

February 29, 2024

RMA Supportive of Most Changes to Renewable Energy Development in Alberta

The Minister of Affordability and Utilities released policy changes from the AUC's Module A report

Following the six-month renewable energy pause and AUC inquiry into renewable energy development, the Minister of Affordability and Utilities [released several policy changes](#) that will impact [renewable energy approval processes and reclamation requirements](#) moving forward. The changes include:

- ◆ A requirement that the AUC take an “agriculture first” approach when evaluating the best use of agricultural lands proposed for renewable development.
- ◆ Development will no longer be permitted on Class 1 and 2 lands, unless the proponent can demonstrate the ability for crops / livestock to coexist with the development.
- ◆ Provincial government will establish the tools necessary to ensure Alberta’s grasslands, irrigable, and productive lands will be available for agricultural production.
- ◆ Developers will be responsible for reclamation costs via bond or security.
- ◆ Buffer zones of 35 kilometres will be established around protected areas and other pristine views as designated by the province.
- ◆ Any development on Crown lands will be on a case-by-case basis.

Further, several changes were made that relate specifically to municipalities:

- ◆ Municipalities will be granted automatic standing in AUC hearings.
- ◆ Municipalities will be eligible for cost recovery for participation.
- ◆ Municipalities will be able to review rules related to municipal submission requirements while clarifying consultation requirements.

RMA reaction

During the inquiry, the RMA submitted both a [written submission](#) and completed a [comment matrix](#) to weigh in on the municipal role in the renewable energy approval process. Rural municipalities support the renewable energy industry, and the RMA is hopeful that the proposed policy changes will result in improved collaboration between the industry and municipalities moving forward.

In 2023, the RMA formed the [Quasi-Judicial Agency Member Committee](#) (QJAC) to recommend changes to the approval processes of several quasi-judicial agencies, including the AUC, to ensure that they properly consider local impacts and perspectives when evaluating project applications. Among the QJAC recommendations was that quasi-judicial agencies in Alberta require all project owners to post adequate reclamation securities to prevent a recurrence of the issues that the oil and gas industry has faced with orphan wells. Reclamation security requirements are critical to mitigating risk associated with decommissioning and reclamation of projects and this is a welcome addition to AUC policies. It will be crucial that reclamation securities balance the growth of the industry and industry accountability when the change is implemented, and the RMA hopes to see clear guidelines established through this process.

As rural municipalities are stewards of the land, the RMA is supportive of the policy changes related to agricultural land protection. Although the RMA did not propose specific development restrictions linked to soil type, there is potential for this approach to be effective in protecting land and driving innovation in both the renewable energy and agriculture industries.

Through the [QJAC report](#) and the RMA's advocacy efforts, we are pleased to see an increased recognition for municipalities in the approval process. Providing municipalities with automatic involvement in project hearings and making municipalities eligible for cost recovery are both important steps to removing barriers to local perspectives within the evaluation process.

The policy change regarding a 35-kilometre viewscape buffer zone does come with challenges, as it may exclude large areas from potential renewable development. The RMA will continue to advocate for viewscape impacts to be evaluated on a case-by-case basis, so impacts on industry and municipalities are limited.

The RMA will continue to monitor the implementation of these process changes, which will be put into place as of March 1, 2024.

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