

Updates & Engagements: Land Use Operational Policy – Wind and Solar Energy Projects

Under the *Renewable Energy Projects (Streamlined Permitting) Act* (REPA), the BCER is the authorizing agency for *Land Act* authorizations for wind and solar energy projects. These authorizations were previously issued by the Ministry of Water, Land and Resource Stewardship.

Administration of the *Land Act* with respect to renewable energy projects is currently guided by the Provincial [Land Use Operational Policy – Wind Power Projects](#). This policy provides guidance and outlines requirements relating to the land allocation process and tenure administration.

Invitation for Engagement – Extended to September 30, 2026:

The BCER is currently seeking feedback regarding the ongoing application of the existing Land Use Operational Policy to inform our implementation of *Land Act* authorities for wind and solar energy projects. Particularly, we are considering comments and/or experiences regarding tenure administration and allocation processes from those with an interest in the wind or solar energy sectors including but not limited to the following topics:

- The disposition model
- Exclusivity
- Assignment & sub-tenuring
- Replacement terms
- Diligent use criteria
- Compatible uses
- Variances
- Application to offshore wind and solar projects.

These comments may inform the BCER's ongoing implementation of *Land Act* authorities with respect to wind and solar energy projects.

Please submit comments to info@rep-spa.ca by September 30, 2026.

Additionally, the BCER is planning the following updates and reviews associated with fees for Investigative Use Licences:

Proposed Cap on Fees for Investigative Use Licences

The BCER is considering a potential amendment to the Renewable Energy Projects Regulation (REPR) respecting fees associated with Investigative Use Licences for renewable energy projects.

These fees are established in section 13.5 of REPR and are scaled based on both the licence term and the size of the associated tenure. Current fees are as follows:

For a licence with a term of 2 years or less, the sum of:

- \$500, and
- \$1 for each hectare above 500 ha

For a licence with a term greater than 2 years, the sum of:

- \$7 500, and
- \$10 for each hectare above 500 ha

The potential amendment introduces a cap of \$52,500 for licences with a term greater than 2 years. This cap would provide clarity regarding the maximum fee that may be assessed under the regulation.

The potential change would not impact the BCER's review of fees for Investigative Use Licences. This review will proceed in conjunction with the review of the application of the existing Land Use Operational Policy – Wind Power Projects and will ensure fees reflect the current costs of regulatory oversight.