

**FINAL DRAFT**  
**PEO LAND DRAINAGE COMMITTEE**  
**MINUTES OF MEETING**  
**Thursday, January 22, 2004**  
**Cambridge Room**  
**Best Western Lamplighter Inn, London, Ontario**

**1.0 Attendance And Call To Order**

Members Present: Ray Dobbin, Chairman; Tim Oliver, Secretary; Jeff Dickson; David Johnson

Liaison Members Present: Sid Vander Veen, OMAF; Norm Smith, Fisheries and Oceans Canada; Leo Christl, MNR; Melanie Prosser, Office of Open Learning, University of Guelph

Guest Member Present: Ryan Bailey, O.S.P.E.

Members Absent: Ken Graham, Vice Chair (regrets); David Grahman (regrets); Joe Farwell, Conservation Ontario (regrets); Art Groenveld, MTO (regrets)

Chairman Dobbin called the meeting to order at 9:10 a.m.

**2.0 Approval of Agenda**

Motion by Dickson, seconded by Johnson, that the agenda as prepared by the chairman be accepted. Carried.

**3.0 Minutes of Last Meeting**

Motion by Johnson, seconded by Oliver, that the minutes of the October 23, 2003 meeting be adopted. Carried.

**4.0 Business Out Of The Minutes**

No action items.

**5.0 Correspondence**

No correspondence.

**6.0 Liaison Report – Office of Open Learning, University of Guelph**

Melanie Prosser

6.1 Course Evaluation Summary distributed to members.

6.2 Ramada Inn conference room booked for Annual Drainage Engineer's Conference scheduled for Friday, October 22, 2004. Ramada Inn will provide room for approx. 200 guests. Arboretum had limited room and was overflowing with 109 guests last year and was cramped space for exhibitors. Attendance has been growing for the conference in recent years.

6.3 Five (5) of the exhibitors last year indicated their intentions to return this year.

- 6.4 Consideration should be given to sending out the brochure for this year's conference via e-mail and making on-line registration available. The registration form needs to be modified to stress the conference proceedings are to follow with only one copy per company. Last year multiple copies were distributed. There should be a spot on the registration form where the designated person for their company is marked to receive the proceedings.
- 6.5 Melanie will look after restaurant reservations for October meeting (Thursday Oct 21) dinner.
- 6.6 Melanie distributed results of the Evaluation Questionnaire of last year's Drainage Engineers Conference. Suggested topics for this year's speakers were discussed. Topics of significance were the following:
- Lynda Pennington (book again early) has many topics and has been rated a top presenter
  - Tribunal Case with a lawyer perspective (Valerie McGarry)
  - Drain pollution case
  - Nutrient management plans (Oxford Website)
  - Species at Risk
  - Source Water Protection
- 6.7 Consider a buffet lunch style for this year's conference and extend time of lunch for 1 .5 hours.

## **7.0 Liaison Report – Ministry of Natural Resources**

Leo Christl

- 7.1 MNR's involvement in the development of water power sites may have impacts on municipal drainage.
- 7.2 Water management planning across Ontario; looking to complete approx. 20 water management plans for the complex ones this year.
- 7.3 Wetland Restoration Course being offered again this year in August. Arrangements can be made to put course info on website or sent out to members.
- 7.4 Working with local CA's to establish standards for public safety around dams; presently awaiting direction from senior management and government.
- 7.5 Ontario government moving towards more cost recovery programs (100% recovery) for example water management plans paid by dam owners.
- 7.6 New Lakes and Water Improvement Act Legislation to deal with water and pipeline crossings.

- 7.7 A document is being prepared to quantify the 2002 storm in NW Ontario as the largest storm on record in terms of a precipitation event exceeding the 100 year probability.

## **8.0 Liaison Report – Ministry of Transportation**

Art Groenveld

There was no report.

## **9.0 Conservation Ontario**

Joe Farwell

There was no report.

## **10.0 Department of Fisheries and Oceans**

Norm Smith

- 10.1 The classification of municipal drains (a prerequisite in order that the Class Authorization process can be used) has been undertaken across southern Ontario by various Conservation Authorities under contract to Fisheries and Oceans Canada (DFO). A field sampling protocol developed by Fisheries and Oceans Canada in consultation with other Resource Management Agencies was used to classify these water courses. Drains are currently being digitized and will be available in GIS format in the near future.
- 10.2 Fisheries and Oceans Canada (DFO) is reviewing how drain enclosure (tiling in) projects are considered. The primary concern that DFO has is that enclosing a drain may result in the harmful alteration, disruption or destruction (HADD) of direct and/or indirect fish habitat. DFO is working on a process whereby some drain enclosures could proceed with minimal DFO involvement in those situations where such actions would not result in a HADD (depending on local circumstances). Conservation Authorities could play a role in making these decisions. This initiative is still being worked on.
- 10.3 Fisheries and Oceans Canada (DFO) has developed two posters depicting procedures, classifications, etc. related to drain maintenance and/or drains constructed under Sections 4 and 78 of the Ontario *Drainage Act* as a means of providing information to practitioners. These posters should be printed and distributed by mid summer, 2004.
- 10.4 The *Species At Risk Act*, enacted in 2003, has Environment Canada (EC) and Fisheries & Oceans Canada (DFO) being responsible for administering this legislation with EC and DFO taking the lead on terrestrial and aquatic species respectively. The Protection and Prohibition sections of the Act will come into force on June 1, 2004. In Ontario, there are currently 15 aquatic species (10 fish and 5 mussels) on the list of species that will be protected through this legislation on this date.

- 10.5 Fisheries and Oceans Canada (DFO) have provided funding for different studies related to agricultural drains. One study being undertaken through the Ausable Bayfield Conservation Authority is a literature review pertaining to the enclosure of surface drains to acquire a better understanding of the effect such actions might on fish habitat and watershed health. DFO has also provided funding support for two projects that will demonstrate how natural channel principles can be incorporated into a drain.
- 10.6 Environment Canada is responsible for administering and enforcing a section of the federal *Fisheries Act* which prohibits the deposition of a substance of a chemical nature that would be deleterious to fish. This agency has used this legislation in response to complaints received to restrict livestock access to some water courses (from the perspective that these animals could add a deleterious substance through defecation and/or urination). Fisheries and Oceans Canada (DFO) has an interest in this matter but it is with the impact livestock has on fish habitat (physical disturbances). Both agencies recognize that useful measures have been identified in the Best Management Practice Guide prepared through the Ontario Cattlemen's Association.

## **11.0 Liaison Report – Ministry of Agriculture and Food**

Sid Vander Veen

- 11.1 Sid provided information (handout sent out to all drainage practitioners in Jan 2004) on the following:
- Ontario Water Resources Act may be applicable to a municipal drainage project if the main purpose of the drain is something other than agriculture. The Ministry of Environment should be approached to discuss the applicability of the Water Resources Act prior to the preparation of your drainage report. Something worth considering to avoid a violation under Section 53 of the Water Resources Act.
  - Personal Information Protection and Electronic Documents Act (PIPEDA) legislation passed in January 2001 and fully implemented in January 2004. The information under this Act, Sid believes would also apply to reports prepared under the Drainage Act.
  - All municipalities were advised by letter providing details for applying for grants in 2003/2004 and upcoming 2004/2005 drainage courses & programs. Grant application deadline for new drain construction or improvement of drains under an Engineer's report moved up to Feb 13, 2004.

## **12.0 Liaison Report – Ontario Society of Professional Engineers**

Ryan Bailey

- 12.1 Ryan indicated he would not actually be considered a liaison member of the Land Drainage Committee (LDC) but instead be considered as staff

- support member on behalf of the Ontario Society of Professional Engineers (OSPE).
- 12.2 A budget of \$1,200 would be allotted annually to cover anything the committee needs the funds for as part of their budget.
  - 12.3 To validate expenses, OSPE would require receipts. OSPE has expense forms for this purpose.
  - 12.4 OSPE website is maintained by themselves (have own Web Master) and can provide a link for the LDC to the OSPE website. OSPE would likely prefer LDC use OPSPE's server since they have their own web master. Maintenance of the LDC link would be provided by OSPE. LDC may continue with own website and move it to OSPE once officially part of OSPE.
  - 12.5 All LDC members must be a member of OSPE.
  - 12.6 OSPE has a form that indicates the status of meetings to indicate whether they were held or not. LDC presently does not have formal meetings.
  - 12.7 To avoid a treasurer for LDC, OPSPE would consider receiving the donations from practitioners ear marked as LDC. OSPE Finance Dept. can hold funds in an account so LDC does not require a separate account. Ryan believes an account has already been set up for LDC.
  - 12.8 Reporting to the OSPE Board of Directors would be Ryan Bailey, OSPE. Ryan prepares a report to the board. A copy of the LDC meeting minutes would be sent to OSPE. The OSPE Board members would like to see a breakdown of expenditures. For example, the budget for the Drainage Engineer's Conference as a break even venture will give LDC credibility.
  - 12.9 OSPE meets quarterly per year.
  - 12.10 OSPE membership is 12,000 currently and growing. (66,000 professional engineers in Ontario).
  - 12.11 Terms of Reference for LDC once finalized would go to the OSPE Board of Directors for approval.

### **13.0 Sub Committee Reports**

#### 13.1 Web Site Review

Jeff Dickson (Ken Graham's absence)

- a) The web site update payments have been paid.
- b) Ken Graham will be updating in the next couple weeks (in process).

#### 13.2 Formal Reply letter to PEO

Jeff Dickson

Jeff had received a copy of the formal reply letter to PEO as prepared by Dennis McCready, Todgham & Case.

**ACTION** – Jeff will send letter to PEO.

**14.0 Old Business**

There was no old business to discuss.

**150 New Business**

15.1 Collection of Donations for LDC operations ( from Drainage Practitioners)

Ray Dobbin indicated there were 17 practitioners and/or engineering firms that expressed a willingness to donate funds as a one time contribution to LDC at last year's annual meeting.

**ACTION** – Ray to e-mail all drainage practitioners that added their name to the list about requesting a donation to the LDC by Feb 2, 2004. Moved by Jeff Dickson. Seconded by Dave Johnson.

**15.0 Next Meeting**

It was agreed that the next meeting would be held on Friday, June 4 2004 at the OMAF Building, 1 Stone Road, University of Guelph. The tentative time is 9:00 a.m. to 12:00 p.m. Parking passes will be made available. Moved by Jeff Dickson. Seconded by Tim Oliver.

**16.0 Adjournment**

The meeting was adjourned at 12:15 p.m.

---

Ray Dobbin, Chairman

---

Tim Oliver, Secretary