

Procedural Guidance for Contract Recipients of Renewable Energy Projects Proposed on Provincial Crown Land

Background

This procedural guidance document is intended for those proponents with renewable energy projects proposed in whole or in part on provincial Crown land who have received a Feed-In Tariff (FIT) 5 energy procurement contract offer by the Independent Electricity System Operator (IESO). This guidance does not apply to:

- IESO FIT 5 contract recipients that have previously been granted site access to provincial Crown land (e.g. Applicant of Record status) by the Ministry of Natural Resources and Forestry (MNRF) for all of the sites in their FIT 5 application; or
- IESO FIT 1 contract recipients. These contract holders will continue to follow the existing Crown land site release requirements under the applicable policies and procedures. (see MNRF's [Renewable Energy on Crown Land](#) webpage)

Under this procedural guidance, MNRF will provide direct access to provincial Crown land for successful IESO FIT 5 contract recipients ("contract recipients"). Under Section 2(1) of the *Public Lands Act*, the Minister of Natural Resources and Forestry has the authority to approve or deny any application for the use of provincial Crown land managed by MNRF. The opportunity to pursue a renewable energy project proposed on provincial Crown land is also dependent on the applicant's relevant FIT 5 contract being in good standing with the IESO.

Contract recipients should note that an application to access Crown land for potential renewable energy development is non-transferable. Once Crown land site access has been granted, site access may be transferred at the discretion of the Ministry. There is no ability to mortgage or charge site access and does not provide any right, title or interest in Crown land.

Post-Contract Process

1. Proponents receive FIT 5 contract offers from the IESO.
2. FIT 5 contract offer recipients will receive a letter from MNRF directing them to complete and submit an Application for Crown Land ("application") to MNRF, along with the appropriate application fee(s). The letter will be sent within 20 business days of IESO issuing a FIT 5 contract offer. MNRF will also provide contract offer recipients with information on the Crown's duty to consult with Aboriginal peoples whose asserted or established Aboriginal or treaty rights may be adversely affected by the proposed development.
3. Contract offer recipients submit an application for Crown Land along with the appropriate application fee (in cases where a Crown land application has previously been submitted, the application fee may not be required).
4. MNRF will forward a copy of new applications for provincial Crown land to the Provincial Mining Recorder's office of the Ministry of Northern Development and Mines (MNDM) to identify the pending interest in Crown land surface rights as relevant to any potential mining interests
5. MNRF will process applications for provincial Crown land and will advise applicants in writing whether they have been granted site access.
6. Upon being granted site access to provincial Crown land, the applicant may then commence the regulatory approvals review process. MNRF will notify local Aboriginal communities that it has processed an application for provincial Crown land and has granted site access for the purposes of developing a renewable energy project. Comments received by MNRF from local Aboriginal communities following this notification will be forwarded to the provincial Crown land applicant for their consideration during the regulatory approvals process.

7. MNRF will advise other ministries, agencies and the local municipality (if applicable) that it has received and processed an application for the purpose of developing a renewable energy project on provincial Crown land and has granted site access.

Appendix A: Fees

All fees are subject to applicable taxes.

Wind Power Fees

Application Fee for FIT 5 contract recipients	\$1000
Grid Cell Fee	\$300 per grid cell

Water Power Fees

Application Fee for FIT 5 contract recipients with energy capacity \leq 75 kW	\$500
Application Fee for FIT 5 contract recipients with energy capacity $>$ 75 kW	\$1000

Solar Power Fees

Application Fee for FIT 5 contract recipients	\$0
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