

WCO | WIND CONCERNS ONTARIO

April 12, 2023

IESO Engagement

Re: Comments on proposed RFP

This submission is a response to your request for formal input into the proposed RFP document. The content is basically similar to input previously provided in our communication of February 21, along with additional observations on the process as it is being implemented in meetings across the province.

The current form used to request Municipal Support is so limited that it makes a mockery of the municipal support process required by the December 23 letter from the Minister of Energy. It requires the municipality to make a decision with no information beyond the type of project, the capacity and the location of the project (which frequently subject to change). In the case of approval in the absence of project details, existing Municipal Support Resolutions have no value going forward. **The form needs to be revised with only municipal support resolutions based on the revised form should be considered in future RRP responses.**

The revised Municipal Support Resolution form should include a description of the project that includes following points:

Compliance with Provincial Policy Statement – Protection of Prime Agricultural Land is a key objective governing planning activities in Ontario. The only exception to the prohibition of development on Class 1, 2 or 3 agricultural soils is expansion of settlement areas. The policy also requires that an assessment of alternative sites be included in any development proposal on agricultural land. In the context of this provincial priority, **the IESO should not be approving contracts for these projects which are considered industrial land uses on Prime Agricultural Land.** The project description should include a confirmation that it will not be built on Prime Agricultural Land.

Setbacks from Existing Structures – In the absence of any provincial directive on this matter, the separation distances used by Hydro One for Battery Energy Storage Systems from their infrastructure of 500 metres should be used for all structures. The setbacks used in planning the project should be confirmed in the project description that accompanies the Municipal Support Resolution.

Recognize Vacant Lots – Regulation 359/09 requires that development of Renewable Energy Projects recognize potential future development is allowed by the zoning of properties adjacent to the development by requiring that vacant lots are recognized when calculating setbacks. The project needs to be sited so that it does not interfere with development on adjoining properties. This protection for the rights of adjoining landowners should be included in BESS projects, and confirmed in the project description.

Meet UL Standards – The project details should include confirmation that the proposed project **will meet the ANSI/CA/UL9540 standard and will be certified under the ANSI/CA/UL9540a testing requirements.**

Meets Fire Safety Standards – In the absence of specific direction from the Ontario Fire Marshall, the project description should confirm that it will meet the requirements of the US National Fire Protection Association Standard 855 as updated in 2023.

Noise Emissions – The project description should include confirmation that the noise levels from cooling systems and the transformer station will not exceed noise limits allowed by the municipal noise regulations.

Environmental Monitoring – As emergency procedures for BESS including the venting of toxic gases from the batteries to the area surrounding, the proposal should confirm that the design of the system has procedures to monitor air quality in the area surrounding the project with a process to automatically warn local emergency organizations when evacuations are required.

Cooling Process – The facility should incorporate dry sprinkler systems which allow water to be precisely directed on neighbouring units in the development next to a burning unit to allow cooling without water being applied to the burning unit. The emergency plan should include confirmation that municipal water will be available to the site to allow extended cooling operations.

Statement of Benefits – The project description should also include a statement of the benefits to the local community and an assessment of alternative solutions to this problem. This is being suggested after examples of situations where proponents make questionable statements in verbal presentations to community meetings and Councils. By documenting these benefits as part of the municipal support resolution process there will be a record of the statements made regarding the benefits of the project.

Given the limited information that was included with the original municipal support form when municipalities were asked to support BESS projects, it is important that the full project come before Council again as part of the site plan approval process before any building permits are issued. The site plan should include a local emergency support plan that would also be approved by the Council.

The site plan process should include an **opportunity for public discussion** and input on changes required before it is approved by the Council. Only after a project has a contract and all provincial approvals should the site plan be presented to the municipality for final approval.

Also due to the gaps in the previous process, the IESO process needs to deal with the potential situations where municipalities revoke their previous approvals. When the full impact of the project on the community is known, municipalities who supported a project based on limited or no information need to be allowed to revoke their support.

To reduce the frequency of projects with contracts losing the required municipal support, more information is needed than is required in the current process.

Yours truly,

Jane Wilson

President

WIND CONCERNS ONTARIO



OTTAWA