



Native Women's
Association of Canada

L'Association des
femmes autochtones
du Canada

PARTNERSHIP



Ontario Municipal Drain Maintenance and Repair:

A proposed class in
the Prescribed Works
and Waters Regulation

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How Ontario Municipal Drain
Maintenance and Repair will be
included in the Prescribed Works
and Waters Regulation (PWWR)



Fisheries and Oceans Pêches et Océans
Canada Canada



Introduction:

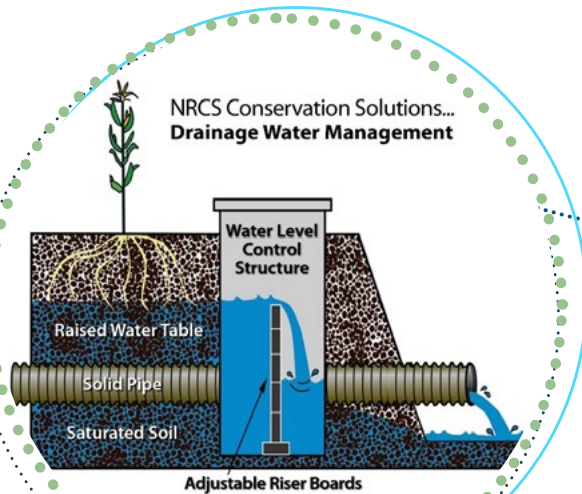
Fisheries and Oceans Canada (DFO) is seeking public input on the categories of works being considered for inclusion under the Prescribed Works and Waters Regulation (PWWR).

The information in the brief below provides a summary of how Ontario Municipal Drain Maintenance and Repair will be included in the PWWR.

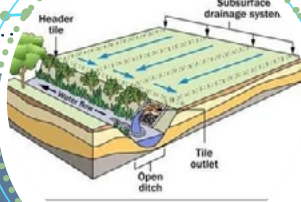
- ▶ Municipal drains are located primarily in rural areas. They are used to discharge excess water from private, agricultural fields.
- ▶ These drainage systems can take many forms but are often constructed as ditches or underground pipes.
- ▶ Without them, many rural areas would be flooded on a regular basis, causing instability for residents, farmers, and various habitats.
- ▶ Municipal drains require maintenance and repair from time-to-time to ensure that water is flowing properly. However, such maintenance and repair can cause Death of Fish (DoF) and Harmful Alteration, Disruption, or Destruction (HADD) of fish habitat.
- ▶ Impacts from maintenance of municipal drains could be mitigated by implementing proper planning and implementation methods.



Proposed change to the PWWR:



- To minimize affects on fish and fish habitat, the DFO would like to manage drainage maintenance and repairs using PWWR.
- By defining **Ontario Municipal Drain Maintenance and Repair** as a PWWR class, the DFO can prescribe mandatory criteria and conditions to protect fish and fish habitats.
- Therefore, including **Ontario Municipal Drain Maintenance and Repair** as a class of PWWR would reduce the need by the DFO for site-specific reviews.





The proposed class would apply to:


1. Drains designed as municipal drains, constructed under a by-law passed by the *Ontario Drainage Act* (1990), or by previous versions of the *Drainage Act*.
2. Drains classified as Class C, Class E1, and Class E2.

The table below provides details of the proposed **Ontario Municipal Drain Maintenance and Repair Class**, including: Type of cleanout and other maintenance and repair activities allowed (project), provided mandatory requirements are met (conditions), for each municipal drain class (waterbodies).

If you're working with this class of drain...	You can do these kinds of activities...	If you meet these requirements...
Waterbodies:	Project:	Conditions:
Drain Class C:	<ul style="list-style-type: none"> • Bottom-only cleanout. • Bottom cleanout, plus one bank slope. • Full cleanout. • Bank stabilization. • Culvert removal/replacement. • Top of bank and bank slope vegetation removal. 	General conditions (these can be found in the Engagement Technical Paper).
Drain Class E1:	<ul style="list-style-type: none"> • Bottom cleanout. • Bottom cleanout, plus one bank slope. • Bank stabilization. • Culvert removal/replacement. • Top of bank and bank slope vegetation removal (one side only). 	General conditions. <ul style="list-style-type: none"> • Removal of gravel substrate shall be avoided. • One side of the bank slope and the top of the bank is to remain intact and is considered a "No Work Zone."
Drain Class E2:	<ul style="list-style-type: none"> • Bottom cleanout. • Bottom cleanout plus one bank slope. • Bank stabilization. • Culvert removal/replacement. • Top of bank and bank slope vegetation removal (one side only). 	General conditions. <ul style="list-style-type: none"> • Removal of gravel substrate shall be avoided. • One side of the bank slope and the top of the bank is to remain undisturbed. • The bottom cleanout of the drain shall be conducted in the following manner: • One half of the drain, as measured from the centre line, will not be dredged. • Or, a centre channel, not to exceed half the width of the drain, will be dredged. • A staged cleanout will be conducted.



For more information on the addition of the **Ontario Municipal Drain Maintenance and Repair as a class under the PWWR**, please visit the DFO's Talk Fish Habitat engagement portal at: **talkfishhabitat.ca**

You can also register to provide proposed Ontario Municipal Drain maintenance and repair class using  [this link.](#)

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