

# Bulletin 2023-05

September 6, 2023

## **Interim Rule 007 information requirements**

The AUC is introducing new, interim information requirements relating to agricultural land, viewscales, reclamation security, and land use planning as part of the regulatory review process of new power plant applications, including wind, solar, thermal, hydroelectric and other power plants.

Applicants for new power plant applications (applications that are filed on or after August 3, 2023), including wind, solar, thermal, hydroelectric and other power plants, will be required to satisfy the existing information requirements in [Rule 007: Applications for Power Plants, Substations, Transmission Lines, Industrial System Designations, Hydro Developments and Gas Utility Pipelines](#), as well as additional interim information requirements below.

The interim information requirements are in effect immediately and until further notice from the AUC.

Applicants for existing power plant applications (applications for new power plants that were filed before August 3, 2023) may be required to respond to these interim information requirements. The AUC will issue correspondence on the record of each existing application confirming the next steps in the proceeding.

Applicants who prefer not to continue developing the record of their existing application(s) while the pause period is ongoing may request that the AUC place their application(s) in abeyance until the pause period expires.

## **Interim information requirements**

### Agricultural land

1. Using the current version of the Agricultural Regions of Alberta Soil Inventory Database (AGRASID), please describe the agricultural capability of soils intersecting the project footprint as provided in the spring-seeded small grains (“SSSGRAIN”) attribute of the Land Suitability Rating System (“LandSuitabilityRatings”) table. SSSGRAIN provides the Land Suitability Rating System (LSRS) classification for spring-seeded small grains for the related AGRASID soil polygons. Provide a table showing the amount of area for each LSRS class impacted by the project in hectares (e.g. 2.01 hectares of Class 2A).
2. From the Agricultural Regions of Alberta Soil Inventory Database (AGRASID), please describe all soil series within the project area and report all potential material impacts to:

- Soil quality (i.e. compaction, rutting, salinity, sodicity, fertility, contamination, clubroot)
- Soil quantity (i.e. wind erosion, water erosion)
- Hydrology (i.e. topography, soil drainage, depth to groundwater)

Describe how these material impacts to soil quality, quantity and hydrology will be adequately mitigated during construction, operation and reclamation.

3. Describe all earthworks (e.g., stripping and grading) planned for the project, including the following information:
  - Methodology to anchor structures (e.g. screw piles, concrete footings, etc.).
  - The extent of stripping and grading, with an estimate of the area of agricultural land impacted.
  - Description of how these activities have been reduced in both extent and intensity (as practical) to protect the quality, quantity and hydrology of impacted soils.
  - Description of how and where stripped soils will be stockpiled and what steps will be taken to preserve the quality and quantity of stockpiled soils prior to replacement on site.
  - Description of how soils will be replaced on site to preserve the quality, quantity and hydrology of the disturbed soils.
4. Describe the potential for co-locating agricultural activities (e.g. grazing, haying, crops, apiculture) into the project design. If co-locating agricultural activities is not feasible, please explain why.
5. List the qualifications of the agrologist(s) who prepared or reviewed the responses regarding agricultural land.

#### Municipal land use

1. Confirm whether the proposed power plant complies with the applicable municipal planning documents including municipal development plans, area structure plans, land use by-laws and other municipal by-laws.
2. Identify any instances where the proposed power plant does not comply with applicable municipal planning documents and provide a justification for any non-compliance.
3. Describe how the applicant engaged with potentially affected municipalities to modify the proposed power plant or to mitigate any of its potential adverse impacts to the municipality, prior to filing the application.

### Viewscapes

List and describe pristine viewscapes (including national parks, provincial parks, culturally significant areas, and areas used for recreation and tourism) on which the project will be imposed. Describe mitigation measures available to minimize impacts from the project on these viewscapes.

### Reclamation security

Describe the reclamation security program for the proposed power plant, including details on:

- The standard to which the project site will be reclaimed to upon decommissioning.
- How the amount of the reclamation security will be calculated.
- The frequency with which the reclamation security amount will be updated or re-assessed.
- When the reclamation security will be in place to be drawn upon, if needed.
- What form the reclamation security will take (e.g., letter of credit, surety bond, other).
- The security beneficiaries to whom the reclamation security will be committed.
- How the beneficiary can access the security and any constraints on such access.

### **Background**

On August 22, 2023, the AUC issued an [announcement](#) that it will continue to process applications up to the approval stage for new hydro developments and power plants that produce renewable electricity while the approval pause period is in effect. The AUC stated it will supplement Rule 007 with new, interim information requirements relating to such issues as agricultural land, viewscapes and reclamation security.

The [Generation Approvals Pause Regulation](#) was enacted through an [order-in-council](#) that prohibits the AUC from issuing approvals from August 3, 2023, to February 29, 2024, for new hydro developments or power plants that produce renewable electricity, subject to certain exceptions for small power plants, isolated generating units and micro-generation.

The AUC regularly assesses its regulations, rules and processes to identify innovative and efficient regulatory solutions for Alberta.

Specific inquiries about the interim information requirements can be directed to Rita Chan, director of generation, at [rita.chan@auc.ab.ca](mailto:rita.chan@auc.ab.ca).

General stakeholder questions can be directed to [info@auc.ab.ca](mailto:info@auc.ab.ca).

Alberta Utilities Commission