

October 30, 2023

Ministry of the Environment, Conservation and Parks
Permissions Modernization Team
Client Services and Permissions Branch
135 St. Clair Avenue West, Floor 1
Toronto, ON M4V1P5

Sent via email, to: permissions.modernization@ontario.ca and submitted online through the Environmental Registry of Ontario

Dear Permissions Modernization Team,

RE: ERO 019-6853 – Streamlining permissions for water takings for construction site dewatering activities and foundation drains

On behalf of the Ontario Federation of Agriculture (OFA), thank you for the opportunity to participate in the consultation process for “Streamlining permissions for water takings for construction site dewatering activities and foundation drains”.

OFA is very pleased to see that current rules in the Regulation will continue to apply if construction site dewatering is subject to an Environmental Activity and Sector Registry (EASR), including the requirements to assess potential impact on other water users and the ecosystem, and a public complaint procedure. We are, however, concerned about the removal of the current water taking limit of 400,000 litres of groundwater per day for one or more dewatered work areas at a construction site. We are also opposed to the exemption of foundation drainage systems from a Permit to Take Water (PTTW) for takings under 379,000 litres of water per day, without putting in any additional oversight in its' place. Unfortunately, examples exist of substantial interference with agricultural properties, their wells and water sources caused by construction dewatering. We are concerned that removing this daily limit on construction site dewatering proposals, or exempting foundation drainage systems from a PTTW could lead to exacerbating the already existing problems. We would also like to see stronger recourse methods put in place for neighbours who are negatively affected by construction dewatering or foundation drains systems.

As you can appreciate, Ontario's agricultural industry is reliant on appropriate water quantity and quality at critical times throughout the year. Farmers spend a significant amount of money and time ensuring favourable conditions (e.g., monitoring and maintaining appropriate soil moisture levels, water quality for livestock consumption, ensuring access to water, etc.). It remains essential that any initiatives such as this ensure that the potential impacts to neighbouring agricultural operations are given appropriate considerations and protections.

OFA is the largest general farm organization in Ontario, proudly representing more than 38,000 farm family members. OFA has a strong voice for our members and the agri-food industry on issues, legislation and regulations administered by all levels of government. We are passionate and dedicated to ensuring that the agri-food sector and rural communities are considered and consulted with for any new or changing legislation that would impact the sustainability and growth of our farm businesses.

OFA appreciates the opportunity to provide our feedback and agricultural perspectives on streamlining of environmental permissions for water takings for construction site dewatering activities and foundation drains. We look forward to working with the provincial government to protect Ontario's farmlands as well as support infrastructure development and help protect human health and the environment.

Sincerely,



Peggy Brekveld
President

cc: Hon. Lisa Thompson, Minister, Ontario Ministry of Agriculture, Food and Rural Affairs
OFA Board of Directors