

# HALIFAX REGIONAL MUNICIPALITY

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HALIFAX/HALIFAX COUNTY WATERSHED ADVISORY BOARD  
MINUTES  
SEPTEMBER 18, 2002

PRESENT: Ms. Ellinor Williams, Vice-Chair  
Mr. Keith Manchester  
Mr. Ross Evans  
Mr. Shalom Mandaville  
Mr. Bill Ernst  
Mr. Glen Williams  
Mr. Jim Holmes  
Mr. Peter Murray  
Mr. Lawrence White

ABSENT: Mr. David Dwyer (regrets)  
Dr. Wayne Stobo (regrets)  
Mr. Walter Regan (regrets)  
Mr. Frank Hope (regrets)  
Dr. Barry Thomas (regrets)  
Dr. S. Ray (regrets)

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

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The meeting was to order by Ms. Williams, Vice-Chair at 6:35 p.m.

**1. APPROVAL OF AGENDA, ADDITIONS AND DELETIONS**

The following changes were made to the agenda.

- C Mr. Dwyer's video presentation on Land Use - Rural Areas has been rescheduled to the October meeting.
- C Under New Business, Item 3.2 - Pyritic Slate Disposal (Mr. Williams)
- C Item 3.3 - Membership (Clerk)
- C Under Business Arising, Item 4.4 - Bedford South Site Visit (Ms. Williams)
- C Under Information Items, Item 7 - Bedford West Master Planning Study - Open House Session, October 3, 2002

**MOVED BY Mr. Williams, seconded by Mr. Evans that, the agenda, as modified, be adopted. MOTION PUT AND PASSED.**

**2. APPROVAL OF MINUTES**

It was noted on Page 3, Item 2 - Approval of Minutes, second paragraph, the word 'they' should be changed to 'there' in the bracketed sentence.

**MOVED BY Mr. Holmes, seconded by Mr. Williams, that the Minutes of August 21, 2002 be adopted, as amended. MOTION PUT AND PASSED.**

**3. NEW BUSINESS**

**3.1 SUBMISSION FROM SHALOM MANDAVILLE RE THE DIRE NEED NOW TO KEEP ON INSISTING ON 'PROFESSIONAL LIMNOLOGY STUDIES' FOR MAJOR DEVELOPMENTS AND SUPPORT FINALLY FROM THE NSDEL**

Mr. Mandaville provided to the Board copies of the proposed NSDEL Storm Drainage Works Approval Policy dated May 8, 2001. He was pleased to note in Section V.1 of the Policy, a requirement for "professional limnological report(s) where lakes are located downstream from outfalls". This will provide provincial backing/support for future WAB requests to HRM for professional limnological reports.

During the ensuing discussions, the following points were made:

- C Public comment had been solicited on the policy although the Board did not make a submission.
- C The Policy has not been signed off by the Deputy Minister. It is still unofficial.
- C The Policy pertains only to piped stormwater collection systems.

- C The use of watercourses for future storm water detention or storage would be contrary to the purpose of the policy.
- C The emphasis is on stormwater management issues rather than all runoff issues. Mr. Mandaville recalled this was discussed at a hearing. They wished to focus on stormwater. Mr. Ernst felt it might be an issue the Board may wish to bring up.
- C The requirement for professional limnological report(s) applies only where lakes are located downstream from outfalls. Concern was expressed that a variety of natural water courses could be impacted so the policy could miss a large component of freshwater bodies. Mr. Mandaville referred the members to the definition of watercourse, which is quite broad. He also noted that Mr. Theakston had reflected that lakes don't flush as fast as streams, etc. Nevertheless, Mr. Ernst felt it would be worthwhile that the policy apply to more than just lakes, i.e. all fresh watercourses.
- C The effect the adoption of this policy by the Province will have on HRM's Stormwater Management Plan.

### **3.2 PYRITIC SLATE DISPOSAL**

Reference was made to an article in today's paper entitled "Slate dumping dispute ends". The resolution of a dispute over infilling between United Gulf Developments and the Waterfront Development Corporation, allows for the disposal of pyritic slate to be resumed in water lots on the Bedford Basin. Reference was made to the motion contained in BWAC's minutes of July recommending to North West Community Council (NWCC) that the Waterfront Development Corporation be asked to reopen the pyritic slate acceptance facility on the Bedford waterfront immediately to alleviate environmental issues related to excavated pyritic slate.

Mr. Williams related to the Board that he had spoken to Glen Boone, Sobeys, two weeks ago and was advised they were waiting for the disposal area to open. Reference was made to Moirs Pond, another area suggested for infilling. Mr. Williams noted that there is a dispute between Sobeys and the Port Authority. The Port Authority contend it is navigable water.

Mr. Ernst reflected that disposing of pyritic slate by infilling results in loss of aquatic habitat. He felt dumping at sea was a better alternative. He did not feel that it should be automatically assumed that reopening the acceptable facility was a good thing. He made reference to the Board's guidelines, as they relate to wetlands.

### **3.3 MEMBERSHIP**

The Clerk advised that members that HRM has run its annual advertisement seeking volunteers to serve on various boards and committees. Deadline for applications September 30<sup>th</sup>. Some of the members terms are up this year.

## **4. BUSINESS ARISING FROM MINUTES/STATUS SHEET**

### **4.1 TREE CUTTING GUIDELINES**

Deferred in absence of Chair and Mr. Dwyer.

### **4.2 STONERIDGE IN THE PARK TEST RESULTS**

C e-mail exchange between the Clerk and Gary Porter re sensitivity in testing.

It was noted that phosphorous should be reported to the one microgram per litre detection limit. It was recalled that the Phillips Laboratory doesn't have this capability, thus testing needs to be done at the QEII/VG location.

It was noted that Mr. Porter's involvement ended when the amendment to the Development Agreement was refused. A discussion followed on the relevance of the Board being involved any further under the circumstances. It was noted that the e-mail had been passed on to Ms. Denty, the Development Officer. Mr. Corser agreed to go over this matter with Ms. Denty.

### **4.3 BENTHIC SAMPLING, SHEAS LAKE**

C Recirculated was a fax from Jacques Whitford to Wallace Macdonald and Lively re results of the benthic macro-invertebrate survey of Shea's Lake dated May 27, 2002.

Mr. Mandaville and Mr. Holmes explained what the results of the benthic macro-invertebrate survey meant. Mr. Mandaville noted that they had been taken from three stations and their locations. He explained how the presence or absence of different species can indicate the quality of the water.

Essentially the survey indicates that diversity is very poor in Shea's Lake.

A discussion followed on where such data should be compiled so it can be assessed for comparison purposes. It was noted that the data would be contained in the Planning and Development Services files and Municipal Clerks files, but not separately. Ms. Williams noted that the Board has been requiring in development agreements that it be

provided with the test results and Water Testing Results have recently been added to the Status Sheet.

Ms. Corser noted that such information has been collected since 1996, but as of last year the Board has requested that they, as well as the Development Officer, be provided with the data. The need for a central file was acknowledged. Ms. Corser is endeavouring to collect the data from individual Development Officers responsible for files. She will provide copies to the Clerk for filing. It was noted that some of this data will be available on the Web site of the Soil & Water Conservation Society of Metro Halifax.

Mr. Mandaville displayed to the Board the whole data base for Paper Mill Lake commencing in 1991. He pointed out problems associated with the data collected, which were identified to Dr. Marvin Silver, past Chair of BWAC. It was recalled that last month the Board had discussed other tests taken of wells in the vicinity of Sheas Lake and the fact that standards being used for the Canadian Drinking Water Guidelines are out of date and incorrect.

Mr. Holmes referred to a check list used to review Development Agreements. He wondered if the Board could ask for an addition to this check list related to the requirement for water quality monitoring, to ensure that testing is done to the microgram rather than the milligram level where appropriate. Ms. Corser referred to work being done to develop a booklet which can be provided to developers. It was concluded that it should be requested that the phrase

**'phosphorous levels should be measured to detection levels of one microgram per litre'**

be added to the check list for ultimate inclusion in the booklet for developers. Other items the Board might like included in the booklet related to secchi disks, chlorophyll A and Total Phosphorus and Carlson Trophic State.

Mr. Williams displaying a secchi disk and referred to annual testing done July 4<sup>th</sup> with the use of this device.

#### 4.4 **BEDFORD SOUTH - SITE VISIT**

The Vice-Chair reflected on the site visit she and Mr. Regan attended. The visit covered sections of the site which will remain essentially undeveloped as public parkland, public pathways, including the Old Coach Road, and buffer zones for water courses, including the Cascading Ponds. It was explained that, on many lots, no development will be permitted in an extension of buffer zones onto the private land.

She noted the following:

- C The watercourses were essentially dry, perhaps partly because of the dry weather and partly because of the fractured nature of the underlying rock.
- C All the trees in the area seem to be of a similar age, and likely to age together. This could result in problems similar to those experienced in Point Pleasant Park if they are not thinned.
- C The extreme changes of elevation in the site seemed to indicate a need for heavy salt use on the roads. This might become a problem if the developers are trying to keep run off water on site by diverting it into green areas.

Concerns raised by Mr. Regan about the costs of improving the culvert under the Bedford Highway could not be answered. There was no discussion of stormwater treatment.

It was noted, at the meeting, that a Stormwater Management Plan will be coming forward in due course. No one knew if it included treatment.

Ms. Corser noted that on the site visit, Ms. Langille the Planner associated with the case had identified the ends of two cul de sacs that fall outside BWAC's jurisdiction. Reference was made to the fact that while the Board and BWAC has agreed to the realignment of boundaries, the item has not yet been taken to the Community Councils, given BWAC has yet to approve the wording of their terms of reference. As a result, Ms. Langille requested that Ms. Corser ask the Board members, if for purposes of conducting the review of this phase of the Stormwater Master Plan, they would turn over the entire review to BWAC. Reference was made to the small size of the area and the efficiency of this approach.

**MOVED BY Mr. Mandaville and seconded by Mr. Ernst that the Board recommend that the Bedford Waters Advisory Board conduct the entire review of the Master Stormwater Plan for the Bedford South/Wentworth Estates area. This is consistent with the proposed realignment of watershed advisory board boundaries. MOTION PUT AND PASSED UNANIMOUSLY.**

Referring to a color map, previously circulated on the jurisdictions of the Boards, Mr. Holmes wondered if it could be provided as a .shp file, without signing a licensing agreement.

## **5. CONCEPT PLANS**

None.

**6. DATE OF NEXT MEETING**

The next regularly scheduled meeting is Wednesday, October 16, 2002.

**STATUS SHEET**

**GLEN ARBOUR (SANDY LAKE)**

There was a lengthy discussion of the condition of Sandy Lake. During this discussion the following items were discussed.

- C no summer testing and no budget for fall testing by HRM
- C history of the development and associated testing, which included the developer doing a base line and three further tests over the course of the construction period. No post development testing asked for from the developer. Their commitment fulfilled.
- C degradation of the lake - pristine lake in 1996, mesotrophic in three years. When the development was proposed, the Board was told there would be no drainage into the lake (June 1996). Fertilizer suspected as impacting the lake. Some improvement evident.
- C residents concerned, as illustrated in correspondence from a resident and reply by the Mayor.
- C Staff team assembled to develop an approach to have developer(s) address such problems. No progress.
- C Reference was made to a letter supporting benthic testing. This recommendation not followed.
- C Staff could not recall if the Development Agreement included any reference to remedial action.

Due to the scope of this discussion, as to what action the Board should take, the Chair proposed that the item be placed on next month's agenda. It was requested that Dr. Tony Blouin be invited to the next meeting. It was recognized that this is a bigger issue than just related to Sandy Lake.

**INFILLING OF MARSHES**

Mr. Holmes noted that he had sent in New Brunswick's Policy, but it was never discussed. He suggested that Board should review the principles and recommend some that could be applied to Nova Scotia. The item will be added to next month's agenda. He noted the Policy is also available on the Province of New Brunswick's Web site.

**WENTWORTH/BEDFORD SOUTH - CULVERT**

Based on the previously adopted motion, it was felt this item could be taken off the Status Sheet, but the concerns of Walter Regan should be directed to BWAC.

**C & D WASTE MANAGEMENT STRATEGY**

Take off Status Sheet.

**WATER TESTING RESULTS**

As earlier discussed, it was felt that besides the information being maintained in Development and Planning, copies should be provided to the Corporate Library.

**STORMWATER MANAGEMENT PLAN**

Can be deleted from the Status Sheet based on the earlier motion.

**STORMWATER MASTER PLAN FOR BEDFORD WEST PREPARED BY  
ANNAPOLIS**

A discussion followed on whether this item could be removed from the Status Sheet as the area would fall outside the boundaries of the Board if the new boundaries are adopted. There was some question of exactly what area Bedford West covered, however.

**STONERIDGE IN THE PARK TEST RESULTS**

Ms. Corser will ensure that Kelly Denty, Development Officer is made aware of the problems.

**INFORMATION ITEMS**

**RECOMMENDATIONS - HEALTHY GROWTH IN HRM - REGIONAL  
PLANNING**

During review of the correspondence to Anne Muecke, it was felt that item 6, Water Quality Standards should be revised to read:

HRM should **adopt** water quality standards applicable to development, based on CCME. **HRM** should also cover **nutrients based on OECD guidelines**.

HALIFAX REGIONAL MUNICIPALITY

HALIFAX/HALIFAX COUNTY WATERSHED ADVISORY BOARD 10 September 18, 2002

**BEDFORD WEST MASTER PLANNING STUDY**

A memo from Paul Morgan dated September 13, 2002, inviting members of the WABs to attend an open house session, October 3<sup>rd</sup> was circulated.

7. **ADJOURNMENT**

The meeting adjourned at approximately 8:50 p.m.

Lynne Le Boutillier  
Assistant Municipal Clerk