

August 25, 2025

Permissions Modernization Team
Client Services and Permissions Branch
135 St. Clair Avenue West
Floor 1
Toronto, ON M4V 1P5

Submitted via website and permissions.modernization@ontario.ca

Dear Permissions Modernization Team,

Re: ERO 025-0600: Streamlining environmental permissions for the electricity sector

The Ontario Federation of Agriculture (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.

Ontario's agri-food sector is an economic powerhouse – producing more than 200 farm and food products, fuelling rural communities, generating nearly 750,000 jobs, and contributing over \$47 billion to Ontario's annual GDP. The province's agri-food strategy, Grow Ontario, aims to strengthen the agri-food sector, support economic growth, and ensure an efficient, reliable, and responsible food supply. By removing barriers, unnecessary costs and red tape, Ontario farmers will be positioned to seize opportunities and rise to the challenge of an ambitious growth strategy, allowing the agri-food sector to drive the economy forward.

OFA appreciates the opportunity to provide input to **ERO 025-0600: Streamlining environmental permissions for the electricity sector** and the related discussion paper. This consultation address proposed regulatory changes under the *Environmental Protection Act* to expand Ontario's on-line self-registration program to cover certain stormwater management and spill control works servicing electricity power generation, transmission, distribution and battery energy storage system stations.

Our primary concern with the discussion paper surrounding stormwater management and spill controls systems for electricity systems under an Environmental Activity and Sector Registry (EASR) relate to the potential impact of an inadequate or failing stormwater systems on neighbouring properties. Currently, OFA members are experiencing flooding of their farmland due to poorly designed and/or maintained stormwater management ponds on adjacent lands. Farmers should not be forced into the courts to protect their livelihood.

The discussion paper outlines the technical assessments required for an EASR registration. OFA is supportive of several elements, including:

- The restriction that proponents cannot register SWM works in areas where such works are prohibited under a local source protection plan.
- The requirement for an enhanced level of protection when discharging to the natural environment.

Qualifications:

It is proposed that a proponent registering the works on the EASR for this purpose would need to retain a Licensed Engineering Professional (LEP), who would produce and attest to the accuracy of a stormwater management report. OFA recommends that the requirement be for a Professional Engineer (P.Eng) to produce and attest to the stormwater management report. The very real impacts to neighbouring properties of an improperly sized, designed and/or maintained stormwater management system justifies the requirement for a higher level of qualification for these systems.

Design Guidelines:

We strongly recommend that additional Design Guidelines be incorporated and clearly articulated, including:

- Calculations for increased runoff volumes resulting from new impervious surfaces and changes to site grading.
- Demonstrated capacity to manage these increased volumes without negatively impacting downstream landowners.
- An assessment of both the pre-development and post-development conditions of the site, including these potential hydrogeological changes.

Spill Contingency Plans:

In addition to the standard requirements under spill contingency planning, the potential for off-site impacts—particularly flooding onto neighbouring farmland—should be explicitly considered. For the purposes of these projects, the definition of a “spill” should be expanded to include flooding onto adjacent properties.

Complaints and Accountability:

The proposed framework requires proponents to maintain “Complaints Records” but does not include any obligation to respond to, resolve, or be held accountable for legitimate complaints from neighbouring landowners. OFA believes that:

- A formal process must be established to receive and address complaints.
- Neighbours negatively impacted by registered works should be able to escalate concerns to an independent body, such as the Ministry of the Environment, Conservation and Parks (MECP).
- This independent body should have the authority to investigate and hold operators accountable for harm caused to neighbouring landowners.

Farmers should not be left with litigation as their only remedy for real, measurable impacts from neighbouring projects.

It is critical that the provisions for electricity power generation, transmission, distribution and battery energy storage system stations do not compromise our critical food systems. This includes ensuring that the stormwater management and spill control works do not negatively impact neighbouring farms.

Sincerely,



Drew Spoelstra
President

cc: Hon. Todd J. McCarthy, Minister of the Environment, Conservation and Parks
Hon. Rob Flack, Minister of Municipal Affairs and Housing
Hon. Trevor Jones, Minister of Agriculture, Food and Agribusiness
OFA Board of Directors

This submission has been approved by the OFA Board of Directors and will be posted to OFA's website: <https://ofa.on.ca/resources/>