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30 July 2020

Ministry of the Environment, Conservation and Parks (MECP)
Environmental Policy Branch
40 St Clair Avenue West
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Attention: Erinn Lee - Policy Analyst
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Subject: Proposed changes to the PTTW program - ERO Notice# 019-1340

The Professional Geoscientists of Ontario (PGO) was established to protect the public and the natural environment by regulating geoscience practice in Ontario. This mandate is our top priority and we appreciate the opportunity to provide input on the above-noted proposal. In the past, the PGO has been pleased to work with the Ministry of Environment, Conservation and Parks on a number of policy areas and topics including brownfields, excess soil, water-taking permits, water resources protection, and others.

With respect to the proposed amendments to manage water takings under the *Ontario Water Resources Act*, PGO is supportive of strategies aimed at the overall conservation of groundwater and surface water resources provided that those strategies are based on sound science and the opinions of qualified professionals. Included in Attachment 'A' are some initial comments about ERO Notice #019-1340

PGO looks forward to our continued relationship and kindly requests the opportunity to provide additional input should these proposed amendments advance further.

Sincerely,

Scott McLean, P.Geo.

President

Ron Ormson, P.Geo.

Chair, Environment Subcommittee

cc. MECP - Leo Luong, Manager, Policy
PGO - Tony Andrews – CEO
PGO - Marilen Miguel – Director Stakeholder Relations

Attachment 'A'

PGO – Initial comments and questions on proposed changes to the PTTW program

ERO Notice# 019-1340

July 2020

Our initial comments are as follows:

1. In an overall sense, the development of guidelines to provide additional tools for managing water is positive, if such work is based firmly on scientific information evaluated by qualified professionals (QPs).
2. Any process of prioritizing water takings will be highly challenging in our view, given that it will require balancing the competing needs of natural ecosystems, drinking water supplies, essential industries, agriculture and recreation. A short-term perspective on “emergency” or “drought” conditions may be useful when considering priority rankings; however, over the long term, assigning water rights by type of use will be highly challenging. Geologic factors such as confinement of an aquifer and limitations of use due to groundwater quality, not just geography, are important factors when determining impacts or drought response. Considerable future dialogue and input with affected stakeholders and technical experts would be needed before advancing any priority use framework. However, while recognizing these challenges, the PGO is supportive of MECP led initiatives on co-operative discussions with affected parties.
3. We see as particularly troublesome, the concept of what might be interpreted as municipal veto powers on new and expanded water takings for bottled water. We strongly believe that the existing review and approval of new PTTWs should remain with the MECP to ensure that those approvals are reviewed based on supporting scientific studies and tests prepare by QPs. Municipalities already have some authority under the *Planning Act* to restrict various land uses. As a result, for land use involving activities such as water bottling, restrictions could be implemented under the authority of the *Planning Act*. Municipalities can also currently provide technical comments on any PTTW application and those, we assume, are considered by the MECP in decision making.
4. Ontario’s mineral and natural resource extraction economy, as well as activities such as construction dewatering, involve considerable water takings. Such water takings are often unavoidable at pits, quarries and mines, and at tunnel, bridge, dam, highway, transit, and building construction projects. Water taking for these types of activities is also essential and should be considered within any future priority framework.
5. The PGO is fully supportive of making water quantity data available as it could be used in many other projects besides the initial purpose. Providing information in reports and in digital format would be very beneficial.
6. It is apparent that applying the same water strategy for all areas across the province would be very difficult. Water issues should be dealt with on an area specific basis in those areas where an overall strategy is required – i.e. areas of seasonal drought, ongoing interference issues or lack of adequate

supply. Organizing local stakeholders, water users, Indigenous communities, local government, MECP and other appropriate ministries to proactively determine local strategies has been demonstrated already to work in certain areas of the province. One example is Innisfil Creek where the local conservation authority lead a pilot project to create a proactive drought plan.

7. Although the PGO has noted that in general the PTTW process in Ontario works well to sustainably manage groundwater resources while balancing the needs of water users, the management of groundwater resources works best when more information is available. The present system of requiring a PTTW for pumping tests is a hindrance to the collection of scientific information. The PGO recommends that while the government is seeking to improve the management of groundwater resources in the province it also provides direction to the MECP to allow for pumping tests to be permitted using the ESAR regulations, as is done for construction water taking. The greater availability of pumping test data would reduce uncertainty in hydrogeological assessment, and in some cases, help avoid public confrontation where the pumping tests demonstrate the water source is untenable.