

**Lake Major Watershed Advisory Board****Meeting Notes**

April 10, 2018 – 2:00 p.m.

Lake Major Water Treatment Plant

ATTENDEES:

Sherry Bernard (SB), Lake Loon/Cherry Brook Development Association.....Community Representative
Spencer Colley (SC), East Preston Ratepayers Association.....Community Representative
Rev. Wayne Desmond (WD), North Preston Rate Payers Association (NPRPA).....Community Representative
Julie Ernst (JE), Lake Major.....Community Representative
Andrew Faulkner (AF), Development Officer.....Halifax Regional Municipality
Barry Geddes (BG), Watershed Manager (*Vice Chair*).....Halifax Water
Dawn MacNeill (DM), Watershed Planner.....Nova Scotia Environment
Anna McCarron (AM), Source Water Planner (*Secretary*).....Halifax Water
Matt Nelson (MN), Forest Technician.....Nova Scotia Natural Resources

REGRETS:

Pearl Cain (PC), North Preston Residents Association.....Community Representative
Reid Campbell (RC), Director of Water Services.....Halifax Water
Heather Olivella (HO), Protected Areas Coordinator.....Nova Scotia Environment
Derrick Stoddard, Area Manager Halifax West.....Nova Scotia Natural Resources
Colin Waddell (CW), Lake Major Water Supply Plant Supervisor.....Halifax Water

ABSENT:

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

1. Attendance and Introductions:

- AM distributed copies of:
 - i. Meeting Agenda;
 - ii. DRAFT October 6, 2016 Meeting Minutes, and March 23 and October 5, 2017 Meeting Notes;
 - iii. Dam General Site Plans (D10642, D10646, D10647, D10650, D10651);
 - iv. Lake Major Watershed Areas Map 2017;
 - v. Three letters between NSE and Halifax Water re: OSSDS
 - vi. Annual Source Water Protection 2017 Report for Lake Major;
- Meeting called to order by BG (Acting Chair);
- Regrets/Absentees as listed above;
- Quorum noted;
- BG provided background on the Lake Major Watershed Advisory Board (LMWAB) development, its purpose, area and responsibility for the benefit of the members;
- Introductions of the new members, Sherry Bernard (SB) and Rev. Wayne Desmond (WD) from the Lake Loon/Cherry Brook and North Preston communities, respectively;



Q: *What is the difference between a Protected Water Area (PWA) and an Emergency Water Supply Area? (SB)*

A: Municipal water supplies have various regulations attached to them depending on their designation. There are ~25 PWAs in the province, including Lake Major, each with specific regulations. However, not all municipal water supplies have the PWA designation; e.g., the Collin's Park municipal water supply is not designated a PWA because of its large size, development density and few customers. A PWA has a level of regulations (provincial). (BG)

Emergency Water Supplies, as in Lake Lemont and Chain Lakes, have been assigned as such partly because they have outgrown their capacity to serve as the primary water supplies for the former Cities of Dartmouth and Halifax, respectively. They are not designated PWAs, but have regulatory protection under the Halifax Regional Water Commission Act. (BG)

In any case, development in any municipal water supply area must adhere to municipal land use bylaws respecting water supply areas and the *Statement of Provincial Interest*. (DM)

Rev. Wayne Desmond arrived to the meeting.

- Terry Nelson, Lake Major Water Supply Plant Operator, conducted an overview of emergency procedures and venue provisions.

2. Minutes/Notes:

a. Review of Action items based on October 5, 2017 Meeting Notes:

i. Lake Major Dam replacement project:

Jonathan MacDonald (JM) of Halifax Water to circulate tender-approved maps to Lake Major Watershed Advisory Board members.

Complete

BG to follow up with JM.

Complete

ii. On Site Sewage Disposal Systems

Provide response letter to Board members at next LMWAB meeting.

Complete

iii. Request to allow swimming in Long Lake

- See item 3.d.ii. on page 5.

iv. 76 Johnson Road

- See item 3.b. on page 3.

v. North Preston Recreational Field

Halifax Water to contact NSE to determine whether HRM has been approved to work outside of the road construction timeline window as per Section 16(1) of the LWM PWA Regulations.

Complete

vi. Election of Officers

Halifax Water to contact the members to remind them of the upcoming LMWAB meeting and the importance of having representation at this and future LMWAB meetings, to ensure PWA-related business is not delayed.

Complete

b. Approval of October 16, 2016 Meeting Minutes, and March 23 and October 5, 2017 Meeting Notes:

- Moved by AF; seconded by SC; all in favour to approve the Minutes/Notes.

3. *Old Business*

a. **Protected Areas Update:**

- The Protected Area that falls within the *Lake Major Watershed PWA* (referring to the displayed wall map) pertains to a portion of the *Waverley Salmon River-Long Lake Wilderness Area (WSRLLWA)*;
 - 4 years ago, the province added more land to the *WSRLLWA*;
 - DM commented that due to the *Protected (Wilderness) Area* in the *Lake Major PWA*, confusion may arise in terms of regulations; *Protected (Wilderness) Areas Regulations* add another layer of regulations to land within the *PWA*;
- Halifax Water asked the province to swap land swap to consolidate Halifax Water and DNR properties (Crown land) to make the respective lands easier to enforce;
- 2 weeks ago, DNR contacted Halifax Water and began surveying the properties, so progress is being made in this regard.

Q: *When is it anticipated the land swap will occur?* (AM)

A: There is no anticipated timeframe. There is progress, however. (BG)

Q: *What is the next step?* (DM)

A: The Nova Scotia Department of Natural Resources (DNR) is OK with the land swap proposed by Halifax Water. Surveying is being done to verify property ownership. Crown land will then be transferred to NSE from DNR. NSE will then transfer that land to Halifax Water in exchange for Halifax Water's currently owned land. (BG)

b. **76 Johnson Road Update:**

- BG provided background of the issue for the benefit of the new members;
- A local resident brought concerns about the salvage yard business to Halifax Water;
 - The business is permitted to operate as a non-conforming use with respect to current land use by-laws; however, it needs to be cleaned up;
- HRM is resolving the issue through applicable by-laws; and
- Resolving the issues is close to completion; they were stalled due to unforeseen circumstances.

c. **Lake Major Dam Update**

Q: *Where is the dam going?* (SB)

A: BG showed the location of the dam on the map and described it in relation to a local business as well as in relation to the *PWA* boundary, local communities and the Water Supply Plant:

- the contract has been awarded and dam plans have been accepted;
- Board members were invited to view the dam plans that were circulated;
- BG showed where houses close to the new dam location will be/have been removed;
 - Plans are to build one side of the dam first, then the other;
 - When the new dam is operational, the old dam will be removed;
- The Ernst family built the original dam.
- It has taken two years to get to this point – now in the final planning stages;

- This will be the first dam of its kind in NS:
 - the saw tooth pattern allows more water to pass through and holds more water;
 - Site plan #10650 shows the coffer dam and site plan #10651 shows how the dam will be built from the other side.

Q: *Will there be any disruption or blockage of traffic into North Preston? (WD)*

A: No

Q: *When does construction begin? (JE)*

A: June 1st is the target date.

Q: *Who is doing the construction? (SC)*

A: Lindsay Construction.

Q: *Isn't this pushing the timeframe? (JE)*

A: There may not be enough time to take the old dam out because of Department of Fisheries and Ocean regulations (activity in watercourses is not permitted past September 30) so the old dam may stay until next year.

Q: *Will there be advisories when things are happening? (JE)*

A: Yes. The LMWAB will be updated along the way.

Q: *Has Lindsay done this before or were they chosen because they had the lowest bid?(WD)*

A: I don't have that answer because another department reviewed the tenders; however, Lindsay has the credentials. (BG)

d. **Lake Major Regulation changes/considerations**

i. On-site Sewage Disposal Systems (OSSDS)

- Halifax Water wrote to NSE expressing concern about the notification process changes that eliminated a check box indicating whether the system is inside a PWA;
 - Halifax Water is awaiting a further clarification response from NSE;
- DM explained the changes to the OSSDS notification process;
 - “Notification” by a Qualified Person (QP) or Engineer (P. Eng.) is required for an installation that meets the *OSSDS Standard* (including awareness of a PWA); if the installation does not adhere to the *Standard*, then an “approval” is required;
 - HRM Planning was given the opportunity by NSE (as were all municipal units) to be notified when OSSDS notifications/applications were submitted;
 - Halifax Water wants to be notified (not the same as “notification”) of any development activity in PWAs so we are aware of potential impacts and can confirm compatibility with water supply areas; this includes being notified of an OSSDS application whether it is a “notification” or an “approval”;

Action: Request that NSE provide notice to Halifax Water when an OSSDS is being installed inside the watershed area, prior to installation.

DM/NSE

Q: *Does HRM planning get notified of OSSDS notifications and approvals? (DM to AF)*

A: AF has never heard that this opportunity was provided nor was there any discussion that he is aware of within the Planning Department. This will be looked into.

Action: AF will check into whether HRM was aware that they have the opportunity to receive notification of OSSDS notifications and approvals.

AF

Q: *Who would I contact if I were to put in an OSSDS? (SB)*

A: NSE, who would say to get a Qualified Person (QP). (DM)

Q: *Does NSE audit OSSDS? (SB)*

A: Yes; there is a certain percentage of OSSDS applications that NSE is required to audit. (DM)

JE excused herself from the meeting.

ii. Swimming in Long Lake

Q: *Did the NPRPA receive a letter sent from Halifax Water about 2 years ago regarding swimming in Long Lake?*

A: No. (WD)

Discussion: Historically, the community of North Preston raised its concerns during the process of developing the initial *Lake Major Watershed Protected Watershed Area Regulations* to ensure the community could maintain certain accesses. WD was involved in these discussions. (WD)

On another matter, land claims inside the watershed area have not been resolved. (WD) Land claims is a process that needs to be taken up with the province and is not one that can be dealt with on the Board. (BG)

In terms of the regulations regarding Long Lake; this is not much of an issue for the community because it is not where the community tends to swim these days. (WD) RC should remember some of the issues because he was involved in the swimming in Long Lake discussions. (WD)

Action: Further discussion of Long Lake swimming to occur post meeting.

e. **North Preston Recreational Field Update:**

- The recreation field is complete and expected to open after bleachers are installed;
 - The field is located in the area of the old school;
 - Drainage may be an issue; and
- Keep on agenda until it is determined whether the inspection/compliance issue between HRM and the province has been resolved.

4. New Business

a. **Source Water Protection Report 2017**

- No longer a draft Report; it was sent to NSE at the end of March as per regulations.
- The LMWAB did not have a chance to discuss it before it was sent to NSE since the March LMWAB meeting was postponed due to weather; however, the Report was sent to the Board prior to this meeting to provide the Board an opportunity to review; no comments were received or changes requested.
- BG highlighted some of the Accomplishments outlined in the Report:
 - Request to change *LMW PWA Regulations*:
 - a) increase allowable boat motor hp size to Halifax Water to conduct business;
 - b) License to Operate within the *WSRLL Wilderness Area*;
- BG highlighted some of the outstanding issues outlined in the Report:
 - OHV use continues to be an issue, but not a serious one;
 - Lake Major SWPP was submitted to NSE – awaiting approval;
 - Land swap in Wilderness Area;

Action

WD/BG

- Lake Major Dam construction was delayed;
 - In the meantime, the fish pump pumps 30-40,000 fish over the dam;
- Water Quality (WQ) sampling program:
 - important for risk assessment to understand water quality;
 - bedrock impacts water quality;
 - Montague Mine impacts are apparent through arsenic levels found in the water;
 - WQ program is designed to measure quality of water in subwatershed areas;
- Members are still invited to submit comments on the SWP report.

Q: *What is ND? (WD)*

A: Non-detect. (BG)

Discussion: BG explained that water quality samples are measured based on the Canadian Council of Ministers of the Environment (CCME) Guidelines for Aquatic Life, typically a more stringent level than the Health Canada's Guidelines for Drinking Water Quality.

- Public Notification of Regulation changes is on the back of the Report.

5. Landowner Questions/Update

Q: *The North Preston community wants to know about the activity conducted on the East Lake Dam. (WD)*

A: The East Lake Dam holds water back from or allows water flow to Lake Major. The dam has been open for almost three years because of a broken mechanism on the dam, pending a request to NSE to repair the mechanism. Water levels were not a major concern until the Lake Major Dam fell into disrepair. Repairing the East Lake Dam would provide the ability to hold water in East Lake and relieve pressure on the Lake Major Dam. In the meantime, a big rain event was forecast, which required an immediate repair of the East Lake Dam to alleviate pressure on the Lake Major Dam; this was done when the East Lake coffer dam was constructed in October 2017. (BG)

Action: **BG to provide WD his contact information. Call with any questions about activity in the watershed area.**

Complete

Q: *A culvert is causing water to overflow into community property basements. The community wants to know what Halifax Water can do about it. The North Preston Rate Payers Association will want to discuss this at the next meeting. (WD)*

Q: *A resident feels they are being billed inappropriately. (SB)*

A: BG said he would contact the appropriate department at Halifax Water to deal with the stormwater culvert and billing issues.

Action: **relay the stormwater concerns to the appropriate contacts at Halifax Water.**

BG

6. Education Update

a. Arnold D. Johnson Sr. Water Resources Award Update

Q: *Is everyone aware of the Award? (BG)*

A: No (SB)

A: BG explained the purpose, details and history of the NSCC Scholarship Award to the members and the opportunity for an internship with Halifax Water.

AM added that an awareness blitz was circulated a couple of years ago in the North Preston and Black Cultural Community Centres and the Award is featured in the Lake Major Newsletter.

Action: Circulate the [website link](#) for information.

b. **Lake Major Newsletter Update**

- We like to profile new members; SB and WD are next in line.

Q: Is the *recreational field piece something that could be included in the Newsletter?* (WD)

A: Yes. We are looking for such story ideas and any others that involve the watershed area.

Action: AM will talk to SB about being profiled in the next newsletter piece

7. Municipal Development Update

• **Conrad Quarry Property**

- Conrad Bros. Ltd. has submitted an application to HRM Planning & Development to change the land use from residential to industrial and highway commercial on the Conrad quarry lands, located immediately north of the Hwy. 107 – Montague Rd. interchange;
- Portions of the site are located within the Lake Major PWA and the Port Wallace Secondary Planning Strategy study area;
- Conrad Bros. Ltd. need to apply to Halifax Water and the Lake Major Watershed Advisory Board to request the change;
- BG showed where the existing pit is and the hydrology of the area;
 - Currently, the area in question does not drain into the watershed area; it drains into Lake Charles (the Collin’s Park watershed area);
- If it conflicts with the Statement of Provincial Interest then it would have difficulty being approved;
- There are current issues with the boundary line based on existing maps of the Lake Major Watershed Area boundary involving Conrad Bros. Ltd, property;
- Halifax Water has already made comments to HRM indicating that the property in question is inside the PWA;
- It will have to go through the public process before it goes anywhere which would take some time; and
- Wetland policy has already stopped any development from impacting the bog that is on the border of the pit property.

Action: If anything regarding this application comes forward, BG will forward it to the Board.

8. Election of Officers:

- Next meeting, fall 2018 meeting.

9. Next Meeting Date/Time:

- First Thursday in October; i.e., **2:00 p.m. October 4, 2018**

10. Adjournment: 4:20

Barry Geddes – Vice Chair (Acting Chair) / Anna McCarron – Secretary

Action

Complete

AM/SB

BG

