



BEDFORD WATERSHED ADVISORY BOARD
Wednesday, May 11, 2005
Minutes

- PRESENT:** Mr. Don Lowther, Chair
Mr. Doug Murray
Mr. Rick Hattin
Mr. Kevin Dean
Ms. Kate Hadden
Ms. Elaine Loney
Dr. Sankar Ray
Mr. Cedric Pilkington
Ms. Deborah Gillis
- REGRETS:** Deputy Mayor Len Goucher
Mr. Lem Murphy
Mr. Will Matheson
Mr. Lawrence White, Vice Chair
- STAFF:** Mr. Angus Schaffenburg, Planner II
Ms. Thea Langille - Hanna, Planner
Ms. Stephanie Parsons, Legislative Assistant
- OTHERS:** Mr. David Nantes, Vice President, Annapolis Group Inc.
Mr. Richard Scott, Dalhousie University
Mr. Richard Peckham - Sackville Rivers Association
Mr. Don Ambler, HRDA

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1. CALL TO ORDER

The Chair called the meeting to order at 7:02 p.m. in the Nauss Room, Lebrun Centre, 36 Holland Avenue, Bedford.

2. APPROVAL OF MINUTES

2.1.1 Approval of Minutes March 9, 2005

MOVED by Mr. Kevin Dean, seconded by Dr. Sankar Ray, that the minutes of March 9, 2005 be approved. **MOTION PUT AND PASSED UNANIMOUSLY.**

2.1.2 Ratification of Motions and Approval of Minutes April 13, 2005

MOVED by Mr. Rick Hattin, seconded by Ms. Elaine Loney, that the following motion from the April 13, 2005 meeting be ratified:

“MOVED by Mr. Lem Murphy, seconded by Ms. Elaine Looney that the BWAB approve the proposed change to relocate Road 8 to Neighborhood “A” MOTION PUT AND PASSED UNANIMOUSLY.”

MOTION PUT AND PASSED UNANIMOUSLY.

Corrections:

Item 4.1.2 - The name “Mr. Richard Dean” should read “Mr. Kevin Dean.”

MOVED by Ms. Elaine Loney, seconded by Ms. Kate Hadden, that the minutes of April 13, 2005 be approved as amended. **MOTION PUT AND PASSED UNANIMOUSLY.**

3. APPROVAL OF AGENDA, ADDITIONS AND DELETIONS

Addition

8.2 Bedford West Secondary Planning Strategy Quality Water Testing

MOVED by Mr. Rick Hattin, seconded by Mr. Kevin Dean, that the agenda be approved as amended and that item 8.2 be the first order of business. **MOTION PUT AND PASSED UNANIMOUSLY.**

4. BUSINESS ARISING OUT OF THE MINUTES/STATUS SHEET ITEMS

4.1 Status Sheet

4.1.1 Infilling of Moirs Pond

No update.

4.1.2 Kearney/Quarry/Paper Mill Dams

In regard to the application for operating the dams, Mr. David Nantes, Annapolis Group Inc. advised the Board that Annapolis Group must advertise in the Canada Gazette and two local papers to give the public an opportunity to respond. He also advised that after the advertisement process they must provide legal certification to Transport Canada. If there is no response from the public then the application is approved as the dams exist presently. They must then submit a detailed engineering plan as to how the dams are going to be upgraded. He also advised that due to the lateness of receiving a response from the Department of Environment, only the Quarry Dam will be upgraded this year.

4.1.3 Paper Mill Lake: Watershed Water Quality Monitoring Program

No discussion.

4.1.4 Storm Water Management: Union Street Area

No discussion.

4.1.5 Paper Mill Run

No discussion.

4.1.6 Stormceptors

No discussion.

5. CONSIDERATION OF DEFERRED BUSINESS: - None

6. CORRESPONDENCE, PETITIONS AND DELEGATIONS

6.1 Correspondence - None

6.2 Petitions - None

6.3 Presentation

6.3.1 Sackville - Bedford Walkway

Mr. Richard Peckham, Sackville Rivers Association advised the Board that a 2-km extension of the walkway from Fish Hatchery Park to Cobequid Road is being completed. Six hundred metres of the walkway is on DND property, which has caused many issues.

The Chair advised Mr. Peckham, that the residents of Union Street have raised concerns over the infilling of the floodplain. They believe that the rock in the floodplain will cause flooding. He also advised Mr. Peckham that the Bedford Watershed Advisory Board was not aware of the placement of this rock.

Mr. Richard Peckham advised the Board that DND gave permission to store the rock temporarily. Weather conditions delayed the rock from being moved. He added that there is no association between rocks in the floodplain and the flooding of Union Street, advising that Union Street would still flood with or without the rock.

Mr. Don Ambler agreed that the rock is taking up space and that there is no connection between the flooding and the infill.

In response to the Chair's concern about the rock, Mr. Don Ambler advised that the rock is going to be part of the base plane. He also advised the Board that the trail is being built to provincial standards.

In response to a comment by Mr. Angus Schaffenburg, Mr. Richard Peckham commented that only part of the trail is in the floodplain, and that the trail has to be flood proof.

In response to Mr. Doug Murray, Mr. Richard Peckham advised that HRM has agreed to maintain the portion of the trail that is on the Department of National Defence Property. The Sackville Rivers Association is responsible for security and maintenance. He also noted that HRM emergency staff has seen the trail and provided advice.

Mr. Don Ambler advised the Board that the flood risk map of the Sackville River is based on nine years of hydraulic data. Since 1979 there has been an increase in storms, the lines are wider and further from the river due to various factors.

In response to a question from Mr. Angus Schaffenburg, Mr. Don Ambler commented that a higher berm would prevent the river water from backing up the swale.

Mr. Angus Schaffenburg also advised the Board that the bridge at Fish Hatchery Park is going to be replaced by HRM.

The Chair thanked Mr. Peckham and Mr. Ambler for their attendance and presentation.

7. REPORTS

7.1 SUBCOMMITTEE REPORTS

7.1.1 Water Quality Inventory Committee

No discussion.

7.1.2 Paper Mill Lake Advisory Committee

No discussion.

7.2 STAFF REPORTS: None

8. ADDED ITEMS/NEW BUSINESS

8.1. New Business

8.1.1 Terms of Reference

After a brief discussion the following motion was placed:

MOVED by Ms. Deborah Gillis, seconded by Mr. Rick Hattin, that the Bedford Watershed Advisory Board recommend that the Northwest Community Council amend the Bedford Watershed Advisory Board's Terms of Reference and set the quorum to six voting members. MOTION PUT AND PASSED UNANIMOUSLY.

8.2 Added Items

8.2.1 Bedford West Planning Area - Water Quality Monitoring Program

- A staff report dated May 4, 2005 was before the Board for consideration.

Ms. Thea Langille advised the Board that although the Bedford West Secondary Planning Strategy has not been approved by Regional Council, the developer wishes to commence the water quality monitoring program in anticipation of Council approval in the future. She also advised the Board that the proposal is being reviewed by Tony Blouin, Manager of Environmental Performance and if any changes are necessary they will be brought back to the Board for review.

Mr. David Nantes advised that the threshold levels in the proposal are based on recreational use limits developed by Health Canada and Canadian Council of Ministers of the Environment (CCME). He also noted that he would like to see the plan used for the Watersheds over the long term and it is hoped that one master plan for doing water testing

will be developed.

Mr. Richard Scott, Dalhousie University provided an overview of the Water Quality Monitoring program and noted the following:

- the two lakes in question are Paper Mill and Kearney Lake
- individual monitoring programs have been designed for three phases
 1. preconstruction baseline phase
 2. construction
 3. post construction
- the objective is to ensure that the lakes have water quality data on a consistent basis
- the baseline data set will include one years worth of data collected at monthly intervals during the ice-free season and at least once in the winter
- Kearney Lake has two water quality stations and Papermill Lake has four water quality stations
- the parameters for group one, three and four would be tested monthly, the parameters for group two will be done in the spring and fall
- at least six months of water quality data is required prior to any land disturbance
- during the construction phase, years one and two will follow a quarterly sampling frequency and will run concurrently in both Paper Mill Lake and Kearney Lake
- during years three and four all volume - weighted samples will undergo group one and two analyses
- the water quality monitoring program consisting of quarterly sample collection will be repeated at five year intervals beginning in year five

In response to Mr. Rick Hattin, Mr. Richard Scott commented that if you go beyond the threshold level of twenty, a review of the activities will be required and that seasonal variation is expected each season. A volume weighted mean will be used to determine where the lake concentration is.

Ms. Elaine Loney raised the following concerns:

1. since the pace of development is not known in years three and four, annual testing may not be adequate, as the amount of surface area that is going to be disturbed is unknown
2. reliance on the projected model in years three and four may not be adequate as there will be a lot of landscaping development
3. if the purpose of the testing is to identify problems and deal with them in a timely fashion, then quarterly testing in years one and two are not enough

In response to Ms. Elaine Loney Mr. Rick Scott advised the Board of the following:

- there is an assumption that there is going to be a constant pace of construction
- if there is an abnormality, the frequency of testing would be dealt within the development agreement

- if there is a problem, construction can be shut down until it is corrected
- the science relies on information that has been gathered from various watersheds
- if the modelling program does not tie into the activity of the watershed, it may need modification

Ms. Elaine Loney recommended that if there is a change in activity that the frequency of testing be increased and that this be reflected in the policy so that staff know that additional sampling is required if there is a change in activity.

In response to Ms. Elaine Loney's concern over the timely communication of results, Mr. David Nantes advised that HRM would require a database to receive the data. The information can be transferred electronically within two weeks.

Mr. Angus Schaffenburg informed the Board that HRM is not set up to receive the information and that staff needs to receive the information in a form that identifies the problem areas. He also noted that in a previous development agreement HRM has asked for certification of the results.

Mr. David Nantes commented that if HRM is going to get involved in a lake monitoring program it should consult with professionals who have the skills and ability to interpret the data. He suggested that HRM put resources into administration rather than certification.

Mr. Rick Hattin questioned what happens when the results are higher than what they should be. In response, Mr. Angus Schaffenburg advised that the developer is informed that they are out of compliance and that they have to stop construction. Ms. Thea Langille commented that this should be in the development agreements.

The Board Members agreed that it is up to HRM to identify problems, determine who or what is causing the problems and to have something in place to resolve the problems.

Mr. Richard Scott commented that the program ensures that HRM will identify problems; however, it is HRM's responsibility to respond to the problems.

In response to Mr. Rick Hattin, Mr. Richard Scott commented that Canadian Council of Ministers of the Environment and Health Canada do not include total phosphorus and therefore the detection limit applicable for this test is .001 mg. If the total phosphorus concentration exceeds the trigger value of a 50 percent increase, the need for more intensive surveillance will be reviewed.

Mr. Rick Hattin raised concern over the reliability of the data that is collected, as they do not want the data obscured due to seasonal changes. Taking the mean out of something that has a significant variance is difficult. Mr. Rick Scott commented that there is always the ability to set controls to have the system recover.

In response to Dr. Sankar Ray, Mr. Rick Scott commented that the deepest points are

being measured to determine the quality of the lake at various levels. Storm sewage checkpoints are not being considered. Mr. David Nantes commented that the focus is on the long term quality of the lakes and that the shorelines are not being measured as the results are misleading.

Ms. Thea Langille advised Mr. David Nantes that conducting water testing for an agreement that has not been approved is at his own risk. Mr. David Nantes indicated that he understood and that he is seeking an endorsement on the types of tests they want to conduct.

MOVED By Dr. Sankar Ray, seconded by Mr. Cedric Pilkington, that the Bedford Watershed Advisory Board:

1. **Endorse the types of tests to be conducted as per the Staff Report dated May 4, 2005.**
2. **Recommend that the developer tie the monitoring program in years three and four to the activity level.**
3. **Request that the developer bring back a revised program for the Board's consideration.**

MOTION PUT AND PASSED UNANIMOUSLY.

9. **NEXT MEETING** - June 8, 2005

10. **ADJOURNMENT**

The meeting adjourned at 9:04 p.m.

Stephanie Parsons
Legislative Assistant