



**Agricultural Land Commission**  
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Burnaby, British Columbia V5G 4K6  
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December 8, 2009

Reply to the attention of Simone Rivers  
ALC File: 50690

Michelle Schaeffer  
c/o Sharp Environmental (2000) Ltd.  
10543 – 100<sup>th</sup> Street  
Fort St. John, BC, V1J 3Z4

Dear Ms. Schaeffer:

**Re: Application for Non-Farm Use in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 1625/20009 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Please be advised that changes to the design of water storage facility and the addition of individual pieces of equipment to the site may not require submission of a new non-farm use application provided that the changes do not increase the total footprint of the development. Should equipment be required that is not shown on the plot plan submitted with the application, please forward the details of the proposed changes to the Commission and it will inform you whether the changes are in compliance with its resolution or require a new application. The Commission does not need to be informed of minor changes in size of equipment already proposed or changes in location and orientation of equipment already proposed provided they are still located within the approved non-farm use area.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact the Regional District.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan/Schedule B

cc: Peace River Regional District (143/2009)

SBR/  
50690d1



A meeting was held by the Provincial Agricultural Land Commission on November 18, 2009 at the offices of the Peace River Regional District, Fort St. John, BC

<b>PRESENT:</b>	William Norton	Chair, North Panel
	Denise Dowswell	Commissioner
	Erik Karlsen	Chair, ALC
	Simone Rivers	Staff
	Brian Underhill	Staff

**For Consideration**

Application: 50690  
 Applicant: Shell Canada, Ltd.  
 Agent: Sharp Environmental (2000) Ltd.  
 Proposal: To use 5.9 ha of Crown Land located in the Sunset Prairie Grazing reserve for a water storage facility. Eventually the facility would consist of two 1 ha water storage pits and several associated buildings (total building area - approximately 350 m<sup>2</sup>)  
 Legal: Unsurveyed Crown Land in the Sunset Prairie Grazing Reserve described as Section 8, Township 80, Range 18, West of the 6<sup>th</sup> Meridian, Peace River District  
 Location: 30 km southwest of the Taylor BC in the Sunset Prairie Grazing Reserve

**Application Meeting**

A meeting was conducted on November 17, 2009. Those in attendance were:

- William Norton Chair, North Panel
- Denise Dowswell Commissioner
- Erik Karlsen Commissioner
- Simone Rivers Staff
- Brian Underhill Staff
- Anne Parchewsky Project Engineering Coordinator – Shell Canada
- Russ Marshall Surface Land Manager – Shell Canada
- Abe Garcia Fort St. John Construction Coordinator – Shell Canada
- Michelle Schaeffer Sharp Environmental (2000) Ltd. - Agent

The applicants outlined the reasons for the request and stated that they wanted to build a water storage facility so that they would not need to drive water trucks to all of their drilling sites. Shell is planning to drill approximately 50 wells in the vicinity in the next year. The water would be pumped from the storage facility via pipeline to the places where it is needed.

**Context**

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the “Act”). They are:

1. to preserve agricultural land

2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

### **Discussion**

The Commission had no objection to the proposed water storage pits on the grounds that Shell was proposing to clear and improve an equivalent area of land within the grazing reserve. This would compensate for the loss of the area for grazing on which the water storage facility would be built. The Commission noted that the location of the proposed water facility was next to existing oil and gas infrastructure. The Commission did not believe that the construction of the water pit would reduce the suitability of the surrounding areas for agricultural use.

### **IT WAS**

**MOVED BY:** Commissioner Karlsen

**SECONDED BY:** Commissioner Norton

THAT the application be approved.

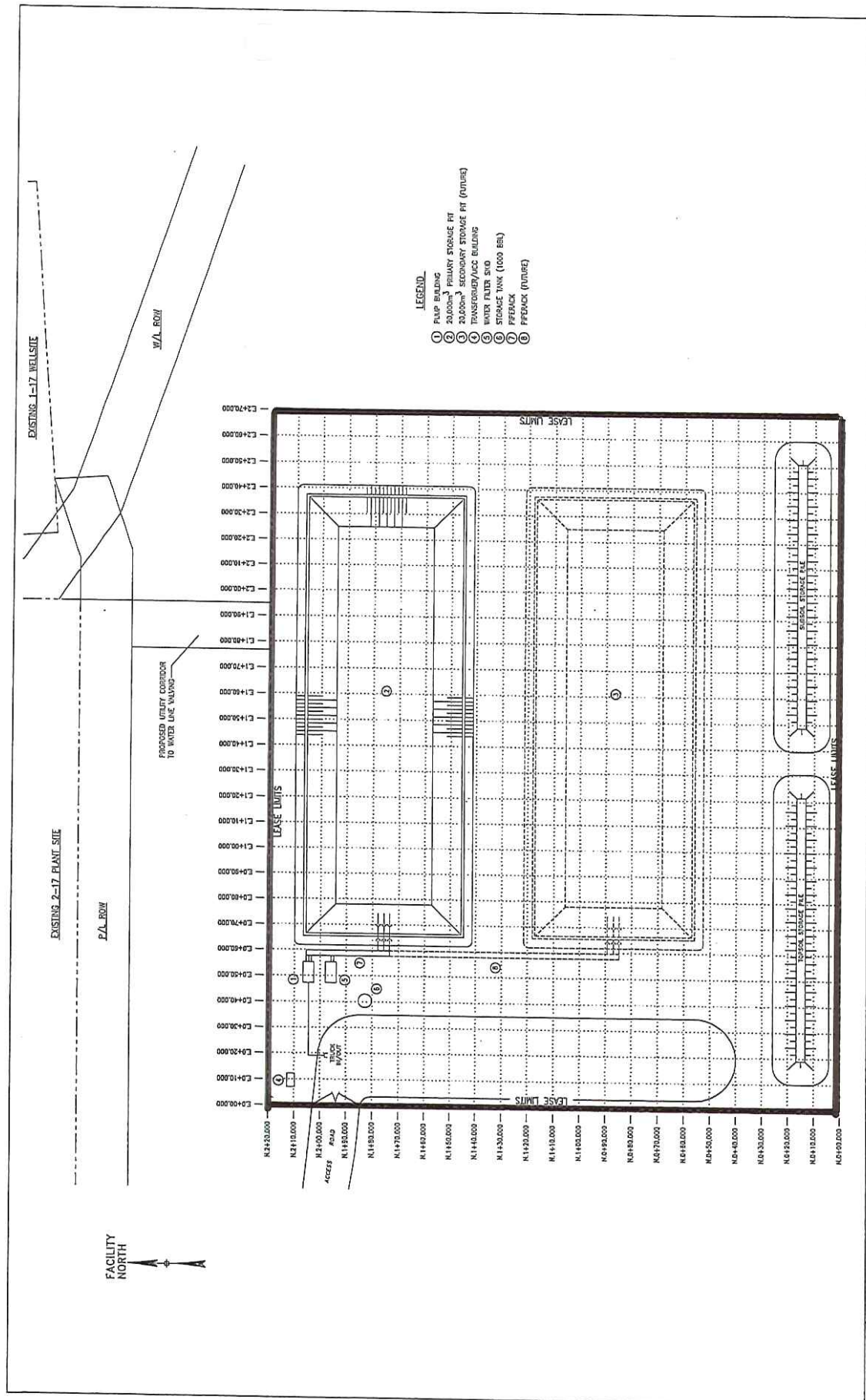
AND THAT the approval is subject to the following conditions:

- That the non-farm use is confined to the areas identified on the plan submitted with the application.
- Reclamation of the land to a level equivalent to pre oil and gas development so the land can be used for agricultural purposes. Reclamation must meet the standards set out in Schedule B (attached) and a report based on the Schedule B must be submitted to the Commission following reclamation.
- Construction of the proposed water storage facility must be commenced within three years from the date of this decision.
- Approval to build the proposed infrastructure is given to the applicant only and until implemented is non-transferable.
- Clearing and improvement of 6 ha of new pasture land within the Sunset Prairie Grazing Reserve. Identification of the site to be cleared must be done in consultation with the manager of the grazing reserve and be endorsed by the same.

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 # 1625/2009**



<b>TUNDRA</b>		<b>SHELL CANADA LIMITED</b>	
TUNDRA ENGINEERING ASSOCIATES LTD. CALGARY, ALBERTA		SUNSET PRAIRIE FRAC WATER FACILITY LSO : 01-01-01-18 NSM PLOT PLAN	
BY	DATE	SCALE	DRAWING NUMBER
MS	09.08.12	1 : 650	A1-SP-00-PP-01
DESIGNED	CHECKED	APPROVED	REV
			D

ENGINEERS & PERMIT STAMPS

**Provincial Agricultural Land Commission**

Application # 50690  
Resolution # 1625/2009

6 ha area approved for non-farm use (water storage facility)