

FINAL
O.S.P.E. LAND DRAINAGE COMMITTEE
MINUTES OF MEETING
Friday, June 5th, 2015
O.M.A.F.R.A. Building Boardroom 405
1 Stone Road West, Guelph, Ontario

1.0 Attendance and Call to Order

- 1.1 Members Present: Tony Peralta, Chairman; Gerard Rood, Secretary; Jeff Dickson, Vice Chair; Tim Oliver; John Kuntze; Michael Gerrits
- 1.2 Liaison Members Present: Davin Heinbuck, Conservation Ontario & A.B.C.A. (Ausable Bayfield Conservation Authority); Art Groenveld, M.T.O. (Ministry of Transportation Ontario); Sid Vander Veen, O.M.A.F.R.A. (Ontario Ministry of Agriculture, Food and Rural Affairs); Pat Shaver, Open Learning & Educational Support (University of Guelph)
- 1.3 Absent Members: Jeremy Downe, O.M.N.R.F. (Ontario Ministry of Natural Resources & Forestry); Glen Watson & Lee Weissling, O.S.P.E. (Ontario Society of Professional Engineers); Tom Hoggarth, D.F.O. (Department of Fisheries and Oceans Canada)
- 1.4 Chairman Tony Peralta called the meeting to order at 9:10 a.m.

2.0 Approval of Agenda

- 2.1 The committee reviewed the agenda prepared by Tony Peralta. Motion by Gerard Rood, seconded by John Kuntze, that the latest agenda as prepared by the chairman be accepted. Carried.

3.0 Minutes of Last Meeting

- 3.1 John Kuntze moved to accept the revised January 20th, 2015 L.D.C. (Land Drainage Committee) meeting minutes as circulated and seconded by Tim Oliver. Carried
- 3.2 Final documents are to be sent to Pat Shaver by Gerard Rood for posting to the L.D.C. web site. **Action by Gerard.**

4.0 Business Arising From the Minutes

- 4.1 As regards Item 4.2 of the last meeting, Jeff Dickson advised that he had sent the information to Pat Shaver.
- 4.2 Sid Vander Veen discussed the new M.N.R.F. (Ministry of Natural Resources & Forestry) legislation. There will be no agreements after July 1st. The notification form will still be

applicable. Forms will be updated and will take out the reference to the E.S.A. (Endangered Species Act).

- 4.3 Tim Oliver would like to get D.F.O. to cover S.A.R.A. and S.A.R.

5.0 Correspondence

- 5.1 Tony Peralta did on-line condolences for the passing of Herb Todgham. He has a card for the Committee members to sign and suggested that the Committee review with Pat Shaver if a donation can be sent.
- 5.2 Jeff Dickson noted that Herb Todgham stood out especially for assessment logic. He suggested that the Committee has to be careful of setting a precedent for recognition. Tim Oliver observed that Herb was very organized. Jeff suggested that the Committee could go case by case with recognition and perhaps a local donation of \$50.00 or \$100.00 could be done to recognize Herb's contributions. John Kuntze advised that the Rotary Club of Chatham and the Chatham Hospice were noted in the obituary. Jeff moved to donate \$100.00 to the Rotary Club of Chatham. Second by John. Carried.
- 5.3 John suggested that the next Conference brochure could include an "In Memoriam". He told the Committee that Bill Kelly had also passed earlier this year. Bill started with Kenn Smart and his office was taken over by Bill Dietrich. Jeff suggested a moment of silence be observed at the next Drainage Conference. Tony Peralta will provide for this to be done. **Action by Tony.**
- 5.4 Sid Vander Veen reminded the Committee that Herb Todgham was instrumental in the Joint Committee for the revisions in the 1975 Drainage Act. Herb also pushed P.E.O. for training and papers offered from the L.D.C. such as preliminary report preparation. John observed that Herb was a teacher as reflected by the papers that he wrote. Tim Oliver will approach Ed Dries for some history on Herb whose last report was done in 1992. Tony will have Pat Shaver look into funds and brochure preparation. Jeff Dickson volunteered to do a write up and could include Bill Kelly in the notes. Tony moved to have Jeff do the write up for the brochure. Second by Gerard Rood. Carried. **Action by Jeff and Pat.**

6.0 Liaison Report – O.S.P.E. – Glen Watson

- 6.1 Glen Watson was not available and there was no report.

7.0 Liaison Report – Ministry of Natural Resources and Forestry - Jeremy Downe

- 7.1 Jeremy was not present and no report was provided by M.N.R.F.

8.0 Liaison Report – Ministry of Transportation Ontario - Art Groenveld

8.1 Art reported that there was nothing new from M.T.O. since his last report. He has been on sick leave and just recently returned to work.

9.0 Liaison Report – Conservation Ontario - Davin Heinbuck

9.1 Davin reported that Leslie Rich is on maternity leave and Taylor Knapp is taking over for the interim.

9.2 He noted that there appears to be less Fisheries Act confusion. There are still some issues around timing windows for S.C.R.'s (Standard Compliance Requirements). There is usually a 1 year window for completion of the work. Working around Fisheries timing windows has been an issue. This matter is being discussed by D.A.R.T. (Drainage Act Regulations Team). There is a D.A.R.T. conference call scheduled for next Tuesday.

9.3 There is no new Conservation Ontario information.

10.0 Liaison Report – Fisheries and Oceans Canada - Thomas Hoggarth

10.1 Tom was not present. It was discussed that his draft presentation for the training course this fall had some good ideas. Members were not sure how practical some of the methods are relative to drainage works.

11.0 Liaison Report – Ministry of Agriculture, Food & Rural Affairs - Sid Vander Veen

11.1 Sid reported that their current major project is the Design and Construction Guidelines. They are getting some diagrams prepared. The draft will go out for peer review. He noted that we may see things like assessment procedures that are different from what you use. The key is to use a basis that you can defend. Lay persons provided input on making the documents from Kenn Smart more understandable. All information is broadly based on the Todgham method.

11.2 O.M.A.F.R.A. is currently work on Part C – Legislation and Agencies. This section will be fairly dynamic. There is a section on M.T.O. requirements for permits and other details. It is anticipated that it will be 4-5 months before the draft is ready for peer review.

11.3 They are developing a new computer system. It will include a portal for grant applications and their status. Implementation is expected next year.

11.4 The usual spring courses were provided. There were 34 people for the Drainage Superintendents course but no one from M.T.O. Attendees included 4 private people, 10 from engineering firms and 20 from municipalities. The Clerks course in London had 60 attendees

the first day and 45 the second day. Sid stated that there were good turnouts at all the venues where he presented.

- 11.5 Sid went on to advise that director Jim Richardson retired 2 weeks ago and George McCaw is the new director. Valerie Anderson is retiring at the end of the month. They have 2 summer students who are posting any electronic document decisions on the C.A.N.L.I.I. (Canadian Legal Information Institute) web site. Two older books of decisions covering 1891 to 1905 will not be posted at this time.
- 11.6 Two acting Referees have been appointed – Andy Wright and Ted Oldfield. Andy has been on the Tribunal in the past and represented municipalities at hearings. Ted is a Waterloo lawyer familiar with the Farm Protection Act. The current Referee, Rob Waters, is winding down his involvement after 10 years.
- 11.7 The Tribunal has 20 members. There are links on the government web site and the O.M.A.F.R.A. web site listing the members. They have 2 engineers on the Tribunal. Tribunal decisions back to 2005 are posted on C.A.N.L.I.I.

12.0 Office of Open Learning - University of Guelph - Pat Shaver

- 12.1 Pat provided a handout with an outline of the Conference results. These will be reviewed under new business related to future training and the next conference. Pat advised that we charged \$100 per person including lunch. We can pay presenters. We could reduce the cost to \$90 per person and have them pay their own parking. She can check for parking passes and set the fee accordingly.
- 12.2 Tony Peralta asked about a donation to Herb Todgham. Pat replied that there was no problem for a \$100 donation. Just send her the information for where to send the donation and she will take care of it. Tim Oliver will take the card and donation to the funeral home. Pat will reimburse Tim if he submits a receipt.
- 12.3 Pat reviewed the income statement.
- 12.4 Pat will see if the Ross Irwin Scholarship recipient can be invited to the Drainage Conference.
- 12.5 The Committee reviewed the conference evaluations.
- 12.6 Jeff Dickson spoke to the Rural S.W.M.M. (Storm Water Management Model) also known as R.P.C.S.W.M.M. (Rural Personal Computer Storm Water Management Model). He will follow up with A.B.C.A. and Burnside staff on doing a presentation. They have done modeling on the Van Beets Drain using the created software.
- 12.7 It was suggested to move lunch to 12:30 and have 2 longer sessions or 3 short sessions in the afternoon. Sid brought up having the conference on Thursday and the workshop on Friday morning. Jeff suggested doing 2 case studies in the afternoon.

12.8 Jeff told the committee that Burnside has an Aquatic Resource Specialist on staff. Anyone can give Jeff a call if their person could help you.

12.9 A review of topics for the 2015 Conference was done and Pat Shaver and Sid Vander Veen made notes to finalize organization of the agenda. Committee members volunteered to follow up with proposed presenters and are to contact Pat with the results. Pat will circulate documentation to the Committee for circulation to each of the presenters for their information and a form to complete and submit to allow for future use of the material presented.

13.0 D.A.R.T. (Drainage Act Regulations Team) Update - John Kuntze

13.1 John advised that there was a teleconference meeting on April 8th.

13.2 There is a Memorandum of Understanding between Conservation Ontario and D.F.O. in which they agree to work together. Davin Heinbuck noted that D.F.O. is offering Conservation Authorities (C.A.'s) training opportunities next week. The D.F.O. has been relying more on C.A.'s for input on drains recently because of their local knowledge. He sees it as a win-win situation.

13.3 John advised that there is lots of information from M.N.R.F. There is some concern about updating everyone again. There is a Wetland Policy Review underway. The intent is to stop the loss of wetlands. There is also a Conservation Authorities review in the works. M.N.R.F. is putting new reports on hold. They are trying to work with a Risk Management framework. Definitions are being worked on.

13.4 John sees the D.A.R.T. Committee being on kind of a hold. He is not sure where they are going but there is a need to keep it up.

13.5 Sid Vander Veen observed that D.A.R.T. has resolved maintenance and repair issues. There are more things to sort out and resolve. John commented that they tried to merge the C.A. Act into the Drainage Act process. The C.A. Act can stall a drainage project. They have argued on whether the C.A. Act overrules the Drainage Act. Sid noted that new regulations often say that they supersede other legislation. We have to find a middle ground and D.A.R.T. can be instrumental in this. We basically have to make it work.

13.6 John Kuntze noted there is another teleconference this Tuesday.

13.7 Sid mentioned the M.N.R.F. mandate letter. It intends to strengthen wetland policies and stop the loss of wetlands.

14.0 D.A.W.G. (Drain Action Working Group) Update - Tim Oliver

- 14.1 Tim reported that there was a meeting on April 16th at which they finished off a position statement. There is now a Fact Sheet that will be available regarding Type F drains that should be finalized shortly so that D.F.O. can move forward.
- 14.2 The “Do Not Send” list is being worked on. The Group made some suggested edits. It should be final soon and will be posted. Items on the list include:
 - 14.2.1. Bridge repairs
 - 14.2.2. Tile repairs
 - 14.2.3. Levelling spoil
 - 14.2.4. Culvert replacement
 - 14.2.5. Timing windows still apply
 - 14.2.6. Minimal access provisions
 - 14.2.7. Drain brushing
 - 14.2.8. Spot cleaning – a 10 metre length is considered a localized spot improvement
 - 14.2.9. Beaver dam removal
- 14.3 The Group may look at “C” drains next. They are trying to streamline things where they can.
- 14.4 Jenn Thomas is progressing on the drain classification mapping but no deadlines have been set.
- 14.5 There has been discussion on pumped drains. They still need to establish the requirements and are still trying to establish Fact Sheets.
- 14.6 The Notification Form will need an update due to the E.S.A. (Endangered Species Act) agreements lapsing at the end of the month.
- 14.7 It appears that D.A.W.G. will keep on going.

15.0 D.S.A.O. Procurement Update – Jeff Dickson

- 15.1 Jeff reported that there were no meetings yet. He got some information from them through Greg Nancekivell. He noted that there are Guidelines out there and there are some openings in the document that might be utilized for drainage related work.

16.0 New Business

- 16.1 The 2015 Engineering Workshop was discussed. Tony Peralta and Jeff Dickson both advised that they had responded to the submission by D.F.O. Tony provided them with comments on implementation and impacts to future maintenance of the drain. He would not consider the use of boulders, but there was a lot of other good information. His primary concern is whether the methods will work and for how long.

- 16.2 Davin Heinbuck commented that the D.F.O. document is a tool box. He is not sure how well some of the tools may work. He thought that it was a well put together document. Tony liked the diagrams and information provided. Davin noted that the document was developed for streams. It appeared to Tony that it was geared toward naturalization.
- 16.3 Jeff Dickson observed that we will need the support of the community to implement the suggested methods. We will have to keep an eye towards future maintenance. He suggested that engineers will need to do special inserts in the reports and flag features on the plans so that Drainage Superintendents are aware of the features during future maintenance. It is expected to add more rigor to some of our jobs.
- 16.4 Sid Vander Veen believes that we may end up with a better product. We will need to identify which methods are better. He suggested that G.I.S. (Geographic Information Systems) could be used to locate special features.
- 16.5 It was expressed by Art Groenveld that the primary purpose is still drainage. Rocks and cribbage can be a hazard. Methods have to complement the drainage and there is a concern with future removal. Jeff Dickson advised that he has done boulders in the McVitty Drain and they have been self-sustaining.
- 16.6 In the view of John Kuntze the Rehabilitation Guide may be a good thing to use in the future. Tim Oliver thought that there may still be a need to bring in another professional at times, but the Guide may save on costs. Longevity and future maintenance was still a concern of Tony Peralta. Michael Gerrits voiced the opinion that the document at least provides some guidance similar to what the M.T.O. has provided in the past.
- 16.7 Tony moved the discussion to the workshop and how it will proceed. He asked if there would just be the agency presentations or if L.D.C. members would have to present as well. Sid commented that it will be a presentation of the tools in the toolbox. L.D.C. will set the agenda. He noted that Dave Richards of M.N.R.F. also wants to present. Jeff observed that this was not like the past training and we may need to sell or promote the training based on the presentations. Sid said that he had made it clear to Dave Richards that we are staying away from the legislation as there have been many presentations in the past and that we were just looking for a technical workshop. Jeff suggested that this is an evolution toward natural channel design. The training can get the practitioners to consider things outside the box. John sees this as taking steps forward to work in partnership.
- 16.8 Sid suggested that we need to develop an agenda and brochure with Pat Shaver. The session timing could be 1:00 to 5:00 or 12:30 to 4:30 if we invite the attendees to lunch.
- 16.9 John asked if Jack Imhoff could present on how the tools work. Art Groenveld suggested that this would perhaps be more suited to a Conference topic. It could be considered as things to incorporate into the design if a more natural channel is required. It will be necessary to implement tools in partnership with organizations. Tony suggested that a case study could be done for the Friday conference.

- 16.10 Possible partnerships were suggested by Sid including: Trout Unlimited, Ducks Unlimited, M.N.R.F., Conservation Authorities and D.I.G. (Drainage Investment Group). Jeff noted that people are getting grants towards some environmental components. They are using partnerships to get funding. He suggested that we should try to get some buy-in from the 3 presenters.
- 16.11 It was suggested by Tim Oliver that attendees might expect an example of how the tools are used. He does not want to just see a lecture and thinks it should be made as visual as we can. Davin Heinbuck said that he is doing a case study with a lot of components for his presentation. Tony thought that D.F.O. should present first, then Davin and have M.N.R.F. Dave Richards close the training session. Sid made notes of the discussions and will circulate them to the Committee and presenters.
- 16.12 It was the opinion of Art that the training needs to be kept very technical. It should describe what tools are available and where to install them. The presentations should outline how to establish what to use and where to use them. Tony agreed that the presentations should show the engineering end of the tools.
- 16.13 Tony asked if the L.D.C. needs to tie things together at the end of the training. Davin said that he would talk about the benefits of the tools during his presentation. Jeff stated that an introduction is needed. We then need the presenters to discuss how to use the tools and how they are functional. Michael believes that the D.F.O. should be able to give a general background and purpose. Jeff agreed that D.F.O. needs to tie in the engineering with the tools. Tim stated that we should have the presenters do tools that are practical for drainage. Jeff agreed that they should present information applicable to drains. Art recommended that we have them advise on which tools work together.
- 16.14 Tim Oliver asked what spacing or quantity of time is required for presentations. John Kuntze suggested to make presentations 1 hour each with time to transition and a schedule a break. Tony Peralta will facilitate the workshop.
- 16.15 Sid Vander Veen prepared an on-screen schedule that he will forward to everyone for reference.
- 16.16 Jeff Dickson suggested following up with each presenter and emphasizing that the engineering audience has to be hit by presentation. Someone should talk to Tom Hoggarth and Richard Kavanagh about focusing on the audience. Art Groenveld advised that Hani Farghali can do his presentation at the Drainage Conference this year. Davin Heinbuck went through his slides for input on finalizing his presentation. Jeff commented that it can show that drainage and habitat can work together.
- 16.17 Sid Vander Veen will email the draft agenda for the workshop to Pat Shaver and all presenters. Pat can edit and fine tune it. **Action by Sid and Pat.**

17.0 Next Meeting

17.1 The next meeting of the L.D.C. will be 9:00 a.m. Thursday October 22nd, 2015 at the O.M.A.F.R.A. offices on Stone Road in Guelph.

17.2 Sid will book the usual conference room number 405 for the Committee meeting. **Action by Sid Vander Veen.**

18.0 Adjournment

18.1 The meeting was adjourned at approximately 3:00 p.m. Moved by Jeff Dickson and seconded by Gerard Rood. Carried

Tony Peralta, Chairman

Gerard Rood, Secretary