

AMENDED PERMIT TO TAKE WATER
Surface and Ground Water
NUMBER 5183-8EZKMA

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

The Corporation of the City of Barrie
70 Collier St
Barrie, Ontario, L4M 4T5
Canada

For the water taking from: Well 3A, Well 4A, Well 5, Well 7, Well 9, Well 11, Well 12, Well 13,
Well 14, Well 15, Well 16, Well 17, Well 18, Well 19, Lake Simcoe

Located at: 54 Anne St Well Record 5732108
Barrie, County of Simcoe

83 Perry St (no WWR)
Barrie, County of Simcoe

217 John St Well Record 5700271
Barrie, County of Simcoe

44 Sarjeant Dr Well Record 5709125
Barrie, County of Simcoe

168 Johnson St Well Record 5712496
Barrie, County of Simcoe

5 Simcoe St Well Record 5719246
Barrie, County of Simcoe

85 Lakeshore Dr Well Record 5720696
Barrie, County of Simcoe

168 Johnson St Well Record 5720696
Barrie, County of Simcoe

19 Simcoe St Well Record 5720696
Barrie, County of Simcoe

55 Lakeshore Dr Well Record 5720696
Barrie, County of Simcoe

101 Brown Wood Well Record 5733545
Barrie, County of Simcoe

34 Cross St Well Record 5737406, 5739442
Barrie, County of Simcoe

5 Boulton Crt
Barrie, County of Simcoe

Lot 15, Concession 3
Barrie, County of Simcoe

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 Barrie District Office.
- (e) "Permit" means this Permit to Take Water No. 5183-8EZKMA including its Schedules, if any, issued in accordance with Section 34 of the OWRA.
- (f) "Permit Holder" means The Corporation of the City of Barrie.
- (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 February 1, 2011 and signed by Dawn A. McAlpine, 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 **April 30, 2021**. 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	Well 3A	Well Drilled	Municipal	Water Supply	4,550	24	6,552,000	365	17 603352 4914735
2	Well 4A	Well Drilled	Municipal	Water Supply	4,550	24	6,552,000	365	17 603325 4915145
3	Well 5	Well Drilled	Municipal	Water Supply	4,550	24	6,552,000	365	17 602928 4914269
4	Well 7	Well Drilled	Municipal	Water Supply	4,550	24	6,552,000	365	17 602474 4914188
5	Well 9	Well Drilled	Municipal	Water Supply	4,550	24	6,552,000	365	17 607042 4917657
6	Well 11	Well Drilled	Municipal	Water Supply	6,370	24	9,100,000	365	17 604689 4915818
7	Well 12	Well Drilled	Municipal	Water Supply	6,370	24	9,100,000	365	17 604479 4914596
8	Well 13	Well Drilled	Municipal	Water Supply	4,550	24	6,552,000	365	17 607041 4917649
9	Well 14	Well Drilled	Municipal	Water Supply	6,370	24	9,100,000	365	17 604661 4915784
10	Well 15	Well Drilled	Municipal	Water Supply	6,370	24	9,100,000	365	17 604402 4915201
11	Well 16	Well Drilled	Municipal	Water Supply	5,460.0	24	7,862,400	365	17 604025 4919597
12	Well 17	Well Drilled	Municipal	Water Supply	7,800	24	11,232,000	365	17 602043 4913787
13	Well 18	Well Drilled	Municipal	Water Supply	7,800	24	11,232,000	365	17 602013 4913780
14	Well 19	Well Drilled	Municipal	Water Supply	5,460	24	7,862,400	365	17 601393 4913017
15	Lake Simcoe	Lake	Municipal	Water Supply	203,750	24	65,200,000	365	17 609042 4913821
							Total Taking:	148,264,000	

4. Monitoring

- 4.1 The Permit Holder shall maintain a record of all water takings. This record shall include the dates and times of water takings, and the total measured amounts of water pumped per day for each day that water is taken under the authorization of this Permit. The total amount of water pumped into the distribution system shall be measured using an in-line flow monitoring device. The sources that have a pump to waste provision on start up shall have the total amount of water pumped to waste calculated by multiplying the litre per section flow rate by the time flowing to waste. A separate record shall be maintained for each source. The Permit Holder shall keep all required records up to date 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.
- 4.2 By December 31, 2011, the Permit Holder shall install a data logger to measure and record static and/or pumping water levels in each production well on a continuous basis. Until the dataloggers are installed the Permit Holder shall continue with weekly water level measurements.
- 4.3 By December 31, 2011, the Permit Holder shall install data loggers to measure and record water levels in the following observation wells on a continuous basis: TW1/83, TW9/59, TW1/02 and TW3/88. Until the dataloggers are installed the Permit Holder shall continue with monthly water level measurements.
- 4.4 Any request for a future amendment or renewal of this Permit shall be supported by a report prepared by a Qualified Person (P.Geol or equivalent) assessing all information collected under the Conditions of this Permit. The report shall include an electronic version of the data collected but Ministry staff may at any time request an electronic version of the information required under the Permit.

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 Surface-Water Takings

The taking of water (including the taking of water into storage and the subsequent or simultaneous withdrawal from storage) shall be carried out in such a manner that streamflow is not stopped and is not reduced to a rate that will cause interference with downstream uses of water or with the natural functions of the stream.

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 and the Environmental Review Tribunal within 15 days after receipt of this Notice, require a hearing by the Tribunal. Section 101 of the Ontario Water Resources Act, R.S.O. 1990, as amended, provides that the Notice requiring the 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*

AND

*The Director, Section 34
Ministry of the Environment
8th Floor
5775 Yonge St
Toronto ON M2M 4J1
Fax: (416)325-6347*

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 Permit cancels and replaces Permit Number 2353-7SLPRF, issued on 22/06/2009 12:00:00 AM.

Dated at Toronto this 18th day of May, 2011.



Kathryn Baker
Director, Section 34
Ontario Water Resources Act , R.S.O. 1990

Schedule A

This Schedule "A" forms part of Permit To Take Water 5183-8EZKMA, dated May 18, 2011.

1. The Application for Permit to Take Water signed by Dawn A. McAlpine and dated February 1, 2011.
2. The Well 4A Construction and Testing Report, prepared by Golder Associates Ltd, dated December 2010, and signed by Mike Fairbanks and Paul Dewaele.
3. Email correspondence between Lyndsay Kean and Mike Fairbanks, dated March 3, 2011 and March 15, 2011.