

City Stream Watch
CSW Adopt-a-Stream – Form Agreement

This is an Agreement between:

Rideau Valley Conservation Authority

(hereinafter called “RVCA”)

and

Susan McCarthy on behalf of the Hunt Club Community Association
(hereinafter called the “Stream Watcher”)

WHEREAS the Stream Watcher wishes to participate in the City Stream Watch (CSW) Adopt-a-Stream (AaS) program under which it will, without remuneration, monitor and report on the condition an assigned stream, or defined portion thereof, in a manner as described below;

AND WHEREAS RVCA wishes to support and encourage the Stream Watcher’s objective;

NOW THEREFORE in consideration of the terms hereinafter stated, RVCA and the Stream Watcher agree to the following:

1. This agreement commences on the 20 day of November, 2020 and ends on the 30 day of November 2025. RVCA and the Stream Watcher may renew this agreement sixty (60) days prior to its expiration.
2. A brief description of the CSW AaS program and definitions pertaining to this agreement are provided in Schedule “A” to this agreement.
3. The stream, or portion thereof, assigned to the Stream Watcher is designated in Schedule “B” to this agreement.
4. The Stream Watcher and RVCA shall undertake the specific responsibilities and duties as set forth in Schedule “C” to this agreement.
5. The Stream Watcher shall be fully responsible for the activities of any members, helpers, associates, or other persons who may participate in any way in the completion of the Stream Watcher’s responsibilities and duties under this agreement and shall provide or arrange for all transportation, supervision, and medical or first aid services required by participants. RVCA

shall not be responsible for any claims or actions arising from any activities undertaken by the Stream Watcher.

6. The Stream Watcher shall inform any members, helpers, associates, or other persons who may participate in any way in the completion of the Stream Watcher's responsibilities and duties under this agreement, that participation in the CSW AaS program does not make them employees, agents, or contractors of or for RVCA. RVCA does not assume any responsibility for any losses, damages, claims, liabilities, or suits whatsoever arising from participation in the CSW AaS program and such shall be the sole responsibility of the Stream Watcher and any helpers, associates, or other persons who may participate.
7. The Stream Watcher and any members, helpers, associates, or other persons who may participate in any way in the completion of the Stream Watcher's responsibilities and duties under this agreement hereby agree to indemnify and save harmless RVCA, its employees and agents from any and all claims, demands, causes of action, losses, damages or costs that RVCA, its employees and agents may suffer, incur or be liable for arising out of any act or omission of the Stream Watcher, its members and any helpers, associates, or other persons who may participate in any way in the completion of activities under this agreement, except where such claims, demands, cause of action, loss, damages or costs arise out of or are as a result of the sole negligence of RVCA, its employees or agents.
8. The Stream Watcher and any members, helpers, associates, or other persons who may participate in any way in the completion of the Stream Watcher's activities under this agreement shall obey and abide by all laws and regulations relating to any aspect of the activities so undertaken.
9. The Stream Watcher shall, and shall ensure that any members, helpers, associates, or other persons who may participate in any way in the completion of the Stream Watcher's activities shall do so in a safe manner and shall comply with all safety rules detailed in Schedule "D" to this agreement.
10. The Stream Watcher shall, and shall ensure that any members, helpers, associates, or other persons who may participate in any way in the completion of the Stream Watcher's activities shall have complied with and signed the Liability and Safety Waiver as detailed in Schedule "E" to this agreement.


11. Either RVCA or the Stream Watcher may, in their sole discretion, terminate this Agreement without notice at any time.

IN WITNESS WHEREOF RVCA and the Stream Watcher have caused this Agreement to be signed on their behalf by the persons who have been duly authorized for that purpose.

DATED at Ottawa, this 20 day of November, 2020.

SIGNED, SEALED AND DELIVERED

Per : Rosario Castanon Escobar

X 

Rideau Valley Conservation Authority

Title: City Stream Watch Coordinator

X _____

Stream Watcher

Name: Susan McCarthy

Address: 3476 Uplands Dr

Ottawa, ON K1V 9M4

Telephone: 613-521-8256

Organization: Hunt Club Community Association

Title: Vice President

List of Schedules to this Agreement:

Schedule A – Program Description and Definitions

Schedule B – Adopted Stream designation

Schedule C – Responsibilities and Duties

Schedule D – Safety Rules

Schedule E – Liability and Safety Waiver

City Stream Watch – Adopt-a-Stream

Schedule A – Program Description and Definitions

Description

The CSW Adopt-a-Stream program has been introduced as an extension to the City Stream Watch (CSW) program.

The City Stream Watch program was established in 2003. Its goal is to obtain, record, and manage information on the physical and biological characteristics of creeks and streams in the City of Ottawa, while encouraging and enhancing respect for their value as natural features of the communities through which they flow. The program relies on and encourages the interest, commitment, and participation of volunteers from the community, guided by an experienced coordinator, in learning and conducting macro stream assessments on local waterways, participating in fish community sampling, and assisting in stream clean-up and rehabilitation projects. In addition to other things under the CSW program, each of twenty or so designated creeks are surveyed and documented in detail every five years.

The CSW Adopt-a-Stream program provides an opportunity for individuals or groups to “adopt” all or part of one of the CSW streams with a view to monitoring its status in the years between major surveys. Generally speaking, this involves walking, wading, or boating the length of the assigned stream at least once a year and observing its condition relative to the last survey. Results are documented and communicated to the City Stream Watch Coordinator.

Definitions

AaS Agreement: an agreement between Rideau Valley Conservation Authority and an individual or group who wishes to become a Stream Watcher under the CSW Adopt-a-Stream program. It defines relationships, arrangements, and responsibilities of and between the parties.

Adopt-a-Stream (AaS): an extension of the CSW program under which individuals or groups adopt a particular stream, or portion thereof, with a view to observing, monitoring, and reporting on its condition during the period between CSW surveys.

Adopted Stream: a stream, or defined portion thereof, for which a CSW Stream Watcher (Stream Watcher) has accepted responsibility under an executed AaS Agreement.

Adoption: entering into an agreement with the Rideau Valley Conservation Authority to voluntarily monitor the ongoing characteristics of an assigned stream, or portion thereof.

City Stream Watch (CSW): a program which encourages public awareness and participation in obtaining, recording, and managing important physical and biological characteristics of Streams in the City of Ottawa and undertaking various projects which enhance these waterways. It is run and managed by the Rideau Valley Conservation Authority in conjunction with a number of other collaborators.

City Stream Watch Coordinator: is a Rideau Valley Conservation Authority employee who is responsible for all aspects of the day-to-day implementation and management of the City Stream Watch program and all associated activities.

CSW Stream Watcher (Stream Watcher): an individual, or an individual representing a group, club, or other defined entity, who has entered into an agreement with the Rideau Valley Conservation Authority to adopt a CSW stream, or portion thereof.

CSW Survey: is a periodic (typically every five years) study which is carried out by CSW volunteers under the guidance of the CSW Coordinator or technicians. It utilizes a macro stream assessment protocol to record various physical, biological, and other characteristics for each 100 meter segment of a stream.

Members, helpers, associates, or other persons.....: A Stream Watcher may be an individual representing a group, club, or other entity. For Adopt-a-Stream purposes the term “members” refers to the other members of said group, club, or other entity. In cases where a Stream Watcher is an individual, it will be necessary for him/her to recruit others to assist in completing the requirements of the program. These individuals are referred to as “helpers” or “associates.” All other people who may participate in the AaS program are referred to as “other persons.”

Rideau Valley Conservation Authority (RVCA): is an environmental protection and advisory agency that works with local municipalities, government agencies, special interest groups and the general public to protect Rideau Valley watershed resources.

City Stream Watch – Adopt-a-Stream
Schedule B – Adopted Stream Designation

The purpose of this Schedule to the AaS Agreement is to designate and define the particular stream or portion thereof assigned to the Stream Watcher.

Stream Watcher: Susan McCarthy

Stream: Hunt Club Creek

Entire Stream: yes / no (if no, portion defined below)

Portion of Stream:

From: Physical Description

Easting: _____

Northing: _____

To: Physical Description

Easting: _____

Northing: _____

Access Restrictions:

Portions fenced off by the Canadian National Railway Company

Portions in the Ottawa Hunt and Golf Club

Portions restricted by the Department of National Defence

Date of AaS Agreement: _____

City Stream Watch – Adopt-a-Stream
Schedule C – Responsibilities & Duties

The purpose of this schedule to the AaS Agreement is to define the responsibilities and duties of both the Stream Watcher and RVCA under to the agreement.

Stream Watcher:

1. The basic responsibility of the Stream watcher is to walk/wade/boat the length of the assigned stream or portion thereof at least once per year. This shall be referred to as “the inspection.”
2. During the inspection, the Stream Watcher shall observe the stream and banks and document any instances of significant change, such as increased erosion or pollution, from the previous year. A simple report/form, supplied by the CSW Coordinator, shall be completed and returned to the CSW Coordinator no later than October 15 of the year under report.
3. During the inspection, the Stream Watcher shall bag and remove any minor refuse encountered along the way.
4. Any issues or recommendations requiring immediate action shall be communicated directly to the CSW Coordinator for further action.
5. The Stream Watcher may also participate in any CSW initiative to the extent desired, required, or possible, depending on the circumstances.
6. The Stream Watcher shall ensure that all activities related to the CSW Adopt-a-Stream program are carried out in as safe a manner as possible and that all safety rules and provisions are followed. Absolutely no activity is to be undertaken if it cannot be performed safely.
7. The Stream Watcher shall be responsible for ensuring that its members and any helpers, associates, or other persons involved in any CSW Adopt-a-Stream activity are made fully aware of the safety and liability aspects of the agreement and that they have confirmed this awareness by signing the CSW Adopt-a-Stream Waiver which is attached as Schedule “E” to the AaS Agreement.

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8. The Stream watcher shall wear the RVCA-provided identity card at all times while engaged in AaS program activity. The adopt-a-stream identity card remains the property of RVCA and shall be returned at such time as the AaS Agreement is terminated for any reason.
9. The Stream Watcher will be cognizant of any stream access restrictions noted in Schedule A and will ensure that all AaS activities take place only where there is public access or permission granted. In the event of any dispute whatsoever with a landowner or a landowner's representative with respect to access rights, the Stream Watcher shall leave the property immediately and shall report the incident to the CSW Coordinator as soon as possible.

RVCA:

1. Rideau Valley Conservation Authority shall provide day-to-day administration and supervision of the City Stream Watch Adopt-a-Stream program through its CSW Coordinator.
2. RVCA shall ensure that all potential Stream Watchers have experience with stream surveys and are deemed competent to fulfill the responsibilities of a Stream Watcher as defined herein.
3. RVCA shall ensure that all Stream Watchers have reviewed, discussed, and understand the safety considerations involved in working in and around streams both generally and as detailed in Schedule "C" to the AaS Agreement.
4. RVCA shall provide ongoing coaching and assistance to the Stream Watcher with respect to the requirements of the AaS program and the completion of the Stream Watcher's responsibilities under the program.
5. RVCA shall provide each Stream Watcher with stream-specific information and maps as well as a report outline designed to minimize the work in completing the annual report and to achieve the required consistency in reporting for all streams in the program.
6. RVCA, at its discretion, may make certain equipment available for loan to the Stream Watcher for exclusive use in the performance of AaS activities
7. The CSW Coordinator or other RVCA staff will meet with the Stream watcher at least once each year to review the status of the Stream Watcher's designated stream, or portion thereof.

City Stream Watch – Adopt-a-Stream
Schedule D – Safety Rules & Considerations

The purpose of this Schedule to the AaS Agreement is to define a series of safety rules which the Stream Watcher agrees to study and to follow. The Stream Watcher is also responsible for ensuring that any members, helpers, associates, or other persons who may participate in any way in the completion of the Stream Watcher's activities shall do so in a safe manner and that they are made aware of and comply with all safety rules.

1. At no time shall an AaS activity be carried out if cannot be completed safely. Before any work is undertaken the Stream Watcher or group leader shall examine the site to determine if conditions are appropriate for the ages and abilities of the participants.
2. AaS activities shall only be undertaken or continued in daylight and fair weather. Work shall be discontinued ½ hour before sunset in order to allow time to return to the starting point and the vehicles before dark.
3. AaS activities shall only be undertaken or continued in fair weather. At no time shall any work be carried out during or under the threat of thunder and or lightning storms or during high winds.
4. Wading in high water situations can be very dangerous. In this regard, rain events, storms, or spring thaws often create water levels and rates of flow (rapids, etc.) which make streams unsafe for wading or boating. Accordingly, no AaS activities shall be undertaken during or immediately after any of these events. Evaluate conditions carefully before deciding whether conditions are safe for wading.
5. Always use the “buddy” system. That is, a minimum of two people shall be required in order to undertake any AaS activity and they must remain in sight of each other at all times.
6. While walking in or near a stream watch for slipping and tripping hazards. Many local streams contain and/or are bordered by clay deposits which can be extremely slippery and otherwise hazardous.
7. While wading in a stream use a wading staff wherever possible. Check for boulders, slippery areas, and other underwater hazards. Moss and algae covered rocks can be extremely slippery.

8. Extreme care must be taken when entering or exiting a stream. Many banks are very steep and slippery.
9. Lifejackets must be worn at all times when in any watercraft.
10. No person shall engage in any AaS activity while under the influence of liquor, drugs, or any illegal substance.
11. Use car pools wherever possible and ensure that all vehicles are legally and safely parked. Use extreme caution near roadways when approaching or leaving vehicles.
12. Collect and remove only small, non-hazardous, trash from the water or the banks immediately next to the stream. Should any hazardous material be encountered, note its location and notify the CSW Coordinator as soon as possible.

City Stream Watch – Adopt-a-Stream
Schedule E – Liability & Safety Waiver

1. This is to confirm that I understand that my participation in the City Stream Watch (CSW) Adopt-a-Stream (AaS) program does not make me an employee, agent, or contractor of or for Rideau Valley Conservation Authority (RVCA) or CSW. RVCA and CSW will not assume any responsibility for any personal injury or material losses, damages, claims, liabilities, or suits whatsoever arising from my participation in the CSW AaS program and such shall be my sole responsibility.

2. I hereby agree to indemnify and save harmless RVCA and CSW, their employees and agents from any and all claims, demands, causes of action, losses, damages or costs that RVCA, its employees and agents may suffer, incur or be liable for arising out of any act or omission on my part, except where such claims, demands, cause of action, loss, damages or costs arise out of or are as a result of the sole negligence of RVCA, its employees or agents.

3. I confirm that I will not participate in any AaS activity unless I have received sufficient instruction which, together with my previous knowledge and experience, will allow me to complete my activities competently and safely.

4. I confirm that I have received a copy of Schedule C - Safety Rules and that these have been explained to me in a way that I understand. I agree that I will follow all the rules and will undertake no activity that I deem to be unsafe.

Volunteer Name: _____

Name Printed: _____

Date: _____