

 **BENNERY LAKE WATERSHED**

**MANAGEMENT COMMITTEE**

**Meeting Minutes**

**July 15, 2020 10:00 a.m. – 12:00 p.m.**

**Virtual Skype Meeting**

***Attendance:***

Mike E. Allen, Watershed Planner…….…………………………Nova Scotia Environment (NSE)

Trevor Creaser (TC) (*Chair*), Development Officer – Subdivision and Land Use HRM

Barry Geddes (BG), (*Vice Chair*) Watershed Manager Halifax Water

Jan Jachimowicz (JJ), .Property Owners Representative

Dawn MacNeill (DM), Protected Areas Coordinator Nova Scotia Environment (NSE)

Anna McCarron (AM), *(Secretary)*, Source Water Planner Halifax Water

Garry Oxner (GO), Superintendent of Water Supply Plants and EMS Coordinator Halifax Water

Paul Parusel (PP), Brookhill Estates Community Representative

***Regrets:***

Reid Campbell (RC), Director of Water Services Halifax Water

Bernie Matlock (BM), P. Eng. ...Nova Scotia Environment (NSE)

# Attendance / Introductions:

* AM circulated the following, via email, before the meeting:
	+ - * 1. Meeting Agenda;
				2. Draft September 12, 2019 Meeting Minutes; and
				3. Source Water Protection Plan 2019 Annual Report – Bennery Lake Watershed Excerpt.

# Meeting Called to Order by Chair (TC).

* Regrets expressed (listed above); and
* Quorum noted.

# Review and Approval of:

## July 15, 2020 Meeting Agenda

*Agenda approved with no additions.*

## September 12, 2019 Meeting Minutes

* Correct spelling of Trevor Creaser’s name.

*JJ Moved to Approve Minutes with changes; seconded by BG; all in favour.*

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| --- | --- |
| Old Business:Private land logging violation in *PWA* update (BG):* Halifax Water owns 10 more acres in the watershed, as shown on [Property Online](https://novascotia.ca/sns/access/land/property-online.asp), as a result of this case;
* results were delayed due to an administrative issue;
* at last meeting, BG indicated that public notification would be expected to be released for education and awareness purposes:
	+ public notification is still being considered by Halifax Water’s Executive;

**Action: Report to the Committee when all aspects of this case have been determined.***PWA* Signage update:* All proposed signs are in place and have been since last summer.

**Action: remove from Agenda**Access Road Update:* the committee has been kept informed on this topic via email updates from BG – the last one was dated June 15, 2020;
* the access road plan is to construct a new road along the existing pipeline road;
* the construction contract was awarded to Dexter Construction Company Ltd.;
* Halifax Water approved cutting the right-of-way (RoW) in early spring, prior to the bird nesting season, and that was performed;
* before construction can begin, Halifax Water needs wetland alteration approval (WAA) from Nova Scotia Environment (NSE) regarding a small wetland located at the bottom of the hill within the road realignment RoW discovered through a wetland assessment;
	+ the WAA is required because the wetland is within the *Protected Water Area* (*PWA*), classifying it as “A Wetland of Special Significance” under the [Nova Scotia Wetland Conservation Policy](https://novascotia.ca/nse/wetland/conservation.policy.asp);
	+ however, the wetland assessment determined the wetland presents no impact to the water supply because it falls outside the *PWA* drainage area; it actually contributes to a lake outside the watershed;
	+ Halifax Water applied to NSE for approval to alter the wetland, which includes compensation for the impacted area of the wetland;
	+ the wetland alteration approval is pending a site visit from an NSE inspector;
* time is of the essence for the construction season, which is only permitted between June 1 and September 30;
* considering it is now July, and road construction is expected to take 7-8 weeks, this could push construction into October;
* now need to apply to NSE for an extension to the road work plan, otherwise, construction will need to wait until next season;
* the Committee will be kept informed.

Aerial Tour of the Watershed* cannot conduct a tour at this time due to Covid-19 restrictions;
* tour organizers are considering combining a same-day Pockwock tour with a Bennery Lake tour and using Pockwock as the rendezvous spot;
	+ there are no objections to meeting in Pockwock to embark;
* PP, JJ, GO and AM are interested in the tour;
* the helicopter seats 6, including the pilot, but fewer may fly at once, with more trips, to accommodate space between occupants;
* the timing of the tour is good any time of year, depending on objectives;

**Action: DM to arrange a tour of the watershed area.**New Business:Logo/Headers/Footers* need to ensure there is a distinction between advisory/management committees/boards and Halifax Water;
* to this end, as committee administrators, Halifax Water has reformatted the agendas, minutes and letters to remove corporate branding;
* the Halifax Water Logo is embedded in the Bennery Lake Watershed Management Committee (BLWMC) logo; should this be removed or is it OK?

**Action: Clarify with Halifax Water Communications about keeping the BLWMC logo as is while removing all other branding marks.**Shubenacadie Lakes Floodplain Study Presentation (Discussion):* the question about HRM presenting this Study was initiated by the Collin’s Park Watershed Advisory Committee;
* Bennery Lake falls within the delineated watershed area of the Shubenacadie River Floodplain Study;

**Q**: *Would the Bennery Lake Watershed Management Committee (BLWMC) like to be included among the invitees to have a presentation on the study when the time comes?***A**: Review the Study report first and then determine whether we want a presentation.**Action: The Committee will review the Study Report when it is released and then determine the need to have a presentation.****Action: Send Floodplain Presentation to TC**Source Water Protection Plan (SWPP) Annual Report (2019)*BG reviewed this Report with the Committee, submitted to NSE March 30, 2020, as follows:** The general overview of source water protection activity conducted through the year is outlined in the first two sections of the Report, including the following:
	+ HRM’s on-site sewage disposal system (OSSDS) applications:
		- NSE now notifies Halifax Water of these applications allowing an opportunity to review them;
		- included in these notifications are HRM’s watercourse alteration requests;
		- these provide a sense of the developments occurring in the watersheds;
		- most applications are in Collin’s Park and Bomont watershed areas;
	+ Watershed Area Enforcement – Special Constable Status:
		- MOU and related paperwork have been signed and filed;
		- only need to swear in and take an oath, which will probably occur in July, at which time BG will have full constable status;
	+ Environmental Management System (EMS) (*updated by GO*) at Halifax Water regarding potential impacts at the Bennery Lake water supply plant (WSP):
		- part of the EMS agenda is to look at the availability of suppliers and contractors;
			* The only issues that have occurred in this area is the availability of CO2 in terms of drivers and delivery, not of the product itself;
			* Halifax Water bolstered its chemical supplies, which is the norm under emergency situations (as in Covid-19), to ensure procurement of the WSP chemicals needed for water processing needs;
		- what was unanticipated was a diminished water demand at the airport due to airline traffic being halted to a standstill due to Covid-19;
			* at the Bennery WSP, usually 800,000 to a million litres/day is produced, but now 400,000 – 600,000 litres is produced every second day (a quarter of normal production) leading to challenges maintaining chlorine residuals in the distribution system;
* Bennery Lake Watershed SWPP Activity:
	+ Completed or in progress:
		- *PWA* signs erected;
		- planning and development activity is provided by HRM’s presence on the Committee;
		- access road development;
	+ Outstanding:
		- education and awareness (*discussed later in agenda*); residents may need more information about what is or is not permitted in the watershed; however, BG regularly patrols the area looking for inappropriate activity and there has been little observed;
		- an increase in ATV traffic in the watershed area (noted from tracks) will be tackled using a power-activated gate with surveillance, as part of the new access road’s infrastructure;

**Q**: A*ny tracks noticed in Nature Reserve (NR)?* (DM)**A**: No. Too far removed from access roads. The NR is in a wetland area, which is not on an access route or a thoroughfare – it would have to be a destination for ATV traffic. (BG)* Water Quality

**Q**: *Has the new treatment process led to less quality in the Bennery WSP?* BG to GO**A**: A question for the plant operator, Kerry Anne Taylor. Jessica Campbell, who ran the pilot plant at the Pockwock WSP, has been hired to work with the water quality staff as a resource person to optimize the processes of the facilities. Jess was tasked to look at Bennery’s WSP flocculation process and to explore how to optimize it. However, Covid-19 interfered with the timing of this work. It will be picked up soon. Because Bennery’s WSP operates best the more it runs, the lack of flow and stalls in operations has complicated the ability to optimize the process.**Q**: *How’s the water quality with respect to thermocline turnover in spring and fall?* (BG)**A**: During spring and fall turnover, when iron and manganese spike, the WSP plant handles it better with the clarifier, but there still needs to be some optimization work there.* Water levels

**Q**: *What are the water levels? (DM)***A**: Where there is no activity at the airport we are not taking out nearly what we usually do. Minimum lake levels are as follows: low 1.2 m; normal 2.65; now 2.4; gained 10 cm in lake after the rain. 1 million gal/day could amount to a cm or two off the lake level. (GO)Municipal Planning Update:Oakfield Estates Subdivision File# 21707:* Development Officer officially refused that application in June because engineering cited problems with street connectivity; and
* HRM is preparing file records in case the decision is appealed and goes through a hearing process at the Utility and Review Board, which could happen in late summer.

Construct a letter and circulate to members for input/approval.Notification of new builds in *PWA (TC)*:* not advised of any new builds;
* HRM is waiting for deeds for a parcel consolidation described as follows:
	+ JJ was approached by Halifax Water about purchasing a piece of his property as part of the access road realignment project;
	+ an agreement was reached to add JJ’s piece to a larger parcel of land owned by Halifax Water;
* HRM has the application, just waiting for the transfer of title, which is being initiated by Halifax Water.

**Action: Send email to TC to advise when HRM planning can expect those documents.**Landowner Q&A:* No updates

**Action: Follow up with TC to see why Halifax Water was not advised of that house development in the *PWA*.**Education and Awareness:*AM Displayed the Education and Awareness Outline Document previously circulated and excel spreadsheet of survey circulated to Collin’s Park Watershed Advisory Committee.*Template of education and awareness information originally designed for the Collin’s Park Watershed Area provided to the Committee:* the Collin’s Park (CP) education template is not a good fit for the Bennery Lake watershed area with respect to the following:
	+ CP is largely developed with no specific water supply protection regulations and Bennery Lake has little development with many regulations to protect the water supply;
	+ almost 80% of the watershed is owned by the Crown or by Halifax Water, whereas CP is mostly privately owned;
* suggest an education approach as we do for Lake Major, i.e., a newsletter or information pamphlet targeting residents inside or around the watershed area;
* considering the regulations already in place in Bennery how much information is there to be conveyed;
* not a lot of occupancy turnover, therefore, a reminder/information package provided to the area every year or two may be sufficient;
* Bennery should be a separate package from whatever is done for CP;
* no need for as large a process as that suggested for CP – stay small;
* word of mouth and signage seems to be working;

**Q**: *Are people aware? (AM to PP)***A**: The odd person is unaware. (PP)* only provide information applicable to residents to avoid information-overload;
* Hartland Drive subdivision deeds have covenants, which sites the regulations;
	+ watershed covenants are supposed to be registered with the registry of deeds;
* use [Viewpoint](https://www.viewpoint.ca/) as a tool to educate prospective buyers in the area (see discussion in Agenda *Item 7.b.* below);

**Q**: *Will the equipment to construct the access road go through the Bennery Lake neighbourhoods, alerting them of construction? (DM)***A**: No. However, Halifax Water notifies HRM when and where there are water breaks or puts in new lines; perhaps we should notify the community in the same manner for the access road construction activity. (BG)**A**: Could notify the public as a safety precaution for those who use the road as a trail. (DM)**Action: Ask Halifax Water’s communication group to notify the community about the access road project, mainly for safety purposes for those who like to walk there.****Q**: *What’s the biggest impact to the community in terms of how the community needs to be informed? (BG)***A**: People just want to know what is relevant to them. If you want to educate the public, just make it bite-sized. Inform the public. (PP)**Q**: *What’s the biggest impact to the community as a whole? (JJ)***A**: The issues seem to revolve around Sullivan’s Lake activity; e.g., noise (bylaw), swimming (regulations), etc. (PP)* a Newsletter could highlight water uses in watershed; i.e., what are you allowed or not allowed to do vis-a-vis the lake; e.g., boating, structures close to the water, and swimming; also tree cutting because they are not aware of the regulations; fires and fireworks are other issues;
* many of the regulations are not apparent to property owners;
* a few people do come to PP for information;
* create a FAQ one-pager in next week or two of 5-6 questions of seasonal, flavour of the moment, information for residents to keep as a reference.

**Action: Create a Q and A one-pager for the area that is seasonally appropriate. PP to work with BG and AM regarding the information by sending a list when prompted.*** If any of those questions involve protected areas let DM know.

Viewpoint Consultation (DM/MA)* Heather O’Keefe (former Protected Areas Committee representative) sent an email response from Viewpoint on this action item to AM and BG on July 15, 2020, paraphrased as follows:
	+ The protected areas shown on the Viewpoint map are part of the base layer map they purchase from Google, which they do not have the ability to change. However, if you go to [https://www.google.com/maps/](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.google.com_maps_&d=DwMGaQ&c=3LnHXiFSSBZRGFKC_k7J-doOo156IrbEUTF8uvCu_v4&r=iZeEoaw-cE-AyEkGmha4oNNUUoWbOHFq84aFY9_9eKE&m=5yJmjWK6tsNN157ka3tyq1T2yBrl47zBNrssnyxSTXM&s=I_7_qeXlvZbFAXfHXGTgVYfZ2SAPhchGhGwb3fISO4c&e=) and right-click on the map you will see a "Report a Data Problem" link near the bottom of the list that pops up. From there you can describe the issue and leave contact information. They are reportedly reasonably responsive. Also, their (Google’s) map suggests that they have gathered their data from one of the available open data sources in Nova Scotia.
* Another opportunity to use Viewpoint is as an education and awareness tool to inform the public that the residential area is within a *PWA* with strict regulations attached to it.

**Q**: *Was the* [***Nova Scotia Realtors Association (NSRA)***](https://www.nsrealtors.ca/)*ever presented to?* (MA)**A**: No. (BG)***Q****: Is this an NSE responsibility? The NSRA are selling a commodity (land) to the consumer which will impact the environment as it is developed. They could also help to get the word out about environmental impacts and restrictions in certain areas like* PWA*s. (BG)***A**: Years ago the NSRA were informed by NSE. They were provided with a restricted land use downloadable file. NSE also conducted regional meetings across the province. (DM) **Q**: *How would we now target the NSRA? Is that something the Committee should ask the province to do; i.e., notify the NS public of watershed areas using this as a tool? (BG)***A***:* Not everyone goes through a real estate agent. Viewpoint would be the biggest bang for your buck. (MA)* Put watersheds on Viewpoint. NSE to contact them as discussed above.

**Action: Send Mike *PWA* and Water Supply Shed GIS files for information only.****Action: NSE to follow up with Viewpoint (per email message dated July 15, 2020).****Action: Are Protected Water Areas available on Open data (***presuming where Viewpoint /Google is pulling their information from***)? Halifax Water *PWA*s (**only – not unregulated water supply shed areas) **will provide the framework to start.****Action: Create a template of education and awareness information for distribution as needed and tailored to various situations.****Action item: Move Viewpoint agenda item under Old Business not under education.**NSE will contact Viewpoint about posting where watersheds and other areas are.Election of Officers – September 2019Ask TC if he would like to be Chair for this term. If he is willing, then we vote in favour.* TC accepted the position
* BG and AM remain as Vice Chair and Secretary, respectively.

Next Meeting Date: * October 28, 2020 at 10 a.m.

Adjournment: **Motion to adjourn the meeting: 3:58 pm (JJ)***Respectfully submitted – AM* | Action**BG****AM****Action****DM****BG****All****AM****Action****Action**Complete**BG****Deferred****Action****BG****Action****PP/BG/AM****AM****MA****MA****Action****AM****AM**Partially CompleteComplete |