

Drainage Act and Conservation Authorities Act
Protocol Training
January 30, 2013

A Drainage Superintendent's Experience

Presented by
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Protocol for Maintenance/Repair
Work

- Landowner makes a request for maintenance or repair work on municipal drain
- Drainage Superintendent makes site visit to determine scope of work required
- Drainage Superintendent completes
“Notification of Drain Maintenance or Repair” Form
(available from the Drainage Superintendents Association of Ontario)

“Notification...” Form – Old vs. New

OLD FORM

NOTIFICATION OF MUNICIPAL DRAIN MAINTENANCE WORK CONDUCTED UNDER A FISHERIES ACT SUBSECTION 35(2) CLASS AUTHORIZATION

Municipality:		
Contact Name (print):		
Contact's Mailing Address:		
Phone #:	FAX #:	EMAIL (if available):
Drain Name (as referred to under the Drainage Act):		Township

NEW FORM

NOTIFICATION OF DRAIN MAINTENANCE OR REPAIR SUBJECT TO:

- Federal *Fisheries Act*, s. 35(2) (Class Authorization)
- Federal *Species at Risk Act (SARA)*, s. 32 (Individual Organisms), s. 33 (Residences) and s. 58 (Critical Habitat)
- Ontario *Endangered Species Act, 2007 (ESA, 2007)*, s. 9 (Species) and s. 10 (Habitat);
- Ontario *Conservation Authorities Act*, s. 28 Regulations (O. Reg 97/04-“Development, Interference with Wetlands and Alterations to Shorelines and Watercourses”)

Municipality:		
Contact Name:		
Mailing Address:		
Phone#:	Fax#:	Email:
Drain Name: (as referred to under the Drainage Act)		Geographic Township:

OLD FORM

Township						
Location						
Work Zone*	FROM	Lot	Conc.	TO	Lot	Conc.
Impact Zone**	FROM	Lot	Conc.	TO	Lot	Conc.
Length of Work Zone ___ Metres						
* Work Zone is that part of the drain where the work is actually occurring						
** Impact Zone - linear length of water course extending 1 km downstream of the bottom end of the Work Zone						
Dates of Proposed Work						
START	Day	Month	Year			
FINISH	Day	Month	Year			

NEW FORM

Location: (please attach a location map)				By-Law No.:		
Work Zone*	FROM	Lot:	Conc:	TO	Lot:	Conc:
Impact Zone**	FROM	Lot:	Conc:	TO	Lot:	Conc:
Length of Work Zone: _____ Metres						
* Work Zone = part of the drain where the work is actually occurring						
** Impact Zone = linear length of watercourse extending 1 km downstream of the bottom end of the Work Zone						
Dates of Proposed Work:						
START	Day:	▼	Month:	▼	Year:	▼
FINISH	Day:	▼	Month:	▼	Year:	▼

OLD FORM

Drain Classification (classification of drain will be verified by local Conservation Authority and/or Fisheries & Oceans Canada)			Description of Works being Undertaken (check off all that apply)
Drain Class	Work Zone*	Impact Zone**	
A	<input type="checkbox"/>	<input type="checkbox"/>	Bottom Only Cleanout <input type="checkbox"/>
B	<input type="checkbox"/>	<input type="checkbox"/>	Bottom Cleanout with One Side of bank disturbed <input type="checkbox"/>
C	<input type="checkbox"/>	<input type="checkbox"/>	Full Cleanout (restoring channel to original configuration) <input type="checkbox"/>
D	<input type="checkbox"/>	<input type="checkbox"/>	Brushing of side slope <input type="checkbox"/>
E	<input type="checkbox"/>	<input type="checkbox"/>	Brushing of top of bank (removal of riparian vegetation)
F	<input type="checkbox"/>	<input type="checkbox"/>	- on one side only <input type="checkbox"/>
Unknown	<input type="checkbox"/>	<input type="checkbox"/>	- on both sides <input type="checkbox"/>
Natural Water Course		<input type="checkbox"/>	- on alternate sides <input type="checkbox"/>
			Other (please describe/append) <input type="checkbox"/>

NEW FORM

Drain Classification (classification of drain will be verified by local Conservation Authority and/or Fisheries & Oceans Canada)			Pre-screening for location-specific attributes (known/unknown) (located along or adjacent to the watercourse or drain)			
Drain Class	Work Zone*	Impact Zone	Species at Risk (SARA/ESA)			
			Is this drain covered under an ESA Exemption Agreement (S. 23 of O. Reg. 242/08)? Yes <input type="checkbox"/> No <input type="checkbox"/>			
A	<input type="checkbox"/>	<input type="checkbox"/>	Fish <input type="checkbox"/>	Turtles <input type="checkbox"/>	Snakes <input type="checkbox"/>	Plants <input type="checkbox"/>
B	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Mussels <input type="checkbox"/>	Amphibians <input type="checkbox"/>	Birds <input type="checkbox"/>	
C	<input type="checkbox"/>	<input type="checkbox"/>	Species At Risk Act maps are available here: http://www.conservationontario.ca/projects/DFD.html			
D	<input type="checkbox"/>	<input type="checkbox"/>	Other Considerations for Review Agencies (Please specify):			
E	<input type="checkbox"/>	<input type="checkbox"/>				
F	<input type="checkbox"/>	<input type="checkbox"/>				
Unknown	<input type="checkbox"/>	<input type="checkbox"/>				
Natural Watercourse		<input type="checkbox"/>	Project Scoping Meeting Recommended <input type="checkbox"/>			
Drainage Activities Proposed:						
Drain Type:			▼			
Drainage Act Section:			▼			
Maintenance/Repair Activity 1:			▼			
Maintenance/Repair Activity 2:			▼			
Maintenance/Repair Activity 3:			▼			
Other (please specify):						
Specify disposal of material, if applicable (e.g., location, method)						

OLD FORM

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 Fisheries Act Class Authorization 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 Fisheries Act Class Authorization provided.

Signature: _____ Date: _____
(Contact or Municipal Representative)

FOR INTERNAL USE:

CONSERVATION AUTHORITY: The classification of the municipal drain indicated above has been verified by this office. SIGNED: _____ Date: _____
_____ Conservation Authority

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

NEW FORM

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 Fisheries Act Class Authorization 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 Fisheries Act Class Authorization provided.

Signature: _____ Date: _____
(Drainage Superintendent)

FOR INTERNAL USE:

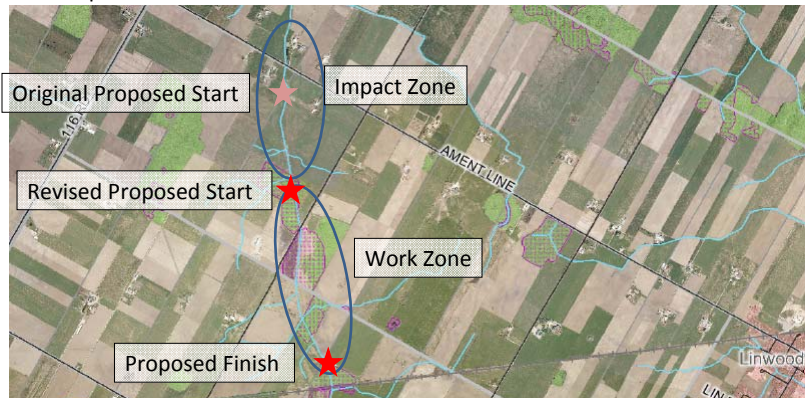
CONSERVATION AUTHORITY: The classification of the municipal drain indicated above has been verified by this office. Receipt of notification form is acknowledged and will be assessed under the appropriate Conservation Authorities Act S. 28 procedure and the Drainage Act and Conservation Authorities Act S. 28 procedure. 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: _____
_____ District Office (DFO)

George Brenner Drain Repair

- Bottom Cleanout – 0.3m +/- silt to remove plus canary grass
- Organic soil with some sand in bottom
- Original proposed length 2,500 meters
- CA requested work be done in portions if possible
- Revised length after discussion with landowners and further site inspection - 1,500 m
- No SAR Species Identified



Notification of Drain Maintenance

NOTIFICATION OF DRAIN MAINTENANCE OR REPAIR SUBJECT TO:	
Federal Fisheries Act, s. 3(2) (Class Authorization) Federal Species at Risk Act (SARA), s. 32 (Individual Organisms), s. 33 (Populations) and s. 34 (Critical Habitat) Ontario Endangered Species Act (ESA, 1997), s. 10 (Species) Ontario Conservation Authorities Act, s. 29 (Regulation (D, Reg 57/04 - Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)	
Municipality:	Township of Wellesley
Project Name:	South Branch, South Side
Mailing Address:	35 Middle Lane, Exeter, ON, N2R 1H6
Phone:	519-766-0100
Drain Name:	Drain 100
Drain Number (as shown on the Drainage Act):	100
Location:	Geography: Township: Wellesley
By-Law No.:	
Work Zone:	FROM Lot 1 TO Lot 2 Conc. 9 TO Conc. 10
Impact Zone:	FROM Lot 1 TO Lot 2 Conc. 9 TO Conc. 11
Length of Work Zone:	1500 Metres
Work Zone:	Part of the Drain where the work is actually occurring
Impact Zone:	Area of the Drain where the work is actually occurring
Start of Proposed Work:	
START:	Day: 1 Month: January Year: 2013
FINISH:	Day: 25 Month: February Year: 2013
Drain Class (Refer to the Drainage Act or the Drainage Act Regulations):	Section at Risk (SARASA)
Drain Class:	A
Work Zone:	
Impact Zone:	
Drain Class:	Work Zone: Impact Zone:
Bottom Only Cleaned:	
Full Channel (including channel to original condition):	
Brushing of side slope:	
Brushing of top of bank (removal of grass vegetation):	
on one side only:	
on both sides:	
on alternate sides:	
Other (please describe):	
Natural Watercourse:	
Drainage Authority Proposed:	
Drain Type:	Surface Water
Drainage Act Section:	Section 18 - Maintenance Only
Maintenance/Repair Activity 1:	Bottom only cleaned
Maintenance/Repair Activity 2:	
Maintenance/Repair Activity 3:	
Other (please specify):	
Species (species of interest, if applicable (e.g., location, habitat):	
Signature:	Date:
FOR INTERNAL USE:	
Conservation Authority:	SIGNED: Date:
Drainage Authority:	SIGNED: Date:
Drainage Officer:	SIGNED: Date:

Revised & Resubmitted January 2013 AW



Before Bottom Cleanout



After Bottom Cleanout