

Newsletter #1 introducing the Jumbo Solar with Storage Project (the Project) was mailed out to stakeholders on August 2, 2023. This introductory newsletter included details of the Project location and infrastructure, Project studies and information on battery energy storage systems (BESS), as well as a preliminary schedule for the Project.

Since sending out this information, the Government of Alberta put a moratorium on renewable energy projects and Neoen took the opportunity to review the Project design, engage with the community and plan next steps. At the time, Neoen was anticipating hosting a community open house in September 2023, however this was delayed. As a result, we are writing to you today to provide an update on the Project.

# **PROJECT UPDATES**

The boundary for the Project has not changed, however the equipment within the boundary has been optimized and there are some slight changes in the layout. A copy of the updated site layout is included in this package.

# **UPDATED GLARE IMPACT MAP**

As a result of the revisions to the layout, Neoen has updated the glare impact map, and a revised copy is included in this package.

At certain periods of the day, solar modules can reflect sunlight at eye level, which can be distracting for drivers on roadways.

A glare study was conducted which investigated the areas where there will be glare. In order to reduce the impact of glare, the project will change the angle of solar modules at certain periods of the day. The glare assessment determined that with mitigation via backtracking angle limits, no assessed receptors are expected to receive glare. By limiting the minimum resting angle that the modules can travel through during the backtracking period, the potential for glare at these shallow angles can be eliminated.

#### IN THIS NEWSLETTER:

- Project Updates
- Updated Glare Impact Map
- Municipal Consultation
- Public Stakeholder
   Engagement
- Updated Project Schedule
- Community Open House
- Contact Us
- Who is the AUC?
- Frequently Asked Questions

#### **INSERTS:**

- Updated Project Layout
- Updated Glare Map
- AUC Brochure



#### PRIVACY STATEMENT

Collected personal information will be protected under the provincial *Personal Information Protection Act*. As part of the regulatory process for new generation projects and transmission lines, the Proponent may be required to provide your personal information to the Alberta Utilities Commission (AUC).

# TOWN OF FORT MACLEOD AND MUNICIPAL DISTRICT OF WILLOW CREEK

Neoen has been in discussions with the MD of Willow Creek since August 2023 in order to understand and mitigate questions and concerns the MD of Willow Creek may have. As the Project also falls within the intermunicipal development plan for the Town of Fort MacLeod, Neoen is in discussions with the Town as well. To date, the main themes Neoen has heard concerns over include: siting of the Project, vegetation management, co-location and agricultural activities with the project/use of farm land, decommissioning and reclamation, and local employment/economic opportunities. We have included a Q&A page in this package, in order to provide information on the commonly received questions.

# **PUBLIC STAKEHOLDER ENGAGEMENT**

Neoen has been meeting with landowners one-on-one since August 2023 to understand questions and concerns and determine what mitigation options could be put in place to reduce impacts to stakeholders. Many of the same questions and concerns the Town and MD raised have been raised by the public, and we have included information on these topics below. In addition, public stakeholders have raised concerns over visual impacts.



# **UPDATED PROJECT SCHEDULE**

Please note that the schedule is preliminary and subject to change.

Initial Notification to stakeholders – August 2023
Public Consultation – Ongoing
AEPA Submission – December 2023
Newsletter #2 - January 2024
Community Open House – February 2024
Anticipated AEPA Referral Report - Q1 2024
Anticipated AUC Submission – Q2 2024
Anticipated AUC Approval – October 2024
Municipal Permitting - April 2024 to September 2024
Construction Commencement (if approved) – Q2 2026
Construction Completion - Q3 2027



# **COMMUNITY OPEN HOUSE**

Neoen is hosting a community open house on February 20, 2024 at the REO Hall in Fort MacLeod, from 5pm to 8pm. Please note that this community open house is an informal event, with subject matter experts on hand to answer stakeholder questions. In our experience, stakeholder concerns are unique and a presentation style open house does not allow us to address individual stakeholder concerns. If you are uncomfortable with attending the open house and would prefer to arrange a personal consultation, please contact us directly to arrange a meeting.

FEBRUARY 20, 2024
REO HALL, FORT MACLEOD
5PM TO 8PM





# **CONTACT US**

If you have any questions about the Project, or to arrange a personal consultation, please contact:



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#### WHO IS THE AUC?

The Alberta Utilities Commission (AUC) is a quasi-judicial independent agency established by the Government of Alberta, responsible to ensure that the delivery of Alberta's utility service takes place in a manner that is fair, responsible and in the public interest.

They regulate investor-owned natural gas, electric and water utilities, and certain municipally owned electric utilities to ensure that customers receive safe and reliable service at just and reasonable rates. The AUC ensures that electric facilities are built, operated and decommissioned in an efficient and environmentally responsible way. The AUC also provides regulatory oversight of issues related to the development and operation of the wholesale electricity market in Alberta as well as the retail gas and electricity markets in the province. For more information visit www.auc.ab.ca or refer to the enclosed brochure.

# FREQUENTLY ASKED QUESTIONS

#### **Project Siting**

We have received several inquiries about how the Project was sited and why this location was chosen. There are several factors that go into siting a solar project including: an area with high solar resource, proximity to a substation and existing transmission line infrastructure with capacity to host the project, relatively flat land for buildability and landowners willing to host the Project.

#### **Weed and Vegetation Management:**

Neoen understands the importance of controlling weeds and vegetation on the Project lands as keeping weeds and vegetation well managed helps ensure smooth operation of a solar project, minimizing costs, and avoiding growth that impacts equipment and could even shade solar panels. As part of the AUC application, Neoen will develop a weed management plan within the environmental protection plan. Neoen is required to follow the Weed Control Act and ensure that noxious weeds are controlled. We also understand that there are nuisance weeds locally that are of concern to stakeholders, and we intend to apply best management practices to control nuisance weeds as well. We will fight weeds in the same way as farmers.

#### **Use of Farm Land/Co-location of Agricultural Activities**

Under the current legislative framework, Alberta Environment and Protected Areas (AEPA) has policies in place which favour siting on agricultural land, as it has a lower risk to wildlife habitat. Currently in Alberta, renewable energy projects cannot be sited on Crown land or native prairie. We know that agriculture and solar energy are both ideally located on flat lands in an area with a high solar resource, leading to there being natural conflict between farm land and project siting.

A few things Neoen is doing to reduce land use for the same power output:

- Installing the highest efficiency panels on the market
- Bifacial panels that produce electricity from the backside due to reflection off the ground (great with Alberta snow)
- Tracking technology that follows the sun throughout the day

#### **Decommissioning and Reclamation**

There is a heightened awareness on proper decommissioning and reclamation of energy assets throughout Alberta. Through the Environmental Protection and Enhancement Act (EPEA) and Conservation and Reclamation Directive for Renewable Energy Operations, AEPA, 2018 (C&R Directive), there are other legally enforceable obligations provincially.

The C&R Directive will be used to guide revegetation and reclamation of the site, in order to ensure that vegetation is re-established, soils are maintained, and equivalent land capability is maintained during operations.

As part of the C&R Directive, developers must complete a pre-disturbance site assessment (PDSA) prior to construction. At the end of project life, developers must return the project to the pre-disturbance state. The PDSA is used as a baseline by the province. A reclamation certificate from the province is required to discharge this obligation.

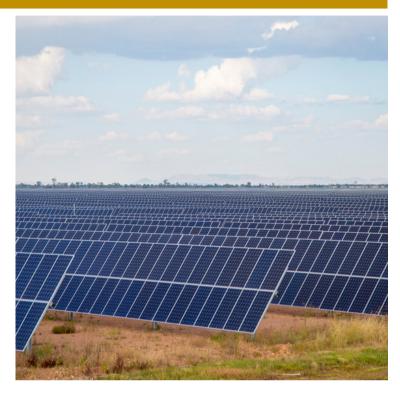
Neoen has strong commitments within their private lease agreements for decommissioning and reclamation and is required to describe how the operator will have sufficient funds at the end of life to pay for decommissioning as part of our AUC application. Neoen is committed to adhering to any new requirements the AUC may introduce with respect to decommissioning and reclamation.

# **FREQUENTLY ASKED QUESTIONS - CONTINUED**

#### **Local Employment/Economic Opportunities**

The Project will require up to 1,000 workers during construction including roles such as Surveyors, Heavy equipment operators, Electrical contractors, Mechanical contractors, Equipment Transportation and Hauling and more. Our preference is to hire local labour wherever possible. During operations, only a few full-time workers will be needed, and ideally these employees are also local for ongoing operations. Neoen trains young workers looking to get into the construction aspect of renewable energy projects. A job fair will be held prior to construction of the Project to assist in procuring local labour.

Neoen is actively seeking input from the community for a community benefit fund for the Project. We want to know what is important to local stakeholders. Should you have any suggestions as to how Neoen can best support your community, please contact us to discuss.



#### **Property Value Impacts**

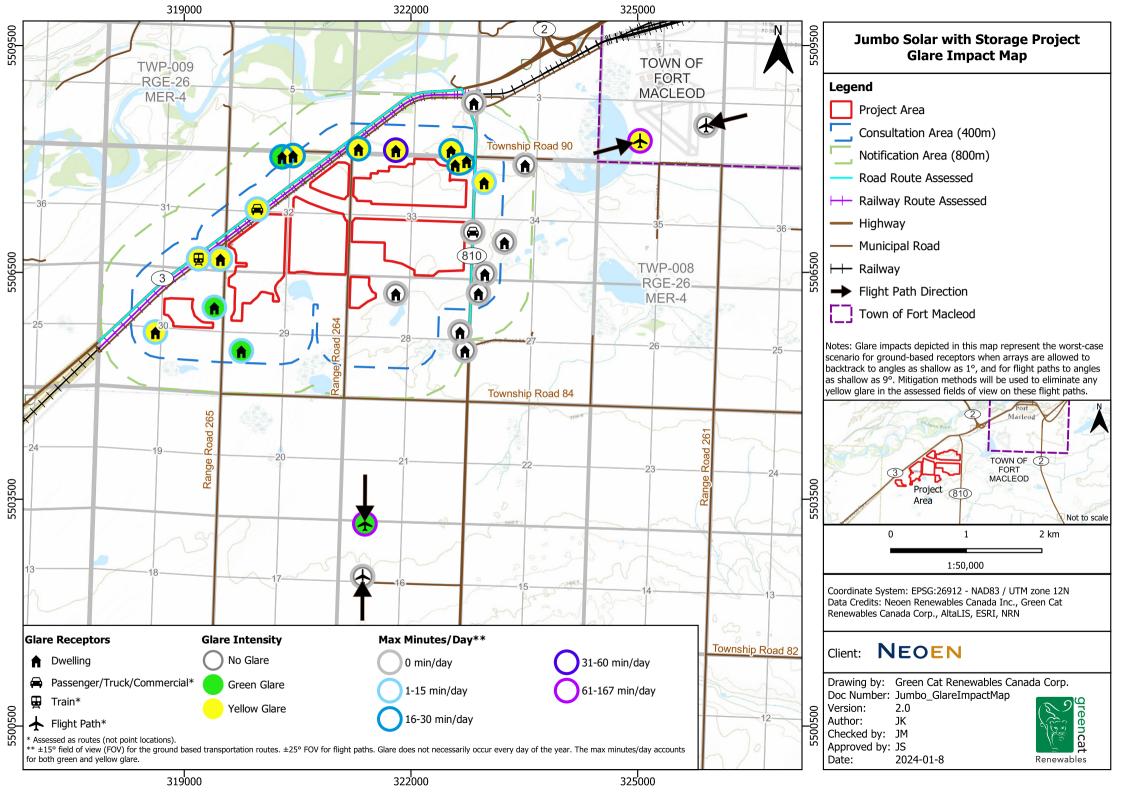
The consensus is that the project wouldn't affect vacant agricultural properties, but could have a negligible impact on residential properties due to changes on viewscapes. Neoen is working directly with residents near the Project to mitigate negative visual impacts.

#### **Visual Impacts**

The inclusion of visual factors in the environmental assessment is expected to promote more effective decisions regarding the acceptability of a proposed project and to create more suitable and operative environmental management practices.







# Step 5: Consultation and negotiation (if applicable)\*

The Commission supports ongoing efforts to reach an agreeable outcome for the applicant and all affected parties. The Commission encourages the applicant and those who have filed a statement to continue to attempt to resolve any outstanding issues. If all concerns can be satisfactorily resolved this may eliminate the need for a formal hearing. However, if there continues to be unresolved issues, those matters will typically be addressed at an AUC hearing.

# **Step 6: The public hearing process\***

The AUC will issue a notice of hearing if there continues to be legitimate unresolved concerns with the application. The notice of hearing will provide a hearing date and location in addition to a process schedule. The AUC conducts public hearings in its Edmonton and Calgary hearing rooms and, where suitable venues exist, in communities closer to the proposed project area.

The public hearing process allows persons with standing that have unresolved concerns about the application, to express their views directly to a panel of Commission members.

An AUC hearing is a formal, evidence-based, court-like proceeding. The public can attend the hearing in person or listen to hearings online through the AUC's website.

Participants in a hearing can either represent themselves or be represented by a lawyer. In addition, participants may hire experts to assist in preparing and presenting evidence to support their position.

#### Cost assistance

A person determined by the Commission to be a local intervener can apply for reimbursement of reasonable costs. Those who hire a lawyer or technical experts must be aware that while reimbursement for the costs of legal and technical assistance is available under AUC Rule 009: *Local Intervener Funding*, recovery of costs is subject to the Commission assessing the value of the

contribution provided by the lawyer and technical experts. People with similar interests and positions are expected to work together to ensure that expenditures for legal or technical assistance are minimized and costs are not duplicated.

#### **Step 7: The decision**

The AUC's goal is to issue its written application decision no more than 90 days after the hearing is complete. The Commission can approve, or deny an application and can also make its approval conditional upon terms or conditions. All AUC decision reports are available to any member of the public on the AUC's website or by obtaining a printed copy from the AUC.

## **Step 8: Opportunity to appeal**

An applicant or dissatisfied participant may formally ask the Court of Appeal of Alberta for permission to appeal a Commission decision. An application for permission to appeal must be filed within 30 days from the date the decision is issued.

An applicant or dissatisfied participant can also ask the Commission to review its decision. An application to review a Commission decision must be filed within 60 days from the date the decision is issued and satisfy the limited grounds described in AUC Rule 016: *Review and Variance of Commission Decisions*.

#### **Step 9: Construction, operation and compliance**

An applicant that receives approval to build and operate a facility from the Commission must adhere to any conditions that were set out in that approval. If concerns about compliance with approval conditions and post-construction operations cannot be resolved with the applicant, they can be brought to the AUC's attention for consideration. The AUC has significant compliance and enforcement powers for all approved applications. Additional information is available on the AUC website under "Compliance and enforcement."

\*Opportunity for public involvement

The Alberta Utilities Commission is an independent, quasi-judicial agency of the Government of Alberta that ensures the delivery of Alberta's utility services take place in a manner that is fair, responsible and in the public interest.

# **Contact us**

Phone: 310-4AUC (310-4282 in Alberta) 1-833-511-4AUC (1-833-511-4282 outside Alberta) Email: info@auc.ab.ca

Eau Claire Tower 106 Street Building 1400, 600 Third Avenue S.W. 10th Floor, 10055 106 Street Calgary, Alberta T2P 0G5 Edmonton, Alberta T5J 2Y2

The Alberta Utilities Commission is committed to ensuring that Albertans whose rights may be directly and adversely affected by a utility development project are informed of the application and have the opportunity to have their concerns heard, understood and considered.



Participating in the AUC's independent review process

# **Application review process**

Step 1: Public consultation prior to application by proponent

Step 2: Application filed with the AUC

Step 3: Public notice issued by the AUC

Step 4: Public submissions to the AUC

Step 5: Consultation and negotiation

Step 6: The public hearing process

Step 7: The decision

**Step 8: Opportunity to appeal** 

Step 9: Construction, operation and compliance

www.auc.ab.ca

# The AUC's regulatory role in needs and facility applications and its independent review and hearing process:

The AUC uses an established process, outlined in this brochure, to review social, economic and environmental impacts of facility projects to decide if approval is in the public interest. Approvals from the AUC are required for the construction, operation, alteration and decommissioning of transmission lines and electric substations.

Approvals are required for:

- The need for transmission upgrades.
- The route and location of transmission facilities.
- The siting of power plants, including renewables such as wind and solar more than five megawatts.

Sometimes a needs application is considered together with a facility application in a single hearing; sometimes separate hearings may be held to consider each application.

## Step 1: Public consultation prior to application\*

Prior to filing an application with the AUC for the approval of a proposed utility development, the applicant must engage in a public consultation program in the area of the proposed project, so that concerns may be raised, addressed and, if possible, resolved.

The application guidelines and requirements for facility applications can be found in AUC Rule 007: *Applications for Power Plants, Substations, Transmission Lines, Industrial System Designations and Hydro Developments*, and AUC Rule 020: *Rules Respecting Gas Utility Pipelines*.

Potentially affected parties are strongly encouraged to participate in the initial public consultation, as early involvement in discussions with an applicant may lead to greater influence on project planning and what is submitted to the AUC for approval.

The Alberta Electric System Operator, as the system planner, will notify potentially affected stakeholders of applications on the need for transmission development.

# **Step 2: Application filed with the AUC**

When the participant involvement requirements have been completed, the applicant files its application with the AUC through a public filing system, called the eFiling System, on the AUC website.

The application is then reviewed to ensure the information required by the Commission is included. If the required information is not provided, the AUC may close the application or request more information from the applicant. In the application, any issues that were raised during the public consultation and any related amendments to the proposal should be identified. All unresolved objections or concerns identified during the public consultation must be described in the application.

#### **Step 3: Public notice**

The AUC generally issues a notice by mail directly to those who live, operate a business or occupy land in the project area who may be affected by the Commission's decision on the proposed project. The notice for larger facility projects with potentially greater impacts may also be published in local newspapers.

The notice will specify a submission deadline. The information required by this deadline is general in nature as outlined in Step 4. Additional opportunities to provide evidence and additional information will arise after this deadline.

#### Step 4: Public submissions to the AUC\*

The AUC review process is referred to as a proceeding. Anyone with unresolved objections or concerns about the application can file a brief written statement with the AUC on the proceeding. The easiest way to file a statement is to fill out the form through the eFiling System found on the AUC website. The statement must include your contact information, where you reside or own property in relation to the proposed facility, your concern or interest in the application, an explanation of your position and what you feel the AUC should decide.

The AUC uses the information it gathers through the forms to decide whether to hold a hearing on the application(s). The Commission must hold a hearing if a person can demonstrate that he or she has rights that may be directly or adversely affected by the Commission's decision on the application. Such a person is said to have standing before the Commission. If the AUC decides to hold a hearing, the AUC will provide further opportunities for participants with standing to understand the application and present their position on the application either in writing or in person.

Subject to some limited exceptions, all information and materials provided as part of an AUC proceeding will become part of the public record and will be available through the eFiling System. The AUC's treatment of some types of information as confidential is rare and only available under limited circumstances to ensure that the AUC's process is open and transparent.

#### **AUC eFiling System**

The eFiling System is the tool that the AUC uses to manage applications and submissions in its proceeding-based review. The eFiling System gives access to all public documents associated with an application and is how to provide your input to the AUC and monitor the related proceeding filings. Those who do not have access to the internet can send submissions, evidence and other material by mail and the AUC will upload the submission on their behalf.

# \*Opportunity for public involvement