

Updates to Environmental Permissions for Water Taking Activities and Storm Water Management Works

Information Session for PGO

October 2025

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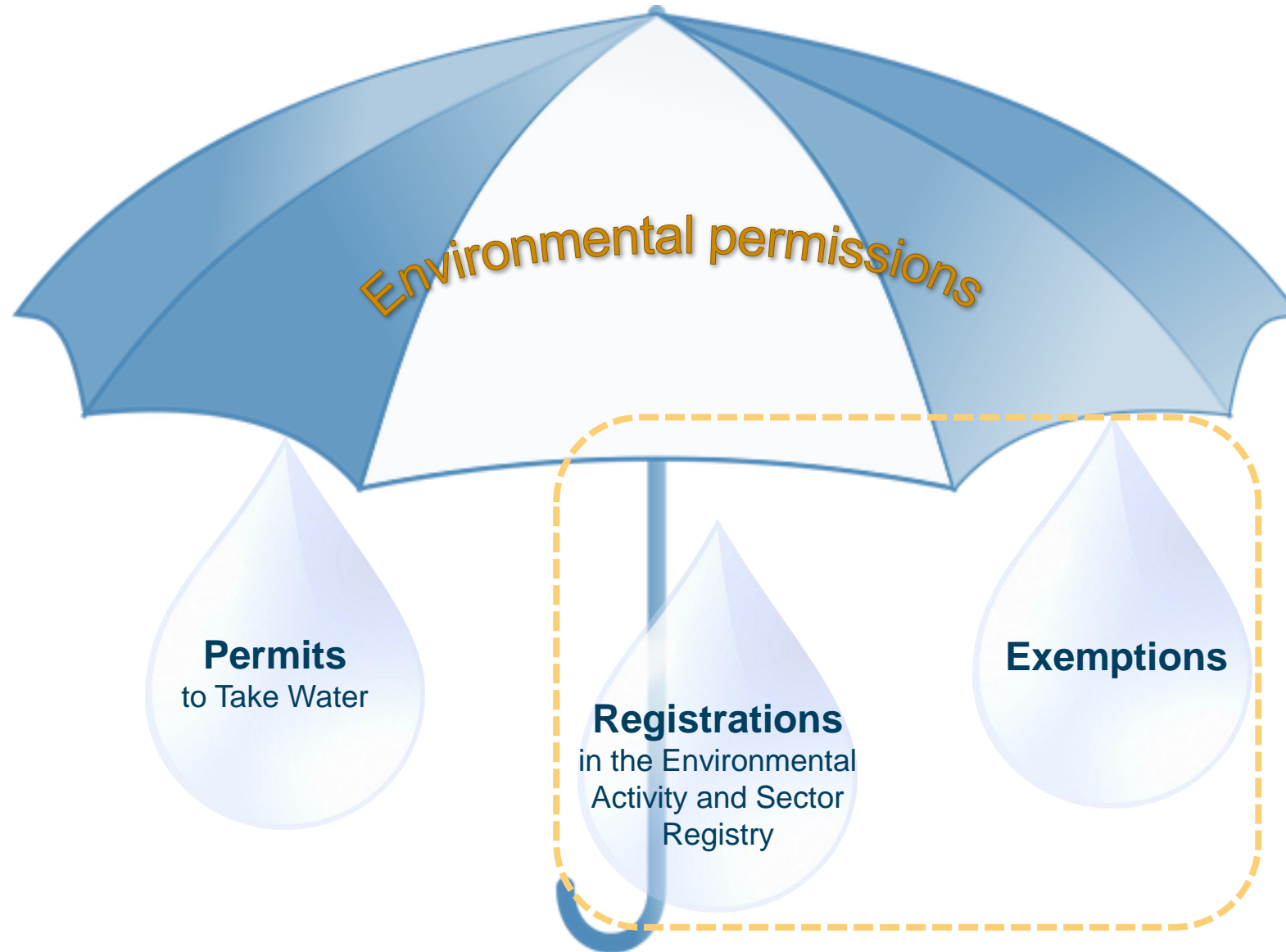
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Question and answer period

Environmental permissions for water taking activities

Overview and regulatory changes

Environmental permissions for water taking



Water taking
Registrations

in the Environmental Activity and Sector Registry

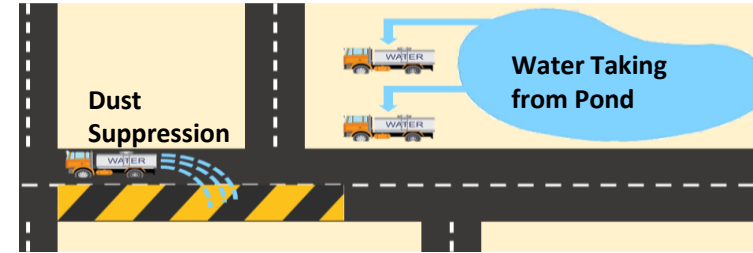


Water taking EASR: prescribed activities

There are three types of short-term water taking activities that are prescribed in Ontario Regulation 63/16 (O. Reg. 63/16) – Water taking EASR regulation, under the *Environmental Protection Act*:

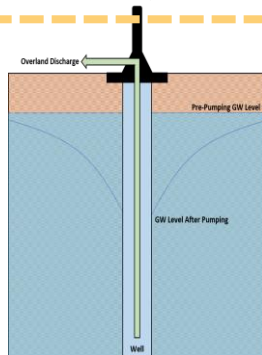
1) Highway and Transit Projects

- surface water takings that are more than 50,000 L/day and meet specified criteria about the purpose, rate or location of the water taking



2) Construction Site Dewatering

- involving more than 50,000 L/day of ground water, storm water or a combination of both per day on any day

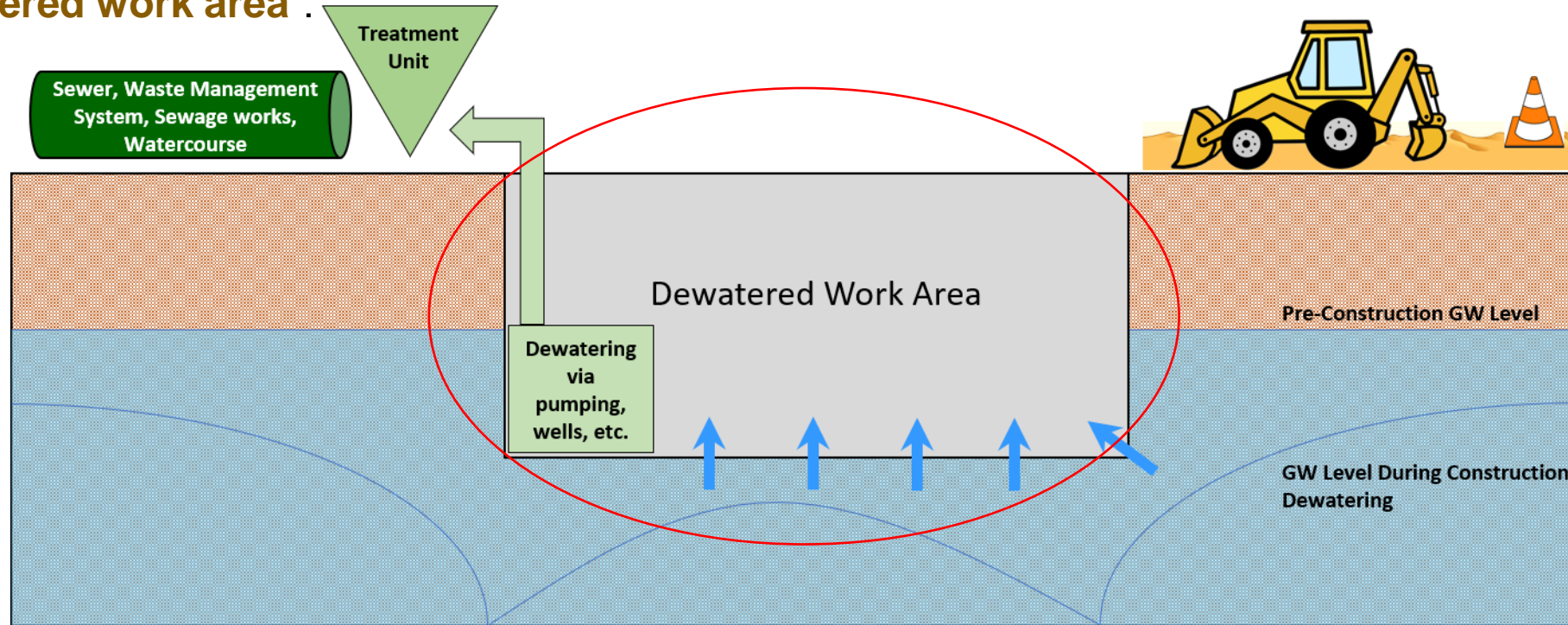


3) Pumping Tests

- seven-day pumping tests conducted in a 30-day period that take more than 50,000 L/day and less than or equal to 5,000,000 L/day

What do we mean by construction site dewatering?

- Short-term water takings focused on maintaining dry working conditions in construction pits referred to as “**dewatered work area**”.



- Applies to proponents such as municipalities, developers and corporations. Examples of projects include condominiums, commercial buildings, malls, transit lines, pipelines, etc.
- Includes contaminated sites and industrial lands (except mines or quarries).

Water taking EASR: Overview of changes

On **July 1st**, 2025, O. Reg. 63/16 was amended to mainly:

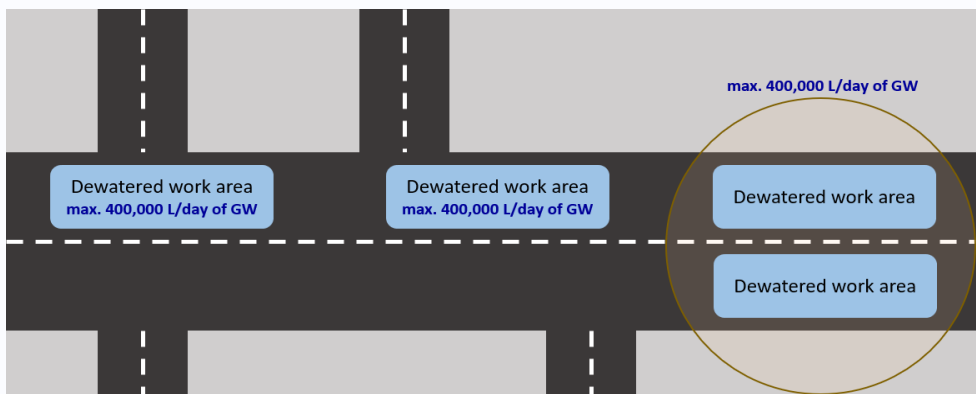
1. allow proponents to self-register additional construction site dewatering activities online by **removing previous volumetric water taking limits**; and,
2. **clarify** what specifically must be considered by Qualified Persons (QPs) in their **technical assessments** to improve consistency in QP assessments.



1. Water taking EASR: Changes to volumetric limits

Pre-July 1st 2025

- Previously, the daily volumetric limit of **groundwater** (maximum allowable volume of water to be taken) for a single dewatered work area (source) with a corresponding area of influence was **400,000 L/day**, with some restrictions.



Post-July 1st 2025

- Modifications were made to O. Reg. 63/16 to **remove**:
 - the **400,000 L/day volumetric limit** for groundwater (*lower limit of 50,000 L/day of groundwater, storm water or a combination of both stays remains the same*); and,
 - the distinction of **number** of dewatered work areas within a construction site for a single construction project.
- Now, there is **no daily volumetric limit** for takings of **groundwater, storm water* or a combination** of both (greater than 50,000L/day on at least one day) for the purpose of creating **one or more dewatered work areas** within a construction site, with some restrictions**.

*Takings of more than 50,000 litres of only storm water are not required to be registered in the EASR (or obtain a PTTW) but proponents are still required to have a QP prepare and retain a discharge report prior to taking water and implement the measures set out in that report, as outlined in O. Reg 63/16.

**A PTTW is still required for certain water takings, such as surface water takings and takings at a site associated with a mine, mine development, mine reclamation, pits or quarries. O. Reg. 63/16 outlines these restrictions.

2. Water taking EASR: Clarifying technical assessment requirements

Pre-July 1st 2025

- QPs required to prepare a water taking report and discharge report to:
 - analyze the potential impact of the water taking on other water users and the environment, and any potential impact on soil settlement and integrity of infrastructure
 - identify methods, measures and controls to monitor, prevent, mitigate, or remedy the potential impacts of the proposed water taking activity based on the analyses completed
- Proponents required to follow any requirements set out in the reports once registered.

Post-July 1st 2025

- **Requirements remain the same** (preparation of water taking and discharge reports) but added further **clarification** on what QPs must consider as part of their analyses and in the identification of the mitigation methods, measures and controls.

Example

In the water taking report:

- ✓ ***new*** analysis of any potential sources of contamination and impact of any movement of contaminants
- ✓ analysis of potential impact of water taking on **conservation land, fish and wildlife habitat and natural functions** of the ecosystem
- ✓ ***new*** protocol for providing notice to the ministry immediately if a shutdown protocol, if any, or any measures in the contingency plan are implemented



Proponents are required to retain these reports onsite but must **also upload** these into the online system at the time of registration

Water taking EASR: Transition timelines

Existing PTTW holders

- Not required to register in the EASR and comply with O. Reg. 63/16 until you are applying for an **amendment** (*excluding administrative amendments*), or renewal of your existing PTTW, or your existing PTTW is expired or revoked

Existing EASR registrants

- Not required to re-register until you make **changes** to your water taking activity (*excluding administrative changes*)

Water taking **Exemptions**



Exemptions: Foundation Drainage Systems

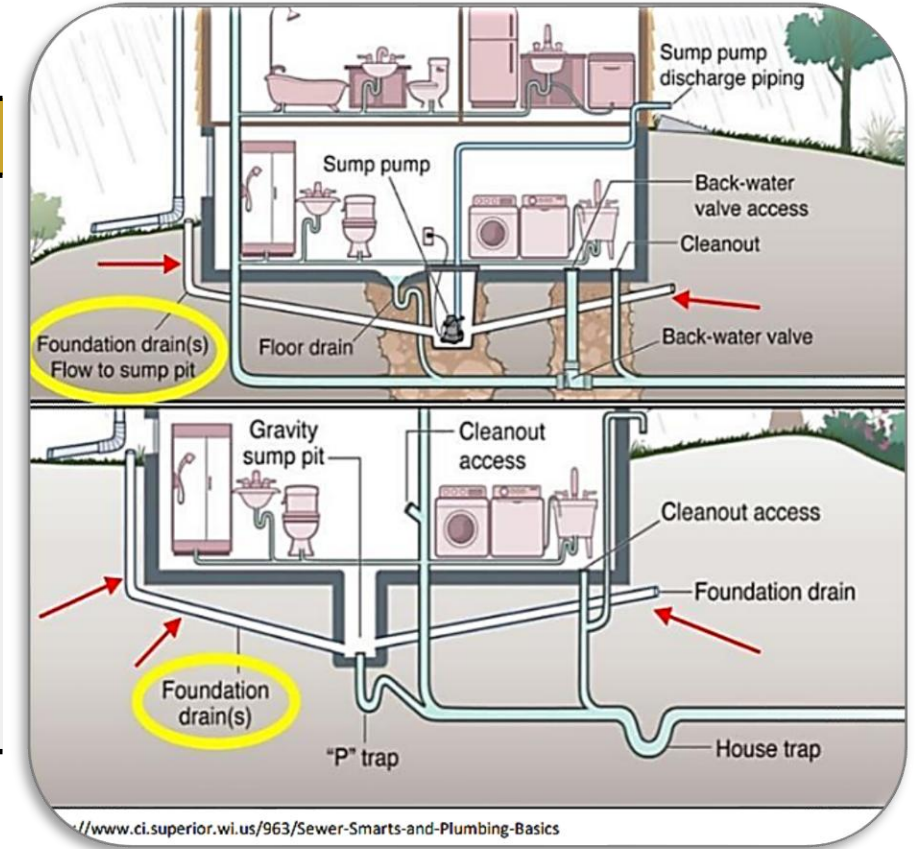
Pre-July 1st 2025

- Previously, a PTTW was required for water takings of more than 50,000 L/day from residential foundation drainage.

Post-July 1st 2025

Amendments were made to O. Reg. 387/04 (Water Taking and Transfer) under the *Ontario Water Resources Act* to:

- Exempt foundation drainage systems** used primarily for residential purposes (up to 379,000 L/day) from requiring a PTTW.



A PTTW is still required for water takings of more than 379,000 L/day from residential foundation drainage systems and for water takings from foundation drainage systems not used primarily for residential purposes.

Additional Resources



The EASR regulation is on the e-laws website at www.e-laws.gov.on.ca :

[O. Reg. 63/16
REGISTRATIONS UNDER
PART II.2 OF THE ACT -
WATER TAKING](#)



Guidance is also available on the ministry's website:

[Water taking guidance for
Environmental Activity and
Sector Registry](#)



If you have further questions, contact the **Client Services and Permissions Branch**:

Phone: 416-314-8001 (Toll-free: 1-800-461-6290), Mon to Fri, 8:30 a.m. to 5:00 p.m.

E-mail:

enviropemissions@ontario.ca

Ministry of the Environment, Conservation and Parks

Streamlining Environmental Permissions for Storm Water Management Works

Client Services & Permissions Branch

October 2025

Summary of Changes

- The ministry has:
 - Introduced a new regulation ([O. Reg. 137/25](#)) that enables clients to self-register certain storm water management works online instead of applying for an Environmental Compliance Approval
 - Amended [O. Reg. 525/98](#) to exempt certain low risk works from environmental permissions, and
 - Amended [O. Reg. 287/07](#) to remove duplicative requirements for the protection of sources of drinking water
- The decision was posted on the Environmental Registry on July 22, 2025
- The amendment to O. Reg. 525/98 came into effect on July 1, 2025
- The new regulation and amendment to O. Reg. 287/07 came into effect on September 1, 2025

Key Components of Regulatory Changes

Registration-first (new regulation under *Environmental Protection Act*)

- **Established** a new storm water management works regulation for the Environmental Activity and Sector Registry (EASR) that requires clients to self-register certain storm water management works online instead of applying for a ministry-reviewed permission, while following a prescribed set of rules for design and operation

Exemption (amend O. Reg. 525/98 under *Ontario Water Resources Act*)

- **Expanded** exemptions for residential low impact development (LID) works
- **Exempted** passenger rail track drainage works owned by Metrolinx or another transit authority
- **Clarified** that previous exemptions for storm water management facilities apply to storm water management works (e.g., including works for transmission or conveyance) that meet the same existing criteria

Source Protection Regulatory Changes

Streamlining Clean Water Act Requirements

- Under the Clean Water Act, significant drinking water threats (SDWTs), such as SWM works, are managed by local source protection policies that use prescribed instruments such as environmental permissions (e.g. ECAs) to manage threats to drinking water sources
- Policies that direct the ministry to manage SDWTs through an ECA no longer apply to activities managed by the SWM-EASR registrations

Associated Amendments to O. Reg. 287/07 under *Clean Water Act*:

- To reflect that these SDWT works will now be managed under the EASR regulation, accompanying amendments have been made to the CWA regulation to limit the application of other source protection plan policies to these SDWT works, such as municipal risk management plans
- To allow for amendments to existing source protection plans through simplified approvals

Note: Source protection authorities are allowed to propose and/or maintain other policies (e.g., prohibition, monitoring, annual reporting on effectiveness) for these works to manage threats to drinking water sources

SWM EASR: Subject to Registration

The SWM EASR regulation prescribes the following activities as being subject for self-registration:

The use, operation, establishment, alteration, extension or replacement of any new or existing stormwater management works, provided that:

- the stormwater management works must not be owned or assumed by a municipality or certain municipal entities managing sewage utilities.
- the processing, repair or maintenance of goods and materials at the property, if any, are conducted indoors.
- no discharge of process water, cooling water, wash water or sanitary sewage can be received by the works.

Transition: existing storm water management works with an approved ECA can continue to operate under their ECA but must register in EASR when a modification is proposed (i.e., non-administrative ECA amendment is required). An administrative amendment includes a name change, mailing address change or change in ownership.

Eligible Sites: Examples			
Residential Uses	Apartments	Townhomes	Group homes
	Boarding houses	Houses	Residential clubs
Commercial Uses	Banks	Libraries	Department stores
	Offices	Markets	Shops
	Television studios	Hair salons	Beauty parlors
	Stadiums	Restaurants	Movie theatres
	Museums	Hotels	Lodging houses
	Places of worship	Daycare facilities	Hospitals
	Schools	Universities	Colleges
Institutional Uses	Rehabilitation centers	Infirmarys	Nursing homes
	Police stations	Assisted living facilities	Prisons
	Cardlock facility	Auto service stations	Warehouses
	Workshops	Self-storage facilities	Gas stations

SWM EASR: Ineligible Sites

1. A waste disposal site as defined in Part V of the Act.
2. An abandoned motor vehicle site as defined in Part VII of the Act.
3. A snow disposal facility or site for the storage of snow where the predominant use of the site is for the retention, control, storage or disposal of snow.
4. A bulk plant as defined in Ontario Regulation 217/01 (Liquid Fuels) made under the *Technical Standards and Safety Act, 2000*
5. A road salt storage facility; golf course; airport; renewable energy generation facility; greenhouse
6. A shipyard and any associated maintenance facility
7. An outdoor surface consisting of aggregate that includes basic oxygen furnace slag.
8. A site at which any of the following activities take place:
 - Outdoor repair and maintenance of motorized vehicles, equipment, and heavy machinery
 - Activities described under NAICS codes: 31, 32, 33 (Manufacturing), 21 (Mining, quarrying, and oil and gas extraction), 2211 (Electric power generation, transmission and distribution), 2212 (Natural gas distribution), 418110 (Recyclable metal merchant wholesalers).
9. Stormwater management works that are identified as a significant drinking water threat, and the relevant source protection plan prohibits the establishment of the works.



Note: these sites require an ECA, regardless even if they meet the criteria to register.

SWM EASR: What's Covered?

Certain sewage works are already exempt under:

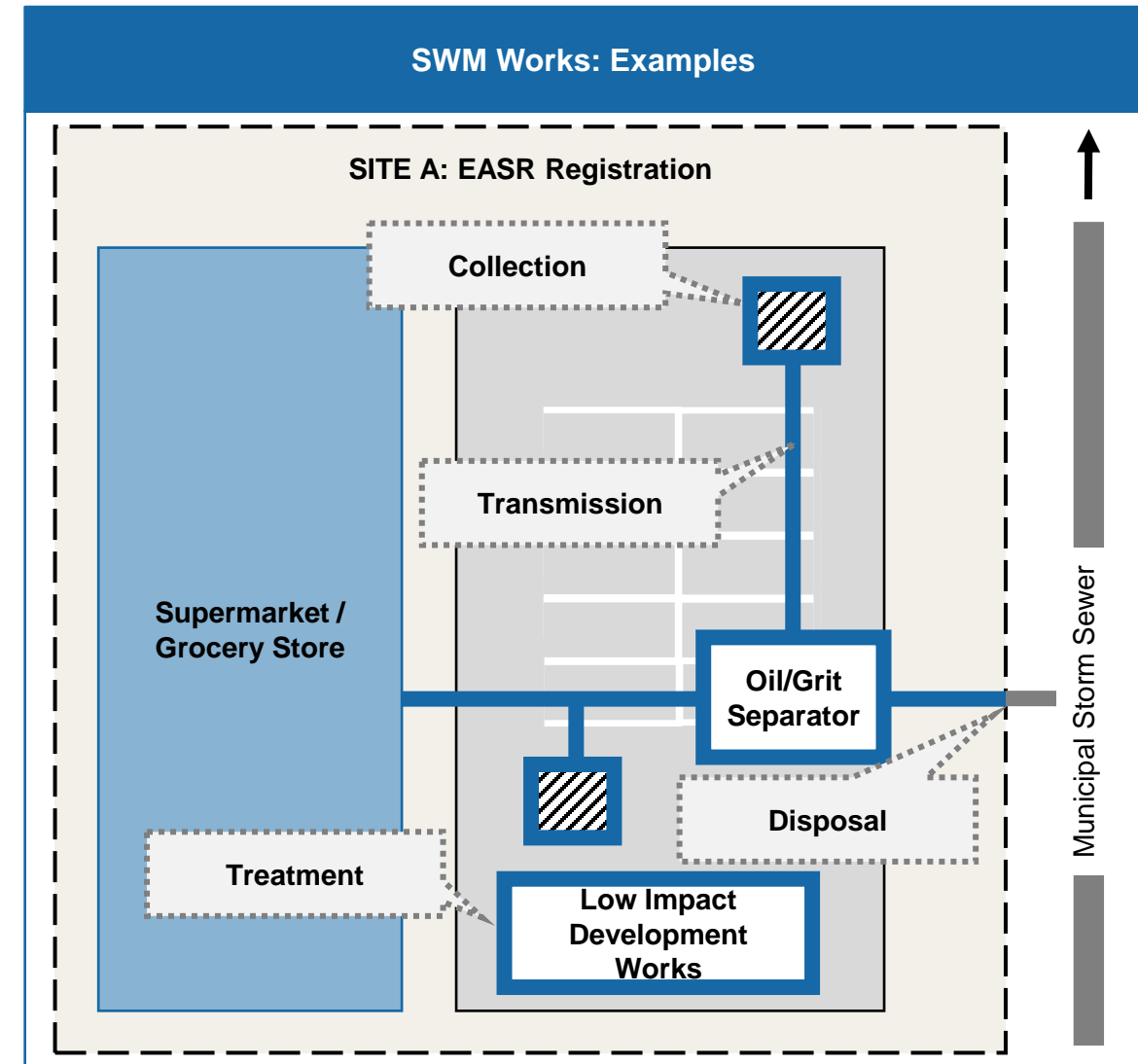
- *Ontario Water Resource Act*, s.53(6)
- O.Reg. 525/98: Approval Exemptions,
 - section 2 - sewers and service connections
 - section 3 - stormwater management facilities
 - section 4 - low impact development

The SWM EASR captures certain SWM works that service an entire site that are not already exempt (under OWRA and O.Reg. 525/98) and would have otherwise required an ECA.

Like the OWRA definition of “sewage works”,

“stormwater management works” means any works for the

collection (e.g., catch basins, curb drains, roof drains, etc.),
transmission (e.g., laterals, sewers, etc.),
treatment (e.g., oil/grit separator, pond, filter, etc.) and
disposal (e.g., outfall, drainage pipes, perforated pipes, etc.)
of stormwater.



SWM EASR: General Requirements (Owner)

Title	Requirement
Landowner Consent	<ul style="list-style-type: none"> the owner must obtain consent from the owner of the site or sewage works, if: <ul style="list-style-type: none"> ✓ the works are not located on land that is not owned by the owner ✓ the works are discharging to land or sewage works that is not owned by the owner
Site assessment	<ul style="list-style-type: none"> LEP must conduct a site assessment of the catchment area of the works to obtain the following information: <ul style="list-style-type: none"> ✓ the works are prescribed for registration in EASR ✓ description of activities taking place in catchment area and associated contaminants ✓ description of quality and quantity of storm water ✓ assessment of precipitation and drainage patterns, site contours and hydrological conditions of the catchment area ✓ assessment to determine if works is a significant drinking water threat (SDWT) including an identification of: <ul style="list-style-type: none"> ✓ applicable source protection area ✓ wellhead protection area ✓ surface water intake zone
Special Policy Areas	<ul style="list-style-type: none"> the owner must meet the requirements as required by other regulations. Example: <ul style="list-style-type: none"> ✓ a NEPDA development permit must be obtained (if required) for works located in an area of development control within the Niagara Escarpment Planning Area. ✓ all requirements of the class EA (if any) must be met prior to registration.
SDWT assessment	<ul style="list-style-type: none"> works assessed to be a significant drinking water threat (SDWT) must include a description of how the design, operations and maintenance and erosion and sediment control plan mitigates the risk must provide written notice to source protection authority before operations begin including description of works, statement that the works are a SDWT and the EASR registration number

SWM EASR: SWM Report Requirements (LEP)

Title	Requirement
Format	<ul style="list-style-type: none">• The SWM report must be prepared by a LEP and divided into the following sections:<ul style="list-style-type: none">• Introduction• General requirements• Design• Assessment of Monitoring• Operations and Maintenance Manual• Erosion and Sediment Control Plan
Introduction section	<ul style="list-style-type: none">• The introduction section of the report must contain the following information:<ul style="list-style-type: none">• the date the report was prepared• the name, licence number, signature and seal of the LEP that prepared the report• a summary of the LEPs qualifications• a statement confirming the following:<ul style="list-style-type: none">• based on the information provided, the information in the report is accurate as of the date it is signed and sealed• The information in the report accounts for the results of the site assessment of the catchment area of the works• The works are designed to mitigate any adverse effects• A statement by the owner/operator confirming the information given to the LEP is complete and accurate

SWM EASR: SWM Report Requirements (LEP)

Title	Requirement
General section	<ul style="list-style-type: none"> the LEP must provide a site plan and description of the catchment area, description of the site assessment and results of the site assessment the LEP must provide the results of the SDWT assessment
Design section	<ul style="list-style-type: none"> the LEP must provide all the design details associated with the works, including design criteria, design calculations, storage and treatment capacity, manufacturer's specifications, treatment technology, etc. for works discharging to the natural environment, or works that are a significant drinking water threat, the design must achieve "enhanced protection", i.e., 80% long term removal of suspended solids. the LEP must provide details of any design considerations related to works that are: <ul style="list-style-type: none"> a significant drinking water threat, that are in special policy areas (Lake Simcoe, Niagara Escarpment, Oak Ridges Moraine, Greenbelt), that receive stormwater from sites with outdoor storage, that discharge to the natural environment engineering drawings must be included and all the relevant design information and details
Assessment of Monitoring section	<ul style="list-style-type: none"> the LEP must complete an assessment to determine whether monitoring is necessary for the discharge from the storm water management works. This determination could be based on site specific considerations such as: <ul style="list-style-type: none"> the receiving environment, municipal or special policy area requirements, protecting sources of drinking water If monitoring is necessary, the LEP must propose a monitoring plan indicating the parameters to be monitored, effluent objectives, monitoring/sampling locations, corrective actions if objectives are exceeded, frequency and duration

SWM EASR: SWM Report Requirements (LEP)

Title	Requirement
Operations and Maintenance Manual	<ul style="list-style-type: none"> the LEP must provide a description of the inspection, maintenance and repair procedures and the frequency of when these activities must be completed the LEP must provide contingency plans and procedures to be implemented during abnormal situations such as, emergency shutdown of the works, spills, equipment breakdowns or emergency situations as a minimum, the works must be inspected at least once per year and as soon as practicable after each significant storm event (>25 mm of rain at a location in any 24-hour period)
Erosion and Sediment Control Plan	<ul style="list-style-type: none"> the LEP must provide details of any erosion and sediment control measures that must be implemented during any construction activities at the site to prevent sediment run-off the details must include a description of the measures, along with any inspection and maintenance procedures including frequency (minimum of every 2 weeks as soon as practicable following each significant storm event)
Upload Report	<ul style="list-style-type: none"> the owner must upload the SWM Report into the registry before obtaining the confirmation of registration when the information in the SWM report changes, a LEP must either update the report or prepare an addendum as part of the SWM report, any addenda must be uploaded in the registry Any addendum to the SWM report must be prepared, dated, signed and sealed by a LEP and is considered to be part of the SWM report the owner must make the SWM Report available to anyone constructing, operating, altering, extending or replacing the SWM works

SWM EASR: Step for Registering

Prior to Self-registration on the EASR

Registrant obtains SWM report prepared by LEP detailing the following:

- Results of site and SDWT assessment
- Design of the Works
- Operations and Maintenance of the Works
- Erosion and Sediment Control Plan during construction activities

Construction of SWM works

Works are constructed following requirements detailed by the LEP in the SWM report including:

- Design of the Works
- Erosion and Sediment Control plan

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Owner of the site retains Licensed Engineering Practitioner (LEP) to conduct a site assessment

- LEP assess site conditions, engaging with local municipality and others as applicable
- LEP completes a significant drinking water threat assessment

Self-registration the EASR

The owner of the SWM works or their representative, registers the SWM works on the EASR and attests to operating the SWM works in accordance with the SWM report and SWM EASR regulation

Operations and Compliance

The Owner of the SWM works

- ensures the works are operated and maintained in accordance with the EASR regulation and O & M manual
- maintains prescribed records e.g., inspection records
- Prepares a Spill Contingency Plan*
- Make reports and records available to ministry staff upon request

*A Spills Contingency Plan is required for activities that have outdoor storage and/or are a significant drinking water threat

SWM EASR: Post Registration

Title	Requirement
Operation of Works	<ul style="list-style-type: none"> the owner must follow all the procedures set out by the LEP in the SWM report the owner must ensure that the effluent is free from floating and settleable solids and does not contain any oil or other substance that will create a visible film, sheen, foam or discoloration on the receiving waters
Spill Contingency	<ul style="list-style-type: none"> the owner must prepare and implement a spill contingency plan (SCP) for site when: <ul style="list-style-type: none"> there is outdoor storage or handling of soil, raw materials, intermediate and finished products or byproducts the works are assessed to be a SDWT the SCP must contain procedures to prevent or reduce the risk of a spill and procedures to prevent, eliminate or ameliorate any adverse effects resulting from a spill the owner must maintain an inventory of spill response and clean-up equipment and provide training to staff on an annual basis
Records and Notification	<ul style="list-style-type: none"> the owner must maintain and retain all records for minimum 5 years, including records related to inspections, maintenance and repairs, monitoring, complaints and abnormal situations a LEP must provide a set of as-built drawings within 6 months of the completion of construction of the works to the owner, that is to be retained for the lifetime of the works. the owner must notify the MECP District Office of any effluent objective exceedances (when monitoring is required) and notify the MECP Spills Action Centre when a spill occurs the owner must retain the following records for the lifetime of the works (as applicable): landowner's consent, other permits and authorizations, manufacturers specification sheets and copies of agreements, as-built drawings of the works and spills contingency plan

SWM EASR: Additional Resources

For more information:

- see the [decision](#) posting on the Environmental Registry and see the following quick links:
 - [O. Reg. 137/25: REGISTRATIONS UNDER PART II.2 OF THE ACT - STORM WATER MANAGEMENT WORKS](#)
 - [ONTARIO REGULATION 525/98 - APPROVAL EXEMPTIONS](#)
- guidance is available on the Ministry's website:
 - [Environmental Activity and Sector Registry | ontario.ca](#)
 - [Storm water management works guidance for the Environmental Activity and Sector Registry](#)
 - [Preparing a storm water management report](#)
 - [Significant drinking water threat assessment](#)
- contact the Client Services and Permissions Branch:

Phone: 416-314-8001 (Toll-free: 1-800-461-6290), Mon to Fri, 8:30 a.m. to 5:00 p.m.

E-mail: permissions.modernization@ontario.ca

Complying with your registration:

- **water taking EASR**
- **storm water management works EASR**

Post Registration

Updating your registration:

- when the information in the registry changes, Ontario Regulation 245/11 – the general EASR regulation, requires that the registrant must update the registry within 30 days of becoming aware that the information is no longer accurate
- for SWM EASR, when the information in the SWM report changes, a LEP must either update the report in the registry or prepare an addendum as part of the SWM report and upload it in the registry
- water taking registrations must be removed from the registry after the water taking reporting is completed

Post registration review:

- the ministry is reviewing registrations for compliance with the relevant regulations under the Environmental Protection Act, in cases where non-compliance is suspected, registrants will be contacted to update the registry with complete and accurate information failure to do so may result in investigation and enforcement actions.

Water taking reporting (only water taking EASR):

- registrants are required to keep records for the daily volumes of water taken and report to the ministry on or before March 31 in each year, for each location from which water was taken in the previous calendar year
- if no water is taken, then a “no taking” report must be entered
- water taking reporting is completed through your My Ontario Account

Compliance

- The ministry will implement an auditing process for verifying information submitted in the registry, which will support the ministry's compliance efforts.
- In addition, the ministry will continue to enforce compliance through inspections, incidents, complaints and spills. Non-compliance will be addressed in accordance with the ministry's updated [Compliance Policy](#).
 - Compliance and enforcement tools range from education & outreach to requests for investigation and potential prosecution.

Other tools available to enforce compliance

- Section 20.23 Order under the Environmental Protection Act
 - A Director can suspend or remove a registration in respect of an activity for a works that is engaging in the activity that is violating the EPA, OWRA, or the regulations made under either of those Acts.
- Section 20 Notice under O. Reg. 137/25 – Storm Water Management Works
 - A Director can issue a notice to require a LEP to prepare a monitoring plan and/or specified records be created or kept in respect of monitoring.
 - Reasonable grounds to believe that the discharge has caused or may cause an adverse effect.

Thank you!

