



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

June 16, 2006

Please reply to the attention of Roger Cheetham

Teck Cominco Metals Ltd
PO Box 1000
Trail, BC V1R 4L8

Dear Sir/Madam:

RE: Application #L-36544

PID: 016-316-711

Sublot 6, Township 7A, Kootenay District, Plan X66, EXCEPT Part included in Plan 11116;

PID: 007-436-505

Parcel B (See 87389I), District Lot 3617, Kootenay District, EXCEPT Parcel A (Explanatory Plan 86367I) and part included in SRW Plan 14964

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to use land for temporary lay-down areas and for the construction of components of the transmission line related to the Waneta Hydroelectric Expansion Project. The application was submitted pursuant to section 20(3) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank you for taking the time to meet with its representatives on 29th May 2006. The Commission found the meeting and site visit informative. In particular, the Commission noted that the proposed sites for the lay-down of equipment and the construction of components of the transmission line related to the project are located in a logical position. It also noted that an environmental management plan is required in terms of the Environmental Assessment process to ensure that the proposed sites are not deleteriously affected with regard to future agricultural potential.

The Commission writes to advise that it approved your application subject to:

- Measures being taken to ensure that the lay-down and temporary construction areas are fully reinstated for agriculture upon the completion of the project.
- 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 the Kootenay Boundary Regional District at your earliest convenience.

The decision noted above is recorded as Resolution # **266/2006**.

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Please quote your application number in any future correspondence.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

pc: Regional District of Kootenay Boundary (#A-W8)

RC/iv/Encl.
36544d1.

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on 30th May 2006 in Cranbrook, B.C.

PRESENT: Monika Marshall Chair
 Carmen Purdy Commissioner

STAFF: Roger Cheetham, Planning Officer

For Consideration

Roger Cheetham presented the staff report of Ron Wallace dated 12th May 2006 regarding application #Q- 36544

Site Inspection

A site inspection was conducted on 29th May 2006. Those in attendance were:

- Commissioners Marshall, Purdy
- Agricultural Land Commission Staff: Roger Cheetham, Planning Officer
- Wally Penner, Agent of Applicant

The Commission noted that the application was for the use of parts of the property for the temporary lay-down of equipment and the construction of components of the transmission line related to the expansion of the Waneta hydro-electric expansion project. Mr. Penner indicated that an environmental management plan would be required as part of the environmental assessment to ensure that the storage areas are not debilitated and the land is protected from contaminants. The Commission noted that the areas selected tended to be more level and with accordingly better agricultural potential.

The site inspection lasted from 6:30 p.m. to 7:00 p.m.

Commission Discussion: The Commission recognized the community need for the temporary use of the selected areas for the storage of equipment. It considered that the environmental management plan that was required in terms of the environmental assessment process would be adequate to ensure that the storage areas were not deleteriously affected with regard to future agricultural potential.

IT WAS

MOVED BY: Commissioner M. Marshall

SECONDED BY: Commissioner C. Purdy

THAT the staff report be received and the use of parts of the property for the temporary lay-down of equipment and the construction of components of the transmission line related to the project be approved subject to measures being taken to ensure that the land is fully reinstated for agriculture upon the completion of the project.

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

CARRIED



Staff Report
Application # Q – 36544
Applicant: Teck Cominco Metals Ltd
Agent: Waneta Expansion Power Corporation

DATE PREPARED: May 12, 2006

TO: Chair and Commissioners – Kootenay Panel

FROM: Ron Wallace, Regional Research Officer

PROPOSAL: The Waneta Expansion Power Corporation has submitted an application for non-farm use for the purpose of a transmission line corridor and temporary lay-down areas associated with the Waneta Hydroelectric Expansion Project.

This application is made pursuant to section 20(3) of the *Agricultural Land Commission Act*.

Local Government:

Regional District of Kootenay-Boundary

Legal Description of Property:

1. PID: 016-316-711
Sublot 6, Township 7A, Kootenay District, Plan X66, EXCEPT Part included in Plan 11116;
2. PID: 007-436-505
Parcel B (See 873891), District Lot 3617, Kootenay District, EXCEPT Parcel A (Explanatory Plan 863671) and part included in SRW Plan 14964;

Purchase Date:

1950-09-15

Location of Property:

Just north of Waneta border crossing, Hwy 22.

Size of Property:

94.5 ha

ALR Area:

94.5 ha

Present use of the Property:

The property is currently used as hydro-electric dam and powerhouse, a substation, a warehouse, a transmission line corridor, and some farming.

Surrounding Land Uses:

WEST: Road R/W, Rail R/W, transmission line, some farm land
SOUTH: Cemetery, Road R/W, and farm land
EAST: Farm land, transmission line and Road R/W
NORTH: Road R/W, transmission line, gravel pit and Crown land

Agricultural Capability:

Data Source: Agricultural Capability Map # 82F/4
The majority of the property is identified as having Mixed Prime and Secondary ratings.

Official Community Plan and Designation:

Designated as Rural Resource

Zoning Bylaw and Designation:

Rural 4, 8 ha minimum lot size

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Regional Board

The Regional Board supports the application for non-farm use within the ALR.

Advisory Planning Commission

The APC has no objections to the application.

Local Government Staff

The Rural 4 zone permits hydroelectric dams as well as accessory buildings and structures. Public utility uses and structures are permitted in all zones in Area 'A'.

STAFF COMMENTS:

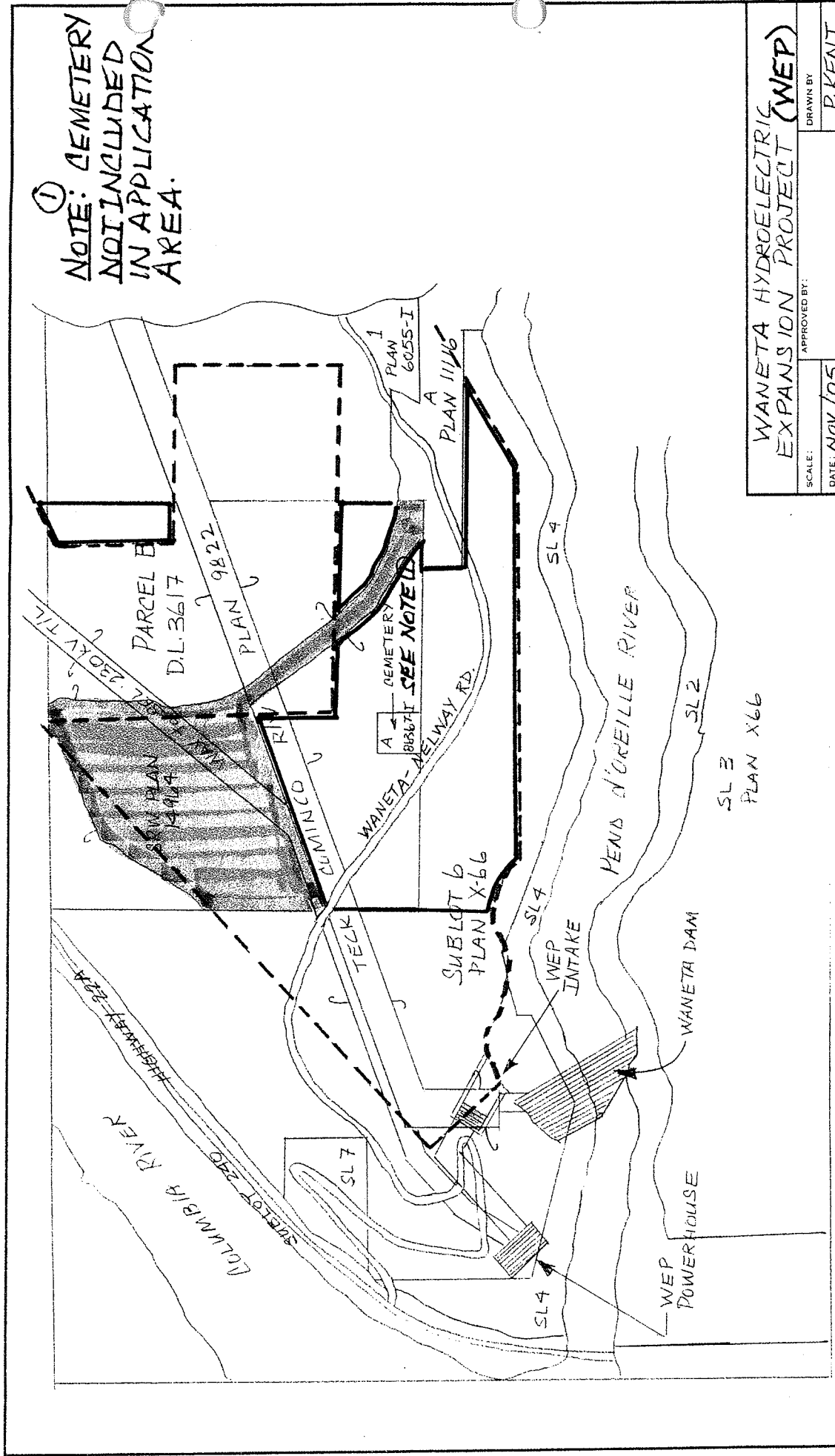
Staff recommends support for the proposed development on the grounds of community need.

END OF REPORT

Signature

Date

--- BOUNDARY OF ALR IN VICINITY OF WEP
 --- ALR AREAS WITHIN PARCEL 'B' AND SUBLOT 6
 REQUIRED FOR NON-FARM USE
 ROAD-SRW PLAN 14964



WANETA HYDROELECTRIC EXPANSION PROJECT (WEP)	
SCALE:	APPROVED BY:
DATE: NOV. 05	P. KENT
NON-FARM USE WITHIN ALR	
DRAWING NUMBER ALR-2	