

**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* (2018) (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). The EMP contains requirements to avoid or reduce adverse effects through the use of erosion and sediment control measures.
- D. 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 and documented that the Certificate Holder was not compliant with the requirements of the EMP.
- E. In response EAO C&E issued an Order under Section 53(1) of the Act requiring the Certificate Holder to control the risk of sediment transport to Environmentally Sensitive Receptors by stabilizing exposed surface materials, installing erosion and sediment control measures before, during and after Project works and maintaining the measures. The Certificate Holder was also Ordered to retain an Independent Erosion and Sediment Control Auditor(s) to audit compliance of construction activities with the Order (Order EN2020-011) on December 8, 2020.
- F. Between February 16 and 18, 2022 Environmental Assessment Office (EAO) Compliance and Enforcement (C&E) Officers conducted a site inspection of the Project and documented that the Certificate Holder was not compliant with the EMP required by Condition 26 and Order EN2020-011.
- G. 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.

H. The undersigned has received written delegation of the Minister's powers under Section 53(1) of the Act.

**DEFINITIONS:**

In this Order,

**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.

**Professional Practice Standards** means the set of standards that specify the obligatory requirements for the professional practice of the Qualified Professional, specified by their professional organization.

**NOW THEREFORE:**

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

- 1) Under the direct supervision of a Qualified Professional, implement erosion and/or sediment control measures (Measures) that prevent Project generated sediment laden water from entering Watercourse 8113 at, upstream, and/or downstream of Project works.
- 2) Ensure that the Qualified Professional considers and addresses sediment transport to watercourse 8113 from Watercourse UN12-71/2056.10, and project dewatering and ditch diversion activities that currently direct sediment laden water to the south of the Project right of way at the intersection of the right of way and the South Hirsch Forest Service Road.
- 3) By end of day February 24, 2022, provide confirmation to EAO C&E that the Measures have been implemented. Include in that confirmation a statement from the Qualified Professional that the Measures have been implemented in accordance with the Qualified Professionals direction, and that the work conducted by the Qualified Professional in this regard is in accordance with the Qualified Professionals Professional Practice Standards.
- 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 of this Order unless otherwise authorized by EAO C&E.



Chris Parks,  
A/Compliance and Enforcement Field Supervisor  
Environmental Assessment Office

Dated February 19, 2022  
Order Ref: EN2022-002