



FINAL
O.S.P.E. LAND DRAINAGE COMMITTEE
MINUTES OF MEETING
Tuesday, January 21st, 2020
Best Western Lamplighter Inn
591 Wellington Road South, London, Ontario

1.0 Attendance and Call to Order

- 1.1 Members Present: Tony Peralta, Chairman; Stephen Brickman, Secretary; Brandon Widner, Vice Chairman; John Kuntze; Gerard Rood; Jeremy Taylor
- 1.2 Liaison Members Present: Tim Brook, Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA); Jenn Thomas, Department of Fisheries and Oceans (DFO); Lu-Ann Marentette, Drainage Superintendents Association of Ontario (DSAO)
- 1.3 Liaison Members by Conference Call: Stuart Atkinson, Ontario Society of Professional Engineers (OSPE); Olena Czajkowski, Ministry of Transportation (MTO); Mike Pearsall (MTO);
- 1.4 Regrets: Pat Shaver, Open Learning & Educational Support (University of Guelph); Dave Richards, Ontario Ministry of Natural Resources & Forestry (MNR), Davin Heinbuck (Conservation Ontario)
- 1.5 Chairman Tony Peralta called the meeting to order at 1:07 p.m.

2.0 Approval of Agenda

- 2.1 The Committee reviewed the agenda prepared by Tony Peralta. Motion by John Kuntze, seconded by Brandon Widner that the agenda as prepared by the Chairman be accepted. Carried.

3.0 Minutes of Last Meeting

- 3.1 There were no comments or requests for changes. John Kuntze moved to accept the October 24th, 2019 L.D.C. revised draft meeting minutes as circulated, seconded by Brandon Widner. There was no discussion. Carried

- 3.2 Final documents are to be sent to Pat Shaver by Stephen Brickman for posting to the LDC web site. **Action by Steve and Pat Shaver.**

4.0 Business Arising from the Minutes

Tony went through the action items shown in the October meeting minutes.

- 4.1 Steve sent final minutes of last meeting to Pat. Steve will follow up with Pat. **Action by Steve.**
- 4.2 Tony is working on getting information for William Settingington biography. Tony has found personal information, but not professional. **Action by Tony.**
- 4.3 Tony followed up with Stuart regarding the LEL/LET issue with PEO.
- 4.4 Tony contacted OSPE regarding how to notify PEO about the need for updating their drainage engineers' guide. Tony then reached out to the appropriate people at PEO.

5.0 Correspondence

- 5.1 Tony had previously sent a group email to the practicing drainage engineers regarding PEO's request for volunteers for the Experience Requirements Committee (ERC). John Kuntze gave it serious consideration about volunteering and the value of giving back; however, he didn't have the time to apply.
- 5.2 Tony discussed email correspondence from Davin Heinbuck. Davin is unable to attend this meeting, so provided a brief update in advance. Davin's correspondence summarized the key points from the Flood Commissioner's Report:

The report recognized that the province was a leader in floodplain management, flood management and flood forecasting and warning. The report also highlighted that the spring 2019 flooding in Haliburton and the Muskokas, and the Ottawa river was not human error or mismanagement of water.

6.0 Liaison Report – OSPE – Stuart Atkinson

- 6.1 Stuart discussed concerns between PEO and OSPE and the importance of the separation between advocacy and regulation. Sandro (CEO of OSPE) will be meeting with the Attorney General in March. Stuart will provide an update at the next meeting on this outcome. Stuart noted that Consulting Engineers Ontario (CEO) has contacted PEO about the way the ERC conducts themselves. Tony asked Stuart when we will know who is on the ERC. Stuart said that OSPE doesn't control the ERC. Tony will contact PEO regarding the LDC's concerns about the ERC including a drainage engineer. **Action by Tony.**
- 6.2 Stuart noted that 'Professional Engineers Day' is on March 1. OSPE will be advocating for engineers.

- 6.3 April 8th is a Lobby Day, where OSPE will be presenting on how engineers create jobs and wealth. This year, the Lobby Day is more of a social event.
- 6.4 There are several submission deadlines coming up in the first four months of 2020 – Ontario Building Code, and the province would like to take responsibilities from municipalities and transition it to engineers; Excess soils and its management, and the definition of a qualified person; continuous professional development for engineers.
- 6.5 Tony asked about the LDC’s blog post, and the importance of the LDC maintaining a presence. Stuart said that there is a 20 page document for all committees, and asked if the LDC should advocate in this document.

7.0 Liaison Report – Ministry of Transportation Ontario - Olena Czajkowski

- 7.1 Mike Pearsall introduced Olena Czajkowski as the new liaison member representing the MTO. The MTO is going to miss Art Groenveld who retired on December 31, 2019.
- 7.2 The MTO has finalized the ‘Gravity Pipe Trenchless Installation Design Guide’. The Gravity Pipe Trenchless Technology Assessment Tool was developed to assist designers in selecting suitable trenchless technologies for a culvert. The guide will be available in the next few months.
- 7.3 A Provincial Engineering Memo was drafted and approved. When the new policy takes effect, it will cover Trenchless Technologies to Repair, Rehabilitate, or replace Existing Highway Culverts and Stormsewers, and Trenchless Technologies to Install New Culverts and Stormsewers at new locations. This new policy’s main objective is to make new pipe culverts oversized to be capable of hosting a liner in the future.
- 7.4 The MTO has developed a ‘Culvert Pipe Material Selection Tool’
- 7.5 The MTO Drainage Manual is currently being revised and will soon be made available to the public. The Manual discusses Highway Drainage Management. The new version will require that calculations be performed by softwares and computational modelling.
- 7.6 The MTO has developed an excel based design tool for designing culverts. The workbook includes a tutorial and can be used to assist in the design of hydraulic properties of culverts. The workbook also includes a ‘Future Considerations Worksheet’ which incorporates at least one rehabilitation of the culvert within the working life. The workbook will be available soon.

8.0 Liaison Report – Conservation Ontario - Davin Heinbuck

- 8.1 Davin was unable to attend, but provided correspondence containing a brief report (see Heading 5.2 above)
- 8.2 Tony will forward Davin’s email to the LDC. **Action by Tony.**

9.0 Liaison Report – Ministry of Agriculture, Food & Rural Affairs – Tim Brook

- 9.1 Tim presented his report from OMAFRA
- 9.2 Regarding the Drainage Act in unorganized municipalities – Tim sent emails out to drainage engineers notifying them of opportunities to work in unorganized municipalities. Three submissions were received and are under review. A firm has been recommended, and OMAFRA will likely be able to release the details in February.

- 9.3 Ag Maps now includes Conservation Reserves and Provincial Parks. Tim will circulate a list of drains touching or bound by regulated areas (parks and reserves). **Action by Tim.**
- 9.4 Soils data has been added to some areas of Ag Maps, and farm property tax layers now go back five years.
- 9.5 Kevin McKague is currently developing a tool to help understand soils erodibility potential.
- 9.6 Paul Heeney from the MECP is continuing to have quarterly conversations with Tim. Paul still cannot commit to ongoing participation with the LDC, but he can be available for specific topics.
- 9.7 Open for business posting:
- The provincial government is proposing changes to the Drainage Act to help streamline certain processes within the Act, and they are looking for public participation in the process.
 - Friday January 17, a proposal was put forward for a request for public participation which will be open for 32 days (until February 18th). Tony and Steve will be receiving a letter from OMAFRA with a notification of the posting.
 - OMAFRA will be hosting webinars on January 31 and February 7 to discuss the request for public consultation, and also as a forum to receive input from the public.
 - The public consultation is the first step in the process to make changes to the Drainage Act.
 - Some of the possible changes to the Drainage Act would include: Supporting technical protocols similar to DART. The potential changes will help to make technical protocols regulated.
 - Other objectives would be to streamline certain approvals like minor improvements, and simplify administrative processes like gross error. Additionally, there may be some housekeeping amendments.
 - Jeremy asked about rolling protocol into the Act, and what this would look like. Tim explained that this makes it easier to make changes in the future; the Minister has more authority with regulation, but less with Acts.
 - Steve asked about how long the process will be? Tim said that the draft timetable is very aggressive; it may be the fall of this year for the next steps which would be the revisions to the Act.
 - Tony will set up a conference call for the afternoon of February 7th. **Action by Tony.** The LDC will brainstorm Drainage Act issues/opportunities for improvements prior to the conference call. **Action by LDC.**
 - Jenn Thomas asked if OMAFRA will be issuing permits. Tim said No.
 - John, Gerard, and Tony asked about ADIP changes. Tim does not expect any changes to the ADIP policies.
- 9.8 Tim discussed the budget for ADIP grants. Tim explained that Drainage Superintendents and Maintenance grants are prioritized above construction projects. Everything is administered through Transfer Payments Ontario.
- 9.9 Steve asked Tim about the annual statistics from the Practitioners Meeting in October. At that time the Statistics Report was to be circulated at a later date. Tim will circulate annual statistics **Action by Tim.**

10.0 Liaison Report – Ministry of the Environment, Conservation and Parks

- 10.1 An MECP representative was not available. No report was provided.
- 10.2 Tim suggested that we formally contact Paul Heeney to request his attendance at a specific meeting.
- 10.3 Tony will contact Paul Heeney of MECP and will forward issues that are common with drainage engineers that relate to the MECP. **Action by Tony.**

11.0 Liaison Report – Fisheries and Oceans Canada – Jenn Thomas

- 11.1 DFO will be hiring students to assist in completing further drain classifications. DFO will be calling out to Drainage Superintendents and Engineers for a list of priority drains to be classified.
- 11.2 DFO will be reporting on what drains were classified last year.
- 11.3 DFO continues to work with OMAFRA to update drain information on the Ag Atlas.
- 11.4 Changes to the Fisheries Act and changes in staffing have caused extended review times.
- 11.5 DFO has established a team of biologists to work on drains. By doing so, this team will develop a strong understanding of drains, and likewise reduce the review time required. Furthermore, DFO biologists working on drains will try to attend DSAO chapter meetings.
- 11.6 DFO is interested in the DSAO's intention of carrying out research on how quickly a drain recovers after maintenance.
- 11.7 Jenn noted that the process for a Class E authorization could be more practical.
- 11.8 DFO is looking for other streamlining tools to reduce review time.
- 11.9 Jeremy commented that it is a great idea to have biologists from the 'drain team' attending DSAO chapter meetings. Jeremy asked about the experience level of the team, and Jenn indicated that some members are entry level. Jenn reminded the LDC that if there are problems to contact Jenn.
- 11.10 Brandon asked if there is anything engineers can do to shorten the time required for a review. Jenn said that perhaps it would be a good idea to have a conference call once Jenn has had an opportunity to talk to her team. Jenn will check with her team about what drainage engineers can do to speed up DFO review time. **Action by Jenn.**
- 11.11 Jenn later noted that DFO will be receiving additional resources, which better enables them to monitor compliance.

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

- 12.1 Pat was not in attendance.
- 12.2 Gerard moved that the LDC proceed with a 'Seed' level sponsorship for the Conference on Sustainability in Engineering. The motion was seconded by Jeremy. Carried. Steve to forward Pat the above motion. **Action by Steve.**
- 12.3 A review of correspondence from Pat regarding the Course and Conference offered in October 2018 was addressed under New Business.

13.0 Drainage Superintendents of Ontario – Lu-Ann Marentette

- 13.1 Lu-Ann Marentette and Dave Moores attended a two day course on Phragmites. James Cochran (MTO) has been experimenting with a few herbicides, which had some success. They have identified that there isn't a follow up to replacing the invasive species.

- 13.2 DSAO's website now includes a list of drainage engineers organized by Chapter.
- 13.3 Greg Nancekivell will be representing DSAO on the OnFARM committee.
- 13.4 Dave Moores will be hosting a round table discussion to seek out more conference topics.
- 13.5 Lu-Ann noted that the DSAO and the LDC should discuss coordinating meeting times and scheduling for the Thursday portion of the October conference.
- 13.6 The procurement committee is moving in a different direction than it has in the past. Frank Jonkman will be reaching out to an experienced person to bring on board. The procurement committee is primarily focused on upset limits for procuring contractors, but there is also a focus on appointing engineers.

14.0 D.A.R.T. (Drainage Act Regulations Team) Update – John Kuntze

- 14.1 John advised that the DART program is inactive. There have not been any recent meetings.

15.0 Drain Action Working Group (DAWG) Update – John Kuntze

- 15.1 Lisa Wren is taking over as the chair of DAWG.
- 15.2 DAWG discussed guidelines for photo submissions.
- 15.3 DSAO would like to be involved in doing before and after monitoring of maintenance activities.

16.0 New Business

- 16.1 Liaison representatives: Olena is now the MTO liaison member representing the MTO. Tony will contact Paul Heaney of MECP and will forward issues that are common with drainage engineers that relate to the MECP. **Action by Tony.**
- 16.2 Sub-Committees: The LDC no longer has a member on the Procurement Committee. Jeremy will represent the LDC on the LICO Specifications Committee. Jeremy to attend LICO specifications committee on Wednesday. **Action by Jeremy.**
- 16.3 October Course and Conference:
 - The LDC reviewed the comments received for the course and conference.
 - The LDC discussed the possibility of changing the format of the course, and to reassess who the target audience is. The LDC is considering a different model to educate new practitioners.
 - With respect to the Reception, comments received indicated that meal prices were high. Attendance was below expectations. The LDC noted that a format which is appealing to exhibitors is important.
 - In general, the Conference comments were positive.
- 16.4 John initiated a discussion on the Drainage Act vs. the Water Resources Act and getting an Environmental Compliance Approval (ECA) or not. Urbanized municipal drains are becoming more pertinent. John attended a seminar hosted by Credit Valley in October 2019 where they discussed the need for storm systems to require a legal outlet. Originally, the Ontario Water Resources Act stated that any work completed under the Drainage Act was exempt from an ECA. In the mid 1990's this exception was re-written and is now ambiguous. John further noted that this is where it would be nice to have a contact from the MECP.

16.5 Jeremy asked Tim about the Completion Date input on the Report Back form. Is this the Warranty date, or the date of Substantial Completion? In general, the LDC members use the date of the Substantial Completion.

17.0 Next Meeting

17.1 The next meeting of the L.D.C. will be Friday June 5th, 2019 beginning at 9:00 am at the OMAFRA building in Guelph.

18.0 Adjournment

18.1 The meeting was adjourned at approximately 4:20 p.m. Moved by Gerard Rood and seconded by Brandon Widner. Carried

Tony Peralta, Chairman

Stephen Brickman, Secretary

SUMMARY OF ACTION ITEMS

- 1) Last meeting's minutes are to be sent to Pat Shaver by Steve Brickman for posting to the LDC web site. **Action by Steve and Patricia.**
- 2) Steve to follow up with Pat about posting the June meeting minutes (meeting held on May 31). **Action by Steve**
- 3) Tony is working on getting information for William Settingington biography. **Action by Tony.**
- 4) Tony will contact PEO regarding the LDC's concerns about the ERC including a drainage engineer. **Action by Tony.**
- 5) Stuart to follow up with the LDC on the blog post article, and what the LDC can do next to improve awareness for drainage engineers. **Action by Stuart.**
- 6) Tony will forward Davin's email to the LDC. **Action by Tony.**
- 7) Tim will circulate a list of drains touching or bound by regulated areas (parks and reserves). **Action by Tim.**
- 8) Tony will set up a conference call for the afternoon of February 7th. **Action by Tony.** The LDC will brainstorm Drainage Act issues/opportunities for improvements prior to the conference call. **Action by LDC.**
- 9) Tim will circulate annual statistics **Action by Tim.**
- 10) Jenn will check with her team about what drainage engineers can do to speed up DFO review time. **Action by Jenn.**
- 11) Steve to forward Pat the following motion by Gerard and seconded by Jeremy that: the LDC proceed with a 'Seed' level sponsorship for the Conference on Sustainability in Engineering. **Action by Steve.**
- 12) Tony will contact Paul Heeney of MECP and will forward issues that are common with drainage engineers that relate to the MECP. **Action by Tony.**
- 13) Jeremy to attend LICO specifications committee on Wednesday. **Action by Jeremy.**