



Victoria File: 26250-20/21888
Site ID: 21888

Date: August 25, 2021

Mr. Salim Sayani
Executive TFN Development GP Ltd.
1080 Howe Street, 8th Floor
Vancouver, BC V6Z 2T1
By Email: salimsayani@executivehotels.net

Dear Mr. Sayani:

Re: Certificate of Compliance - 4789 Blue Heron Way, Tsawwassen, British Columbia

Please find enclosed a Certificate of Compliance respecting the site referenced above.

In addition to the conditions set out in Schedule B of the Certificate of Compliance, please be advised of the following:

1. Information about the site will be included in the Site Registry established under the *Environmental Management Act*.
2. The provisions of this Certificate of Compliance are without prejudice to the right of the Director to make orders or impose requirements as the Director may deem necessary in accordance with applicable laws. Nothing in this Certificate of Compliance will in any way restrict or impair the Director's power in this regard.
3. A qualified environmental consultant should be available to identify, characterize and appropriately manage:
 - (a) any environmental media that may be contaminated, or
 - (b) soil which may exceed the standards triggering a Contaminated Soil Relocation Agreement set out in section 40 of the Contaminated Sites Regulationand may be encountered during any future subsurface work at the site.

4. Groundwater wells that are no longer required must be properly decommissioned in accordance with the *Water Sustainability Act's* Groundwater Protection Regulation.
5. Please note that future site development may create preferential pathways for vapour. In this event, further assessment and remediation of vapour may be warranted.
6. Please note that the attached Certificate of Compliance does not address obligations of employers regarding worker health and safety under the *Workers Compensation Act* and Occupational Health and Safety Regulation. Development of site-specific work procedures in accordance with Workers' Compensation Board regulations may be warranted. Please direct related questions to Worksafe BC.

Issuance of this Certificate of Compliance is a decision that may be appealed under Part 8 of the *Environmental Management Act*.

If you require clarification of any aspect of this Certificate of Compliance, please contact the undersigned at Stephen.dankevy@gov.bc.ca.

Yours truly,



Stephen Dankevy, M.Sc., P.Geo.
Senior Contaminated Sites Officer

Enclosure

cc:

Kevin Tosoff, Tsawwassen First Nation, 2460 Falcon Way, Tsawwassen, BC V4M 4G4
ktosoff@tsawwassenfirstnation.com

Laura Cassidy, MGW Salish Eagle Lands Corporation, #500-221 West Esplanade, North Vancouver, BC V7M 3J3
lcassidy@tsawwassenfirstnation.com

CSAP Society, apopova@csapsociety.bc.ca

Site Information Advisor, ENV, Victoria, Advisor.SiteInformation@gov.bc.ca

Michael Geraghty, Approved Professional, Keystone Environmental Ltd.
Suite 320, 4400 Dominion Street, Burnaby, BC V5G 4G3
mgeraghty@keystoneenvironmental.ca



CERTIFICATE OF COMPLIANCE
(Pursuant to Section 53 of the *Environmental Management Act*)

THIS IS TO CERTIFY that as of the date indicated below, the site identified in Schedule A of this Certificate of Compliance has been satisfactorily remediated to meet the applicable Contaminated Sites Regulation remediation standards.

This Certificate of Compliance is qualified by the requirements and conditions specified in Schedule B.

The substances for which remediation has been satisfactorily completed and for which this Certificate of Compliance is valid are listed in Schedule C.

I have issued this Certificate of Compliance based on a review of relevant information including the documents listed in Schedule D. I, however, make no representation or warranty as to the accuracy or completeness of that information.

A Director may rescind this Certificate of Compliance if requirements and conditions imposed in the Certificate of Compliance are not complied with or any fees payable under Part 4 of the Act or regulations are outstanding.

This Certificate of Compliance should not be construed as an assurance that there are no hazards present at the site.

August 25, 2021

Date Issued

Stephen Dankev
For Director, *Environmental Management Act*

Schedule A

The site covered by this Certificate of Compliance is located at 4789 Blue Heron Way, Tsawwassen, British Columbia which is more particularly known and described as:

Starting at the southwest corner of Lot A of plan showing proposed subdivision of Lot A, District Lot 169, Group 2, New Westminster District, Plan EPP59012: The Point of Commencement.

Thence 271° 37' 03" for 187.492 metres;

Thence 01° 37' 03" for 35.882 metres;

Thence 354° 26' 56" For 6.047 metres;

Thence northerly being an arc of a 148.484 metre radius curve having a radial bearing of 261° 45' 03" to the centre of said curve and a radial bearing of 247° 02' 20" to the end of said curve an arc distance of 38.127 metres;

Thence 340° 07' 17" for 17.519 metres;

Thence northerly being an arc of a 128.760 metre radius curve having a radial bearing of 74° 13' 44" to the centre of said curve and a radial bearing of 102° 49' 27" to the end of said curve an arc distance of 64.262 metres;

Thence 13° 41' 47" for 16.854 metres;

Thence 268° 58' 13" for 72.400 metres;

Thence 178° 58' 13" for 1.500 metres;

Thence 268° 58' 13" for 22.087 metres;

Thence 04° 35' 27" for 6.591 metres;

Thence 358° 58' 13" for 70.691 metres;

Thence 88° 58' 13" for 297.191 metres;

Thence 180° 15' 03" for 259.619 metres;

Returning to The Point of Commencement.

The site contains part of a legal parcel depicted in an engineering drawing prepared by Keystone Environmental Ltd. on January 14, 2021.

The approximate centre of the site using the NAD (North American Datum) 1983 convention is:

Latitude: 49° 2' 20.40"

Longitude: 123° 5' 36.20"

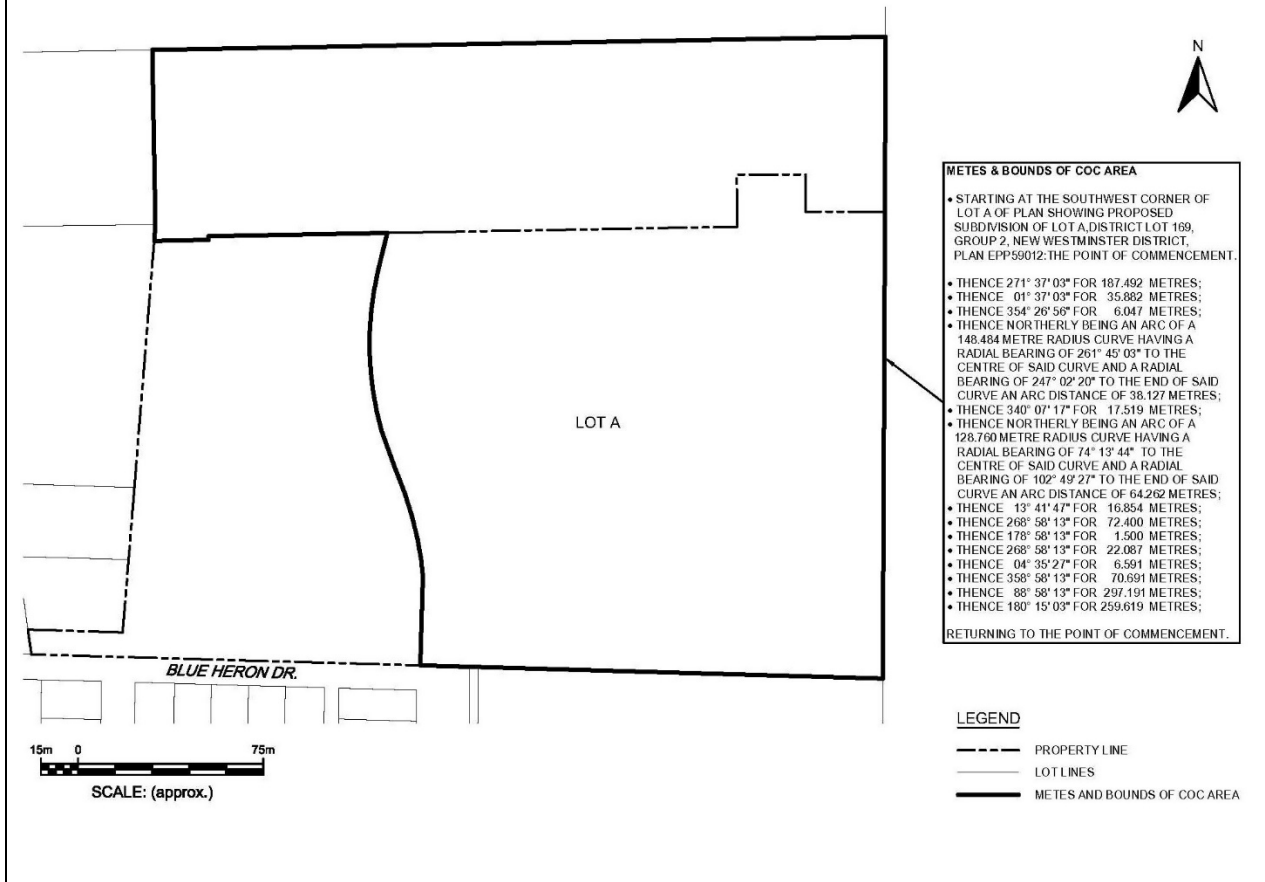
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Date Issued

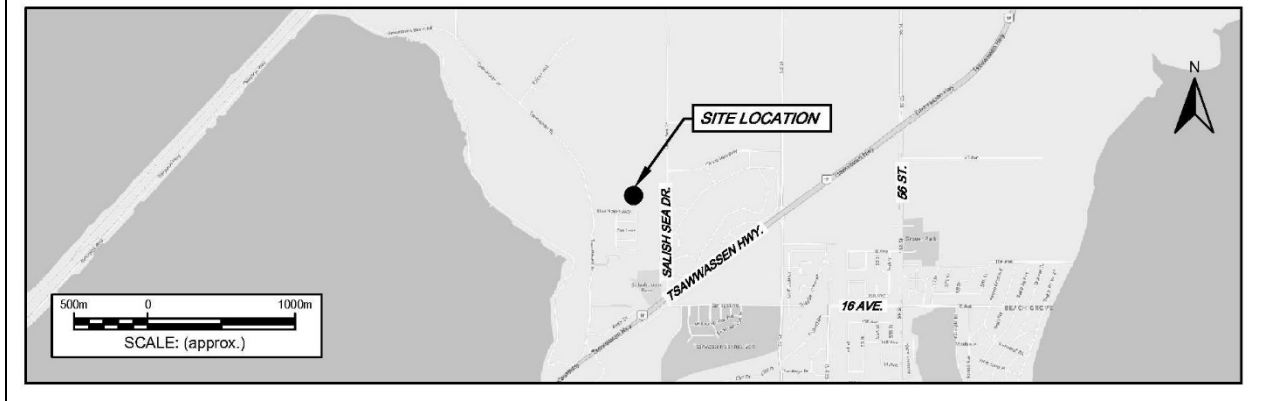


Stephen Dankev
For Director, *Environmental Management Act*

Site Plan, Tsawwassen, BC



Location Map, Tsawwassen, BC



Stephen Dankey

August 25, 2021

Date Issued

Stephen Dankey

For Director, *Environmental Management Act*

Schedule B

Requirements and Conditions

1. Any changes in land, vapour, or water uses must be promptly identified by the responsible persons in a written submission to the Director. An application for an amendment or new Certificate of Compliance may be necessary. The uses to which this condition applies are described in Schedule C and in the site investigation documents listed in Schedule D.

The documents listed in Schedule D indicate that vapour attenuation factors were applied to meet Contaminated Sites Regulation numerical standards at and adjacent to the site. These vapour attenuation factors were selected based on assumptions about the structures, locations and depths of buildings existing or expected at and adjacent to the site. These assumptions include the following:

(a) Any building erected will be constructed slab-on grade or with up to 1 level of underground parkade below the current grade of 3.6 metres above sea level.

Any inconsistencies that arise between the structures, locations and depths of proposed or constructed buildings at or adjacent to the site and the range of structures, locations and depths of buildings assumed in the selection of vapour attenuation factors in the documents listed in Schedule D must be promptly identified by the responsible persons in a written submission to the Director. An application for an amendment or new Certificate of Compliance may be necessary.

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For Director, *Environmental Management Act*

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Schedule C
Substances and Uses

Substances remediated in soil for parkland soil use:

To meet numerical remediation standards:

arsenic (7440-38-2)

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Schedule D

Documents

Summary of Site Condition, 4789 Blue Heron Way, Tsawwassen, BC, Keystone Environmental Ltd., March 2021;

Report of Findings – Preliminary Site Investigation – Stage 1 and Stage 2, Detailed Site Investigation, Confirmation of Remediation, and Remediation Plan, 4789 Blue Heron Way (Lot G1), Tsawwassen, BC, Keystone Environmental Ltd., March 2021;

Re: Application for Water Use Determination, Lot G1, Tsawwassen First Nations Land, Tsawwassen, BC, BC Ministry of Environment and Climate Change Strategy, September 2018;

Application for Water Use Determination, Lot G1, Tsawwassen First Nations Land, Tsawwassen, BC, Keystone Environmental Ltd., June 2018; and

Report of Findings – Limited Phase II ESA Soil Sampling Program (Fill Material) Lot G1, Tsawwassen First Nations Land, Tsawwassen, BC, Keystone Environmental Ltd., October 2014.

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