

Ministry of Natural Resources (MNR) Crown Land Site Report (CLSR)

Application of this CLSR

This CLSR applies to all proponents submitting a bid to the Independent Electricity System Operator (IESO) under the Long-Term 2 (LT2) Request for Proposals (RFP) process if the energy project is proposed to be located wholly or partially on Crown land.

For the purposes of this CLSR, “Crown land” means land owned by the provincial Crown that is under the administration and control of MNR and may include land that has never been granted by the Crown, acquired land and the beds of navigable waters. Administration and control is determined by statute, order in council or minister’s order and title to land may not be current. For greater clarity, “Crown land” does not include land owned by the federal government or land managed by another provincial ministry, including regulated provincial parks or conservation reserves under the *Provincial Parks and Conservation Reserves Act*, unless an exception under the *Provincial Parks and Conservation Reserves Act* applies. It is the Proponent’s responsibility to investigate whether the project is being proposed on Crown land.

The following types of Crown land are not available for renewable energy development:

- an area regulated or recommended as a provincial park or conservation reserve, where the project would not qualify as an exception under the *Provincial Parks and Conservation Reserves Act*
- an area subject to an approved community-based land use plan under the *Far North Act* unless:
 - the development concerns the construction of a wind or water electrical generation facility in accordance with paragraph 14(2)5. of the *Far North Act* in an area designated as a “protected area”
 - the energy development facility is otherwise consistent with the land use plan
- greenfield waterpower development (including any reservoirs, impoundments and water control structures or weirs) on a naturally reproducing lake trout lake
- an area subject to existing authorizations, approvals, or dispositions such as a lease or easement (for example, under the *Public Lands Act*; *Aggregate Resources Act*; *Oil, Gas and*

Salt Resources Act; or *Mining Act*), unless the energy development is consistent with the existing authorized use(s)

The Ministry acknowledges the exclusive opportunity to apply for the use of Crown land for waterpower, onshore wind power and solar power development on certain sites under the [Renewable Energy on Crown Land \(RECL\) policy](#). Certain renewable energy proponents recognized as having Applicant of Record status under previous policies have been transitioned to the current RECL policy subject to conditions being met (“Legacy Applicant of Record”). Sites exclusive to Legacy Applicants of Record are identified in the: Wind power Legacy Applicant of Record data set or Waterpower Legacy Applicant of Record data set.

Purpose of this CLSR

This CLSR is intended to confirm that proponents are aware of and have reviewed certain Crown resources as part of their consideration of their proposed energy project.

MNR will review the CLSR for completeness and communicate the outcome of its review by letter to the Proponent. MNR understands a MNR Confirmation Letter is an Independent Electricity Systems Operator (IESO) requirement for bidding into the LT2 RFP(s).

How to fill out this CLSR

Please read carefully and complete all applicable sections. Sections 1, 2, and 3 apply to all proponents. Waterpower project proponents must also complete Section 4.

Completed CLSRs must be submitted to MNR at MNRRenewableEnergySupport@ontario.ca a minimum of 25 business days prior to the IESO bid submission deadline for the procurement in which the proponent intends to participate. MNR encourages proponents to submit a completed CLSR or any questions related to the CLSR as early as possible to MNR. If a CLSR is deemed incomplete, and a proponent resubmits a CLSR and it is not received 25 business days prior to the IESO bid submission deadline for the procurement in which the proponent intends to participate, MNR makes no guarantees that a confirmation letter will be issued prior to the bid deadline. Please direct any questions about the CLSR to the same email address.

Section 1: Proponent/Project Information

Name of proposed LT2 project:

Name of Proponent (Name(s) of the individual(s) or corporation submitting a bid to LT2 RFP):

Legacy Applicant of Record identification number, if applicable (for example, WP-XXXX-XX):

LT2 Intake Window (stream/window):

Technology of the LT2 project:

Mailing Address:

- unit number (if applicable):
- street number and street name:
- post office (PO) box (if applicable):
- city/town:
- postal code:

Preferred phone number (incl area code):

Alternate phone number (incl area code) (if applicable):

Email address:

Name(s) of Signing Officer(s)*:

* If the Proponent is a corporation, name(s) of individual(s) with the authority to bind the named corporation.

Section 2: Description of Crown Land Site

Waterpower Site

1. Watercourse or water body the proposed project is located on:
2. Name of geographic township(s) (if applicable):
3. Attach a map (including a digital shapefile in .shp format) using North American Datum 83 (NAD-83) projection identifying the full extent of the proposed project site (including any existing reservoirs, impoundments, water control structures or weirs) in relation to local geographic features such as neighbouring roads, lands and water bodies. The map scale should be between 1:20,000 and 1:40,000.

4. a) Enter the Global Positioning System (GPS) coordinates of the waterpower site location

- Latitude (in decimal degrees)
- Longitude (in decimal degrees)

or;

b) Enter the Geographic coordinates of the proposed waterpower site location

- Latitude (in decimal degrees)
- Longitude (in decimal degrees)

Other Energy Types

1. Attach a map (including a digital shape file in .shp format) using NAD-83 projection identifying the full extent of the proposed project site, including identifying potential locations for project infrastructure (for example, solar panels, wind power turbines, roads) where possible. Include local geographic features such as neighbouring communities, roads, transmission corridors and water bodies. The map scale should be between 1:40,000 and 1:100,000.
2. Name of geographic township(s) (if applicable):

Section 3: Resources and Acknowledgements

1. I have reviewed the resources listed in Appendix A and I accept all implications that those resources may have on the proposed project, including those impacts that may result in the incompatibility of the Crown land with my proposed project or the termination of my LT2 proposal to the IESO or any executed LT2 Contract. I further acknowledge that the resources listed in Appendix A do not represent all of the resources which may impact my proposed project and that the Province of Ontario does not guarantee the quality, accuracy, completeness or timeliness of the resources listed in Appendix A and assumes no obligation to update this information or inform the Proponent of any changes to the contents of the resources listed in Appendix A. **Initials**
2. I acknowledge that I am the Legacy Applicant of Record in good standing that MNR recognizes as having the exclusive opportunity to apply for MNR approvals for the proposed project or my proposed project site does not overlap with any site identified on the Ministry of Natural Resources' data sets: [Wind power Legacy Applicant of Record](#) or [Waterpower Legacy Applicant of Record](#). **Initials**
3. I acknowledge that MNR's review of this CLSR is for completeness only and does not indicate or imply MNR's agreement or support for any declarations or information made in this CLSR. Despite the foregoing, I acknowledge that MNR may deem my submission of this CLSR incomplete and decline to issue an MNR Confirmation Letter within the meaning of the IESO

LT2 RFP if any of the declarations or information provided in this CLSR are inaccurate or not truthful. **Initials**

4. I acknowledge that investigation of the proposed project site is entirely the Proponent's responsibility, including any costs or expenses. The Proponent hereby agrees that it will not seek any compensation from the Crown in any manner related to this CLSR or any application by the Proponent to MNR to use or occupy Crown land. **Initials**
5. I acknowledge that MNR has not made any representations or warranties to me about the availability or suitability of the Crown land for the proposed project. **Initials**
6. I acknowledge that:
 - a. in submitting this CLSR and associated Crown land Shapefile(s), and any other requirements as may be outlined by MNR, the submission may be considered an application for Crown land under the *Public Lands Act* until such time as the IESO determines that an LT2 contract will not be entered into with respect to the Crown land to which the CLSR applies. **Initials**
 - b. any MNR acceptance of this CLSR does not provide any right, title, tenure, interest, or guarantee of any MNR approvals or authorizations or that Crown land will be available for the proposed project. **Initials**
7. I acknowledge that in no event shall the Crown be liable to compensate the Proponent for any direct or indirect damages, losses, costs or expenses incurred or suffered by the Proponent or any third party in any way in connection with or as a result of any MNR action or inaction related to this CLSR including, without limitation, any expert advice required. **Initials**
8. I acknowledge that the Crown has a legal duty to consult, and where appropriate, accommodate Indigenous communities when it has knowledge of an established or credibly asserted Aboriginal or treaty right and contemplates conduct that may adversely affect that right. I also acknowledge that consultation with Indigenous communities may be required with respect to potential impacts to Aboriginal or treaty rights or land claims related to the use of Crown land for my proposed project. I further acknowledge the Crown may delegate, in writing, the procedural aspects of the duty to consult and accommodate Indigenous communities and that accommodations for potential impacts to Aboriginal or treaty rights or land claims may include modifying aspects of the project and, where appropriate, could result in a refusal to authorize the use or occupation of Crown land. **Initials**
9. I acknowledge that any pre-existing or pending authorizations for the use or development of Crown land at or near the proposed project site may have implications for the proposed project. **Initials**

10. I acknowledge that Crown land may be subject to resource license or permit holders (for example, forest resource licenses, sustainable forest licenses, baitfish licenses, trapping licenses, bear management area licenses, land use permits) and that it will be necessary to work cooperatively with the relevant license holder(s) to carry out my proposed project.

Initials

11. I acknowledge in the event of any conflict or inconsistency between any non-binding guidance in the resources listed in Appendix A and applicable laws or binding policies, the applicable laws or binding policies will prevail.

Initials

12. I acknowledge that any document or communication with MNR, including this CLSR, becomes Crown property and is subject to the provisions of the *Freedom of Information and the Protection of Privacy Act* R.S.O. 1990, c. F.31, as amended, and may be released under that Act or other applicable laws.

Initials

13. Without limiting the generality of the foregoing, I acknowledge that any document or communication with MNR, including this CLSR, may be shared with the IESO, including any consultants or contractors of the IESO retained for the purposes of LT2(s).

Initials

Section 4: Waterpower Projects (skip this section if the proposed project does not use water as its primary source of energy generation)

1. I acknowledge that in accordance with the Renewable Energy on Crown Land (RECL) policy, for greenfield waterpower projects that have a capacity between 1 megawatt and 10 megawatts on Crown land, south of the Far North, the Northern Rivers, and the Moose River Basin north of Highway 11 and the adjacent bank(s) of the river is owned by the Crown, final Ministry approvals will be contingent on the applicant meeting the Indigenous community economic benefit objectives of the RECL policy for Indigenous communities located within or adjacent to the tertiary watershed.

Initials

2. I acknowledge that the final waterpower optimization, environmental impacts and mitigation will be determined through subsequent environmental assessment, and regulatory approval processes.

Initials

3. I acknowledge that certain watersheds in Ontario may be subject to water management plans approved under the [Lakes and Rivers Improvement Act](#), and I acknowledge that these plans may have implications for my proposed waterpower project.

Initials

4. My proposed greenfield waterpower project is not located on a naturally reproducing lake trout lake designated for lake trout management, as identified in the [Inland Ontario Lakes Designated For Lake Trout Management document](#).

Initials (enter n/a if not applicable)

Signature

I, the LT2 RFP Proponent, hereby declare that I have had sufficient opportunity to seek, and was not prevented nor discouraged from seeking, independent legal advice and professional engineering advice, prior to my execution and delivery of this CLSR and that, in the event that I did not avail myself of that opportunity prior to executing and delivering this CLSR, I did so voluntarily without any undue pressure and I agree that my failure to obtain independent legal advice and professional engineering advice shall not be used as a defence in any dispute in any way related to this CLSR.

I solemnly declare that I have reviewed and completed this CLSR to the best of my knowledge and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Ontario *Evidence Act*.

Name of Proponent

Title (I have the Authority to bind the herein named corporation)

Signature

Dated (yyyy/mm/dd)

Appendix A: Resources

Ministry of Natural Resources

Specific to Renewable Energy on Crown Land

- **Ministry of Natural Resources' Approval and Permit Requirements**
- **Ministry of Natural Resources' Renewable Energy on Crown Land webpage**
This website only applies to waterpower, onshore wind power and solar power development.
- **Ministry of Natural Resources' Legacy Applicant of Record data sets**
The Ministry acknowledges the exclusive opportunity of certain renewable energy proponents to seek regulatory approvals for a renewable energy project on identified sites under the [Renewable Energy on Crown Land \(RECL\) policy](#). Certain renewable energy proponents recognized as having Applicant of Record status under previous policies have been transitioned to the current RECL policy subject to conditions being met.
 - **Windpower Legacy Applicant of Record data set**
 - [GeoHub](#)
 - **Waterpower Legacy Applicant of Record data set**
 - [GeoHub](#)

Land Use Planning Direction

- **Crown Land Use Policy Atlas (CLUPA) home page**
Information about land use designations, including existing/regulated and recommended Provincial Parks and Conservation Reserves, land use intent, permitted uses and associated land use policy direction (for example, road access, electrical transmission, land disposition) that may be applicable to the proposed project location. This platform can be used as part of the Proponent's investigation regarding the ownership of land (for example, whether the land is privately owned or owned by the federal Crown (Canada)).
- **Far North of Ontario home page**
Information about the Far North Act and any [community-based land use plans and process](#), including any amendments, land use intent, permitted uses and associated land use policy direction (for example, road access, electrical transmission, land disposition) that may be applicable to the proposed project location.

Legal interest holders on Crown land

- **Find Pits and Quarries**

This mapping tool allows you to locate and view information about aggregate pits and quarries in Ontario (for example, site location, type of operation, licensee or permittee name). Existing or future aggregate projects that intersect with the proposed energy project site may have implications for the proposed project.

- **Forest Management Planning home page**

Includes information about how Crown forests are managed, the forest management planning process and guidance, forest management units and plans in Ontario and links to related forest laws and policies. More detailed information about specific Forest Management Plans, amendments and Annual Work Schedules applicable to the proposed energy project can be found at [FMP Online](#).

- **Oil, gas and salt resources**

Includes an [interactive petroleum well map](#) and [searchable well records](#) at the [Oil, Gas and Salt Resources Library](#) (the Library) website to find information about oil and gas wells. These tools provide location and technical data about wells regulated under the *Oil, Gas and Salt Resources Act* (Act) including oil, natural gas and salt solution mining. Existing or future oil, salt or gas projects that intersect with the proposed energy project site may have implications for the proposed project.

- **Ontario GeoHub – Petroleum Well**

An interactive portal to search the locations and types of petroleum wells in the province.

- **Ontario's Land Registry**

Resource to search land ownership documents, including certain instruments granted or issued by MNR under the Public Lands Act (for example, leases, easements). Land subject to a Public Lands Act authorization or instrument may not support proposed energy projects as a compatible use. The webpage includes a link to online land registry services (ONLAND).

- **Ministry of Mines' Mining Lands Administration System (MLAS) website**

MLAS is an online system for administering public lands for mining purposes. Mining lands that intersect with a proposed energy project site may have implications for the proposed project. For example, MLAS can be used to identify lands where a leasehold interest has been issued by the provincial Crown (either as directed by MNR under the Public Lands Act, or by the Ministry of Energy and Mines under the Mining Act). Users can also determine what the leasehold interest include: surface rights only; mining rights only; or surface **and** mining rights.

Known Values on Crown land

- [Inland Ontario Lakes Designated for Lake Trout Management document](#)
- [Make a natural heritage area map website](#)
Includes the make a natural heritage map tool and accompanying instructions to identify natural heritage features on or intersecting with the proposed energy project site that may have implications for the project (for example, through subsequent environmental or regulatory approvals processes). Information may not include all natural heritage features present at the site and additional information may be available through other sources or through site investigation.

Ministry of Indigenous Affairs and First Nations Economic Reconciliation (IAFNER)

- [IAFNER home page](#)
- [Current land claims website](#)
Information about current land claims that have been assessed for negotiation, or are being researched and assessed, and settlement agreements that are being implemented.