



# Renewable Energy Project Amendments

## How the Renewable Energy Application Amendment Process Works

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### Overview

The Alberta Utilities Commission (AUC) Rule 007 requires all wind and solar projects greater than one megawatt to obtain a Renewable Referral Report from Alberta Environment and Parks (AEP). A Referral Report is required to complete a submission by the proponent to the AUC.

After the completion of the Referral Report, but before commissioning of a project, changes may be made that have the potential to affect the wildlife risk ranking. In situations where the changes are significant to wildlife or wildlife habitat, amendments are used. Amendments ensure appropriate mitigation strategies are implemented by the proponent for wildlife. It also ensures the AUC has the best information available with respect to wildlife and wildlife habitat when making regulatory decisions and assigning regulatory conditions associated with any project approval.

This document outlines the amendment process.

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### ABOUT THE RENEWAL ENERGY PROJECT APPLICATION AMENDMENT PROCESS

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#### Eligibility for application amendments

Amendments will only be considered for projects that meet all the following requirements:

- The project has a current Referral Report, as defined in AEP's policy.
- The project has current wildlife surveys, as defined in the policy.
- The project has been submitted to the AUC for regulatory decision or has existing AUC regulatory approval.

#### When amendments are required

An amendment is required for the following changes to a renewable project:

- When a new wildlife feature (house/nest/den) is identified resulting in an infringement upon the required setback.
- When changes made to the wildlife mitigation plan outlined in the Referral Report result in a reduction in mitigation commitments.
- When changes to project siting/layout increase impacts to sensitive wildlife habitat as defined in the Wildlife Directive for Alberta Wind Energy Projects or Wildlife Directive for Alberta Solar Energy Projects (Directive) (example: native habitat, wetlands, etc.).
- When changes to project siting/layout increase infringements of required setbacks of identified wildlife features (wetlands, nests, house, dens, leks etc.).
- When changes to wind turbine lead to an increase in rotor swept area over and above the rotor swept area identified in the Referral Report.
- When changes to wind turbine model lead to change in hub height identified in the Referral Report.

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- When changes to infrastructure, siting, construction or operation methods are likely to have an impact on wildlife or wildlife habitat.
  - When there are changes to fence layout for a solar facility.

Amendment requests that do not meet at least one of these scenarios will not be considered.

### When amendments are not required

In the following situations, an amendment is not required:

- Solar projects that change layout within the original fenced area where there is no increased impact to wildlife habitat or the required setbacks of wildlife features.
- Wind projects that remove turbine locations.
- Infrastructure changes to the layout of access roads, collector lines, crane paths and minor changes to turbine locations, as long as changes occur on cultivated land and an experienced biologist has confirmed that these changes do not infringe on sensitive wildlife habitat (example: native grassland) or any wildlife features (example: wetlands, nests, leks, etc.) or alter mitigation commitments.

### How to initiate the amendment process

There are two ways to initiate the amendment process:

#### Scenario 1

The amendment process is initiated at the request of the AUC. The proponent is responsible for submitting all required documentation to the AUC. If the AUC determines there is a need for a review of the risk to wildlife and wildlife habitat, the AUC will submit a formal request for an amendment review along with all required documentation to Alberta Environment and Parks. Following an amendment review, an Amendment Report will be provided to the AUC and the proponent.

#### Scenario 2

The amendment process is initiated at the request of the proponent. This scenario only applies in situations where a new wildlife feature (house/nest/den) is identified during updated wildlife surveys for which all standard mitigation cannot be met. All other requests for amendments must follow Scenario 1. Following an amendment review, an Amendment Report will be provided to the proponent and the AUC.

### Submission requirements

Alberta Environment and Parks requires the following information for the project to facilitate the amendment process:

- Results of wildlife surveys not previously submitted to the department including all updated survey results.
- Identification of all issues or project changes.
- Identification of all wildlife or wildlife habitat affected, including location information features (house/nest/den/lek) in both map and written form and exact location of any features.
- Details of location(s) and infrastructure type, including maps showing the new locations of infrastructure.
- The justification and rationale for the amendment request.
- Additional or alternative mitigation being proposed to mitigate the risk to wildlife and wildlife habitat.
- Updated commitments for any additional pre-construction and/or post-construction wildlife monitoring that may be required.

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The required information should be provided in a short memo form. To reduce the number of amendment requests and expedite the amendment process it is recommended that all project changes be submitted as a single submission. If multiple amendment requests are received on the same project, it may result in denial of requests.

#### **Amendment review process**

When an amendment review request is received by AEP, the review process will be:

- 1. Review of the submission to assess need for an amendment**

Upon receipt of the amendment review request and all supporting documents, AEP Fish and Wildlife staff will review the amendment review request to determine if an amendment is necessary and if the project meets the required conditions for an amendment. If an amendment is not required, or the project does not meet the required conditions, an email will be sent to the proponent and the AUC (if applicable) and the amendment request file will be closed.
- 2. Review of the Submission**

If it is determined an amendment is required, AEP Fish and Wildlife staff will review all submission requirements and assess proposed changes to the project. The review will compare the changes in comparison to the existing Referral Report and the department's policy (Directive).
- 3. Information Requests**

Where questions or concerns are identified, AEP Fish and Wildlife staff will develop an information request for the proponent, also providing a copy to the AUC. The proponent will provide written answers to all information requests from the department. This is an opportunity for the proponent to adjust their project to meet the intent of the policy. Upon receipt of the proponent's written response, AEP Fish and Wildlife staff will complete the Amendment Report.
- 4. Amendment Report Completion**

AEP Fish and Wildlife staff will detail the results of our review in an Amendment Report. This includes details of the wildlife issues identified, rationale and justification provided by the proponent, alternative mitigation, assessment of risk to specific wildlife or wildlife habitat features, and updated assessment of risk for the project. The Amendment Report will be submitted to both the proponent and the AUC.

Similar to the Referral Report process, once an Amendment Report has been issued, the file is closed and the role of AEP Fish and Wildlife staff is completed.

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