

HALIFAX WATERSHED ADVISORY BOARD
MINUTES
May 16, 2007

PRESENT: Dr. Wayne Stobo, Chair
Ms. Ellinor Williams
Mr. Walter Regan
Dr. Barry Thomas
Mr. Derrill Hynick
Councillor wile

REGRETS: Mr. Nathaniel Smith
Mr. Ross Evans
Mr. David Ripley

STAFF: Ms. Julia Horncastle, Legislative Assistant

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1. CALL TO ORDER

The meeting was called to order at 7:00 p.m.

2. APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

MOVED by Mr. Regan, seconded by Dr. Thomas, that the Order of Business, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

3. APPROVAL OF THE MINUTES - March 21 & April 18, 2007

Dr. Stobo referenced page 5, item 4.3 of the March 21st minutes noting the correct spelling of E.coli in the first bullet and that the second line of the second bullet should read "HRM should alter their sampling regime to cover the period of public concern eg. August when the public is using the beach areas"

MOVED by Mr. Regan, seconded by Dr. Thomas, that the minutes of March 21, 2007, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Ms. Williams, seconded by Councillor Wile, that the minutes of April 18, 2007, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

4. BUSINESS ARISING FROM THE MINUTES/DEFERRED & STATUS SHEET ITEMS

Mr. Regan referenced item 4.3 of the March 21st minutes, "Results of Receiving Water Baseline Sampling Program of September 2006", and requested this matter be deferred to the June meeting as the noted correspondence to Dr. Blouin has not been drafted.

It was noted Mr. Hynick had submitted a report regarding septic systems as per the March 21st minutes.

Dr. Thomas advised he has received a response from Alberta advising they did not have regulations regarding pumping and inspection of septic systems. He noted they did advise they are in the process of drafting regulations requiring that new septic systems will have an enforceable frequency identified in the permit if the system is permitted by an engineer.

A draft report was circulated to the Board in reference to Case 00957: Application to

consider a development agreement to permit an addition to a single unit dwelling at 1885 Waverley Road, PID 40315566 from the April meeting.

At this time, the Board addressed the draft recommendations.

The following changes were noted for recommendation No. 1:

- C The buffer distance should be 30 metres.
- C The sentence "A copy of our Guidelines is enclosed" be removed.
- C The wording ".....to the Lake" be changed to ".... to Lake William".
- C The words "and also its size" be removed.

The following changes were noted for recommendation No. 2:

- C The wording "...nor is likely to be contaminated in the future" in 2(b) be changed to "... nor will be in the future".
- C The wording "the present septic system should be inspected" in 2(b) be changed to "the present septic system should be inspected to ensure proper functioning and possesses reserve capacity".

It was agreed Ms. Williams will make the noted corrections and forward the report for submission to the Marine Drive, Valley and Canal Community Council and the proponent.

4.1 Grand Lake Watershed Update

Mr. Regan advised the final changes to the Watershed Management Plan have been made and the Plan will be submitted to Regional Council for review. He stated he cannot confirm whether the Plan will be directed to the Board for comment. He advised the Committee henceforth would only be meeting once a year. It was agreed that the item be removed from the agenda.

4.2 Environmental Assessment Registration Document - Touquoy Gold Project: Moose River Gold Mines

Dr. Thomas noted this falls under the Province and HRM does not have jurisdiction. HRM had been made aware of the document. He noted the proposal is for an open pit gold mine which may result in a large volume of toxic water as a result of the operation. It is critical that the mining company maintain treatment of the material after the mine closes. He advised the Minister has determined that a focus report be produced as a result of the comments received on the document.

Dr. Stobo stated the Board, if it so chooses, would make comment to Regional Council on areas of concern facing HRM in relation to this potential development as well as recommendations on the fact that HRM should engage the Department of Environment or Natural Resources on mitigation items they think appropriate.

Dr. Thomas noted that the Moose River is within the boundaries of the mine but it is not covered in the study.

Dr. Stobo stated that, in his opinion, some of the issues are that the environmental assessment that was conducted does not fully encompass the designated area of the open mine operation, the areas that are excluded are the areas that are closest to watercourses. There needs to be provisions to ensure the re-vegetation process works. There has to be constant and ongoing monitoring to ensure that any erosion is mitigated to continue the protection that is supposed to be provided by the earthen dams etc.

Dr. Stobo stated there may be long term toxic effects if the liner breaks down yet the proponents are talking about a five year maximum monitoring period. Successful containment of the aqua slurries is a concern and measures need to be in place to ensure that if the dam failed mitigation is available as there is no mention of emergency measures mitigation to deal with a catastrophic failure. Infiltration into water bodies or Moose River due to fracture is not mentioned which will allow untreated water from the bottom of the pit to enter the system. Arsenic laden rock will be exposing in the blasting process. Another concern is who will have responsibility and pay for the monitoring after the mining has concluded. There is a need for significant bonding to ensure rehabilitation and long term monitoring.

Dr. Thomas noted it has been confirmed that there are fish in the lake system.

Ms. Williams expressed concern with the condition of the road and the potential for contamination of the surrounding watercourses due to spills suggesting there be mention of upgrades being required.

Mr. Regan expressed concern with fractures that may divert Moose River into the pit. All structures and the pit should have a thirty metre undisturbed buffer around the watercourses. Roads should provide culverts that would provide for fish passage over any watercourses.

Dr. Stobo recommended the comment section mention the buffer should also be respected with regard to the unnamed tributary.

Mr. Regan stated a comment should be made that no wetland be destroyed but, if they are, equivalent habitat be created. He suggested there be ongoing water quality testing downstream of the pit. It was clarified that the testing be south of the wetland adjacent to the tailings pond dam. It was also suggested there be ongoing water quality testing at Scraggy Lake near the exit of the effluent channel, Square Lake as well as upstream and downstream of Moose River. It was suggested the testing take place during spring runoff, mid summer low and late fall.

Mr. Regan suggested the supply pipeline divert around the wetland if possible.

Dr. Stobo stated the recommendations should also state that a facility is there to ensure actual treatment of the tailings water before it is released.

It was agreed Dr. Thomas would draft the report.

4.3 Wind Turbine Siting in Watersheds

Due to time constraints, this item was deferred.

4.4 Septic Tanks

Due to time constraints, this item was deferred.

4.5 Open Space Guidelines

Due to time constraints, this item was deferred.

5. REPORTS

5.1 Case 00929: Plan Amendment to Permit an Auto Body Shop by Development Agreement, Sackville Drive

C A memorandum dated May 7, 2007, on the above noted, was before the Board.

Andrew Bone, Planner, presented the report to the Board.

In response to Dr. Stobo, staff advised the creek elevation is approximately six feet and the width is two to three feet.

In response to Ms. Williams, the Board was advised the stream is a defined stream

between the properties and is defined below where it would cross the Old Sackville Road into an undeveloped area.

In response to Dr. Stobo, staff advised most of the parking will be underground. On further question, staff advised the distance from the stream bed line over to the proposed building is approximately sixty metres.

In response to Councillor Wile as to whether there would be industrial conditions and regulations applied to this development as it is an auto body shop, staff advised they would have to follow the labour codes. The auto body shop currently has an air filtration system to filter and remove any odours, it is enclosed and environmentally sealed. Mr. Bone indicated an area on the map that will be fully serviced and connected to municipal water in the future.

On question from Dr. Stobo as to a specified holding area for vehicles due for repair, staff advised it is the intent to store them in the basement of the building.

It was agreed that Ms. William would draft the recommendations which would include the following:

1. Request there be no further disturbance of a thirty metre area surrounding the watercourse.
2. The steeper graded area of the brook be undisturbed as it is currently stabilized with vegetation and on the flat surface (the remaining portion of the thirty metres) there be an enhancement with native species vegetation planted.
3. If there is basement storage, an oil and grit separator be installed to address any drainage associated with the basement.
4. If there is any outdoor parking there be an impervious surface and any runoff to pass through an oil and grit separator before exiting into the storm drainage system.
5. A waste management plan be required for the disposal and storage of waste materials as well as storage of raw materials.
6. Given the distance between the stream and proposed building foundation and the condition of the soil used for infilling, the Board would not recommend that a septic dispersal field be placed between the creek and the building foundation.

The disposal system should not occur on the west side of the building.

7. If there are future requests for development of an outdoor display court or auto sales area, the thirty metre buffer be respected and an impervious surface be installed for the area and runoff be directed through an oil and grit separator before release.
8. The thirty metre buffer be respected in terms of placement of buildings as well as placement of septic systems if residential development takes place in the future.
9. The thirty metre buffer be honoured if there is future residential development on the property.
10. Under no conditions should the stream be piped. If the stream is piped permission from DFO should be obtained.
11. The buffer be turned over to HRM.

6. **ADDED ITEMS - NONE**

7. **DATE OF NEXT MEETING**

The next meeting is scheduled for June 20, 2007.

8. **ADJOURNMENT**

The meeting was adjourned at 9:30 p.m.

Julia Horncastle
Legislative Assistant