



VIA EMAIL: wayne@waynekoch.com

Victoria File: 26250-20/15171
Site ID: 15171

May 30, 2023

Wayne Koch
Southfield Real Estate Ltd.
601 – 938 Howe Street
Vancouver, BC V6Z 1N9

Dear Wayne Koch:

Re: Approval in Principle – Part of Former CPR Rail Yard, Grand Forks, British Columbia

Please find enclosed an Approval in Principle respecting the contaminated site referenced above.

In addition to the conditions set out in Schedule B of the Approval in Principle, 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 Approval in Principle 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 Approval in Principle will restrict or impair the Director's powers 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. This Approval in Principle does not authorize entry upon, crossing over, or use for any purpose of private or Crown lands or works, unless and except as authorized by the owner of

such lands or works. The responsibility for obtaining such authority rests with the persons undertaking remediation. It is also the responsibility of those persons to ensure that all activities conducted under this Approval in Principle are carried out with due regard to the rights of third parties, and comply with other applicable legislation that may be in force.

5. Additional permits and approvals may be required before remediation begins.
6. All site materials (e.g., excavated soil, replaced soil, groundwater from dewatering, pumping, well development etc.) must be characterized and managed in accordance with applicable legislation and ministry guidance.
7. Groundwater wells that are no longer required must be properly decommissioned in accordance with the *Water Sustainability Act's* Groundwater Protection Regulation.
8. Please be advised that there are inherent health and safety risks associated with remediation activities at contaminated sites. Development of site-specific work procedures in accordance with WorkSafeBC regulations is warranted. Please direct related questions to the WorkSafeBC office at 604-276-3100 (Lower Mainland only) or 1-888-621-7233 (toll free in B.C.).
9. Any substantial modifications to the approved remediation plan, including substantial changes to the remediation schedule, conditions or circumstances described in the risk assessment upon which the remediation plan is based, or changes in land use, must be promptly identified by written submission to the Director.
10. If an application for a Certificate of Compliance is to be submitted for the site, the confirmation of remediation report accompanying the application must demonstrate compliance with the remediation standards and criteria in force at the time the application for the Certificate is made, which may differ from the remediation standards and criteria in force at the time of issuance of this Approval in Principle.
11. The responsible person(s) will prepare and provide to the Director proof acceptable to the Director of registration of a covenant under section 219 of the *Land Title Act* following implementation of the remediation plan.

Issuance of this Approval in Principle is a decision that may be appealed under Part 8 of the *Environmental Management Act*.

If you require clarification of any aspect of this Approval in Principle, please contact the undersigned at Liliana.Jerade@gov.bc.ca (toll free via Enquiry BC at 1-800-663-7867).

Yours truly,



Liliana Jerade
Senior Contaminated Sites Officer

Enclosure

cc: Dolores Sheets, Manager of Development and Engineering, The City of Grand Forks
(BY EMAIL) dsheets@grandforks.ca

David Mitchell, Approved Professional, Active Earth Engineering
Ltd. (BY EMAIL) david.mitchell@activeearth.ca

Scott Steer, Approved Professional, Steer Environmental Associates
(BY EMAIL) scott.steer@steerenvironmental.com

Dave Diplock, Bear Environmental Ltd.
(BY EMAIL) davediplock@bearenviro.ca

Anna Popova, CSAP Society
(BY EMAIL) apopova@csapsociety.bc.ca



APPROVAL IN PRINCIPLE

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

THIS IS TO CERTIFY that the remediation plan described herein submitted by Southfield Real Estate Ltd. for the contaminated site identified in Schedule A of this document has been approved.

When implemented, the remediation plan must be implemented in accordance with the requirements and conditions specified in Schedule B.


The substances for which remediation will be conducted and for which this Approval in Principle is valid are specified in Schedule C.

I have issued this Approval in Principle based on a review of 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 Approval in Principle if conditions imposed in the Approval in Principle are not complied with or any fees payable under Part 4 of the Act or regulations are outstanding.

This Approval in Principle should not be construed as an assurance that there are no hazards present at the site.

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Liliana Jerade
For Director, *Environmental Management Act*

Schedule A

The site covered by this Approval in Principle is the portions of the former Canadian Pacific Railways Yard, Grand Forks, British Columbia which is more particularly known and described as:

That Part of District Lot 520 Shown Coloured Red on Plan Attached to DD5251; Similkameen Division Yale District Except Plans 26339 and 27336
PID: 014-782-715

Part of District Lot 520 Described in DD2787A(1); Similkameen Division Yale District
PID: 014-782-766

Parcel A (DD 264122F) of District Lot 520 Similkameen Division Yale District Except Plans 26339, 27336, 34714 and KAP47976
PID: 014-782-774

That Part of District Lot 380 Similkameen Division Yale District Shown Red on Plan Attached to Absolute Fees Parcels Book Vol 3 Fol 531, No. 3196A Except Plans 34714, KAP47976 and KA88466
PID: 014-715-643

That Part of Lot 3 Block 38 Shown on Plan Attached to Absolute Fees Parcels Book Volume 3 Folio 531 No 3196A District Lot 380 Similkameen Division Yale District Plan 35
PID: 004-650-298


That Part of Lot 4 Block 38 Shown on Plan Attached to Absolute Fees Parcels Book Volume 3 Folio 531 No 3196A District Lot 380 Similkameen Division Yale District Plan 35
PID: 004-650-611

That Part of Lot 5 Block 38 Shown on Plan Attached to Absolute Fees Parcels Book Volume 3 Folio 531 No 3196A District Lot 380 Similkameen Division Yale District Plan 35
PID: 004-650-620

That Part of Lot 6 Block 38 Shown on Plan Attached to Absolute Fees Parcels Book Volume 3 Folio 531 No 3196A District Lot 380 Similkameen Division Yale District Plan 35
PID: 004-650-646

That Part of Lot 7 Block 38 Shown on Plan Attached to Absolute Fees Parcels Book Volume 3 Folio 531 No 3196A District Lot 380 Similkameen Division Yale District Plan 35

May 30, 2023
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PID: 004-650-654

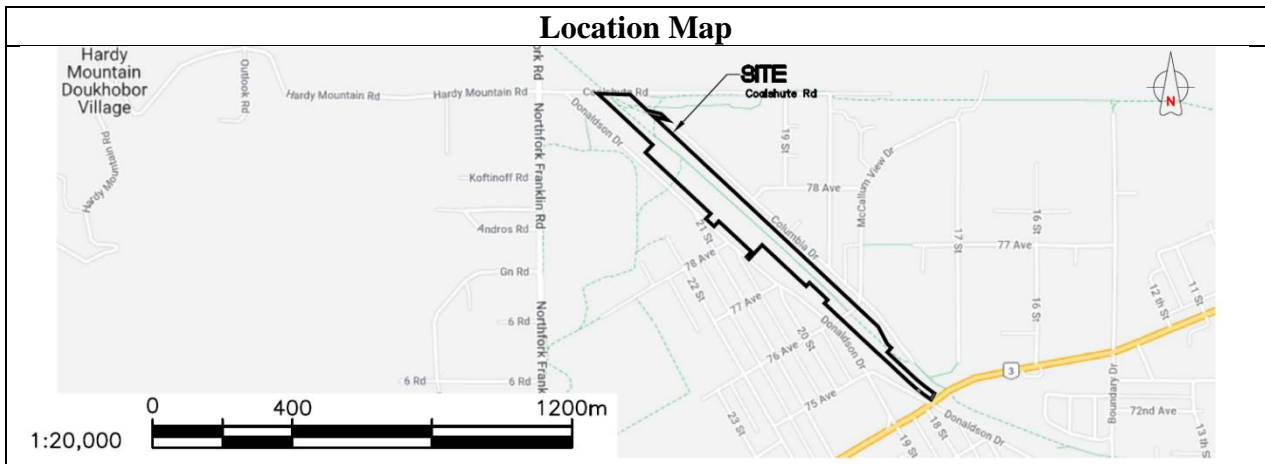
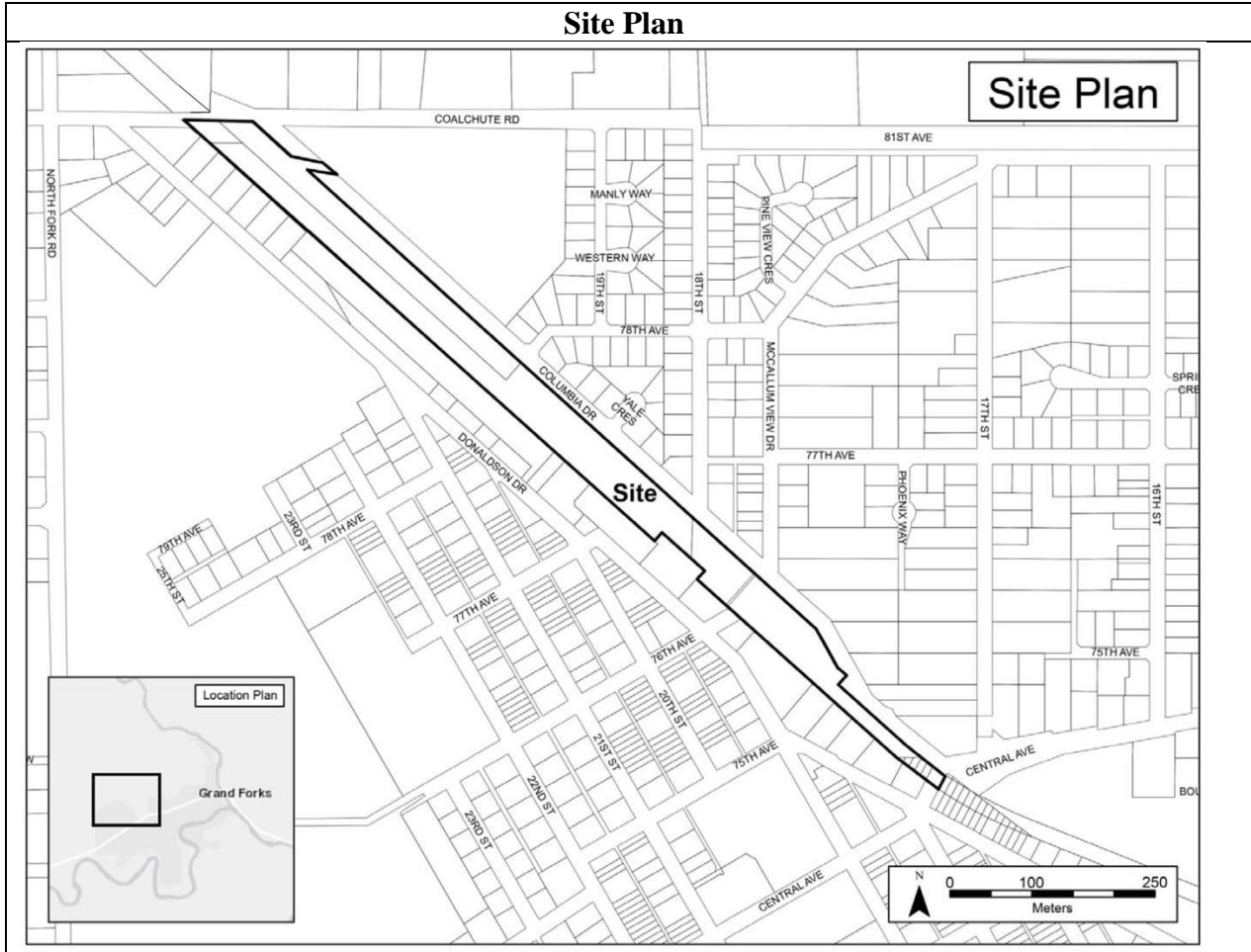
That Part of Lot 8 Block 38 Shown on Plan Attached to Absolute Fees Parcels Book Volume 3
Folio 531 No 3196A District Lot 380 Similkameen Division Yale District Plan 35
PID: 004-650-662

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


Latitude: 49° 01' 56.8"
Longitude: 118° 27' 55.8"

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Schedule B

Requirements and Conditions

1. Remediation, including monitoring, inspections and maintenance of any works, must be undertaken by the responsible person in the manner and schedule specified in the plan listed in Schedule D or as specified in a modification of the plan approved by the Director.
2. Any substantial modifications to the approved remediation plan, including substantial changes to the remediation schedule, *conditions or circumstances described in the risk assessment upon which the remediation plan is based*, or changes in land, vapour, water, or sediment use, must be promptly identified in a written submission by the responsible person to the Director. An application for an amendment or new Approval in Principle may be necessary.
3. Up-to-date records of monitoring, inspections and maintenance of any works must be maintained by the responsible person or their agent. The records must be available for inspection by the Director.
4. Remediation must be completed within five years of the date of issuance of this Approval in Principle.
5. Remediation must be confirmed in accordance with applicable legislation and ministry guidance. Within 90 days of completing remediation, a report summarizing confirmation of remediation must be prepared in accordance with section 49 (2) of the Contaminated Sites Regulation and submitted to the Director.
6. A statement signed by an Approved Professional must be submitted to the Director annually within 90 days of the anniversary of the date of issuance of this Approval in Principle. The statement must include the following:
 - (a) A summary of remedial activities undertaken during the reporting period; and
 - (b) An assessment comparing remediation progress to the actions and schedule set out in the plans referenced above. Refer to Condition 3 above if remedial progress differs substantially from the schedule set out in the approved plan.

If requested by the Director, a report signed by an Approved Professional must be submitted for review to the Director and must include the following:

- (a) A summary of remedial activities undertaken to date;


May 30, 2023
Date Issued


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- (b) An assessment comparing remediation progress to the actions and schedule set out in the plans referenced above. Refer to Condition 3 above if remedial progress differs substantially from the schedule set out in the approved plan;
 - (c) Evaluation of the performance of the institutional and/or engineering controls.
7. The documents listed in Schedule D indicate that vapour attenuation factors were applied to meet a Contaminated Sites Regulation numerical standard 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) “Buildings 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 person in a written submission to the Director. An application for an amendment or new Approval in Principle may be necessary.

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Schedule C

Substances and Uses

Substances to be remediated in soil for residential low density land soil use:

To meet risk-based remediation standards:


- antimony (7440-36-0)
- arsenic (7440-38-2)
- barium (7440-39-3)
- benzo(b+j)fluoranthene (205-99-2 & 205-82-3)
- cadmium (744-43-9)
- copper (7440-50-8)
- iron (7439-89-6)
- lead (7439-92-1)
- naphthalene (91-20-3)
- silver (7440-22-4)
- tin (7440-31-5)
- toluene (108-88-3)
- zinc (7440-66-6)

Substances evaluated in soil for residential low density land soil use:

To meet local background concentrations:

- selenium (7782-49-2)

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Schedule D

Documents

Summary of Site Condition, Former Canadian Pacific Railways Yard, Grand Forks, BC, prepared by Active Earth Engineering Ltd., dated March 2023;

Remediation Plan, Portions of Former CPR Rail Yard, Grand Forks, BC, prepared by Bear Environmental Ltd., dated February 2023;

Human Health and Ecological Risk Assessment, Portions of Former CPR Railyard, Grand Forks, BC, prepared by Steer Environmental Associates, dated March 2023;

Preliminary Site Investigation and Detailed Site Investigation, Portions of Former CPR Rail Yard, Grand Forks, BC, prepared by Bear Environmental Ltd., dated February 2023;

Site Risk Classification Report Re-submittal regarding P6 Preapproval Request Investigation and Remediation of Portions of Former CPR Rail Yard, Grand Forks, BC, prepared by Bear Environmental Ltd., dated June 25, 2021;


Protocol 6 Preapproval Application for Relief from Delineation and/or Remediation of Contaminated Fill, Part of Former CPR Rail Yard, Grand Forks, BC, prepared by BC ENV, dated May 21, 2021;

Protocol 6 Preapproval Application, Investigation and Remediation of Portions of Former CPR Rail Yard, Grand Forks, BC, prepared by Bear Environmental Ltd., dated April 9, 2021;

Phase I Environmental Site Assessment, Columbia Subdivision, Grand Forks, BC, prepared by Hemmera Envirochem Inc., dated March 27, 2020;

Certificate of Compliance, Canadian Pacific Railway Right of Way, Grand Forks, BC, prepared by BC ENV, dated February 25, 2014.

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