

Ministry of the Environment, Conservation and Parks
Species at Risk Branch
40 St Clair Ave West
Toronto, ON
M4V 1M2

May 16, 2025

Submitted via email:

SUBJECT: ERO Consultation # 025-0380 - Proposed interim changes to the *Endangered Species Act, 2007*, and a proposal for the *Species Conservation Act, 2025*

To: Public Input Coordinator – Species at Risk Protection,

Please accept this letter as Ontario Power Generation's (OPG) submission to **ERO Consultation # 025-0380**, Proposed interim changes to the *Endangered Species Act, 2007*, and a proposal for the *Species Conservation Act, 2025*.

Ontario Power Generation (OPG) is Ontario's leader in generating clean, safe, reliable, and low-cost power, and produces approximately half of the province's power using a diverse portfolio of publicly owned generating assets, including hydroelectric stations, nuclear plants, solar, biomass, and natural gas. OPG's subsidiary, Atura Power, owns and operates four combined cycle gas plants and is leading the development of Ontario's hydrogen economy.

OPG supports the Ministry's efforts to reduce low value administrative burden during development processes and has extensive experience seeking permits and approvals for projects where there is overlap between federal and provincial jurisdictions.

OPG has registered Mitigation Plans under the *Endangered Species Act* (ESA), which we believe are effective at achieving objectives with reduced government involvement. As a measure to transition files to the *Species Conservation Act* (SCA), we recommend that existing Mitigation Plans be carried over to the new SCA. We also recommend that the Ministry coordinate efforts between federal and provincial governments so that streamlining in one jurisdiction does not add undesired outcomes and complexity at another. Deferring species that are listed both provincially and federally to the federal process is concerning and requires further discussion with OPG. For example, OPG's hydroelectric fleet has an established history of success following Mitigation Plans and Agreements registered with Ontario. If these facilities were to become subject to the federal process under the *Species at Risk Act*, there would be operational impacts due to the different and more restrictive nature of legislation that is not sensitive to the public need for energy production.

Further, OPG has had positive experiences with registration-first approaches through Mitigation Plans under the ESA and the Environmental Activity and Sector Registration (EASR) Program under the *Environmental Protection Act*. As a company with an ISO 14001 certified Environment Management System, we take our environmental obligations and commitments seriously and have continued to maintain high environmental standards with a registration-first approach. A registration-first approach has created more space for OPG to collaborate directly with Indigenous Nations and Communities, as well as other interested parties, to review plans and results, while reducing timelines previously required to have Ministry staff review and comment on plans, applications or documentation.

OPG looks forward to reviewing the details that will follow in future legal and regulatory releases related to species conservation and will comment on subsequent opportunities as they are made available.

We thank you for the opportunity to comment on this proposal. If you have any questions or would like to discuss this further, please reach out at heather.brown@opg.com.

Sincerely,



Heather Brown
Vice President, Environment, Health & Safety
Ontario Power Generation