



December 17, 2025

SUBJECT: ERO Posting - 025-1145 - Natural Resources Regulatory and Permit Reform Initiative: Proposing changes to the Renewable Energy on Crown Land policy

The Ontario Waterpower Association is pleased to have the opportunity to provide input and advice on the proposed changes to the Renewable Energy on Crown Land policy. Our organization is supportive of the general intent of the proposal to better occupational authority for public lands with broader provincial energy plans and procurement processes.

Our recommended improvements are as follows:

1. Advance Indigenous Community economic benefits across all technologies equally

While we support the policy's stated objective of "supporting Indigenous community economic benefits associated with renewable energy development on public lands"¹, we note that the approach is inequitably applied across technologies and strongly recommend that this be rectified. In particular, the section "Waterpower on other public lands should be modified as follows:

Renewable Energy on other Public lands

In areas south of the boundaries of the Far North, and within the Northern Rivers and the Moose River Basin north of Highway 11, the Ministry supports the creation of benefits, including economic benefits for those Ontario Indigenous communities in whose traditional territory (ies) a proposal is located in the development of new renewable energy projects that:

- are on public lands
- have a capacity greater than 1 megawatt.

The Ministry is committed to collaborating with Indigenous communities and organizations, government agencies, and the waterpower industry, to review the mechanisms by which traditional territory-based Indigenous community economic benefits can be achieved from new renewable energy development on public lands.

2. Explicitly recognize Indigenous equity partnerships as satisfying the policy objective

Section 5.2 of the draft further indicates that "Where the Ministry deems that the decision-making criteria in a provincial energy procurement process meets the Indigenous community economic development objectives of this policy, the Ministry may rely on that provincial energy procurement process to implement this policy objective."

¹ Section 5.2

This suggests that there could be another decision-making process beyond that which has already satisfied broader provincial objectives. It fails to account for procurement mechanisms beyond “*provincial energy procurements*” (see comment 3).

For clear and consistent application across the province, technologies and proponents, it is recommended that this section be amended as follows:

“Where a renewable energy project on Crown land is proposed by or in equity partnership with an Indigenous Community in whose traditional territory the project is located, the project is deemed to have satisfied the Indigenous Community economic benefit objectives of this policy”

3. Recognize procurement mechanisms beyond the IESO

While the draft does recognize that there may be mechanisms other than a provincial energy procurement agency (IESO), including rate-regulated development and bilateral contracts, there appears to be no explicit process equivalent to that detailed in Section 6.2 regarding the “priority of applications” process (e.g. The Ministry will not accept any other application for another renewable energy development on the same public lands).

Recognizing that rate regulated and bilaterally contracted development project proposals in particular are extremely likely in the immediate to near term, then policy must include an equivalent process for recognizing such developments.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read 'PN', with a long horizontal flourish extending to the right.

Paul Norris
President
Ontario Waterpower Association