

ERO 025-1363 Submission on Proposed Regulatory Exemptions for Mineral Exploration Activities Feb 3/2026 timeline

The intent behind this proposal to modernize approvals, reduce duplication, and support timely mineral development is reasonable and widely shared. Ontario's current system can be fragmented and inefficient, creating delays and uncertainty for proponents, communities, and First Nations alike. Improving coordination and predictability is necessary.

However, the proposed exemptions go beyond streamlining and risk removing essential safeguards that prevent harm, manage cumulative effects, and provide early certainty for all parties. Efficiency should not be achieved by deferring oversight until after disturbance has occurred.

Ontario already has mechanisms designed to deliver faster approvals without weakening environmental protection or consultation. The "one project, one process" framework, supported by lead-ministry coordination and concurrent inter-ministerial review, offers a practical and proven path forward. Fully implementing and resourcing these tools would address many of the stated objectives of this proposal without increasing environmental, legal, or relational risk.

Ontario's forests, wetlands, peatlands, and headwater systems are irreplaceable carbon sinks and water regulators. Scientific evidence shows that even early-stage exploration activities such as line cutting, drilling, access roads, water pumping, and diesel equipment can fragment ecosystems, release stored carbon, and impair downstream water quality. Once disturbed, these systems cannot be quickly or fully restored. Upfront environmental review remains the most effective means of prevention.

The proposal would also allow certain water takings and discharges to proceed without permits, relying on eligibility criteria and self-monitoring. This is concerning in a province where significant volumes of freshwater are already withdrawn under permitted use,

including for mining and other industrial activities. Comparable jurisdictions, such as British Columbia, manage mining water use through licensed allocations amounting to millions of cubic metres annually. This is precisely because governments have long recognized that unbounded or poorly constrained water taking can place shared water supplies at risk.

Without upfront oversight and clear permit limits, there is no systematic way to understand how much water is being taken across a region, when it is taken, or how cumulative withdrawals affect aquatic habitat, flood resilience, and drinking water sources. These risks are particularly acute in headwater landscapes and during low-flow periods, where impacts can occur quietly and be difficult or impossible to reverse once detected.

Environmental approvals also play a critical role in triggering early Indigenous consultation and cumulative-effects assessment. Exempting early and advanced exploration activities increases the likelihood that land disturbance and water use could occur before Indigenous rights, treaty obligations, and traditional land uses are meaningfully considered. This approach increases legal risk for the Crown and uncertainty for proponents, rather than reducing it.

These concerns are heightened by the Ontario Auditor General's 2025 findings that environmental protections are not consistently documented or applied. In this context, expanding exemptions and reliance on after-the-fact enforcement compounds existing governance weaknesses.

A more balanced approach is available. Ontario can achieve faster, more predictable approvals by strengthening coordination, establishing clear timelines, and front-loading consultation and cumulative-effects analysis. Retaining enforceable safeguards for carbon, water, species at risk, and sensitive landscapes, along with transparent monitoring and reporting, will support both environmental integrity and investment certainty.

Experience consistently shows that projects proceed more smoothly when environmental risks are addressed early and Indigenous partnerships are built from the outset. Streamlining that prioritizes prevention, coordination, and trust will deliver the efficiency Ontario seeks while protecting the lands and waters that underpin long-term economic and community resilience.

Sources

Ontario's water-taking permit requirements:

<https://www.ontario.ca/page/ontarios-water-quantity-management-program>

National water-use data showing mining water withdrawals in Ontario:

<https://www.canada.ca/content/dam/eccc/documents/pdf/cesindicators/water-use-in-canada/2025/Water-Use-in-Canada-en-2025.pdf>

British Columbia water allocation context for mining:

<https://paperzz.com/doc/8635563/northeast-water-strategy---province-of-british-columbia>

Ontario Auditor General — Operation of the Environmental Bill of Rights, 1993 (2025 Annual Report)

https://www.auditor.on.ca/en/content/annualreports/audits/en2024/AR-PA_EBR_en24.html

Policy Options — *What 50 years of buried data tell us about Canada's mining oversight*

<https://policyoptions.irpp.org/2025/11/mining-impact-assessment/>

Transparency International Canada — *The Ontario Government Needs More Transparency and Accountability in Environmental Assessments*

<https://transparencycanada.ca/news/the-ontario-government-needs-more-transparency-and-accountability-in-environmental-assessments-not-less>

ERO Public Comment on Mining Regulation — Indigenous and Cumulative Effects Concerns

Public comment on Ontario Environmental Registry <https://ero.ontario.ca/comment/83898>

Ontario's Critical Minerals Strategy 2022–2027 — government policy on Indigenous collaboration and benefits sharing

<https://www.ontario.ca/page/ontarios-critical-minerals-strategy-2022-2027-unlocking-potential-drive-economic-recovery-prosperity>