

Collin's Park Watershed Advisory Committee Meeting Minutes



March 21, 2019 7:00 – 9:00
Gordon Snow Centre Boardroom, Fall River

Attendees:

Ken Burrows (KB), Industry Sector Representative.....	Development
Barry Geddes (BG), (<i>Vice Chair</i>) Watershed Manager.....	Halifax Water
Bev Lawson (BL), Customer Representative.....	Collin's Park WSP
Rosemary MacNeil (RM), Development Officer.....	Halifax Regional Municipality (HRM)
Dawn MacNeill (DM), Watershed Planner.....	Nova Scotia Environment (NSE)
Keith Manchester (KM), Community Representative.....	Lake Fletcher
Anna McCarron (AM), (<i>Secretary</i>) Source Water Planner.....	Halifax Water
Dick Pickrill (DP), (<i>Chair</i>) 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
Tom Mills (TM), Representative.....	Shubenacadie Watershed Environmental Protection Society (SWEPS)

1. Welcome and Introductions

- AM/BG distributed copies of:
 - i. March 21, 2019, Meeting Agenda;
 - ii. DRAFT October 4, 2018 Meeting Minutes;
 - iii. DRAFT response from CPWAC to letter dated Sept. 25, 2018 from Acting Environment Minister, Leo Glavine to R. MacPherson, Scotian Materials Limited; re: Goffs Quarry Expansion Project Environmental Assessment, plus highlighted relevant EA review comments from various agencies and Map of IPZ;
 - iv. Excerpt on Land Use Planning and Development Activity, table and map from Collin's Park Source Water Protection Plan;
 - v. DRAFT Source Water Protection Report – Collin's Park Excerpt; and
 - vi. Education Strategy Outline.

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:

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



	<u>Action</u>
3. Old Business	
a. CPWAC's development application review opportunities:	
<ul style="list-style-type: none"> i. Concept Plan Map for Discussion (ongoing) (per iv. documents circulated): • Development cases are indicated by Case number in the Table and on the Risk Areas Map –excerpts from the Source Water Protection Plan (SWPP); and • BG displayed the online HRM Development Applications map for review. 	
<i>Q: How much do we want, have the ability or need to comment on these cases? (DP) Is the WAC receiving them for comment? (WS)</i>	
<i>A: Some we do want to review. Andrew Bone explained at the last meeting that the CPWAC would need a direct link; e.g., like the Port Wallace Public Participation Committee has to HRM. (RM)</i>	
<ul style="list-style-type: none"> • HRM used to send concept plans to advisory boards but that is no longer done; • If there are development applications that the CPWAC wants to be involved in there are ways to share information (i.e., public hearing), but not until after it goes to Council; and • Halifax Water is plugged in through the HRM planning committee and through the CPWAC ToR. 	
<i>Q: How much does the CPWAC want to be involved in the planning processes? (DM)</i>	
<u>Discussion:</u>	
<ul style="list-style-type: none"> • It is important to establish the CPWAC's status. It is recognized by NSE and Halifax Water but not by HRM. We need to establish recognition by HRM; (WS) • It is important to determine the CPWAC's geographic focus area: i.e., the IPZ or the whole catchment area; and • Must ensure the CPWAC is not overwhelmed with applications to comment on. 	
Action: 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.	All
<i>Q: How do we get plugged in? (AM)</i>	
<u>Discussion:</u>	
<ul style="list-style-type: none"> • Must have policy that recognizes the CPWAC as an entity that is permitted to express a plan amendment or is on a list for public review; • Need to be cautious so as not to be overwhelmed; i.e., do we want to be plugged into a secondary planning process, for example? 	
Action: 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.	AM/BG
<i>Q: How many concept plans could we expect to get? (DM)</i>	
<i>A: Anywhere there is not a pipe in the ground – e.g., in the rural commuteshed – a subdivision can have 8 lots and other criteria. HRM is not seeing many of those; rather, it is seeing more grandfather development. There are also controls regarding water quantity and quality. (RM)</i>	
<i>Q: Can we determine our involvement in two stages: i.e.; a) what is required to be recognized; and b) who defines the area upon which we can provide response? (DP)</i>	

Discussion:	Action
<ul style="list-style-type: none"> • The current process for the CPWAC to provide input is through the public process; • Could ask Kenda MacKenzie of Halifax Water engineering and planning how else to have input into this process. 	
Q: <i>What about in unserviced areas, where Halifax Water is not involved in the development process. (WS)</i>	
<ul style="list-style-type: none"> • There are many unserviced areas. Need to be aware of what is happening in unserviced areas as well, to know what impacts there may be on the water supply; • If development is our concern, then the municipality is who we need to converse with; • RM and JM of HRM may be able to inform us when developments are being proposed; but then how do we have input? • The CPWAC wants to be above the level of public consultation, at the earliest possible stage of the development process. 	
Q: <i>Is the line through HRM or through Halifax Water? (DM)</i>	
Action: BG and AM to investigate and follow up where the CPWAC may have input.	BG/AM
<p><i>ii. Development Applications in CP Risk Areas (SWPP)</i></p> <p><u>Recommend developing a parking lot to keep Port Wallace development issues on CPWAC's radar and contact Andrew Bone for updates when preparing for regular meetings.</u></p> <ul style="list-style-type: none"> • Reference document (see 1. iv.); 	Ongoing
Action: Bring forward any development applications of concern for review at next meeting.	All
<ul style="list-style-type: none"> • Such applications emphasize the need to have sufficient water sample site stations; <u>Add water sample sites at outlets of Thomas, Charles and William.</u> 	Rescinded
<ul style="list-style-type: none"> • At last meeting, the CPWAC also discussed having a sample collection site off Miller Lake; however, any additional water sample collection sites are not feasible at this time and may be redundant because there is one at the Lake Thomas North inlet (CPG1). <u>Investigate possibility of determining volumes of water coming through the system.</u> 	Deferred
<p><i>iii. Development Restrictions/Jurisdictions</i></p> <p><u>Find the gaps in the development/jurisdictional (HRM and NSE) processes...to confirm what is or isn't done.</u></p> <p>b. Stormwater: Who's responsible, NSE or HRM or both</p> <p><u>First have a better understanding of the NSE and Halifax Water jurisdictions with respect to water quality with the understanding that quality of stormwater flow is the responsibility of HRM and/or Halifax Water.</u></p> <p><u>Educate the CPWAC on how erosion and sedimentation control plans are applied to development—an idea for a speaker in the future.</u></p>	Complete
Q: <i>What is the outstanding issue for stormwater?</i>	Add to Education Strategy
A: The issue is who is responsible for ensuring the pollution doesn't happen.	
<ul style="list-style-type: none"> • Don't believe the CPWAC will get any further with this. • Everyone is responsible. 	

Action	
Action: Remove from agenda.	AM/BG
c. Development of SWPP (AM)	
<ul style="list-style-type: none"> First draft is complete but needs further cuts – trying to be a 200 page document. A comprehensive document that is ready to be reviewed by Halifax Water staff. A boiler plate document, only to the extent of the plan’s framework: Chapter 1, introduction; Chapter 2, description of watershed area including geology, location, and characteristics; Chapter 3, risks; Chapter 4, management of the risks; Chapter 5, water quality monitoring and evaluation processes; Chapter 6 acknowledgements. After Halifax Water approves the draft, it will be circulated for CPWAC’s review. 	
Action: 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.	BG/AM
d. Aerotech Park Connector to Hwy 2:	
<ul style="list-style-type: none"> TM wants the CPWAC to know that Bob Pett of NS Transportation and Infrastructure Renewal (TIR) has alerted SWEPS of potential wetland alteration funding that SWEPS could tap into for wetland restoration. The CPWAC is invited to make suggestions regarding areas that need attention and to advise SWEPS of those areas. 	
<i>Q: Is there a high-risk area that needs wetland restoration?</i>	
A: There is a fen next to the wastewater treatment plant in Wellington, located just inside the watershed boundary. (AM)	
A: NSE is advised regarding the cost estimate for the restoration work. Ducks Unlimited Canada has been a benefactor for many wetland restoration project funds.	
<i>Q: Would water quality sampling qualify for funding?</i>	
A: No. Only wetland restoration is applicable and depending on the altered wetland’s significance, there could be a two-times-the-size-for-one altered wetland requirement.	
Action: There are no strong advocates for wetland restoration areas from the CPWAC, but if some emerge, contact TM of SWEPS.	All
e. Scotian Materials Quarry Environmental Impact Assessment (EA):	
i. Letter to Minister – regarding Scotian’s Goff’s Quarry Environmental Impact Assessment (EIA).	
<ul style="list-style-type: none"> The quarry lands are within the Collin’s Park watershed area. The documents (see Item 1. iii) forwarded to AM by NSE’s Bridget Tutty were circulated; <ul style="list-style-type: none"> the most relevant document excerpts, i.e., from NSE hydrologists and limnologists, and from DFO, were shared with the CPWAC. In the Minister’s response to Scotian, it was not specifically mentioned that the quarry is in a drinking water supply watershed, but the responses to the EIA application request further information to further assess whether the quarry may affect downstream water quality. There will be another opportunity to provide comment once Scotian resubmits its 	

- EIA.
- The CPWAC can submit a letter now and/or later when Scotian resubmits their application.
 - Review of draft letter to Minister:
 - Change number of connections for accuracy;
 - If members wish to make other significant changes, send them to AM; letter to be sent ASAP.
 - Request that metals of concern be tested for, e.g., unless NSE is already very clear on what metals need to be analysed, to ensure an analysis for these metals is conducted.

Action

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

All

- Recommendation to the CPWAC to [join EIA project notification](#) list.
- Also, [construction projects](#) may be found on NSTIR's website.

4. New Business:

a. Riparian Buffer enforcement during the permitting process

- KB shared how a site assessment used to be conducted on a vegetated watercourse area:
 - a detailed analysis of the vegetated buffer zone was conducted and described;
 - the homeowner was notified of the buffer zone and its content at the permitting stage;
- KB continued: now all that is required is a line along the buffer zone, leaving the homeowner unaware of the buffer zone contents. Alternatively, if the homeowner has a detailed assessment of the zone, they know what was there at the time of the permit. HRM also knew what was supposed to be left there.
- The policy still exists, but it is not being enforced as it once was.
- This is the only motivation we had to protect the riparian area from development along a watercourse. An assessment is required to describe for the homeowner and HRM what to enforce. A line on the map means nothing.
- The current trigger for enforcement now is usually complaint-driven.

Q: Is this a two-stage process? Shouldn't this be an inspection process? (DP)

A: It is the first step, before you get the occupancy permit. (KB)

Q: How do we get back to the process where the riparian zone is described? (KB)

A: HRM uses Google map to determine what is there now. (RM)

A: There is a formula based on the grade of the land:

- When the homeowner buys the property there is a note on every lot that is approved. When there is a permit applied for, there needs to be a description.
- Upon resale, there is nothing to indicate what is supposed to be in the riparian zone.

Q: What do you feel the CPWAC can do to help? (DP)

<u>Action</u>	
<p>Q: Could the CPWAC send a letter to HRM asking that it get back to the original process and to attach the riparian description to the deed? (KB)</p> <p>A: Yes. (All)</p> <p>Q: Who should the letter be sent to? (WS)</p> <p>A: Send to RM's supervisor, Erin MacIntyre and to Kelly Denty, HRM Director of Planning. (RM&WS)</p> <ul style="list-style-type: none"> • This is a very important way to mitigate further attacks on the waterways; • Attaching descriptions to the deed does not necessarily mean the homeowner will comply, unless there is enforcement; • Unless the neighbours complain or report violations, the practice of ignoring regulations will continue unless there is strict enforcement by the authorities; • Riparian buffer zones are treated as an encumbrance on the land; • The triggers are there, the problem is enforcement; • Public information sessions could highlight the practice and deter it through education; • There is a gap. If the builder has to pay a small fee to get the assessment done, they will pay attention to it; • CPWAC government agency reps, i.e., DM and RM will abstain from commenting on letter due to conflict of interest concerns. 	KB/AM
<p>Action: 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.</p> <p>b. Source Water Protection Report (SWPR) – 2018 – Excerpt of the Collin's Park Watershed Area</p> <p><u>Barry reviewed the SWP Report.</u></p> <p>Q: Re (pg. 7) Seasonal occurrence of geosmin – does it easily migrate between catchment areas?</p> <p>A: Can be created from zooplankton or fungus, which can be in all lakes.</p> <p>Action: Correct SWPR regarding timing of Collin's Park SWPP submission to NSE in 2019.</p>	BG
<p>Q: Is Terms of Reference (ToR) defined?</p> <p>A: 2nd to last page shows the parameters measured.</p> <ul style="list-style-type: none"> • Describe unit of measurement as “Lab Detection Limit” instead of “Detection Limit” (DL); • The number represents Halifax Water’s recommended limit; • Some limits are set according to water quality guidelines like CCME Aquatic Life or Health Canada (human health); • It is called a “reportable detection limit”; • The lab sets the machine at the level they are asked to set it at. Anything below that comes out as non-detect. <p>Q: Detectable limit below 5 is bad for fish?</p> <p>A: Aluminum will get on the gills and choke them out at higher levels.</p> <p>Q: There are two min/max levels: One for humans and one for fish.</p>	

A: Yes.	<u>Action</u>
<ul style="list-style-type: none"> • Explain what you mean by a “detection limit”. • What is the MAC for humans and fish? • Halifax Water’s job is to ensure we meet the guidelines for fish and human health. • This is raw water quality numbers not drinking water quality numbers. • Program detection limits. Place another asterisk to describe what this means. 	All
Action: If there are any other comments on the SWP report please submit them to BG ASAP.	All
5. Education and Awareness:	
a. Erosion and Sedimentation Control Plan applications	
<ul style="list-style-type: none"> • How do we get sedimentation control –whoever is responsible for making the mess in the first place – it has come to the education and awareness camp to mitigate these problems, or maybe concerns/techniques should be attached to development permit. • It’s the CPWAC’s responsibility to raise awareness about impacts to the water supply. • The handout outlines education strategy topics, tools (e.g., signage) and to whom the strategy is targeted. <ul style="list-style-type: none"> ○ Add schools, cubs, scouts and brownies to audience and distribution tools list. 	AM
Q: Who will fund a door-to-door campaign? (WS)	
A: If we don’t have that identified then we should scrap it.	
b. Strategy and draft materials	
Action: Create education package with some graphics to educate the 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.	AM
6. HRM Planning and Development Update:	
a. Port Wallace Development	
<ol style="list-style-type: none"> i. Comments on second draft of policy (AM) ii. Additional Sample sites (BG) iii. Measure water volume (All) 	Deferred Rescinded Deferred
b. CPWAC’s development application review opportunities	
<ul style="list-style-type: none"> • (see 3. a.) 	Deferred
c. Development on Carr Property in Fall River.	
7. Election of Officers:	
<ul style="list-style-type: none"> • April 2020 	
8. Next meeting:	
<ul style="list-style-type: none"> • TBD 	

	<u>Action</u>
Action: Send out Minutes twice; early and later.	AM
Action: AM to check in with DP before meeting to discuss upcoming Agenda.	AM

9. Motion to adjourn:

- DP moved to adjourn the meeting at 9:10.

Respectfully Submitted by AM.