

PERMIT TO TAKE WATER
Ground Water
NUMBER 4582-CKGU5H

Pursuant to Section 34.1 of the Ontario Water Resources Act, R.S.O. 1990 this Permit To Take Water is hereby issued to:

2706913 Ontario Inc.
603 Goderich St
Saugeen Shores, Ontario, N0M 2C0
Canada

For the water taking from: multiple wells/sumps/wellpoints

Located at: 122 Elgin St
Saugeen Shores, County of Bruce

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 34.1, 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, Conservation and Parks.
- (d) "District Office" means the Owen Sound District Office.
- (e) "Permit" means this Permit to Take Water No. 4582-CKGU5H including its Schedules, if any, issued in accordance with Section 34.1 of the OWRA.
- (f) "Permit Holder" means 2706913 Ontario 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 January 27, 2022 and signed by Pier Donnini, 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 **December 31, 2023**. 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	Dewatering Array (wells/sumps/ wellpoints)	Well Sand Point	Construction	Dewatering Construction	690	24	990,000	168	17 467978 4921240
						Total Taking:	990,000		

4. Monitoring

- 4.1 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. A separate record shall be maintained for each source. 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.
- 4.2 The Permit Holder shall establish a groundwater level monitoring network at the site. The monitoring network shall consist of at least three monitoring wells installed in the same geological unit to be dewatered. At least one of the monitoring wells shall be located on the east side of the site adjacent to Harbour Street. All wells included in the monitoring network shall be maintained for the duration of the construction project and reasonable measures shall be taken to protect the wells from damage. In the event that an established monitoring well must be decommissioned during the construction process, a replacement monitoring well shall be installed in a suitable location (to be confirmed through consultation with the Ministry) prior to decommissioning to ensure continuity of the monitoring program.
- 4.3 The Permit Holder shall install and operate automated devices to record the water level in each of the monitoring locations included in the network identified in Condition 4.2. The devices shall be configured to record the water levels at a frequency of at least once every 30 minutes. The devices shall be installed and collecting data at least two weeks prior to the commencement of dewatering activities. The data shall be retrieved (downloaded) and reviewed by a qualified professional at a frequency of at least once every two weeks. If any of the recording devices are found to be malfunctioning or otherwise non-operational, the device shall be repaired or replaced within 14 days from the time the malfunction was discovered. Groundwater level monitoring shall continue for a period of at least two weeks following the completion of

construction dewatering or until groundwater levels have completely recovered, with consideration for seasonal fluctuations.

- 4.4 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.
- 4.5 Any data collected under Conditions 4.1 to 4.3 shall be summarized in a technical report prepared by a qualified professional and submitted to the MECP District Office within eight weeks of the cessation of construction dewatering.

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.

- 5.3 No visible petroleum hydrocarbon film or sheen shall be present for any discharge authorized by this Permit.

- 5.4 For any waters discharged to a municipal storm sewer as per Table A of this Permit, the Permit Holder shall ensure that the turbidity of the discharge does not exceed 8 Nephelometric Turbidity Units (NTU) above the background level of Lake Huron (as measured in the Port Elgin Harbour). The background turbidity levels shall be measured within the Port Elgin Harbour and out of any influence of the discharge location. The Permit Holder shall ensure compliance with the 8 NTU limit prior to commencing pumping and will complete additional turbidity readings at least three times per calendar

day of active pumping. The sampling shall be representative of dewatering activities over that same time. The readings are to occur immediately prior to entry into Lake Huron.

- 5.5 Any discharge onto land for the purposes of exfiltration shall not result in any surface water runoff off the property where dewatering is occurring.

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 Ontario Land 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*, you may by written notice served upon me, the Ontario Land Tribunal within 15 days after receipt of this notice, require a hearing by the Tribunal. You must also provide notice to, the Minister of the Environment, Conservation and Parks in accordance with section 47 of the *Environmental Bill of Rights, 1993* who will place notice of your appeal on the Environmental Registry. Section 101 of the *Ontario Water Resources Act* provides that the notice requiring the hearing ("the Notice") 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:

- a. The name of the appellant;
- b. The address of the appellant;
- c. The Permit to Take Water number;
- d. The date of the Permit to Take Water;
- e. The name of the Director;
- f. The municipality within which the works are located;

This notice must be served upon:

Registrar*
Ontario Land Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5
OLT.Registrar@ontario.ca

AND

The Minister of the Environment,
Conservation and Parks
777 Bay Street, 5th Floor
Toronto, Ontario
M7J 2J3

AND

The Director, Section 34.1,
Ministry of the Environment,
Conservation and Parks
Floor 1, 135 St Clair Ave W
Toronto, ON
M4V 1P5

*** Further information on the Ontario Land Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: (416) 212-6349 or 1 (866) 448-2248, or www.olt.gov.on.ca.**

Dated at Toronto this 30th day of November, 2022.



Gregory Meek
Director, Section 34.1
Ontario Water Resources Act, R.S.O. 1990

Schedule A

This Schedule "A" forms part of Permit To Take Water 4582-CKGU5H, dated November 30, 2022.