

**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 Certificate E14-03 (the Certificate) was issued to Coastal GasLink Pipeline Ltd. (Certificate Holder) for the Project on October 23, 2014.
- C. Condition 6 of the Table of Conditions (Schedule B of the Certificate) requires the development and implementation of a Wetlands Management Plan which must include mitigation measures to avoid or reduce adverse effects to wetlands.
- D. The undersigned conducted an inspection of the Project between February 20 and June 16, 2020 (inspection record IR2020-007), and has concluded that the Certificate Holder was not compliant with Condition 6 with respect to implementing mitigation measures to avoid or reduce adverse effects to wetlands.
- E. Section 53(1)(b) of the Act specifies that the Chief Executive Assessment Officer (CEAO) may order the Certificate Holder to take any measure that the CEAO considers necessary in order to comply with the Certificate to mitigate the effects of non-compliance.
- F. Section 53(1)(c) of the Act specifies that the CEAO may order the Certificate Holder to cease, either altogether or to the extent specified by the CEAO, the construction, operation, modification, dismantling or abandonment of anything or any other activities under the certificate or order.
- G. The undersigned has received written delegation of the CEAO's powers under Section 53(1) of the Act.

**DEFINITIONS:**

In this Order,

- (a) **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.

- (b) **Ecologically and Socially Important Wetland** refers to wetlands designated as ecologically-important to a region according to Environment and Climate Change Canada and wetlands identified as being of interest to Indigenous groups that may be affected by the Project.
- (c) **Construction Preparation Survey** means a pre-construction wetland survey employing the methodology specified in the Wetlands Management Plan required by Condition 6 of the Certificate.

**NOW THEREFORE:**

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

1. Immediately cease construction activities within 30 m of any Ecologically and Socio-economically Important Wetland (ESIW) which does not meet the following criteria:
  - i. Field-based Construction Preparation Surveys have been completed in the summer of the year preceding the commencement of construction or in the summer of the year construction commences.
  - ii. A Qualified Professional has attended the ESIW and identified site-specific mitigations to avoid or reduce adverse effects to the ESIW during Project construction.
2. Not undertake or resume construction activities within 30 m of any ESIW until the criteria in (1) have been met for that ESIW, as determined by a Qualified Professional.
3. By June 30, 2020, provide EAO Compliance and Enforcement a consolidated list of all ESIWs that includes the UTM location, KP start and end locations, and assigned Coastal GasLink wetland ID number.
4. Complete Construction Preparation Surveys for all ESIWs that have not been surveyed. Maintain records of the Construction Preparation Surveys and provide those records to EAO Compliance and Enforcement upon request.
5. Notify EAO Compliance and Enforcement upon completion of all outstanding Construction Preparation Surveys.
6. Update the Wetland Functions Construction Preparation Report to include the results of all completed Construction Preparation Surveys, including the addition of the identified site-specific mitigations to the map book required as part of the report, as specified in the Wetlands Management Plan required by Condition 6 of the Certificate.
7. Complete the measures identified in clauses 1 through 6 to the satisfaction of EAO Compliance and Enforcement.



Christie Lombardi  
Compliance and Enforcement Specialist  
Environmental Assessment Office

Dated June 16, 2020  
Order Ref: EN2020-005