

October 4, 2018

File: L.2.11.

Municipality of South Huron

Attn: Rebekah Msuya-Collison, Deputy Clerk, Corporate Services

PO Box 759

322 Main Street South

Exeter, ON

N0M 1S6

Bluelwater

Adelaide Metcalfe

Central Huron

Huron East

Lambton Shores

Lucan Biddulph

Middlesex Centre

North Middlesex

Perth South

South Huron

Warwick

West Perth

Dear Ms. Msuya-Collison:

**Re: Final Report re: Morrissey, Fleming-Morrissey, and Regan Drain 2018
Lot 3, Concession 9 and part Lots 16-18, SBC, Stephen Twp., North Middlesex
& Lot 3, Concession 13 and lots 16-18, NBC, McGillivray Twp., North
Middlesex**

We acknowledge receipt of your correspondence regarding the above-noted matter and we advise of the following comments:

**Ontario Regulation 147/06 (Regulation of Development, Interference with Wetlands
and Alterations to Shorelines and Watercourses**

We have no concerns with the scope of the work as presented in the report submitted to this office with regards to Ontario Regulation 147/06. We would like to remind the Municipality that as of February 2004, the ABCA has been charging a review fee of \$300 for reviews under Section 28 of the Conservation Authorities Act pertaining to new Municipal Drainage Reports. An invoice pertaining to this review will follow.

As we understand, the works consist of the replacement of the existing closed Morrissey Drain and the Fleming-Morrissey Drain. The new Morrissey Drain will commence at Station 0+044 of the Regan Drain, and consist of 251m of 600mm tile, upstream across Mount Carmel Drive. The Fleming-Morrissey Drain will outlet at Station 0+032 on the Regan Drain, and will consist of 379m of 300-450mm tile, upstream to Station 0+379 on the lot line of Lot 17 and 18, South Boundary Concession, in South Huron's Stephen Ward. Works in the Regan Drain include a bottom cleanup and a culvert replacement (see additional comments below for culvert and cleanup).

.../2

A total of (5) catch basins will be installed as per the drainage report. The report shows that the design elevation is at or below grade with the ground level, which would not allow for the attenuation of surface water and for any transported topsoil to settle out. There is potential that the top soil may be immediately lost into the catch basin and piped drain.

The new drainage coefficient will be 38mm per 24 hours.

Open channel works will occur from Station 0+000, downstream 829m on the Regan Drain. Specific comments relating to the open channel are included below and will not require a Notification of Drain Maintenance form.

The following mitigation measures, in respect to Ontario Regulation 147/06 are intended to minimize the threat of downstream and site impacts, including erosion and flooding concerns. They are listed below for your information:

- (i) While the report specifies that spoils will be leveled, In accordance to Ontario Regulation 147/06 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses), any spoil materials hauled away from the work site are to be taken to a non- regulated area unless prior written permission is given from an Officer of the ABCA.
- (ii) Leveled spoil should be gapped in low run areas to allow for drainage of flood waters back into the watercourse.
- (iii) To minimize potentially negative impacts to the downstream Lewis Drain, works should take place during dry conditions.
- (iv) Erosion and sediment control measures should be installed prior to construction and remain in place until vegetation cover and work site becomes stabilized or as necessary, permanent features of the drain (rip rap).
- (v) There will be no increase in flows resulting from this drainage works. No increased erosion shall occur in the receiving watercourse as a result of these works.
- (vi) Place brush, debris and sediment outside of the floodplain area in such a location as to minimize entry into the channel.
- (vii) Perform work in appropriate flow conditions to minimize debris movement and erosion.
- (viii) Any natural areas of disturbed or bare soil should be seeded with native, non-invasive herbaceous material while the ground is moist and conditions are appropriate for germination.

Specific to the work in the open channel portion:

- (ix) Place brush, debris and sediment outside of the floodplain area in such a location as to minimize entry into the channel.
- (x) Perform work in appropriate flow conditions to minimize debris movement and erosion.
- (xi) Limit soil movement and erosion; use appropriate control measures before work begins and inspect and maintain those measures regularly until all disturbed areas are stabilized.

- (xii) Any natural areas of disturbed or bare soil around the outlet should be seeded with native, non-invasive herbaceous material while the ground is moist and conditions are appropriate for germination.

Specific to Culvert Removal and Installation on the Regan Drain (Station 0+692):

- (xiii) Minimize disruption to the channel and bank slopes
- (xiv) Placement of removed material can not impact flow
- (xv) Avoid flooding impacts upstream and downstream
- (xvi) Embed culverts and provide appropriately sized and placed erosion protection.
- (xvii) Areas of disturbed/exposed soil where the culvert has been removed should be seeded with native, non-invasive herbaceous material while the ground is moist and conditions are appropriate for germination.

Section 35: Federal Fisheries Act

This ABCA advice shall not be construed as any form of review or advice in regard to compliance with requirements under the Federal Fisheries Act. Please refer to the following links in regard to the requirements of the Federal Fisheries Act or Self Assessment process for project proponents.

<http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>
fisheriesprotection@dfo-mpo.gc.ca

Phone: 1-855-852-8320

Further, this correspondence does not release the proponent of the responsibility for obtaining any other permits that may be required under federal, provincial or municipal legislation.

Please be advised that Endangered Species could be present in this area and are protected under the Endangered Species Act (ESA 2007). Contact your local Ontario Ministry of Natural Resources office to ensure your proposal does not contravene the ESA 2007.

Additional information on species at risk can be found at
www.mnr.gov.on.ca/en/Business/Species/index.html

I trust this information is clear. However, if you have any questions regarding the above, please do not hesitate to contact the undersigned at our office.

Yours truly,

AUSABLE BAYFIELD CONSERVATION AUTHORITY



Davin Heinbuck
Water Resources Coordinator
DH:dh

cc. Dietrich Engineering, Att: Bill Dietrich, P. Eng