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Ontario's 36 Conservation Authorities



Drainage Act and Conservation
Authorities Act Protocol- Notification Form
Leslie Rich, Conservation Ontario



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**Notification of Drain
Maintenance or
Repair Form**

- See Appendix II of Protocol
- Simplifies application process
- Separate notification form
- Form available from the DSAO





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- Combined notification form
- Form must be submitted to each agency
- Considered application for permission under *Conservation Authorities Act*
- Protocol only applies to maintenance and repair activities under the *Drainage Act* and the *Conservation Authorities Act*
- Does not apply to FA, SARA, ESA, etc

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- Good Communication is Essential
 - Minimum annual workplan meeting
 - Proponents initiate contact ASAP
 - CA communicate concerns ASAP
 - Site Visits should be conducted jointly whenever possible



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Form Contains:

- Location Information
- Description of the Drain
- Length of Work Zone

File number:

Municipality: Anywhere, Ontario

Contact Name: John Smith

Mailing Address: 123 Main St

Phone#: 555-1234 Fax#: 555-2345 Email: jsmith@anywhere.ca

Drain Name: (as referred to under the Drainage Act) Geographic Township: Present

Municipal Drain #:

Location: (please attach a location map) By-Law No.: 10-345

see attached map

Work Zone*	FROM	Lot	Conc:	TO	Lot	Conc:
		1	2	2	2	2
Impact Zone ¹	FROM	Lot	Conc:	TO	Lot	Conc:
		1	1	2	2	3

Length of Work Zone: 1000 Metres

* Work Zone = part of the drain where the work is actually occurring

¹ Impact Zone = linear length of watercourse extending 1 km downstream of the bottom end of the Work Zone

Dates of Proposed Work:



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Form Contains

- Dates of Proposed Work
- Drain Classification Info
- Drain Activities Proposed

Impact Zone = linear length of watercourse extending 1 km downstream of the bottom end of the Work Zone

Dates of Proposed Work:

START Day: 14 Month: February Year: 2013

FINISH Day: 25 Month: February Year: 2013

Drain Classification (classification of drain will be verified by local Conservation Authority and/or Fisheries & Oceans Canada)

Drain Class	Work Zone*	Impact Zone ¹	Drain Type:
A	<input type="checkbox"/>	<input type="checkbox"/>	Surface Water
B	<input type="checkbox"/>	<input type="checkbox"/>	Drainage Act Section: Section 74 - Maintenance
C	<input type="checkbox"/>	<input type="checkbox"/>	
D	<input type="checkbox"/>	<input type="checkbox"/>	Maintenance/Repair Activities:

Bottom only cleanout



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Form Contains

- Species at Risk Information
- Sediment and Erosion Control Measures

The screenshot shows an Excel spreadsheet with the following content:

Species at Risk (SARA/ESA)	
Information for use by MNR/DFO as applicable	
Is this drain covered under an ESA Exemption Agreement (S. 23 of O. Reg. 242/08)?	Species at Risk present:
<input type="radio"/> Yes <input type="radio"/> No	<input type="checkbox"/> Turtles <input type="checkbox"/> Amphibians
Species At Risk Act maps are available here: http://www.conservationontario.ca/projects/DFO.html	<input type="checkbox"/> Snakes <input checked="" type="checkbox"/> Mussels
Other Considerations for Review Agencies (Please specify):	
Sediment and Erosion Control Measures to be Used:	
Method	Notes
<input type="checkbox"/> Re seeding	Use native, non-invasive herbaceous material
<input type="checkbox"/> Erosion control mats:	Please specify:
<input type="checkbox"/> Temporary	



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Form Contains:

- Signature block for the Drainage Superintendent
- Signature blocks for all agencies notified of project

The screenshot shows an Excel spreadsheet with the following content:

I, the undersigned, representing the above named municipality, hereby declare my intention to carry out the works or undertakings described above in the classified drain. Furthermore, I request that I be provided with the appropriate authorizations under the Fisheries Act, Conservation Authorities Act or Endangered Species Act for the proposed work. I will carry out all activities relating to the project within the designated time frames and conditions as specified in the authorizations provided.

Signature: _____ Date: _____
(Drainage Superintendent)

FOR INTERNAL USE:

CONSERVATION AUTHORITY: The classification of the municipal drain indicated above has been verified by this office. Receipt of notification form is acknowledged and will be assessed under the appropriate Conservation Authorities Act S. 28 regulation and the Drainage Act and Conservation Authorities Act Protocol. Signature of this form does not constitute permission under a Conservation Authorities Act S.28 regulation. SIGNED: _____ Date: _____
Conservation Authority

MINISTRY OF NATURAL RESOURCES: Receipt of notification form is acknowledged and will be assessed in accordance with the Endangered Species Act, 2007 or, if applicable, in accordance with the agreement entered into between the Municipality and the Minister of Natural Resources under s. 23 of O. Reg. 242/08. SIGNED: _____ Date: _____
District Office (MNR)

FISHERIES AND OCEANS CANADA: Receipt of notification form and verification of the drain classification by CA are acknowledged. A Class Authorization for a Class _____ Drain is issued pursuant to S.35(2) of the Fisheries Act. SIGNED: _____ Date: _____



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Signatures Galore!

- 4 separate signatures
- CA signature acknowledges receipt only
 - Verifies drain classification
- DFO provides signed notification form back to CA
 - Class Authorization is issued OR
 - Site specific review under FA/SARA is required

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Signatures Galore!

- MNR signature acknowledges receipt
- Review process for MNR under ESA commences



Drainage Superintendent is responsible for getting all permissions in place for the project.

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Completion of Notification Form

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Overview of Process

1) Drainage Superintendent Completes Notification Form

- 1) Sends 1 copy to CA for CA Act, FA and SARA
- 2) Sends 1 copy to MNR (if required) under ESA



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Overview of Process

2) CA acknowledges receipt

- verifies Drain Classification
- sends Notification Form to DFO



Overview of Process

3) MNR acknowledges receipt (if required)

- commences review under ESA

Note: this is a separate process from CA review



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Overview of Process

4) DFO confirms drain classification

- Class Authorization
- Site-Specific Review
- Sends Notification Form back to CA



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Overview of Process

5) CA issues SCR or Permit

- releases Class Authorization/LOA (if applicable)



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Overview of Process

6) MNR completes review under ESA

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Overview of Process

7) Drainage Superintendent commences work once all approvals in place

-CA and DS may jointly monitor the project as appropriate



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Notification Form

- ✓ Simplifies the process
- ✓ Serves as application for permission
- ✓ One for each project
- ✓ Encourages communication
- ✓ Has been “approved” by CO, MNR and DFO

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