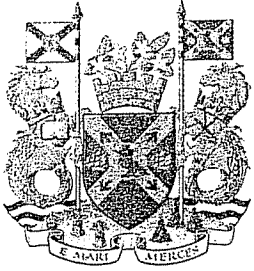


Info # 1

*Halifax
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Peter J. Kelly
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January 17, 2006

Mr. Ben Jenkins
Russell Lake Residents Association

Dear Mr Jenkins:

Re: *Russell Lake West Development Agreement*
- Water Quality Monitoring

Thank you for your January 6th correspondence concerning this matter. It is evident from this submission that your organization has been active in learning about municipal planning processes and water quality monitoring. Your concerns have been brought to the attention of Planning & Development Services and Environmental Management Services. There are a number of points that are made in response which are summarized as follows:

- In accordance with policy ML-30 of the Morris Russell Lake Secondary Planning Strategy, a water quality monitoring program was prepared by Susan Belford of Jacques Whitford on behalf of Clayton Developments. The monitoring program, as outlined in Ms. Belford's correspondence of April 18th 2005 to Tony Blouin, HRM Manager of Environmental Performance, is attached for your consideration. This submission was presented to the Dartmouth Lakes Advisory Board (DLAB) with an accompanying memorandum from Planning & Development Services, and a letter of acceptance from Mr. Blouin.
- DLAB reviewed these submissions and heard a presentation from Ms. Belford at a meeting held on April 27th. At the conclusion, the Board recommended acceptance of the proposed monitoring program.
- As noted in Ms. Belford's submission, no eutrophication threshold levels have been established to date. This work has yet to be done. In accordance with the terms of the development agreement, the consultant would will be required



to make a proposal for recommendation by staff (Tony Blouin) and DLAB.

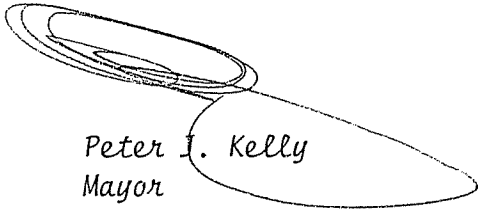
- Nothing in the Secondary Planning Strategy or the development agreement requires or prevents any specific methodology for determining an appropriate eutrophication threshold level. The national guidelines framework document produced by Environment Canada for the Canadian Council of Ministers of Environment (CCME), referenced in your submission, would probably provide an appropriate approach. The developer's consultants have made reference to this document in their original description of the sampling program, and would be expected to follow this approach in providing a recommendation to staff and DLAB.
- It should be noted that the excerpt from the Regional Plan pertaining to water quality monitoring (presented as Appendix One of your submission) was being drafted at the time the Russell Lake West development agreement was proceeding through the approval process.
- Planning & Development Services have not reviewed or provided input into the specifics of the monitoring program and will not be involved in establishing an appropriate eutrophication threshold level.

Your correspondence suggests that your organization would prefer to have the monitoring program referred to the Harbour East Community Council for approval as you question whether the DLAB has the expertise to undertake the evaluation. This proposal is not possible under the Russell Lake West development agreement wherein the review procedures have already been established and approved by the Community Council.

However, it may be possible to change the approval procedures in a future development agreement application within the Morris-Russell Lake Secondary Plan area. Your organization may want to put this position to the Community Council during the public consultation process. The Community Council would then have to decide whether it was more scientifically competent than the DLAB in evaluating lake monitoring programs and arbitrating in the event of a dispute.

Again, I thank the Russell Lake Residents Association for it's interest in working to preserve our lakes and I hope that your concerns have been addressed. If you have any additional questions, or comments, please contact me again.

Respectfully, I remain



Peter J. Kelly
Mayor

cc: Harbour East Community Council
Dartmouth Lakes Advisory Board
Paul Dunphy, Director of Planning & Development Services
Brad Anguish, Director of Environmental Management Services
Tony Blouin, Manager of Environmental Performance
Paul Morgan, Planner