

Proposal to extend the current moratorium on water bottling permits

Decision summary

We are extending the current moratorium on new or increased permits to take groundwater to produce bottled water for up to 6 months, to April 1, 2021. This extension gives us time to thoroughly consider the feedback we received and further engage on how we can implement our proposed enhancements to Ontario's water taking program.

Decision details

Ontarians can be confident water resources are protected by strong policies based on scientific evidence, and we continue to ensure we are prepared to adapt to changing circumstances.

From August 28, 2020 to September 27, 2020, we consulted on a proposal on the Environmental Registry to extend the moratorium on new or increased permits to take groundwater to produce bottled water. After considering all the comments we received on our proposal, we have decided to extend the moratorium up to six months, until April 1, 2021.

The extension of the moratorium will give us more time to:

- thoroughly review and consider the feedback received on our proposed enhancements to Ontario's water taking program
- further consult with the public, stakeholders and Indigenous communities on how we can implement those proposed enhancements before the moratorium ends

More information on these proposed enhancements can be viewed at <https://ero.ontario.ca/notice/019-1340>.

The moratorium prohibits:

- new permits to take water that would authorize water bottling facilities to take groundwater
- amending or issuing new permits for existing water bottling facilities that would authorize those facilities to take more groundwater than they are authorized to take when the moratorium took effect

- new or amended permits that would allow a facility to take groundwater to conduct pumping tests to determine if it could use the groundwater supply as a source of water for bottled water

The moratorium does not apply to water bottling facilities that get their water from a municipal drinking water system. These facilities do not need a permit under the *Ontario Water Resources Act* since they do not take water directly from a ground or surface water source. Instead, the municipal drinking water system that supplies the water to the facility requires a permit.

During the extended moratorium, we will explore the best approach to give municipalities more direct input on allowing bottled water companies to withdraw water in their communities. This includes proposing legislative amendments to the *Ontario Water Resources Act* that would implement the proposed requirement for water bottlers to obtain the support of the host municipality before applying for a new or increased permit to take groundwater.

We will also engage with the public, stakeholders and Indigenous communities on draft guidance to support the implementation of the proposed enhancements to Ontario's water taking program, including those to:

- enhance priorities of water use in the province that can guide water taking decisions
- enable an area-based approach that allows the ministry to assess and manage multiple water takings together in areas of the province where water sustainability is a concern

We are committed to protecting water resources in the province in a way that maintains the right balance between protecting our environment and responsibly supporting a prosperous economy that creates jobs and opportunity for the people of Ontario.

Comments Received

Through the registry: 66

By email: 610

By mail: 0

View comments submitted through the registry at the following link:

<https://ero.ontario.ca/notice/019-2319/comments>

Effects of consultation

What we heard

We received comments from Indigenous communities as well as from a wide range of interested stakeholders, including members of the public, conservation authorities, municipalities, environmental non-governmental organizations, the agricultural industry, and the bottled water industry.

The majority of the comments supported the moratorium extension to give us time to:

- thoroughly review and consider feedback received
- further engage on how we can implement our proposed enhancements to Ontario's water taking program

While the majority of comment supported the extension of the moratorium, a few comments were not supportive. Some questioned why the province is proposing to extend the moratorium when the independent third-party review of the province's findings on bottled water takings indicated that science does not support the need to regulate water bottlers any differently than other takers.

Some public comments advocated for a permanent moratorium or outright ban on bottled water permits.

In addition to commenting on the moratorium extension, some public submissions expressed concern about plastic waste, water security, and the commodification and privatization of water.

A few comments:

- noted that water is a human right
- expressed concern for an insufficient charge for taking groundwater to produce bottled water
- expressed support for giving municipalities more direct input on allowing bottled water companies to withdraw groundwater in their communities

Many stakeholders (e.g. municipalities, environmental non-governmental organizations, agricultural industry) and Indigenous communities and organizations supported the moratorium extension and expressed a desire for more time to review and comment on how the proposed changes to Ontario's water taking program would be implemented before changes take effect.

Response

We considered all of the comments received during the Environmental Registry posting in the final decision. We have made a decision to proceed with the extension of the moratorium to April 1, 2021, consistent with the proposal.

During the moratorium extension, we intend to thoroughly review and consider feedback received on our proposed enhancements to Ontario's water taking program, and further consult with the public, stakeholders and Indigenous communities on how we can implement those proposed enhancements before the moratorium ends.

Related links

- [Ontario Regulation 463/16: Taking ground water to produce bottled water](#)
 - [Ontario Regulation 176/17: Charges for taking ground water to produce bottled water](#)
 - [Interim Procedural and Technical Guidance Document for Bottled Water Renewals: Permit to Take Water Applications and Hydrogeological Study Requirements](#)
-

Connect with us

Please reach out to us to the contacts listed in this notice for further discussion.

Contacts

Water Bottling Moratorium and Water Policy

Leo Luong

Phone number

(647) 294-6031

Email address

waterpolicy@ontario.ca

Permit to Take Water Program

Patrick Spezowka

Phone number

(226) 268-7458

Email address

swr-psu@ontario.ca