

Amendment to the Engineer's Report for the Dowdall Municipal Drain Branch No. 6 DND Property

Prepared For:



Prepared By:

Robinson Consultants Inc. Consulting Engineers



Mayor and Members of Council City of Ottawa 110 Laurier Avenue West Ottawa, ON K1P 1J1

Attention: Mr. Rick O'Connor

City Clerk

Reference: Amendment to the Engineer's Report

Dowdall Municipal Drain - Branch No. 6 Enclosure - DND Property

Rideau-Goulbourn Ward and Twp. of Beckwith

Our Project No. B11035

Dear Sir:

This Amendment to the Engineer's Report for the Dowdall Municipal Drain (Branch No.6), Rideau-Goulbourn Ward and Township of Beckwith, which is respectfully submitted for Council's consideration, was initiated by the City of Ottawa under Section 78 of the Drainage Act, RSO 1990. The purpose of the report is to accommodate a request to enclose the municipal drain crossing the property of the Department of National Defence (DND) to permit future site development and provide site security for the military facility. This Report makes modifications to the existing Engineer's Report entitled "Engineer's Report – Dowdall Municipal Drain – Modifications and Improvements," dated REV November 2010, by Robinson Consultants Inc, for Branch No.6. Remaining sections of the Dowdall Municipal Drain, not modified by this report, will continue to be governed by the REV Nov. 2010 Engineer's Report prepared by Robinson Consultants Inc.

All costs associated with this amendment to the Engineer's Report and associated construction will be assessed to the Department of National Defence as the owner of the lands where the enclosure is to be implemented. Construction will be completed under the existing contract with the City of Ottawa.

If you have any questions, please feel free to contact the undersigned at 592-6060 extension 104.

Yours very truly,

ROBINSON CONSULTANTS INC.

A.J. Robinson, P.Eng. Drainage Engineer

AJR:plw

c.c. David Ryan, Program Manager – Municipal Drainage, City of Ottawa

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### 1.0 INTRODUCTION

Robinson Consultants Inc. was appointed by the City of Ottawa on October 12, 2011, to complete an Engineer's Report to amend the existing Engineer's Report for the Dowdall Municipal Drain – Branch No. 6. The Amendment to the Engineer's Report for the modifications to the Municipal Drain was initiated by the City of Ottawa under Section 78 of the Drainage Act in consideration of a request for the enclosure of the drain through the Department of National Defense (DND) property by the DND.

# 1.1 On-Site Meeting

An on-site meeting of with the Department of National Defense was held on June 14, 2011. An additional meeting with the upstream affected landowner was held on July 11, 2012.

#### 2.0 PURPOSE OF THE AMENDMENT REPORT

The City of Ottawa initiated the Amendment to the Engineer's Report under Section 78 of the Ontario Drainage Act in consideration of a request for the required enclosure by the DND. The purpose of the Report is to permit the enclosure of a portion of Branch No. 6 where it crosses the DND property through a proposed secure compound area (W. Pt. Lot 6, Con 4).

To accommodate these changes, amendments are required to the existing Engineer's Report, entitled "Engineer's Report – Dowdall Municipal Drain – Modifications and Improvements," dated REV Nov. 2010, by Robinson Consultants Inc. The amendments include modifications to a portion of the Branch No.6 of the drain.

Modifications are as detailed in the followings sections

### 2.1 Branch No. 6 -- Modifications

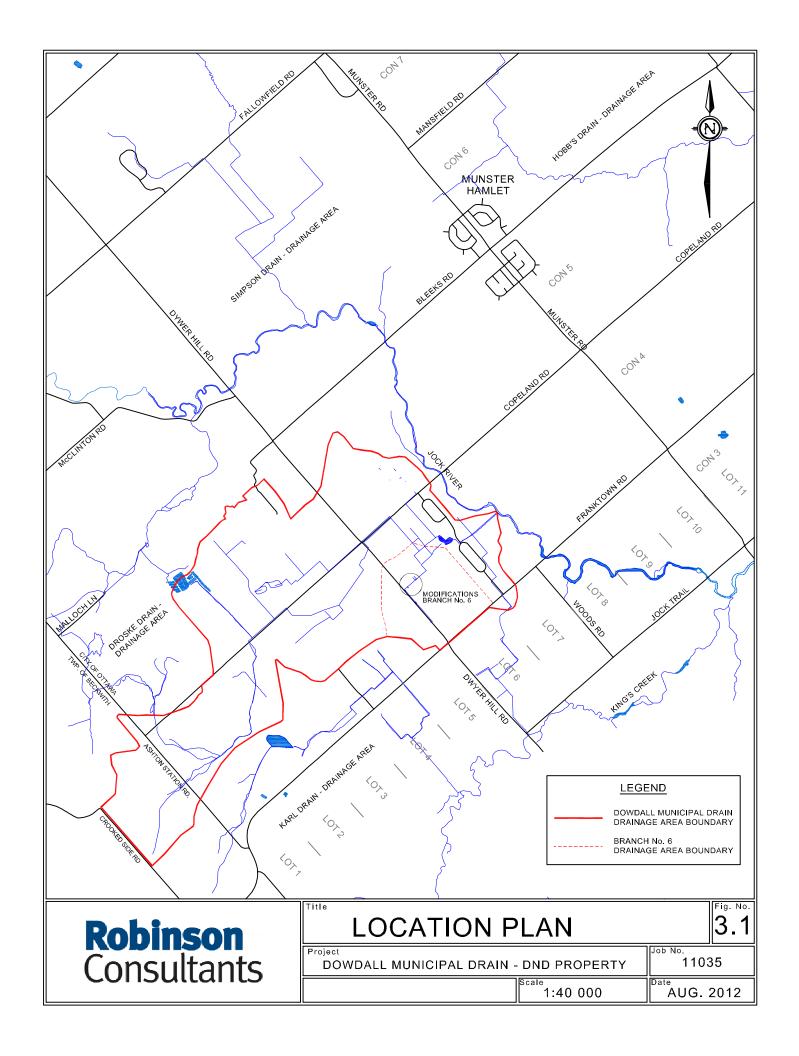
Modifications to the construction proposed by the 2010 Engineer's Report for Branch No. 6 of the Dowdall Municipal Drain include the enclosure of a portion of the open drainage system for Branch No.6 with a pipe system and related appurtenances.

### 3.0 EXISTING CONDITIONS

### 3.1 Location of the Drain

Considerations for Branch No. 6 as identified by this Report are contained within the property owned by the DND, located in W. Pt. Lot 6, Concession 4, City of Ottawa – Rideau Goulbourn Ward, former Township of Goulbourn, and the adjacent road allowance for Dwyer Hill Road. The proposed enclosure commences at a concrete headwall located at Station 6+480 along the current alignment of Branch No. 6 (as per the Robinson Consultants Inc. Rev. Nov. 2010 Engineer's Report). The modifications terminate at a ditch inlet catch basin (DICB) structure within the road allowance of Dwyer Hill Road along the current alignment of Branch No. 6 (as per the REV. Nov. 2010 Engineer's Report) at Station 6+660, for a total length of 180 metres. The remaining portions of Branch No. 6 both upstream and downstream of the modifications shall continue to be governed by the November 2010 Engineer's Report.

The Location of the drain and modifications are shown on the Location Plan - Figure 3.1.



## 3.2 Drainage Basin and Limits

The drainage basin for the Dowdall Municipal Drain is not modified by the modifications to Branch No. 6 for the DND property. The drainage basin limits for the Dowdall Municipal Drain and Branch No. 6 are shown on Figure 3.1 and Dwg. No. 05017-A2 of the November 2010 Robinson Consultants Inc. Engineer's Report. Dwg. No. 05017-A2 is included for reference in **Appendix A** of this report.

# 3.3 Drawings Forming Part of the Engineer's Report

Dwg. No. 11035-AP1, has been prepared showing the plan and profile of the 'as-built' enclosure as well as construction details. Dwg. No. 11035-AP1 is provided in **Appendix A**.

### 4.0 DESIGN AND CAPACITY OF PROPOSED WORKS

The drainage design for the proposed modifications was completed based on the calculated flow and hydrologic modeling provided for this portion of Branch No. 6 in the November 2010 Dowdall Municipal Drain Engineer's Report. Although this system is not considered to be a storm sewer, additional calculations were completed to ensure that the proposed design would meet the 5 year storm return period typically provided for in storm sewer design. Overland flow is provided by a swale along the alignment of the enclosure in the event that the capacity of the system is exceeded.

## 5.0 CONSTRUCTION

All required construction was completed through a contract with the City of Ottawa following the completion of the adjacent construction on Branch No. 6.

#### 6.0 ASSESSMENTS

# 6.1 Proposed Enclosure

The full cost of the design, report and construction for the modifications to Branch No. 6 is assessed as a special benefit to the DND as the owner of the property requesting the enclosure.

# 6.2 Adjacent Works

All other costs for the construction of the open drain both upstream and downstream of the enclosure as provided for in the Rev. Nov. 2010 Robinson Consultants Inc. Engineer's Report are to be distributed as per that report.

### 7.0 MAINTENANCE

All costs for future maintenance are governed by and are to be distributed as per the 2010 Engineer's Report, with the exception that any cost for maintenance of the enclosed portion of the drain shall be assessed as a special benefit to the owner of the property (W. Pt. Lot 6, Con 4) for the enclosed portion of the drain (currently owned by DND).

### 8.0 PERMITS AND AUTHORIZATIONS

Plans have been submitted for review and consideration for required permits and authorizations to the Rideau Valley Conservation Authority (RVCA) and the Ministry of Natural Resources – Species at Risk (MNR-SAR). The RVCA has confirmed that the work required for the enclosure is not subject to the Provincial Regulation 174/06 as the work is to be completed on lands under the federal jurisdiction. As such, no authorization is required under the RVCA regulations. However, as the works are subject to the Federal Fisheries Act, the RVCA, on the behalf of the Department of Fisheries and Oceans (under agreement) has issued a letter of advise in this regard, dated December 14, 2011, which is included as Appendix B. The MNR has confirmed that there are no additional requirements for the amended construction provided that it is completed in conjunction with the other portions of the Dowdall Municipal Drain.

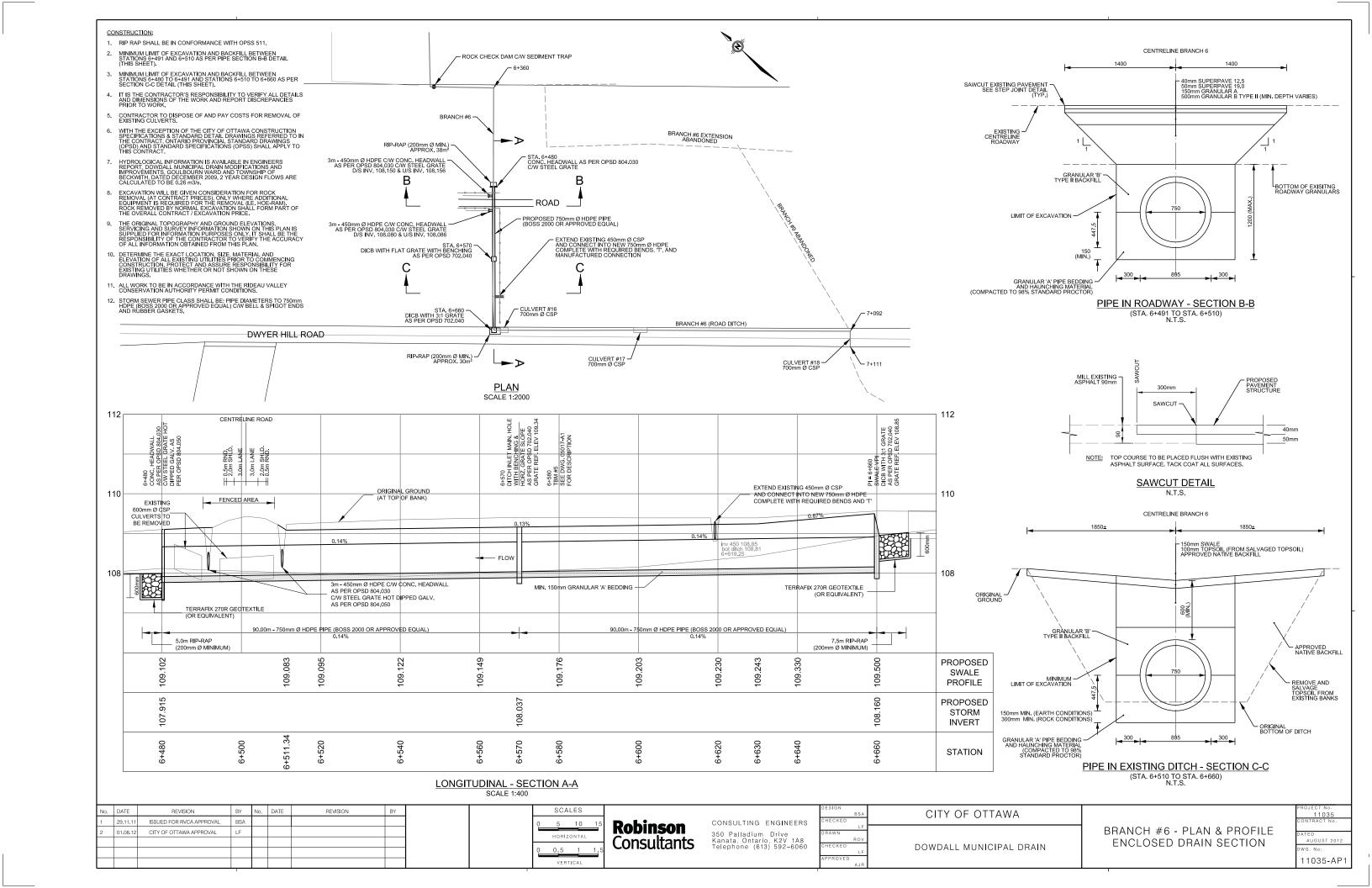
All of which is respectfully submitted,

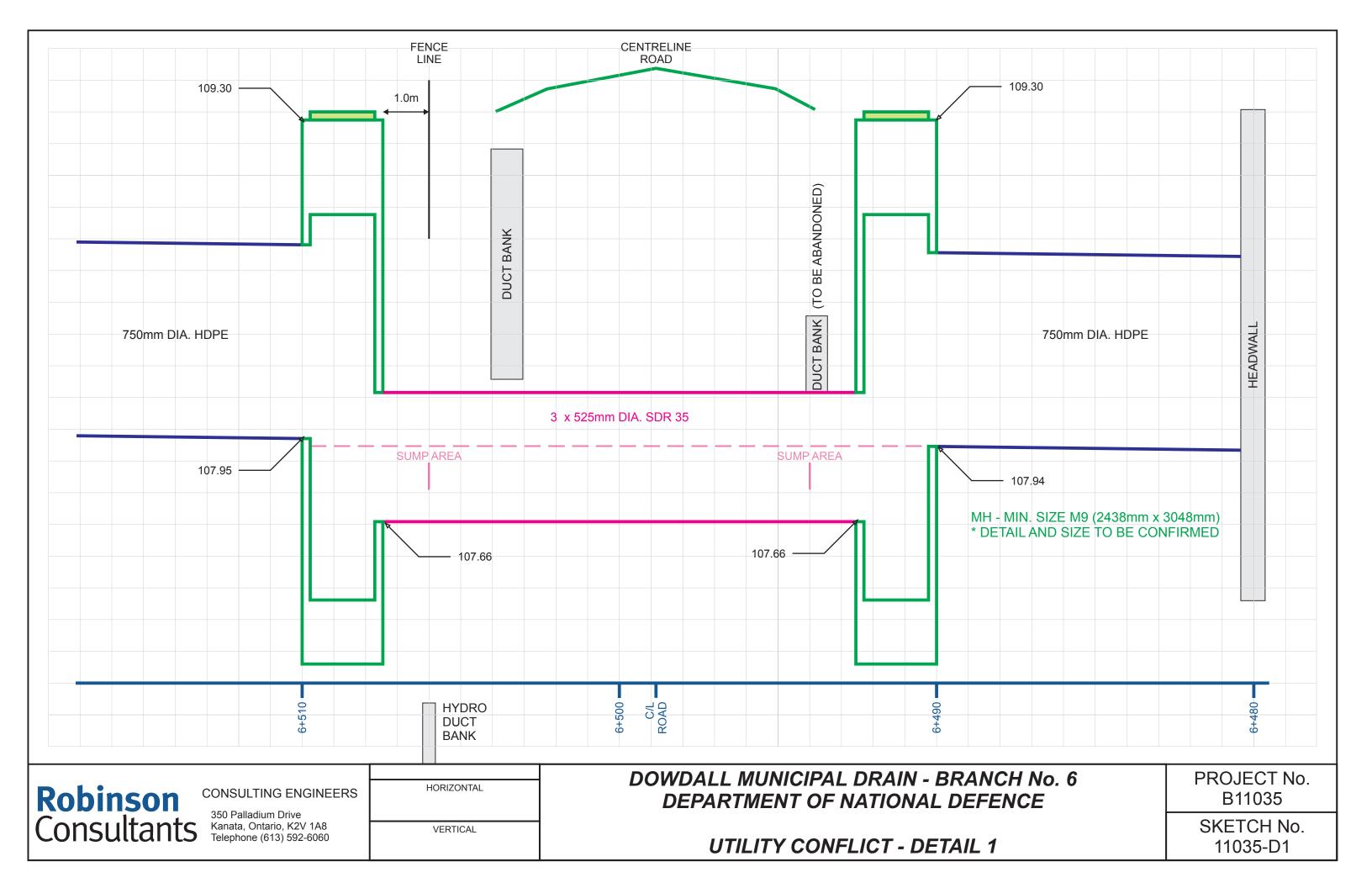
ROBINSON CONSULTANTS INC.

A.J. Robinson, P.Eng Drainage Engineer

Appendix A

Drainage Plans





Appendix B

Letter of Advise -- Fisheries Act



3889 Rideau Valley Drive, P.O. Box 599, Manotick, ON K4M 1A5 tel 613-692-3571 | 1-800-267-3504 | fax 613-692-0831 | www.rvca.ca

A member of Conservation Ontario

Date: December 14th, 2011 File No. RV5T-38/11

Attn: Mr. David Ryan Corporation of the City of Ottawa 110 Laurier Ave W Ottawa ON K1P 1J1

RE: The Dowdall Municipal Drain – <u>Branch No. 6</u> enclosure proposal of approximately 132m of a type F municipal drain on the property of the Department of National Defense, located in lot 6 concession 4 formerly in Goulbourn ward, now in the City of Ottawa

Dear Mr. Ryan,

The Rideau Valley Conservation Authority is under a Level II Agreement with the Department of Fisheries and Oceans - Canada in which we are responsible for the review of proposed works as to their impacts upon the fish habitats of the watershed of the Rideau River.

It is our understanding that your proposal consists of:

• The proposal to enclose approximately 132m of a type F municipal drain known legally as the Dowdall Municipal Drain – <u>Branch No. 6</u> on the property of the Department of National Defense.

as outlined in the following documents

• The supporting drawing titled "Branch # 6 – Plan and Profile enclosed drain section", prepared by Robinson Consultants, Project No. 11035, Dwg. No. 11035-AP1, dated November 2011.

We have reviewed your proposal under the habitat protection provisions of the *Fisheries Act*. The measures described in your plans are not adequate to protect fish and fish habitat. Therefore, please ensure that the following additional measures are incorporated into your plans.

- 1. No in water work is to occur between March 15 and June 30, during any given year to protect local fish populations during their spawning and nursery time periods.
- 2. To mitigate potential sediment releases into fish habitat, in the event of an unexpected rainfall, silt barriers and/or traps should be placed in the channel during the proposed works and until the banks have been stabilized. It is incumbent on the proponent and his/her contractors to ensure that sediment and erosion controls measures are functioning properly and are maintained/upgraded as required. Sediment and/or fines will be considered a deleterious substance. Section 36 (3) of the *Fisheries Act* of Canada prohibits persons from depositing such substances in fish habitat.
- Operate machinery on land and in a manner that minimizes disturbance to adjacent watercourses.
  - Machinery is to arrive on site in a clean condition and is to be maintained free of fluid leaks.
  - Wash, refuel and service machinery and store fuel and other materials for the machinery away from the water to prevent deleterious substances from entering the water.
  - Keep an emergency spill kit on site in case of fluid leaks or spills from machinery.

- Activities such as equipment refueling and maintenance must be conducted away from the water to
  prevent entry of petroleum products, debris, or other deleterious substances into the water
- 4. Install and maintain effective sediment control measures before, during and after the work to prevent resuspended sediment from spreading to adjacent areas. Inspect sediment control measures regularly and make all necessary repairs if any damage or leakage is discovered. Once the work is complete allow sufficient time for the disturbed areas to be stabilized prior to the removal of sediment control measures.
- 5. If there is water in the drain at the time of the proposed construction a fish stranding mitigation program shall be implemented by a fisheries person who is familiar with the fish species in this area immediately following isolation to ensure that fish are removed from the work site and released immediately downstream of the work area.
- 6. All disturbed soils associated with the work, including spoil piles, should be stabilized immediately upon completion of work. Stabilize any waste materials removed from the work site, above the ordinary high water mark, to prevent them from entering any watercourse. Spoil piles could be contained with silt fence, flattened, covered with biodegradable mats or tarps, and/or planted with preferably native grass or shrubs.
- 7. Existing flows should be maintained downstream of the work area without interruption, during all stages of the work.
- 8. Silt or debris that has accumulated around the temporary rock check dams should be removed prior to their withdrawal.
- 9. Develop a response plan that is to be implemented immediately in the event of a sediment release or spill of a deleterious substance. This plan is to include measures to: a) stop work, contain sediment-laden water and other deleterious substances and prevent their further migration into the watercourse and downstream receiving watercourses; b) notify the RVCA and all applicable authorities in the area c) promptly clean-up and appropriately dispose of the sediment-laden water and deleterious substances; and d) ensure clean-up measures are suitably applied so as not to result in further alteration of the bed and/or banks of the watercourse.
- 10. Work in water shall <u>not be conducted</u> at times when flows are elevated due to local rain events, storms or seasonal floods.

By implementing these additional measures, it is our opinion that the proposed works and undertakings will not likely result in the harmful alteration, disruption or destruction (HADD) of fish habitat, which is prohibited unless authorized by DFO. These are recommendations to ensure that the proposed works will likely not result in a HADD of fish habitat. Therefore a subsection 35(2) authorization is not necessary.

You could contravene subsection 35(1) of the *Fisheries Act* if a HADD of fish habitat results from any change in your proposed plan or from failure to properly implement these additional measures. Subsection 35(1) states, "no person shall carry on any work or undertaking that results in the harmful alteration, disruption or destruction of fish habitat."

If these plans have changed since the time of submission, the advice in this letter may no longer apply and you should consult with us to determine if further review is required.

NOTE: This advice has been given based upon the information received as annotated above. If there are further changes to the location and / or operational nature of in water works, such changes should be discussed with the RVCA. Changes that result in the harmful alteration, disruption and / or destruction of fish habitat could result in a further review of 8 to 12 weeks.

If the proposed work is carried out as per the above conditions to the Rideau Valley Conservation Authority conflict with Section 35 of the Fisheries Act should be avoided. This section states:

"No person shall carry on any work or undertaking that results in the harmful alteration, disruption or destruction of fish habitat."

This is a *letter of advice* as to how the project can be implemented in a manner that should avoid conflict with Section 35 (1) of the Fisheries Act of Canada. It is not a permit to proceed with the works. Nothing in this letter is intended to confer upon you the exclusive use or occupation of Provincial or Federal Crown lands. This letter of advice does not absolve the proponent from the responsibility of securing any other permits / permissions from other agencies, including but not necessarily limited to:

- (a) Your local Municipality who manages development in accord with the Ontario Planning Act and the Building Code Act
- (b) Provincial Agencies such as the Ontario Ministry of Natural Resources who manage shoreline works through such legislation as Lakes and Rivers Improvement Act, Public Lands Act and the Beds of Navigable Waters Act
- (c) Your local Conservation Authority who manage Regulated Flood plains and Alterations to Waterways through the Conservation Authorities Act. Conservation Authorities also provide advice to DFO Canada regarding Fish Habitat.
- (d) Federal agencies such as the Canadian Coast Guard, Prescott, (Navigable Waters Protection Act) or Parks Canada Rideau Canal, Smiths Falls, (Heritage Canal Regulations).

Yours truly,

Jennifer Lamoureux,

Aquatic and Fish Habitat Biologist, RVCA

C.c. Andy Robinson P. Eng., Robinsons Consultants Major Ronald Carriere, CANSOFCOM COS FD Mark Ferguson, DFO Eastern Ontario District