



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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www.alc.gov.bc.ca

November 20, 2006

Reply to the attention of Gordon Bednard
ALC File: Q-36529

Waneta Expansion Power Corporation
Suite 200, 445-13th Avenue
Castlegar, B.C. V1N 1G1

Dear Wally Penner:

Re: Application for Utility Corridor within the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 559/2006 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.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', written over a white background.

Erik Karlsen, Chair

cc: Regional District of Kootenay-Boundary (A-W8)

Encl.: Minutes/Sketch Plan
GB/eg/36529d2



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on September 27, 2006 at Nelson, B.C.

PRESENT: Monika Marshall Chair, Kootenay Panel
 Carmen Purdy Commissioner
 Erik Karlsen Chair, ALC
 Gordon Bednard Staff, ALC

For Consideration

Application: # Q- 36529
Applicant: Waneta Expansion Power Corporation
Proposal: Additional area over which the power line will cross.
Legal: PID: 016-444-744
 West ½ of Parcel 1 (see 7093-I) of District Lot 7194, Kootenay
 District, Except Part Included in Plan 10468
Location: Near Castlegar

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.

The Act provides processes for landowners, local governments and First Nations to apply to the Commission to remove land from the ALR or to use land in the ALR for non-farm purposes.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission does not believe the proposal would impact existing or potential agricultural use of surrounding lands.

IT WAS

MOVED BY: Commissioner Carmen Purdy
SECONDED BY: Commissioner Monika Marshall

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THAT the application be reconsidered and the area proposed for addition to the powerline be approved as presented.

AND THAT the approval is granted to the applicant only and is valid for three (3) years from the date of this decision.

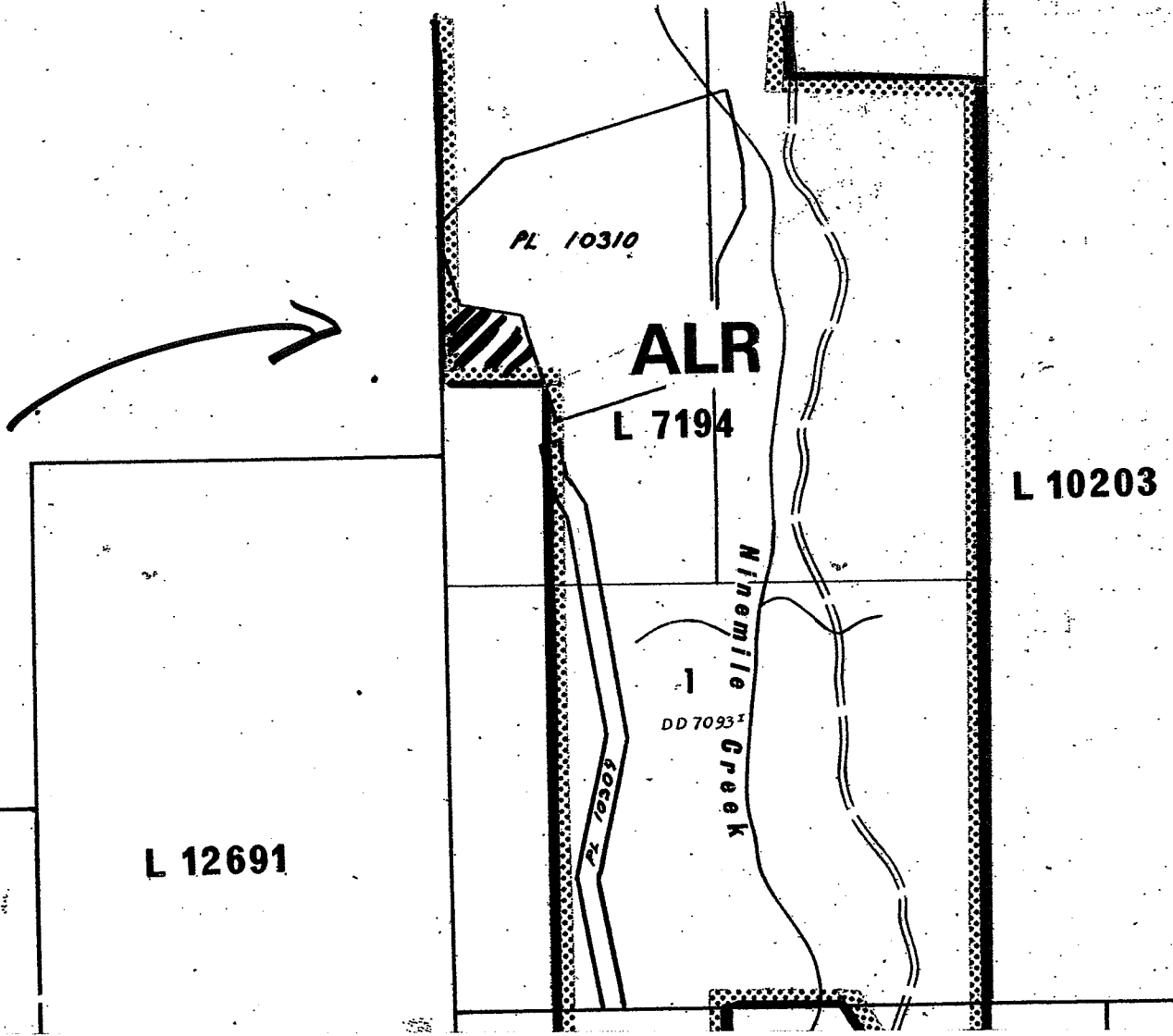
This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED

Resolution # 559/2006

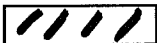
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Provincial Agricultural Land Commission

Application: Q-36529
Resolution # 559/2006



Area approved for expansion of a utility corridor as a non-farm use within the ALR.



Staff Report
Application # Q – 36529
Applicant: Waneta Expansion Power Corporation

DATE PREPARED: 18th September, 2006

TO: Chair and Commissioners – Kootenay Panel

FROM: Roger Cheetham, Regional Planner

PROPOSAL: To reconsider the decision of the Commission in terms of Resolution Number 284/2006 to approve an application to construct a transmission utility corridor within a portion of the subject property as part of the Waneta Hydroelectric Expansion Project (the "Project").

This application is made pursuant to Section 33 (1) of the Agricultural Land Commission Act.

BACKGROUND INFORMATION:

The application is in respect of an additional parcel of land that was inadvertently omitted from the original application that is located adjacent to the BC Hydro Selkirk Substation at the eastern end of the line. The request is attached as Annex. A

END OF REPORT



Signature



Date