



**BENNERLY LAKE WATERSHED
MANAGEMENT COMMITTEE**

Meeting Minutes – March 5, 2015 – 1:30 p.m.
2 Park Ave., Lower Sackville Halifax Water Office Boardroom

Attendance:

Barry Geddes, Watershed Manager (Vice-Chair)..... Halifax Water
 Jan JachimowiczLandowner Representative
 Dawn MacNeill, Watershed Planner..... Nova Scotia Environment
 Anna McCarron, Source Water Planner (Secretary)..... Halifax Water
 Garry Oxner, Superintendent of Supply Plants..... Halifax Water
 Tim O’Brien, Crown Land Forester..... Department of Natural Resources
 Heather Olivella, Protected Areas Coordinator Nova Scotia Environment
 Kevin Warner, Development Officer (Chair) Halifax Regional Municipality

Guest Presenter:

John MacNeil, Registrar DNR Geoscience and Mines Branch ... Department of Natural Resources

Regrets:

Reid Campbell, Director of Water Services Halifax Water
 Paul Parusel, Brookhill Estates Community Representative
 Bernie Matlock, P. Eng. Nova Scotia Environment

	<u>Action</u>
<p>1. Mining Presentation (in conjunction with Pockwock Watershed Committee Meeting) led by John MacNeil, Registrar with DNR Geoscience and Mines Branch, Department of Natural Resources.</p> <p><u>Mineral Resources Act</u> under review:</p> <ul style="list-style-type: none"> • February 4, 2015 deadline for comments to be considered in the review of the new <i>Mineral Resources Act (MRA)</i>; and • Halifax Water submitted comments. <p>Action Item: Dawn MacNeill requested a copy of Halifax Water’s recommended changes to the <i>Mineral Resource Act</i> submitted to DNR</p> <p>(see Action Item #6 in Table below).</p> <p><u>DNR Online Interactive Minerals Map (NovaROC):</u> http://novaroc.novascotia.ca/novaroc/page/flex/index.html?keepSyncToken=keepSyncToken&ts=1442338327489):</p> <ul style="list-style-type: none"> • very useful and user friendly; • up-to-date claims are posted on this interactive website; • municipal water supply boundaries are in line with DNR’s; • moving to digital formatting helped synchronize the department’s data; and • mapping in real time provides a hands-on way to know the current situation regarding mine leases and exploration. 	<p align="center">Barry/ Anna</p>

Exploration:

- exploration activity is mostly research and development;
- exploration licenses cost \$10 and are good for one year;
 - gives rights to explore and to apply for a lease;
 - license holder has to do recognized geoscience work in the area, which is good for information purposes for the government and others by providing a better understanding of the mineral geology of province; e.g., acid drainage rock;
 - knowing the geology is a benefit to the landowner / keeper (e.g., to a water utility); and
- \$3 – 20 Million is generated annually through exploration in NS; and
- under the *Wilderness Areas Protection Act* –a Protected Area is not open for staking.

Mineral Lease

- Mineral Rights are held by the Crown;
- need to apply for a mineral lease;
- in advance of drilling or trenching the party needs to give notice to DNR– failure to do so could result in monetary penalties;
- in order to move forward – need to provide an Environmental Assessment and Industrial Approval;
 - one window process – brings together all regulators that are impacted by the proposal;
 - Federal counterparts may say it meets/needs a federal assessment;
 - all impacts to the area need to be identified and addressed;
 - techniques improve and standards and thresholds change for those required to mitigate impacts;
 - an application does not require landowner notification.
- Usually prospectors enter into a partnership because it is expensive to do exploration and then get a lease costing millions of dollars for assessment and community engagement work.
- A market-driven business; therefore, the market may fall out of the metal. A mine could be economical for 2 grams/ton of rock, but you need a certain size for it to be worthwhile.
- While staked, an application is not permitted for 90 days.

Landowner Rights:

- The prospector is required to notify the landowner.
- In terms of a municipal water supply area, the prospector must notify

Action

Table 1: Action Items and Status				
<i>(Completed Action Items to be Deleted from Next Set of Minutes)</i>				
Item #	Action Items	Date Issued	Delegate	Status
1	Bennery watershed area and plant tour was conducted October 15, 2014.	March 5, 2014	Garry/ Anna	Complete
2	Special Constable Status and Training for Halifax Water staff with respect to the <i>Environment Act</i> SOT changes.	March 6, 2014	Barry/ Reid	Pending official appointment
3	Vacant HWAB/RWAB position; see Action Item #15 below.	March 5, 2015	All	Remove from agenda
4	Send link for Bennery Lake Watershed PWA Regulations to Committee.	March 6, 2014	Barry	Complete
5	Ask local DNR biologist to investigate the concern by the community that there is a lack of wildlife activity; i.e., fish, bats and birds seem to be absent this year compared to previous years. Update: Nothing out of the ordinary is occurring.	Update: March 5, 2015	Barry / Tim	Remove from agenda
6	Send copy of Halifax Water's submission to DNR containing recommended changes to the <i>Mineral Resource Act</i> to Dawn MacNeill.	March 5, 2015	Dawn/Barry/ Anna	Complete
7	Create a Bennery-specific brochure; generic on one side and Bennery-specific on the other.	Updated: March 5, 2015	Barry / Anna	Ongoing
8	Distribute brochure to community	Updated: March 15, 2015	Paul	Pending progress of brochure
9	Update Committee on HRM Community Development Department activities at next meeting	March 5, 2015	Kevin	Ongoing agenda item
10	Request that DNR notify Water Works Operator of any watercourse alterations on Crown Lands inside the Bennery Lake watershed. After Protected Areas are established there will be 46 ha of Crown.	Updated: March 5, 2015	Tim	Action Required (see Item #12)
11	Seek efficiencies through NSE to improve watershed protection as it relates to NSE's approval process (Watercourse Alteration and On-site Septic systems).	Updated: March 5, 2015	Bernie/ Dawn	Action Required (see Item 12)
12	Halifax Water to request from NSE that they inform the Water Works Operator (Halifax Water) about Watercourse Alteration permits and on-site septic changes/applications as part of the approval processes and as per Bennery Lake PWA Regulations.	March 5, 2015	Barry	Further discussion required at September 2015 meeting.
13	Discuss regulations concerning items 11 and 12 at September 2015 meeting.	March 5, 2015	All	Action required
14	Post approved September 18, 2014 Minutes on website	Sept. 18, 2014	Anna	Complete
15	Revisit membership on BLWMC and prepare draft proposal for March 2015 meeting; consider taking off HWAB and add PA as a landowner by December 31, 2015. Consider DNR landownership status as well.	Update: March 5, 2015	All	Action Required

	<u>Action</u>
<p><u>Business Arising from the Minutes / Action Items</u></p> <p>Communication tools discussion:</p> <ul style="list-style-type: none"> To help get the word out to the community about watershed protection activities in the Bennery Lake watershed area, the Shubenacadie Watershed Environmental Protection Society (SWEPS) could be considered an avenue. <p>4. Other Business:</p> <p><u>Protected Areas (PA) Status – Bennery Lake Nature Reserve Update – Heather Olivella (NSE)</u></p> <ul style="list-style-type: none"> Heather circulated a map for illustration purposes. An agreement was reached regarding Protected Area boundary area: <ul style="list-style-type: none"> See website for location of Bennery Lake proposed Nature Reserve: http://novascotia.ca/parksandprotectedareas/plan/interactive-map/ Contains valuable wetland area habitat and dwarf birch. <p>Q: Regarding Terms of Reference:</p> <p><i>Should the BLWMC consider adding Protected Area representation to the Committee and eliminating the DNR position as most (all but 46 ha) of the Crown land will be transferred to Protected Areas (NSE land) as the Bennery Lake Nature Reserve?.</i></p> <p>A: Suggest determining representation status by December 2015 (when PA status for proposed lands will be established in the legislature).</p> <p>Action Item: Revisit BLWMC membership statuses and prepare draft Terms of Reference proposal for September 2015 meeting; consider taking off HWAB and add PA as a landowner representative by December 31, 2015. Consider DNR landownership status as well (<3%).</p> <p><i>(See Action Item # 15 in Table above.)</i></p> <p><u>Bennery Water Supply Treatment Plant Tour:</u></p> <ul style="list-style-type: none"> Conducted by Garry Oxner on October 15, 2014. Three members attended. Everyone enjoyed the tour. <p><u>Standard Operating Procedures – re: permits Bernie</u></p> <ul style="list-style-type: none"> Watercourse Alterations approvals re: [Bennery Lake Regulations, anyone seeking to alter a watercourse within the Bennery Lake Watershed must obtain written permission from the Water Works Operator (Halifax Water) prior to obtaining approval from NSE. To the Committee’s knowledge this has never happened. <i>(Carried over from September 18, 2014 Minutes)</i>] 	<p>Barry/Anna/ All</p>

<ul style="list-style-type: none"> • Septic Tank Approvals: same as above. <p>Action Item: Discuss efficiencies to improve watershed protection as it relates to approval processes (<i>see Action Items #10, 11, 12 and 13 in Table above</i>).</p> <p><u>Bennery Lake Boat Launch - Barry Geddes</u></p> <ul style="list-style-type: none"> • Boat launch required to allow for operational maintenance, watershed management and eliminate safety concerns. • No issues to report. The company was diligent about using silt fencing and installing and maintaining them properly. A triple boom system was used during construction of the boat launch; <p><u>Sullivan Lake Discussion</u></p> <ul style="list-style-type: none"> • Paul Parusel was not in attendance with regrets; however, Paul’s offer stands to deliver watershed brochures to the local community. <p>5. New Business:</p> <p><u>Source Water Protection Report:</u></p> <ul style="list-style-type: none"> • Water Quality Monitoring: <ul style="list-style-type: none"> ○ Nothing new to report other than regular sampling has shifted to every two months in the winter season due to limited resources. <p>Q: <i>Does Halifax Water do its own sampling?</i> A: Yes. CCME Water Quality Guidelines for the Protection of Aquatic Life are used as the measurement constant.</p> <ul style="list-style-type: none"> • RMPS did not recognize the watersheds <ul style="list-style-type: none"> ○ Maps and improvements were made in this regard. • Geocaching: <ul style="list-style-type: none"> ○ Some sites – those considered too close to a secure facility – were removed. • Mountain biking: <ul style="list-style-type: none"> ○ Halifax Water is working toward developing a new strategy that is similar to the Geocaching strategy. • Section 3.1: <ul style="list-style-type: none"> ○ Correction: 4.a) change wording “agreement” to “permit”. <p>6. Municipal Planning Update:</p> <ul style="list-style-type: none"> • Barry updated Heather on new subdivision development in Bennery Lake Watershed Area: <ul style="list-style-type: none"> ○ There are difficulties regulating the small corners of the 	<p style="text-align: center;"><u>Action</u></p> <p style="text-align: center;">All</p>
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watershed where lands lie within the natural watershed and outside of the designated Protected Water Area.

Action

Q: *Have we considered making the PWA larger to incorporate the properties that have an impact on the watershed area?*

A: No we have not, but this could be considered.

7. New Business Arising:

None.

8. Landowner Q&A:

Tim O'Brien brought to the Committee's attention possible logging operations north of the Bennery Lake WTP road.

Discussion:

Q: *How will the area be accessed?*

A: Hopefully from the WTP access road. Concerns were raised about trucks turning off of Hwy 102.

Jan suggested looking at building a new access road from exit 6 ramps to the WTP access road. Tim liked the idea and was going to take it into consideration should the operations move forward.

9. Next Meeting Date

September 17, 2015 1:30 pm.

10. Adjournment

Meeting adjourned 3:15 pm

Kevin Warner: Chair

Barry Geddes: Vice Chair

Anna McCarron: Secretary