



Alberta Utilities Commission Proceeding 28086

Application 28086-A001

November 27, 2024 – December 1, 2024

Opening Statement of Kneehill County

On behalf of Kneehill County I wish to express our gratitude for being allowed to take part in this hearing and to express our concerns for the Commission's consideration. As a local government, we are tasked with ensuring that our community represents the expectations and values of our citizens as a whole. This means that we are tasked with being stewards of the public interest of our community. In that capacity, Kneehill County has several concerns related to the development of large-scale energy infrastructure within the County.

The County's concerns fall into several categories:

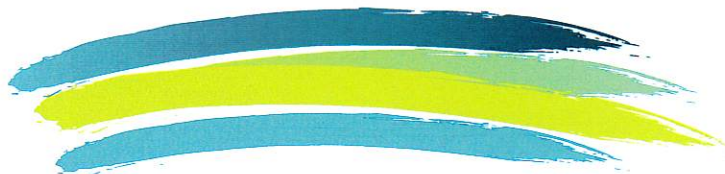
1. Public interest and the use of quality agricultural land
2. The importance of the rural way of life in Kneehill County
3. Reclamation and end of life concerns
4. Weed, pest, and disease control
5. Erosion, and
6. Impact on water ways

We are providing comment on these topics with the expectation that they are given consideration by the Alberta Utilities Commission when deciding on this application.

1. Public interest and the use of quality agricultural land

While Kneehill County acknowledges the need for sustainable energy solutions, we believe it is crucial to strike a balance between energy development and the preservation of agricultural resources. We maintain that both are important components of the public interest and that both must be considered in the decision-making process.

While a single development, viewed in isolation, may only remove a small amount of quality agricultural land, the cumulative impact of continued conversion of quality agricultural land is not yet understood and increases with each new development. The County has concerns about the pace of this genre of development in general, and about the use of quality agricultural land in this specific instance. The County notes that under classification systems such as the Canadian Land Inventory or the Land Suitability Rating System, the subject lands are comparatively better agricultural land. Kneehill County maintains that the higher the land classification, the more any proposed development should be scrutinized and the more restrictive allowances should be.



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The proposed development may result in the permanent conversion of fertile agricultural land into energy infrastructure. As the provincial and global population continues to grow, safeguarding food security should be of paramount importance as part of the public interest. The preservation of Agriculture and its importance are enshrined in the County's Municipal Development Plan (MDP). The County also notes several excerpts of the Land Use Policies, as established by the Province of Alberta with the expectation of implementation by municipalities:

"Municipalities are encouraged to identify, in consultation with Alberta Environmental Protection, significant ravines, valleys, stream corridors, lakeshores, wetlands and any other unique landscape area, and to establish land use patterns in the vicinity of these features, having regard to their value to the municipality and to the Province." (Section 5, Policy 1)

In addition, the County notes the following Land Use Policies statements from Section 6.1 – Agriculture:

"Municipalities are encouraged to identify, in consultation with Alberta Agriculture, Food and Rural Development, areas where agricultural activities, including extensive and intensive agricultural and associated activities, should be a primary use."

"Municipalities are encouraged to limit the fragmentation of agricultural lands and their premature conversion to other uses, especially within the agricultural areas identified in accordance with policy #1"

"Where possible, municipalities are encouraged to direct non-agricultural development to areas where such development will not constrain agricultural activities."

"Municipalities are encouraged to minimize conflicts between intensive agriculture operations and incompatible land uses through the use of reciprocal setback distances and other mitigative measures."

Kneehill County questions whether this site is suitable for the proposed development and is concerned that approval would not be consistent with our community's development goals and provincial expectations.

2. The importance of the rural way of life in Kneehill County

Kneehill County takes great pride in its rich agricultural heritage and agriculture first approach. Agriculture, directly or indirectly, provides continuous and generational employment and economic activity within our region. Continued loss of quality agricultural land could have cascading effects on the economy of our region. Establishment of the preservation of agricultural activity and the rural way of life is a priority component of the County's Municipal Development Plan.

We would note the goal statements contained within the Agriculture section of the Kneehill County MDP. Specifically Goals 1, 2, and 5, respectively:

1. *To preserve the agricultural heritage of the County.*
2. *To ensure that agriculture continues to be a viable and thriving component of the County's economy.*
5. *To minimize potential conflicts between agricultural and non-agricultural uses.*

Kneehill County is concerned that continued development of energy generation infrastructure on quality agricultural land is not consistent with the stated goals of the local community, as reflected in the County's MDP.

3. Reclamation and end of life concerns

Kneehill County is a community that cherishes its agricultural roots, pristine landscapes, and the overall well-being of its residents. As the local governing body, we are committed to responsible development that aligns with the values and sustainability goals of our municipality as stated in the County's Municipal Development Plan.

The County is not privy to the specific details of any contractual security provisions that may or may not be in place at this time. Kneehill County is concerned that security requirements may not be sufficient in amount and/or not be of a type guaranteed to outlive any disruptions such as land/company sales, bankruptcies, insolvencies, and the like. Should this proposed development be approved, it must be ensured that a full, clear, and comprehensive financial guarantee is in place prior to construction and is composed of a mechanism that is guaranteed to be in place at the project's end of life. In the County's opinion this would constitute actual funds being in place prior to commencement of construction.

Reclamation is a critical aspect of responsible development, especially in rural areas where the natural environment plays a central role in the quality of life and economy for our residents. The perceived absence of a clear and enforceable financial security plan raises questions about the long-term impact of the project and the potential burden it may place on our community should the security be of a form that is not guaranteed to be present at the end of life.

In addition of financial security, the County is asking the AUC to ensure that other components of reclamation are robust and in place should the development be approved. Specifically, the County is requesting that no top soil be allowed to leave the site through either intentional or unintentional means (such as wind, erosion, etc.). This is critical to ensuring that at the end of the project's life, the land can be restored to an equivalent land capacity.

The County also requests that the AUC ensure that an appropriate plan for disposal of materials such as panels is in place should the project be approved. At this time, Kneehill County would not accept material at its waste disposal sites and is unaware of any recycling options that exist at scale.

Kneehill County believes that a commitment to robust reclamation practices is essential for maintaining the environmental integrity of our municipality and safeguarding the interests of current and future generations and request that should this project be approved that the AUC ensure that reclamation and end of life requirements are both robust and guaranteed as per the County's expectations.

4. Weed, pest, and disease control

Another concern of Kneehill County is weed, pest, and disease control. There will be a significant period of time when the site does not have appropriate vegetation coverage and weeds will be more prevalent. While the County has the authority to deal with prohibited or noxious weeds under the Weed Control

Act, there are a number of weeds that are of concern to the County and agricultural producers such as Kochia, Foxtail, Green Foxtail, and Wild Mustard.

Given the large adverse impact of weed spread, any approval of a project of this type should include a robust weed and vegetation management plan acceptable to Kneehill County that provides for vegetative coverage types and standards and comprehensive weed and pest management through both construction and the life of the project.

Kneehill County, like rural municipalities throughout Alberta, has a distinct concern regarding Clubroot disease. Clubroot is a problematic soil borne disease that transfers through soil movement. This means anything that can move soil, such as erosion, wind, transfer on boots/clothing and equipment can spread the disease. Clubroot in general is a serious enough concern that if it is found a possible mitigative measure is destruction of the crop in question.

Should an approval of this project occur, a crop disease mitigation plan acceptable to Kneehill County should be in place prior to construction or stockpiling of materials.

5. Erosion

Kneehill County is a community that values its natural resources and environmental sustainability. As the local governing body, we are dedicated to fostering responsible development that minimizes adverse impacts on our rural landscape. Given the County's concerns regarding reclamation and the spread of weeds and crop disease, erosion control during construction and throughout the life of the project should be a requirement in a manner acceptable to Kneehill County.

Given the rural nature of our municipality, where the integrity of the land is crucial to the well-being of our residents, it is imperative that development projects prioritize erosion control measures. Should the development ultimately be approved, Kneehill County requests that an erosion control plan be established that includes, at a minimum, the following:

- **Comprehensive Site Assessment:** Conduct a thorough site assessment to identify vulnerable areas and potential erosion hotspots.
- **Erosion Control Plan:** Develop and implement a robust erosion control plan that includes measures such as vegetation cover, mulching, silt fences, and other best practices to prevent soil erosion.
- **Sediment Management:** Implement effective sediment management practices to ensure that soil runoff does not negatively impact surrounding water bodies, sensitive ecosystems, or adjoining/downstream properties.
- **Monitoring and Reporting:** Establish a monitoring and reporting system to track the effectiveness of erosion control measures over time, with regular updates provided to the municipality.

6. Impact on water ways

Water is crucial to agriculture and sustaining a rural way of life. Kneehill County is concerned about potential water runoff from the proposed project that would undermine and conflict with the use of

adjacent lands through impact to natural water ways and drainage courses. Given the nature of the project the County would have difficulty addressing stormwater management through the development process in a way that could sufficiently protect adjacent landowners and downstream water bodies. This is best done at the provincial level by the AUC.

Kneehill County is unaware of any long-term analysis of potential site contaminants related to solar generation facilities and requests that should the development be approved, that it be required that stormwater and drainage be kept on site until such time as it can be demonstrated that its release would not inadvertently impact neighbouring and downstream users. Kneehill County envisions that this process would involve Alberta Environment. We suggest that a mechanism for this would be the development and implementation of a runoff management plan to ensure that stormwater from the site does not negatively impact water quality or alter the natural flow patterns of nearby watercourses.

In light of these concerns, Kneehill County respectfully requests that the Alberta Utilities Commission thoroughly evaluate the trade-offs associated with the proposed energy development as they pertain to the public interest. The County advocates for a comprehensive analysis that considers the long-term implications on our community's agricultural viability, economic well-being, and cultural identity. Furthermore, we propose exploring alternative sites for projects that do not compromise the integrity of our quality agricultural land and contribute to adverse cumulative impacts.

In closing, Kneehill County appreciates the attention to this matter and we look forward to a constructive assessment of the concerns raised regarding the proposed project. We thank you for your time and consideration of our points and the goals outlined in our Municipal Development Plan.

Thank you.