

Guide to Environmental Assessment Requirements for Electricity Projects

Legislative Authority:

Environmental Assessment Act, R.S.O. 1990, Ontario Regulation 116/01

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GLOSSARY OF TERMS

The Electricity Projects Regulation (Ontario Regulation 116/01) contains definitions of relevant terms. The following are additional definitions of terms and explanations of short forms used in this Guide.

Aboriginal Peoples

The Constitution Act, 1982 specifies that Aboriginal peoples include First Nations, Inuit and Métis peoples of Canada. For the purposes of this guide, “Aboriginal peoples”, “Aboriginal communities”, and “Indigenous communities” are terms which are used interchangeably.

Class Environmental Assessment

Class Environmental Assessments are environmental assessments approved under the *Environmental Assessment Act* to pre-approve certain classes of projects that have predictable and mitigable environmental effects. A proponent who receives approval for a class of undertakings does not need to obtain separate approval under the EAA for each specific project, provided the class planning process is adhered to for the specific project.

Cogeneration

Cogeneration produces both electricity and heat from a single process. Heat that would normally be lost from the combustion of fuel is recovered and is then used in heating buildings or related industrial processes.

Director

Director of the Environmental Assessment Branch, Ministry of the Environment, Conservation and Parks.

EA

Environmental assessment.

EAB

Environmental Assessment Branch, Ministry of the Environment, Conservation and Parks.

Elevation

During the mandatory review period for reports prepared under the Environmental Screening Process, members of the public, Indigenous communities or agencies with outstanding environmental concerns may make a written request to the Minister of the Environment, Conservation and Parks to elevate a project. A project at the Screening stage, or a project for which an Addendum was prepared, can be elevated to either an Environmental Review within the Environmental Screening Process, or to an individual

EA. A project at the Environmental Review stage, or a project for which an Equivalent Review Process Report was prepared, can be elevated to an individual EA.

Environment

Environment means:

- (a) air, land or water;
- (b) plant and animal life, including man;
- (c) the social, economic and cultural conditions that influence the life of man or a community;
- (d) any building, structure, machine or other device or thing made by man;
- (e) any solid, liquid, gas, odour, heat, vibration or radiation resulting directly or indirectly from the activities of man, or;
- (f) any part of combination of the foregoing and the interrelationships between any two or more of them.

Environmental Assessment

When used in relation to a proposed undertaking, means an environmental assessment submitted pursuant to subsection 5(1) of the EAA.

Environmental Assessment Act (EAA)

The *Environmental Assessment Act* (EAA), provides for the protection, conservation and wise management of the environment in Ontario by providing an accountable, logical and reproducible process of decision making. The EAA lays out a planning process and encourages environmental protection within the context of a broadly defined environment.

Fuel Cells

Electrochemical devices which combine a hydrogen-based fuel and oxygen to directly generate electricity (without combustion). Fuel cells can use natural gas, landfill gas, or propane as initial fuel (or hydrogen directly in specialized applications).

Hydroelectric

Hydroelectric generating stations use the energy released by falling water to turn turbines and generators which transform this energy into electricity. Hydroelectric generating facilities usually involve dams and headponds (i.e., impoundment) but can also be run-of-the-river (with no impoundment).

“Individual” EA

A term used to differentiate an EA performed under subsection 5(1) of the EAA from Class EA projects (i.e., projects carried out in accordance with an approved Class Environmental Assessment).

Kilovolt (kV)

One thousand volts (see volt). Used to describe “high voltage” electrical conductors, as in 115 kV.

Megawatt (MW)

One million watts (see “Watt”). Megawatt is the unit used to describe the size/capacity of generation facilities to produce electrical energy. One MW of generation can produce enough electrical energy to supply the power needs of about 500 homes for a year.

Minister

Minister of the Environment, Conservation and Parks.

Ministry

Ministry of the Environment, Conservation and Parks.

Minor Modification

A modification that is below the threshold for a “significant modification” as set out in section 1 of the Electricity Projects Regulation. For example, a modification that increases the capacity of a natural gas-fired generating station by 5 MW or more is defined as a “significant modification” in section 1 of the Regulation. Therefore, a modification that increases the capacity of a natural gas-fired generating station by less than 5 MW, or that does not increase capacity, would be considered a minor modification.

MECP

Ministry of the Environment, Conservation and Parks.

Negative Environmental Effects

Negative environmental effects include the negative effects that a project has, or could potentially have, directly or indirectly on the environment at any stage in the project life cycle. Negative environmental effects may include, but are not limited to, the harmful alteration, disruption, destruction, or loss of natural features, flora or fauna and their habitat, ecological functions, natural resources, air or water quality, and cultural or heritage resources. Negative environmental effects may also include the displacement, impairment, conflict or interference with existing land uses, approved land use plans, businesses or economic enterprises, recreational uses or activities, cultural pursuits, social conditions or economic structure.

Net Effects

Negative environmental effects of a project and related activities that will remain after mitigation and impact management measures have been applied.

Proponent

A person who

- (a) carries out or proposes to carry out a project; or
- (b) is the owner or person having charge, management or control of a project.

Solar Cells

Solar cells are solid-state semiconductor devices with no moving parts that convert light directly into electricity (also known as “photovoltaic cells”).

Volt (V)

A measure of electrical “potential difference” between two points in an electric field. A volt is a unit of electrical “pressure” (analogous to the pressure in a garden hose) which causes an electric current to flow through a wire.

Watt (W)

A standard unit used to measure amounts of electrical power. One horsepower is equivalent to approximately 746 watts.

INTRODUCTION

In November 1997, the Ontario government released “Direction for Change” (commonly referred to as the White Paper), outlining the government’s plan to introduce full competition into Ontario’s electricity system. In the White Paper, the government committed to creating a level playing field with respect to regulatory requirements, and to maintaining and enforcing its standards for environmental protection in a competitive electricity market.

As part of the implementation of the White Paper, in 1998 the government enacted the *Electricity Competition Act, 1998*. In order to fulfill the White Paper commitments to maintain environmental protection and create a level playing field, changes to requirements under the *Environmental Assessment Act* (EAA) were also required. The *Environmental Assessment Act* has historically applied to public sector projects only, and does not automatically apply to private sector projects. In the electricity sector, this meant that the *Environmental Assessment Act* applied only to electricity projects undertaken by the successor companies to Ontario Hydro, municipal electricity corporations and other public bodies, and not to private sector projects. Under this regime, in a competitive electricity market, environmental protection would not be assured, and the Ontario Hydro successor companies and municipal electricity corporations would be at a competitive disadvantage.

As a result, in 2001, the Ministry of the Environment (ministry name at the time) developed environmental assessment requirements for electricity projects which apply equally to public and private sector proponents. These were set out in O.Reg. 116/01 (Electricity Projects) made under the EAA. The environmental assessment requirements provide for the protection, conservation, and wise management of Ontario’s environment by ensuring that the environmental effects of electricity projects are reviewed in a manner that is consistent with the potential environmental effects of these projects. The Guide to Environmental Assessment Requirements for Electricity Projects (the Guide) was also developed in 2001 to help guide proponents (Part A) and to set out the process that must be followed by proponents seeking to rely on the conditional exemptions set out in the Electricity Projects regulation (Part B). The guide was updated in January 2011 and in August 2023 in conjunction with and focusing on amendments to the regulation.

This Guide consists of two parts:

- Part A of the Guide is intended to help proponents of electricity projects, consultants, Indigenous communities, the public and other interested parties understand the environmental assessment requirements for electricity projects which are set out in Regulation 116/01 (referred to throughout this Guide as the “Electricity Projects Regulation”), made under the *Environmental Assessment Act*. It also provides some overview information about the Environmental Screening Process which is found in the Part B of this Guide.

- Part B of the Guide consists of the Environmental Screening Process for electricity projects. As set out in the Electricity Projects Regulation, certain electricity projects are designated as subject to the *Environmental Assessment Act*, but are exempt on the condition that they fulfill the requirements of the Environmental Screening Process. The Environmental Screening Process contained in Part B of this Guide is referenced in the Electricity Projects Regulation and is given the force of law under the *Environmental Assessment Act* and that Regulation. Proponents relying on the screening exemption outlined in section 4 of the Electricity Projects Regulation are legally required to meet the requirements of the Environmental Screening Process.

Guide users should check the Ministry of the Environment, Conservation and Parks (MECP or the Ministry) website or contact the Environmental Assessment Branch (EAB) to find out if there have been any revisions to this Guide.

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Any suggestions for revision or clarification are welcomed and should be sent to the Director of the Environmental Assessment Branch at the address listed above.

Cette publication hautement spécialisée n'est disponible qu'en anglais en vertu du règlement 441/97, qui en exempte l'application de la Loi sur les services en français. Pour obtenir de l'aide en français, veuillez communiquer avec le ministère de l'Environnement au 416-314-8452.

PART A: OVERVIEW OF ENVIRONMENTAL ASSESSMENT REQUIREMENTS FOR ELECTRICITY PROJECTS

A.1 PURPOSE OF PART A

The purpose of Part A of this Guide is to help proponents of electricity projects, consultants, the public, other interested parties and Indigenous communities understand the requirements as set out in the Electricity Projects Regulation under the *Environmental Assessment Act*. Specifically, Part A is designed to assist proponents in determining what environmental assessment requirements (if any) apply to a particular electricity project, and to provide some overview information about the Environmental Screening Process, which applies to some electricity projects.

Users of Part A of this Guide should note that information on the regulatory requirements of the Electricity Projects Regulation have been included here for convenience only. The Regulation and Part B of this Guide should be read and used in conjunction with this part, Part A, of the Guide. If there is any conflict between Part A and the regulation and the Guide, the provisions of the regulation and Part B prevail. Official copies of the *Environmental Assessment Act*, the Electricity Projects Regulation and other Acts and Regulations may be accessed at <https://www.ontario.ca/laws>.

A.2 PROJECT CLASSIFICATION

A.2.1 New Project

Under the environmental assessment (EA) requirements for electricity projects, the Ministry of the Environment, Conservation and Parks (MECP or the Ministry), has classified electricity projects based on the type of fuel to be used, the size and, in some cases, the efficiency of the planned facility. There are three categories of projects, each with different requirements (see Chart 1: Electricity Project Classification).

Category A projects are those which are expected to have minimal environmental effects. These projects do not require approval under the *Environmental Assessment Act*, and are not designated as being subject to the Act in the Electricity Projects Regulation. Although projects in this category are not subject to EA requirements under the Electricity Projects Regulation, they are required to comply with any other applicable existing legislative requirements. In addition, if Crown resources are necessary to carry out a project, there may be requirements under the *Environmental Assessment Act* related to the disposition of Crown resources that must also be fulfilled (e.g., an environmental review by the Ministry of Natural Resources and Forestry (MNR) prior to the occupation or sale of Crown land). If there are significant environmental effects associated with a project in Category A, the Minister of the Environment, Conservation and Parks can recommend to the Lieutenant Governor (Cabinet) that a regulation be

made to designate as a project as one subject to an individual environmental assessment (individual EA) under the *Environmental Assessment Act*.

Category B projects are projects which have potential environmental effects that can likely be mitigated. These projects (listed in section 4 of the Electricity Projects Regulation) are subject to the *Environmental Assessment Act*, but proponents of these projects are not required to prepare an individual EA on the condition that they complete the Environmental Screening Process (set out in Part B of this Guide) or if a project is subject to a Class EA, to follow the Class EA process. There are provisions in the Environmental Screening Process to elevate projects from Category B to Category C.

Category C projects are major projects with known significant environmental effects. These projects require an individual EA. For more information on the steps required to conduct an individual EA, contact the Director of the Environmental Assessment Branch (EAB) at the address provided in the Introduction section above.

Chart 1: Electricity Project Classification

The information in this chart is provided for the convenience of the reader only. A copy of the Electricity Projects Regulation should be used in conjunction with this chart.

Electricity Project Type	Category A: No EAA requirements (not designated) ¹	Category B: ² Environmental Screening Process or Class EA	Category C: Individual EA
Solar Photovoltaic	all	-	-
Any technology using an energy source not designated in the Regulation (e.g., fuel cells using hydrogen as fuel)	all	-	-
Emergency Generators	all	-	-
Transmission lines	<ul style="list-style-type: none"> • < 115 kV • ≥ 115 kV and ≤ 2 km, unless associated with a Category B generation project 	<ul style="list-style-type: none"> • if associated with a Category B generation project and ≥ 115 kV, subject to Environmental Screening Process • if not associated with a Category B generation project and <ul style="list-style-type: none"> ▸ ≥ 115kV and < 345 kV and > 2 km, or ▸ ≥ 345 kV and > 2 km and < 75 km subject to the Class EA for Minor Transmission Facilities 	<ul style="list-style-type: none"> • ≥ 345 kV and ≥ 75 km
Transformer Stations	< 115 kV	<ul style="list-style-type: none"> • if associated with a Category B generation project and ≥ 115 kV, subject to Environmental Screening Process • if not associated with a Category B generation project and <ul style="list-style-type: none"> ▸ ≥ 115 kV and ≤ 500 kV, subject to the Class EA for Minor Transmission Facilities 	> 500 kV
Wind turbines	< 2 MW	≥ 2 MW	-
Hydroelectric facilities	-	< 200 MW subject to the Class EA for Waterpower Facilities	≥ 200 MW

* Most waste fueled electricity projects are covered by the Waste Management Projects Regulation issued in 2007 (Ontario Regulation 101/07). For these types of projects, consult the [Guide to the Environmental Assessment Requirements for Waste Management Projects](#).

¹ Anyone can request that the Minister of the Environment, Conservation and Parks make a Category A project subject to the *Environmental Assessment Act*.

² The Environmental Screening Process outlines a process by which members of the public and agencies with outstanding environmental concerns can request that a project in Category B be elevated to an individual EA (Category C).

Electricity Project Type	Category A: No EAA requirements (not designated) ¹	Category B:² Environmental Screening Process or Class EA	Category C: Individual EA
Natural gas ³	< 5 MW	≥ 5 MW	-
Biomass (not including waste material) ⁴	< 5 MW	≥ 5 MW	-
Landfill Gas/ Biogas	< 25 MW	≥ 25 MW	-
Waste biomass (includes woodwaste) ^{4*}	< 10 MW	≥ 10 MW	-
Cogeneration - natural gas, biomass and waste biomass facilities with an efficiency of > 60%	< 25 MW	≥ 25 MW	-
Generation for use on-site - natural gas, biomass, waste biomass and on-site municipal waste facilities, where none of the electricity generated is being sold to the grid	< 25 MW	≥ 25 MW	-
Oil	< 1 MW	1 to < 5 MW	≥ 5 MW
Coal	-	-	all
Municipal Solid Waste	-	<ul style="list-style-type: none"> • for which an EPA s.30 hearing is not required (facilities incinerating less than 1500 persons domestic waste); or • that incinerates ≤ 100 tonnes/day municipal waste 	<ul style="list-style-type: none"> • for which an EPA s.30 hearing would be required (facilities incinerating 1500 persons domestic waste or more); or • that incinerates > 100 tonnes/day municipal waste
Liquid Industrial or Hazardous Waste	-	sites incinerating only waste generated on-site	sites receiving and incinerating waste generated off-site

³ “Cogeneration” or “Generation for use on-site” exemptions also apply to some facilities using these fuels.

A.2.2 Modifications/Expansions

Under the Electricity Projects Regulation, some changes and expansions to electricity facilities are subject to EA requirements.

Projects designated in section 3 of the Electricity Projects Regulation, other than those transmission line and transformer or distribution station projects that are subject to a Class EA, are subject to Part II of the *Environmental Assessment Act* and therefore require an individual EA. These projects are referred to as Category C projects in this Guide. A change or expansion to a Category C project that is a “significant modification” as defined in the Regulation is subject to an individual EA. A change or expansion that is below the threshold for a “significant modification” as set out in the Regulation is considered a “minor modification.” Minor modifications to Category C projects can be reviewed under the Environmental Screening Process (see subsection 3(4) of the Regulation). For the definition of significant modifications, see section 1 of the Electricity Projects Regulation.

Projects designated in section 4 of the Electricity Projects Regulation are subject to review under the Environmental Screening Process. These projects are referred to as Category B projects in this Guide. Changes and expansions to Category B project are also subject to the Environmental Screening Process. A change or expansion that is a “significant modification” as defined in the Regulation is subject to the full review process set out in the Environmental Screening Process. For most projects, a change or expansion that increases the capacity of a facility by equal to or greater than the threshold for that technology is defined as a “significant modification.” For example, a 5 MW or greater increase in the capacity of a natural gas-fired generating station would require review under the Environmental Screening Process. A change or expansion to a Category B project that is not a “significant modification” as set out in the Regulation is considered a “minor modification.” Minor modifications to Category B projects are subject to the reduced process requirements set out in the Addendum provisions in section B.5.2 of the Environmental Screening Process⁴. For definitions of “significant modifications,” see the Electricity Projects Regulation.

Section 5 of the Electricity Projects Regulation addresses conversions of facilities that use coal, liquid industrial or hazardous waste, municipal waste or oil. Where a facility is being modified or expanded so that it will use less of one of these fuels, that modification will not be subject to EA requirements if the name plate capacity of the facility will be less than the maximum name plate capacity determined in accordance with the formula set out in the Regulation.

⁴ Note that minor modifications to facilities constructed before the Electricity Projects Regulation came into force are grandparented from EA requirements; see section A.3 of the Guide and section 6 of the Regulation for more information.

A.3 GRANDPARENTING AND SWITCHING TO THE ENVIRONMENTAL SCREENING PROCESS

Some projects will have been initiated prior to the Electricity Projects Regulation coming into force. Section 6 of the Regulation determines what kinds of projects are “grandparented” from the provisions of the Regulation. Section 6 states that the constructing, operating, changing, expanding or retiring of a facility that did not require *Environmental Assessment Act* approval for construction is not subject to the new EA requirements if:

- the project was already constructed or was under construction before the Electricity Projects Regulation came into force [for the purposes of the Regulation, construction is deemed to have begun either on the date when the first contract was awarded for construction, or (where no contracts are awarded) on the date construction started]; or
- any approvals needed to construct the facility, and any approvals required under *Environmental Protection Act* or the *Ontario Water Resources Act* to operate the facility, were obtained before the Regulation came into force.

“Minor” modifications to projects that meet the above grandparenting conditions are also grandparented. A “minor modification” is a modification that is below the threshold for a “significant” modification as set out in section 1 of the Electricity Projects Regulation. For example, a modification that increases the capacity of a gas-fired generating station by less than 5 MW would be considered a minor modification.

“Significant modifications” (as defined in the Electricity Projects Regulation) to projects that meet the above conditions are not grandparented. For example, a significant modification (i.e., one that increases the capacity by 25% or more) to a hydroelectric generating station that did not require *Environmental Assessment Act* approval when it was originally constructed will be subject to the new EA requirements. Projects for which planning has started, but which do not meet the grandparenting conditions set out above, will be subject to the transition provisions set out in section B.5.1.

If a Category B project was previously subject to an individual EA, and the proponent had submitted its Environmental Assessment or Terms of Reference, the proponent can switch to the Environmental Screening Process, instead of completing the review as an individual EA. However, subsection 4(6) of the Electricity Projects Regulation requires proponents who elect to switch to the Environmental Screening Process to advise the Director of the Environmental Assessment Branch (EAB) of the Ministry of the Environment, Conservation and Parks in writing that the project will be carried out in accordance with the procedure set out in the Environmental Screening Process. This notice must be received by the Director within 60 days of the Electricity Projects Regulation coming into force.

A.4 PROVISIONS FOR HYDROELECTRIC PROJECTS

A.4.1 New Hydroelectric Facilities

Proponents who are planning to develop new hydroelectric facilities under 200 MW must meet the requirements of the Class EA for Waterpower Projects. The Class EA for Waterpower Projects applies to small to medium scale hydroelectric projects, (i.e. new facilities less than 200 megawatts in capacity and most expansion projects that increase the name plate capacity). Proponents of new hydroelectric projects must also meet the requirements of MNRF's waterpower guidelines. Authorization from MNRF is required under the *Lakes and Rivers Improvement Act* to locate dams, and under the *Public Lands Act*, if Crown land is required to create reservoirs.

Please consult with the local MNRF office for further information about its waterpower guidelines and how best to integrate its requirements with the Class EA for Waterpower Projects.

A.4.2 Modifications to Hydroelectric Facilities

Modifications to existing hydroelectric facilities which would result in an increase of the name plate capacity of the facility by 25% or more are considered "significant modifications" under the Electricity Projects Regulation. Significant modifications of facilities 200 MW or greater are subject to Part II of the *Environmental Assessment Act*, and therefore require an application for an individual EA approval.

Significant modifications of facilities under 200 MW are subject to the Class EA for Waterpower Projects. Some of these modifications may also trigger MNRF's waterpower guidelines (e.g., if a larger "footprint" for a dam and powerhouse requires a new location approval, or the expansion of a reservoir would result in the occupation of additional Crown land).

A.5 PROVISIONS FOR TRANSMISSION FACILITIES

A.5.1 Transmission Associated with Generation

Transmission lines that are 115 kV or greater and are associated with a generation facility that falls in Category B are to be reviewed through the Environmental Screening Process so that the entire project can be reviewed under one process, as a single project. Proponents of such transmission lines are encouraged to examine and evaluate different routes as part of their review under the Environmental Screening Process. Evaluation of alternative routes will assist the proponent in meeting other approvals that may be required for transmission lines (see below). Proponents of projects that include substantial associated transmission lines may wish to apply the screening criteria in Appendix B of this Guide separately to the transmission and generation components of the project (further information on application of the screening criteria is found in section B.2.2).

Transformer or distribution stations that are 115 kV or greater and are associated with a generation facility that falls in Category B are also to be reviewed through the Environmental Screening Process.

A.5.2 Transmission Not Associated with Generation

Transmission lines that are not associated with a generation facility that falls in Category B and that are:

- ≥ 115 kV and < 345 kV and greater than 2 km in length; or
- ≥ 345 kV and greater than 2 km in length and less than 75 km;

are required to follow the process under the Class Environmental Assessment for Minor Transmission Facilities approved by Lieutenant Governor in Council on November 16, 2016 under Order in Council 1726/2016, as amended from time to time. This Class EA was previously approved by Order-in-Council No. 1173/92 dated April 23, 1992.

Transformer stations that are not associated with a generation facility that falls in Category B and that are between 115 kV and 500 kV are also required to follow the process under the Class EA.

A.5.3 Other Approvals for Transmission Projects

Further to the requirements of the Class EA for Minor Transmission Facilities or Environmental Screening Process, proponents are responsible for obtaining all other approvals which may be required for transmission lines. Where a connection or modification to a connection to the Independent Electricity Market Operator (IESO) administered grid, is proposed, the IESO's connection assessment and approval process applies. The IESO should be contacted for further information on this process.

Under section 92 of the *Ontario Energy Board Act* proponents must also obtain Leave-to-Construct approval from the Ontario Energy Board (OEB) for some transmission lines. Regulation 161/99 under the *Ontario Energy Board Act* sets out the criteria that determine what of transmission lines require OEB Leave-to-Construct. Proponents are advised that Leave-to-Construct approvals are route-specific. Some of the information compiled under the Class EA for Minor Transmission Facilities or Environmental Screening Process may be used as part of the information required by the OEB for a Leave-to-Construct application. The OEB should be contacted for additional information on their approval requirements.

If the transmission lines are proposed to occupy Crown land, the local MNR office will require documentation confirming the completion of requirements under the *Environmental Assessment Act* prior to issuing a land use permit. As part of fulfilling the Class EA or Environmental Screening Process requirements, proponents are encouraged to contact the local MNR office to ensure that data and information on natural heritage and other values in the vicinity of the proposed lines are considered in the planning process.

A.6 OVERVIEW OF THE ENVIRONMENTAL SCREENING PROCESS

A.6.1 General Information

The *Environmental Assessment Act* provides for the protection, conservation and wise management of Ontario's environment by establishing a responsible and accountable process for decision-making before a project is undertaken. The three processes that have been developed to ensure that the purpose of the *Environmental Assessment Act* is met are Individual EAs, Streamlined or Class EAs, and Environmental Screening Processes for certain projects.

The Ministry of the Environment, Conservation and Parks developed the Environmental Screening Process for electricity projects to ensure that the purpose of the *Environmental Assessment Act* is maintained in the review of specified electricity projects, while promoting a fair, timely, consistent and predictable process that can be conducted in parallel with other legislative requirements. For proponents, the Environmental Screening Process describes the required review process, and sets out requirements for public, Indigenous and agency consultation and for documenting the results of the screening process. The Environmental Screening Process also sets out opportunities for public, Indigenous community and agency review of reports prepared under the Environmental Screening Process, and opportunities to request that projects be elevated. **For flow charts outlining the steps in the Environmental Screening Process, see Figures 1 and 2 on pages 20 and 21.**

The Environmental Screening Process applies to all projects listed in sections 3 and 4 of the Electricity Projects Regulation. For the purpose of this Guide, these projects are referred to as Category B projects (see Chart 1). The Environmental Screening Process also applies to some modifications to electricity projects.

This section of the Guide provides an overview of the Environmental Screening Process and some guidance to proponents in meeting its requirements. The Environmental Screening Process itself is found in Part B of the Guide. Proponents who wish to pursue the screening exemption provided for in section 3(4) or 4 of the Electricity Projects Regulation are legally required to comply with the provisions of the Environmental Screening Process. Proponents can contact the EA Coordinator at the appropriate Regional Office of MECP for guidance and advice on the requirements of the Environmental Screening Process (see Appendix A for contact information for MECP's Regional Offices).

In the Environmental Screening Process, the definition of "environment" is the same as that in the *Environmental Assessment Act*. "Environment" in the EAA is broadly defined to include air, land and water as well as natural, cultural, social and economic components. The screening criteria which must be applied to all projects that are subject to the Environmental Screening Process (found in Appendix B to this Guide) reflect this broad definition of "environment."

The Environmental Screening Process is a proponent driven, self-assessment process. The proponent is responsible for determining if the process applies to its project and for determining when to formally commence the process. Depending on the scale and nature of the project, proponents may wish to undertake preliminary consultation and issue scoping prior to formally commencing the screening process. The proponent also determines the time required to adequately conduct the screening process with sufficient agency, Indigenous and public consultation, and when it is in a position to issue a Screening or Environmental Review Report for consultation and review.

Projects that are subject to the Environmental Screening Process cannot receive approvals under the EPA or OWRA or commence construction until the Environmental Screening Process requirements have been met.

It is recommended that a proponent commence the screening process before project planning, site layout and facility design have progressed too far and before irreversible decisions or commitments are made. A proponent is not prohibited from making other public announcements or statements about the project, undertaking economic feasibility studies, initiating private discussions or negotiations, public, Indigenous community and agency consultations, environmental studies or commencing work to obtain other approvals prior to commencing the Environmental Screening Process. **However, the project may not receive approvals under the Environmental Protection Act or Ontario Water Resources Act or commence construction until it has met the Environmental Screening Process requirements under the *Environmental Assessment Act*.**

The Environmental Screening Process can be conducted in conjunction with and/or coordinated with other approval requirements, studies and activities. For example, it may be possible to coordinate public and Indigenous consultation under the Environmental Screening Process with requirements under other legislation. If an environmental effect or issue identified in the screening process can be more appropriately addressed under another environmental approval (e.g., an approval under the *Environmental Protection Act*), it need not be subjected to detailed analysis and resolution under the screening process. However, it is the proponent's responsibility to provide sufficient information in the screening process, including a description of how the issue will be addressed through another approval, and what opportunities for public and Indigenous consultation will be provided on that subsequent approval decision.

There are two possible stages of review required under the Environmental Screening Process, depending on the environmental effects of a project: a Screening stage and an Environmental Review stage. All projects that are subject to the process are required to go through the Screening stage, which requires proponents to apply a series of screening criteria to identify the potential environmental effects of the project. A more detailed study (an Environmental Review) is required if potential concerns are raised during the Screening stage that could not be readily addressed. The proponent's report under the Environmental Screening Process (either a Screening Report or an

Environmental Review Report) is made available to the public, Indigenous communities and agencies for a minimum 30-day review period. During the review period, members of the public, Indigenous communities and agencies with outstanding concerns will have the opportunity to request that the project be elevated. Projects can be elevated either to an Environmental Review within the Environmental Screening Process, or to an individual EA.

Because the Environmental Screening Process is a self-assessment process, reports that proponents prepare under the Environmental Screening Process are not approved by the MECP. However, where other approvals are required from the MECP or other issues generally dealt with by the MECP arise during the course of review under the Environmental Screening Process, the appropriate Regional Office of MECP will be involved in the consultation process, just as any other affected agency would be. MECP, as an affected agency, may provide comments or advice to proponents to address the Ministry's concerns. MECP's review will be for the purposes of:

- ensuring that proponents have adequately considered the Ministry's mandate based on the *Environmental Protection Act* and *Ontario Water Resources Act*; regulations under those acts; technical procedures and guidelines; and policy and program areas;
- ensuring that the proponent meets the requirements of the Environmental Screening Process; and
- ensuring that consultation undertaken by the proponent was sufficient and the Crown has met any duty to consult, as applicable, related to the Environmental Screening Process.

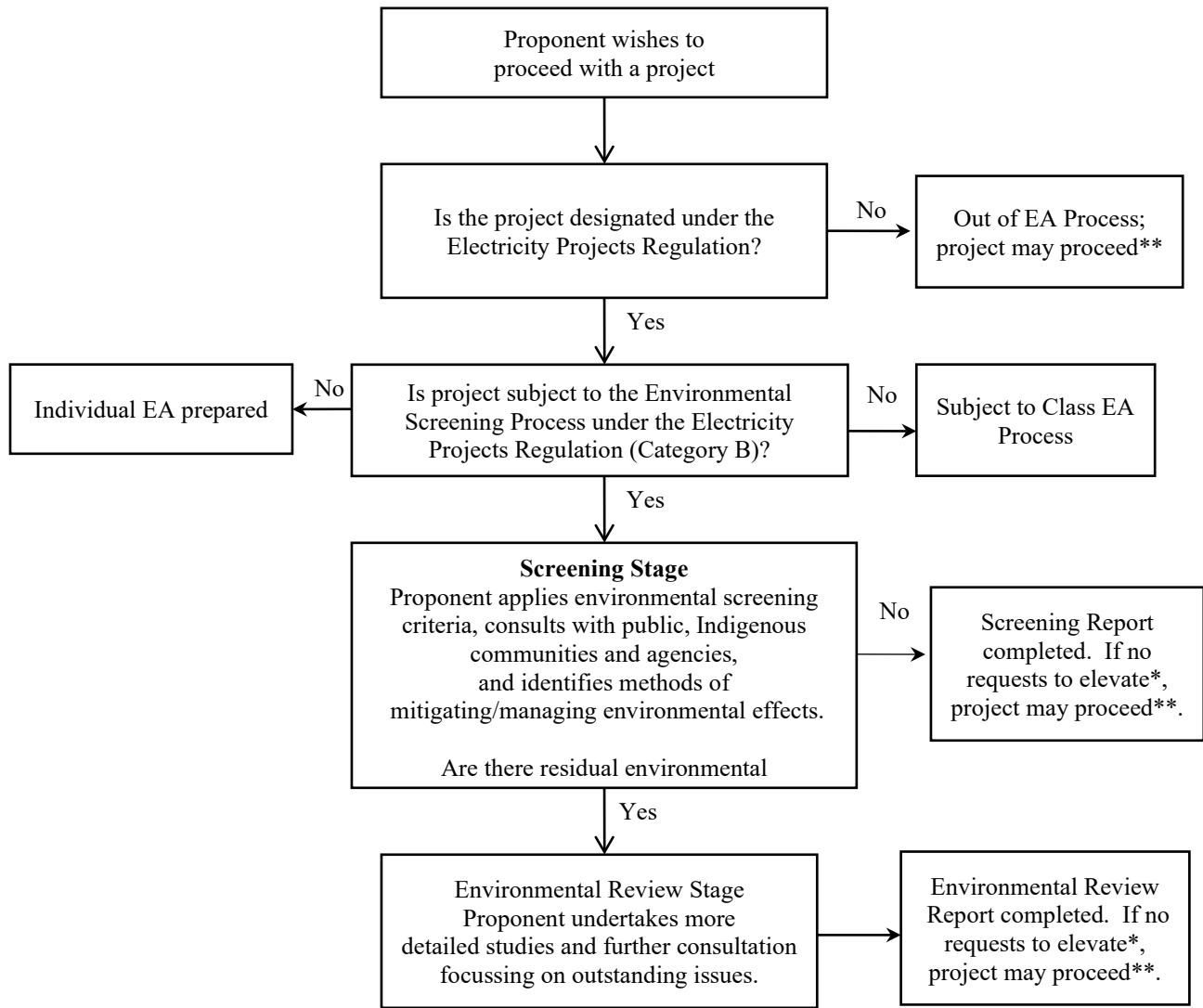
As noted above, proponents are not required to submit their final Screening Reports or Environmental Review Reports to the MECP unless there is a request to elevate the project. In the event of an elevation request, MECP will thoroughly review the proponent's Screening or Environmental Review Report. If no elevation requests are received during the review period, the requirements of the Environmental Screening Process have been met. To complete the process, the proponent prepares a "Statement of Completion," retains a copy, and forwards a copy to the Director of the EAB. Once the Statement of Completion has been filed, and subject to any other approval requirements, the proponent can proceed to construct the project, subject to any other required approvals. The project must be implemented in the manner described in the Screening Report or Environmental Review Report, and the proponent must fulfill any conditions that the Minister applies in any decision not to elevate a project.

In all situations where review under the Environmental Screening Process is required, it is the responsibility of the proponent to ensure that the planning process as set out in the Environmental Screening Process is undertaken. Failure to follow the process outlined in the Environmental Screening Process places the proponent in contravention of the *Environmental Assessment Act*. Offences and penalties are dealt with in section 38 of the *Environmental Assessment Act*.

In all situations where review under the Environmental Screening Process is required, it is the responsibility of the proponent to ensure that the planning process as set out in the Environmental Screening Process is undertaken. Failure to follow the process outlined in the Environmental Screening Process places the proponent in contravention of the *Environmental Assessment Act*.

Figure 1: Key Features of the Environmental Screening Process

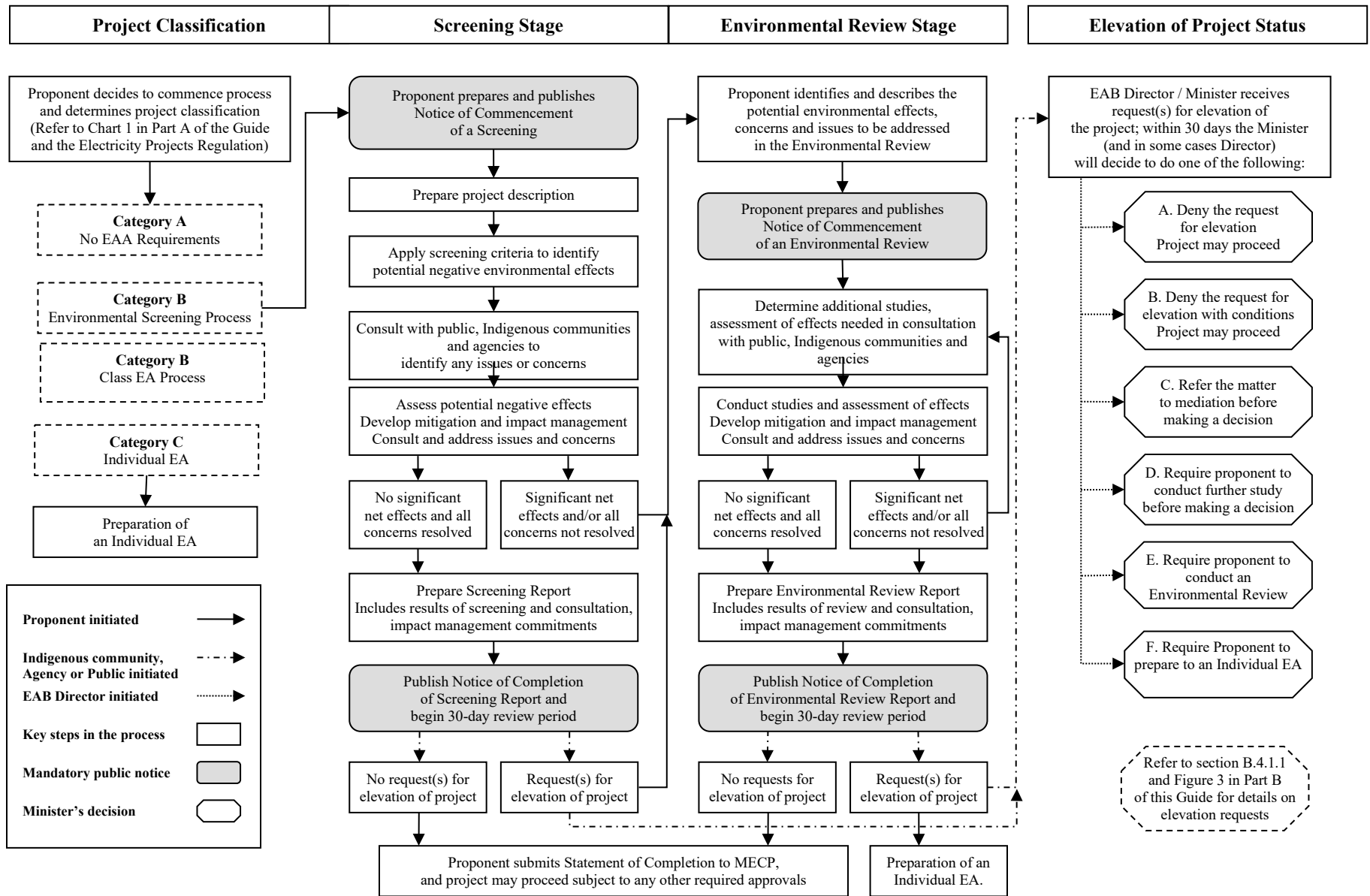
Note: This flow chart is to be read in conjunction with the Environmental Screening Process for electricity projects



* see section B.4.1.1 and Figure 3 in Part B of this Guide for information on elevation requests.
 ** project may proceed subject to any other required approvals

Figure 2: Details of the Environmental Screening Process

Note: This flow chart is to be read in conjunction with the Environmental Screening Process for electricity projects



A.6.2.1 Public Consultation

The purpose of public consultation in the Environmental Screening Process is to allow the proponent to identify and address public concerns and issues and to provide the public with an opportunity to receive information about and make meaningful input into the project review and development.

Public consultation is required for all projects that are subject to the Environmental Screening Process. Consultation is necessary for the proponent to:

- properly notify potentially interested and affected stakeholders;
- identify and assess the range of environmental and socio-economic effects of the project; and
- address the concerns of adjacent property owners, interest groups and members of the public that may be directly affected by some aspect of the project.

It is the proponent's responsibility to design and implement an appropriate consultation program for the project. The consultation program must provide appropriate opportunities and forums for the public to participate in the screening process. *Failure to carry out adequate public consultation or to address public issues or concerns may result in requests to elevate the project.*

It is the proponent's responsibility to design and implement an appropriate consultation program for the project. The consultation program must provide appropriate opportunities and forums for the public to participate in the screening process. **Failure to carry out adequate public consultation or to address public issues or concerns may result in requests to elevate the project.**

The applicant's public consultation program should:

- identify potentially affected stakeholders;
- describe how the project may affect the environment;
- provide appropriate notification to identified stakeholders as prescribed in the Environmental Screening Process;
- inform the public where, when and how they can be involved;
- identify public concerns and issues related to the project;
- address public concerns and issues raised during the program; and
- document how public input is taken into account in the screening process and in the project planning and development.

Public consultation should be commenced early in the screening process and continue throughout the process as necessary. The proponent is required to maintain a record and mailing list of all participants in the consultation process, a record of public

concerns and issues, and a record of how any concerns and issues have been addressed during the Screening or Environmental Review stages.

While mandatory public notification requirements are specified in the Environmental Screening Process, other methods of public consultation used are at the discretion of the proponent⁵. The proponent's public consultation program, including methods used to obtain public input and efforts to address or resolve public concerns and issues, may be considered by the Minister in the event of a request to elevate the project.

Proponents are encouraged to consider the use of conflict resolution techniques, such as facilitation, negotiation, mediation or arbitration to resolve difficult or contentious concerns and issues during the screening process.

A.6.2.2 Agency Consultation

The purpose of agency consultation is to inform and receive input from all government agencies with jurisdiction or a program interest related to a particular electricity project. This may include federal and provincial ministries and agencies and municipalities. It is the proponent's responsibility to identify and consult with the appropriate agencies. Relevant agencies must be provided with copies of the mandatory notices (see section A.6.2.4 below). For information purposes, a list of agencies that may have jurisdiction or an interest in the review and approval of electricity projects is provided in Appendix C.

To improve efficiency, proponents are encouraged to combine or coordinate agency consultation required for other approvals with their consultation for the Environmental Screening Process. The Environmental Screening Process can complement and contribute to other agency processes that may apply to an electricity project, such as a review under the Ministry of Natural Resources and Forestry's Waterpower Program Guidelines, an Official Plan amendment, or review under the *Impact Assessment Act (IAA)*. The appropriate agency technical representatives should be contacted regarding their agency's requirements, concerns and technical input, and be kept apprised of the proponent's public consultation program and other opportunities for their agency to participate in the screening process. Proponents are strongly encouraged to circulate relevant sections of the Screening Report or Environmental Review Report to the appropriate agency contacts for comment prior to the formal review periods. Technical issues should be suitably resolved prior to release of the Screening Report or Environmental Review Report for formal review. This will help to avoid fundamental concerns or disagreements being raised at a late stage in the screening process.

A.6.2.3 Consultation with Indigenous Communities

Consultation with Indigenous communities in the Environmental Screening Process is intended to allow the proponent to identify and address concerns and issues of

⁵ For more detailed information about how to design a consultation program, please refer to the Ministry's Code of Practice: Consultation in Ontario's Environmental Assessment Process (PIBS 6259e).

Indigenous communities and to provide an opportunity to receive information about and have meaningful input into the project review and development. In addition, such consultation is intended to address situations where the Crown may have a duty to consult with Indigenous communities.

It should be noted that whether or not the Crown has a constitutional duty to consult with an Indigenous community, the community may be an interested person for the purposes of consultation under the Environmental Screening Process. References to the public or interested persons in the requirements for consultation should be read to include Indigenous communities. Proponents are expected to consult with all interested and potentially impacted Indigenous communities as described in Section A.6.2.1, plus additional consultation may be required to fulfill the Crown's duty to consult, as described below.

To assist proponents in developing a list of Indigenous communities that must be consulted, the proponent should contact the EAB using the contact information listed in Appendix B for a list of communities and organizations that proponents will contact.

Aboriginal rights and treaty rights are protected by section 35 of the Constitution Act, 1982. Aboriginal rights stem from practices, customs or traditions which are integral to the distinctive culture of the Indigenous community claiming the right. Treaty rights stem from the signing of treaties with the Crown.

The Crown may have a duty to consult with Indigenous communities in order to satisfy its responsibilities with respect to potential adverse impacts of projects on asserted or established Aboriginal or treaty rights. This Guide is not intended to fully describe how any such duty, if triggered, may be discharged. However, the Crown may delegate the procedural aspects of consultation to proponents, and recognizes a corresponding responsibility of Indigenous communities to participate in this process, make their concerns known and respond to efforts to address their concerns. To the extent that any Crown duties of consultation are triggered for a particular project, the Environmental Screening Process set out in this Guide describes some of the actions and procedural aspects of consultation that proponents are required to take with respect to consultation with Indigenous communities.

Proponents are expected to document the consultation process with Indigenous communities in the Screening Report or Environmental Review Report. In addition to the information identified in section A.6.2.1 above, the following information, as applicable and appropriate (i.e., not confidential), should be documented with respect to Indigenous consultation:

- any information that was shared by an Indigenous community in relation to its asserted or established Aboriginal or treaty rights and any potential adverse impacts of the proposed activity on such rights;
- any proposed project changes or mitigation measures that were discussed and feedback from Indigenous communities on those commitments;

- information regarding any financial assistance or other capacity support provided by the proponent to enable participation by Indigenous communities in the consultation;
- periodic consultation progress reports or copies of meeting notes if requested by the ministry; and
- a summary of how the delegated aspects of consultation were carried out and the results.

Effects on Indigenous communities are included as one of the screening criteria in Appendix B.

A.6.2.4 Mandatory Notification

Proponents are required to prepare a Notice of Commencement at the beginning of a Screening or an Environmental Review to formally announce the project is subject to the Environmental Screening Process and is commencing a review under the Environmental Screening Process. The notice must provide basic information on the project, its proposed location, the proponent and a contact name, address and phone number (the specific notification requirements are described in the Environmental Screening Process in Part B of this Guide). The notice must be mailed or delivered to households in the immediate vicinity of the project, to affected government agencies (including the EA Coordinator at the appropriate Regional Office of MECP) and Indigenous communities. The notice should also be mailed or delivered to other potentially interested persons. For a list of MECP's Regional Offices, see Appendix A.

Upon completion of a Screening or Environmental Review, the proponent must prepare and distribute a Notice of Completion. These notices are intended to inform the public, Indigenous communities and government agencies that the proponent has completed a Screening or Environmental Review under the Environmental Screening Process and that the minimum 30-day review period is commencing. The notice must also indicate where copies of the Screening or Environmental Review Reports can be obtained or reviewed. The notice must be placed in a local newspaper with circulation in the vicinity of the project (or an appropriate equivalent means of notifying the public where no such newspaper exists, such as a website).

The proponent is required to email, mail or deliver the notice to the EA Coordinator at the appropriate Regional Office of MECP, Indigenous communities and all persons who expressed an interest in the project. For this purpose, the proponent is required to maintain throughout the screening process a mailing list of all persons, Indigenous communities and agencies that provide comment and input to the process or otherwise express an interest in the project. The proponent should also mail or deliver the notice to other potentially affected agencies, municipalities, landowners, residents, businesses, local interest groups and Indigenous communities even if they have not previously expressed an interest.

A.6.2.5 Documentation

The following documentation pertaining to consultation must be included in the proponent's Screening Report or Environmental Review Report:

- a description of the public, Indigenous and agency consultation program and consultation activities/events;
- a list of agencies and Indigenous communities contacted or consulted;
- a summary of public, Indigenous and agency community concerns or issues, and how they have been resolved or addressed.
- Technical reports and other supporting information are not required to be included in the Screening Report or Environmental Review Report, but must be referenced in the report. Proponents must make supporting information and copies of all correspondence related to the Environmental Screening Process available for public, Indigenous community or agency review if requested.

Further information about Indigenous consultation (see A.6.2.3) may also be required for the Crown to assess any duty to consult. Proponents should keep a separate Indigenous community consultation record, which tracks consultation with Indigenous communities separately from consultation with interested persons/ stakeholders. This will help the ministry assess the proponent's consultation activities with Indigenous communities.

A.6.3 Other Legislation

Completion of the Environmental Screening Process under the *Environmental Assessment Act* does not relieve proponents from the responsibility to obtain any necessary approvals or permits required under other legislation. The process can be viewed as an opportunity to identify the appropriate approval requirements early in the process and to coordinate these requirements. Work on other approvals can proceed in parallel and be coordinated/combined with the screening process. Environmental information, analysis and consultation required for the screening process can be used by proponents in obtaining other environmental approvals and permits. In turn, information compiled for other approvals can be used in preparing reports and documentation under the screening process. However, approvals under the *Environmental Protection Act* and *Ontario Water Resources Act* will not be issued until the proponent has successfully completed the Environmental Screening Process.

Completion of the Environmental Screening Process under the *Environmental Assessment Act* does not relieve proponents from the responsibility to obtain any necessary approvals or permits required under other legislation.

The following statutes contain provisions that may or do relate to the development, operation or retirement of one or more types of electricity facilities:

- *Environmental Protection Act (provincial)*
- *Clean Water Act (provincial)*
- *Conservation Authorities Act (provincial)*
- *Greenbelt Act (provincial)*
- *Lakes and Rivers Improvement Act (provincial)*
- *Ontario Water Resources Act (provincial)*
- *Planning Act (provincial)*
- *Impact Assessment Act (federal)*
- *Canadian Environmental Protection Act (federal)*
- *Fisheries Act (federal)*
- *Navigable Waters Protection Act (federal)*

A brief description of some of these statutes is provided in Appendix D of this Guide. For additional information on other requirements related to transmission lines, see section A.5.

Some approvals under provincial legislation (such as most applications for air emissions under section 9 of the *Environmental Protection Act*) are “classified instruments” under the *Environmental Bill of Rights* (EBR)⁶. Applications for classified instruments are subject to the public participation requirements of the EBR, including posting of proposals on the Environmental Registry (an internet website). However, even if identified as EBR classified instruments, in certain circumstances some proposals may be exempted from EBR public consultation requirements. Of particular relevance to electricity projects is the exemption found in s.32 of the EBR. Under this section, proposals that are a step toward implementing an undertaking that has been approved under the *Environmental Assessment Act* or exempted from EA requirements are exempted from EBR public participation requirements. Since projects that are reviewed under the Environmental Screening Process are proceeding in accordance with the exemption provided for in the Electricity Projects Regulation made under the *Environmental Assessment Act*, subsequent approvals related to such projects are exempt from the EBR’s public consultation requirements. Approvals related to electricity projects described as Category A (no EA requirements) projects in this Guide do not qualify for the exemption from EBR requirements. The Ministry of the Environment, Conservation and Parks’ guides to applying for approvals under the *Environmental Protection Act* and *Ontario Water Resources Act* contain further information about EBR exemptions.

It is well beyond the scope and purpose of this Guide to outline all the potential legislation and regulatory requirements of electricity projects. It is the responsibility of the proponent to ensure that all requirements are met. The information provided

⁶ Classified instruments are listed in Regulation 68/94, “Classification of Proposals for Instruments,” issued under the Environmental Bill of Rights.

regarding the above legislation is provided for information purposes only and to acknowledge other regulatory requirements that may work in conjunction with the Environmental Screening Process.

PART B: ENVIRONMENTAL SCREENING PROCESS

B.1 APPLICATION

Under Ontario Regulation 116/01 (referred to throughout this Guide as the “Electricity Projects Regulation”), made under the *Environmental Assessment Act*, certain electricity projects must be reviewed in accordance with the Environmental Screening Process⁷. These projects are set out in section 4 of the Regulation.

As set out in section 4 of the Regulation, changes or expansions to facilities listed in section 4 of the Electricity Projects Regulation are also subject to the Environmental Screening Process. A change or expansion that is a “significant modification” (as defined in the Regulation) to a project listed in section 4 of the Electricity Projects Regulation is subject to the full review process set out in the Environmental Screening Process (including preparation of a Screening and/or Environmental Review Report). A change or expansion that is below the threshold for a significant modification as set out in the Regulation is considered a “minor modification.” Minor modifications to projects designated in section 4 and minor modifications to those in section 3 of the Regulation are subject to the addendum provisions set out in section B.5.2 of this Environmental Screening Process. Note that a “minor modification” to a project that is “grandparented” under section 6 of the Regulation is not subject to EA requirements. However, significant modifications to otherwise “grandparented” facilities are subject to EA requirements as set out in the Regulation.

B.2 SCREENING STAGE

B.2.1 Commencement

Once a proponent has determined that its project requires review under the Environmental Screening Process and is ready to commence such a review, the proponent shall issue a public “Notice of Commencement of a Screening.” This public notification is mandatory for any project that is subject to the Environmental Screening Process. The notice is to be placed in a local newspaper(s) with circulation in the vicinity of the project. Where no such newspaper exists, the proponent shall be responsible for determining the equivalent local means of providing adequate notice to the general public, such as a website.

- The notice (or an equivalent letter or information package) also must be mailed or delivered to: adjacent landowners and tenants;
- the EA Coordinator at the appropriate Regional Office of MECP⁸;

⁷ Projects must be reviewed in accordance with the Environmental Screening Process if the proponent wishes to take advantage of the exemption provided for in the Regulation from the requirement to prepare an individual EA.

⁸ See Appendix B for a list of MECP’s Regional Offices

- other affected government agencies and municipalities;
- Indigenous communities; and
- other potentially interested or affected parties (such as local interest groups, businesses, and members of the public that may be directly affected by some aspect of the project).

The notice shall include:

- the name of the proponent;
- a brief description of the project;
- a map showing the project location;
- a statement that the project is subject to the Ministry of the Environment, Conservation and Parks Environmental Screening Process for electricity projects; and
- a contact name, address and telephone number.

Notice required to be given under the Environmental Screening Process may be combined with other notices required under other statutes, so long as the notice clearly states which notices are being combined and contains all of the information required for each notice.

This notice and any other notice required to be given under the Environmental Screening Process may be combined with other notices required under other statutes, so long as the notice clearly states which notices are being combined and contains all of the information required for each notice.

B.2.2 Conducting a Screening

The proponent begins the Screening stage by preparing a description of the project for the purposes of the screening process. In describing the project, proponents must include all phases and components of the project, including construction, operation, and retirement of the project. It is inappropriate for proponents to break up or “piecemeal” a larger project into separate components or phases, with each part addressed as a separate project. Therefore, the construction and operation of related facilities such as an access road or fuel handling facilities, and associated activities such as construction traffic, discharge of cooling water, or waste disposal, are to be included as part of the project description. Furthermore, plans for future expansions of the project that are known at the time the Environmental Screening Process is being applied shall be considered as part of the project.

The proponent then applies the screening criteria (found in Appendix B of this Guide) to the project as it has been described in the project description outlined above. This involves answering a series of questions, based on the screening criteria, to identify the potential for any negative effects on the environment. The screening criteria are presented in the form of a checklist with the option of a “Yes” or “No” response.

Negative environmental effects include the negative effects that a project has, or could potentially have, directly or indirectly on the environment at any stage in the project life cycle. Negative environmental effects may include, but are not limited to, the harmful alteration, disruption, destruction, or loss of natural features, flora or fauna and their habitat, ecological functions, natural resources, air or water quality, and cultural or heritage resources. Negative environmental effects may also include the displacement, impairment, conflict or interference with existing land uses, approved land use plans, businesses or economic enterprises, recreational uses or activities, cultural pursuits, social conditions or economic structure.

In the Environmental Screening Process, the definition of “environment” is the same as that in the *Environmental Assessment Act*. “Environment” in the *Environmental Assessment Act* is broadly defined to include air, land and water as well as natural, cultural, social and economic components (the formal definition is included in the glossary to this Guide). The screening criteria reflect this broad definition of “environment.”

Mitigation measures are not to be considered in concluding that there is “No” potential negative environmental effect. That is, if the proponent determines that there is a potential environmental effect, but that the effect could likely be addressed through mitigation, the proponent is required to answer “Yes” to the question. This approach will ensure that the potential environmental effects of a project and the proponent’s proposed plans and methods for mitigating and managing any impacts are open to discussion and review by all interested and affected members of the public, Indigenous communities and agencies, and that the proponent has made a binding commitment to implement mitigation measures.

If the answer to any of the screening questions is “Yes,” the project has potential to cause negative effects, the proponent must provide additional information in its Screening Report to explain the potential effect(s), and methods to mitigate or address the effect(s), whether any net effects are anticipated and, if so, the significance of any negative net effects. In some cases the proponent may indicate that no negative environmental effects are anticipated but feel it is necessary to provide additional information in its Screening Report to explain or support the “no negative effects” conclusion.

The additional information and analysis which is required for each of the potential environmental effects identified by the screening criteria includes:

- a description of the potential negative environmental effects or concerns (see the Glossary for a description of what may constitute a “negative” environmental effect);
- a description of any standard environmental mitigation or impact management measures that will be used to avoid, reduce, or minimize the environmental effects, concerns or issues;

- the identification of any remaining “net effects” (net effects are those negative environmental effects caused by the project and related activities that will remain after mitigation and impact management measures have been applied); and
 - an assessment of the significance of any net effects or concerns.
- Net effects are those negative environmental effects caused by the project and related activities that will remain after mitigation and impact management measures have been applied.**
- A Screening can be based primarily on existing or readily obtainable information. It is expected that a proponent will consult with relevant federal and provincial agencies and municipal authorities, appropriately qualified persons, potentially affected or interested individuals, Indigenous communities and the public when completing the Screening to ensure the identification of potential effects, proposed mitigation and impact management measures, and assessment of net effects are accurate and acceptable.
 - A proponent could determine during a Screening or while completing the Screening Report that there remain potential environmental effects or public or Indigenous concerns that require further assessment and resolution. The proponent may decide not to issue a Screening Report and instead proceed to the Environmental Review stage of the Environmental Screening Process. In deciding whether to issue a Screening Report, or to proceed directly to the Environmental Review stage, the proponent should consider:
 - the success of attempts to minimize effects through the selection of the site, the technology, the facility design, or through the use of reasonable mitigation and impact management;
 - how effectively the proponent can, or is prepared to, manage any negative effects or resolve issues and address concerns;
 - the significance of any net effects;
 - how commitments to future actions are accepted by government agencies, non-government organizations, the community and affected property owners; and
 - whether additional studies and analysis are likely to provide tangible results.

If an environmental effect or issue identified in the screening process can be more appropriately addressed under another environmental approval (e.g., an approval under the *Environmental Protection Act*), it need not be subjected to detailed analysis and resolution under the screening process. However, it is the proponent’s responsibility to provide sufficient information in the Screening Report, including a description of how the issue will be addressed through another approval, and what opportunities for consultation will be provided on that subsequent approval decision.

At the completion of the Screening stage, the proponent should be in a position to assess the overall environmental advantages and disadvantages of the project. If the

proponent determines that there are no likely significant negative effects, no unresolved concerns or issues, and that the project advantages outweigh any disadvantages, it prepares a Screening Report to document the results of the Screening.

B.2.3 Screening Report

A Screening Report shall include the following information:

- background information including a description of the project, the purpose of the project and an outline of the basic technologies to be used;
- a map of the project location;
- a description of the local environment and conditions;
- a description of any other required approvals and permits;
- a completed screening criteria checklist;
- information, analysis and discussion of mitigation and impact management measures for any potential negative effects identified through application of the screening criteria, including an assessment of the significance of any net effects;
- commitments to mitigation, impact management, monitoring and/or further consultation and the mechanisms for their implementation and reporting;
- information on public, Indigenous and agency consultation, including:
 - a description of the consultation program and consultation activities/events;
 - a list of agencies and Indigenous communities contacted or consulted;
 - a summary of concerns or issues raised, and how they have been resolved or addressed;
 - copies of key public, Indigenous community and agency comments;
- a description of how environmental effects or issues may be addressed through other required approvals;
- a review of the overall environmental advantages and disadvantages of the project, to include discussion of any benefits that may offset negative environmental effects; and
- a summary of all mitigation, impact management and monitoring commitments (to be used by MECP for compliance purposes).
- Technical reports and other supporting information are not required to be included in the Screening Report, but must be referenced in the report. Proponents must make supporting information and copies of all correspondence related to the

Proponents are encouraged to circulate a draft of the Screening Report, or relevant sections of the report, to the appropriate agencies and key stakeholders for comment prior to the formal review periods.

Environmental Screening Process available for public, Indigenous community or agency review if requested.

Proponents are encouraged to circulate a draft of the Screening Report, or relevant sections of the report, to the appropriate agencies and key stakeholders for comment prior to the formal review periods.

B.2.4 Notice of Completion of Screening Report and Public Review

The Screening Report must be made available for public, Indigenous community and agency review for a period of at least 30 calendar days in a convenient location(s) in the project area, such as a public library, municipal or band office, or community centre. In addition, the proponent must make the report available on the Internet. The proponent must prepare a public “Notice of Completion of a Screening Report” and publish it in a local newspaper(s) with circulation in the vicinity of the project. Where no such newspaper exists, the proponent shall be responsible for determining the equivalent local means of providing adequate notice to the general public, such as a website.

The notice shall include:

- the information required for the Notice of Commencement of a Screening (description of the project, proponent, location, project is being reviewed under the Ministry of the Environment, Conservation and Parks’s Environmental Screening Process for electricity projects, and contact information);
- the results of the Screening (e.g., there are no significant negative effects, the proponent intends to proceed with the project subject to mitigation, other commitments and other approvals);
- the location(s) where the Screening Report may be reviewed;
- notification that:
 - if a concerned party has outstanding environmental concerns about the project, it should raise these concerns with the proponent;
 - if the proponent and the concerned party are unable to resolve the matter, the concerned party can make a written request to the Minister, copying the Director of the EAB, Ministry of the Environment, Conservation and Parks to elevate the project to either an Environmental Review or to an individual EA. A copy of the elevation request must be sent to the proponent;
 - elevation requests must be made in accordance with the provisions set out in the Ministry of the Environment, Conservation and Parks’s Environmental Screening Process for electricity projects;
- the address of the Minister and Director of the EAB, Ministry of the Environment Conservation and Parks;
- the last date when requests for elevation will be received.

- The proponent is required to mail or deliver the notice to the EA Coordinator at the appropriate Regional Office of MECP, to adjacent landowners and tenants, Indigenous communities and to all who have expressed an interest in the project. For this purpose, the proponent shall maintain throughout the screening process a mailing list of all persons, Indigenous communities and agencies that provide comment and input to the process or otherwise express an interest in the project. The proponent should also mail or deliver the notice to other potentially affected and interested agencies, municipalities, landowners, residents, businesses, and local interest groups, even if they have not previously expressed an interest. The proponent may also choose to provide copies of the Screening Report directly to participating agencies and affected individuals.

Proponent shall maintain throughout the screening process a mailing list of all persons and agencies that provide comment and input to the process or otherwise express an interest in the project.

If no requests for elevation of the project have been received at the end of the minimum 30-day review period, the proponent submits a “Statement of Completion” to the MECP and retains a copy on site (or in an alternate location where it will be readily available) for the life of the project. For more information on the Statement of Completion requirements, see section B.4.2. At this point, the proponent has completed the Environmental Screening Process under the *Environmental Assessment Act*, and the project may proceed subject to any other required approvals. The project must be implemented in the manner described in the Screening Report.

If one or more requests for elevation of the project are received within the 30-day review period by the Ministry, the project cannot proceed until the Minister makes a decision on the request(s) for elevation. Approvals under the *Environmental Protection Act* and *Ontario Water Resources Act* will not be issued and construction of the project cannot commence until the Environmental Screening Process has been successfully completed.

See section B.4.1 of the Environmental Screening Process for more information on elevation requests.

B.3 ENVIRONMENTAL REVIEW STAGE

B.3.1 Commencement

A project would proceed to the Environmental Review stage of the Environmental Screening Process for one of three reasons:

- (1) The proponent may determine, while conducting the Screening stage, that there are potentially significant negative environmental effects or issues raised by the public or Indigenous communities that warrant more detailed study and

assessment. Rather than complete a Screening Report the proponent may choose to proceed directly to the Environmental Review stage and begin more comprehensive studies on those issues; or

- (2) During the 30-day period for public review of the Screening Report, the proponent receives substantive public, Indigenous or agency comments/concerns about the conclusions contained in the Screening Report or how certain issues have been addressed and determines that further environmental studies and analysis are necessary to address these concerns before the project can proceed; or
- (3) During the 30-day review period, the Minister receives substantive elevation requests from the public, Indigenous communities or government agencies requesting that the proponent conduct a further Environmental Review of specific environmental effects or concerns associated with the project. The Minister makes a decision requiring the proponent to proceed to the Environmental Review stage of the Environmental Screening Process.

Upon commencing an Environmental Review, the proponent must issue a public notice. The “Notice of Commencement of an Environmental Review” must be placed on a website, and in a local newspaper(s) with circulation in the vicinity of the project. Where no such newspaper exists, the proponent shall be responsible for determining the equivalent local means of providing adequate notice to the general public. The proponent is required to mail or deliver the notice (or an equivalent letter or information package) to the EA Coordinator at the appropriate Regional Office of MECP, to adjacent landowners and tenants, Indigenous communities, and to all who have expressed an interest in the project. For this purpose, the proponent shall maintain throughout the screening process a mailing list of all persons, Indigenous communities and agencies that provide comment and input to the process or otherwise express an interest in the project. The proponent should also mail or deliver the notice to other potentially affected and interested agencies, municipalities, landowners, residents, businesses, and local interest groups, even if they have not previously expressed an interest.

The notice shall include:

- the name of the proponent;
- a brief description of the project;
- a map showing the project location;
- a statement that the project is entering the Environmental Review stage of the Ministry of the Environment, Conservation and Parks Environmental Screening Process for electricity projects;
- a brief description of the issues/concerns that will be subject to more detailed study during the Environmental Review stage;
- where additional information can be obtained; and
- a contact name, address and telephone number.

B.3.2 Conducting an Environmental Review

The proponent determines the additional work programs, studies and consultation required to assess environmental effects and address unresolved concerns and issues. The Environmental Review would be focused to address those matters that have been carried forward from the Screening stage. The proponent's approach to conducting the Environmental Review should be reviewed with key agencies, Indigenous communities and the affected public to ensure it will meet the objectives and requirements of the key stakeholders, Indigenous communities and the proponent. Particular attention should be given to parties that successfully requested an elevation of the project from a Screening to an Environmental Review. If during the Environmental Review stage one or more new issues or potential effects are raised or identified by the public, Indigenous communities or agencies, the proponent should take appropriate actions or measures to assess and address the issues or effects.

During the Environmental Review stage, the proponent conducts the necessary studies, analysis and assessment of environmental effects. The basic process to identify net effects and assess their significance during the Environmental Review stage is similar to the Screening stage; however, the assessment(s), evaluations and impact management measures may be more complex and the concerns and issues more difficult to resolve. The process at the Environmental Review Stage is:

- describe the potential environmental effects related to specific environmental concerns;
- conduct necessary data collection, studies and analysis to understand the basis, extent, duration, inter-relationships and magnitude of the potential effects;
- identify, develop and describe environmental mitigation or impact management measures, facility design or layout modifications or other special measures to reduce or minimize the potential effects or concerns;
- determine net effects or concerns that remain once standard and customized mitigation, impact management and issue resolution measures have been applied;
- evaluate the significance of any remaining net effects or concerns;
- consult further with agencies, the public, Indigenous communities, non-government organizations etc. to confirm analysis and assessments, commitments to mitigation and resolution of issues; and
- conduct an overall assessment of the environmental advantages and disadvantages of the project.

In determining the significance of any negative net effects of the project, the proponent should consider the value or importance of the resource being affected, the magnitude of the effect and its duration, the extent or distribution of the effect, whether the effect can be reversed over time, and the ecological and social context of the effect. In

concluding the Environmental Review, the proponent should assess the overall advantages and disadvantages of the project. Advantages may include positive environmental effects such as community benefits resulting from jobs created by the project, or the use of a renewable and/or non-polluting energy source to generate power. Where a negative environmental effect may be offset by other benefits, this should be evaluated. The Report should provide an overall conclusion as to whether the negative environmental effects of the project are acceptable, based on a balanced assessment against all of the screening criteria and the results and conclusions of the Environmental Review.

CRITERIA FOR ASSESSING SIGNIFICANCE

- **Value of the resource affected;**
 - **Magnitude of the effect;**
 - **Geographic extent of the effect;**
 - **Duration and frequency of the effect;**
 - **Irreversibility of the effect; and**
 - **Ecological/social context.**
-

B.3.3 Environmental Review Report

Once the proponent determines that it has satisfactorily assessed and addressed all of the negative environmental effects, concerns or issues, it prepares an Environmental Review Report.

If the proponent has previously prepared a Screening Report and made it available for a 30-day public, Indigenous and agency review period, the Environmental Review Report will focus on the activities and results of the Environmental Review stage. It need not contain the completed screening checklist and the related information from the Screening stage. However, the Environmental Review Report shall include background information on the project, including the project description, an outline of the basic technologies to be used, a map of the project location, and a description of the local environment and conditions.

The Environmental Review Report shall also contain:

- the results of the analysis, evaluation, and assessment conducted for the subject effects, concerns or issues, including an assessment of the significance of any negative net effects;
- commitments to mitigation, impact management, monitoring and/or further consultation and the mechanisms for their implementation and reporting;
- details of any changes to commitments made in the Screening Report;
- a summary of public, Indigenous community and agency consultation during the Environmental Review, including:

- › a description of the public, Indigenous community and agency consultation program and consultation activities/events;
- › a list of agencies and Indigenous communities contacted or consulted;
- › a summary of public, Indigenous community and agency concerns or issues, and how they have been resolved or addressed;
- › copies of key public, Indigenous community and agency comments;
- a description of how environmental effects or issues may be addressed by other required approvals;
- summaries or, where appropriate, complete technical reports supporting the Environmental Review findings;
- an overall assessment of the advantages and disadvantages of the project, to include discussion of any benefits that may offset negative environmental effects; and
- a summary of all mitigation, impact management and monitoring commitments made during the Environmental Review Stage (to be used by MECP for compliance purposes).

If a proponent proceeded to the Environmental Review stage without preparing a Screening Report, the Environmental Review Report must contain, in addition to the information listed above, the following information and results pertaining to the Screening stage:

- any other required approvals and permits;
- a completed screening criteria checklist;
- information, analysis and discussion of mitigation and impact management measures for any potential environmental effects addressed during the Screening stage;
- commitments to mitigation, impact management, monitoring or further consultation and mechanisms to ensure their implementation, as determined during the Screening stage;
- information on public, Indigenous and agency consultation during the Screening stage, including a summary of concerns or issues that were addressed or resolved during the Screening stage; and
- if the proponent undertook a screening but did not prepare a report, a summary of all mitigation, impact management and monitoring commitments made at the Screening stage (to be used by MECP for compliance purposes).

Technical reports and other supporting information are not required to be included in the Environmental Review Report, but must be referenced in the report. Proponents must make supporting information and copies of all correspondence related to the Environmental Screening Process available for public, Indigenous community or agency review if requested.

Technical reports and other supporting information are not required to be included in the Environmental Review Report, but must be referenced in the report. Proponents must make supporting information and copies of all correspondence related to the Environmental Screening Process available for public, Indigenous community or agency review if requested.

Proponents are encouraged to circulate a draft of the Environmental Review Report, or relevant sections of the report, to the appropriate agencies, Indigenous communities and key stakeholders for comment prior to the formal review periods.

B.3.4 Notice of Completion of Environmental Review Report and Public Review

The Environmental Review Report must be made available for public, Indigenous and agency review for a period of at least 30 calendar days in a convenient location(s) in the project area, such as a public library, municipal or band office, or community centre. In addition, the proponent must make the report available on the Internet. The proponent must prepare a public “Notice of Completion of an Environmental Review Report” and publish it in a local newspaper(s) with circulation in the vicinity of the project. Where no such newspaper exists, the proponent shall be responsible for determining the equivalent local means of providing adequate notice to the general public.

The notice shall include:

- the information required for the Notice of Commencement of an Environmental Review (description of the project, proponent, location, project is being reviewed under the Ministry of the Environment, Conservation and Parks Environmental Screening Process for electricity projects and contact information);
- the results of the Environmental Review (e.g., there are no significant environmental effects, the proponent intends to proceed with the project subject to mitigation, impact management measures, other commitments and other approvals);
- a brief description of changes to any commitments made in the Screening Report (if a screening was done)
- the location(s) where the Environmental Review Report may be reviewed;
- notification that:
 - if a concerned party has outstanding environmental concerns about the project, it should raise these concerns with the proponent;

- if the proponent and the concerned party are unable to resolve the matter, the concerned party can make a written request to the Minister, copying the Director of the EAB, Ministry of the Environment, Conservation and Parks to elevate the project to an individual EA. A copy of the elevation request must be sent to the proponent;
- elevation requests must be made in accordance with the provisions set out in the Ministry of the Environment, Conservation and Parks' Environmental Screening Process for electricity projects;
- the address of the Minister and Director of the EAB, Ministry of the Environment, Conservation and Parks; and
- the last date when requests for elevation will be received.

The proponent is required to mail or deliver the notice to the EA Coordinator at the appropriate Regional Office of MECP, to adjacent landowners and tenants, Indigenous communities, and to all who have expressed an interest in the project. For this purpose, the proponent shall maintain throughout the screening process a mailing list of all persons, Indigenous communities and agencies that provide comment and input to the process or otherwise express an interest in the project or were identified by Ontario for consultation purposes. The proponent should also mail or deliver the notice to other potentially affected and interested agencies, municipalities, landowners, residents, businesses, Indigenous communities and local interest groups, even if they have not previously expressed an interest. The proponent may also choose to provide copies of the Environmental Review Report directly to participating agencies, interested persons and Indigenous communities.

If no requests for elevation of the project have been received at the end of the 30-day review period, the proponent submits a "Statement of Completion" to the MECP and retains a copy on site (or in an alternate location where it will be readily available) for the life of the project. For more information on the Statement of Completion requirements, see section B.4.2.

At this point, the proponent has completed the Environmental Screening Process under the *Environmental Assessment Act*, and the project may proceed subject to any other required approvals. The project must be implemented in the manner and consistent with the commitments described in the Environmental Review Report.

If one or more requests for elevation of the project are received within the 30-day review period by the Minister, the project cannot proceed until the Minister makes a decision on the request(s) for elevation. Approvals under the *Environmental Protection Act* and the *Ontario Water Resources Act* will not be issued and construction of the project cannot

If one or more requests for elevation of the project are received within the 30-day review period by the Minister, the project cannot proceed until the Minister makes a decision on the request(s) for elevation.

commence until the Environmental Screening Process has been successfully completed.

See section B.4.1 of the Environmental Screening Process for more information on elevation requests.

B.4 CHANGING THE PROJECT STATUS AND PROCESS COMPLETION

B.4.1 Changing the Project Status

B.4.1.1 Elevation Requests

Members of the public, Indigenous communities or agencies with outstanding concerns regarding a project undergoing the screening process should bring their concerns to the attention of the proponent as early in the process as possible. If concerns are not resolved, the concerned party can ask the proponent to voluntarily elevate the project, either before or during the 30-day review period.

If the proponent declines to voluntarily elevate the project during the 30-day review period, the party may write to the Minister to request that the project be elevated. A project at the Screening stage, or a project for which an Addendum (see section B.5.2) has been prepared, can be elevated to

either an Environmental Review within the Environmental Screening Process, or to an individual EA. Projects that have undergone an Environmental Review, or for which an Equivalent Review Process Report (see section B.5.1.1) has been prepared can be elevated to an individual EA. A request to elevate a project must be submitted to the Minister and a copy sent to the Director and proponent within the minimum 30-day review period after the Notice of Completion of a Screening Report or Environmental Review Report has been issued. Requests received after the 30-day review period will not normally be considered. However, requests received after the 30-day review period may be considered if the proponent has failed to ensure proper notification to request that the project be elevated, or may be considered in conjunction with requests received during the 30-day review period. In most circumstances, requests for the Minister to elevate a project made before the 30-day review period will be considered to be premature.

Elevation Requests must be submitted within the 30-day review period after the Notice of Completion has been issued.

The resolution of concerns directly between the proponent and the party raising the concern is always preferable to involving the Minister in the matter. When outstanding environmental concerns are raised during the 30-day review period, the proponent should be prepared to attempt to resolve the concerns. Where a commitment is made by a proponent to address concerns raised during the review period, the commitment must be documented by the proponent and filed with the proponent's copy of the

Screening Report or Environmental Review Report (either on site or in an alternate location where it will be readily available). The proponent is required to fulfill any such commitments in the implementation of the project.

If additional time is needed to try to resolve issues, the proponent and the concerned party may agree to continue discussions for a mutually acceptable specified time period beyond the 30-day review period. The proponent shall notify the Director of the EAB that it and the concerned party have agreed to continue discussions, and what the specified time period is. Following the specified time period, if the issues remain unresolved, an elevation request can be made to the Minister within a further seven calendar days.

A party requesting that a project be elevated to either an Environmental Review or to an individual EA must include the following information in a written request to have a project elevated:

- the name of the project and proponent;
- the basis of their request;
- whether they are requesting that the project be elevated to an Environmental Review or to an individual EA (Projects at the Screening stage, or for which an Addendum has been prepared, can be elevated to either an Environmental Review or to an individual EA. Projects that have undergone an Environmental Review, or for which an Equivalent Review Process Report has been prepared can be elevated to an individual EA);
- the specific nature of the environmental concerns on which the request is based;
- the benefits of requiring the proponent to undertake an Environmental Review or an individual EA;
- information about any efforts to discuss/resolve these concerns/environmental effects with the proponent;
- details of any correspondence between the party and the proponent; and
- any other matters considered relevant by the requesting party.

The request shall be sent to the Minister, and a copy sent to the Director and proponent. Upon receipt of an elevation request, the proponent shall forward a copy of the Screening Report and/or Environmental Review Report, and any other relevant project documentation, to the Minister and Director of the EAB. The Minister's review period will commence upon receipt of the necessary information from the proponent. See Figure 3 for a flow chart outlining the MECP's decision-making process on elevation requests.

Requests which are clearly made with the intent of delaying a project, are frivolous or vexatious or which contain insufficient information may be denied by the Minister.

When, following a request having been made, the requester's concerns have been addressed by the proponent, the requester is responsible for withdrawing the elevation request. Written notice of withdrawals must be made in writing to the Minister and a copy sent to the Director of the EAB and the proponent. Where commitments are made by a proponent to address a requester's concern, the commitment must be documented by the proponent and filed with the proponent's copy of the Screening Report or Environmental Review Report (either on site or in an alternate location where it will be readily available). A copy of the documented commitment must also be sent to the Director of the EAB. The proponent is required to fulfill any such commitments in the implementation of the project.

If an elevation request is received by the Minister, the Minister will consider the views of the proponent and the requester(s) and may consult other government agencies before making a decision. In making a decision, the Minister shall consider the following issues:

- the basis of the request;
- the views of other government agencies that have been consulted by the proponent;
- the extent and nature of the concern;
- the potential for significant negative environmental effects;
- the proponent's Screening Report and/or Environmental Review Report and any related project documentation;
- the proponent's consultation program and attempts at dispute resolution;
- the public benefits of subjecting the project to an Environmental Review within the screening process or to an individual EA; and
- any other matter considered relevant by the Minister.

Within 30 calendar days of receiving the necessary information from the proponent, the Minister or Director for decisions referred to in D and E will decide to do one of the following things:

- (A) deny the request for elevation;
- (B) deny the request for elevation with conditions;
- (C) refer the matter to mediation before making a decision;
- (D) require the proponent to conduct further study before making a decision;
- (E) require the proponent to conduct an Environmental Review; or
- (F) require the proponent to prepare an individual EA.

Where Minister Decides to Deny Request or Deny with Conditions (Decision A or B)

Where the Minister has made decision A or B the Minister will notify the proponent and the requester in writing, stating reasons for the decision.

Where Minister Refers the Matter to Mediation (Decision C)

Where the Minister decides to refer the matter to mediation, the Minister will notify the proponent and the requester in writing, stating reasons for the decision. The Minister's determination of how mediation is to be carried out will be made in accordance with the principles outlined in Section 8 of the *Environmental Assessment Act*. Within 30 calendar days of receiving a report on the mediation, the Minister will, based on the results of that report, decide to:

- deny the request, with or without conditions (Decision A or B above); or
- require that an Environmental Review Report be prepared (Decision E above); or
- require the proponent to prepare an individual EA(Decision F above).

Where Minister Requires Further Study or Requires the Proponent to Conduct an Environmental Review (Decision D or E)

Where the Minister has made decision D or E, the Minister will notify the proponent and the requester in writing, stating reasons for the decision.

For decision D, the proponent shall carry out the further studies specified and submit them to the Minister, copying the Director. Following the submission of the studies, provided the Minister determines that the studies are complete, the Minister will within 30 calendar days decide to:

- deny the request, with or without conditions (Decision A or B); or
- require that an Environmental Review Report be prepared (Decision E above); or
- require the proponent to prepare an individual EA (Decision F above).

For decision E, the proponent will the conduct the environmental review process.

Where Director of the EAB Requires Further Study (Decision D)

Where the Director of the EAB decides to require further study by the proponent, the Director will notify the proponent and the requester in writing, stating reasons for the decision. A request cannot be made to have the decision reviewed by the Minister of the Environment, Conservation and Parks. Following the submission of the additional information required satisfactory to the Director, the Director will within 30 calendar days decide to:

- refer the request to the Minister for a decision (Decision A, B or F above); or

- require that an Environmental Review be conducted (Decision E above).

Director requires the Proponent to Conduct an Environmental Review (Decision E)

Where the Director of the EAB has made decision E, the Director will notify the proponent and the requester in writing, stating reasons for the decision. The proponent will then conduct the environmental review.

Where Minister requires an Individual EA (Decision F)

In cases where the Minister decides an individual EA is required (Decision F above), the Minister will notify the requester and the proponent in writing, stating reasons for the decision to require the proponent to satisfy the requirements of Part II of the *Environmental Assessment Act*.

The documentation, analysis and consultation conducted through the Environmental Screening Process can be used by the proponent in preparing the Terms of Reference and an individual EA.

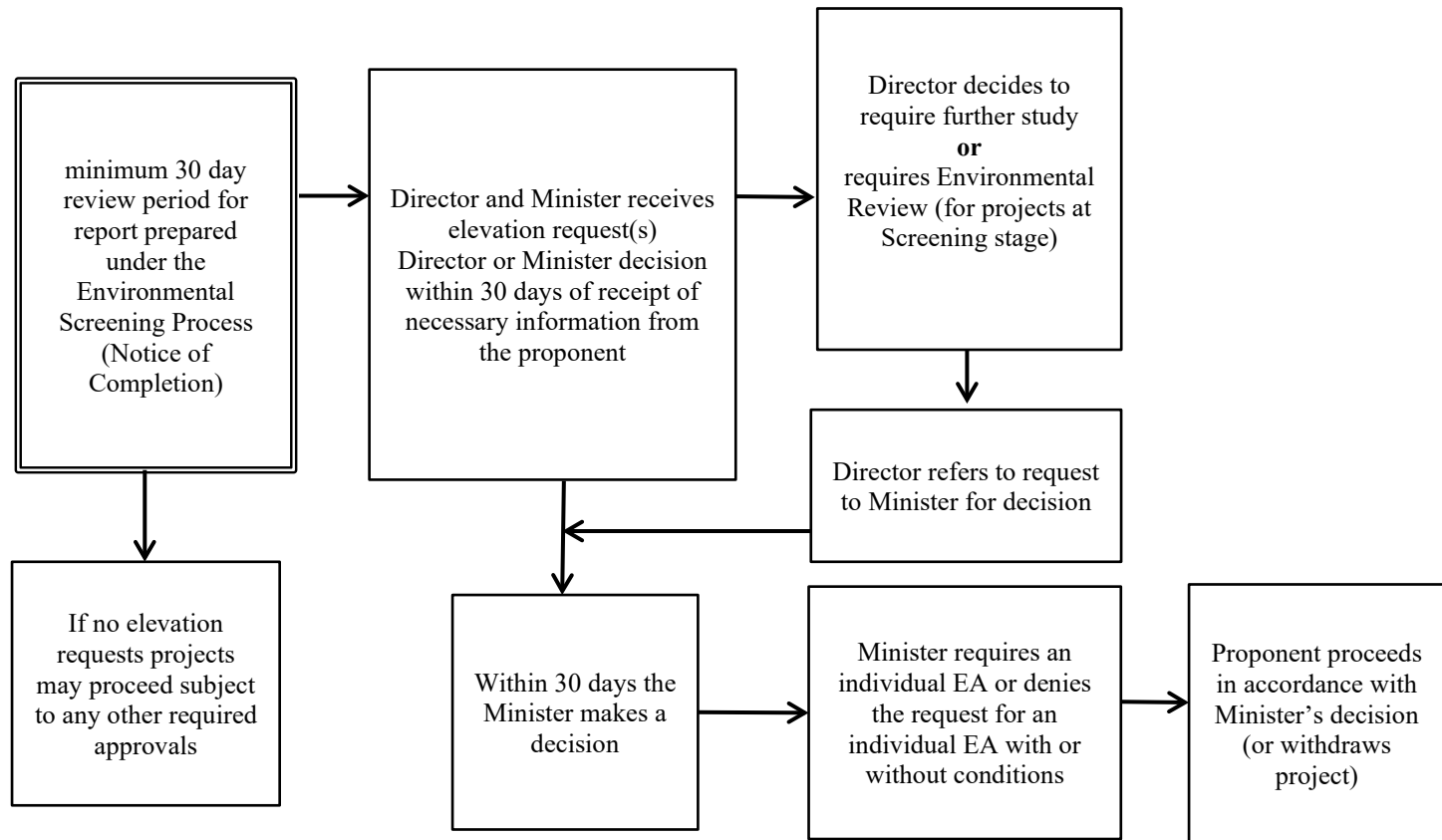
There may be instances where the Minister is not able to make a decision within 30 days of the request or 30 days of the receipt by the Director of any additional information the Director has requested and the Director is satisfied has been provided. The Minister's decision will not be considered invalid on the ground that the decision was made after any deadline. .

B.4.1.2 Minister's Elevation

At any point in the Environmental Screening Process, if it is determined that a project is likely to have significant negative environmental effects, and that the scope and scale of these effects are such that an individual EA is warranted, the Minister of the Environment, Conservation and Parks may of his or her own initiative require that a project be made subject to Part II of the Environmental Assessment Act (an individual EA). If the Minister requires an individual EA, the proponent will be informed in writing, stating reasons for the decision..

Figure 3: MECP Decision-making Process on Elevation Requests

Note: This Flow Chart is to be read in conjunction with the Environmental Screening Process for electricity projects



B.4.2 Statement of Completion

At the end of the Environmental Screening Process, the proponent issues a “Statement of Completion.” A Statement of Completion is issued to formalize the completion of the Environmental Screening Process when:

- a Screening Report and/or Environmental Review Report, or an Equivalent Review Process Report (see section B.5.1.1) was prepared, and no requests for elevation were submitted during the 30-day review period; or
- a final decision on a request to elevate the project was made not to elevate

Proponents shall complete the Statement of Completion form found in Appendix E, submit a copy to the Director of the EAB of the Ministry of the Environment, Conservation and Parks, and retain a copy on site (or in an alternate location where it will be readily available) for the life of the project.

B.4.3 Implementation

Once the Statement of Completion has been filed, and subject to any other approval requirements, the proponent can proceed to construct the project. The project must be implemented in the manner described in the Screening Report, Environmental Review Report or Equivalent Review Process Report. Any further commitments the proponent made to address concerns after one of the above-noted reports was prepared must also be fulfilled as the project is implemented. The proponent must also comply with any conditions that the Minister apply in a decision not to elevate a project. Construction of projects that are subject to the Environmental Screening Process cannot begin until the requirements of the Environmental Screening Process have been met.

During implementation of the project, the proponent must undertake any monitoring outlined in the Screening Report, Environmental Review Report or Equivalent Review Process Report. Monitoring is necessary to ensure that the mitigation measures identified in the Screening Report or Environmental Review Report or Equivalent Review Process Report are fulfilled and are effective. The results of monitoring shall be communicated to the public, Indigenous communities and review agencies, if required or requested.

B.5 ADMINISTRATIVE PROVISIONS

B.5.1 Transition Provisions

In August 2023 this Guide was updated to make the Minister the decision maker on elevation requests, apart from the decisions to request the proponent to conduct further study or require a project in the screening stage complete an environmental review, which is a decision that can also be made by the director.

Where a Notice of Completion has been published and elevation requests have been received by the Director of the Environmental Assessment Branch prior to August 8, 2023, but no decision has been made by the Director, the decision maker on the request shall be the decision maker identified in section B.4.1.1 as amended on August 8, 2023. The Minister shall be the decision maker to [A] deny the request for elevation, [B] deny the request for elevation with conditions, [C] refer the matter to mediation before making a decision, [D] require the proponent to conduct further study before making a decision; [E] require the proponent to conduct an Environmental Review ; or [F] require the proponent to satisfy the requirements of Part II of the Environmental Assessment Act. The Director or Minister shall be the decision maker to [D] require the proponent to conduct further study before the Minister makes a decision [D] or [E] require the proponent to conduct an Environmental Review .

The following provisions apply to projects that were in the process of being planned at the time the Electricity Projects Regulation came into force.

B.5.1.1 Projects That Are Planned

Where a proponent has reached the stage where its project planning has been completed, it will be subject to the requirements outlined below. A project should be considered “planned” if:

- the proponent is in the process of obtaining permits and approvals for construction; and
- the proponent has completed consultation with the public, Indigenous communities and agencies on the project (however, consultation with agencies on technical issues related to other approvals need not be complete for a project to be considered having “planned”).

The proponent must demonstrate it has reviewed the project under a process that is consistent with the Environmental Screening Process requirements. How the project review process is consistent with the requirements of the Environmental Screening Process must be documented in an Equivalent Review Process Report. This report must describe how the project has been reviewed and environmental concerns have been taken into account in a process that is consistent with the Environmental Screening Process requirements, including requirements to evaluate and address environmental impacts and to consult with agencies , and members of the public and Indigenous communities. The report must also clearly indicate what commitments the proponent is making to mitigate environmental effects. The proponent must fulfill these commitments during project implementation.

The Equivalent Review Process Report must be made available for public review in a convenient location(s) in the project area, such as a public library, municipal or band office, or community centre for at least 30 calendar days. In addition, the proponent should consider making the report available on the Internet. The proponent is required to publish a “Notice of Completion of Equivalent Review Process” in a local newspaper(s) with circulation in the vicinity of the project. Where no such newspaper

exists, the proponent shall be responsible for determining the equivalent local means of providing adequate notice to the general public. The proponent is required to mail or deliver the notice to the EA Coordinator at the appropriate Regional Office of MECP, to adjacent landowners and tenants, and to all those who have expressed an interest in the project.

The notice shall include:

- a description of the project, name of the proponent, location, and contact information;
- indication that:
 - the proponent intends to proceed under the Transition Provisions in the Ministry of the Environment's Environmental Screening Process for electricity projects; and
 - the project has been reviewed in a process consistent with the Environmental Screening Process;
- the results of the Equivalent Review Process (e.g., there are no significant environmental effects, the proponent intends to proceed with the project, subject to mitigation, impact management measures, other commitments, and other approvals);
- the location(s) where the Equivalent Review Process Report and other documentation related to the project may be reviewed;
- notification that:
 - if a concerned party has outstanding environmental concerns about the project, it should raise these concerns with the proponent;
 - if the proponent and the concerned party are unable to resolve the matter, the concerned party can make a written request to the Director of the Environmental Assessment and Approvals Branch EAB, Ministry of the Environment to elevate the project to an individual EA. A copy of the elevation request must be sent to the proponent;
 - elevation requests must be made in accordance with the provisions set out in the Ministry of the Environment's Environmental Screening Process for electricity projects;
- the address of the Director of the Environmental Assessment and Approvals Branch EAB, Ministry of the Environment; and
- the last date when requests for elevation will be received.

If no requests for elevation of the project have been received at the end of the 30-day review period, the proponent submits a "Statement of Completion" to the Ministry of the Environment, and retains a copy on site (or in an alternate location where it will be readily available) for the life of the project. For more information on the Statement of Completion requirements, see section B.4.2. At this point, the proponent has completed

the Environmental Screening Process under the *Environmental Assessment Act*, and the project may proceed subject to any other required approvals. The project must be implemented in the manner described in the Equivalent Review Process Report.

See section B.4.1 of the Environmental Screening Process for more information on elevation requests.

If the proponent cannot demonstrate that the project has been reviewed and environmental concerns have been taken into account in a process that is consistent with the requirements of the Environmental Screening Process, the provisions for “Projects that are Partially Planned” (below) should be applied. This allows a proponent to use the analysis and consultation that it has already completed to fulfill some of the requirements of the Environmental Screening Process, but requires it to do additional analysis and/or consultation to satisfy the remaining Environmental Screening Process requirements.

B.5.1.2 Projects That Are Partially Planned

For those projects which are in progress and partially planned, the requirements set out below apply. A project should be considered “partially planned” if:

- the proponent is in the process of consulting with agencies, Indigenous communities and the public on the project; and
- the proponent is not yet obtaining approvals needed to construct the facility.,

Proponents in this situation are advised to enter the Environmental Screening Process at a point that reflects where they are in the decision-making process. For example, if the proponent has already issued a notice that is similar to the “Notice of Commencement” required for a Screening or Environmental Review Report, another notice need not be issued under the Environmental Screening Process. Proponents with projects that are “partially planned” are required to prepare a Screening Report or Environmental Review Report, or a similar report that contains the information required in such reports as described in the Environmental Screening Process. The Notice of Completion and Statement of Completion requirements as set out in the Environmental Screening Process for Screening Reports or Environmental Review Reports apply, with necessary modifications, to projects that are “planned.”

If proponents are uncertain whether their projects should be considered “planned” or “partially planned,” or are otherwise uncertain about how the transition provisions in the Environmental Screening Process apply to their projects, they can contact the EA Coordinator at the appropriate Regional Office of MECP.

B.5.2 Addendum Provisions

The purpose of the addendum provisions is to require proponents to consider the environmental significance of minor modifications to projects, and to require consultation on changes that are environmentally significant. A “minor” modification is a

modification that is below the threshold for a “significant modification” under the Electricity Projects Regulation. For example, a modification that increases the capacity of a gas-fired generating station by less than 5 megawatts, or that does not increase capacity, would be considered a minor modification. There are a number of circumstances under which proponents must apply the addendum provisions outlined in this section:

- where a project has been planned in accordance with the Environmental Screening Process, but where a proponent decides prior to or during construction that it is not feasible or desirable to implement the project in the manner described in the completed Screening or Environmental Review Report.
- where a project has been constructed/implemented as described in a completed Screening or Environmental Review report under the Environmental Screening Process, and where the proponent wishes to make a minor modification to the project.
- where a project was approved under an individual EA, and the proponent wishes to make a minor modification to the project that is not covered by the original approval.

Note that a minor modification to a facility that was not subject to approval under the *Environmental Assessment Act* when it was constructed (e.g., a private sector facility constructed prior to the Electricity Projects Regulation coming into force in 2001) is grandparented from the EA requirements, and therefore is not subject to these addendum provisions.

Proponents shall determine, through technical review and/or consultation with interested and affected parties and Indigenous communities, and by applying the screening criteria set in Appendix A, whether the proposed modification to the project may have negative environmental effects. Where it is determined that there will be no negative environmental effects, the proponent shall document that determination. Where it is determined that there may be negative environmental effects, the proponent shall prepare an Addendum. The Addendum shall reference the original report or EA approval and describe the modification being considered, the circumstances necessitating the modification, the environmental implications of the modification, and what will be done to mitigate any negative environmental effects.

Proponents shall determine, through technical review and/or consultation with interested and affected parties where it is determined that there may be negative environmental effects, the proponent shall prepare an Addendum.

A Notice of Filing of Addendum shall be given to adjacent landowners and tenants and to all previously involved members of the public, Indigenous communities and review agencies, including the EA Coordinator at the appropriate Regional Office of MECP. In the case of a modification to a project planned through the Environmental Screening Process, notice shall be given to all who were notified at the original Notice of Completion stage. The Notice of Filing of Addendum shall advise the public, Indigenous

communities and agencies of their right to request that the modification to the project be elevated to an Environmental Review or an individual EA, and advise them that such requests must be submitted to the Minister, copying the Director of the EAB in writing, with a copy sent to the proponent, within 30 days. If no request is received by the Minister, the proponent can proceed with implementation and construction subject to any other approval requirements. The proponent shall keep a copy of the Addendum with the original Screening Report, Environmental Review Report or individual EA approval on site (or in an alternate location where it will be readily available) for the life of the project. Where an elevation request is submitted to the Minister, the provisions outlined in section B.4.1.1, with necessary modifications, apply.

During the minimum 30-day review period, no work shall be undertaken that will adversely affect the matter under review. Furthermore, where implementation of a project has already commenced, those portions of the project which are the subject of the Addendum, or have the potential to be directly affected by the proposed modification, shall cease until the termination of the minimum 30-day review period.

When a proposed modification to a project is in response to an emergency situation during construction or where a delay in the implementation of the modification would result in negative environmental effects, the modifications can be implemented without delay and affected parties must be contacted. An Addendum shall subsequently be prepared for emergency modifications with negative environmental effects. The Addendum must document the modification, the circumstances necessitating the modification, the environmental implications of the modification, and what was done to mitigate any negative environmental effects. A copy of the Addendum shall be kept with the original Screening Report or Environmental Review Report, or individual EA approval. A Notice of Filing of Addendum shall be given to adjacent landowners and tenants and to all previously involved Indigenous communities, members of the public and review agencies, including the EA Coordinator at the appropriate Regional Office of MECP. In the case of a modification to a project planned through the Environmental Screening Process, notice shall be given to all who were notified at the original Notice of Completion stage. Requests cannot be made to elevate Addenda that are prepared to address emergency situations.

B.5.3 Duration and Renewal of Screening Acceptance

If a project has met the Environmental Screening Process requirements but has not yet reached the “start of construction” within five years of completing the Environmental Screening Process, the proponent shall review the planning and design process and the current environmental setting to ensure that the project and the mitigation measures are still valid. If the review does not identify important changes, the project can proceed without amendments to the Screening Report or Environmental Review Report. The proponent is required to retain a copy of the review results with the original Screening Report or Environmental Review Report.

If changes have occurred or modifications are required that may result in negative environmental effects, the review shall be recorded in an Addendum to the Screening

Report or Environmental Review Report. Proponents are required to follow the requirements for filing a Notice of Filing of Addendum as outlined in section B.5.2, including consultation with the public, Indigenous communities and agencies, with any necessary modifications.

B.5.4 Retention of Documents

Proponents are required to retain any Screening Report, Environmental Review Report, Equivalent Review Process Report, or Addendum and related notices and Statements of Completion prepared under the Environmental Screening Process on site (or in an alternate location where they will be readily available) for the life of the project, including decommissioning. Documentation of any commitments the proponent made to address concerns after one of the above noted reports was prepared must also be documented and kept on site, or in an alternate location, for the life of the project. These documents shall be available for inspection by any agency, Indigenous community or interested member of the public. Proponents shall also make supporting documentation and correspondence related to the Environmental Screening Process available for public, Indigenous community or agency review if requested.

Proponents are required to retain any Screening Report, Environmental Review Report, Equivalent Review Process Report, or Addendum and related notices and Statements of Completion prepared under the Environmental Screening Process on site (or in an alternate location where they will be readily available) for the life of the project, including decommissioning.

Upon request, a proponent shall provide MECP with a copy of any Screening Report, Environmental Review Report, Equivalent Review Process Report, or Addendum prepared under the Environmental Screening Process, or copies of any commitments made by the proponent to address concerns after one of the above-noted reports was prepared. Proponents shall also provide copies of supporting documentation and correspondence related to the Environmental Screening Process to the MECP if requested.

B.6 PROCESS FOR AMENDMENTS TO THE ENVIRONMENTAL SCREENING PROCESS

The purpose of an amending procedure is to allow for modifications to the Environmental Screening Process. If a proposal is made to extend the application of the Environmental Screening Process to additional projects that were not previously included, an amendment to the Electricity Projects Regulation would be required.

Changes to the Environmental Screening Process may be either in response to a request that a change be made, or because the Director of the EAB decides on his or her own initiative that such a change is desirable. The following process will be used to make amendments to the Environmental Screening Process:

- If the Director of the EAB determines that the change being considered is not environmentally significant, he or she may make the change to the Environmental Screening Process, and notify stakeholders and Indigenous communities of the change. Notice of the change will be posted on the Environmental Registry maintained under the Environmental Bill of Rights, and a copy of the amended Environmental Screening Process will be made available on the Internet.
- If the Director determines that the amendment is environmentally significant, the proposed amendment will be posted on the Environmental Registry as a proposal for a policy for a minimum 30-day comment period.
- The Director will consider any comments received and decide whether or not to make the amendment.
- A notice of decision will be posted on the Environmental Registry indicating what amendment (if any) was made to the Environmental Screening Process. If the Environmental Screening Process is amended, stakeholders and Indigenous communities will be notified of the change and a copy of the amended Environmental Screening Process will be made available on the Internet.
- The Director may decide to compile amendments and consider them jointly in a periodic review of the Environmental Screening Process.

B.7 MINISTRY MONITORING

B.7.1 Monitoring Implementation

The Environmental Assessment Branch of the Ministry of the Environment, Conservation and Parks will keep a record of information on the types of projects which follow the requirements of the Environmental Screening Process. The EAB will also keep a record of the elevation requests submitted to the MECP and other comments related to the implementation and administration of the Environmental Screening Process. Monitoring implementation will help the EAB to identify any modifications or improvements that may need to be made to the Environmental Screening Process.

B.7.2 Monitoring Compliance

The MECP will monitor for compliance with the Environmental Screening Process. The Ministry will monitor both for compliance with the procedural requirements of the Environmental Screening Process (e.g., are proponents providing the required notices, including required information in reports prepared under the Environmental Screening Process, etc.), and for compliance with commitments to mitigation made in proponents' reports prepared under the Environmental Screening Process.

Note: Appendices B and E which follow are part of the Environmental Screening Process. The other appendices are provided for information purposes only.

Appendix A: Ministry of the Environment, Conservation and Parks Offices

Minister of the Environment, Conservation and Parks

Ministry of Environment, Conservation and Parks
777 Bay Street, 5th Floor
Toronto ON M7A 2J3
minister.mecp@ontario.ca

Environmental Assessment Branch

Ministry of the Environment, Conservation and Parks
135 St. Clair Ave. W, 1st Floor
Toronto ON, M4V 1P5
EABDirector@ontario.ca

In order to deliver its programs to Ontario residents, the Ministry has divided the Province into five regions:

Central Region	eanotification.cregion@ontario.ca
Eastern Region	eanotification.eregion@ontario.ca
Northern Region	eanotification.nregion@ontario.ca
Southwest Region	eanotification.swregion@ontario.ca
West Central Region	eanotification.wcregion@ontario.ca

Appendix B: Screening Criteria

The screening criteria below are to be applied to every project being reviewed under the Environmental Screening Process. The proponent must provide responses to each of the following questions, based on current knowledge or preliminary investigations, by placing a checkmark in the appropriate box. If the proponent is uncertain of the response to a question, it is the proponent's responsibility to conduct further studies or consultation to accurately answer the question. This screening must focus on the potential for negative environmental effects resulting from the project (see glossary for a description of negative environmental effects). For the purpose of completing this checklist, mitigation or impact management measures are not to be considered. They are considered at the subsequent step when determining net effects.

Each criterion is based on a question which is prefaced with the phrase: Will the project

...

Criterion	Yes	No	Additional information
1. Surface and Ground Water			
1.1 have negative effects on surface water quality, quantities or flow?			
1.2 have negative effects on ground water quality, quantity or movement?			
1.3 cause significant sedimentation, soil erosion or shoreline or riverbank erosion on or off site?			
1.4 cause potential negative effects on surface or ground water from accidental spills or releases to the environment?			
2. Land			
2.1 have negative effects on residential, commercial or institutional land uses within 500 metres of the site?			
2.2 be inconsistent with the Provincial Policy Statement, provincial land use or resource management plans?			
2.3 be inconsistent with municipal land use policies, plans and zoning by-laws?			
2.4 use hazard lands or unstable lands subject to erosion?			
2.5 have potential negative effects related to the remediation of contaminated land ?			
3. Air and Noise			
3.1 have negative effects on air quality due to emissions of nitrogen dioxide, sulphur dioxide, suspended particulates, or other pollutants?			
3.2 cause negative effects from the emission of greenhouse gases (CO ₂ , methane)?			
3.3 cause negative effects from the emission of dust or odour?			
3.4 cause negative effects from the emission of noise?			
4. Natural Environment			

Criterion	Yes	No	Additional information
4.1 cause negative effects on rare, threatened or endangered species of flora or fauna or their habitat?			
4.2 cause negative effects on protected natural areas such as ANSIs, ESAs or other significant natural areas?			
4.3 cause negative effects on wetlands?			
4.4 have negative effects on wildlife habitat, populations, corridors or movement?			
4.5 have negative effects on fish or their habitat, spawning, movement or environmental conditions (e.g., water temperature, turbidity, etc.)?			
4.6 have negative effects on migratory birds, including effects on their habitat or staging areas?			
4.7 have negative effects on locally important or valued ecosystems or vegetation?			
5. Resources			
5.1 result in inefficient (below 40%) use of a non-renewable resource (efficiency is defined as the ratio of output energy to input energy, where output energy includes electricity produced plus useful heat captured)?			
5.2 have negative effects on the use of Canada Land Inventory Class 1-3, specialty crop or locally significant agricultural lands?			
5.3 have negative effects on existing agricultural production?			
5.4 have negative effects on the availability of mineral, aggregate or petroleum resources?			
5.5 have negative effects on the availability of forest resources?			
5.6 have negative effects on game and fishery resources, including negative effects caused by creating access to previously inaccessible areas?			
6. Socio-economic			
6.1 have negative effects on neighbourhood or community character?			
6.2 have negative effects on local businesses, institutions or public facilities?			
6.3 have negative effects on recreation, cottaging or tourism?			
6.4 have negative effects related to increases in the demands on community services and infrastructure?			
6.5 have negative effects on the economic base of a municipality or community?			
6.6 have negative effects on local employment and labour supply?			
6.7 have negative effects related to traffic?			
6.8 cause public concerns related to public health and safety?			
7. Heritage and Culture			
7.1 have negative effects on heritage buildings, structures or sites, archaeological resources, or cultural heritage landscapes?			

Criterion	Yes	No	Additional information
7.2 have negative effects on scenic or aesthetically pleasing landscapes or views?			
8. Indigenous			
8.1 cause negative effects on Indigenous communities?			
9. Other			
9.1 result in the creation of waste materials requiring disposal?			
9.2 cause any other negative environmental effects not covered by the criteria outlined above?			

If a response to a question indicates “Yes,” there is potential for negative environmental effects, the proponent must provide additional information and analysis in the Screening Report to describe those effects, identify mitigation or impact management measures to prevent or reduce the effects, and assess the significance of any remaining net effects.

Appendix C: Select Provincial and Federal Agencies

Provincial Agencies

Ministry of Agriculture, Food and Rural Affairs (OMAFRA)
Ministry of Culture and Multiculturalism (MCM)
Ministry of Energy (ENERGY)
Ministry of the Environment, Conservation and Parks (MECP)
Ministry of Municipal Affairs and Housing (MMAH)
Ministry of Natural Resources and Forestry (MNRF)
Ministry of Mines (MINES)
Ministry of Transportation (MTO)
Ministry of Community and Social Services (MCSS)
Ontario Energy Board (OEB)
Ministry of Indigenous Affairs (IAO)
Conservation Authorities

Federal Agencies

Impact Assessment Agency (IAA)
Fisheries and Oceans Canada
Environment and Climate Change Canada
Indigenous and Northern Affairs Canada
National Energy Board

Appendix D: Other Environmental Legislation

Environmental Protection Act

The *Environmental Protection Act* (EPA) prohibits the discharge of contaminants into the natural environment that will or are likely to have an adverse effect. Any specified undertaking which involves discharging a contaminant into the air (including noise and vibration) or waste management/disposal will require a certificate of approval from the Ministry of the Environment, Conservation and Parks under the EPA.

Ontario Water Resources Act

The *Ontario Water Resources Act* (OWRA) regulates the taking of water from ground or surface water sources as well as the treatment and disposal of sewage, and requires proponents to obtain approval from the Ministry of the Environment, Conservation and Parks. Approval may consist of a certificate of approval and/or a permit-to-take-water, depending on the proposed undertaking.

Planning Act

The *Planning Act* regulates land use planning in the Province of Ontario and is administered by the Ministry of Municipal Affairs and Housing and municipal governments. Projects which are subject to the Environmental Screening Process may also required approval under the *Planning Act*, such as an amendment to a municipal official plan, a change in zoning, and/or a minor variance to a zoning by-law. The *Planning Act* generally requires some public consultation for these land use applications. Proponents should contact the local municipal government to enquire if any land use approvals are required for their proposed undertaking.

Lakes and Rivers Improvement Act

The *Lakes and Rivers Improvement Act* regulates the construction, repair and use of a dam on any lake or river, or diversions of streams and is administered by the Ministry of Natural Resources and Forestry. Construction of a dam requires approval from the Minister of Natural Resources and Forestry.

Impact Assessment Act

Electricity projects may also be subject to the *Impact Assessment Act*.

For more information on the federal impact assessment process, as well as available guidance materials, please visit the Impact Assessment Agency of Canada's website at: <https://www.canada.ca/en/impact-assessment-agency.html>

Details on the requirements and implementation of the *Impact Assessment Act* can also be obtained from:

Ontario Region Office
Impact Assessment Agency of Canada
55 St. Clair Avenue East, Suite 907
Toronto, ON M4T 1M2
Phone: (416) 952-1576
Fax: (416) 952-1573
E-mail: ontarioregion-regiondontario@iaac-aeic.gc.ca

The Physical Activities Regulation (also know as the Project List) identifies types of projects that may require an impact assessment under the Impact Assessment Act. When the physical activity associated with the carrying out of a proponent's project is described in Physical Activities Regulations the proponent must provide the Agency with an Initial Project Description.

Link to the Physical Activities Regulation:
<https://laws.justice.gc.ca/eng/regulations/SOR-2019-285/index.html>

Fisheries Act

The federal *Fisheries Act* provides protection for fish and fish habitat. Under the habitat provisions of the Act, no person shall carry out any work or undertaking that harmfully alters, disrupts or destroys fish habitat, unless authorized by the Minister of Fisheries and Oceans Canada. An authorization under section 35(2) of the *Fisheries Act* protects an individual from prosecution under the Act, provided the conditions of the authorization are met. .

Contact with the Conservation Authority and Ministry of Natural Resources under provincial regulations should identify the need to contact Fisheries and Oceans Canada. These agency contacts should be made early in the planning process. Information on the *Fisheries Act* and Fisheries and Oceans Canada's *Policy for the Management of Fish Habitat* is available at www.ncr.dfo.ca on the Internet.

Navigable Waters Protection Act

Any project that has the potential to affect the navigability of a navigable waterway requires a permit under the *Navigable Waters Protection Act*. To ascertain whether or not a waterway or watercourse is considered to be navigable, contact the DFO - Canadian Coast Guard.

The Statement of Completion can be downloaded from the Central Forms Repository at:
[Statement of Completion – Electricity Projects - Forms - Central Forms Repository \(CFR\) \(gov.on.ca\)](#)

For Office Use Only		
Reference Number	Date (y/m/d)	Initials

General Information and Instructions

General:

The information provided on this form is collected under authority of the Ministry of the Environment's Environmental Screening Process for electricity projects.

Instructions:

- Questions regarding the completion and submission of this form should be directed to Client Services at the Environmental Assessment and Approvals Branch (416-314-8001 or 1-800-461-6290).
- Please send the completed form to: Ministry of the Environment,
Director, Environmental Assessment and Approvals Branch
2 St. Clair Avenue West, Floor 12A, Toronto, ON M4V 1L5

Proponent Information

Proponent Name (legal name of individual or organization):

Contact Name:

Proponent Type:

- | | | | |
|---|---|--|--|
| <input type="checkbox"/> Corporation | <input type="checkbox"/> Individual | <input type="checkbox"/> Partnership | <input type="checkbox"/> Sole Proprietor |
| <input type="checkbox"/> Municipal Government | <input type="checkbox"/> Federal Government | <input type="checkbox"/> Provincial Government | |
| <input type="checkbox"/> Other (<i>describe</i>): | | | |

Proponent Mailing Address - Complete A, C & D or B, C & D

- A. Civic Address- Street information (*applies to an address that has civic numbering and street information includes street number, name, type and direction*) Unit Identifier (*identifies type of unit, such as suite & number*)
- B. Delivery Designator: Rural Route Suburban Service Mobile Route General Delivery Delivery Identifier (*a number identifying a Rural Route, Suburban Service or Mobile Route delivery mode*)
- C. Municipality/Unorganized Township County/District Province/State Country Postal Code
- D. Telephone Number (*including area code & extension*) Fax Number (*including area code*) E-mail Address

Site Address Complete A or B and the remainder of the section.

A. Site Address - Street information (*applies to an address that has civic numbering and street information - includes street number, name, type and direction*) Unit Identifier (*identifies type of unit, such as suite & number*)

B. Survey Address (*used for a rural location specified for a subdivided township, an unsubdivided township or unsurveyed territory*) NOTE: Do not complete "B" if you completed "A."

Lot and Conc.: used to indicate location within a subdivided township and consists of a lot number and a concession number. Lot Conc. Part and Reference: used to indicate location within an unsubdivided township or unsurveyed territory, and consists of a part and a reference plan number indicating the location within that plan. Attach copy of the plan. Part Reference Plan

Non Address Information (*includes any additional information to clarify clients' physical location*)

Geo Reference

Map Datum Zone Accuracy Estimate Geo Referencing Method UTM Easting UTM Northing

Municipality/Unorganized Township

County/District

Postal Code

Project Information

Project Name

Nameplate Capacity of Facility (in megawatts):

Power Source or Fuel Type

wind
 waste biomass
 liquid industrial waste

water (hydroelectric)
 oil
 Other (describe):

natural gas
 coal

biomass
 municipal solid waste

landfill gas
 hazardous waste

Brief Project Description

Was a Screening Report prepared? Yes No

Was an Environmental Review Report prepared? Yes No

Was an Equivalent Review Report prepared? Yes No

Availability of Documentation (proponents are required to retain, either on site or in another location where they will be readily available, any Screening Report, Environmental Review Report, Equivalent Review Report, Addendum, and related notices and Statements of Completion prepared under the Environmental Screening Process, as well as documentation of any commitments made by the proponent to address concerns after one of the above-noted reports was prepared) Complete **A** or **B** and the remainder of section.

A. Site Address - Street information (applies to an address that has civic numbering and street information - includes street number, name, type and direction)

Same as Site Address

Unit Identifier (identifies type of unit, such as suite & number)

B. Survey Address (used for a rural location specified for a subdivided township, an unsubdivided township or unsurveyed territory) NOTE: Do not complete "B" if you completed "A."

Lot and Conc.: used to indicate location within a subdivided township and consists of a lot number and a concession number.

Lot Conc.

Part and Reference: used to indicate location within an unsubdivided township or unsurveyed territory, and consists of a part and a reference plan number indicating the location within that plan. Attach copy of the plan.

Part Reference Plan

Non Address Information (includes any additional information to clarify physical location)

Municipality/Unorganized Township

County/District

Postal Code

Contact Name for information about project documentation

Telephone Number for information about project documentation (including area code & extension)

Elevation Requests

Were any Elevation Requests Received? Yes No If Yes, how were they resolved?

Statement of Proponent

I, the undersigned hereby declare that, to the best of my knowledge, the information contained in this statement is complete and accurate in every way, and I have complied with the Environmental Screening Process established under the Environmental Assessment Act of Ontario in the environmental review of the above-noted project.

Name (please print)

Title

Signature

Date (y/m/d)

