

## **PART E: APPROVALS AND PERMITTING**

### **17.0 Regulatory Approvals and Permitting**

MOECC (2001) requires a listing of environmental approvals and a description of how environmental effects or issues may be addressed through the approvals process. Based upon a comprehensive survey of approving agencies the following approvals have been identified.

#### **17.1 Ministry of Environment and Climate Change**

The MOECC sets out environmental assessment procedures in its Electricity Projects Regulation (MOE, 2001) which is given force of law under the Environmental Assessment Act (EAA) and its amendments. Proponents of electricity sector projects are required to fulfill their EAA requirements prior to applying for specific approvals from provincial agencies. Following Addendum approval the following permits will be obtained:

- Permit to Take Water (OWRA, Section 34) – ensures that the quantities of water used by the expanded generating facilities are in accordance with supply capabilities of the river and are respectful of water uses by others. Two permits would be required. The first is a construction permit to remove/drain internal water from the cofferdam enclosures. The second applies to the long term operational phase of the project to permit water use by the turbine for electricity generation purposes.
- Application for Approval (Noise) (Section 9, Environment Protection Act) – ensures that post-development noise and vibration from the powerhouse are in compliance with current MOECC standards and do not unduly affect nearby residences and businesses. This permit requires preparation and submission of a site-specific Acoustic Assessment Report to identify existing noise levels, predict post-development levels and, where/if necessary, recommend building construction features necessary to attenuate operational noise. That report is described in Section 12.0 above and is provided in Appendix "D".

- Application for Approval (Air) – a new standby generator is required and would be placed in the powerhouse. The standby unit would be powered by diesel fuel, the emissions from which are classified as a contaminant. Permitting is required for the operation of any equipment that may discharge a contaminant to the atmosphere. The approved procedure ensures that planned emissions are within MOECC guidelines.
- Ontario Water Resources Act (OWRA, Section 53) Approval – as indicated earlier, a new transformer would be installed to the immediate northwest of the powerhouse. The MOECC requires permitting for containment facilities to prevent oil releases to the environment, in the event of a transformer failure. The approval submission would detail containment and maintenance methods in compliance with current MOECC standards.
- Environment Compliance Approval for Industrial Sewage Works (OWRA, Section 53) – Leakage, runoff, and groundwater seepage collected within the cofferdam enclosures and the other excavations would be pumped out, ultimately to the river. MOECC requires approval for discharge to receiving waters.

## **17.2 Ministry of Natural Resources and Forestry**

The MNRF administers the Lakes and Rivers Improvements Act (LRIA) and under the umbrella of that legislation, the Water Management Planning Guidelines for Waterpower (MNR 2002) and other regulations.

Specific approvals required from MNRF are as follows:

- Lakes and Rivers Improvement Act/Work Permit – ensures that fish, wildlife and public lands/waters are protected and that the proposed water management respects all relevant users. This legislation provides for engineering review of structural plans to ensure public safety. Environmental effects of construction and operation would also be evaluated. Requirements for project monitoring would be in part, set out under this legislation.
- Water Management Planning Guidelines – as described earlier, the Seguin River Simplified Water Management Plan is a continuing “work in progress”

and the proponent is working toward filling data gaps. In addition, an amendment to the WMP will be required to describe the proposed structural changes resulting from generating facility reconstruction. Pending further discussion with MNRF, BGL views the required amendment as minor/administrative since operation of the generating station and effects on the headpond and Mill Pond are largely unchanged.

### **17.3 Fisheries and Oceans Canada**

DFO is responsible for maintaining the sustainability and ongoing productivity of commercial, recreational and aboriginal fisheries, under its Fisheries Protection Program and in accordance with the requirements of the *Fisheries Act*. As previously noted, review and possible approvals from both DFO and MNRF will be required as part of the detailed design process. Representatives of both agencies have been involved in preliminary design discussions. The preceding aquatic habitat studies show that the project will not result in a loss of fish habitat. Rather, creation of improved opportunities for walleye spawning is proposed. DFO authorization is required where serious harm to fish will occur. If such impacts are avoided, no authorization is required, although DFO may provide advice to better ensure potential impacts on fish are properly mitigated. Subject to additional discussion with DFO, BGL anticipates that no authorization will be required as the project has been designed to avoid serious harm to fish. Blasting would be performed following DFO guidelines..

### **17.4 Town of Parry Sound**

Three municipal approvals are required:

- Demolition Permit – a demolition permit is needed prior to removal of the existing powerhouse and gatehouse. A pre-requisite to obtaining this permit is the completion of a Hazardous Materials and Designated Substances Study as per requirements of the *Ontario Health and Safety Act*. The study would identify problem substances and record their locations so that site workers completing the demolition can be adequately prepared with knowledge of the site and safety equipment. Said study has been completed as described above.

- Building Code Act – discussions with the Town’s Building Department indicated that a Building Permit would be required in advance of re-construction. The permit would not only address structural issues related to the new expansion, but may also address exterior treatment of the new powerhouse with regard to aesthetics and historic character. Issues such as fire safety and, worker and occupant safety are also considered in the building permit process.
  
- Road Closure Permit - discussions with Town engineering staff indicate formal permission will be needed to temporarily close Cascade Street for penstock construction. Although agreeable to providing said permission, staff noted that prior planning would be required to assemble all relevant participants (police, emergency services, transit, school busing etc.) to formulate practical plans to enable street closure.

## **17.5 Ministry of Tourism, Culture and Sport**

Three archaeology-related tasks have been completed for the Cascade Street Reconstruction Project:

- review of the previous 2002 archaeological study to determine its current acceptability;
- a Cultural Heritage Impact Assessment; and an
- Underwater Archaeology Assessment for tailrace excavation.

MTCS clearance is required for these tasks to enable approval of the Addendum. Clearance letters have been obtained for all from MTCS and are included in Appendix "C".