

Collin's Park Watershed Advisory Committee DRAFT Meeting Minutes

September 25, 2019 7:00 – 9:00
Gordon Snow Centre Boardroom, Fall River



Attendees:

Ken Burrows (KB), Industry Sector Representative.....Development
Barry Geddes (BG), (*Vice Chair*) Watershed Manager.....Halifax Water
Bev Lawson (BL), Customer Representative.....Collin's Park WSP
Rosemary MacNeil (RM), Development Officer.....Halifax Regional Municipality (HRM)
Keith Manchester (KM), Community Representative.....Lake Fletcher
Anna McCarron (AM), (*Secretary*) Source Water Planner.....Halifax Water
Tom Mills (TM), Representative.....Shubenacadie Watershed Environmental Protection Society (SWEPS)
Dick Pickrill (DP), (*Chair*) Community Representative.....Wellington
Wayne Stobo (WS), Community Representative.....Waverley

Regrets:

Damon Conrad (DC), Community Rep.....Fall River
Janice MacEwan (JM), Principal Planner/Development Officer.....Halifax Regional Municipality
Dawn MacNeill (DM), Watershed Planner.....Nova Scotia Environment (NSE)

1. Welcome and Introductions

- AM/BG distributed copies of:
 - i. March 26, 2019, Meeting Agenda;
 - ii. DRAFT September 25, 2019 Meeting Minutes;
 - iii. Snipped Map from HRM's [Active Planning Applications interactive map](#);
 - iv. Map of the Halifax Water service areas;
 - v. Environmental Assessment Aerotech Interchange (Exit 5A) excerpt;
 - vi. Scotian Materials correspondence;
 - vii. Letter to Laura Walsh dated September 25, 2019 regarding Subdivision application #22471; and
 - viii. List of Proposed Education Strategy Components

Meeting called to order by the CPWAC Chair (DP):

- Introductions;
- Regrets as listed above; and
 - RM standing in for JM.

2. Review and Approval of October 4, 2018 Minutes:

- WS **Moved** to approve Minutes as amended; KM seconded; all in favour.

3. *Old Business*

a. CPWAC's HRM planning application review opportunities:

- i. Where and how much can/should we provide input into planning applications?
- Halifax Water has established an internal review process with Halifax Regional Municipality (HRM) for planning applications (PA); e.g., development, rezoning, subdivision applications and concept plans, etc., as follows:
 - Any PA sent to Halifax Water engineering for comments and approvals in Halifax Water distribution zones are required to be sent to the W. Applications that fall within the service areas are required to be sent to Halifax Water;
 - however, there may be others that we may be missing that fall outside the service area, e.g., Port Wallace applications. (BG)
- through discussions that Halifax Water's watershed manager had with Halifax Water Engineering about the PA review process, it was learned that HRM's Regional Watershed Advisory Board (RWAB) has requested that all of Halifax Water's Advisory Board/Committee reviews and recommendations be vetted by them. Halifax Water determined that there was no reason for additional review by the RWAB;

Q: *HRM wants Halifax Water to submit the reviews to the RWAB? (WS)*

A: Not exactly. The RWAB has indicated to HRM that they would like to review the recommendations provided by the Halifax Water watershed advisory/management board/committees regarding HRM PA in watershed areas. However, the water utility management/advisory boards/committees operate under the province's direction such that Halifax Water is required to gather advice/recommendations from its watershed boards/committees per the Drinking Water Strategy for Nova Scotia, and according to our Approval to Operate through NSE, with respect to watershed area protection. Therefore, reporting to the RWAB does not fall under the ToR for this Committee, and they will not be added as a review agency. (BG)

- the CPWA Committee still needs to establish its PA review process, suggested as follows:
 - Halifax Water Watershed Management staff sends watershed-related applications deemed relevant to the Committee's Terms of Reference (ToR) to the Committee;
 - other HRM PA, which Halifax Water deems to be insignificant or irrelevant to the Committee's ToR, e.g., power pole installations, will not be circulated for review to curtail the potential volume of review material;
- we know Halifax Water has an understanding with HRM that PAs inside the service areas be provided to Halifax Water for comment and that the Committee is satisfied with the PAs that have been provided to the Committee for comment;
- however, there is a difference in watershed types; i.e., protected vs non-protected; and a grey area when PAs occur outside the service area;

Q: *How do we deal with PAs outside of the service boundary areas? Halifax Water doesn't necessarily see them, leaving a gap for the Committee with respect to reviewing PAs. (AM)*

Q: *Is there any rationale that states that we should be required to see the PAs that occur outside the service areas? (WS)*

Action

A: One way to create a rationale requiring the Committee to see PAs that occur outside the service area would be to request designation of a *Protected Water Area* in the watershed (per section 106 of the *Environment Act*), which would trigger the requirement that the Committee must see any PAs within that designated boundary area. (DM)

Q: *Does the RWAB have jurisdiction to comment on non-serviceable areas regarding watershed protection?* (BG)

A: The RWAB only comments upon what HRM staff brings to them. Their ToR only permits them to comment on regional strategies as opposed to concept plans, development agreements, or subdivision applications, etc. (TM)

- According to Andrew Bone, when he spoke to us at our October 4, 2018 meeting, the opportunity for the CPWAC to make a comment on PAs outside of the service area is the same as that of the general public, through public hearings.

Q: *Do we scratch this item or find out if there is representation on the RWAB?* (DP)

A: We have a process through Halifax Water for commenting on PAs within the service areas and we have a process through public hearings for commenting on PAs outside of the service area. If we feel these processes are not enough, we could ask HRM to be involved in the process sooner. (BG)

- We have processes in place, so we know where we stand about reviewing and commenting on planning applications.

Action: Remove this item from the Agenda.

Development presents the highest risk to the watershed area. The CPWAC to express to HRM where it geographically wants to be on record regarding issues that present risks to the water supply environment.

Complete

Determine to what extent the CPWAC can be “plugged in”; i.e., not As-of-Right, but having awareness of other proposed developments and opportunity to provide input.

Complete

BG and AM to investigate and follow up where the CPAW may have input.

Complete

ii. Development Applications in CP Risk Areas

AM drew the Committee’s attention to item 1.iii.:

- Planning Application Map for Discussion (ongoing);
- Further to the previous item’s discussion, the major [planning application map on HRM’s website](#) is another available avenue to use to know which applications, that fall outside of the service area, need to be reviewed for comment. As-of-right applications are not included in this map, nor can they be commented upon. (RM/AM)

Bring forward any development (planning) applications of concern (outside service area) for review at next meeting.

Ongoing

b. Aerotech Park Connector to Hwy 2:

i. Environmental Assessment

AM directed member’s attention to item 1.v.:

- on the back of the second page note the statements:
 - “part of the project area falls within the Collin’s Park Watershed”;

- and a “water treatment plant is located on Fletcher’s Lake”.
- these statements indicate that the EA acknowledges the Collin’s Park watershed area;
- BG described recent experiences with the highway construction where highways 102 and 103 converge, and the impacts this construction had on the Chain Lakes watershed area with respect to pyritic slate exposure and acid rock drainage (ARD); and therefore, how will Nova Scotia Department of Transportation and Infrastructure Renewal (NSTIR) ensure that ARD from short-term exposed pyritic slate won’t impact the Collin’s Park water supply, resulting from the Aerotech Connector, as well.

Q: *What is our next step in this process? (DP)*

A: Send a letter stating that the exposure time on the pyritic slate is a concern with respect to the water supply. (BG)

- Halifax Water has a monthly sampling program that could provide baseline data should NSTIR or NSE need the data to compare with the water sampling that will occur (or should occur) during construction;
- TM added that NSTIR indicated to SWEPS that they are calling for reduced exposure time of any pyritic slate.

Q: *What is the bedrock under the proposed highway? (WS)*

A: Goldenville and Halifax Formation; mostly the latter. The Halifax Formation has the greatest potential to contain acid-bearing slate. (AM)

- TM added that in the Shubenacadie Lakes Pollution Control Study (1993), the area where the highway is planned was designated as a “no development area” and that in this area, extreme care was advised if any development was to take place there;
- Further, TM feels there may be roads off the Connector, which will expose even more potential slate;
- NSTIR needing to exercise extreme care, should also be included in the letter.
- A more in-depth review of the proposal is needed to ensure the letter covers all the Committee’s concerns; (BG)
- Committee members noted that the EA doesn’t come to any conclusions or recommendations on what to do to mitigate any impacts to the water supply; (DP)
- The Committee should be most concerned that some of the wetlands will be eliminated entirely and what impact on the water supply will occur, positively or negatively in that event.
 - Will an impact assessment be done on the wetlands?
 - Address this and the Committee’s concerns about what the impact of the wetland disturbances will have on the feeder streams in the letter.
- this is an environmental assessment not an environmental impact assessment;
- SWEPS has baseline data for naturally occurring cadmium that has been traced to the rock at the quarry site where the highway construction is proposed.

Action: Draft a letter with comments provided by the committee in this meeting and any others following the meeting in time to circulate the letter for the Committee’s review and submit to NSE by the stated deadline.

AM/All

- ii. Wetland restoration opportunities for SWEPS in watershed

There are no strong advocates for wetland restoration areas from the CPWAC, but if some emerge, contact TM of SWEPS.

Action Complete

- We will work this item into the letter discussed under the previous item.
- NSTIR approached and discussed conservation opportunities with SWEPS.
- SWEPS Trails is also looking at extending Holland Road into a multi-use trail in concert with the Connector development.

Q: *Do we want to comment on wetland restoration opportunities in the letter or leave it for SWEPS to pursue? (AM)*

A: We would prefer that wetlands be restored in the vicinity of the destroyed wetlands; i.e. inside the Collin's Park watershed. We could enhance/create wetlands in the right-of-way area to handle the runoff as well, which would help to mitigate the loss of the wetland function that will be destroyed with the construction of the road. (TM/WS/DP)

c. Scotian Materials Quarry Environmental Impact Assessment (EA):

Submit a letter now and again during 30-day comment window after Quarry EA is resubmitted.

Ongoing

- AM brought people's attention to item *I.vi*;

Q: *Do we want to resubmit the existing letter or add to it, taking into consideration how Scotian Materials responded to the Minister's decision on its EA submission? (AM)*

Discussion:

- We have one approved 3.9 ha quarry. We need to ensure that the same testing requirements for the existing quarry be submitted for the expanded quarry since this application increases the weathered surface. The stronger testing should be maintained for all phases. (TM)
- Another issue is reclamation:
 - How long will the quarrying be allowed before reclamation begins? They are stating they will do reclamation as they abandon sites;
 - it has phases, so why be allowed to get far into the next phase without reclaiming part of the last phase?

Action: State our concern in letter regarding reclamation and suggest a standard for reclamation of an area, to avoid leaving the quarry in an un-reclaimed state indefinitely, avoiding stating specifics in terms of size or area.

AM/All

- Since 2013, SWEPS has taken metal samples and has some good baseline data from what is coming down Holland Brook.

Action: Based on the expertise on the Committee, ensure you review the letter thoroughly to ensure the impact concerns are covered in the letter. (WS/RM/AM)

AM/All

- Submit by October 5.

d. Riparian Buffer enforcement during the permitting process

KB to draft a letter for AM to circulate to the CPWAC for review and sign-off by the Chair, directed to Erin MacIntyre and copied to RM and JM and Kelly Denty.

Complete

Correct SWPR regarding timing of Collin's Park SWPP submission to NSE in 2019.

Complete

Q: *Did you receive a response to the letter sent to Erin MacIntyre? (RM)*

A: No. (KB)

- HRM makes sure no infrastructure (not no vegetation removal) occurs within the buffer, which must be demonstrated in the permit;
- a suggestion is to take photos of the riparian area as part of the site assessment plan to provide a baseline account;
- applicants must demonstrate that they are outside of the line. HRM doesn't have a tool to enforce it. HRM's philosophy is that people would self-regulate rather than expect HRM to regulate the requirement, since there is no staff to do this;
- let's table this item until we get a response to the letter.

Action: **Defer this agenda item until a response to the letter is received.**

Action

All

e. Development of Source Water Protection Plan (SWPP)

Provide a digital copy of SWPP to the CPWAC, within 2 months, for the CPWAC to review over the summer and provide feedback to AM/BG at least two weeks before the next meeting.

Complete

- AM explained that the SWPP provided to the members is an edited version – 100 fewer pages – of the original document that includes more sensitive data which Halifax Water has retained as a resource document;
- Circulated document was thorough and easy to read;
- Needs a short chapter at the end, a couple of pages, to tie the document up;
- an implementation strategy is also required by NSE that will be included.

4. New Business:

a. Fall River Committee member's resignation

- Damon Conrad (DC) has resigned his seat due to an overabundance of commitments;
- DC's resignation has been accepted, with regret;
- now in search of someone to fill the vacant Fall River community member seat;
- KM suggested two people who may be able to fill the vacancy;

Action: **Approach the people suggested by KM, per the Terms of Reference.**

AM/BG

b. Subdivision Application 22471 – Montague Mines

AM directed people's attention to item I. vii

- BG projected the application on screen;
- 3 lots proposed, subdivided;
- Comments received by some members (TM and KB) were acknowledged;
- potential contamination site through sampling sediments in the run. Residents have been advised not to recreate in the area.

Q: *This application is 8 km from Lake Fletcher. What are the chances that contamination from those three lots will maintain the level of concentration that would be of concern to the Committee? (WS)*

A: It falls within the watershed, but outside of the SWPP Intake Protection Zone (IPZ), which is why it has been forwarded to the Committee for comments. It is in a brown area, an area of high-medium risk because of its proximity to watercourses. There is also potential for a

cumulative effect. If we ID potential areas of risk, we don't want to ignore. (BG/AM) If we can bring this to someone's attention it is not a bad thing regardless of jurisdiction. (DP)

Action

- BG prepared the letter circulated for the Chair to sign if all agree, as soon as possible.
- The Committee had no issue or changes to make to the letter.

Action: Send letter out as presented once the letter has been formatted correctly with DP's signature.

AM/BG/DP

5. Education and Awareness:

c. Erosion and Sedimentation Control Plan applications

Action: Add item to Education Strategy

All

d. Strategy and draft materials

Create education package with graphics to educate public about various topics related to water quality, including OSSDS and riparian buffers for the CPWAC's review and discussion about a distribution strategy – preferably the whole watershed area, not just the IPZ.

Ongoing

AM directed people's attention to item 1. viii.

- Want to determine the best way to relieve some of the issues; e.g., riparian areas, erosion and sedimentation through education and awareness, to augments regulations;
- The list breaks up the strategy into three categories that include: **topics** to address; the various **tools** to address the topics; and the various **opportunities** for an audience to acquire the information;
- Open to suggestions as to how or what to tackle;

Q: Comment now or take it home?

Discussion:

- A missing audience is the property owner;
- Suggest appropriate articles to put in local papers on topics such as septic tanks, riparian zones, etc., through a series of information pieces on one aspect that could be continuing;
- Focus on efforts not unique to Collin's Park – whatever we do collectively that will address other watershed areas;
- Go into schools, brownies, cubs, scouts, etc., which works in smaller communities, i.e., Middle Musquodoboit;
- Select two topics you would like to see; low hanging fruit; signage; something that is achievable (SMART goals);

Action: Send AM two topics paired with each topic's tool and audience.

All

6. HRM Planning and Development Update:

a. Port Wallace Development

i. Comments on second draft of policy

- As circulated in an email earlier in the week, HRM Planner, Andrew Bone (AB), is presenting on this item to the East Hants Source Water Advisory Committee

(EHSWAC), which BG and TM sit on;

- The Committee could ask AB to present to us or BG/TM could report back to the EHSWAC committee regarding the next steps at Port Wallace – most efficient choice;
- Could see about providing a copy of the power point to circulate to Committee as well;

Action: Get the highlights of AB’s East Hants Source Water Protection Advisory Committee meeting presentation from AB or through BG’s and TM’s attendance and circulate to the Committee.

- The links previously provided are another way to get updated.
 - ii. Measure water volume
- CBCL floodplain study could be an avenue to get some answers in this regard.
 - iii. Barry’s Run Environmental Site Assessment
- Covered in item 6.a.i.

b. Development on Carr Property in Fall River

Q: *Why wasn’t it sent to Halifax Water for review? (AM)*

A: Could be because it did not fall within the serviceable boundary when it was originally submitted as a development agreement and occurred before water was provided to Fall River. Not completely sure but will find out. (RM)

Action: RM will follow up with the planner to find out why the Carr Property application wasn’t sent to Halifax Water.

7. Election of Officers:

- Spring 2020

8. Next meeting:

- Thursdays are the best nights for meetings.
- Circulate a Doodle poll.

9. Motion to adjourn:

- DP moved to adjourn at 9:00

Action

**BG/TM/
AM**

RM

Respectfully Submitted: AM, Secretary

