

**EBR Registry Number:** IA05E1857      **Ministry Reference Number:** 3600-6JNT4M

**Type of Posting:** Instrument      **Status of Posting:** Decision

**Ministry:** Environment

**Date Proposal Loaded:** 2006/02/24

**Date Decision Loaded:** 2006/03/31

**Comment Period:** 4 day(s)

Written submissions were permitted between February 24, 2006 and February 28, 2006.

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**NOTICE OF DECISION FOR AN INSTRUMENT:**

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**Instrument Type:**

OWRA s. 34 - Permit to take water

**Proponent:**

Flamborough Springs Inc. PO Box 117, Waterdown, Ontario, L0R 2H0

**Location of Activity:**

160 11th Concession Road, , Ontario

East Flamborough

**County/District/Region:**

**Other Activity Location Identifiers:**

North part of Lot 10, Concession 10, geographic township of East Flamborough

**Description:**

The application is for a permit for the following:

Source of water: One (1) well

Location of water taking: 160 11th Concession Road, East Flamborough.

Purpose of water taking: bottled water

Period of water taking: for 10 years from the date of approval

Amount of water to be taken (MAXIMUM): 566 litres per minute, 8 hours per day, 365 days per year.

**Decision:**

Approval granted.

Permit was issued March 30, 2006 and is valid until December 31, 2008

To view a PDF of the permit, please click on the hyperlink at the end of this notice.

**Number of Comments Received: 36**

**Effect of the Comments on the Decision of the Ministry:**

Comments received were reviewed and where appropriate were considered in the ministry's decision whether or not to proceed with this proposal. In this case, comments were consistent with concerns within the ministry and as a result terms and conditions were added.

These conditions do not represent all conditions imposed on the instrument holder but rather those that are directly in line with comments received.

A short term permit for a period of three years expiring on December 31, 2008.

A marginal increase in water taking from 50,000 to 58,000 LPD with the implementation of a detailed monitoring program to be reviewed and approved by the Ministry.

Water taking may increase from 58,000 LPD to 118,860 LPD after completion of an aquifer test and the MOE Director's concurrence to the findings of the test and long-term monitoring program.

Daily water taking measurements and reporting to the Ministry on an annual basis.

Preparation and submission of well interference complaints resolutions protocol to the Ministry.

**Additional material in support of this notice is available by clicking the following hyperlink(s):**

[http://www.ene.gov.on.ca/envision/env\\_reg/er/documents/PTTW/2006/IA05E1857.pdf](http://www.ene.gov.on.ca/envision/env_reg/er/documents/PTTW/2006/IA05E1857.pdf)

**May a resident of Ontario seek leave to appeal this decision (s. 38 EBR)?:** Y

**The EBR stipulates that the Ministry must make every reasonable step to ensure that all comments relevant to this proposal received as part of the public participation process are considered in this decision (S. 35 EBR). Only comments relevant to the proposal were considered in this decision.**

**Any resident of Ontario may seek leave to appeal this decision, by serving written Notice, within 15 days of the Decision Date noted above. The Notice must be served upon the following:**

**Environmental Commissioner:**

Environmental Commissioner, 1075 Bay Street, Suite 605, 6th Fl.  
Toronto, Ontario M5S 2B1  
FAX: (416) 325-3370

**Issuing Authority:**

Director  
West Central Regional Office  
12th Floor, 119 King St. West  
Hamilton, Ontario, L8N 3Z9  
PHONE: (905) 521-7640 FAX: (905) 521-7820

**Proponent:**

Flamborough Springs Inc.  
PO Box 117  
Waterdown, Ontario, L0R 2H0

**Appellate Body:**

Environmental Review Tribunal  
Contact: The Secretary  
Suite: 1700, P.O. Box, 2382, 2300 Yonge St., Toronto, Ontario, M4P 1E4  
PHONE: (416) 314-4600 FAX: (416) 314-4506

**The Notice must be signed and dated and include all of the following information:**

- 1. The EBR registry Number, the Ministry Reference Number, the Proponent's name and address to whom the instrument was issued and the location of Activity. (All available from this Registry posting)**
- 2. A copy of any comments that were submitted on the original proposal, if comments were not submitted, an explanation of your interest in seeking leave to appeal the decision is required.**
- 3. A description of the grounds for the application for leave to appeal including information that demonstrates that:**
  - a. there is a good reason to believe that no reasonable person, having regard to the relevant law and any government policies developed to guide decisions of that kind, could have made the decision; and**
  - b. the decision in respect of which an appeal is sought could result in significant harm to the environment.**
- 4. The portion of the instrument or each term or condition in the instrument in respect of which the leave to appeal is applied for.**
- 5. The grounds on which you intend to reply at the hearing, in the event that the leave to appeal is granted, in relation to each portion that you are seeking leave to appeal.**