

BEDFORD WATERSHED ADVISORY BOARD
PUBLIC MEETING MINUTES

October 26, 2011

MEMBERS

PRESENT: Richard Hattin, Chair
Lem Murphy, Vice Chair
Councillor Tim Outhit

ALSO PRESENT: Councillor Reg Rankin
Councillor Debbie Hum
Councillor Mary Wile
Councillor Peter Lund

ABSENT: Lynn Davis

STAFF: Andrew Bone, Senior Planner, Planning Services
Cameron Deacoff, Environmental Performance Officer
Paul Morgan, Senior Planner, Regional & Community Planning
Scott LeBlanc, Planning Technician, Regional & Community
Planning
Kim Cahill, Legislative Support

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1. CALL TO ORDER

The Chair called the meeting to order at 7:06 p.m. in the Cafeteria of Basinview Drive Community School, 273 Basinview Drive, Bedford.

2. APPROVAL OF MINUTES – September 24, 2011

MOVED by Mr. Lem Murphy, seconded by Mr. Richard Hattin, that the Bedford Watershed Advisory Board September 24, 2011 minutes be approved, as circulated. MOTION PUT AND PASSED.

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

The agenda was agreed upon as presented.

4. BUSINESS ARISING OUT OF THE MINUTES

Mr. Andrew Bone updated that the Emscote development agreement has not been drafted yet but is in the process. He further noted that it is likely to be at Council in December at the earliest and that negotiations are underway.

5. CONSIDERATION OF DEFERRED BUSINESS – NONE

6. REPORTS

6.1 Birch Cove Lakes Watershed Study

The Chair explained that the purpose of the meeting is to introduce those responsible for the study. He noted that one of the purposes of the Bedford Watershed Advisory Board is to promote public awareness and identify issues that affect the natural waterways including the Bedford Basin and the Bay, sewer sheds, ground water and the watersheds. The Chair noted that the Board is also tasked with looking at some of the environmental and water use issues as they relate to these particular areas.

A memorandum from Mr. Paul Morgan dated April 4, 2011, along with excerpts of the RFP, originally submitted at the April 13, 2011 meeting of Bedford Watershed Advisory Board was before the Board.

Mr. Morgan provided a staff presentation outlining why the study was initiated and where it will lead. He outlined the boundaries involved in the area. He indicated that the consultants will return with a draft report with recommended water quality objectives to be presented at a public meeting, hosted by the Bedford Watershed Advisory Board.

Councillor Debbie Hum questioned if the report will go to Community Councils or directly to Regional Council considering areas involved are also within her district. Mr. Morgan indicated that it will need to go to Regional Council.

Mr. Andrew Bone clarified that the Bedford Watershed Advisory Board covers all waters flowing into the Bedford Basin up to Fairview Cove, crossing various jurisdictions.

Mr. Morgan introduced Mr. Russell Dmytriw and Ms. Nora Donald, consultants from AECOM.

Mr. Dmytriw and Ms. Donald, gave a presentation outlining the objectives of the Watershed Study. The following points were reviewed:

- Primary (Technical) Objectives – Policy E-17
 - Recommend water quality objectives for key receiving waters
 - Determine the amount of sustainable development
 - Recommend suitable and unsuitable areas for development
 - Make recommendations to protect and manage quality and quantity
 - Recommend regulatory controls and management strategies
 - Recommend a monitoring program to determine if water quality objectives are being met
- Process to be undertaken
- Work Program
 - Field Work
 - Sampling locations at McQuade Lake, Black Duck Brook, Kearney Lake inflow region, Quarry Lake Dam, and Horseshoe Lake
 - Monitoring flow once a month for 10 months
 - Watershed Characterization
 - Assess land pollutants, past contaminated sites, etc.
- Data Sources
 - A considerable amount of water quality data is available

The Board noted that the way developments are conducted is changing by using watershed loading capacity of the land to determine development procedures.

Mr. Dmitriw agreed but stated that other aspects are taken into consideration when it comes to allowing or not allowing development.

The Board indicated that there is roughly 10 years of water quality data for Papermill Lake and five years for Kearney Lake but not much on the others because they have been isolated to some extent. The Board noted that available samples indicate that their current quiescent levels are in some cases higher than Papermill Lake's is under development. The Board further noted that this would mean we cannot allow any development around these lakes. The Board indicated that since these lakes flow into Kearney Lake and Papermill Lake, the water quality of the two lakes will exceed the limit. The Board asked the consultants if they are prepared to make that determination.

Mr. Dmitriw indicated that the objective is to recommend water quality objectives. He noted that in accepting water quality objectives for HRM there are always trade-offs between water quality objectives and items including cost of mitigation to maintain water

quality and tax revenue from development. He explained that good water quality is not necessarily one number and that water quality changes from year to year and under the influence of development. Mr. Dmitriw noted that the study is a planning tool to provide information for planning decisions; not the final word in planning.

The Board asked if the consultants are going to make recommendations or just observations and whether the report is going to be unequivocal in negative impacts and increased outlook to the downstream lakes that are going to result from future development. The Board questioned if the report will include clear ramifications of increased levels on Papermill Lake and Kearney Lake.

Mr. Dmitriw confirmed that the report must clearly explain the effects on water quality from development under various circumstances. He noted that with large natural systems it is hard to be precise at all times but his mandate is to provide the most scientifically sound attempt at setting water quality objectives as possible.

The Chair opened the floor at this time for comments from Councillors and members of the public present.

Councillor Peter Lund, District 23, Hammonds Plains – St. Margarets, asked if the Birch Cove Lakes Watershed Study will look at the volumes of turnover and rate of outflow considering the occurrence of stratification in winter and summer.

Mr. Dmitriw stated that turnover will be taken into account but that all supplemental sampling locations are at inflow/outflow locations rather than central.

The Board asked staff if multi-level sampling is occurring at any of the sites in Kearney Lake. Staff indicated that there are no deep sample stations being collected but that is an area that can be addressed.

Councillor Lund asked if any fish sampling will occur to look at what fish habitats exist.

Mr. Dmitriw indicated that no fish sampling will occur because fish habitats have already been mapped to a large extent.

Ms. Mary Ann McGrath, Kearney Lake – Chair of Kearney Lake Residents Association, noted that the dam on Quarry Lake was replaced after requests to mitigate flooding downstream but since the level was not changed, it is just as impacted by heavy rain events. She noted that during heavy rain, much more siltation is unnaturally flowing downstream due to the Annapolis Group Inc. quarry site between Washmill Lake and Little Kearney Lake. Ms. McGrath indicated that the water from Quarry Lake pumps into Kearney Lake, picking up material from an old drainage pipe under Kearney Lake at the current site of the RE Group and mixing with the material coming out of the inter-supply site one third of the way up Kearney Lake.

Councillor Lund noted that the provincial departments of environment and transportation are currently reviewing the erosion guidelines and there may be revisions proving

positive for future developments. He further noted that it is important to map the geology of the area because of possible increased siltation from blasting and the concern about pyritic slate and their effect on domestic wells and receiving waters.

Ms. McGrath indicated that Halifax Water has promised to fix the combined sewage and stormwater overflow located by the Petro Canada on Kearney Lake Road that goes under the highway and dumps into Little Kearney Lake, ending up in wells in the area.

Mr. Dmitriw stated that Halifax Water has a map showing its sanitary overflows and its combined overflows, however, there is not a good handle on volumes and quality of the water that emerges.

Mr. Bob McDonald, Clayton Park West – Halifax Field Naturalists and Halifax Trails Association, asked what water quality parameters will be measured.

Mr. Dmitriw explained that in terms of field analyses, temperature, dissolved oxygen, pH and specific conductivity will be measured. He noted that in the lab, parameters including turbidity, salt chloride, nitrate, nitrite, total phosphorus, dissolved phosphorus, orthophosphate, post suspended solids, fecal coliform, phytoplankton and total organic carbon will be analyzed.

Mr. McDonald indicated he has five years of data, monitoring water quality in Belchers Marsh and Belchers Pond that flow into Washmill Lake. He noted that both sites are not as natural since stormwater was added to the system. He questioned if the consultants would be open to more sampling.

Mr. Dmitriw noted that he is interested in seeing the data because of oddities occurring at Belchers. He explained that they may be reluctant to commit to further sampling due to budgetary and time constraints.

Mr. McDonald inquired about current data on Susie's Lake because of the planned Bayers Lake Business Park expansion. He asked if the Birch Cove Lakes Watershed Study will consider the proposed Highway 113 that will go through the middle of the watershed.

The Board asked staff to look at Susie's Lake as a place for baseline measurement. Mr. Hattin stated that Dr. Hart's 1996 map appendix has the hydrography of Susie's Lake.

Mr. Dmitriw stated that he has been instructed to proceed as if Highway 113 were built.

Ms. Wendy McDonald, Clayton Park West, questioned who the steering committee is. She asked for clarification on the lakes sampling procedure. She inquired how the consultants would model 11 lakes from four sample sites.

Mr. Morgan stated that it is a staff steering committee that is providing direction and editing before anything goes before the public.

Mr. Dmitriw clarified that four or five of their samples have been added to those in place by HRM. He noted that some of the lakes, in addition to being difficult to access, are not facing development pressure in the next 5-10 years; the lifespan of the Birch Cove Lakes Watershed Study. He further noted that if surrounding land is designated as a park, there is less interest in modelling development influenced changes to these lakes.

Ms. McDonald questioned if the understanding that HRM has development capabilities going forward 25 years has changed.

Mr. Morgan noted that the consultants have been instructed to assume that Highway 113 will proceed and that any impact on the watershed should be modelled. He stated that any Crown lands as designated are assumed to never face any development.

Ms. McDonald questioned if runoff from the current Gateway development offers any additional concern that the consultants are following.

Mr. Dmitriw noted that the runoff is of direct and definite interest in terms of what is called "existing conditions", so they need to understand those inputs.

Mr. Rick Gagné, Halifax, noted that he chaired the Halifax Lakes and Watershed Advisory Committee prior to amalgamation. He indicated that the Committee predicted the level of utrification that would occur at Belcher's Marsh, previously Glenbourne Lake. He noted that the current level is in line with the timing predicted. Mr. Gagné noted that he is concerned with the tender system of Susie's Lake because of its underlying geology.

Mr. Gagné raised concern about the storm runoff from Bayers Lake making its way into the Susie's Lake watershed. He noted that in the past, there was rumored to be an outfall into the Susie's Lake watershed which is a concern due to the potential for extremely low pH levels caused from these waters emanating from extreme pyritic slates.

The Board indicated that it previously raised the question and was told that there was a collector along the edge of the strip that was picking up stormwater. The Board asked staff to look into checking the current pH level of the site.

Councillor Debbie Hum, District 16, Rockingham - Wentworth, raised concern over the bank development lands undergoing subdivision review and the current developments in both Bedford West and Larry Uteck west around the watershed areas. She was concerned that anything approved over the next number of years could have potentially large impacts on the lakes. She indicated that the Annapolis Group Inc. has not done anything to address the issues surrounding the dam overflow.

The Board raised concern over the issue of "proportionate degradation" whereby one developer's actions can lead to water quality levels exceeding the limit by the time another developer enters the scene. The Board noted that there is going to be development pressure regardless and unfortunately Kearney Lake and Papermill Lake

are at their limits. The Board further noted that this study has been done before in 1996 and it proved that this is a very sensitive area that cannot handle much development.

Mr. Morgan stated that Bedford West had a watershed study completed and the consultants have that information. He indicated that as the development has been approved by HRM, any water quality effects that will occur will have to be assumed.

Mr. Rick Gagné, Halifax, questioned what the duration of data collection is, both hydrographic and water quality.

Mr. Dmytriw indicated that HRM's collections are ongoing but that the studies will involve four seasons over roughly 10 months.

Mr. Gagné requested for the simple reason of annual variability, that collections be extended to 1.5 years, regardless of budget considerations to ensure the situation is handled correctly.

Mr. Gagné mentioned an initiative by the Department of Natural Resources to do some ground mapping in HRM. He indicated that the area was last mapped from a ground level in 1912. He noted that there is a significant fault line beneath Kearney Lake and many ridges along Larry Uteck. Mr. Gagné suggested getting university students interested in following up on some of the data for Honours and Masters theses and that submitting their work to the Department could quickly get information into the records.

Mr. Will Brunner, Clean Nova Scotia, inquired about bringing back some of the water quantity that has been diverted. He asked about the various dams that involve safe fish passage. He questioned what factors go into determining the suitability of areas for development.

Mr. Dmytriw noted that he is not aware of water diversion out of the watershed. He indicated that two of the three dams have recently been repaired and the third is slated for reparation next year. He noted that restoring fish passage is not something being looked at in the study. Mr. Dmytriw stated that there are a variety of factors that go into assessing areas including depth of the water table, nearby presence of species or habitat at risk, buffer zones, and unstable soils.

Mr. Stephen Caines, NSLC Adopt a Stream, inquired where questions arising after the meeting can be directed.

Mr. Morgan indicated that anyone with further questions can contact him directly by email at morganp@halifax.ca.

The Board questioned what will be the consultants' next public event.

Mr. Dmytriw indicated that it will be the presentation of the preliminary report, early fall 2012.

Mr. Morgan requested that if anyone wants to be on a mailing list to be notified of the meeting, to contact him.

Ms. Maureen Manuge, Clayton Park, indicated that she was confused with the development of Bayers Lake as it pertains to the Birch Cove Lakes Watershed Study. She noted that by next fall, the expansion will likely have been built. She questioned if and when testing of nearby waters will occur and how the Watershed Study can give insight for areas where development is already underway.

Mr. Morgan indicated that anything meant to occur on bank development lands will have been decided prior to the start of the Watershed Study. He noted that he has not seen the new plan but that Real Property staff involved with Bayers Lake lands are involved and aware of the watershed boundaries. He further noted that Nova Scotia Environment officials are also aware of the process and its implications. Mr Morgan stated that the Watershed Study will not influence the outcome.

Councillor Debbie Hum, District 16, Rockingham – Wentworth, noted that if the preliminary report is not available until next fall there could be a completely new Regional Council in existence without much history of what has gone on with the Watershed Study.

7. STATUS SHEET – NONE

8. ADDED ITEMS – NONE

9. NEXT MEETING DATE

The next meeting is scheduled for November 9, 2011 at 7:00 p.m. at the BMO Centre, 61 Gary Martin Drive, Bedford.

10. ADJOURNMENT

There being no further speakers, the Chair thanked members of the public and staff for attending and the meeting was adjourned at 8:57 p.m.

Kim Cahill
Legislative Support