

Soil & Water Conservation Society of Metro Halifax (SWCSMH)

(a volunteer scientific stakeholder-group)

310-4 Lakefront Road, Dartmouth, NS, Canada B2Y 3C4

Email: limnos@chebucto.ns.ca

Tel: (902) 463-7777

URL: <http://www.chebucto.ns.ca/Science/SWCS/SWCS.html>

Ref.: morris_wshed_0101 (4 p+Minister of the Environment's email= 5 p. total)
To: Roger Wells MCIP, Coordinator-Planning, HRM
From: S. M. Mandaville (Professional Lake Manage.), Chairman and Volunteer
Exec. Director
Date: July 07, 2001
Subject: **Morris Lake Watershed**-- pursuant to consultations by invitation on
Wednesday, June 27, 2001 ...inclusive ... of related concerns over the
recent years, not just Morris Lake

(Pardon any typos/grammar)

I attended the unadvertised June 27, 2001 consultations at the Cole Harbour Place on the personal invitation of Dr. Tony Blouin PhD and I herewith express my group's grateful and sincere salutations to Tony. I had attended the said meeting as the 'representative' of my North American based scientific group (SWCSMH) in LIMNOLOGY, and limnology is the prime discipline dealing with the freshwater sciences. Further, our group does indeed have a few local residents as well as associates among us domiciled within the overall watershed of Morris Lake as well as the Cow Bay River. There are several overall aspects here, some are comments/suggestions, and a handful can be considered as complaint(s).

[I] Complaint re misinterpretation of part of OUR WEB DATA on MORRIS LAKE in the GRIFFITHS MUECKE *et al* report of May, 1998 (further, others' misinterpretation may have some professional liability on us).

Without prejudice

I am quite concerned on aspects of the aforementioned study. While this is not all-inclusive, I will state my primary concerns, and Mr. Wells, I have already consulted, in a preliminary fashion, local lawyers inclusive of attending a meeting where an expert IP (Intellectual Property) Rights lawyer from Toronto addressed a mini-conference on Intellectual Property Law at The 2001 Science IP Breakfast on April 27, 2001 at the Lord Dalhousie Room, Arts & Administration Building at Dalhousie University organized by the Atlantic Provinces Council of the Sciences:

1. The general 'gist' I glean is that just because I lodged various modelling as well as chemical/biological data archives on the internet does not mean that any consultant working for a '**fee**' as opposed to '**altruistic**

- research**' could use them at their ease without taking permission, especially since many are marked with either 'Caution' or the universally known 'Copyright symbol'. I am one of the easiest people to reach and I respond within 24-hours if I am in town, and the least courtesy the consultants could have shown us is by asking our permission for using some of our archive data.
2. HRM and you are equally responsible since you are the so-called beneficiary of our leading limnological research not just in this case but other cases as well which I am aware of since good and decent staff within HRM's offices and others outside of HRM tell me.
 3. The consultants actually did not use all of our work as it is and they never addressed the 'phycology' and the 'benthic ecology' that we studied at Morris Lake.
 4. But the consultants did indeed do an injustice to us by misinterpreting some of our data, and I have already explained in detail to Dr. Tony Blouin PhD, John Sheppard PEng and Renee Roberge PEng at a presentation I made to them on June 14, 2000. Further I referred to it in general at a by-invitation-only presentation I made during the year-2000 Environment Week on June 07, 2000. This was attended among others by Dr. Blouin, John Sheppard and Renee Roberge. You, among others, were invited to this but you never even responded to my RSVP.
 5. Perhaps, just perhaps, a number of planners/engineers/development officers in the public/private sector may/do not understand chemical limnology let alone more advanced biological limnology. Limnology is the scientific specialty dealing with freshwaters as universally recognized!
 6. I am flattered that our web pages are used. Indeed, we have received unsolicited compliments from many genuine world-class well published other experts/scientists inclusive of from the massive and powerful United States Environmental Protection Agency (USEPA). Mr. Wells, you must be aware that many standards in Canada are indeed derived from the USEPA (just check the references in many handbooks and protocols).
 7. Had the consultants called me prior to the report finalisation, I would have cooperated with them provided the one who called me was either an applied limnologist and/or proficient in the profession of Limnology; and hence they would appreciate/admire our leading applied

research/investigation. I would also cooperate with non-limnologists, like professional engineers and planners, and I have already done that with some very large firms:

- a) An example of my cooperation is with the large Canadian-owned firm, SNC-Lavalin (David Haley PEng). I even donated a disk to David although he never asked me.
- b) As further examples, other consultants who called me in very recent times were both professional civil engineers as well, and they were Mr. Joseph Sakhri MEng PEng with the international firm of AGRA (AMEC now I think) and Mr. MacWilliams PEng. I could not help either of these two fine and courteous professionals since they were only interested in the floodplains of certain streams draining into Morris Lake. **Our work is mostly chemical/biological limnology.**
- c) A technician also called me last year from the large CBCL consulting group and this was to do with Cranberry Lake related aspects, but she could not explain well.
- d) I am only stating all this to tell you that if anything, I overdo my co-operation and go into extensive details.

[II] Many of the misunderstandings in this and other cases can be resolved most times, by you senior civil servants by making timely responses, and even apologizing when deemed fit as the Good Book clearly requires one to!!

[III] In the past when you and I had some problems; it was regarding the legal hearing to do with Portland West at the old Dartmouth City Council.

1. You were then talking of the E&S Controls only similar to many at Ms. Sharon Bond's Development Services group at HRM are now talking of in emails as well as in the recent media; but I have mostly been referring to phosphorus and other post-development post-human occupation derived pollutants (e.g., nitrogen, trace nutrients, heavy metals, hydrocarbons, etc.).
2. No area in HRM appears to have yet installed any extensive stormwater treatment methodologies to reliably remove these pollutants as well as faecal coliforms to significant extents. These are not the usual E&S control

methodologies.

3. The CDS (Continuous Deflective Separation) device is meant mainly as a 'gross pollutant trap' and not as a panacea. I have correspondence from their own senior engineer in the USA (Walt Stein P.E.) who stated emphatically so as well. I have already forwarded many of you his email. More or less the same with the *STORMceptor* which does remove smaller particles, but it has limitations as well. I also forwarded an email from their senior engineer (Todd Neff MEng, PEng) in Toronto to all of you.
4. As much as 50% (more or less) of the post-development pollutants/nutrients, e.g., phosphorus, nitrogen, heavy metals (and others) are usually associated with particles smaller than 20 micro-metres (i.e., microns) or are in dissolved form. One needs extensive treatment systems to remove same.
 - a) Some forward thinking municipalities have already done that; the examples am aware of are in Toronto, Ontario; Nepean, Ontario; Minnesota (the famous McCarrons biologically designed wetland); and at the famous Lake Tahoe on the California-Nevada border, among others. I have placed many examples with case histories (that means actual cases) in the stormwater treatment web page I wrote (Case sensitive URL:
<http://www.chebucto.ns.ca/Science/SWCS/SWT/swt.html>).

PS: On a lighter note, kindly see the following pictures of some of my group's past/recent partners in our web space (URLs are case sensitive):

John Sheppard PEng:

http://www.chebucto.ns.ca/Science/SWCS/PEOPLE/PIC/sheppard01-1.jpg

Ted Tam PEng: http://www.chebucto.ns.ca/Science/SWCS/PEOPLE/PIC/tam1.jpg

Dr. Tony Blouin PhD:

http://www.chebucto.ns.ca/Science/SWCS/PEOPLE/PIC/blouin1.jpg

HRM's superb GIS section along with our recent participant, Heike Pfletschinger:
--

http://www.chebucto.ns.ca/Science/SWCS/PEOPLE/PIC/heike1.jpg

Cc: Paul Dunphy MCIP, Director of Planning & Development, HRM
Kulvinder Dhillon MEng, PEng, Director, Public Works, HRM
John Sheppard PEng, Manager, Environmental Services, HRM
Rick Paynter PEng, Manager, Design Engineering, HRM
Sharon Bond, Manager, Development Applications, HRM

Kurt Pyle MCIP, Planner, HRM

Angus Schaffenburg MCIP, Planner, HRM

Susan Corser MCIP, Planner, HRM

Maureen Ryan MCIP, Planner, HRM

Paul Morgan MCIP, Planner, HRM

Renee Roberge PEng, Stormwater and Wastewater Engineer, HRM

Charles Lloyd PEng, Environmental Engineer, HRM

Naipal Tomar PEng, Environmental Engineer, HRM

Catriona Moir, Manager, Water and Wastewater Management, NSDoE&L