



February 5, 2021

Brent Taylor
Senior Policy Analyst
Ministry of Environment, Conservation and Parks
waterpolicy@ontario.ca

Re: ERO # 019-2017 - Proposed Implementation of Updates to Ontario's Water Quantity Management Framework

Dear Mr. Taylor,

The Ontario Fruit and Vegetable Growers' Association (OFVGA) welcomes the opportunity to provide input into the Ministry of Environment, Conservation and Parks' (MECP) consultation on proposed implementation of updates to Ontario's water quantity management framework. Many of OFVGA's members rely on water for irrigating food crops and are bound by the requirement to hold valid permits to take water, and we support having a strong water quantity management framework.

With over 3,200 water taking permits for agricultural uses in Ontario, it is important that the agriculture sector's perspectives are thoroughly considered when water taking policy is being set. Given the importance of having access to adequate water resources for irrigation and fruit and vegetable washing and processing operations, the OFVGA has some longstanding policy positions on the matter, some of which is being addressed by the proposed regulatory changes.

Please include the following positions and considerations as you deliberate the final regulatory changes to Ontario's water quantity framework.

Priorities of Water Use

The OFVGA has long taken the position that irrigation of fruit and vegetable crops should be considered essential to support domestic food security and reduce financial burdens that are likely to result from drought conditions. The sector is pleased the Ontario government is proceeding to acknowledge the value and necessity of irrigation (including frost protection) by prioritizing it as priority 1 in the proposed regulatory amendments.

Fruit and vegetable farmers do not have the ability to plan activities around summer flow periods – often which is when irrigation is needed most. For example, the lack of rain in some regions and significant and prolonged heat across the province during the summer of 2020, irrigation was essential to ensure crops survive to harvest, and a quality product is produced for market. Without irrigation during low rainfall periods, domestic food production will be hindered and the financial impacts for farms in dry areas substantial.



The OFVGA understands that the prioritization is intended to be used as a measure of last resort. In a year like 2020 where low water availability in some regions occurred, prioritization that acknowledges the importance of irrigation is necessary for ensuring water resources are directed to essential uses accordingly.

In addition to irrigation, the OFVGA would like to highlight that other water users along the food system need to be protected as well. While many of the larger packing and processing facilities are connected to municipal water supplies, this is not the case for all. While some fruit and vegetable processing and packing operations can be delayed, many crops destined for processing will not be salvageable if not processed and packed within a short period. It is essential that all parts of the fruit and vegetable system are considered as high priority.

As food processing is proposed to be priority 3, and that each low water event will trigger specific discussions about prioritization of water takings, strong guidance needs to be in place to ensure that decision makers are considering the entire production system should food processors be required to reduce water use. Potential impacts include but are not limited to loss of local food availability, wasted crops and lost income for farms and processors.

Managing Water Takings on an Area Basis

The OFVGA appreciates the intent to replace an outdated regulatory approach by creating a flexible system and make it clear who is ultimately responsible for making water taking decisions in stressed areas for periods of time. Promoting sustainable water usage through this regulatory change is also supported by the sector.

To ensure that any area-based water management systems don't unreasonably impact stakeholders, it is of the utmost importance that the agriculture sector, including the OFVGA, the Ontario Federation of Agriculture, impacted farmers and the Ontario Ministry of Agriculture, Food and Rural Affairs be engaged from the outset of the area management plan. Local farms that are included in the area must also be actively informed about the process, further to just posting information on the environmental registry. Early and frequent involvement of stakeholders throughout any discussions on managing water takings in stressed areas, how restrictions are managed, and ultimately balance the environmental, societal, and economic aspects of water use will increase the success of area-based initiatives.

The proposal references that one measure may be "updating existing permits to reflect actual water needs to enable the development of accurate water budgets." Caution is urged regarding this aspect, recognizing the realities of agricultural irrigation and the varying amounts of water required year-to-year or even season to season. The current permit process means that farmers must plan for the absolute worst-case scenario and hold permits for the absolute maximum water they may ever require – or potentially being out of compliance in the most extreme circumstances. As such, agricultural permits must not be changed; however, a process for completing water budgets should be developed that recognizes the difference between "usual" agricultural water use versus what is required by agriculture in extreme situations.



Finally, while the OFVGA supports increased water efficiency, questions arise regarding who will pay for the proposed water efficiency audits. Agricultural operations must be provided with cost-share opportunities for making changes to their equipment and/or practices. Recognition should be given to those users who have proactively made investments to increase water efficiency, and the regulatory process should be amended to ensure the process does not penalize water users for adopting more sustainable or environmentally beneficial practices. The current process can be too onerous and expensive for farmers to adopt new practices.

Accessibility of Water Taking Data

The OFVGA is appreciative that the MECP is taking our concerns regarding the publicly accessible geographical detail of agricultural permit holders through the Ontario Data Catalogue, seriously. We would like to reinforce our position at this time given the proposed changes to the Water Taking and Transfer regulation.

The sector continues to have concerns regarding information both currently available through open access data, specifically dealing with Permits to Take Water (PTTW) along with the proposed expansion of data available to the public under this consultation. It is our belief that the information currently posted by the MECP jeopardizes Ontario's food security and food safety.

The existing open access data for water taking permits – with data that pinpoints exact water source locations on a map, permitted water volumes, intended water use (i.e., agricultural), and the name and address of the person/business on the permit, is extremely problematic and even dangerous. Having this explicit information available on an open data platform accessible to anyone poses a substantial risk to Ontario's food security and food safety. The risk of contaminated water as it relates to fruits and vegetables is enhanced given that these products are often consumed directly, without processing and therefore more susceptible to contamination being undetected.

We look forward to being able to address these food safety and security concerns while allowing access to permit and water taking data to those who truly need to use it.

Thank you again for the opportunity to provide input on this consultation. Further to the comments above, we wish to reinforce the need for the opportunity for input water management plans as they are developed. We look forward to further collaboration on these issues as we jointly work toward strengthening Ontario's water management framework.

Sincerely,

A handwritten signature in black ink, appearing to read "Jan VanderHout".

Jan VanderHout
Chair, OFVGA Environment and Conservation Section



Cc:

Jonathan Ricci – Office of the Hon. Jeff Yurek, Minister of Environment, Conservation and Parks

Andrew Walasek – Office of the Hon. Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs

About the OFVGA:

The OFVGA is the leading voice for Ontario's fruit and vegetable farmers. Our sector includes more than 3,500 family run farms that employ over 30,000 people directly on-farm. For every on-farm job, it is estimated there are 2.2 jobs created downstream, or approximately 96,000 jobs combined. Fruit and vegetable production drives Ontario's rural and urban economies by generating more than \$4.2 billion in economic activity annually, along with \$600 million in combined tax revenues for all levels of government. Ontario fruit and vegetable farmers compete with global producers for domestic and export markets that demand low cost quality produce. Fruit and vegetable exports from Ontario total over \$1.6 billion, almost half of which originates from the greenhouse vegetable sector.