Well Interference Complaint Policy Update Recommendations Report

Regional Municipality of Waterloo

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Executive Summary

The Regional Municipality of Waterloo ('the Region') engaged AECOM Canada ULC ('AECOM') to review and provide recommendations for a planned update to its Policy and Procedures for Responding to Groundwater Interference Complaints ('the Policy'). The process was supported through a review of similar policies within other groundwater-based jurisdictions and consultation with key stakeholders. This initiative was prompted by community concerns—particularly in the Township of Wilmot—regarding the independence, transparency, and effectiveness of the current process for addressing well interference issues and a motion from Regional Council. The primary objective of the policy update initiative is to modernize the framework to restore public confidence, ensure fair and science-based decision-making, and provide residents with accessible avenues for recourse and resolution.

The process followed by AECOM for the project was comprehensive and multi-phased, including:

- **Background Review:** AECOM conducted a detailed review of the Region's existing and past policies to understand their evolution, strengths, and limitations.
- **Jurisdictional Scan:** Policies and complaint resolution processes from comparable municipalities in Ontario, other Canadian provinces, and selected U.S. jurisdictions were analyzed to identify best practices and innovative approaches.
- **Stakeholder Engagement:** Consultation was undertaken with municipal staff, public stakeholders, and community groups (including Citizens for Safe Groundwater). Engagement activities included in-person and virtual meetings, public surveys, and outreach through Social Media and the Engage Waterloo Region platform (www.engagewr.ca).
- **Technical and Regulatory Alignment:** The review considered technical hydrogeological analyses, regulatory requirements (notably the Ministry of the Environment, Conservation and Parks' Permit to Take Water), and the need for clear separation of operational and adjudicative roles.

The following provides a summary of the strengths of the Existing Policy that were identified during the project:

- Clear technical explanations of groundwater impacts and regulatory context.
- Structured, stepwise process for complaint intake, investigation, and resolution.
- Integration with long-term monitoring and regulatory frameworks.

- Provision of temporary water supply during investigations and flexible compensation options.
- Formal appeal process to enhance procedural fairness.

The following provides a summary of the gaps/weakness of the Existing Policy that were identified during the project:

- Communication challenges—many residents are unaware of the process (from reporting through to an appeal decision) or find it difficult to understand.
- Strict geographic boundaries may exclude legitimate complaints.
- Compensation frameworks may not reflect actual mitigation costs.
- All aspects of process are conducted by Region staff – this could lead to a perception of bias in the process.
- Appeals are adjudicated by an individual, rather than a panel or committee that could represent more diverse viewpoints from across the Region.

Based on the review completed and stakeholder feedback, AECOM recommends:

1. **Modernize the Policy Framework:** Move from static geographic boundaries to a more flexible, science-based screening approach.
2. **Enhance Accessibility and Transparency:** Develop plain-language materials, a dedicated glossary, and proactive outreach to increase public awareness and understanding of the policy.
3. **Strengthen Technical Rigor:** Require hydrogeological investigations for all eligible complaints and consider independent third-party Qualified Professional participation to enhance impartiality.
4. **Update Compensation and Mitigation:** Remove fixed compensation limits and ensure remedies are tailored to actual impacts, including temporary and permanent water supply solutions.
5. **Revise the Appeals Process:** Transition from a single decision-maker to a multi-member, independent committee to ensure fair representation and impartiality.
6. **Establish Regular Review Cycles:** Implement a formal review and update cycle (e.g., every 4 years to align with municipal elections) to maintain policy relevance and effectiveness.

The recommended Policy updates are designed to restore public trust, ensure defensible and resident-centred outcomes, and align the Region’s approach with leading practices. The revised framework will provide a clear, transparent, and scientifically grounded process for managing well interference complaints—supporting both immediate resolution and long-term groundwater stewardship.