



MEMBER BULLETIN

April 12, 2016

New Permit to Take Water Regulations now in place

On March 29, the Ministry of Environment and Climate Change (MOECC) officially put into place its regulatory changes reforming the permit to take water (PTTW) process in the province. To help promote an understanding of these new regulations, the MOECC is developing guidance documents that will outline the regulatory requirements. Information on the new regulations, and links to the regulations themselves, can be found below at the following link: <https://goo.gl/Bn2oAY>

Water Taking Environmental Activity and Sector Registry (EASR)

The new regulations for certain water taking activities include moving two construction related activities to EASR – surface water takings for specific road construction purposes (e.g. compaction, dust suppression) and ground/storm water takings for construction dewatering if less than 400,000 L per day.

Water taking for road construction EASR contains limits on what the water may be used for, on where you can take water from (e.g. lake 10 hectares or larger), and water taking rate if the taking is from a stream. The requirements include a water taking report developed by a qualified person (QP), and record keeping and reporting requirements.

Water taking for construction dewatering limits the amount that can be taken (400,000 L/day) and is a total of ground water and storm water. The EASR also has requirements that a QP develop a water taking plan that analyses potential impacts of the taking, discharge plan, and limits where the water can be discharged (e.g. cannot be directly to a water body). The EASR also contains monitoring and reporting requirements. Both water taking EASRs require annual reporting of their takings to the ministry.

Also approved are amendments to Ontario's *Water Taking and Transfer Regulation* which will clarify that passive, in-stream diversion is **not** a water taking, and also exempt some takings relating to active in-stream construction by-passes, wetlands restoration and construction, and weirs.

If you have any questions about this new PTTW regulation and its requirements, please contact Patrick McManus (patrick.mcmanus@oswca.org or 905-629-7766 ext. 222).