

November 19, 2020

Ontario Ministry of the Environment, Conservation and Parks  
135 St. Clair Ave West  
1<sup>st</sup> Floor  
Toronto, ON  
Email: [waterpolicy@ontario.ca](mailto:waterpolicy@ontario.ca)

Attn: Brent Taylor

Re: Proposal to require municipal support for new or increased bottled water takings  
Environmental Registry of Ontario Posting No. 019-2422

Dear Mr. Taylor,

On October 6, 2020, the Ontario Ministry of the Environment, Conservation and Parks (MECP) posted a regulatory proposal on the Environmental Registry of Ontario (ERO) entitled: Proposal to require municipal support for new or increased bottled water takings. The project number is 019-2422 and the public comment period is for 45 days from October 6, 2020, until November 20, 2020.

This proposal recommends "*changes to the Ontario Water Resources Act that would require water bottling companies to have the support of their local host municipality for a new or increased groundwater taking in their community.*"<sup>1</sup>

The proposed amendments would provide municipalities with more direct input on new or increased bottled water takings to further protect Ontario's water resources.

My views on the proposed changes are:

- A. I appreciate the government's foresight and resolve to provide host municipalities with a strong voice in water bottling PTTW application discussions. Most importantly, a lack of municipal support for a PTTW is considered a non-starter for the process.
- B. The challenge facing all municipalities is ensuring a sustainable long-term water supply fit to drink. Populations will continue to grow, and with it, the water demand. Unlike water bottlers who can pack up and move on when their wells run dry, municipalities are stuck. Municipalities must have the power to veto a proposed PTTW that may pose a threat to their long-term water supply. Ensuring a host municipality has the "final say" is a responsible government approach.

Water studies typically look at quantity only, whereas many communities have historical industrial contamination issues and high levels of natural minerals like iron and sulphur that can make water not usable. Hence the use of the term fit to drink.

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<sup>1</sup> <https://ero.ontario.ca/notice/019-2422>

- C. Another positive aspect of this proposed amendment is the decision that a municipality's veto against a PTTW does not require specific scientific or technical grounds to object to an application. This approach helps small communities that may lack the financial resources to undertake certain scientific or technological studies or do not have the time to complete the necessary studies before a response is required.

It is equally important to continue the Province's investment in Source Protection and tiered water studies to extend the science throughout the Province to determine the sustainability of local aquifers and help offset the financial burden for municipalities carrying out these studies. Ultimately, developing a groundwater source model encompassing all studies' data to provide broader regional views of the Province's water supply should be the end goal. Eventually, municipalities' decisions will consider both scientific evidence and public opinion.

- D. The 379,000 litres/day threshold taken from the Great Lakes/St. Lawrence River Basin Agreement applies to water extraction or diversion from the lakes. It is not suitable for determining the impact on groundwater aquifers. Instead, stick with best practice and use the current 50,000 litres/day threshold for a PTTW. A municipality's resolution should be based on the 50,000 litres/day and not the 379,000 litres/day threshold.
- E. The cumulative impact of all existing, new and expanded PTTWs over 50,000 litres/day needs to be considered and responsibly managed to prolong an aquifer's long-term sustainability. Vulnerable areas identified at significant risk or having consumptive water taking recognized as a substantial threat are the most susceptible. Regardless, all water taking above 50,000 litres/day needs to be considered holistically as to the overall impact on the local aquifer's sustainability and the veto option allowed.

It is best practice to track all PTTWs and to ensure impacted municipalities have full notification of and access to the test data and results of PTTW applications to make an informed decision to veto or not.

- F. The amendment proposes an application to renew an existing PTTW would not trigger a Council resolution. However, what if public sentiment or new scientific or other technical data raises a concern about the PTTW's impact on the aquifer? The sustainability of a municipality's water supply must outweigh business interests.

In summary, the more responsible approach would be to lower the municipal veto threshold from 379,000 to 50,000 litres per day and extend the veto to cover all new and renewing PTTWs. The purpose is to properly manage the cumulative impact of all water taking within the water source.

The Province should continue to invest in long term Source Water protection studies that provide a broader regional view of the Province's water supply and its effective management. The intent would be to achieve municipal decisions based on scientific evidence as well as public opinion.

Water is a precious resource as we are discovering through the mistakes and challenges faced by other countries. We cannot afford to follow their path.

Thank you for allowing me to share my views on the proposed regulatory amendments and for your consideration of my thoughts.

Should you have any questions regarding my comments, please do not hesitate to contact me.

Yours truly,

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