

# Minutes Friends of Covehead Brackley Bays AGM Tuesday 21 November 2017

[coveheadbrackley@gmail.com](mailto:coveheadbrackley@gmail.com)

[www.stanhopecovehead.pe.ca](http://www.stanhopecovehead.pe.ca)

902 672-2182

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**Present: Board members: Associates:** Emily Van Toevere, Lou Watts, Jim Jenkins, Michael Hewitt, Gordie MacCallum, Troy MacKenzie, Wanson Hemphill, Robbie Shaw, Gordie Ellis, Verner Smitheram, Barry Cudmore and Coordinator Justin Walsh.

Absent with regrets: Gerry Lajeunesse

**1. Opening remarks: Meeting was called to order at 7:10 pm by Chair Verner Smitheram.** After greeting everybody, he noted the welcome presence of North Shore Chair Gordie Ellis.

**Sale of 2018 Desk Calendar:** Verner reviewed the success of the calendar selling campaign using the results of the Photo Contest 2017. Sales were \$2,457 including donations of \$297. Costs were \$1013.59 for a profit of \$1443.41. Thanks to Michael and Nancy for calendar design and Directors who sold 150 copies. Special thanks to Gordie with 50 sales!

**Facebook Activity:** Troy Mackenzie gave an overview of activity on the Friends website with particular emphasis on Facebook activity spearheaded by Nancy Smitheram. The web site is up to date and we're seeing traffic indicating that the new communication plan is reaching people by the hundreds.

**2. Minutes from the 2016 AGM** were reviewed. Comments.....

**Irrigation pond:** At the 2016 meeting concerns were raised about the new Vanco irrigation pond under construction off Route 25A in West Covehead. Rit Van Nieuwenhuyzen of Vanco attended the Board meeting of 30 August 2017 to update progress on the construction site and to hear the concerns of the board. Rit appreciated our concerns and appears willing to cooperate with the board in pursuit of solutions that will be beneficial for all concerned. **Action:** Friends of the Bay expressed its concerns re the need for regulations for agricultural irrigation ponds in a letter to the Minister on June 5<sup>th</sup> 2017 and received a reply from the Minister on June 17<sup>th</sup> 2017. No new regulations are planned. However, a series of best recommended practices has been developed with input from the farming sector and from government. (See attached letter of 27 Nov 2017 **Re FCBB Request for Regulations Governing Irrigation Pond Construction**)

**Boundary Issue:** The dispute over the boundary with the adjacent Winter River watershed was brought forward for discussion and updates. **Action:** The issue was resolved in April 2017 with our watershed getting back the lands that rightfully belonged to our watershed plus the addition of part of the Dalvay Watershed from the harbour to the eastern access to the National Park road. This successful action conducted in a collaborative style will serve our community of interest and be beneficial for our funding formula.

**Moved** by Barry and seconded Michael that the minutes from the 2016 AGM be accepted. Motion carried.

**3. 2018 Board Election:** Verner read the rules from our Letters Patent for the election of board members. Wanson and Louis co- chaired nominations for the 2018 Board of Directors. There were no nominations from the floor. The following slate of directors was acclaimed. Verner Smitheram, Jim Jenkins, Gordon MacCallum, Michael Hewitt, Emily Van Toevere, Troy MacKenzie, Robbie Shaw, Gerry Lajeunesse, and Barry Cudmore. Tom Hinsperger was also acclaimed to the board. Vern and Barry will follow up with Tom (who could not attend) to verify his interests in serving. *The executive will be voted in at the first board meeting of 2018.*

**4. Treasurer's Report:** In the absence of Gerry, Coordinator Justin Walsh gave the financial report for the period of 2016-04-01 to 2017-01-06. Revenues were \$62,427.09 and expenses were \$69,793.06 for a deficit of \$7,365.97. Approximately \$4000 in revenue came in after the period indicated above to reduce the deficit to approximately \$3500. The board is able to draw on contingency funds to address the deficit.

**-Moved** approval of the financial report by Gordie. Seconded by Jim. Motion carried.

**5. Watershed Alliance Funding Formula:** Justin and Jim provided the meeting with an overview on the funding formula for watershed groups in the Province. Funding from the department is not only based on the physical size of the watershed but also on a points and merits system including ...1. Fish 2. Forest 3. Water 4. Soil 5. Connectivity 6. Monitoring 7. Protected Areas 8. Public Engagement 9. Collaboration. Justin reviewed our scores.

*The new board will examine our Report Card and determine how we can best meet the objectives of the new formula. The current WMF grant will remain as is for another two years.*

**6. FCBB Stance toward the North Shore Council Sustainability Plan:** Gordon Ellis, Chair of North Shore Council was invited to give an update on their recently created sustainability plan. He was optimistic that the Council would soon have a sustainability plan in place and would look forward to collaborating with our Board. Our response was that we poised and eager to collaborate with the Council in areas within our mandate. Verner proposed the following....

**Motion: III. FCBB'S PROPOSED STANCE IS BASED ON THE KEY VALUES OF....**

**1. ENVIRONMENTAL HEALTH OF OUR ENTIRE AREA**

**-FCBB, as a distinct organization within the PEI Watershed Alliance, is prepared to work collaboratively with North Shore Council and its Sustainability Plan on projects benefitting the environmental health of the bays in accordance with our mandate.**

**2. COLLABORATION WITH ALL COMMUNITY STAKEHOLDERS**

**-FCBB considers that collaboration in the Sustainability Plan involves working cooperatively to resolve issues with the aim of best outcomes for all residents and stakeholders in the North Shore Community and others who may be affected by decisions. Respect for all and commitment to transparency and democratic process are essential for true collaboration.**

**Moved** by Robbie and seconded by Gordie M that this would be our stance in response to the North Shore Council. Motion carried.

**7. Cass's Pond Project Critical Path:** Justin and Jim presented outlines of a critical path for the restoration of Cass's Pond. The plan proposes to start with the cleanup of the upper parts of this water course and leave the pond component cleanup until the end. It is anticipated that the restoration of the system could be completed by 2019 with a projected budget of \$290,500. It was agreed that resident buy in was critical for the completion of this project. Further details will be presented at the next meeting. We will submit a proposal to DFO's Coastal Restoration Fund in April.

Meeting adjourned at 9:45

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Minutes prepared by Barry and Verner

ATTACHED Letter to CLE Minister Robert Mitchell 27 Nov 2017 **RE FCBB REQUEST FOR REGULATIONS GOVERNING IRRIGATION POND CONSTRUCTION**

*Friends of Covehead Brackley Bays Inc.*  
*Watershed Management Group*

[coveheadbrackley@gmail.com](mailto:coveheadbrackley@gmail.com)   [www.stanhopecovehead.pe.ca](http://www.stanhopecovehead.pe.ca)   [www.fbbwatershed.ca](http://www.fbbwatershed.ca)

Honourable Robert Mitchell, Minister  
Community Lands and Environment  
PO Box 2000  
Charlottetown, PEI C1A 7M8

27 November, 2017

Dear Minister Mitchell:

**RE: FCBB REQUEST FOR REGULATIONS GOVERNING IRRIGATION POND CONSTRUCTION**

**FCBB concerns re irrigation ponds:** We are much encouraged by the CLE's commitment in the proposed Water Act to licensing of wells associated with irrigation ponds. We also view the content of the department's "Recommended Management Practices for Agricultural Irrigation Ponds" as a very positive step.

Further to our letter of 5 June 2017 on this topic, we wish to reiterate our concern (1) that construction standards are vague and incomplete; (2) that recommendations do not offer the advantages of monitoring and enforcement that regulations demand, and (3) that both farmers and watershed groups will benefit from our request.

**1. Construction Standards:** We urge you to amplify the section on "construction requirements". In particular, standards for the following are imperative:

- Size and thickness, including shale standards
- Lining of pond basin
- Use of filter fabric to prevent soil transport
- Clarity on the use of well water to fill these ponds
- Strict monitoring controls and operation of the water usage including fill water, loss to evaporation, use on crops, dumped water into streams, etc
- Control valves and pipes to prevent overflow or lower water level, if required, in a controlled non-eroding manner

**From the point of view of a Watershed Group, our greatest fear is the danger of massive damage from overflow or rupture of an irrigation pond wall, especially where the pond is situated relatively close to a stream as is the case with a major such structure in our area in West Covehead off Route 25A**

**2. Need for regulations:** While the Water Act regulates well installation and uses, we feel all parties would benefit from clear regulations defining construction and operating standards of these ponds. Without the power of enforcement, those few farming organizations who may put expediency over environmental caution may cause serious damage. In particular, the absence of regulatory power exposes watershed groups to damages that may undo years of hard won environmental gains.

**3. Why be concerned about this topic:** Farmers have been the target of much criticism over the years. Complaints range from pesticides to soil erosion. Our organizations view these problems on a collective basis: **Farmers and watershed groups succeed or fail together.** Therefore *both* groups need construction standards, monitoring and regulations including permits in order to avoid sub-standard structures, which, if they fail will make *farmers open to even more criticism.* Farmers do not need another negative portrayal of farming practices and watershed groups do not need possible catastrophic deposits of silt into our streams. CLE under your direction as Minister can ensure collective success.

Sincerely yours

Verner Smitheram, FCBB Chair

smitheram@upei.ca

Jim Jenkins Vice Chair

[solutions1@eastlink.ca](mailto:solutions1@eastlink.ca)

Note: The specific section of the *Recommended Management Practices for Agricultural Irrigation Ponds* to which we refer is cited below.

## **What are the construction requirements for an agricultural irrigation pond?**

- Ponds must be built outside of the 15 m buffer zone of any existing watercourse or wetland (legal requirement).
- Any spoils from the pond excavation must also be kept out of the 15 m buffer zone.
- Ponds should be constructed with a properly sized overflow (assistance from Soil and Water Engineer) to prevent against possible overtopping and total structural failure of the pond.
- Ponds should be constructed with some type of fence or physical barrier, and/or signage around the perimeter of the pond, to decrease the possibility of accidental injury of people, livestock, or wildlife. Proponents and landowners should consult their insurance companies to ensure all liability issues are addressed.
- Ponds can be constructed to allow surface run off water to enter the pond, but the inlet must be constructed to prevent scouring (erosion of the disturbed soil).
- If berm height exceeds 10 ft. from the original grade, a geo-technical expert (assistance from Soil and Water Engineer/Structural Engineer) should be consulted to ensure the integrity of the pond walls.
- The pond design must not divert additional water onto adjacent properties.
- Care must be taken during any dewatering of ponds under construction, so that existing watercourses or wetlands are not impacted by silt laden water.
- Noise issues can be a concern if a pond is constructed in close proximity to existing residents. Every effort should be made to substitute electric pumps for diesel /PTO driven generators.