

# Long-Term 2 RFP Stakeholder Engagement



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Today's engagement will cover the following:

- 1. LT2 RFP Requirements for Crown Land Projects
- 2. Renewable Energy on Crown Land: MNR Updates
- 3. LT2 RFP Requirements for Projects located in a Prime Agricultural Area
- 4. Agricultural Impact Assessment for the LT2 Procurements: OMAFA Updates
- 5. Next Steps



# LT2 RFP Requirements for Crown Land Projects



# Background

Reminder: In accordance with the November 28<sup>th</sup> Ministerial Directive where a Project Site is located in whole or in part on Crown Land a Proponent must obtain the MNR's endorsement of the Proponent's Crown Land Site Report (CLSR).

• MNR's endorsement of the Proponent's CLSR will be evidenced to the IESO in the form of an **MNR Confirmation Letter.** 



# **Requirements for Crown Land Projects**

### **Proposal Submission Requirements**

- As part of the **Prescribed Form: Access Rights** a Proponent must:
  - Provide the MNR Confirmation Letter as Exhibit C;
  - Provide a Crown Land Shapefile;
  - Attest that the Project Site information contained in the Crown Land Shapefile is consistent with the information contained in the CLSR submitted to the MNR, and;
  - Attest that their Project Site does not overlap with or use the same Crown lands as any AOR Held Lands for which the Proponent is not the Applicant of Record.



# **Crown Land Project Resources**

To support Proponents in completing the Crown Land Shapefile the IESO has published on the Long-Term 2 RFP:

LT2 Crown Land Shapefile Guidelines

To support the AoR Overlap Analysis the MNR has published:

- <u>Waterpower AoR Sites</u>
- <u>Windpower AoR Sites</u>



# Renewable Energy on Crown Land: MNR Updates



# Outline

- 1. MNR Pre-development Guide
- 2. Applicant of Record
  - Background Information
  - Mapping
- 3. Crown Land Site Report
  - Overview
  - Crown lands Not Available for RE Development
  - Crown Land Site Report Completion Considerations
- 4. Crown Land Sites Following Contract Award
- 5. MNR Resources/ Links Summary

# MNR Pre-Development Guide

- Now available on Ontario.ca (English and French versions)
  - <u>Renewable Energy</u>
     <u>Predevelopment Projects on Crown</u>
     <u>Land document</u>
- Ensure you use the document found on Ontario.ca as it is the most up to date version
- Continue to use this resource to navigate pre-development application process requirements at this time.



# Applicant of Record: Background Information

- Under previous MNR policy framework, Applicant of Record (AoR) status provided applicants with the exclusive opportunity to pursue approvals for a renewable energy project on a particular site location on Crown lands.
- In Fall 2024, eligible AoRs were offered a one-time, conditional opportunity to maintain the exclusive opportunity to pursue approvals for an AoR site and transition to MNRs Renewable Energy on Crown Land (RECL) policy.
  - This opportunity was not offered to all AoR sites and proponents (e.g., those on sites now subject to land claim negotiations)
- Conditions of the opportunity require eligible AoRs to submit a bid and be awarded an energy contract by the end of the second LT2 procurement window.
  - Should these conditions not be met, MNR will begin accepting RE applications for those sites from non-AoR proponents.
  - Additional information regarding the conditional opportunity for waterpower AoR sites will be provided after more information on the Long-lead Time (LLT) procurement is released.



# Applicant of Record Mapping

- Applicant of Record (AoR) mapping is now available for waterpower and wind power AoR sites
  - Wind power AoR Layer
  - <u>Waterpower AoR Layer</u>
- The draft RFP requires RE projects on Crown land to not "overlap with or use any of the same Crown lands as any AOR Held Lands for which the Proponent is not the Applicant of Record."
- Please use the above mapping when screening potential Crown land sites as early as possible (i.e., predevelopment)

# Crown Land Site Report (CLSR): Overview

- The CLSR is completed by proponents and contains attestations to demonstrate that a proponent has reviewed available information regarding a Crown land site.
  - The CLSR is intended to aid proponents in screening sites to ensure areas where Crown land is **not available** for renewable energy development are avoided and potential implications of existing users and/ or features on Crown land have been considered
- Appendix A of the CLSR Form contains a list of publicly available information and resources for assessing Crown land sites, to inform applicant decisions regarding site suitability
  - MNR recommends proponents work with qualified professionals to gather and interpret site information.
- The CLSR does not provide or guarantee any rights, title or tenure to a Crown land site or guarantee future project approvals.

# Crown Land 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*,
  - Note that there is ongoing protected areas expansion work underway across Ontario.
- an area designated as a dedicated protected area in the Far North, where the project would qualify as an exception under community-based land use plans or the *Far North Act*,
- greenfield waterpower development (including any reservoirs, impoundments and water control structures or weirs) on a naturally reproducing lake trout lake,
- an area where existing authorizations, dispositions (e.g., lease) under the *Public Lands Act, Aggregate Resources Act, Oil Gas and Salt Resources Act,* or *Mining Act* would prohibit development.
- an area identified as an AoR site unless the bid is submitted by the AoR proponent.



Image Description: Windmills in an open field with blue sky behind them

# Crown Land Site Report: Completion Considerations

- Submit Crown Land Site Report Forms to MNR through the RE Support Inbox (<u>MNRFrenewableenergysupport@ontario.ca</u>) a minimum of 25 days prior to the IESO's project bid submission deadline for the procurement you intend to participate in.
- MNR will review the CLSR for completeness to ensure all required attestations have been made.
  - If deemed complete, proponents will receive a MNR confirmation letter for inclusion in their bid per IESO RFP requirements.
  - It remains the proponent's responsibility to ensure the components of the CLSR have been adequately considered as part of their bid submission.
- Please direct any questions related to the CLSR form to the RE Support Inbox
  - Depending on the question, MNR may need to redirect proponents to the appropriate ministry (e.g., Ministry of Energy and Mines, Ministry of Indigenous Affairs and First Nations Economic Reconciliation, Ministry of Environment Conservation and Parks)



Crown Land Sites Following Contract Award

- MNR appreciates industry need for clarity on the prioritization of surface rights for Crown land sites to provide certainty through the project planning and approvals process
- MNR acknowledges the diversity of provincial interests on Crown land and is working with the Ministry of Energy and Mines on a coordinated approach to support and reflect the procurement process
- Procedural details for RE on Crown land sites post-contract are in development and will be shared with industry once finalized.



# Crown Land Sites Post IESO Contract

- Once a contract is awarded and in accordance with Renewable Energy on Crown Land policy, no other RE applications will be considered for same location
  - Should an AoR proponent be awarded a contract for the AoR site, the legacy AoR status will no longer be required, and proponents will work with MNR and partner ministries to pursue required authorizations/approvals for the proposed RE project on Crown land.

# Renewable Energy on Crown Land: New/ Updated MNR Resources Summary

- New or updated MNR documents and resources links:
  - <u>Renewable Energy Predevelopment Projects on Crown Land document</u>
  - The Crown Land Site Report (CLSR) Form
  - Applicant of Record mapping layers
    - Wind power AoR Layer
    - <u>Waterpower AoR Layer</u>
  - Updated fees and rents for renewable energy on Crown land

# LT2 RFP Requirements for Project Located in a Prime Agricultural Area





Reminder: In accordance with the November 28<sup>th</sup> Ministerial Directive, projects under the LT2 RFP are:

- Prohibited from locating on Specialty Crop Areas.
- New ground-mounted solar projects are prohibited from being built in Prime Agricultural Areas (PAA), as defined in the Provincial Planning Statement, 2024 and designated by the municipality's or Northern planning board's Official Plan.
- All other eligible projects seeking to locate in a PAA must complete an Agricultural Impact Assessment (AIA) to the satisfaction of the Local Municipality.

For an energy facility OMAFA has identified three components of an AIA.



# Requirements for Projects Located in PAA (1)

### **Proposal Submission Requirements**

- As part of the **Pre-Engagement Confirmation Notice** a Proponent will ask the Local Municipality to confirm the land-use designation of the proposed Project Site.
- As part of the Prescribed Form: Evidence of Municipal Support the Local Municipality will confirm that:
  - The Municipal Project Lands are not designated as Specialist Crop Areas;
  - The project is not a ground-mount solar project;
  - The Proponent has satisfied the **AIA Component One Requirement**, and;
  - If selected, the Local Municipality will engage in good faith the enable the Selected Proponent to complete the AIA Components Two and Three Requirement.

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# Requirements for Projects Located in PAA (2)

### **Requirements Post Contract Award**

- As part of the Contract a Selected Proponent must complete the AIA Components Two and Three Requirement to the satisfaction of the Local Municipality within 18months of Contract Award.
- To demonstrate that this requirement has been met, the Selected Proponent must complete Exhibit T: Form of AIA Confirmation Certificate of the LT2 window 1 Contract and return it to the IESO within 18-months of Contract Award.





To support Proponents and the Local Municipality in completing/reviewing the AIA requirements, the IESO has a dedicated section on the <u>Long-Term 2 RFP</u> webpage for **Agricultural Impact Assessment Resources**. Here you will find:

- OMAFA Guidelines for the AIA Component One Requirement
- <u>LT2 Agricultural Impact Assessment Q&A</u> note: this Q&A document will be updated in the coming days.
- OMAFA Guidelines for the AIA Components Two and Three Requirement to be published.



# Agricultural Impact Assessment for the LT2 Procurements: OMAFA Updates



### Agricultural Impact Assessments (AIAs) for the Second Long-Term (LT2) Procurements

Ontario Ministry of Agriculture, Food and Agribusiness June 25, 2025



### **Purpose:**

Provide an overview of recently released Guidelines for AIA Component One Requirement and share some examples of how the process may apply to different project types.

### **Outline:**

- Overview of Agricultural Impact Assessments (AIAs)
- AIA Component One Requirement
  - Contiguous and non-contiguous project examples
  - o Agriculturally-integrated project example
- AIA Components Two and Three Requirement
- Resources
- Appendices



The following slides build on the foundational information provided by OMAFA at three previous IESO sessions held February 22, 2024, June 13, 2024 and November 21, 2024.



## **AIA process for LT2 Procurements**

- November 28, 2024 Directive provides the following for the LT2 procurements:
  - if a project is proposed to locate in a Prime Agricultural Area, Proponents shall demonstrate having evaluated alternative locations at the time of proposal submission, to the satisfaction of the Local Municipality; and,
  - for projects proceeding in Prime Agricultural Areas, Suppliers must also complete an Agricultural Impact Assessment to the satisfaction of the Local Municipality, prior to construction.
- AlAs are proponent-driven and can be completed as early in the development process as a Proponent/Supplier may choose, subject to individual business decisions and municipal discretion.
- There are <u>three</u> components of an AIA which, under LT2, may be completed at <u>two</u> different milestones for energy facilities proposed in prime agricultural areas:
  - 1. AIA Component One Requirement: consideration of agriculture in site selection to *"avoid"* impacts to agriculture where possible
  - 2. AIA Components Two & Three Requirement: impact assessment and measures to *"minimize and mitigate"*
- Both requirements are subject to municipal confirmation, and both are formally documented through required LT2 forms.



## **AIA Component One Requirement**

As part of proposal submission:

- Proponent must complete AIA Component One Requirement to demonstrate agriculture was considered during the site selection process.
  - This involves evaluating alternative locations outside of Prime Agricultural Areas and on lower-priority soils, where applicable.
- Local Municipality must confirm, via the Municipal Support Confirmation Form, that they've received and accepted the documentation from the Proponent.
- Proponent must also submit the Proponent Information, Declaration and Workbook, declaring that their project meets all
  eligibility requirements, one of which is that AIA Component One Requirement has been completed to the satisfaction of
  the Local Municipality.

Component One is a two-step process that considers:

- A. siting options that avoid prime agricultural areas, or where avoidance is not possible;
- B. siting options that avoid the best agricultural land, such as alternative locations in prime agricultural areas with lower priority agricultural lands, based on Canada Land Inventory (CLI) soil mapping.

Guidelines were posted on IESO's website May 27, 2025.



### AIA Component One Requirement: examples



## AIA Component One Requirement: Part A

- Where possible, evaluate alternative locations, such as rural lands or settlement areas that avoid Prime Agricultural Areas.
- If it is determined that no suitable alternatives exist that avoid Prime Agricultural Areas, then document how alternatives were explored and why they were not suitable (e.g., siting conditions that may have influenced selection).
- The process is flexible and recognizes that project siting is driven by many factors, such as sites with good fuel availability, transmission deliverability, among other possible constraints.
  - Maps used in the supporting documentation should also show key elements in addition to agriculture (e.g., other constraints, existing transmission corridors to be used for target connection point).
- Information provided to the Local Municipality documenting the evaluation process can be used to provide rationale for the chosen site.

#### Northumberland County Official Plan Land Use Schedule



#### To learn more...

...visit OMAFA's <u>online story map</u> about evaluating alternative locations for nonagricultural uses.



## AIA Component One Requirement: Part B

- Part B considers options to avoid impacting the best farmland, by evaluating alternative locations in prime agricultural areas with lower priority agricultural lands, based on Canada Land Inventory (CLI) soil mapping.
- Canada Land Inventory (CLI): a 7-class system for classifying soil based on suitability for growing field crops.
- Visit these Ontario soil-related websites to learn more:
  - <u>Use of soil and Canada Land Inventory information for agricultural land use</u> planning in Ontario
  - Soil capability for agriculture in Ontario
  - <u>Guidelines for detailed soil surveys in Ontario</u>
- Contained projects (e.g., battery storages) versus distributed projects (e.g., wind) may differ slightly on how the information is presented or documented.
  - For example, distributed projects without defined boundaries may require using broader or more conceptual study areas when precise location of turbines or access roads are not yet determined.
- The next four slides provide hypothetical examples for illustrating Part A and Part B for either a contained or distributed type of project.



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#### Part A: Contained/contiguous project - evaluating alternative locations that avoid prime agricultural areas



Part B: Contained/contiguous project - evaluating alternative locations on lower-priority agricultural land



#### Part A: Distributed project - evaluating alternative locations that avoid prime agricultural areas



#### Part B: Distributed project - evaluating alternative locations on lower-priority agricultural land



### AIA Component One Requirement: agriculturally-integrated project example



## **Biogas example**

- Agriculturally-integrated projects:
  - $_{\circ}\,$  are compatible with, and do not hinder, surrounding agricultural operations;
  - o support continued agricultural production by minimizing the amount of land taken out of agricultural production; and,
  - $_{\circ}\,$  rely on a defined interdependency with agriculture.
- · Agriculturally-integrated projects are either:
  - located on the same parcel as an active farm operation and are secondary to the principal agricultural use of that property (e.g., based on a limited amount of lot coverage area); or,
  - o are not located on the same parcel as an active farm operation, but are necessarily integrated into agricultural operations in the area by, for example a biogas project that:

nanages agricultural source materials, such as manure; or,

utilizes agricultural feedstocks, such as crop residue.







Source: Google Earth



## Scoping elements of an AIA for agriculturally-integrated projects

- Subject to municipal discretion, elements of an AIA may be scoped for agriculturally-integrated projects to be proportional to the type, complexity and scale of a proposed project, as well as the anticipated degree or magnitude of impacts from the project.
  - For example, avoiding PAAs may not be feasible for projects which are inextricably linked to agriculture and therefore the process for evaluating alternative locations could be streamlined.
- If locally exempt from the evaluation of alternative locations, Proponents of agriculturally-integrated project must still demonstrate the need to co-locate with a farm operation and/or locate in a Prime Agricultural Area.
- Need should be linked to an operational relationship between the energy project and agricultural uses.
  - For example, agriculturally-integrated projects including, biogas, biomass or combined heat and power facilities may demonstrate a mutually-beneficial or integrated relationship with agriculture by:
    - utilizing agricultural source material (e.g., input/feedstock dependency); and/or,
    - generating byproducts such as soil amendments, heat or CO<sup>2</sup> that are primarily utilized by surrounding farm operations (e.g., output dependency).



## Summary and checklist

• Appendix A (pg. 11) of the *Guidelines for AIA Components One Requirement* includes an optional checklist that can help guide the steps involved in this process.

#### Appendix A: Checklist for the AIA Component One Requirement

#### Agriculturally-integrated projects

Required documentation	Requirement met
The Proponent has provided a description of the project to demonstrate it will meet the criteria for agriculturally-integrated	□ Yes □ No
projects	□ N/A
(NOTE: if no or N/A is selected, the process below for projects that are not agriculturally-integrated applies)	
The Proponent has demonstrated a need to locate the project in the	🗆 Yes
prime agricultural area	🗆 No
The Proponent has demonstrated a need to locate the project on land	🗆 Yes
comprised of higher priority soils	🗆 No
	□ N/A

#### Projects that are not agriculturally-integrated

	Required documentation					
Part A	The Proponent has provided a description of how potential alternative locations within the Local Municipality, outside the prime agricultural area were evaluated.	□ Yes □ No				
	The Proponent has provided a description of the reasons why such alternative locations were determined to be unsuitable or unviable.	□ Yes □ No				
Part B	The Proponent has provided a description of how potential alternative locations within the Local Municipality, on land comprised of lower priority soil were evaluated.	□ Yes □ No □ N/A				
	The Proponent has provided a description of the reasons why such alternative locations were determined to be unsuitable or unviable.	□ Yes □ No □ N/A				
Summary						
Theref Requir	□ Yes □ No					



### AIA Components Two and Three Requirement



## **AIA Components Two and Three Requirement**

If a project is selected:

- Supplier is responsible for completing AIA Components Two and Three Requirement.
  - These components provide site-specific assessment of potential agricultural impacts in the study areas, and outline strategies that will be incorporated into the project design to minimize and mitigate identified impacts.
- Assessment completed to the satisfaction of the Local Municipality within 18 months of contract offer.
- Supplier confirms with the IESO by submitting the AIA Confirmation Certificate (Exhibit T), as required in the LT2 contract.

Guidelines are under development. Input on what would be helpful is welcomed during today's session.



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## AIA Components Two and Three Requirement con't

Example impact assessment summary table

Type of Impact	Description of Potential Impacts	Possible Measures to Avoid	Possible Measures to Minimize	Possible Measures to Mitigate	Mechanisms to Implement Measure(s)
Disruption or loss of private or municipal drainage systems	The use of heavy equipment for construction and maintenance activities has potential to damage or crush surface and subsurface elements of private and municipal agricultural tile drainage system.	<ul> <li>The review of tile drainage maps, in consultation with landowners and in-field assessments, will be utilized to mitigate damages during the planning and construction phases;</li> <li>Individual landowners will be consulted to determine existing field tile locations in support of avoidance/protection measures;</li> <li>Tile drains will be avoided and/or protected (e.g., culverts, temporary construction access), to the extent feasible;</li> </ul>	<ul> <li>Work will be limited to the planned permanent or temporary accesses, staging and work areas. If any later expansions to these areas is required, it will be discussed with the landowner in advance;</li> <li>Where temporary accesses or construction laydown area are built in tiled agricultural areas, mats, or geotextile and crushed rock, or equivalent means, will be utilized to protect tile drains;</li> <li>Where practical, equipment with low bearing capacity will be used to minimize potential damage to tile drains;</li> <li>Where practical, some construction and maintenance activities will be scheduled to avoid sensitive times of the year (e.g., extreme wet periods), although it is recognized that this may not be feasible in all circumstances.</li> </ul>	<ul> <li>If damage to tile drains occurs due to construction or maintenance activities, the tile will be repaired by a licensed tile drainage contractor, in consultation with the affected landowner;</li> <li>Compensation for crop losses due to drainage damage will be available through a pre-determined formula.</li> </ul>	<ul> <li>detailed design phase of the project;</li> <li>landowner consultation;</li> <li>remedy terms codified in any long-term lease agreements;</li> <li><i>Drainage Act</i> will apply to all municipal drain impacts.</li> </ul>
Project team to add additional rows for other potential impacts identified.	Project team to add additional rows for other potential impacts identified.	Project team to add additional rows for other potential impacts identified.	Project team to add additional rows for other potential impacts identified.	Project team to add additional rows for other potential impacts identified.	Project team to add additional rows for other potential impacts identified.
PLACEHOLDER	PLACEHOLDER	PLACEHOLDER	PLACEHOLDER	PLACEHOLDER	PLACEHOLDER



## AIA Components Two & Three Requirement con't

- Measures to minimize and mitigate identified impacts are implemented through the detailed design stages of a project, such as:
  - specific layout and design elements of site plan to maximize compatibility, minimize the amount of land taken out of agricultural production;
  - construction and operational plans includes elements to address temporary practices, on-going maintenance and monitoring to address impacts identified for agricultural sector;
  - decommissioning plan includes details to support rehabilitation, including record of pre-disturbance agricultural conditions, as necessary.

To learn more...

...visit <u>www.ontario.ca/page/agricultural-impact-assessments</u> to download a copy of the draft Guidance Document for Agricultural Impact Assessments.

There may also be applicable information contained in assessment documents guiding the construction of other projects. For example, the following resources contain agricultural impact information:

- <u>The Ontario Energy Board's March 2023 Environmental Guidelines for the Location,</u> <u>Construction and Operation of Hydrocarbon Projects and Facilities in Ontario, 8th Edition</u>
- <u>Hydro One's February 2024 Class Environmental Assessment for Transmission Facilities,</u> approved by the Ministry of Environment Conservation and Parks



## **Resources and contact information**

#### Minister of Municipal Affairs and Housing

- <u>Official plan chapter of the Citizen's Guide to Land Use Planning</u>
- Land use planning chapter of the The Ontario Municipal Councillor's Guide
- Provincial Planning Statement (PPS)
- List of Ontario municipalities

#### **Ontario Ministry of Agriculture, Food and Agribusiness**

- Prime agricultural areas
- Specialty crop areas
- 2018 draft Guidance Document for Agricultural Impact Assessments
- Story map for evaluating alternative locations for non-agricultural uses
- <u>Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas</u>
- <u>Agricultural information atlas</u> (AgMaps)

For more information, or to speak to a Ministry staff person, please reach out to the Agricultural Information Contact Centre (AICC) at 1-877-424-1300 or <u>ag.info.omafa@ontario.ca</u>



# Next Steps



# Next Steps

- The IESO will release final RFPs, Contracts and Prescribed Forms as soon as possible.
- The IESO will host a follow-up engagement once the final documents have been posted.





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