

PUBLIC CONSULTATION IN THE SPECIAL AREAS - GENERAL

The Special Areas Board (“the Board”) recognizes meaningful public engagement is a critical part of the municipal decision-making process. The Board is committed to creating opportunities for meaningful public participation in municipal decisions which directly affect ratepayers.

The key principles of engagement which frame public engagement in the Special Areas include clarity, accountability, transparency, respect, and responsiveness. To learn more about public engagement in the Special Areas, visit <https://specialareas.ab.ca/about/public-consultation/>.

MUNICIPAL GOVERNMENT ACT & SPECIAL AREAS BOARD – BYLAWS VS. MINISTERIAL ORDERS

As Special Areas is a crown agency, Section 7 and 187 of the *Municipal Government Act (MGA)* are not applicable to the Special Areas Board. The general authority to pass bylaws (or equivalent controls) remains under the authority of the Minister of Municipal Affairs as outlined in the *Special Areas Act*.

Special Areas intends to consider amendments to the Special Areas Land Use Order (LUO) MSD:064/24) last reviewed in 2024. The LUO regulates and controls the use and development of land and buildings within the municipality to facility the orderly and economic development of Special Areas 2, 3, and 4. As proposed amendments to the LUO falls under the municipal role of the Special Areas Board; the Board is adhering to the requirements outlined in Section 187 of the *Municipal Government Act* (Passing a Bylaw).

PROPOSED AMENDMENT TO SPECIAL AREAS LAND USE ORDER (LUO)

The Land Use Order (LUO) controls development by categorizing all properties in a municipality into various land use districts. It prescribes how land and buildings can be used in those districts and establishes a system for issuing development permits. The LOU is a tool to help ensure that development aligns with a community’s or municipality’s overall vision.

Pursuant to the *Municipal Government Act (MGA)*, the Special Areas Board considered a proposed amendment to Land Use Order (MSD: 064/24) (LUO) which introduced definitions, uses and regulations for Battery Energy Storage Systems (BESS) within the Special Areas.

The proposed amendments aimed to regulate future BESS developments, including a planned 10 MW Off-Site Battery Energy Storage System in Special Area No. 2, located southwest of Hanna and southeast of Delia (SW 18-30-16-W4M).

The proposed amendments included:

- Adding definitions for Battery Energy Storage Systems (BESS), distinguishing between Off-Site BESS, On-Site BESS (Small) and On-Site BESS (Large)
- Updating relevant Land Use Districts for BESS developments, including discretionary and permitted uses

- Establishing specific regulations for Off-Site and On-Site BESS, including AUC approval requirements, setbacks, and Emergency Response Plans
- Adding On-Site BESS (Small) to the list of uses not requiring a development permit as required

All BESS projects 1 MW or greater require an application process and approval through the AUC.

PUBLIC CONSULTATION – MARCH 2025

Public consultation related to the proposed amendment to the Special Areas Land Use Order (LUO) began after first reading on February 25, 2025.

Communication activities included advertising for the public hearing scheduled for March 25, 2025, providing information related to the proposed amendment online (www.specialareas.ab.ca) and at local district offices. Detailed activities, as well as copies of communications materials are presented in *Appendix A*. These include:

- Advertisements in local media March 10 & 17, including Oyen Echo, Consort Enterprise, Brooks Bulletin, ECA Review, and the Hanna Coffeebreak;
- Advertisement of public hearing online on a weekly basis, posting proposed amendment on Special Areas website;
- Advertisement of public hearing at Special Areas district offices and ensuring information packages were available;
- Circulation of a letter to adjacent landowners of the proposed development informing them of the proposed amendments to the LUO and the public hearing.

As a part of this public consultation, individuals were invited to provide written comments through both mail and email (public.input@specialareas.ab.ca). Submissions had to be received by March 20, 2025. This submission deadline was well communicated in advance.

No written submissions were received by the submission deadline.

PUBLIC HEARING – MARCH 25, 2025

A public hearing was held at 1:00 pm on March 25, 2025 in Youngstown, AB. No members of the public attended the public hearing; three representatives from BluEarth attended in addition to Mr. Devin Diano, CEO of Palliser Regional Municipal Services.

The purpose of the proposed amendment to the Land Use Order was reviewed, along with proposed amendments to the LUO. Proposed setbacks were reviewed noting AUC does not set a fixed setback for projects but rather assesses each project on a case-by-case basis focusing on noise (Rule 012), fire and explosion risk, emergency response, and air quality dispersion modeling.

The process used for advertising by the Special Areas was reviewed, and it was confirmed no written submissions were received by the submission deadline.

BluEarth representatives reviewed the proposed BESS project. Questions related to emergency response planning and impacts of potential fire(s) at the site were discussed, as well as noise impacts and setbacks. A copy of the public hearing minutes is presented in *Appendix B*.

SECOND READING

Ahead of second reading, the Board reviewed the proposed amendments to the LUO (related to BESS) with Mr. Devin Diano from Palliser Regional Municipal Services. The Board had requested setbacks be reviewed after the public hearing, including those related to residential dwellings and sound levels.

Two amendments were made ahead of second reading: one which established a 800m minimum setback for Off-Site BESS from existing habitable dwellings, and one which deferred the sound level setbacks to the AUC (Rule 012).


After these amendments had been made, the Board held second reading on the proposed amendment to the Land Use Order. The Board recommended the Minister sign the proposed amendment to the Land Use Order as amended prior to second reading.

APPENDIX A – COMMUNICATION ACTIVITIES & MATERIALS

After first reading was held, a public hearing was scheduled and advertised in conjunction with a regularly scheduled Board meeting.

Advertising / Communications

- Advertising in local newspapers (and regional newspaper) two weeks prior to public hearing
 - March 10 / 17 – Hanna Coffee break, Oyen Echo, Consort Enterprise, ECA Review, Brooks Bulletin



Special Areas Board
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NOTICE OF PUBLIC HEARING
AMENDMENT TO SPECIAL AREAS LAND USE ORDER

**A PUBLIC HEARING WILL BE HELD TUESDAY, MARCH 25, 2025
BEGINNING AT 1:00 PM**

**PLACE: SPECIAL AREAS YOUNGSTOWN SERVICE CENTRE, MAIN
BOARDROOM, 404-2ND AVE NE, YOUNGSTOWN, AB**

Pursuant to the *Municipal Government Act (MGA)*, the Special Areas Board intends to consider a proposed amendment to Land Use Order (MSD: 064/24) (LUO).

An application has been submitted to the Board that proposed to amend the LUO by introducing definitions, uses and regulations for Battery Energy Storage Systems (BESS) within the Special Areas.

The proposed amendments aim to regulate future BESS developments, including a planned 10 MW Off-Site Battery Energy Storage System in Special Area No. 2, located southwest of Hanna and southeast of Delia (SW 18-30-16-W4M), which is currently under review by the Alberta Utilities Commission (AUC).

The proposed amendments include the following:

- Adding definitions for Battery Energy Storage Systems (BESS), distinguishing between Off-Site BESS, On-Site BESS (Small) and On-Site BESS (Large)
- Updating relevant Land Use Districts for BESS developments, including discretionary and permitted uses
- Establishing specific regulations for Off-Site and On-Site BESS, including AUC approval requirements, setbacks, and Emergency Response Plans
- Adding On-Site BESS (Small) to the list of uses not requiring a development permit as required

All BESS projects 1 MW or greater require an application process and approval through the AUC.

Copies of the proposed amendments to the LUO are available at Special Areas district offices during regular business hours and online at www.specialareas.ab.ca.

Any person adversely or otherwise affected by this action, and wishing to address the Board relating to this matter, may attend the public hearing at 1:00 PM on March 25, 2025. Time limit of oral presentations is subject to the Chair's discretion.

Written comments and suggestions are invited and should be addressed to "Proposed Amendment - Special Areas Board Land Use Order". Submissions may be mailed to:

Maeghan Chostner, Communications Officer
Special Areas Board
Box 820, 212-2nd Ave. W.
Hanna, AB T0J 1P0

Submissions may be emailed to:
public.input@specialareas.ab.ca



Written submissions must be received by 4:30 pm on Thursday, March 20, 2025.

Written comments will be presented publicly to the Board at the above hearing date.

This notice is given pursuant to Sections 606 and 692 of the *Municipal Government Act*.

Publication: March 10 & 17, 2025

Social Media Posts

DATE	POST CONTENT	IMAGE
March 6 / 13 / 20	<p>We want to hear from you!</p> <p>Special Areas is considering amendments to the Land Use Order related to Battery Energy Storage Systems. A public hearing is being held on March 25 at 1:00 PM in the main boardroom of the SAB Youngstown Service Center.</p> <p>Not able to attend?</p> <p>You can send your written feedback by March 20 instead. All written submissions will be shared with the Special Areas Board ahead of the public hearing.</p> <p>Learn more at: Public Hearing Notice – Amendment to SAB Land Use Order - Special Areas Board</p>	 <p>Share your thoughts on proposed amendments to the Land Use Order. Public hearing at 1:00 pm on Tuesday, March 25.</p> <p>PUBLIC HEARING NOTICE</p> <p>ENERGY STORAGE</p> <p>Learn more at www.specialareas.ab.ca/news-and-updates</p>
March 24	<p>Have your say!</p> <p>Special Areas is considering amendments to the Land Use Order related to Battery Energy Storage Systems.</p> <p>There is a public hearing tomorrow (March 25) at 1:00 PM in the main boardroom of the SAB Youngstown Service Center.</p> <p>Learn more at: Public Hearing Notice – Amendment to SAB Land Use Order - Special Areas Board</p>	 <p>Share your thoughts on proposed amendments to the Land Use Order. Public hearing at 1:00 pm on Tuesday, March 25.</p> <p>PUBLIC HEARING NOTICE</p> <p>ENERGY STORAGE</p> <p>Learn more at www.specialareas.ab.ca/news-and-updates</p>

Website News Post (March 5, 2025)

Public Hearing Notice – Amendment to SAB Land Use Order - Special Areas Board

Special Areas is considering amendments to the Land Use Order related to Battery Energy Storage System. You can learn more about proposed amendments to the Land Use Order here

(<https://sh6e03.p3cdn1.secureserver.net/wp-content/uploads/2025/03/SAB-Land-Use-Amendment-PRMS-Report-Feb-2025.pdf>).

To view the Special Areas Land Use Order, visit <https://specialareas.ab.ca/document/special-areas-2-3-and-4-land-use-order-2024/>.

A public hearing is being held on Tuesday, March 25 at 1:00 pm in the main boardroom of the Youngstown Service Centre located at 404-2nd Ave NE, Youngstown, AB.

This public hearing will give any person adversely or otherwise affected by the proposed amendments to the Land Use Order an opportunity to address the Board directly. Time limit of oral presentations is subject to the Chair's discretion.

Not able to attend the public hearing? Written comments and suggestions are invited and can be submitted via email to public.input@specialareas.ab.ca or by mail to:

Maeghan Chostner, Communications Officer
Special Areas Board
Box 820, 212-2nd Ave. W.
Hanna, AB T0J 1P0

Written submissions must be received by 4:30 pm on Thursday, March 20, 2025. Written comments will be presented publicly to the Board at the above hearing date.

Adjacent Landowner Letter – Circulation Information

The following letter was mailed to adjacent landowners (listing below) on March 6, 2025.

Owner Name	Owner Address	Owner City	Owner Province	Postal Code
HAND HILLS HOLDINGS INC.	PO BOX 25	DELIA	AB	T0J 0W0
KACEY KEITH GRIFFITH	PO BOX 83	DELIA	AB	T0J 0W0
RAUGUST AG INC.	RR #3	CRAIGMYLE	AB	T0J 0T0



March 06, 2025

(Palliser File No. 42-2025-002)

RE: PUBLIC HEARING NOTICE
Special Areas Board Amendment to Land Use Order
Applicant: BER Hand Hills Wind LP (BlueEarth)

You are being circulated this application as a property owner that may potentially be affected by an amendment to the Special Areas Land Use Order MSD: 064/24 (LUO).

An application has been submitted to the Board to amend the LUO by introducing definitions, uses, and regulations related to Battery Energy Storage Systems (BESS) within the Special Areas. The proposed amendments aim to regulate future BESS developments, including a planned 10MW Offsite Battery Energy Storage System in Special Area No. 2, located southwest of Hanna and southeast of Delia (SW-18-30-16-W4M), which is currently under review by the Alberta Utilities Commission (AUC).

The proposed amendments include the following:

- Adding definitions for Battery Energy Storage Systems (BESS), distinguishing between Off-Site BESS, On-Site BESS (Small) and On-Site BESS (Large)
- Updating relevant Land Use Districts for BESS developments, including discretionary and permitted uses
- Establishing specific regulations for Off-Site and On-Site BESS, including AUC approval requirements, setbacks, and Emergency Response Plans
- Adding On-Site BESS (Small) to the list of uses not requiring a development permit

All BESS projects 1 MW or greater require an application process and approval through the AUC. Attachment 1 below contains the full text of the detailed amendments.

Should you wish to address the Special Areas Board in person, a public hearing for the proposed amendment will be held at the Special Areas Youngstown Service Centre- Main Boardroom- 404-2nd Ave NE, Youngstown, AB. The public hearing will be held on March 25, 2025, commencing at 1:00 PM. The Board will hear from any person claiming to be affected by the proposed bylaw. Time limit of oral presentations is subject to the Chair's discretion.

Should you wish to submit written comments, please deliver your comments with reference to "Proposed Amendment - Special Areas Board Land Use Order" by March 20th, 2025 at 4:30pm to:

Maeghan Chostner, Communications Officer
Special Areas Board
Box 820, 212-2nd Ave. W.
Hanna, AB T0J 1P0
Submissions may be emailed to: public.input@specialareas.ab.ca

115 Palliser Trail, P.O. Drawer 1900, Hanna, Alberta T0J 1P0 tel 1-877-854-3371 fax 403-854-4684



Copies of the proposed amendments to the LUO are available at Special Areas district offices during regular business hours and online at www.specialareas.ab.ca.

Please be advised that the personal information in submissions made, is collected under the authority of the Alberta Freedom of Information and Protection of Privacy (FOIP) Act, Section 33(c) and subsequent versions of the Act. All submissions provided to the Board will be publicly available, in accordance with Section 40(1) of the FOIP Act. Please limit the amount of personal information provided in your submission.

If you have any questions regarding this proposal, please do not hesitate to contact our office.

Regards,



Devin Diano
CEO/ Director of Planning
Palliser Regional Municipal Services
Email: ddiano@palliserservices.ca
Phone: 1-877-854-3371 – Ext 206

115 Palliser Trail, P.O. Drawer 1900, Hanna, Alberta T0J 1P0 tel 1-877-854-3371 fax 403-854-4684

PROJECT COMMUNICATION SUMMARY

Type	Active Dates	Tool*	Audience	Channel	Frequency
Public Hearing Advertisements	2 weeks prior to each public hearing	Advertisement re: public hearing highlighting the written submission deadline of March 20, 2025	All Stakeholders	Local Print media (Hanna, Consort, Oyen, ECA Review)	Weekly (March 10/17)
Public Hearing – social/online	March 6 - 24	Create news post on the public hearing. Weekly post on SAB socials advertising public hearing and written submission date.	All Stakeholders	SAB website/social media	March 6 / 10 / 17 / 24
Public Hearing – direct letter to adjacent landowners (PRMS managing)	March 5	Adjacent landowner notification letter	Adjacent landowners to proposed development	Letter from PRMS	March 5
Public Hearing	March 25, 1:00 pm	Open public meeting for comments	Attendees of public hearing	In-person	Once

APPENDIX B

SPECIAL AREAS LAND USE ORDER Public Hearing – March 25, 2025

1:00 PM

A public hearing was held in the Main Boardroom at the Youngstown Service Centre Tuesday, March 25, 2025 at 1:00 PM with the following in attendance:
Brad Slorstad, Kevin Wilson and Doug Noble, Board Members; Shaune Kovitch, Chair; Trent Caskey, and Darren Jones, Directors; Taryl Abt, Darran Dick, Brett Richards (via Teams); Administrators; Maeghan Chostner, Communications; and Shyanne Jones, Recording Secretary.

Mr. Devin Diano, CEO of Palliser Regional Municipal Services was also in attendance, along with three representatives from BluEarth.

The Chair called the Public Hearing to order at 1:00 PM and explained the purpose and process of the hearing.

Mr. Diano reviewed the proposed changes to the Special Areas Land Use Order to include Battery Energy Storage Systems (BESS) as a discretionary use within the Agricultural District. There are two types of BESS:

1. Off-site BESS – primarily designed to supply electricity to the grid for commercial sale.
2. On-site BESS – intended to support on-site electricity needs but may also feed excess energy into the grid (small scale residential or business use).

The definitions to be added to the SA LUO include:

1. Battery Energy Storage Systems (BESS)
2. Off-Site BESS – Primary off-site use through electrical grid
3. On-Site BESS – Small (<1MW)
4. On-Site BESS – Large (≥1MW)

The proposed setbacks were reviewed noting the AUC does not set a fixed setback for projects but rather assesses each project on a case-by-case basis focusing on noise (Rule 012), fire and explosion risk, emergency response, and air quality dispersion modeling.

Special Areas can establish setbacks in the LUO. This would be consistent with other setbacks outlined in the document.

Ms. Chostner reviewed the interim report. The public hearing was advertised as part of the *MGA* requirements and shared on social media channels. The request for written submissions was advertised, but none were received.

Mr. Tyler Kurchina, Ms. Tara Jones, and Mr. Daryl Scheerer from BluEarth were in attendance along with Dr. Stephen Ramsay via Teams and had a presentation.

Mr. Scheerer provided information on the BluEarth history and current operations.

Mr. Kurchina reviewed the proposed project noting it would consist of six battery storage containers with power conversion systems, three medium voltage transformer skids, a switchgear & control building as well as perimeter fence on approximately one acre. The construction workspace would take up approximately three acres.

There is an emergency response plan in place which is a requirement of the AUC application. It was noted the lands

would be restored to the current condition after the 20-year life cycle for the project.

The current project status was reviewed noting AUC provided approval in March 2025, construction is slotted for Q2 of 2026 with an estimated service date of October 2026.

There was a question on fire in the site and how long the batteries would burn. Dr. Ramsay noted there has been significant evolution of battery storage systems to address the issues in earlier systems. The current systems are less susceptible to thermal runaway.

The proposed project has 10MW of capacity and can send to the grid for two hours.

There was a question on disposal. The technology is new for this size of battery and there is investigation into recycling of the batteries.

The batteries are rated to operate from -45 Celsius to plus 40 Celsius, the composition has changed and there's no evidence an explosion can occur, they burn and don't explode.

Noise can be a factor and there was discussion on the setbacks, for wind the setback is 800m from a dwelling and 45dBA from the property line. It was noted the pitch should be considered in addition to the decibel levels. It was noted the noise is cumulative so other projects in the area need to be considered.

Mr. Kovitch thanked the presenters for coming today and providing insightful feedback. The feedback will be taken into consideration prior to second reading.

The Chair closed the Public Hearing at 2:14 pm.

Chair, Special Areas Board