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cc: Clerks@halifax.ca for distribution to Mayor Mike Savage and Councilors ; Our HRM Alliance (hrm@ecologyaction.ca); Five Bridge Lakes Stewardship Coalition (tom.musial@bellaliant.net); WRWEO membership

Comments on HRM Regional Municipal Planning Strategy Draft 2.0

Who We Are

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.

This watershed includes all land, habitations and streams that drain into the Woodens River system. The headwaters lie in the region of the community of Hubley by Highway 103, twenty kilometers west of peninsular Halifax. From there, a set of 19 connected lakes flow southwest across the Chebucto Peninsula into the Woodens River and finally into St. Margaret's Bay at Woodens Cove in Seabright, a distance of approximately 20 kilometers. The total area of the watershed is approximately 6500 hectares. Approximately 25% of the Woodens watershed overlaps with the 8600 ha Five Bridge Lakes Wilderness Area (FBLWA). The latter, encompassing 27 lakes (9 partially) and portions of 5 watersheds, has been protected under Nova Scotia's Wilderness Protection Act since October of 2011. Land Use for the FBLWA and some crown land lying outside of it is classified as Open Space and Natural Resource, the remainder as Rural Commuter in RP+5 Draft 2.0 (Map 2).

The Woodens River watershed is moderately settled in the area of most of its headwaters (Hubley is classified as a Rural Local Centre in Map 1, of RP+5 Draft 2.0) and lightly settled at its lower end where it enters St, Margarets' Bay at Woodens Cove.

Between those areas lie large tracts of close-to-pristine wilderness, about 2/3 of it on private land, 1/3 in the FBLWA. These areas are accessed recreationally by both local residents and visitors. For example, The Woodens Road, a k-road, is used by ATVers and there are many hunting/fishing camps located in the lower watershed. The Bluff Wilderness Hiking Trail, which was built by WRWEO, has received national recognition and is becoming increasingly popular amongst residents across HRM. Fishers, canoeists and kayakers and swimmers enjoy the lakes, almost universally employing non-motorized craft.

Major Threats

Protecting the natural assets of this area is a priority for both residents and visitors. Major threats include nutrient runoff into the oligotrophic lakes and streams, disturbances of bedrock and release of toxins from blasting for development, siltation from new development and road construction, acid rain, logging activity in the lower watershed, inappropriate recreational activity.

In many ways, these values, the mix of interests and the challenges of protecting natural assets are those of HRM at large. HRM is close to unique with its matrix of natural landscapes, including extensive Acadian forests, numerous lakes river and streams and coastline and picturesque bays. At the same time we are a rapidly growing centre and these assets could become greatly degraded, reduced in size, highly fragmented within less than a generation if we don't implement strong measures to protect them.

The Regional Plan + 5

RP+5 (Draft 2.0) recognizes these assets, identifies some key components (e.g., as illustrated in Maps 2, 3,4,5) and commits HRM to developing a *Greenbelting and Public Spaces Priorities Plan* that could, in turn, provide the sorts of protection that is needed for our natural assets.

However, given the pace of change in HRM, we could lose critical natural assets in the interval between adoption of the Greenplan and the development and final adoption *Greenbelting and Public Spaces Priorities Plan*. The Woodens River Watershed is a rural area, but is very much affected by what happens in HRM's Urban Settlement Area and the overall pattern and nature of future growth.

Residents and visitors to the Woodens River Watershed and the FBLWA want to see the fundamentally rural nature of this area preserved, its natural assets well protected, only limited growth and only growth that is sensitive to these values.

The ongoing controversy surrounding water and sewer extension along Purcell's Cove Road and the clearing of old growth forest at Boscobel are examples of the threats to our natural heritage, and the passion that people feel about them. The ongoing water quality issues on the Sackville River, the direct and indirect costs of

addressing them and the public support for remedial actions via the Sackville River Association illustrate how better upfront planning and awareness could have protected the natural assets.

We support concepts and solutions proposed by Our HRM Alliance

WRWEO very much supports the concepts and Seven Solutions proposed by Our HRM Alliance (of which WRWEO is a member) as a means of protecting our natural assets and minimizing costs to taxpayers while at the same time facilitating continued growth in our economy. We share the Our HRM Alliance's critique of the current draft of RP+5 Draft 2.0 (May 17, 2013):

While modest progress has been made in some areas of the Plan, in other areas the revised Plan has actually moved backwards from the current Plan. The Alliance does not feel that the proposed Plan has any more teeth than the current Plan to ensure that growth is directed appropriately. In fact, the current revisions of the Plan have even fewer teeth.

While all the specific deficiencies are too numerous to note, we have particularly identified the following four areas where the Plan needs to be improved:

1. Directing Growth: The Plan needs a clear delineation of where growth should occur, where it should not occur and where it should happen with caution. The Plan provides too much wiggle room in this regard. In particular, HRM policies SU-15 and G-16 make it possible to develop in zones adjacent to a zone where development is already permitted. HRM is required to have 15 years' worth of land ready for development. At the moment, it has over 30 years' worth of approved lots in the suburban area alone.

2. Greenbelting and Priority Plans: Too many important issues have been left to be developed in priority or functional plans, with no direction as to when these will be completed or what they will contain. For example, the term "greenbelting" is included, but is not defined, and the details are left to a priority plan. We need Greenbelting in the Plan itself, with defined boundaries on where the municipality will grow.

3. Transportation: The current transportation chapter focuses on road network projects rather than on making it easier for all people to get from place to place. HRM should be advocating for more active transportation and healthier lifestyles through its mobility plans. Details of how residents are going to shift their mobility habits is necessary. References to the widening of Bayers Road and a third harbour crossing should be eliminated.

4. Inadequate Measures to Monitor Success: Appendix A gives reasonable measures but does not set targets or timelines. HRM will be required to monitor the right things but it has no plan of action on whether that measure should be

increasing or decreasing, or how it will and when it will change. As it stands the Plan is not adequate to achieve stated growth targets nor ensure that future growth is sustainable.

Further comments by WRWEO

1. At the very least, a provisional Greenbelting Map should be included in RP+5, with restrictions on development defined and remaining in place until the more detailed *Greenbelting and Public Spaces Priorities Plan* is completed and approved.

The Our HRM Alliance has produced maps and suggested policies for a four zone Greenbelting system designed to “provide a physical representation of areas where growth should be encouraged and areas where human development should be restricted”. See: <http://www.ourhrmalliance.ca/1-use-greenbelting> (The four zones are: Protected areas and natural corridors; Natural resources and agriculture; Rural communities and Coastal Management Area; Regional Centre and suburban growth centres.) Given the broad base of the Our HRM Alliance, the consistency of the scheme with stated goals of regional planning by HRM, and adoption of similar schemes by other major centres, it would be sensible and expedient to use this scheme as the basis for a provisional Greenbelting Map and restrictions in RP+5.

2. Put a hold on any development on land currently designated Urban Reserve. The Urban Reserve designation has proved highly problematical and subject to arbitrary modifications in response to pressures from developers rather than reflecting real development needs as illustrated by the controversies surrounding sewer and water extension along Purcell’s Cove Road. The ability to modify the designation via HRM policies SU-15 and G-16 is a factor in urban sprawl and related financial costs to taxpayers. If there were much less wiggle room, developers would not apply to develop such areas, which in itself would reduce demands on city staff. A Greenbelting system with well defined policies would be a more effective tool, but until such a system is elaborated, no development on land currently designated urban reserve should be allowed.

3. Please reference HRM land in the vicinity of Moore’s lake specifically as land that should be added to the FBLWA.

We note the comments on page 24 regarding geographic boundaries to be determined for The Western Common and Blue Mountain-Birch Cove lakes. Not included there or elsewhere in Draft 2.0 is reference to HRM land in the “horseshoe” of the FBLWA, i.e. HRM land around Moore’s Lake (see map at <http://www.halifax.ca/RealPropertyPlanning/WCWA/documents/Figure07-GovernmentControlledProperty.pdf>) In the Western Common this area was conceived as part of an anticipated “Wilderness Conservation Area”, most of which

is now the protected FBLWA (see Appendix DE at <http://www.halifax.ca/RealPropertyPlanning/WCWA/>). Likewise in discussions leading up to protection of the FBLWA that included HRM staff and councilors, it was anticipated that the HRM land around Moore's Lake would eventually become part of the FBLWA.

4. Natural Corridors: please include reference to wildlife corridors across major highways, e.g., connecting natural areas across Hwy 103.

We are directly concerned with providing wildlife connectivity between the FBLWA and Blue Mountain Birch Cove Lakes and between FBLWA and The St. Margaret's Bay Mersey Lands. At a public session on RP+5, an HRM staff member said that providing wildlife corridors across highways was too expensive to consider, referencing multimillion dollar examples. In this regard we have two recommendations: (1) modify/expand the larger existing culverts and underpasses to accommodate wildlife passages; (2) make use of inexpensive electronic crossings of roads for larger wildlife. This is particularly important in relation to the group of endangered mainland moose on the Chebucto peninsula (<http://wrweo.ca/ChebWilderness/moose.html>).

5. Wetlands: Include complexes of smaller wetlands/vernal pools in the wetland schedule E-15

On the hard rock that outcrops or lies close to the surface of the Chebucto Peninsula there are areas with a complex of small wetlands, including vernal pools, each of which may be less than 100 m² (the minimum size for protection or requiring approval to alter under provincial or HRM regulations), but that collectively are important for water storage, water purification and for wildlife. Vernal pools are very difficult to replicate under compensation schemes and so should be left intact.

Thus we request that small wetlands/vernal pools be documented in schedule E-15 and require protection where they collectively exceed 10% of a the area within any 50 x 50 m (2500 m²) block. An example of the type of protection that is appropriate:

Be aware. As a developer or landowner, you can resist the urge to fill in a "pocket wetland" or vernal pool, and let the area remain natural. Since pools dry up before summer, mosquitoes shouldn't be a concern.

Allow space. A 100-foot natural buffer around a vernal pool is important to water quality. A 1,000-foot radius is ideal for the habitat and food supply of amphibians.

Leave trees in place. Trees and leaf litter are an important part of the vernal pool ecosystem. Leaf litter is important for food and protection. Brush, logs and dead trees are important as well, since some salamanders live beneath dead trees and logs.

Do not disturb. Never dump debris in the pool or in a dry depression. Do not dig in the bottom of a pool, even if it is dry, or you will impact the area's ability to hold water. Dormant salamanders living under the ground will also be affected.

Source: Virginia Dept of Game and Inland Resources

<http://www.dgif.virginia.gov/habitat/vernal-pools-and-salamanders.asp>

Nova Scotia Department of Environment has only relatively recently begun to investigate vernal pools but acknowledges their general importance (<http://www.gov.ns.ca/nse/wetland/vernal.pool.mapping.project.asp>). HRM has been proactive in implementing more stringent protection of watercourses through buffers than is required under provincial regulations, recognizing that this is the most rapidly growing area of Nova Scotia. We urge that the same principle be applied to complexes of small wetlands and vernal pools.

6. Riparian buffers: require a minimum of a 30 m wide buffer along all watercourses, and specify that wider buffers may be required according to site topography and other conditions. The current draft calls for a 20 m buffer and does not specify that wider buffers could be required to properly protect water courses.

7. Change “may” to “will” under E-20: HRM will consider a by-law to protect existing trees and to manage the retention and/or existing trees within riparian buffer zones. We would also like to see firm restriction on clearcutting of mature tree stands outside the buffer zone so that situations such as occurred at Boscobel in 2012, are not repeated.

8. Change “may” to “will” under E-25: HRM will prepare a water quality protocol for water quality monitoring...

WRWEO has conducted extensive and intensive water quality studies which have provided valuable baseline data, particularly for lakes in the upper part of the Woodens River watershed. (see <http://wrweo.ca/AqHabWQ/index.html>). However, we should not have to rely on such volunteer activities for this sort of activity and subsequent monitoring. Volunteers can be an important component, but that requires some financial support for equipment and water analysis, and it should be conducted in the context of an integrated water quality monitoring for all of HRM.

9. Surface Water Protection: specify strict performance standards to control soil runoff in the site clearance and construction stages of new developments. S-19 (p. 54) specifies a no net increase in phosphorus as the performance standard for all large scale developments. This is laudable but limitations to the approach need to be recognized. Not infrequently, the major phosphorous export is associated with runoff of soil during site clearance and can be difficult to measure or forecast as the conditions are very site and management specific. As well, such runoff can be highly detrimental to fish and other aquatic life so runoff is an issue independent of

phosphorous loading. Thus specific provisions to control soil runoff should be specified.

10. Surface Water Protection: For larger developments adjacent to lakes or to streams that feed into lakes or river, require baseline measurements on the receiving waters and continuous monitoring of water turbidity, pH and electrical conductivity during landclearing, blasting and heavy construction phases. A similar provision should be applied for larger (e.g., >20ha) forestry clearcuts in HRM.

Monitoring of this sort can be made by relatively inexpensive automated systems. As commented under #9, factors other than phosphorous can impact water quality and aquatic habitat. We have issues with acid slate in HRM, and our already acid waters can be highly sensitive to pulse inputs of acidic waters, hence the recommendation for pH monitoring. Turbidity measurements can aid in monitoring soil runoff. Electrical conductivity is sensitive to inputs of soluble inorganics that could be released in pulses during development or clearcutting. This comment also reflects our investigations into and interpretation of water quality and limnological conditions in the upper Woodens River Watershed following the sudden collapse of the mayfly and trout populations in 1989/1990 (see various documents at wrweo.ca under the Aquatic Habitat and Water Quality tab), and to a clearcutting/water quality incident in the lower Woodens River area in 2004.

Thank you for consideration of our comments.

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