

FINAL DRAFT
O.S.P.E. LAND DRAINAGE COMMITTEE
MINUTES OF MEETING
Friday, June 6, 2008
DFO Office, 73 Meg Drive,
London, Ontario

1.0 Attendance and Call to Order

Members Present: Tim Oliver, Chairman; Bill Dietrich, Secretary; Chris Allen, Mike DeVos, John Kuntze

Liaison Members Present: Sid Vander Veen , OMAFRA; Davin Heinbuck, Conservation Authorities (ABCA); Melanie Prosser, Office of Open Learning, University of Guelph

Absent Members: Tom Pridham, Dana Boyter, Fisheries and Oceans Canada; Art Groenveld, MTO; Leo Christl, MNR; Gina Vandenburg, O.S.P.E.

Chairman Tim Oliver called the meeting to order at 10:20 AM.

2.0 Approval of Agenda

Motion by John Kuntze, seconded by Chris Allen, that the agenda as prepared by the chairman be accepted. Don Weir to make a presentation at 11:30 a.m. now on the agenda. Carried.

3.0 Minutes of Last Meeting

Motion by John Kuntze, seconded by Tim Oliver that the minutes of Thursday, January 24, 2008 O.S.P.E. Land Drainage Committee meeting be accepted. Carried.

4.0 Business Arising From Minutes

4.1 Drain Maintenance Guidance Document

-Mike DeVos to send LDC members a copy of his draft section for work completed under a new Engineer's report and a revised flow chart for works under a report for the committee's review and comments

-Jane Sadler Richards has been retained to prepare the revisions to the drain maintenance document

4.2 DAWG

- new DFO representative –Tom Hoggarth
- Chris Allen to prepare a letter to be sent to DAWG outlining LDC position with respect to maintenance of pumped drain systems. Site specific authorizations should not be required. An operational statement may be necessary outlining maintenance procedures with respect to the maintenance of pumped drains and fish issues.
- Class Authorizations should apply to work constructed under reports prepared under Section 78 of the Drainage Act where maintenance is proposed.

4.3 DART (Drainage Act Resource Team) has been established.

A motion by Chris Allen and seconded by Mike DeVos that John Kuntze be the LDC member for DART. If John cannot attend the chairman will notify an alternate member to attend DART meetings. This committee will have a minimum of one meeting each year.

Protocols to be developed to deal with the lack of consistency across the province with respect to the administration of the Conservation Authorities Act and the Drainage Act.

5.0 Liaison Report – Conservation Authorities Report

Davin Heinbuck

5.1 Drains and Section 28(Conservation Authorities Act)

DART Terms of Reference and Committee Membership have been established. Next meeting scheduled for mid-June (since re-scheduled to September). Committee representatives will be there on behalf of the Ontario Ministry of Agriculture and Food, Ontario Federation of Agriculture, Rural Ontario Municipal Association, The Ontario Farm Environmental Coalition, Ontario Ministry of Natural Resources, Land Drainage Committee, Drainage Superintendents Association of Ontario (2) and the Conservation Authorities (4+1). The next meeting will discuss the Terms of Reference and define the current issues between the Conservation Authorities Act and the Drainage Act.

5.2 ROMA

Davin Heinbuck represented Conservation Ontario in the Drainage Information Room at the ROMA Convention in Toronto. DFO, OMAFRA and DSAO were also present.

5.3 Drain Superintendents Course

Conservation Ontario provided a presentation on Conservation Authorities and the Conservation Authorities Act to emerging Drainage Superintendents. This was the inaugural presentation of Conservation Authorities at this course.

In addition to how the Conservation Authorities Act applies to drains, a brief presentation of alternative drain maintenance techniques was delivered.

6.0 Liaison Report – Ministry of Agriculture, Food and Rural Affairs

Sid VanderVeen

- 6.1 2007/08 ADIP: OMAFRA received about \$6.0 million in grant applications – most of this was processed before March 31/08 but some was accrued.
- 6.2 2008/09 ADIP: The ADIP program budget has been increased by \$1 million. Updates have to be made to the grant application forms to meet provincial government policies.
- 6.3 ADIP Review: The format of the review is being worked on with hope to implement it in June 2008. It is envisioned that an invitation to participate in the review would be sent to stakeholder groups that participated in the development of the policies. It would also be sent to individual municipalities that use the Drainage Act. It would not be sent to individual farmers, drainage superintendents, contractors, engineers, etc.

6.4 Courses

COURSE NAME	LOCATION	DATES	ATTENDANCE
Advanced Drainage Course	Marden	Feb. 4-15/08	12
Drainage Superintendents Course	Guelph	March 3-7, 2008	22
Rural Municipal Drainage Course	Newmarket	April 10, 2008	19
Calculating Drainage Assessments	Newmarket	April 11, 2008	9
Rural Municipal Drainage Course	London	April 16, 2008	37
Calculating Drainage Assessments	London	April 17, 2008	22
Rural Municipal Drainage Course	Espanola	April 23, 2008	9
Calculating Drainage Assessments	Espanola	April 24, 2008	4

OMAFRA is considering holding the “Rural Municipal Drainage Course” and the “Calculating Drainage Assessments” workshops in the late fall so that the information is given before the grant applications are completed.

6.5 Events:

- **Drain Mapping Workshops – Feb. 12/13 (London) and Feb. 28/29 (Gananoque)**
 - Provided status of drain classification mapping (and associated problems)
 - Proposed updated and more appropriate species indicator list
 - Classification based on hard data
- **“The Gains and Pains of Drain Explained” – ROMA/OGRA Convention**
 - Wray Ramsay, Dana Boyter, Davin Heinbuck and Sid Vanderveen participated
 - Expected 20-30 for one-on-one consultation about drainage problems
 - Had 100 plus people show up – changed to a general Q&A session
 - Topics were wide ranging, but most were about DFO and CA issues
- **DFO Partnership Workshop – April 9, 2008**
 - Mostly DFO and CA staff participated
 - Joint presentation by Tom Hoggarth, Davin Heinbuck and Sid VanderVeen on how we were jointly addressing regulatory compliance on municipal drains
- **Municipal Drain Information Day – Manotick, ON – May 31, 2008**
 - Hosted by the Rideau Valley Conservation Authority
 - Dave Ryan (Ottawa drainage superintendent) spoke for 15 min. on the Drainage Act
 - Various other presentations on biology of fish, the Fisheries Act, the Conservation Authorities Act and regulations
 - Numerous members of the Ontario Landowners Associations in attendance; some asked some very pointed and direct questions

6.6 Forest Conservation By-Law

Wellington County is revising their Forest Conservation By-law. As it was drafted, there was no exemption for activities under the Drainage Act. It serves as a reminder that when County or Regional “Tree By-laws” or “Forest Conservation By-laws” are being amended, the drainage community needs to provide input so that activities under the Drainage Act have special recognition. For example the Region of Niagara and the Region of Waterloo have amended their by-laws and did not include any special consideration for Drainage Act activities.

6.7 Endangered Species Act

The provincial Endangered Species Act was passed in 2007 and is to take effect on June 30, 2008. The Minister of Natural Resources regards this legislation as the “gold standard” for species and habitat protection and makes Ontario a leader in North America. The number of Regulations are being passed that would provide some flexibility for municipalities to continue to manage their infrastructure including

municipal drains. The draft regulation is posted on the Environmental Bill of Rights registry and the deadline to comment is June 16, 2008.

7.0 Liaison Report – Office of Open Learning

Melanie Prosser

- 7.1 2007 Engineer's Conference attendance – 103
- 7.2 2008 Conference will be at the Ramada Hotel, Guelph. Rooms have been reserved for the attendees at a rate of \$99.00. The conference fees will be \$165.00.
- 7.3 Motion by John Kuntze, seconded by Chris Allen that Melanie Prosser create a website for the LDC and Drainage Engineers Conference.
- 7.4 Possible Topics for the 40th Annual Conference
 - 40 years of land drainage
 - Endangered Species Act
 - Stormceptors
 - Big Digs – a showcase of the biggest and best of various drainage projects completed under the Drainage Act over the last 4 decades.
 - Drain 19 – Kincardine – A Case Study
 - What's the Role of Section 6
 - Cost of Section 78 Drainage Reports
 - Wetlands and Conflicts with the Drainage Act
 - Wind/Solar Power projects and impact on drainage
 - Humor in the workplace
 - Ontario Farm Environment Coalition
 - Current Research on Fish Habitat in Drains
 - Ontario Landowners Association

8.0 Presentation to LDC

Don Weir – Drainage Superintendent, Township of Malahide

- 8.1 Missed tile connections are becoming a problem when new municipal drains are constructed under an engineer's report.
The cost of the connections is covered in the contract for the construction of new drains but if tile drains are not connected the responsibility and additional cost to the drain should be addressed in the instructions to the bidders.

- 8.2 John Kuntze to make a statement of recommendation on behalf of the LDC and circulate it to DSAO and LICO for comments.

9.0 New Business

- 9.1 Assist Melanie Prosser with a slide show presentation at the 40th Drainage Engineer's Conference.
- 9.2 Endangered Species Act – Tim Oliver to post LDC comments with respect to the draft regulations of the Endangered Species on EBR and fax Regis Cornale (MNR representative). Land Drainage Committee has not had an MNR representative at meetings for some time.
- 9.3 The LDC secretary forwarded the committee's expense reports to O.S.P.E. on January 5, 2008. Reimbursement has not been received.

10.0 Next Meeting

The next meeting of the LDC will be held on Thursday, October 23, 2008 at 10:30 am at the Ramada Inn and Conference Centre, Guelph, Ontario.

The Practitioners meeting will be held at 7:00 pm.

11.0 Adjournment

The meeting was adjourned at 3:50 p.m. Moved by John Kuntze and seconded by Chris Allen.