



Public Consultation Summary Report

Development of a Coastal Policy in the Municipality of the District of Lunenburg

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September 18th, 2014

The following is a report on the outcomes from public consultation undertaken by the Municipality of the District of Lunenburg in partnership with the Bluenose Coastal Action Foundation as part of the planning process for the development of a coastal policy.

1.0 Introduction

Our climate is changing. Long term sea level rise is projected in Nova Scotia and will accelerate as a result of climate warming. It is also rising in this province due to regional land subsistence, which is the sinking of land relative to sea level (*Government of Nova Scotia, 2009*).

More frequent and intense storms such as nor'easters, post-tropical storms and hurricanes are also expected with climate warming which are often accompanied by storm surges, coastal flooding, and accelerated erosion. The relative sea level rise in combination with more frequent and intense storms means increasing impacts on coastal communities which puts sensitive coastal ecosystems, coastal infrastructure, low lying properties, and areas of rapid erosion at risk (*Richards and Daigle, 2011*).

That being said, it is recognized that continued development in areas with increased risk to climate related coastal hazards will only cost individuals and communities additional financial resources (*Government of Nova Scotia, 2005*).

Where development has not yet taken place, precautionary measures can be taken in order to reduce, or possibly avoid, the cost to future public and private development (*Elemental Sustainability Consulting Ltd., 2012*). The NS Environment Act declares the precautionary approach as an integral part of any sustainable development goal, such that: "the precautionary principle will be used in decision making so that where threats of serious or irreversible damage, the lack of full scientific certainty shall not be used as a reason for postponing measures to prevent environmental degradation" (*NS Environment Act 1994-1995, c.1, s.1, 2 b (ii)*). Thus, not only is it important that adaptation planning and actions undertaken by Nova Scotia communities account for the worst-case or extreme (but possible) scenarios of climate change impacts, but provincial legislation authorizes them to do so.

In Nova Scotia, the province has delegated land-use planning, or "zoning" powers to Municipalities through the NS Municipal Government Act (**MGA**). Therefore, the actual practice of adaptation planning falls into the hands of Municipalities. The principal planning and land use development tools are the Municipal Planning Strategy (**MPS**) and Land Use Bylaw (**LUB**). An MPS may contain statements of policy with respect to the protection, use and development of lands within the municipality subject to flooding, steep slopes, lands susceptible to subsistence, erosion or other geological hazards, swamps, marshes, or other environmentally sensitive areas (*MGA, 1998, c.18, s. 214 (c)*). Therefore, low-lying lands along the coast that are susceptible to sea level rise and overland flooding, and shorelines prone to erosion may be the subject of development restrictions and controls that contribute to adaptation planning.

Section 220 (4) of the MGA provides a comprehensive list of what a LUB may contain. Of particular relevance: a LUB may regulate or prohibit development within a specified distance to a watercourse (*s.220 (5) (o)*), regulate or require the planting or retention of trees and vegetation for the purposes of erosion control (*s.220 (5) (d)*), and regulate or prohibit the altering of land levels, or excavation or filling in of land (*s.220 (5) (g)*). This gives municipality's broad power to regulate development in coastal areas through the establishment of "no build" zones.

However, one constraint in the Municipality of the District in Lunenburg (**MODL**) is the lack of comprehensive land use planning across the Municipality, including the majority of its coastline. See Figure 1. Private land use control is culturally significant in this municipality and council and staff respect this community concern. In the past, Council has been unwilling to impose land use controls under the authority of the MGA unless requested by a community (*MODL, 1999*).

That being said, Council does have the power to implement planning on its own initiative when Council deems such land use control is in the best interest of the community and of the Municipality (*Policy MDL-21*).



Figure 1: Municipality of the District of Lunenburg Land-Use Control Map (*MODL, 2013*)

These legislative powers give municipalities a significant role in the planning and control of coastal development, and increasingly more municipalities in Nova Scotia have made use of these powers. See Appendix A. It is expected that the provincial government will re-consider the issue of a provincial-wide coastal policy at some future point, as what was done in New Brunswick in the 2000s (New Brunswick Department of Environment and Local Government, 2002). If and when that occurs, local government regulations will have to conform to whatever expectations are identified in any related provincial wide policy statement.

Integrated Community Sustainability Plan (ICSP)

Residents in MODL have frequently voiced their concerns surrounding the subject of coastal management, and the impacts of any public policies or strategies that affect it. These concerns were repeated to staff during the community consultation sessions for the Integrated Community Sustainability Plan (ICSP) in 2008 and 2009.

ICSP are plans that have been developed by all NS municipalities. The plans serve as a reporting requirement of the Municipal Funding Agreement (MFA) between the province and municipalities. This agreement allows the transfer of Federal Gas Tax funds to municipalities, for carrying out eligible municipal infrastructure projects (*Service Nova Scotia and Municipal Relations, 2007*).

ICSP's are defined as "a long term plan, developed in consultation with community members, which provides direction for the community to realize sustainability objectives it has for the environmental, cultural, social, and economic dimensions of its identity" (*Service Nova Scotia & Municipal Relations, 2007*). On March 9th 2010 Council adopted its first ICSP. The 2010 ICSP sets out a planning framework for implementing a select number of actions over a number of years. Coastal management issues were included in two ICSP action items (*MODL, 2010*):

#8: Develop an Adaption Measures Plan for local communities most likely impacted by erosion, sea level rise, and storm surges.

Desired outcomes: Local land use / policy framework amended in response to identified adaptation measures; and emergency measures operations updated to respond to impacts of climate change on local communities.

#9: Develop coastal management strategies concerned with public access, protection, and the impacts of development.

Desired outcomes: Local land use / policy framework amended in response to identified local input and aligned to work with new provincial strategies.

Municipal Climate Change Action (MCCAP)

As a requirement of the 2010-2014 Federal Gas Tax Extension Agreement and related MFAs, municipalities wishing to continue to access funds had to prepare and submit a Municipal Climate Change Action Plan (MCCAP) to Service Nova Scotia and Municipal Relations (SNSMR) by December 31, 2013. MCCAPs are an amendment to the ICSPs, and focus on both climate change adaptation and mitigation, and describe how municipalities plan to respond to climate change (*Service Nova Scotia and Municipal Relations, 2011*).

On December 10th 2013, Municipal Council adopted its first MCCAP. The 2013 MCCAP sets out a select number of actions for proposed implementation by the MODL, and potential partners, over the next number of years including (*MoDL, 2013*):

#7: Develop a coastal setback policy.

As stated in the MCCAP, municipal planning staff consider the debate on a local setback policy from the coast is not a matter of "if" but more a question of "when, where, and how" (*MODL, 2013 p. 32*).

2.0 Consultation Approaches

To ensure a broad process of consultation was undertaken, open house sessions were held in five coastal communities across the Municipality. Dates for the open house sessions were widely publicized through the community newspaper, community radio station, general delivery to coastal addresses, e-mail lists, social media (Twitter and Facebook) and online via: www.modl.ca/coastal-policy, www.coastalaction.org and www.southshorenova.ca/events/.

The five public open house sessions were held in Petite Riviere (June 16), Riverport (June 18), Blue Rocks (June 25) and Mahone Bay (July 9) at 7:00pm and on Big Tancook Island (August 6) at 12:00pm. In total, approximately 215 people attended the open house sessions.

Residents could provide written comments to the Municipality via the feedback form. See Appendix B. The form was made available at all sessions, and copies of the form, a related information sheet, and maps, were also available online at www.modl.ca/coastal-policy. The deadline for submissions was August 22nd, so as to allow residents time to get their comments in once the public meetings were completed. Approximately 115 people sent in their ideas and thoughts. A written submission was also received from a local stakeholder group, the Kingsburg Coastal Conservancy. Residents were also encouraged to provide their contact information on a sign-in sheet at the open house sessions, or via email, if they wished to stay informed of this particular planning process.

Public open houses began with a background presentation on why a coastal policy is needed, what a coastal policy could look like in the MODL, and examples of what other municipalities in Nova Scotia have done. See Appendix C. Participants were then given time to circulate around map stations, and discuss ideas on a one-to-one basis with MODL and BCAF staff. The draft maps developed for the consultations outlined properties that would be affected if a 2.5 m “vertical setback” was identified in coastal areas in the Municipality.



Figure 2: Photo taken on August 6th, 2014 at the open house session on Tancook Island
(Photo courtesy of Danielle St. Louis).

Some of the feedback forms were submitted at meetings - other attendees chose to submit their forms later, after having absorbed the information they had gathered at the open house sessions. All the feedback form data and comments received from the public before August 22nd, whether at the public open house sessions, submitted by mail, email, or dropped off have been analyzed and key themes have been summarized and consolidated in Section 3 and 4 of this Summary Report. For a Municipality of 25,000 people, the number of open house attendees (215), and submitted feedback forms (115) are recognized as a small sample.

3.0 Summary of Results

This section highlights results from the 115 feedback forms that were submitted before August 22. Questions that were left blank by respondents were not included in analysis. The order and numbering of the tables below do not necessarily reflect the same order as the survey questions presented in Appendix B. A brief analysis of the results is included after each table. As the results are examined, it is important to note that not all respondents were coastal property owners. (81% of respondents said that they were coastal property owners.)

Table 1: Coastal Erosion and Flooding

Question	Response	Number (#) of Respondents	Percent (%) of Respondents
1. Is erosion currently affecting your own property?	Yes	51	46.0
	No	54	49.0
	Not sure	5	4.5
2. Do you think erosion affects other properties in your community?	Yes	95	86.0
	No	7	6.4
	Not sure	8	7.3
3. Is coastal flooding currently affecting your own property?	Yes	24	22.4
	No	80	74.8
	Not sure	3	2.8
4. Do you think coastal flooding affects other properties in your community?	Yes	82	76.6
	No	13	12.1
	Not sure	12	11.2

Erosion is clearly an issue for many coastal property owners in the Municipality. Of one hundred and ten (110) responses, fifty one (51) respondents said erosion is currently affecting their own property. 95% of respondents think erosion currently affects other properties in their community.

Shoreline type influences how a particular area of shoreline responds to the long-term effects of waves and tides, as well as the infrequent short-term influence of storm waves and surge. Two major factors that determine how susceptible a shoreline is to erosion include the local geology (e.g. rock outcrop versus sandy beach) and the amount of wave action (e.g. sheltered cove versus open coast). 54% of respondents said erosion is currently not affecting their property.

Respondents who are not currently experiencing erosion on their property could very well be located on a naturally erosion-resistant shoreline. New Brunswick's Coastal Areas Protection Policy and Municipality of Clare Land-Use Bylaw are two examples of policies or legislative tools used to prevent development in areas specifically prone to erosion.

In comparison to erosion, coastal flooding is being experienced and witnessed less in the Municipality. Of one hundred and seven (107) respondents, twenty four (24) said that coastal flooding is currently affecting their own property. Eighty two (82) respondents think that flooding is affecting other properties in their community.

Similar to erosion, some areas in the Municipality are more prone to overland coastal flooding such as low-lying areas. The incidence of overland coastal flooding events is expected to increase, as the anticipated rise in sea level will allow for accompanying storm surges to reach areas further inland during significant storm events. New Brunswick’s Coastal Areas Protection Policy and the Municipality of the County of Cumberland and Municipality of the District of St. Mary’s are examples of where policies or legislative tools are used to prevent development in areas prone to overland coastal flooding.

Table 2: Damage experienced by coastal property owners

Question	Response	Number (#) of Respondents	Percent (%) of Respondents
5. Have any structures on your property been damaged by coastal hazards?	Yes	29	26.6
	No	80	73.4
5a. If yes, what caused the damage?	Erosion	10	34.5
	Coastal Flooding	6	20.7
	Storm Surge	23	79.3
	Other	7	24.1
6. Have you relocated any structures on your property because of coastal hazards?	Yes	7	6.4
	No	103	93.6

Many existing homes and infrastructure in the Municipality are already located in areas at risk to overland coastal flooding, and erosion. The survey asked if coastal residents are already feeling the impacts from associated coastal hazards.

Twenty nine (29) respondents said they have had a structure on their property damaged by a coastal hazard. Of these twenty nine (29) respondents, twenty three (23) said that damage was caused by storm surge; ten (10) respondents said erosion, and six (6) said coastal flooding. Seven (7) respondents said other factors caused the damage, such as “wind”. Seven (7) respondents have had to relocate structures on their property due to coastal hazards.

Residing in proximity to the ocean is a cultural norm for many citizens, some of whom have multi-generational roots in long-standing communities. However, in the last three decades the attraction of owning a coastal residence for seasonal or retirement purposes has brought a number of new citizens to the Municipality.

This has led to some local residents being well-aware, and others not necessarily as well-aware of, or educated about, the potential erosion and flooding hazards linked with living in close proximity to the ocean.

A coastal policy identifying and/or restricting all or certain types of future development from areas prone to erosion and flooding would help to minimize or avoid the damage, or relocation of structures due to coastal hazards.

Table 3: Thoughts on climate change

Question	Response	Number (#) of Respondents	Percent (%) of Respondents
<i>7. Do you think climate change has, or will have an impact on the coast in your community?</i>			
7a. It is impacting the coast now.	Yes	84	77.1
	No	5	4.6
	Not sure	20	18.3
7b. There will be impacts in the next 10 years.	Yes	89	81.6
	No	3	2.8
	Not sure	17	15.6
7c. There will be impacts in the next 20-25 years.	Yes	92	84.4
	No	3	2.8
	Not sure	14	12.8
7d. There will be impacts in the next 50 years.	Yes	95	87.2
	No	1	0.9
	Not sure	13	11.9

Respondents are all generally aware of climate change, and its potential impacts on the coast. Eighty four (84) of the respondents said they think that climate change is impacting the coast now. Five (5) respondents said they do not think climate change is impacting the coast now. Twenty (20) people said they are not sure.

In the “50 years” timeframe, respondents are more certain that there will be impacts from climate change on the coast in their community. Ninety five (95) said that there will be impacts, one (1) said there will be no impacts, and thirteen (13) are not sure.

Table 4: Preparedness for climate change impacts

Question	Response	Number (#) of Respondents	Percent (%) of Respondents
9. What, if anything, are you doing as a landowner to prepare for the impacts associated with climate change on your private property? (Check all that apply)	Shoreline wall / boulders	23	21.5
	Other shoreline protection structures	8	7.5
	Planting vegetation	31	29.0
	Dune protection	4	3.7
	Building design	16	15.0
	Nothing	21	19.6
	Other** (see NOTE)	44	41.1

****NOTE:** Responses as provided under the “Other” response included:

- Infilling;
- Raise building;
- Concrete pad;
- Jacked shed;
- Landscaping;
- Preservation of existing vegetation;
- Use logs / old christmas trees over banks;
- Compostable material over banks;
- Rock filled lobster traps over banks

Most of the respondents are currently carrying out at least one type of method to prepare for the coastal impacts associated with climate change. Twenty one (21) said they are doing nothing.

The loss of land due to erosion is often dreaded and fought against by coastal property owners. In many areas the most common way of dealing with shoreline erosion is by using boulders and seawalls, effectively hardening the shoreline and reducing the coast’s capacity to migrate inland in the face of rising sea levels. Twenty three (23) of the respondents said they use shoreline wall / boulders, and eight (8) respondents said they use other shoreline protection structures.

Many respondents said they use softer approaches to minimize the impact of coastal hazards. Thirty one (31) respondents said planting vegetation, sixteen (16) said building design, and four (4) said dune protection. Respondents also indicated a variety of “living shoreline” methods such as vegetation preservation, and the placement of logs and/or old Christmas trees, compostable material, or rock filled lobster traps to stabilize the shoreline.

New Brunswick’s Department of Environment provides a booklet to property owners considering installing shoreline protection. The booklet explains coastal erosion, and how boulders or rock walls can disrupt natural sediment transport along the coast.

It also summarizes the advantages and disadvantages of different ways of dealing with coastal erosion. If this information was made available in Nova Scotia, municipalities could use their existing communication and outreach tools (website, municipal buildings) to display, distribute, and make people aware of relevant information about coastal erosion management in their communities.

Table 5: Municipal involvement

Question	Response	Number (#) of Respondents	Percent (%) of Respondents
8. Should municipalities identify and restrict development from the risks associated with climate hazards? (Check one)	Based on current impacts	27	26.7
	Based on 10 year predicted impacts.	14	13.9
	Based on 20-25 year predicted impacts.	23	22.8
	Based on 50 year predicted impacts.	24	23.8
	It is not the government's role / responsibility to do so.	13	12.9

It is not clear whether respondents think current impacts, or future predicted impacts should be used to identify and restrict development from the risks associated with climate hazards.

Some respondents questioned the certainty of using 50 year predicted impacts, while other respondents felt municipalities should be considering even the "100 year predicted impacts" (R4).

It may be identified that - given its identification in provincial environmental policy - the Municipality may be encouraged to consider using the precautionary principle in decision making, where there are threats of serious or irreversible damage. The precautionary principle suggests that the lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

Of one hundred and one (101) respondents, thirteen (13) said that is it not the government's role/responsibility to identify and restrict development from the risks associated with climate hazards.

This sentiment is clearly expressed in one respondent's comment: "government cannot be responsible for everything!" (R82). While the respondents think it is not the government's role to *restrict* development, many respondents noted governments should *identify* risks associated with climate hazards.

Table 6: Costs resulting from coastal hazards

Question	Response	# of Respondents	Percent (%) of Respondents
10. In your opinion, who should be involved with covering the costs resulting from the impacts of any coastal hazards? (Check all that apply)	Affected landowners	94	87.0
	Insurance companies	56	51.8
	Government	68	63.0
	Other** (see NOTE)	9	8.3

****NOTE:** Written Responses provided under the “Other” response included: Government (public infrastructure) & Landowners (Private infrastructure); Volunteers; Adjacent landowners, NGOs

Ninety four (94) respondents said that affected landowners should be involved with covering the costs resulting from coastal hazards. Sixty eight (68) respondents said that government should be involved with covering the costs resulting from coastal hazards. Fifty six (56) said insurance companies. Several respondents commented that affected landowners should be responsible for the costs on private lands, and that government should be responsible for those costs associated with public lands (e.g., roads, public buildings). As example:

“Governments should be responsible for the costs only in government owned areas (e.g., Risser’s Beach)” (R29).

“Landowners should be responsible for any damage that results from poor placement of buildings or other infrastructure, insurance companies should cover the cost only if the damage isn’t the result of the homeowner stupidity, and governments should cover costs of roads, bridges etc.” (R77).

One respondent commented that adjacent landowners should be involved with the costs.

“We also need to consider that adjacent landowners whose poor practices (e.g., rock walls) of coastal defense cause more erosion or sediment build-up then would naturally occur. They should have to cover the costs of damage as well” (R64).

Table 7: Development of a coastal policy

Question	Response	Number (#) of Respondents	Percent (%) of Respondents
11. Is there a need to develop a municipal coastal policy?	Yes	92	82.9
	No	5	4.5
	Not sure	14	12.6
12. If you answered (11) as a YES – if a coastal policy is developed, what would you like to see included? (Check all that apply)	Provision of information on coastal hazards, and the areas that are most susceptible	76	83.5
	Provision of guidelines and/or suggested best practices to coastal development	79	86.8
	Specify minimum technical and safety regulations for designing buildings, to reduce the effects of sea level rise, coastal flooding, and erosion	63	69.2
	Horizontal setback requirement	1	1.1
	Vertical setback requirement	1	1.1
	Horizontal and vertical setback requirement	70	76.9
	Vegetation retention requirement	74	82.2
	Exemptions from a setback if property owners can prove the suitability of the development based on site specific data	31	34.4
	Exemptions from a setback for certain types of development (e.g., water related structures)	59	64.8
	Other	4	4.3

Out of one hundred and eleven (111) respondents, ninety two (92) agree that there is a need to develop a coastal policy in the Municipality. Five (5) respondents said there is no need to develop a coastal policy, and fourteen (14) respondents were not sure.

While there is a strong agreement over a need for a coastal policy, the question is what should that coastal policy look like?

Seventy six (76) respondents said they would like to see provision of information on coastal hazards, and the areas that are most susceptible. Seventy nine (79) respondents said they would like to see provision of guidelines and/or best practices to coastal development. Seventy four (74) respondents said they would like to see a vegetation retention requirement. Seventy (70) respondents said they would like to see both a horizontal and vertical setback requirement. Sixty three (63) respondents said they would like to see specified minimum technical and safety regulations for designing buildings.

Some respondents are hesitant about exemptions from a setback if property owners could prove the suitability of the development based on site specific data, or exemptions for certain types of development (e.g., water related structures) as identified in the comments:

“Exemptions from a setback for certain types of development should not apply to environmentally sensitive areas” (R10).

“In the event that exemptions are permitted for new buildings, the owner must accept entire responsibility for damage. No claim should be allowed against government or insurance company” (R51).

“I think that it’s important that there will not be too many exemptions, or loop holes. Despite what people said at our local meeting, people do need to be “protected from themselves”. People continue to build in inappropriate places and we’ll all pay the price when their homes end up in the sea, leaving a trail of pollutants and trash and leaving the homeowner crying for compensation” (R77).

“Exemptions from a setback for certain types of development only if they are genuine fish sheds, etc. There are multiple “fish sheds” along the river fully furnished” (R15).

Respondents who said there is no need for a coastal policy often fell in the areas of the Municipality where land use planning has not occurred in the past. These respondents spoke of their concern in the comments section:

“These communities have survived for several hundred years without land-use by laws” (R60).

“Not sure if there will be impacts in the future, but it is nothing that the residents of Stonehurst can’t fix as they have been doing for the past 200+ years!!” (R88).

4.0 Comments

This section highlights respondent's answers to two questions on the feedback form:

1. If a coastal policy were to be developed in this Municipality, what are your biggest concerns?
2. Do you have any further comments, questions, or concerns you would like to share?

Comments that were written beside other questions on the feedback form have also been included in this section.

The responses have been grouped into nine prominent themes which include property value, tax payers, information targeted to landowners, developers and/or real estate agents, creation of a too "soft" or too "hard" policy, public access, municipal capacity or priority, provincial wide policy, and other coastal policy options to consider.

1. Impact on property value

- Property re-assessment if it is no longer deemed to be buildable
- If the setback was 2.5 m would that take some properties now taxed as residential off the table as they would now be unsuitable to build a residence on?
- The cost of upkeep to our property
- Will it lower the value (assessed) of affected properties?
- Concerned that the value of existing structures could be affected by policies set for new buildings
- If the by-law is too restrictive, it may negatively impact property values
- Impacts on existing property values within proposed setback limits
- Land value may decrease; taxes would have to go up
- These sorts of rule changes are prone to result in uneven treatment for neighboring properties, or unexpected rendering of valuable waterfront properties into worthless holdings because of the inability to build or sell for development.
- That property value of a lot of coastal properties would be reduced needlessly due to needless premise. Coastal flooding and most of climate change is a hoax. These cycles have also occurred thousands of years ago.

2. Cost to tax payers

- Potential cost for tax payers in Lunenburg County for properties developed on known flood prone or storm surge areas
- The areas that are projected (in pink) as coastal flooding will effect taxes – building permits must evaluate their classification – residential etc., and \$ value
- If landowners must have to expense to build structures, boulders, etc. to protect their property from erosion or storm surges then municipalities should consider this "expense" and not TAX landowners to the MAX for doing so
- Consider a "rebate" type of program on costs of protection, or give a tax break on land
- Some properties now used as cottages/homes would be protected from storm surge if they had been located farther back, but a fish shack surrounded by water now should not be taxed as residential
- Government should have a waiver attached to any building permit to protect other tax payers from inappropriate building in flood or erosion areas

- Impact on taxes, relocation of road and coastal infrastructure, possible expropriation, especially without compensation to build a new road
- Are taxpayers at risk because permits have been issued for a building in risky locations (i.e., house in Rose Bay tidal pool)?
- Taxes going up
- Cost to tax payers
- Additional costs to tax payers associated with administration and policing of land use changes
- A property that is deemed unsafe for occupation must also have an altered tax-rate, if not expropriated at fair (pre-rules) market value
- Tax bills would increase, due to administrative involvement in land use changes

3. Information targeted to landowners, developers and/or real estate agents

- New landowners need to be aware of the serious storm scenarios that could affect their properties in the future
- Focus on community preparedness and education such as safe community spots, emergency kits, etc.
- How will real estate companies be “encouraged” to inform new property purchases? New people should not be left “underwater”.
- Coastal properties always have risks, perspective purchases should be aware of this
- Give all specific information to insurance companies, and real estate agents and property owners in vulnerable areas
- Meet with real estate firms and warn them of major fines if they fail to support the regulations
- How will restricting development protect the developed properties? Is education the best overall approach for all properties? (Most of the land is already developed for the bays of Lunenburg and Mahone)
- I think more information sharing and liaising should be done between DNR /MoDL/BCAF/EAC
- Provision of information on coastal hazards, and provision of guidelines should have been in place immediately after MoDL received the Dalhousie report. The papers are possibly right, is MoDL being transparent? Staff and council have a responsibility to disseminate the data.
- There needs to be a beach system management plan, recognizing the connectivity of beach systems. It is also important to identify a zone as a coastal flood zone, or flood hazard zone as ecologically sensitive and then commit to developing specific measures to restrict management development in those areas. First steps might be as simple as education handouts to homeowners and new buyers and sellers.

4. Creation of a too “soft” policy

- 2.5 m is too low. We should be considering 50 yr or even 100 yr expected level.
- 2.5 m is too little based on rising ocean levels. The vertical setback should be based on a changing number as high tides increase (make it adaptive).
- Given the 2.5 m hazard level is only 15 cm over an extreme high tide, the standard is absurdly low.
- Allowing variances.
- They won't be strict enough.

- That it would not be robust enough to really address the issue and would have no vertical or horizontal setback requirements or ones that are insufficient with too many exemptions.
- Exemptions from a setback for certain types of development should not apply to environmentally sensitive areas.
- Exemptions from a setback for certain types of development should be made only if owner assumes all responsibility.
- In the event that exemptions are permitted for new buildings, the owner must accept entire responsibility for damage. No claim should be allowed against government or insurance company.
- Exemptions from a setback for certain types of development only if they are genuine fish sheds, etc. There are multiple “fish sheds” along the river fully furnished.
- Concern over exemptions for certain individuals.
- Exemptions from setback made in only exceptional cases.
- There should be no exemptions.
- Policy should be based on the most severe predicted impacts.
- That it will become outdated in the future as climate change continues
- I think that it’s important that there will not be too many exemptions, or loop holes. Despite what people said at our local meeting, people DO need to be “protected from themselves”. People continue to build in inappropriate places and we’ll ALL pay the price when their homes end up in the sea, leaving a trail of pollutants and trash and leaving the homeowner crying for compensation.
- That it will end up weak and ineffective.
- That it would be expensive, over budget, but ineffective.
- It will be too weak!!! They can’t control the effluent that now goes into the LaHave River and ocean...
- That the Municipality won’t be firm enough in your restrictions and advance preparation re: alternatives to safe guard homes and road access.

5. Creation of a too “hard” policy

- Impractical. Unnecessary. Restrictive.
- Restrictions on constructing a wharf (for a small private boat) in the future (next 10 years).
- Regulations that restrict landowners.
- Municipalities should advise and support only...NOT restrict development.
- Too strict guidelines, no flexibility.
- Unnecessary controls.
- Ensure flexibility (e.g., other options than no construction such as building design)
- One setback can’t affect everyone on the coast. There would be more exceptions to the policy than could be managed.
- That the restrictions will be too strong. People will build on beaches, waterfront banks, and almost anywhere. If they can build and protect their property, it’s ok. This has to be completely understood and documented and not be paid by government or insurance companies if something should happen.
- Red tape and interference.
- Too much interference/regulation by municipality.
- My preference would be for building codes to be developed for new construction in coastal areas that will be affected by storm surges, but for guidelines to be developed for

location of buildings rather than regulations, conditional on owner's new construction accepting full responsibility for damage due to storm surges, etc.

- Setbacks are insufficient: must consider substrate (e.g., sand vs. bedrock). A simple requirement for such setbacks is naïve.
- The rights of property owners would be impacted. The policy would be very restrictive. Compliance would be difficult and expensive. The Municipal policy would conflict with any provincial policy.

6. Public access

- The biggest effect for my area would be the flooding of roads along Rose Bay, cutting off access for emergency vehicles.
- Concerns regarding public access to beaches in flood and/or high tides.
- Structures being built on shoreline resulting in restrictions of access to shoreline

7. Municipal capacity and/or priority

- Willingness to enforce a policy
- Willingness and ability to enforce
- No enforcement of policy put in place
- Enforcement
- That the policy would not be enforced by responsible agencies. We need strict guidelines.
- Zoning should be enforced! Abandon the ineffective response that allowed the building of a house on the flood plain at Sand Dollars Beach.
- I hope this happens sooner, rather than later so building permits will stop being issued on vulnerable lands.
- Hopefully this policy will be high on the agenda of the Municipality.
- The timely action in development and implementation of an effective policy.
- We absolutely need to develop a coastal policy. It's ridiculous that there aren't zoning restrictions already in place.
- Municipality has granted permits for residents close to/on beaches and dunes (e.g., Kingsburg Beach dunes and home on Rose Bay beach).
- Procrastination – need action now.
- Government cannot be responsible for everything!!
- Observing and enforcing said policy infractions.
- It is our concern that our municipality will not be able to afford this kind of responsibility. When our organization expressed concern in the past, the Municipality's response was that, "we have no way to deny a permit under the current legislation".
- These communities have survived for several hundred years without land-use by laws.
- Not sure if there will be impacts in the future, but it is nothing that the residents of Stonehurst can't fix as they have been doing for the past 200+ years!!

8. Province wide policy

- This policy should harmonize with all policies for Nova Scotia. A N.S coastal policy for all.
- Coordination with province wide policy. Urge province to adopt uniform policy with municipalities input.

- Also creating a policy for MoDL that differs in any way from Chester or HRM, or any other inch of NS coastline will be inequitable: the tides impact the coastline without regard for municipal boundaries.
- This is at least a provincial matter, and since the land below the normal high water mark belongs to the Crown, it is essentially a federal matter also. Without those levels of government stating their intentions, the effect is that of barricading the doors without making burglary illegal, or hiring police to chase the crooks.
- There should be a provincial policy, but congratulations on starting the process.
- That is it not part of a uniform policy for all municipalities in the province. We need province wide standards.
- I believe that any coastal policy should be the provincial government's responsibility. It is silly to have every municipality make its own rules and regulations. Tremendous waste of time and effort.

9. Coastal policy options to consider

- Have gradation e.g., closer to water means no construction, mid zone for limited types of construction, further zone for less limited or onerous construction
- Waiver releasing government from liability, or expecting public money to compensate property owner for storm/flood damage.
- Any exceptions should come with a signed waiver that the municipality is held harmless.
- Consider the legal costs of wealthy landowners if you do not take incentives to protect/preserve and prevent disasters! For example, in Kingsburg on land known to be flood plain, adjacent to the large Kingsburg pond, 2 separate homes have been built with municipal approval. Does this not legitimize legal action by the owners when the inevitable flooding happens? Most definitely!!
- The Municipality should insert restrictive caveats on building site approvals regarding restriction of building development closer to the water than at least 100 m. Not doing this leaves the Municipality wide open for costly litigation and major retroactive expense.
- Any standards must clearly state that they are minimum, and that no warranty, or disaster assistance is implied by virtue of compliance.
- Government should help those who are now in areas of concern – help to protect them because they are already there. Not new builders
- This is NOT a “coastal policy” – it is a climate and “event” hazard policy and should be so described.
- Concerned that a long term plan would be ignored. MoDL should commit a 10 year plan and a 25 year plan on managed retreat for the most vulnerable areas. Infrastructure such as roads, which are not MoDL's responsibility, are extremely vulnerable and their flooding could impede emergency services and put lives at risk.
- Use Massachusetts rules as a guideline.

5.0 Final Thoughts

In analyzing the results from the feedback forms, reviewing the many diverse comments and listening to discussions during the 5 open house sessions, this section provides some final thoughts, in respect to the development of a coastal policy in the Municipality.

Currently, the majority of the coastline in the Municipality lacks comprehensive land use planning. In the past, Council has been unwilling to impose land use controls under the authority of the MGA unless requested by a community (*MODL, 1999*). That being said, Council retains the power to implement planning on its own initiative when Council deems such land use control is in the best interest of the community and the Municipality (*Policy MDL-21*).

Initial public consultations suggest a desire for coastal planning in both planned (i.e., Riverport, Oakland and Princes Inlet & Area) and unplanned (i.e., Petite Riviere) coastal communities. The survey results also indicate that many existing homes and infrastructure in the Municipality are located in areas at risk of coastal flooding and erosion. In fact, residents have stated that they are already feeling (and trying to deal with) the impacts.

With climate change, the occurrence of coastal erosion and overland coastal flooding events is expected to increase, as the anticipated rise in sea level will allow for accompanying storm surges to reach areas further inland, and accelerate erosion during significant storm events. The development of some form of coastal policy *is* in the best interest of communities and the Municipality, as it can reduce or possibly avoid the cost to future public and private development

A number of residents are concerned about unnecessary restrictions that will be placed on future development in coastal areas that are not at risk to coastal erosion, or overland flooding. With that being said, the creation of a policy based on environmentally sensitive areas (i.e., beaches, dunes, coastal wetlands) and areas prone to erosion and overland flooding should be taken into consideration.

For example, the Municipality of Clare has established a setback of 20.1 m (66ft.) from the most sensitive areas of the coast, shown on a “Coastal Sensitive Area” map. These sensitive areas include beaches, dunes, salt marshes, and areas with high erosion potential. New Brunswick has also put in place a “Coastal Areas Protection Policy” which prevents development in the most sensitive coastal zones which includes beaches, dunes, rock platforms, coastal marshes and dyked lands. A 30 m setback from these zones has been established, and only certain developments can occur within this setback as long as they meet conditions such as all new structures being built must be 2 m above the higher high water mark elevation.

As mentioned: there is currently no provincial-wide coastal policy in place in Nova Scotia. Consequently, other municipalities have put in place local land use regulations to provide coastal protection in the face of climate change impacts. With no provincial-wide policy, there is also no clear place for people to get information about shoreline processes, coastal change, coastal erosion, coastal flooding, and various options for living with these impacts.

Information about coastal erosion and overland coastal flooding should be readily available in public places, municipal websites, and in locally appropriate brochures. Information about alternatives, costs and benefits of various approaches to dealing with coastal hazard impacts, as well as “how-to” brochures, should be easily located and available for download and given to coastal property owners before development, or the installation of shoreline hardening methods.

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