



BA4 Wind GP Corp.

Buffalo Atlee Wind Farm 4

July 13, 2021



Alberta Utilities Commission

Decision 26434-D01-2021

BA4 Wind GP Corp.

Buffalo Atlee Wind Farm 4

Proceeding 26434

Application 26434-A001

July 13, 2021

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1 Decision summary

1. In this decision, the Alberta Utilities Commission approves an application from BA4 Wind GP Corp. to construct and operate a 10-megawatt wind power plant, designated as the Buffalo Atlee Wind Farm 4, and to connect the power plant to FortisAlberta Inc.'s 25-kilovolt distribution system.

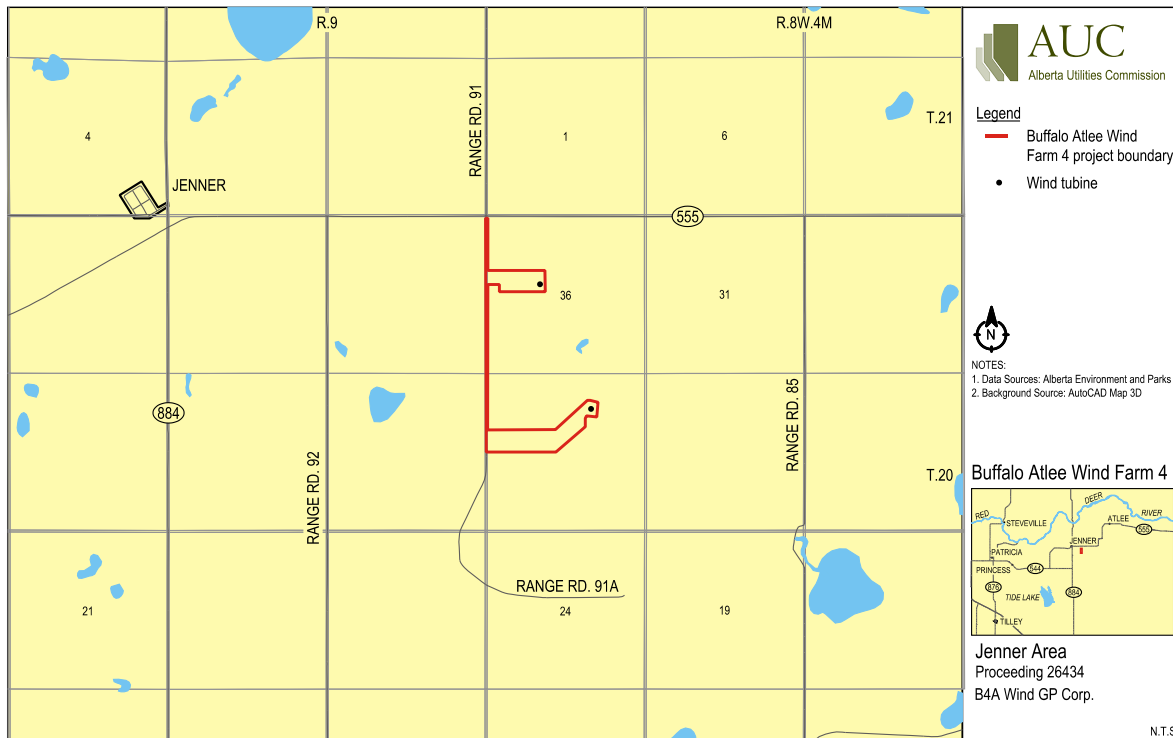
2 Application

2. BA4 Wind GP Corp. filed an application with the Commission for approval to construct and operate a 10-megawatt (MW) wind power plant, designated as the Buffalo Atlee Wind Farm 4, and to connect the power plant to FortisAlberta Inc.'s 25-kilovolt (kV) electrical distribution system, in the municipality of Special Area No. 2, southeast of the hamlet of Jenner (the project).

3. The project would consist of two Siemens-Gamesa SG 145 4.5-MW wind turbines, operated at 5.0 MW, with a hub height of 102.5 metres and a rotor diameter of 145 metres. The project would also include access roads, an underground collector system, a control building and control equipment.

4. The project would be located on privately owned land in the west half of Section 36, Township 20, Range 9, west of the Fourth Meridian and the north half of Section 25, Township 20, Range 9, west of the Fourth Meridian, as shown on the map in Figure 1.

Figure 1. Proposed Buffalo Atlee Wind Farm 4



5. The power plant would be interconnected to FortisAlberta's 25-kV electric distribution system through an interconnection point along Range Road 91, which ultimately feeds into the Jenner 275S Substation. BA4 filed a letter from FortisAlberta indicating that FortisAlberta is prepared to connect the power plant pending final execution of an interconnection agreement.

6. BA4's application included:

- A participant involvement program, which detailed consultation with stakeholders within 800 metres of the project and notification to stakeholders within 2,000 metres of the project, including three First Nations communities. BA4 confirmed that there are no outstanding concerns.
- A noise impact assessment, prepared by Golder Associates Ltd., which concluded that the project would be in compliance with Rule 012: *Noise Control*.
- A shadow flicker assessment, prepared by Golder Associates Ltd., which concluded that there would be minimal potential shadow flicker effects from the project.
- A renewable energy referral report issued by Alberta Environment and Parks Fish and Wildlife Stewardship (AEP), which concluded that the project would result in moderate risk to wildlife and wildlife habitat.
- An environmental evaluation report, prepared by AECOM Canada Ltd., which concluded that any potential adverse effects of the project can be effectively mitigated.

- *Historical Resources Act* approval dated March 12, 2021.
7. In response to information requests from the Commission, BA4 confirmed that:
- The project's cumulative sounds levels, based on updated noise modeling that includes the predicted sound levels in the amended Jenner Wind Power Project's¹ noise impact assessment, are predicted to remain compliant with Rule 012.
 - It would develop a site-specific emergency response plan in collaboration with local fire and emergency medical services staff, which would be available prior to the initiation of construction.
 - The project would generate ample operational revenue, with additional funds from the salvage value of the facility, to ensure sufficient funding for the decommissioning and reclamation of the site before the project is slated for decommissioning.
8. BA4 stated that it expects construction to commence as early as the fall of 2021 with an estimated in-service date of no later than December 31, 2023.
9. The Commission issued a notice of application. No submissions were received in response.

3 Discussion and findings

10. The Commission is considering the application under sections 11 and 18 of the *Hydro and Electric Energy Act*. These sections state that no person can construct or operate a power plant or connect a power plant to the Alberta Interconnected Electric System without the Commission's approval.

11. For the reasons outlined below, the Commission finds that approval of the project is in the public interest in accordance with Section 17 of the *Alberta Utilities Commission Act*, having regard to the social, economic, and other effects of the project, including its effect on the environment.

12. The Commission has reviewed the application and has determined that the information requirements specified in Rule 007: *Applications for Power Plants, Substations, Transmission Lines, Industrial System Designations and Hydro Developments* have been met. Additionally, the Commission finds that BA4's participant involvement program satisfies the requirements of Rule 007 and the objective of effective consultation. Details of the participant involvement program reflect that BA4 consulted with stakeholders as required; it has confirmed that there are no outstanding concerns and the Commission received no response to its notice of application.

¹ The Jenner Wind Power Project is an approved power plant, for which an amendment was recently submitted in Proceeding 26464. That amendment application was deemed complete on June 30, 2021. As the amendment application in Proceeding 26464 was deemed complete before BA4's application, the Commission requested that BA4 update its noise model to reflect the updated noise study submitted as part of the amendment application for the Jenner Wind Power Project.

13. The Commission finds that the noise impact assessment submitted by BA4 meets the requirements of Rule 012 and it accepts the conclusion of that assessment that noise from the project will comply with the permissible sound levels established by Rule 012.

14. BA4's shadow flicker assessment for the project considered potential effects at the only occupied dwelling located within 2,000 metres of the wind turbines: Receptor RA. The assessment demonstrated that there would be minimal potential for shadow flicker effects from the project and concluded that shadow flicker at Receptor RA will be less than 30 hours per year. The Commission accepts BA4's shadow flicker assessment and its conclusion that there will be minimal potential for shadow flicker effects on Receptor RA.

15. AEP's referral report concluded that the project presents a high risk to breeding birds and general mortality based on an abundance of grassland dependent birds in the project area, including some species at risk, as well as the siting of the project in tame grassland. AEP identified that the tame grassland is functioning as high quality habitat for grassland dependent birds. It further stated that there is a risk that grassland breeding birds will experience disturbance and even increased mortality risk during construction and operation of the power plant. In view of the foregoing and the absence of any commitment by BA4 to mitigation measures to reduce the risk to grassland breeding birds, AEP recommended that construction be scheduled to occur outside the breeding bird restricted activity period of April 1st to July 15th.²

16. Having regard for the factors highlighted by AEP, summarized above, the Commission accepts AEP's recommendation and finds that the following condition is required to minimize the project's effects on tame grassland that is functioning as high quality habitat and to reduce the potential for direct impacts to grassland dependent birds. The Commission imposes the following as a condition of approval:

- a) BA4 shall not perform any construction activities within areas of tame grassland during the restricted activity period for breeding birds of April 1st to July 15th, as described in the *Wildlife Directive for Alberta Wind Energy Projects*. Further, if construction activities are to occur within areas of tame grassland between July 16th and August 24th, an experienced wildlife biologist shall conduct nest sweep surveys and implement mitigation measures as outlined in the environmental evaluation for the project if active nests are detected.

17. Rule 033: *Post-approval Monitoring Requirements for Wind and Solar Power Plants* requires approval holders to submit to AEP and the AUC annual post-construction monitoring survey reports. Consequently, the Commission imposes the following condition of approval:

- b) BA4 shall submit a post-construction monitoring survey report to Alberta Environment and Parks (AEP) and the Commission within 13 months of the project becoming operational, and on or before the same date every subsequent year for which AEP requires surveys pursuant to Subsection 3(3) of Rule 033: *Post-approval Monitoring Requirements for Wind and Solar Power Plants*.

18. The AECOM report concluded that with adherence to Directives, applicable guidelines and diligent implementation of the mitigation measures identified by AECOM, the residual environmental effects of the project will be limited. The Commission expects that BA4 will

² Exhibit 26434-X0006 – AEP Referral Report, PDF page 10.

adhere to and implement all of the foregoing. With the addition of the conditions stipulated above, the Commission is likewise satisfied that the residual environmental effects of the project will be limited.

4 Decision

19. Pursuant to Section 11 of the *Hydro and Electric Energy Act*, the Commission approves Application 26434-A001 and grants BA4 Wind GP Corp. the approval set out in Appendix 1 – Power Plant Approval 26434-D02-2021 – July 13, 2021, to construct and operate the Buffalo Atlee Wind Farm 4 (Appendix 1 will be distributed separately).

20. Pursuant to Section 18 of the *Hydro and Electric Energy Act*, the Commission grants BA4 Wind GP Corp. the approval set out in Appendix 2 – Connection Order 26434-D03-2021 – July 13, 2021, to connect the Buffalo Atlee Wind Farm 4 to the distribution system of FortisAlberta Inc. (Appendix 2 will be distributed separately).

Dated on July 13, 2021.

Alberta Utilities Commission

(original signed by)

Carolyn Hutniak
Commission Member

Appendix A – Summary of Commission conditions of approval in the decision

This section is intended to provide a summary of all conditions of approval specified in the decision for the convenience of readers. Conditions that require subsequent filings with the Commission will be tracked as directions in the AUC's eFiling System. In the event of any difference between the conditions in this section and those in the main body of the decision, the wording in the main body of the decision shall prevail.

The following is a condition of Decision 26434-D01-2021 that requires a subsequent filing with the Commission and will be included as a condition of Power Plant Approval 26434-D02-2021:

- BA4 shall submit a post-construction monitoring survey report to Alberta Environment and Parks (AEP) and the Commission within 13 months of the project becoming operational, and on or before the same date every subsequent year for which AEP requires surveys pursuant to Subsection 3(3) of Rule 033: *Post-approval Monitoring Requirements for Wind and Solar Power Plants*.

The following is a condition of Decision 26434-D01-2021 that does not require a subsequent filing with the Commission:

- BA4 shall not perform any construction activities within areas of tame grassland during the restricted activity period for breeding birds of April 1st to July 15th, as described in the *Wildlife Directive for Alberta Wind Energy Projects*. Further, if construction activities are to occur within areas of tame grassland between July 16th and August 24th, an experienced wildlife biologist shall conduct nest sweep surveys and implement mitigation measures as outlined in the environmental evaluation for the project if active nests are detected.