

FINAL
O.S.P.E. LAND DRAINAGE COMMITTEE
MINUTES OF MEETING
January 19, 2012
Best Western Plus Lamplighter Inn & Conference Centre
London, Ontario

1.0 Attendance and Call to Order

Members Present: Tom Marentette, Chairman; Gerard Rood, Secretary; Bill Dietrich; Tim Oliver; Tom Pridham

Liaison Members Present: Sid Vander Veen, OMAFRA; Davin Heinbuck, Conservation Authorities (ABCA)

Absent Members: John Kuntze; Pat Shaver, Office of Open Learning, University of Guelph; Art Groenveld, MTO; Kristian Kennedy, O.S.P.E.; Edwina McGroddy, O.S.P.E.; Tom Hoggarth, Fisheries and Oceans Canada; Jeremy Downe, MNR

Chairman Tom Marentette called the meeting to order at 1:15 p.m.

2.0 Approval of Agenda

Motion by Tom Pridham, seconded by Bill Dietrich, that the agenda as prepared by the Chairman be accepted. Carried.

3.0 Minutes of Last Meeting

Motion by Tim Oliver, seconded by Tom Pridham that the minutes of the October 20, 2011 meeting of the O.S.P.E. Land Drainage Committee and the Practitioners Meeting be accepted. Carried. Final documents are to be sent to Pat Shaver by Gerard Rood for posting to the LDC web site.

4.0 Business Arising From the Minutes

4.1 Leo Christl of M.N.R. has retired and Jeremy Downe is the current contact but there is no one designated as a representative to the LDC.

4.2 Tom Marentette advised that Gina Vanden Berg and Edwina McGroddy are gone and Kristian Kennedy, Policy Analyst, is the new OSPE liaison. Kristian has indicated a willingness to be an active participant of the LDC. Tom Pridham suggested that a dialogue be initiated with Kristian and that he be invited to the June meeting of the LDC. The LDC looks for support from liaison members including Art Groenveld, MTO; Davin Heinbuck, Conservation Authorities; Tom Hoggarth, D.F.O.; Pat Shaver, University of Guelph; Sid Vander Veen, O.M.A.F.R.A.; and Mike Devos, DAWG.

- 4.3 Tim Oliver advised that they had tried to get OSPE to provide a link to the LDC web site. Pat Shaver has been doing a good job of keeping the LDC site up to date. Tim noted that OSPE sees the LDC as a voluntary group.
- 4.3 Tom Marentette asked about the benefits of the OSPE liaison. Tim Oliver stated that they are an advocacy group and could help to promote drainage engineering. Tom Marentette will discuss this with OSPE. Sid Vander Veen advised that Jeff Dickson did an extensive letter explaining the group and summarized everything very well and this should be in the LDC minutes. Bill Dietrich will check the records for information. Tim Oliver noted that OSPE expects all LDC representatives to be members.
- 4.4 Tom Pridham suggested that the educational opportunities provided by LDC could be a selling point. Tim Oliver suggested that OSPE could help with some of the expenses related to presentations. Bill Dietrich expects that some future speakers may have to be paid. Tim Oliver would like to see if OSPE would cover some of the cost.

5.0 Correspondence

- 5.1 No correspondence received.

6.0 Liaison Report – Conservation Authorities Report

Davin Heinbuck

- 6.1 Drainage Act and Section 28 Regulations Team (DART) – Conservation Ontario says it is still in the approval stage. It is expected that M.N.R. will post documents to the EBR (Environmental Bill of Rights) by mid March.
- 6.2 Sid Vander Veen advised that both Ministries have to review and okay the documents. M.N.R. is taking the lead on posting it to the EBR. Davin Heinbuck stated that this should be moving in 1-2 months.
- 6.3 Drains Action Working Group (DAWG)
- No meetings or plans to meet at this point.
 - No updates on document. Work has been put on hold by D.F.O.
 - D.F.O. has undergone a Strategic Review and that will have an impact on Fish Habitat Biologists and drainage reviews.
- No work has been done since the last time. Tom Marentette said that they can't get in touch with anyone at D.F.O. Sid Vander Veen advised the LDC that there have been some major cutbacks at D.F.O. recently. As a result, the legislation is still in place but there are fewer people with less experience to deal with it. Davin noted that staff with a "Biologist 2" designation is being redistributed and there are fewer habitat biologists. Sid

Vander Veen suggested that, with less staff, D.F.O. may need to change their approach and may rely more on the Conservation Authorities. It was noted that the Essex Region Conservation Authority has a Class 3 review authority.

- 6.4 Davin Heinbuck believes the expectation is more CA work but there is no funding being provided. There are many CA's that are doing Level 3 work, but the CA cannot authorize. The CA makes a call to D.F.O. and is generally supported by them.
- 6.5 Sid Vander Veen stated that funding is a concern. There is a question of how long the CA's will do the work. Not all CA's deal with drains in the same way. The CA may push back work onto the D.F.O.
- 6.6 Davin Heinbuck noted that they only get \$1,000.00 per year to keep up mapping and do other work related to D.F.O. Gerard Rood stated that he has seen fees for the CA reviews and permits going up.
- 6.7 Davin Heinbuck observed that anything that the CA can't mitigate goes to D.F.O. He suggested that Drainage Superintendents should let their Municipal Councils know about the positive relations with the CA's. The CA's want to help the Municipalities get through the hoops.
- 6.8 Sid Vander Veen thinks it is important to promote consistency among biologists. Davin Heinbuck noted that there are personality factors, background factors and experience factors that come into play. Each biologist is different in their approach.
- 6.9 Sid Vander Veen believes D.F.O. has a much better understanding of drainage than when they first got involved in the activity. Tom Pridham believes that the Class Authorization has been a help. Sid Vander Veen thinks that the research that has been done demonstrates that the impacts of drainage are less significant than originally thought. Drainage practitioners have also changed their practices so that impacts may be less.

7.0 Liaison Report – Ministry of Agriculture, Food and Rural Affairs
Sid Vander Veen

- 7.1 Sid Vander Veen noted that courses are set up for this spring. The Drainage Superintendents Course is being held from March 5 – 9, 2012 in Guelph. Davin Heinbuck said that Conservation Ontario has approved him to speak on the Conservation Authorities Act at the 2012 Drainage Superintendents Course and he is encouraging other CA staff including Bonnie Fox and Leslie Rich to attend. There are 10 signed up so far and Sid Vander Veen expects a full house for the course. The Rural Municipal Drainage Courses and Calculating Drainage Act Assessments Courses are being held March 27/28 in London, April 10/11 in Sudbury and April 24/25 in Morrisburg. Registration and course information can be found at: www.ridgetownc.com/bdt/ce_drainage.cfm

- 7.2 John Kuntze will remain the DART liaison for the LDC. The DART initiative is in the home stretch. Sid will email the Drainage Superintendents and Engineers when the document is posted on the EBR.
- 7.3 Davin Heinbuck noted that DART will address drain maintenance. The next one needed is for new construction. Sid Vander Veen noted that the guidelines for application of the conservation authority regulations to work under a new engineer's report may take some time to initiate because the group is waiting for M.N.R./CO to define the requirements of an environmental impact study.
- 7.4 Davin Heinbuck asked about anything on the BMP for construction. Sid Vander Veen advised that work on the Constructed Drains BMP will begin in 2012.
- 7.5 O.M.A.F.R.A. has the process started for an update to the Construction Design and Guidelines. They will add Drainage Act requirements to the Guide. They are hiring a writer for it.
- 7.6 O.M.A.F.R.A. has also hired approximately 6 GIS Techs working with M.N.R. to get the tile and Municipal drainage layers up to date. They got behind during the transition from mylar to GIS. They will be updating approximately 10 years worth of data. Sid Vander Veen will be providing guidance on the project. Bill Dietrich noted that many engineers have provided Municipalities with updated maps. O.M.A.F.R.A. may be able to contact the Drainage Superintendents and get copies of the maps for use. Tom Marentette noted that Chatham-Kent has online drain maps. Sid Vander Veen will follow up on the map sources. O.M.A.F.R.A. is getting more electronic plans but not reports. Most are scanned to PDF. It would be better to get information in GIS format. Tom Marentette noted that there could be problems with coordinates when using reference plans.
- 7.7 Catherine Tiessen is working on the Environmental Investments report for O.M.A.F.R.A. that was introduced at the last LDC meeting. Since then emails have been sent to drainage superintendents and drainage engineers requesting information. They would like responses sooner so that Catherine can finalize and do summary reports, etc. before she leaves her intern position in June. They require maintenance, capital and superintendent responses.
- 7.8 The updated electronic Forms Project is well underway. Catherine is also leading this project to update the Tile Drainage Act and Drainage Act forms. O.M.A.F.R.A. hopes to have this project completed later this year. The tile drains forms are very close to completion. They will get the regulation forms completed first and then work on the other form templates. All the forms will be posted in a central location for easy accessibility. Sid Vander Veen will send out copies of the draft petition forms to the LDC for review and comment likely in about 1 week. The forms will require information including printed names, all partners, person authorized to sign and other enhancements for ease of use. Tom Marentette suggested that more information is better.

- 7.9 Tom Pridham asked about circulation to drainage lawyers. Sid Vander Veen advised that they have done this for Referee legislation changes. Some forms have “content control” and need to be used to satisfy the Drainage Act including petitions, mutual agreement drains and by-laws. Other forms will be samples that the Municipalities may choose to use or not. Catherine Tiessen is also to complete these before June 2012.
- 7.10 It was discussed that the petition form is specified in the regulations. A hand written form should conform to the printed one. It will be up to the Municipality to decide whether they release a copy of a petition to non-signatory owners. It was noted that such an owner could see the petition at the Consideration meeting. It was further noted that there is a process under the Privacy Act for people to get information.
- 7.11 At the request of DSAO, O.M.A.F.R.A. has prepared a summary of statistics for them on types of work by Chapter and Province with average values shown. This was prepared by Catherine Tiessen and presented at their annual General Meeting. DSAO was asked to comment on the form summary and it is expected that O.M.A.F.R.A. will continue to provide this in future years. The summary is only an indicator of the amount of work done and the average cost for each type of work.
- 7.12 Bill Dietrich asked if there would be any review of the ADIP policies. Sid Vander Veen advised that there is nothing planned for this year.
- 7.13 O.M.A.F.R.A. has sent out information on the various drainage courses that will be available this year.

8.0 New Business

- 8.1 Brett Ruck and Frank Jonkman of DSAO attended at the start of the LDC meeting to advise the Committee that DSAO has just been invited by Chris Strand to the D.F.O. Conference being held on January 24th, 2012 in Orillia. DSAO will be given 15 minutes to do a presentation and will be participating in the workshops that are part of the Conference. It is understood that the Conference will deal with biological assessment of Municipal drains and a policy may be established in consultation with DSAO.
- 8.2 It was discussed that DSAO and LDC would both like to see the DAWG initiatives completed. This could clean up a lot of questions.
- 8.3 Frank believes that this is a good opportunity to educate people that are going out to the drains, particularly the biologists. Brett does not expect changes in classifications will occur. Brett would like to see consistency from D.F.O. in their approach to Municipal drains. Tim Oliver suggested that D.F.O. may want to designate 1-2 specialists to deal with Municipal drains so that there is more consistency in their responses. Davin suggested that DSAO ask about the mapping project which is not yet complete.

- 8.4 Frank asked that any additional input be provided to them before 10:30 a.m. January 24th.
- 8.5 It was discussed that Jennifer Thomas has been looking at variation in drains and different species. This could lead to changes in classifications. Brett suggested that this would be okay if based on science. Sid suggested that using species of fish to classify drains will eliminate some of the current guesswork (e.g. cold/cool/warm and intermittent/permanent flowing).
- 8.6 Bill Dietrich attended the LICO Standards and Specifications session on Wednesday. Bob Brown of Coldstream Concrete provided an update on heavy duty concrete pipe specifications. Pipe is manufactured to ASTM C412 Extra Quality - Heavy Duty standards. He noted that some engineers are specifying the pipe differently. Bob Carswell of Canada Culvert reported that there are 4 manufacturers of corrugated steel pipe in Ontario. They have noted that more aluminized and polymer coated pipe is provided because of their longer life expectancy. The Committee generally discussed aluminized pipe details.
- 8.7 Bill Dietrich advised that Wayne Cook of LICO discussed crushing pipe on the end of runs in place of installing caps. Some machines are equipped to do the crushing automatically. Sid Vander Veen noted that Publication 29 is the standards document for Contractors to follow. These are based on accepted practice. The documents require caps on the ends of tile runs. Michigan started using the crushing method but it is not a real proven technology. O.M.A.F.R.A. will not prevent use of crushing but reserves the right to go back and require caps if a problem arises with the new method. More research is required.
- 8.8 Bill Dietrich also advised that Andy Kester of O.M.A.F.R.A. spoke to LICO about the tilt angle compensator (TAC) not being as common for plows. Sid Vander Veen noted that laser control installations should require it. GPS controls are not yet including it. O.M.A.F.R.A. has been warning the Contractors to be diligent. Up to 80% of tile installation may now be done by GPS. Grade control is key to the legislation and the end product is the concern.
- 8.9 Randy Clarke spoke to LICO for the plastic pipe manufacturers and reported that there was nothing new.
- 8.10 LICO also discussed missed connections and this was mentioned by Chris Allen in the LDC minutes last year. It was discussed by LICO that the Contractor should only be responsible for 1 year at the Contractor's cost. After this it should be considered a drain maintenance matter. Unfortunately some missed connections are not discovered until 2 or 3 years later. Tom Pridham noted that John Kuntze had drafted a document relative to this matter. The LICO members felt that the matter should be addressed by the Municipality and the Engineer and that there should be a time limit. If the work has to be done by others, it should be deducted from the contract. The general consensus was that

the Engineer should specify it. Bill Dietrich went through the LDC minutes and found the report by John Kuntze in the June 6th, 2008 records. The recommendation at that time was that the Contractor be held responsible for the 1 year maintenance period on the project and the drain would be responsible after that. It was discussed that the LDC will move on regarding this matter since LICO didn't.

- 8.11 Sid Vander Veen noted that there has been no Drainage Industry meeting for 5-6 years and recommended that this item be removed from future agendas.
- 8.12 Tom Marentette noted that the Drainage Conference has been booked for this year and next year. The conference this year will be held October 18th and 19th. Sid Vander Veen suggested that a presentation from an engineering perspective be considered for the Norfolk water control structures for wetland restoration. Bill Dietrich will consider doing a case study presentation of the Exeter drainage diversion project.
- 8.13 It was discussed that the course part of the Conference requires some action. Sid Vander Veen asked who should be approached to teach the 4 hour session on drainage assessments and allowances. A suggestion was made to approach Ed Dries or Andy McBride to teach the course using a worked example for assessment and allowances. This person could act as a lead or coordinator of the course. We could try working the example in 4 or 5 groups with an experienced engineer at each table to guide or mentor the group. Tom Marentette will talk to Ed Dries and Tom Pridham will ask Andy McBride about doing the course. It is expected that some compensation will be provided to the presenter. This will be reviewed at the next LDC meeting.

11.0 Next Meeting

The next meeting of the LDC will be Friday June 1st, 2012 from 10:00 a.m. to 2:30 p.m. at the O.M.A.F.R.A. Building, 1 Stone Road West, Guelph, in Conference Room 403.

12.0 Adjournment

The meeting was adjourned at 3:25 p.m. Moved by Tom Pridham and seconded by Bill Dietrich. Carried

Tom Marentette, Chairman

Gerard Rood, Secretary