



Agricultural Land Commission
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March 31, 2010

Reply to the attention of Gordon Bednard
ALC File: 38864 (ID # 45817)

Raven Industries Ltd.
211 – 1260 Shoppers Row
Campbell River, BC V9W 2C8

Attention: Ian Legge:

Re: Application to Remove Soil from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 1927/2009 outlining the Commission's decision as it relates to the above noted application.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact your Local Government.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in purple ink, appearing to read 'Erik Karlsen', is written over the 'Per:' label.

Erik Karlsen, Chair

Enclosure: Minutes

cc Strathcona Regional District (3110-20/ALR ID 08)

GB/lv/i/38864d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on 18th December 2009 at Duncan, BC

PRESENT:	Lorne Seitz	Chair, Island Panel
	Niels Holbek	Commissioner
	Jennifer Dyson	Commissioner
	Roger Cheetham	Staff

For Consideration

Application: 38864
 Applicant: Raven Industries Ltd.
 Agent: Ian Legge
 Proposal: The extraction of 200 000 cubic metres of gravel from a portion of the subject property.

Legal: 1. PID: 001-252-305
 Those Parts of Lot 2, Block 29, Comox District, Plan 3434, EXCEPT that Portion of Said Lot 2, Lying to the South and East of the following described line: Commencing at an Iron Post set on the North Easterly Boundary of the said Lot 2, Distance 3689.44 Feet measured along the said North Easterly Boundary from the most Easterly corner of said Lot 2, Thence S.56 Degrees 08 Minutes 30 Seconds W. A distance of 372.53 Feet to an Iron Post, Thence N. 88 Degrees 56 Minutes 30 Seconds W., a Distance of 671.73 Feet to an Iron Post, Thence S. 35 Degrees 21 Minutes W. A Distance of 1625.82 Feet to an Iron Post Thence S. 33 Degrees 37 Minutes W., A Distance of 1639.8 Feet to an Iron Post Thence S 30 Degrees 39 Minutes 30 Seconds E. To the Southerly Limit of said Part of Lot 2, Shown Outlined in Red on Plan 1171R.

Location: Off Glenmore Road near Oyster Bay, Strathcona Regional District

Discussion

The Commission reviewed the reclamation plan prepared by David Polster dated October 2009. It noted that the application relates to two small areas of a much larger parcel (672 ha) and that it can be anticipated that further extraction will be considered for other parts of the property in due course. The Commission was hence cognizant of the need to ensure that appropriate conditions are imposed to provide a consistent approach having regard to the possibility of future extraction.

The Commission notes that the present application relates to a 5.4 acre aggregate extraction area which has been used as a supply area for road maintenance on the property in the past, and a 0.6 ha masonry sand excavation area.

The Commission was not opposed to the extraction of aggregate from both areas, subject to appropriate conditions.

**IT WAS
 MOVED BY:** Commissioner N. Holbek

SECONDED BY: Commissioner L. Seitz

THAT in respect of the 5.4 ha aggregate extraction area the application be approved subject to the following conditions:

1. The submission of an amended extraction and rehabilitation plan for the site, acceptable to the Commission, providing further details with regard to:
 - a. Current soil capability;
 - b. Noxious weed management (both during and post-extraction) and a schedule of monitoring and treatment;
 - c. The location of possible future extraction areas.
 - d. Consideration of "daylighting" opportunities, for the existing and any future planned extraction areas;
 - e. Plans to achieve a final minimum full class improvement in soil capability for agriculture
 - f. Mapping of present and proposed site profiles and elevations .
2. A requirement that the applicants commit to the submission of an annual monitoring report from a qualified Agrologist that ensures that the extraction and rehabilitation is consistent with the plans submitted.
3. A commitment to rehabilitate the extraction areas within 8 years of the date of approval. If it becomes apparent at any stage of the extraction/rehabilitation process that the proposed "natural succession" rehabilitation plan does not appear to be successfully progressing, an alternate rehabilitation plan must be submitted to the Commission for approval.
4. The submission of a Letter of Credit security for \$35,000 to be released upon the Commission's approval of the completed rehabilitation.
5. The approval of extraction activities is for 5 years from the date of the Commission's approval.

With respect to the proposed sand pit affecting 0.6 ha, the above conditions apply, except that the security is set at \$5,000 and may be submitted separately.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

CARRIED
Resolution # 1927/2009

I certify that this is a true
record of the proceedings.


(Chair / Commissioner)