

FINAL
2011 DRAINAGE PRACTITIONERS MEETING
MINUTES OF MEETING
Thursday October 20, 2011
Holiday Inn Hotel and Conference Centre
Guelph, Ontario

1.0 Attendance and Call to Order

The meeting was called to order at 7:55 p.m. An attendance sheet was circulated at the meeting and there were 29 people in attendance of which 15 were practitioners.

2.0 Minutes of the Last Meeting

Motion by Tom Marentette and seconded by Jeremy Taylor that the minutes of the Thursday October 21, 2010 meeting as distributed be accepted. Carried. The minutes now can be found on the website www.landdrainageengineers.com.

3.0 Old Business

No old business.

4.0 Chairman's Report – Chris Allen

Chairman, Chris Allen reported on the activities of the O.S.P.E. Land Drainage Committee (LDC) for the past year.

- The LDC and OMAFRA have prepared a course for engineers and technical support staff on preparing drainage reports under the Drainage Act.
- There were 37 participants registered for Session 1 of the Drainage Engineers Course. There are 20 engineers writing drainage reports.
- Training Session 1 covered the following topics.
 - Roles and Responsibilities of the Engineer
 - The Petition and Area Requiring Drainage
 - Section 78
 - Preliminary Office Work
 - On-Site Meeting
 - Field Work
 - Preliminary and Final Reports
 - Sufficient Outlet
- The LDC are planning two (2) more training sessions to complete the Drainage Engineers Course. These sessions will be held on the Thursday prior to the Engineers Conference.
- LDC is still affiliated with O.S.P.E.
- DAWG – Mike DeVos is our representative
- OMAFRA – Sid VanderVeen is LDC liaison member. Promotes drainage engineering.
- MTO – Art Groenveld is LDC liaison member. MTO has prepared new guidelines on gravity pipe installation. 85% to 95% of Ontario guidelines are being implemented in the United States. New triple wall polypropylene pipe approved by MTO. New IDF curves are on the MTO website.
- DFO – Tom Hoggarth is the LDC representative.
- MNR – Jeremy Downe is the LDC contact.

5.0 OMAFRA Report - Sid VanderVeen, P. Eng. Drainage Coordinator
Environmental Management Branch

KEY OMAFRA CONTACTS

In the Ministry of Agriculture, Food and Rural Affairs, drainage is administered by the Environmental Management Branch. The following are a few of the key people in the Ministry responsible for the administration of the program:

- Clarence Haverson is the Acting Director of Environmental Management Branch in OMAFRA. Clarence has been with OMAFRA for over 30 years and began his career as a front-line extension work and Ag. Rep. in northern Ontario.
- Len Senyshyn remains as Manager of Approvals, Certification and Licensing and is responsible for the Ministry's drainage programs.
- Your specific drainage contacts at OMAFRA 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 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
- This past June, Catherine Tiessen joined our unit for a one-year period through the Ontario Internship Program. Catherine is from Leamington area and has a degree from the University of Windsor. Catherine will be giving you an update of some of the work she is involved in.
- Jacqui Laporte is an Environmental Specialist within our Branch of OMAFRA. She is assisting Brett Ruck with a Grass Pickerel study in Fort Erie.
- Tim Brook is OMAFRA's new Water Management Engineer. As such, he is responsible for the training of tile drainage contractors and has been providing assistance in other areas.
- Rob Waters remains the Drainage Referee and Bill Turville is the Acting Drainage Referee.

Minister Ted McMeekin

As a result of the October 6, 2011 election, OMAFRA has a new Minister. On October 20, 2011, Ted McMeekin was appointed Minister of Agriculture, Food and Rural Affairs. Minister McMeekin was elected to the Ontario legislature in a byelection in 2000. He was re-elected in 2003 and 2007. He was appointed Minister of Consumer Services in June 2009, and has responsibility for the Alcohol and Gaming Commission of Ontario and the Ontario Film Review Board. He previously served as the Minister of Government Services and as Parliamentary Assistant to the Minister of Education.

MINISTRY ACTIVITIES:

COURSES:

In the winter and spring of 2011, the following courses were held:

COURSE NAME	LOCATION	2011 DATES	ATTENDANCE
Primary Drainage Course	Marden	Jan 4 – 14	5
Advanced Drainage Course	Marden	Feb. 1 – 11	19
Drainage Superintendents Course	Guelph	Feb. 28 to Mar. 4	35
Rural Municipal Drainage Course	Ridgetown	April 12	28
Calculating Drainage Assessments	Ridgetown	April 13	16
Rural Municipal Drainage Course	Renfrew	April 20	18
Calculating Drainage Assessments	Renfrew	April 21	13
Rural Municipal Drainage Course	Stratford	April 27	29
Calculating Drainage Assessments	Stratford	April 28	24
Rural Municipal Drainage Course	Fort Frances	May 17	20
Calculating Drainage Assessments	Fort Frances	May 18	12

The following upcoming Courses have been planned:

- The 2012 Drainage Superintendents Course will be held from March 5 – 9, 2012 at the Provincial Government Building at 1 Stone Road West in Guelph.
- The dates and locations for the Rural Municipal Drainage Courses and the Calculating Drainage Assessment Courses have not been set yet. However, our preliminary plans are to hold these courses in the area of London, Essex, Renfrew and Fort Frances.

E-LEARNING

Our Drainage E-Reference tool is finally complete. This website will assist Ontario users in finding solutions to their drainage problems, particularly in relation to common law drainage problems. The site will guide the individual to specific points they need to understand as well as provide them with specific suggestions to resolve their issues. We expect the tool to reduce the number of common law questions and hope that the tool will also be useful for engineers and municipal staff.

2011 A.D. LATORNELL CONSERVATION SYMPOSIUM

We have been given an opportunity to advance drainage knowledge at the 2011 A.D. Latornell Conservation Symposium that will be held in November 2011. This conference is primarily geared to resource managers and is attended by staff from conservation authorities, Ministry of Natural Resources, etc.

Our session is entitled “Drainage and Stewardship - Can the two coexist?”. Specific topics include:

- Ten Things You Didn't Know About Cropland Drainage
Sid Vander Veen, (Ministry of Agriculture, Food and Rural Affairs)
- Can Drainage Infrastructure Be Green? Yes!
Jacqui Laporte, (Ministry of Agriculture, Food and Rural Affairs)
- Agricultural Drain Design for Grass Pickerel, a Species of Special Concern
Ian Smith (UEM Consulting)

DRAINAGE BMP (Best Management Practices):

The Cropland Drainage BMP is complete and has been published as a 64-page book. This colourful book contains explanatory figures and photographs and provides guidance on:

- Benefits and Challenges of Surface and Subsurface Drainage
- Principles of Soil Water and Cropland Drainage
- BMPs for Cropland Surface Drainage
- BMPs for Cropland Erosion Control
- BMPs for Subsurface Drainage
- BMPs that Complement Cropland Drainage
- Legal Aspects of Cropland Drainage

We will be starting Constructed Drain BMP (or Communal Drain BMP) that will deal with best management practices for municipal drains and other shared drainage systems. The Land Drainage Committee will be consulted in the development of this document.

AGRICULTURAL DRAINAGE INFRASTRUCTURE PROGRAM (ADIP)

There are a few common problems we've seen in engineering reports that you probably should keep in mind:

- ADIP 1.3(b) – Engineering costs incurred prior to the engineer's appointment
- ADIP 1.3(c) – Construction work undertaken before the by-law has been passed
- ADIP 1.3(n) – The report does not specify but instead gives options to the owner
- ADIP 1.5(a) – The report does not indicate the design standard used
- ADIP 1.5(b) – The report does not contain area land values on which allowances are based
- Drainage Act Section Changes to work /assessments without
- Drainage Act Section 26 – Instead of actual increased cost due to the existence of the road/public utility being assessed, the costs are prorated

At the very least, we will not process a grant payment until the above issues have been addressed. This means that the grant payment is usually reduced and is also delayed.

Please remember that prior to the implementation of the report, the engineer must discuss with and have OMAFRA approval for any deviation from the policies where grant is still expected. Examples include the need to deviate from the crossing policy or the hauling spoil policy.

ADIP GRANTS:

There are three deadlines for the three grant types:

- Drainage superintendent grant applications must be received by January 31, 2012.
- Drain construction or improvement grant applications must be received by Feb.15, 2012.
- Drain maintenance, repair and operations grant applications must be received by April 30, 2012. If you submit them early, they will not be reviewed, processed or even acknowledged before the beginning of the new fiscal year (April 1, 2011).

Please remember that grant applications must be accompanied by all required supporting documentation.

ENVIRONMENTAL INVESTMENTS PROJECT

Catherine Tiessen is currently working on this project to determine the level of environmental investments within drainage works completed under the *Drainage Act*. The project seeks to quantify environmental investments such as obtaining approvals and permits under various environmental regulations, as well as other mitigation measures such as habitat creation/protection, sediment control and erosion control activities. The project looks at a random and non-random sample of open-channel construction and maintenance projects within the years 2006 – 2010. Drainage superintendents and engineers will be contacted later this year to provide the cost of these investments for the projects selected. The results of this data collection will be available in summer 2012.

FORMS UPDATE PROJECT

As you may recall, a forms project was initiated last year to update and revise forms under regulation 274 “Forms” under the *Drainage Act* and regulation 1032 “Borrowing By-Laws, Debentures & Loans” under the *Tile Drainage Act*. Since this time, Catherine Tiessen and the Approvals, Certification & Licensing staff has completed an extensive internal review process for all the *Tile Drainage Act* forms, as well as received feedback from municipal staff on these finalizations. The revisions of the remaining *Drainage Act* forms are nearing completion. The forms will soon go through the electronic formatting process and the completed forms are expected to be available electronically by summer 2012.

FISHERIES ACT – DRAINS ACTION WORKING GROUP:

The Drains Action Working Group (DAWG) has not met regularly in 2011. Fisheries and Oceans Canada still appear to be committed to finishing the guideline document for applying the Fisheries Act to Drainage Act activities.

DRAINAGE ACT and Section 28 REGULATIONS TEAM (DART)

The DART Drain Maintenance protocol is still awaiting approval and posting on the Environmental Bill of Rights Registry. We hope to have this completed in 2012 and also begin work on developing guidance for the application of the Conservation Authority regulations to construction and improvement work under the Drainage Act.

DRAINAGE STATISTICS

2010-2011 drainage statistics will be included in the proceedings of the 43rd Drainage Engineers Conference.

The following are some key observations:

- The Holland Marsh project should be included in the statistics. However, the grant application for this project was for less than one year of construction with about 12 years of engineering and legal costs. Inclusion of this project would have significantly and unrealistically skewed all provincial statistics and therefore it was excluded.
- The number of projects (149) is down slightly from last year and down significantly from activity from 10 years ago.
- The 20 engineers who wrote at least one report that culminated in a completed project in 2010 is at the lowest level yet. While it is encouraging that there are some younger engineers involved in drainage engineering, this statistic emphasizes the need to grow interest in drainage engineering.
- The engineering as a percentage of total cost is around 25% again, as it has been for the past 6 years.
- The average cost of a project in 2010/11 (\$80,468) has decreased by about \$12,000 from last year
- 44% of the length of municipal drains constructed/improved was in the form of pipe.
- The cost of drain maintenance activity was almost the same as the previous year; there was about a \$150,000 increase in drainage superintendent costs.

6.0 Report from Agriculture Food and Rural Affairs Appeal Tribunal

Enio Sullo - Vice Chair – OMAFRA TRIBUNAL

- Tribunal has 27 members (8 lawyers, 2 engineers – Jack Young, Enio Sullo)
- Tribunal sits in panels of three (3).
- 2011 – 16 drainage hearings
- Section 48 appeals – allowances and compensation issues.
- Awareness of drainage procedures needs to be improved by the municipalities.
- Municipalities and owners try to influence the engineers
- Engineers need to communicate with the owners.
- Municipalities should release draft reports to all landowners.
- Engineers should be given a copy of council minutes and Court of Revision decisions.

7.0 Election of New Members

Tony Peralta, Gerard Rood and Bill Dietrich were nominated as new members.
Tony Peralta declined, Gerard Rood and Bill Dietrich were acclaimed.

8.0 Adjournment

The meeting was adjourned at 9:45 p.m.

Chris Allen, Chairman

Bill Dietrich, Secretary