

# ALC Reserve Opinion

An Information Bulletin from British Columbia's Agricultural Land Commission

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## Message from the Chair

A new fiscal year began on April 1st after a very productive and busy 2002/03. In those twelve months we saw significant changes to the way the Commission serves the public.

Many of the external influences on the Commission's task of preserving agricultural land remained or intensified during the year. Development pressures on the ALR continued as the economy showed signs of recovery. The agricultural sector also had another successful year, demonstrating continuing and sustained growth.

Following Core Review, the provincial government re-affirmed the Commission's mandate to protect agricultural land and encourage and enable farming. Government also passed new legislation with new tools to make the Agricultural Land Reserve system even more effective and efficient.

Government also re-structured the Commission to a regional model of six panels, and instructed the ALC to streamline its regulations and procedures. Other changes resulting from government direction

are reported in this newsletter and in the Commission's Annual Service Plan Report, which will be available on the website ([www.alc.gov.bc.ca](http://www.alc.gov.bc.ca)) later in June.

In February the Commission's new Service Plan, also available on our website, was made public. In addition to the goals from previous plans a new goal was added: "a provincial land reserve system that considers community interests". To achieve this goal we will be working to balance the provincial interest in preserving lands for agriculture with community interests and the need for land for housing, employment and community purposes. While achieving this balance will continue to be a challenge I am confident we are up to the task, particularly with our renewed mandate and new tools.

One of these tools is a new dispute resolution process to help resolve differences of opinion between the Commission and its local government partners. The Commission continues to seek innovative ways to achieve balance when it removes land from the

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[www.alc.gov.bc.ca](http://www.alc.gov.bc.ca)

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ALR, including finding solutions that provide a net benefit to agriculture.

The Commission and its staff worked very hard to implement this new structure. We made a number of operational improvements to enable us to deliver services more efficiently and effectively. The Commission and staff are to be commended for providing a smooth transition to a more streamlined and results-based land reserve system.

Together with all of the Commissioners, I remain optimistic about the future of the ALR and the potential for growth in the agricultural economy. Changes to the way the Commission operates place us in a good position to meet the ongoing challenge of balancing population growth with the protection of farmlands, with the goal of a sustainable future for all British Columbians.



Kirk Miller, Chair and CEO

## Commissioners Re-Appointed

The Commission has operated with eighteen Commissioners and Chair/CEO Kirk Miller since May of 2002. On May 2, 2003 government re-appointed seventeen Commissioners to the six regional panels. A new Commissioner, Harold Kerr, was also appointed to replace Jim Davidson. Jim stepped down in May after being elected mayor of Smithers in the

November 2002 municipal elections. Harold is a long-time rancher from the Bulkley Valley.

Commissioners and staff extend their thanks to Jim Davidson for his participation in the first year of operations, and for his excellent contributions to the ALC's panel for the North region.

### CURRENT PANELS

**SOUTH COASTAL** Peter Dhillon, Vice Chair;  
Walter Dyck, Carol Paulson

**INTERIOR** Grant Huffman, Vice Chair;  
Holly Campbell, Guy Rose

**ISLAND** Lorne Seitz, Vice Chair;  
David Craven, Donald Rugg

**OKANAGAN** Sid Sidhu, Vice Chair;  
Susan Irvine, Sharon McCoubrey

**NORTH** Frank Read, Vice Chair;  
John Kendrew, Harold Kerr

**KOOTENAY** Monika Marshall, Vice Chair;  
Cheryle Huscroft, Carmen Purdy

## Local Government Feedback

In March all 133 local governments with land in the ALR received a feedback form from the Commission. It asked several key questions about how the Commission could serve our local government clients more effectively. By early May over half of the local governments had responded, which is a very encouraging result. The Commission will be compiling and analyzing the results and using them to implement further improvements in our operations and to enhance service delivery to the public. Results will be reported in a future edition of *Reserve Opinion*.

## New Service Plan Completed

Like all ministries and agencies of the provincial government, the Commission recently completed a new three-year Service Plan for 2003/04–2005/06. Service Plans are designed to provide strategic direction for the provision of public services by all ministries, agencies, boards and commissions. The Commission's plan was submitted to the Legislature in February. It

reconfirms government's commitment to the agricultural land reserve program. It provides a vision and mission that the Commission is working towards, together with a set of goals, objectives and strategies to achieve that vision.

The ALC's plan includes new and revised performance measures and targets to help assess the Commission's progress in achieving its objectives and hold it (and government) accountable for its results.

The plan places new emphasis on a decision-making approach that considers community interests. As it has done in the past, the Commission will continue to weigh community issues and community needs into its decision-making, and balance the provincial interest with community ones. The plan also focuses on ways to encourage and enable farm businesses and other compatible uses in the ALR.

The complete service plan can be viewed through the Commission's website [www.alc.gov.bc.ca](http://www.alc.gov.bc.ca) or the government's website [www.gov.bc.ca](http://www.gov.bc.ca).

### VISION

**"A provincial agricultural land reserve system that fosters economic, environmental and social sustainability."**

### MISSION

**"Preserve agricultural land and encourage and enable farm businesses throughout British Columbia."**

## Annual Service Plan Report

The Commission is in the process of reporting to government on its performance based on its 2002/03–2004/05 Service Plan. Government fulfilled its New Era commitment to "make the Commission more regionally responsive to community needs" by re-structuring the Commission and bringing decision-making closer to those affected. It passed new legislation and regulations to refocus the work of the Commission on agricultural land preservation, and to balance the provincial interest with community needs. Through its new regulations, the uses permitted in the ALR were expanded to include other value-added and diversified activities, together with uses compatible with agriculture and those which provide economic opportunity.

The past fiscal year was devoted to effectively and efficiently managing the changes resulting from government direction through Core Review. The Commission met some, but not all, of its targets. Some targets were not achieved because (1) additional resources had to be devoted to implementing the changes, and (2) there was a modest increase in the overall number of applications decided by the Commission. For its current Service Plan, the Commission is developing a more comprehensive performance management system with new objectives, strategies and corresponding measures and indicators.

The Agricultural Land Commission Annual Service Plan Report 2002/03, will be available on the Commission website by the end of June.

## New Commission Policies Introduced

New regulations for the ALR necessitated revisions to the Commission's policies and General Orders. As of March 31, 2003 the Commission rescinded all but three of its General Orders, which were largely replaced by provisions of the new *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*. The General Orders that remain are:

1. Subdivision into ¼ sections in the Peace River and Northern Rockies regional districts
2. Oil and Gas Wellsites and Pipelines—Peace River and Northern Rockies regional districts

3. Subdivision and Use—Southlands area, City of Vancouver.

The Commission has developed new policies to aid in the interpretation of the legislation and regulations. These have been distributed to all local governments and various ministries and agencies. For example, the Commission has policies for 'agri-tourism activities', 'wineries and cideries', 'farm retail sales' and 'agri-tourism accommodation', among others.

Visit our website for a complete list and details of the new policies.



*Commissioner John Kendrew, ALC staffer Ev Lew and Commissioner Frank Read meeting with an applicant on-site in Peace River Regional District, April 29, 2003.*

## Decision- Making in the ALR—A Shared Responsibility

In April the Commission sent a letter to local governments to ask if they had any interest in sharing decision-making in the ALR with the Commission. An information kit was included which described the delegation process in more detail and provided examples of different forms of delegation tailored to an individual community's needs.

Delegated decision powers apply only to subdivision and land use decisions in the ALR; exclusion and inclusion decisions remain the responsibility of the Commission.

Local governments have asked why they should take on delegated decision-making. Here are some of the many benefits:

- Powers delegated can be tailored to specific local government objectives and circumstances (after all, one size does not fit all).
- There is greater potential for enhanced local autonomy and responsibility.
- Applications can be processed more quickly, as one level of review and decision is eliminated.

## How the Commission 'Benefits Agriculture'

- Little additional work is required since most local governments already research and review applications before forwarding them to the Commission.
- Applicants save time in the application process.
- Local governments may keep the entire application fee, which helps to reduce costs.
- Local knowledge of the property and area is applied to decision-making.
- Decisions more closely reflect community needs.

The Commission encourages all local governments who are interested in pursuing this ability, and those who want more information, to contact the Commission directly. Staff will be pleased to arrange a meeting with the appropriate regional panel to discuss the issue further.

The Commission makes decisions that reflect the provincial interest of protecting agricultural lands and enabling and encouraging the farm use of ALR lands. Many of these decisions benefit agriculture, either directly or indirectly. The following are some examples of Commission decisions over the past year that have directly benefited the business of farming.

- The Commission allowed the development of an organic fertilizer plant near Agassiz that uses, as its raw material, chicken manure from farms in the area. The expansion of the poultry industry in the Fraser Valley has lately been limited by its inability to dispose of manure in the valley. This plant, in addition to providing jobs and economic spin-offs, will improve conditions for the expansion of the poultry industry.
- The Commission allowed the exclusion of 10 hectares of land adjacent to Aldergrove for urban development. At the same time, the applicant agreed to include 26 hectares into the ALR south of Aldergrove, and to reclaim and develop the land for agriculture using topsoil from the excluded area.
- In the Peace region the Commission allowed a facility to dispose of oilfield wastes on land in the ALR. This facility will assist the oil and gas industry. It also helps farmers with oil or gas wells on their lands that provide additional income for their farm operations.



## Kirk Miller Awarded Queen's Golden Jubilee Medal

Kirk Miller, ALC Chair and Chief Executive Officer and a public servant for more than 26 years, received the Queen's Golden Jubilee medal in April. The medal was awarded to recognize Kirk's outstanding public service contribution to the province of British Columbia.

The Hon. Stan Hagen commended Kirk for his leadership in the revitalization of the Agricultural Land Commission. As Chair and CEO of the Commission during its transformation, Kirk oversaw

the Commission restructuring and legislative changes, while maintaining the confidence of provincial and local government elected officials. Under his direction, the Commission changed its operations and structure with minimal disruption or public controversy. The results of the restructuring and more efficient operations are reflected in the improved accountability and level of service to the public, while protecting agricultural lands for all of British Columbia.



*Kirk Miller receiving his medal from the Honourable Stan Hagen, Minister of Sustainable Resource Management, at a ceremony in Victoria on April 28.*

## Forest Land Reserve in Transition

In January 2002 the provincial government directed the Commission to phase out the Forest Land Reserve (FLR), as it was not considered an effective way to serve the public interest in protecting the working forest. Since November 1, 2002 the Commission has not had responsibility for regulating land use in the FLR. However the FLR remains in place, as it provides the basis for the regulation of forest practices on private 'managed forest class' lands, for which the Commission continues to be responsible.

During the past several months the Commission has been working with

other stakeholders to develop a new model to regulate forest practices on private forest lands. This new model will be based on an industry and government partnership which will use a results-based process to ensure that public values such as wildlife habitat and water quality are protected when privately owned lands are logged.

Legislation to implement this new model is expected in the next session of the Legislature. Once it is enacted the Forest Land Reserve will be eliminated and the Commission's role in forest practices regulation will end.



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