



CLIFF: 226218

January 16, 2017

BC Nature Federation of  
BC Naturalists  
1620 Mt. Seymour Road  
North Vancouver, B.C.  
V7G 2R9

Dear Alan Burger:

Thank you for your letter to Premier Clark (December 8, 2016), regarding applications for Investigative Licences (for solar power generation) in the East Kootenay. I have been asked to respond on the Premier's behalf.

Investigative Licences are typically issued over large tracts of Crown land to authorize the initial investigation, determine site placement, and complete a detailed Development Plan for the particular project. During the term of the Investigative Licence, the proponent will often employ qualified professionals to assess environmental and socio-economic issues, as well as First Nations interests, regarding the proposed project. An Investigative Licence does not provide for exclusive use of Crown land and minimal impact to the land base is permitted during the investigative stage.

With respect to the solar power Investigative Licences that your letter references, the Land Act Section 11 Investigative Licence is issued for up to five years with the possibility of a one-time replacement. Studies and investigations completed during the term of the Investigative Licence will address relevant issues identified (e.g., critical habitat, species at risk, water quality etc.) as well as concerns raised during the referral process. Proponents are also encouraged to hold public meetings on their proposals during the licence term.

As a condition of the Investigative Licence, the proponent must submit a Development Plan providing project-specific information, summaries of assessments completed, as well as impact avoidance/mitigation strategies. The Development Plan will be used by the Province in the adjudication process, should the proponent wish to move the solar power project forward to the application stage. Where the proponent wishes to proceed, they must submit a new Land Act tenure application, for a Licence of Occupation, over only the area of Crown land required for the project. Our observations to date have been that each megawatt (mw) of solar power production requires approximately 3 hectares of area. The BC Hydro Standing

---

**Ministry of Forests, Lands  
and Natural Resource  
Operations**

KOOTENAY BOUNDARY REGION

Location:  
1902 Theatre Road  
Cranbrook, BC V1C 7G1

Mailing Address:  
1902 Theatre Road  
Cranbrook, BC V1C 7G1

Tel: (250) 426-1700  
Fax: (250) 426-1767

Offer Program for clean or renewable electricity projects is limited to 15 mw of power production.

Any new Licence of Occupation application and the applicable project Development Plan will be referred for public, government agency and First Nations comments. Tenuring decisions on these projects will be based on the following established Crown Land Allocation Principles:

- The Crown land values are managed for the benefit of the public
- Economic, environmental and social needs are identified and supported during the term of the investigation
- The interests of local First Nations are recognized
- Public accountability is maintained during the allocation of Crown land

Of the 10 applications for Investigative Licences in the Kootenay Boundary Region, 7 have been approved, one has been cancelled and 2 are still under adjudication, with no decision at this time. The two applications still under consideration are for SB Solar Holding (02) Corp. and SB Solar Holding (03) Corp. It is important to note that the approval of an Investigative Licence does not guarantee the approval of the final proposal for a solar power project.

Your comments will be taken into consideration in the adjudication of the two applications still awaiting decision. We will also forward your comments to the holders of current Investigative Licences (for solar power), in order that they be taken into consideration during their investigations. If you would like more information on the current Investigative Licences or the process that will be followed on future solar power applications, please contact Sharon Dailey, Section Head of Land Authorizations in the Kootenay Boundary Region at (250) 426-1753 or [sharon.dailey@gov.bc.ca](mailto:sharon.dailey@gov.bc.ca)

Sincerely,

A handwritten signature in black ink, appearing to be 'PR', followed by a long horizontal line extending to the right.

Paul M. Rasmussen  
Regional Executive Director

Pc: Steve Thomson, Minister of Forests, Lands and Natural Resource Operations