

**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 April 4 and 8, 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 not compliant with 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 the following watercourses (the Watercourses):
 - i. Unnamed Hirsch Creek Tributary NCD UN11-128, KP 653+262, UTM 9U 531268 5992774
 - ii. Unnamed Hirsch Creek Tributary S3 728, KP 653+288, UTM 9U 531243 5992764
 - iii. Unnamed Pine Creek Tributary S3 8113/6E, KP 658+929, UTM 9U 526811 5990182
 - iv. All tributaries to Pine Creek located between approximately KP 660+000 (approximately UTM 9U 526009 5989585), and KP 662+000 (approximately UTM 9U 524364 5988971).
- 2) By end of day April 22, 2022, provide confirmation to EAO C&E that the Measures have been implemented at the Watercourses. 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.
- 3) Complete the measures identified in clauses 1 through 3 of this Order to the satisfaction of EAO C&E.

- 4) Complete the measures identified in clauses 1 through 3 of this Order unless otherwise authorized by EAO C&E.

A handwritten signature in black ink, appearing to be 'Chris Parks', written in a cursive style.

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

Dated April 14, 2022
Order Ref: EN2022-004