

STATE OF OUR AQUIFERS

Regional District of Nanaimo

Aquifer 219

Prepared for:

Regional District of Nanaimo

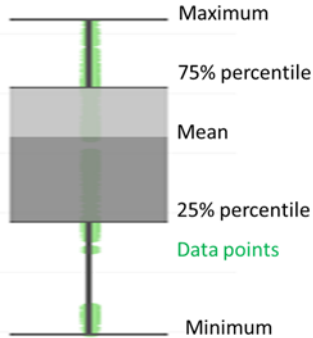
Prepared by:

GW Solutions Inc.

August 2017

Glossary

<i>Aquifer</i>	An underground layer of water-bearing permeable rock, rock fractures or unconsolidated materials (gravel, sand) from which groundwater can be extracted using a water well. (See also confined aquifers and unconfined aquifers.). Aquifers can be interconnected to other aquifers and surface water and can be present at various depths.
<i>Aquifer classification number</i>	Assigned by government to developed, unconsolidated and bedrock aquifers, classified by their level of development and vulnerability.
<i>Aquifer map database</i>	Aquifers are mapped by the Province of British Columbia using data from the WELLS database. The map based Aquifer Classification System was developed in 1994, and approximately 1129 aquifers have been mapped and classified as of May, 2017.
<i>Aquifer type</i>	Describes the general lithology and origin of the aquifer materials.
<i>Aquitard</i>	An aquitard is a zone in the ground or bedrock that restricts the flow of groundwater from one aquifer to another, or from the surface to the subsurface. Aquitards are usually comprised of silt, clay, or non-porous rock of low hydraulic conductivity.
<i>Bedrock aquifer</i>	In solid rock, groundwater is stored in the fractures, joints, bedding planes and cavities of the rock mass. Despite the potential for having voids (known as porosity), a rock can only act as an aquifer if those voids are saturated and connected via conduits such as fractures.
<i>Box-and-whisker plot</i>	A graphic way to display the median, quartiles, and extremes of a data set on a number line to show the distribution of the data. The whiskers represent the minimum and maximum values recorded and the box represents the values between the 25% and 75% percentiles, with the median illustrated by the light /dark boundary in the box as shown in the diagram below:

	 <p>For example, if a new groundwater level reading for a given month falls below the 25th percentile, that would indicate that more than 75% of readings for that month have been higher.</p>
<i>Confined aquifer</i>	<p>A confined aquifer is a fully saturated layer of permeable material that has a “confining” layer of low permeability material (aquitard or aquiclude) above it. The low permeability confining layer causes the aquifer to be under pressure so that when the aquifer is penetrated by a well, the water will rise above the top of the aquifer.</p>
<i>Confinement</i>	<p>Refers to the degree of aquifer confinement; limited in this report to confined, unconfined and partially confined aquifer for unconsolidated materials.</p>
<i>Confining layer</i>	<p>A zone in the subsurface that prevents the movement of groundwater. A confining layer is synonymous with a material being impervious to the flow of water. A thick layer of clay is a confining layer.</p>
<i>CPD - Cumulative precipitation departure from average</i>	<p>The CPD graph is a derivative of the precipitation data. The mean monthly precipitation over the considered period is determined and the departures from the average of the actual monthly precipitation are summed and plotted. Sums mathematically return to zero difference with the last reading.</p> <p>The cumulative precipitation departure (CPD) from average is a concept utilized to evaluate the temporal correlation of precipitation with surface water or groundwater levels.</p>

<i>Demand</i>	Demand refers to the present level of groundwater use. Demand is one of the seven criteria used to rank the relative importance of an aquifer. Demand may be light, moderate or heavy.
<i>Elevation</i>	Elevation is given in meters above sea level. Ground elevations were projected/interpolated from a 2m Digital Elevation Model (DEM) provided by the Regional District of Nanaimo (RDN) for the current project.
<i>Groundwater</i>	Groundwater is water found in the soil or rock below the surface where the pores and openings are filled with water.
<i>Hydrogeology</i>	The science of groundwater.
<i>Latitude and longitude</i>	Geographic coordinates that specify the north–south (latitude) and east-west (longitude) position of a point on the Earth's surface.
<i>Partially confined</i>	An aquifer where, due to heterogeneities in some part of the aquifer, there is a lack of confining layer or the overlying confining layer allows the recharge and discharge of groundwater.
<i>Precipitation</i>	The fall of water, ice, or snow deposited on the surface of the Earth from the atmosphere. Local daily precipitation was obtained from weather station records on the Environment Canada website (http://climate.weather.gc.ca). Weather station locations were paired primarily based on proximity and best possible match for years of record considered. The weather station named on the graph precipitation vs water levels, matches the name found on the Environment Canada website.
<i>Productivity</i>	Productivity describes an aquifer's ability to yield water and is inferred from aquifer transmissivity values, specific capacity of wells, well yields, description of aquifer materials and sources of recharge (e.g., rivers or lakes), or a combination of all of these factors. Productivity is one of the seven criteria used to rank the relative importance of an aquifer.

<i>Screen top and screen bottom</i>	Indicates the reported depth the screen was installed (“Top” starting depth and “Bottom” ending depth). Wells completed in bedrock are generally open-hole, so no screen information would be provided.
<i>Surface water</i>	Surface water is water that can be seen on land and is usually freshwater. It includes lakes, rivers, streams, creeks, ponds, and wetlands.
<i>Total dissolved solids (tds)</i>	<p>Concentration of total dissolved solids (TDS) in groundwater expressed in milligrams per litre (mg/L), is found by evaporating a measured volume of filtered water sample to dryness and weighing this dry solid residue. TDS includes common salts such as sodium, chloride, calcium, magnesium, potassium, sulphates and bicarbonates.</p> <p>The most common source of dissolved solids in water is from the weathering of sedimentary rocks and the erosion of the earth’s surface. Groundwater usually has higher levels of TDS than surface water, since it has a longer contact time with the underlying rocks and sediments. However, if groundwater’s TDS is low it suggests connection to surface water or recharge happens close to the measuring point.</p> <p>The change in TDS could be attributed to agriculture, land development, industrial processes (waste water, cooling towers, food processors), salt water intrusion, change in natural groundwater gradient due to excessive pumping and so on.</p>
<i>Unconfined aquifer</i>	Where no aquitards overlie the aquifer, the aquifer is said to be “unconfined” and is vulnerable to impacts from human activities at the land surface, particularly if the water table is shallow. Knowing which areas of the aquifer are most vulnerable will allow you to put the greatest effort into the areas that need the most protection.
<i>Vulnerability</i>	Vulnerability of an aquifer to contamination is based on type, thickness and extent of geologic materials above the aquifer, depth to water table (or to top of confined aquifer) and type of aquifer materials. Vulnerability is one of the seven criteria used to rank the relative importance of an aquifer. Vulnerability may be high, medium or low. Land use activities are not considered in determining an aquifer’s vulnerability.
<i>Water level slope</i>	Water level slope is the magnitude of the water level trend. It is expressed in meters per year of increasing water level (positive) or declining water level (negative).

<i>Water level trend</i>	Trend analysis was conducted using daily groundwater levels from each groundwater observation well that had more than five years of continuous data. Two groups of timespans were considered for the trend analysis: for the last five years of data and for the entire historical data (>5 years). The analytical method used was linear analysis. Tableau package was used to determine the slope and trend results. Three types of water level trends were defined based on the trend slope: 1) stable, 2) increasing and, 3) declining trend.
<i>Water level trend category</i>	Five trend categories were defined based on the estimated slope: Stable (less than 0.03 m per year), moderate rate of decline (slope between -0.03 to -0.10 m per year), large rate of decline (< -0.10 m per year), moderate rate of increase (slope between +0.03 to +0.10 m per year) and large rate of increase (>+0.10 m per year).
<i>Watershed</i>	A watershed is the area of land that, due to its topography, collects water from precipitation and drains into a receiving surface water body (a river, a lake, a foreshore). Every piece of land is part of a watershed.
<i>Well depth</i>	The total penetrated depth for the well as found on the original well record, and not necessarily the completed well depth.
<i>Well screen</i>	Part of a water well where groundwater from the aquifer enters the well. It provides mechanical stability by preventing fine particles from entering the well. It should also offer enough opened area to allow groundwater to flow as freely as possible into the well.
<i>Well tag number</i>	A unique database number automatically assigned to water wells when the well is entered in to the government database. It can be used to find more information about each well.
<i>Wells database</i>	The water wells database is maintained by the by the Province of British Columbia. The submission of water well information is voluntary and consequently many existing wells may not be found in the database or the location may vary. There are over 108,000 water wells registered within the wells database as of May, 2017.

<i>Yearly amplitude</i>	For groundwater, yearly amplitude is the seasonal water level fluctuation. It is reported in meters as ranges when more than one year of data is available (minimum to maximum amplitude) including the average amplitude estimated within the study period.
-------------------------	--



Aquifer 219 IIC (9)

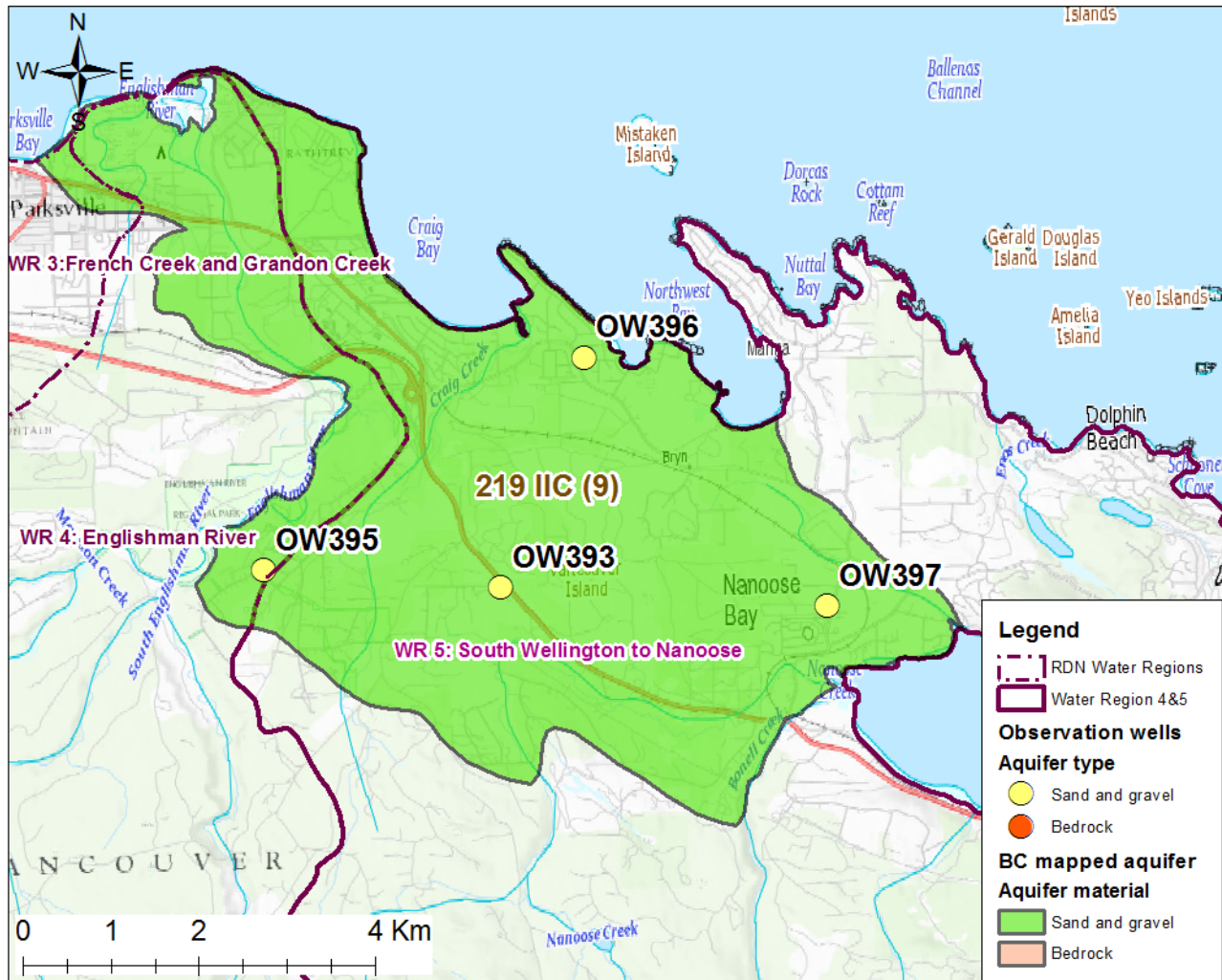


Figure 1. Location of mapped aquifer and observation wells

AQUIFER REPORT

Aquifer classification number:	219 IIC (9)	Comments
Location:	<i>Nanoose Creek</i>	
RDN Water region(s):	<i>WR 5: South Wellington to Nanoose</i>	
Observation well(s):	<i>OW393, OW395, OW396, & OW397</i>	
Aquifer type:	<i>Sand and Gravel</i>	
Confinement:	<i>Unconfined to partially confined</i>	
Lithology/Stratigraphic unit(s):	<i>Quadra Sand</i>	BC MoE
Demand:	<i>Low</i>	BC MoE rating
Vulnerability:	<i>Low</i>	BC MoE rating
Productivity:	<i>Moderate</i>	BC MoE rating
Aquifer area (km ²):	27.4	BC MoE

WATER LEVEL ANALYSIS

Last five years of data (2012-2016)	
Yearly amplitude (m):	<i>0.1 to 6.7</i>
Month(s) of minimum water level:	<i>June - March</i>
Month(s) of maximum water level:	<i>March - October</i>
Water level trend:	<i>Stable - declining</i>
Water level slope (m per year):	<i>±0.02 to -0.04</i>
Water level trend category:	<i>Stable to moderate rate of decline</i>
Factors influencing water level for the last five years	
Factor	Influence on water level
<i>1. Precipitation</i>	Moderate to large influence. The trend in water level coincides with the trend in precipitation. However, there is a delay of over three to eight months for the water level to react to precipitation except those parts of the aquifer under surface water influence (i.e. along Englishman River).
<i>2. Groundwater extraction</i>	Unknown. Approximately 5 wells per year have been drilled in this aquifer; however, its influence is not understood yet.
<i>3. Surface water interaction</i>	None, moderate to large influence. The water level of the aquifer located along surface water bodies (i.e. Englishman River) is influenced by the level of the River/Creek and wells located along the shore (i.e. within 0.5 km from shore) are under tidal influence.
<i>4. Land use</i>	Unknown. The surface of the aquifer has experienced less than 10% of forest loss between 2000 to 2015.
<i>Comments: Avg. TDS during 2014 to 2016 varies from 130 to 360 mg/L.</i>	

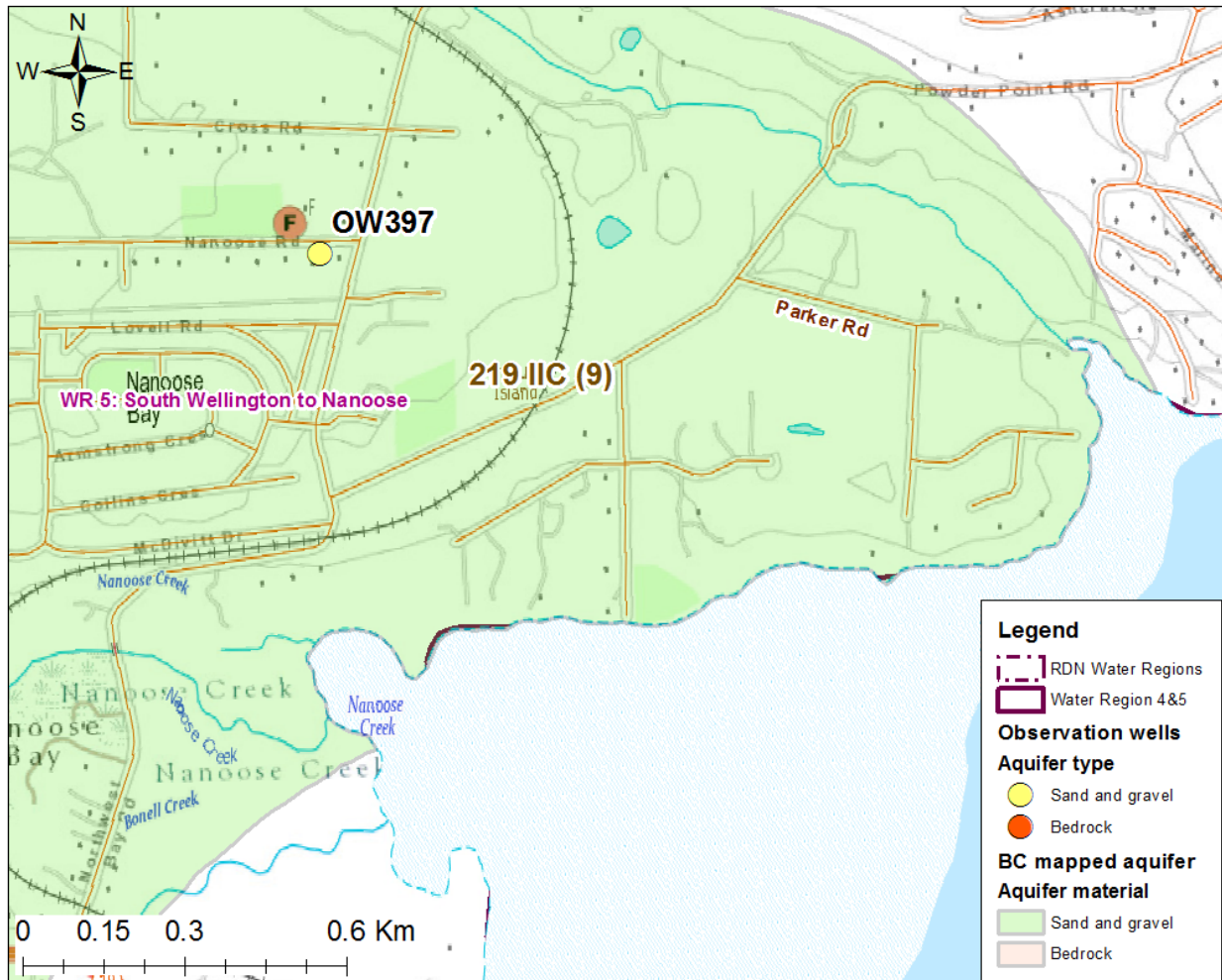


Figure 2. Location of observation well OW397

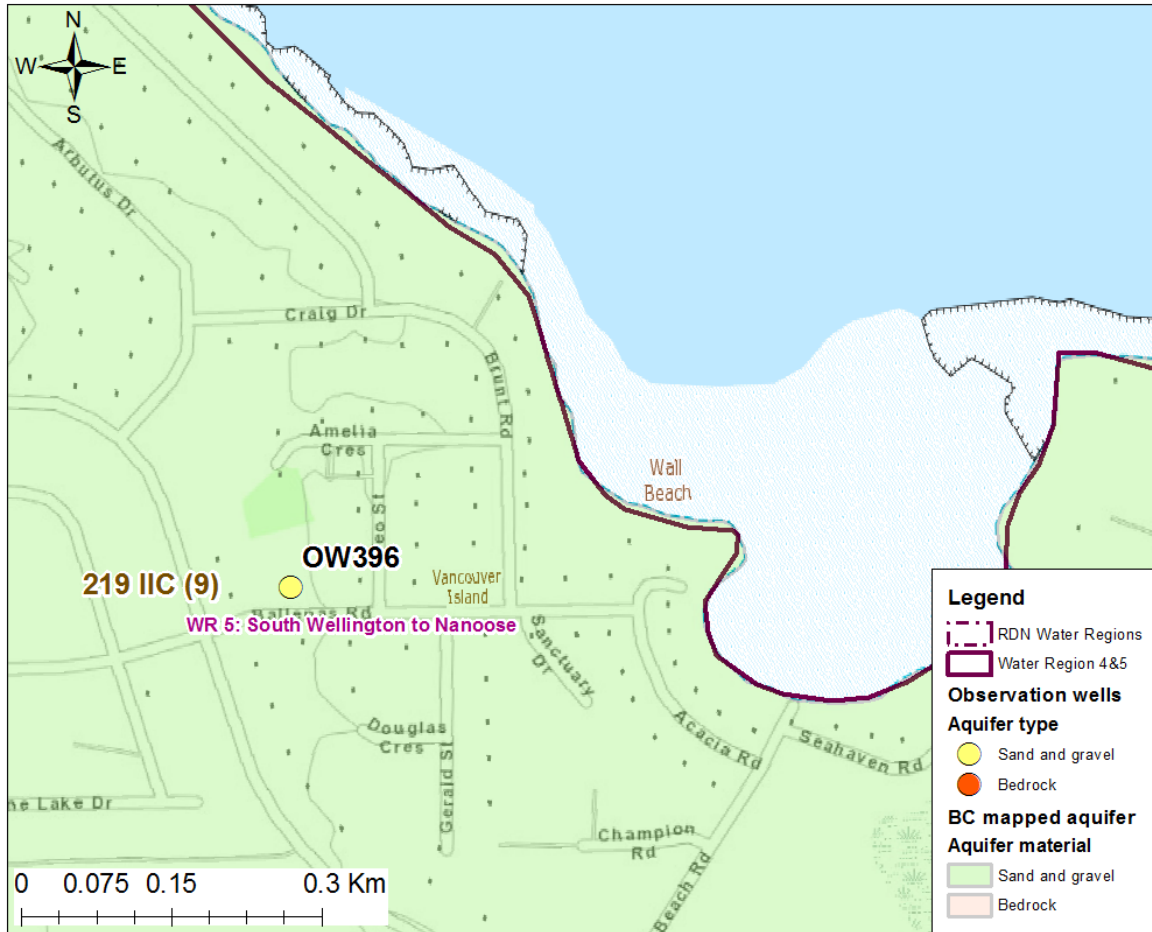


Figure 3. Location of observation well OW396

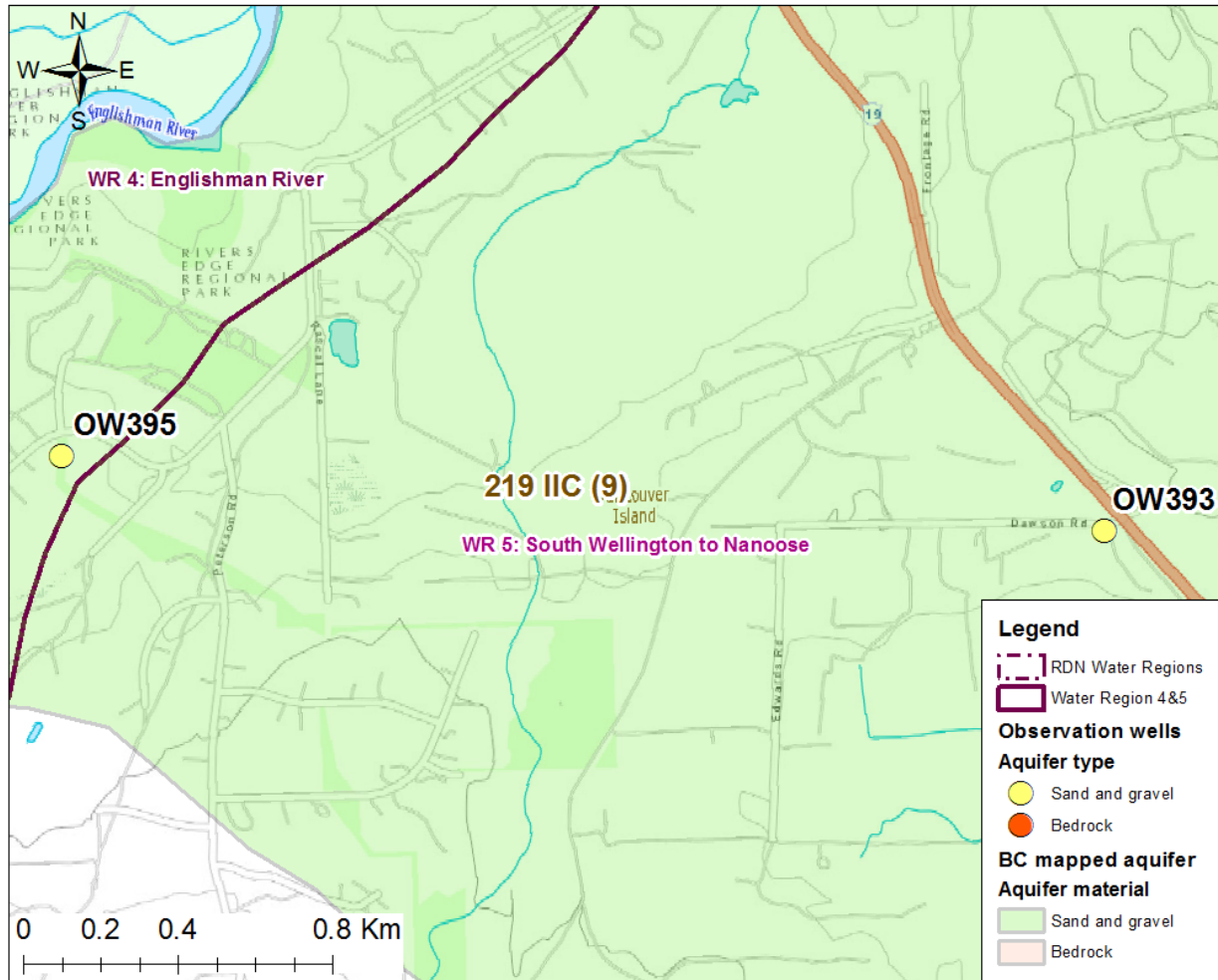


Figure 4. Location of observation wells OW393 and OW395

OBSERVATION WELL INFORMATION

Station ID:	OW393	Comments
Observation well group:	Provincial Groundwater Observation Well	
Aquifer type:	Sand and Gravel	
Confinement:	Unconfined	
Aquifer classification number:	219 IIC (9)	
RDN Water region:	WR 5: South Wellington to Nanosee	
Water level period of record available:	2011-2017	
Water level period of record considered:	2011-2016	
Water level period considered (years):	5.8	
Well Tag Number:	104500	
Well depth (m below ground surface):	9.9	
Screen top depth (m below ground surface):	8.5	Reported in well log
Screen bottom (m below ground surface):	9.9	Reported in well log
Location:	Dawson Road (Nanosee Creek)	
Latitude:	49.277942	
Longitude:	-124.243617	
Elevation (m):	93.0	

WATER LEVEL ANALYSIS

Last five years of data (2012-2016)

Yearly amplitude (m):	<i>0.1 to 0.2 (avg. 0.1)</i>	Data from 2011 to 2016
Month(s) of minimum water level:	<i>November - March</i>	Data from 2011 to 2016
Month(s) of maximum water level:	<i>June - August</i>	Data from 2011 to 2016
Water level trend:	<i>Declining</i>	Data from 2011 to 2016
Water level slope (m per year):	<i>-0.04</i>	Data from 2011 to 2016
Water level trend category:	<i>Moderate rate of decline</i>	

Factors influencing water level for the last five years

Factor	Influence on water level
1. <i>Precipitation</i>	Moderate influence. There is a decreasing trend in precipitation happening up to 2015 and increasing afterwards. The trend in water level coincides with the trend in precipitation. However, there is a delay of three to five months for the water level to react to precipitation.
2. <i>Groundwater extraction</i>	Unknown. Approximately 40% of the wells within 1 km were drilled during 2006-2011.
3. <i>Surface water interaction</i>	It is likely not directly influenced
4. <i>Land use</i>	Unknown.
<i>Comments: Avg. TDS in 2016 is 353 mg/L.</i>	

OBSERVATION WELL INFORMATION

Station ID:	OW395	Comments
Observation well group:	Provincial Groundwater Observation Well	
Aquifer type:	Sand and Gravel	
Confinement:	Unknown	
Aquifer classification number:	219 IIC (9)	
RDN Water region:	WR 5: South Wellington to Nanoose	
Water level period of record available:	2012-2017	
Water level period of record considered:	2012-2016	
Water level period considered (years):	4.7	
Well Tag Number:	94518	
Well depth (m below ground surface):	29.6	
Screen top depth (m below ground surface):	24.4	Reported in well log
Screen bottom (m below ground surface):	28.8	Reported in well log
Location:	Rivers Edge Drive (Nanoose Creek)	
Latitude:	49.280290	
Longitude:	-124.280608	
Elevation (m):	63.0	

WATER LEVEL ANALYSIS

Last five years of data (2012-2016)

Yearly amplitude (m):	2.5 to 2.6 (avg. 2.6)
Month(s) of minimum water level:	June - August
Month(s) of maximum water level:	March
Water level trend:	Stable
Water level slope (m per year):	-0.02
Water level trend category:	Stable

Factors influencing water level for the last five years

Factor	Influence on water level
1. <i>Precipitation</i>	Slight to moderate influence. Rapid reaction to changes in precipitation
2. <i>Groundwater extraction</i>	Unknown. Approximately over 40% of the wells within 1 km were drilled in 2003.
3. <i>Surface water interaction</i>	Unlikely.
4. <i>Land use</i>	Unknown.
<i>Comments: Avg. TDS in 2014 is 134 mg/L.</i>	

OBSERVATION WELL INFORMATION

Station ID:	OW396	Comments
Observation well group:	Provincial Groundwater Observation Well	
Aquifer type:	Sand and Gravel	
Confinement:	Unknown	
Aquifer classification number:	219 IIC (9)	
RDN Water region:	WR 5: South Wellington to Nanoose	
Water level period of record available:	2012-2017	
Water level period of record considered:	2012-2016	
Water level period considered (years):	4.7	
Well Tag Number:	75338	
Well depth (m below ground surface):		
Screen top depth (m below ground surface):		No well log information
Screen bottom (m below ground surface):		No well log information
Location:	Ballenas Road (Nanoose Creek)	
Latitude:	49.301308	
Longitude:	-124.229637	
Elevation (m):	19.0	

WATER LEVEL ANALYSIS

Last five years of data (2012-2016)

Yearly amplitude (m):	<i>0.8 to 1.5 (avg. 1.1)</i>
Month(s) of minimum water level:	<i>September - October</i>
Month(s) of maximum water level:	<i>March - April</i>
Water level trend:	Stable
Water level slope (m per year):	<i>0.02</i>
Water level trend category:	Stable

Factors influencing water level for the last five years

Factor	Influence on water level
<i>1. Precipitation</i>	Moderate to large influence. The trend in water level coincides with the trend in precipitation. However, there is a delay of five to six months for the water level to react to precipitation.
<i>2. Groundwater extraction</i>	Unknown. Approximately over 20% of the wells within 1 km were drilled during 2006-2008.
<i>3. Surface water interaction</i>	It is likely not directly influenced.
<i>4. Land use</i>	Unknown.

Comments: Avg. TDS in 2015 is 267 mg/L.

OBSERVATION WELL INFORMATION

Station ID:	OW397	Comments
Observation well group:	Provincial Groundwater Observation Well	
Aquifer type:	Sand and Gravel	
Confinement:	Partially confined	
Aquifer classification number:	219 IIC (9)	
RDN Water region:	WR 5: South Wellington to Nanoose	
Water level period of record available:	2012-2017	
Water level period of record considered:	2012-2016	
Water level period considered (years):	4.5	
Well Tag Number:	32961	
Well depth (m below ground surface):	57.9	
Screen top depth (m below ground surface):	56.4	Estimated from drilling log
Screen bottom (m below ground surface):	57.9	Estimated from drilling log
Location:	Nanoose Road (Nanoose Creek)	
Latitude:	49.275221	
Longitude:	-124.192762	
Elevation (m):	51.0	

WATER LEVEL ANALYSIS

Last five years of data (2012-2016)

Yearly amplitude (m):	5.6 to 6.7 (avg. 6)	Not continuous data; therefore, it is difficult to determine amplitude
Month(s) of minimum water level:	June - August	
Month(s) of maximum water level:	October	
Water level trend:		Not enough data but water level is stable
Water level slope (m per year):		
Water level trend category:		

Factors influencing water level for the last five years

Factor	Influence on water level
1. Precipitation	Moderate to large influence. The trend in water level coincides with the trend in precipitation.
2. Groundwater extraction	Unknown. However, there is a steady increasing number of wells drilled within 1 km of 1 well per year.
3. Surface water interaction	Unknown. It is slightly under tidal influence.
4. Land use	Unknown.

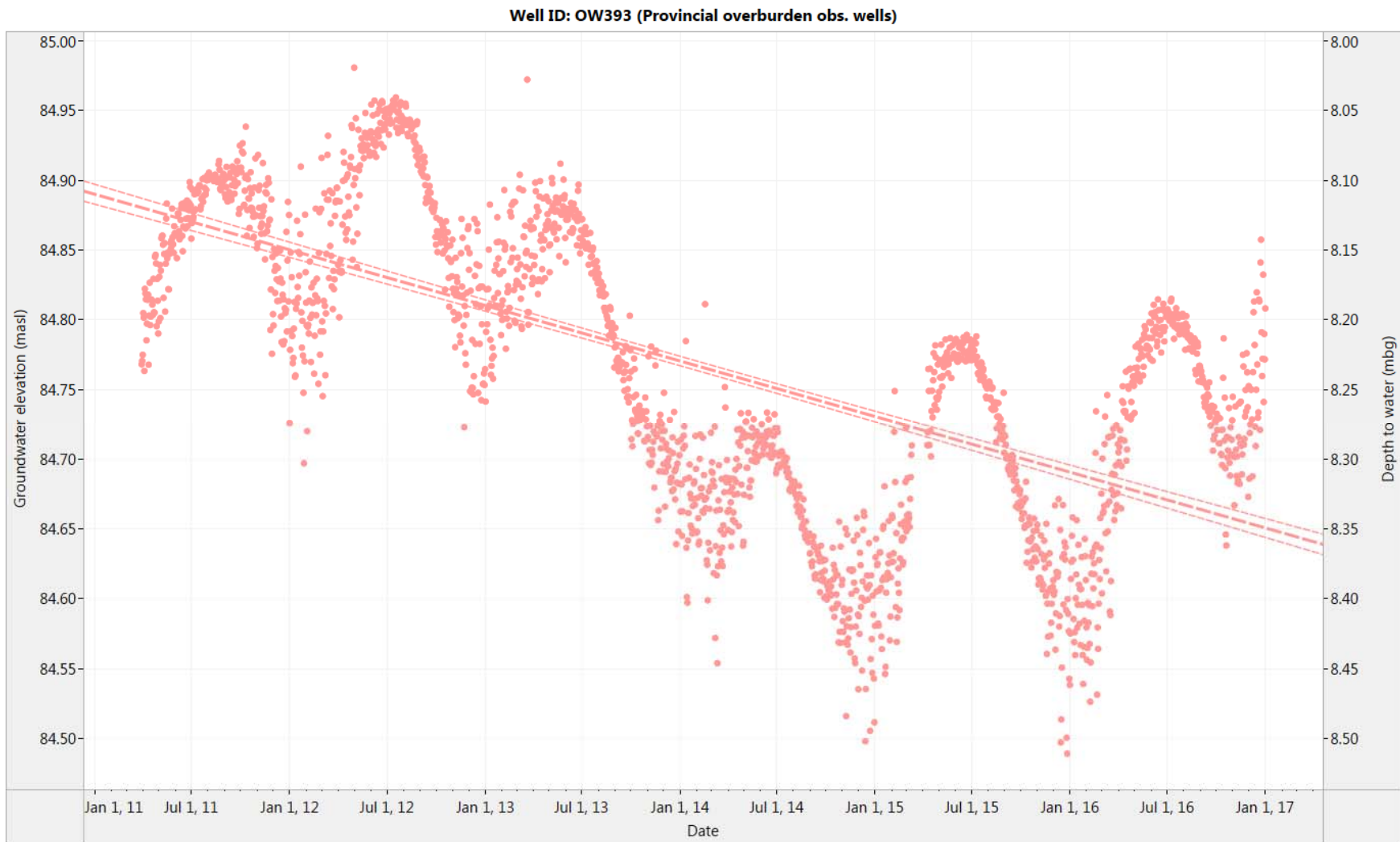


Figure 5. OW393: Historical daily water level (2011-2016) and trend line estimation (2011-2016)

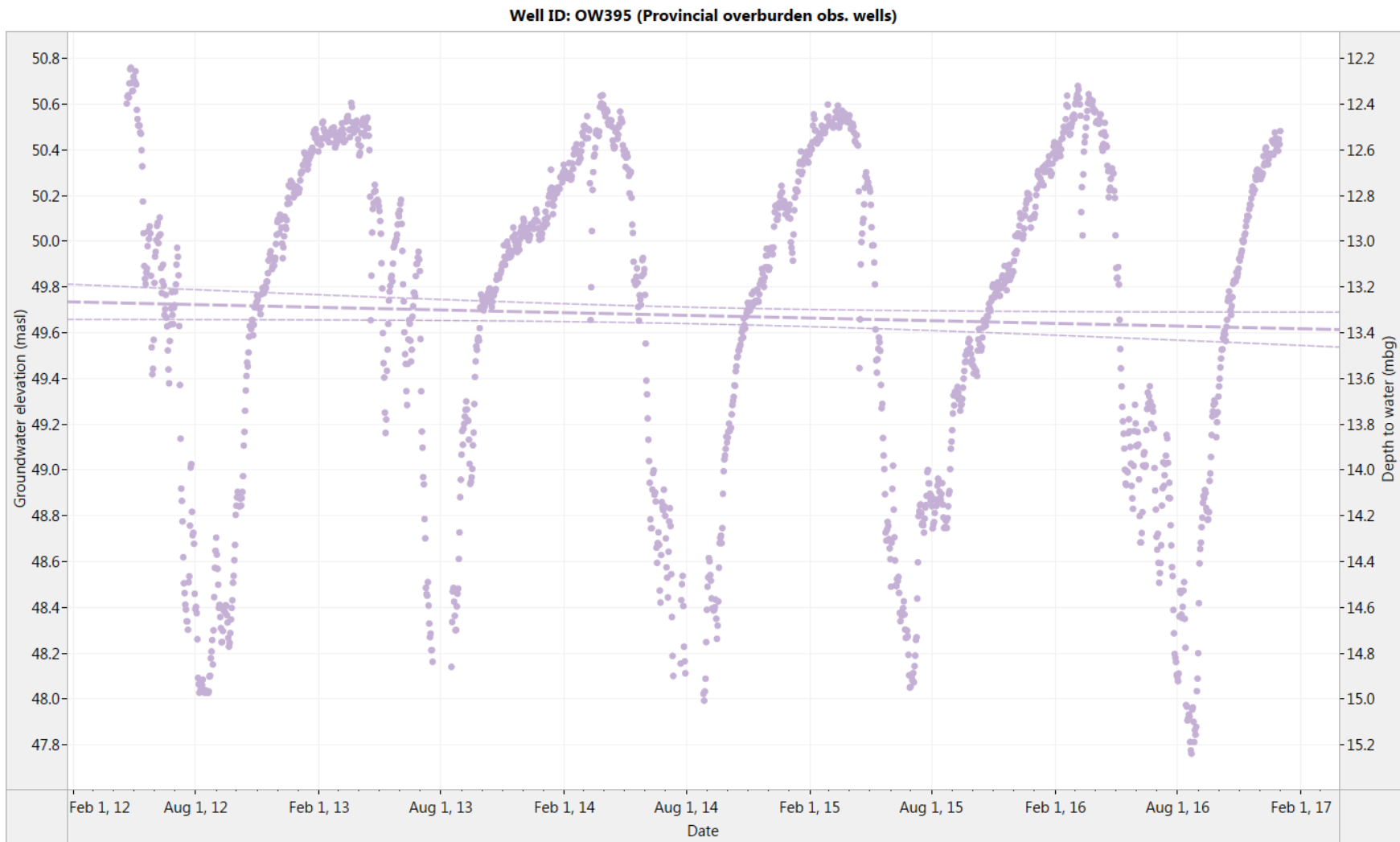


Figure 6. OW395: Historical daily water level (2012-2016) and trend line estimation (2012-2016)

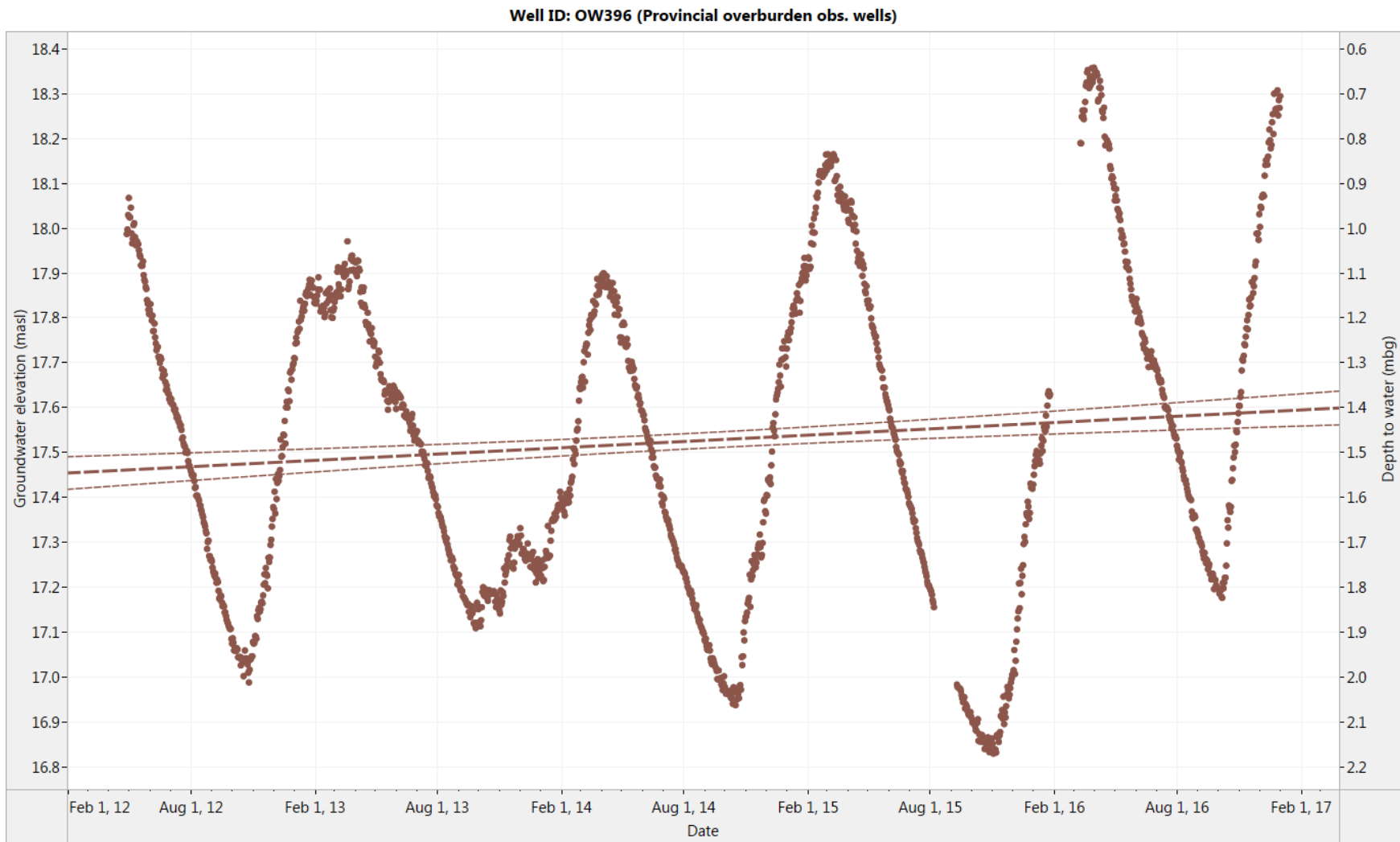


Figure 7. OW396: Historical daily water level (2012-2016) and trend line estimation (2012-2016)

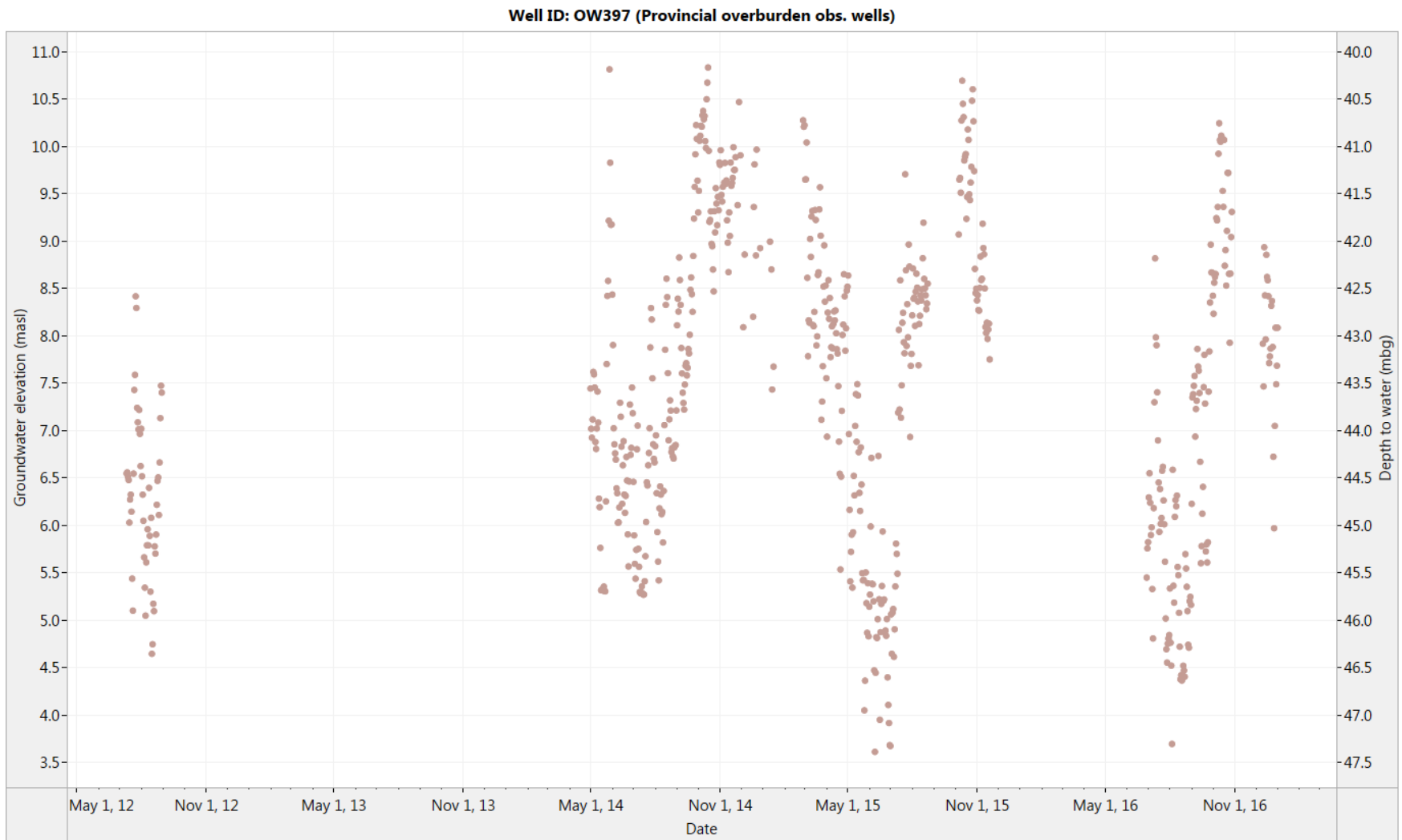


Figure 8. OW397: Historical water level (2012-2016)

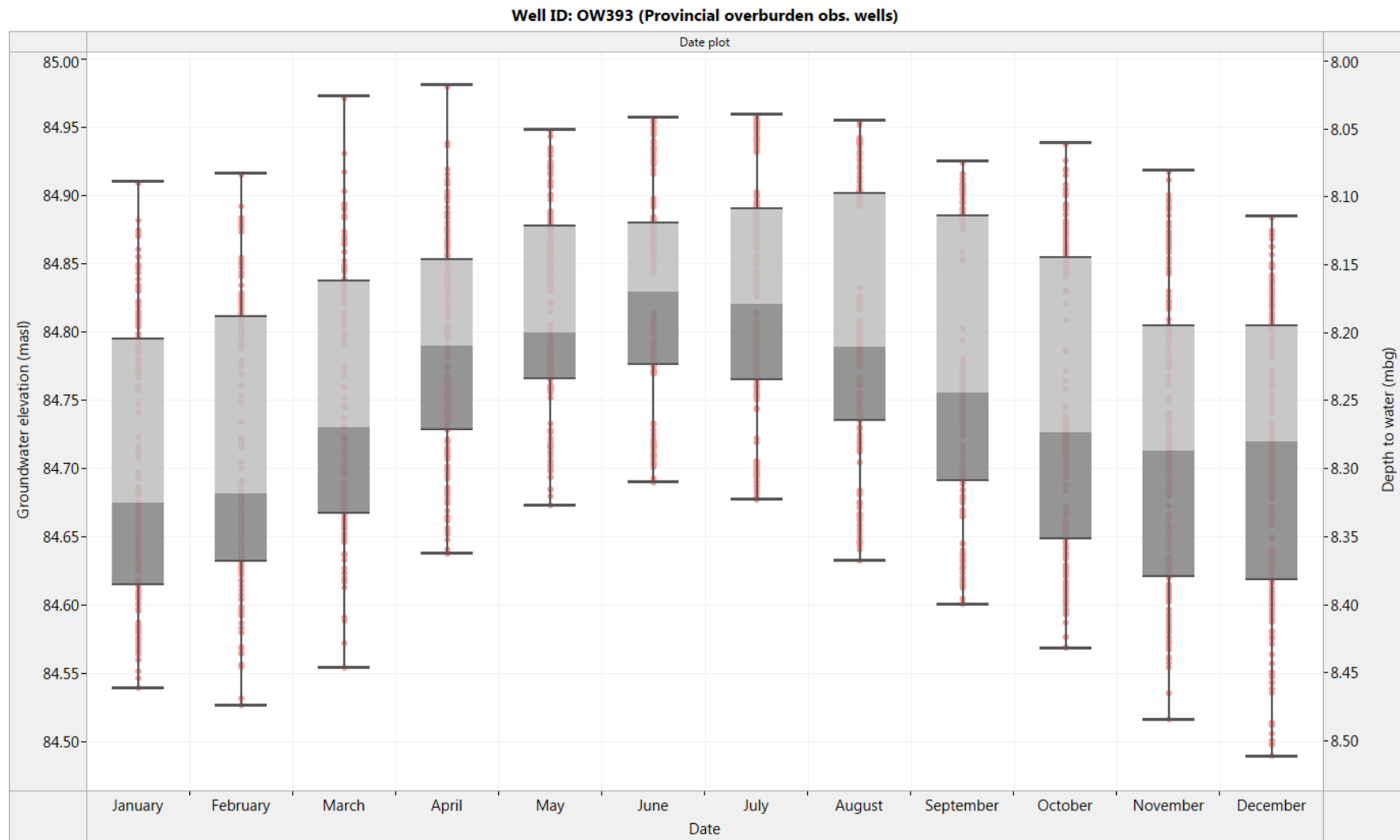


Figure 9. OW393: Box and Whisker diagram for historical monthly groundwater level fluctuation (2011-2016)

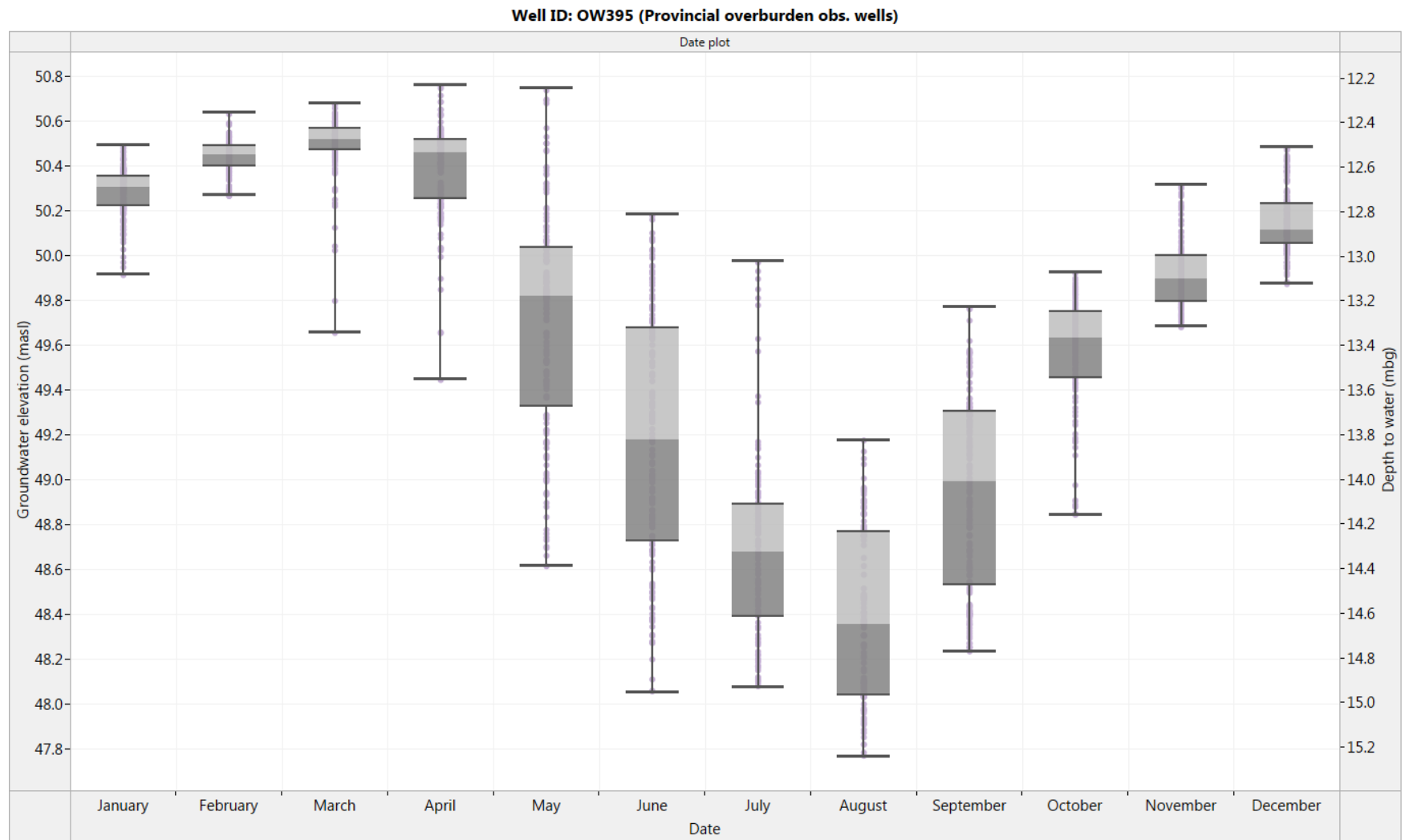


Figure 10. OW395: Box and Whisker diagram for historical monthly groundwater level fluctuation (2012-2016)

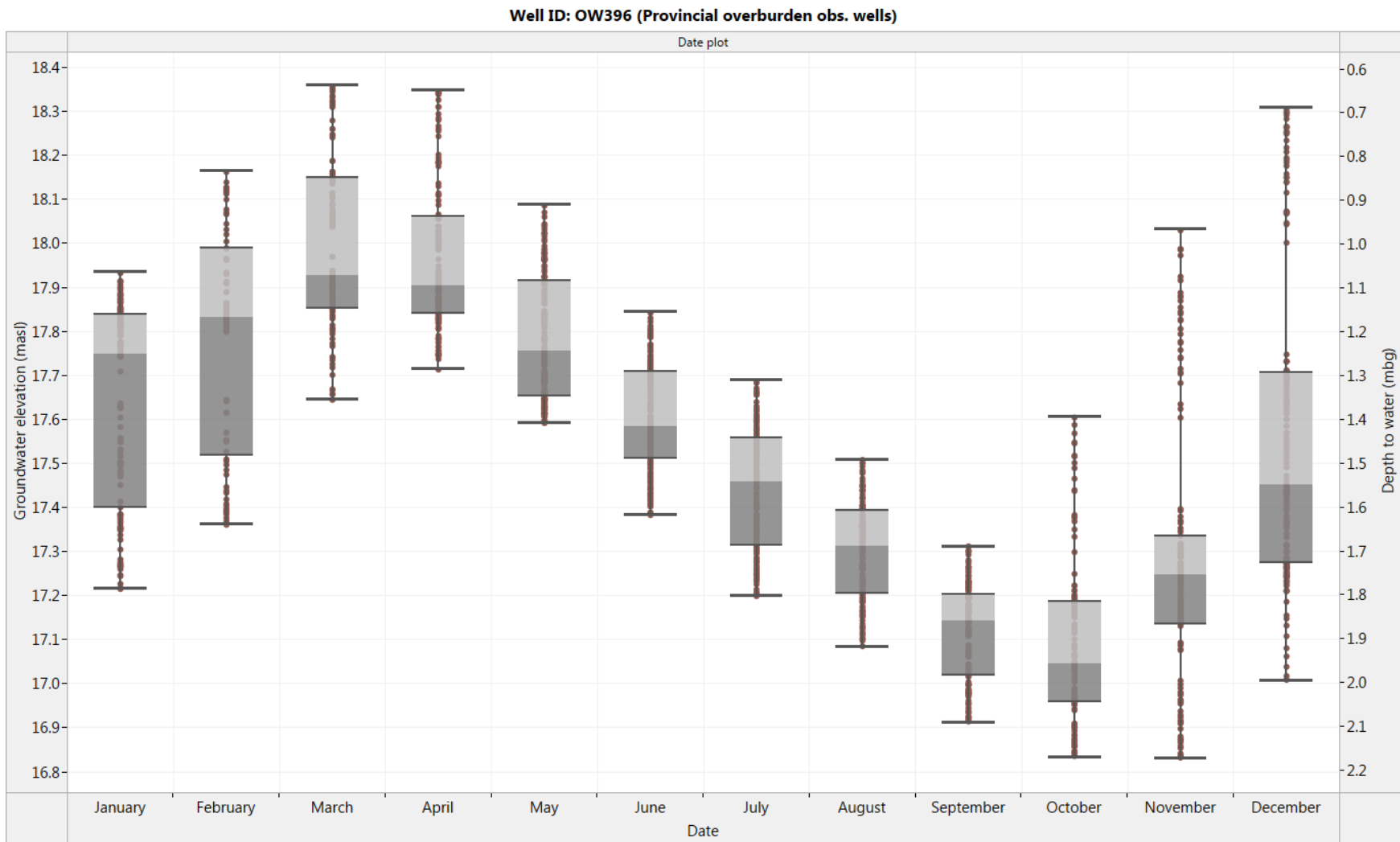


Figure 11. OW396: Box and Whisker diagram for historical monthly groundwater level fluctuation (2012-2016)

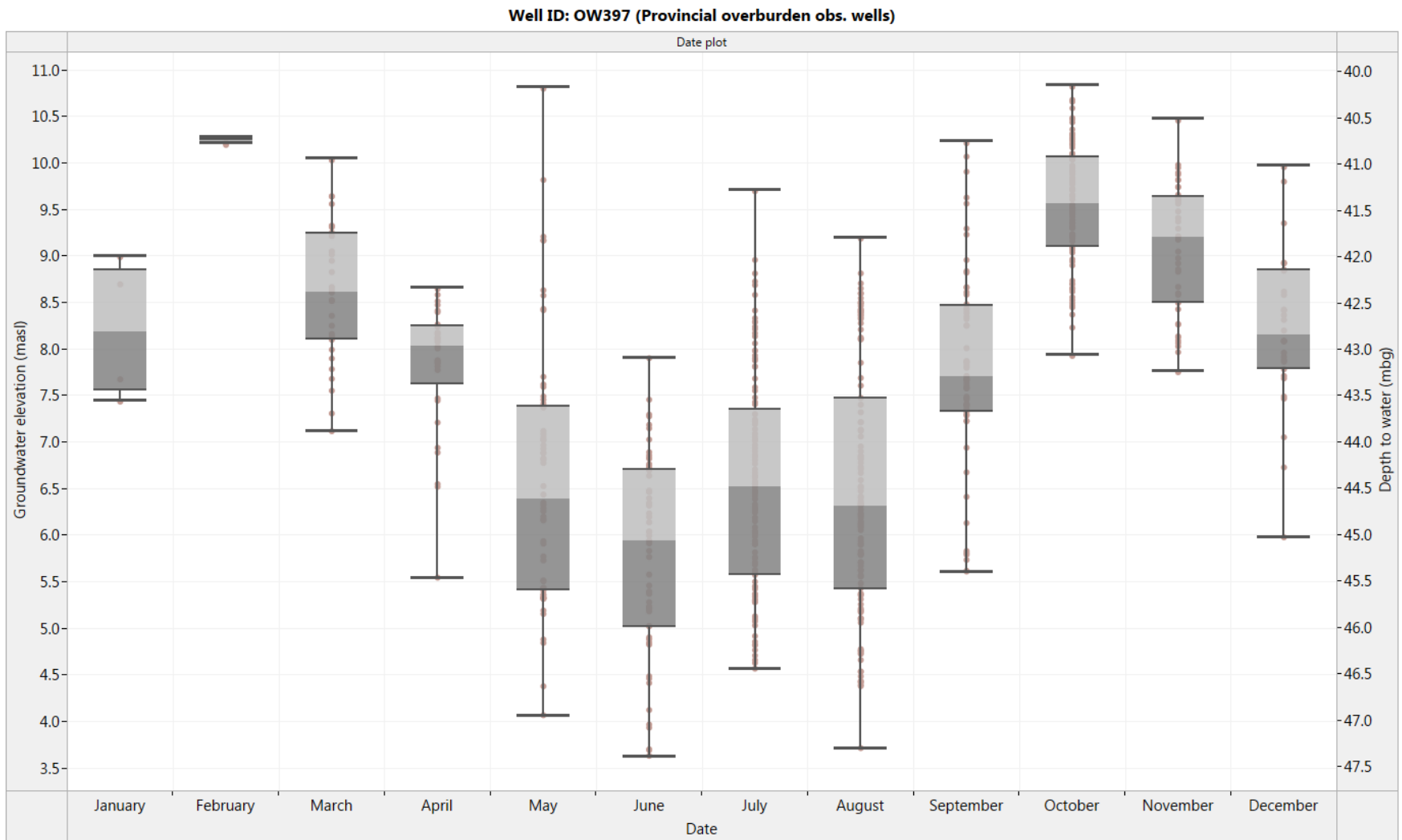


Figure 12. OW397: Box and Whisker diagram for historical monthly groundwater level fluctuation (2012-2016)

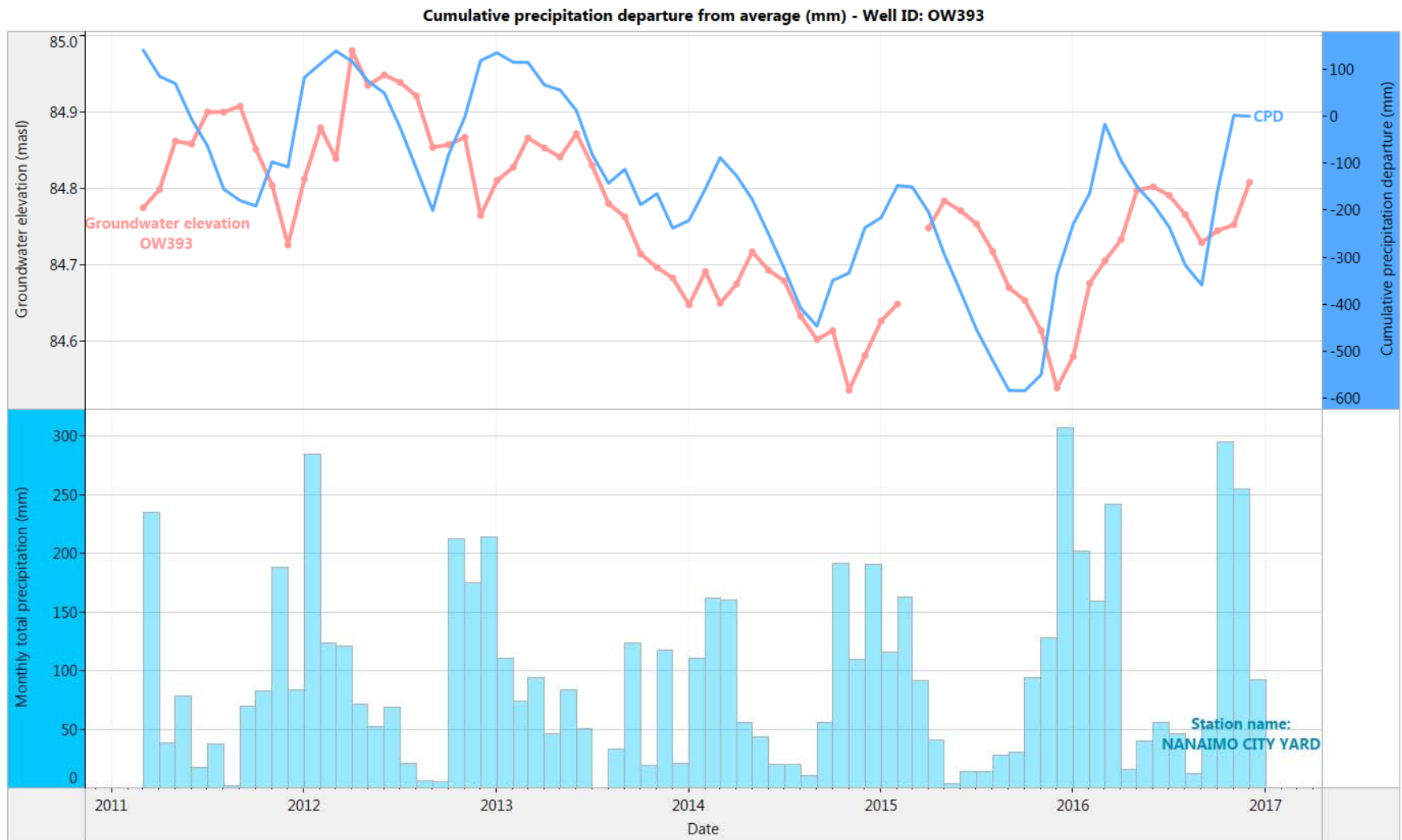


Figure 13. OW393: Month end groundwater levels compared to cumulative precipitation departure curve and total monthly precipitation (2011-2016)

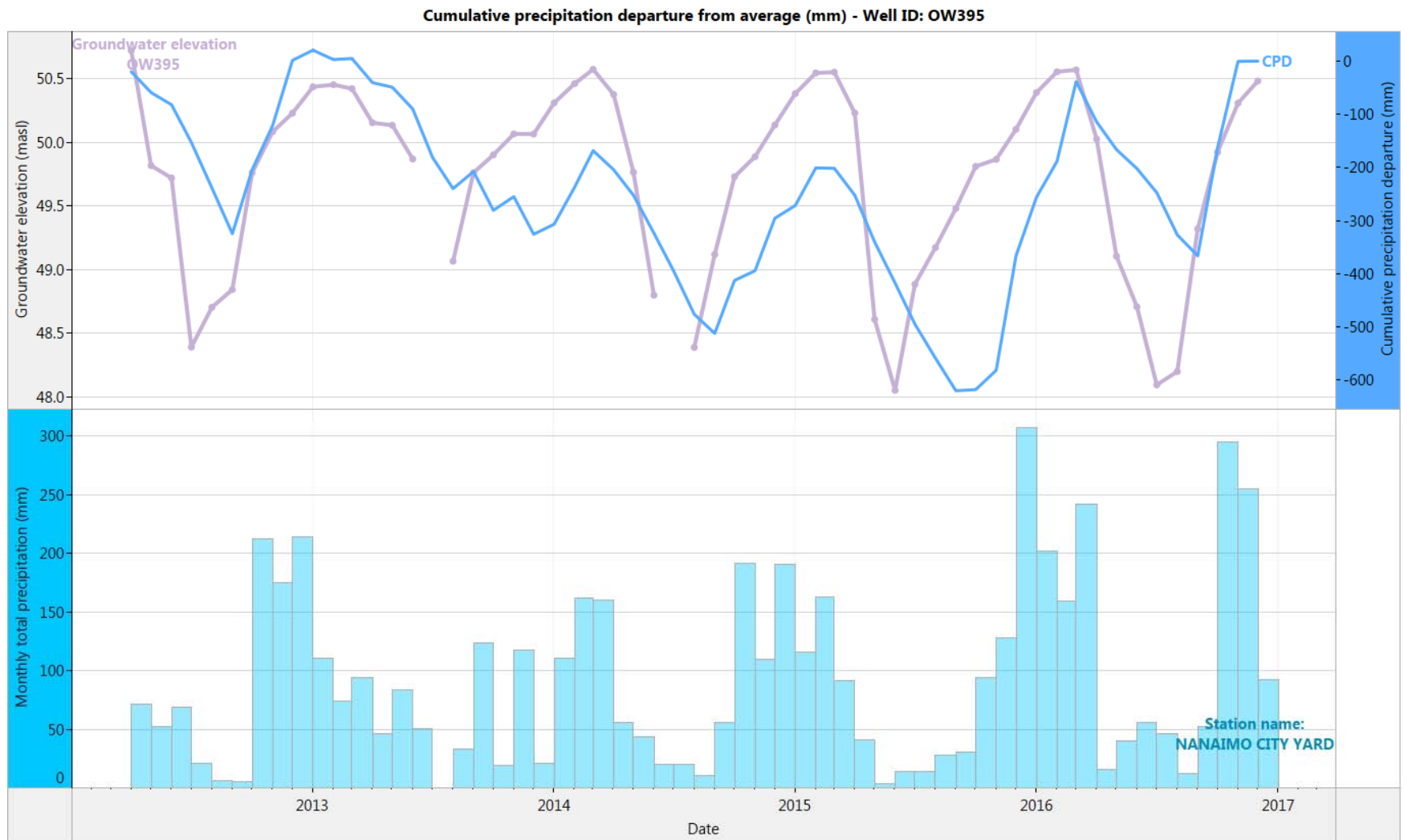


Figure 14. OW395: Month end groundwater levels compared to cumulative precipitation departure curve and total monthly precipitation (2012-2016)

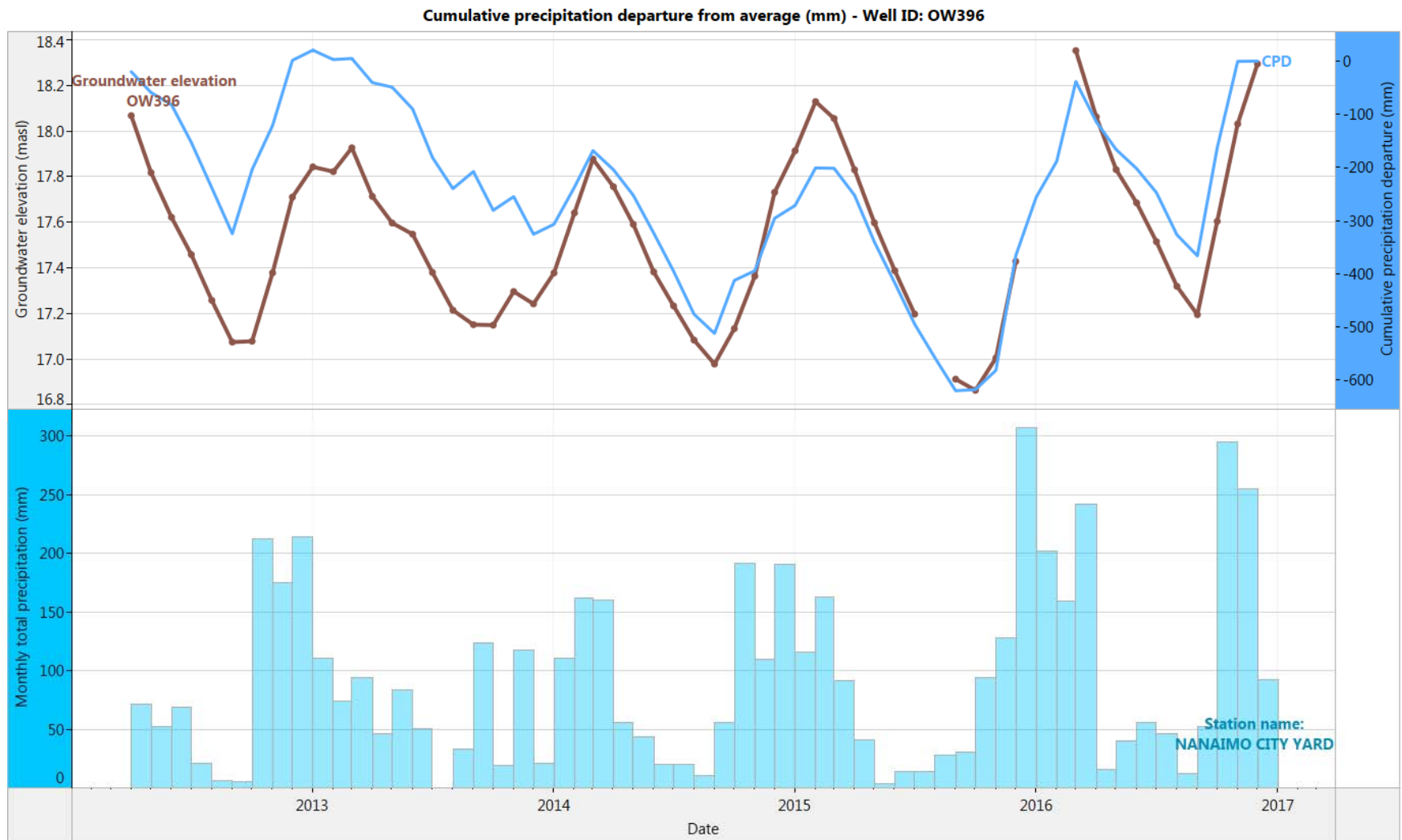


Figure 15. OW396: Month end groundwater levels compared to cumulative precipitation departure curve and total monthly precipitation (2012-2016)

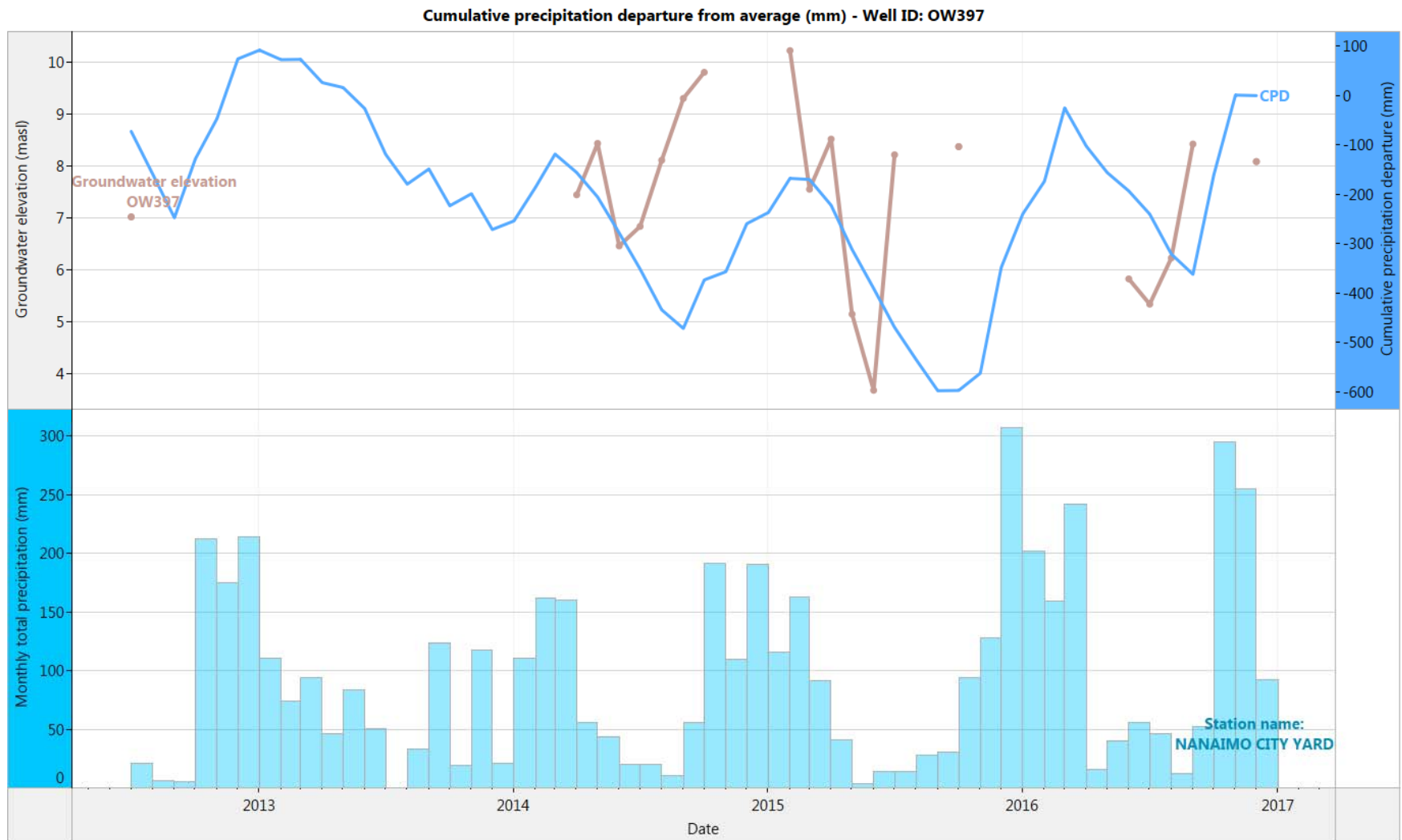


Figure 16. OW397: Month end groundwater levels compared to cumulative precipitation departure curve and total monthly precipitation (2012-2016)

Study Limitations

This document was prepared for the exclusive use of the Regional District of Nanaimo (the client). The inferences concerning the data, site and receiving environment conditions contained in this document are based on information obtained during investigations conducted at the site by GW Solutions and others, and are based solely on the condition of the site at the time of the site studies. Soil, surface water and groundwater conditions may vary with location, depth, time, sampling methodology, analytical techniques and other factors.

In evaluating the subject study area and water quality data, GW Solutions has relied in good faith on information provided. The factual data, interpretations and recommendations pertain to a specific project as described in this document, based on the information obtained during the assessment by GW Solutions on the dates cited in the document, and are not applicable to any other project or site location. GW Solutions accepts no responsibility for any deficiency or inaccuracy contained in this document as a result of reliance on the aforementioned information.

The findings and conclusions documented in this document have been prepared for the specific application to this project, and have been developed in a manner consistent with that level of care normally exercised by hydrogeologists currently practicing under similar conditions in the jurisdiction.

GW Solutions makes no other warranty, expressed or implied and assumes no liability with respect to the use of the information contained in this document at the subject site, or any other site, for other than its intended purpose. Any use which a third party makes of this document, or any reliance on or decisions to be made based on it, are the responsibility of such third parties. GW Solutions accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or action based on this document. All third parties relying on this document do so at their own risk.

Electronic media is susceptible to unauthorized modification, deterioration and incompatibility and therefore no party can rely upon the electronic media versions of GW Solutions' document or other work product. GW Solutions is not responsible for any unauthorized use or modifications of this document.

GW Solutions makes no other representation whatsoever, including those concerning the legal significance of its findings, or as to other legal matters touched on in this document, including, but not limited to, ownership of any property, or the application of any law to the facts set forth herein.

If new information is discovered during future work, including excavations, sampling, soil boring, predictive geochemistry or other investigations, GW Solutions should be requested to re-evaluate the conclusions of this document and to provide

amendments, as required, prior to any reliance upon the information presented herein. The validity of this document is affected by any change of site conditions, purpose, development plans or significant delay from the date of this document in initiating or completing the project.

The produced graphs, images, and maps, have been generated to visualize results and assist in presenting information in a spatial and temporal context. The conclusions and recommendations presented in this document are based on the review of information available at the time the work was completed, and within the time and budget limitations of the scope of work. For instance, aquifer reports based only in one observation well may not represent the condition of the entire aquifer due to lateral and vertical heterogeneities, localized groundwater conditions, ambiguities in aquifer boundary mapping among other factors. Therefore, extra care should be taken when applying results to the entire aquifer.

The client may rely on the information contained in this memorandum subject to the above limitations.

CLOSURE

Conclusions and recommendations presented herein are based on available information at the time of the study. The work has been carried out in accordance with generally accepted engineering practice. No other warranty is made, either expressed or implied. Engineering judgement has been applied in producing this letter-report.

This letter report was prepared by personnel with professional experience in the fields covered. Reference should be made to the General Conditions and Limitations attached in Appendix 1.

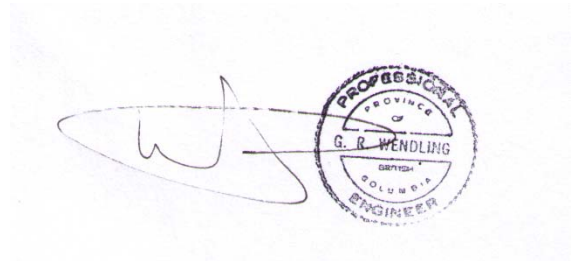
GW Solutions was pleased to produce this document. If you have any questions, please contact me.

Yours truly,

GW Solutions Inc.



K. Antonio Barroso, Msc.
Project Hydrogeologist



Gilles Wendling, Ph.D., P.Eng.
President

APPENDIX 1

GW SOLUTIONS INC. GENERAL CONDITIONS AND LIMITATIONS

This report incorporates and is subject to these “General Conditions and Limitations”.

1.0 USE OF REPORT

This report pertains to a specific area, a specific site, a specific development, and a specific scope of work. It is not applicable to any other sites, nor should it be relied upon for types of development other than those to which it refers. Any variation from the site or proposed development would necessitate a supplementary investigation and assessment. This report and the assessments and recommendations contained in it are intended for the sole use of GW SOLUTIONS’s client. GW SOLUTIONS does not accept any responsibility for the accuracy of any of the data, the analysis or the recommendations contained or referenced in the report when the report is used or relied upon by any party other than GW SOLUTIONS’s client unless otherwise authorized in writing by GW SOLUTIONS. Any unauthorized use of the report is at the sole risk of the user. This report is subject to copyright and shall not be reproduced either wholly or in part without the prior, written permission of GW SOLUTIONS. Additional copies of the report, if required, may be obtained upon request.

2.0 LIMITATIONS OF REPORT

This report is based solely on the conditions which existed within the study area or on site at the time of GW SOLUTIONS’s investigation. The client, and any other parties using this report with the express written consent of the client and GW SOLUTIONS, acknowledge that conditions affecting the environmental assessment of the site can vary with time and that the conclusions and recommendations set out in this report are time sensitive. The client, and any other party using this report with the express written consent of the client and GW SOLUTIONS, also acknowledge that the conclusions and recommendations set out in this report are based on limited observations and testing on the area or subject site and that conditions may vary across the site which, in turn, could affect the conclusions and recommendations made. The client acknowledges that GW SOLUTIONS is neither qualified to, nor is it making, any recommendations with respect to the purchase, sale, investment or development of the property, the decisions on which are the sole responsibility of the client.

2.1 INFORMATION PROVIDED TO GW SOLUTIONS BY OTHERS

During the performance of the work and the preparation of this report, GW SOLUTIONS may have relied on information provided by persons other than the client. While GW SOLUTIONS endeavours to verify the accuracy of such information when instructed to do so by the client, GW SOLUTIONS accepts no responsibility for the accuracy or the reliability of such information which may affect the report.

3.0 LIMITATION OF LIABILITY

The client recognizes that property containing contaminants and hazardous wastes creates a high risk of claims brought by third parties arising out of the presence of those materials. In consideration of these risks, and in consideration of GW SOLUTIONS providing the services requested, the client agrees that GW SOLUTIONS’s liability to the client, with respect to any issues relating to contaminants or other hazardous wastes located on the subject site shall be limited as follows:

- (1) With respect to any claims brought against GW SOLUTIONS by the client arising out of the provision or failure to provide services hereunder shall be limited to the amount of fees paid by the client to GW SOLUTIONS under this Agreement, whether the action is based on breach of contract or tort;
- (2) With respect to claims brought by third parties arising out of the presence of contaminants or hazardous wastes on the subject site, the client agrees to indemnify, defend and hold harmless GW SOLUTIONS from and against any and all claim or claims, action or actions, demands, damages, penalties, fines, losses, costs and expenses of every nature and kind whatsoever, including solicitor-client costs, arising or alleged to arise either in whole or part out of services provided by GW SOLUTIONS, whether the claim be brought against GW SOLUTIONS for breach of contract or tort.

4.0 JOB SITE SAFETY

GW SOLUTIONS is only responsible for the activities of its employees on the job site and is not responsible for the supervision of any other persons whatsoever. The presence of GW SOLUTIONS personnel on site shall not be construed in any way to relieve the client or any other persons on site from their responsibility for job site safety.

5.0 DISCLOSURE OF INFORMATION BY CLIENT

The client agrees to fully cooperate with GW SOLUTIONS with respect to the provision of all available information on the past, present, and proposed conditions on the site, including historical information respecting the use of the site. The client acknowledges that in order for GW SOLUTIONS to properly provide the service, GW SOLUTIONS is relying upon the full disclosure and accuracy of any such information.

6.0 STANDARD OF CARE

Services performed by GW SOLUTIONS for this report have been conducted in a manner consistent with the level of skill ordinarily exercised by members of the profession currently practicing under similar conditions in the jurisdiction in which the services are provided. Engineering judgement has been applied in developing the conclusions and/or recommendations provided in this report. No warranty or guarantee, express or implied, is made concerning the test results, comments, recommendations, or any other portion of this report.

7.0 EMERGENCY PROCEDURES

The client undertakes to inform GW SOLUTIONS of all hazardous conditions, or possible hazardous conditions which are known to it. The client recognizes that the activities of GW SOLUTIONS may uncover previously unknown hazardous materials or conditions and that such discovery may result in the necessity to undertake emergency procedures to protect GW SOLUTIONS employees, other persons and the environment. These procedures may involve additional costs outside of any budgets previously agreed upon. The client agrees to pay GW SOLUTIONS for any expenses incurred as a result of such discoveries and to compensate GW SOLUTIONS through payment of additional fees and expenses for time spent by GW SOLUTIONS to deal with the consequences of such discoveries.

8.0 NOTIFICATION OF AUTHORITIES

The client acknowledges that in certain instances the discovery of hazardous substances or conditions and materials may require that regulatory agencies and other persons be informed and the client agrees that notification to such bodies or persons as required may be done by GW SOLUTIONS in its reasonably exercised discretion.

9.0 OWNERSHIP OF INSTRUMENTS OF SERVICE

The client acknowledges that all reports, plans, and data generated by GW SOLUTIONS during the performance of the work and other documents prepared by GW SOLUTIONS are considered its professional work product and shall remain the copyright property of GW SOLUTIONS.

10.0 ALTERNATE REPORT FORMAT

Where GW SOLUTIONS submits both electronic file and hard copy versions of reports, drawings and other project-related documents and deliverables (collectively termed GW SOLUTIONS's instruments of professional service), the Client agrees that only the signed and sealed hard copy versions shall be considered final and legally binding. The hard copy versions submitted by GW SOLUTIONS shall be the original documents for record and working purposes, and, in the event of a dispute or discrepancies, the hard copy versions shall govern over the electronic versions. Furthermore, the Client agrees and waives all future right of dispute that the original hard copy signed version archived by GW SOLUTIONS shall be deemed to be the overall original for the Project. The Client agrees that both electronic file and hard copy versions of GW SOLUTIONS's instruments of professional service shall not, under any circumstances, no matter who owns or uses them, be altered by any party except GW SOLUTIONS. The Client warrants that GW SOLUTIONS's instruments of professional service will be used only and exactly as submitted by GW SOLUTIONS. The Client recognizes and agrees that electronic files submitted by GW SOLUTIONS have been prepared and submitted using specific software and hardware systems. GW SOLUTIONS makes no representation about the compatibility of these files with the Client's current or future software and hardware systems.