

# Feedback Form

## LT2-RFP Joint Session, February 22, 2024

### Feedback Provided by:

Name: Julien Wu

Title: Director, Regulatory Affairs

Organization: Evolgen by Brookfield Renewable

Date: March 7 2024

To promote transparency, feedback submitted will be posted on the LT RFP engagement webpage unless otherwise requested by the sender. If you wish to provide confidential feedback, please mark as "confidential".

Following the February 22, 2024, LT2-RFP joint engagement with Ministry of Municipal Affairs and Housing (MMAH) and Ontario Ministry of Agriculture, Food, and Rural Affairs (OMAFRA) webinar, the Independent Electricity System Operator (IESO) is seeking feedback on items discussed during the webinar. The webinar presentation and recording can be accessed from the LT RFP [engagement web page](#).

**Please submit feedback to [engagement@ieso.ca](mailto:engagement@ieso.ca) by **March 7, 2024**.**

Topic	Feedback
<p>What are some considerations if certain technology types were limited, or restricted from being developed on Ontario's prime agricultural areas?</p>	<p>Evolugen by Brookfield Renewable appreciates the opportunity to provide feedback.</p> <p>We submit that no project—regardless of technology type—should be excluded from any class of land, provided that proponents can obtain the appropriate municipal and/or First Nations support. A blanket restriction on prime agricultural areas would undercut local communities' own planning processes and decisions, as well as landowners' right to make use of their property as they see fit.</p> <p>Fundamentally, we believe that renewable development can co-exist with the right of local communities and landowners to self-determination, and decisions regarding project development are best made on a case-by-case and negotiated basis. The provincial planning act and other rules and regulations can help set standards and provide guidance, but they should not be overly prescriptive and inadvertently erode the rights of local communities and landowners.</p>
Topic	Feedback
<p>Given the limited amount of specialty crop areas in the province, how would diverting or restricting energy projects from these areas impact your ability to develop your energy project?</p>	
Topic	Feedback
<p>What would the impact be if there were requirements to avoid, minimize and mitigate agricultural impacts in prime agricultural areas?</p>	
Topic	Feedback

Topic	Feedback
Based on what you heard today, do you require additional clarity on agriculture land restrictions? Why or why not?	<p data-bbox="743 163 1507 598">Yes, it is unclear whether OMAFRA will introduce changes or not to the existing policy framework governing agricultural land use. Land-related policy’s certainty is paramount to the success of this RFP. Proponents, local communities, and landowners cannot negotiate effectively unless all parties understand and agree on what rules to abide by. The earlier the Ministries can publish their intention regarding land-related policy—whether to maintain the status quo or apply changes—the earlier the parties can advance with project development and prepare for bid submission.</p> <p data-bbox="743 640 1507 756">We strongly recommend that the Ministries make such announcements via provincial communication by April 31<sup>st</sup> 2024 to provide the necessary clarity.</p>

## General Comments/Feedback

In relation to Crown Land access and Applicant of Record (AOR) Status and Land User Permits (LUP): we strongly recommend that the MNRF maintain the current list of AOR Status, and in particular, to re-affirm the exclusivity of LUP for existing permit holders. Proponents holding this status and the permits have applied to the processes in good faith; and this, in anticipation of eventual opportunities to invest in electricity projects in Ontario. Over many years, considerable expenses have been committed in local communities and regions covered by the AOR status and LUPs—including but not limited to the installation of MET towers and other pre-development work, as well as efforts in local outreach. This long-term commitment to invest in Ontario should not be penalized, and we ask that the government honor our confidence in the province by maintaining the existing AOR and LUPs.

Should the government wish to re-evaluate the AOR and LUP processes—where again, we ask that existing holders’ priority and rights be maintained—we recommend that MNRF give proponents with AOR and LUPs the first opportunity to demonstrate their *intent to develop* over the next six months. This *intent to develop* could include proof of engagement with local First Nations partners and other development-related activities. For example, a memorandum of understanding signed between a local First Nation community and the project proponent would clearly demonstrate their *intent to develop* and to make use of the AOR and/or LUPs. In doing so, this demonstration would serve to refresh the AOR and LUP processes, and in turn maintain the proponent’s existing and exclusive access to that land.