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**Commission de l'énergie de l'Ontario**  
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**BY E-MAIL**

January 8, 2013

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
Suite 2700, 2300 Yonge Street  
P.O. Box 2319  
Toronto, ON.  
M4P 1E4

Dear Ms. Walli:

**Re: Data Room Filing  
East-West Tie Designation Proceeding  
(EB-2011-0140)**

Board staff established an electronic data room to allow the transmitters registered in EB-2011-0140 to ask questions of Hydro One Networks Inc., Great Lakes Power Transmission L.P., the Ontario Power Authority, the Independent Electricity System Operator and Ontario Energy Board staff. The answers to the questions were to help the transmitters in developing their applications for designation for the East-West Tie.

Board staff is filing the attached relevant information from the data room to be placed in the public record for this proceeding. The first document contains questions and answers from the data room. The accompanying two documents are material referred to in the answers provided.

Yours truly,

Original signed by

Robert Caputo  
Project Advisor  
Applications & Regulatory Audit  
Ontario Energy Board

c: All parties in EB-2011-0140


Relevant information from the web-based data room set up by Board staff to assist the registered transmitters in obtaining information from the incumbent transmitters and agencies.

Submitted: Dec 19, 2012 by honi

In addition to documents that it previously filed with the Board in accordance with the Board's "Phase 1 Partial Decision and Order - Production of Documents" (dated June 14, 2012), Hydro One Networks Inc. is now providing its 2013 Land Use Permit, issued for Hydro One Networks Inc.'s transmission lines on provincial crown lands, including the existing East-West Tie Line.

Hydro One Networks Inc.

Attachment: [2013 LUP Transmission.pdf](#)

RESPONSE FROM: 

On December 19, 2012, Hydro One Networks Inc. posted a scanned electronic copy of its 2013 Land Use Permit for Transmission. It has come to Hydro One's attention that, due to a character limit on the printing of the MNR form, the posted version of the permit is missing some text.

The full text of the last two conditions is pasted below, including the truncated text in the Condition 15.

Hydro One Networks Inc.

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14. It is understood and agreed that the permittee's liability, as defined in Clause 8 on the reverse side hereof, refers to and arises only in respect of the exercise by the permittee of any

right of privilege granted by this Land Use Permit and does not refer to injury, loss or damage caused by or attributable to the negligence of the Crown, it's officers, employees, agents, contractors, permittees or invitees.


15. Any additional electrical lines proposed by the permittee on Crown land must receive the prior approval of the MNR Area office in whose jurisdiction the proposed line(s) will be located.

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Hydro One Networks Inc.

Submitted: Nov 27, 2012 by transmitter  
Galloping (Q2)

With respect to the existing East-West Tie lines, have there been any outages or conductor damage attributable to conductor galloping over the past 40 years?

RESPONSE FROM: 

Our records dating back to January 1990 show no forced outages relating to conductor galloping with respect to the existing East-West Tie lines. Data prior to January 1990 is not readily available. We are also not aware of any conductor damage due to galloping.

Submitted: Nov 20, 2012 by transmitter

Galloping Standards


Can Hydro One Networks & Great Lakes Power Transmission provide a copy of their current design criteria for conductor galloping? Is the analysis described in the Board's Minimum Technical Requirements for the Reference Option dated November 2011 consistent with existing good industry practice in Ontario?

**Great Lakes Power**  
Transmission

RESPONSE FROM:

From Kelly Friedman, Davis LLP, on behalf of Great Lakes Power Transmission LP (GLPT):

GLPT does not have design criteria for conductor galloping. GLPT has never experienced conductor galloping on its system. To the extent GLPT was to undertake a Transmission Line construction project for which conductor galloping might be an issue, GLPT would then investigate and consider current state of the art technical information and consult with industry experts to determine applicability and appropriate design criteria, if required. Accordingly, GLPT is not presently in a position to comment on whether or not the analysis described in the Board's Minimum Technical Requirements for the Reference Option dated November 2011 is consistent with existing good industry practice in Ontario.

RESPONSE FROM: 

Re: Galloping Standards

In response to the question directed to Hydro One Networks Inc. ("HONI"), we note that the requested design criteria do not pertain specifically to the East-West Tie line project. As noted previously in HONI's response on October 2, 2012, to another Data Room posting, HONI considers such documents to be proprietary and commercially sensitive. It is HONI's view that the registered transmitters in this proceeding should rely on their own design criteria in this competitive designation process.

Hydro One Networks Inc.

Submitted: Oct 26, 2012 by **OEB**

The Board is posting answers to two questions received by Board staff.

Q. The development phase of the East-West Tie will end when the designated transmitter files its leave to construct application. However, development-type work will continue, during the period between filing and Board decision. The Board has made it clear that budgeted development costs incurred up until filing the leave to construct application will be recoverable. What about post-filing development costs?

A. After the leave to construct application is filed, decisions with respect to cost recovery for development work done subsequent to the filing will be the responsibility of the Board panel hearing the leave to construct application, or in some instances, a panel hearing a subsequent rates application. The panel hearing the designation proceeding does not intend to make a ruling on recovery of costs incurred subsequent to the filing of a leave to construct application.

Q. Section 2.1.4 of the Board's November 9, 2011 Minimum Technical Requirements for

the Reference Option of the E-W Tie Line (Reference Option Technical Requirements) requires that:

All engineering design calculations and drawings shall be done by or under the supervision of a professional engineer registered with Professional Engineers Ontario.

Does this requirement apply at the designation stage, or only for work done in the design phase subsequent to designation? Is it sufficient for a designation application if an officer of the designation applicant signs an affidavit to the effect that a professional engineer registered with Professional Engineers Ontario will supervise all engineering design calculations and drawings completed after designation? Or must an engineer registered in Ontario supervise the designation application submissions themselves?

A. The Board recommends that any design calculations and drawings that are submitted as part of an application for designation be done by or under the supervision of a professional engineer registered with Professional Engineers Ontario. In the absence of meeting this requirement in the designation application, the Board may have some uncertainty with respect to the subsequent approval of the design calculations and drawings by a professional engineer registered with Professional Engineers Ontario.

Submitted: Oct 25, 2012 by transmitter

Please provide clarification to the following point included in Attachment 1 - Project definition for Designation for the East-West Tie Line of the OEB letter dated December 21, 2011 to All Electricity Transmitters Registered for the East-West Tie Line. In Attachment 1 on page 2 the following bulleted item is stated:

\* "The East-West Tie Line will include an additional switching structure immediately beyond the dead-end structure with a motorized isolation device and communication system for protection and control systems at each demarcation point. "

As noted in OEB document - Transmission Infrastructure: East-West Tie Line: Project Scope (EB-2011-0140) of January 12, 2012, on page 6 under East-West Tie Line requirements - bullet six states: The East-West Tie Line segments will dead-end on the demarcation point structures with a mid-span opener for non-compensated lines.

Is a motorized isolation device (switch?) and communication system for protection and control systems at each demarcation point to be provided for each uncompensated line or just a mid-span opener?

REPLY TO THIS POST



RESPONSE FROM:

The requirements in the presentation on January 10, 2012 superseded the project definition from December 20, 2011 based on additional information from Hydro One Networks Inc. Therefore, a motorized isolation device and communication system for protection is not part of the general project description anymore.

That requirement is superseded by the requirement that is conditional on the compensation of the line:

Either:

The East-West Tie Line segments will dead-end on the demarcation point structures with a mid-span opener for non-compensated lines.

Or:

If the proposal involves series compensated AC line or DC lines, the East-West Tie Line will include the protection system, associated communications, and line isolation breaker(s).

Submitted: Mar 07, 2012 by **OEB**  
Further to the previous post:

Attached is some information from the Ministry of Natural Resources on Utility Corridors on Public Land.

**Attachment:** PL 4.10.03 POL OCT 27 2006 ENG.PDF





Subject <b>Utility Corridors on Public Land</b>		Policy <b>PL 4.10.03</b>	
Compiled by - Branch <b>Lands and Waters</b>	Section <b>Land Management</b>	Date Issued <b>October 27, 2006</b>	
Replaces Directive Title <b>Utility Corridor Management</b>	Number <b>PL 4.10.03</b>	Dated <b>January 1, 2002</b>	Page <b>1 of 12</b>

## 1.0 DEFINITIONS

In this policy,

“distribution” means the lesser capacity portion of a company’s utility corridor network used for the delivery of hydrocarbons, electrical energy or telecommunication services to customers within a market area;

“memorandum of agreement” means an agreement negotiated between MNR and another party (e.g. a utility company) acknowledging the party's use of certain public lands under the jurisdiction of the Ministry for the construction, maintenance and operation of utility services;

“public land” means land under the control and management of the Minister of Natural Resources including lands managed under the Public Lands Act and Provincial Parks and Conservation Reserves Act and more specifically:

- ungranted public lands (i.e. unpatented Crown land);
- acquired property which has been deemed to be public lands in accordance with subsection 38 (2) of the Public Lands Act;
- common and public highways in territory without municipal organization; and
- lands under water which are deemed public lands under provisions of the Beds of Navigable Waters Act.

“multi site land use permit” means a Public Lands Act land use permit which includes multiple locations for the same use (e.g. lines, cables, ground beds) which are identified on an Appendix accompanying the permit;

“transmission” means the higher capacity portion of a company’s utility corridor network used for the transportation of hydrocarbons, electrical energy or telecommunication services over large distances to market areas; and

“utility corridor” means linear strips of land that run through public land to secure access between two points for the purpose of transmitting and distributing hydrocarbons, electrical energy or telecommunication services and includes such facilities as poles, towers, wire, cable (including fibre optic cable), apparatus or other thing that is used or is capable of being used for any operation directly connected with providing the service.

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## 2.0 INTRODUCTION

The Ministry of Natural Resources supports the continued development, maintenance and use of utility infrastructure on public land, consistent with the Ministry's vision of sustainable development. Ontario currently has over 36,000 hectares of public land under occupational authority by the various utility companies. A lineal network of transmission and distribution lines provides electrical and hydrocarbon energy transmission and distribution throughout the Province and assists in providing accessibility to new energy generating projects.

The development of new utility corridors and the expansion of existing corridors is generally based on the location of the generating facility relative to the existing network of pipelines and hydro transmission corridors and the ultimate destination served (i.e. urban areas). Expansion proposals can take the form of new lines or widening of existing lines and is subject to receiving all necessary approvals (e.g. Environmental Assessment Act).

Prior to submitting an application to establish a new utility corridor on Crown land, an applicant is encouraged to pre-consult the local Ministry field office in order to pre-identify and scope any land use issues or environmental and social constraints that may affect locational and development approval of the facility and related infrastructure (e.g. roads). Co-location of additional lines within an existing right of way is encouraged, in order to reduce the overall impact on the Crown land base.

The Ministry's Crown Land Use Policy Atlas (CLUPA) is a useful tool for obtaining information on the land use policies affecting Crown lands in central and northern Ontario. Generally, utility corridors and related infrastructure may be permitted in all Crown land use designations, save and except conservation reserves and provincial parks, where differing land use direction, management plan or permitted use direction may apply.

MNR will review an application for a location consistent with the Ministry's legislative, policy, and procedural requirements, including those detailed in:

- Class Environmental Assessment for MNR Resource Stewardship and Facility Development Projects;
- Class Environmental Assessment for Provincial Parks and Conservation Reserves;
- PL 4.02.01 Application Review and Land Disposition Process; and
- PL 4.10.03 Utility Corridors on Public Land (Procedure).

The accompanying procedure provides greater detail with respect to the application, review, approval and issuance of tenure for a new utility corridor.

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### **3.0 PROGRAM DIRECTION**

#### **3.1 Goal**

To provide clear and consistent policy direction to the utility industry, Ministry staff and the public on land tenure arrangements and the rental fee structure for utility corridors situated on public land in Ontario.

#### **3.2 Objectives**

The objectives of this policy are to:

- provide a standardized and consistent approach to land tenure for utility corridors situated on public land;
- provide a standardized and consistent rental fee structure for utility corridors; and
- provide a fair market return to Ontario for the use of public land by the utility industry.

### **4.0 AUTHORIZATION AND TENURE**

A standardized approach to the granting of tenure and the establishment and collection of rent for the occupation of public land by utility companies provides for fairness, consistency and equity. Rental rates, length of term, tenure type and terms and conditions within tenure documents will be applied uniformly across the province.

#### **4.1 Memorandums of Agreement**

In order to support a more efficient business relationship, this policy supports the use of memorandums of agreement (MOA) between the Ministry and utility companies for those utility companies operating either regionally or provincially. The MOA is utilized to document the number and location sites and tenure documents and provides efficiencies in invoicing and administration through tenure consolidation. The MOA is complementary to site specific tenure documents (e.g. land use permit). A new and/or extension to an existing MOA is negotiated at the end of the term, which is generally 20 years in length.

## 4.2 Occupational Authority and Land Tenure

The Ministry will use the following occupational authority or land tenure for utility corridors and related installations on public land:

Installation Type	Multi Site Land Use Permit	Crown Easement	Crown Lease	Crown Patent
<ul style="list-style-type: none"> <li>• electrical transmission and distribution lines/cables</li> <li>• copper telephone lines/cables</li> <li>• distribution fibre optic lines/cables</li> <li>• water based/submarine transmission fibre optic lines/cables</li> <li>• cable television lines/cables</li> <li>• ground beds associated with pipelines</li> <li>• roads</li> </ul>	X			
<ul style="list-style-type: none"> <li>• transmission fibre optic lines and cables</li> <li>• all types of pipelines (natural gas, water, etc.)</li> </ul>		X		
<ul style="list-style-type: none"> <li>• telephone switching stations</li> </ul>			X	
<ul style="list-style-type: none"> <li>• compressor stations associated with pipelines</li> <li>• electrical sub-stations and transformer stations</li> </ul>				X

## 5.0 RENTAL RATES AND FEES

### 5.1 Rental Formula

Rental rates for utility corridors are established by the Ministry consistent with *Appendix A Formula for Determining Rent for Utility Corridors*, based upon application of the following factors:

- land value per hectare;
- area occupied;
- impact on fee simple ownership; and
- an annual rate of return.

### 5.2 Co-Location or Multiple Use of Utility Corridors

Subject to the consent of the existing occupant of a utility corridor on Crown land, applicants proposing to install new lines, cables, pipe, etc. will be encouraged to co-locate improvements within an existing corridor. If approved, the secondary tenant will be issued the appropriate occupational authority (e.g. land use permit or easement).

The rent for additional users occupying an existing corridor is calculated as if the additional user were the only occupant of the corridor. In other words, there is no discount provided for multiple users in the same corridor, nor is there a dominant use in terms of calculating the rental formula.

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For example, a telecommunication company sharing a corridor with a pipeline company would pay a rent based on the value of the easement for telecommunication corridor use, rather than the rental formula for pipeline purposes. Note: Section 42 of the Electricity Act, 1998 may exempt additional compensation.

Upgrading an existing facility (e.g. replacing existing pipelines, poles, lines, etc.) is considered part of maintaining the service and is not subject to a rental adjustment, even if the capacity of the facility is increased as a result of the upgrade.

### **5.3 Fibre Optic Cable Corridors**

Fibre optic cable corridors are generally developed within existing single purpose utility corridors, but may also be established within new dedicated corridors. Fibre optic cable providers are required to pay fair market value to the Crown for the use of public land. Rental rates are based on a linear rate (per metre), rather than an area rate (per hectare).

Most fibre optic cable rental rates across North America are generally established at a rate based on the prevailing market conditions at the time of land disposition. Fibre optic cable values indicated in Appendix A are based on recent Ministry negotiations with the industry and are categorized more specifically as follows:

- transmission – interconnection between switching centers commonly referred to as trunk, toll or intertoll networks; or
- distribution – connection between switching centers and customers commonly referred to as feeder or access networks.

### **5.4 Trans Boundary Crossings**

The rental formula for utility corridors that occupy public land for purposes of trans boundary crossings (e.g. New York State, Manitoba, Quebec) may be subject to individual rental review by the Ministry.

Rental rates may be determined through a site specific, market value appraisal or through analysis of the rental rate used by the connecting jurisdiction, in order to ensure consistency with the rent assessed by adjoining jurisdictions.

## **6.0 REFERENCES**

### **6.1 Legislative**

- Electricity Act 1998
- Public Lands Act
- Provincial Parks and Conservation Reserves Act

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## 6.2 Directives

- PL 4.02.01 Application Review and Land Disposition Process
- PL 4.10.03 Utility Corridors on Public Land (Procedure)
- PL 4.11.04 Easements - Grants of
- PL 6.02.01 Administrative Fees for Public Land Transactions

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## Appendix A

### Formula for Determining Rent for Utility Corridors

#### (A) Electrical, Hydrocarbon and Telecommunication Lines

The rental formula for electrical, hydrocarbon and certain types of telecommunication lines is based on Ministry consultation with the industry.

The annual rent formula is established based on the land value per hectare, multiplied by the area occupied (ha), multiplied by the impact on fee simple (expressed as a %) and multiplied by the established rate of return (8-10%).

Components pieces of the rental formula include:

- land value per hectare: represents the market value of the subject and surrounding lands, expressed in terms of dollars per hectare, based on the zonal land values identified in Appendix B.
- area occupied: the area public land (hectares) occupied by one or more lines, cables, pipes etc., based on the length and width of the corridor as determined through review with the utility company.
- impact on the fee simple: that portion of the total bundle of rights (expressed as a percentage) conveyed to the tenure holder, or the degree to which other uses are precluded from the public land, including loss of resource management potential, site disturbance and longer term environmental impact. The percentage of impact on fee simple for specific utilities is as follows:
  - electrical transmission lines (115 kv & higher) - 75%
  - electrical distribution lines (less than 115 kv) – 25%
  - hydrocarbon transmission and distribution Pipelines – 50%
  - telecommunication lines – 25%
- rate of return: a formula established and applied by the Ministry on an annual basis (expressed as a percentage), based upon a number of factors including the Bank of Canada bank rate, risk of endeavor, future liability, management costs, liquidity of the asset and location.

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## **(B) Fibre Optic Lines**

The annual rent formula for fibre optic lines is established based on the linear value (\$) per metre, multiplied by the length of the corridor (metres).

The linear value per metre represents the “value in use” of the fibre optic cable, based upon a Ministry review of market transactions within the fibre optics industry, which indicated that the rate per metre was the most common basis for determining value. Fibre optic cable has a value in excess of the underlying land value and therefore represents a value in use.

The linear value will be established based on the following:

- transmission lines: \$0.10 per metre;
- distribution lines within urban municipalities in Northern and Southern Ontario with a population greater than 30,000: \$1.00 per metre;
- all other distribution lines: \$0.06 per metre

Where any of the above formulas in parts A or B of this Appendix result in a rental amount *on a per tenure document basis* that is less than \$200.00, a minimum rent of \$200.00 shall be charged.

## **(C) Telephone Switching Stations**

The initial annual rent for all telephone switching stations shall be \$1,070.00.

## **(D) Rent Adjustment in Subsequent Years**

The zonal values are normally adjusted every five years based on the updated zonal studies. After the first year and in each of the next four years subsequent to the implementation of the initial rent, the rent will be adjusted by the year over year increase in the annual average Consumer Price Index , seasonally adjusted for Ontario.

## **(E) Other Fees**

Administrative fees for document issuance and renewal will be charged, as set out in other relevant Land Management policy directives. Administrative fees will however not be charged when adding or removing a location to or from an existing tenure document (e.g. adding or removing a distribution line to or from an existing multi-site land use permit).



## Appendix B

### Zonal Land Values

For most utility corridors, the zonal approach is appropriate where the corridor traverses a large area crossing multiple economic zones. The zonal values are an averaging of the various land categories to develop “an overall blended land value rate” for the applicable zone. Where a utility company has extensive holdings that cross both northern zones, a blended northern rate is applied.

The following zonal values will be applied for the period of January 2006 to December 31, 2010, based upon a 2005 market analysis. For location identification, reference Appendix C maps.

**Northwest Zone**      \$1,200.00/ha (\$500.00/acre)

**Northeast Zone**      20 mile wide Highway 17 corridor: \$830.00/ha (\$335.00/acre)  
20 mile wide Highway 11/101/17 corridors: \$520.00/ha (\$210.00/acre)  
Other: \$430.00/ha (\$175.00/acre)

**Northern Blended Zone Rate:** \$750.00/ha (\$305.00/acre) for utility corridors traversing both the Northwest and Northeast zones.

**Southcentral Zone**    \$2,200/ha (\$900.00/acre)

**Southeastern Zone**   \$3,800.00/ha (\$1,550.00/acre)

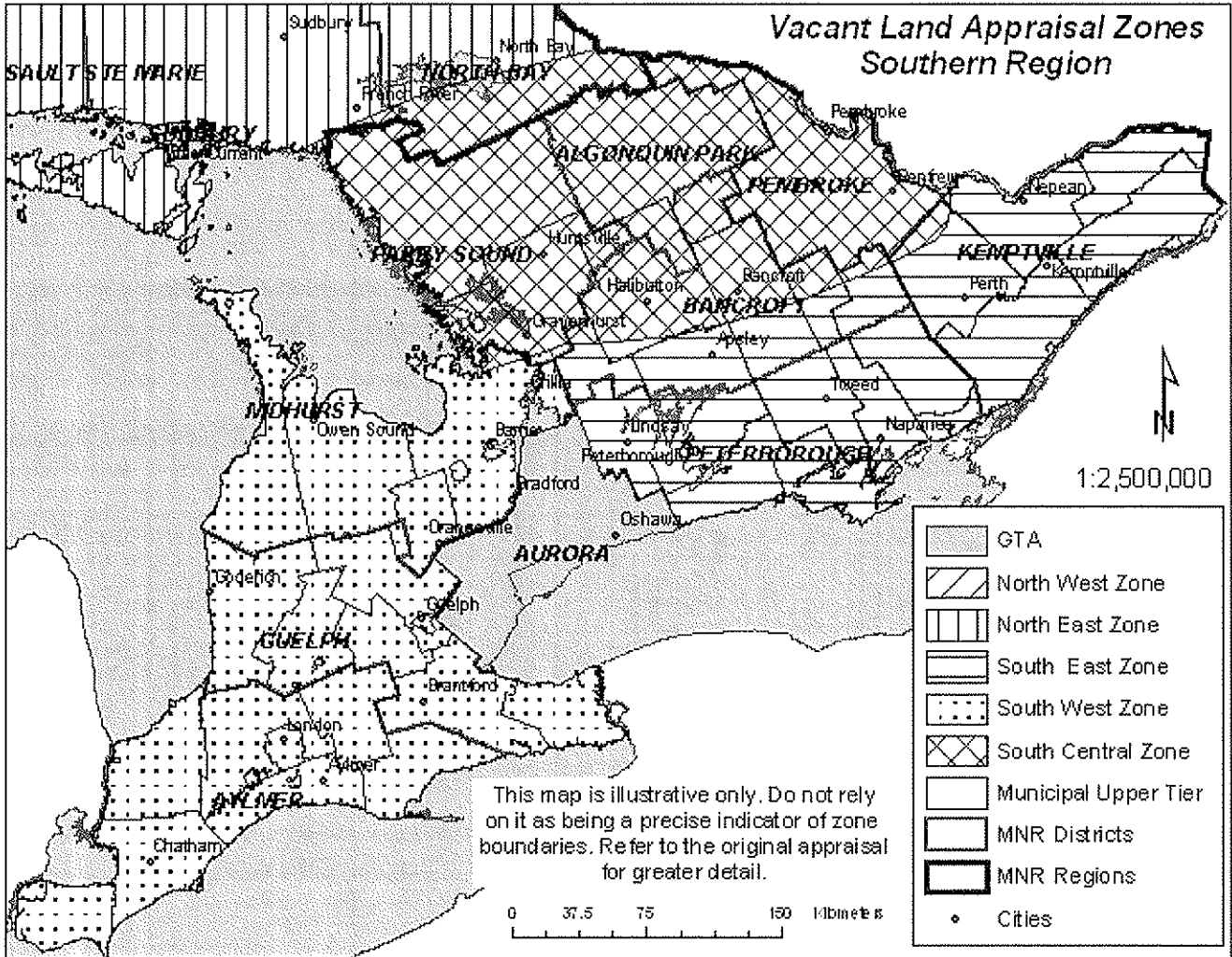
**Southwestern Zone**   \$10,100.00/ha (\$4,100.00/acre)

**Greater Toronto Area Zone:** Individual market value appraisals will normally be required for each property being considered for use by a utility company.

**Far North Zone:** Zonal value appraisals have not been completed for areas within the Far North. Appropriate values will be established per area by the Ministry’s Land Management Section, as opportunities warrant.

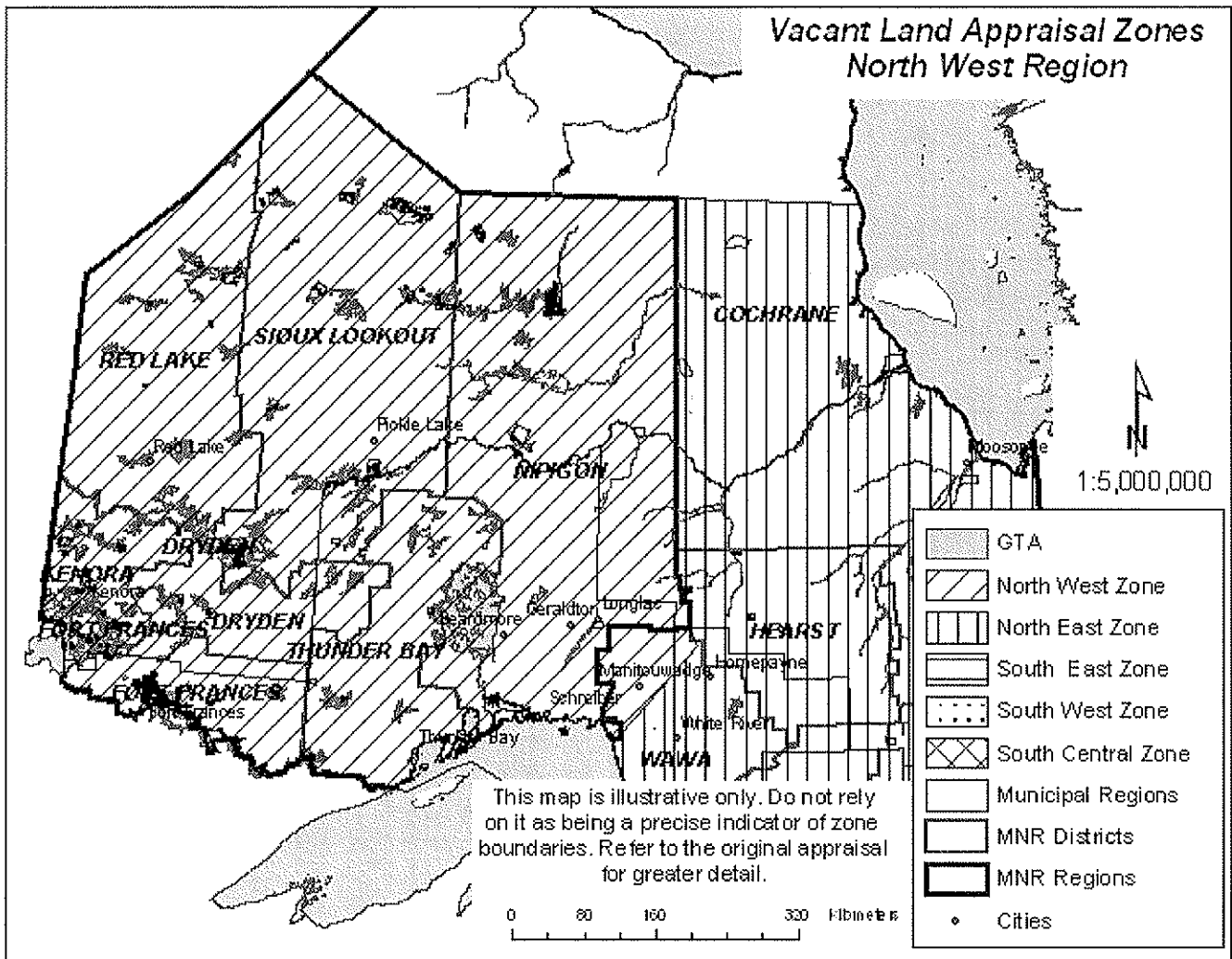
Appendix C

Zonal Land Value Map – Southern Ontario



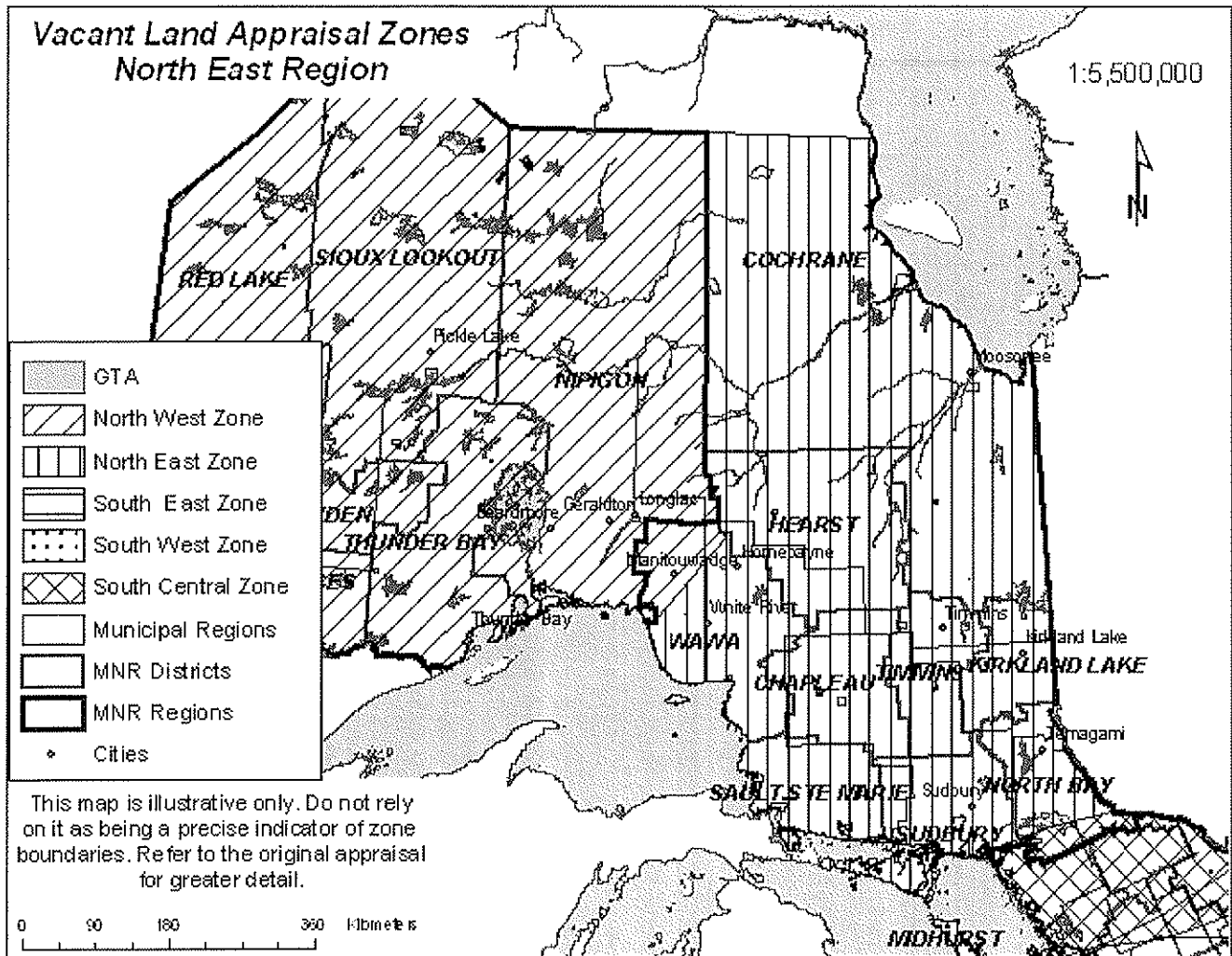
### Appendix C

### Zonal Land Value Map – Northwestern Ontario



### Appendix C

### Zonal Land Value Map – Northeastern Ontario





Use shaded areas for corrections.

Name of Applicant/Permittee (insert Corporate Name if Applicant is "Limited" or "Incorporated") Hydro One Networks Inc.		Area Code 905	Telephone No. 946-6249
As Trustee for			
Postal Address of Applicant/Permittee P.O. Box 4300			
City, Town or Village Markham	Prov./State ON	Country Canada	Postal Code L3R 5Z5

Location of Land

Lot	Concession/Block No.	Geographic Township <unknown>	Municipality
U.T.M. Grid Zone 00 E. 000000 N. 0000000	Geographic Location See Schedule "A"		Area in ha.

As per sketch and description which is attached to the original permit for this site and forms part of this permit. A copy of this sketch and description is on file at the District Office and available for inspection by the applicant at any time during normal business hours.

Land Required for the Purpose of LINE, TELECOMMUNICATIONS	GST I.D. Number R124668666
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Fee(s) and Period of Land Use

Amount Due	Annual Fee (subject to adjustment)	Permit Effective Date Jan 1, 2013	Permit Termination Date Dec 31, 2013
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\*Note: Terms and Conditions applicable to all Land Use Permits are on the reverse side of this form.\*

Terms and Conditions applicable to this permit	Purpose
<p>14. It is understood and agreed that the permittee's liability, as defined in Clause 8 on the reverse side hereof, refers to and arises only in respect of the exercise by the permittee of any right or privilege granted by this Land Use Permit and does not refer to injury, loss or damage caused by or attributable to the negligence of the Crown, it's officers, employees, agents, contractors, permittees or invitees.</p> <p>15. Any additional electrical lines proposed by the permittee on</p>	<p>Power Line</p> <p>Sub-Purpose Transmission</p>

Applicant's certification

I certify that the information given herein is true and complete, and that I have read, fully understand, and agree to comply with all of the terms and conditions set out in this permit and that I am of the age of majority.

I agree that this is the complete agreement between the parties hereto.

Signature of Applicant (Incl. Corporation Official)	Date Signed
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Corporation Use Only

I have authority to bind the herein-named Corporation

Initials and Surname of Corporation Official (Please Print)	Signature of Corporation Official	Position
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Ministry Approval

Under authority of the Regulations under the Public Lands Act, this Land Use Permit is hereby issued to the above applicant, subject to all terms and conditions contained herein and no other, and these shall be the exclusive terms and conditions applicable to the use of this land.

Signature of MNR Official	Date Signed	Cash Register Validation or Receipt No.	Amount Paid
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Personal information on this form is collected under authority of the Public Lands Act and will be used for the administration of that Act. Questions about this information should be directed to the local MNR Office, whose address and telephone number appear in the Ontario Government Telephone Directory.

## Terms and Conditions

It is agreed by the parties hereto that:

1. This Land Use Permit gives the permittee only the right to use the described site for the purpose specified in this permit and does not convey any right, title or interest in the land or in any trees standing, growing or being on the permit area, or in any minerals, sand, gravel or similar materials, in, on, or under the land. Use of any such materials, unless authorized herein, must have separate written approval from the MNR Official. Without limiting the generality of the foregoing, this agreement is a Land Use Permit and is not a Grant, Licence of Occupation, or Lease of Land.
2. (i) A permittee is an occupier under the Trespass to Property Act and the Occupier's Liability Act and shall take such care as in all circumstances of the case is reasonable to see that persons entering on the premises, and the property brought on the premises by these persons, are reasonably safe while on the premises;  
(ii) Any posting of signs or notices pursuant to the Trespass to Property Act and the Occupier's Liability Act, on the land use permit area, shall be subject to prior approval of the issuing officer;  
(iii) The permittee agrees to remove all signs or notices on termination of the permit, or at the direction of the issuing officer.
3. Any building, structure, or works, erected or to be erected on the site, or any alteration, renovation, enlargement or reconstruction of improvements, including any land improvements or alterations whatsoever, must be approved by a MNR official and any other applicable agencies or authorities. The application to the MNR Official for approval must contain a written description of the work and the permittee's evaluation of the cost of work.
4. The permittee will maintain the site in a clean, sanitary and fire-safe condition in accordance with any applicable Acts or municipal by-laws, and dispose of all garbage in an approved waste disposal site.
5. Access to the site, and quality of that access, is strictly the responsibility of the permittee. A work permit must be obtained from the MNR Official prior to the construction of any road or other access facilities. The Crown reserves the right to enter and inspect the site and the right of access for Crown purposes.
6. If the term of this Land Use Permit is longer than one year, the permittee will pay the prescribed annual fee, which is subject to change, at the beginning of each year of the term. The MNR Official may terminate this permit if the fee is not paid by the due date.
7. The permittee will pay any municipal or other taxes that may be levied against the property, in the manner prescribed by the taxing authority.
8. The permittee covenants to indemnify and forever save and keep harmless the Crown, its officer, servants and agents from and against any and all claims, demands, suits, actions, damages, loss, cost or expenses arising out of any injury to persons including death, or loss or damage to property of others which may be or be alleged to be caused by or suffered as a result of or in any manner associated with the exercise of any right or privilege granted to the permittee by this Land Use permit.
9. This Land Use Permit shall not be assigned or transferred, mortgaged or pledged.
10. This permit will automatically terminate, and all rights of the permittee will expire, on the stated termination date, or on the death or bankruptcy of the permittee, or on the winding up or dissolution of the permittee's affairs. This condition cannot be waived by the Crown and, if further use of the land is desired, an application for a new Land Use Permit must be submitted.
11. The MNR Official may refuse to issue a new permit, or may, upon sixty (60) days written notice or such further period of time as the MNR Official prescribes, revoke or cancels an existing permit when:  
(i) the permittee has violated any condition or provision of this permit;  
(ii) the hereby authorized land use comes into conflict with a new or revised land zoning plan; or  
(iii) it is, in the opinion of the MNR Official or the Crown, considered to be in the public interest so to do.  
It is, hereby agreed that any decision, made by the MNR Official or the Crown pursuant to this condition, is final.
12. Upon expiry, cancellation, revocation or other termination of this Land Use Permit:  
(i) Unless an MNR Official orders otherwise, all improvements, property or other assets remaining on the site automatically become the property of the Crown and the Crown has no obligation whatsoever to pay compensation therefor;  
(ii) The permittee will at the MNR Official's request, remove the improvements, property or other assets from the site, and leave the site in a clean and safe condition, restored as much as possible to it's original state except where the requirement to restore has been waived in writing by the MNR Official;  
(iii) Where the permittee fails to remove the improvements, property or other assets from the site and/or fails to restore the site to a clean and safe condition, within a reasonable time, the permittee will pay to the Ministry any costs incurred by the Ministry in, disposing of or destroying the said improvements, property or other assets pursuant to subject 24(5) of the Public Lands Act, and/or restoring the site to a clean and safe condition.
13. The permittee acknowledges and confirms that:  
(i) upon termination of this permit, the decision to issue a new permit is at the sole discretion of the MNR Official, and the permittee has no right to, nor reasonable expectation for, the issuance of a new permit based on prior use of the land;  
(ii) the successive issuance of any permit or permits for the use of the land described herein will not create any future rights or interests whatsoever in the land;  
(iii) should any improvements whatsoever be made to or on the land, this will not confer upon the permittee any right to use the land other than within the terms of this permit, nor will it give the permittee any right to an expectation of future permits;  
(iv) no additional terms and conditions to this permit, if inserted on the face hereof, shall alter, vary, qualify, or diminish the terms and conditions set out on this page;  
(v) there are no other representations, warranties or conditions between the Crown and the permittee, for the use of this land.