



**ONTARIO
RIVERS
ALLIANCE**

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2 February 2026

Ministry of Environment, Conservation and Parks
Permissions Modernization Team
Client Services and Permissions
135 St. Clair Avenue West, Floor 1
Toronto, ON
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By email: Permissions.Modernization@Ontario.ca

Re: ERO-025-1363: Streamlining environmental permissions for mineral exploration

Dear Permissions Modernization Team:

The Ontario Rivers Alliance (ORA) is a not-for-profit grassroots organization with a mission to protect, conserve, and restore Ontario rivers. ORA advocates for effective policy and legislation to ensure that development affecting Ontario rivers is environmentally and socially sustainable.

1. Coordinated Deregulation and Substitution of Environmental Law

ORA submits that ERO-025-1363 must be assessed in conjunction with ERO-025-1361, as both postings form part of a coordinated regulatory restructuring intended to accelerate mineral exploration by weakening Ontario's environmental oversight framework. Together, these proposals shift authority away from the Environmental Protection Act (EPA) and the Ontario Water Resources Act (OWRA) and toward Mining Act instruments that are designed to promote extraction rather than protect water, ecosystems, and public health.¹

2. Loss of Preventive Environmental Oversight:

This proposal replaces front-end, precautionary environmental approvals with self-assessment, self-registration, and reactive enforcement. Environmental Compliance Approvals (ECAs) and Permits to Take Water (PTTWs) are not duplicative paperwork; they are the primary mechanisms by which Ontario prevents irreversible harm to rivers, wetlands, groundwater, and downstream communities. In remote northern regions where most exploration will occur, limited inspection capacity and sparse baseline data further undermine the assumption that impacts can be detected and corrected after the fact.

3. Peatland Sensitivity and Irreversible Hydrological Harm:

Much of Ontario's anticipated mineral exploration will occur in peatland-rich landscapes. Peatlands are particularly sensitive to disturbance; once drained or compacted, they lose their ability to store carbon, filter water, and regulate flows, becoming persistent sources of greenhouse



gas emissions and altered hydrology. Because peatlands are hydrologically connected to headwater streams, their disturbance directly affects downstream river flows, water temperatures, sediment transport, and water quality—far beyond the footprint of any single exploration site.²

4. Permit to Take Water Exemptions Ignore Climate Reality:

The proposed Permit to Take Water exemptions rely on fixed criteria such as lake size, stream order, and a five percent instantaneous flow threshold. These criteria are scientifically outdated and incompatible with climate change. Ontario's Climate Change Impact Assessment forecasts increased drought frequency, reduced summer baseflows, and more extreme precipitation events, conditions under which even small withdrawals can trigger outsized ecological damage, particularly in peat-dominated headwater systems.³

5. Expansion of Self-Registration and Reduced Accountability:

By expanding eligibility for Environmental Activity and Sector Registration (EASR), the proposal further erodes accountability. EASR was intended for genuinely low-risk, standardized activities—not for mineral exploration in complex peatland and headwater environments that are highly sensitive to disturbance. Self-registration eliminates meaningful ministry review at precisely the stage where early intervention is most effective.⁴

6. Air and Noise Exemptions Misrepresent Rural and Indigenous Impacts:

Air and noise exemptions fail to account for rural, northern, and Indigenous contexts. Exploration drilling and blasting in peatland landscapes can propagate vibration through saturated substrates, disturb wildlife, and disrupt land-based harvesting and cultural use. Treating these activities as equivalent to urban construction misrepresents their impacts and minimizes real risks.⁵

7. Failure to Address Cumulative Effects at the Watershed Scale:

Most critically, ERO-025-1363 entirely fails to address cumulative effects. Ontario is entering a period of intensified mineral exploration across entire watersheds, many of them peatland-rich. Repeated drilling, water takings, dewatering, and access road construction fragment hydrology and compound impacts over time. The absence of cumulative effects assessment mirrors the deficiencies in ERO-025-1361 and underscores the systemic nature of this deregulation.⁶

8. Public Trust Implications:

Ontario's rivers, wetlands, peatlands, and groundwater systems are public trust resources. Weakening environmental oversight to accommodate a mining boom exposes the province to long-term ecological damage, increased greenhouse gas emissions from disturbed peat carbon, public health risks, and future remediation liabilities that far exceed any short-term administrative savings.

Like ERO-025-1361, this proposal lowers Ontario's environmental baseline by redefining risk in administrative rather than scientific and hydrological terms.



ORA Recommendations:

- 1. Withdraw ERO-025-1363 in its entirety.**
The proposal is incompatible with peatland-rich northern landscapes, climate-driven hydrological uncertainty, and the cumulative scale of anticipated mineral exploration.
- 2. If the Province proceeds, explicitly exclude peatlands, headwaters, and hydrologically connected wetlands from all proposed exemptions.**
- 3. Retain ECAs and PTTW for all mineral exploration activities.**
Mining Act instruments cannot substitute for environmental law safeguards.
- 4. Require climate-resilient water management thresholds grounded in OCCIA.**
- 5. Mandate cumulative effects assessment at the watershed scale.**
- 6. Prohibit the use of EASR for mineral exploration and mine-associated infrastructure.**
- 7. Strengthen public and Indigenous consultation through formal environmental approval processes.**

ERO-025-1363 represents a fundamental shift in how Ontario manages environmental risk, replacing prevention with permissiveness at precisely the moment when climate change, hydrological instability, and cumulative development pressures demand greater caution. By exempting mineral exploration from core environmental and fiscal risk from proponents to the public, downstream communities, and future governments.

This approach is particularly indefensible in peatland-rich regions, where hydrological disturbance is widely recognized as irreversible. Once disrupted, peatlands lose their capacity to regulate flows, protect water quality, and store carbon, becoming persistent sources of greenhouse gas emissions and altered hydrology. Weakening oversight in these landscapes directly undermines Ontario's climate commitments and the resilience of river systems upon which communities and ecosystems depend.

Ontario's rivers, wetlands, peatlands, and groundwater systems are public trust resources. They are not expendable inputs to be streamlined in the service of accelerated mineral development. ORA submits that ERO-025-1363, particularly when considered alongside ERO-025-1361, represents an unacceptable erosion of environmental law, public accountability, and climate responsibility. The entire proposal should be withdrawn and fundamentally re-examined through a precautionary, watershed-based, and climate-informed lens before irreversible damage is locked in.

Respectfully,

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¹ Murray, C., Hannah, L., & Locke, A. (2020). *A Review of Cumulative Effects Research and Assessment in Fisheries and Oceans Canada*. DFO. <https://waves-vagues.dfo-mpo.gc.ca/Library/40851576.pdf>



² Environment and Climate Change Canada. *Synthesis of Freshwater Science in Canada – Peatlands and Hydrology*. <https://www.canada.ca/en/environment-climate-change/services/water-overview/protecting-freshwater/national-freshwater-science-agenda/synthesis-freshwater-science-overview/synthesis.html>

³ Ontario Provincial Climate Change Impact Assessment, Technical Report Appendices, January 2023. Online: <https://www.ontario.ca/files/2023-11/mecp-ontario-provincial-climate-change-impact-assessment-appendices-en-2023-11-21.pdf>

⁴ Cormier, R. et al. (2022). *Cumulative Effects Considerations for Integrated Planning in DFO*. DFO Canadian Science Advisory Secretariat. https://publications.gc.ca/collections/collection_2023/mpo-dfo/fs70-5/Fs70-5-2022-079-eng.pdf

⁵ Government of Canada. *Peatlands: Ecosystem Services and Sensitivity to Disturbance*. <https://natural-resources.canada.ca/our-natural-resources/forests-forestry/sustainable-forest-management/peatlands>

⁶ Environment and Climate Change Canada. *Synthesis of Freshwater Science in Canada – Cumulative Stressors*. <https://www.canada.ca/en/environment-climate-change/services/water-overview/protecting-freshwater/national-freshwater-science-agenda/synthesis-freshwater-science-overview/synthesis.html>