



Harden Environmental Services Ltd.  
4622 Nassagaweya-Puslinch Townline Road  
R.R. 1, Moffat, Ontario, L0P 1J0  
Phone: (519) 826-0099 Fax: (519) 826-9099

Groundwater Studies  
Geochemistry  
Phase I / II  
Regional Flow Studies  
Contaminant Investigations  
OMB Hearings  
Water Quality Sampling  
Monitoring  
Groundwater Protection  
Studies  
Groundwater Modelling  
Groundwater Mapping

Our File: 0126

July 30, 2020

Township of Puslinch  
7404 Wellington Road 34  
Guelph, ON  
N1H 6H9

Attention: Glenn Schwendinger  
CAO

Dear Mr. Schwendinger;

**Re: Updating Ontario's Water Quantity Management Framework – Proposal Paper ERO -019-1340**

On behalf of the Township of Puslinch we have reviewed the proposed changes to the Ontario's Water Quantity Management Framework. This is a proposal prepared by the Ministry of the Environment Conservation and Parks (MECP). We have the following comments.

The MECP have established 4 goals for making changes to the way water is regulated.

**Goal 1: Establish clear provincial priorities of water use**

The MECP is proposing to amend the Water Taking and Transfer Regulation (Ontario Regulation 387/04) to identify the following priorities of water use:

**I. Highest Priority Uses**

**I. Highest Priority Uses Highest priority uses would be considered in the following order:**

1. Environment and Drinking Water (equally)
- Environment (e.g., maintaining stream flows, water levels and water

quality to protect human health and sustain freshwater ecosystems)

- Drinking Water (e.g., municipal and Indigenous water supplies, private domestic use, livestock watering, schools, hospitals)

2. Agricultural Irrigation

**II. Priority Among Other Uses not listed above would be prioritized in the following order:**

1. Industrial / Commercial (e.g., golf course irrigation, aggregate washing, industrial cooling)

2. Others (e.g., aesthetics, other non-essential uses)

The MECP then asks reviewers of the proposal several questions pertaining to the stated goal. We have provided the questions bold and our comments in italics.

**1. Do you support including priorities of water use in regulation? Why or why not?**

- *Comment 1: It is not clear where bottled water falls in these priorities. Bottled water is drinking water but as a for-profit endeavour, would this be considered an industrial/commercial use?*
- *Comment 2: Within the highest priority (e.g., municipal and Indigenous water supplies, private domestic use, livestock watering, schools, hospitals) does municipal water supplies have a higher priority than domestic use? The Township of Puslinch is completely dependant on groundwater for domestic use and for industrial and commercial businesses. Does the City of Guelph which shares a boundary with the Township have a higher priority even though the majority of water taken by the City is for commercial and industrial uses? Water use for domestic supply should be considered foremost in prioritizing use, whether or not it is from a municipal water supply. In the case of municipal supplies where industrial and commercial users are within the municipal demands, those uses should be treated separately just as they would be in a jurisdiction where those users would need to apply for their own PTTW.*
- *Comment 3: What level of investigation would be required to ascertain if reduced surface water flow or groundwater level reduction sustains freshwater ecosystems. Present criteria require different levels of investigation depending on the water taking but a regional cumulative assessment of water taking is not required in many areas.*

**2. How should priorities of use be applied to water taking decisions? When should it be applied? What process should be followed? Who should be involved? What information should be considered?**

- *Comment 4: Assuming that Domestic water uses have the same priority as municipal supplies, areas dependant on domestic wells should be considered and consulted for **any** large permit applications that will have impacts extending into the township boundary. Priority should **not** be given to municipal water supply for commercial/industrial use over commercial/industrial use in an adjacent municipality that does not have a regulated water supply. Where impacts of water taking by a municipality extend beyond its boundaries and thereby include restrictions(e.g. land use and water taking) under the Source Water Protection Act, the neighbouring municipality should be protected under the Ontario Water Resources Act or Source Water Protection Act.*

**3. Municipal drinking water supply is proposed as a highest priority use. What municipal drinking water needs should be considered a priority (e.g., current, planned growth, longer-term growth)?**

- *Comment 5: Again, this implies that municipal supplies have a higher priority than jurisdictions with private domestic wells. All domestic drinking water supplies should have a higher priority than other water uses, including agricultural, commercial and industrial either within or outside of a municipal water taking.*
- *Comment 6: All jurisdictions should be assessed equally if current water needs or planned growth are being considered then that should be applied equally to municipality water supply and private domestic water supplies. Municipalities that include industrial and commercial water use (including bottled water) within their municipal systems should not be allowed to project those future uses if that restricts the domestic uses in neighbouring municipalities.*

**Goal 2: Update our approach to managing water takings in stressed areas**

**1. Under what circumstances should the ministry consider assessing and managing water takings on an area basis?**

- *Comment 7: Assessing and managing the cumulative impacts of water takings should be conducted in all areas where water is being used for domestic or municipal use or in areas of sensitive environmental features. Unstressed areas today could become stressed in the future if appropriate management action is not taken.*

**2. What suggestions do you have for the process of assessing and developing a strategy to manage water takings on an area basis? For example, how should local water users, stakeholders, and Indigenous communities be engaged?**

- *Comment 8: Provincial funding should be allocated to jurisdictions that are dependant on groundwater for domestic use to develop similar surveys, studies and models that larger jurisdictions have available to them and these tools could be used in smaller jurisdictions as well. Funding is necessary to ensure that models are based on scientific data and not on estimates of natural conditions as early source water protection studies were.*
- *Comment 9: Open house presentations of natural features, local permits to take water, local growth and data being used for decision making should be presented to the public and stakeholders or made available to interested parties on a regular basis so that the users and stakeholders can be educated and aware of local conditions and issues.*

**3. How can the province help water users be more prepared for drought?**

- *Comment 10: Through the Low Water Level Response Program administered by the Conservation Authorities, the Province has the ability to restrict water use in times of drought. Perhaps permits should include flexibility to allow some seasonal storage to be used in the event of anticipated drought conditions. Municipalities could use an industrial/commercial pricing structure to make the cost of water purchase more expensive during times of drought.*

**Goal 3: Make water taking data more accessible**

Discussion Questions

1. Is there any water quantity and monitoring information reported to the ministry that should not be made publicly available? If so, why?
2. Would the proposed online resource be helpful to you? Why or why not? Are there other mechanisms for sharing this information that would be helpful to you?
3. What data would you like to see included in the online resource?
4. How would you like to see water quantity data presented? What are the most useful formats (e.g. maps with embedded information, reports, tables, story pages)?
5. What water resources information and guidance would you like to see made available to the public?

**Goal 4: Give host municipalities more input into water bottling decisions**

Let us know your thoughts on the discussion questions below.

**1. Do you support the proposal to require water bottling companies to seek support from their host municipality when applying for a Permit to Take Water? Why or why not?**

- *Comment 11: Many municipalities do not have the expertise to evaluate the effects of water taking by water bottling companies or any other water taking. The basis on which a municipality could refuse to support a proposed water taking should be the same criteria that are appropriately addressed by the PTTW process. If the provincial oversight of applications is thorough, and a PTTW issued, then presumably there will be no significant negative impact on the natural environment or local domestic water supply. Should such an impact come to light after the issuance of a permit, it is our understanding that Every permit issued by the Province includes the following clause that allows the Director to rescind the Permit.*

***Director May Amend Permit***

*The Director may amend this Permit by letter requiring the Permit Holder to suspend or reduce the taking to an amount or threshold specified by the Director in the letter. The suspension or reduction in taking shall be effective immediately and may be revoked at any time upon notification by the Director. This condition does not affect your right to appeal the suspension or reduction in taking to the Environmental Review Tribunal under the Ontario Water Resources Act , Section 100 (4).*

*The municipality should be made aware by the MECP of any proposed PTTW within their boundary and within neighbouring municipalities.*

Sincerely

Harden Environmental Services Ltd.



Stan Denhoed, P.Eng., M.Sc.  
Senior Hydrogeologist