

Ministry of Natural Resources (MNR) Public Lands Site Report (PLSR)

Application of this PLSR

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

For the purposes of this PLSR, “public lands” means land owned by the provincial Crown that is under the administration and control of MNR and managed under the *Public Lands Act*. Public lands may include lands that have never been granted by the Crown, lands acquired by the Crown, and the beds of navigable waters. Administration and control are determined by statute, Order in Council or minister’s order and records in the land registry (i.e., title to land) may not be current. For greater clarity, “public lands” do not include lands owned by the federal government or lands managed by another provincial ministry, including regulated provincial parks or conservation reserves under the *Provincial Parks and Conservation Reserves Act, 2006*. It is the proponent’s responsibility to investigate whether the project is being proposed on public lands.

The Ministry’s policy approach acknowledges the exclusive opportunity to apply for the use of public lands for waterpower, onshore windpower and solar power development on certain sites. Certain renewable energy proponents recognized as having Applicant of Record status under previous policies have been transitioned to the current applicable renewable energy policy subject to conditions being met (“Legacy Applicant of Record”). Sites exclusive to Legacy Applicants of Record are identified in the following datasets: Windpower Legacy Applicant of Record and Waterpower Legacy Applicant of Record.

Purpose of this PLSR

This PLSR 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. A proponent must submit a separate PLSR for each individual project site.

MNR will review the PLSR for completeness and communicate the outcome of its review by letter to the proponent within 25 business days of receipt, provided the completed PLSR is submitted in

accordance with timelines specified below. MNR understands that an MNR Confirmation Letter is an IESO requirement for bidding into the LT2 and LLT RFP(s).

How to fill out this PLSR

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.

All applicable fields in the PLSR must be completed.

Completed PLSRs must be submitted to MNR at MNRRenewableEnergySupport@ontario.ca before 4:00 pm on a day that is a minimum of 25 business days before the IESO bid submission deadline for the procurement in which the proponent intends to participate. MNR will acknowledge receipt of all PLSR's and encourages proponents to submit a completed PLSR to MNR as early as possible within the procurement window.

If a PLSR is deemed incomplete, and the resubmission is not received before 4:00 pm on a day that is a minimum of 25 business days before the 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.

The PLSR process may be initiated at any time. Proponents are encouraged to review requirements early, check available resources regularly as information on public land may change, and send any PLSR-related questions to the same email address as early as possible.

Section 1: Proponent/Project Information

Name of proposed LT2 or LLT project:

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

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

Name of procurement (e.g., LT2 (Window X), LLT) and window:

Name of procurement stream (e.g., energy (e) or capacity (c)):

Technology of the project:

Mailing Address:

- unit number (if applicable):
- street number and street name:
- post office (PO) box (if applicable):
- city/town/province/country:
- postal/zip 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.

Please note that any MNR response regarding the outcome of its review will be addressed to signing officer(s) at the contact information provided above. If you would like correspondence addressed to a different contact, please provide their full name(s) here:

Section 2: Description of Public Lands Site

Waterpower Site

1. Watercourse or water body the proposed project would be located on:
2. Name of geographic township(s) (if applicable):

3. Attach a map (at a scale between 1:20,000 and 1:40,000) and a digital shapefile (in .shp format projected in North American Datum 83). Both the map and digital shapefile should identify the full extent of the proposed project site including any reservoirs, impoundments, water control structures or weirs that exist or are proposed by the Proponent, in relation to public lands, local geographic features such as adjacent roads, neighbouring communities, transmission corridors and water bodies.

Maps should include:

- i. Name and boundaries of geographic township(s) (if applicable)
- ii. A legend to describe the contents of the map
- iii. A corner 'key map' for regional context

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

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

or

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

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

Other Energy Types

1. Attach a map (at a scale between 1:40,000 and 1:100,000) and a digital shape file (in .shp format projected in North American Datum 83) projection. Both the map and digital shapefile should identify the full extent of the proposed project site, including identifying potential locations for project infrastructure where possible, in relation to public lands, local geographic features such as adjacent roads, neighboring communities, transmission corridors and water bodies.
2. Name of geographic township(s) (if applicable):

Maps should include:

- i. Name and boundaries of geographic township(s) (if applicable)
- ii. A legend to describe the contents of the map
- iii. A corner 'key map' for regional context

Section 3: Resources and Acknowledgements

1. I have reviewed the resources listed in Appendix A and I accept all implications to my proposed project arising from the information contained in such resources, as updated from time to time, including those impacts that may affect the viability of my proposed project proceeding on the proposed public lands identified. 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. My proposed project site does not overlap with any Applicant of Record site identified on the Ministry of Natural Resources' data sets for which I am **not** the [Windpower Legacy Applicant of Record | Ontario GeoHub](#) or [Waterpower Legacy Applicant of Record](#). **Initials:**
3. I acknowledge that MNR's review of this PLSR is for completeness only and does not indicate or imply MNR's agreement or support for any declarations or information made in this PLSR. Despite the foregoing, I acknowledge that MNR may deem my submission of this PLSR incomplete and decline to issue an MNR Confirmation Letter within the meaning of the IESO LT2 or LLT RFP if any of the declarations or information provided in this PLSR 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 agrees that it will not seek any compensation from the Crown in any manner related to this PLSR or any application by the Proponent to MNR to use or occupy public lands. **Initials:**

5. I acknowledge that MNR has not made any representations or warranties to me about the availability or suitability of the public lands for the proposed project. **Initials:**

6. I acknowledge that:
 - a. in submitting this PLSR and associated public lands shapefile(s), and any other requirements as may be outlined by MNR, the submission may be considered an application for public lands under the *Public Lands Act* until such time as the IESO determines that a procurement contract will not be entered into for my project proposal with respect to the public lands to which this PLSR applies. **Initials:**
 - b. any MNR confirmation of this PLSR does not provide any right, title, tenure, interest, or guarantee of any MNR approvals or authorizations or that public lands are or 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 PLSR 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 should a contract be awarded by the IESO, and prior to the province authorizing the use or occupation of public lands for my project, consultation with Indigenous communities may be required with respect to potential impacts to Aboriginal or treaty rights or land claims. I further acknowledge the Crown may delegate to the Proponent, in writing, the procedural aspects of the duty to consult and accommodate Indigenous communities and that accommodations for potential adverse 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 public lands for the project. **Initials:**

9. I acknowledge that any pre-existing or pending authorizations for the use or occupation of public lands at or near the proposed project site may have implications for the proposed project. **Initials:**

10. I acknowledge that public lands may be subject to resource licence or permit holders (for example, forest resource licences, sustainable forest licences, baitfish licences, trapping licences, bear management area licences, land use permits) and that it will be necessary to work cooperatively with the relevant licence 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 PLSR, 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 PLSR, may be shared with the IESO and/or the Ministry of Energy and Mines, including any consultants or contractors of the IESO retained for the purposes of LT2 and LLT procurements. **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 the final waterpower optimization, impacts, benefits and mitigation will be determined through subsequent environmental assessment, and regulatory approval processes and may affect or require alterations to my proposed project proceeding on the proposed public lands identified. **Initials:**
2. I acknowledge that certain watersheds in Ontario may be subject to water management plans or dam operating plans approved under the [Lakes and Rivers Improvement Act](#), and I acknowledge that these plans may have implications for my proposed waterpower project. **Initials:**
3. I acknowledge that my proposed waterpower project operations may have inundation and water management implications that extend beyond the waterpower project site provided in the application shapefile. I further acknowledge that I may be required to obtain the appropriate occupational authority from the provincial Crown and permission from other affected landowners to flood land beyond the waterpower project site when applying for MNR approvals or authorizations. I acknowledge that the ability to obtain occupational authority and permissions to flood land beyond the waterpower project site may have implications for my proposed waterpower project. **Initials:**

Signature

I, the LT2/LLT 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 PLSR and that, in the event that I did not avail

myself of that opportunity prior to executing and delivering this PLSR, 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 PLSR.

I solemnly declare that I have reviewed and completed this PLSR 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' Renewable Energy on Crown Land webpage**
This website only applies to waterpower, onshore windpower and solar power development. Please ensure you review the current applicable [Renewable Energy on Crown Land \(2014\)](#) (RECL) policy and procedures linked on this webpage. Please note that amendments to the RECL are under consideration and should the policy be updated the link provided will redirect you to the applicable policy.
- **Ministry of Natural Resources' Legacy Applicant of Record data sets**
Certain renewable energy proponents recognized as having Applicant of Record status under previous policies have been transitioned to the current renewable energy on public lands 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)) and in some cases, information regarding presence of Land Claims.
- **Far North of Ontario home page**
Information about the *Far North Act, 2010*, and any [community based land use plans and processes](#), 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* 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 Energy and 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. It is advised that proponents frequently review MLAS to determine the status of public land (e.g., mining claims registration and withdrawals, including withdrawal orders to support negotiations with First Nations on land claims) and to obtain the most up to date data. In cases where there is a mining claim, consent under Section 51 of the *Mining Act* is required by the claim holder. Please contact the Provincial Records Office for additional information.

Known Values on Crown land

- **Inland Ontario Lakes Designated for Lake Trout Management document**

This report lists the inland Ontario lakes (exclusive of the Great Lakes) that are currently designated for Lake Trout management. Ministry policies or guidelines may be applied differently to designated Lake Trout lakes depending on the lake classification. The Ministry's general policy is to not authorize the use of vacant, undeveloped Crown land, where the authorization could lead to impacts to habitat or lakeshore carrying capacity for lake trout.

- **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. From this webpage you will also find additional resources about land claims including the negotiation and consultation process.