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Heather Malcolmson
Director, Client Services and Permissions Branch
Ministry of the Environment, Conservation and Parks
40 St. Clair Ave West
10th floor
Toronto, ON
M4V 1M2
Email: permissions.modernization@ontario.ca

Re: ERO posting 019-6853, Streamlining permissions for water takings for construction site dewatering and foundation drains

Dear Ms. Malcolmson,

Professional Geoscientists Ontario (PGO) serves and protects the public by regulating geoscience practice in the province. As regulated professionals, Professional Geoscientists regard public safety and welfare as their paramount duty. Part of exercising that duty is a clear understanding of legislations and related regulations governing their practice. In the past, the PGO has been pleased to work with the Ministry of Environment, Conservation and Parks (MECP) on a number of policy areas and topics including brownfields, excess soil, water-taking permits, water resources protection, and others.

Members of the PGO Environmental Geoscience Subcommittee have reviewed the MECP's proposal for streamlining permissions for water takings for construction site dewatering and foundation drains. The PGO interprets the proposal to have three main components that potentially concern the regulation of geoscience and the protection of the public:

1. Proposal to eliminate the 400,000 L/day cap on the Environmental Activity and Sector Registry (EASR) for construction dewatering and remove requirement to notify local conservation authority for takings greater than one year, effectively making it no longer necessary to obtain a Permit To Take Water (PTTW) for construction dewatering;
2. Proposal to exempt permanent residential dewatering systems that draw less than 379,000 L/day from any permitting or registration; and,
3. A request for feedback in how municipal sewer use bylaws affect design and long-term operation of foundation drains.

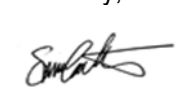
For each of the three components listed above the PGO provides the following comment:

Component number	PGO comment
1	The PGO understands the MECP is looking to reduce regulatory burden and prevent project delays; however, it is the opinion of the PGO that the 400,000 L/day cap is an appropriate standard and mitigates the risk to the public by requiring a PTTW for takings above 400,000 L/day. Until such a time as additional technical information is available the PGO does not support the removal of the 400,000 L/day cap on EASR.
2	The PGO does not support the proposed exemption of permanent residential dewatering systems that draw less than 379,000 L/day. The PGO suggests the MECP continue requiring foundation drains that draw greater than 50,000 L/day to obtain a PTTW which inherently requires sufficient assessment and input from a qualified professional.
3	The PGO has no comment for this component. However, the PGO is of the opinion that this component does need to be reviewed by applicable parties including the MECP and municipalities with respect to potential environmental impact, potential increased stormwater treatment costs, and who would ultimately be responsible for the discharge of stormwater to a natural feature, should the MECP suggest a reduced water quality standard.

PGO understands the desire of the government to reduce regulatory burden on the systems described in the proposal, however, as an overarching comment, the PGO believes that the technical support for some of the proposals is lacking, and the government has other, more technically sound methods at its disposal to reach its objectives.

PGO has worked with MECP in the past to provide comment and feedback on other proposed regulatory changes, and we would welcome the opportunity to participate further in this proposal.

Sincerely,



Simon Gautrey, P.Geo., FGC
Chair, Environmental Geoscience Subcommittee



Mary-Anne Hildebrandt, P.Geo., F.G.C
PGO President