



# Environmental Appeal Board

**Citation:** *CHMV Investments Inc. and TRJ Projects Ltd. V. Director, EMA*, 2024 BCEAB 42

**Decision No.:** EAB-EMA-24-A010(a)

**Decision Date:** 2024-12-11

**Decision Type:** Settlement Order

**Appealed Under:** *Environmental Management Act*, SBC 2003, c. 53

**Between:**

CHMV Investments Inc. and TRJ Projects Ltd.

**Appellants**

**And:**

Director, *Environmental Management Act*

**Respondent**

## SETTLEMENT ORDER

### BACKGROUND

[1] The Appellant filed appeal number EAB-EMA-24-A010 with the Environmental Appeal Board (the “Board”), as authorized by the *Environmental Management Act* (“EMA”) and the Administrative Penalties (EMA) Regulation (the “Appeal”).

[2] The Appeal is from a decision of the Respondent (formerly the Ministry of Environment and Climate Change Strategy), dated March 4, 2024 (the “Decision”). The Decision assessed a penalty against the Appellants in the amount of \$73,149.00.

[3] The Parties have reached a settlement agreement in respect of the Appeal and have asked the Board to issue an order including the terms of that agreement. The Parties agree that this Order exhaustively sets out the terms of their agreement.

[4] The Parties agree that this agreement represents a final resolution and disposition of the Appeal.

## ORDER

[5] The Board orders as follows, pursuant to section 17(2) of the *Administrative Tribunals Act*, S.B.C. 2004, c. 45:

1. An administrative penalty is assessed against the Appellants in the amount of \$50,000.00;
2. The Appellants must pay \$50,000.00 to the Respondent within 30 days of the date on which the Board endorses this Order;
3. If the Appellants fail to make the payment outlined in paragraph two above, the Decision is confirmed and the assessed penalty of \$73,149.00 is due and owing by the Appellants;
4. Each party will bear their own costs of this proceeding; and
5. This Order is for all purposes of the same force and effect as if a decision has been pronounced after a hearing of this Appeal on its merits.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:

"Troy Vassos"

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Troy Vassos  
Representative for the Appellants

"Devon Windsor-Doyle" and "Matthew Fingas"

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Devon Windsor-Doyle and Matthew Fingas  
Lawyers for the Respondent

"David Bird"

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David Bird, Panel Chair  
Environmental Appeal Board