

Power Plant Approval 22843-D05-2020

Appendix 1 to Decision 22843-D04-2020

December 17, 2020

BER Hand Hills Wind GP Inc.
Alter Hand Hills Wind Power Plant

Proceeding 22843
Application 22843-A001

BER Hand Hills Wind LP, on behalf of its general partner, BER Hand Hills Wind GP Inc., pursuant to Approval 22843-D02-2018,¹ has approval to construct and operate a power plant designated as the Hand Hills Wind Power Plant, in the Delia, Alberta area.

BER Hand Hills Wind GP Inc., by Application 22843-A001, registered on July 29, 2017 and amended on April 14, 2020, applied to the Alberta Utilities Commission for approval to alter and operate the not yet constructed power plant.

The Commission, pursuant to sections 11 and 19 of the *Hydro and Electric Energy Act*, approved the application in Decision 22843-D04-2020,² and granted an approval to BER Hand Hills Wind GP Inc. to construct and operate the power plant, subject to the provisions of the *Hydro and Electric Energy Act* and the *Alberta Utilities Commission Act*, any regulations made under the acts, any orders made under the acts, the Commission rules made pursuant to the *Alberta Utilities Commission Act*, and the following terms and conditions:

1. The power plant shall be located in the lands described as follows:
 - Sections 7, 15, 16, 17, 18, 19, 22, 30 and 31 of Township 30, Range 16, west of the Fourth Meridian.
 - Sections 1, 12, 13, 21, 22, 23, 24 and 28 of Township 30, Range 17, west of the Fourth Meridian, as further described in Application 22843-A001.
2. The power plant shall consist of 29 Simens-Gamesa 4.5-145, 4.5-megawatt (MW) wind turbines with a total generating capacity of 130 MW, and as described further in Application 22843-A001. Each wind turbine supporting structure shall be installed with its centre at the longitude and latitude coordinates specified in the application. If the supporting structures are proposed to be located more than 50 metres from the specified coordinates, BER Hand Hills Wind GP Inc. must apply to the Commission for an amendment to this approval prior to construction.

¹ Power Plant Approval 22843-D03-2018, Proceeding 22843, Application 22843-A002, June 21, 2018.

² Decision 22843-D04-2020: BER Hand Hills Wind GP Inc. – Amendment to the Hand Hills Wind Project, Proceeding 22843, Application 22843-A001, December 17, 2020.

3. The power plant shall also consist of a 34.5-kilovolt collector system as described in Application 22843-A001 at the locations indicated therein. The collector system is to be used solely for collecting the electric energy generated by each turbine and for transmitting that energy to the Highland 572S Substation.
4. BER Hand Hills Wind GP Inc. shall submit an annual 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*.
5. BER Hand Hills Wind GP Inc. shall not construct within 500 metres of active leks during the sharp-tailed grouse lekking season (March 15th to May 15th). Outside of these dates, construction activity within 500 metres setback of active leks must occur outside of the lekking period (one hour before sunrise to three hours after sunrise).
6. BER Hand Hills Wind GP Inc. shall further delineate and minimize disturbance of native grassland during construction and operation of the project. Where disturbed, BER Hand Hills Wind GP Inc. shall promptly reclaim native grasslands and restore associated wildlife habitat to a state equivalent to pre-disturbance conditions as much and as quickly as possible.
7. BER Hand Hills Wind GP Inc. must file a copy of the *Historical Resources Act* approval for the amended project prior to commencing construction.
8. BER Hand Hills Wind GP Inc. shall conduct on-site paleontological monitoring for all excavation activity in sections 12, 22 and 28 of Township 30, Range 17, west of the Fourth Meridian, and the southwest quarter of Section 7, Township 30, Range 16, west of the Fourth Meridian.

In other areas, should bedrock be encountered during excavation, excavation shall cease until monitoring of paleontological resources is implemented and, where needed, mitigation is utilized.

9. Within one year of connecting the power plant to the Alberta Interconnected Electric System and becoming operational, BER Hand Hills Wind GP Inc. shall conduct post-construction comprehensive noise studies at receptors R05, R08 and R23³ under representative operating conditions, in accordance with Rule 012: *Noise Control*. BER Hand Hills Wind GP Inc. shall file all studies and reports relating to the post-construction noise survey and the post-construction monitoring program with the Commission.
10. BER Hand Hills Wind GP Inc. must provide written confirmation with the Commission that a project-specific conservation and reclamation plan meeting the requirements of AEP's *Conservation and Reclamation Directive for Renewable Energy Operations* has been created and filed with the AEP prior to commencing construction.

³ As defined in the February 20, 2020, noise impact assessment (submitted in Proceeding 22843 as Exhibit 22843-X0088).

11. BER Hand Hills Wind GP Inc. must adopt appropriate dust control measures to reduce dust on the access road nearest Jo-Lynn Melin's residence and to work with members of the Hand Hills Landowner Group and other area stakeholders to address any dust related or security issues that arise during the construction, operation, decommissioning or reclamation of the project.
12. BER Hand Hills Wind GP Inc. shall notify the Commission within 30 days of completing the power plant.
13. Unless otherwise authorized by the Commission, the construction of the power plant shall be completed by December 31, 2023.
14. BER Hand Hills Wind GP Inc. shall obtain Commission approval prior to making any material changes to the power plant or substantially varying the design and/or specifications of the power plant from what was stated in the application or from what the Commission has approved.
15. This approval is not transferable unless approved by the Commission.

Approval 22843-D02-2018 is rescinded.

The Commission may cancel or suspend this approval, in whole or in part, in accordance with Section 41 of the *Hydro and Electric Energy Act* or may review this approval, in whole or in part, upon its own motion or upon an application by an interested party, in accordance with Section 10 of the *Alberta Utilities Commission Act*.

The Commission may, within 30 days of the date of this approval and without notice, correct typographical, spelling and calculation errors and other similar types of errors and post the corrected approval on its website.

Alberta Utilities Commission

(original signed by)

Neil Jamieson
Commission Member