





Subject: **AUC Decision re Three Hills Solar Power Corp.**
 Meeting Date: Tuesday, June 18, 2024
 Prepared By: Mike Haugen, CAO
 Presented By: Mike Haugen, CAO

RECOMMENDATION:

That the Committee of the Whole accept this report for information.

STRATEGIC PLAN ALIGNMENT: (Check all that apply)

	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
High Quality Infrastructure		Economic Resilience		Quality of Life		Effective Leadership		Level of Service	

RELEVANT LEGISLATION:

Provincial (cite)- NA

Council Bylaw/Policy (cite)- NA

BACKGROUND/PROPOSAL:

The Alberta Utilities Commission has released Decision 28086-D01-2024. The proposed project is a 133-acre solar power generation facility located north of Three Hills east of Highway 21.

During the hearing for this proposal, Kneehill County spoke and raised our concerns with the project to the AUC.

DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES/OTHER CONSIDERATIONS:

The full decision is attached for Council's reference. Administration notes some points of interest contained in the decision for the Committee's awareness.

The decision notes that concerns were heard from both the County and the Three Hills Landowner Group. After hearing those concerns, the project was deemed to be in the public good. Some of the reasons for this included:

- The production of emissions free electricity
- Diversification of energy resources
- Generation of municipal tax revenue
- Creation of job opportunities
- Loss of agricultural land is reversible at the project's end of life
- Ability to co-locate agriculture activities including livestock grazing and apiculture
- Weeds and vegetation can be managed through appropriate plans
- Lack of adverse glare and minimal visual impact from nearby residences

In addition to some of the reasons, Administration feels that other areas of the decision are also notable. To this end, Administration provides the following excerpts from the decision (highlights added by Administration):



“3.2.1 The public interest and municipal planning concerns

22. *The Commission has held that it must have regard for a municipality’s land use authority when deciding if approval of a project is in the public interest. In addition to considering municipal land use planning instruments, a municipality’s concerns with a proposed project form part of the Commission’s overall determination of whether approval of a project is in the public interest. A municipality can provide additional context regarding concerns for a specific project and a regional lens through which its planning instruments are situated. The Commission has a broader, province-wide perspective.*

23. *In this proceeding, the Commission granted the County full participation rights as it considered that the County has expertise in land use planning and an interest in development within its jurisdiction and therefore could provide valuable information to assist the Commission. The County provided relevant information that has been considered in the Commission’s public interest determination.”*

Further, Administration notes an excerpt of Section 39 of the decision:

“...While the Commission acknowledges the County’s important interest in local development, we are not bound by a municipal land use bylaw (whether proposed or in force) that might prohibit the development of a power plant on certain lands...”

In its decision, the Commission noted that other agricultural activities will take place on the land during the life of the project and that end-of-life reclamation will return the land to its present agricultural use.

FINANCIAL & STAFFING IMPLICATIONS:

There are no financial implications associated with the recommended motion.

ATTACHMENTS:

AUC Decision 28086-D01-2024, June 12, 2024

APPROVAL(S):

Mike Haugen, Chief Administrative Officer

Approved-

