

DRAFT – Proposed Municipal Development Plan Amendments

## **NATURAL RESOURCES**

Natural resource extraction is an important land use in the County that satisfies local, regional, and provincial resource needs. However, these activities may have significant impact on adjacent land uses and the environment. Aggregate (sand and gravel) and oil and gas extraction often cause concern due to operations having the potential adversely affect communities through, for example, excessive noise, a decline in air quality, visual and landscape impacts, and increased truck traffic.

In Alberta, the task of regulating energy and natural resource development and related activities belongs to the Province. The County's role in approving oil and gas development is limited, and it generally only has control over the design and appearance of permanent facilities such as gas processing plants. However, aggregate development is managed differently, with the County and Province both playing significant roles in the separate approval processes.

### **Aggregate Development**

Several significant aggregate deposits exist within County and there are over 30 existing and proposed sites, located mainly in the County's north-west and north-east quadrants.

The County is responsible for approving land use and issuing development permits for all aggregate extraction and processing operations. Additionally, aggregate pits of all sizes are subject to provincial legislation, with pits greater than five hectares on private land being further regulated through a pit license issued by the Province in accordance with the Code of Practice for Pits. The Code of Practice addresses several items including pit operations, reclamation, groundwater impacts, and environmental monitoring.

Residents and stakeholders have voiced their desire for the County to take a proactive approach to the approval, and subsequent monitoring and enforcement of aggregate development. Several mechanisms now exist for the County to manage aggregate development appropriately including clear application requirements, performance standards, and a site monitoring bylaw.

### **GOALS**

- Support the extraction of natural resources in a manner that balances the needs of residents, industry, and society.
- Provide clear and appropriate regulations to provide accountability and consistency for operators.
- Support the environmentally responsible management and extraction of natural resources.
- Encourage collaboration between the County, the aggregate extraction industry, and affected residents to develop mutually agreeable solutions to mitigate impacts of extraction activities.
- Minimize the adverse impact of aggregate resource extraction on existing residents, adjacent land uses, and the environment.

DRAFT – Proposed Municipal Development Plan Amendments

**POLICY**

**Aggregate Development**

- 15.1 Direct all aggregate related traffic to identified major haul routes that are monitored and appropriately maintained.
- 15.2 Where aggregate activities are located in proximity to an adjacent municipality, the County shall co-operate with that jurisdiction to ensure co-ordination of major haul routes and mitigation of impacts on adjacent land uses.
- 15.3 A Master Site Development Plan shall be prepared and adopted to provide the framework for the development of an aggregate resource extraction site.
  - a. A proposed master site development plan for aggregate shall adhere to the application requirements as outlined in Part 4 of Appendix C.
- 15.4 No land use amendment shall be approved for a new or expanding aggregate extraction or processing development within two kilometres of the boundary of a designated provincial park.
  - a. Notwithstanding Policy 15.4, a land use amendment for new or expanding extraction or processing development may be considered within 800 metres of a designated provincial park boundary, if an area structure plan supporting aggregate extraction is prepared in accordance with Section 28 of this Plan and has been adopted by Council.
- 15.5 No land use amendment shall be approved for a new or expanding aggregate extraction or processing development within 1.61 kilometres of lands identified within an adopted area structure plan for residential uses, except where the area structure plan makes specific provision for the development of aggregate development in such areas.

***Aggregate Development Application Requirements***

- 15.6 All aggregate extraction or processing proposals shall be required to comply with applicable performance standards, policies, and application requirements.
- 15.7 Prior to the approval of any development permit for the new or continued operation of a principal aggregate development on a site, a master site development plan shall be approved by Council to guide the land use and development permit applications. The MSDP shall address the requirements of Appendix C (Part 4) of this Plan.
- 15.8 The application submission items listed under Appendix C (Part 4), including adherence to the County's *Aggregate Development Performance Standards* shall be a minimum requirement for aggregate extraction and/or processing development. Applicants are encouraged to provide operating standards that go beyond these minimum requirements by limiting adverse impacts as far as is feasible and implementing industry best practices.

DRAFT – Proposed Municipal Development Plan Amendments

- 15.9 Notwithstanding **Policy xx** above, Council may pass a motion to relax the stated application submission or performance standard requirements, subject to a request by the applicant being submitted, and only where the one or more of the following circumstances apply:
- a. the application is for a new aggregate development or the continuation of an existing operation that is limited in scale and the surrounding area has been long-established for natural resource extraction development within the County's **East Agricultural District**;
  - b. the master site development plan and performance standards would support approval of an aggregate development permit for operations that would be completed (including reclamation) in less than five years; or
  - c. the proposed site is classified as a Class II pit as defined by the *Environmental Protection and Enhancement Act*.
- 15.10 Requests from applicants to Council relating to **Policy xx** shall be submitted prior to any master site development plan application being made and shall clearly state the items for which a relaxation is being sought, the rationale for the relaxation, and shall demonstrate compliance with **Policy xx** above. Such requests will be assessed against the following criteria:
- a. The proximity of the development to any dwellings, institutional building, environmentally significant areas, or other sensitive land uses.
  - b. The findings of any pre-application engagement undertaken in accordance with the *Aggregate Development Performance Standards*.
  - c. The scale and intensity of the development, and overall timelines for extraction.
  - d. The number of relaxations being sought and the potential impacts on monitoring and enforcing development permit requirements.

#### ***Aggregate Development Application Reviews***

- 15.11 In accordance with the *Aggregate Development Performance Standards*, the County may request third party review of technical documents submitted in support of an aggregate development to ensure adequate County assessment of the development's impacts.

#### **Oil and Gas**

- 15.12 The County shall ensure that all permanent energy facilities proposed address all applicable design guidelines and Land Use Bylaw requirements.
- 15.13 When considering applications for development, provincial setback regulations and guidelines shall be applied respecting petroleum wells, sour gas facilities, pipelines, and other oil and gas facilities.
- 15.14 Encourage the Province to minimize the impacts of oil and gas extraction on agriculture lands and to provide fair market value remuneration for the industrial use undertaken on those lands.
- 15.15 Encourage the Province and industry to efficiently and effectively remediate petroleum well sites and abandoned pipelines.

## **PART 4 OF APPENDIX C: TECHNICAL REQUIREMENTS AND SUBMISSIONS**

### **4. AGGREGATE MASTER SITE DEVELOPMENT PLAN SUBMISSIONS**

Prior to the approval of any development permit application for the new or continued operation of an aggregate extraction and/or processing, a master site development plan shall be approved by Council in support of the land use and development permit applications. The MSDP shall include the following items:

1. An introduction to the proposed development, including the site area affected, current land use, and assessment of the character and key features of the surrounding area.
2. A Location Plan, to an appropriate scale, showing:
  - a. all dwellings within one mile of the boundary of the site;
  - b. all existing hydrological, landscape and environmental features, both within the site and within one mile of the boundary of the site; and
  - c. the roads and highways surrounding the site.
3. A topographical survey plan of the site.
4. Cross sectional drawings of the site pre-extraction and throughout phases, showing the proposed depth of extraction.
5. Site Operations and Phasing Plans showing:
  - a. the location and extent of extraction areas;
  - b. buildings, plant, and machinery;
  - c. stockpiling areas;
  - d. internal haul roads, approaches and vehicle parking;
  - e. wheel wash facilities;
  - f. berms and other overburden/soil storage areas;
  - g. applicable setbacks; and
  - h. existing and proposed landscaping.

The submitted plans shall show the anticipated transition of site operations through the proposed phases of extraction and reclamation, including the movement of plant or buildings, haul roads and removal/construction of berms.

6. A description of all buildings, plant, and machinery proposed on-site, including the approximate dimensions, and the periods that any plant and machinery shall be on-site (seasonal or campaign-based operations should be noted).
7. A summary of all relevant provincial and federal approvals required and a commitment to obtaining the required approvals.
8. A statement of commitment to operating under the County's Aggregate Site Monitoring Bylaw together with details of how any complaints received against the site will be handled and reported to the County and/or Province.
9. Information (including plans where appropriate) on any pipelines, wells, utilities or other infrastructure within or adjacent to the site.

DRAFT – Proposed Municipal Development Plan Amendments

10. A Biophysical Impact Assessment, and/or other environmental impact assessment agreed by the County, together with any required mitigation strategy
11. A Site Production Assessment that provides the following information:
  - a. A forecast of the total volume (cubic metres) and weight (tonnes) of aggregate proposed to be extracted from the site;
  - b. The timeline for extraction of the overall identified resource within the lands;
  - c. A forecast of the annual production rates over the period of operations at the site, detailing minimum, maximum, and average rates throughout the life of the proposed operations;
  - d. The type of aggregate proposed to be extracted; and
  - e. The geographic markets that the aggregate resource is proposed to serve.
12. Requirements as outlined in the County's *Aggregate Development Performance Standards*, including:
  - a. An Engagement Summary of pre-application consultation with surrounding landowners;
  - b. An Engagement Plan;
  - c. Confirmation of proposed hours of operation;
  - d. A Noise Impact Assessment, Noise Mitigation Plan and Noise Monitoring program;
  - e. A Blast Mitigation Plan (as applicable);
  - f. An Air Quality Impact Assessment, Emissions Mitigation Plan and Air Quality Monitoring Program;
  - g. A Traffic Impact Assessment and Management Plan;
  - h. A Visual and Landscape Impact Assessment;
  - i. A Landscaping Plan;
  - j. An assessment of potential impacts on agricultural land;
  - k. An environmental assessment and where applicable mitigation measures;
  - l. An assessment of any historical resources affected by the development;
  - m. An assessment of agricultural impacts;
  - n. An assessment of light spread (as applicable);
  - o. A conceptual-level Stormwater Management Report;
  - p. A Geotechnical Investigation Report;
  - q. A Groundwater Investigation Report and Groundwater Monitoring Plan;
  - r. A Surface Water and Groundwater Mitigation Plan;
  - s. An Erosion and Sediment Control Strategy;
  - t. A Site Security Plan and Emergency Management Plan; and
  - u. A Reclamation Plan.