



25 Adelaide Street East, Suite 1100  
Toronto, Ontario M5C 3A1  
Tel: 416-203-2746  
Toll Free: 1-877-557-2746  
Fax: 416-203-6181  
Website: www.apgo.net  
E-mail: info@apgo.net

November 14, 2016  
Ministry of the Environment and Climate Change  
Integrated Environmental Policy Division  
Land and Water Policy Branch  
135 St. Clair Avenue West  
Floor 6  
Toronto ON M4V 1P5

Attention: Leo Luong - Manager

**Subject: Moratorium on Permits to Take Water for Water Bottling - EBR Registry #012-8783**

The Association of Professional Geoscientists of Ontario (APGO) was established to protect the public and the natural environment by regulating geoscience practice in Ontario, including the application of geoscience to groundwater. This mandate is our foremost concern and we appreciate the opportunity to comment on the above-referenced policy framework.

We understand that the Ministry of Environment and Climate Change (MOECC) has proposed a regulation that “would establish a moratorium on the issuance of new or increasing permits for water bottling” until January 1, 2019. The purpose of the moratorium is to allow time for the MOECC to study groundwater resources in the province, including its use for water bottling purposes, but also other purposes, with the objectives within those two years of: a) establishing new water pricing and conservation tools, b) creating new water taking rules; and, c) undertaking additional groundwater studies, including public consultation.

The APGO has regulatory authority over the professionals who undertake groundwater studies, who as Geoscientists understand the scientific implications of the proposed changes being considered. As you are likely aware, our organization not only regulates our members, but also reviews or creates guidelines of professional practice that establish the requirements for scientific studies prepared in support of groundwater takings.

The APGO recognizes that the creation of new public policy over groundwater must consider public opinion, but decisions should be evidence-based and informed by the application of available science. Public policy made in response to an outcry over bottled water operations can have unintended consequences on other water users in the province. On Attachment ‘A’ to this correspondence, we have enumerated an initial list of concerns that we would ask the MOECC to consider prior to making any final decision to proceed with the proposed moratorium.

APGO members have decades of experience with the evaluation of impacts from groundwater takings and can bring a valuable perspective to the discussion. We, therefore kindly request the opportunity to participate in a technical working group with the MOECC to provide further input.

We appreciate the opportunity to provide our perspective on this important matter.

Sincerely,

Handwritten signature of A. R. (Tony) Lotimer in black ink.

A. R. (Tony) Lotimer, P.Ge.  
President

Handwritten signature of Ron Ormson in black ink.

Ron Ormson, P.Ge.  
Chair, Environment Subcommittee

cc. Gord White – CEO

//attch.

## Attachment 'A' – Detailed Concerns about EBR Registry Posting #012-8783

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1. This proposed regulation focuses on a very small sector of water users, the bottled water industry. APGO members work in multiple sectors where both consumptive and non-consumptive water takings far exceed that taken by this industry.
2. It would seem illogical to focus the province's resources on only this sector, where other consumptive uses (such as agricultural irrigation, municipal supply, and golf course irrigation) far exceed (on the order of 100's of times) the bottled water industry's taking.
3. We suggest that reference be made to the MOE document entitled "Best Practices for Water Taking Proposals, November 2002". We would respectfully suggest that the province query its own water usage database to update that 2002 report, and better see where efforts would be more reasonably focused. With the current water database, this can be easily done well before the end of stakeholder consultation, and could greatly inform the need for inadvertently enacting an apparently unnecessary regulation.
4. Of most concern to APGO members are the provisions to limit the use of pumping tests for evaluating water sources that may be used for water bottling purposes. This is an established scientific methodology and is stipulated in APGO's Professional Practice Guidelines. The MOECC's own requirements stipulate the use of pumping tests to evaluate the productivity and sustainability of a water source, regardless of the end use.
5. The province's stated goal "to better manage water takings, the hydrogeology of water resources throughout the province needs to be understood on a local scale where groundwater resources may be subject to stress" implies that local testing is needed. Pumping tests represent perhaps those most effective means of gathering this information on a local scale. To prevent professional geoscientists and engineers from using this key scientific tool by way of a regulation that refuses Permits is not in the best interests of the public or the natural environment.
6. Should the use of this methodology be restricted, there is a concern that proponents will use lesser technologies to evaluate the safe use of the water resource.
7. We would respectfully suggest the province consult their own technical support sections, in particular the Professional Geoscientists and Professional Engineers employed by the MOECC who routinely require all sectors to perform pumping tests.