



February 13, 2006

Reply to the attention of Simone Rivers

Taso Gavriel  
HMA Land Services  
1743 North River Drive  
Kamloops, B.C. V2B 7N4

Dear Mr. Gavriel:

Re: **Application # ZZ-36394-0**

1. PID: 001-809-041  
The South West ¼ of Section 33, Township 99, Kamloops Division Yale District
2. PID: 001-809-024  
The East ½ of the East ½, Section 32, Township 99, Kamloops Division Yale District
3. PID: 001-809-717  
District Lot 557, Kamloops Division Yale District
4. PID: 013-007-742  
District Lot 690, Kamloops Division Yale District
5. PID: 013-007-769  
District Lot 732, Kamloops Division Yale District
6. PID: 013-007-718  
District Lot 689, Kamloops Division Yale District

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your client's application to 1. Construct a new Terasen Gas pump station (4 ha footprint), 2. Dedicate a 20 m right of way over several of the subject properties in order to access the pump station (8.3 ha footprint) and, 3. Create a temporary work space (8.3 ha footprint). The application was submitted pursuant to section 20(3) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission writes to advise that it approved your application in principle. Final approval is subject to:

- An agreement for use of the land being reached between the land owner and Terasen or its agent.
- The use being restricted to the ±20 ha area identified on the attached plan.
- Compliance 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. The Commission suggests you contact Thompson-Nicola Regional District at your earliest convenience.

The decision noted above is recorded as Resolution # **35/2006**.

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Please send a copy of any agreement reached with the land owner to this office.

Please quote your application number in any future correspondence.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

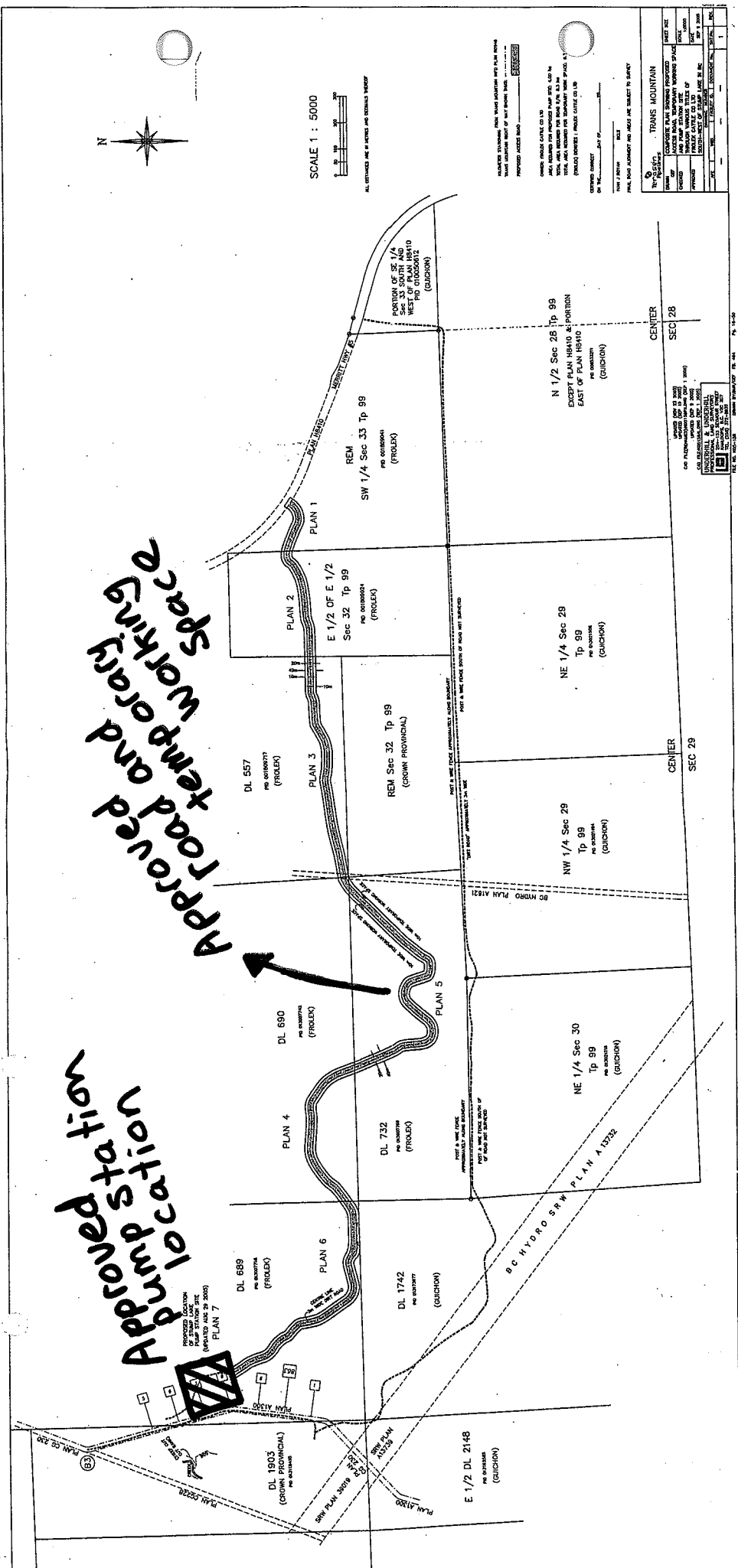
Eric Karlsen, Chair

cc: Thompson-Nicola Regional District: Attn Dan Wallace

SR/v/Encl. (plan)  
36394d1

**Approved Application  
Location**

**Approved and temporary working  
Road and Working Space**



Provincial Agricultural Land Commission  
 Application: #ZZ-36394-0  
 Resolution # 35/2006

**MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION**

**Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on February 9, 2006 by telephone conference call.**

**PRESENT:** Grant Huffman   Chair  
              Holly Campbell   Commissioner  
              Frank Read   Commissioner

**STAFF:**         Simone Rivers, Regional Research Officer

**For Consideration**

Simone Rivers presented the staff report dated January 4, 2006 regarding application #ZZ- 36394-0. Mr. Taso Gavriel, agent for the applicants confirmed that he received the staff report and did not identify any errors.

**Site Inspection**

- A site inspection was not conducted.

**Commission Discussion**

The Commission was not concerned about the proposed use but was concerned about the fact that the owner of the property had not reached an agreement with the applicant for compensation for the proposed use. Therefore, approval is only given in principle until such time as an agreement is reached.

**IT WAS**

**MOVED BY:**               Commissioner Huffman

**SECONDED BY:**         Commissioner Campbell

**THAT** the staff report be received and the application to 1. construct a new Terasen Gas pump station (4 ha footprint) 2. Dedicate a 20 m right of way over several of the subject properties in order to access the pump station (8.3 ha footprint) and 3. Create a temporary work space (8.3 ha footprint) along the access road during construction be approved in principle. Approval is subject to an agreement being reached between the landowner and Terasen.

This approval is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED





**Staff Report**  
**Application # ZZ – 36394 - 0**  
**Applicant: Terasen Pipelines Inc.**  
**Agent: HMA Land Services**

**DATE RECEIVED:** December 1, 2005

**DATE PREPARED:** January 4, 2006

**TO:** Chair and Commissioners – Interior Panel

**FROM:** Simone Rivers, Regional Research Officer

**PROPOSAL:** The proposal consists of three parts and impacts six properties.

1. Construction of a new Terasen Gas pump station (4 ha footprint)
2. Dedication of a 20 m right of way over several of the subject properties in order to access the pump station (8.3 ha footprint)
3. Temporary work space (8.3 ha footprint)

This application is made pursuant Section 6 of BC Regulation 171/2002  
(*Agricultural Land Reserve Use, Subdivision and Procedure Regulation*).

**BACKGROUND INFORMATION:**

In order to meet petroleum demand Terasen is planning to increase its pipeline capacity between Edmonton, Alberta and Langley British Columbia. As part of this expansion eleven new pump stations need to be built on the pipeline. This application is for one of the new pump stations.

A total of six properties (total area 485 ha) will be affected by the works, five for the right of way and the sixth for the pump station and right of way. All six properties are owned by Frolek Cattle Company.

**Pump Station:**

The pump station site is a 200 m X 200 m area adjacent to the existing pipeline. The actual footprint of the pump station is in a 1.0 ha fenced compound that will be for Terasen's exclusive use. Due to the remote location of the pump station, the remaining 3 ha will be used as a clear zone to remove potentially hazardous wild growth that may affect the integrity of the station. Terasen will hold limited rights in the clear zone area, the owner can use the clear zone as long as it does not impede the intent of the clear zone.

**Road Right of Way:**

The proposed pump station is located about 4 km from Highway 5 on the upper bench of DL689 KDYD. There is an existing gravel road to the site from the highway. This road is used by the owner for cattle and logging operations. Terasen requires a permanent 20 m road right of way (10 m on either side of the existing centre line totaling 8.3 ha from the highway to the pump station. Terasen's right on the proposed right of way will be limited to access to the pump station, the owner can continue to use the proposed road for its operational needs on the condition that it does not impede Terasen's ability to access the pump station.

**Temporary Work Space.**

In order to construct the road right of way, Terasen requires a 20 m (10 m on either side of the permanent Right of Way) Temporary Working Space for the period of one year. The TWS will be cancelled upon the completion of the works and the lands will be restored to as close as possible to their original condition prior to construction.

**Local Government:**

Thompson-Nicola Regional District

**Legal Description of Properties:**

1. PID: 001-809-041  
The South West  $\frac{1}{4}$  of Section 33, Township 99, Kamloops Division Yale District
2. PID: 001-809-024  
The East  $\frac{1}{2}$  of the East  $\frac{1}{2}$ , Section 32, Township 99, Kamloops Division Yale District
3. PID: 001-809-717  
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District Lot 690, Kamloops Division Yale District
5. PID: 013-007-769  
District Lot 732, Kamloops Division Yale District
6. PID: 013-007-718  
District Lot 689, Kamloops Division Yale District

**Location of Properties:**

40 km south of Kamloops near Stump Lake

**Total Size of Properties:**

485.0 ha

**ALR Area Affected by the Proposal:**

20.5 ha

**Present use of the Properties:**

Part of the Frolek Cattle Company ranch and are used as range land for cattle.

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 921/8  
The majority of the property is identified as having Secondary ratings.

**STAFF COMMENTS:**

Staff have been in contact with the agent who has indicated that negotiations with the owner for the rights to the land are ongoing.  
Staff recommends approval subject to an agreement for tenure being reached with the owner.

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**END OF REPORT**

Simone Rivera  
Signature

Jan 13/2006  
Date