Drainage Engineers Course - Guidance for Environmental Permissions
October 2018

Program
Projects under the Drainage Act are almost always complex. The engineer needs to ensure that the project complies with the Drainage Act, which can be tough. Combine that point with the fact that a community of property owners who rarely share the same vision for the project pays for the drain, and it’s obvious that the project becomes even more complex. Add in other factors such as procurement policies, roads and utilities, appeal bodies, municipal politics and grant policies under the Agricultural Drainage Infrastructure Program and it is easy to see how drainage projects can be downright difficult!

But that’s not all. The engineer also has to ensure that projects comply with various environmental statutes and regulations. There are a variety of laws that could possibly apply to projects under the Drainage Act, but the three most common are the Fisheries Act (including the Species at Risk Act), the Conservation Authorities Act and the Endangered Species Act. Each have different requirements and are managed in different ways. The purpose of the “Guidance to Environmental Permissions” course is to educate participants on the legislation and to provide guidance on achieving compliance in a practical and effective manner.

Topics
- Welcome and Introduction, Sid Vander Veen, Drainage Coordinator, Ministry of Agriculture, Food and Rural Affairs

- The Federal Fisheries Act and Species at Risk Act, Rick Kiriluk, Fisheries Biologist, Fisheries & Oceans Canada – Fisheries Protection Program
  - Overview of how to ensure compliance with federal legislation, Fisheries Act and the Species at Risk Act when contemplating works under the Drainage Act.

- Municipal Drainage Reports and the Conservation Authorities Act – Davin Heimbuck – Water Resources Coordinator, Ausable Bayfield Conservation Authority
  - The session will provide a brief background of Conservation Authorities

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with a focus on their role in Municipal Drainage through the Conservation Authorities Act. The review process will be stepped through for both S. 4 (D.A.) Petition Drains and S. 78 (D.A.) Drainage Improvements, with a focus on clear and concise communication.

- **The Endangered Species Act (ESA)**, Devin Soeting, R.J. Burnside & Associates Limited
  - This session will provide an overview of the Endangered Species Act and how the Act applies to drainage projects, with a focus on project planning and Ministry of Natural Resources and Forestry engagement.

- **The Royal Oak Municipal Drain – Obtaining a Fisheries Act Authorization**, Greg Nancekivell, Dietrich Engineering Ltd. and Christopher Biberhofer, Department of Fisheries and Oceans.
  - Together, the Engineer and Fisheries and Oceans Canada will present their perspectives in complying with the Fisheries Act for the construction of the Royal Oak Municipal Drain. From the Request for Review, to preparing an Offsetting Plan, to obtaining a Letter of Credit, and finally being granted Fisheries Act Authorization; this joint session will discuss the applicant’s and the reviewer’s respective duties and obligations along every step of the way towards achieving compliance with the Fisheries Act.

- **Allen-Young Municipal Drain (AYMD)**, Jeff Dickson, R.J. Burnside & Associates Limited
  - A representative from DFO and from Conservation Ontario, an individual familiar with the Endangered Species Act as well as the drainage practitioner will present their perspectives in complying with legislative requirements and the procurement of various authorizations/permits for the AYMD. Included will be information regarding: the scope of the AYMD project; an affected natural watercourse and a wetland; brook trout and other habitat; various species at risk; the DFO “Request for Review”; obtaining a DFO Letter of Advice; obtaining a MNRF Letter of Advice; and obtaining a permit from MVCA. During this joint session, the practitioner will present information regarding the AYMD in the form of a brief Case Study and the other participants will speak to the applicable legislative requirements and the resulting authorizations/permits.