



Victoria File: 26250-20/25349  
Site ID: 25349

March 6, 2023

Tsawwassen Shores Development Company Ltd.  
Aquilini Centre, Gate 16 at Rogers Arena, 800 Griffiths Way  
Vancouver, BC V6B 6G1  
tobias.slezak@aquilini.com

Dear : Tobias Slezak

**Re: Certificate of Compliance - 4375 Cormorant Way, Tsawwassen First Nation,  
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 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 [james.plett@gov.bc.ca](mailto:james.plett@gov.bc.ca).

Yours truly,



James Plett  
Senior Contaminated Sites Officer

Enclosure

cc: Komal Shaikh, Tsawwassen First Nation  
1926 Tsawwassen Drive, Tsawwassen, British Columbia V4M 4G2 (BY EMAIL)  
[kshaikh@tsawwassenfirstnation.com](mailto:kshaikh@tsawwassenfirstnation.com)

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[csp\\_cio@Victoria1.gov.bc.ca](mailto:csp_cio@Victoria1.gov.bc.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.

March 6, 2023  
Date Issued

  
James Plett  
For Director, *Environmental Management Act*

## Schedule A

The site covered by this Certificate of Compliance is located at 4375 Cormorant Way, Tsawwassen First Nation, British Columbia which is more particularly known and described as:

Lot F, District Lot 169, Group 2, New Westminster District, Plan EPP83165  
030-754-186

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

Latitude: 49° 02' 53.51"  
Longitude: 123° 06' 5.11"

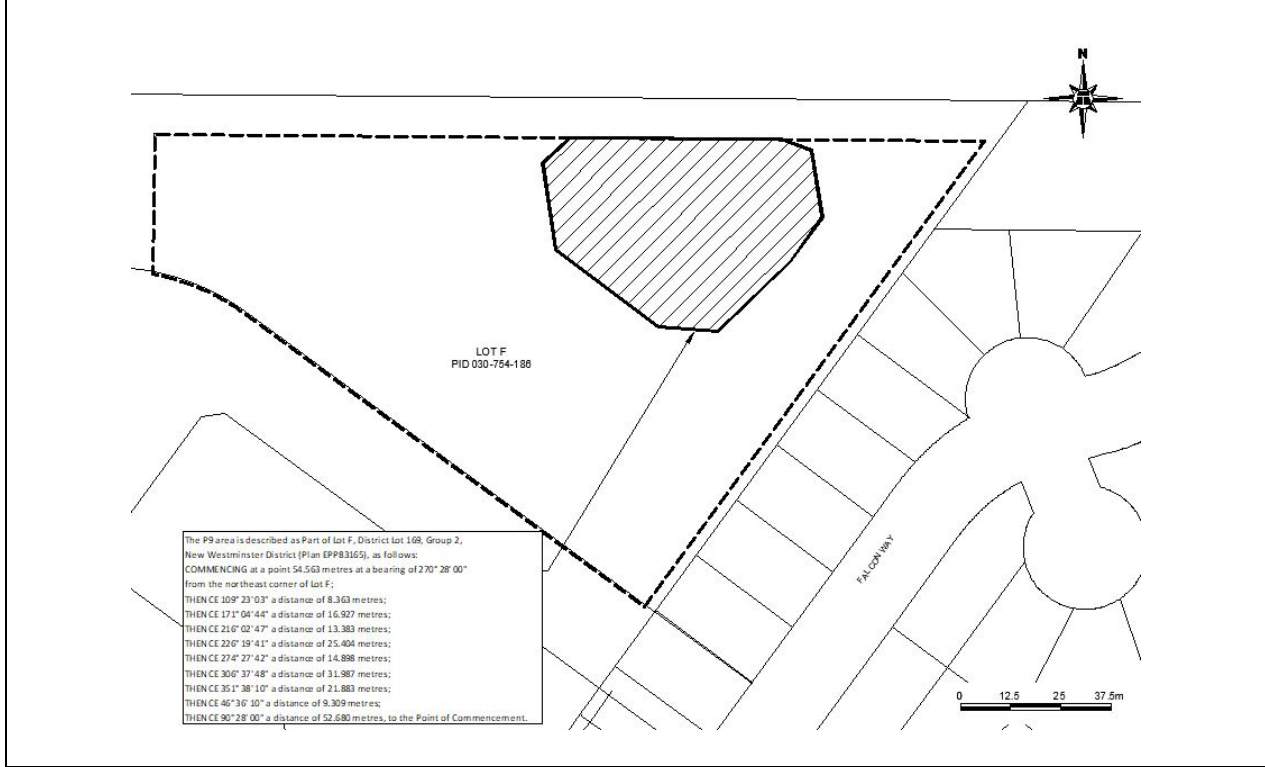
A local background determination of dissolved cobalt, nickel, zinc and sulfate in groundwater was issued for a portion of the site. The area for the background groundwater determination described as Part of LOT F, DISTRICT LOT 169, GROUP 2, NEW WESTMINSTER DISTRICT, PLAN EPP83165, as follows:

COMMENCING AT A POINT 54.563 METRES AT A BEARING OF 270° 28' 00"  
FROM THE NORTHEAST CORNER OF LOT F;  
THENCE 109° 23' 03" A DISTANCE OF 8.363 METRES;  
THENCE 171° 04' 44" A DISTANCE OF 16.927 METRES;  
THENCE 216° 02' 47" A DISTANCE OF 13.383 METRES;  
THENCE 226° 19' 41" A DISTANCE OF 25.404 METRES;  
THENCE 274° 27' 42" A DISTANCE OF 14.898 METRES;  
THENCE 306° 37' 48" A DISTANCE OF 31.987 METRES;  
THENCE 351° 38' 10" A DISTANCE OF 21.883 METRES;  
THENCE 46° 36' 10" A DISTANCE OF 9.309 METRES;  
THENCE 90° 28' 00" A DISTANCE OF 52.680 METRES, TO THE POINT OF  
COMMENCEMENT.

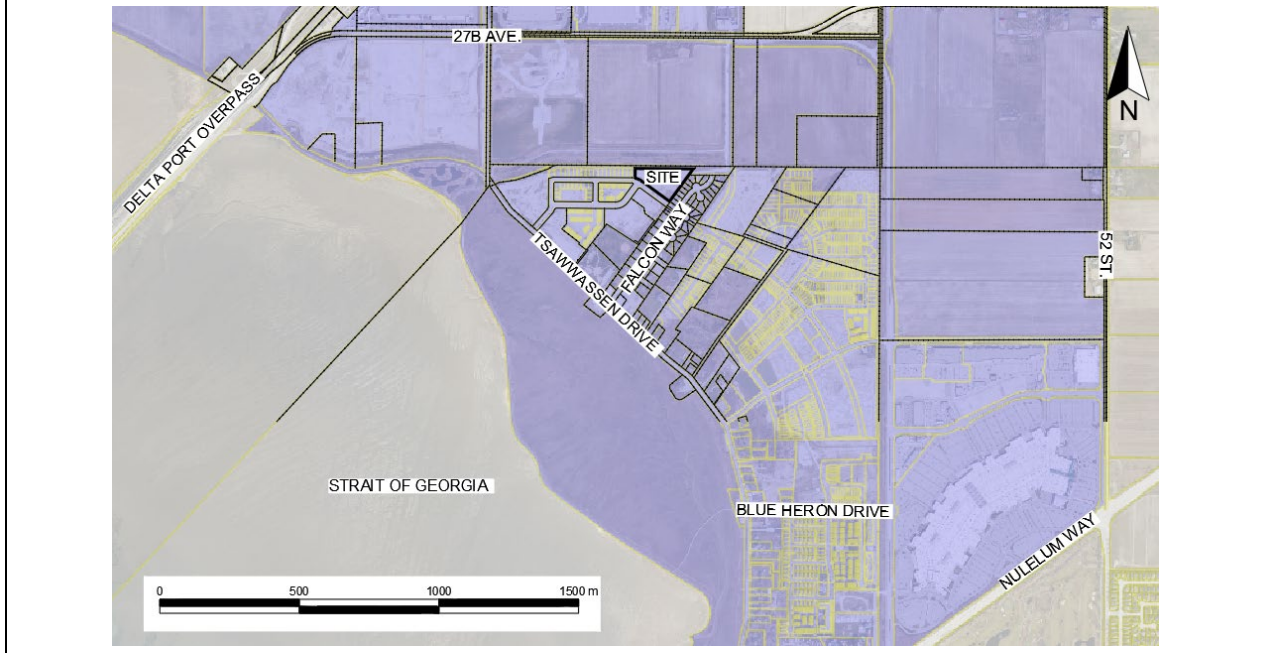
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## Site Plan



## Location Map



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## 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) Future residential site buildings will consist of either slab-on-grade structures or include underground parkades.*

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 residential low-density soil use:***

##### To meet numerical remediation standards:

- *Benzo(a)anthracene* 56-55-3
- *Arsenic* 7440-38-2
- *Zinc* 7440-66-6

#### ***Substances remediated in soil for urban park land soil use:***

##### To meet numerical remediation standards:

- *Benzo(a)anthracene* 56-55-3
- *Arsenic* 7440-38-2
- *Zinc* 7440-66-6

#### ***Substances evaluated in soil for residential low-density soil use:***

##### To meet local background concentrations

- *Lead* 7439-92-1

#### ***Substances evaluated in soil for urban park land soil use:***

##### To meet local background concentrations

- *Lead* 7439-92-1

#### ***Substances evaluated in water for aquatic water use:***

##### To meet local background concentrations:

- *Cobalt* 7440-48-4
- *Nickel* 7440-02-0
- *Zinc* 7440-66-6
- *Sulphate* 14808-79-8

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## Schedule D

### Documents

*Summary of Site Condition*, Thurber Engineering Ltd., December 2022.

*Detailed Site Investigation and Confirmation of Remediation, Tsawwassen Shores Residential Development, Phase 2, Instrument 1C Area, Tsawwassen First Nation, BC*, Thurber Engineering Ltd., December 21, 2022.

*Stage 1 Preliminary Site Investigation, Tsawwassen Shores Residential Development, Phase 2, Instrument 1C Area, Tsawwassen First Nation, BC*, Thurber Engineering Ltd., December 21, 2022.

*Background Groundwater Assessment, A Portion of 4375 Cormorant Way, Tsawwassen, BC*, Ministry of Environment and Climate Change Strategy, October 4, 2022

*Addendum to Protocol 9 Background Groundwater Quality Assessment, 4375 Cormorant Way, Instrument 1C, Phase 2 Tsawwassen Shores Development Lands, Tsawwassen First Nation, BC*, Thurber Engineering Ltd., September 13, 2022

*Protocol 9 Background Groundwater Quality Assessment, 4375 Cormorant Way, Instrument 1C, Phase 2 Tsawwassen Shores Development Lands, Tsawwassen First Nation, BC*, Thurber Engineering Ltd., December 3, 2021

*Phase II Environmental Site Assessment Summary Letter, Phase 2 Development Lands, Tsawwassen First Nation, BC*, Thurber Engineering Ltd., August 16, 2013

*Phase I Environmental Site Assessment Lots 1,2,3,4,5,6,7,8,9,43 and 68, District lot 69, New Westminster District Plan BCP38101 in the Tsawwassen First Nation, BC*, Thurber Engineering Ltd., June 6, 2013

*Phase I Environmental Site Assessment Update Report, Tsawwassen Reserve, Tsawwassen, BC*, Enterprise Geoscience Services Ltd. June 17, 2009

*Additional FNLMI Environmental Site Assessment*, Teranis Consulting Ltd., June 1, 2009

*Environmental Management Framework (EMF)*, Tsawwassen First Nation, August 1, 2007

*Tsawwassen First Nation, Preliminary Quantitative Risk Assessment (PQRA)*, Teranis Consulting Ltd., May 1, 2007

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*Tsawwassen First Nation, Supplemental Phase II Environmental Site Assessment, Stantec Consulting Ltd., March 1, 2006*

*Phase II Environmental Site Assessment, Tsawwassen First Nation, Stantec Consulting Ltd., March 1, 2005*

*Phase I Environmental Site Assessment, Tsawwassen First Nation, Stantec Consulting Ltd., June 1, 2003*

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