptors by implementing the following:
  - Stabilize exposed surface material and subsoil during and after Project works where potential for erosion exists;
  - Plan and install erosion and sediment control measures before, during and after Project works; and,
  - Maintain these measures during and after Project works to ensure they continue to function as intended.
- 2) By January 11, 2021, retain an Independent Erosion and Sediment Control Auditor, or Auditors, to audit compliance of construction activities with this Order and EMP requirements specific to erosion and sediment control.
- 3) Cause the IESCA to
  - By January 25, 2021, submit to the undersigned for review and approval a plan to monitor and report on Project compliance with this Order;
  - Commencing February 8, 2021, provide biweekly monitoring reports directly to EAO C&E regarding Project compliance with erosion and sediment control requirements of the EMP and this Order; and,
  - Provide monitoring reports directly to EAO C&E without first being reviewed by the Certificate Holder.
- 4) Complete the measures identified in clauses 1 through 3 of this Order to the satisfaction of EAO C&E.
- 5) Complete the measures identified in clauses 1 through 3 unless otherwise authorized through EAO C&E.



Clayton Smith,  
Senior Compliance and Enforcement Officer  
Environmental Assessment Office

Dated December 8, 2020  
Order Ref: EN2020-011