

# Updating Ontario's Water Quantity Management Framework

<u>ERO (Environmental Registry of Ontario) number</u>	019-1340
Notice type	Regulation
Act	Ontario Water Resources Act, R.S.O. 1990
Posted by	Ministry of the Environment, Conservation and Parks
Notice stage	Proposal
Proposal posted	June 18, 2020
Comment period	June 18, 2020 - August 2, 2020 (45 days) Open
Last updated	June 18, 2020

This consultation closes at 11:59 p.m. on:

**August 2, 2020**

## Proposal summary

We are proposing regulatory changes for managing water takings to protect the long-term sustainability of surface water and groundwater and to ensure these important resources are responsibly managed and safeguarded now and for future generations.

## Proposal details

Our government is committed to taking action through our Made-in-Ontario Environment Plan to protect lakes, waterways and groundwater supply in Ontario, now and for future generations.

Last fall, we extended the moratorium for new and increasing bottled water takings so that we could complete a thorough review of the province's water taking programs, policies and science tools. This review, which includes assessments done by independent experts, found that the government's current approach to managing water takings is effective.

The review:

- determined that bottled water takings in Ontario are not impacting the sustainability of groundwater resources and that groundwater takings for bottling are managed sustainably in the province under existing legislation, regulation and guidance
- identified opportunities to build on our current framework to ensure our water resources are protected and used sustainably in the face of a changing climate and population growth

The ministry also retained a third-party water expert, [BluMetric Environmental Inc. \(incorporated\)](#), to:

- assess water resources in select areas of the province

- review aspects of the ministry's water quantity management framework

BluMetric's findings, as well as the ministry's own review, have informed the development of four key areas for action. The ministry's findings, which included BluMetric's analysis, on water bottling were independently validated by a panel from the Professional Geoscientists Ontario. Their report, along with a summary of BluMetric's findings, can be found in the supporting materials section of this Proposal Notice.

## Four key areas for action

The attached proposal paper outlines four key areas for action:

1. Establish clear provincial priorities of water use to guide decisions where there are competing demands for water.
2. Update our approach to managing water takings in water quantity-stressed areas.
3. Make water taking data, including data the ministry collects from permitted water takers, more accessible to the public.
4. Give host municipalities more input into water bottling decisions.

To enable these actions, we are proposing regulatory amendments to:

- the *Water Taking and Transfer Regulation (Ontario Regulation 387/04)* under the *Ontario Water Resources Act, 1990* to enable all four proposed areas of action
- the Environmental Activity Sector Registry (EASR) - *Water Taking Regulation (Ontario Regulation 63/16)* under the *Environmental Protection Act, 1990* to enable action three (making water taking data more accessible to the public)

The proposal paper also includes:

- a summary of conclusions from the review
- questions to better inform our proposed changes

We are seeking feedback on these proposed actions from:

- the public
- Indigenous partners and communities
- municipalities
- industries
- stakeholders

Your input will help the province move forward with updating Ontario's water quantity management framework to help protect and sustain water resources in Ontario now and into the future.

## Regulatory impact statement

With these proposed changes, Ontarians can have the added confidence that the ministry's programs, policies and science protect vital water resources and ensure we have sustainable water resources now and into the future. While the proposed regulatory changes are not expected to have a direct negative economic impact on most water takers, the proposal includes enabling regulatory provisions that may impact some water takings in water quantity-stressed areas or large new or increasing water bottling takings.

The proposed regulatory changes and complementary activities are enabling provisions that are expected to benefit people, households, businesses and communities in Ontario including rural, urban, northern and Indigenous communities, in a number of ways:

- protecting the sustainability of water resources to support healthy ecosystems and the economic and social well-being of Ontarians
- providing greater transparency about how water takings will be managed in periods of scarcity, to allow businesses, farms and rural and urban municipalities to better plan for the future
- removing the regulatory burden associated with current static regulatory high-use watershed maps and policies and updating our approach to managing water takings in water-quantity stressed areas, focusing actions in priority areas to allow resources to be directed where they are needed most
- facilitating the use of water taking data to support water quantity management decision making and promote water security in the province
- giving host municipalities more input into water bottling decisions before proposed new or expanded water takings for water bottling are considered in their jurisdiction

While the proposed amendment includes a requirement for water bottling companies to report whether they have support from the host municipality when applying for a Permit to Take Water for a new water taking or increased amount of water, an exception is proposed for smaller groundwater takings by water bottling companies that are below a limit of 379,000 litres per day in total within a municipality.

The proposed enhancements are not expected to have a negative impact on businesses. They are intended to be used only as needed and to add more flexible and adaptive water management tools and policies to Ontario's water taking framework.

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## Supporting materials

## Related files

[Proposal Paper: Updating Ontario's Water Quantity Management Framework \(https://prod-environmental-registry.s3.amazonaws.com/2020-06/Proposal%20Paper%20%E2%80%94%20Updating%20Ontario%27s%20Water%20Quantity%20Management%20Framework.pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2020-06/Proposal%20Paper%20%E2%80%94%20Updating%20Ontario%27s%20Water%20Quantity%20Management%20Framework.pdf)  
pdf (Portable Document Format file) 274.6 KB

[Final Report and Recommendations of the Professional Geoscientists Ontario Panel \(https://prod-environmental-registry.s3.amazonaws.com/2020-06/Final%20Report%20and%20Recommendations%20of%20the%20Prof essional%20Geoscientists%20Ontario%20Panel .pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2020-06/Final%20Report%20and%20Recommendations%20of%20the%20Professional%20Geoscientists%20Ontario%20Panel.pdf)  
pdf (Portable Document Format file) 305.23 KB

[Introduction to BluMetric Report \(https://prod-environmental-registry.s3.amazonaws.com/2020-06/Introduction%20to%20BluMetric%20Report.pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2020-06/Introduction%20to%20BluMetric%20Report.pdf)  
pdf (Portable Document Format file) 78.16 KB

[BluMetric Summary of their Report \(https://prod-environmental-registry.s3.amazonaws.com/2020-06/BluMetric%20Summary%20of%20their%20Report\\_.pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2020-06/BluMetric%20Summary%20of%20their%20Report_.pdf)  
pdf (Portable Document Format file) 802.26 KB

[BluMetric Report: Science Review \(https://prod-environmental-registry.s3.amazonaws.com/2020-06/BluMetric%20Report%E2%80%94Science%20Review.pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2020-06/BluMetric%20Report%E2%80%94Science%20Review.pdf)  
pdf (Portable Document Format file) 861.71 KB

[BluMetric Report: Jurisdictional Review \(https://prod-environmental-registry.s3.amazonaws.com/2020-06/BluMetric%20Report%E2%80%94Jurisdictional%20Review.pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2020-06/BluMetric%20Report%E2%80%94Jurisdictional%20Review.pdf)  
pdf (Portable Document Format file) 1.91 MB

[BluMetric Report: Ontario Water Managers Workshops \(https://prod-environmental-registry.s3.amazonaws.com/2020-06/BluMetric%20Report-Ontario%20Water%20Managers%20Workshops.pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2020-06/BluMetric%20Report-Ontario%20Water%20Managers%20Workshops.pdf)  
pdf (Portable Document Format file) 5.94 MB

[BluMetric Report: Lessons Learned \(https://prod-environmental-registry.s3.amazonaws.com/2020-06/BluMetric%20Report-Lessons%20Learned.pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2020-06/BluMetric%20Report-Lessons%20Learned.pdf)  
pdf (Portable Document Format file) 1.17 MB

[BluMetric Report: Water Bottling Study Area \(WBSA\) Assessments \(https://prod-environmental-registry.s3.amazonaws.com/2020-06/BluMetric%20Report%20-%20Water%20Bottling%20Study%20Area%20%28WBSA%29%20Assessments.pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2020-06/BluMetric%20Report%20-%20Water%20Bottling%20Study%20Area%20%28WBSA%29%20Assessments.pdf)  
pdf (Portable Document Format file) 16.69 MB

[BluMetric Report: Water Quantity Study Area \(WOSA\) Assessments – Body and Appendix C \(https://prod-environmental-registry.s3.amazonaws.com/2020-06/BluMetric%20Report%20-%20Water%20Quantity%20Study%20Area%20%28WOSA%29%20Assessments%20-%20E2%80%93Body and Appendix C.pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2020-06/BluMetric%20Report%20-%20Water%20Quantity%20Study%20Area%20%28WOSA%29%20Assessments%20-%20E2%80%93Body and Appendix C.pdf)  
pdf (Portable Document Format file) 9.99 MB

[BluMetric Report: Water Quantity Study Area \(WOSA\) Assessments – Appendix A, Part 1 \(https://prod-environmental-registry.s3.amazonaws.com/2020-06/BluMetric%20Report%20-%20Water%20Quantity%20Study%20Area%20%28WOSA%29%20Assessments%20-%20E2%80%93Appendix A, Part 1.pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2020-06/BluMetric%20Report%20-%20Water%20Quantity%20Study%20Area%20%28WOSA%29%20Assessments%20-%20E2%80%93Appendix A, Part 1.pdf)  
pdf (Portable Document Format file) 16.61 MB

[BluMetric Report: Water Quantity Study Area \(WOSA\) Assessments – Appendix A, Part 2 \(https://prod-environmental-registry.s3.amazonaws.com/2020-06/BluMetric%20Report%20-%20Water%20Quantity%20Study%20Area%20%28WOSA%29%20Assessments%20-%20E2%80%93Appendix A, Part 2.pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2020-06/BluMetric%20Report%20-%20Water%20Quantity%20Study%20Area%20%28WOSA%29%20Assessments%20-%20E2%80%93Appendix A, Part 2.pdf)

[dy%20Area%20%28WQSA%29%20Assessments%20%E2%80%93%20Appendix%20A%2C%20Part%202.pdf](#)  
pdf (Portable Document Format file) 9.04 MB

[BluMetric Report: Water Quantity Study Area \(WQSA\) Assessments – Appendix A, Part 3 \(https://prod-environmental-registry.s3.amazonaws.com/2020-06/BluMetric%20Report%20-%20Water%20Quantity%20Study%20Area%20%28WQSA%29%20Assessments%20%E2%80%93%20Appendix%20A%2C%20Part%203.pdf\)](#)  
pdf (Portable Document Format file) 11.39 MB

[BluMetric Report: Water Quantity Study Area \(WQSA\) Assessments – Appendix A, Part 4 \(https://prod-environmental-registry.s3.amazonaws.com/2020-06/BluMetric%20Report%20%E2%80%93%20Water%20Quantity%20Study%20Area%20%28WQSA%29%20Assessments%20%E2%80%93%20Appendix%20A%2C%20Part%204.pdf\)](#)  
pdf (Portable Document Format file) 10.06 MB

## Related links

[Ontario Regulation 387/04 \(Water Taking and Transfer\)](#)  
(<https://www.ontario.ca/laws/regulation/040387>)

[Ontario Regulation 63/16 \(Environmental Activity Sector Registry—Water Taking\)](#)  
(<https://www.ontario.ca/laws/regulation/160063>)

## View materials in person

Important notice: Due to the ongoing COVID-19 pandemic, viewing supporting materials in person is not available at this time.

Please reach out to the Contact listed in this notice to see if alternate arrangements can be made.

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## Comment

Let us know what you think of our proposal.

Have questions? Get in touch with the contact person below. Please include the [ERO \(Environmental Registry of Ontario\)](#) number for this notice in your email or letter to the contact.

[Read our commenting and privacy policies. \(/page/commenting-privacy\)](#)

**Submit by mail**

Erinn Lee

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**Connect with**

us

## Contact

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# AMO COVID-19 UPDATE: STAGE 2, EMERGENCY DECLARATION EXTENSION AND WATER BOTTLING CONSULTATION

June 22, 2020

As activities related to the COVID-19 pandemic are starting to be the new normal, the provincial government is starting to release information on some of their non-COVID-19 related policy work. AMO members will see this reflected in our policy updates going forward that will include a combination of COVID-19 and non-COVID-19 policy updates of a municipal government interest.

## **Stage 2 Re-openings**

The Province announced today that the City of Toronto and Peel Region will be allowed to go to Stage 2 re-openings as of Wednesday June 24th, however, the Windsor-Essex region is to stay in Stage 1 at this time. Testing and farm inspections will be increased in this area with the expectation that Windsor-Essex to be able to enter Stage 2 soon as they will be assessed on an ongoing basis.

## **Possible Extension of the Provincial Emergency Declaration**

The Ontario Legislature reconvenes on Tuesday, June 23rd. The government has indicated its motion to renew its emergency declaration under the *Emergency Management and Civil Protection Act*, for another potentially final 15 days to mid-July, and will be introduced to the House either Tuesday or Wednesday.

It should be noted that the Province can extend existing emergency orders in 14-day intervals after the emergency ends to deal with the effects of the pandemic. But once the provincial emergency declaration expires, the Ontario government can only reissue or eliminate these Cabinet orders (Order in Council regulations) but is not able amend or draft brand-new orders.

## **Province Considers Requiring Municipal Support for New and Expanded Water Bottling Proposals**

The Ontario Government has announced it is consulting on proposals to manage and protect surface and groundwater quantity. Proposals include:

- Requiring water bottling companies to have the support of their host municipalities for new and increasing bottled water takings, with an exemption for small businesses.
- Establishing priorities of water use in the province that can guide water taking decisions.

- Assessing and managing multiple water takings together in areas of the province where water sustainability is a concern.
- Making water taking data available to the public to increase transparency of how Ontario manages water resources.

The consultation period is open until **August 2, 2020**. Municipal officials are encouraged to review the proposals and provide feedback through the Environmental Registry.

AMO's [COVID-19 Resources](#) page is being updated continually so you can find critical information in one place. Please send any of your municipally related pandemic questions to [covid19@amo.on.ca](mailto:covid19@amo.on.ca).

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