

# Region of Waterloo Policy and Procedures for Responding to Groundwater Interference Claims

As approved by Regional Council on September 9, 2026



IF YOU HAVE A PRIVATE WELL AND ARE EXPERIENCING WATER SUPPLY ISSUES PLEASE CALL:

SERVICE FIRST CONTACT CENTER

**Phone Number:** 519-575-4400

24 hours a day, 7 days a week

## Table of Contents

|           |                                                                         |           |
|-----------|-------------------------------------------------------------------------|-----------|
| <b>1.</b> | <b>Purpose.....</b>                                                     | <b>3</b>  |
| <b>2.</b> | <b>Roles and Responsibilities .....</b>                                 | <b>4</b>  |
| <b>3.</b> | <b>Background .....</b>                                                 | <b>7</b>  |
| 3.1.      | Impacts of Groundwater Pumping .....                                    | 7         |
| 3.2.      | Procedures Before Municipal Well Operation Commences .....              | 7         |
| 3.3.      | Permit to Take Water requirements .....                                 | 8         |
| 3.4.      | Expectations of Private Well Owners for Well Maintenance and Safety ... | 8         |
| <b>4.</b> | <b>Procedures.....</b>                                                  | <b>9</b>  |
| 4.1.      | Claim Intake & Interim Measures.....                                    | 9         |
| 4.2.      | Appellant Interview .....                                               | 9         |
| 4.3.      | Preliminary Assessment .....                                            | 9         |
| 4.4.      | Site Visit.....                                                         | 10        |
| 4.5.      | Technical Evaluation Framework & Reporting .....                        | 11        |
| <b>5.</b> | <b>Remedy Provision .....</b>                                           | <b>13</b> |
| <b>6.</b> | <b>Letter of Acknowledgement .....</b>                                  | <b>15</b> |
| <b>7.</b> | <b>Compensation .....</b>                                               | <b>16</b> |
| <b>8.</b> | <b>Appeals.....</b>                                                     | <b>17</b> |
|           | <b>FIGURES.....</b>                                                     | <b>19</b> |
|           | <b>Figure 1. Policy Procedure Flow Chart .....</b>                      | <b>19</b> |
|           | <b>Figure 2. Zone of Influence vs Zone of Capture.....</b>              | <b>20</b> |
|           | <b>Appendix A – Terms and Definitions .....</b>                         | <b>21</b> |
|           | <b>Appendix B – Template Letter of Acknowledgement .....</b>            | <b>25</b> |

## 1. Purpose

Claims about well interference may arise where a property owner believes that water-taking from a municipal supply has affected the quantity and/or quality of water available from a Private Well. This document outlines the procedures for responding to groundwater interference claims (the “Policy”) within the Regional Municipality of Waterloo (the “Region”) and in adjacent counties and townships where nearby Private Wells may be impacted from pumping of Region Production Wells.

The intent is to:

- provide a consistent, transparent and timely process for addressing claims related to alleged well interference;
- support fair, documented, and evidence-based review of claims; and
- clarify roles, responsibilities, and the limits of Regional involvement.

***Terms are defined in Appendix A of this document.***

***Figure 1 depicts a visual of the policy process.***

## 2. Roles and Responsibilities

The roles and responsibilities of key parties involved in the Groundwater Interference Policy process are defined below.

| Role / Title                                       | Responsibilities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Appellant</b>                                   | A person who has submitted a well interference claim. Claims may be made by any individual experiencing well-issues that are believed to be caused by Regional pumping. This may include, but is not limited to, wells, as defined by O.Reg. 903, that service homes, businesses, farms, etc. that was in use prior to the issuance of the Region's Permit to Take Water.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Consultant</b>                                  | <p>A qualified third-party professional or firm retained by the Region to provide technical, scientific, hydrogeological, environmental, or related services in support of the administration of this Policy. The Consultant will attend the appeal hearing. The Consultant shall act independently and impartially, giving equal consideration to the homeowner's interests, the Region's interests, and the applicable technical data all in accordance with this Policy. The Region will retain and compensate the Consultant in accordance with the Region's Purchasing By-law, as appropriate.</p> <p>The Consultant shall be a Qualified Person – either a Professional Geoscientist (P.Geo.) under the Professional Geoscientists Act, 2000, or a Professional Engineer (P.Eng.) under the Professional Engineers Act - who is in good standing and is licensed to practice in Ontario.</p> |
| <b>Hydrogeology and Water Programs (HWP) Staff</b> | <p>Region staff within the Water Services Department that are responsible for the technical administration of this Policy, including screening, coordination of investigations with the Consultant and Licensed Well Technician, provision of available data, attending the appeal hearing and oversight of remedial measures.</p> <p>HWP staff are also responsible for on-going review of this policy.</p> <p>HWP Staff shall provide an annual update to Regional Council including the number, detail and resolution of all Well Interference Claims received as appropriate and the financial impacts as a result.</p>                                                                                                                                                                                                                                                                        |

| Role / Title                               | Responsibilities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Licensed Well Technician</b>            | <p>A person licensed under the Ontario Water Resources Act, holding a valid Class 4 Well Technician License and working for a licensed well contractor, who is authorized to construct, alter, repair, maintain, or decommission wells, or to perform other regulated well-related work under O.Reg. 903 (As amended).</p> <p>The Region will retain and compensate the Well Technician in accordance with the Region's Purchasing By-law, as appropriate.</p> <p>The Well Technician shall act independently and impartially, giving equal consideration to the homeowner's interests, the Region's interests, and the applicable technical data, all in accordance with this Policy.</p> |
| <b>Regional Clerk</b>                      | <p>The Office of the Regional Clerk is responsible for managing Committee meetings, maintaining public records, and handling official correspondence with participants and members.</p> <p>Email: <a href="mailto:regionalclerk@regionofwaterloo.ca">regionalclerk@regionofwaterloo.ca</a></p>                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>SCADA Staff</b>                         | <p>Region staff within Water Operations responsible for monitoring and responding to operational alarms, alerts, and system conditions through the Region's Supervisory Control and Data Acquisition (SCADA) system, including receiving and documenting interference claims outside of business hours, coordinating provision of emergency water supply outside of business hours, and notifying appropriate Regional staff for follow-up in accordance with this Policy.</p>                                                                                                                                                                                                             |
| <b>Service First Contact Centre (SFCC)</b> | <p>Region hosted call center which may receive and document public inquiries and well interference claims, coordinate with SCADA staff, and refer claims to Hydrogeology and Water Programs staff for follow-up in accordance with this Policy.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                        |

| Role / Title                                                      | Responsibilities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Well Interference Appeals Committee (the Appeal Committee)</b> | <p>To hear appeals where an Appellant disagrees with the results of the Preliminary Assessment, the Technical Evaluation, or where a suitable remedial action plan cannot be agreed upon. The Appeal Committee would be given full delegated authority to approve, deny or modify remedial recommendations. The Appeal Committee shall consist of the following members:</p> <ul style="list-style-type: none"><li>• Regional Chair</li><li>• Chair of the Sustainability, Infrastructure and Development (SID) Committee</li><li>• One Regional Councillor from the affected Area Municipality where the claim originated, or their designated elected delegate.</li><li>• Two Regional Councillors appointed by the Regional Chair (with consideration given to one representative from a City and one from a Township)</li><li>• One non-voting member of the Public</li></ul> <p>The Terms of Reference of the Committee shall be maintained by the Regional Clerk.</p> |

### 3. Background

#### 3.1. Impacts of Groundwater Pumping

Extracting water from a well lowers water levels around the well. The extent of lowering (or drawdown) depends on the amount of water being pumped, and the hydrogeologic setting in which the well is constructed. The drawdown is greatest close to the well and decreases as the distance from the well increases. The Zone of Influence and Zone of Capture of a well or well field overlap, but differs in location as shown in Figure 2. In general, the Zone of Influence in an aquifer is greater in fractured bedrock, and where the aquifer is separated from the ground surface by an aquitard. There is a greater likelihood of impacting shallow Private Wells where the municipal well pumps from the same aquifer as the Private Wells, and/or during the first several years following well commissioning. Overlapping zones of influence from multiple wells or well fields can have a cumulative effect.

Private Wells in the Region may experience a reduction in available Drawdown associated with the operation of a Regional Production Well. *However, not all Drawdown causes a Negative Impact or constitutes Groundwater Interference.*

#### 3.2. Procedures Before Municipal Well Operation Commences

Before developing new Production wells, the Region undertakes extensive studies to identify impacts and takes measures to mitigate potential negative impacts. These studies are required as part of the **Ontario Water Resources Act** and the **Environmental Assessment Act**. The study requirements for these acts are described below.

**The Environmental Assessment Act** requires all municipal water supply projects in Ontario to complete a Class Environmental Assessment (EA). The Class EA process is designed to determine the effects a proposed water supply may have on the environment (including other groundwater users), to identify remedial measures that are necessary to avoid or minimize these effects, and to recommend appropriate monitoring to evaluate the effects of the project. Public consultation is conducted as part of this process to document and address potential interference concerns from existing groundwater users prior to commissioning the well.

Under **Section 34 of the Ontario Water Resources Act**, a Permit to Take Water (PTTW) is required for most water supply wells that will extract more than 50,000 liters per day. The permit, issued by the Ministry of the Environment, Conservation and Parks (MECP), requires a proponent to determine if the proposed water taking will have any significant effect on surrounding water supplies or surface water features. For Municipal Production wells, the previously completed EA is used to support the permit application. The permit usually includes some or all of the monitoring locations recommended in the EA. It also puts the onus on the permit holder to mitigate any impacts caused by the pumping.

Developing long-term monitoring programs are a part of the EA and PTTW processes, and in conjunction with the Region's Water Resources Protection Strategy, ensures that an ongoing record of the effects of municipal groundwater extraction is maintained.

### **3.3. Permit to Take Water requirements**

The Region's groundwater takings are authorized by the MECP through Permits to Take Water. The permits require that, where a water taking is observed to cause a Negative Impact to another existing Adequate Water Supply that was in use before the initial permit was issued, the Permit Holder must take appropriate action to address the impact. This may include providing an equivalent water supply in quantity and quality, compensating affected persons for their reasonable costs, or reducing the rate and amount of water taking to prevent or alleviate the observed impact.

The Region's PTTW also requires the completion and submission of biennial (every 2 years) reports that summarizes the Region's water taking activities, monitoring results and compliance with the conditions of the PTTW.

### **4.4. Expectations of Private Well Owners for Well Maintenance and Safety**

Private well owners are expected to take primary responsibility for the ongoing condition, operation and maintenance of their Private Well system. These expectations may include:

- maintaining the well in a safe and serviceable condition with regard to O.Reg. 903;
- taking appropriate steps to protect the well from contamination or physical damage;
- monitoring the well's performance over time, including changes in water quantity, water quality, or operating reliability;
- arranging and completing regular inspection, maintenance, and rehabilitation;
- keeping available records related to well construction, servicing, testing, or other relevant information, where such records exist;
- responding promptly where there are indicators of a possible safety or water quality concern; and
- cooperating with any claim review process by providing relevant information, access permissions, or supporting technical documentation, where requested.

Where a claim is made, private well owners may be required to provide baseline information about the well, the nature of the concern and any documentation they may have. This helps determine the root cause of the issue.

## 4. Procedures

**Anyone who has a private well and is experiencing water supply issues, should call the Service First Call Centre at 519-575-4400.**

The following procedure outlines how the Region will respond to any Well Interference Claims received by the Region.

### 4.1. Claim Intake & Interim Measures

Upon receipt of a Well Interference Claim, Region staff will gather preliminary information about the issue and the following initial actions will be taken depending upon the situation:

**Well owner does not have access to water from their well** – In a scenario where the Appellant has no water supply, the Appellant will be offered a temporary emergency water supply as soon as reasonably possible through the Region's authorized Licensed Well Technician/Plumber, at the expense of the Region. The claim will then be forwarded to Hydrogeology and Water Programs Staff (HWP) for next steps.

**Current water access available** – In this scenario, the claim will be forwarded to Hydrogeology and Water Programs Staff for next steps.

Hydrogeology and Water Programs staff will notify and provide all gathered information to the Consultant, who will implement the next steps of the Policy and complete subsequent assessment and investigation (if required) on behalf of both the Appellant and the Region.

### 4.2. Appellant Interview

An information gathering discussion with the Appellant will be conducted by the Consultant to obtain details about the reported well interference, including the nature of the concern, the timing of the issue, property and well information, and any other information relevant to the assessment of the claim under this Policy. An interview form will be maintained by HWP staff and provided to the Consultant, but the Consultant may add relevant information as necessary.

### 4.3. Preliminary Assessment

The Consultant will undertake a preliminary assessment of available data (publicly available, Region-specific, and from Appellant's Private Well) to assess whether a well interference claim falls within the scope of this Policy and whether additional investigation is warranted.

This Preliminary Assessment will include:

- Consideration of available water well records from the MECP, and geological and hydro stratigraphic information to assess whether the Appellant's Private Well also takes water from the Municipal Aquifer or is in a Hydrogeologically Connected Unit.
- Review of the relevant Municipal Well's Zone of Influence and Wellhead Protection Areas as available.

- Comparison of the Appellant's Private Well to nearby Regional Production Wells (e.g. distance).

The Consultant will use the information collected during this preliminary phase and apply professional judgement to determine whether a private well could be experiencing\ impact from Regional pumping.

Where there is doubt whether the Region could have had an impact on a private well, the Consultant will apply a benefit of the doubt and recommend that further investigation is warranted as described below.

Based on the outcome of the Preliminary Assessment, the Consultant will make every effort to advise the Region and Appellant in writing, within 5 calendar days if:

- The Appellant's Private Well **may** be affected by the operation of a Regional Production Well(s) and therefore further investigation is required; or,
- The Appellant's Private Well issue is **not** caused by Regional pumping and therefore further investigation is not warranted.

Where the Preliminary Assessment indicates that further investigation is required, the Consultant and Licensed Well Technician will coordinate and conduct a site visit, in accordance with *Section 4.4* of this Policy.

In the event the Appellant has received an emergency water supply and the Preliminary Assessment indicates that further investigation is required, the emergency water supply will remain in place.

Emergency water supply assistance may be expanded at this juncture to include situations where supply is intermittent or materially reduced, and the well cannot support essential needs.

Where the Preliminary Assessment indicates it is unlikely that Regional pumping caused the Appellant's Private Well issue, the Region will inform the Appellant of this outcome. The Consultant's written opinion, investigation records and data will be provided to the Appellant in the requested format (electronically and/or paper copy) upon request. The Consultant will be available to explain the decision to the Appellant, if requested.

In the event the Appellant has received an emergency water supply and the Preliminary Assessment indicates it is unlikely that Regional pumping caused the Appellant's Private Well issue, the Region will still bear the cost of the Assessment and emergency water supply. The emergency water supply will remain in place until the Assessment results are communicated and/or at the conclusion of the appeal process, where applicable.

#### **4.4. Site Visit**

Where the Preliminary Assessment indicates an Appellant's Private Well may be affected by the operation of a Regional Production Well, a site visit shall be conducted by the Consultant and Licensed Well Technician to support further assessment under this Policy.

The site visit shall include, as appropriate, a review of all *readily accessible* components of the Appellant's Private Well, the site setting, and mechanics including the pump, pressure tanks, and water treatment system (where applicable), and other relevant accessible equipment or information. An attempt will be made to inspect the interior of

the well and obtain a static and/or pumping water level. The Licensed Well Technician and/or QP will use their professional judgement to determine if obtaining a water level is practical or feasible. They will not enter a confined space, compromise the safety of their personnel, or risk any damage to well infrastructure.

During the site visit, the Consultant will review, with the well owner, the information gathered during the interview described in *Section 4.2* and add any additional detail received. Well installation documentation and any available maintenance records should be provided to the Consultant and Licensed Well Technician at the time of the visit.

#### **4.5. Technical Evaluation Framework & Reporting**

Following the site visit, a Technical Evaluation shall be undertaken by the Consultant, to assess whether the operation of a Regional Production Well is likely to have caused or contributed to a Negative Impact on the Appellant's Private Well.

The technical evaluation will be based on all available data and information, and includes consideration of:

- Information obtained from the Appellant interview and site visit, including records, water level(s) and water quality results (if available);
- Review of Regional pumping data, Monitoring Well network data, climate data, and other such hydrogeologic data as appropriate to the situation. HWP staff will make available all data as requested by the Consultant to support decision making.

**Note: During the assessment and investigation process, the burden of demonstrating that Regional pumping is, or is not the likely cause of the issues experienced by the Appellant lies with the Region, not with the Appellant.**

The assessment completed by the Consultant will be independent and with unbiased professional judgment, considering all relevant information, and will reach conclusions based solely on the technical evidence, notwithstanding that the professional is retained and paid by the Region.

The Consultant will confer with the Appellant during the investigation as needed, including sharing preliminary findings for consideration.

Following completion of the investigation, the Consultant and Well Technician will make every effort to prepare the Technical Evaluation document within 21 calendar days of the site visit that outlines:

- (a) whether the existing well is experiencing a Negative Impact;
- (b) the likelihood that the Private Well is experiencing a Negative Impact attributable to the operation of a Regional Production Well and whether the claim constitutes Groundwater Interference under this Policy; and
- (c) recommendation(s) for preferred method(s) to re-establish an Adequate Water Supply for the property.

The Technical Evaluation will include the Licensed Well Technician's findings and be completed via a letter report addressed to both the Appellant and Region staff, signed and stamped by a Qualified Person.

The Appellant will automatically be provided, concurrently with the Technical Evaluation, complete copies of all investigation records and data collected, obtained, reviewed, considered, relied upon or generated in connection with the investigation and Technical Evaluation for the relevant time range and with further data available upon request.

If, based on the site visit findings of the Licensed Well Technician and the Consultant, the Consultant determines that a Mechanical Failure within the Appellant's private well system accounts for the reported issue, the Licensed Well Technician will identify the likely remedy and provide the Appellant with a cost estimate for the repair. The Appellant is under no obligation to retain the Licensed Well Technician to complete the work. This work would not be paid for by the Region.

In the event the Appellant has received an emergency water supply and the Technical Assessment indicates it is unlikely that Regional pumping caused the Appellant's Private Well issue, the Region will still bear the cost of the investigation and emergency water supply. The emergency water supply will remain in place until the Technical Assessment results are communicated, and/or the appeal process concludes, if applicable.

Where the investigation indicates Groundwater Interference at the Private Well has likely occurred due to Regional Pumping, the Consultant and Licensed Well Technician will jointly provide a recommendation for an appropriate remedy and a proposed fair compensation to the Appellant to restore an Adequate Water Supply in the letter report.

In the event the Appellant has received an emergency water supply, the emergency water supply will remain in place until an Adequate Water Supply is restored, at the Region's expense.

All letter reports will include details to the Appellant of the available Appeal procedures in accordance with *Section 8* of this Policy.

## 5. Remedy Provision

Where the results of the technical evaluation have identified a Negative Impact on the Private Well which is likely attributable to the operation of a Regional Production Well, the Consultant and Licensed Well Technician will jointly propose solutions to the Appellant and HWP staff to make available to those affected, a supply of water equivalent in quantity and quality to their normal takings, or to compensate such persons for their reasonable costs of doing so consistent with Section 6 and Section 7.

The preferred method to resolve well interference claims is to connect the residence to municipal water supply, as this provides a long-term secure water source. Where the Region and corresponding area municipality agrees municipal connection is an option, connection to municipal supply will be offered and compensation may include completing the connection up to the home.

Where a municipal water supply is not available, compensation could partially or fully cover the costs of modification to the existing well or a replacement in consideration of the findings of the Consultant. The compensation will be fair and reasonable, taking into consideration such factors as what is reasonably necessary and typical market costs for the needed work.

Options that may be considered for restoring an adequate water supply include, but are not limited to:

- Modifications to pump configuration, depth, or size
- Well deepening
- Well replacement

The remedial action(s) selected will depend on the condition and construction of the existing Private Well and associated equipment, the hydrogeologic conditions in the area, the overall cost of the action and the Appellant's preference.

Compensation may also be awarded to cover:

- The cost of appurtenances required to restore a supply equivalent in water quality to the normal takings,
  - the cost of provision of a temporary water supply used during the repair of the Private Well, and,
  - If a new well is provided, the cost of the abandonment of the old well.
- Wells no longer in use or dry wells must be abandoned according to the O.Reg. 903 (as amended).

Compensation for work up to \$40,000 may be recommended by the Consultant and Well Technician and approved by HWP staff.

Where the Consultant and Well Technician propose works in excess of \$40,000, the recommendation will proceed to the Region's Chief Administrative Officer (CAO) for financial approval.

The Region will not compensate for routine maintenance, future cost of operation, future

maintenance or Betterment of the private well system (including compliance with O.Reg. 903).

The Region shall not retain contractors directly to complete remedial actions under this section. The Appellant shall be responsible for arranging and coordinating any approved remedial actions to be taken. The Region/Consultant may require the Appellant to provide one or more quotations for proposed remedial actions to establish a competitive cost for compensation.

It is expected that work will begin immediately and be complete within six months following agreement on the remedy provision, or as otherwise mutually agreed.

The process for reimbursement is covered under Section 7 of this policy.

## **6. Letter of Acknowledgement**

Before providing compensation, and where considered appropriate before implementing a Remedy under this Policy, the Region will require the Appellant to sign a Letter of Acknowledgement in a form satisfactory to the Region.

The Letter of Acknowledgement will confirm acceptance of the compensation, remedy, method of reimbursement, or other resolution provided by the Consultant, timeline for implementation, and may release the Region, to the extent specified in the document, from further claims arising from the same Well Interference Claim.

A Letter of Acknowledgement under this Policy shall apply only to the Well Interference Claim identified in the document and shall not apply to any future or separate claim. Any claims for well interference under different conditions will be addressed accordingly as required by the Region's responsibilities under the Ontario Water Resources Act.

Where a required Letter of Acknowledgement is not signed, the Region may decline to provide compensation or may decline to proceed with the proposed resolution, as applicable.

A template of the Letter of Acknowledgement is included in Appendix B. The Letter of Acknowledgement may be executed by staff who have the authority to bind the corporation.

The Letter of Acknowledgement may be personalized from the version presented here as the case may be by HWP staff with the concurrence of Legal Services.

## 7. Compensation

To request compensation, the Appellant shall submit all invoices, receipts, quotations, reports, and any other supporting documentation required by the Region.

Invoices and/or receipts for any expense incurred will be submitted to the Region within 90 days of receipt.

Upon receipt and review of the required documentation, the Region will process payment for approved eligible costs in accordance with this Policy and the Letter of Acknowledgement.

The Region will either reimburse or pay approved progress invoices; however, the Region will not directly procure, retain, contract with, or otherwise engage the contractor. The Appellant remains responsible for selecting and contracting with the contractor.

## 8. Appeals

Where an Appellant disagrees with the results of the Preliminary Assessment, the Technical Evaluation result, the remedy suggested, or a suitable remedial action plan cannot be agreed upon, the Appellant may Appeal to the Appeal Committee.

The Appeal must be filed (using the designated appeal form) with the Region's Clerk Office within 30 calendar days of the date of receipt by the Appellant of the Consultant's letter report, and the formal written appeal must state the reasons the Appellant believes that the decision, resolution or compensation is incorrect.

The Regional Clerk's office can be reached at:

[regionalclerk@regionofwaterloo.ca](mailto:regionalclerk@regionofwaterloo.ca)

OR

via the Service First Contact Centre (519-575-4400)

The procedures listed below will be taken where an applicant requests an Appeal:

- The Clerk of the Region will acknowledge the Appeal request in writing within seven (7) calendar days of receipt;
- The Clerk of the Region will arrange a hearing before the Appeal Committee;
- The Clerk of the Region will provide notice of the hearing to the Appellant, the Consultant and HWP Staff no later than twenty-one (21) calendar days prior to the hearing date.
- A notice of a hearing shall include:
  - a statement of the time, place and purpose of the hearing; and
  - a statement that if the Appellant notified does not attend at the hearing, the Appeal Committee may proceed in the Appellant's absence, dismiss the appeal and the Appellant will not be entitled to any further notice in the proceeding.
- The Clerk of the Region will provide the Appeal Committee, in advance of the hearing date, all relevant information including the Consultant's Technical Assessment report and all information provided by the Appellant. All information provided to the Appeal Committee will be provided concurrently and in its entirety to the Appellant, so that the Appellant and the Appeal Committee have access to the same information in advance of the hearing. Any additional information subsequently provided to the Appeal Committee Prior to the hearing will also be provided to the Appellant at the same time.
- Where a notice of a hearing has been given to an Appellant and that party does not attend, the Committee may proceed to dismiss the Appeal.
- At the hearing, the following order shall apply:
  1. The Consultant, acting as a technical resource for the Committee and the Appellant, will provide evidence and their interpretations of technical information and findings. They will also be present to answer clarifying questions. Note that the Consultant is not a member of the Committee;
  2. The Appellant, and/or a representative for the Appellant, may then respond and

provide evidence and/or make submissions for their Appeal. Note that the Appellant and/or their representative are not a member(s) of the Committee;

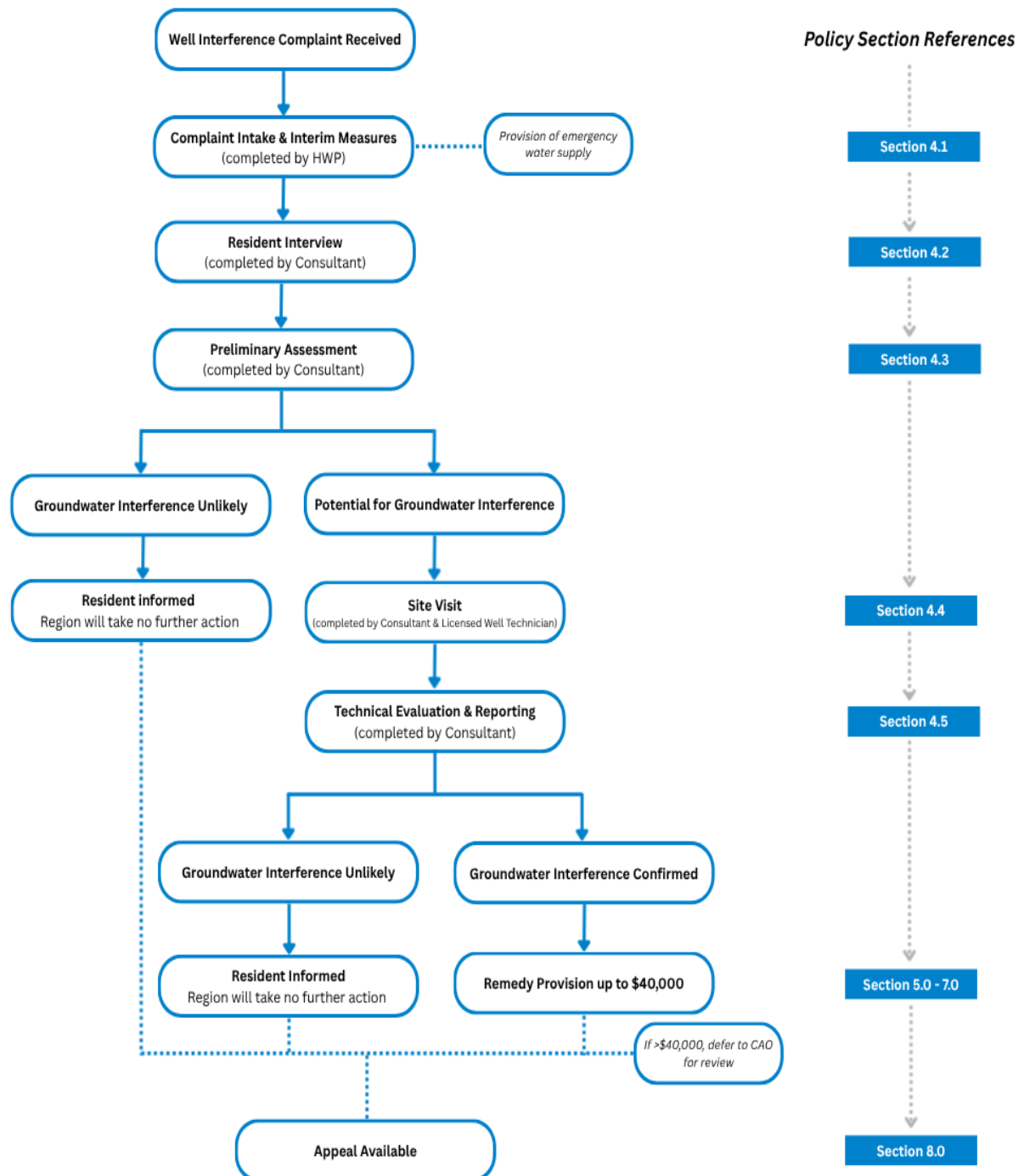
3. HWP Staff will be present at the Appeal to answer any questions with respect to Regional processes or data provided to the Consultant. Note that HWP staff will not be member(s) of the Committee;
4. At the conclusion of a hearing, the Appeal Committee shall render its decision in writing, with reasons. The Appeal Committee will have the authority to deny the Appeal or to render a decision that allows the Appeal, in whole or in part, if it determines on the balance of probabilities that:
  - (1) Relevant information was not considered, or was materially misunderstood, in the original claim review;
  - (2) The investigation contained a significant factual, technical, or procedural error that may have affected the outcome;
  - (3) The conclusions of the investigation were not reasonably supported by the information available at the time;
  - (4) New information has become available that was not reasonably available during the original review and could materially affect the outcome;
  - (5) The Technical Evaluation Framework was applied incorrectly or inconsistently;
  - (6) The determination of whether Regional pumping caused or contributed to the reported well interference was unreasonable based on the evidence;
  - (7) The recommended remedy did not reasonably address the nature or extent of the verified interference, where Negative Impact was found;
  - (8) The degree of responsibility attributed to the Region was unreasonable based on the investigation findings;
  - (9) The requirements of this Policy were not followed.

The decision of a majority of members of the Appeal Committee who presided at the hearing is the Appeal Committee's decision.

The Appeal Committee would be given delegated authority to make recommendations on remedial compensation.

The decision of the Appeal Committee will be final with no further right of appeal.

Any written decision or notice under this Policy may be served on the Appellant at the email address provided by the Appellant.

**FIGURES****Figure 1. Policy Procedure Flow Chart**

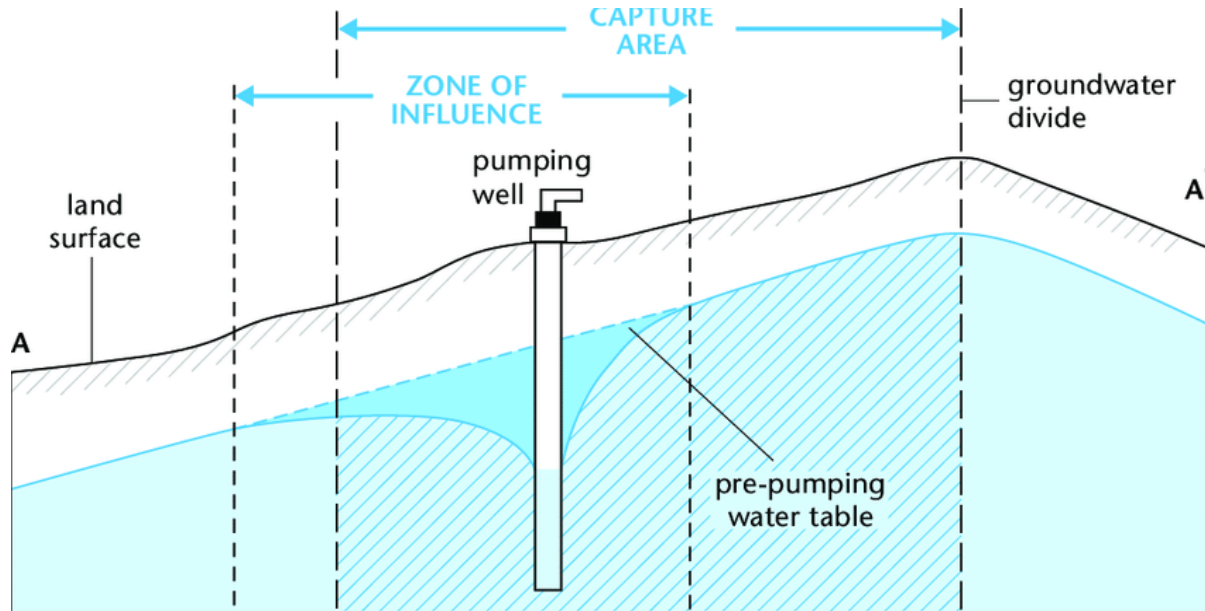
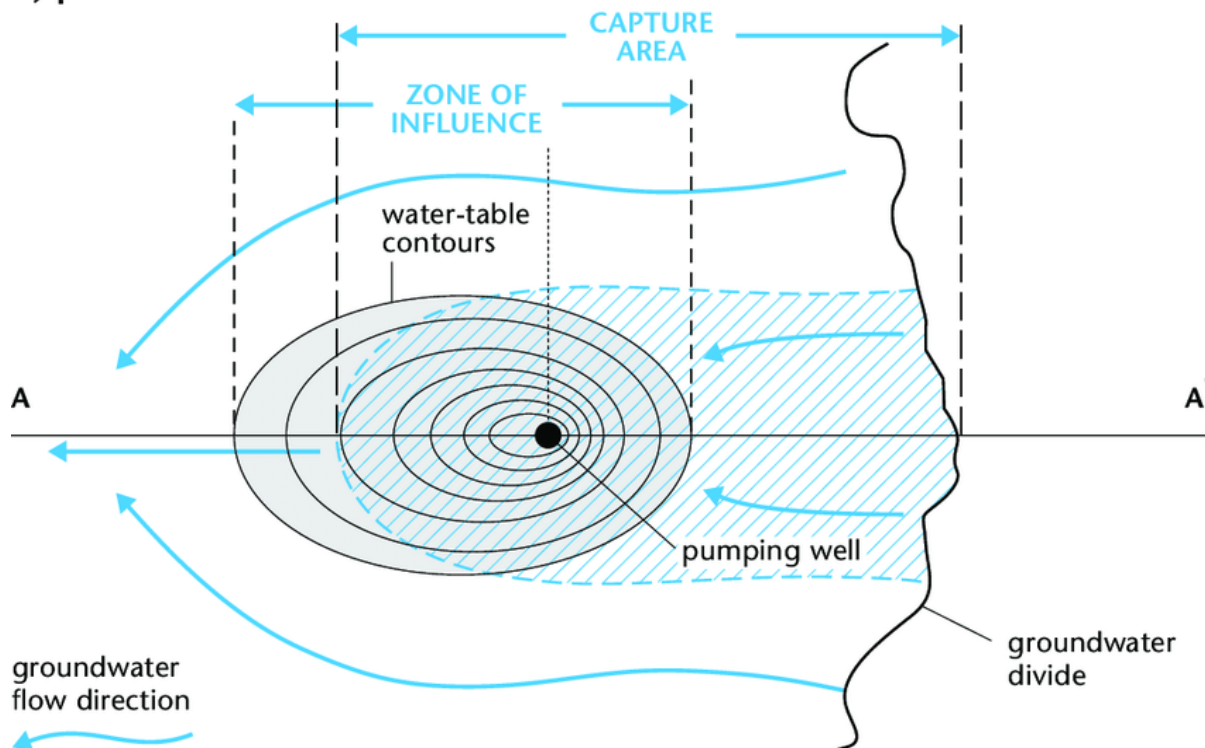
**Figure 2. Zone of Influence vs Zone of Capture****b) plan view**

Image from: Foster, Stephen & Hirata, Ricardo & Gomes, Daniel & Paris, Marta & D'Elia, Monica. (2007). World Bank Publication : Groundwater quality protection - a guide for water utilities, municipal authorities and environment agencies

## Appendix A – Terms and Definitions

**For the purposes of this Policy, the following terms have the meanings set out below:**

| <b>Term or Phrase</b>    | <b>Definition</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Adequate Water Supply    | A water supply that is sufficient in quantity and quality (following treatment), to meet the normal requirements of the property, in compliance with the Region of Waterloo's Water Use By-law.                                                                                                                                                                                                                                                                                                                                                                                       |
| Appeal                   | A written request for review of a decision made under this Policy to the Well Interference Appeal Committee.                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Aquifer                  | A water-bearing stratum (unit or layer) of permeable rock, sand, or gravel that will yield useful amounts of water when pumped.                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Aquitard                 | A low-permeability geologic formation (such as clay or shale) that often lies adjacent to an aquifer and prevents any significant movement of water.                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Betterment               | Any improvement, enhancement, upgrade, increase in capacity, or addition to a private well system that goes beyond restoration of the pre-interference conditions. Betterment includes, but is not limited to, increased system capacity, upgraded equipment not required for restoration, servicing for new demand, or improvements unrelated to the initial groundwater interference claim.                                                                                                                                                                                         |
| Drawdown                 | The lowering of the water level in a well or aquifer relative to the static (non-pumping) water level as a result of pumping.                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Groundwater Interference | A negative impact on a Private Well that reduces or impairs its ability to provide an Adequate Water Supply, where the negative impact is caused or contributed to by the operation of a Regional Production Well. Groundwater Interference may also include, where supported by the available evidence, a significant change in water quality. To be considered Groundwater Interference under this Policy, the Private Well must be completed in the same aquifer as the Regional Production Well or in a Hydrogeologically Connected Unit, as supported by the available evidence. |

| <b>Term or Phrase</b>                   | <b>Definition</b>                                                                                                                                                                                                                                                                 |
|-----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Hydrogeologically Connected Unit        | Based on the assessment of a professional hydrogeologist, a unit that is connected to another water bearing unit, allowing for groundwater flow to be transmitted between them, as supported by available evidence.                                                               |
| Mechanical Failure                      | A failure, deterioration, malfunction, improper installation, inadequate maintenance, or operational problem associated with a private well system or its components, including the pump, pressure tank, plumbing, treatment equipment, electrical components, or well structure. |
| Monitoring Well                         | A well installed for the purpose of measuring groundwater level conditions and collecting hydrogeological information, including groundwater quality samples.                                                                                                                     |
| Production Aquifer or Municipal Aquifer | The aquifer or water bearing unit from which a Regional Production Well obtains groundwater.                                                                                                                                                                                      |
| Negative Impact                         | A reduction, impairment, or other detrimental effect on a Private Well or its ability to provide an Adequate Water Supply, as supported by available data.                                                                                                                        |
| Ontario Regulation 903 (O.Reg. 903)     | Ontario Regulation 903 is Ontario's Wells Regulation under the Ontario Water Resources Act. It sets the legal requirements for the construction, maintenance, repair, alteration, abandonment, and licensing of wells in Ontario.                                                 |
| Permit to Take Water (PTTW)             | A permit issued under the Ontario Water Resources Act authorizing the taking of water, including any applicable terms and conditions related to the rate, volume, duration, monitoring, mitigation, claim response, and reporting requirements for the water taking.              |
| Private Well                            | A privately owned well constructed for the purpose of obtaining groundwater, including a drilled well, dug well, bored well, or other groundwater well serving a property, home, business or farm.                                                                                |
| Private Well System                     | A privately owned water supply system comprised of a Private Well and the associated equipment, works, and accessories used to pump, treat, store, and distribute water to a property.                                                                                            |

| <b>Term or Phrase</b>               | <b>Definition</b>                                                                                                                                                                                        |
|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Pumping                             | The withdrawal of groundwater from a well by mechanical or other means.                                                                                                                                  |
| Pumping Water Level                 | The water level in the pumping well measured during pumping.                                                                                                                                             |
| Production Well or Municipal Well   | Any well, well system, pumping facility, or related infrastructure owned or operated by the Region.                                                                                                      |
| Qualified Person (P.Eng. or P.Geo.) | A licensed Professional Geoscientist (P.Geo.) as defined by Professional Geoscientists Ontario (PGO) or a licensed Professional Engineer (P.Eng.) as defined by Professional Engineers Ontario (PEO).    |
| Regional Aquifer                    | A defined aquifer hydrostratigraphic unit within the Region of Waterloo, as interpreted and modelled through the Region's Tier 3 Assessment, and as interpreted and outlined in Bajc and Shirota (2007). |
| Static or Non-pumping Water Level   | The natural level of water in a well when the well is not pumping and the water level is not affected by recent pumping.                                                                                 |
| Water Table                         | The level below the ground where soil or rock is fully saturated with water.                                                                                                                             |

| Term or Phrase                  | Definition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|---------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Wellhead Protection Area (WHPA) | <p>A vulnerable area defined and maintained in accordance with the Ontario Clean Water Act surrounding a municipal well that is delineated for protection of the well from contaminants that may adversely affect drinking water quality.</p> <ul style="list-style-type: none"><li>• WHPA-A is a 100-metre circle around the well</li><li>• WHPA-B is the 2-year time-of-travel zone</li><li>• WHPA-C is the 5-year time-of-travel zone</li><li>• WHPA-D is the 25-year time-of-travel zone</li><li>• WHPA-Q is the area where activities that reduce recharge may be a threat.</li></ul> <p>In Ontario, the <b>Director's Technical Rules</b> under the <b>Clean Water Act, 2006</b> dictate the scientific and engineering standards for municipal drinking water source protection. They establish how to map vulnerable areas (like wellhead protection zones), calculate water budgets, and evaluate significant threats to both water quality and quantity.</p> |
| Zone of Capture                 | The area in which groundwater flows toward and is captured by a pumping well.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Zone of Influence               | The area around a pumping well within which pumping may measurably affect groundwater levels, groundwater flow conditions, or the water level of nearby wells.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

## Appendix B – Template Letter of Acknowledgement

### TEMPLATE LETTER OF ACKNOWLEDGEMENT

Owner(s) (the “Owner”):

---

Municipal Address: (the “Property”)

---

Well Interference Claim Reference  
(the “Claim”)

---

Terms of Compensation / Remedy (the “Compensation”):

---

The Region and the Owner hereby acknowledge and agree to the Compensation as the full and final resolution of the Claim. By signing this Letter of Acknowledgement and receiving the Compensation, the Owner shall not be entitled to any other compensation, remedy or appeal pursuant to the Policy or in a court of law. This bar shall apply only to the Claim identified herein and shall not apply to any future or separate claim. Any claims for well interference under different conditions will be addressed accordingly as required by the Policy.

This Letter of Acknowledgement may be signed electronically.

#### The Regional Municipality of Waterloo

\_\_\_\_\_(name)

Commissioner, Water and Wastewater Services  
I have authority to bind the Corporation

---

Date: \_\_\_\_\_

#### The Owner

\_\_\_\_\_(name)

Owner, Property

---

Date: \_\_\_\_\_