

Halifax Regional Council
January 8, 2002

TO: Mayor and Members of Halifax Regional Council

SUBMITTED BY:


Kulvinder Dhillon, Director of Public Works and Transportation

DATE: January 2, 2002

SUBJECT: Bennery Lake Watershed Protected Water Area

INFORMATION REPORT

ORIGIN

On December 15, 1998, HRM Council approved a motion authorizing the Chief Administrative Officer to request that the Nova Scotia Minister of the Environment designate the Bennery Lake watershed lands as a Protected Water Area under the N.S. Environment Act.

BACKGROUND

As described in the staff report dated December 7, 1998 (Attachment "A"), this watershed area serves as the raw water source for the water treatment plant at the Aerotech. Recent incidents in Walkerton, Ontario (E.Coli 057) and North Battleford, Sask. (Cryptosporidium) have further raised the importance of watershed protection and high quality water treatment in order to protect public health. The Province of Nova Scotia places a high priority on watershed protection as indicated in the statement of Provincial Interest on Drinking Water as contained in the Municipal Government Act.

DISCUSSION

It is usual for a Protected Water Area designation process to be lengthy in order to properly define the watershed boundary and develop regulations applicable to a particular watershed. In order to achieve this, a committee was formed by HRM. The Bennery Lake Watershed Committee consisted of staff from HRM Planning, HRM Public Works, Nova Scotia Department of the Environment and Labour, Department of Natural Resources with input from HRM Real Estate, HRM Development and HRM Legal Services.

The Committee reviewed existing land use, water quality, forest and geologic, topography and land ownership inventory. The watershed lands total 647 hectares (1423 acres) of which 58.5% are private, 24.1% Crown and 17.4% HRM.

The Bennery Lake Watershed Protected Water Area designation regulations (Attachment "B") were developed and modelled on the existing Halifax Regional Water Commission Pockwock Lake and Lake Major regulations with adjustments compatible to the needs of protecting the Bennery Lake Watershed. Two information/input sessions were held with the Halifax-Halifax County Watershed Advisory Board and two public/stakeholder meetings during February and September 2001. Stakeholder information packages were sent one month in advance of each meeting. In addition, stakeholders were invited to submit comments in writing to the Bennery Lake Committee. Numerous regulation drafts were developed in relation to input received.

The Committee had two main objectives within the regulations: Provide adequate watershed protection and minimize the effect of the new regulations on watershed land owners regarding land use and activities. The Environment Act (1995) as applied to designated protected water areas does not allow landowners to claim for injurious affection (monetary claims). The Regulations do not necessitate any amendments to the District 2 Municipal Planning Strategy and Land Use By-law (1988, amended 1990) as applied to P4 (watershed) and AE-4 (commercial) zoning for District 2. The new regulations will work in concert with and will be complementary to the MPS/LUB in enhancing protection of the water supply area.

Once the Bennery Lake Watershed Protected Water Area designation regulations have been approved by the Minister of the Environment and Labour the general public, landowners or developers will have to conform to those regulations as applied to activities such as forestry operations, land development, road building and recreation. HRM becomes responsible under the Act for posting the watershed area and protecting it, including enforcement of designation regulations

In order to assist HRM Terms of Reference (Attachment "C") have been established for the new watershed committee with membership having a high degree of expertise and

appropriate stakeholder representation. Modelled on the Lake Major and Town of Stewiacke watershed committees, the terms of reference for Bennery Lake Watershed Management Committee include a timely review and evaluation process for land use proposals. As indicated in Attachment "C", Provincial and HRM approvals are clearly defined.

Following appointment of the new Bennery Lake Watershed Management Committee, the N.S. Minister of the Environment and Labour will be requested to approve and finalize the Bennery Lake designation process. This will involve a review and final changes by NSDEL Legal staff.

BUDGET IMPLICATIONS

The Environment Act (1995) requires that Watershed Protected Water Area designation regulations be enforced by water system operators/owners. Operating costs will increase due to increased monitoring, signage, Committee meetings and legal fees, estimated at cost - \$10,000. This cost is included in next years operating budget.

Future land acquisitions within the watershed or land swaps if approved by Council, will impact on capital funds or Sale of Land Reserves.

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Policy, the approved operating Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

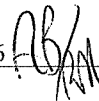
None recommended as there is limited protection without designation.

ATTACHMENTS

- | | |
|----------------|---|
| Attachment (A) | Council Report, dated December 7, 1998 |
| Attachment (B) | Bennery Lake Watershed Protected Water Regulations (Nov. 1, 2001 draft) |
| Attachment (C) | Terms of Reference - Bennery Lake Watershed Management Committee |

Additional copies of this report and information on its status can be obtained by contacting the Office of the Municipal Clerk, at 490-4210 (TEL) or 490-4208 (FAX).

Report prepared by: Alan Brady, Manager of Wastewater Treatment, 835-9566





Attachment "A"

Halifax Regional Council
December 15, 1998

TO: Mayor Fitzgerald and Members of Halifax Regional Council

SUBMITTED BY:



K.R. Meech, Chief Administrative Officer

DATE: December 7, 1998

SUBJECT: Aerotech/Airport Watershed Protection: Bennery Lake

ORIGIN:

Staff

RECOMMENDATION

It is recommended that:

Council authorize the Chief Administrative Officer to request the Nova Scotia Minister of the Environment to initiate a "Designation of Protected Water Area" process for the Bennery Lake watershed lands.

**Bennery Lake Watershed
Council Report**

- 2 -

December 15, 1998

BACKGROUND

Bennery Lake is located west of the Halifax International Airport (HIA) between Highway 102 and the old Truro highway in District 14 of the Halifax Regional Municipality. This lake has provided water for the HIA since 1960. With the creation of the Aerotech Industrial Park in 1985, a 1.7 million gallon per day water filtration treatment plant was constructed in order to provide a long term potable water supply for the Halifax International Airport and Aerotech Park which conforms to Canadian Drinking Water Standards (CDWS).

Bennery Lake is 1.6 miles long, .25 miles wide, with an average depth of 14.8 feet. A present Nova Scotia Department of the Environment permit allows for a maximum lake withdrawal rate of 400,000 gallons per day. If demand increases as a result of growth in the HIA and Aerotech Park, future plans are to install a dam and pump water from Grand Lake to Bennery Lake for treatment.

DISCUSSION

Due to the small size of this lake, topography, and geology of the surrounding watershed lands, the lake water quality is sensitive to possible negative environmental impacts such as land clearing, logging, pesticides, recreational use, on site sewage systems and road salting.

The present 1940 acre watershed lands are zoned P4 . These lands are 70 percent private, 29 percent Crown and 1 percent HRM owned properties. In 1989 the former Halifax County purchased a 100-foot lake front buffer zone from all private landowners abutting Bennery Lake. Prior to amalgamation negotiations were underway to purchase the remaining lake frontage from the Department of Natural Resources.

Studies of the watershed in 1985 (Porter Dillon) and in 1989 (UMA Engineering) both identified the need for stricter Bennery Lake watershed controls in the future. It is the opinion of staff that HRM pursue a watershed management and protection strategy for the Bennery Lake watershed including a "Designation of Protected Water Area" under Section 106 of the Province of Nova Scotia Environment Act (1995).

In September 1998 a Bennery Lake Watershed Committee was formed consisting of Business Operations, Community Services, and Priority and Policy staff from the Halifax Regional Municipality, and a representative from the Ecosystems Branch of the N.S. Department of the Environment. Additional members will be added from the N.S. Department of Natural Resources, community based organization involved in watershed protection, and local property owners. All NSDOE requirements of the designation process are expected to take one year to complete.

**Bennery Lake Watershed
Council Report**

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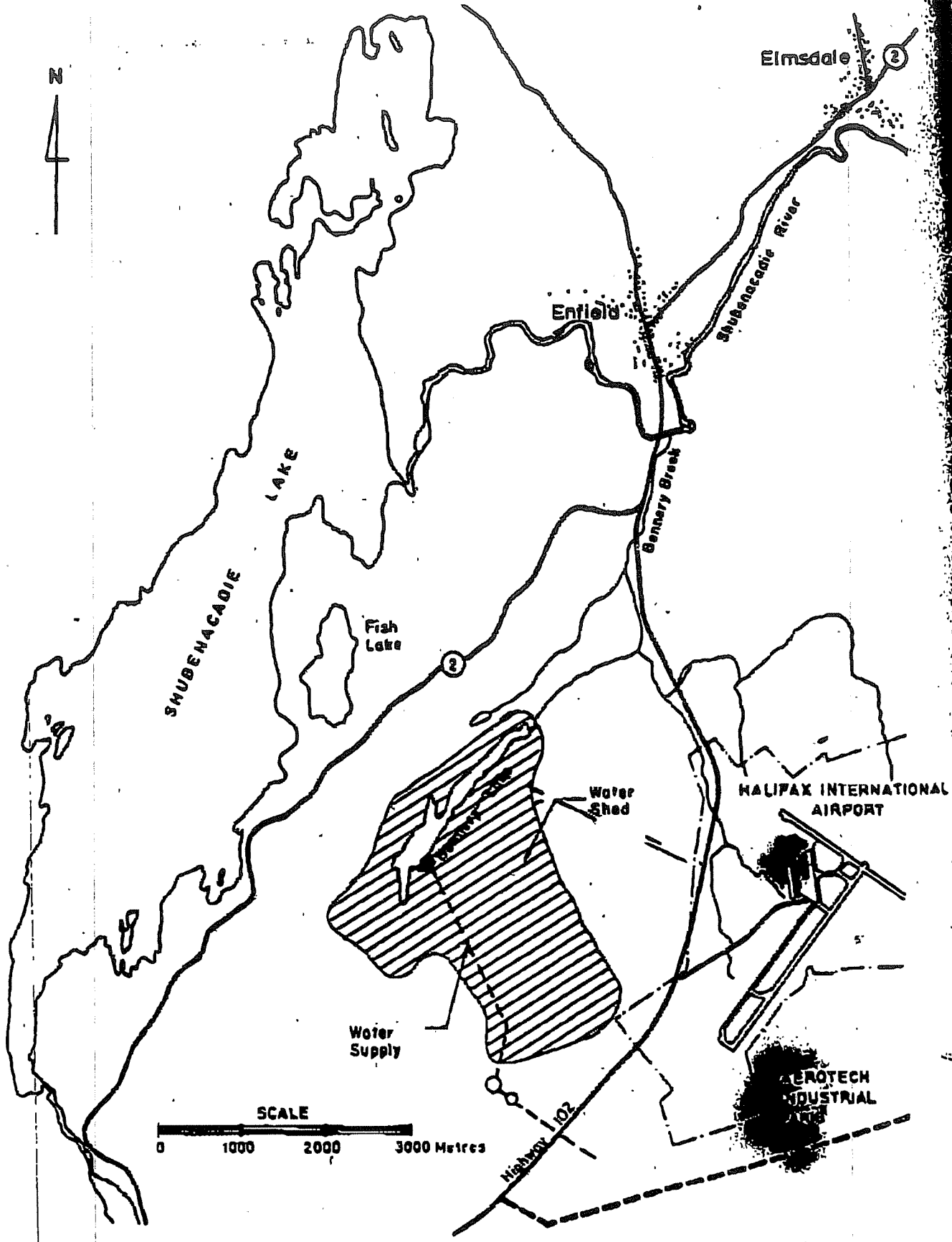
December 15, 1998

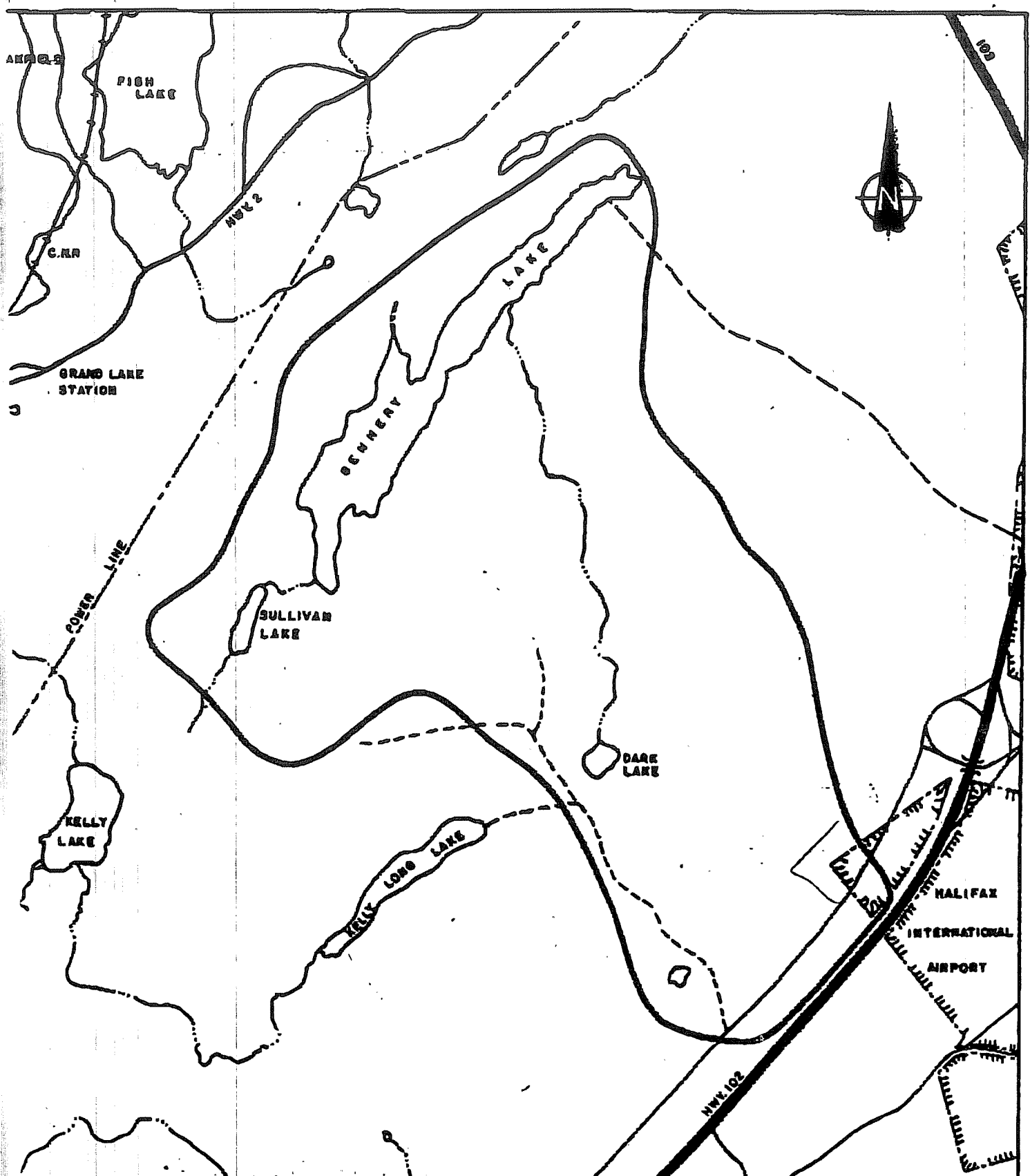
Additional copies of this report and information on its status can be obtained by contacting the Office of the Municipal Clerk, at 490-4210 (TEL) or 490-4208 (FAX).

Report prepared by: Alan Brady, Manager of Wastewater Treatment, 835-9586

Report approved by: 
Brian T. Smith, Director of Business Operations

FIGURE 1: AEROTECH INDUSTRIAL PARK AND NEIGHBOURING AREAS REFERENCE MAP





**BENNERY LAKE WATERSHED
MANAGEMENT STUDY**

TRANSPORT CANADA

PORTER DILLON LIMITED ENVIRONMENTAL CONSULTANTS

DATE AUGUST 1984

SCALE 1:25,000

DRAWN

CHECKED

APPROVALS

FIGURE NO.

REV.

H. J. PORTER & ASSOC. LTD.

2



**BENNERY LAKE WATERSHED REGULATIONS
(Draft November 1, 2001)**

Order
Dated the ___ day of _____ 2002
Pursuant to the Environment Act

Canada
Province of Nova Scotia

In the Matter of: The Environment Act, S.N.S. being Chapter 1, 1994-95.

-and-

In the Matter of: The designation of the Bennerly Lake Watershed, as a Protected Water Area, situated in Halifax Regional Municipality, Province of Nova Scotia, and the regulation of activities within.

ORDER

I. Whereas Section 106 of the Environment Act of Nova Scotia, 1994-95, provides:

(1) The Minister, when requested by an operator of a water works or proposed water works, may designate an area surrounding any source or future source of water supply for a water works as a protected water area.

(2) The operator of a water works or proposed water works named in a designation made pursuant to subsection (1) shall

(a) give notice of the designation of the area as a protected water area by publishing the notice in a newspaper having circulation in the county or counties in which the area is located and in the Royal Gazette;

(b) have the notice of designation recorded at the registry of deeds in the county or counties in which the area is located; and

(c) post signs in the area indicating that it has been designated a protected water area.

(3) The operator of a water works or proposed water works is responsible for taking all measures to protect the area designated, and the enforcement of any regulations made pursuant to subsection (6).

(4) When requested by an operator of a water works or proposed water works, the Minister may cancel a designation made pursuant to this Section, in whole or in part.

(5) Any protected water area designated pursuant to the Water Act, prior to the coming into force of this Act remains so designated.

(6) At the request of the operator of the water works or proposed water works, the Minister may make regulations to prohibit, regulate or require the doing of any act or acts in a protected water area that may impair or prevent the impairment, as the case may be, of the quality of the water in the protected water area.

(7) Before designating a protected water area, the Minister shall ensure that the operator of the water works or proposed water works has provided opportunities for public consultation.

(8) No claim for injurious affection lies against any person as the result of a designation of a protected water area.

(9) The exercise by the Minister of the authority contained in subsection 6 is regulations within the meaning of the Regulations Act.

(II) And Whereas the Halifax Regional Municipality as the “Operator” of the Bennery Lake water works, by motion dated the 15 day of December, 1998, requested the Minister of Environment and Labour to designate the area of the Bennery Lake watershed as a Protected Water Area and to enact regulations respecting activities therein.

Now Therefore:

Part I - Designated Area

Witnesseth that the Undersigned, the Minister of Environment and Labour for the Province of Nova Scotia, pursuant to subsection (1) of Section 106 of the Environment Act, hereby,

(a) designates an area of land and the water within, situate at or near Bennery Lake in the Halifax Regional Municipality, Province of Nova Scotia, as a Protected Water Area for the water works constructed and operated by the Halifax Regional Municipality, the said area of land being more fully described in Schedule “A” and more fully shown on a plan marked “Schedule B”, with schedules attached to and forming part of this Order; and

(b) approves the name of the said Protected Water Area to be “Bennery Lake Watershed Protected Water Area”.

Part II - Regulations

And Further Witnesseth that the Undersigned, pursuant to subsection (6) of Section 106 of the Environment Act, does hereby order:

(a) that every person shall protect the quality of water in Bennery Lake, and all streams, lakes and watercourses in the Bennery Lake Watershed Protected Water Area so that the water therein may continue to be used as a potable water supply by Halifax Regional Municipality, its successors and assigns; and

(b) that the following terms and conditions shall apply within the Protected Water Area pursuant to subsection (6) of Section 106 of the Environment Act.

Citation

1 These regulations shall be cited as the “Bennery Lake Watershed Protected Water Area Regulations”.

Definitions

2 In this Order

(a) “Act” means the Environment Act, S.N.S., Chapter 1,1994-95, and regulations made pursuant thereto;

(b) “administrator” means a person employed by the Department and appointed by the Minister under Section 20 of this order;

(c) “biocide” means a substance capable of killing living organisms that is not registered as a pest control product and includes a toxic chemical;

(d) “Committee” means the Bennery Lake Watershed Management Committee established by HRM to provide advice to the Minister and Halifax Regional Municipality with respect to the management of the Bennery Lake Watershed.

(e) “Department” means the Nova Scotia Department of Environment and Labour;

(f) “developer” means a person who develops or proposes to develop land and includes any agent or contractor who works for the developer;

(g) “development” means any disturbance of land for purposes of constructing roadways, residential dwellings, commercial establishments, recreation areas and parkland.

(h) “forestry operation” means any activity related to the use of the forest for production of timber, wood fibre or Christmas trees and include the following activities, as well as any other activity, related to the said use:

i) forest management planning

ii) silviculture

iii) harvesting

iv) protection

v) road construction

vi) operation, storage and use of equipment and supplies used in any aspect of forestry operation.

(j) “grab sample” means a sample collected at a time and a place which represents only the composition of the source at that particular time and place;

(k) “HRM” means the Halifax Regional Municipality, operator of the water works, its successors and assigns;

- (l) "Minister" means the Minister of Environment and Labour;
- (m) "pest control product" means a pest control product defined in the Environment Act (Nova Scotia), 1994-95, as amended from time to time;
- (n) "Protected Water Area" means the land and water areas designated as the Bennery Lake Watershed Protected Water Area shown more fully described in Schedule "A" and shown on the plan marked Schedule "B";
- (o) "vegetation" means any living plant or tree growth.
- (p) "vehicle" means any vehicle propelled or driven otherwise than by muscular power, whether or not the vehicle is registered pursuant to the Motor Vehicle Act;
- (q) "vessel" means a means of conveyance of a kind used on water and includes any accessory to the vessel;
- (r) "watercourse" means a watercourse as defined in the Environment Act;
- (s) "wetland" means lands commonly referred to as marshes, swamps, fens, bogs and shallow water areas that are saturated with water long enough to promote wetland or aquatic processes which are indicated by poorly drained soil.

Public Notification

- 3 (1) In consultation with the Department, HRM shall post signs at appropriate locations to provide notice to the general public that Bennery Lake Watershed has been designated as a Protected Water Area.
- (2) HRM shall replace any signs posted under subsection (1) which have been damaged or have been removed.
- (3) HRM shall take appropriate measures to advertise and provide notice to the general public of these regulations.
- (4) No person shall remove or alter any sign, notice, or advertisement posted under these regulations.

Fire Restrictions

- 4 (1) No person shall light or be responsible for an open fire except for open fires in barbecues and fireplaces designed for cooking purposes at residential dwellings in the Protected Water Area.

Vehicle and Vessel Restrictions

- 5 (1) No person shall wash a vehicle in any watercourse or within sixty (60) metres of the shoreline or bank of any watercourse located within the Protected Water Area.
- (2) No person shall at any time operate a vessel of any kind, on, through or over Bennery Lake, or any watercourse in the Protected Water Area unless authorized by the Bennery Lake Water Treatment Plant Supervisor.
- (3) No person shall at any time operate an off-highway vehicle, including an off-highway vehicle as defined in the Off-Highway Vehicles Act, R.S.N.S. 1989, c.323 or any type of recreational vehicle within the Protected Water Area.

- (4) No person shall fill a gasoline tank or transfer any liquid fuel from tank to tank on or within one hundred (100) metres of the shoreline or bank of Bennery Lake, or any watercourse within the Protected Water Area. The sole exception applies to the operation of the Bennery Lake Water Treatment Plant.
- (5) Any machinery leaking gasoline, oil, or other fluids shall not be permitted within the Protected Water Area.

Lake and Watercourse Restrictions

- 6 (1) No person shall swim, bathe, wash, or cut ice at any time in any lake or any tributary to Bennery Lake or any watercourse which is located within the Protected Water Area.
- (2) No person shall use Bennery Lake or any watercourse which is located within the Protected Water Area for any recreational purpose. Any non recreational activity on Bennery Lake or any watercourse within the Protected Water Area must be approved by the Bennery Lake Water Treatment Plant Supervisor.

Fishing Restrictions

- 7 (1) No person shall fish at any time from a vessel on Bennery Lake or any watercourse within the Protected Water Area. No person shall fish in Bennery lake or any watercourse within the Protected Water Area.

Forestry Restrictions

- 8 (1) No person shall construct a bridge, culvert, or otherwise alter a watercourse within the Protected Water Area unless a permit or approval is issued by the Minister or a person designated by the Minister which shall only be issued following consultation with the Committee.
- (2) No person shall undertake any type of forestry operation on HRM, Crown and private lands within the Protected Water Area unless a forest management plan has been prepared by a Registered Professional Forester or Certified Forest Technician. All forestry or logging operation will require Committee approval following review of the management plan.
- (3) A forest management plan prepared under subsection (2) shall ensure that any forestry operation conducted within the Protected Water Area has as a primary objective the protection of:
 - (a) the watershed and any watercourse therein; and
 - (b) the quality and quantity of water located within the watershed including impacts related to disruption of acid slate or sulfur bearing materials.

- (4) No person shall at any time operate forestry operating equipment in a watercourse within the Protected Water Area.
- (5) No forestry operation or logging activity will be permitted within one hundred (100) metres of Bennery Lake or within 30 metres of any watercourse within the Protected Water Area.
- (6) A permit or approval issued under this section may contain terms and conditions respecting time and restrictions if the terms, conditions or restrictions are deemed necessary to protect water quality in the Protected Water Area.

Pest Control Products and Biocide Restrictions

- 9 (1) No person shall spray or otherwise apply a pest control product or biocide, including but not limited to insecticide, herbicide, or fungicide, within the Protected Water Area. The sole exception being related to the operation of the Bennery Lake Water Treatment plant under the supervision of the Bennery Lake Water Treatment Plant supervisor.

Discharges Prohibited

- 10 (1) No person shall deposit, release, discharge, drain, or emit or cause or permit the deposit, release, discharge or emission of oil, petroleum products, soap detergent, a toxic chemical, pest control product waste, garbage, litter, solid or liquid waste, chemical fertilizers, or any other matter or substance that causes or may cause an adverse effect to a watercourse or any other area within the Protected Water Area.

(2) No person, including a municipality, shall discharge waste of any kind within the Protected Water Area, the exception being Nova Scotia Department of Environment and Labour approved on-site sewage disposal systems.

Quarry Prohibition

- 11 (1) No person shall perform mineral exploration or establish a pit, mine or quarry of any kind within the Protected Water Area.

Corridor Restriction

- 12 (1) No road, pipeline, railway, telephone line, or other linear corridor shall be constructed on, over or across the Protected Water Area or an easement granted thereupon following proclamation of these regulations unless the same is approved in writing by the Minister or person designated by the Minister following consultation with the Committee.

Soil Erosion and Sedimentation Control

- 13 (1) No person shall at any time undertake any activity that causes or might cause soil erosion resulting in sedimentation of a watercourse located within the Protected Water Area.

(2) Where sedimentation occurs, no operator or person responsible shall fail to undertake immediate action to install erosion and sediment control measures, and to notify the HRM Bennery Lake Water Treatment Plant Supervisor immediately.

(3) No person shall at any time permit water which has a suspended solids concentration greater than twenty-five (25) milligrams per litre (grab sample) to discharge from any area located within the Protected Water Area.

(4) No person shall commence any activity requiring grubbing and earth moving of an area exceeding two hundred (200) square metres within the Protected Water Area unless that person submits an erosion and sedimentation control plan prepared by a professional engineer for review and approval by the Committee.

(5) All landscaping shall be carried out between May 1 and October 31 inclusive, in any year.

Stormwater Management

14 (1) Developers shall be required to submit a Stormwater Control Plan prepared by a professional engineer to the Committee for review and approval prior to any development activity.

Road Construction and Maintenance Restrictions

15 (1) No person shall undertake any road construction work in the Protected Water Area unless the work is conducted between June 1 and September 30, inclusive, in any year, and has received necessary HRM and provincial approvals. The Committee may review and approve proposals for road construction during the period October 1-May 31.

(2) No person shall expose at any time more than one thousand nine hundred (1900) square metres of roadway subbase in the Protected Water Area. Should sulfide bearing or acid slate materials be present, a maximum of one thousand (1000) square metres of roadway subbase will be permitted to be exposed at any time.

(3) No person shall apply road salt on any roads or driveways within the Protected Water Area.

Approval Requirements

16 (1) No person shall fail to obtain any municipal, provincial, or federal approvals required to conduct any type of operation or do any activity within the Protected Water Area.

(2) No person shall fail to comply with the terms and conditions of any permit, licence or approval, or fail to comply with any act or regulation which might apply to activities within the Protected Water Area.

(3) No person shall issue a permit for an activity that would impair water quality within the Protected Water Area.

Vegetation Removal Restriction

- 17 (1)Vegetation removal shall be restricted to an area no greater than fifty percent (50%) on each residential lot at any time prior to and following development of and construction on any residential lot.
- (2) Notwithstanding clause (1) above, no person shall alter/remove vegetation within one hundred metres of Bennery Lake or within thirty (30) metres of any watercourse or wetland which is located within the Protected Water Area unless approved by the Committee. The sole exception being related to the operation of the Bennery Lake Water Treatment System and upon consultation with the Committee.
- (3) On land zoned AE-4 (Aerotech Business), no person shall alter/remove vegetation within 15 metres of any watercourse or wetland unless approved by the Committee.
- (4) Vegetation removal shall not be permitted on Crown or Halifax Regional Municipality owned lands unless approved by the Committee.

Wetlands

- 18 No person shall excavate, infill or alter any wetland within the Protected Water Area unless a permit or approval is issued by the Minister or a person designated by the Minister which shall only be issued following consultation with the Committee.

Watercourse Setbacks and Buffers

- 19 (1) No structure, excavation, infilling, or grade alteration shall be permitted to occur within one hundred (100) metres of Bennery Lake or within thirty (30) metres of any watercourse on P-4 zoned lands within the Protected Water Area. The sole exception being related to the operation of the Bennery Lake Water System and upon consultation with the Committee.
- (2) No structure, excavation, infilling or grade alteration shall be permitted to occur within fifteen (15) metres of any watercourse on AE-4 zoned lands within the Protected Water Area unless reviewed and approved by the Committee.

Appointment of Administrator

- 20 (1) The Minister may appoint an employee in the Department as an Administrator to administer, on behalf of the Minister and the Department, the provisions of this Order.

Sulfide Bearing Materials

- 21 (1) Any developer or development must comply with the regulations as cited in the "Sulfide Bearing Material Disposal Regulations" pursuant to Section 66 of Chapter 1, S.N.S., 1994-95, The Environment Act.

(2) Sulfide bearing or acidic slate materials must be disposed at an approved disposal site not within the Protected Water Area.

(3) Committee notification and approval will be required prior to any type of development or construction which includes the disruption or removal of acidic slate materials. Submitted plans shall include but not be limited to: run-off controls and mitigation of impacts.

Dated at Halifax, in Halifax Regional Municipality, Province of Nova Scotia, this ___ day of _____, 2002.

Signed: _____
Minister of Environment and Labour

Schedule "A"

**Description- Bennery Lake Watershed Protected Water Area,
Halifax Regional Municipality
Nova Scotia**

(Survey description "A" , Plan "B")

**BENNERY LAKE WATERSHED MANAGEMENT COMMITTEE
TERMS OF REFERENCE**

Mandate: These Terms of Reference shall serve to constitute the Bennery Lake Watershed Management Committee as an advisory group to the Halifax Regional Municipality, the Province of Nova Scotia and the stakeholders in the Bennery Lake area on management of the watershed including water quality protection, flows, levels and storm water in the Bennery Lake Watershed Protected Water Area.

General:

1. The Committee will review and make recommendations in a timely manner on all activities or policy issues affecting the watershed as requested by the Halifax Regional Municipality, Province of Nova Scotia and stakeholders in the area.
2. The Committee may, from time to time, request individuals or groups to make representation to the committee on matters affecting the watershed.
3. The Committee will review and comment on water quality and monitoring programs and other studies related to the watershed. All water quality information available from member agencies shall be made available to the Committee.
4. The Committee will maintain liaison with government agencies not represented on the Committee with regard to matters affecting the watershed.
5. The Committee will develop information and education programs about watershed management and the Protected Water Area regulations for local residents and other users of watershed lands.
6. The watershed has been designated as a "Protected Water Area" under the Environment Act. Watershed protection regulations for the Bennery Lake Watershed have been approved by the Nova Scotia Minister of Environment and Labour pursuant to the designation. The Committee will ensure that terms and responsibilities related to the Protected Water Area Regulations and Committee Terms of Reference will be followed

7. The Committee shall be comprised of representatives from:
 - Department of Natural Resources
 - (2) HRM Planning (Planning and Environmental)
 - HRM Development
 - (2) HRM Public Works (Environmental Services and Operations)
 - General public - District 2
 - Halifax/Halifax County Watershed Advisory Board
 - Bennery Lake Watershed landowner

8. Technical Advisor (non voting) from:

Nova Scotia Department of Environment and Labour

9. All members will serve for a two year term. Subsequent appointments or re-appointments to the Committee shall be a term of two years.

10. The Chair and Vice- Chair of the Committee shall be appointed by the membership at the meeting closest to April 1.

11. Administrative support shall be provided by Halifax Regional Municipality.

12. The Committee shall endeavor to conduct business by consensus, but should voting be necessary all motions will require support from a 2/3 (two thirds) majority of the members present. Six (6) voting members will constitute a quorum. In the event there is not a quorum, an Information Meeting will be held.

13. The Committee shall meet as necessary, but no less than three times a year.

14. The Committee shall be empowered to amend its Terms of Reference by motion.

15. The Committee shall prepare an annual report of its activities to be distributed to all bodies represented on the Committee and to other interested parties.

16. The Chair shall act as spokesperson.

Committee Review Process:

17. The Committee will review and forward decisions within thirty (30) days following receipt of all submissions and requests pertaining to changes in land use activities within the Bennery Lake Watershed Protected Water Area and as defined in the Protected Water Area regulations.

Land Development:

18. HRM Development Services will circulate to the Committee proposed Concept and Tentative plans at the same time as other municipal and Provincial reviews. Committee reviews and decisions will be integrated with the HRM development approval process.
Developers shall abide by the Bennery Lake Watershed "Protected Water Area" regulations and incorporate any requirements appropriately within any submissions and applications.

Items requiring consultation with the Committee:

- Bridge, culvert or watercourse alteration (8.1)
- Construction of a linear corridor (12.1)
- Vegetation removal specific to water treatment plant operation.(17.2)
- Wetland alteration (18.1)
- Disturbance on P4 lands specific to the potable water system (19.1)

Items requiring approval by the Committee:

- Forestry Operation (review of Management Plan) (8.2)
- Earth moving >200 sqM (review of Erosion Control Plan) (13.4)
- Stormwater management (review of Control Plan)
- Road Construction between Oct.1-May 31 (15.1)
- Vegetation removal (17.2)
- Vegetation removal (17.4)
- Disturbance on AE-4 lands (19.2)

(Nov. 2, 2001)