



Agricultural Land Commission
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June 8, 2006

Reply to the attention of Brandy Ridout
ALC File #H-35986

Lori Wilbur
Salmon Arm Roots and Blues Festival
PO Box 21
Salmon Arm, BC V1E 4N2

Dear Ms. Wilbur:

Re: Request for Reconsideration

This is further to your e-mail of May 17, 2006 in which you asked the Provincial Agricultural Land Commission to reconsider Resolution #681/2005.

The Commission has reconsidered the matter and has attached the Minutes of Resolution #267/2006 outlining its latest decision.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

BR/lv/Encl. Minutes
35986d4.

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on May 23, 2006 in Kelowna, BC.

PRESENT:	Sue Irvine	Chair, Okanagan Panel
	Sharon McCoubrey	Commissioner
	Sid Sidhu	Commissioner
	Brandy Ridout	Staff

For Consideration

An e-mail from Lori Wilbur was received requesting that the Commission reconsider its decision recorded as Resolution #681/2005.

Application #	H-35986-3
Applicant	Salmon Arm Roots & Blues Festival
Legal	1. PID: 004-831-853 Lot 1, Section 11, Township 20, Range 10, W6M, Kamloops Division of Yale District, Plan 27414 2. PID: 014-072-009 Parcel B (Plan B5839, North West ¼, Section 11, Township 20, Range 10, W6M, Kamloops Division of Yale District
Location	Salmon Arm

Original Proposal: To establish a temporary campground on 2.9 ha of the combined 4.2 ha area of the two subject properties. The campground would accommodate 217 campsites and be used for the Salmon Arm Annual Roots and Blues Festival held each year in August.

Current Request: To remove the following condition of approval:

- The submission of a \$3,000 letter of credit in favour of the Commission to ensure that the properties are returned to a state suitable for agriculture after each festival.

Commission Discussion

The applicant provided a copy of last year's contract with the landowners and a letter from the Salmon Arm Roots & Blues Festival's insurance company. The contract states that the Festival will "leave property as found or to the owner's satisfaction upon final exit of land." The letter from the insurance company noted that the Festival has a "Commercial General Liability" policy that provides coverage for property damage.

In addition, the applicant noted that acquiring of a letter of credit would mean that the \$3,000 would be locked into a term deposit that could not be accessed for the duration of the term or with a letter from the Commission. It was noted that the Festival is a not-for-profit organization and tying up this amount of money would significantly affect their cash flow in the critical times prior to the Festival when we have performer fee and sound company deposits and after the event when the bills need to be paid.

Considering all the information provided by the applicant, the Commission believed that the Festival had mechanisms in place to repair potential damages to the agricultural properties and that requiring a bond would cause an unnecessary hardship to the Festival. As such, the Commission allowed the removal of the condition for a \$3,000 bond.

The other conditions remain unchanged and valid.

IT WAS

MOVED BY: Commissioner Irvine

SECONDED BY: Commissioner Sidhu

THAT the request be allowed.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED

RESOLUTION # 267/2006