



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

February 13, 2023

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

Dear Mr. Sayani:

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

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 Regulation and 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 site@gov.bc.ca.

Yours truly,



Annette Mortensen, Ph.D., P.Eng
Senior Contaminated Sites Officer

Enclosure

cc: Kevin Tosoff, Tsawwassen First Nation, ktosoff@tsawwassenfirstnation.com

Laura Cassidy, MGW Salish Eagle Lands Corporation,
lcassidy@tsawwassenfirstnation.com

Michael Geraghty, Approved Professional, Keystone Environmental Ltd.
mgeraghty@keystoneenvironmental.ca

CSAP Society, apopova@csapsociety.bc.ca

Daniel Park, The Bank of Nova Scotia, Daniel.Park@scotiabank.com

Client Information Officer, ENV, Victoria, csp_cio@victoria1.gov.bc.ca

British Columbia Hydro and Power Authority, customer.service@bchydro.com

Telus Communications Inc., ELCLocateSupport@TELUS.com

Terasen Gas Inc., gas.customerservice@fortisbc.com

Persona Communications Inc., eastlink.locates@corp.eastlink.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 and criteria.

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.

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A. Mortensen
For Director, *Environmental Management Act*

Schedule A

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

Portion of Lot A District Lot 169 Group 2 New Westminster District Plan EPP59012 Except Plan EPP102783
PID: 029-900-051

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 Except Plan EPP102783: The Point of Commencement.


Thence 351° 48' 48" for 10.135 metres;
Thence 91° 37' 38" for 38.443 metres;
Thence 04° 35' 59" for 58.792 metres;
Thence 04° 35' 27" for 100.064 metres;
Thence 88° 58' 13" for 22.087 metres;
Thence 358° 58' 13" for 1.500 metres;
Thence 88° 58' 13" for 72.400 metres;
Thence 193° 41' 47" for 16.854 metres;
Thence southerly being an arc of a 128.760 metre radius curve having a radial bearing of 102° 49' 27" to the centre of said curve and a radial bearing of 74° 13' 44" to the end of said curve an arc distance of 64.262 metres;
Thence 160° 07' 17" for 17.519 metres;
Thence southerly being an arc of a 148.484 metre radius curve having a radial bearing of 247° 02' 20" to the centre of said curve and a radial bearing of 261° 45' 03" to the end of said curve an arc distance of 38.127 metres;
Thence 174° 26' 56" for 6.047 metres;
Thence 181° 37' 03" for 35.882 metres;
Thence 271° 37' 03" for 157.618 metres;
Returning to the Point of Commencement.

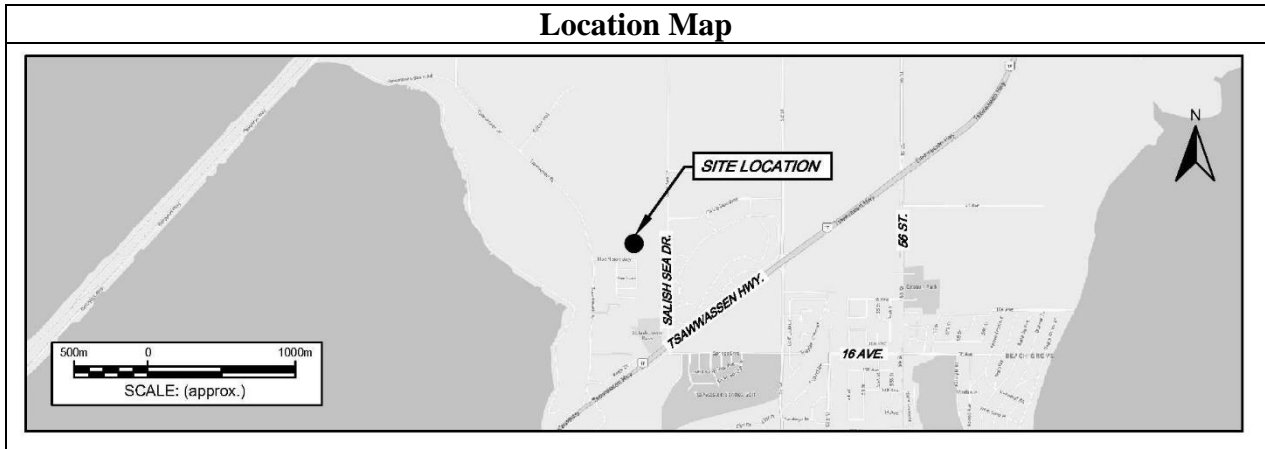
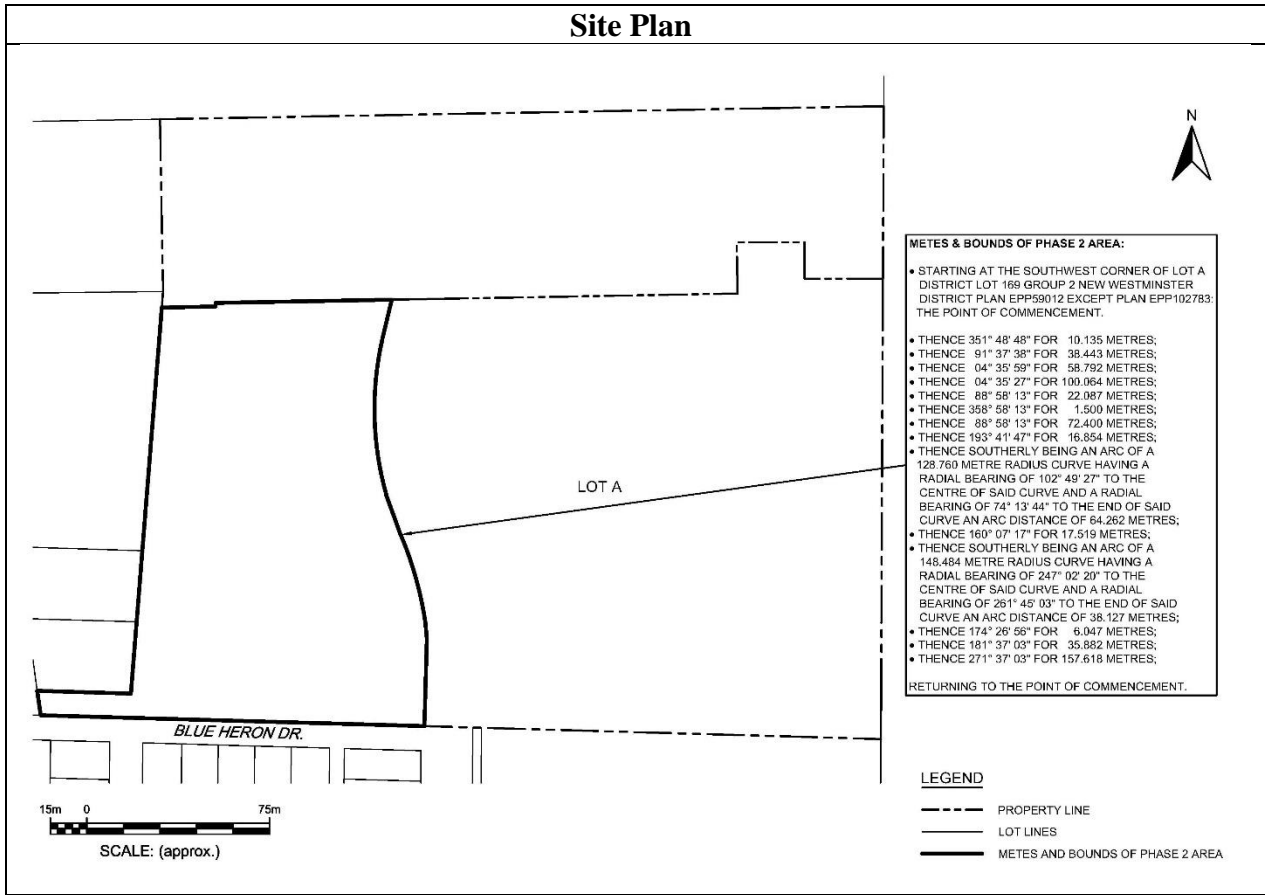
The site contains part of a legal parcel depicted in an engineering drawing prepared by Keystone Environmental Ltd. on November 10, 2022.

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

Latitude: 49° 2' 18.2"
Longitude: 123° 5' 39.4"

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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 the site. These vapour attenuation factors were selected based on assumptions about the structures, locations and depths of buildings existing or expected at the site. These assumptions include the following:

- (a) *Any building erected will be constructed slab-on grade.*

Any inconsistencies that arise between the structures, locations and depths of proposed or constructed buildings at 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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Schedule C

Substances and Uses

Substances remediated in soil for parkland soil use:

To meet numerical remediation standards:

anthracene	(120-12-7)
arsenic	(7440-38-2)
benz(a)anthracene	(56-55-3)
benzo(b+j)fluoranthene	(205-99-2 & 205-82-3)
benzo(k)fluoranthene	(207-08-9)
fluoranthene	(206-44-0)
indeno(1,2,3-cd)pyrene	(193-39-5)
naphthalene	(91-20-3)
phenanthrene	(85-01-8)
pyrene	(129-00-0)
trichloroethylene	(79-01-6)

To meet local background concentrations:

lead	(7439-92-1)
nickel	(7440-02-0)
selenium	(7782-49-2)

Substances remediated in vapour for parkland vapour use:

To meet numerical remediation standards:

dichloroethylene, 1,2-cis	(156-59-2)
trichloroethylene	(79-01-06)
vinyl chloride	(75-01-4)
VPH _v	(N/A)

Substances remediated in water for marine aquatic life water use:

To meet numerical remediation standards:

naphthalene	(91-20-3)
phenanthrene	(85-01-08)
pyrene	(129-00-0)

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To meet local background concentrations

cobalt	(7440-48-4)
mercury	(7439-97-6)
nickel	(7440-02-0)

Substances remediated in water for freshwater aquatic life water use:

To meet numerical remediation standards:

naphthalene	(91-20-3)
phenanthrene	(85-01-08)
pyrene	(129-00-0)

To meet local background concentrations

chromium	(7440-47-3)
cobalt	(7440-48-4)
mercury	(7439-97-6)

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Schedule D

Documents

Summary of Site Condition, 4789 Blue Heron Way, Tsawwassen, BC, Keystone Environmental Ltd., December 2022;

Report of Findings – Stage 1 Preliminary Site Investigation Update and Confirmation of Remediation, 4789 Blue Heron Way, Tsawwassen, BC, Keystone Environmental Ltd., December 2022;

Approval in Principle – 4789 Blue Heron Way, Tsawwassen, British Columbia. BC ENV, August 25, 2021;

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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