

IN THE MATTER OF THE *PROFESSIONAL GOVERNANCE ACT*, S.B.C. 2018, CHAPTER 47

and

IN THE MATTER OF STEPHEN RODERICK RAMSAY, P.ENG. (LICENCE #: 25412) ENGINEERS AND GEOSCIENTISTS BC FILE NO. T22-019

CONSENT ORDER

Background

- 1. On February 29, 2024, pursuant to section 66(1) of the *Professional Governance Act*, S.B.C. 2018, c. 47 (the "*PGA*"), the appointed Investigation Subcommittee of the Association of Professional Engineers and Geoscientists of the Province of British Columbia, doing business as Engineers and Geoscientists BC, issued an investigation report regarding Dr. Stephen Roderick Ramsay. The investigation report was provided to the Investigation Committee pursuant to section 9.7.6(1) of the *Bylaws* of Engineers and Geoscientists BC.
- 2. The investigation report concerned Dr. Ramsay's engineering services in relation to a geohazard assessment report (the "Report"). Dr. Ramsay prepared the Report in support of a development permit application for a proposed single-family home in Hatzic, BC (the "Property").
- 3. On February 29, 2024, the Investigation Committee appointed a Resolution Subcommittee to attempt to resolve this matter by means of a Consent Order.
- 4. The Investigation Committee and Dr. Ramsay wish to resolve this matter by consent pursuant to section 73(2) of the *PGA* to avoid the need for a disciplinary hearing.
- 5. Dr. Ramsay consents to the disposition set out below.

Admissions

- 6. Dr. Ramsay admits that he demonstrated professional misconduct in relation to the engineering services he provided for the Report. In particular, Dr. Ramsay admits that he:
 - a. recorded that the elevation of the Property was above the minimum flood protection level of 18 metres, when LiDAR contour mapping from the regional district showed the property elevation varies from 14 to 18 metres;
 - b. failed to conduct contour mapping to accurately determine site elevation;
 - c. failed to properly characterize potential geotechnical hazards in the Report, including failing to:
 - i. correctly identify the location of the Property as being within an area identified as potentially hazardous and within the regional district's geohazard areas identified in the Official Community Plan;
 - ii. identify additional geohazard areas on or near the Property;
 - iii. include the correct annual exceedance probability map;
 - d. failed to produce the geohazard assessment and Report in a manner consistent with the *Professional Practice Guidelines: Legislated Flood Assessments in a Changing Climate in BC*, Version 2.1 ("Flood Assessment Guidelines") and the Guidelines for Legislated Landslide Assessments for Proposed Developments in BC. Version 3.0 ("Landslide Assessment Guidelines"), including failing to:
 - adequately analyze the flood discharge and provide an analysis to support his conclusions in the Report;
 - ii. accurately detail hazards, identify the limits of any hazards, and provide description of the methods of analysis or rationale for dismissing hazards;
 - iii. adequately describe field observations and the method or intensity of field work undertaken during the assessment;
 - iv. conduct a sufficient background review for the Report including failing to include reference to historic information, or more recent relevant reports for nearby properties;
 - v. ensure the Report was peer reviewed;
 - e. indicated on a geohazard assurance statement that the Report had been prepared pursuant to the *Flood Assessment Guidelines* and the *Landslide Assessment Guidelines*, despite the Report being non-compliant with the requirements set out in the guidelines;

- f. prepared the Report when he was not qualified by training or experience to do so; and
- g. plagiarized portions of the Report from two other previous studies of the region, including the descriptions of geohazard assessment requirements, regional geology, geomorphology, and surface water conditions, earthquake history; and the list of references.
- 7. The conduct set out above at paragraph 6 is contrary to Principle 1 of the *Code of Ethics*, which requires registrants to hold paramount the safety, health, and welfare of the public, including the protection of the environment and the promotion of health and safety in the workplace.
- 8. The conduct set out above at paragraph 6(f) is contrary to Principles 2 and 5 of the Code of Ethics. Principle 2 requires registrants to practice only in those fields where training and ability make the registrant professionally competent. Principle 5 requires registrants to provide accurate information in respect of qualifications and experience.
- 9. The conduct set out above at paragraph 6 is contrary to Principle 4 of the *Code of Ethics* and 7.3.1(1) of the *Bylaws* of Engineers and Geoscientists BC, which require registrants to have regard for applicable standards, policies, plans and practices established by the government or Engineers and Geoscientists BC.
- 10. The conduct set out above at paragraph 6(d) is contrary to Principle 7 of the *Code of Ethics*, which requires registrants to provide professional opinions that distinguish between facts, assumptions, and opinions.
- 11. The conduct set out at paragraph 6(g) is contrary to Principles 11 and 13 of the Code of Ethics. Principle 11 requires registrants to clearly identify each registrant who has contributed professional work, including recommendations, reports, statements, or opinions. Principle 13 requires registrants to conduct themselves with fairness, courtesy and good faith towards clients, colleagues and others, give credit where it is due and accept, as well as give, honest and fair professional comment.
- 12. The conduct set out at paragraph 6 is contrary to Principle 12 of the *Code of Ethics*, which requires registrants to undertake work and documentation with due diligence and in accordance with any guidance developed to standardize professional documentation for the applicable profession.
- 13. The conduct set out at paragraph 6(d)(v), is contrary to sections 7.3.3(1) to (3) of the *Bylaws* of Engineers and Geoscientists BC, which require registrants to establish, maintain, and follow documented procedures for regular, documented check of their work using a written quality control process appropriate to the level of risk that has been assessed through a documented risk assessment. Registrants must ensure a documented check has been conducted in accordance with

procedures pursuant to the *Bylaws* on all activities or work related to their practice that will be issued or delivered to any other party.

Disposition

- 14. By consent, this Consent Order is made pursuant to section 73 of the PGA.
- 15. Dr. Ramsay's registration in Engineers and Geoscientists BC is cancelled. Dr. Ramsay agrees not to re-apply for registration with Engineers and Geoscientists BC at any time in the future.
- 16. Dr. Ramsay will pay \$7,000 to Engineers and Geoscientists BC towards the legal and investigative costs of Engineers and Geoscientists BC contemporaneous with the execution of this Consent Order.

Consequences of the Consent Order

- 17. The full text of this Consent Order will be published on the website of Engineers and Geoscientists BC, and a summary will be published in print and electronic publications, including in public communications.
- 18. This Consent Order has the same force and effect as an Order made under section 75 of the *PGA*.
- Dr. Ramsay has received independent legal advice regarding the content of this Consent Order.
- 20. Dr. Ramsay and Engineers and Geoscientists BC agree that this Consent Order may be executed in counterparts and delivered as an electronic document.

This Consent Order is approved and accepted by Dr. Ramsay and the Investigation Committee this <u>27</u>th day of February, 2025.

| <original by="" signed=""></original> | Connie Hol |
|---|---------------------------------------|
| Stephen Roderick Ramsay, P.Eng. | Name of Witness |
| | <original by="" signed=""></original> |
| | Signature of Witness |
| The Investigation Committee of the Association of of Professional Engineers and Geoscientists of the Province of British Columbia | |
| <original by="" signed=""></original> | |
| Per: Peter Helland, P.Eng. | |
| Chair, Investigation Committee | |