1. Reclamation security

1.1 Should Alberta impose mandatory reclamation security requirements on all types of power plants?
Yes. All types of generation facilities should have mandatory reclamation security requirements.

1.2 Do private contracts between project owners and landowners provide a sufficient level of reclamation security? Should private contracts between project owners and landowners regarding reclamation security be standardized?
Private contracts between project owners and landowners do not provide a sufficient level of security. There is no guarantee that a landowner has the resources, expertise, or capacity to effectively ensure a sufficient reclamation amount is identified and in place. Wording should be standardized and reclamation should be regulated through the Province.

1.3 If new security requirements are imposed, should they only apply on a go-forward basis to new projects, or should they also apply to existing and approved projects?
All projects should be subject to security requirements as theoretically, all sites will eventually need to be reclaimed. The cost of doing so should fall to the developer.

1.4 What type of security should be required (e.g., cash, letter of credit, surety bond, insurance, etc.)?
Any type of security that can exist in place after events such as bankruptcies, dissolution, etc. could be considered.

1.5 How should the amount of security be determined?
The amount should be determined by a third party with expertise in reclamation and remediation.

1.6 When in the project lifespan should the security be required?
The security should be required to the commencement of project construction and be in a form that could outlive events such as bankruptcies, sales, dissolutions, etc. This way the cost of reclamation will be born by the developer, not the taxpayer.

1.7 Should the security be independently reviewed and updated during the life of a project to ensure it is adequate, and if so, how often should that be done?
Yes. This should be done annually. The development of yearly modifiers accounting for cost increases could be developed for this purpose. Such calculation could also potentially incentivise recycling to ensure material is not just buried or landfilled.

1.8 How should the power plant owner demonstrate security is in place?
The security should be held by the Province in trust, not by the power plant owner. There should be no chance of the security being lost if the owner fails, goes bankrupt, walks away, etc.

1.9 How should the security be structured to address the risk of bankruptcy or default by the power plant owner?
The security should be held by the Province in trust, not by the power plant owner. There should be no chance of the security being lost if the owner fails. This would be accomplished by the security being required prior to the commencement of project construction.

1.10 Who should hold and have oversight of the reclamation security program and the disbursement of funds in the event of a default (e.g., Alberta government, municipality, landowner, AUC, other)?
This should be the domain of the Alberta government. It should not fall to the AUC, landowner, or municipality.

1.11 Are there Alberta reclamation security programs in place for other sectors that could be adopted for power plants?
Possible programs that could be used as a starting point exist for Waste Disposal Sites (landfills) and Sand/Gravel excavations. Taking up front security and payments for things like off-site levies are standard practices in all types of development.

1.12 Are there other jurisdictions that have reclamation security in place for power plants that should be considered in Alberta?
Unknown

2. Development on agricultural and environmental lands

2.1 Are there certain categories of agricultural land or environmentally sensitive lands where power plant development should not be permitted?
Development should not occur on higher classed lands (1, 2, or 3) or in environmentally sensitive areas 1-4. Historically designated lands category 1-5 should also be avoided. These developments should not take place where impacts from the site can affect natural drainage or watershed quality without proper mitigation measures in place. The overall cumulative effects should be considered.

2.2 Are there land or soil classifications/classes where power plant development should not be permitted?
Development should not occur on higher classed lands (1, 2, or 3) or in environmentally sensitive areas or historically designated lands. These developments should not take place where impacts from the site can affect natural drainage or watershed quality without proper mitigation measures in place.

2.3 Should certain lands be set aside in Alberta for only agriculture uses now and in the future? If so, how should these lands be identified? While it is ideal to protect high classification agricultural land as a long-term goal especially from high-density industrial activity, it may not be feasible and should be something that each municipality has an opportunity to decide based on the vision they have for their municipality. Non-agricultural development should be directed to areas where development will not constrain agricultural activities.

2.4 Should there be a streamlined and/or prioritized approval process for power plant development on certain types of lands, provided there are no outstanding concerns related to reclamation security, viewscapes, valued environmental features, compliance with existing rules, etc.? For example: a) Lands owned or controlled by a government or government agency (provincial or municipal). b) Land zoned by a municipality for commercial or industrial development. c) Land already disturbed or with development already in place.
If municipalities are allowed to create specific zones for this some streamlined approval may be possible, otherwise the same process including public consultation should occur.

2.5 What municipal planning information should the AUC review when considering a power plant development?
Planning documents take a great deal of time and should not be taken lightly. They reflect the long-term vision of a municipality. They are done within the boundaries established by the province and should be considered in any provincial approvals. The AUC should review and be bound by the Municipal Development Plan which sets the vision, goals and objectives which provide strategic perspective to help inform development decisions. Area Structure Plans and the Land Use Bylaw should also be considered as these documents outline the specific requirements for any land use district. (i.e. setbacks to other uses, roads, watercourses, etc.) These documents also outline potential future land uses and environmental limitations that need to be considered in any applications for development.

2.6 For power plants that do not align with approved municipal land use plans or zoning, how should the AUC consider this within its public interest determination?
The AUC should be considering a number of issues including local impacts to property, traffic, viewscape, land production (agriculture), storm water management, disposal of equipment at end of life, etc. (there is no guarantee a municipality will accept material at a landfill or allow it to be buried. There are currently no recycling programs in place to deal with this material at that scale). It would be helpful if municipalities were able to establish reasonable exclusion zones that could be included in the Municipal Development Plan (MDP) that would be adhered to by the AUC. (Much like the Natural Resources Conservation Board when approving confined feeding operations. Their decisions must be consistent with the MDP)

2.7 The AUC requires power plant developers to provide a summary of their consultation with local jurisdictions (e.g., municipal districts, counties). Should the requirement to consult with local jurisdictions be enhanced, and if so, how?
Developers should be required to demonstrate that their proposal is compliant with local jurisdiction bylaws and policies, including accepted plans for end-of-life disposal of material, non-removal of topsoil, as well as weed, pest and vegetation management, and emergency response (many local fire departments are not equipped or trained to respond to events at these sites). Local conditions may dictate additional measures to ensure impact to adjacent landowners is minimized.

3. Development on provincial Crown land

3.1 Should there be development of power plants on Crown land? Should there be limitations or special constraints on the amount or types of Crown land available for development?
Yes. If the Crown is allowing power plants to be developed on private lands, there is no reason why crown land should be off limit within the same decision-making structures/parameters. If crown lands have environmental/historical limiting factors, then development should not be encouraged, but the same should apply to lands not designated as crown land.

3.2 What considerations should factor into the Commission's public interest determination? For example, how should impacts to existing Crown leaseholders, permit holders, or license holders etc. (e.g., grazing leaseholders, timber permit holders) be considered? How should impacts to recreational users be considered?
As a leaseholder, they should be considered as they already have permission to do an activity. Again, most crown land would have limiting factors due to environmental sensitivity or historical protections so to be consistent; it shouldn't matter whether it is crown land or not, the same criteria should be considered.

4. Pristine viewscapes

4.1 How should "pristine viewscape" be defined?

4.2 What criteria, if any, should be used to assess the impact of a power plant development on a "pristine viewscape"?

- Value of the existing view
- Degree of change to the view
- The period of time the view will be changed
- Typical activities that take place in the area
- How wide is the impact
- Are there alternative views

4.3 How should the impact on viewscapes be balanced against other impacts (positive and negative) when assessing the public interest of a power plant? Does the response differ depending on the type or characteristics of the viewscape?
Using the previously noted criteria, not all viewscapes are created equally. Many things need to be considered. The impact may be to a low population count in a rural area, but the number of people impacted should not reduce the importance of the viewscape.

4.4 Do wind and solar power plants have the same impact on viewscapes? How do they compare to the impact on viewscapes from non-renewable power plants?
Solar power plants impact the viewscape of those in the general vicinity. Wind power plants impact the viewscape for miles due to the sheer size of the turbines. Non-renewable power plants would impact the viewscape of those closest to the footprint.