



April 10, 2024

From: Kingsburg Coastal Conservancy (KCC)

To: Mayor Bolivar-Getson

CC: Council Members: Leitha Haysom, Martin Bell, Wendy Oickle, Pam Hubley, Cathy Moore, Sandra Statton, Michelle Greek, Reid Whynot, Kacy DeLong, Chasidy Veinotte

Dear Mayor Bolivar-Getson and MODL Council members,

Having attended yesterday's Council meeting discussion on the draft Coastal Protection Regulations, we wish to transmit KCC's full support for Council's drive to put proper coastal protection regulations in place in response to the province's abdication of leadership on this critical issue. Council's strong leadership on this is enabling MODL to hit the ground running on a substantial challenge that has been unexpectedly placed on the shoulders of municipal councils. Needless to say, KCC will do all within our power to help facilitate the speedy finalization and implementation of effective regulations.

The necessity to move rapidly on this long overdue task is particularly apparent to our organization and local community members. **Over the past few days we have witnessed with dismay the rapid construction of a lengthy boardwalk, complete with power pole, and a significant storage shed on the protected area of Kingsburg Beach. A permit for building an additional single unit dwelling is apparently included in the permissions (see letter to Minister Tory Rushton appended).**

The area of Kingsburg Beach that houses the new construction was protected by the Department of Natural Resources (DNR) in 1995 due to its extreme environmental sensitivity (see Miller Report Summary appended). In addition, the construction is taking place within the following problem areas included on MODL's Coastal Protection Regulations map: Coastal Wetlands; Wetland Buffer; Coastal Flood Risk Area, and Designated Coastal Protection Area.

**We cannot stress enough the importance of rapid action on this. Development of a further 35 lots in this designated area could rapidly follow the current construction project if action is not taken immediately to prevent further development in these areas.**

**We are thus requesting that MODL impose an immediate moratorium on any further development in this highly sensitive area -- including halting the project currently underway -- pending the finalization and enactment of the Coastal Protection Regulations.**

We would appreciate an opportunity to discuss our request -- and any ways you feel we might help -- with appropriate MODL staff and Council members.

Sincerely,

Janet Peace, Chair, Kingsburg Coastal Conservancy

Robert Buckley, Past Chair, Kingsburg Coastal Conservancy

Marilyn Congdon, Founding Member, Kingsburg Coastal Conservancy

## Appendix 1: Letter to Minister Rushton



April 5, 2024

**FROM:**

The Kingsburg Coastal Conservancy

**TO:** Minister Tory Rushton, Minister of Natural Resources and Renewables, NS

**CC:** Premier Tim Houston, Premier of Nova Scotia Minister Tim Halman, Minister of Environment and Climate Change, NS

Dear Premier Houston,

**The KCC is submitting this letter as a formal complaint** against the construction of a boardwalk currently taking place within the protected area of Kingsburg Beach, which extends between the Atlantic Ocean and the freshwater of Kingsburg Pond.

We note that there are currently two permits in place within this protected area: one for a Boardwalk and Bunkie and another for a Single Unit Dwelling. **KCC therefore also requests a moratorium** on any development beyond the boardwalk within the ecologically sensitive protected lands on Kingsburg Beach until this matter has been investigated and clarified to the satisfaction of the Riverport District communities by both the provincial and municipal offices that issued the permits.

## THE PROTECTED STATUS OF KINGSBURG BEACH

The Department of Natural Resources protected the Kingsburg Beach between 1993-1995 under the Beaches Act:

### I. KINGSBURG BEACH DESIGNATION

Made Under Subsection 5(1) of the Beaches Act, R.S.N.S. 1989, c. 32, O.I.C. 93-253 (March 9, 1993), N.S. Reg. 52/93; O.I.C. 95-17 (January 3, 1995), N.S. Reg. 5/95

### II. ASSESSMENT OF THE ENVIRONMENTAL SENSITIVITY OF KINGSBURG BEACH, 1995

by Christopher A. Miller, Ph.D., Conservation Environmentalist, Nova Scotia

#### Section 4.0: REPORT SUMMARY

Kingsburg Beach can be considered environmentally sensitive for the following reasons:

- It is a dynamic system with sedimentary environments prone to rapid changes.
- Rising sea levels are forcing Kingsburg Beach to migrate landwards over time.
- Sediment impoverishment from onshore sources requires beach, dune, and backshore sediments to be recycled for Kingsburg Beach to avoid submergence.

- Kingsburg Beach contains a rich diversity of geomorphic features including beach ridges, primary dunes, secondary dunes, inter-dunal troughs, washovers, lagoons, deltaic deposits, backbarrier ponds, and backbarrier wetlands.
  - Kingsburg Beach is one of only about 20 sites in Nova Scotia that contains prograded beach ridges.
  - Kingsburg Pond is an important area for migratory birds and represents one of only a few documented cases in Nova Scotia where a water body has switched from marine to fresh water under rising sea-level conditions.
  - Kingsburg Beach contains an abundance of ecosystems (12 distinct habitat types) and species (at least 155 vascular plant species, 57 bird species, 12 mammal species, 4 amphibian species, and 1 reptilian species).
  - The protrusion of Kingsburg Peninsula from the rest of the mainland coast makes the Kingsburg Beach area an important focal point and staging area for birds flying along the coast.
  - Kingsburg Beach contains one of only five known inter-dunal swale wetlands in Nova Scotia, perhaps the rarest wetland type in the province.
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As documented above, this area is extremely susceptible to climate change and sea level rise. It makes no sense to be granting building permits within this environmentally sensitive area. If this construction is allowed to take place, there will assuredly be others lined up to do the same (there are an estimated 35 other possible building lots within this area).

When Natural Resources designated Kingsburg Beach protected, the intention was that no further development take place on this fragile land. Given the urgent need to counter the destructive effects of climate change, **the Kingsburg Coastal Conservancy contends that the reasons for protecting Kingsburg Beach are even more important today than they were then.**

We would appreciate confirmation of receipt of our request and complaint, as well as the opportunity to meet with appropriate representatives for further clarification on this important matter.

Sincerely,

Janet Peace, Chair, Kingsburg Coastal Conservancy  
Robert Buckley, Past Chair, Kingsburg Coastal Conservancy  
Marilyn Congdon, Founding Member, Kingsburg Coastal Conservancy