



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

1st November 2010

Reply to the attention of Roger Cheetham
ALC File:51898

McElhanney Consulting Ltd.
1633 1st Ave.
Prince George, BC
V2L 2Y8
Att. R.W.(Bob) Parolin

Dear Sirs:

Re: Application to Use land in the Agricultural Land Reserve for Non-farm purposes

Please find attached the Minutes of Resolution # 2682/2010 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.

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 black ink, appearing to read 'B Underhill', is written over the printed name.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Regional District of Fraser Fort George (ALR 1976/SE ¼)

rc/
51898d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on 6th October 2010 at the offices of the Ministry of Agriculture and Lands, Prince George, B.C.

PRESENT:	Richard Bullock	Chair, Commission
	Jim Collins	Acting Chair, North Panel
	Denise Dowswell	Commissioner
	Lucille Dempsey	Commissioner
	Roger Cheetham	Staff

For Consideration

Application: 51898
Applicant: Patrick, Jim and Daniel Martin
Agent: McElhanney Consulting Ltd.
Proposal: To extract and process approximately 230,000 m³ of gravel from a 2.6 ha area of the 25.4 ha parcel.
Legal: PID: 012-998-842
Lot 2, District Lot 1993, Cariboo District, Plan 8912 Except Plans BCP34975 and EPP3593
Location: Highway 97 South, at Red Rock, south of Prince George

Site Inspection

A site inspection was conducted on 6th October 2010. Those in attendance were:

- Richard Bullock Chair, Commission
- Jim Collins Acting Chair, North Panel
- Denise Dowswell Commissioner
- Lucille Dempsey Commissioner
- Roger Cheetham Staff
- Pat Martin Applicant
- Jim Martin Applicant
- Dan Martin Applicant

The Commission noted that the area intended for gravel extraction has been cleared. It is intended that the gravel be used for the construction of the proposed truck stop immediately adjacent to the property to the west, approved by the Commission in terms of Resolution #421/2006 (ALC File 36771). The Commission noted that the property has limited agricultural capability.

Discussion

The Commission recognized the resource value of the gravel deposit and considered that it was in the general interests of the public that the resource be exploited provided that long term agricultural interests are not compromised.

IT WAS

MOVED BY: Commissioner J. Collins

SECONDED BY: Commissioner D. Dowswell

THAT the approval is subject to the following conditions:

1. That the aggregate extraction and gravel pit related activities be restricted to the proposed 2.6 ha extraction area;
2. That the total aggregate extraction shall be limited in depth to achieve finished grade elevations consistent with surrounding lands, save and except the eastern boundary of the proposed extraction site, as extraction from west to east is essentially a side cut into an elevated landform;
3. That side slopes at the eastern side of the extraction site not exceed 2:1;
4. That over-excavation and backfilling is not permitted;
5. That following reclamation, the area will not be left as a depression;
6. That all existing topsoil be stripped and salvaged for reclamation;
7. That salvaged topsoil must not be removed from the property;
8. That fill material must not be imported to the property;
9. That weed control must be practiced on all disturbed areas;
10. That all soil stockpiles must be seeded and established to an appropriate plant cover, or other suitable soil erosion control measure must be applied to protect the stockpiles;
11. That all stockpiled topsoil be spread over the extraction site following completion of extraction and the area seeded to a cereal or forage crop;
12. That an annual report be submitted to the Commission on the progress of extraction and reclamation by December 31 of each year until rehabilitation of the extraction area is completed and final closure is granted;
13. That a final report prepared by a qualified registered professional must be submitted to the Commission upon completion of the project. The final report must include photographs and a professional assessment that the extraction site has been reclaimed to an agricultural standard equal to or better than that which existed prior to the commencement of the project;
14. That the proposed gravel extraction project is approved for 5 years ending to expire on December 31, 2015. Should you require an extension of time beyond this date to complete the project, a written request must be submitted to the Commission by October 1, 2015. The request shall include a status report regarding the project and the extent of reclamation; and
15. That to ensure the successful reclamation of the site, a financial security in the amount of \$30,000.00 be posted with the Minister of Finance, c/o the Provincial Agricultural Land Commission (see attached example of Letter of Credit). The bond will be released upon the Commission's acceptance of the final report prepared by a qualified registered professional.

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 # 2682/2010

Letter of Credit - Example

BENEFICIARY: Minister of Finance
c/o Provincial Agricultural Land Commission
#133 - 4940 Canada Way
Burnaby, BC V5G 4K6

Re: ALC Application # _____

We hereby issue in your favour our Irrevocable Letter of Credit # _____ for CAD

\$ _____ in the account of _____
(Name of Individual or Company)

(Street Address and/or Legal Description)

TERMS AND CONDITIONS:

1. Expiry Date: _____
2. Drawings are to be made in writing to _____
(Name of Financial Institution)
3. Partial drawings are permitted.
4. The Bank/Credit Union will not inquire as to whether or not the Agricultural Land Commission has right to make demand on this Letter of Credit.
5. This Letter of Credit is irrevocable up to the expiry date.
6. This Credit is irrevocable up to the expiry date and unless it is extended in writing will be null and void after the expiry date whether or not the original credit is returned to us for cancellation. The amount of this credit may be reduced from time to time only by the amount drawn upon it by you or by formal notice in writing received by us from you that you desire such reduction.
7. Request for any amendment except reduction in amount must be made directly to our customer who will then instruct us accordingly.
8. Any drawings made under this letter of credit must be accompanied by the original of this credit.
9. **Mandatory Condition:**
"It is a condition of this letter of credit that it shall be deemed to be automatically extended without amendment from year to year from the present or any future expiration date hereof, unless at least 30 days prior to the present or any future expiration date, we notify you in writing, that we elect not to consider this letter of credit to be renewable for any additional period."
10. We engage to honour presentations submitted within the terms and conditions indicate above.