



# CLASS ENVIRONMENTAL ASSESSMENT FOR MINOR TRANSMISSION FACILITIES

# **Annual Monitoring Report - 2022**

May 18, 2023

**Prepared by:** 

Hydro One Networks Inc.

Class Environmental Assessment for Minor Transmission Facilities Annual Monitoring Report - 2022

#### Report prepared for:

Director of the Environmental Assessment Branch Ministry of the Environment, Conservation and Parks 135 St. Clair Avenue West Toronto, ON M4V 1P5

#### Report prepared by:

Hydro One Networks Inc. Environmental Services 483 Bay Street, North Tower, 12<sup>th</sup> Floor Toronto, ON M5G 2P5

This Annual Monitoring Report addresses the monitoring requirements as set out in Section 5.5 of the Class Environmental Assessment for Minor Transmission Facilities (Hydro One, 2022), and General Condition 5 in the Notice of Approval to Proceed with the Class Environmental Assessment as per section 9 of the Ontario *Environmental Assessment Act*.

The purpose of the Class Environmental Assessment for Minor Transmission Facilities (Class EA for MTF) is to provide information that will enable the Minister of Environment, Conservation and Parks to approve, following a single review, certain types of frequently occurring transmission projects. Undertakings subject to the Class EA for MTF have predictable environmental effects that can likely be mitigated, and planned and constructed in accordance with a common process.



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# **Executive Summary**

Annual monitoring of Class Environmental Assessments enables continuous improvement, as well as ensures that proponents meet legislative and regulatory requirements. Hydro One Networks Inc. (Hydro One) is responsible for producing an Annual Monitoring Report for projects that are subject to the Class Environmental Assessment for Minor Transmission Facilities (Hydro One, 2022) (Class EA for MTF), with the assistance of project proponents who use the Class EA. Proponents may include, but are not limited to, local distribution companies (LDCs), other licensed transmitters and industrial customers who are licensed to operate in Ontario.

This Annual Monitoring Report is submitted per the requirements of the Class EA for MTF and covers projects subject to the Class EA that were completed and filed with the Ministry of the Environment, Conservation and Parks (MECP) during the 2022 calendar year. A total of 17 Class EAs were completed in 2022. Class EAs initiated in 2022 (or prior), but not completed by year end, are not included in this report. This aligns with the intent of the Annual Monitoring Report; to allow Hydro One and any other proponents using the Class EA for MTF to identify and assess opportunities to increase the effectiveness of the Class EA Document by reviewing completed Class EA processes.

Of the 17 Class EAs completed, Hydro One was the proponent for 16 of them, and one submission was received from another proponent (Oneida Energy Storage LP) who utilized the Class EA for MTF Screening process in 2022 to plan a project.

Hydro One does not make any claims of completeness of projects carried out by other proponents using the Class EA for MTF. All proponents using the Class EA are required to prepare an annual summary report describing Class EAs completed during the year and submit them to Hydro One for consolidation in this report by the end of February of the following year. However, the onus is on each proponent to conform to the deadlines set out in the Class EA for MTF. Hydro One does not assume responsibility for missing reports.



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### 1 Introduction

The Class Environmental Assessment for Minor Transmission Facilities (Hydro One, 2022) (Class EA for MTF) describes the process that a proponent must follow for a defined class of projects to meet the requirements of the Ontario *Environmental Assessment Act (EAA)*.

The current version of the Class EA for MTF was approved in July, 2022. Previous versions have been in use for more than four decades with the original version developed by Ontario Hydro. The Order-in-Council approval of the Class EA for MTF in November 2016 came with 24 conditions including a requirement that Hydro One Networks Inc. (Hydro One) prepare and submit an Annual Monitoring Report by April 1<sup>st</sup> of each year covering activities of the previous year.

# **2 Purpose of the Annual Monitoring Report**

The Annual Monitoring Report addresses Condition 5 of the Notice of Approval for the Class EA for MTF as issued by the Ministry of the Environment, Conservation and Parks (previously the Ministry of the Environment and Climate Change) during the 2016 approval process (Appendix A).

This report, while submitted after the deadline; is intended to address the requirements that an annual report be submitted by Hydro One "on or before April 1 of each year" and "cover all activities of the previous calendar year".

The objective of annual monitoring is continuous improvement and to have proponents comply with legislative and regulatory requirements. A summary of projects with Class EAs completed in the subject year forms part of the report. In addition, the Annual Monitoring Report provides an analysis of the effectiveness and suitability of the Class EA process and document itself. Issues identified, and recommendations for improvements, are included in the report to guide future amendments and provide lessons learned.

# 3 Requirements of the Annual Monitoring Report

Sections outlined below respond to specific requirements of the Annual Monitoring Report as described in Section 5.5 of the Class EA for MTF.



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#### 3.1 Effectiveness of the Class EA Process

In 2022, the Class EA process was completed for 17 projects, which form the basis of this report. Having completed the Class EA process means completing either of the following:

- i. Class EA Screening process, concluded by advising the MECP in writing that the project was successfully screened; or
- ii. Full Class EA process, concluded by submitting a Statement of Completion to the MECP.

It is noted that several other projects commenced a Class EA in 2022 (or prior), however; because these were not completed by the end of the 2022 calendar year, they have not been included in this report. Instead, they will be reported in subsequent Annual Monitoring Reports based on when they are filed with the MECP per above.

Of the 17 projects filed in 2022, 15 projects followed the Class EA Screening process. These projects were assessed and determined by the proponent to have minimal to no net environmental effects, while having no unaddressed concerns expressed by Indigenous communities or stakeholders. These Class EA Screenings ranged in duration from 2 to 14 months.

The remaining two projects filed in 2022 followed the Full Class EA process and ranged in duration from 2.5 to 3.5 years.

For one of these projects (the Chatham x Lakeshore Transmission Line project), the MECP received three Section 16 Order requests; one from each of three Indigenous communities. Hydro One worked closely with the respective Indigenous communities and the MECP to address and resolve outstanding concerns, which subsequently resulted in the voluntary withdrawal of all three Section 16 Order requests, thus negating the need for a Minister's decision.

For all 17 Class EAs completed in 2022, environmental concerns were addressed with consulted parties demonstrating an effective planning process that offers the appropriate and proportional level of assessment and consultation.

## 3.2 2022 Changes to the Class EA for MTF

The Class EA for MTF was amended twice in 2022 as a result of legislative and regulatory changes associated with EA modernization.



In January 2022, amendments were approved that addressed changes introduced by Ontario Regulation 852/21, which came into effect on January 1, 2022. This regulation changed the type of undertakings to which the Class EA for MTF applies, including transmission lines that:

- i) Are capable of operating at a nominal voltage of equal to or greater than 115 kilovolts (kV) and less than 345 kV and are greater than 2 kilometres (km) in length; or
- ii) Are capable of operating at a nominal voltage of equal to or greater than 345 kV and are greater than 2 km and less than 75 km in length.

The regulation also prescribed the types of projects not eligible for application of the Class EA Screening process.

In July 2022, amendments were approved that addressed changes previously proposed following the coming into force of the *More Homes, More Choice Act* (2019). These changes included the creation of four project categories, the exemption of certain undertakings following the completion of a new Archaeological Screening Process, increasing the time lapse provision (from EA completion to project commencement), as well as other clarifications, administrative and glossary updates.

All of the above-noted amendments can be found within the current version of the Class EA for MTF, which is publicly available on Hydro One's website.

#### 3.3 Common Issues

No common problems or issues were identified in 2022 beyond those addressed by the abovenoted amendments.

## 3.4 Compliance with Notice of Approval Conditions and the EAA

Hydro One has complied with the *EAA* through adherence to the Class EA process and by complying with the 24 conditions of the Notice of Approval (Appendix A). Condition 3 as well as conditions 8 through 24 pertain to properly incorporating amendments into the 2016 version of Class EA for MTF. These 18 conditions were fulfilled in 2016.

The remaining 6 conditions are outlined below along with a summary of compliance following each condition.



#### Condition 1

#### **Definitions**

- 1. For the purposes of these conditions:
  - a) "applicant" means Hydro One Networks Inc., its agents, successors, and assigns.
  - b) "MOECC" means the Ontario Ministry of the Environment and Climate Change
  - c) "EAB" means the Environmental Approvals Branch of the Ministry of the Environment and Climate Change.
  - d) "Director" means the Director of the Environmental Approvals Branch.
  - e) "the Class EA" means the Class Environmental Assessment for Minor Transmission Facilities.
  - f) "FOIPPA" means the Freedom of Information and Protection of Privacy Act

Hydro One continues to comply with this condition through the use of appropriate definitions. Reference to the MOECC is equated with the current MECP, and the Environmental Approvals Branch (EAB) is equated with the current Environmental Assessment Branch.

#### Condition 2

#### **Public Record**

- 2. Where a document is required for the Public Record File, the applicant shall provide the document to the Director for filing within the specific Public Record File maintained for the Class EA. The applicant shall also provide copies of all documents for the purpose of public review to:
  - a) the Director of the MOECC Eastern Region Office;
  - b) the Director of the MOECC Central Region Office;
  - c) the Director of the MOECC West Central Region Office;
  - d) the Director of the MOECC Southwestern Region Office; and
  - e) the Director of the MOECC Northern Region Office.



Hydro One complies with this condition by providing this document, which is required for the Public Record File, to the Director of the EAB for filing within the specific Public Record File maintained for the Class EA. Copies will also be issued to EA Coordinators via the EAB's Environmental Assessment Services – Project Review Supervisor.

#### Condition 4

#### 4. General Conditions

The applicant shall complete a review of the Class EA, as required in Subsection 5.6 of the Class EA (Five-Year Review), every five years. The first review shall be completed 5 years after the date of this approval, with each subsequent review following every five years, until such time as is otherwise indicated in writing by the Director to the applicant. Each review shall be submitted to the Director and placed in the Public Record File.

A Five-Year Review of the Class EA for MTF was submitted to the MECP in September, 2022. In November, 2022 Hydro One received an acknowledged letter from the MECP stating that based on their preliminary review, the information in the report meets the requirements as outlined in the *Environmental Assessment Act* Conditions of Approval.

As the current version of the Class EA for MTF is dated July, 2022, the next Five-Year Review will be completed and submitted in 2027.

#### Condition 5

#### 5. General Conditions

The applicant shall submit Annual Monitoring Reports to the Director for placement on the Public Record File as described in Subsection 5.5 of the Class EA (Monitoring). The Monitoring Report shall be submitted on or before April 1 of each year, with the first report being due one year after the date of this approval, and shall cover all activities of the previous calendar year.

Hydro One complies with this condition as this Annual Monitoring Report is structured per Section 5.5 – Monitoring of the Class EA for MTF. Hydro One is committed to submitting each year's Annual Monitoring Report prior to the annual deadline of April 1<sup>st</sup>. However, we acknowledge that this year's report is submitted late, and have implemented measures to ensure future reports do not surpass the deadline.



#### Condition 6

#### 6. General Conditions

The applicant shall comply with all the provisions of the Class EA which are hereby incorporated in this approval by reference except as provided in these conditions and as provided in any other approvals or permits that may be issued.

Hydro One continues to comply with this condition by applying the requirements of the Class EA for MTF and ensuring adherence to the Class EA process.

#### Condition 7

#### 7. General Conditions

These conditions do not prevent more restrictive conditions being imposed under other statutes.

No compliance aspects to this condition are noted.

#### 3.5 Section 16 Orders

The *EAA*, as amended through the *COVID-19 Economic Recovery Act, 2020*, provides the Minister (or delegate) with the authority to make two types of orders with respect to an undertaking proceeding in accordance with a Class EA (section 16(1) and 16(3) orders). The Minister (or delegate) may, on their own initiative, within a time limited period, require a proponent to undertake an individual/comprehensive EA, referred to as a s.16(1) order, or impose conditions on an undertaking, referred to as a s.16(3) order.

In addition, the *EAA* (as amended), allows a person with concerns pertaining to potential adverse impacts to Aboriginal or treaty rights, not addressed through the Class EA process, to request under section 16 of the *EAA* that the Minister make an order requiring a higher level of study (i.e., an individual/comprehensive EA) or that conditions be imposed on the project. This is known as requesting a section 16 order. A request can only be made on the grounds that the order may prevent, mitigate or remedy adverse impacts on Aboriginal or treaty rights. Requests that are not made on these grounds will not be considered by the Minister.



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A 'completed' Class EA means having resolved any applicable section 16 order requests.

For one Class EA completed in 2022 (the Chatham x Lakeshore Transmission Line), the MECP received three Section 16 Order requests; one from each of three Indigenous communities. Hydro One worked closely with the respective Indigenous communities and the MECP to address and resolve outstanding concerns, which subsequently resulted in the voluntary withdrawal of all three Section 16 Order requests, thus negating the need for a Minister's decision.

#### 3.6 Planned Action

As described in section 3.2 above, amendments to the Class EA for MTF were approved in 2022. These amendments address issues previously identified with the Class EA for MTF. Hydro One continues to provide a channel for raising issues and concerns among proponents who use the Class EA for MTF through the annual summary report process to address deficiencies and prevent non-compliance. Internally, if there are issues with the Class EA process, they are discussed with proposed resolutions recorded and tracked for future amendment consideration.

At the time of writing this report, a new Comprehensive EA Project List Regulation is pending approval. The MECP is currently reviewing comments received following the closing of the ERO posting consultation period. If passed, all transmission projects in the future would be subject to the Class EA for MTF or future streamlined regulation (as opposed to being determined by existing thresholds). This policy change would require the Class EA for MTF to be amended in 2023.

# 3.7 Copy of Notice of Approval and Approval Amendments

The Notice of Approval is included as Appendix A. The current version of the Class EA for MTF, which includes the 2022 amendments referenced above, as well as those specified in the Notice of Approval, can be found by following the link provided in Appendix B.

## 3.8 Summary of Class EA Projects in 2022

The enclosed summary table (Table 1) lists the projects with completed Class EAs that formed the bases of this report.

A total of 17 Class EAs were completed in 2022. Of the 17 Class EAs completed, Hydro One was the proponent for 16 of them, and one submission was received from another proponent (Oneida Energy Storage LP) who utilized the Class EA for MTF Screening process in 2022 to plan a project.



Hydro One does not make any claims of completeness of projects carried out by other proponents using the Class EA for MTF. All proponents using the Class EA are required to prepare an annual summary report describing Class EAs completed during the year and submit them to Hydro One for consolidation in this report by the end of February of the following year. However, the onus is on each proponent to conform to the deadlines set out in the Class EA for MTF. Hydro One does not assume responsibility for missing reports.

# 3.9 How Interested Parties can obtain Copy of Annual Monitoring Report

Interested parties can review and obtain an electronic copy of the Annual Monitoring Report on the Hydro One website within the Class EA page at www.HydroOne.com/ClassEA.

#### 4 Conclusion

This Annual Monitoring Report provides a summary of the projects with Class EAs completed following the Class EA for MTF in 2022. During the period of January 1, 2022 to December 31, 2022, the Class EA process was completed for a total of 17 projects (15 Class EA Screenings and 2 Full Class EAs).

Interested persons may view a copy of this Annual Monitoring Report at www.HydroOne.com/ClassEA and may request a copy by emailing ClassEA.AnnualMonitoringReport@HydroOne.com.

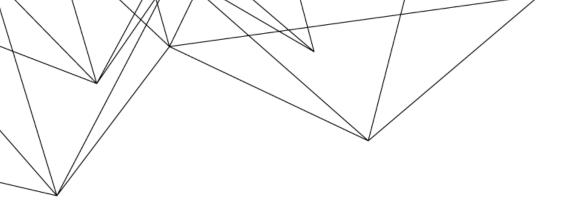


Table 1 - Summary of Class EAs Completed in 2022 that followed the Class Environmental Assessment for Minor Transmission Facilities

No.	   Project Name	Project Description	Project Location	Proponent Name	Assessment Type	Contact Person	Date Started	Date EA Filed with MECP	EA Status
	'	Class EAs Com	pleted by Hydro One		'				
1	2022 WPRP - D3A	The Wood Pole Replacement Program is an annual program that facilitates routine pole replacements throughout various circuits to address aging or degrading assets. Replacement of these wood pole structures, and associated components helps to ensure the continued reliability and integrity of the transmission system throughout Ontario.	City of Thorold	Hydro One	Class EA Screening Process	MILLER-BAUTISTA Kimberly	October 15, 2021	January 4, 2022	Completed
2	· ·	The Wood Pole Replacement Program is an annual program that facilitates routine pole replacements throughout various circuits to address aging or degrading assets. Replacement of these wood pole structures, and associated components helps to ensure the continued reliability and integrity of the transmission system throughout Ontario.	City of Temiskaming Shores	Hydro One	Class EA Screening Process	MILLER-BAUTISTA Kimberly	October 15, 2021	January 12, 2022	Completed
3	A8K/A9K Transmission Line Refurbishment	This project involves refurbishing all deteriorated line sections of the existing 115 kilovolt transmission infrastructure or circuits A8K and A9K that run between the Kirkland Lake Transformer Station (TS) and Ansonville TS, including all aging/damaged wood poles, and steel lattice structures, and the replacement of sections of conductor (wire) and overhead shield wire. In addition, the IESO requires an ampacity increase on circuits A8K/A9K.	Town of Kirkland Lake; Town of Iroquois Falls	Hydro One	Full Class EA Process	COLE Sarah	June 25, 2018	January 17, 2022	Completed
4	2022 WPRP - L3P	The Wood Pole Replacement Program is an annual program that facilitates routine pole replacements throughout various circuits to address aging or degrading assets. Replacement of these wood pole structures, and associated components helps to ensure the continued reliability and integrity of the transmission system throughout Ontario.	City of Thunder Bay	Hydro One	Class EA Screening Process	MILLER-BAUTISTA Kimberly	October 15, 2021	January 18, 2022	Completed
5	2022 WPRP - B3	The Wood Pole Replacement Program is an annual program that facilitates routine pole replacements throughout various circuits to address aging or degrading assets. Replacement of these wood pole structures, and associated components helps to ensure the continued reliability and integrity of the transmission system throughout Ontario.	City of Burlington; City of Hamilton	Hydro One	Class EA Screening Process	MILLER-BAUTISTA Kimberly	October 15, 2021	January 18, 2022	Completed
6	2022 WPRP - Q30M	The Wood Pole Replacement Program is an annual program that facilitates routine pole replacements throughout various circuits to address aging or degrading assets. Replacement of these wood pole structures, and associated components helps to ensure the continued reliability and integrity of the transmission system throughout Ontario.	City of Thorold	Hydro One	Class EA Screening Process	MILLER-BAUTISTA Kimberly	October 15, 2021	January 18, 2022	Completed
7	2022 WPRP - T29C	The Wood Pole Replacement Program is an annual program that facilitates routine pole replacements throughout various circuits to address aging or degrading assets. Replacement of these wood pole structures, and associated components helps to ensure the continued reliability and integrity of the transmission system throughout Ontario.	Municipality of Clarington; City of Oshawa	Hydro One	Class EA Screening Process	MILLER-BAUTISTA Kimberly	October 15, 2021	January 18, 2022	Completed
8	Wawa TS: Component	This project involves the refurbishment of transmission lines in the vicinity of the Wawa Transformer Station, including the realignment, installation, replacement and removal of structures. Further, realignments will facilitate stations equipment and building replacement within Wawa Transformer Station (TS). The station fence will be enlarged to the southeast within Hydro One property to integrate the adjacent Anjigami TS into Wawa TS.		Hydro One	Class EA Screening Process	VUONG Jennifer	February 8, 2021	March 25, 2022	Completed
4	Bruce A TS 500kV Switchyard Rebuild	This project involves station expansion with land acquisition via a property lease on OPG land.	Municipality of Inverhuron	Hydro One	Class EA Screening Process	ONG Yu-San	November 5, 2021	April 1, 2022	Completed
10	2022 WPRP - Q29HM	The Wood Pole Replacement Program is an annual program that facilitates routine pole replacements throughout various circuits to address aging or degrading assets. Replacement of these wood pole structures, and associated components helps to ensure the continued reliability and integrity of the transmission system throughout Ontario.	City of Hamilton	Hydro One	Class EA Screening Process	MILLER-BAUTISTA Kimberly	October 15, 2021	June 20, 2022	Completed
11	M2W (wood pole	The Insulator Replacement Program is an annual maintenance program that facilitates routine replacements of recalled or damaged insulators while maintaining electrified conductors to prevent asset failure and outages. Occasionally, as was the case with this project, the associated wood pole structures require replacement at the same time due to age of degradation. It is the replacement of the wood poles that trigger the Class EA for MTF.	Thunder Bay: Townshin		  Class EA Screening  Process	MILLER-BAUTISTA Kimberly	April 25, 2022	July 14, 2022	Completed
12	MTO Hwy 11/17 Four- laning Pearl Lake Tower Relocation	This project involves refurbishments to existing 115kV transmission lines, A7L/R1LB and A6P, consisting of relocations and rebuilding of certain sections of the lines to facilitate MTO's Highway 11/17 widening work.	City of Thunder Bay	Hydro One	Class EA Screening Process	VUONG Jennifer	April 20, 2022	July 29, 2022	Completed
13		This project involves the greenfield construction of two new 230 kV double circuit transmission lines from the Chatham   Switching Station to the Lakeshore Transformer Station.	Municipality of Chatham-Kent; Municipality of Lakeshore	Hydro One	Full Class EA Process	DALMAZZI Paul	January 6, 2020	October 28, 2022	Completed

Table 1 - Summary of Class EAs Completed in 2022 that followed the Class Environmental Assessment for Minor Transmission Facilities

No.	   Project Name 	 	   Project Location 	   Proponent Name 	   Assessment Type 	   Contact Person 	   Date Started 	Date EA Filed with MECP	   EA Status 
Class EAs Completed by Hydro One									
14	Westover CTS Line	This project involves the replacement of wood poles on circuit B5C between Harper's JCT and Westover Customer Transformer Station.	City of Hamilton	Hydro One	Class EA Screening Process	ONG Yu-San	October 4, 2021	November 11, 2022	  Completed 
15	Windsor Nextstar TS: 230 kV/27.6 kV DESN	This project involves the construction of a new 230 kV transformer station and associated line connections within the Nextstar Windsor property to supply Nextstar Energy's electric vehicle battery plant.	City of Windsor	Hydro One	Class EA Screening Process	SCOTT Rhona	September 29, 2022	November 30, 2022	  Completed
16	2022 WPRP - A4L	The Wood Pole Replacement Program is an annual program that facilitates routine pole replacements throughout various circuits to address aging or degrading assets. Replacement of these wood pole structures, and associated components helps to ensure the continued reliability and integrity of the transmission system throughout Ontario.	Beardmore	Hydro One	Class EA Screening Process	MILLER-BAUTISTA Kimberly	October 15, 2021	December 15, 2022	  Completed
		Class EAs Complet	ed by Other Proponents						
17	Oneida Interconnected Battery Storage System	The Project's interconnected battery storage system will be capable of storing up to 250 Megawatts (MW), with one gigawatt-hour of storage. The Project can provide power capacity by drawing and storing energy during off-peak periods and releasing it to the Ontario electricity grid when energy demand is at its peak. The Project is anticipated to include:  • 280 lithium-ion battery packs for storing excess electricity on the IESO-operated Ontario electricity grid.  • A 250 MW/1000 MWh internal substation, with the same boundaries of the battery installation, which includes a transformer(s) and transformer pad(s).	Town of Jarvis	Oneida Energy Storage LP	Class EA Screening Process	Scott Matthews smatthews@ nrstor.com	Information not provided	June 2022	Completed





# **APPENDICES**

# CLASS ENVIRONMENTAL ASSESSMENT FOR MINOR TRANSMISSION FACILITIES

**Annual Monitoring Report - 2022** 

Class Environmental Assessment for Minor Transmission Facilities Annual Monitoring Report - 2022

**Appendix A MECP Notice of Approval** 

#### ENVIRONMENTAL ASSESSMENT ACT

#### SECTION 9

# NOTICE OF APPROVAL TO PROCEED WITH THE CLASS ENVIRONMENTAL ASSESSMENT

RE: Class Environmental Assessment for Minor Transmission Facilities (Class EA)

Applicant:

Hydro One Networks Inc.

EAIMS No.:

05070

TAKE NOTICE that the period for requesting a hearing, provided for in the Notice of Completion of the Review for the above-noted Class EA, expired on October 24, 2014.

I received five submissions before the expiration date, and one submission after the expiration date, none of which requested a hearing by the Environmental Review Tribunal.

Having considered the purpose of the *Environmental Assessment Act*, the approved Terms of Reference, the Class EA, the Review of the Class EA and the submissions received, I hereby give approval to proceed with the Class EA, subject to the conditions set out below.

#### REASONS

My reasons for giving approval are as follows:

- (1) The applicant prepared the Class EA in accordance with the approved Terms of Reference and the requirements of the *Environmental Assessment Act*.
- (2) The applicant consulted on the Class EA and demonstrated that its Class EA is consistent with the current legislative requirements and planning practices, and will provide an effective planning process to enable the delivery of transmission-related infrastructure in an efficient and environmentally sustainable manner.
- (3) All comments provided, or concerns raised, from the public review of the applicant's Class EA, or from government agencies and Aboriginal communities, have been adequately considered and addressed by the applicant through its responses and/or commitments made, through amendments to the Class EA, or through conditions of approval.

- (4) All relevant issues raised in the submissions regarding the applicant's Class EA have been addressed, or will be addressed during the preparation of individual Class EA projects.
- On the basis of the applicant's Class EA, the Review and the conditions of approval, I am satisfied that the assessment of minor transmission facilities within the class of undertakings covered by the Class EA, in accordance with the process set out in the Class EA, will be consistent with the purpose of the *Environmental Assessment Act* and in the public interest.

#### CONDITIONS

#### Definitions

- 1. For the purposes of these conditions:
  - (a) "applicant" means Hydro One Networks Inc., its agents, successors, and assigns.
  - (b) "MOECC" means the Ontario Ministry of the Environment and Climate Change.
  - (c) "EAB" means the Environmental Approvals Branch of the Ministry of the Environment and Climate Change.
  - (d) "Director" means the Director of the Environmental Approvals Branch.
  - (e) "the Class EA" means the Class Environmental Assessment for Minor Transmission Facilities.
  - (f) "FOIPPA" means the Freedom of Information and Protection of Privacy Act.

#### Public Record

- Where a document is required for the Public Record File, the applicant shall provide the document to the Director for filing within the specific Public Record File maintained for the Class EA. The applicant shall also provide copies of all documents for the purpose of public review to:
  - a) the Director of the MOECC Eastern Region Office;
  - b) the Director of the MOECC Central Region Office;
  - c) the Director of the MOECC West Central Region Office;
  - d) the Director of the MOECC Southwestern Region Office; and
  - e) the Director of the MOECC Northern Region Office.
- 3. Within 21 days of the approval of this Class EA, the applicant shall incorporate the amendments required by Conditions 8 through 14 in the Class EA, and provide:

- 3.1 forty (40) copies of the amended Class EA document to the EAB;
- 3.2 one (1) copy of the amended Class EA document, or more than one (1) copy if requested, to each government agency to which the Class EA was circulated for comment;
- one (1) copy of the amended Class EA document to any group, individual, or Aboriginal community which submitted comments during either of the two comment periods for the Class EA; and,
- 3.4 the amended Class EA on the applicant's web site.

#### **General Conditions**

- 4. The applicant shall complete a review of the Class EA, as required in Subsection 5.6 of the Class EA (Five-Year Review), every five years. The first review shall be completed 5 years after the date of this approval, with each subsequent review following every five years, until such time as is otherwise indicated in writing by the Director to the applicant. Each review shall be submitted to the Director and placed in the Public Record File.
- 5. The applicant shall submit Annual Monitoring Reports to the Director for placement on the Public Record File as described in Subsection 5.5 of the Class EA (Monitoring). The Monitoring Report shall be submitted on or before April 1 of each year, with the first report being due one year after the date of this approval, and shall cover all activities of the previous calendar year.
- 6. The applicant shall comply with all the provisions of the Class EA which are hereby incorporated in this approval by reference except as provided in these conditions and as provided in any other approvals or permits that may be issued.
- These conditions do not prevent more restrictive conditions being imposed under other statutes.

#### Amendments

- 8. To accurately reflect the change in this ministry's name, the applicant shall replace all references to "Ministry of the Environment" with "Ministry of the Environment and Climate Change", and the applicant shall replace all uses of the acronym "MOE" with "MOECC." This includes, but is not limited to, all references to the Code of Practice.
- 9. The applicant shall remove all of the text presented on page 2 and shall replace it with the following text:
  - "Ontario Regulation 116/01 Electricity Projects and Ontario Regulation 231/08 Transit Projects and Metrolinx Undertakings
  - O. Reg. 116/01 is one of the regulations under the EA Act that outlines EA requirements for electricity projects. O. Reg. 116/01 came into effect on April 23, 2001 and applies to public and private sector electricity projects.

The Guide to Environmental Assessment Requirements for Electricity Projects (2011) classifies the transmission projects described in O. Reg. 116/01, based on voltage and length of transmission lines, into three distinct categories, each with different requirements as follows:

- a. Category A projects are those which are expected to have minimal environmental effects. These projects do not require approval under the EA Act, and are not designated as being subject to the EA Act in O. Reg. 116/01. Although projects in this category are not subject to EA requirements under O. Reg. 116/01, they are required to comply with any other applicable existing legislative requirements such as the Species at Risk Act, Ontario Heritage Act (for example, a project in this category may cause a significant ground disturbance in areas of archaeological potential), etc.. In addition, if Crown resources are necessary to carry out a project, there are requirements under the EA Act related to the disposition of Crown resources that must also be fulfilled (e.g., an environmental review by the Ministry of Natural Resources and Forestry prior to the occupation or sale of Crown land). If there are significant environmental effects associated with a project in Category A, the MOECC (with the approval of the Lieutenant Governor) could designate it as being subject to an Individual EA under the EA Act.
- b. Category B projects are those which have potential environmental effects that can likely be mitigated. These projects (listed in Section 4 of O. Reg. 116/01) are subject to the EA Act, but proponents of these projects are not required to prepare an Individual EA on the condition that they complete the Environmental Screening Process (set out in Part B of the Guide to Environmental Assessment Requirements for Electricity Projects, 2011). There are provisions in the Environmental Screening Process to elevate projects from Category B to Category C. This Class EA Process is equivalent to what O. Reg. 116/01 refers to as the Environmental Screening Process.
- c. Category C projects are major projects with known significant environmental effects that require an Individual EA.

This Class EA Document is relevant to Category B transmission projects that are not associated with a Category B generation project.

This Class EA Document is also relevant to certain projects under the **Transit Projects and Metrolinx Undertakings Regulation (O. Reg. 231/08)** which sets out the EA requirements for public transit projects, and designates as subject to the EA Act certain power supply infrastructure projects for the electrification of commuter rail corridors. Proponents of these power supply infrastructure projects are subject to the Transit Project Assessment Process under **O. Reg. 231/08** but have the option to instead proceed with their projects in accordance with this Class EA Document if written notice of their intention to do so is provided to the appropriate MOECC officials under subsection 2(6) of **O. Reg. 231/08**. **(O. Reg. 231/08** also contains transition rules).

For more information, proponents should refer to O. Reg 116/01, O. Reg. 231/08, and Chart 1 - Electricity Project Classification and Section A.5.2 of the Guide to Environmental Assessment Requirements for Electricity Projects

(2011)."

10. The applicant shall remove the first four paragraphs presented in section 1.0 (Introduction) on page 3 and shall replace them with the following text:

"The purpose of the Class Environmental Assessment for Minor Transmission Facilities (also referred to as "Class EA Document") is to provide information that will enable the Minister of the Environment and Climate Change (Minister) to approve, following a single review, certain types of frequently occurring transmission projects specified in the Guide to Environmental Assessment Requirements for Electricity Projects (2011) and in O. Reg. 231/08. The project will be relatively small in scale, have predictable environmental effects that can be likely mitigated, and can be planned and constructed in accordance with a common process.

The current version of this document has been developed following the requirements of the approved Terms of Reference (ToR), 2004 and is in alignment with O. Reg. 116/01, O. Reg. 231/08, other applicable legislation that came into force after 2004 (e.g., Canadian Environmental Assessment Act, 2012), the Ministry of the Environment and Climate Change's (MOECC) Code of Practice: Preparing, Reviewing and Using Class Environmental Assessment in Ontario, 2014 (Code of Practice), and other Class EA documents.

The previous versions of this Class EA Document applied specifically to Ontario Hydro and its much broader mandate. The current version has been revised to be consistent with the mandate and accountabilities of Hydro One Networks Inc. (Hydro One), local distribution companies (LDCs), licenced transmitters, industrial customers, etc., who may design, construct and operate transmission facilities.

This Class EA Document makes use of Ontario Hydro's and Hydro One's experience completing numerous Class EAs. It is also prepared in accordance with **O. Reg. 116/01, O. Reg. 231/08,** and the MOECC Code of Practice, and takes into consideration other Class EA documents from other sectors, as well as valuable input from a variety of government agencies and other organizations."

11. The applicant shall remove the following text presented in section 1.1 on page 3:

"As previously noted, this Class EA Document applies to Category B transmission projects that are not associated with Category B generation facilities (see Class EA History of this Document and/or Guide to Environmental Assessment Requirements for Electricity Projects, 2011). These projects are defined to include the following:"

and shall replace it with the following text:

"As previously noted, this Class EA Document applies to Category B transmission projects that are not associated with Category B generation facilities (see Class EA History of this Document and/or Guide to Environmental Assessment Requirements for Electricity Projects (2011). This Class EA

Document also applies to certain power supply infrastructure projects for the electrification of commuter rail corridors that are designated as subject to the EA Act in O. Reg. 231/08, if the proponent provides written notice to the appropriate MOECC officials under subsection 2(6) of O. Reg. 231/08 that it will instead proceed with the project in accordance with this Class EA Document.

The projects that are subject to this Class EA Document are defined as follows:"

- 12. The applicant shall replace the three occurrences of the term "multiple Class EAs" with "multiple environmental assessment processes" in Subsection 5.7 of the Class EA (Coordination with Other Approval Processes) on page 36.
- 13. The applicant shall remove the following text presented in Subsection 6.4 of the Class EA (Consideration of Climate Effects) on page 51:

"Hydro One considers the potential environmental effects of climate change in the design of its transmission facilities. Facilities are designed in accordance with North American engineering standards and are able to operate effectively over a wide range of temperatures, precipitation and other weather conditions. Other proponents should consider climate change effects on their projects."

and shall replace it with the following text:

"All proponents must consider the potential environmental effects of climate change (storms, flooding, drought or other severe weather events) in the design, siting, construction and operation of minor transmission facilities. Proponents are encouraged to consider provincial, national and international industry best practices in the design of minor transmission facilities as they relate to climate change and the increasing frequency of severe weather abnormalities."

- 14. The applicant shall remove the following text presented in Subsection 3.3.2 of the Class EA (Initial Notification) on page 17:
  - "h. Freedom of information (FOI) statement advising how written submissions will be handled for the purposes of freedom of information. (see below paragraph for statement that must be included in notices)"

and shall replace it with the following text:

- "h. Freedom of information (FOI) statement advising how written submissions will be handled for the purposes of freedom of information requests and for compliance with the Freedom of Information and Protection of Privacy Act. (see Subsection 4.3)
- 15. The applicant shall remove the following text presented in Subsection 3.3.2 of the Class EA (Initial Notification) on page 17:
  - "As stated in the MOE Code of Practice (section 6, pp. 47), to comply with Freedom of Information and Protection of Privacy Act requirements, notices must contain the following statement:

'All personal information included in a submission – such as name, address, telephone number and property location – is collected, maintained and disclosed by the Ministry of the Environment and Climate Change for the purpose of transparency and consultation. The information is collected under the authority of the *Environmental Assessment Act* or is collected and maintained for the purpose of creating a record that is available to the general public as described in s.37 of the *Freedom of Information and Protection of Privacy Act*. Personal information you submit will become part of a public record that is available to the general public unless you request that your personal information remain confidential. For more information, please contact the Project Officer or the Ministry of the Environment and Climate Change's Freedom of Information and Privacy Coordinator at 416-327-1434."

16. The applicant shall relabel Subsection 4.3 on page 30 as Subsection 4.4, and will insert a new Subsection 4.3 on page 30 titled "Freedom of Information and Protection of Privacy Act Notice Requirements" that includes the following:

"As stated in the MOECC Code of Practice (subsection 6.1.6, page 56), to comply with *Freedom of Information and Protection of Privacy Act* requirements, all project notices must contain the following statement:

'All personal information included in a submission – such as name, address, telephone number and property location – is collected, maintained and disclosed by the Ministry of the Environment and Climate Change for the purpose of transparency and consultation. The information is collected under the authority of the *Environmental Assessment Act* or is collected and maintained for the purpose of creating a record that is available to the general public as described in s. 37 of the *Freedom of Information and Protection of Privacy Act*. Personal information you submit will become part of a public record that is available to the general public unless you request that your personal information remain confidential. For more information, please contact the Ministry of the Environment and Climate Change's Freedom of Information and Privacy Coordinator at 416-327-1434."

Additionally, the applicant shall add the following at the end of the list of Final Notification requirements in Subsection 3.4.2 of the Class EA (Final Notification) on page 22:

- "o. FOI statement advising how written submissions will be handled for the purpose of freedom of information requests and for compliance with the Freedom of Information and Protection of Privacy Act. (see Subsection 4.3)"
- 17. The applicant shall include another item in the list of required content for a Part II Order request in Subsection 3.4.4 of the Class EA (Review and Decision by the Minister / Part II Order Request) on page 23, listed first and labelled as follows:
  - "a. A clear indication that a request for a Part II Order is being made."
- 18. The applicant shall replace the phrase "The Part II Order must be made in writing to the Minister or delegate with a copy to the Project Evaluator at the EAB, and the proponent, and must include the following" with "The Part II Order must be

made in writing to the Minister or delegate with a copy to the proponent, and must include the following" in Subsection 3.4.4 of the Class EA (Review and Decision by the Minister / Part II Order Request) on page 23.

19. The applicant shall remove the following text presented in Subsection 3.4.4 of the Class EA (Review and Decision by the Minister / Part II Order Request) on page 24:

"Upon receipt of a valid Part II Order request, the Project Evaluator at the EAB at the MOECC shall request that the proponent provide a copy of any relevant project documentation. The Minister or delegate will consider the information submitted by the proponent, the requester(s) and any person the Minister or delegate chooses to consult before making a decision. The review of any Part II Order requests will be commenced upon receipt of all information (from proponent/requestor(s)/other agencies) after the review period following the issuance of the Final Notification. A decision will be made normally within 45 days of receipt of all project documentation provided by the proponent, and will be one of the following:"

and shall replace it with the following text:

"Upon receipt of a Part II Order request, the Project Evaluator may request that the proponent provide a copy of any relevant project documentation to the Ministry within a specified time frame. The Minister or delegate will consider the information submitted by the proponent, the requester(s) and any person the Minister or delegate chooses to consult before making a decision. The review of any Part II Order requests will be commenced upon receipt of all information (from proponent/requestor(s)/other agencies) after the review period following the issuance of the Final Notification. The Minister or delegate will consider the evaluation criteria for Part II Order requests as set forth in section 16(4) of the *Environmental Assessment Act*. The ministry review of a Part II Order request will normally be completed within 45 days of receipt of all project documentation provided by the proponent and after any required consultation by the ministry. After the ministry review, the Minister will make a decision, which will be one of the following:"

20. The applicant shall insert the following after the last paragraph in Subsection 3.4.4 of the Class EA (Review and Decision by the Minister / Part II Order Request) on page 24:

"If none of the above has occurred by the required decision deadline, the proponent is entitled to proceed with the project; however, before proceeding, proponents must confirm with the Ministry of the Environment and Climate Change that no decision has been made on the Part II Order request. Should the proponent proceed with the project without a Part II Order decision having been made, it should recognize that it is doing so at its own risk, as a Part II Order could still be made or denied with conditions."

21. The applicant shall remove the following text presented in Subsection 6.5 of the Class EA (Consideration of Cumulative Effects) on page 51:

"Class EA proponents will 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)."

and shall replace it with the following text:

"All proponents will 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)."

- 22. The applicant shall add 'Biodiversity' as an item to the list of Typical Data Types under the "Natural Environment Resources" in Appendix C on page 68.
- 23. The applicant shall replace Section 5.3, Phase-in Period with the following text:

#### 5.3 Phase-in Periods

#### Phase-in from 1992 Class EA

If Initial Notification for a project was issued under the 1992 Class EA, the project would continue to be subject to the 1992 Class EA for the life of that project. An Addendum to an Environmental Study Report for such a project would also be subject to the 1992 Class EA.

#### Phase-in to Future Amendments to this Class EA

In some situations, during a review or amendment of this Class EA Document, some projects may be in the process of being planned using the existing Class EA Process or already had the Initial Notification issued. For the purpose of consistency and process flow, such projects will be broken into two categories: those for which Initial Notification has not yet been issued and those for which Initial Notification has been issued.

If the Initial Notification for the project has not been issued before the amendments to this Class EA Document are approved by the Minister, or Director of the EAB at the MOECC, the project is not considered to be in progress and must follow the Class EA Process outlined in the amended document.

If the Initial Notification for a project has been issued before the amendments to this Class EA Document are approved by the Minister, or Director of the EAB at the MOECC, the project is considered to be in progress. The project should continue using the previous Class EA Process that was in place at the time of the issuance of the Initial Notification. An Addendum to an Environmental Study Report for such a project would also be subject to the version of the Class EA that was in place at the time of the issuance of the Initial Notification for that project.

The project has the option to proceed under the newly revised provisions of this Class EA Document through discussions with the Director of the

EAB and the appropriate Regional Offices at the MOECC and by providing rationale.

The applicant shall replace all references to the Ontario Power Authority, with 24. references to the Independent Electricity System Operator, wherever such references occur throughout the Class EA.

Dated the 31 day of October 2016 at TORONTO.

Minister of the Environment and Climate Change 77 Wellesley St. W., 11<sup>th</sup> Floor

Toronto, Ontario

M7A 2T5

Approved by O.C. No. 1726 / 2016

Date O.C. Approved Nov 15, 2015

Class Environmental Assessment for Minor Transmission Facilities Annual Monitoring Report - 2022

# Appendix B Class Environmental Assessment for Minor Transmission Facilities

https://www.hydroone.com/abouthydroone/CorporateInformation/majorprojects/class environmentalassessmentforminortransmissionfacilities/Documents/Class%20EA%20for%20Minor%20Transmission%20Facilities.pdf