



ENGINEERS &
GEOSCIENTISTS
BRITISH COLUMBIA

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

and

**IN THE MATTER OF PATRICK MICHAEL SAILS, P.ENG. (LICENCE #: 42680)
ENGINEERS AND GEOSCIENTISTS BC FILE NO. T22-001**

CONSENT ORDER

Background

1. On January 30, 2025, the Association of Professional Engineers and Geoscientists of the Province of British Columbia, doing business as Engineers and Geoscientists BC, issued a Citation to Patrick Michael Sails (“Mr. Sails”), pursuant to section 66(1) of the *Professional Governance Act*, S.B.C. 2018, c. 47 (the “PGA”).
2. The citation sets out allegations against Mr. Sails in relation to a flood hazard assessment report (the “Report”) that he prepared in support of a request to the Ministry of Transportation and Infrastructure to reduce the existing covenant setbacks with respect to a property in Squamish Lillooet Regional District, British Columbia (the “Property”).
3. Engineers and Geoscientists BC and Mr. Sails wish to resolve this matter by consent pursuant to section 73(2) of the *PGA* to avoid the need for a disciplinary hearing.
4. Mr. Sails consents to the disposition set out below.

Legislation

5. On February 5, 2021, the *Engineers and Geoscientists Act*, R.S.B.C. 1996, c. 116 (the “*EGA*”) was repealed and replaced by the *PGA*.
6. The conduct set out in the Citation took place when the *EGA* was in force. As a result, Engineers and Geoscientists BC has considered Mr. Sails’ conduct pursuant to the *EGA* and the Bylaws and Code of Ethics under the *EGA*, While Mr. Sails’ conduct is considered under the *EGA*, pursuant to sections 35(2) and 36(1)(c) of the *Interpretation Act*, R.S.B.C. 1996, c.238, the procedures established by the *PGA* and the current Bylaws of Engineers and Geoscientists BC will be followed as far as they can be adapted to this proceeding.

Admissions

7. Mr. Sails admits the allegations set out in the Citation, namely that he demonstrated unprofessional conduct contrary to the *EGA* in relation to his preparation of the Report with respect to the Property, by:
 - a. accepting responsibility for a professional assignment for which he did not have the necessary qualifications, training, and experience;
 - b. failing to refer to and comply with relevant and applicable guidelines and their requirements in the Report, including:
 - i. Engineers and Geoscientists BC Professional Practice Guidelines: Legislated Flood Assessments in a Changing Climate in BC (Version 2.1);
 - ii. Engineers and Geoscientists BC Quality Management Guidelines: Documented Checks of Engineering and Geoscience Work (Version 1.3);
 - iii. Terms of Reference for Natural Hazards, Ministry of Transportation and Infrastructure (MOTI);
 - c. failing to perform an appropriate assessment of the level of effort and class selection for the flood hazard assessment;
 - d. failing to comply with the requirements of a Class 1 flood hazard assessment, by failing to include the following in the Report:
 - i. a qualitative description of fluvial geomorphic regime at the site and river stability;
 - ii. a documented field inspection for evidence of previous floods;
 - iii. a review of climate change predictions for the region; and

- iv. a discussion of and quantification of erosion rates by comparative air photograph analysis;
- e. failing to conduct and document sufficient fieldwork;
- f. failing to conduct and document an analysis to reasonably evaluate the flood hazard or risks;
- g. failing to include in the Report the appropriate Flood Assurance Statement;
- h. failing to obtain an appropriate documented check of the flood hazard assessment;
- i. failing to include the Report items required by applicable guidelines, including the following:
 - i. scour and bank erosion rates;
 - ii. the fluvial geomorphic regime at the site and river stability, including but not limited to any alluvial or colluvial fans, their contributing area, or any existing flood mitigation infrastructure;
 - iii. potential for debris flood or debris flow hazards;
 - iv. current and historic air photographs, survey data, climate data, protection reports, local newspapers archives, and interviews with local residents;
 - v. flood modelling or calculations, including but not limited to a frequency analysis of flood flows or flood levels;
 - vi. the local level of partial risk tolerance; and
 - vii. the implications of climate or land use change.
- 8. The conduct described above in paragraphs 7(e), 7(f), 7(h), and 7(i) was also contrary to section 14(b)(1) and (2) of the Engineers and Geoscientists BC Bylaws, as they stood at the time, which required all members and licensees to establish and maintain documented quality management processes for their practices, which required, as a minimum:
 - a. Retention of complete project documentation, which may include, but is not limited to correspondence, investigations, surveys, reports, data, background information, assessments, designs, specifications, field reviews, testing information, quality assurance documentation, and other engineering and geoscience documents for a period of 10 years; and
 - b. Regular, documented checks of engineering and geoscience work using a written quality control process appropriate to the risk associated with the work.

9. The conduct described above in paragraph 7 was also contrary to certain principles of the *Code of Ethics* of Engineers and Geoscientists BC and in force between October 2018 and February 5, 2021. In particular:
 - a. Principle 1, which required registrants to hold paramount the safety, health, and welfare of the public, including the protection of the environment, and promote health and safety in the workplace;
 - b. Principle 2, which required registrants to undertake and accept responsibility for professional assignments only when qualified by training or experience; and
 - c. Principle 3, which required registrants to provide an opinion on a professional subject only when it is founded upon adequate knowledge.

Disposition

10. By consent, this Consent Order is made pursuant to section 73 of the *PGA*.
11. Mr. Sails' registration with Engineers and Geoscientists BC is suspended for a period of three months commencing on August 21, 2025 (the "Suspension Period").
12. During the period from the date of the execution of this Consent Order to the Suspension Period, Mr. Sails will:
 - a. limit his practice to those project files that he is currently engaged on and will not take on any new project files or other engineering work; and
 - b. make reasonable arrangements for the orderly transfer of his ongoing professional engineering project files to other professional engineers.
13. On or before the end of the Suspension Period, Mr. Sails must provide written notice to Engineers and Geoscientists BC that he has at his own expense, completed the following educational offerings:
 - a. Professional Engineering and Geoscience Practice in BC Online Seminar;
 - b. Professional Practice Guidelines: Flood Mapping in British Columbia Webinar; and
 - c. Professional Practice Guidelines: Legislated Flood Assessments in a Changing Climate in BC Webinar;
14. As of the effective date of this Consent Order, Mr. Sails agrees that he will be restricted from providing professional engineering services in relation to flood hazard assessments (the "Practice Restriction").
15. Before the Practice Restriction is lifted, Mr. Sails must provide written notice to Engineers and Geoscientists BC that he has at his own expense, completed the following educational offerings:

- a. Design Flood Hydrology for BC Natural Resource Professionals Webinar; and
 - b. EPIC Training Webinar Course EPIC Webinar, Hydrogeological Investigation in Urban Land Development Projects – (November 12-13, 2025).
16. If Mr. Sails wishes to lift or modify the Practice Restriction set out in paragraph 14, he must provide written notice to Engineers and Geoscientists BC that he has successfully completed the educational offerings set out at paragraphs 13 and 15.
17. If Mr. Sails successfully lifts the Practice Restriction set out in paragraph 14 by completing the requirements set out in paragraph 13, all of his work related to the Practice Restriction must be subject to peer review pursuant to the *Discipline Committee Ordered Peer Review Policy* and the *Peer Review Guidelines of Engineers and Geoscientists BC*, as may be amended or revised from time to time (the “Peer Review”), subject to the following conditions:
- a. the peer reviewer must be a professional engineer who is a registrant of Engineers and Geoscientists BC and who is approved in writing by the Registrar of Engineers and Geoscientist BC (the “Approved Peer Reviewer”);
 - b. the Peer Review will continue for a minimum period of 12 months and the Approved Peer Reviewer must review a minimum of two projects; whichever comes later (the “Peer Review Period”);
 - c. following the Peer Review Period, the Approved Peer Reviewer will provide Engineers and Geoscientist BC with confirmation in writing that Mr. Sails has completed the Peer Review process and that, in the opinion of the Approved Peer Reviewer, Mr. Sails has demonstrated competence such that he should be permitted to prepare flood hazard assessments without oversight;
 - d. following the Peer Review Period, if the opinion of the Approved Peer Reviewer is that Mr. Sails has not demonstrated competence such that he should be permitted to prepare flood hazard assessments without oversight and requires further peer review, the Peer Review Period must continue for an additional twelve-month period, or the completion of two additional projects whichever comes later (the “Extended Peer Review”), following which the Approved Peer Reviewer must provide confirmation in writing that Mr. Sails has completed the Extended Peer Review and has demonstrated competence such that he should be permitted to prepare flood hazard assessment without oversight; and
 - e. Mr. Sails will pay the costs associated with the Peer Review.
18. Mr. Sails will pay \$5,000 to Engineers and Geoscientists BC contemporaneous with the execution of this Consent Order as a contribution towards the legal and investigative costs incurred in this matter.
19. In the event that Mr. Sails fails to comply with any of the terms of this Consent Order, his registration with Engineers and Geoscientists BC will be, or will remain,

suspended until every default has been remedied in accordance with the terms of this Consent Order.

Consequences of the Consent Order

20. 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.
21. This Consent Order has the same force and effect as an Order made under section 75 of the *PGA*.
22. Mr. Sails has received the opportunity to obtain independent legal advice regarding the content of this Consent Order prior to its execution.
23. Mr. Sails and Engineers and Geoscientists BC agree that this Consent Order may be executed in counterparts and delivered as an electronic document.

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This Consent Order is approved and accepted by Mr. Sails and the members of the Discipline Resolution Panel of Engineers and Geoscientists BC this 11th day of August, 2025.

<original signed by>

Patrick Michael Sails, P.Eng.

Christian Flanagan, P.Eng.

Name of Witness

<original signed by>

Signature of Witness

<original signed by>

Frank Denton, P.Eng., FEC, FGC
Member, Discipline Resolution Panel

<original signed by>

Colin Vaness, P.Eng., PE, CEM, LEED, BD&C
Member, Discipline Resolution Panel

<original signed by>

John Wilson
Member, Discipline Resolution Panel