

What is Crown Land?

Crown land includes all or any part of land (including land covered by water) that is not privately owned in the Province of New Brunswick. Crown land is managed by various New Brunswick Government Departments. This fact sheet refers to Crown land administered and controlled by the Minister of Energy and Resource Development (DERD).

Do I have to apply for a Licence of Occupation for Wind Exploration prior to applying for a Lease?

Applicants generally must follow a two-stage process by first applying for wind exploration rights through a Licence of Occupation and then second, through a Lease and an associated Licence of Occupation for construction and operation of a wind farm. If the applicant can provide DERD with wind exploration data pertaining to the area of interest of the proposed wind farm, the Licence of Occupation requirement may be waived.

What is a Licence of Occupation for Wind Exploration?

An authorization under the *Crown Lands and Forests Act* giving permission for temporary occupation and non-exclusive use of Crown land to erect temporary test towers, take meteorological measurements, and/or conduct environment monitoring activities. A Licence of Occupation for Wind Exploration may include up to five (5) test tower sites.

What is the term of a Licence of Occupation for Wind Exploration?

A Licence of Occupation for Wind Exploration may be granted for a period of up to three (3) consecutive years.

What is an Option?

An Option may be issued over an area covered by a Licence of Occupation for Wind Exploration and will run concurrent with the term of the Licence. The option holders will have the exclusive right to exercise their option, prior to its expiration, by submitting an application for a wind farm lease.

What is a Wind Farm Lease?

A Wind Farm Lease is a legal agreement which authorizes the use of Crown land for the development, construction and operation of a wind farm. A single Lease (exclusive use) will be issued for all wind turbine and electrical substation sites within a wind farm.

An associated Licence of Occupation (non-exclusive use) may be issued to authorize associated power lines and access roads within the wind farm.

Are there location constraints?

There are site-specific, minimum setback requirements for watercourses, wetlands, public highways, tower structures, etc., as well as other setbacks or buffers that may be imposed where any wildlife or environmental concerns are identified.

What type of location information is required to apply?

Applications must be accompanied by an electronic copy of GPS coordinates for each test tower site and for all exploration area boundaries. Coordinates must be provided using NAD_83(CSRS) and be in the format of Eastings and Northings (eg. E 2390849 N7259016) or Latitude and Longitude expressed in degrees, minutes, seconds (eg. Lat. 47 34' 21" Long. 66 54' 33"). All GPS points must be differentially corrected and the accuracy of points must be within 5 metres of the actual location.

What costs are associated with a Licence of Occupation for Wind Exploration?

Without an Option Agreement

Application Fee: \$300.00 + HST non-refundable

Annual Rental Fee: \$640.00 + HST for each test tower.
\$1.00 + HST per hectare to be applied over the entire exploration area.

With an Option Agreement

Above noted fees plus an additional annual rental fee of \$3.00 plus HST) per hectare to be applied over the entire exploration area.

What costs are associated with a Wind Farm Lease?

Application Fee: \$300.00 + HST non-refundable.

Preparation Fee: \$200.00 plus HST non-refundable.

Associated Licence of Occupation Fee: \$300.00 + HST for the application fee and \$200.00 + HST for the preparation fee. Fee charged for any Licence of Occupation issued for the construction and operation of access and transmission lines between individual turbine sites.

Annual Rent: Based on the following calculation:

$\{\text{Square root of the no. of hectares} \div 0.4\} \times \$640.00 + \$3,500.00/\text{megawatt of installed capacity of wind turbines (+ HST)}.$

What is the application process?

Once a completed application is submitted, it is evaluated for completeness. Should the application meet the basic requirements, a comprehensive review will be conducted. This review could take from 6 to 21 weeks. If approved, an offer letter will be sent informing of any additional requirements.

How do I apply?

An Application Package can be obtained by:

Toll free number: 1-888-312-5600

E-mail: CL_TCWeb@gnb.ca

Website: www.gnb.ca/naturalresources