

In Reply Please Quote Our File Number:

March 17, 2014

Ms. Lynne Fotherby
5435 Highway 207
Seaforth, NS B0J 1N0

Dear Ms. Fotherby:

I am responding to your letter concerning your request for drainage improvements in the area of your property located at Civic #5435 Highway 207, Seaforth, Nova Scotia.

As a result of your letter, staff conducted a field review of your concerns. This review determined that the Department of Natural Resources (DNR) has not undertaken any physical work in the vicinity of your property or around the rail bed which abuts your property. As you are no doubt aware, the rail bed existed since the early 1900s. I note that you acquired the property in question prior to October 2013. As DNR made no physical changes to affect the drainage, we must conclude that any issues are a result of the topography of the land and pre-existed your purchase of the property. In this circumstance, DNR bears no accountability or responsibility for drainage issues associated with your property.

As the landowner, should you chose to undertake specific action to affect the drainage on and around your property, you should be aware that it is likely it would be deemed a natural wetland. In order to undertake drainage related activity in this circumstance, you would be required to obtain permit approvals from Nova Scotia Environment.

Sincerely,



Duff Montgomery
Deputy Minister

c Gordon Delano, Regional Director, Central Region, DNR
Rob Paddock, A/Area Supervisor, Jeddore, DNR