

13.221.008

**Via Courier**

March 4, 2011

West Central Region  
Permit to Take Water Evaluator  
Ministry of the Environment  
12th Floor  
119 King St. West  
Hamilton ON L8P 4Y7

**RE: Notification of Application for Permit to Take Water**  
**Ministry Reference Number: 0422-8DPRRY (EBR: 011-2481)**

Nestle Canada Inc. proposes to renew an existing Permit to Take Water No. 7043-74BL3K for the taking of water from a supply well as follows:

- Source Name: Well TW3-80
- Purpose of Water Taking: Bottle Water
- Maximum rate of taking per minute: 2,500 Litres
- Maximum number of hours of taking in a day: 24 hours
- Maximum volume of taking per day: 3,600,000 Litres
- Maximum number of days of taking in a year: 365
- Earliest calendar date of taking (mm/dd): 01/01
- Latest calendar date of taking (mm/dd): 12/31
- Length of Time: 10 years

The Nestle Well, TW3-80, is located in Aberfoyle, in the Township of Puslinch and lies approximately 3.2 km from the southern boundary of the City of Guelph.

This request is for a renewal of an existing permit. The City of Guelph, in 2007, had provided comments on the renewal of this same permit. The City's position on this renewal is that it should be approved for two years only, as per the position taken in the previous renewal. The City's prior position was confirmed at a meeting of Guelph City Council held on Monday, May 7, 2007, where the following resolutions were adopted:

"THAT the Nestle Permit to Take Water be renewed for a two year period only, at the current rates."

**City Hall**  
1 Carden St  
Guelph, ON  
Canada  
N1H 3A1

T 519-822-1260  
TTY 519-826-9771

[guelph.ca](http://guelph.ca)

Permit to Take Water Evaluator

March 4, 2011

RE: Notification of Application for Permit to Take Water - Ministry Reference

Number: 0422-8DPRRY (EBR: 011-2481)

Page 2 of 2

"THAT the position, as outlined in the May 2, 2007 memo from Dave Belanger, M.Sc, P. Geo., Water Supply Program Manager, to the Director of Environmental Services, be adopted as the City Staff's position concerning the application by Nestle Canada Inc. for a Permit-To-Take-Water."

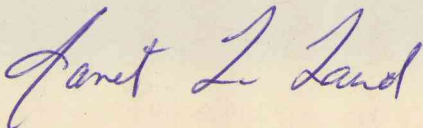
We have attached the previous correspondence from 2007 in support of this position.

This letter and the attached correspondence serve as the City of Guelph's comments on the renewal of the Nestle PTTW. The contents of this letter will be submitted online on the EBR web site and this letter and attachments will support the online submission.

If you require more information on this letter, please contact the undersigned.

Sincerely,

Yours sincerely,



**Janet L. Laird, Ph.D.**

Executive Director

**Planning & Building, Engineering and Environment**

T 519-822-1260 x 2237

F 519-837-5664

E [janet.laird@guelph.ca](mailto:janet.laird@guelph.ca)

Attachments

- C Peter Busatto, General Manager Water Services
- Dave Belanger, Water Supply Program Manager
- Kier Taylor, Compliance Coordinator



*Janet Stueck*



THE CITY OF  
**Guelph**

OFFICE OF  
THE MAYOR

City Hall, 59 Carden Street  
Guelph, Ontario, Canada N1H 3A1  
Telephone: (519) 837-5643 Fax: (519) 822-8277  
Website: [guelph.ca](http://guelph.ca)

FILE No. 13.221.008

*cc: PLS ✓  
D. Belanger ✓  
J. Stueck ✓*

May 11, 2007

*Via facsimile: (416) 259-3704*

Honourable Laurel C. Broten, Minister  
Ministry of the Environment  
12th Floor, 135 St. Clair Avenue West  
Toronto, ON M4V 1P5



Dear Minister Broten:

Please find attached the position of the City with respect to the Application for Permit to Take Water Ministry Reference Number: 0275-6ZSQSL.

In addition to this position prepared by the City of Guelph's Water Supply Program Manager, Guelph City Council has asked that I convey some additional concerns. This application has raised concern in our community over the sustainability and appropriateness of this type of water taking.

City Council in particular is concerned about the cumulative impacts of water takings in the region as well as the impact climate change may have on our current understanding of this finite resource. We have experienced several years of drought over the last few years. Climate change predictions suggest we may experience more drought in our watershed in the future. We have always cooperated with the Province in reducing our community's water consumption during these periods by implementing outdoor water use restrictions. Our residents have been quick to comply and trust that all water takers in the affected areas are also asked to similarly reduce their water takings.

The Places to Grow legislation is expected to place increased growth pressures on our city and region. We urge the Province to introduce legislation that will afford the same level of protection for the Paris Galt Moraine as is afforded the Oak Ridges Moraine.



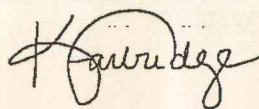
May 11, 2007

Page 2

From a technical perspective our staff do not have a concern with the request for a 5 year renewal of the Permit to Take Water. From a political and policy perspective, Council can only support a 2 year renewal. We are currently going through a long-term growth management strategy to bring our policies in line with the Province's Place to Grow legislation. We will have a better understanding in 2 years as to the challenges we will face in providing water to a growing urban centre. A two year renewal reflects a more precautionary approach and is consistent with past renewals for this applicant.

Thank you for your consideration of our concerns.

Sincerely,



Karen Farbridge,  
Mayor

KF/kam

Attachments

cc: Premier Dalton McGuinty  
Liz Sandals, M.P.P., Guelph-Wellington  
Don Drone, Director, Wellington Catholic District School Board  
Martha Rogers, Director of Education, Upper Grand District School Board  
Joyce Sweeney, Council Coordinator





THE CITY OF  
**Guelph**

INFORMATION SERVICES DEPARTMENT  
CITY CLERK'S DIVISION  
City Hall, 59 Carden Street  
Guelph, Ontario, Canada N1H 3A1  
Telephone: (519) 837-5603 Fax: (519) 763-1269  
Website: [guelph.ca](http://guelph.ca)

May 11, 2007

Nestle Waters Canada  
101 Brock Road South  
Guelph ON N1H 6H9

Att: Ms. G. Cosman, President

Dear Ms. Cosman:

At a meeting of Guelph City Council held on Monday, May 7, 2007, the following resolutions were adopted:

"THAT Clause 1, Paragraph 2 of the Fifth Report of the Community Development and Environmental Services Committee be amended to include as follows:

"THAT the Nestle Permit to Take Water be renewed for a two year period only, at the current rates."

AND

"THAT the position, as outlined in the May 2, 2007 memo from Dave Belanger, M.Sc, P.Geo., Water Supply Program Manager, to the Director of Environmental Services, be adopted as the City Staff's position concerning the application by Nestle Canada Inc. for a Permit-To-Take-Water."

AND

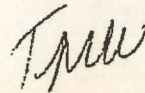


THE CITY OF GUELPH

"THAT the City Staff's position, along with a cover letter from Mayor Farbridge, including:

"THAT the Nestle Permit to Take Water be renewed for a two year period only, at the current rates." be forwarded to the Ministry of the Environment, the Premier, Liz Sandals, MPP, the local School Boards and to Nestle Canada Inc. prior to the May 11, 2007 deadline for comments on the application."

Yours truly,



Ms. T. Agnello  
Deputy City Clerk

Attach.

cc. Mayor Farbridge  
Dr. J. Laird  
Mr. D.A. Kennedy





File No.

13.221.008

To: Janet Laird, Director of Environmental Services  
From: Dave Belanger, Water Supply Program Manager  
Division: Waterworks  
Date: May 2, 2007  
Subject: Notification of Application for Permit to Take Water  
Ministry Reference Number: 0275-6ZSQSL

Nestlé Canada Inc., operating as Nestlé Waters Canada, proposes to renew an existing Permit to Take Water No. 6673-6CAJWK for the taking of water from a supply well as follows:

- Source Name: Drilled Well TW3-80
- Purpose of Water Taking: Bottle Water
- Maximum rate of taking per minute: 2500 Litres
- Maximum number of hours of taking in a day: 24 hours
- Maximum volume of taking per day: 3600000 Litres
- Maximum number of days of taking in a year: 365
- Length of Time: 5 years

The Nestlé Well, TW3-80, is located in Aberfoyle, in the Township of Puslinch and lies approximately 3.2 km from the southern boundary of the City of Guelph.

Waterworks has reviewed Nestlé's Permit to Take Water (PTTW) application and the Nestlé 2006 Annual Monitoring Report prepared by Conestoga-Rovers and Associates (CRA). In its review, Waterworks considered potential impacts from the Nestlé water taking on the City's current and future water supply.

Potential Impacts on Current Water Supply:

The City operates 22 municipal water supply wells in and around the City and in the Arkell Spring Grounds. The City municipal wells primarily draw their water from the Amabel Formation which is the same bedrock formation as used by Nestlé.

Memo





Nestlé Canada Inc. has applied to the Ministry of Environment (MOE) for a renewal of an existing PTTW of 3,600 m<sup>3</sup>/day to supply its water bottling plant in Aberfoyle in the Township of Puslinch. The Nestlé water taking lies in the Mill Creek watershed and the City of Guelph's water taking for its municipal wells lie in the Eramosa River and Speed River watersheds. A review of groundwater capture zones for the City's wells indicate that the current capture zones do not extend into the Mill Creek watershed and, in the southern part of the City, do not extend past the Paris Moraine and the groundwater divide between the Speed River and Mill Creek.

Similarly, based on drawdown information provided in the Nestlé 2006 Annual Monitoring Report, the capture zone of the Nestlé well appears to be limited to the immediate area of the well and does not appear to extend to the Mill Creek watershed boundary.

Based on this information, the Nestlé water taking will not interfere with the City's water taking over the next five years. Nestlé has not proposed to increase its taking such that it would change these groundwater capture zones and interfere with the City's current water taking.

#### Potential Impacts on Future Water Supply:

The City of Guelph, as part of its 50-year Water Supply Master Plan (WSMP), has identified areas in the south end of the City and in the Mill Creek watershed for potential future increases in its water supply. Two specific areas were identified in the Mill Creek watershed: one to the northeast in the headwaters of Mill Creek (southeast of the City); and one in the central part of the Mill Creek watershed (southwest of the City) on the Mill Creek/Irish Creek boundary. (Note: The WSMP stipulates that these areas would only be developed as water supply sources with the cooperation and approval of the Township of Puslinch.)

The WSMP identified these areas based on an understanding of *available* groundwater, which in turn was dependent on assumptions of current water takings in the watershed versus the amount of groundwater recharge across the area (i.e. the water budget for the watershed). Since the amount of available groundwater is finite, any increases in the water taking would reduce the amount of available groundwater for municipal use. Future municipal drinking water supplies may be limited if Nestlé or other users maintain or increase the total water taking from the Mill Creek watershed.

#### Recommendation:

Waterworks recognizes that the Permit to Take Water process is intended to allow for the beneficial use of waters while ensuring the fair sharing, conservation and sustainable use of waters of Ontario. However, Waterworks would prefer that no new water takings be permitted in the City and surrounding area, other than for municipal, domestic and agriculture use. It is important that the MOE recognize that are limits to the local drinking water supply and controls must be placed on local water use to accommodate future municipal growth.

# Memo





---

On a technical basis, Waterworks is not opposed to the renewal of the Nestlé PTTW for a five year period since, based on available information, their current water taking will not interfere with the City's water takings over the next five years. However, Waterworks does have concerns regarding the availability of water supply in the area to satisfy future municipal growth. Waterworks requests that the MOE not increase Nestlé's PTTW beyond its current approved rate and that, prior to any future renewals of the current permitted rate, the MOE consider the water needs of all municipalities in the area and the constraints of the natural ecosystem to provide sustainable drinking water supplies.

Yours truly,

A handwritten signature in dark ink, appearing to read "D. Belanger", is written over a horizontal line.

Dave Belanger, M.Sc., P.Geo.  
Water Supply Program Manager

cc: Mayor Karen Farbridge and Members of Guelph City Council  
Peter Busatto, Manager of Waterworks

Memo