



VIA EMAIL

Victoria File: 26250-20/22027
Site ID: 22027

May 2, 2024

Mr. Jeff Bayles
PacificGold Homes Ltd., In. No. BC0740162
957 Langford Parkway
Victoria, BC V9B 0A5
jbayles@westhillsbc.com

Dear Mr. Bayles:

Re: Certificate of Compliance - Proposed Lot 5 2229 Boxwood Road, Nanaimo, 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) removal of soil under the provisions of Part 8 of the Contaminated Sites Regulation and may be encountered during any future 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,



Kirstin Webster, M.E.T., R.P.Bio.
Senior Risk Assessment Officer

Enclosure

cc:

Phil Stewart City of Nanaimo
455 Wallace Street, Nanaimo, BC V9R 5J6
Phil.Stewart@nanaimo.ca

Paul Gardner, Approved Professional, Tetra Tech Canada Inc.
Paul.Gardner@tetrattech.com

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Apopova@csapsociety.bc.ca

Tara Kennedy, Approved Professional, Atkins Realis
Tara.kennedy@atkinsrealis.com

Client Information Officer, BC Ministry of Environment and Climate Change Strategy, Site Remediation Program 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.

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Kirstin Webster
For Director, *Environmental Management Act*

Schedule A

The site covered by this Certificate of Compliance is a portion of the legal parcel located at 2229 Boxwood Road, Nanaimo, British Columbia which depicted in metes and bounds explanation survey prepared by Willamson & Associates Professional Surveyors on November 15, 2022, as:

The described area is that part of Lot 1, Section 18, Ranges 6 and 7, Mountain District, Plan VIP63562 (PID: 023-477-733) described as all that portion of said Lot 1 that lies to the east of a boundary described as:

Commencing at a point along the south boundary of said Lot 1 which is coincident with the northwest corner of Lot 17 as shown on Plan EPP80235;

Thence northerly at $0^{\circ}50'26''$, a distance of 2.028 metres to a beginning of curve;

Thence along a curve of radius 55.000 metres to the left for a distance of 59.177 metres along the curve to a tangential end of curve;

Thence northwesterly at $299^{\circ}11'34''$, a distance of 45.221 metres to a beginning of curve;

Thence along a curve of radius 80.000 metres to the right for a distance of 59.544 metres along the curve to a tangential end of curve;

Thence northwesterly at $341^{\circ}50'18''$, a distance of 2.065 metres to a beginning of curve;

Thence along a curve of radius 58.000 metres to the right for a distance of 37.293 metres along the curve to a point of reverse curvature;

Thence along a curve of radius 100.000 metres to the left for a distance of 30.655 metres along the curve to a tangential end of curve;

Thence northerly at $1^{\circ}06'50''$, a distance of 73.116 metres more or less to a point of the boundary of said Lot 1 which is coincident with the southwest corner of Lot 5 as shown on Plan 27484.

The area of the described portion of said Lot 1 is approximately 2.26 hectares more or less.

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

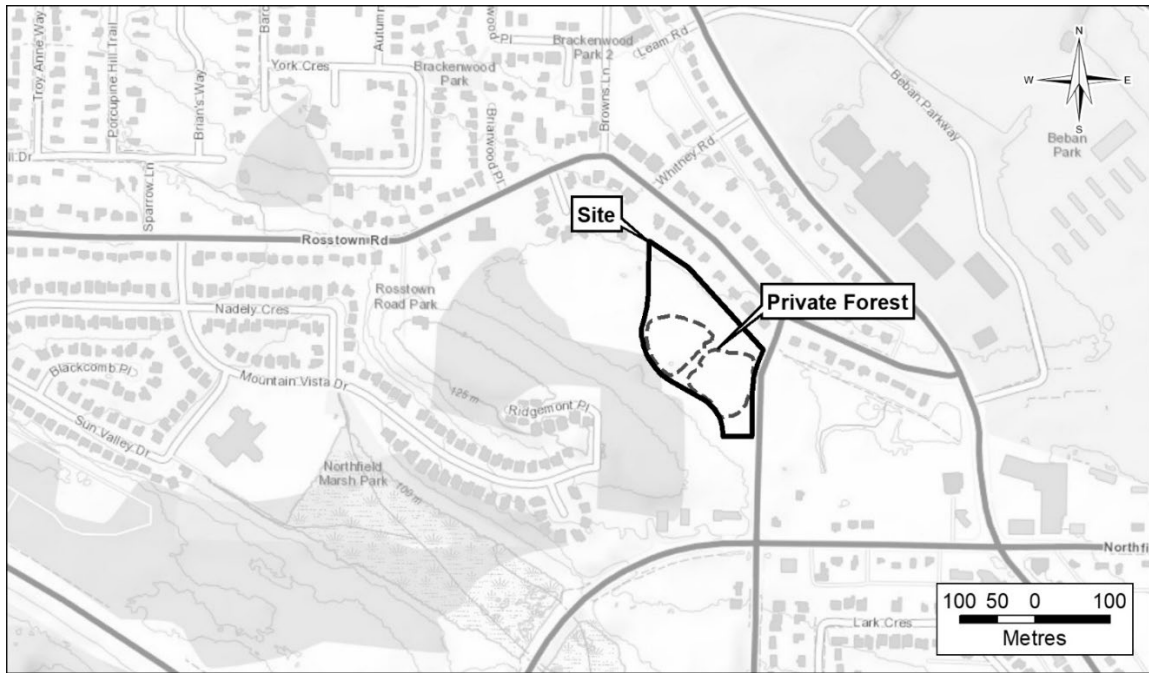
Latitude: $49^{\circ} 11' 39.66''$
Longitude: $123^{\circ} 59' 51.61''$

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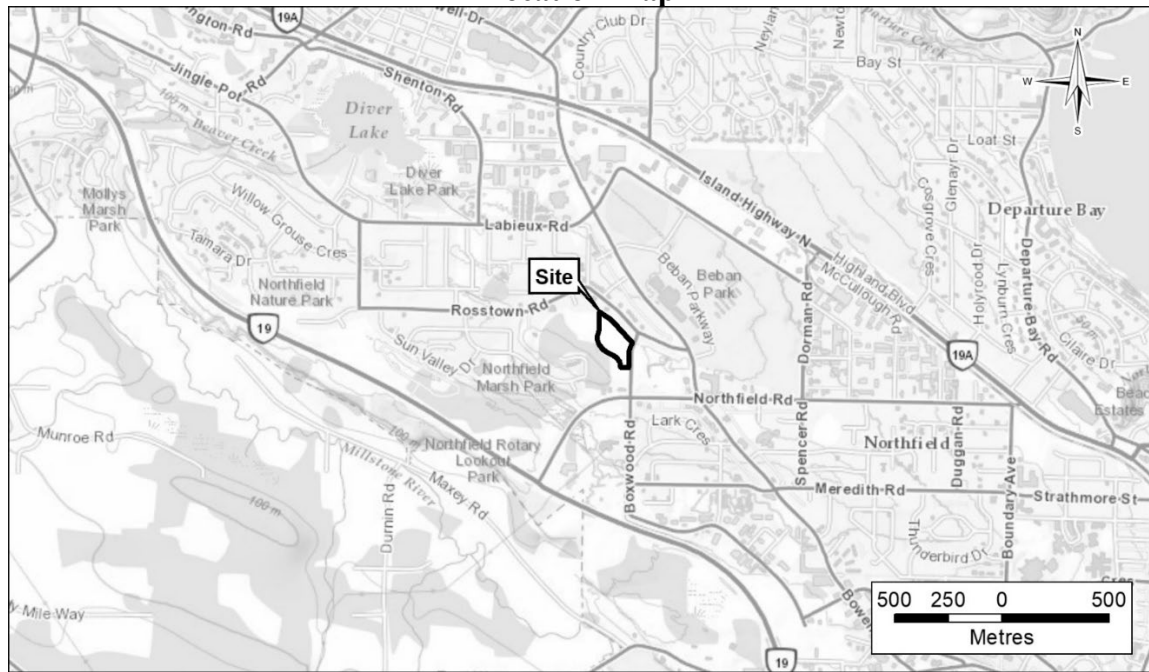


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Site Plan



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 person 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.

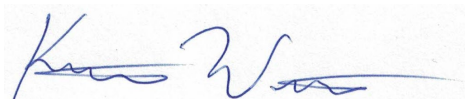
The documents listed in Schedule D indicate that vapour attenuation factors were applied to meet Contaminated Sites Regulation numerical standards at the site. These vapour attenuation factors were selected based on assumptions about the structures, locations and depths of buildings expected at the site.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

(a) Future buildings will not be in contact with the water table or will have an underground parkade.

Any inconsistencies that arise between the structures, locations and depths of proposed or constructed buildings or trenches at the site and the range of structures, locations and depths of buildings or trenches 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.

2. The principal risk controls which must be present or implemented and must be maintained at the site include the following:
 - (a) Groundwater from the Site must not be used as a source of drinking water.*
 - (b) The 1 m thick uncontaminated cap layer which caps contaminated soils at the Lot #5 Private Forest (see location on Schedule A and metes and bounds description attached) must remain in place.*
 - (c) Vegetable gardens and edible fruit producing vegetation must be grown in raised planter boxes (i.e., not in contact with contaminated soils).*
3. If requested by the Director, the responsible person must provide a signed statement indicating whether the principal risk controls listed in clause 2 of this Schedule have been and continue to be met. This may include providing a signed statement by an Approved Professional.

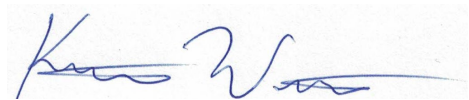
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4. Performance verification must be undertaken as specified in the Performance Verification Plan listed in Schedule D or as specified in a modification of the plan approved by the Director.
5. Where required under a Performance Verification Plan for the site, records of performance verification actions and results must be maintained by the responsible person or their agent. The records must be available for inspection by the Director.
6. The Director must be notified promptly by the person<s> responsible for the site if performance verification actions indicate that any institutional and engineering controls required in clause 2 of this Schedule are not being met. The following information must be submitted to the Director with the notification, or as soon as practicable thereafter:
 - (a) The time period over which institutional and engineering controls did not meet the requirements of Schedule B;
 - (b) The nature of the excursion<s>;
 - (c) The temporary or permanent corrective measures implemented or to be implemented;
 - (d) An implementation schedule; and
 - (e) Supporting documentation.
7. A statement signed by an Approved Professional on whether the institutional and engineering controls required in clause 2 of this Schedule have been implemented and are being met must be submitted to the Director annually for a period of 5 years, or as otherwise approved by the Director, within 90 days of the anniversary of the date of issuance of this Certificate of Compliance or as otherwise approved by the Director.
8. 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) An evaluation of the performance of the institutional and engineering controls;
 - (b) Recommendations for modification of any plans referenced above, along with supporting rationale;
 - (c) Interpretation of current and cumulative results of the performance verification actions undertaken according to the plan<s> described in clause 4 above; and
 - (d) Supporting documentation.

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Schedule C

Substances and Uses

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

To meet risk-based remediation standards:

aluminum	7429-90-5
anthracene	120-12-7
arsenic	7440-38-2
barium	7440-39-3
benzene	71-43-2
benz(a)anthracene	50-32-8
cadmium	7440-43-9
chromium	7440-47-3
cobalt	7440-48-4
copper	7440-50-8
HEPHs	NA
lead	7439-92-1
LEPHs	NA
lithium	7439-93-2
naphthalene	91-20-3
nickel	7440-02-0
phenanthrene	85-01-8
toluene	108-88-3
VPHs	NA
xylenes	1330-20-7
zinc	7440-66-6

Substances evaluated in soil for low density residential land use:

To meet local background concentrations:

cobalt	7440-48-4
iron	7439-89-6
selenium	7782-49-2
vanadium	7440-62-2

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Substances remediated in water for drinking water use:

To meet risk-based remediation standards:

iron	7439-89-6
lithium	7439-93-2
manganese	7439-96-5

Substances evaluated in water for drinking water use:

To meet local background concentrations:

cobalt	7440-48-4
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Schedule D

Documents

- *Summary of Site Condition Proposed Lot #5*, Tetra Tech Canada Inc., March 26, 2024
- *Performance Verification Plan, Lot #5, Pacific Gold Homes – 2229 Boxwood Road, Nanaimo, BC*, Andrew Wan / Mandeep Purewal, SNC-Lavalin Inc., March 26, 2024
- *Addendum to Stage 1 Performance Assessment Report – Performance Assessment Review 23-050, Site No: 22027 (Lots 4 and 5), PID 023-477-733, Location: 2229 Boxwood Road, Nanaimo, BC*, Roxanne Croxall / Erin O'Brien, Tetra Tech Canada Inc., November 27, 2023
- *Human Health and Ecological Risk Assessment – Addendum in Response to Stage 1 Performance Assessment Report #23-050, Pacific Gold Homes – 2229 Boxwood Road, Nanaimo, BC (Portion of ENV Site ID #22027)*, Andrew Wan / Mandeep Purewal, SNC-Lavalin Inc., November 27, 2023
- *Human Health and Ecological Risk Assessment, Lot #4, Lot #5 and Roadways, 2229 Boxwood Road Property, Nanaimo, BC*, Andrew Wan / Mandeep Purewal, SNC-Lavalin Inc., July 20, 2023
- *Stage 1 Preliminary Site Investigation Update, Proposed Lots 4 and 5, and Proposed Roadway 2229 Boxwood Road, Nanaimo, BC*, Roxanne Croxall / Erin O'Brien, Tetra Tech Canada Inc., July 19, 2023.
- *Confirmation of Remediation, Proposed Lots 4 and 5, and Proposed Roadway of 2229 Boxwood Road, Nanaimo, BC*, Roxanne Croxall / Erin O'Brien, Tetra Tech Canada Inc., July 19, 2023.
- *Re: Certificate of Compliance - Proposed Lots 1, 2, and 3 2229 Boxwood Road, Nanaimo, BC*, Ministry of Environment and Climate Change Strategy, October 25, 2022
- *Stage 1 Preliminary Site Investigation Update, Proposed Lots 1, 2 and 3 2229 Boxwood Road, Nanaimo, BC*, Roxanne Croxall / Erin O'Brien, Tetra Tech Canada Inc. August 24, 2022

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- *Confirmation of Remediation, Proposed Lots 1, 2 and 3 of 2229 Boxwood Road, Nanaimo, BC, Roxanne Croxall / Erin O'Brien, Tetra Tech Canada Inc. August 24, 2022*
- *Re: Approval in Principle - 2229 Boxwood Road, Nanaimo, BC (Site ID: 22027; PID: 023-477-733), Ministry of Environment and Climate Change Strategy, December 13, 2021*
- *Re: Contaminated Sites Services Application Director's Preapproval under Protocol 6 2229 Boxwood Road, Nanaimo, BC (PID: 023-477-733), Ministry of Environment and Climate Change Strategy, September 1, 2021*
- *Protocol 6 Preapproval Request Addendum - Site ID 22027, 2229 Boxwood Road, Nanaimo, BC, PID 023-477-733, Paul Gardner / Ben Barton, Tetra Tech Canada Inc., May 21, 2021*
- *Performance Verification Plan, Pacific Gold Homes - 2229 Boxwood Road, Nanaimo, BC, Debby Reeves/Andrew Wan, SNC Lavalin, April 29, 2021*
- *Human Health and Ecological Risk Assessment, 2229 Boxwood Road Property, Nanaimo, BC, Debby Reeves/Andrew Wan, SNC Lavalin, April 29, 2021*
- *Remediation Plan, 2229 Boxwood Road, Nanaimo, BC, Ben Barton/Martin Jarman, Tetra Tech Canada Inc., April 28, 2021*
- *Stage 1 Preliminary Site Investigation Update, 2229 Boxwood Road, Nanaimo, BC, Roxanne Croxall / Ben Barton, Tetra Tech Canada Inc., April 21, 2021*
- *Detailed Site Investigation, 2229 Boxwood Road, Nanaimo, BC, Roxanne Croxall/Ben Barton, Tetra Tech Canada Inc., April 21, 2021*
- *Protocol 6 Preapproval Request, 2229 Boxwood Road, Nanaimo, BC, PID 023-477-733, Paul Gardner/Don Williams, Tetra Tech Canada Inc., March 22, 2021*
- *Stage 2 Preliminary Site Investigation, 2229 Boxwood Road, Nanaimo, BC, Kristy Gabelhouse/Martin Jarman, Tetra Tech EBA Inc., November 7, 2016*
- *Stage 1 Preliminary Site Investigation, 2229 Boxwood Road, Nanaimo, BC, Joel Shandro / Martin Jarman EBA Engineering Consultants Ltd., April 2012*

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