

# Bulletin 2024-25

December 18, 2024

## Changes to interim information requirements for power plant applications

The [Electric Energy Land Use and Visual Assessment Regulation](#) was enacted on December 6, 2024. The regulation necessitates changes to the Alberta Utilities Commission's interim information requirements for power plant applications depending on their nature and location. This bulletin provides initial direction on how the AUC will apply this regulation. Parties can expect further opportunity to comment on these changes in the new year, as part of the consultation process for [Rule 007: Applications for Power Plants, Substations, Transmission Lines, Industrial System Designations, Hydro Developments and Gas Utility Pipelines](#).

### Agricultural land

The AUC initially published Rule 007 interim information requirements ([Bulletin 2023-05](#)) to request evidence on impacts to high-quality agricultural land. The AUC has revised those requirements to provide clarity to parties and ensure that its interim information requirements address the *Electric Energy Land Use and Visual Assessment Regulation*.

The updated requirements can be found in the appendix of this bulletin, and request information related to:

- Determination of high-quality agricultural land.
- Irrigation potential.
- Professional expertise.
- An agricultural impact assessment, if applicable.

All new applications for wind and solar power plants on high-quality agricultural land as defined in the regulation, filed after December 6, 2024, must include an agricultural impact assessment in accordance with Section 4 of the regulation.

The AUC will assess all proceedings currently before it, for which a decision has not yet been issued, and that are for projects sited on high-quality agricultural land, and correspond with parties on the public record of those proceedings if further information or process is required to satisfy the requirements in the regulation.

### Reporting on agricultural productivity

Section 5 of the regulation requires the owners of wind and solar power plants on high-quality agricultural land to report to the AUC on agricultural productivity within 36 months from the start of operations. The AUC will work with stakeholders to develop these reporting

requirements for inclusion in [Rule 033](#): *Post-approval Monitoring Requirements for Wind and Solar Power Plants*.

For now, the Commission will solicit information from applicants in the form of an interim information requirement on how they will evaluate and improve the performance of any co-location agricultural proposal. The requirement can be found in the agricultural land section of the appendix of this bulletin.

### **Irrigability assessments**

The AUC will solicit information on the current irrigation status of land for all proposed power plant types within the [White Area](#), as described in the appendix of this bulletin, and will use that information to determine on a case-by-case basis whether more detailed irrigability assessments are required.

This information will be required for all types of power plants in the defined area set out in Section 6 of the regulation, for which applications are filed after December 6, 2024.

### **Visual impact assessments**

Section 8 of the regulation sets out a requirement for all types of power plants to submit a visual impact assessment if they are located in certain [zones](#) defined in the regulation. Interim information requirements for what a visual impact assessment should contain are in the appendix of this bulletin.

All new applications for all types of power plants within the zones defined in the regulation, filed after December 6, 2024, must include a visual impact assessment.

The AUC will apply this requirement for a visual impact assessment to all proceedings currently before it, for which a decision has not yet been issued, and that are for power plants within the zones defined in the regulation, and correspond with parties on the public record of those proceedings if further information or process is required to satisfy the requirements in the regulation.

Please note that in accordance with Section 8(3) and Schedule 2 of the regulation, any applications received for wind power plants located within the buffer zone will be closed, unless exempted in Section 2(2).

### **Certain existing interim information requirements under [Bulletin 2024-08](#) are still in force**

The existing interim information requirements related to municipal land use and reclamation security have not changed and remain applicable to all new power plant and energy storage facility applications. They have been included in the appendix of this bulletin to ensure all applicable interim information requirements can be found in a single document.

The AUC will provide an opportunity for parties to comment on new information requirements after it releases its blackline of proposed changes to Rule 007 in the new year. The AUC may make modifications to the interim requirements below as part of that process.

Specific inquiries related to this bulletin can be directed to Rita Chan, Director – Power Plants at [rita.chan@auc.ab.ca](mailto:rita.chan@auc.ab.ca) or Kim Macnab, Executive Director – Facilities at [kim.macnab@auc.ab.ca](mailto:kim.macnab@auc.ab.ca). General stakeholder questions can be directed to [info@auc.ab.ca](mailto:info@auc.ab.ca).

Alberta Utilities Commission

## **Appendix**

### **Rule 007 interim information requirements**

Applicants for new power plant applications (applications that are filed on or after December 6, 2024, as set out in Bulletin 2024-25), including wind, solar, thermal, hydroelectric and other power plants and new energy storage facility applications, 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 the additional interim information requirements below. Where the interim requirements are applicable only to certain types of power plants or energy storage facilities, it is specified below.

#### 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 (LSRS) table. Provide a table showing the amount of area for each LSRS class impacted by the project in hectares (e.g., 80 hectares of Class 2).
2. For the project footprint, identify whether:
  - a) The project lands contain irrigation infrastructure.
  - b) The project lands are within an irrigation district. If so, whether:
    - The project has been discussed with the applicable irrigation district.
    - Irrigation acres (either permanent, terminable or annual) are or have been assigned to the project lands.
    - An application for water rights or irrigation acres has been made for the project lands.
  - c) The landowners have obtained a Private Irrigation Water Licence for irrigating the project lands.
3. List the professional qualifications of the author(s) who prepared or reviewed the above information regarding agricultural land.
4. Submit an agricultural impact assessment if any LSRS Class 1 or Class 2 land is reported within the project footprint, or if any Class 3 land is reported within the project footprint and the project is within a municipality identified in “Schedule 1 - Class 3 Land Municipalities” in the *Electric Energy Land Use and Visual Assessment Regulation*.

An agricultural impact assessment must include a soils component and a description of the current and proposed agricultural activities. The AUC requests the following information for inclusion in an agricultural impact assessment:

*Soils component*

- a) Describe all soil series within the project area and report all potential impacts to:
  - Soil quality (i.e., compaction, rutting, salinity, sodicity, fertility, contamination, clubroot).
  - Soil quantity (i.e., wind erosion, water erosion).
  - Hydrology and hydrogeology (i.e., topography, soil drainage, depth to groundwater).
- b) Describe how potential impacts to soil quality, quantity, hydrology and hydrogeology will be adequately mitigated during construction, operation and reclamation.
- c) 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).
  - 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 project reclamation.
  - Description of how soils will be returned to preserve the quality, quantity and hydrology of the disturbed soils.

*Current and proposed agricultural activities*

- d) Describe the current agricultural activity within the project lands (e.g., crop rotation, grazing regime) and typical yield, revenue or other applicable measure of productivity for the agricultural activities on the project lands.  
Comment on any constraints to co-locating the current agricultural activities within the project lands and any project alterations, upgrades or specialized equipment necessary to maintain the current agricultural activities.
- e) If the current agricultural activities are not feasible, explain why. Provide a proposal for co-locating alternative agricultural activities with the proposed project, including:
  - The specifics of the co-located alternative agricultural activities including sufficient details to demonstrate the feasibility of such an agricultural

system (e.g., cropping proposal, availability of forage, stocking rates, specialized equipment).

- The forecasted timing, expected production (yield, revenue or other applicable measure of productivity) and marketability of the agricultural products of the co-located alternative agricultural system.
  - If other practices are being considered that support agriculture (e.g., cover crops for soil health).
  - Compare the expected productivity of the co-located alternative agricultural system to the productivity of the current agricultural activity within the project lands (i.e., response to request 4d) and express it as a percentage of the current productivity.
- f) Describe how the performance of the co-located agricultural activities will be evaluated over the course of the project life and the potential for changes to the agricultural activities in the event of poor performance.

#### Municipal land use

1. Confirm whether the proposed power plant or energy storage facility complies with the applicable municipal planning documents including municipal development plans, area structure plans, land use bylaws and other municipal bylaws.
2. Identify any instances where the proposed power plant or energy storage facility 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 energy storage facility or to mitigate any of its potential adverse impacts to the municipality, prior to filing the application.

#### Reclamation security

Describe the reclamation security program for the proposed power plant or energy storage facility, 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.

- A report prepared by a third party estimating the costs of reclaiming the proposed project. The report must include the estimated salvage value of project components.
- An explanation of why the chosen form of security was selected, having regard to its attributes and priority in bankruptcy, including how the secured party would be able to realize on the reclamation security should the project owner and operator be in default.

### Visual impact assessments

For all types of power plants located within a buffer zone or a visual impact assessment zone, as defined in Schedule 2 and Schedule 3 of the regulation, applicants must submit a visual impact assessment. The visual impact assessment must include:

1. An evaluation of the anticipated visual impacts on the buffer zone or visual impact assessment zone.
2. Visual simulations from key vantage points illustrating the potential visual impact of the proposed power plant.
  - Key vantage points should include locations with valued viewsapes determined to have a major or major/moderate severity of impact raking in the visual impact assessment. If desired, visualizations may also be provided for other viewpoints in the project area so that a range of views at different distances and in different landscapes may be presented. Some of these additional visualizations can include viewpoints from nearby residences.
  - Visualizations must include an accurate representation of the viewscape:
    - Before project construction has commenced.
    - After project construction has been completed, but without any mitigation measures implemented.
    - After project construction has been completed, and any proposed mitigation measures have been implemented.
  - The visualizations should include an explanation of how they were prepared, how they are to be viewed, and what was done to ensure they were prepared accurately. A map must be provided that shows the location and direction of each visualization.
3. Proposed mitigation measures to minimize or offset any adverse visual effects on the buffer zone or visual impact assessment zone.
  - Describe the mitigation measures that will be implemented, including their location, predicted effectiveness during the project's full life cycle and whether the mitigation measures have been discussed with adjacent landowners. If vegetation screening is planned, please confirm that it has also been discussed with local fire authorities and the municipality.