



Town of Erin

Corporate Report

Department: Infrastructure Services	Meeting Date: 6/15/2021
Business Unit: Engineering	
Presented/ Prepared By: Kyle Davis, Risk Management Official	

Subject

Triton Water Canada Holdings, Inc. (formerly Nestle Canada) Permit to Take Water Application

Recommendation

Be it resolved that Council hereby receive report “*Triton Water Canada Holdings, Inc. (formerly Nestle Canada) Permit to Take Water Application*” for information;
And that Council hereby direct staff to provide comments to the MECP.

Highlights

Triton Water Canada (formerly Nestle) is applying to renew their existing Permit to Take Water for 10 years. There is no expansion of the water taking, therefore no Council resolution is required. It is recommended that comments be provided to the Ministry of Environment, Conservation and Parks for their consideration in issuance of the Permit to Take Water. These comments include that Ministry staff review and confirm Triton Water’s conclusions regarding the modelling analysis of potential impacts to the Hillsburgh municipal wells (0.3 to 0.4 metres additional water level decline) and recommendations on possible terms and conditions for the Permit to Take Water.

Background

On April 23, 2021, the Ontario Ministry of the Environment, Conservation and Parks (Ministry) posted on the Environmental Registry of Ontario website, an application to renew the Permit to Take Water (PTTW) for Triton Water Canada Holdings, Inc., formerly Nestle Canada, (Triton Water) at their well located in the Town of Erin near Hillsburgh. Concurrently, an application to renew the Triton PTTW for Aberfoyle in the Township of Puslinch was also posted. Both postings were originally set to expire on June 10, 2021, however, were extended by the Province until June 22, 2021 (a 60 day posting). Both applications are to renew existing PTTWs, at existing permitted rates, for 10 years. The Triton Erin PTTW application is available on the Environmental Registry of Ontario website <https://ero.ontario.ca/notice/019-3532> under Posting Number 019-3532.

In 2020, the Province of Ontario amended the Ontario Water Resources Act and associated regulations to require a resolution of support from municipal Councils for new or expanded bottled water taking PTTWs greater than 379,000 litres per day. Although the Triton Erin PTTW application is for a maximum volume of approximately 1.1 million litres per day (1,113,000 litres per day), this application is a renewal of the existing PTTW and therefore no municipal Council resolution is required to be submitted to the Province.

The Triton Erin well (TW1-88) has been permitted and operating since 2000. Under the current PTTW, the Ministry requires annual groundwater and surface water monitoring reports and a well interference protocol. In 2009, the Town of Erin established a Well Protection Agreement and Committee with Nestle Canada to address any well interference complaints. According to the PTTW application and supporting report, annual water takings for Triton Water (formerly Nestle) range from 13% to 70% of the current, permitted annual taking of approximately 406 million litres annually (406,288,800 litres). This is for the 2000 to 2017 period.

The following report provides staff comments for Council's information and discussion regarding the Triton Erin PTTW application. The staff comments provided are not a technical review of the hydrogeological, engineering or ecological aspects of the application, however, the application and the supporting report were referenced in the development of these comments. The supporting report is entitled Nestle Waters Canada – Erin – Technical Study for Permit to Take Water Renewal Application dated June 2019 by Golder Associates Ltd and includes a modelling report by Matrix Solutions Inc. In the Golder and Matrix reports, it is documented that Blackport Hydrogeology, formerly the Town of Erin hydrogeologist, assisted Triton Water in the preparation of the Golder and Matrix reports.

Comments

The Triton Erin well and property are located approximately 1.6 to 1.7 kilometres south west to south of the Town of Erin - Hillsburgh municipal wells and wellhead protection areas. The Hillsburgh municipal wellhead protection areas extend north of the municipal wells. The Triton Erin well is also approximately 1.6 kilometres from the proposed future Hillsburgh municipal well. The Triton Erin property is located within a Significant Groundwater Recharge Area (SGRA), Highly Vulnerable Aquifer (HVA) and a draft Intake Protection Zone – Quantity (IPZ-Q) as identified pursuant to the Clean Water Act. Please see attached figures for further detail. The Triton Erin property straddles the watershed boundary and the Triton Erin well is located within the Grand River watershed while the Hillsburgh municipal wells are located within the Credit River watershed. The applicable source protection plan, however, is the Grand River Source

Protection Plan – Wellington County Chapter as the Triton Erin well is located in the Grand River watershed.

As part of the PTTW application process mandated by the Province, Triton Water was required to update and run a hydrogeological model to estimate potential impacts from the water taking. To achieve this, Triton Water updated the Guelph / Guelph / Eramosa Tier 3 model as the property and well are located in the Intake Protection Zone – Quantity for the City of Guelph's Eramosa River intake. In addition to other modelling scenarios and given the Triton Erin well's proximity to the Hillsburgh municipal wells, modelling scenarios were run to estimate the potential drawdown at the Hillsburgh municipal wells during average and drought climate conditions. Climate change scenarios were also modelled.

The results presented in the Triton Water application and supporting report calculated an additional simulated drawdown value associated with increasing pumping from average, recorded pumping rates between 2000 and 2017 for the Triton Erin well to maximum permitted rates under the PTTW. Under average climate conditions, the model indicates an estimated 0.3 metres of additional water level decline or simulated drawdown at both Hillsburgh municipal wells. Under drought conditions, the additional water level decline at both Hillsburgh municipal wells was estimated to be between 0.3 to 0.4 metres. The climate change simulations predicted that groundwater levels at the Hillsburgh municipal wells would increase between approximately 0.2 to 1.8 metres compared to historical climate, mostly due to increased groundwater recharge during the winter.

A technical review of the modelling results will be conducted by the Ministry staff in their review of the PTTW application. It is recommended that the Town request the Ministry to review the modelling analysis and results as it pertains to the Hillsburgh municipal wells to confirm the conclusions presented in the Golder and Matrix reports and if the Ministry staff identify any concerns related to potential impact to Hillsburgh municipal wells to add appropriate terms and conditions to the PTTW.

To aid Ministry staff, draft policy WC-MC-22.1 in the Wellington County Chapter of the Grand River Source Protection Plan is publicly available. It is recommended that the Ministry consider the draft policy text referenced below and add terms and conditions to the PTTW, where appropriate to ensure protection of the Hillsburgh municipal wells and private, domestic wells. Additionally, Ministry staff may wish to consider this policy language in relation to the IPZ-Q for the City of Guelph Eramosa river intake as the Triton Erin well is located in the IPZ-Q and draft water quantity policies are currently under development for this vulnerable area. The Ministry should also consider the location of the Triton Erin well in proximity to SGRA and HVAs and add appropriate terms and conditions as required

For reference, please see the draft PTTW policy wording WC-MC-22.1 below:

“To ensure that any Consumptive Water Taking ceases to be a significant drinking water threat, where this activity is a significant drinking water threat as prescribed by the CWA, the MECP shall review and, if necessary, amend existing PTTWs and / or Drinking Water Works Permits to ensure that the Municipal Supply will not be adversely impacted, taking into consideration Tier 3 Study results / recommendations, water supply requirements for planned growth and prolonged drought outlined in Water Supply Master Plans and available data, reports and / or recommendations from monitoring programs established pursuant to policies in the County of Wellington Chapter of the Grand River Source Protection Plan. The MECP, where appropriate, shall consider establishing conditions in PTTWs and Drinking Water Works Permits to achieve this objective including but not limited to conditions which require:

- a. groundwater and surface water monitoring related to municipal drinking water supplies;
- b. assessment of demand management: water needs assessment (review of permitted maximum takings) and water efficiency measures;
- c. a phased approach to assess impacts;
- d. information sharing with the MECP, Municipalities and conservation authorities including a condition of approval for permit holders to provide Municipalities and conservation authorities technical reports and monitoring data gathered pursuant to a condition of the PTTW (as per bullet a.) above);
- e. measures to increase the optimization of the municipal water supply system where appropriate; and
- f. drought management planning for drought sensitive wells/systems

The MECP shall circulate Environmental Registry notices for proposed new or amended PTTWs and Drinking Water Works Permits to the Municipalities and GRCA and have due regard for comments from the GRCA and the Municipalities regarding proposed new or amended PTTWs and Drinking Water Works Permits and new or revised conditions of approvals related thereto.”

Regarding existing PTTW conditions, staff are supportive of retaining detailed monitoring, annual reporting, monthly reporting and complaint conditions in the PTTW. The existing PTTW conditions include a requirement to reduce water takings in accordance with Grand River Low Water Response Team declarations. Condition 3.4 and 3.5 refer to reductions based on the maximum taken per day. The Province’s 2017 interim guidance for water bottling permits (now revoked) recommended a reduction based on the previous three month water taking not maximum taken per day. It is recommended that the Ministry change conditions 3.4 and 3.5 to be in line with the 2017 interim water bottling guidance.

Strategic Pillar

Investment in Community Assets

Financial Impact

Not applicable

Conclusion

Triton Water is applying to renew their existing Permit to Take Water for 10 years. There is no expansion of the water taking, therefore no Council resolution is required. It is recommended that comments be provided to the Ministry of Environment, Conservation and Parks for their consideration in issuance of the Permit to Take Water.

Attachments

Appendix A: Figures – Vulnerable Areas Mapping

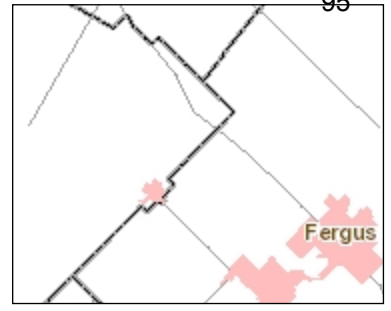
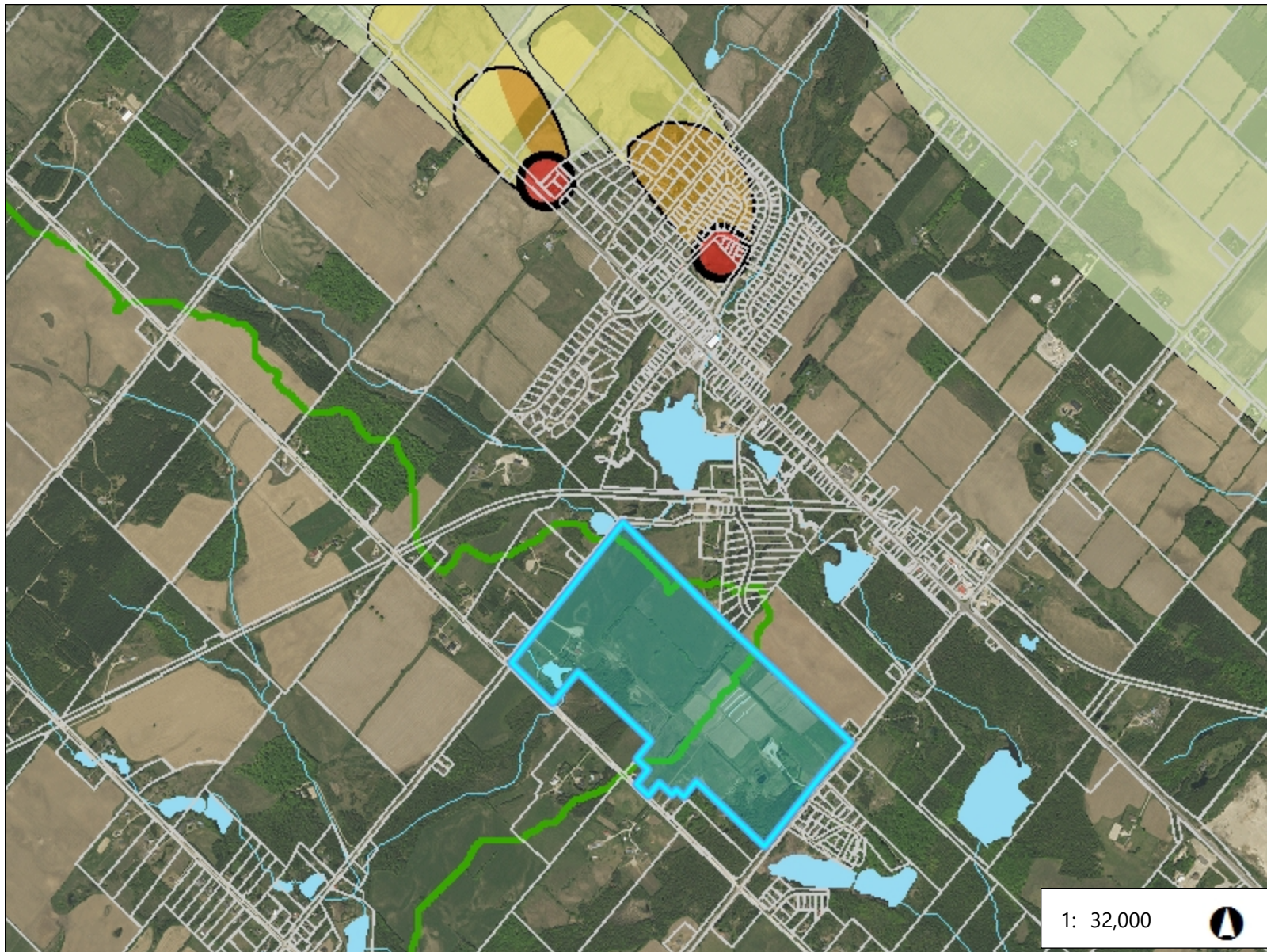
Appendix B: Permit to Take Water – Nestle Canada (Triton Water)

Kyle Davis

Risk Management Official

Nathan Hyde

Chief Administrative Officer



Legend

- Parcels
- Conservation Authority Boundary
- Waterbodies
- Watercourses
- Well Locations
- Wellhead Protection Area Boundary**
 - A
 - B
 - C
 - D
- Vulnerability Score**
 - 10
 - 8, D; 8; 8, C
 - 2, 4, 6 (A, B or C)
 - 2,4,6, D; 2,4, D; 2, 4, 6 (D); 4, D; 6,
- RoadsLookup**

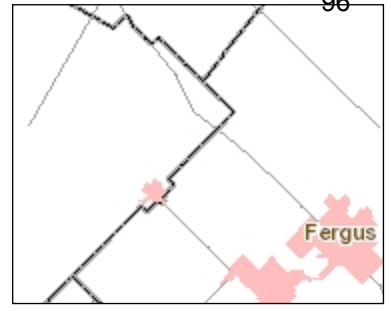
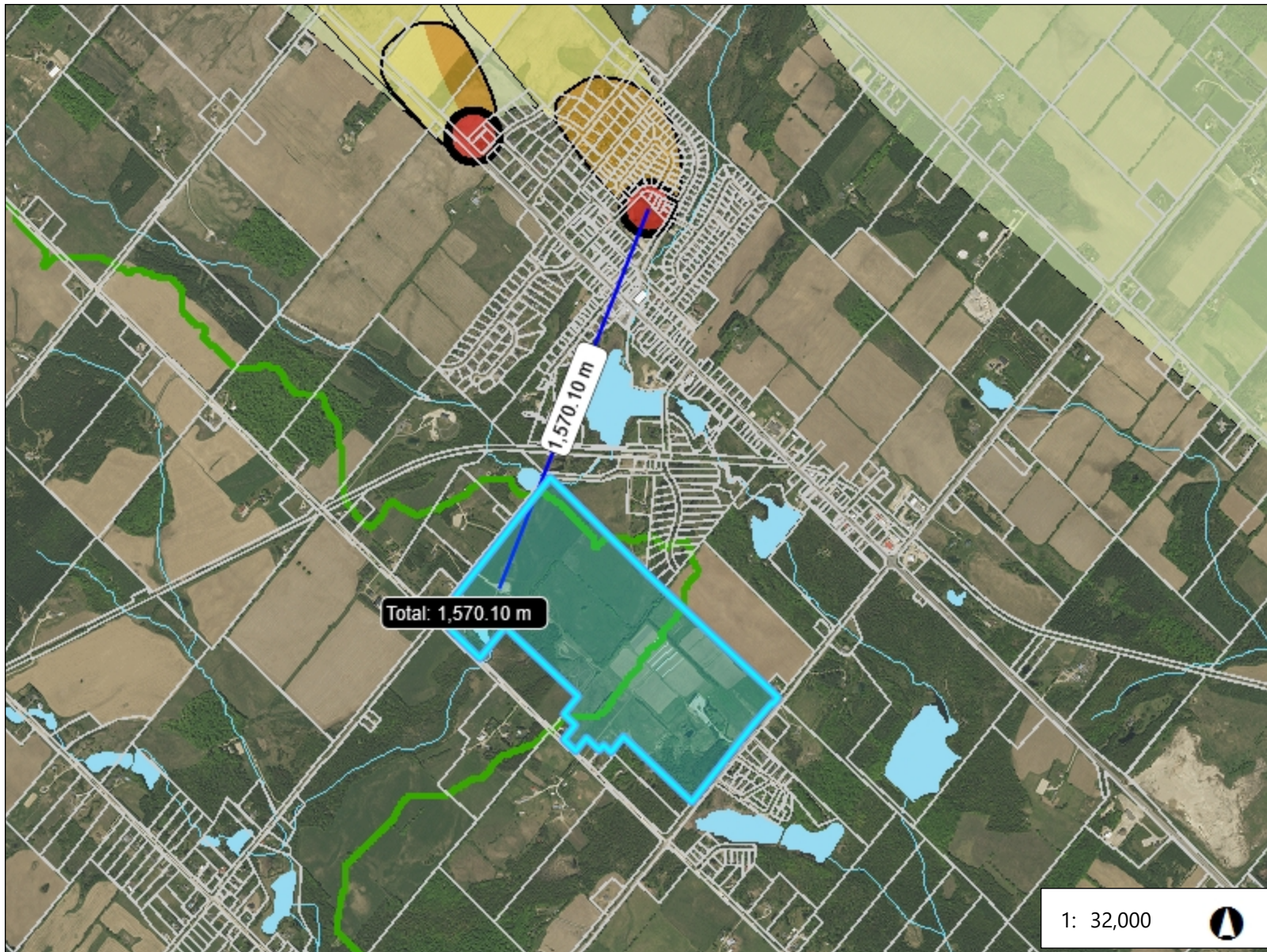
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Notes



Legend

- Parcels
- Conservation Authority Boundary
- Waterbodies
- Watercourses
- Well Locations
- Wellhead Protection Area Boundary**
 - A
 - B
 - C
 - D
- Issue Contributing Area**
 - Chloride
 - Nitrate
 - Sodium
 - TCE
- Vulnerability Score**
 - 10
 - 8, D; 8; 8, C
 - 2, 4, 6 (A, B or C)
 - 2, 4, 6, D; 2, 4, D; 2, 4, 6 (D); 4, D; 6,
- RoadsLookup

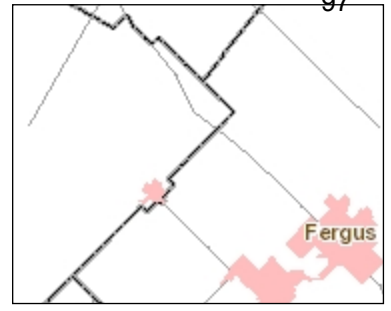
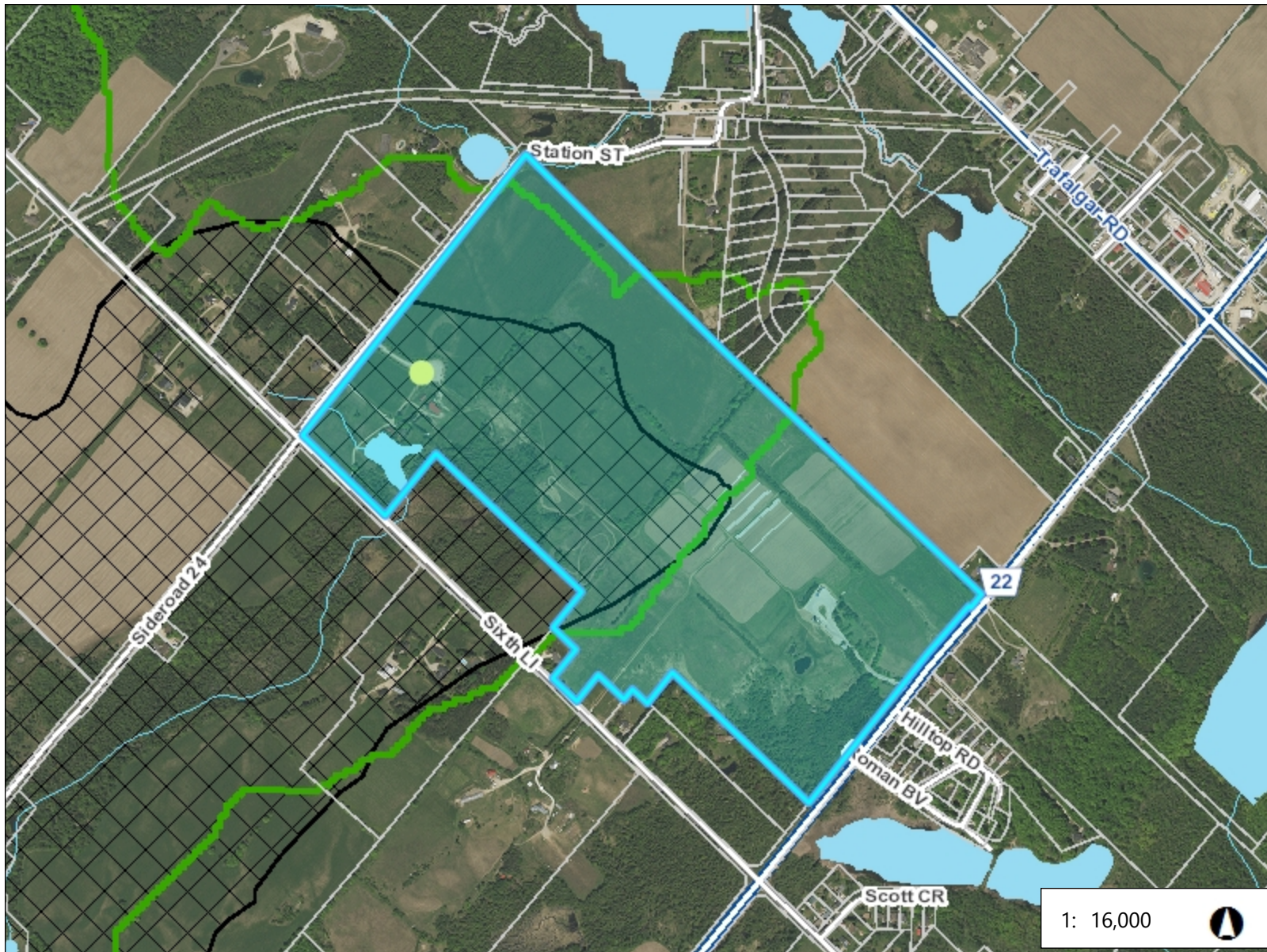
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Notes

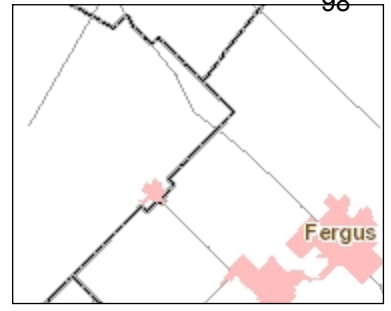
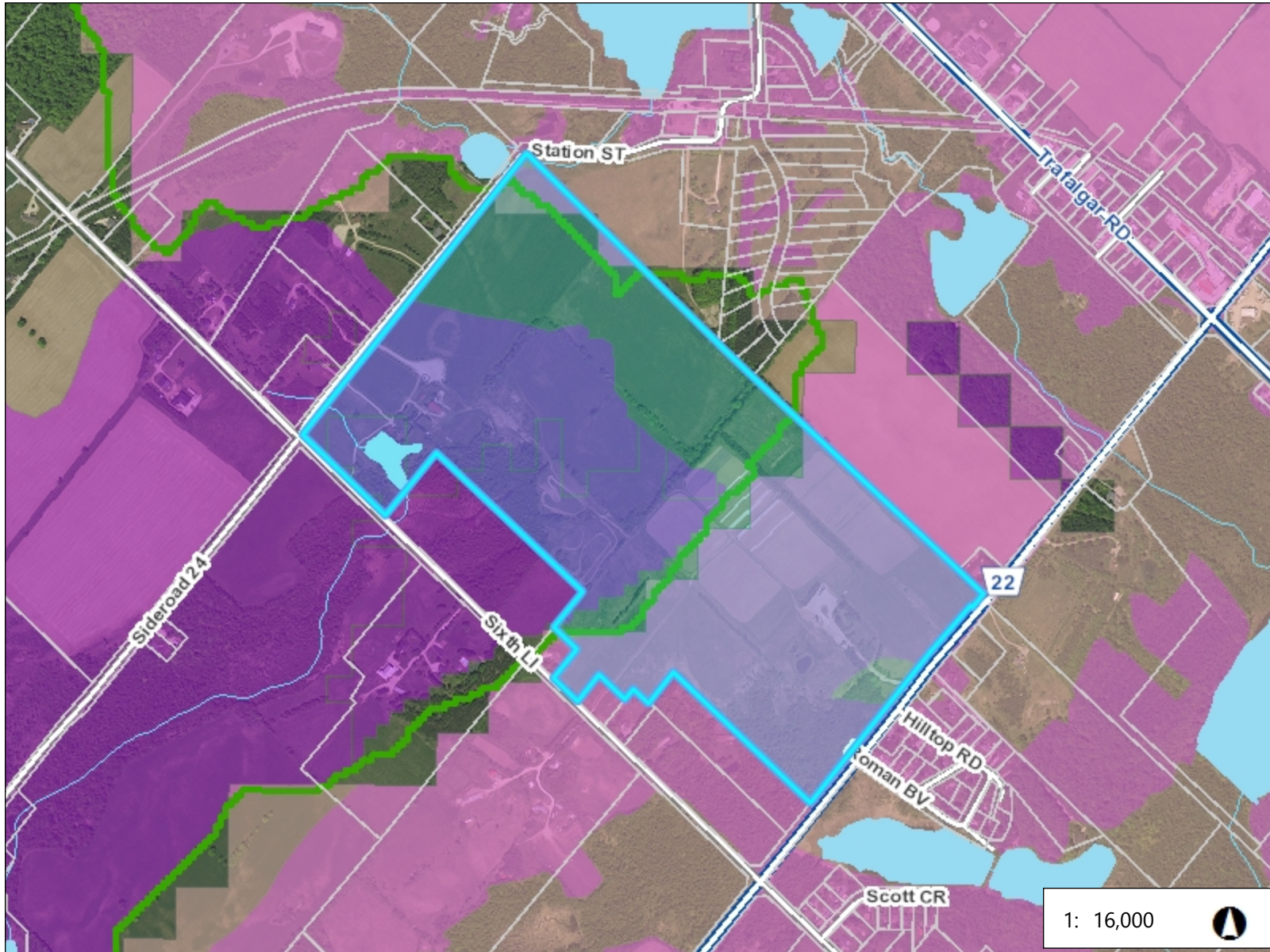


- Legend**
- Parcels
 - Roads**
 - Local Road
 - County Road
 - Highway
 - Conservation Authority Bound
 - Waterbodies
 - Watercourses
 - Well Locations
 - IntakeProtectionZone_Q (DRA RoadsLookup)



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Notes



- Legend**
- Parcels
 - Roads**
 - Local Road
 - County Road
 - Highway
 - Conservation Authority Boundaries
 - Waterbodies
 - Watercourses
 - Well Locations
 - HVA
 - SGRA
 - RoadsLookup

1: 16,000



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Notes



PERMIT TO TAKE WATER
Ground Water
NUMBER 3716-8UZMCU

Pursuant to Section 34 of the Ontario Water Resources Act, R.S.O. 1990 this Permit To Take Water is hereby issued to:

Nestle Canada Inc.
101 Brock Road S.
Puslinch, Ontario N1H 6H9

For the water taking from: One bedrock drilled well (TW1-88) MOE Well Tag No.: A095193

Located at: Lot 24, Concession 7, Geographic Township of Erin
Erin, County of Wellington

For the purposes of this Permit, and the terms and conditions specified below, the following definitions apply:

DEFINITIONS

- (a) "Director" means any person appointed in writing as a Director pursuant to section 5 of the OWRA for the purposes of section 34, OWRA.
- (b) "Provincial Officer" means any person designated in writing by the Minister as a Provincial Officer pursuant to section 5 of the OWRA.
- (c) "Ministry" means Ontario Ministry of the Environment.
- (d) "District Office" means the Guelph District Office.
- (e) "Permit" means this Permit to Take Water No. 3716-8UZMCU including its Schedules, if any, issued in accordance with Section 34 of the OWRA.
- (f) "Permit Holder" means Nestle Canada Inc..
- (g) "OWRA " means the *Ontario Water Resources Act*, R.S.O. 1990, c. O. 40, as amended.

You are hereby notified that this Permit is issued subject to the terms and conditions outlined below:

TERMS AND CONDITIONS

1. Compliance with Permit

- 1.1 Except where modified by this Permit, the water taking shall be in accordance with the application for this Permit To Take Water, dated March 22, 2012 and signed by Don DeMarco, and all Schedules included in this Permit.
- 1.2 The Permit Holder shall ensure that any person authorized by the Permit Holder to take water under this Permit is provided with a copy of this Permit and shall take all reasonable measures to ensure that any such person complies with the conditions of this Permit.
- 1.3 Any person authorized by the Permit Holder to take water under this Permit shall comply with the conditions of this Permit.
- 1.4 This Permit is not transferable to another person.
- 1.5 This Permit provides the Permit Holder with permission to take water in accordance with the conditions of this Permit, up to the date of the expiry of this Permit. This Permit does not constitute a legal right, vested or otherwise, to a water allocation, and the issuance of this Permit does not guarantee that, upon its expiry, it will be renewed.
- 1.6 The Permit Holder shall keep this Permit available at all times at or near the site of the taking, and shall produce this Permit immediately for inspection by a Provincial Officer upon his or her request.
- 1.7 The Permit Holder shall report any changes of address to the Director within thirty days of any such change. The Permit Holder shall report any change of ownership of the property for which this Permit is issued within thirty days of any such change. A change in ownership in the property shall cause this Permit to be cancelled.

2. General Conditions and Interpretation

- 2.1 Inspections
The Permit Holder must forthwith, upon presentation of credentials, permit a Provincial Officer to carry out any and all inspections authorized by the OWRA, the *Environmental Protection Act*, R.S.O. 1990, the *Pesticides Act*, R.S.O. 1990, or the *Safe Drinking Water Act*, S. O. 2002.
- 2.2 Other Approvals
The issuance of, and compliance with this Permit, does not:
 - (a) relieve the Permit Holder or any other person from any obligation to comply with any other applicable legal requirements, including the provisions of the *Ontario Water Resources Act*, and the *Environmental Protection Act*, and any regulations made thereunder; or

(b) limit in any way any authority of the Ministry, a Director, or a Provincial Officer, including the authority to require certain steps be taken or to require the Permit Holder to furnish any further information related to this Permit.

2.3 Information

The receipt of any information by the Ministry, the failure of the Ministry to take any action or require any person to take any action in relation to the information, or the failure of a Provincial Officer to prosecute any person in relation to the information, shall not be construed as:

(a) an approval, waiver or justification by the Ministry of any act or omission of any person that contravenes this Permit or other legal requirement; or

(b) acceptance by the Ministry of the information's completeness or accuracy.

2.4 Rights of Action

The issuance of, and compliance with this Permit shall not be construed as precluding or limiting any legal claims or rights of action that any person, including the Crown in right of Ontario or any agency thereof, has or may have against the Permit Holder, its officers, employees, agents, and contractors.

2.5 Severability

The requirements of this Permit are severable. If any requirements of this Permit, or the application of any requirements of this Permit to any circumstance, is held invalid or unenforceable, the application of such requirements to other circumstances and the remainder of this Permit shall not be affected thereby.

2.6 Conflicts

Where there is a conflict between a provision of any submitted document referred to in this Permit, including its Schedules, and the conditions of this Permit, the conditions in this Permit shall take precedence.

3. Water Takings Authorized by This Permit

3.1 Expiry

This Permit expires on **August 31, 2017**. No water shall be taken under authority of this Permit after the expiry date.

3.2 Amounts of Taking Permitted

The Permit Holder shall only take water from the source, during the periods and at the rates and amounts of taking specified in Table A. Water takings are authorized only for the purposes specified in Table A.

Table A

	Source Name / Description:	Source: Type:	Taking Specific Purpose:	Taking Major Category:	Max. Taken per Minute (litres):	Max. Num. of Hrs Taken per Day:	Max. Taken per Day (litres):	Max. Num. of Days Taken per Year:	Zone/ Easting/ Northing:
1	TW1-88	Well Drilled	Bottled Water	Commercial	773	24	1,113,000	365	17 568384 4847833
							Total Taking:	1,113,000	

- 3.3 Notwithstanding the Maximum Taken per Minute and Maximum Taken per Day specified in the Table A of Condition 3.2, the instantaneous rate and amount of taking may increase up to a maximum of 946 litres per minute (LPM) and 1,362,240 liters per day (LPD) in each month between April 1 and September 30 for the duration of the Permit in order to provide operational flexibility. However, the average daily taking in any month between April 1 and September 30 shall not exceed 1,113,000 (LPD).
- 3.4 Notwithstanding Conditions 3.2 and 3.3 the maximum daily water taking shall be reduced should the Grand River Low Water Response Team declare a Level 1 or Level 2 drought condition in the watershed in which the taking is located. The reductions shall be in accordance with the Ontario Low Water Response Protocol and ensure that the reduction is based on the maximum taken per day permitted in Table A.
- 3.5 Notwithstanding Conditions 3.2, 3.3, and 3.4 should the Ontario Water Directors Committee declare a Level 3 drought condition in the watershed in which the taking is located, the maximum daily water taking shall be reduced in accordance with the Level 3 declaration.

4. Monitoring

- 4.1 The Permit Holder shall establish the following monitoring program for the duration of the Permit:

Bedrock Wells

- (i) Continuous monitoring of ground water levels at the following locations:
- TW1-88
 - D2A
 - D3 (MOE #6710228)
 - MW5A
 - MW6A
 - D36B (MOE Tag#A001807)
- (ii) Monthly monitoring of ground water levels at the following locations:
- D19 (MOE #6709207)
 - D24A (MOE #6711344)
 - D24B (MOE #6708146)

- D26A (MOE #6700678)
- D26D
- D27
- MOE #6714441
- MOE # 6705153
- D7 (MOE#6708388)
- D8 (MOE#6708720)
- D12
- D32 (MOE#6708153)

Overburden Wells

(i) Continuous monitoring of ground water levels at the following locations:

- MW3A/B
- D2B
- MW5B
- MW6B
- D26C
- D36A

(ii) Monthly monitoring of ground water levels at the following locations:

- TW1-99 (MOE #6712960)
- D27 (MOE #6712147)
- new overburden well replacing D5
- MW2

Piezometers

i) Continuous monitoring of water level and vertical hydraulic gradients at the following locations:

- P01A/B-05
- P03A/B-07
- P06A/B-07
- P10A/B-05
- P11A/B-05
- P12A/B-07
- P13A/B-07

Surface Water

(i) Continuous monitoring of surface water levels at the following locations:

- ST03-05
- SW1
- SW3
- SW4
- SW5
- SW7

(ii) Monthly monitoring of flow and development of appropriate stage-discharge curves at the following locations:

- SW1
- SW3

- SW7

- 4.2 Continuous ground water monitoring shall be datalogged at 60 minute intervals and downloaded monthly; however, daily minimum water levels may be used to evaluate the water level variation with respect to pumping to improve the data handling and presentation. Monthly monitoring shall be conducted in the same week each calendar month for the duration of the Permit.
- 4.3 The water level data collected in piezometers or multilevel monitoring wells (two wells at one location or multiple wells in one borehole screened at different intervals) shall be plotted as gradient vs. time and interpreted to assess the potential impact of taking on vertical hydraulic gradients (upward/downward) and hydraulic connection of the ground water with the surface water, if any.
- 4.4 The Permit Holder shall identify to the Director in writing for his or her approval, within 15 days of any monthly monitoring event, any monitoring locations identified in Condition 4.1 which become inaccessible and/or abandoned along with a recommendation for replacement of these monitoring locations. Upon approval of the Director, the monitoring program shall be appropriately modified.
- 4.5 Under section 9 of O. Reg. 387/04, and as authorized by subsection 34(6) of the Ontario Water Resources Act, the Permit Holder shall, on each day water is taken under the authorization of this Permit, record the date, the volume of water taken on that date and the rate at which it was taken. The daily volume of water taken shall be measured by a flow meter or calculated in accordance with the method described in the application for this Permit, or as otherwise accepted by the Director. The Permit Holder shall keep all records required by this condition current and available at or near the site of the taking and shall produce the records immediately for inspection by a Provincial Officer upon his or her request. The Permit Holder, unless otherwise required by the Director, shall submit, on or before March 31st in every year, the records required by this condition to the ministry's Water Taking Reporting System.
- 4.6 The Permit Holder shall submit to the Director, an annual monitoring report which presents and interprets the monitoring data to be collected under the Terms and Conditions of this Permit. This report shall be prepared, signed and stamped by a licenced professional geoscientist or a licensed professional engineer specializing in hydrogeology who shall take responsibility for its accuracy. The report shall be submitted to the Director by April 30 of each calendar year or as supporting documentation to any application for renewal of this Permit, and include monitoring data for the 12 month period ending December 31 of the previous year.
- 4.7 In addition to the requirement of Condition 4.6, the Permit Holder shall provide a letter report to the Director and Town of Erin which includes pumped volumes and water level information within 30 days of the end of each month where the water taking is in accordance with Condition 3.3.
- 4.8 The Permit Holder shall include as part of the annual monitoring report required under Condition 4.6, the following information:

- (i) Location and name of the facilities to which water is delivered in bulk containers greater than 20L from this source.
- (ii) Whether or not the bulk water transported is containerized at the receiving location.
- (iii) The size of the container(s) into which the water is transferred.
- (iv) Total volume of the water transported in bulk in each calendar year to

each

remote facility.

- 4.9 The Permit Holder shall investigate any complaints received from the public or agency with regard to this water taking in accordance with the interference complaints resolution protocol and notify the District Manager, District Office within two (2) working days of receiving the complaint. Details of any complaints and its resolution shall be outlined to the Director in the annual monitoring report required under Condition 4.6.

5. Impacts of the Water Taking

5.1 Notification

The Permit Holder shall immediately notify the local District Office of any complaint arising from the taking of water authorized under this Permit and shall report any action which has been taken or is proposed with regard to such complaint. The Permit Holder shall immediately notify the local District Office if the taking of water is observed to have any significant impact on the surrounding waters. After hours, calls shall be directed to the Ministry's Spills Action Centre at 1-800-268-6060.

5.2 For Groundwater Takings

If the taking of water is observed to cause any negative impact to other water supplies obtained from any adequate sources that were in use prior to initial issuance of a Permit for this water taking, the Permit Holder shall take such action necessary to make available to those affected, a supply of water equivalent in quantity and quality to their normal takings, or shall compensate such persons for their reasonable costs of so doing, or shall reduce the rate and amount of taking to prevent or alleviate the observed negative impact. Pending permanent restoration of the affected supplies, the Permit Holder shall provide, to those affected, temporary water supplies adequate to meet their normal requirements, or shall compensate such persons for their reasonable costs of doing so.

If permanent interference is caused by the water taking, the Permit Holder shall restore the water supplies of those permanently affected.

6. 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 reasons for the imposition of these terms and conditions are as follows:

1. Condition 1 is included to ensure that the conditions in this Permit are complied with and can be enforced.
2. Condition 2 is included to clarify the legal interpretation of aspects of this Permit.
3. Conditions 3 through 6 are included to protect the quality of the natural environment so as to safeguard the ecosystem and human health and foster efficient use and conservation of waters. These conditions allow for the beneficial use of waters while ensuring the fair sharing, conservation and sustainable use of the waters of Ontario. The conditions also specify the water takings that are authorized by this Permit and the scope of this Permit.

*In accordance with Section 100 of the Ontario Water Resources Act, R.S.O. 1990, you may by written notice served upon me, the Environmental Review Tribunal and the Environmental Commissioner, **Environmental Bill of Rights**, R.S.O. 1993, Chapter 28, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Environmental Commissioner will place notice of your appeal on the Environmental Registry. Section 101 of the Ontario Water Resources Act, as amended provides that the Notice requiring a hearing shall state:*

1. The portions of the Permit or each term or condition in the Permit in respect of which the hearing is required, and;
2. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

In addition to these legal requirements, the Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The Permit to Take Water number;
6. The date of the Permit to Take Water;
7. The name of the Director;
8. The municipality within which the works are located;

This notice must be served upon:

*The Secretary
Environmental Review Tribunal
655 Bay Street, 15th Floor
Toronto ON
M5G 1E5
Fax: (416) 314-4506
Email:
ERTTribunalsecretary@ontario.ca*

AND

*The Environmental Commissioner
1075 Bay Street
6th Floor, Suite 605
Toronto, Ontario M5S 2W5*

AND

*The Director, Section 34
Ministry of the Environment
12th Floor
119 King St W
Hamilton ON L8P 4Y7
Fax: (905)521-7820*

Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal:

by telephone at (416) 314-4600

by fax at (416) 314-4506

by e-mail at www.ert.gov.on.ca

*This instrument is subject to Section 38 of the **Environmental Bill of Rights** that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek to appeal for 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry, you can determine when the leave to appeal period ends.*

This Permit cancels and replaces Permit Number 6480-74BKR4, issued on 2007/08/24.

Dated at Hamilton this 28th day of September, 2012.



Carl Slater
Director, Section 34
Ontario Water Resources Act, R.S.O. 1990

Schedule A

This Schedule "A" forms part of Permit To Take Water 3716-8UZMCU, dated September 28, 2012.

Ministry of the Environment
and Climate Change
West Central Region

119 King Street West
12th Floor
Hamilton, Ontario L8P 4Y7
Tel.: 905 521-7640
Fax: 905 521-7820

Ministère de l'Environnement
et de l'Action en matière de changement climatique
Direction régionale du Centre-Ouest

119 rue King Ouest
12^e étage
Hamilton (Ontario) L8P 4Y7
Tél. : 905 521-7640
Télec. : 905 521-7820



February 5, 2015

Nestle Canada Inc.
101 Brock Road S.
Puslinch, Ontario
N1H 6H9

Attention: Ms. Andreeanne Simard

Dear Ms. Simard:

**RE: Amendments to monitoring program and well sanitization conditions
Permit to Take Water 3716-8UZMCU**

NOTICE

Pursuant to s. 100, Ontario Water Resources Act, R.S.O. 1990, c. O.40 as amended, I am issuing notice that, as Director of Section 34 of the Ontario Water Resources Act, I am exercising my discretion to amend Permit to Take Water 3716-8UZMCU condition 3.6 and part of condition 4.1. All other terms and conditions of Permit to Take Water 3716-8UZMCU shall continue in force.

An inaccuracy in the monitoring program listed in condition 4.1(ii) of a Notice issued February 25, 2014 was brought to the attention of the ministry in an email from Ms. Andreeanne Simard, Natural Resources Manager dated May 29, 2014. In an email dated November 27, 2014, Ms. Simard, requested the sanitation Notice issued on January 20, 2014 be applicable for all years remaining on the permit.

This Notice supersedes the Notices issued on January 20, 2014 and February 25, 2014.

Condition 3.6 is hereby revoked and replaced as follows:

3.6 Notwithstanding Table A, the maximum pumping of water extracted from Source TW1-88 may be increased to 1040 litres per minute (275 U.S. gallons per minute) annually, or as needed, for the sole purpose of sanitization of the well. The maximum amount of water taken shall not exceed 1,113,000 litres/day.

Condition 4.1 is hereby revoked and replaced as follows:

4.1 The Permit Holder shall establish the following monitoring program for the duration of the Permit:

a. Bedrock Wells

(i) Continuous monitoring of ground water levels at the following locations:

- TW1-88
- D2A
- D3 (MOE #6710228)
- MW5A
- MW6A
- D36B (MOE Tag#A001807)

(ii) Monthly monitoring of ground water levels at the following locations:

- D19 (MOE #6709207)
- MW11A/B-08
- D24B (MOE #6708146) and D24A (MOE #6711344)
- D26A (MOE #6700678) and D26B
- MW12A/B-08
- D8 (MOE#6708720)
- D15 (MOE#6709532)
- D32 (MOE#6708153)

b. Overburden Wells

(i) Continuous monitoring of ground water levels at the following locations:

- MW3A/B
- D2B
- MW5B
- MW6B
- D26C
- D36A

(ii) Monthly monitoring of ground water levels at the following locations:

- TW1-99 (MOE #6712960)
- D27 (MOE #6712147)
- D7B
- MW2

c. Piezometers

(i) Continuous monitoring of water level and vertical hydraulic gradients at the following locations:

- P01A/B-07
- P03A/B-05
- P06A/B-07
- P10A/B-05
- P11A/B-05
- P12A/B-07
- P13A/B-07

d. Surface Water

(i) Continuous monitoring of surface water levels at the following locations:

- ST03-05
- SW1
- SW3
- SW4
- SW5
- SW7

(ii) Monthly monitoring of flow and development of appropriate stage-discharge curves at the following locations:

- SW1
- SW3
- SW7

This Notice now forms part of the current permit and must be attached to the original Permit to Take Water, if available. If the original is no longer available, this letter must be kept attached to a certified copy of the Permit to Take Water.

Any change in circumstances related to this permit should be reported promptly to a Director.

It is your responsibility to ensure that any person taking water under the authority of this permit is familiar with and complies with the terms and conditions.

*In accordance with Section 100 of the Ontario Water Resources Act, R.S.O. 1990, you may by written notice served upon me, the Environmental Review Tribunal and the Environmental Commissioner, **Environmental Bill of Rights**, R.S.O. 1993, Chapter 28, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Environmental Commissioner will place notice of your appeal on the Environmental Registry. Section 101 of the Ontario Water Resources Act, as amended provides that the Notice requiring a hearing shall state:*

1. The portions of the Permit or each term or condition in the Permit in respect of which the hearing is required, and;
2. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

In addition to these legal requirements, the Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The Permit to Take Water number;
6. The date of the Permit to Take Water;
7. The name of the Director;
8. The municipality within which the works are located;

This notice must be served upon:

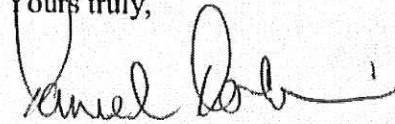
<p><i>The Secretary Environmental Review Tribunal 2300 Yonge Street, Suite 1700 Toronto, Ontario M4P 1E4</i></p>	<p><u>AND</u></p>	<p><i>The Director, Section 34 Ministry of the Environment 12th Floor 119 King St W Hamilton ON L8P 4Y7 Fax: (905)521-7820</i></p>
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Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal:

by telephone at (416) 314-4600 by fax at (416) 314-4506

by e-mail at www.ert.gov.on.ca

Yours truly,



Dan Dobrin
Director, Section 34, Ontario Water Resources Act
West Central Region

File Storage Number: AP28 ERNE

Ministry of the Environment
West Central Region

119 King Street West
12th Floor
Hamilton, Ontario L8P 4Y7
Tel.: 905 521-7640
Fax: 905 521-7820

Ministère de l'Environnement
Direction régionale du Centre-Ouest

119 rue King ouest
12e étage
Hamilton (Ontario) L8P 4Y7
Tél. : 905 521-7640
Télééc. : 905 521-7820



April 28, 2014

Ms. Andreeanne Simard
Natural Resource Manager
Nestlé Waters Canada
101 Brock Road South
Guelph, Ontario.
N1H 6H9

Dear Ms. Simard:

Re: Clarification of reporting requirements
Condition 4.7, Permit to Take Water 3716-8UZMCU

This is to clarify ministry expectations with respect the reporting requirements of Condition 4.7 of Permit to Take Water 3716-8UZMCU.

Condition 4.7 states:

"In addition to the requirement of Condition 4.6, the Permit Holder shall provide a letter report to the Director and Town of Erin which includes pumped volumes and water level information within 30 days of the end of each month where the water taking is in accordance with Condition 3.3."

For greater certainty the Letter Report is expected to include the following:

1. Pumped volumes are the total daily volume for each day in the month from the production well TW1-88.
2. Water Level information is the level data for the following locations:
 - a. P01A/B-07 pond
 - b. P12A/B-07 Roman Lake
 - c. P13A/B-07 Erin Branch of the Credit
 - d. P10A/B-05
3. No interpretation of the data is expected for the monthly report.
4. Data interpretation is expected in the annual report required by Condition 4.6.

I trust that you find this satisfactory. If you require further information or clarification, please contact Ms. Belinda Koblik at (905)521-7615 or at Belinda.Koblik@ontario.ca.

Yours truly,

Carl Slater
Technical Support Manager, West Central Region
Director, Section 34, Ontario Water Resources Act.

C: Ms. B. Koblik/Mr. A. Quyum

Ministry of the Environment
 West-Central Region
 Technical Support Section
 12th Floor
 119 King St W
 Hamilton ON L8P 4Y7
 Fax: (905)521-7820
 Tel: (905) 521-7720

Ministère de l'Environnement
 Direction régionale du Centre-Ouest
 Secteur du Soutien Technique
 12e étage
 119 rue King W
 Hamilton ON L8P 4Y7
 Télécopieur: (905)521-7820
 Tél:(905) 521-7720



February 25, 2014

Nestle Canada Inc.
 101 Brock Road S.
 Puslinch, Ontario N1H 6H9

Attention: Ms. Andreanne Simard

Dear Ms. Simard:

RE: Amendments to monitoring program
 Permit to Take Water 3716-8UZMCU
 Reference Number 8420-8TAMGM

NOTICE

Pursuant to s. 100, Ontario Water Resources Act, R.S.O. 1990, c. O.40 as amended, I am issuing notice that, as Director of Section 34 of the Ontario Water Resources Act, I am exercising my discretion to amend Permit to Take Water 3716-8UZMCU part of condition 4.1. All other terms and conditions of Permit to Take Water 3716-8UZMCU shall continue in force.

Per condition 4.4, the Permit Holder notified the Director on July 25, 2013 of inaccuracies in condition 4.1 and certain monitoring locations becoming inaccessible or requiring replacement. The notification included suggested replacements. Further reasoning was provided by the Permit Holder on January 31, 2014. The delay in approving the amendment was due to other processes regarding the Permit. On February 24, 2014 Ms. Simard clarified the monitoring locations of condition 4.1(ii).

This Notice supersedes the Notice issued February 3, 2014. Condition 4.1 is hereby revoked and replaced as follows:

4.1 The Permit Holder shall establish the following monitoring program for the duration of the Permit:

Bedrock Wells

(i) Continuous monitoring of ground water levels at the following locations:

- TW1-88
- D2A
- D3 (MOE #6710228)
- MW5A
- MW6A
- D36B (MOE Tag#A001807)

(ii) Monthly monitoring of ground water levels at the following locations:

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- MW11A/B-08
- D24B (MOE #6708146) and D24A (MOE #6711344)
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- MW12A/B-08
- D8 (MOE#6708720)
- D15 (MOE#6709532)
- D32 (MOE#6708153)

Overburden Wells

(i) Continuous monitoring of ground water levels at the following locations:

- MW3A/B
- D2B
- MW5B
- MW6B
- D26C
- D36A
- D27

(ii) Monthly monitoring of ground water levels at the following locations:

- TW1-99 (MOE #6712960)
- D27 (MOE #6712147)
- D7B
- MW2

Piezometers

i) Continuous monitoring of water level and vertical hydraulic gradients at the following locations:

- P01A/B-07
- P03A/B-05
- P06A/B-07
- P10A/B-05
- P11A/B-05
- P12A/B-07
- P13A/B-07

Surface Water

(i) Continuous monitoring of surface water levels at the following locations:

- ST03-05
- SW1
- SW3
- SW4
- SW5
- SW7

(ii) Monthly monitoring of flow and development of appropriate stage-discharge curves at the following locations:

- SW1
- SW3
- SW7

This Notice now forms part of the current permit and must be attached to the original Permit to Take Water, if available. If the original is no longer available, this letter must be kept attached to a certified copy of the Permit to Take Water.

Any change in circumstances related to this permit should be reported promptly to a Director.

It is your responsibility to ensure that any person taking water under the authority of this permit is familiar with and complies with the terms and conditions.

In accordance with Section 100 of the Ontario Water Resources Act, R.S.O. 1990, you may by written notice served upon me, the Environmental Review Tribunal and the Environmental Commissioner, Environmental Bill of Rights, R.S.O. 1993, Chapter 28, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Environmental Commissioner will place notice of your appeal on the Environmental Registry. Section 101 of the Ontario Water Resources Act, as amended provides that the Notice requiring a hearing shall state:

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2. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

In addition to these legal requirements, the Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The Permit to Take Water number;
6. The date of the Permit to Take Water;
7. The name of the Director;
8. The municipality within which the works are located;

This notice must be served upon:

<p><i>The Secretary Environmental Review Tribunal 2300 Yonge Street, Suite 1700 Toronto, Ontario M4P 1E4</i></p>	<p><u>AND</u></p>	<p><i>The Director, Section 34 Ministry of the Environment 12th Floor 119 King St W Hamilton ON L8P 4Y7 Fax: (905)521-7820</i></p>
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Yours truly,

Carl Slater

Carl Slater
Director, Section 34, Ontario Water Resources Act
West Central Region

File Storage Number: AP28 ERNE