1.0 Attendance and Call to Order

1.1 Members Present: Tim Oliver, Chairman; Gerard Rood, Secretary; Tony Peralta, Vice Chair; Bill Dietrich; John Kuntze; Jeff Dickson

1.2 Liaison Members Present: Davin Heinbuck, Conservation Ontario (Ausable Bayfield Conservation Authority); 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: Art Groenveld, M.T.O. (Ministry of Transportation Ontario); Tom Hoggarth, D.F.O. (Department of Fisheries and Oceans Canada); Jeremy Downe, O.M.N.R.F. (Ontario Ministry of Natural Resources & Forestry); Lee Weissling, O.S.P.E. (Ontario Society of Professional Engineers)

1.4 Chairman Tim Oliver called the meeting to order at 12:45 p.m. He advised the Committee that correspondence from Pat Shaver yesterday instructed everyone to get refreshments at the cafeteria, tell staff it is for the Conference, and bring them into the meeting room. Art Groenveld had sent him regrets about not being able to attend the meeting.

2.0 Approval of Agenda

2.1 The committee reviewed the agenda prepared by Tim Oliver. Gerard Rood suggested that new business should include discussion for updating the contact person on the committee web site. Gerard is to provide Pat Shaver an updated list of members of the L.D.C. Tim Oliver asked that the scheduling for the conference speakers be reviewed because the M.T.O. speaker was unable to present. Motion by Bill Dietrich, seconded by John Kuntze, that the amended agenda as prepared by the chairman be accepted. Carried. Action by Gerard

2.2 Davin Heinbuck advised the Committee that he was at the D.S.A.O. meeting before lunch and they were planning the L.I.C.O. sessions. He asked about the scheduled for the L.D.C. meeting noting that we met on Tuesday afternoon last year. Thursday afternoon of the Conference the D.S.A.O. is planning an open house. Sid Vander Veen noted that he has L.I.C.O. and D.S.A.O. executive meetings on Tuesday and may not be available for the Committee meeting. See Item 16.0 below.
3.0 Minutes of Last Meeting

3.1 John Kuntze moved to accept the revised June 6th, 2014 L.D.C. meeting minutes as circulated and seconded by Tony Peralta. Carried

3.2 Final documents are to be sent to Pat Shaver by Gerard Rood for posting to the L.D.C. website. Action by Gerard.

4.0 Business Arising From the Minutes

4.1 Regarding the Norfolk County submission, John Kuntze advised that there has been no feedback and suggested that the item be dropped. Sid Vander Veen noted that it was not just a question of grant eligibility but also shaky legal ground for a municipality to replace farm crossings. This item will be dropped from future minutes.

4.2 Tim Oliver noted that Chatham-Kent requires bridges to be added to reports for future maintenance. The report only includes a schedule for the most downstream bridge and when maintenance work is done to a bridge, any parcels downstream are eliminated from the assessment. He clarified that this is only done for culvert maintenance which is separated from drain maintenance. Owners are assessed for preparation of the culvert maintenance schedule and there have been no complaints. The report includes a discussion of the assessment rationale and the specifications are generalized to allow for the maintenance work to suit the current maintenance project. Gerard Rood noted that there could be drawbacks to future maintenance provisions if legislation standards change. Tim stated that they apply current standards and try to include as many provisions as they can. The talk to all bridge owners about doing this and no appeals so far.

4.3 John Kuntze has found Committee resolutions that were enacted at the October 2010 practitioners meeting. He will provide Gerard with a copy to insert into the minutes binder for future reference. They generally address membership and administrative procedures. Resolution 1 called for 3 year terms with 2 members to be replaced each year. Resolution 2 provides that expired members can be re-elected as often as they want. Resolution 3 confirms that the L.D.C. is to arrange for 2 elected members each year and advise O.S.P.E. of same. Resolution 4 provides that the Committee members select a Chair, Vice-chair and Secretary after each annual practitioners meeting and these are to be approved by O.S.P.E. He noted that the resolutions were approved by the practitioners to clarify Section 5 of the terms of reference for the L.D.C.

4.4 Jeff Dickson stated that the Committee has an obligation to nominate replacements if none come from the floor at the practitioners meeting. Sid Vander Veen suggested that Spriet Engineering could be represented on the Committee by John Sr., John Jr. or Mike Devos. Committee members suggested other candidates including Andy Robinson, Ray Dobbin, Wilf Bartlett, Halliday Pearson, Lou Zarlenga and Bryon Wiebe.

4.5 Sid noted that Stantec has pulled out of the drainage business causing some concerns with municipalities. Superintendents can use Section 72 of the Drainage Act which provides for
Tribunal review if needed. Jeff Dickson noted that Section 8.(2) of the Drainage Act requires the company to advise the client of the new engineer who will have charge of the project. Sid stated that early in a project, Section 39 of the Act may be used to eliminate an engineer and appoint a different engineer.

4.6 Tim Oliver discussed a previous action item on D.A.W.G. Sid has been taking minutes at their meetings. To date 4 meetings have been conducted and another meeting is scheduled for November. They are working on a table of maintenance projects not requiring D.F.O. input. Some cover work procedures for contractors. Gerard Rood asked for a list of items to be presented to a D.S.A.O. Chapter 1 working group on contractor B.M.P.’s. Tim will forward a list and summary by email. He noted that the D.A.W.G. committee appears to be making good headway. Action by Tim

4.7 John Kuntze asked if there was any update on people other than engineers being able to write reports. He was advised that Paul McIntyre has his “L.E.L” which stands for “Limited Engineering License”. Application is made through P.E.O. for this designation. Jeff Dickson clarified that Paul can only stamp drainage reports and his title is “L.E.L” instead of the “P.Eng.” or “O.L.S.” that is otherwise required.

4.8 Tim Oliver noted the action item by Pat Shaver regarding the scholarship fund. This will be discussed during her liaison report.

4.9 Tony Peralta pointed out the action item to record questions at his presentation tomorrow. It is intended that any questions that are asked will be documented as per Item 15.7 of the last minutes. Tony will have Shane McVitty of Peralta Engineering document the questions. Gerard Rood noted that it is intended that this information be used towards a possible future guideline on bridge assessments. Action by Tony

4.10 John Kuntze asked that the passing of Peter Chisholm be mentioned at the Drainage Conference tomorrow. He noted that Peter had been involved in many facets of drainage and establishing the L.D.C. in the early days. Tim Oliver said that he would do a brief presentation at the beginning of the conference. Action by Tim

4.11 Jeff Dickson suggested that representatives from the various booth displays at the conference be brought to the front for introductions. Action by Tim

5.0 Correspondence

5.1 Tim Oliver discussed that the Appeals Tribunal had submitted a request for a survey to be done of engineers who had recently appeared before the Tribunal. He said that 17 engineers were asked to respond to a Survey Monkey questionnaire. 6 responses have been received so far and he has sent out an email reminder asking non-responders to complete the survey. This was done at the request of Ed Dries of the Tribunal. Tim intends to do a summary of the responses and provide it to Mr. Dries for his use at the annual Tribunal meeting later this year. Action by Tim
5.2 Sid Vander Veen confirmed that their official ministry title is again “Ontario Ministry of Agriculture, Food and Rural Affairs – O.M.A.F.R.A.”

6.0 Liaison Report – O.S.P.E. - Kristian Kennedy

6.1 Kristian Kennedy was not available and there was no report. Gerard Rood found out after the meeting that Kristian has left O.S.P.E. and documentation will be sent through Lee Weissling of O.S.P.E. until advised differently.

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.

8.0 Liaison Report – Ministry of Transportation Ontario - Art Groenveld

8.1 Art had sent his regrets to Tim Oliver about not being able to attend this meeting and there was no report.

9.0 Liaison Report – Conservation Ontario - Davin Heinbuck

9.1 Davin reported that the C.A.’s had a webinar with Tom Hoggarth of D.F.O. yesterday. The discussions were mostly on self-assessment requirements. The C.A.’s are not really required to do self-assessments but may be able to assist other stakeholders with their input.

9.2 Work is still proceeding on the Memorandum of Understanding which may be issued as a Communication Agreement. There is no agreement yet.

9.3 The C.A.’s are trying to stay in the loop. They are often the first contact point for kicking off drainage projects. It has been suggested that the old Operational Statements can be used as a guide although they have no status following the Fisheries Act update last November.

9.4 Conservation Ontario will present at the next Drainage Superintendents Course.

9.5 There is a D.A.R.T. (Drainage Act Regulations Team) meeting coming up. Davin has been using the streamlined maintenance notification form which allows for up to 3 S.C.R.’s (Standard Compliance Requirement) on one form.

9.6 Alec Scott of Ausable Bayfield Conservation Authority is presenting on Rural Storm Water tomorrow.

9.7 Davin pointed out that a “Qualified Environmental Professional” can’t determine if serious harm will occur – that person can only guide you through the self-evaluation.
9.8 Bill Dietrich stated that guidance is needed on Class D and Class E drains. Tim Oliver noted that D.F.O. is trying to get a statement out for Class A, B, and C drains. Sid Vander Veen suggested that we need to keep stressing that objectives are not that different between the stakeholders.

10.0 Liaison Report – Fisheries and Oceans Canada - Thomas Hoggarth

10.1 Tom was not available and there was no report. Tim Oliver noted that Tom is presenting at the Drainage Engineers Conference tomorrow.

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

11.1 Sid advised the Committee that the Premier of Ontario has sent out mandate letters to each minister. These are posted on the web site. Goals for the Agricultural Ministry include that drainage is an economic developer. M.N.R. also has their mandate. Peter Jeffery sits on many committees including with M.N.R. The wetlands protection policy is to be strengthened. Sid suggested that it might be good to look at the mandate letters to see what policy requirements exist as they may impact drainage.

11.2 Sid provided a copy of his report that he will also present at the Practitioners meeting tonight. See the attachment at the end of these minutes.

11.3 Tim Oliver asked if the new Design and Construction Guidelines would carry over information from the old Guidelines such as minimum bottom width and side slopes. Sid thought that these may be carried over but he is not really in favour of minimum requirements. Tim would like to use the Guidelines to justify work in a drainage report. Sid commented that Guidelines are okay for this but engineers have to exercise professional judgment.

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

12.1 Pat provided an outline of her presentation as per the attached.

12.2 Jeff Dickson advised that he was looking for a breakdown of possible registrants for the next Drainage Course. Pat said that the Conference evaluation will be on-line this year and goes out on Monday. It is set up to include questions on interest in more training courses. She suggested that we can make a judgment on doing a course program after the evaluation forms are reviewed.

12.3 Tim Oliver stated that the Course should only be for drainage engineers. Pat noted that the new anti-spam legislation is a problem and we cannot blanket email engineers to solicit their attendance at a course.
12.4 Sid Vander Veen suggested that the Committee could set a limit for participants with a deadline for registration by engineers. If the course is not full by the deadline, we could open it up to others to attend.

12.5 Pat stated that she could take the training questions off the evaluation form. If Sid provides her with names and addresses of drainage engineers, she can mail out a separate questionnaire to determine if there is interest in another Course and avoid the email spam.

12.6 Sid noted that the D.S.A.O. is okay with getting their own training course rather than taking the engineers course. Pat said that she would take the training questions off the Conference evaluation form.

12.7 Jeff Dickson observed that he gets everything from the University emailed to him twice. It was pointed out that he may have registered 2 different email addresses. Pat recommended that anyone receiving duplicate emails, scroll down to the bottom of the one not required, and use the unsubscribe link.

12.8 The Ross Irwin scholarship fund was discussed. Pat suggested that a decision can be made at the January meeting based on the Conference financial results. Jeff Dickson suggested that we could invite the scholarship recipient to come to the next Drainage Engineers Conference free of charge and ask the recipient to do a short presentation.

12.9 Pat said that the program is all set up for tomorrow with one cancellation. She suggested that each presenter could take an extra 5 minutes and still be on time.

12.10 Pat will update the L.D.C. website to reflect the current chairperson as the contact for the Committee. **Action by Pat**

12.11 Jeff would like to see the older Herb Todgham method paper presented in 1969 added to the website. It presented a more complex outline than the re-visited one that Ed Dries presented at a later conference. He noted that this was presented at the first year of the Drainage Engineers Conferences. Sid said that the old paper may reference old sections of the previous Drainage Act. Gerard Rood suggested that perhaps the current sections of the Act could be added into the paper. Jeff said that he would give further consideration to whether he would like to have the old paper published. **Action by Jeff**

12.12 Bill Dietrich asked if we can post Draft Minutes of the Practitioners Meeting on the web site so that other attendees can review them. Pat responded that she could create a page for this. Gerard noted that these minutes are currently circulated to all the Committee members. **Action by Gerard and Pat**

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

13.1 John asked if we are able to post old documentation on the “CANLII” (Canadian Legal Information Institute) website. Sid Vander Veen responded yes we can. The Ministry has their
intern Margarita Kalika posting main Drainage Referee decisions by Del O’Brien and others on the website. He suggested that the L.D.C. could ask the Appeals Tribunal to post their historical decisions on the site too.

13.2 John noted that there was no new information to report on D.A.R.T. Another meeting is scheduled for November 6th.

13.3 He report that the DIG Corporation is still functioning. An annual report is expected to be released shortly. A meeting with the Minister of the D.F.O. was cancelled due to the shooting in Ottawa yesterday. DIG is involved in a lot of little things. Their contracts are with municipalities. He said that an engineer could contact DIG about a project but then the municipality has to enter into a contract.

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

14.1 Tim reported that there were 4 meetings held so far this year, with one more scheduled for November this year.

14.2 A new maintenance project application form is being prepared. It is expected that a position statement for Class E drains will be issued, but mitigation will still have to be done. The impact zone is still important and the drain class has to be documented.

14.3 Bill Dietrich asked if the drainage superintendent sets the drain class. Tim responded that this is only for maintenance work. Jenn Thomas of D.F.O. has D.S.A.O. Chapter 6 on stream with completed mapping. She expects that the Chapter 1 mapping will be completed soon.

14.4 Tim outlined a list of D.F.O. review exemptions that will include: bridge repairs (above water level), tile repairs, bank repairs, pump repairs and seeding of banks.

14.5 They are also considering adding culvert replacement as exempt of D.F.O. review. Tim can summarize his notes on D.A.W.G. and get it out. Action by Tim

14.6 Sid Vander Veen noted that at the last D.A.W.G. meeting there were some issues with the notification form. There have been version problems and there may be a need for a notifications group. He thinks that O.M.A.F.R.A. can review and release changes to the form. Sid clarified that it is only the notification form that overlaps D.A.R.T. and D.A.W.G.

15.0 New Business

15.1 Tim Oliver has run into a situation where M.T.O. wants an agreement for shared use of facilities. This is geared to drain crossings of highways and the intent is that the drain portion in the right-of-way will not be under the Drainage Act. M.T.O. is seeking to have permanent infrastructure.
15.2 John Kuntze commented that the road crossings are often not deep enough. The proposal sounds similar to a franchise agreement that some utilities are entering into with municipalities. It was noted that the Drainage Act already establishes the relationship between the M.T.O. and the municipalities when it comes to drains.

15.3 Jeff Dickson suggested that the question be directed to Art Groenveld of M.T.O. and getting his feedback for potentially working with the L.D.C. and drainage practitioners.

15.4 John Kuntze asked that the item be put on the January agenda and that Art Groenveld be asked to respond for that meeting. **Action by Tony Peralta, Chair**

**16.0 Next Meeting**

16.1 The next meeting of the L.D.C. will be Tuesday January 20, 2014 at the Lamplighter Inn in London just prior to the L.I.C.O. – D.S.A.O. Conference. Members can meet for lunch at 12:00 p.m. at the hotel restaurant and the Committee meeting will commence at approximately 1:00 p.m. in the Summit Room.

16.2 Tim will book the Summit Rood for the Committee meeting. **Action by Tim Oliver.**

**17.0 Adjournment**

17.1 The meeting was adjourned at approximately 4:15 p.m. Moved by Bill Dietrich and seconded by Jeff Dickson. Carried

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Tim Oliver, Chairman

Gerard Rood, Secretary

Att.
KEY MINISTRY CONTACTS

- Ministry has been combined again: Ministry of Agriculture, Food and Rural Affairs
- The Honourable Jeff Leal is the Minister. He is from the Peterborough area.
- Jim Richardson remains as Director of Environmental Management Branch.
- Len Senyshyn continues as Manager of the Approvals, Certification and Licensing Unit and is responsible for the Ministry’s drainage programs.
- Your specific drainage contacts continue to be:
  - Valerie Anderson is responsible for data entry for the Tile Loan Program and the Drainage Act grants. She is also responsible for the processing of license renewals and for the management of our files and electronic information. Valerie can be reached by phone at 519-826-3324 or by email at valerie.j.anderson@ontario.ca
  - Andy Kester is the Drainage Analyst/Inspector and is responsible for the review and processing of tile loans and of grants under the Drainage Act. He is also responsible for inspections and contractor training under the Agricultural Tile Drainage Installation Act. Andy can be reached at 519-826-3551 or by email at andy.kester@ontario.ca
  - Sid Vander Veen is the Drainage Coordinator and is responsible for policy, issues management, training for the Drainage Act and Tile Drainage Act. Sid can be reached by phone at 519-826-3552 or by email at sid.vanderveen@ontario.ca
- In June, Margarita Kalika joined our unit for a one-year period through the Ontario Internship Program. Margarita has a degree in Politics and Governance from Ryerson University. She spent the first year of her internship with the Ministry of Finance.
- Shannon Tweedle is assisting us in processing Drainage Act grants.
- Jacqui Laporte and Peter Doris are Environmental Specialists who assist with drainage issues
- Rob Waters remains the Drainage Referee.

REPORT ON 2014 COURSES:
In the winter and spring of 2014, the following courses were held:

<table>
<thead>
<tr>
<th>COURSE NAME</th>
<th>LOCATION</th>
<th>2014 DATES</th>
<th>ATTENDANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Drainage Course</td>
<td>Marden</td>
<td>Jan. 13 - 17</td>
<td>24</td>
</tr>
<tr>
<td>Advanced Drainage Course</td>
<td>Marden</td>
<td>Feb. 3 – 13</td>
<td>14</td>
</tr>
<tr>
<td>Drainage Superintendents Course</td>
<td>Guelph</td>
<td>March 3 – 7</td>
<td>33</td>
</tr>
<tr>
<td>Rural Municipal Drainage Course</td>
<td>London</td>
<td>March 18</td>
<td>39</td>
</tr>
<tr>
<td>Calculating Drainage Assessments</td>
<td>London</td>
<td>March 19</td>
<td>29</td>
</tr>
<tr>
<td>Rural Municipal Drainage Course</td>
<td>Brockville</td>
<td>March 26</td>
<td>19</td>
</tr>
<tr>
<td>Calculating Drainage Assessments</td>
<td>Brockville</td>
<td>March 27</td>
<td>12</td>
</tr>
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</table>
PLANNING FOR 2015 COURSES:
The following courses are scheduled or are being planned:

<table>
<thead>
<tr>
<th>COURSE NAME</th>
<th>LOCATION</th>
<th>2015 DATES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Drainage Course</td>
<td>Marden</td>
<td>Jan. 12 – 16</td>
</tr>
<tr>
<td>Advanced Drainage Course</td>
<td>Marden</td>
<td>Feb. 2 – 12</td>
</tr>
<tr>
<td>Ag. Erosion Control Structures</td>
<td>Marden</td>
<td>Feb. 23 – 27</td>
</tr>
<tr>
<td>Drainage Superintendents Course</td>
<td>Guelph</td>
<td>March 2 – 6</td>
</tr>
<tr>
<td>* Rural Municipal Drainage Course</td>
<td>Morrisburg</td>
<td>March 24</td>
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<tr>
<td>* Calculating Drainage Assessments</td>
<td>Morrisburg</td>
<td>March 25</td>
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<tr>
<td>* Rural Municipal Drainage Course</td>
<td>London</td>
<td>April 1</td>
</tr>
<tr>
<td>* Calculating Drainage Assessments</td>
<td>London</td>
<td>April 2</td>
</tr>
<tr>
<td>* Rural Municipal Drainage Course</td>
<td>Emo</td>
<td>April 14</td>
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<tr>
<td>* Calculating Drainage Assessments</td>
<td>Emo</td>
<td>April 15</td>
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<tr>
<td>* Rural Municipal Drainage Course</td>
<td>Thunder Bay</td>
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<td>* Rural Municipal Drainage Course</td>
<td>Sault Ste. Marie</td>
<td>April 29</td>
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<tr>
<td>* Calculating Drainage Assessments</td>
<td>Sault Ste. Marie</td>
<td>April 30</td>
</tr>
</tbody>
</table>

* Tentative schedule – to be confirmed.

NORTHERN ONTARIO HERITAGE FUND CORPORATION (NOHFC)

- New program announced by NOHFC in January 2014
- Provided funding for regional land clearing and tile drainage projects
- Applicants must be a not-for-profit, agricultural or community organization that develops applications and administers funding on behalf of a consortium of producers.
- NOHFC funds 50% of land clearing and/or tile drainage contractor costs to a maximum of $500 per acre and 100 per cent of the project administration fees (maximum of 10%)
- For tile drainage projects:
  - Work must be completed by a contractor licensed for tile drainage installation.
  - Materials are eligible only if installed by a licensed contractor.
  - A copy of a plan identifying the property and the tile installation must be provided.
  - Applicants are strongly encouraged to consult with OMAFRA staff on viability of projects that are proposed.
  - An OMAFRA technical review is a mandatory part of the due diligence process.
- One of OMAFRA’s requirements was that the tile drainage system had to demonstrate that it had a legal outlet for the tile drainage system
  - For some projects, this has resulted in an increase in interest in Drainage Act work.
AGRICULTURAL TILE DRAINAGE INSTALLATION ACT

- Very busy year in the tile drainage industry
- To date in 2014, we have 100 tile drainage businesses, 199 licensed machine and 393 licensed machine operators.
- Andy Kester has spent significantly more of his time doing inspections:
  - 3 complaint inspections
  - 6 new business inspections
  - 2 new model machine tests
  - 6 machine inspections
  - 8 class “A” field tests
  - 3 compliance inspections
- We have been working to develop detailed inspection and test procedures that will help us in developing consistency and to assist in training.

DESIGN AND CONSTRUCTION GUIDELINES

- OMAFRA project that was initiated in 2012 to completely rewrite the Design and Construction Guidelines; K. Smart Associates has been hired to lead the project.
- Purpose is to update the guide from a technical and legal perspective, but to also provide guidance to new engineers on practicing under the Drainage Act
- Guide will be divided into 3 parts:
  - Meeting the Requirements of the Drainage Act (rough draft complete)
  - Technical Information for the Design of Drains (rough draft almost complete)
  - Regulatory Agencies and Approval requirements (mostly incomplete)
- Our original target was March 2014 for the completion of a first draft. This has been delayed, but we are now aiming for March 2015.

FISHERIES ACT – DRAINS ACTION WORKING GROUP (DAWG):

- In 2014, meetings were held on May 15, July 9 and September 26 and another has been scheduled for December 4.
- Items of discussion included:
  - The revised activities of Fisheries and Oceans Canada to address the changes to the Fisheries Act and the staffing within DFO (e.g. triage unit)
  - Updated notification form and a guideline document
  - Continuing improvements to the classification mapping
  - Development of a maintenance activity list that does not require Fisheries Act approval
  - Development of a Class F position statement
- A couple of items that may be of interest to Drainage Engineers:
  - DAWG will be looking at developing a suggested format of drainage project summary; this summary would be developed by the drainage engineer and would improve the approvals process by helping the triage unit to better understand the project.
  - DAWG is recommending that a drain notification form user group be created with representation from DSAO, MNR, CO, DFO, OMAFRA.
**DRAINAGE ACT and Section 28 REGULATIONS TEAM (DART)**
- DART has not as active this year – next meeting is November 6, 2014
- Continuing to work on developing an understanding on the application of the Conservation Authorities Act and regulations to activities under the Drainage Act.
- A survey was sent to municipalities and conservation authorities on the use of the “Protocol for Municipalities and Conservation Authorities in Drain Maintenance and Repair Activities”
  - responses received from 51 drainage superintendents and 22 CA’s
  - Margarita is currently compiling the results
- Looking at a risk management framework

**CANADIAN LEGAL INFORMATION INSTITUTE (CANLII)**
- CanLII has a website where a wide variety of legal decisions from across Canada are posted.
  - Has a very thorough and robust search engine
- Initiating a project to post past and future decisions of the drainage referee.
- Project being led by Margarita Kalika.
- Tribunal decisions are already being posted on this site

**DRAINAGE PROJECTS IN AREAS WITHOUT MUNICIPAL ORGANIZATION**
- The Ministry coordinates drainage projects in areas without municipal organization
- Different process because there is no municipal organization and no ability to impose taxes
- Every owner on which the drain is located must sign the application form
- Upon receipt of an application, we decide if it is worthwhile; if so, we assign to an engineer
- Had a contract with R. J. Burnside & Associates (Tom Pridham and Jeremy Nyenhuis)
- New contract with K. Smart Associates Ltd. (Neal Morris)

**DRAINAGE SUPERINTENDENTS GUIDE**
- The Drainage Superintendents Association of Ontario (DSAO) has initiated a project to update the Drainage Superintendents Guide – last updated in 1991.
- The content will include some of the following topics:
  - Municipal Responsibilities Under the Drainage Act
  - Landowner Responsibilities for Municipal Drains
  - The Common Law as it Relates to Drainage
  - Processing a Request for Drain Maintenance
  - Contracts and Holdbacks
  - Suggested Topics for an Onsite Meeting
  - Agency Notifications
  - Management of Crossings
  - Dealing with Spills
  - Pollution in Municipal Drains
  - Reviewing Reports
  - Managing Wildlife
  - Providing Locates for Municipal Drains
  - Dealing with Utilities
  - Section 65 Assessment Schedule Updates

**NEW COMPUTER SYSTEM**
The computer system for processing grants under the Drainage Act, loans under the Tile Drainage Act and licenses under the Agricultural Tile Drainage Act was developed in 1999.

It is built on old platforms that are no longer supported – need to be updated

Have spent a considerable amount of time working with business developers to define the requirements of the system

Two phase project:
  o Replace the system functionality – ability to process grants, loans, licenses
  o Create a limited access portal that will allow municipalities to input grant and loan applications on-line

SEARCH FOR NEW ACTING DRAINAGE REFEREE

Bill Turville has resigned as Acting Drainage Referee

Initiated a search for a new Acting Referee – have identified some candidates

New Acting Referee would support the Referee in having pre-hearing consultations and conducting hearings when the Referee is unavailable.

AGRICULTURAL INFORMATION ATLAS:

More improvements have been made to the atlas and one of these has a direct bearing on your work as drainage engineers:

- Last year, I reported that the Agricultural Information Atlas had undergone improvement in that it now operated more like Google mapping
- Now there are layers that show the Farm Class Tax Rated properties for both the current year and previous year – these are the properties that are eligible for grant
- The municipal drain information layer still needs improvement, but we are dependent on the submission of detailed information from municipalities. If you have better information that

OMAFRA Report – October 23, 2014
you would like to submit, please contact Bob Steiss, Senior Geographic Information Specialist with OMAFRA at 519-826-4032 or by email at bob.steiss@ontario.ca

**AGRICULTURAL DRAINAGE INFRASTRUCTURE PROGRAM (ADIP)**

- Possibility of making some administrative changes to the ADIP policies to make changes to reflect
- Some reminders for engineers:
  - No allowance should be given for land taken or right-of-way for Section 78 projects
  - New drains can’t be constructed using Section 78
  - Grant applications for drain construction/improvement projects must be accompanied with a copy of the Court of Revision decision
  - Copies of all engineering reports are supposed to be send to OMAFRA, even if there is no grant being applied for (Drainage Act, S. 41). We know that there have been dozens of crossing projects that have been completed, but we are not getting the reports.
  - For some projects, some municipalities try to fast-track a project by getting assessed property owners to waive their right of appeal. Be careful because:
    - The Drainage Act does not recognize the waivers
    - Under Section 48, any owner “affected” by the drain can appeal.
  - It is the engineer’s duty to assess the project using the principles of the Drainage Act; the engineer should not be swayed by who is willing to pay those assessments.

**DRAINAGE STATISTICS**

Various drainage statistics are provided on the following pages. The following are some key observations:
- There were 157 projects completed in 2013/14 and the overall cost was $18.7 million
- The average drainage project cost is almost $120,000, which is 70% higher than 10 years ago
- Average engineering costs in 2013/14 was 24.8% which is slightly higher than that in the past decade. The average engineering cost for projects less than $25,000 in total cost was 36.8%, but decreased to 19.2% for projects greater than $400,000.
- The most dramatic change is in the amount of pipe being installed. 10 years ago, 70% of the length of drains was in the form of channel and 30% was pipe. However, last year, 57% of the length of drains was in the form of pipe and only 43% in channels.
- For the third year in a row, there were 26 engineers who wrote at least one report under the Drainage Act that was submitted for grant.
- For the second year in a row, over 2,000 drain maintenance/repair/operation projects were performed at a total cost of over $11 million.
<table>
<thead>
<tr>
<th>PROJECT TYPE</th>
<th># OF PROJECTS</th>
<th>TOTAL COST</th>
<th>GRANT AMOUNT</th>
<th>STATISTICAL NOTES</th>
<th>DESCRIPTION OF PROJECT TYPE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regular</td>
<td>155</td>
<td>$16,710,179</td>
<td>$3,217,569</td>
<td>Number of projects, total costs and grant amounts are all included in statistics</td>
<td>Project application was received and grant paid in 2013/14</td>
</tr>
<tr>
<td>Interim</td>
<td>2</td>
<td>$369,025</td>
<td>$50,154</td>
<td>Number of projects, total costs and grant amounts are all included in statistics</td>
<td>Interim application received and paid in 2013/14; final grant application is expected in a future year.</td>
</tr>
<tr>
<td>Final</td>
<td>1</td>
<td>$1,652,204</td>
<td>$19,796</td>
<td>Total costs and grant amounts included in statistics; number of projects are not.</td>
<td>Interim application received and paid earlier; final grant application was received and paid in 2013/14.</td>
</tr>
<tr>
<td>Adjustments</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>Total costs and grant amounts included in statistics; number of projects are not.</td>
<td>Completed projects (grants paid) but an adjustment of costs was required.</td>
</tr>
<tr>
<td>TOTAL</td>
<td>157</td>
<td>$18,731,409</td>
<td>$3,287,519</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Preliminary</td>
<td>1</td>
<td>$19,134</td>
<td>$6,378</td>
<td>Not included in statistical information.</td>
<td>Grant application for preliminary report costs, after project terminated.</td>
</tr>
</tbody>
</table>

Note: A “project” is deemed to be an activity under a single engineer’s report. This can be a single culvert installation or a project with a main drain and several branches.
### TABLE 2

<table>
<thead>
<tr>
<th>YEAR</th>
<th>TOTAL COST ($)</th>
<th>ENGINEERING COSTS ($)</th>
<th>% ENGINEERING</th>
<th>NO. OF ENGINEERS</th>
<th>TOT. GRANT PAID ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004/05</td>
<td>15,024,225&lt;sup&gt;a&lt;/sup&gt;</td>
<td>3,781,584&lt;sup&gt;a&lt;/sup&gt;</td>
<td>25.2</td>
<td>31</td>
<td>4,108,762&lt;sup&gt;a&lt;/sup&gt;</td>
</tr>
<tr>
<td>2005/06</td>
<td>16,755,182</td>
<td>3,766,685</td>
<td>22.5</td>
<td>30</td>
<td>4,566,457</td>
</tr>
<tr>
<td>2006/07</td>
<td>11,639,346</td>
<td>2,942,772</td>
<td>25.3</td>
<td>27</td>
<td>2,642,924</td>
</tr>
<tr>
<td>2007/08</td>
<td>12,142,307</td>
<td>3,046,381</td>
<td>25.1</td>
<td>23</td>
<td>2,399,909</td>
</tr>
<tr>
<td>2008/09</td>
<td>10,853,223</td>
<td>2,747,529</td>
<td>25.3</td>
<td>23</td>
<td>2,191,583</td>
</tr>
<tr>
<td>2009/10</td>
<td>14,767,599</td>
<td>3,563,517</td>
<td>24.1</td>
<td>27</td>
<td>2,953,528</td>
</tr>
<tr>
<td>2010/11</td>
<td>11,989,799</td>
<td>2,894,855</td>
<td>24.1</td>
<td>20</td>
<td>2,383,193</td>
</tr>
<tr>
<td>2011/12</td>
<td>19,837,820</td>
<td>4,536,820</td>
<td>22.9</td>
<td>26</td>
<td>2,809,306</td>
</tr>
<tr>
<td>2012/13</td>
<td>18,492,806</td>
<td>4,432,881</td>
<td>24.0</td>
<td>26</td>
<td>2,700,402</td>
</tr>
<tr>
<td>2013/14</td>
<td>18,731,409</td>
<td>4,648,494</td>
<td>24.8</td>
<td>26</td>
<td>3,287,519</td>
</tr>
</tbody>
</table>

<sup>a</sup> Includes $350,036 grants received in 2004 after deadline; doesn’t include 12 termination grants totaling $226,260

### TABLE 3

<table>
<thead>
<tr>
<th>YEAR</th>
<th>TOTAL NO. OF DRAINS</th>
<th>TOTAL DRAIN COST ($ million)</th>
<th>AVG. DRAIN COST ($)</th>
<th>TRIBUNAL HEARINGS</th>
<th>% OF HEARINGS</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004/05</td>
<td>215</td>
<td>15.0</td>
<td>69,880</td>
<td>13</td>
<td>6.0</td>
</tr>
<tr>
<td>2005/06</td>
<td>218</td>
<td>16.8</td>
<td>76,859</td>
<td>10</td>
<td>4.6</td>
</tr>
<tr>
<td>2006/07</td>
<td>170</td>
<td>11.6</td>
<td>68,467</td>
<td>16</td>
<td>9.4</td>
</tr>
<tr>
<td>2007/08</td>
<td>154</td>
<td>12.1</td>
<td>78,846</td>
<td>17</td>
<td>11.0</td>
</tr>
<tr>
<td>2008/09</td>
<td>142</td>
<td>10.9</td>
<td>76,431</td>
<td>4</td>
<td>2.8</td>
</tr>
<tr>
<td>2009/10</td>
<td>160</td>
<td>14.8</td>
<td>92,298</td>
<td>6</td>
<td>3.8</td>
</tr>
<tr>
<td>2010/11</td>
<td>149</td>
<td>12.0</td>
<td>80,468</td>
<td>16</td>
<td>10.7</td>
</tr>
<tr>
<td>2011/12</td>
<td>133</td>
<td>19.8</td>
<td>149,156</td>
<td>7</td>
<td>5.3</td>
</tr>
<tr>
<td>2012/13</td>
<td>158</td>
<td>18.5</td>
<td>117,043</td>
<td>14</td>
<td>8.9</td>
</tr>
<tr>
<td>2013/14</td>
<td>157</td>
<td>18.7</td>
<td>119,308</td>
<td>11</td>
<td>7.0</td>
</tr>
</tbody>
</table>

OMAFRA Report – October 23, 2014
### TABLE 4

**TECHNICAL MUNICIPAL DRAIN STATISTICS IN ONTARIO**

**FROM 2004/05 TO 2013/14**

<table>
<thead>
<tr>
<th>YEAR</th>
<th>SERVICED HA</th>
<th>OPEN M</th>
<th>CLOSED M</th>
<th>OPEN %</th>
<th>CLOSED %</th>
<th>TOTAL COST ($)</th>
<th>UNIT COST $/HA</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004/05</td>
<td>64,961</td>
<td>260,752</td>
<td>109,120</td>
<td>70.5</td>
<td>29.5</td>
<td>15,024,225</td>
<td>235</td>
</tr>
<tr>
<td>2005/06</td>
<td>52,140</td>
<td>206,105</td>
<td>78,728</td>
<td>72.4</td>
<td>27.6</td>
<td>16,755,182</td>
<td>321</td>
</tr>
<tr>
<td>2006/07</td>
<td>65,422</td>
<td>111,177</td>
<td>78,276</td>
<td>58.7</td>
<td>41.3</td>
<td>11,639,346</td>
<td>178</td>
</tr>
<tr>
<td>2007/08</td>
<td>50,686</td>
<td>128,740</td>
<td>90,623</td>
<td>58.7</td>
<td>41.3</td>
<td>12,142,307</td>
<td>240</td>
</tr>
<tr>
<td>2008/09</td>
<td>44,104</td>
<td>132,819</td>
<td>55,243</td>
<td>70.6</td>
<td>29.4</td>
<td>10,853,223</td>
<td>246</td>
</tr>
<tr>
<td>2009/10</td>
<td>38,659</td>
<td>104,680</td>
<td>83,527</td>
<td>55.6</td>
<td>44.4</td>
<td>14,767,599</td>
<td>382</td>
</tr>
<tr>
<td>2010/11</td>
<td>34,532</td>
<td>81,909</td>
<td>63,846</td>
<td>56.2</td>
<td>43.8</td>
<td>11,989,799</td>
<td>347</td>
</tr>
<tr>
<td>2011/12</td>
<td>35,276</td>
<td>113,720</td>
<td>70,540</td>
<td>61.7</td>
<td>38.3</td>
<td>19,837,820</td>
<td>562</td>
</tr>
<tr>
<td>2012/13</td>
<td>27,666</td>
<td>80,345</td>
<td>82,590</td>
<td>49.3</td>
<td>50.7</td>
<td>18,492,806</td>
<td>668</td>
</tr>
<tr>
<td>2013/14</td>
<td>26,057</td>
<td>66,988</td>
<td>88,633</td>
<td>43.0</td>
<td>57.0</td>
<td>18,731,409</td>
<td>718</td>
</tr>
</tbody>
</table>

Notes: 1. Holland Marsh Dyke and Canal Reconstruction project has been excluded from the statistics.

OMAFRA Report – October 23, 2014
# TABLE 5

**RANGE OF MUNICIPAL DRAIN COSTS IN ONTARIO FROM 2004/05 TO 2013/14**

<table>
<thead>
<tr>
<th>YEAR</th>
<th>TOTAL NO. DRAINS</th>
<th>NO. OF DRAINS IN THE COST RANGE OF:</th>
<th>HIGHEST SINGLE COST ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>(&lt; $5,000)</td>
<td>($5,000 - &lt; $50,000)</td>
</tr>
<tr>
<td>2004/05</td>
<td>227</td>
<td>4 (67.6%)</td>
<td>115 (32.7%)</td>
</tr>
<tr>
<td>2005/06</td>
<td>218</td>
<td>4 (25.9%)</td>
<td>123 (28.7%)</td>
</tr>
<tr>
<td>2006/07</td>
<td>172</td>
<td>4 (31.1%)</td>
<td>102 (26.3%)</td>
</tr>
<tr>
<td>2007/08</td>
<td>152</td>
<td>0</td>
<td>93 (31.2%)</td>
</tr>
<tr>
<td>2008/09</td>
<td>142</td>
<td>3 (46.2%)</td>
<td>75 (28.0%)</td>
</tr>
<tr>
<td>2009/10</td>
<td>160</td>
<td>2 (28.3%)</td>
<td>76 (28.7%)</td>
</tr>
<tr>
<td>2010/11</td>
<td>149</td>
<td>2 (99.5%)</td>
<td>83 (32.8%)</td>
</tr>
<tr>
<td>2011/12</td>
<td>133</td>
<td>1 (58.6%)</td>
<td>48 (33.1%)</td>
</tr>
<tr>
<td>2012/13</td>
<td>158</td>
<td>1 (97.9%)</td>
<td>60 (31.2%)</td>
</tr>
</tbody>
</table>

**Updated Cost Ranges**

<table>
<thead>
<tr>
<th></th>
<th>(&lt; $25,000)</th>
<th>($25,000 - &lt; $50,000)</th>
<th>($50,000 - &lt; $100,000)</th>
<th>($100,000 - &lt; $200,000)</th>
<th>($200,000 - &lt; $400,000)</th>
<th>&gt; $400,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013/14</td>
<td>157</td>
<td>23 (36.8%)</td>
<td>34 (33.3%)</td>
<td>43 (27.8%)</td>
<td>35 (27.5%)</td>
<td>18 (23.4%)</td>
</tr>
</tbody>
</table>

Notes: 1. Holland Marsh Dyke and Canal Reconstruction project has been excluded from the statistics.

OMAFRA Report – October 23, 2014
TABLE 6

MUNICIPAL DRAIN MAINTENANCE STATISTICS IN ONTARIO FROM 2004/05 TO 2013/14

<table>
<thead>
<tr>
<th>YEAR</th>
<th>NO. OF PROJECTS</th>
<th>TOTAL COST ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004/05</td>
<td>1728</td>
<td>5,216,251</td>
</tr>
<tr>
<td>2005/06</td>
<td>1356</td>
<td>5,969,743</td>
</tr>
<tr>
<td>2006/07</td>
<td>1397</td>
<td>5,489,548</td>
</tr>
<tr>
<td>2007/08</td>
<td>1602</td>
<td>7,033,738</td>
</tr>
<tr>
<td>2008/09</td>
<td>1668</td>
<td>6,867,771</td>
</tr>
<tr>
<td>2009/10</td>
<td>2034</td>
<td>8,725,247</td>
</tr>
<tr>
<td>2010/11</td>
<td>1704</td>
<td>8,784,649</td>
</tr>
<tr>
<td>2011/12</td>
<td>1580</td>
<td>7,455,566</td>
</tr>
<tr>
<td>2012/13</td>
<td>2303</td>
<td>11,866,946</td>
</tr>
<tr>
<td>2013/14</td>
<td>2290</td>
<td>11,494,684</td>
</tr>
</tbody>
</table>

TABLE 7

ONTARIO DRAIN MAINTENANCE & SUPERINTENDENT ACTIVITY

<table>
<thead>
<tr>
<th></th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Drain Maintenance Expenditures</td>
<td>$7,455,566</td>
<td>$11,866,946</td>
<td>$11,494,684</td>
</tr>
<tr>
<td>Drain Maintenance Grant Paid</td>
<td>$1,881,451</td>
<td>$3,007,797</td>
<td>$2,943,133</td>
</tr>
<tr>
<td>Drainage Superintendent Cost</td>
<td>$4,836,857</td>
<td>$4,923,974</td>
<td>$5,114,558</td>
</tr>
<tr>
<td>Superintendent Grant Paid</td>
<td>$2,343,857</td>
<td>$2,401,366</td>
<td>$2,502,626</td>
</tr>
<tr>
<td>Municipalities Claiming Grant</td>
<td>147</td>
<td>148</td>
<td>150</td>
</tr>
<tr>
<td>Number of Maintenance Projects</td>
<td>1,580</td>
<td>2,303</td>
<td>2,290</td>
</tr>
<tr>
<td>Average # of Projects per Municipality</td>
<td>10.7</td>
<td>15.6</td>
<td>15.3</td>
</tr>
<tr>
<td>Average Cost of Projects</td>
<td>$4,719</td>
<td>$5,153</td>
<td>$5,020</td>
</tr>
<tr>
<td>Average Total Cost per Municipality</td>
<td>$83,622</td>
<td>$113,452</td>
<td>$110,728</td>
</tr>
<tr>
<td>Average – Maintenance/Superintendent</td>
<td>1.54</td>
<td>2.41</td>
<td>2.25</td>
</tr>
<tr>
<td>Average % - Superintendent/Total Cost</td>
<td>39.3%</td>
<td>29.3%</td>
<td>30.8%</td>
</tr>
</tbody>
</table>
Open Learning Report to the LDC
Presented by Pat Shaver, Open Learning and Educational Support,
University of Guelph
Thursday, October 23, 2014

1. Thursday, October 23, 2014
   a. Noon to 5 pm - OSPE LDC Committee Meeting – Holiday Inn Trillium Room
   b. 5:00 to 7:00 pm Dinner Reservations at Shakespeare Arms under “Drainage Engineers”
   c. 7:00 pm - Drainage Practitioners Meeting – Holiday Inn Trillium. Drinks can be ordered at the bar.

2. Friday, October 24, 2014
   9:00 am to 4:15 pm. Drainage Engineers Conference: Oakwood Ballroom
   Light breakfast, refreshment breaks and lunch provided

3. Registrations (as of Oct 23, 2014)
   a. Friday Conference – 118
      Exhibitors – 9 exhibits plus 6 additional participants
      Speakers – Friday - 8
   b. Registration break-down (approximate):
      Engineer/Surveyor 20
      Municipal Gov’t 20
      Prov/Fed Government 3
      Student 13
      Superintendent 15
      President 4
      Owner 1
      Business Rep 1
      Technologist 12

4. Exhibitors
   a. Nine exhibitors
      Armtec
      Atlantic Industries
      Chatham-Kent Ready Mix
      Maccaferri
      Ontario Society of Professional Engineers
      Nilex Civil Environmental Group - new
      Terrafix Geosynthetics
      Underground Specialties
      Water’s Edge Environmental Solutions
5. **Marketing**
   a. Conference e-mail blasts were sent in August, September and October
   b. Event notices were sent to the universities of Guelph, McMaster, Waterloo and Western
   c. Website – updated as speakers were confirmed. Exhibitor logos added to the website and marketing emails

6. **47th Drainage Engineers Conference - 2015**
   Thursday and Friday, October 22 and 23, 2015
   OMAF Conference room booked on Thursday
   Holiday Inn Guelph booked for Friday.

7. **Ross Irwin Scholarship and Budget**
   - $1000 awarded annually to a student with high academic achievement and extra-curricular activities in water drainage
   - Faculty recommended
   - First award will be Winter 2015. Recipient name will be posted
   - Prefer that donations are given to the scholarship. As the scholarship grows, a second scholarship will become available.