Statement of Environmental Values: Ministry of Energy and Mines

1. INTRODUCTION

Ontario's *Environmental Bill of Rights, 1993* (the "Act") came into effect in February 1994. The founding principles of the Act are stated in its Preamble:

- The people of Ontario recognize the inherent value of the natural environment.
- The people of Ontario have a right to a healthful environment.
- The people of Ontario have as a common goal, the protection, conservation and restoration of the natural environment for the benefit of present and future generations.
- While the government has the primary responsibility for achieving this goal, the people should have means to ensure that it is achieved in an effective, timely, open and fair manner.

The purposes of the Act are:

- to protect, conserve and where reasonable, restore the integrity of the environment by the means provided in the Act;
- to provide sustainability of the environment by the means provided in the Act; and,
- to protect the right to a healthful environment by the means provided in the Act.

These purposes include the following:

- the prevention, reduction and elimination of the use, generation and release of pollutants that are an unreasonable threat to the integrity of the environment;
- the protection and conservation of biological, ecological and genetic diversity;
- the protection and conservation of natural resources, including plant life, animal life and ecological systems;
- the encouragement of the wise management of Ontario's natural resources, including plant life, animal life and ecological systems; and
- the identification, protection and conservation of ecologically sensitive areas or processes.

To assist in fulfilling these purposes, the Act provides:

- the means by which residents of Ontario may participate in the making of environmentally significant decisions by the Government of Ontario;
- increased accountability of the Government of Ontario for its environmental decision making;

- increased access to the courts by residents of Ontario for the protection of the environment; and
- enhanced protection for employees who take action in respect of environmental harm.

The Act requires a Statement of Environmental Values ("SEV") from all prescribed ministries, as stated in Part I of Ontario Regulation 73/94. Statements of Environmental Values for prescribed ministries can be found at: **https://ero.ontario.ca/page/sevs**.

SEVs are a means for designated government ministries to record their commitment to the environment and be accountable for ensuring consideration of the environment in their decisions. A SEV explains:

- how the purposes of the Act will be applied when decisions that might significantly affect the environment are made in the ministry; and
- how the consideration of the purposes of the Act should be integrated with other considerations, including social, economic, Indigenous and scientific considerations that are part of decision-making in the ministry.

It is each Minister's responsibility to take every reasonable step to ensure that the SEV is considered whenever decisions that might significantly affect the environment are made in the ministry.

The Ministry of Energy and Mines ("MEM" or the "ministry") will examine the SEV on a periodic basis to ensure the SEV is current and accurate.

2. MINISTRY VISION, MANDATE AND BUSINESS

MEM works to develop an affordable, secure, reliable and clean energy system and establishes policies concerning the operation, cost, reliability, and sustainability of Ontario's energy system.

MEM supports the expansion of broadband and cellular connectivity by developing and delivering policies and programs that enable access to high-speed internet across the province.

MEM promotes a strong, safe and responsible minerals industry by providing a predictable and efficient regulatory regime, generating valuable geological information, supporting Indigenous engagement and consultation, and ensuring safe and environmentally sound mineral exploration, development and rehabilitation.

Through integrated energy planning and responsible mineral development, MEM helps to ensure the province meets its future energy needs, strengthens industrial competitiveness, builds resilient local supply chains, including the vital connection between critical minerals and energy resources, and safeguards public health, safety, and the environment.

MEM is committed to fulfilling its duty to consult with Indigenous communities where it arises.

This SEV reflects MEM's commitment to transparency when making decisions that might significantly affect the environment.

More details on MEM's responsibilities can be found on the ministry's website at Ministry of Energy and Mines | ontario.ca.

3. APPLICATION OF THE SEV

MEM is committed to applying the purposes of the Act when making decisions that might significantly affect the environment. When it develops or amends acts, regulations, policies, and instruments, MEM will:

- consider economic, ecological, physical, social, and cultural impacts of proposals that could have a significant impact on the environment, including with respect to energy projects, broadband expansion, and/or mineral exploration and development that these proposals advance; and
- consider opportunities to mitigate potential environmental impacts, and ensure that cost-effective environmental protections are incorporated, when required.

With respect to the energy sector, MEM will:

- consider the effects of decisions on current and future generations of Ontarians and how they support the long-term goal of delivering an affordable, secure, reliable, and clean energy system;
- compare environmental benefits, and risks, including with respect to water, land, and ecological systems, when planning or proposing policy initiatives, which could include comparing the impacts of different energy resources, energy efficiency measures and other technologies;
- consider how climate change will impact the energy system and if there are opportunities to help Ontarians prepare for the impacts of climate change through system resiliency; and
- compare the emission intensity of different energy resources, including energy efficiency initiatives, and consider how electrification of the economy can reduce greenhouse gas emissions.

With respect to the mining sector, MEM will:

- undertake sound environmental planning that recognizes mineral development as a temporary land use and incorporate best practices for closure plans and rehabilitation activities, where long term use of a site could include alternative natural, recreational, industrial or commercial land uses;

- consider the environmental implications of mineral exploration, extraction, processing, and recycling opportunities to support circular economy outcomes; and
- promote rehabilitation, closure, and long-term monitoring practices that restore site function, reduce or eliminate environmental risks, and considers mitigation strategies to address climate impacts of mineral exploration and development, as appropriate; and

4. INTEGRATION WITH OTHER CONSIDERATIONS

In accordance with the purpose of the Act, MEM will strive to balance environmental considerations with social, economic, Indigenous and scientific considerations, as well as Indigenous community interests, when making decisions that might significantly affect the environment.

MEM will integrate this SEV into its strategic planning, priority setting and policy and program development activities.

MEM will balance environmental values and other relevant considerations by considering potential environmental impacts alongside other potential social and economic impacts, including whether decisions may increase costs or reduce access to energy for communities, individuals, and future generations across Ontario.

When making decisions that may significantly impact the environment, MEM will consider evidence-based actions that achieve positive outcomes for Ontarians.

5. PUBLIC CONSULTATION

MEM recognizes that assessing whether potential decisions might significantly affect the environment is best accomplished when the public, municipalities, Indigenous communities, and energy and mines stakeholders and partners are engaged and consulted.

MEM will provide opportunities for the public and Indigenous communities to be made aware of initiatives and encourage engagement by:

- posting clear documentation on the Environmental Registry of Ontario (the province's public online platform for consulting Ontarians on environmentally significant proposals) so that Ontarians can contribute to policy decision-making processes; and
- striving to create working relationships with the public, stakeholders, and Indigenous communities to help ensure that decision proposals benefit from a broad range of environmental information and expertise.

6. CONSIDERATION OF INDIGENOUS PEOPLE AND THE DUTY TO CONSULT

MEM commits to building respectful relationships and engaging in a meaningful way with Indigenous peoples and communities.

Where decisions relating to energy and mines initiatives also have the potential to adversely impact proven or credibly asserted Aboriginal and/or treaty rights, MEM is committed to ensuring it upholds the Crown's duty to consult with Indigenous communities, including through direct outreach and offering opportunities to be meaningfully consulted.

MEM recognizes and is committed to fulfilling the Crown's constitutional duty to consult and accommodating First Nation and Métis communities when it contemplates an action or decision that might adversely affect Aboriginal or treaty rights. In addition, when making decisions that might significantly affect the environment, MEM will engage publicly, pursuant to its obligations under the Act, providing Indigenous communities the opportunity to have their broader interests considered. MEM recognizes the value of Indigenous knowledge systems and will seek to incorporate them into environmental decision-making where appropriate.

7. GREENING OF INTERNAL OPERATIONS

MEM will support cost effective sustainability practices such as government-wide sustainability initiatives, conservation and the efficient use of energy. These practices may include energy-efficient buildings, waste reduction, sustainable procurement, and low emission transportation.

8. MONITORING

MEM will document how this SEV was considered when making decisions that might significantly affect the environment.

MEM will ensure that staff are aware of its obligations under the Act, including the content and application of the ministry's SEV.