

**IN THE MATTER OF THE ENVIRONMENTAL ASSESSMENT ACT S.B.C. 2002, c.43
(the ACT)
AND
NON-COMPLIANCES
WITH ENVIRONMENTAL ASSESSMENT CERTIFICATE #E14-02
ORDER UNDER SECTION 34(1)**

WHEREAS:

- A. On October 14, 2014, Environmental Assessment (EA) Certificate #E14-02 (Certificate) was issued to British Columbia Hydro and Power Authority (Certificate Holder) for the Site C Clean Energy Project (Project).
- B. On April 7, 2016, the Certificate Holder was issued an Order with respect to the development and implementation of a plan relating to, amongst other things, water management, erosion control, and sediment control throughout the project. The Order required the development and implementation of the plan to the satisfaction of Environmental Assessment Office (EAO) Compliance and Enforcement.
- C. On May 1st to May 3^d, 2018, in his role as Senior Compliance and Enforcement Officer, the undersigned conducted an inspection of the Project against the requirements of Certificate Condition 2 and 69 and the April 7, 2016 Order. Based on review of information obtained during the inspection, the undersigned has determined that the Certificate Holder was not compliant with Condition 2 or 69 of the Certificate, or the April 7, 2016 Order due to a failure to adhere to implement measures to control runoff water and sediment following clearing of the Portage Mountain Quarry.
- D. Section 34 of the *Environmental Assessment Act* (the Act) specifies that the Minister may order the Certificate Holder to carry out measures to mitigate the effects of non-compliance.
- E. The undersigned has received written delegation of the Minister's powers under Section 34 of the Act.

NOW THEREFORE:

Pursuant to Section 34(1) of the Act, I order that the Certificate Holder:

- 1) By May 16, 2018 implement measures to control runoff water, soil erosion, and sediment transport on site in accordance the Construction Environmental Management Plan (CEMP), the April 7, 2016 Order, and the Environmental Protection Plan prepared for Project works conducted at Portage Mountain to the satisfaction of EAO Compliance and Enforcement.



Warren Fekete
Senior Compliance and Enforcement Officer
Environmental Assessment Office

Dated: May 14, 2018