

May 2015



FOLLOW-UP REPORT:  
ENVIRONMENTAL ASSESSMENT OFFICE

[www.bcauditor.com](http://www.bcauditor.com)



OFFICE OF THE  
**Auditor General**  
of British Columbia

# CONTENTS

<i>Auditor General's Comments</i>	<b>3</b>
<i>Summary of Recommendations</i>	<b>5</b>
<i>Progress Audit</i>	<b>6</b>
<i>Background</i>	<b>6</b>
<i>Progress audit objective and scope</i>	<b>8</b>
<i>Progress audit conclusion</i>	<b>8</b>
<i>Key observations</i>	<b>8</b>
<i>Self-Assessed Progress</i>	<b>13</b>
<i>Appendix A: Environmental assessment projects approved between July 31, 2011 and December 31, 2014</i>	<b>18</b>

623 Fort Street  
Victoria, British Columbia  
Canada V8W 1G1  
P: 250.419.6100  
F: 250.387.1230  
www.bcauditor.com

The Honourable Linda Reid  
Speaker of the Legislative Assembly  
Province of British Columbia  
Parliament Buildings  
Victoria, British Columbia V8V 1X4

Dear Madame Speaker:

As mandated under Section 11 of the *Auditor General Act*, I have the honour to transmit to the Speaker of the Legislative Assembly of British Columbia my follow-up report on the Environmental Assessment Office.

We conducted this work in accordance with the standards for assurance engagements set out by the Chartered Professional Accountants of Canada (CPA) in the CPA Handbook - Assurance.



Carol Bellringer, CPA, FCA  
Auditor General  
Victoria, British Columbia  
May 2015

# AUDITOR GENERAL'S COMMENTS

**THE RECOMMENDATIONS IN** my reports are intended to help government improve the management of its resources and program results. The audit team discusses these recommendations with the audited organization before the report is published, and encourages the organization to begin addressing recommendations immediately. The Select Standing Committee on Public Accounts also reviews the recommendations and reports annually to the Legislative Assembly.

Annually, audited entities complete self-assessments which describe the progress they made in implementing the audit recommendations. Based on a number of factors, including risk, dollar value, and impact, my Office conducts progress audits on certain auditees to verify their self-assessments.

I am encouraged by the Environmental Assessment Office's (EAO) progress to implement our recommendations as part of its compliance and enforcement program. The EAO has substantially implemented four of the six recommendations since our 2011 audit. We did not assess the effectiveness of these actions, as the outcomes may not be fully evident for some years.

The EAO has improved its oversight of environmental assessment certificates, which are now more clearly written so they can be measured and enforced. Additionally, a new compliance and enforcement team monitors actions of proponents to ensure compliance.

Improving the EAO's performance is particularly important going forward as the government's economic focus on natural resource development increases. There are currently 73 major projects in the environmental assessment process, potentially worth billions of dollars. These projects have significant social, economic and environmental impacts to our province.

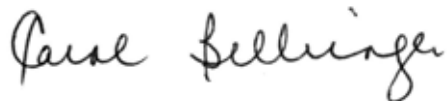


CAROL BELLRINGER, CPA, FCA  
*Auditor General*

## AUDITOR GENERAL'S COMMENTS

I would like to thank the EAO staff for providing updates on the recommendations, for working to implement the recommendations, and for participating in this follow-up progress audit.

We encourage the EAO to continue towards full implementation of our recommendations.

A handwritten signature in black ink that reads "Carol Bellringer". The signature is written in a cursive style with a large initial 'C'.

Carol Bellringer, CPA, FCA  
Auditor General  
Victoria, BC  
May 2015

# SUMMARY OF RECOMMENDATIONS

FROM 2011 REPORT

## **WE RECOMMENDED THAT THE ENVIRONMENTAL ASSESSMENT OFFICE:**

- 1** ensure commitments are clearly written in a measureable and enforceable manner.
- 2** continue to work with the Ministry of Environment to finalize a policy framework that will provide provincial guidance on environmental mitigation.
- 3** clarify the post-certification monitoring responsibilities and compliance mechanisms for each commitment.
- 4** develop and implement a comprehensive compliance and enforcement program that includes an integrated information management system to monitor project progress and ensure compliance.
- 5** conduct post-certificate evaluations to determine whether environmental assessments are avoiding or mitigating the potentially significant adverse effects of certified projects.
- 6** provide appropriate accountability information for projects certified through the environmental assessment process.

# PROGRESS AUDIT

## AN AUDIT OF THE ENVIRONMENTAL ASSESSMENT OFFICE'S OVERSIGHT OF CERTIFIED PROJECTS

Released: [July 2011](#)

1st Follow-up: [October 2012](#)

2nd Follow-up: [October 2013](#)

Discussed by the Public Accounts Committee: [November 2011](#) and [February 2015](#)

	Rec 1	Rec 2	Rec 3	Rec 4	Rec 5	Rec 6
OAG Assessment	●	●	●	●	●	●

● Fully/substantially implemented or alternative action taken   ● Partially implemented   ● No progress

### Background

The British Columbia *Environmental Assessment Act* requires that certain proposed major projects obtain an Environmental Assessment Certificate before they begin construction. The Environmental Assessment Office (EAO) manages this process.

Since 1995, 136 projects have been approved through the environmental assessment process (as of December 2014).<sup>1</sup> Of the projects currently under review, approximately 45% are mining, 33% are energy/power, and 14% are liquefied natural gas projects. In total, the potential capital investment for all 73 projects currently in the environmental assessment process is over \$115 billion.<sup>2</sup>

### Environmental assessment process

The environmental assessment process in British Columbia reviews major projects to:

- ◆ identify potential adverse effects
- ◆ identify measures to avoid, reduce or mitigate these effects
- ◆ assess the net impacts

The *proponent* (who proposes the project) must describe the potential environmental, economic, social, heritage and health effects of the project. If adverse effects are anticipated, the EAO works with the proponent, other agencies, First Nations, and the public to identify mitigation measures, which may be written as *conditions*<sup>3</sup> within the draft Environmental Assessment Certificate or requirements in the

<sup>1</sup> Source: Environmental Assessment Office

<sup>2</sup> Source: Ministry of Environment and [Environmental Assessment Office 2015/16-2017/18 Service Plan](#)

<sup>3</sup> At the time of our 2011 audit, environmental assessment certificates included two sets of requirements: *conditions* and *commitments*. Subsequently, the EAO has revised its policy and all certificate requirements are now considered *conditions*.

## PROGRESS AUDIT

certified project description. Conditions may also serve the purpose of preventing or reducing potential infringements to treaty rights and impacts to asserted Aboriginal rights.

If the Minister of Environment and other ministers responsible, such as the Minister of Energy and Mines, choose to grant an Environmental Assessment Certificate, the conditions and the certified project description become legally binding. The EAO is responsible for monitoring certified projects throughout their life cycles to ensure that certificate holders comply with the environmental assessment certificate conditions and the certified project description.

In 2011, we carried out an audit to determine whether the EAO was providing sound oversight to ensure that any potentially significant, adverse effects of major projects were avoided or mitigated. We found that:

- ◆ The EAO did not ensure that certificate commitments were measureable and enforceable, monitoring responsibilities were clearly defined, and compliance actions were effective.
- ◆ The EAO did not evaluate the effectiveness of environmental assessment mitigation measures to ensure that projects achieved the desired outcomes.
- ◆ The EAO did not make appropriate monitoring, compliance and outcome information available to the public to ensure accountability.

# PROGRESS AUDIT

## Progress audit objective and scope

We examined the EAO's October 2014 self-assessment for the six recommendations we made in our 2011 audit report, *An Audit of the Environmental Assessment Office's Oversight of Certified Projects*. We included the EAO's October 2014 self-assessment, unedited, and in its entirety on [page 13](#). We previously published the EAO's earlier self-assessments in [October 2012](#) and [October 2013](#).

We reviewed all 17 Environmental Assessment Certificates that the EAO granted after the release of our July 2011 audit up to December 31, 2014 (See [Appendix A](#)). We assessed whether the EAO used language that was measurable and enforceable, and whether the EAO clearly designated post-certificate monitoring responsibilities. We carried out interviews with the EAO and other government staff, and we reviewed various related documents. We began our work in September 2014 and concluded in March 2015.

We conducted the audit in accordance with the standards for assurance engagements set out by the Chartered Professional Accountants of Canada (CPA) in the CPA Handbook – Assurance.

We verified the EAO's actions to address our recommendations, but we stopped short of assessing their effectiveness, as the outcomes may not be fully evident for some years.

## Progress audit conclusion

The EAO reported that it had fully or substantially implemented all six of our 2011 recommendations and we found their self-assessment was valid for recommendations one through four. However, for recommendations five and six, we conclude that partially implemented is a more accurate assessment of the progress made to date. To fully implement recommendation 5, we expect the EAO to evaluate whether project outcomes have been achieved for environmental, health, social, economic and heritage conditions. For recommendation 6, we expect the EAO to provide more comprehensive accountability information to the public through its reporting mechanisms.

## Key observations

### RECOMMENDATION 1:

*We recommended that the Environmental Assessment Office ensure commitments are clearly written in a measurable and enforceable manner.*

#### OAG Assessment:

- Fully or substantially implemented

#### Observations:

We agree that the EAO has fully or substantially implemented this recommendation. In our 2011 audit, we found that numerous certificates contained vague phrasing that presented challenges with implementation, measurement and enforcement. In response to the audit, the EAO revised its policies and practices to improve the quality of future certificate requirements.



## PROGRESS AUDIT

We reviewed 17 environmental assessment certificates approved after we issued our initial audit report in 2011, and found that certificate language is, for the most part, clearly written in a measureable and enforceable manner. However, we observed:

- ◆ Continued use of the word *minimize* in 12 of the 17 certificates which may impact the enforceability of the certificate conditions. We encourage the EAO to follow its own draft guidance which states: *“If a condition refers to ‘minimizing’ or ‘reducing’ a specific impact... a measureable empirical threshold should be stipulated (e.g., maximum of 25 hectares)”*.

In our 2011 audit, we found that some conditions set expectations for proponents that are subsequently considered separately, and permitted, by another government agency. It is important that the EAO consider the permitting process when writing conditions to avoid gaps and reduce duplication. In response, the EAO has recently developed draft guidance for considering the permitting process during the development of conditions. We encourage the EAO to finalize this guidance and continue its work with permitting agencies to avoid future complications.

### RECOMMENDATION 2:

*We recommended that the Environmental Assessment Office continue to work with the Ministry of Environment to finalize a policy framework that will provide provincial guidance on environmental mitigation.*

#### OAG Assessment:

- Fully or substantially implemented

#### Observations:

We agree that the EAO has fully or substantially implemented this recommendation. In our 2011 audit, we found an absence of legislation or policy that addressed options for mitigation, including offsetting the environmental impact of major projects. This absence often led to disagreement between proponents and staff within the natural resource ministries, during development of mitigation measures.

In response to the recommendation, the EAO continued to work with the Ministry of Environment to develop and trial the Policy and Procedures for Mitigating Impact on Environmental Values.<sup>4</sup> The Roman Coal Mine Project and the Tretheway Creek Waterpower Project both trialed the policy.

Government finalized and endorsed the policy for implementation province-wide in May 2014. The policy outlines the principles and considerations to design mitigation measures and plans using the mitigation hierarchy: avoid, minimize, restore, and offset impacts.

<sup>4</sup> Environmental Mitigation Policy for British Columbia: <http://www.env.gov.bc.ca/emop/>

## PROGRESS AUDIT

Through the process of making well-informed, balanced and sound decisions, government has stated this policy will:

- ◆ support existing legislation
- ◆ allow flexibility through guidance
- ◆ facilitate understanding and consideration of environmental values
- ◆ mitigate environmental impacts

### RECOMMENDATION 3:

*We recommended that the Environmental Assessment Office clarify the post-certification monitoring responsibilities and compliance mechanisms for each commitment.*

#### OAG Assessment:

- Fully or substantially implemented

#### Observations:

We agree that the EAO has fully or substantially implemented this recommendation. In our 2011 audit, we noted that several government agencies divided responsibility for monitoring compliance with environmental assessment certificates, and certificates did not always clearly state accountabilities.

In response to our recommendation, the EAO clarified roles and responsibilities for monitoring compliance with the environmental assessment certificate.

They now explicitly state responsibilities within the majority of the certificates, and they also make formal arrangements with partner agencies.

Of the 17 environmental assessment certificates the EAO has approved since our 2011 audit, the EAO had clearly designated post-certificate monitoring responsibilities for approximately 90% of conditions.

In addition, 12 of the 17 certificates required the proponent to designate an independent environmental monitor for the projects, which we noted in our 2011 audit was a good practice. The independent monitor is usually in place during construction of the project, and is responsible for monitoring the certificate holder's compliance with environmental conditions and reporting back to government on that progress. The EAO also develops compliance management plans for some of its projects to clarify post-certificate monitoring responsibilities.

The EAO has signed agreements with the Ministry of Forests, Lands and Natural Resources and the Oil and Gas Commission which clarify monitoring responsibilities. Furthermore, government has designated the EAO's compliance staff as Natural Resource Officers under the *Natural Resource Compliance Act*. This designation allows staff to enforce conditions under a range of natural resource legislation, including the *Forest Act*, *Water Act* and *Wildlife Act*.

## PROGRESS AUDIT

### RECOMMENDATION 4:

*We recommended that the Environmental Assessment Office develop and implement a comprehensive compliance and enforcement program that includes an integrated information management system to monitor project progress and ensure compliance.*

#### OAG Assessment:

- Fully or substantially implemented

#### Observations:

We agree that the EAO has fully or substantially implemented this recommendation. In our 2011 audit, we found that the EAO was not adequately fulfilling its compliance and enforcement responsibilities for certified projects. Activities were reactive, rather than proactive, and the EAO lacked a comprehensive program to ensure that certificate holders were compliant.

In response to our recommendation, the EAO developed a compliance and enforcement program with five full-time staff members, of which four are now designated Natural Resource Officers as discussed under Recommendation 3. The overall goal of the program is for the EAO to be independently and objectively confident that environmental assessment conditions are met.

The *Environmental Assessment Act* provides a number of enforcement tools including: Minister's Orders to cease or remedy, compliance agreements, suspension, cancellation and amendment of a certificate, supreme court orders, and prosecution. The EAO finalized a Compliance and Enforcement Policy and Procedures document in June 2014, and is developing detailed guidance, such as guidelines for field notebooks and a safety policy for field inspections.

The EAO carries out both administrative and field inspections.

#### 1. Administrative inspections (desk based):

This entails a detailed review of select conditions in the certificate.

#### 2. Field-based inspections:

The EAO began field inspection planning in 2011/2012.

Projects are selected for site inspection based on defined criteria, such as risk assessment, compliance history, government priorities, complaints, etc. The EAO carried out 17 field inspections in 2012/13 and 23 in 2013/14.

The EAO is currently working with the Ministry of Forests, Lands and Natural Resource Operations and other stakeholders to develop an EAO module for the natural resources inspection system. This module will track inspections and enable information sharing with other compliance staff across the natural resource sector. The expected completion date for the module is unknown.

## PROGRESS AUDIT

### RECOMMENDATION 5:

*We recommended that the Environmental Assessment Office conduct post-certificate evaluations to determine whether environmental assessments are avoiding or mitigating the potentially significant adverse effects of certified projects.*

#### OAG Assessment:

- Partially implemented

#### Observations:

The EAO self-assessed that they had fully or substantially implemented this recommendation. We found that the recommendation was partially implemented. In our 2011 audit, we noted that the EAO did not conduct effectiveness evaluations. This meant that they could not say with certainty whether the environmental assessment process ensured that certified projects avoided or mitigated potential adverse environmental, economic, social, heritage and health effects, or if each project achieved the anticipated benefits.

We recognize the long-term nature of this recommendation. Before the EAO can assess whether the certificate conditions are effective, and ensure the proponent achieves project outcomes, they require a rigorous compliance and enforcement framework. The EAO is working on their compliance program, as indicated in Recommendation 4.

In response to our recommendation, the EAO is beginning to work with stakeholders to identify effective conditions and is developing a library of these conditions. Currently, the majority of the EAO's effectiveness initiatives pertain to environmental

mitigation. To fully implement this recommendation, the EAO will also need to evaluate the outcomes of health, social, economic and heritage conditions.

### RECOMMENDATION 6:

*We recommended that the Environmental Assessment Office provide appropriate accountability information for projects certified through the environmental assessment process.*

#### OAG Assessment:

- Partially implemented

#### Observations:

The EAO self-assessed that they had fully or substantially implemented this recommendation. We found that the recommendation was partially implemented. In our 2011 audit, we noted that accountability information reported on the EAO's website and in their service plan did not provide adequate information on certified projects. At that time, the EAO did not have a comprehensive compliance and enforcement program, so information of this nature was not available.

The 2015/16-2017/18 service plan for the Ministry of Environment includes one compliance and enforcement related performance measure: the number of inspections completed on certified projects annually. The EAO also posts some compliance and enforcement information on their website. However, these actions are not comprehensive enough to provide sufficient accountability information for certified projects. To fully implement this recommendation, we would expect, for example, that the EAO would make warnings, advisories and results from field inspections publicly available.

# SELF-ASSESSED PROGRESS

## IN IMPLEMENTING RECOMMENDATIONS

### AN AUDIT OF THE ENVIRONMENTAL ASSESSMENT OFFICE'S OVERSIGHT OF CERTIFIED PROJECTS

As at: October 2014

Released: [July 2011](#)

1st Follow-up: [October 2012](#)

2nd Follow-up: [October 2013](#)

Discussed by the Select Standing Committee on Public Accounts: [November 2011](#) and [February 2015](#)

---

**Self-assessment conducted by Autumn Cousins, Manager, Compliance and Policy**

## COMMENTS

The Environmental Assessment Office (EAO) is pleased to provide this update on progress made implementing the recommendations provided by the Office of the Auditor General in its 2011 report on EAO's oversight of environmental assessment (EA) certified projects. EAO accepted all six of the report's recommendations and has fully or substantially implemented all of them.

The EAO Compliance and Enforcement (C&E) Program is based on leading practices from other jurisdictions and other BC Government compliance agencies. EAO works collaboratively with other agencies to coordinate oversight of projects that have received an EA certificate (EAC). Formal and informal partnerships are central to the success of the EAO C&E Program. EAO has agreements with the Oil and Gas Commission (OGC) and the Compliance and Enforcement Branch of the Ministry of Forests,

Lands and Natural Resource Operations (FLNR). In addition, EAO works closely with compliance staff at the Ministry of Energy and Mines, Environmental Protection Division, Conservation Officer Service and BC Parks. These agencies collaborate at a program level through various committees and joint initiatives and at the operational level during the compliance oversight on individual projects.

EAO has established a continuous loop from the EA to post-certificate oversight and back into the EA process for future projects by having in-house compliance staff that assist with the development of conditions and then proceed to oversee compliance with those conditions through the project life. Lessons learned through on-the-ground experience of compliance staff and EAC holders are valuable insights when developing effective EAC conditions.

## SELF-ASSESSED PROGRESS ASSESSMENT IN IMPLEMENTING RECOMMENDATIONS

EAO is focussed on continuous improvement of the C&E Program and will continue to evolve. For example, EAO continues to expand the online post-certificate information available for projects, including enforcement of non-compliances. EAO is developing a new EAC policy and guidance to ensure EAC conditions are effective, measurable and

enforceable. Work is underway to develop a library of effective conditions. In partnership with other agencies, EAO is developing an EAO-module of the Natural Resources Inspection System (NRIS) program that tracks inspections and enables information sharing with other compliance staff across the natural resource sector.

Recommendation and Summary of Progress	Self-Assessed Status
<p><b>RECOMMENDATION 1:</b> <i>The Environmental Assessment Office ensure commitments are clearly written in a measurable and enforceable manner.</i></p> <p><b>Actions taken, results and/or actions planned:</b></p> <p>EAC conditions have greatly improved over the last three years. Prior to the audit, EAO's draft conditions were not reviewed by people responsible for overseeing compliance with the conditions. Currently, EAO's service standard is that every draft set of EA conditions is developed with direct input from compliance and enforcement staff, incorporating lessons learned from compliance oversight into new conditions. Each draft condition is carefully assessed to ensure that it is clear, measurable and enforceable. Compliance staff have built up considerable knowledge about developing strong conditions which EAO is in the process of capturing in an expanded and updated EAC policy and procedures.</p> <p>In addition to clear and measurable conditions, EAO has strengthened certificate documentation with the addition of a 'Certified Project Description' (CPD) to EACs of most projects approved since Summer 2012. The Certified Project Description outlines what the approved project includes for physical components, while the conditions detail how the project must be developed. The CPD brings additional clarity to what is being certified as it, combined with the conditions, clearly defines the physical elements, constraints and mitigation measures for a certified project.</p>	<p>● Fully or substantially implemented</p>
<p><b>RECOMMENDATION 2:</b> <i>The Environmental Assessment Office continue to work with the Ministry of Environment to finalize a policy framework that will provide provincial guidance on environmental mitigation.</i></p> <p><b>Actions taken, results and/or actions planned:</b></p> <p>This important policy initiative was led by the Ministry of Environment. EAO participated in the development of this policy from its origin through to implementation. The Ministry of Environment, along with EAO, and other natural resource management agencies, developed this policy to support a consistent approach to mitigating adverse effects to environmental values. The policy and associated procedures have three intended audiences: provincial staff in the natural resource sector who provide advice and make recommendations to proponents and statutory or delegated decision-makers; proponents who develop mitigation plans to prevent or reduce the environmental impacts of their proposed activities; and, decision-makers to consider in the process of making resource management decisions. The policy can be found at the following link: <a href="http://www.env.gov.bc.ca/emop/">http://www.env.gov.bc.ca/emop/</a></p>	<p>● Fully or substantially implemented</p>

# SELF-ASSESSED PROGRESS ASSESSMENT IN IMPLEMENTING RECOMMENDATIONS

## Recommendation and Summary of Progress

## Self-Assessed Status

**RECOMMENDATION 3:** *The Environmental Assessment Office clarify the post-certification monitoring responsibilities and compliance mechanisms for each commitment.*

● Fully or substantially implemented

### **Actions taken, results and/or actions planned:**

EAO is clarifying and coordinating compliance agency inspection, investigation and enforcement roles and responsibilities by developing “compliance management plans” for EA projects. These plans detail each agency’s compliance role and ensure that duplicative compliance efforts are avoided in order to make best use of government compliance and enforcement resources. In addition to clarifying compliance and enforcement roles for each specific project, EAO actively participates in interagency compliance committees and initiatives to ensure integration with other enforcement agencies across government.

EAO and other agencies have authorized each other to conduct compliance oversight on their behalf to ensure efficient use of government resources. For example, compliance staff at the OGC and FLNR are authorized to inspect EA projects under the *Environmental Assessment Act*. EAO Compliance Officers have been designated Natural Resource Officers under the *Natural Resource Compliance Act*, allowing EAO’s C&E Officers to enforce under a suite of natural resource legislation.

**RECOMMENDATION 4:** *The Environmental Assessment Office develop and implement a comprehensive compliance and enforcement program that includes an integrated information management system to monitor project progress and ensure compliance.*

● Fully or substantially implemented

### **Actions taken, results and/or actions planned:**

When the audit was initiated, EAO did not have any dedicated C&E staff. Since that time, EAO has built a robust C&E program that includes a Manager, a Senior Compliance Officer, two Compliance Officers and a Compliance Assistant all overseen by the Executive Director, Policy and Quality Assurance.

EAO’s C&E Program fulfills two key roles: 1. compliance oversight of EA projects, including compliance promotion and 2. providing input into the development of effective EA conditions. These two roles are linked, with compliance oversight directly feeding into the drafting of conditions for projects currently undergoing EA.

EAO has developed a C&E policy and procedures that will be available publicly in November 2014. It details the types of compliance oversight conducted by EAO, including administrative (i.e., desk based) inspections, field inspections, investigations, responding to complaints and reviewing compliance self-reports. The activities are typically coordinated or conducted with other agencies to ensure effective use of regulatory resources. [Continued...](#)

## SELF-ASSESSED PROGRESS ASSESSMENT IN IMPLEMENTING RECOMMENDATIONS

Recommendation and Summary of Progress	Self-Assessed Status
<p>Continued..</p> <p>Compliance promotion is a key focus of compliance oversight. EAO C&amp;E seeks opportunities for compliance promotion and information sharing by reaching out to industry associations, First Nations, the public, EA practitioners and certificate holders by presenting at meetings and conferences, sharing lessons learned, and discussing program and policy development.</p> <p>In addition to EAO's C&amp;E staff, EAO has developed partnerships with other agencies to ensure regional presence for compliance oversight of EA projects. Approximately 160 compliance and enforcement staff from FLNR and the OGC are authorized to inspect EA projects under the <i>Environmental Assessment Act</i>. Similarly, EAO Compliance Officers are designated as Natural Resource Officers under the <i>Natural Resource Compliance Act</i>. This designation expands EAO's enforcement provisions to include a suite of statutes across the natural resource sector.</p> <p>EAO has developed an interim information management mechanism to support compliance oversight while a more extensive and integrated information management system is developed. In partnership with other agencies, EAO is developing an EAO-module of the Natural Resources Inspection System (NRIS) program that tracks inspections and enables information sharing with other compliance staff across the natural resource sector. Currently, EAO tracks inspections and investigations however there is no direct linkage with other IT systems in the natural resource sector.</p>	
<p><b>RECOMMENDATION 5:</b> <i>The Environmental Assessment Office conduct post-certificate evaluations to determine whether environmental assessments are avoiding or mitigating the potentially significant adverse effects of certified projects.</i></p>	<p>● Fully or substantially implemented</p>
<p><b>Actions taken, results and/or actions planned:</b></p> <p>EAO and compliance partner agencies conduct inspections on certified projects to evaluate whether mitigation measures are being implemented as required by EACs. Through field and administrative (i.e. desk-based) inspections, EAO gains knowledge about the effectiveness of mitigation measures. In addition, EAO has initiated a multi-year evaluation of key conditions across multiple projects and is developing a library of effective conditions.</p> <p>EAO has implemented various means to share this information with project assessment staff to ensure these findings inform current and future EAs. C&amp;E staff review all draft EACs to directly apply field knowledge to new conditions. EAO discusses the effectiveness of mitigation measures at regular policy and practice forums which include staff from project assessment, policy, compliance and corporate teams at EAO. C&amp;E participates in working group meetings, community sessions and First Nations meetings to share information about effective mitigation measures learned through on-the-ground compliance oversight and lessons learned from EA certificate holders and environmental monitors. EAO has implemented an effectiveness log in which compliance staff enter conditions that have been challenging for compliance oversight or that were not effective.</p>	



# SELF-ASSESSED PROGRESS ASSESSMENT IN IMPLEMENTING RECOMMENDATIONS

## Recommendation and Summary of Progress

## Self-Assessed Status

**RECOMMENDATION 6:** *The Environmental Assessment Office provide appropriate accountability information for projects certified through the environmental assessment process.*

● Fully or substantially implemented

### **Actions taken, results and/or actions planned:**

EAO has extensive information online about proposed and EA certified projects and is focussed on expanding this information to include summaries of compliance and enforcement activities, enforcement actions under the *Environmental Assessment Act*, and certificate holder compliance self-reports.

In addition to providing information through its website and directly with individuals, EAO publicly reports on two C&E performance measures in the Ministry of Environment service plan and annual report:

- 1) the number of inspections per year completed on certified projects; and
- 2) timely response to reviewing and posting compliance reports submitted by certificate holders on the EAO website. EAO reports to the public on these measures in the Ministry of Environment Annual Service Plan Report.

EA projects often have a significant amount of public focus, including requests for information and complaints. A compliance and enforcement email address has been created to allow the public, aboriginal groups and industry to raise complaints, inquire with questions and/or concerns about certified projects directly with EAO's compliance team. When a complaint is received by EAO, it is assessed by C&E Officers and responded to or referred to other agencies as appropriate.

EAO conducts targeted outreach to groups concerned about compliance of EA projects to ensure factual information is readily available. While ensuring consistency with administrative fairness principles, EAO C&E strives to provide relevant information to the public about compliance of EA projects in a timely manner.

# APPENDIX A:

## ENVIRONMENTAL ASSESSMENT PROJECTS APPROVED BETWEEN JULY 31, 2011 AND DECEMBER 31, 2014

Nahwitti Windfarm Project	<a href="#">EA Certificate</a>
Tumbler Ridge Wind Energy Project	<a href="#">EA Certificate</a>
Tretheway Creek Waterpower Project	<a href="#">EA Certificate</a>
Shovel Creek Waterpower Project	<a href="#">EA Certificate</a>
Roman Coal Mine Project	<a href="#">EA Certificate</a>
Kitsault Mine Project	<a href="#">EA Certificate</a>
Line Creek Operations Phase II	<a href="#">EA Certificate</a>
Fortune Creek Gas Plant	<a href="#">EA Certificate</a>
Vancouver Airport Fuel Delivery Project	<a href="#">EA Certificate</a>
Narrows Inlet Hydro Project	<a href="#">EA Certificate</a>
Meikle Wind Energy Project	<a href="#">EA Certificate</a>
KSM (Kerr-Sulphurets-Mitchell) Project	<a href="#">EA Certificate</a>
Site C Clean Energy Project	<a href="#">EA Certificate</a>
Coastal GasLink Pipeline Project	<a href="#">EA Certificate</a>
Westcoast Connector Gas Transmission Project	<a href="#">EA Certificate</a>
Pacific NorthWest LNG Project	<a href="#">EA Certificate</a>
Prince Rupert Gas Transmission Project	<a href="#">EA Certificate</a>



OFFICE OF THE  
**Auditor General**  
of British Columbia

### **Location**

623 Fort Street  
Victoria, British Columbia  
Canada V8W 1G1

### **Office Hours**

Monday to Friday  
8:30 am – 4:30 pm

**Telephone:** 250-419-6100

Toll free through Enquiry BC at: 1-800-663-7867

In Vancouver dial: 604-660-2421

**Fax:** 250-387-1230

**Email:** [bcauditor@bcauditor.com](mailto:bcauditor@bcauditor.com)

**Website:** [www.bcauditor.com](http://www.bcauditor.com)

This report and others are available at our website, which also contains further information about the Office.

### **Reproducing:**

Information presented here is the intellectual property of the Auditor General of British Columbia and is copyright protected in right of the Crown. We invite readers to reproduce any material, asking only that they credit our Office with authorship when any information, results or recommendations are used.



## AUDIT TEAM

Morris Sydor  
*Assistant Auditor General*

Amy Hart  
*Senior Manager,  
Performance Audit*

Tanya Wood  
*Performance Auditor*



OFFICE OF THE  
**Auditor General**  
of British Columbia