

**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. Between September of 2015 and March of 2017, in his role as Senior EA Compliance Officer, the undersigned and fellow Compliance and Enforcement (C&E) Officers from the Environmental Assessment Office (EAO) have conducted a series of inspections of the Project.
- C. On March 14, 2017, in response to an inspection record identifying noncompliance with invasive weed management requirements, the Certificate Holder provided EAO C&E with measures they intend to implement during 2017 to address invasive weed management. EAO C&E reviewed this submission and considered the material presented when preparing this Order.
- D. On March 17, 2017, EAO C&E confirmed noncompliance with Certificate conditions 9 and 69, specific to the Certificate Holder and its contractors failure to implement measures to prevent the introduction and spread of invasive weeds on the project.
- E. Section 34 of the Act specifies that the Minister may order the Certificate Holder to carry out measures to mitigate the effects of non-compliance.
- F. The undersigned has received written delegation of the Minister's powers under Section 34 of the Act.

DEFINITIONS:

In this Order,

“Qualified Professional” means an applied scientist or technologist specializing in agronomy; who has demonstrable expertise in the assessment and management of invasive weeds, including the assessment of effects and development of mitigation to prevent or minimise effects to agriculture and ecosystems; and who is registered with the appropriate professional organization in the Province of British Columbia (BC), and is acting under that organization's code of ethics and is subject to disciplinary action by that organization.

NOW THEREFORE:

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

- 1) By Friday, April 21, 2017, submit to the undersigned an Invasive Weed Mitigation and Adaptive Management Plan (IWMAMP) for the Site C Project developed by a Qualified Professional and to the satisfaction of EAO C&E. The IWMAMP must include at a minimum:
 - a) means, including adaptive management, to identify and remedy any introduction and proliferation of invasive weeds on the Project since the commencement of construction; and
 - b) means, including adaptive management, to prevent the introduction and proliferation of invasive weeds on the Project.
- 2) Implement the IWMAMP under the direction of a Qualified Professional and to the satisfaction of EAO C&E for the duration as determined by EAO C&E.
- 3) Select the Qualified Professional(s) for clauses 1 and 2 to the satisfaction of EAO Compliance and Enforcement.



Chris Parks,
Senior EA Compliance and Enforcement Officer
Environmental Assessment Office

Dated March 22, 2017