



**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 4, 2007

Reply to the attention of Simone Rivers  
ALC File: # B - 37330

Catherine Seel  
Ministry of Transportation  
213 - 1011 4th Avenue  
Prince George, BC V2L 3H9

Dear Ms. Seel:

Re: Application for Transportation Corridor Use in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 243/2007 outlining the Commission's decision as it relates to the above noted application.

It is your responsibility to notify the impacted land owners of the Commission's decision as it relates to their properties.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read "Erik Karlsen". The signature is stylized and cursive, written over a white background.

Erik Karlsen, Chair

cc: Regional District of Bulkley-Nechako

Enclosure: Minutes/Sketch Plan

TK/lv  
37330d1

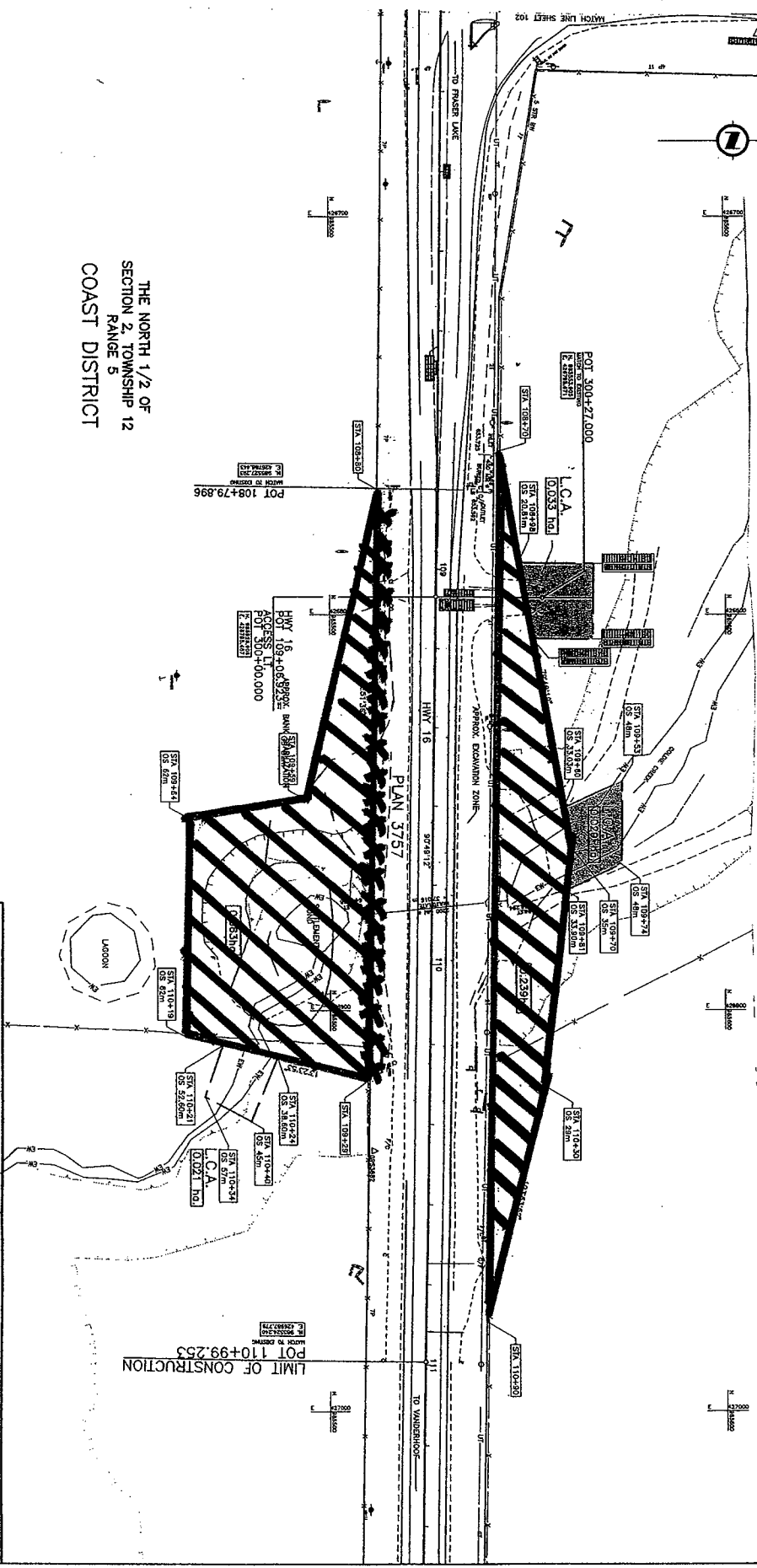
# Provincial Agricultural Land Commission

Application B-37330  
 Resolution 243/2007

 Approved 0.6 hectares for dedication to highways for multiplate culvert replacement.

 Location of fencing

SOUTH WEST 1/4 OF SECTION 11, TOWNSHIP 12 RANGE 5 COAST DISTRICT



THE NORTH 1/2 OF SECTION 2, TOWNSHIP 12 RANGE 5 COAST DISTRICT

LEGAL DESCRIPTION	LAND OWNER	POB NUMBERS	NEW R/W REQUIRED	L.C.A.	COMMENTS
SOUTH WEST 1/4 OF SECTION 11 TOWNSHIP 12 RANGE 5 COAST DISTRICT	CLIFFORD JOHN HARRISON THEBESIA ANN HARRISON	004-816-375	0.230 ha	0.002 ha	NR-076-103RW WIDEWAY EXISTING R/W FOR NEW R/W
THE NORTH 1/2 OF SECTION 2 TOWNSHIP 12 RANGE 5 COAST DISTRICT	RENESE WILLIAM FINGERET CAROLYN ELIZABETH	008-870-140	0.203 ha	0.021 ha	NR-076-103RW WIDEWAY EXISTING R/W FOR NEW R/W

TABLE OF AREAS SUMMARY

Province of British Columbia  
 MINISTRY OF TRANSPORTATION  
 HIGHWAY ENGINEERING NORTHERN REGION

**RIGHT OF WAY ACQUISITION**  
 HWY 18 & HWY 27 JUNCTION MULTIPLATE REPLACEMENT  
 LAMBURK KILMERE INVENTORY SEGMENT 1550  
 STA. 107+80.000 TO STA. 110+99.253

SCALE: 0 1:500 2:500 3:500 4:500 5:500 6:500 7:500 8:500 9:500 10:500

DATE: 31/03/07

PROJECT NO.: 38209-0000

DATE: 31/03/07

NO.: 3

NO.: NR-076-103RW/1



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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A meeting was held by the Provincial Agricultural Land Commission on May 28, 2007 by telephone conference call.

<b>PRESENT:</b>	John Kendrew	Commissioner
	William Norton	Commissioner
	Simone Rivers	Staff

### For Consideration

Application: # B- 37330  
Applicant: Ministry of Transportation  
Proposal: To replace a multiplate culvert that passes under Highway 16.  
Legal: 1. PID: 004-616-375  
South West ¼ of Section 11, Township 12, Range 5 Coast District  
2. PID: 009-875-140  
North ½ of Section 2, Township 12, Range 5 Coast District  
Location: Highway 16 and 27 Junction, Vanderhoof

### Site Inspection

A site inspection was conducted on May 17, 2007. Those in attendance were:

- William Norton            Commissioner
- Helen Evans              Project Manager (Ministry of Transportation)
- Catherine Seel            Property Acquisition Coordinator (Ministry of Transportation)
- Ken Fawcett              Land Owner
- Carol Fawcett             Wife of Land Owner.

The Commission viewed the location of the proposed multiplate culvert replacement and noted that there is a very deep gully bridged by highway 16 that goes over a large culvert. This culvert has been undermined by runoff.

At the site visit the land owner expressed his concern that the proposed development by the Ministry of Transportation would block his current access to the adjoining pasture land from Highway 16 and that it would prevent access south of the culvert by his cattle or a vehicle. He was also concerned that the project may not include enough rip rap to prevent further erosion of his land.

### Commissioner Eligible to Vote

Commissioner Kendrew was not present at the site inspection. It was confirmed that a summary of the site inspection was provided thus establishing the Commissioner's eligibility to vote on the application.

**Discussion**

The Commission had no objection to the project provided the land owner's concerns with regards to access to the property were addressed. The Commission discussed the conditions with the applicant as well as with the representatives of the Ministry of Transportation and believes that a mutually agreeable arrangement was met.

**IT WAS**

**MOVED BY:** Commissioner Norton  
**SECONDED BY:** Commissioner Kendrew

THAT the application to replace a multiplate culvert that passes under Highway 16 involving the purchasing of a total of 0.6 ha of land from two property be approved.

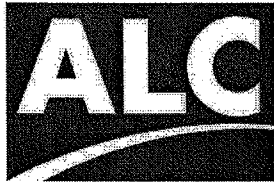
AND THAT the approval is subject to the following conditions:

- That the project be in compliance with the plan submitted with the application.
- That access be given to the North ½ of Section 2, Township 12, Range 5, Coast District. The access shall be gated, culverted, vehicle access from Highway 16 onto the pasture somewhere between the weigh scale and the west edge of the project.
- That cattle and vehicle access be provided across either the head or tail of the pool where the creek flows out of the culvert.
- That the "ditch run-off" from the highway which is also eroding the property be corrected.
- That sufficient rip-rap along the edges of the pool to prevent further erosion be provided.
- Construction of a fence along the north boundary of the project.

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 # 243/2007**



**Staff Report**  
**Application # B – 37330**  
**Applicant: Ministry of Transportation**

**DATE RECEIVED:** April 3, 2007

**DATE PREPARED:** May 15, 2007

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

**FROM:** Simone Rivers, Land Use Planner

**PROPOSAL:** To replace a multiplate culvert that passes under Highway 16.

This application is made pursuant to Part 4 of BC Regulation 171/2002  
(*Agricultural Land Reserve Use, Subdivision and Procedure Regulation*).

**BACKGROUND INFORMATION:**

The proposed project involves purchasing a total 0.6 ha from two properties (0.36 ha from TK10770 and 0.24 ha from S4359. The subject properties are require for replacing and upgrading an existing multiplate culvert that has failed. The culvert accommodates the flow of Goldie Creek under Highway 16.

The Commission received a comment from Ken Fawcett, land owner who is concerned with access to the property.

**Local Government:**

Regional District of Bulkley-Nechako

**Legal Description of Property:**

1. PID: 004-616-375  
South West  $\frac{1}{4}$  of Section 11, Township 12, Range 5 Coast District
2. PID: 009-875-140  
North  $\frac{1}{2}$  of Section 2, Township 12, Range 5 Coast District

**Location of Property:**

Highway 16 and 27 Junction, Vanderhoof

**Size of Area to be dedicated:**

0.6 ha

**Present use of the Property:**

Hay Production

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 93K/1  
The majority of the property is identified as having Secondary ratings.

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**Regional District of Bulkley-Nechako Board:** The Board forwarded a comment that its interests are unaffected by the application.

**STAFF COMMENTS:**

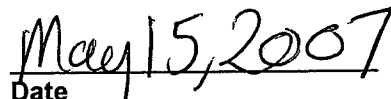
Staff recommend the Commission set up a meeting with the affected land owner to listen to his concerns about the project and to determine if his concerns can be mitigated.

**ATTACHMENTS:**

- Sketch of proposed project and area to be dedicated (submitted by the applicants)
- Context map showing location of proposed culvert (created by ALC staff in iMap)
- ALC Context Map – 93K.010 – 1:50,000 (created by ALC Staff)
- Photos of proposed project areas (submitted by the applicant)
- Airphoto – 1:10,000 (Created by ALC Staff)

**END OF REPORT**

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Date

SOUTH WEST 1/4 OF SECTION 11, TOWNSHIP 12 RANGE 5 COAST DISTRICT

THE NORTH 1/2 OF SECTION 2, TOWNSHIP 12 RANGE 5 COAST DISTRICT

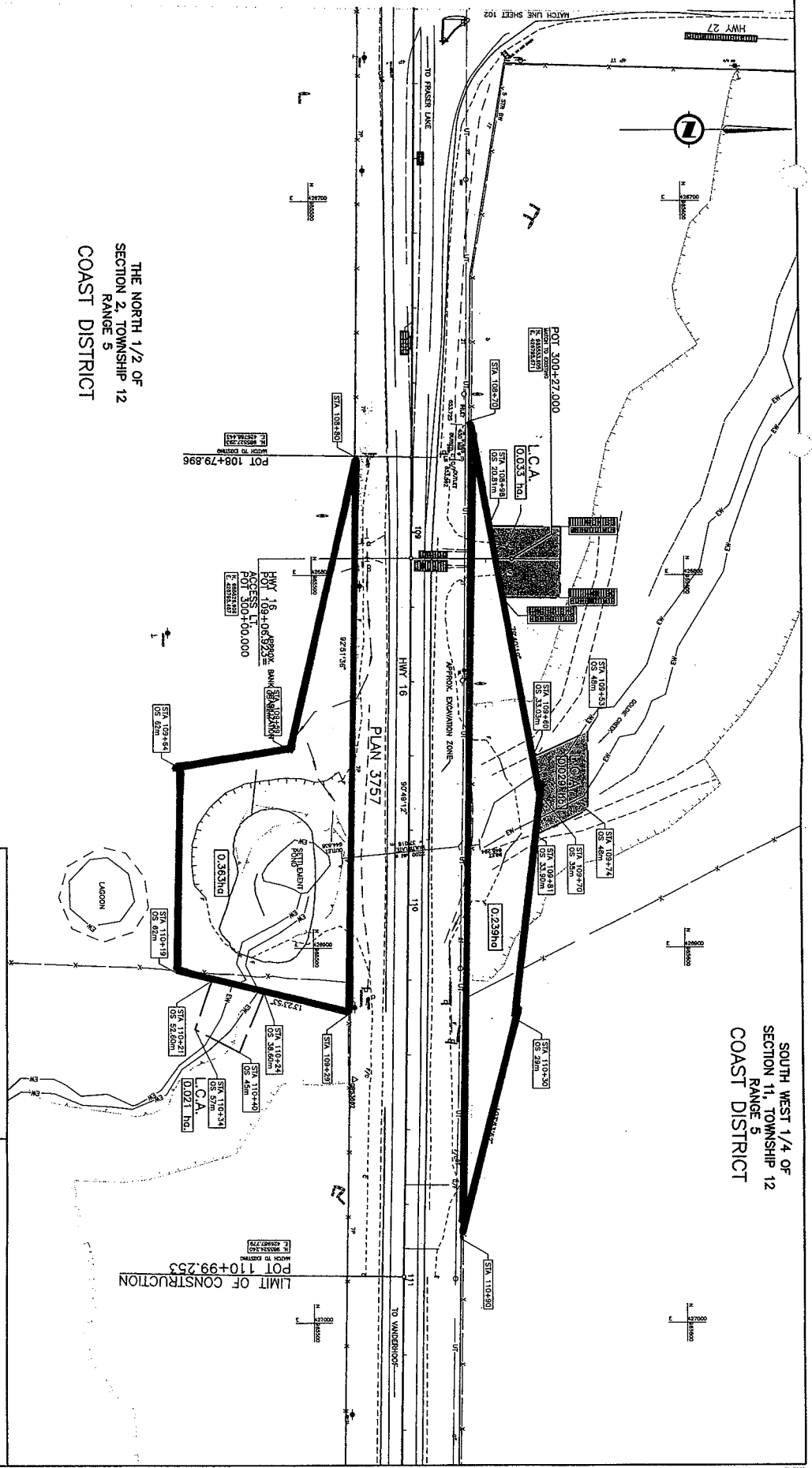


TABLE OF AREAS SUMMARY

LEGAL DESCRIPTION	LAND OWNER	PD NUMBER	NEW R/W REQUIRED	L.C.A.	COMMENTS
SOUTH WEST 1/4 OF SECTION 11 TOWNSHIP 12 RANGE 5 COAST DISTRICT	THESSON AND HARRISON	004-616-375	0.239 ha	0.082 ha	NR-078-103RW, WIDENING EXISTING R/W FOR NEW R/W
THE NORTH 1/2 OF SECTION 2 TOWNSHIP 12 RANGE 5 COAST DISTRICT	KERNECH WILSON PARCELS	009-673-140	0.383 ha	0.021 ha	NR-078-103RW, WIDENING EXISTING R/W FOR NEW R/W

Province of British Columbia  
 MINISTRY OF TRANSPORTATION  
 HIGHWAY ENGINEERING NORTHERN REGION

**RIGHT OF WAY ACQUISITION**  
 HWY 16 & HWY 27 JUNCTION MULTIPLATE REPLACEMENT  
 LANDMARK KILOMETRE INDICATOR 1550  
 STA. 107+48.000 TO STA. 110+49.253

SCALE: 1:1500  
 DATE: 2011  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]

PROJECT NO. 36209-0000  
 SHEET NO. 3  
 DRAWING NO. NR-078-103RW/