

To: Abraham Zebian, Mayor, West Hants Regional Municipality
From: Keith P. AuCoin
Subject: Windsor CSO Issues and Solutions
Date: August 4, 2024

Mayor Zebian.

I would like to start by offering my appreciation for the West Hants Municipal Council's latest decision to eventually take some meaningful action that may help to alleviate some of the stress, trauma and financial burden that the local residents of south end Stannus Street have endured during the past three years. Sadly it took another overwhelming rain storm on July 11 of this year, and personal visits to the site by you and several other councillors, to recognize the tragic consequences that such a rain storm along with sewer overflow (CSO) has on the lives of the local families and their children. The challenge for Council now is to ensure you can meet the September 10 time frame you set to offer a realistic solution. Time is of the essence with this situation.

To look back in time, my concern started in 2013/14 when the Town planned to upgrade the water and sewer services on Stannus St. I spoke with the then Director of Public Works and questioned him about why the Town was not upgrading the storm and sewer line into two separate discharges as was the case in almost all municipal upgrades in Canada. His response was to the effect that "due to past performance of the combined system, there was no need for a dual upgrade". The 2009 directive from the Canadian Ministers of the Environment regarding Municipal Wastewater Effluent stated that "Currently, no Canadian jurisdiction allows the construction of new combined sewers, although existing ones may be replaced or rehabilitated. The primary objective of overflow management is to reduce the impact of existing combined sewer and sanitary sewer overflows on surface waters by meeting the national standards for overflows. Further, since sanitary sewer overflows should not occur, the objective for sanitary sewer overflows is elimination through corrective measures. Jurisdictions may determine site-specific objectives." "There shall be no increase in combined sewer overflow frequency due to development or redevelopment, unless it occurs as part of an approved combined sewer overflow management plan". I'm not aware of a management plan by the Municipality that supports the decision to keep the same combined system for the 2014 upgrade project for Stannus St.

Accordingly, it appears the combined storm and sewer discharge system on Stannus Street that was installed in 2014 didn't comply with the national directives for such installations. As well, it was common knowledge at the time, among government officials and contractors alike, that climate change was steadily getting worse and excessive flooding would certainly be the resulting outcome. Sadly, this has all come to fruition and some of our Windsor citizens are now the victims of this neglectful decision which unfortunately permits severe flooding that contains raw sewage. The geography in Windsor has three hills funneling water down to the lower bowl which includes Stannus, Victoria, and Gray Streets and the drainage infrastructure in the lower reaches of Town is considerably undersized for what's needed now and in the near future.

The engineering solution to fully alleviate the problem on Stannus Street would take a minimum of two years to fix if it was started now. Just to reiterate the complex solution that needs to happen, it would start with a progressive engineering design that would provide comprehensive management of the local situation for at least 3 generations. The 2014 work would have to be redone with a more futuristic design that offers dual storm and sewer discharge lines, a significantly larger piping for the storm drain, a new line from the Curling Club to the pump house at the edge of Lake Pisiquid and an upgrade of the functionality of the current pump house. Even with this design, it may be necessary to build a huge underground reservoir for temporary storage of consequential rainstorm overflows to handle what we now know as annual excessive rain events.

For three+ years the local residents have been asking for municipal help to alleviate the CSO situation and no effective and timely solutions have been offered. A six month engineering study to offer a solution to the CSO problem was issued in 2021 and after the report was two plus years overdue, the Municipal Public Works Department apparently saw no problem with the lateness of the report and never pressed for a timely delivery. Since July 2021, no one in the MPW Dept. or on Council seemed to take ownership of this public health disaster and no expression of concern or haste has been shown to find a satisfactory solution.

Considering the ongoing health hazard that has been created with each excessive rain storm and the immediate negative impact this situation has had on the lives of the affected residents, words of regret with no solutions just add to the trauma the families have been experiencing. Now that the message has finally moved to some level of remedial action, the only practical short-term solution would seem to be an offer of buy-outs to the affected property owners. It's encouraging that the Municipality also sees this as a possible short-term solution to deal with this drastic problem. Due to the seriousness of this situation, it's imperative that the process move ahead with the utmost urgency.

The reality of the situation is this will not be a cheap fix. However, the cost of this solution will be minute by comparison to other solutions that may be available and certainly minuscule when compared to what the construction costs will be to remedy the "Cunnable Creek" CSO flooding situation. *It should be definitely noted that the participation of the local residents in any relocation initiative will not be of their own choosing. All affected residents moved to Stannus Street because of the benefits the area offered; if other reasonable options were available, they would stay. This will be a life altering circumstance for most of those affected so the guiding principle should be "to do the right thing and proceed as expeditiously as possible".*

I might suggest that micro managing the financial part of the process may very well extend the timeline of the project, it could add additional costs and it will surely increase the stress levels for the local home owners and perhaps for municipal staff. Spending time and money on multiple property appraisals that will not likely come close to the financial amount needed to find a comparable house for the affected owners in 2024 will likely be a waste of valuable time and money. For instance, a more efficient process may be to quantify the livability of each home and property including its square footage, variety and number of rooms and attributes, and try to find an equivalent accommodation that meets the family's needs with similar amenities. In 2024 the property prices will be much higher so this will be a more realistic starting point.

As well, additional costs should definitely be part of the financial package. Moving costs, increased taxes and insurance premiums, property transfer fees, etc. are out-of-pocket/increased costs that would be an extra burden on the affect family's regular budgets. In all likelihood there will a huge increase in tax assessment due to the loss of the tax capping exemption. Accordingly, it would be prudent for the Municipality to negotiate on behalf of the local residents an extension of their current tax cap so they won't be faced with a two or three fold increase in their residential taxes for the new properties. The seriousness of these circumstances should dictate how important the financial picture is for each family in these uncertain economic times.

If this appears to be an exceedingly complex project with very tight timelines, while at the same time being an expensive initiative, then that would be an accurate assessment of the situation. However, it shouldn't be considered as precedent setting as much as being a new venture for the Municipality to create a solution to a serious problem for which they have responsibility but have few options. There could very well be other similar situations in the future as society copes with the new reality of living with the uncertainty of global warming in the 21 century while facing an ever evolving climate change environment. Without corrective action, this type of situation will persist indefinitely but from a positive perspective, it could be a learning experience for local governments on how to manage these unexpected events.

With sincere appreciation,

Yours truly,

Keith P. AuCoin

CC. -West Hants Municipal Councillors
 -Mark Phillips, CAO