

September 20, 2013

To Mayor Savage and all HRM Councilors:

We are writing on behalf of the Woodens River Watershed Environmental Organization (WRWEO) regarding the proposal to remove key environmental controls (front end processing FEP and waste stabilization facility WSF) at the Otter Lake landfill and to increase the height of the landfill to extend its life.

We will first introduce WRWEO, then address the height issue, and finally consider the ethical and economic arguments against the proposed change.

WRWEO is an organization of volunteers who have been carrying out action projects to protect and improve human and natural environments throughout the Woodens River watershed and adjacent areas making up the Five Bridge Lakes Wilderness Area (FBLWA) since 1995. WRWEO was highly involved in seeking protection for the Five Bridge Lakes Wilderness Area (FBLWA) and continues to be involved in stewardship now that the area is protected.

Our organization constructed and maintains The Bluff Wilderness Hiking Trail, which has been ranked among the eight top wilderness trails in Canada that are located near urban centres. The existence of this trail was a major factor in the designation of the Five Bridge Lakes Wilderness Area under the Protected Areas Act, and it continues to be a focus for many of the public activities related to the FBLWA and is a growing eco-tourism draw.

For more information on WRWEO and The Bluff Trail, visit www.blufftrail.ca

Increasing the Height of the Landfill

The landfill at Otter Lake can be seen now from several points on the trail, but we were anticipating closure of the facility in the relatively near future. A 10 to 15 meter vertical extension would add 17 to 23 years to the life expectancy, both factors that would be highly detrimental to the wilderness experience of The Bluff Wilderness Hiking Trail.

The Stantec Report (January 2013) acknowledges the visual issue:

"The final decision to expand the RDF vertically or to maintain the current design limits must weigh the broader community benefits of significantly extending the life of the landfill at minimal capital costs, compared to the impact of the increased visual presence of the RDF on its immediate neighbours."

The SNC-Lavalin Peer Review (April 2013) went further and conducted tests to assess the visual impact, but only from residential view planes:

"The original design accommodated restrictions related to view planes. Our February 2013 Balloon Study tested how visible the proposed additional cell elevation would be from residential view planes in the area. Aside from a bedrock outcrop in the anticipated commercial area of the Brunello Estates commercial / residential / golf course (Exist 3, Highway 103), we are confident that the increase in height of the landfill cells will not be visible from the other locations we visited for the study."

Obviously no attempt was made to determine whether the view planes of The Bluff Wilderness Hiking Trail would be affected since even now the landfill is visible from the trail, for example from the ridge at the south end of Cranberry Lake where the first and second loops of the trail join. This spot is heavily visited since it is at the place where the first loop joins the second and most visitors hike just the first loop (2-3 hours hike) and see the landfill now in the distance. The sense of a wilderness experience would be badly compromised by increasing the height of the landfill in the manner proposed to extend the life of the landfill.

The landfill is visible also from other places, such as The Bluff plateau on the third loop, The Bluff loop, from which the trail derives its name. An increase in height would in effect undermine the purpose of the trail: to give residents and tourists an opportunity to experience the beauty of wilderness next to a major urban centre. Instead of a tourist destination, it would likely become a destination to avoid. The remainder of this letter will put this important concern in the context of moral and economic reasons not to make the changes proposed.

The Ethical and Economic Arguments re Otter Lake

The ethical argument for not removing the key environmental controls (such as, front end processing FEP and waste stabilization facility WSF) at the Otter Lake landfill is that the municipal government made a promise to the community surrounding Otter Lake to install these controls and to leave them in place for the 25-year duration of the landfill's operation. Those are the conditions upon which the community agreed, more than a decade ago, to have the landfill in their backyard when no other community would accept the risks and potential damage. The promise by HRM was put in the form of a legally binding contract.

Note that the ethical case is not founded upon a promise made that would benefit only the community around Otter Lake. These key control conditions (FEP/WSF) are a benefit to all in HRM, for the reasons set out below. Thus, it would be a grave **injustice** to the community if HRM were to go back on this promise, when **(1)** no other community would take on the landfill voluntarily knowing the risks, **(2)** taking on the landfill benefits everyone in HRM, and **(3)** the specific conditions for acceptance would themselves benefit everyone.

These points constitute together a powerful ethical reason against renegeing on the promise made to the community surrounding Otter Lake. Given the weight of these

ethical considerations, only in the direst of circumstances should HRM consider violating its promise made to those who undertook this burden voluntarily for the good of all.

Are the circumstances now dire? No. In fact, given the small price of the controls, their general effectiveness, and the high downstream costs of removing them, HRM cannot afford to remove them.

The ethical argument is thus reinforced by economic reasons. What are they?

On one side of the ledger is the cost of the controls. The experts peg them at about \$10 million a year. A lot of money for one household to pay, but the cost is divided among all households in HRM. John Cascadden has calculated the cost to individual households at little more than \$60 per year. This is a relatively trivial cost to have a landfill whose standards are world class, a landfill that continues to perform well by independent scientific tests, and that has attracted international recognition. In short, to keep the promises made to the community, which took on the risks for the benefit of all of us, costs almost nothing.

But a cost is a cost, you might say, and why not save \$60 a year for each household? The answer is simple economics, namely, that the costs of breaking the agreement would be the downstream expense that would dwarf the tiny savings. In short, **each household will pay a lot more than \$60 if the agreement is broken.**

Here are four main categories of costs:

(1) There is the environmental cleanup that will inevitably ensue. There may be environmental costs even with the controls in place, since nothing is perfect. That is why we speak of the community taking risks in their accepting a major landfill near their community. Without the environmental controls, however, the landfill will be, in time, like the old Sackville landfill. With the Nile Mile River directly down the hill, adjacent the landfill, and a large community downstream from it, the total costs of cleanup will be really significant and quite honestly the environment would likely never be completely restored. The community downstream will be affected badly, but so will the newly protected wilderness area on the other side of the river.

(2) For the same reason that property values fell as a consequence of the poorly managed Sackville landfill, property values will fall here. Will that affect just those who own property nearby? Certainly not, for as property values fall so will the tax base and therefore total revenue be diminished. Diminished revenue to HRM will affect everyone's pocketbook.

3) Inevitably tourism will be affected, not only because the Province's hard-earned good reputation of environmental responsibility will be tarnished in the eyes of potential tourists, but also more directly because the Five Bridge Lakes Wilderness Area will no longer be pristine. That area, where The Bluff Wilderness Hiking Trail is

found, was voted one of the eight best urban escapes in Canada. Though the landfill can now be seen from various points on the Bluff Trail, once the height of the landfill is increased in the manner proposed, it will be seen from virtually every look off. See the specifics in the previous section. Who goes to hike a wilderness trail to view a landfill? What about an ugly polluted landfill?

(4) Let us not forget, finally, the legal costs, since the promise made has legal status backed by the Province. There will be a legal battle, and no matter who wins there will be large legal costs. Who will pay them? The taxpayers will, of course.

In summary, the environmental controls are extremely cheap when you weigh them (a little more than five bucks a month) against the costs of what will ensue if the controls are removed. Remember: the ethical argument is premised on the fact that all of us in HRM need a landfill that makes economic sense. **Breaking an ethical commitment that benefits all of us makes neither economic nor ethical sense.**

Yours truly,

The WRWEO Board of Directors

Richmond Campbell and Nanci Lee (Co-chairs), Kimberly Berry, Paul Berry, Jessi Fillmore, Diana Jeliaskova, Barbara Klass, Hildi Konok, Lynne Kovan, Tim McGee, Robert McMahon, Jim Muir, David Patriquin, and Linda Moxsom Skinner