



# Appendix B Areas of Interest Table

## Environmental Review Report

York Energy Centre Upgrades Project

Capital Power Corporation

SLR Project No.: 241.030524.00026

July 2024

## MECP Areas of Interest (v. August 2022)

MECP Comment	Response
<b>Planning and Policy</b>	
<p>Applicable plans and policies should be identified in the report, and the proponent should describe how the proposed Project adheres to the relevant policies in these plans.</p> <ul style="list-style-type: none"> <li>Projects located in MECP Central, Eastern or West Central Region may be subject to <b>A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)</b>.</li> <li>Projects located in MECP Central or Eastern Region may be subject to the <b>Oak Ridges Moraine Conservation Plan (2017)</b> or the <b>Lake Simcoe Protection Plan (2014)</b>.</li> <li>Projects located in MECP Central, Southwest or West Central Region may be subject to the <b>Niagara Escarpment Plan (2017)</b>.</li> <li>Projects located in MECP Central, Eastern, Southwest or West Central Region may be subject to the <b>Greenbelt Plan (2017)</b>.</li> <li>Projects located in MECP Northern Region may be subject to the <b>Growth Plan for Northern Ontario (2011)</b>.</li> </ul>	<p><b>Relevant report sections: 5.0 (Existing Conditions), and Appendix A (Screening Checklist), Table A-2</b></p> <p>The following relevant plans and policies were reviewed and confirmed no conflicts with the proposed Project:</p> <ul style="list-style-type: none"> <li><i>Environmental Assessment Act</i>;</li> <li><i>Planning Act</i>;</li> <li>Provincial Policy Statement;</li> <li>Greenbelt Plan;</li> <li>Lake Simcoe Protection Plan;</li> <li>York Region Official Plan;</li> <li>Township of King Official Plan; and</li> <li>Township of King Zoning.</li> </ul>
<p>The <b>PPS (2020)</b> contains policies that protect Ontario’s natural heritage and water resources. Applicable policies should be referenced in the report, and the proponent should describe how the proposed Project is consistent with these policies.</p>	<p>The land use planning review did not identify any inconsistencies with policies described within any of the above, including the Provincial Policy Statement. The YEC Property is designated as Protected Countryside and Provincial Natural Heritage System in the York Region Official Plan, and Special Policy Area (C-SSPA-3) in the Township of King Official Plan. This policy exempts 18781 and 18765 Dufferin Street from the <i>Planning Act</i> as per Ontario Regulation 305/10 pursuant to s. 62.0.1 of the Act and permits the use of electricity generation onsite. Federal planning policies are not applicable.</p>
<p>In addition to the provincial planning and policy level, the report should also discuss the planning context at the municipal and federal levels, as appropriate.</p>	
<b>Source Water Protection</b>	
<p>The proponent should identify the source protection area and should clearly document how the proximity of the Project to sources of drinking water (municipal or other) and any delineated vulnerable areas was considered and assessed. Specifically, the report should discuss whether or not the Project is located in a vulnerable area and provide applicable details about the area.</p>	<p><b>Relevant report sections: Section 2.0 (Project Description), Section 5.0 (Existing Conditions: Surface Water), and Appendix A (Screening Checklist), Table A-2</b></p> <p>The Project source water protection area is the South Georgian Bay Lake Simcoe (SGBLS) Source Protection Region. As part of a separate Project related to an adjacent property, Capital Power confirmed with the Risk Management Inspector (RMI) for SGBLS Source Protection Region that the site is partially within a Wellhead Protection Area D (WHPA-D). The SGBLS RMI noted that the site is also located within a Recharge Management Area 1 WHPA-Q and Significant Groundwater Recharge Area (SGRA). This information is considered sufficient to also inform the YEC Upgrades project, given the scope of the proposed activities. Adherence with applicable source water protection plans and policies will remain unchanged.</p> <p>The Project does not include prescribed drinking water threats as presented in Section 1.1 of O. Reg. 287/07. The Project will be entirely confined to the footprint of the existing YEC.</p> <p>The Project construction phase is associated with equipment delivery and installation within the existing facility pad. No effects on surface or groundwater quality, quantity, flow, or sediment control are anticipated. The Project does not include the storage or handling of any materials or substances that have the potential to cause negative effects as a result of a spill.</p> <p>There are no other vulnerable areas (e.g., Events Based Areas (EBA), Highly Vulnerable Areas (HVA), Intake Protection Zones (IPZ), or Issue Contributing Areas (ICA) located within the Study Area.</p>
<p>If located in a vulnerable area, proponents should document whether any Project activities are prescribed drinking water threats and thus pose a risk to drinking water (this should be consulted on with the appropriate Source Protection Authority). Where an activity poses a risk to drinking water, the proponent must document and discuss in the report how the Project adheres to or has regard to applicable policies in the local source protection plan. This section should then be used to inform and be reflected in other sections of the report, such as the identification of net positive/negative effects of alternatives, mitigation measures, evaluation of alternatives etc.</p>	
<p>In order to determine if this Project is occurring within a vulnerable area, proponents can use this mapping tool: <a href="http://www.applications.ene.gov.on.ca/swp/en/index.php">http://www.applications.ene.gov.on.ca/swp/en/index.php</a>. Note that various layers (including WHPAs, WHPA-Q1 and WHPA-Q2, IPZs, HVAs, SGRAs, EBAs, ICAs) can be turned on through the “Map Legend” bar on the left. The mapping tool will also provide a link to the appropriate source protection plan in order to identify what policies may be applicable in the vulnerable area.</p>	
<p>While most source protection plans focused on including policies for significant drinking water threats in the WHPAs and IPZs it should be noted that even though source protection plan policies may not apply in HVAs, these are areas where aquifers are sensitive and at risk to impacts and within these areas, activities may impact the quality of sources of drinking water for systems other than municipal residential systems.</p>	



MECP Comment	Response
<p>For further information on the maps or source protection plan policies which may relate to their Project, proponents must contact the appropriate source protection authority. <b>Please consult with the local source protection authority to discuss potential impacts on drinking water. Please document the results of that consultation within the report and include all communication documents/correspondence.</b></p>	
<p>A list of the prescribed drinking water threats can be found in section 1.1 of Ontario Regulation 287/07 made under the <i>Clean Water Act</i>. In addition to prescribed drinking water threats, some source protection plans may include policies to address additional “local” threat activities, as approved by the MECP.</p>	
<b>Climate Change</b>	
<p>The MECP expects proponents of Projects under a Class EA or EA Act Regulation to:</p> <ol style="list-style-type: none"> <li>Consider during the assessment of alternative solutions and alternative designs, the following: <ul style="list-style-type: none"> <li>the Project’s expected production of greenhouse gas emissions and impacts on carbon sinks (climate change mitigation); and</li> <li>resilience or vulnerability of the undertaking to changing climatic conditions (climate change adaptation).</li> </ul> </li> <li>Include a discrete section in the report detailing how climate change was considered in the EA.</li> </ol>	<p><b>Relevant report sections: Section 6.3 (Effects Assessment: GHG Emissions), Appendix A (Screening Checklist), and Table A-3, and Table A-9, and Appendix D.3 (GHG Assessment)</b></p> <p>Climate change considerations have been assessed against the MECP guideline “<i>Considering Climate Change in the EA Process</i>” (2017). An Assessment of greenhouse gas (GHG) emissions and impacts followed Ontario Regulation (O. Reg.) 390/18, <i>Greenhouse Gas Emissions - Quantification, Reporting and Verification</i> (MECP, 2022); and Canada’s Greenhouse Gas Emissions – <i>Quantification, Reporting and Verification</i> (MECP 2022), which aligns with the GHG Protocol developed by the World Resources Institute (WRI), the World Business Council for Sustainable Development (WRI 2015) and ISO-14064-1 and 14064-2. Although the “<i>Community Emissions Reduction Planning: A Guide for Municipalities</i>” is not applicable to the Project, it was reviewed for information purposes.</p>
<p>How climate change is considered can be qualitative or quantitative in nature and should be scaled to the Project’s level of environmental effect. In all instances, both a Project’s impacts on climate change (mitigation) and impacts of climate change on a Project (adaptation) should be considered. Please ensure climate change is considered in the report</p>	<p>A GHG Assessment was completed for the Project (Appendix D.3). The findings of the GHG Assessment conclude that the proposed upgrades will add capacity to the grid and allow Capital Power to respond to the increased demand as projected by the IESO. The facility will produce power more efficiently after the Project has been implemented. There is an expected reduction of projected GHGs from the facility as a result of the upgrades.</p>
<p>The MECP has also prepared another guide to support provincial land use planning direction related to the completion of energy and emission plans. The “Community Emissions Reduction Planning: A Guide for Municipalities” document is designed to educate stakeholders on the municipal opportunities to reduce energy and greenhouse gas emissions, and to provide guidance on methods and techniques to incorporate consideration of energy and greenhouse gas emissions into municipal activities of all types. We encourage you to review the Guide for information.</p>	<p>Potential interactions of Project components with potential climate hazards were considered, however, as the Project is associated with an upgrade to an existing facility it is not anticipated to interact with potential climate hazards in a materially different way than the existing facility and associated components. No further study is required.</p>
<b>Air Quality, Dust and Noise</b>	
<p>If there are sensitive receptors in the surrounding area of this Project, a quantitative air quality/odour impact assessment will be useful to evaluate alternatives, determine impacts and identify appropriate mitigation measures. The scope of the assessment can be determined based on the potential effects of the proposed alternatives, and typically includes source and receptor characterization and a quantification of local air quality impacts on the sensitive receptors and the environment in the study area. The assessment will compare all applicable standards or guidelines for all contaminants of concern. <b>Please contact this office for further consultation on the level of Air Quality Impact Assessment required for this Project if not already advised.</b></p>	<p><b>Relevant report sections: Section 2.0 (Project Description), Section 6.2 (Effects Assessment: Air Quality), Section 6.3 (Effects Assessment: GHG Emissions), Section 6.4 (Effects Assessment: Noise Emissions), Appendix A (Screening Checklist), Table A-3, Appendix D.2 (Air Quality Assessment), and Appendix D.4 (Noise Assessment)</b></p> <p>Normal operation of the Project will generate air emissions. An Environmental Compliance Approval (ECA) (Air &amp; Noise) application will be submitted for MECP approval for the Project. Project design and equipment selection is being undertaken in consideration of air emissions. An Air Quality Assessment (Appendix D.2) has been completed demonstrating that the Project will comply with provincial air emissions limits. The Emissions Summary and Dispersion Modelling (ESDM) report being completed for the ECA (Air &amp; Noise) application will be completed in accordance with MECP guidelines.</p>
<p>If a quantitative Air Quality Impact Assessment is not required for the Project, the MECP expects that the report contain a qualitative assessment which includes:</p> <ul style="list-style-type: none"> <li>A discussion of local air quality including existing activities/sources that significantly impact local air quality and how the Project may impact existing conditions;</li> <li>A discussion of the nearby sensitive receptors and the Project’s potential air quality impacts on present and future sensitive receptors;</li> <li>A discussion of local air quality impacts that could arise from this Project during both construction and operation; and</li> <li>A discussion of potential mitigation measures.</li> </ul>	<p>The Project construction phase is related only to equipment delivery and installation within the existing facility and any effects are considered negligible as activities will occur during a scheduled outage. Project operations will not result in dust emissions.</p> <p>Normal operation of the Project will generate noise. An ECA (Air &amp; Noise) application will be submitted for MECP approval for the Project. A Noise Assessment (Appendix D.4) has been completed demonstrating that the Project will comply with provincial noise limits at nearby sensitive receptors. The Acoustic Assessment Report (AAR) being completed for the ECA (Air &amp; Noise) amendment application will be completed in accordance with MECP guidelines.</p>
<p>As a common practice, “air quality” should be used an evaluation criterion for all road projects.</p>	<p>The Project is not anticipated to emit odours during any phase.</p>
<p>Dust and noise control measures should be addressed and included in the construction plans to ensure that nearby residential and other sensitive land uses within the study area are not adversely affected during construction activities.</p>	



MECP Comment	Response
<p>The MECP recommends that non-chloride dust-suppressants be applied. For a comprehensive list of fugitive dust prevention and control measures that could be applied, refer to <i>Cheminfo Services Inc. Best Practices for the Reduction of Air Emissions from Construction and Demolition Activities</i> report prepared for Environment Canada. March 2005.</p> <p>The report should consider the potential impacts of increased noise levels during the operation of the completed Project. The proponent should explore all potential measures to mitigate significant noise impacts during the assessment of alternatives.</p>	<p>Existing access roads and parking will be used. Minor ground disturbance within the facility pad is not anticipated to result in fugitive dust emissions. The equipment upgrades will be undertaken within the context of scheduled maintenance outages, which will be undertaken in accordance with existing YEC environmental management plans and policies.</p>
<b>Ecosystem Protection and Restoration</b>	
<p>Any impacts to ecosystem form and function must be avoided where possible. The report should describe any proposed mitigation measures and how Project planning will protect and enhance the local ecosystem.</p> <p>Natural heritage and hydrologic features should be identified and described in detail to assess potential impacts and to develop appropriate mitigation measures. The following sensitive environmental features may be located within or adjacent to the study area:</p> <ul style="list-style-type: none"> <li>• Key Natural Heritage Features: Habitat of endangered species and threatened species, fish habitat, wetlands, areas of natural and scientific interest (ANSIs), significant valleylands, significant woodlands; SWH (including habitat of special concern species); sand barrens, savannahs, and tallgrass prairies; and alvars.</li> <li>• Key Hydrologic Features: Permanent streams, intermittent streams, inland lakes and their littoral zones, seepage areas and springs, and wetlands.</li> <li>• Other natural heritage features and areas such as: vegetation communities, rare species of flora or fauna, Environmentally Sensitive Areas (ESA), Environmentally Sensitive Policy Areas, federal and provincial parks and conservation reserves, Greenland systems etc.</li> </ul> <p>We recommend consulting with the Ministry of Natural Resources and Forestry (MNR), Fisheries and Oceans Canada (DFO) and your local conservation authority to determine if special measures or additional studies will be necessary to preserve and protect these sensitive features.</p>	<p><b>Relevant report sections: Section 2.0 (Project Description), Section 5.0 (Existing Conditions: Natural Environment), and Appendix A (Screening Checklist), Table A-4</b></p> <p>The Project construction phase is associated with equipment delivery and installation within the existing facility pad. Project works will not occur in proximity to sensitive natural environment and surface water feature, and no interactions with the natural environment or hydrologic features are anticipated. Based on the scope of work, existing conditions and no anticipated interactions with the natural environment, no further study was required.</p>
<b>Species at Risk</b>	
<p>The Ministry of the Environment, Conservation and Parks has now assumed responsibility of the Ontario Species at Risk (SAR) program. Information, standards, guidelines, reference materials and technical resources to assist you are found at <a href="https://www.ontario.ca/page/species-risk">https://www.ontario.ca/page/species-risk</a>.</p> <p>The Client's Guide to Preliminary Screening for Species at Risk (Draft May 2019) has been attached to the covering email for your reference and use. Please review this document for the next steps.</p>	<p><b>Relevant report section: Section 2.0 (Project Description), Section 5.0 (Existing Conditions: Natural Environment), and Appendix A (Screening Checklist), Table A-4</b></p> <p>The Project construction phase is associated with equipment delivery and installation within the existing facility pad. Project works will not occur in proximity to sensitive natural environment, and no interactions with the natural environment are anticipated. No SAR or SAR habitat was identified within the YEC Property; therefore, no effects on SAR or SAR habitat are anticipated.</p> <p>Acknowledged, this documentation was reviewed as part of the Environmental Screening Process for Electricity Projects (ESP).</p>
<b>Surface Water</b>	
<p>The report must include enough information to demonstrate that there will be no negative impacts on the natural features or ecological functions of any watercourses within the study area. Measures should be included in the planning and design process to ensure that any impacts to watercourses from construction or operational activities (e.g., spills, erosion, pollution) are mitigated as part of the proposed undertaking.</p> <p>Additional stormwater runoff from new pavement can impact receiving watercourses and flood conditions. Quality and quantity control measures to treat stormwater runoff should be considered for all new impervious areas and, where possible, existing surfaces. The ministry's Stormwater Management Planning and Design Manual (2003) should be referenced in the report and utilized when designing stormwater control methods. <b>A Stormwater Management Plan should be prepared as part of the ESP</b> that includes:</p> <ul style="list-style-type: none"> <li>• Strategies to address potential water quantity and erosion impacts related to stormwater draining into streams or other sensitive environmental features, and to ensure that adequate (enhanced) water quality is maintained.</li> </ul>	<p><b>Relevant report section: Section 2.0 (Project Description), Section 5.0 (Existing Conditions: Surface Water), and Appendix A (Screening Checklist), Table A-1</b></p> <p>The Project construction phase is associated with equipment delivery and installation within the existing facility pad. No effects on surface or groundwater quality, quantity, flow, or sediment control are anticipated.</p> <p>No water takings are required for the Project. Demineralized water will be delivered from Capital Power's Goreway Power Station, where a water treatment system produces demineralized water.</p> <p>During the operation phase, the upgraded YEC will continue to adhere to the facility's existing ECA (Industrial Sewage) for SWM. The Project will not alter SWM at the site.</p> <p>The Project does not include the storage or handling of any materials or substances that have the potential to cause negative effects as a result of a spill.</p>





MECP Comment	Response
<ul style="list-style-type: none"> <li>Watershed information, drainage conditions, and other relevant background information</li> <li>Future drainage conditions, stormwater management options, information on erosion and sediment control during construction, and other details of the proposed works</li> <li>Information on maintenance and monitoring commitments.</li> </ul>	
<p>Any potential approval requirements for surface water taking or discharge should be identified in the report. A Permit to Take Water (PTTW) under the <i>Ontario Water Resources Act</i> (OWRA) will be required for any water takings that exceed 50,000 L/day, except for certain water taking activities that have been prescribed by the Water Taking Environmental Activity and Sector Registry (EASR) Regulation – <i>O. Reg. 63/16</i>. These prescribed water-taking activities require registration in the EASR instead of a PTTW. Please review the Water Taking User Guide for EASR for more information. Additionally, an ECA under the OWRA is required for municipal stormwater management works.</p>	
<b>Groundwater</b>	
<p>The status of, and potential impacts to any well water supplies should be addressed. If the Project involves groundwater takings or changes to drainage patterns, the quantity and quality of groundwater may be affected due to drawdown effects or the redirection of existing contamination flows. In addition, Project activities may infringe on existing wells such that they must be reconstructed or sealed and abandoned. Appropriate information to define existing groundwater conditions should be included in the report.</p>	<p><b>Relevant report sections: Section 2.0 (Project Description), and Appendix A (Screening Checklist), Table A-1</b></p> <p>The Project construction phase is associated with equipment delivery and installation within the existing facility pad. No impacts to water well supplies are anticipated, and no construction or decommissioning of water wells is required for the Project. Water taking and discharge activities are not required. Should construction or decommissioning of water wells be required, the appropriate reporting will be completed and will include reference to <i>O. Reg. 903, Wells</i>, under the OWRA.</p>
<p>Potential impacts to groundwater-dependent natural features should be addressed. Any changes to groundwater flow or quality from groundwater taking may interfere with the ecological processes of streams, wetlands or other surficial features. In addition, discharging contaminated or high volumes of groundwater to these features may have direct impacts on their function. Any potential effects should be identified, and appropriate mitigation measures should be recommended. The level of detail required will be dependent on the significance of the potential impacts.</p>	<p>No effects on groundwater quality, quantity, flow, or sediment control are anticipated.</p> <p>There are no railroad lines within the Study Area and, the nearest railroad is the Newmarket GO Transit line, approximately 3.4 kilometers (km) north of the Study Area.</p>
<p>Any potential approval requirements for groundwater taking or discharge should be identified in the report. A Permit to Take Water (PTTW) under the OWRA will be required for any water takings that exceed 50,000 L/day, with the exception of certain water taking activities that have been prescribed by the Water Taking EASR Regulation – <i>O. Reg. 63/16</i>. These prescribed water-taking activities require registration in the EASR instead of a PTTW. Please review the Water Taking User Guide for EASR for more information.</p>	
<p>Consultation with the railroad authorities is necessary wherever there is a plan to use construction dewatering in the vicinity of railroad lines or where the zone of influence of the construction dewatering potentially intercepts railroad lines.</p>	
<b>Excess Materials Management</b>	
<p>In December 2019, MECP released a new regulation under the <i>Environmental Protection Act</i>, titled “On-Site and Excess Soil Management” (<i>O. Reg. 406/19</i>) to support improved management of excess construction soil. This regulation is a key step to support proper management of excess soils, ensuring valuable resources don’t go to waste and to provide clear rules on managing and reusing excess soil. New risk-based standards referenced by this regulation help to facilitate local beneficial reuse which in turn will reduce greenhouse gas emissions from soil transportation, while ensuring strong protection of human health and the environment. The new regulation is being phased in over time, with the first phase in effect on January 1, 2021. For more information, please visit <a href="https://www.ontario.ca/page/handling-excess-soil">https://www.ontario.ca/page/handling-excess-soil</a>.</p>	<p><b>Relevant report sections: Section 2.0 (Project Description), and Appendix A (Screening Checklist), Table A-2</b></p> <p>The Project construction phase is associated with equipment delivery and installation within the existing facility pad. Any excavated soil would remain on-site, however, in the unlikely event that excess soil was required to be moved off-site, procedure would comply with <i>O. Reg. 406/19</i> and current MECP guidelines.</p> <p>During Project construction, waste materials will be generated through removal of old components undergoing replacement. The removed components will be kept on-site for future refurbishment.</p>
<p>The report should reference that activities involving the management of excess soil should be completed in accordance with <i>O. Reg. 406/19</i> and the MECP’s current guidance document titled “Management of Excess Soil – A Guide for Best Management Practices” (2014) and MECP’s current guidance.</p>	<p>Any other waste generated during construction will be managed as part of the outage activities and sent to an approved waste handling facility in accordance with ministry requirements. Licensed contractors will be retained for on-site treatment of wastes or hauling of waste to licenced private landfill(s).</p>
<p>All waste generated during construction must be disposed of in accordance with ministry requirements</p>	



MECP Comment	Response
<b>Contaminated Sites</b>	
<p>Any current or historical waste disposal sites should be identified in the report. The status of these sites should be determined to confirm whether approval pursuant to Section 46 of the EPA may be required for land uses on former disposal sites. We recommend referring to the MECP’s D-4 guideline for land use considerations near landfills and dumps. o Resources available may include regional/local municipal official plans and data; provincial data on large landfill sites and small landfill sites; ECA information for waste disposal sites on Access Environment.</p>	<p><b>Relevant report sections: Sections 2.0 (Project Description), and Section 5.0 (Existing Conditions: Contaminated Sites), and Appendix A (Screening Checklist), Table A-2</b></p> <p>There are no known contaminated areas on the YEC Property and no areas undergoing remediation. Minor ground disturbance within the existing facility pad will be required. There is minimal potential for encountering previously undocumented contamination. The equipment upgrades will be undertaken within the context of a scheduled maintenance outage, which will be undertaken in accordance with existing YEC environmental management plans and policies.</p> <p>The Project does not include the storage or handling of any materials or substances that have the potential to spill. Removal of chemically treated poles is not required for the Project.</p>
<p>Other known contaminated sites (local, provincial, federal) in the study area should also be identified in the report (Note – information on federal contaminated sites is found on the Government of Canada’s website).</p>	
<p>The location of any underground storage tanks should be investigated in the report. Measures should be identified to ensure the integrity of these tanks and to ensure an appropriate response in the event of a spill. The ministry’s Spills Action Centre must be contacted in such an event.</p>	
<p>Since the removal or movement of soils may be required, appropriate tests to determine contaminant levels from previous land uses or dumping should be undertaken. If the soils are contaminated, you must determine how and where they are to be disposed of, consistent with <i>Part XV.1 of the Environmental Protection Act</i> (EPA) and Ontario Regulation 153/04, Records of Site Condition, which details the new requirements related to site assessment and clean up. Consideration of potential environmental contamination should be given following regulatory guidance where the Project involves decommissioning of facilities. Please contact the appropriate MECP District Office for further consultation if contaminated sites are present.</p>	
<b>Servicing, Utilities and Facilities</b>	
<p>The report should identify any above or underground utilities in the study area such as transmission lines, telephone/internet, oil/gas etc. The owners should be consulted to discuss impacts to this infrastructure, including potential spills.</p>	<p><b>Relevant report section: Section 2.0 (Project Description)</b></p> <p>Installation of the upgrades will not result in changes to the footprint of the existing YEC, and there will be no changes to current use or maintenance practices at the facility. No changes to local community services or facilities within the Township of King are expected. Demineralized water will be delivered from Capital Power’s Goreway Power Station, where a water treatment system is located to produce demineralized water. No Project interactions are anticipated with utilities and servicing, including the stormwater management system and therefore no further study is required.</p> <p>The Project will not change the existing use of the site, and therefore no land use conflicts have been identified. An ECA (Air &amp; Noise) is in place for the existing YEC Facility, and an amendment will be required for the Project. Consultation with the MECP is ongoing.</p>
<p>The report should identify any servicing infrastructure in the study area such as wastewater, water, stormwater that may potentially be impacted by the Project.</p>	
<p>Any facility that releases emissions to the atmosphere, discharges contaminants to ground or surface water, provides potable water supplies, or stores, transports or disposes of waste must have an ECA before it can operate lawfully. Please consult with MECP’s Environmental Permissions Branch to determine whether a new or amended ECA will be required for any proposed infrastructure.</p>	
<p>We recommend referring to the ministry’s environmental land use planning guides to ensure that any potential land use conflicts are considered when planning for any infrastructure or facilities related to wastewater, pipelines, landfills or industrial uses.</p>	
<b>Mitigation and Monitoring</b>	
<p>Contractors must be made aware of all environmental considerations so that all environmental standards and commitments for both construction and operation are met. Mitigation measures should be clearly referenced in the report and regularly monitored during the construction stage of the Project. In addition, we encourage proponents to conduct post-construction monitoring to ensure all mitigation measures have been effective and are functioning properly.</p>	<p><b>Relevant report section: Section 7.2 (Summary and Conclusion)</b></p> <p>The equipment upgrades will be undertaken within the context of a scheduled maintenance outage, which will be undertaken in accordance with existing YEC environmental management plans and policies.</p>
<p>Design and construction reports and plans should be based on a best management approach that centers on the prevention of impacts, protection of the existing environment, and opportunities for rehabilitation and enhancement of any impacted areas.</p>	
<p>The proponent’s construction and post-construction effects monitoring strategies and programs must be documented in the report.</p>	



MECP Comment	Response
<p>The proponent must consider cumulative effects when planning Projects. The assessment will include the proposed undertaking and any other proposed undertakings in the immediate Project area where documentation is available (e.g., other environmental assessments).</p>	<p><b>Relevant report sections: Section 7.2 (Summary and Conclusion), Appendix A (Screening Checklist) Table A-9, Appendix D.2 (Air Quality Assessment), and Appendix D.3 (GHG Assessment)</b></p> <p>Appendix A, Table A-9 of the Screening Checklist notes that cumulative effects were considered in context of the Project and results of the effects assessment.</p> <p>The Project is associated with an upgrade to an existing facility, and is therefore consistent with existing and planned land uses, and compatible with any nearby planned future land use development.</p> <p>The Project is one of a limited number of natural gas-fired generation projects the IESO has contracted to help fuel the energy transition and maintain reliability in the province. Project operations include emissions that have the potential to affect air quality and cause negative effects from Greenhouse Gas (GHG) emissions. Technical studies have been completed to assess effects and mitigation. Refer to Appendix D.3 and Appendix D.3 of the ERR for full details.</p>
<b>Consultation</b>	
<p>The report must demonstrate how the consultation provisions of the ESP have been fulfilled, including documentation of all stakeholder consultation efforts undertaken during the planning process. This includes a discussion in the report that identifies concerns that were raised and <b>describes how they have been addressed by the proponent</b> throughout the planning process. The report should also include copies of comments submitted on the Project by interested stakeholders, and the proponent's responses to these comments (as directed by the Guide to Environmental Assessment Requirements for Electricity Projects to include full documentation).</p>	<p><b>Relevant report section: Section 4.0 (Engagement), Appendix C (Record of Engagement)</b></p> <p>The engagement program results are summarized in <b>Section 4.0</b> and the Record of Engagement is available in <b>Appendix C</b>, including the Project mailing/distribution list.</p>
<p>Please include the full stakeholder distribution/consultation list in the documentation.</p>	
<b>Environmental Screening Process</b>	
<p>The report should provide clear and complete documentation of the planning process in order to allow for transparency in decision-making.</p>	<p><b>Relevant report section: Section 3.0 (Assessment Methods and Scope)</b></p> <p>Section 3.0 describes the assessment methods and scope, including an overview of the planning process that was followed to complete the Environmental Review process.</p>
<p>The ESP requires the consideration of the effects of each alternative on all aspects of the environment (including planning, natural, social, cultural, economic, technical). The report should include a level of detail (e.g., hydrogeological investigations, terrestrial and aquatic assessments, cultural heritage assessments) such that all potential impacts can be identified, and appropriate mitigation measures can be developed. Any supporting studies conducted during the ESP should be referenced and included as part of the report.</p>	<p><b>Relevant report sections: Section 1.2 (Purpose of the Project), Appendix A (Screening Checklist), Appendix D (Technical Supporting Documents)</b></p> <p>Section 1.2 describes the consideration of Project alternatives in context of the Independent Electricity System Operation (IESO) procurement process.</p> <p>Appendix A identifies potential effects on all aspects of the environment and identifies where further studies were warranted. Technical supporting studies are summarized in the ERR and included as Appendices D.</p>
<p>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.</p> <ul style="list-style-type: none"> <li>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.</li> <li>A more detailed study (an Environmental Review) is required if potential concerns are raised during the Screening stage that could not be readily addressed.</li> </ul>	<p><b>Relevant report section: Section 1.4 (Regulatory Framework)</b></p> <p>Capital Power voluntarily undertook the Environmental Review stage of the ESP for this Project. The ERR addresses the screening criteria under Appendix A, and further documents the findings of the detailed technical studies in Section 6.</p>
<p>Please include in the report a list of all subsequent permits or approvals that may be required for the implementation of the preferred alternative, including but not limited to, MECP's PTTW, EASR Registrations and ECAs, conservation authority permits, SAR permits, MTO permits and approvals under the <i>Impact Assessment Act</i>, 2019.</p>	<p><b>Relevant report section: Section 1.4 (Regulatory Framework) and Section 7.2 (Summary of Commitments)</b></p> <p>Section 1.4 summarizes the regulatory framework for the Project under the <i>Environmental Assessment Act</i>.</p> <p>Section 7.2 summarizes requirements for mitigation and monitoring for the construction and operational phases of the Project, including listing subsequent permits and approvals that will be required</p>
<p>Ministry guidelines and other information related to the issues above are available at <a href="http://www.ontario.ca/environment-and-energy/environment-and-energy">http://www.ontario.ca/environment-and-energy/environment-and-energy</a>. We encourage you to review all the available guides and to reference any relevant information in the report.</p>	<p><b>Relevant report section: All</b></p> <p>The MECP's guidelines and other related information have been reviewed and referenced throughout the ERR as applicable.</p>
<p>Once the report is finalized, the proponent must issue a Notice of Completion providing a minimum 30-day period during which documentation may be reviewed and comment and input can be submitted to the proponent. The Notice of Completion must be sent to the appropriate MECP Regional Office email address.</p>	<p><b>Relevant report sections: Section 4.3.2 (Notice of Completion) and Appendix C (Record of Engagement)</b></p> <p>Section 4.3.2 summarizes the Notice of Completion process and Appendix C provides the associated Record of Engagement.</p>



MECP Comment	Response
<p>The public can submit an elevation request, which requests a higher level of assessment on a project if they have outstanding environmental concerns. In addition, 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 may of his or her own initiative require that a project be made subject to Part II of the <i>Environmental Assessment Act</i> (an individual EA). If the Minister requires an individual EA, the proponent will be informed in writing, stating reasons for the decision.</p>	<p><b>Relevant report section: Section 1.4 (Regulatory Framework), Section 4.3.2 (Notice of Completion) and Appendix C (Record of Engagement)</b></p> <p>Since receipt of the AOI information from the MECP in May 2023, O. Reg 116/01 (the Electricity Projects Regulation) was revoked by the Government of Ontario in February 2024, and the project is now subject to O. Reg 50/24 (the Electricity Projects Regulation) under the <i>Environmental Assessment Act</i>. The <i>Guide to EA Requirements for Electricity Projects</i> was also updated in February 2024. This AOI requirement has been met in accordance with the new Regulation and Guide. Section 1.4 of the ERR outlines the process for the public to make an elevation request. Section 4.3.2 summarizes the Notice of Completion process and Appendix C provides the associated Record of Engagement.</p>
<p>Therefore, the proponent cannot proceed with the Project until at least 30 days after the end of the comment period provided for in the Notice of Completion. Further, the proponent may not proceed after this time if:</p> <ul style="list-style-type: none"> <li>• an elevation request has been submitted by any interested person including Indigenous communities to the ministry regarding outstanding environmental concerns, or</li> <li>• the Minister has given notice to the proponent requiring that an environmental assessment be prepared</li> </ul>	<p><b>Relevant report section: Appendix C (Record of Engagement)</b></p> <p>Noted. Capital Power will not proceed with the Project until requirements under the <i>Environmental Assessment Act</i> have been completed.</p> <p>Since receipt of the AOI information from the MECP in May 2023, O. Reg 116/01 (the Electricity Projects Regulation) was revoked by the Government of Ontario in February 2024, and the project is now subject to O. Reg 50/24 (the Electricity Projects Regulation) under the <i>Environmental Assessment Act</i>. The <i>Guide to EA Requirements for Electricity Projects</i> was also updated in February 2024. This AOI requirement has been met in accordance with the new Regulation and Guide.</p>
<p>Please ensure that the Notice of Completion advises that outstanding concerns are to be directed to the proponent for a response, and that in the event there are outstanding environmental concerns, elevation requests should be addressed in writing to:</p> <p style="text-align: center;"> Director, Environmental Assessment Branch  Ministry of Environment, Conservation and Parks  135 St. Clair Ave. W, 1st Floor  Toronto ON, M4V 1P5  <a href="mailto:EABDirector@ontario.ca">EABDirector@ontario.ca</a> </p>	

