

**HALIFAX REGIONAL MUNICIPALITY
HALIFAX COUNTY/MAINLAND WATERSHED ADVISORY BOARD**

**6:30 p.m.
Council Chamber
2750 Dutch Village Road
January 20, 1999**

PRESENT: Dr. Wayne Stobo, Chair
Mr. Keith Manchester
Mr. David Dwyer
Ms. Colleen McNeil
Mr. Walter Regan
Dr. Jack Burney
Mr. Jim MacLean
Mr. Peter Shacklock
Mr. Ross Evans
Mr. Glen Williams
Mr. David Haley
Mr. William O'Toole
Mr. Lawrence White
Mr. Michael Guilcher

ALSO PRESENT: Ms. Susan Corser, Planner
Mr. Kevin Barrett, Planner
Ms. Lynne Le Boutillier, Assistant Municipal Clerk

REGRETS: Ms. Caroline Crooks and Mr. Mack McMenemy

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1.0 APPROVAL OF AGENDA

Under Business Arising, Item 3.17 - Storm Water Management Policy was added.

Under New Business, Item 4.3 - Developing policies to protect undeveloped areas, was added. Mr. Dwyer circulated copies of his report on Hemlock Ravine Park.

The Chair proposed that since there are three presentations this evening, Items 3.10 - Water Commission Plans, 4.1 - Watershed Stewardship Boards and 3.13 - Vladi Private Islands, be moved up on the agenda.

The agenda, as amended, was adopted on motion of David Dwyer and Glen Williams.

2.0 APPROVAL OF MINUTES

Dr. Burney referring to page 15, item 6.1 Sub-Committee on Parameters for Water Quality Testing, noted that the list of sub-committee members should include Darrell Taylor, Provincial Environment.

The minutes of the December 16, 1998 meeting, as amended, were adopted on motion of William O'Toole and Ross Evans.

3.10 WATER COMMISSION PLANS

A slide presentation was made by Carl Yates, General Manager and Doug MacLean, Manager, Plant Operations, Halifax Regional Water Commission. They had been invited by the Board to make a presentation on the Water Commission role and activities, with special reference to a waterline being installed in the vicinity of Hemlock Ravine Park. This issue had been discussed in relation to Hemlock Park Estates.

The slides dealt with the following topics:

- C What is the Commission?
- C Organization Structure
- C Treatment Plant Infrastructure
- C Map identifying location of the plants.

Carl Yates turned over the balance of the presentation to Doug MacLean to give an in depth view of their master plans. The slides he presented related to the following:

- C The five watersheds the Commission owns and manages.
- C Watershed Protection
- C Watershed Management Committees
- C** Studies currently being undertaken

The second part of their presentation related to the proposed installation of a second water main from Pockwock. Mr. MacLean noted this installation has been discussed for the last 7 or 8 years. The route from the north end of Kearney Lake was identified on the map. It is the Commission's intention to minimize any impact on Hemlock Ravine Park. It will take two to three years to complete the project, but the Commission hopes to begin work this year. Porter Dillon is entering its final design stage.

He noted that the installation is being done for three reasons:

- C Security of water supply
- C To facilitate future maintenance of the existing transmission line to allow, for example, the cleaning of iron deposits from the pipes.
- C To provide water to developments proposed for the area of Birch Cove North and the Bedford South area.

Dr. Stobo referred to the fact that the Board is reviewing concept plans for Hemlock Park Estates. As the only citizen advisory group doing such a review, the Board has identified pipe line and feeder line installations as issues.

Mr. Regan noted that HRM has indicated to the Board that they will be sending any plans for the development to the Board for review and he wondered if the Water Commission will do likewise. Doug MacLean responded that "they could - we could send out to stakeholders".

Mr. Regan expressed extreme disappointment that the installation would be in the vicinity of Hemlock Ravine. He was assured the pipeline will be on the very edge of the Park, thus minimizing the impact.

A discussion followed on the status of the old Watershed Lands. It was noted that the majority has been turned back to the HRM when declared surplus. The Water Commission intends to keep Chain Lake, as long as possible, as backup. Reference was made to the EDM study, discussed with the Board late last year and the proposal to leave a lot of the

lands in their wilderness state.

Referring to the anticipated completion date of the new transmission line in three years, the Board was advised that the whole project will not have to be completed, before water can flow in sections. The first portion could be completed by this fall, as tenders are to go out in July.

Mr. Yates referred to a book on the history of the water supply of Halifax and he offered to provide the Board with twelve (12) copies.

Reference was made to a study identified in conjunction with St. Xavier University during the earlier slide presentation. Ms. McNeil felt that the results of this bio-diversity study would be of interest to the Board, when developing parameters for water quality, particularly in providing a baseline for a pristine lake.

Mr. MacLean noted that there is very little diversity in the watersheds. He confirmed that sampling has been done of Pockwock from the beginning which might identify changes, but it is not in an electronic form.

Dr. Burney questioned how the data could be acquired. Mr. MacLean felt something could be dug out. Reference was made to the CWRS study, which is currently collecting data from Lake Major.

Dr. Stobo suggested that in terms of this base line study it would be wise to do some benthic organism studies rather than fish, as they are more sensitive to environmental impacts.

Mr. Regan questioned whether an environmental review is being conducted in relation to the planned water main installation. The Board was assured that the Department of the Environment is aware of the Commission's desire to twin the line and plans for the main line will be sent to them. The route was chosen after consultation with the Department of Environment to be least disruptive in terms of water quality. No formal environmental assessment will be done. They did not feel it would be necessary, probably due to the close proximity of the highway.

Concern was expressed by Walter Regan that when water mains are flushed to rid them of iron etc., rather than the flow being directed to the sanitary sewers, it is being discharged into the Sackville River directly. Carl Yates expressed surprise that this should be happening and requested that in the event this is observed again, the Commission be notified. It was felt that guidelines should be established at the Commission, if they already

don't exist, instructing staff to discharge water into the sanitary sewers.

4.1 WATERSHED STEWARDSHIP BOARDS - DEPT. OF ENVIRONMENT - WORKSHOPS

Circulated with the agenda package was information on the proposed workshops and draft terms of reference for the Watershed Stewardship Boards. Ms. Kim Peckford was in attendance to review the concept with the members.

It was noted that many of the members of the Board, represent other watershed related organizations and these organizations may have received a similar invitation. One representative from each organization is all that can be accommodated.

Ms. Peckford gave a summary of their vision, by reviewing the terms of reference and process with the Board. The members were encouraged to contact Ms. Peckford with any questions and she requested that they provide the names and telephone numbers of the organizations they represent to her, to ensure no one has been missed.

During the review, reference was made to funding eventually being available and the desire to start in 1999. It is intended to establish one or two Watershed Stewardship Boards initially. These would in turn be used as models for subsequent boards. It is hoped that more funding will become available in future years.

She emphasized that it is not the intention to set up a system which will negatively affect the functioning of existing groups. It is hoped the process will open lines of communication.

Referring to the workshop format, she indicated that the issues raised during the needs assessment will be gathered and following the workshop, she will draft a report with recommendations to the Minister as to the best process to follow and providing a comprehensive terms of reference.

Reference was made to the Workshop being held in the HRM region, February 11th and the deadline for registration being January 20th. Ms. Peckford noted that this deadline has been extended and a further update will be communicated. Although firm arrangements have yet to be made, it is likely the Workshop will be held at the Airport Hotel.

During the question and answer session following Ms. Peckford's presentation, she was

asked where the N.S. Natural Resources Advisory Council would fit in and if the Department of the Environment has an Advisory Council. Ms. Peckford did not know. Apparently the Natural Resources Advisory Council has yet to be appointed. Ms. Peckford will look into the situation to determine how these groups might interact.

A couple of items, the members felt should be considered is how the Boards established will deal with requests for funding and liability of board members. If a list of hot topics is being prepared for the Workshop, it was suggested that concerns regarding buffer zones and the purging of water mains be added.

Ms. Peckford assured the members that while she wasn't sure how the proposal could negatively impact the Board, she was confident that a positive impact will result from the initiative. She did not feel HRM will be assigned one of the first boards, as there are too many issues here.

In response to a query from Mr. O'Toole regarding how many of the boards will be eventually set up, Ms. Peckford indicated that no boards will be set-up, they will be identified. He also questioned what will define watershed areas. Ms. Peckford indicated areas will be defined by Scientific Watersheds. Although there are 250 watersheds, it is not the intention to have 250 boards.

The Chair noted that an initiative is also underway in the HRM to review advisory committee functions. He hoped that the eventual boundaries established by HRM are not different from the ones developed by the Province. He also referred to the need to allow for Board support. Reference was made to the staff support provided by HRM for this Board. Without the support, the Board could not function. Issues of administrative and clerical support will have to be addressed.

The Chair polled the members on who will be attending the February workshop. He indicated that a summary of the Workshop should be provided either verbal or written. The Board was assured by Ms. Peckford that this might not be necessary, as she intends to send out a summary within 48 hours of the Workshop.

Three members indicated that they may be able to attend, Walter Regan, as a member of the SRA, Jim MacLean, David Dwyer and Colleen McNeil will also try to attend. Ms. Peckford noted that the maximum number who can be accommodated is 40.

3.13 VLADI PRIVATE ISLANDS LTD. - PRIVATE ROAD

Kevin Barrett, Planner was present to provide more information on the above noted

proposed development introduced to the Board at the last meeting. Accompanying Mr. Barrett were more detailed maps of the area in question, as requested at the December meeting.

He proceeded to review with the Board the proposal and requested the Board's input into the development agreement which will be eventually drafted.

It was again noted that the residential development being proposed will be serviced by private roads. It is anticipated that the homes will be used only for a few weeks to a few months a year as vacation dwellings. It had been earlier noted that when a private road will service more than six properties and is over 600 feet in length, a development agreement is required. The eventual development agreement will be particularly important, as staff will be creating policy criteria. Individuals proposing future developments will have to take into consideration the criteria set.

As it will be the test, staff will be spending quite a bit of time on this proposal, but can't guarantee everything will be addressed.

He reviewed the proposal, basically in terms of issues raised at the December meeting. These issues pertained to access to water, parkland dedication and setbacks from water, etc.

It was noted that a public information meeting was held at Ecum Secum earlier today by HRM Recreation staff to discuss park land needs and issues in this area. Planning staff has not had any opportunity to obtain any feedback from this meeting yet.

Referring to the subject of parkland, Mr. Barrett noted that you can't have parkland designated off a private road.

While there is a current 25 foot setback, it is anticipated that the developer would accept 100 feet, with the exception of boat houses locations.

Even though the properties are in theory to be used only for vacations, staff has to look at all issues, such as school capacity, as use of properties for seasonal occupancy can't be restricted through development agreements.

In addition to concerns he had about restricting the public's right to water access, Mr. Regan contended that while they may be proposing private roads, they have to be accessible to emergency vehicles, etc. Mr. Barrett noted that private roads are built to 75% of the public road standard. It would eventually be concluded that by not having the roads meet the public road standard, the environment will be less affected, as the roads will not

have to be as wide and fewer changes in grade will be required. HRM may not be willing to take over additional public roads. Mr. Regan also felt there was not enough protection for the island, but later in the meeting, it was noted that the island will be protected if the 100' setback provision is incorporated.

Reference was made to the wetland(s) identified on the map. Mr. Regan understood all wetlands are protected by the Province, but to add an additional measure of protection, the wetland(s) should be deeded to the HRM.

Since this was a test case, Mr. Regan felt that there would be merit in hiring a consultant to assist staff.

Mr. Regan questioned whether the Board can request protection of the shoreline, ie. no change to vegetation or grade. It was felt this was reasonable, ie. no development within 100 feet or 30 meters of the shoreline. Whether or not trail development in this area would be appropriate was discussed. It was felt a walking trail would not pose a problem.

Mr. Dwyer referred to how fragile the area is in terms of very little topsoil and the tree coverage being very slow growing. Any trees cut down will make the remaining trees very vulnerable to being blown down. Staff is proposing that clear cutting not be permitted; only 30% of vegetation can be removed. Mr. Dwyer noted that if there is clear cutting, regeneration will be extremely slow. Once the trees disappear, the soil will likely disappear as well.

The members identified three major wet lands in the area. They are associated with lots 59, 63 and 1. As is the standard recommendation, the Board recommends no in filling of the wet lands.

In conclusion, the Board made the following recommendations to staff:

- C No drainage or disruption of wet lands.
- C Shoreline - ocean frontage - 30 meter setback. (or 100 feet)
- C Gradient levels - Roads should be designed to site topography, not lot layout. Any exposed soils should be immediately grassed through hydro seeding, due to the fragility of the soils.
- C Erosion and Sedimentation Control Plan required from the developer, to be approved by HRM. Hydro seeding should be part of the Erosion and Sedimentation Plan, but due to the extreme fragility of the soils, it was felt it should nevertheless be emphasized.
- C HRM should take action to secure a portion of the property to allow public access,

- in the event the roads become public. Mr. Barrett noted this would be commented on by the Recreation Department. There was some question as to whether specific lots can be specified. One would undoubtedly have to provide rationale for protecting.
- C The subject of whether the island was significant was discussed at some length, but it was recognized as not being a watershed issue. Mr. Barrett will raise the matter with Recreation staff.
 - C A piece of property which borders the ocean be held in trust, i.e. HRM acquires a piece of parkland which provide public access. Since the whole area is extremely exposed to the ocean, the area identified should be somewhat protected. It was noted that Recreation is proposing lots 1, 2 and 3 and they would be sheltered. Actual wording will be fine tuned with Kevin.
 - C With reference to the wetlands, a 15 meter buffer of no development should be included and these turned over to HRM for conservation. Whether this is the appropriate term was discussed. Essentially the Board wanted the lands left undisturbed, i.e. no development, no tree cutting, etc. Ms. McNeil referred to the wording in the Guidelines, "they should not be altered...or disturbed". The Board agreed to the phrase no disturbance permitted.
 - C Structures are to be designed to the topography of the lot and driveways structured in order to minimize excavation or importing fill.
 - C Septic systems have to conform to NSDOE regulations.
 - C The Board's guidelines to be sent to the proponent.

The Chairman will draft the Board's recommendations. Copies of the plans presented this evening were left by Mr. Barrett.

3.1 **PROTOCOL DISTRICT 2**

Mr. Williams reported that a meeting was held the first week of January and it was decided to take some sections of the original protocol out. He anticipates it being ready for the next meeting.

3.2 **WATER QUALITY MONITORING - GLEN ARBOUR**

No response to date from Peter Duncan.

3.3 **INCLUSION OF PENINSULAR HALIFAX UNDER BOARD'S MANDATE**

Colleen McNeil advised that she drafted correspondence and e-mailed it to the Chair.

In the notes Susan Corser left with the Chair when she had to depart early, she advised that Legal Services was contacted. They advise that the WAB should report to the body who will be making the decisions (that may be a community council, or in areas where a community council does not exist, the WAB would provide advice to the Regional Council).

However, it was noted that there are essentially two issues. The second regarding the fact that Peninsular Halifax is not represented by any watershed advisory board still requires addressing. Colleen McNeil and the Chair will send off this correspondence.

3.4 PARTNERSHIP IN WATER RESOURCES MANAGEMENT CONFERENCE - JUNE 1999

Ms. Corser advised that no commitment for funding can be made at this time. Planning Services does have a small amount of money in the budget for conferences, but they are now faced with significant budget cuts so the Conference Budget could be axed.

The Chair advised that no response has been received back from Kate Moir regarding attendance being subsidized.

Colleen McNeil and the Chair have submitted an abstract, copies of which are available.

3.5 GUIDELINES/LIST OF ORGANIZATIONS

An updated list has been prepared with assistance of Development Services. Susan Corser needs to coordinate with Colleen McNeil to get the letter and copies of the Guidelines out to the organizations. Colleen McNeil indicated that she will contact Ms. Corser.

3.6 HEMLOCK PARK ESTATES

Circulated at the meeting was a report prepared by Mr. Dwyer as a result of his two hour walking tour on December 16, 1998.

A discussion followed on a report by David Haley that blasting is taking place in the area.

3.7 CONCEPT PLANS

The Chair advised that his draft is not complete. He needs to speak with Ms. Corser on the subject. Item deferred.

3.8 SILT RETENTION DEVICE FOR PIPE

Ms. Corser advised that Operations staff from HRM's Engineering Department will be providing some manufacturer's information on this absorptive device inserted into catch basins or pipe inlets. Susan Corser will provide to the members when received.

3.9 CORRECTIONS FACILITY FOR BEDFORD

The Chair recalled sending correspondence to the Mayor and carbon copied to various levels of government. To date no response has been received, but he understands a reply will be faxed tomorrow from Donna Davis-Lohnes. He will update the members at the next meeting, and/or include copies of the response in the agenda package.

Referring to the status of membership on the associated Community Board, Walter Regan advised that he applied and was notified that his application had been received. Ross Evans reported that he spoke with them and he was questioned on his experience. They did not feel that Mr. Evans had the experience and expertise they were looking for, so he did not apply.

The Chair noted that whether or not members of the Board eventually sit on the Committee, the Board will make comments on the development. Once the group is constituted, it will be an avenue for passing along the Board's comments.

Referring to Mr. Evans' offer to contact Gordon Earle, Mr. Evans reported that Mrs. Evans called his office, but her call has yet to be returned. It was suggested that perhaps Mr. Earle should be contacted in writing.

It was noted that the construction contract has been let. The Chair reflected that apparently it will proceed without any environmental input.

3.10 WATER COMMISSION PLANS

Referring to the earlier presentation by Carl Yates and Doug MacLean, clarification of whether they were going to provide plans was sought. One interpretation was that they indicated that they did not have any problem with sending the Board the plans, but they did not actually commit to sending them.

The Chair suggested a letter be written to the Commission thanking them for their presentation and reminding them of their agreement to send the plans to the Board. Alternatively, HRM should be asked to request that the Water Commission send their

proposals to the Board. The Chair will write the Mayor asking that the Water Commission submit its plans for review by the Board. He will comment on the potential impact this waterline will have on a watercourse and the Board's feeling that there should be some public input. The correspondence to be carbon copied to Mr. Yates. If the correspondence appears clear-cut, the Chair will send it out directly, if not he will table with the Board the next meeting.

3.11 GREENRIDGE MOBILE HOME PARK, EASTERN PASSAGE

The draft of the report on the Greenridge Mobile Home Park was completed by Mr. Regan, relayed to Colleen McNeil and then to the Chair. The Chair will have to check to determine if it is too late in the process to have input. Essentially the letter had been complimentary, but he stressed the importance of a quick turnaround, as a very short time frame is associated with such applications. The Chair and Ms. McNeil will refine the correspondence.

3.12 WATERSHED/TOPOGRAPHICAL MAPS AND INFORMATION REPOSITORY

Ms. Corser advised that arrangements have been made to store maps and materials at the Dutch Village Road building.

3.14 LOST CREEK GOLF COURSE

Mr. Regan noted that there is an island in the Beaverbank River which the golf course proposes to clear-cut for a hole. This was a location for area residents to observe landlocked salmon making their way up the falls on both sides of the island. No fishing and no trespassing signs are now in place. Apparently the golf course was not aware of the importance of this island to the community. While there is no apparent means to stop the clear cutting of the island, as the development, then called Pheasant Run, was approved in a 1996 Development Agreement, Susan Corser and Walter Regan will draft some correspondence to the Development Officer.

3.15 HECC MOTION RE JURISDICTION

The Chair expressed concern that in the January minutes of the HECC. reference was made to the Halifax County/Halifax Mainland Board having been contacted, but the Board had declined to agree to take responsibility for all of the HECC area outside Dartmouth, but the Dartmouth Lakes Advisory Board had responded in the affirmative. The Chair could not recall receiving any correspondence or contact from the HECC.

The Chair will draft correspondence stating that the Board felt the jurisdiction should be based on a watershed basis, not along political boundaries. Also the Board did not feel Lake Major should be excluded, no matter which Board takes over responsibility.

3.16 WEB SITE

Information on the Board has been provided to Ms. Marney as requested. However, the HRM is in the process of redesigning the site and there will some delay.

3.17 STORMWATER MANAGEMENT PLAN

A letter from the Mayor's office dated December 22, 1998 to Dr. Stobo acknowledging receipt of correspondence regarding the Stormwater Management Policy has been received.

3.18 WESTERN COMMONS STUDY (FORMER HALIFAX WATERSHED LANDS)

Copies of a letter dated January 6, 1999 from Paul Morgan, Planner in response to Ms. McNeil correspondence of December 3, 1998 was circulated to the members. Mr. Morgan expressed regrets that the Board had not been informed of the study, but indicated the Board will be kept informed henceforth. One the final report is accepted by the Steering Committee, a copy will be forwarded to the Board and the Board will have an opportunity to give input.

Mr. Regan reflected that it appears that 1000 acres will be developed, with the balance 5,500 acres left as passive park.

4.0 NEW BUSINESS

4.1 WATERSHED STEWARDSHIP BOARDS

Subject of presentation earlier in meeting.

4.2 SOIL AND WATER CONSERVATION SOCIETY OF METRO HALIFAX - SUBMISSION TO PROVINCIAL LAW AMENDMENTS COMMITTEE

Information provided for the Board's information.

Mr. Regan remarked on one of the attachments, a copy of a letter to Mr. Ernst, Head, Toxic Chemicals Section, Pollution Reduction Division, Environment Protection Branch,

Environment Canada regarding the impact of golf courses and maintenance on adjacent watercourses. He suggested that it might be worthwhile to invite the individual to an upcoming meeting to speak on the subject. The information provided might be worth inclusion in future recommendations when the Board is called to comment on a proposed golf course development.

Ms. McNeil will contact Mr. Ernst. Whether or not the February meeting would be an appropriate meeting for such a presentation will depend on whether Hemlock Park Estates is an agenda item. If there are any Guidelines available from Environment Canada, it would be useful for the Board to have to help in giving advice to HRM.

4.3 ARTICLE - DEVELOPING POLICIES TO PROTECT UNDEVELOPED AREAS

Mr. Dwyer provided a copy of an article from the January 5, 1999 Chronicle Herald by Ralph Surette, which makes reference to Dr. Stobo commenting on improvement in the response of the public and developers to environmental sensitivities.

5.0 CONCEPT PLANS

None.

6.0 SUBCOMMITTEE(S)

6.1 SUB-COMMITTEE ON PARAMETERS FOR WATER QUALITY TESTING - UPDATE ON PROGRESS

Dr. Burney provided the Secretary with a copy of the January 19, 1999 agenda and minutes of the December 7, 1999 meeting.

Dr. Burney noted that Tony Blouin has been appointed Secretary. Bill Hart has compiled a list of parameters and solicited comments for the February meeting. Susan Corser attended this meeting to give the HRM Planning Department's perspective.

The Secretary will contact Mr. Blouin to request that he provide copies of their minutes for circulation with agendas. They don't have to be necessarily approved ones..

7.0 NEXT MEETING

The next meeting is scheduled for Wednesday, February 17, 1999 at 6:30 p.m., 2750

Dutch Village Road.

8.0 ADJOURNMENT

The meeting adjourned at approximately 10:40 p.m.

Dr. Wayne Stobo
Chairman

Lynne Le Boutillier
Assistant Municipal Clerk

(Feb.18/99)

