

FINAL DRAFT
O.S.P.E. LAND DRAINAGE COMMITTEE
MINUTES OF MEETING
Friday, June 4, 2010
OMAFRA Office, Boardroom 205
1 Stone Road
Guelph, Ontario

1.0 Attendance and Call to Order

Members Present: Tim Oliver, Chairman; Bill Dietrich, Secretary; Tom Pridham, John Kuntze, Chris Allen

Liaison Members Present: Sid Vander Veen, OMAFRA; Davin Heinbuck, Conservation Authorities (ABCA); Pat Shaver, Office of Open Learning, University of Guelph

Absent Members: Tom Marentette; Jeremy Downe, MNR representative; Edwina McGroddy, O.S.P.E.; Tom Hoggarth, Fisheries and Oceans Canada; Art Groenveld, MTO

Chairman Tim Oliver called the meeting to order at 10:20 a.m.

2.0 Approval of Agenda

Motion by Tom Pridham, seconded by John Kuntze, that the agenda as prepared by the chairman be accepted. Carried.

3.0 Minutes of Last Meeting

Motion by John Kuntze, seconded by Chris Allen that the minutes of the January 21, 2010 O.S.P.E. Land Drainage Committee Meeting as amended be accepted. Carried.

4.0 Business Arising From the Minutes

4.1 LDC Chairman Tim Oliver is to send a letter to Jeremy Downe (MNR) and Tom Hoggarth (DFO) to confirm their representation on the LDC committee.

4.2 The LDC secretary Bill Dietrich forwarded the LDC recommendations for changes to Section 58(4) of the Drainage Act R.S.O. 1990 to "Open for Business Ontario" on February 9, 2010 and received a response on February 12, 2010.

The motion of the LDC for changes to Section 58(4) was:

"If, at any time after the by-law is passed and before any assessments are levied, an error in the report is found or an unforeseen circumstance arises, the council of the initiating municipality may on notice to all persons assessed apply to the Tribunal to amend the report and bylaw."

The response from “Open for Business” is as follows:

Thank you for your interest in Open For Business, Ontario’s plan to make it easier for businesses to work with government, grow and succeed, while creating an environment that supports innovation, helps attract new investment, and creates jobs.

We have been in touch with colleagues in the Ministry of Agriculture, Food and Rural Affairs, and have been assured that they received the O.S.P.E. submission for proposed changes to Section 58(4) of the Drainage Act, R.S.O. 1990 and are dealing with it.

Should you have any other questions or comments about Open for Business, please do not hesitate to get back to us.

Sid VanderVeen reported to the LDC that the Tribunal was not supportive of the LDC recommended changes to Section 58(4) of the Drainage Act and therefore Section 58(4) will not be revised.

- 4.3 LDC secretary asked Mike DeVos, P.Eng to keep the LDC updated on DAWG committee meetings by means of email. The minutes of January 21, 2010 meeting were emailed to Mike in advance of the June meeting.
- 4.4 John Kuntze to prepare a resolution with respect to the length of term of LDC membership which will be taken to the practitioners meeting in October 2010.
- 4.5 Secretary of the LDC to establish which members of the LDC terms are expiring.
- 4.6 The LDC secretary sent the expenses of the committee for 2009 to Edwina McGroddy on January 24, 2010. No response was received from O.S.P.E.

5.0 Liaison Report – Conservation Authorities Report

Davin Heinbuck

5.1 Drainage Act and Section 28 Regulations Team (DART)

Notification Forms for Drain Maintenance and Construction/Improvements circulated for input by both DAWG and DART.

Best Management Protocols for maintenance of Municipal Drains will be released as the first phase in the protocols document.

Survey to go out to all CA’s regarding individual CA policies around wetlands.

5.2 Drains Action Working Group (DAWG)

Draft Guidance Document undergoing further DFO edits. Will be paired down, with less focus on the legislation.

‘F’ Drains (intermittent flow) and other timing issues discussed. DFO to prepare a ‘Position Statement’ for Type ‘F’ drains

5.3 Conservation Ontario

Conservation Ontario remains supportive of Davin Heinbuck presenting at the Drainage Superintendents course, on behalf of Conservation Ontario. The course was offered during the first week in March of 2010 at Guelph (OMAFRA).

6.0 **Liaison Report – Ministry of Agriculture, Food and Rural Affairs** Sid VanderVeen

6.1 Richard Boychuk is our new intern who will be working with us for the next year. Richard has a background in strategic policy.

6.2 Courses:

- 35 people attended the March 2010 Drainage Superintendents Course: 5 from MTO, 5 from consulting firms, 4 unassociated and 21 from municipalities.
- Held a Rural Municipal Drainage Course and Calculating Drainage Assessment workshop in London and Peterborough; New Liskeard was cancelled due to insufficient interest

6.3 Open for Business:

- Bill 68 - First reading May 17, 2010 and second reading June 3, 2010
- Sent to Standing committee on Finance and Economic Affairs
- Environmental Commissioners Office has requested us to post the amendments to the Drainage Act on the EBR.
- Richard will be leading the work on proposed amendments to Regulation 275
- Richard will also be leading the work to revise and update forms under the Drainage Act and Tile Drainage Act.

6.4 2009/10 Grant processing is not complete, but is very close. Andy Kester is still working on completing some grant applications that were accrued.

6.5 Approval is in place to change the drain maintenance grant application timing so that they do not have to be processed by the end of January. Grants for maintenance will have a deadline of April 30 and will be paid at the beginning of the next fiscal year which runs April 1 to March 31.

6.6 Environmental Farm Plans are going through a review this year; Richard and I will be working on updating the Wetlands and Wildlife Ponds chapter.

6.7 The Drainage BMP is progressing. The full document will be published as a pdf document only; a shorter Cropland Drainage BMP document will be published and printed.

- 6.8 The E-learning drainage project is moving along. This is the development of a web-based tool to help property owners understand the common law as it relates to drainage. A significant amount of time has been spent developing the information. A student has been hired to develop the website.
- 6.9 DART – Reported by John Kuntze. Special attention should be directed to the “Project Scoping Meeting” concept. The purpose of this meeting is to explore a project when the petition for a new drain will have an impact on resources, a resource agency can identify the need for this meeting.
- 6.10 DAWG – Met March 23 and May 18. Guidance document not complete yet. Due to budget cutbacks, DFO is finding it difficult to complete this project.

7.0 Liaison Report – Office of Open Learning, University of Guelph
Pat Shaver

7.1 The 42nd Drainage Engineers Conference will be held at a new location ; Holiday Inn Hotel and Conference Centre in Guelph on Friday October 22, 2010.

7.2 Conference Fees:
Friday Conference only - \$175.00 + H.S.T
Thursday Urban Drainage Seminar - \$45.00 + H.S.T.
Thursday Seminar & Friday Conference - \$200.00 + H.S.T.
Friday Conference Student Fee - \$30.00 + H.S.T.
Printed Proceedings - \$20.00 + H.S.T.

7.3 Accommodations – A block of rooms will be reserved at the Holiday Inn at the conference rate of \$115.00 plus taxes.

7.4 Possible Topics for the 42nd Annual Drainage Engineers Conference:
- project scoping meeting
- municipal drain right-of-ways and easements
- Case study – Pelee Island’s Pumped Drainage Scheme
- DFO Risk Management
- Response after drain maintenance
- Update from Katie Stammler on ditch enclosures
- Elizabeth Pinnington
- An Application of Section 26
- Ontario Good Roads Association speaker – Brian Anderson

8.0 New Business

8.1 An Urban Drainage Seminar will be held on Thursday October 21, 2010 at the Holiday Inn Hotel in Guelph.

8.2 The LDC is arranging speakers for this session.

8.3 LDC discussed having a training session for the practitioners on sections of the Drainage Act, ie: allowances, assessment of costs on the Thursday session before the Engineers Conference.

9.0 Next Meeting

The next meeting will be Thursday October 21, 2010 at 9:00 a.m. at the Holiday Inn in Guelph.

The practitioners meeting will be held on Thursday October 21, 2010 at 7:00 p.m. at the same location.

10.0 Adjournment

The meeting was adjourned at 4:30 p.m. Moved by Tom Pridham and seconded by Chris Allen.

Tim Oliver, Chairman

Bill Dietrich, Secretary