

HALIFAX REGIONAL MUNICIPALITY

**BEDFORD WATERSHED ADVISORY BOARD
MINUTES**

May 9, 2007

PRESENT: Mr. Richard Hattin, Chair
Mr. Quentin Hill
Ms. Elaine Loney
Ms. Kate Hadden
Councillor Martin
Mr. Robert Apold
Dr. Sankar Ray

REGRETS: Mr. Lem Murphy

STAFF: Mr. Andrew Bone, Senior Planner
Mr. Paul Morgan, Senior Planner
Mr. Tony Blouin, Manager, Environmental Services
Ms. Chrissy White, Legislative Assistant

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1. CALL TO ORDER

The meeting was called to order at 7:00 p.m. in the Nauss Room, Lebrun Centre, Bedford.

The Chair requested that the Legislative Assistant inquire about changing quorum to 5 instead of 6 due to the lack of membership.

2. APPROVAL OF THE MINUTES

MOVED by Mr. Hill, seconded by Ms. Loney, that the Minutes from March 14, 2007 be approved. MOTION PUT AND PASSED UNANIMOUSLY.

3. APPROVAL OF THE AGENDA

Add:

5.3 Case 00690 review

MOVED by Ms. Loney, seconded by Ms. Hadden, that the agenda be approved as amended. MOTION PUT AND PASSED UNANIMOUSLY.

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 STUDENT REPRESENTATIVE

A student will be appointed to the Committee in September 2007, after exams and summer vacation.

4.2 STATUS SHEET REVIEW

Kearney/Paper Mill Dams

Mr. Bone advised that he will contact Annapolis to inquire about an update.

Gateway Investments

Mr. Bone advised that the trees are in conformance with the development agreement, and a site by site review is being conducted. Mr. Bone further advised that BWAB could impose restrictions on future development agreements regarding tree depth and retention. The Committee could also suggest that provisions be made for mapping disturbances.

This item to be removed from status sheet.

Stormwater Management

Mr. Bone advised that he will contact John Sheppard, Manager, Environmental Engineering Services to address this issue at the June meeting.

Case 00970 Sub-Area 2 of Bedford West

The Developer advised that Clayton Developments has decided to extend the stormwater investigations into Sub Areas 3 and 4 into the business campus. The area will extend from Kearney Lake Road to Hammonds Plains Road.

Paper Mill Run

Ms. Loney advised that there was flooding on the Morrison property. The Chair suggested the Legislative Assistant review past minutes to gauge discussion on this topic and report back to the Committee.

5. REPORTS

5.1 Discussion regarding Water Quality Objectives

- A memo titled "Water Quality Sampling Objectives, Kearney and Paper Mill Lakes" was before the Board.

Mr. Tony Blouin, Manager, Environmental Services presented an overview on the above noted. The following points were made:

- Residents do not like to see debris in the lake,
- Lakes are classified due to their biological productivity,
- More phosphorus means more activity,
- Phosphorus is usually used to set a water quality objective,
- Canadian Council Administers of the Environment produced a framework for a process for setting a water quality objective,
- There is no numerical limit due to different saturations in different lakes,
- The natural condition of the lake will help dictate the water quality objective,
- A management objective could be set for the lake to predetermine what are acceptable levels. This will aid in determining a reference condition for the lake,
- An eco-zoning reference approach could be conducted, but more information would be needed for this particular approach.
- Most of the data supports that the lakes are currently oligotrophic,
- Phosphorus modelling under future development models could be an option,
- Community stewardship could help lower phosphorus levels by controlling pet waste and lawn fertiliser.

Mr. Blouin responded to questions from Committee Members, noting the following:

- If the numbers exceed the projected “healthy” amounts, management decisions will have to be made to control the phosphorus, or the lake could be moved back to the original condition,
- The goal is to have the lakes approved for recreational use.

Mr. Hattin expressed concern regarding measurement styles. He advised that taking a single point measurement of a single point variable, in the same location, to estimate the health of the lake could be dangerous. He suggested using a CAP analysis to avoid the danger associated with the above noted.

Mr. Blouin advised that chlorophyll could be used for analysis, as it is driven by phosphorus.

He further advised that the model takes the flushing rate into consideration and the model predicts a steady state when introducing a certain amount of phosphorus into the lake. He concluded by advising that the sediment quote analysis needs to be reviewed to gage the phosphorus levels. HRM is not in the position to do a sediment analysis as it is a very specialized topic.

Mr. Mike Hanusiak, Developer, advised that there is a four part policy that informs the duration of testing, what is to be tested and at what intervals. At Russell Lake, 30 elements are being used and the parameter has been established. He provided the Board with a drawing to illustrate his findings and advised that he would provide the Dartmouth information regarding Russell Lake to the Committee at the June meeting.

Committee members provided their suggestions regarding a water quality objective. The following points were noted:

Mr. Apold suggested mimicking the Dartmouth Lakes Advisory Board by using a RCAP.

Mr. Blouin advised that there is no methodology for all parameters measured under RCAP due to the metals, as metals do not tend to change frequently.

Ms. Hadden advised that the phosphorus monitoring is important.

In response to Ms. Loney’s suggestion to maintain the lake objective at its current state, Mr. Blouin advised that the lake will be unpredictable, and the objective may have to be changed.

Mr. Apold advised that a contingency plan should be created in case something goes wrong.

Dr. Ray advised that chemical parameters are the best tool.

Mr. Blouin advised that an RCAP and full metal analysis will be conducted on the lakes included in the sampling program in the spring.

Mr. Hattin requested that the Legislative Assistant review the minutes from the Dartmouth Lakes Advisory Board to find the dialogue regarding the testing protocol that is currently part of the development agreement for Russell Lake West and for Portland Estates - Phase 4.

The Developer advised that he is very conscious of preventative and consultative measures, and has a mandate for enforcement.

In response to Dr. Ray's suggestion to set a regulation enforcing the use of non-phosphorous fertilisers, Mr. Blouin advised that staff would have to consult with the Legal Department and the Province before committing to regulations regarding phosphorus materials.

5.2 Flow Chart Review

- A handout entitled "HRM Development Agreement Process" was before the Board.

Mr. Bone provided an overview on the above noted.

- There are 23/24 different plans plus the Regional Plan for HRM that lay out the parameters for zones regarding development agreements and rezoning,
- Uses can be changed through the Land Use by-law,
- The Municipal Plan lays out the development agreement and re-zoning,
- There are only certain things that can be listed in a development agreement, They are listed in the Municipal Government Act (MGA),
- residents can request the re-zoning of their property. If the zone changes then it has to meet the parameters of the Land Use By-law,
- The BWAB would not normally deal with Land Use By-laws unless a water issue is included.

Mr. Bone provided an overview of the review and recommendation process regarding development agreements, land-use By-laws and amendment processes.

5.3 Case 00690 Amendment to the Bedford Municipal Planning Strategy and Land Use By-law for Phase II of the Crestview CCDD

- A report dated December 11, 2006 was before the Committee.

Mr. Bone explained Attachment "B" in further detail to the Committee. The following was noted:

- The Waterfront Development Corporation would have to agree to allow any discharge onto the lands,
- If there is a disagreement between staff and the Committee regarding a recommendation, Council will take both recommendations into consideration when making the final decision.

Mr. Hattin advised that the above noted agreement can not go forward with the MPS in tact. Mr. Bone advised that he would review those numbers before Council.

Ms. Loney advised that non- disturbance areas must be reviewed in the interest of tree retention.

6. CONSIDERATION OF DEFERRED BUSINESS

6.1 Water Quality Data Review

Addressed under item 5.1.

7. CORRESPONDENCE, PETITIONS & DELEGATIONS- None

8. ADDED ITEMS

8.1 Case 00690 Amendment to the Bedford Municipal Planning Strategy and Land Use By-law for Phase II of the Crestview CCDD

Addressed under item 5.3.

9. NEXT MEETING

The next meeting of the Bedford Watershed Advisory Board will be June 13, 2007 in the Nauss Room, Lebrun Centre, 36 Holland Avenue, Bedford.

10. ADJOURNMENT

The meeting adjourned at 9:05 p.m.

Chrissy White
Legislative Assistant