



NOTICE

MEETING: St Mary's Municipal Council
Committee of the Whole

DATE: Wednesday, October 2nd, 2024

TIME: 4:00 pm

PLACE: St. Mary's Municipality
Council Chambers, Sherbrooke, NS

Please advise if unable to attend



Municipality of the District of St. Mary's

Committee of the Whole Meeting Agenda
Wednesday, October 2nd, 2024 at 4:00pm

We acknowledge that we are gathering in Mi'kmaq the traditional unceded territory of the Mi'kmaq people.

1. Call to Order
2. Roll Call
3. Additions to the Agenda
4. Approval of the Agenda
5. Approval of Minutes: COTW held September 18th, 2024
6. Business Arising from Minutes
7. Correspondence:
 - a. Queens Lodge #34
8. Presentation: N/A
9. Other Matters of Business
 - a. Recplex – Ice Plant Contract Service Award
 - b. Winter overnight parking ban at 16 Main St- Verbal
 - c. The St. Mary's River (Napu'saqnuk) Ecologically Significant Area (ESA) Case Study – Update discussion
 - d. Election Update: Verbal
10. In-Camera: Legal

Adjournment



Municipality of the District of St. Mary's

Committee of The Whole (COTW) Meeting

Wednesday, September 18th, 2024

We acknowledge that we are gathering in Mi'kma'ki the traditional unceded territory of the Mi'kmaq people.

1. Meeting, Date & Time:

Warden Wier called the COTW Meeting of the St. Mary's Municipal Council to order on Wednesday, September 18th, 2024, at 4:00 p.m. in the Council Chambers, Sherbrooke, N.S.

2. Attending:

Warden Greg Wier

Deputy Warden James Fuller

Councillor Everett Baker

Councillor Courtney Mailman

Councillor Beulah Malloy

Councillor Charlene Zinck

Absent with Regrets:

Councillor James Harpell

Also Attending:

Doug Patterson, Chief Administrative Officer (CAO)

Marian Fraser, Director of Finance (DOF)

Jadzia Graham, Interim Municipal Clerk

Mallory Fraser, Director of Community Development and Recreation

Teddy Stevens, Director of Public Works

3. Additions to the Agenda:

- Addition to #7. Correspondence – 50th Year Anniversary: Richie & Kelly Burns
- Addition to #7. Correspondence – Thank You from Lion's Hall
- Addition to #9. Other Matters of Business F. Community First Guysborough Housing

4. Approval of the Agenda:

On the motion of Councillor Malloy and seconded by Councillor Baker the Council approved the agenda with the additions.

Motion approved.

5. Approval of Minutes:

On the motion of Councillor Zinck and seconded by Councillor Mailman the Council approved the minutes of the COTW Meeting held September 4th, 2024.

Motion approved.

6. Business Arising from the Minutes:

- There was no business arising from the minutes.

7. Correspondence:

- a. From the Cruiser Report – Natasha Farrell
- See the Agenda/Package for the Correspondence.

- b. North Nova SPCA – Invitation
- See the Agenda/Package for the Correspondence.

- c. 50th Year Anniversary for Richie & Kelly Burns
- See the Agenda/Package for the correspondence.

- d. Thank you from the Lion's Hall
- See the Agenda/Package for the correspondence.

8. Presentation:

a. The St. Mary's River (Napu'saqnuq) Ecologically Significant Area (ESA) Case Study – Aimee Gromack, Senior Biologist, Integrated Planning

- See the Agenda/Package for the presentation.
- Aimee Gromack, informed the Council of The St. Mary's River (Napu'saqnuq) Ecologically Significant Area (ESA) Case Study.
- ESA's are defined geographic areas with regulations made under Canada's *Fisheries Act* for the protection of fish and fish habitat. Regulations can set specific project requirements or effectively prohibit activities.

a. RCMP – Natasha Farrell, District Commander

- See the Agenda/Package for the presentation.
- Natasha Farrell informed the Council of the recommendations made in April to update the RCMP training. Some of the changes are; Doubling the number of full-time resources on Nova Scotia's emergency response team, Expanding the use of the Alert Ready system across Canada, including implementing national and divisional RCMP policies on public alerting, Equipping all partner police agencies in Nova Scotia with capable radio communication encryption and ensuring preparedness through regular testing, Rolling out Blue Force Tracking across Nova Scotia to track the locations of police officers in real-time and enhance situational awareness, and Launching a new course on intimate partner violence.
- Some provincial initiatives are; Managing Crisis, Governance, Gender-based and intimate partner violence, Firearms, information sharing, Culture and Accountability, Training, Partnership and Engagement, Resourcing and Recruitment.
- Natasha asked if staff would be able to share the "From the Cruiser report" on the Municipal Website and Facebook Page.
- Natasha also informed Council that she would like to see a "Police Advisory Committee" start in St. Mary's.

b. Dana O'Connell & Laura Banks - Sherbrooke Fire Department

- See the Agenda/Package for the presentation.
- Dana O'Connell presented to the Council about the Sherbrooke Fire Department.
- Dana urged the need for a new fire truck for the Sherbrooke Fire Department, the trucks that the Fire Department have are old and unreliable.
- Dana recommended that a fire tax levy could be increased to help with the finances.
- The Sherbrooke Fire Department recommended that the Municipality may be able to help financially with a loan. Currently, there is no policy in place for guaranteed loans.

9. Other Matters of Business:

a. Water Main Leak Repair:

- Doug Patterson, CAO informed Council of the road work that needs to be completed due to the water main leak repairs.
- Some costs to complete the road surface repair are to award Wilson's Cove Excavating to remove the excess gravel and provide safety control services, award SW Weeks Construction Ltd. to complete the re-paving, and a contingency of \$1,500.00 plus HST in case spotters hours increase.

On the recommendation of Deputy Warden Fuller and seconded by Councillor Baker Council approve the award of the repaving work to S.W Weeks Construction Ltd for a cost of \$6,400.00 Plus HST.

And

That municipal council approve the award of removal of excess gravel and to provide the safety traffic Control services for a total cost of \$1,570.00 plus HST.

And

And that municipal council approve a cost contingency of \$1,500.00 plus HST.

Recommendation adopted.

b. Recreation Update:

- See the Agenda/Package for the report.
- Mallory Fraser, Director of Community Development & Recreation advised Council of the Upcoming Holiday events that are going to be put on or supported by the Municipality.
- Some events Mallory has planned are The Provincial Volunteer Awards Ceremony on September 18th, 2024, National Day for Truth and Reconciliation on September 30th, 2024, Guysborough County 55+ Games on October 2nd into the 3rd, 2024, Fright Night on October 31st, 2024, Volunteer Appreciation Event on November 6th, 2024, and Holiday Socials throughout the community centres for December 2024.

c. Set October Council Date:

- Council discussed setting the October Council date, Thanksgiving falls on the regular scheduled Council date, Council discussed which days work best for them, Council decided on October 9th, 2024 at 4:00 p.m.

On the recommendation of Councillor Baker, and seconded by Councillor Malloy, Council agree to reschedule the October 14th Council date to October 9th, 2024 at 4:00 p.m. due to the holiday.

Recommendation adopted.

d. Award of Sewer Grating Installation at the Waste-Water Facility:

- See the Agenda/Package for the report.
- Sewer Grating was identified for work before this this fiscal year and a budget line was created for a capital project this year.

On recommendation of Councillor Malloy and seconded by Councillor Zinck Council approve the award of the wastewater grating replacement project to DivCon Diversified Construction Inc. for \$72,000.00 plus HST where \$30,000 will come from the Sustainable Service Growth Fund and \$47,677 to be funded by the Canada Community Building Fund (CCBF) reserve.

Recommendation adopted.

e. Councillor Orientation:

- Council discussed attending the orientation on November 4th to 5th at the Halifax Convention Centre. Council discussed sending all of the new Council and the CAO to the Councillor orientation.

On recommendation of Councillor Mailman, and seconded by Councillor Baker, Council agree to send the new elected officials to the Councillor orientation at the Halifax Convention Centre on November 4th to 5th, 2024.

Recommendation adopted.

f. Community First: Guysborough Housing

- Warden Greg Wier, and CAO, Doug Patterson, had the chance in the meeting on Tuesday to clarify the group's request to be a "Community contribution of funding for the purchase of land 10% or (\$8,000.)" for the purchase of the Anderson property in Sherbrooke.
- Council discussed what liability will the Municipality be at risk if they are to move ahead with this recommendation. After discussion Council decided to move forward with the recommendation and if Community First Guysborough Housing does not use the money it will be returned.

On recommendation of Deputy Warden Fuller and seconded by Councillor Malloy Council approve a funding contribution to Community First Guysborough Housing from the Municipality of the District of St Mary's (the municipality) for \$8,000.00. The funds shall come from the municipal operational economic development budget.

The funds shall be made available under the following conditions

- 1.) *The funds shall be provided for the purpose of assisting Community First Guysborough Housing to purchase the property known as PID 37503422 located on Highway #7, Marine Drive in Sherbrooke Nova Scotia*
- 2.) *The funds are to be used for the purchase of the land and for the development of housing on this property*
- 3.) *The municipality recognizes that Community First Guysborough Housing will manage and control all aspects of the project including the land purchase and housing development*
- 4.) *If the purchase of the land is not completed for any reason, then the funds shall be returned to the municipality unless other use of the funds is approved via written consent by the municipality in the form of a motion approved by council*
- 5.) *That Community First Guysborough Housing shall agree in writing to these terms*

Recommendation adopted.

Adjournment

On motion of Councillor Baker and seconded by Councillor Mailman there being no further matters of business, Council adjourned at 5:35 p.m.

Motion approved.

Recorded By
Jadzia Rudolph, Municipal Clerk

Approved By
Warden Wier

1864



2021

Queen's Lodge No. 34, A.F.& A.M.
The Register of the Grand Lodge of Nova Scotia

COMMUNITY OUTREACH

Queen's Lodge No. 34 located in Sherbrooke Nova Scotia is a fraternal order of local Masons, dedicated to providing an enhanced experience to the members of our community.

Our main items of focus are:

- Providing bursaries to local graduating students to assist in their continuing education.
- Supporting the School Breakfast program, which provides breakfast to students at all levels K through 12 as required.

Businesses and Individuals who recognize the importance of our program to the youth in our community are encouraged to donate any amount they feel is appropriate and which will not cause hardship.

A receipt will be given for a donation of any amount, however a donation in the amount of \$10.00 or more will also be later provided with a Charitable Tax Receipt from the Masonic Foundation of Nova Scotia.

We appreciate your support and continue to be a fellowship involved and concerned with the well-being of our community.

Sincerely,

James Anderson
Master, Queen's Lodge No 34

Recplex Ice Plant Maintenance Contract

Renewal of Contract 2024/25 to 2026/27

SUMMARY

It has been identified that the ice plant maintenance contract was due for renewal for the three year period covering fiscal years 2024/2025, 2025/26 and 2026/27.

BACKGROUND

This contract is for the maintenance of the ice plant which includes the start up, mid season checks and shut down of the ice plant at the St. Mary's Recplex.

CONSIDERATIONS

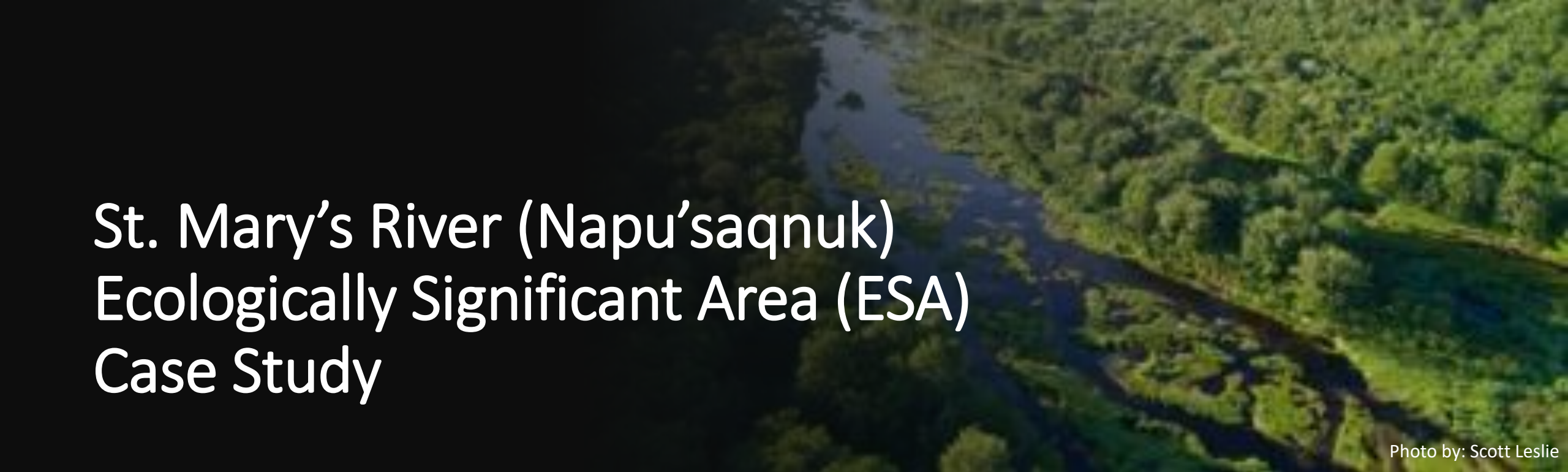
Public Works staff have put out a RFP for the maintenance contract for the St. Mary's Recplex. The Municipality has received one proposal for this contract.

Cimco Refrigeration has bid \$7,002.91 plus HST per year for a 3-year contract. The total of this contract for a 3 year period would be \$21,008.74 plus HST.

Funds have been allocated within the Recplex general operating budget to cover this annual expenditure.

RECOMMENDATIONS

That municipal council approve the bid from Cimco Refrigeration for the maintenance contract of the St. Mary's Recplex ice plant in the amount of \$7,002.91 plus HST per year for the 3 year contract from 2024/2025 to 2026/27 totalling \$21,008.74 plus HST.



St. Mary's River (Napu'saqnuk) Ecologically Significant Area (ESA) Case Study

Photo by: Scott Leslie

18 September 2024

**Municipality of the District of St. Mary's Council
Meeting**

Aimee Gromack

**Integrated Planning, Fish and Fish Habitat Protection
Program, Fisheries and Oceans Canada**



Photo by: Nick Hawkins

Habitat Protections under the *Fisheries Act*

- Works, undertakings, and activities (i.e., projects) are reviewed by DFO's Fish and Fish Habitat Protection Program (FFHPP). Under the *Fisheries Act* it is prohibited to cause the following unless an authorization is granted:
 - **Harmful alteration, disruption, or destruction – HADD – of fish habitat**
 - **Death of fish – DOF**
 - **Barriers to fish passage**
- If avoidance and mitigation measures can effectively avoid HADD and DOF, a **letter of advice** is issued to the proponent by DFO with mitigation measures identified.
- If prohibited effects can't be avoided or mitigated (e.g., a HADD, DOF will occur) a ***Fisheries Act* Authorization** is required (accompanied by a habitat offsetting plan approved by DFO). Authorization decisions are made on a case-by-case basis.

Ecologically Significant Areas (ESA) Overview

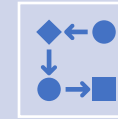
Photo credit: Scott Leslie (for Nova Scotia Nature Trust)



ESAs are defined geographic areas with regulations made under Canada's *Fisheries Act* for the protection of fish and fish habitat. Regulations can set specific project requirements or effectively prohibit activities.



ESAs can apply in freshwater, estuarine, and marine environments, and can include riparian zones.



ESAs provide certainty to proponents on projects that DFO would normally review outside of an ESA, by providing clear rules in advance of project proposals.



ESAs are not intended to regulate fishing.



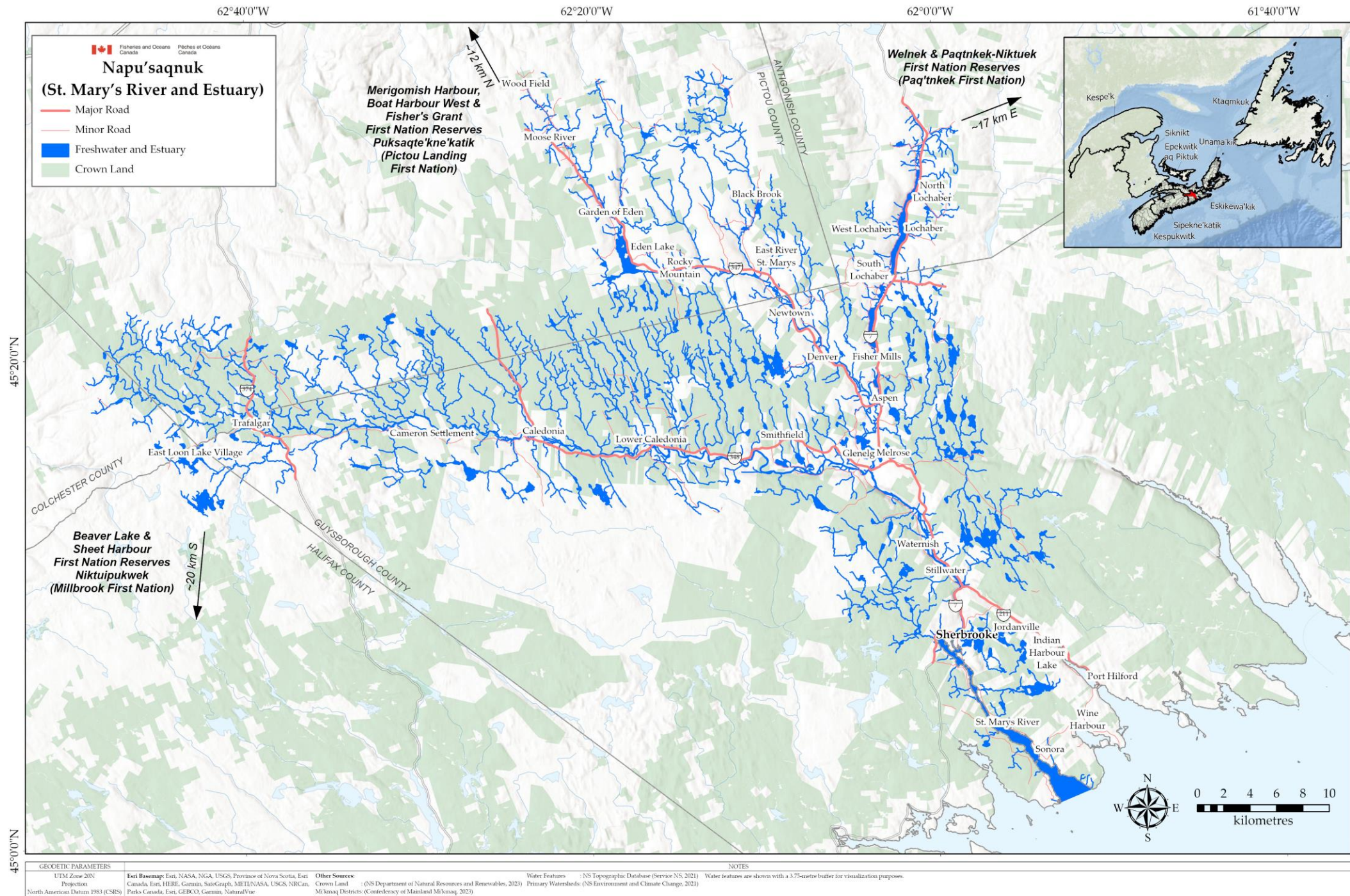
There are currently no ESAs designated in Canada.



The National Framework for Identifying, Establishing, and Managing ESAs was published in April 2023.

The Role of ESAs in Fish Habitat Protection

- Many fish, particularly freshwater and anadromous species, have cultural importance to the Mi'kmaq and Nova Scotians broadly.
- Fish are a critical component of the freshwater and marine ecosystems and rely on healthy habitats.
- However, in many places fish habitat is under threat from pollution, habitat loss, invasive species and climate change.
- ESAs are a new tool available to protect and conserve fish habitat to proactively address some of these threats, particularly filling a gap in the freshwater environment.
- ESAs can complement other tools and provide ecosystem connectivity between existing protected and conserved areas.
- The St. Mary's River and estuary is an ideal site to pilot this new tool for the protection and conservation of fish habitat.



Why Napu'saqnuk (St. Mary's)?

ESA Criteria:

- Sensitive
- Highly Productive
- Rare/Unique



Photo by: Scott Leslie



Photo by: Nick Hawkins



SMRA



SMRA



Photo by: Urs Ritter

Napu'saqnuq (St. Mary's) River Watershed, NS Protected Areas (Existing & Proposed)

Canada Fisheries and Oceans Canada Pêches et Océans Canada



Aaron Beswick - Saltwire



SMRA

Legend

Connected Freshwater Features

Disconnected Freshwater Features

Estuary

Old Growth Forest Policy Protected Land

Crown Land

Nature Reserve

Provincial Park

Wilderness Area

Ducks Unlimited Conservations Lands

NS Nature Trust Conservations Lands

Proposed or Pending Protected Area

GEOIDETIC PARAMETERS
UTM Zone 20N
Projection
North American Datum 1983 (CSRS)

Base Map: Province of Nova Scotia, Esri Canada, Esri, TomTom, Garmin, SatGraph, METU/NASA, USGS, NRCAN, Parks Canada, Esri, NASA, NGA, USGS

Other Sources:
Conservation Lands & Protected Areas (NS Environment and Climate Change, 2022)
Crown Land
(NS Department of Natural Resources and Renewables (NSD/NRR), 2023)

Old Growth Forest Protected Lands (NSD/NRR, 2022)
Water Features
(NS Topographic Database (Service NS, 2021))

NOTES

45°20'0"N

45°00'0"N

East River
Napu'saqnuq
(St. Mary's)
Nature Reserve
(2023)

Indian Man Lake
Nature Reserve

Lochiel Lake
Provincial Park

Nine Mile Woods
Wilderness Area
(2023)

Upper Stewiacke
Wilderness Area
(Pending)

Napu'saqnuq
(St. Mary's) River
Provincial Park

Napu'saqnuq
(St. Mary's) River
Corridor Lands
(Pending)

The Big Bog
Wilderness
Area

Archibald La
Wilderness Area
(2023)

Sherbrooke
Provincial Park
(Pending)

Sherbrooke Lake
Provincial Park
(Pending)

Guysborough Headlands
Wilderness Area
(Cape St. Mary's)
(2023)



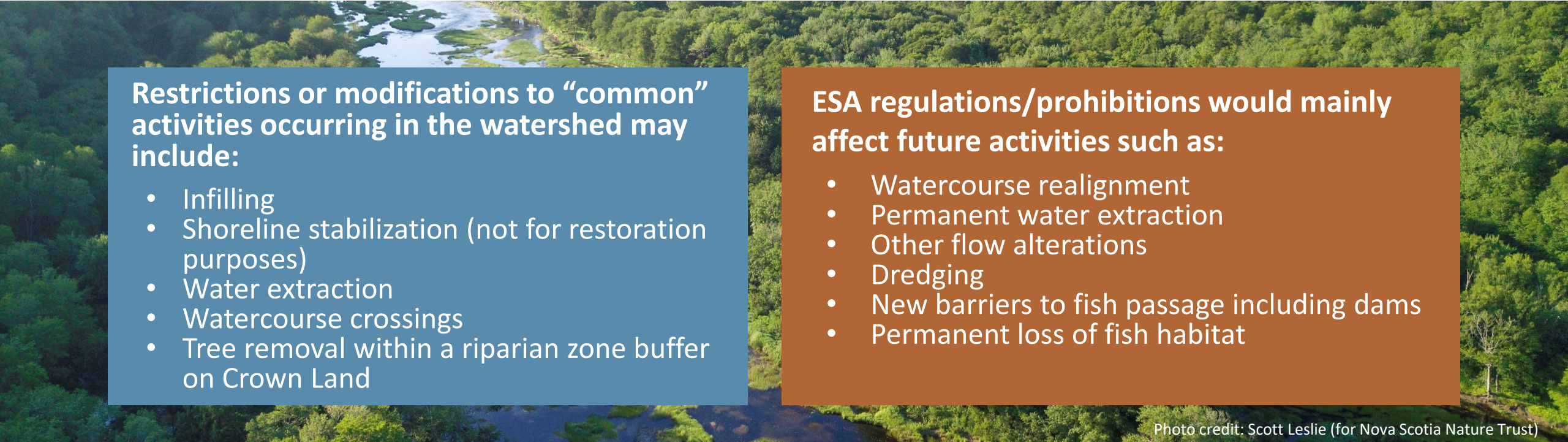
Photo from field visit in November 2022 with Indigenous Habitat Participation Program recipients and others, the St Mary's River Association, and the Nova Scotia Salmon Association. Field visit coordinated in collaboration with the Atlantic Salmon Federation.

About the St. Mary's ESA Case Study

- The St. Mary's River is the only ESA case study in Nova Scotia.
- The St. Mary's River represents a strong potential ESA candidate site.
- DFO is collaborating with multiple partners to advance this case study including the St. Mary's River Association, Nova Scotia Nature Trust, St. Mary's Trail Association, Canadian Parks and Wilderness Society-Nova Scotia Chapter, Nova Scotian Salmon Association, and the Atlantic Salmon Federation.
- DFO is collecting detailed ecological and human use information (e.g., forestry, mining, agriculture) and will continue working with the NS government on this.
- Engagement and consultation with Mi'kmaq is underway.

Potential Scope of ESA Protections for the St. Mary's

- There could be zones within the watershed that receive a higher level of protection.
- There are few activities currently impacting fish habitat, most current activities would continue.



Restrictions or modifications to “common” activities occurring in the watershed may include:

- Infilling
- Shoreline stabilization (not for restoration purposes)
- Water extraction
- Watercourse crossings
- Tree removal within a riparian zone buffer on Crown Land

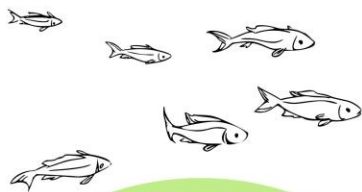
ESA regulations/prohibitions would mainly affect future activities such as:

- Watercourse realignment
- Permanent water extraction
- Other flow alterations
- Dredging
- New barriers to fish passage including dams
- Permanent loss of fish habitat

Photo credit: Scott Leslie (for Nova Scotia Nature Trust)

- ESA regulations will be determined based on conservation and protection objectives and risk assessment.
- Restoration in the St. Mary's requires in- and near-water works similar to those above - an ESA will allow for restoration as part of a restoration plan.

NAPU'SAQNUK ESA TIMELINE



Napu'saqnuq ESA Case Study (Feasibility Analysis)

1 Year+

- Develop vision
- Identify conservation interests
- Collect information
- Develop engagement strategy
- Include Mi'kmaq Knowledge - (e.g., MEKS)
- Complete feasibility analysis (e.g., regulatory gap analysis, compliance considerations)

Ongoing relationship building and consultation with the Mi'kmaq

Engagement/collaboration: Share information, visioning, determine roles and responsibilities of key partners



Planning and Development

2-6 Years+

Planning:

- Complete overview and assessment report and socio-economic analysis
- Develop a management plan including:
 - conservation and protection objectives (CPOs)
 - restoration planning
 - cultural/governance objectives
 - non-regulatory management measures
 - monitoring plans
- Complete Risk assessment

Complete regulatory documents →
publication in Canada Gazette I and II →

ESA Designation

Consultation and targeted engagement to inform decision making



ESA Management

Ongoing

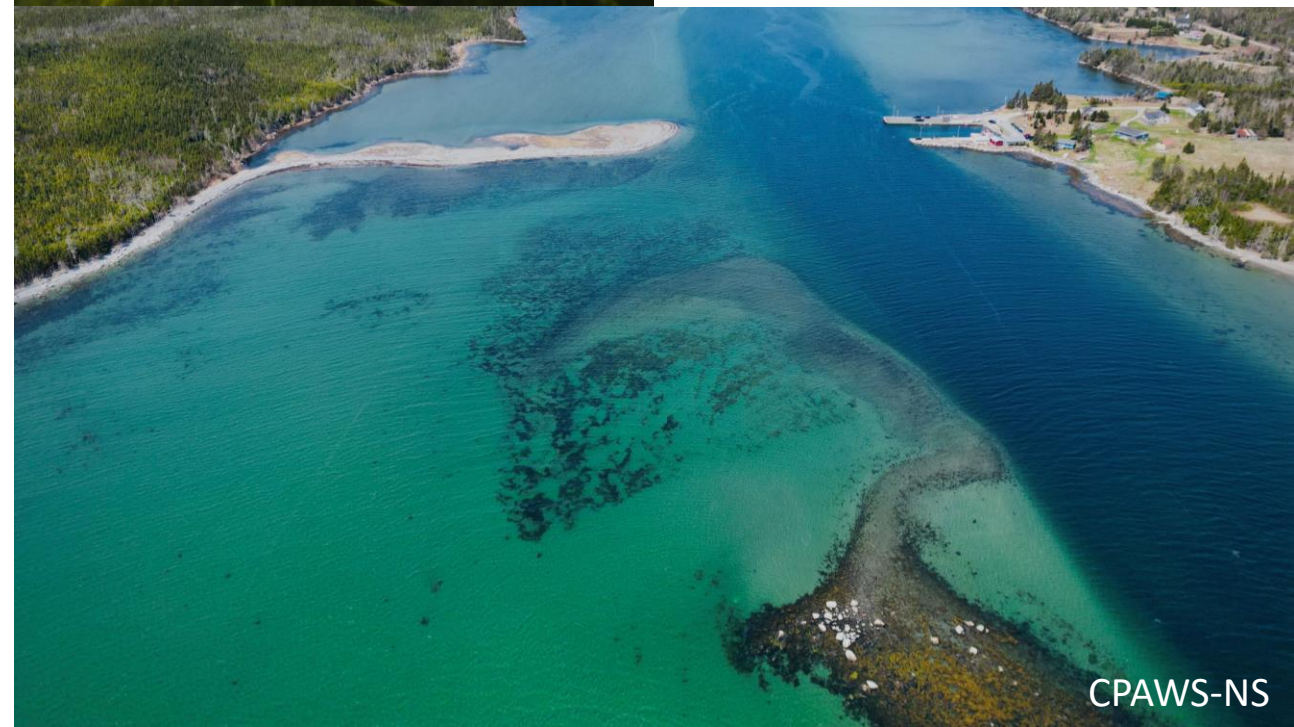
- Implement non-regulatory management measures with partners (stewardship, education)
- Conduct scientific and compliance monitoring against CPOs / indicators
- Implement restoration plan (partners)
- Review and approval of activities
- Report on ESA management
- Manage adaptively

Potential co-management and partnership arrangements throughout ESA management



Next Steps

- Collect and incorporate Mi'kmaq knowledge into the case study
- Continue scientific data collection
- Continue socio-economic data collection and analysis
- Develop conservation and protection objectives collaboratively with partners
- Continue engagement with the Mi'kmaq, NS government, municipalities, industry, stakeholders, ENGOS
- Anticipate moving into the planning and development phase as an ESA candidate before the end of 2024



In Summary

The St. Mary's River, Napu'saqnuk, is a strong potential ESA candidate that could be one of Canada's first.

This initiative is an opportunity to work together, from an early stage, with the Mi'kmaq and the local community to achieve common goals for fish and fish habitat protection.

Please contact us if you have further questions :

Aimee.Gromack@dfo-mpo.gc.ca

Jennifer.MacDonald@dfo-mpo.gc.ca

Photo by Nick Hawkins

