



Agricultural Land Commission
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October 23, 2007

Reply to the attention of Simone Rivers
ALC File: # W - 37647

Silvia Liedtke
Sharp Environmental Ltd.
10543 - 100th Street
Fort St. John, BC V1J3 W9

Dear Ms. Liedtke:

Re: Application for Non-Farm Use in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 530/2007 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', is written over the 'Per:' label.

Erik Karlsen, Chair

cc: Peace River Regional District (159/2007)

Enclosure: Minutes/Sketch Plan

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 5, 2007 in Pouce Coupe B.C.

PRESENT:	John Kendrew	Acting Chair, North Panel
	William Norton	Commissioner
	David Craven	Commissioner
	Simone Rivers	Staff
	Martin Collins	Staff

For Consideration

Application: # W- 37647
Applicant: Huron Energy Corporation
Agent: Sharp Environmental Ltd.
Proposal: To construct a compressor site on 2.1 ha of ALR land. The proposed compressor facility will process oil and gas extracted in the surrounding areas. The compressor site will require a total combined area of associated buildings and structures exceeding 450 m². The structures will include an office, dehydrators, an H₂S scrubber, several separators, a large pipe-rack, compressors and a flare stack.
Legal: PID: 015-009-696
District Lot 3443, Block C, Peace River District
Location: Located 25 km southwest of Fort St. John, off of Highway 52N and 200 Road

Site Inspection

A site inspection was not conducted.

A meeting regarding the application was held on October 3, 2007 in Fort St. John, B.C. Those in attendance were:

• John Kendrew	Acting Chair, North Panel
• William Norton	Commissioner
• David Craven	Commissioner
• Simone Rivers	Staff
• Martin Collins	Staff
• Julie Robinson	MAL Staff
• Kevin Carroll	Huron Energy Corporation
• Silvia Liedtke	Sharp Environmental (2000) Ltd.
• John Hagan	

The Commission met with the applicants in Fort St. John and viewed a presentation about the proposed compressor station, which outlined the topographic and access rationale for choosing the location of the facility. The applicants also indicated that an access road was to be constructed within an existing (but unconstructed) public road right of way. The applicants intend to purchase two adjoining properties (totaling 65 ha approx.) which were bound by covenant so that they cannot be sold separately. The remainder of the properties are to be leased to an area farmer.

Ms. Liedtke confirmed that the staff report dated September 24, 2007 was received and no errors were identified.

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.

Discussion

Assessment of Agricultural Capability

The agricultural capability of the soil of the subject property is 100% Class 5 C with limitations of an adverse climate.

Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

This capability is typical of farm units and the area and the Commission believes that the property has agricultural capability and is correctly designated as ALR.

Assessment of Agricultural Suitability

The Commission assessed whether external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission does not believe there are external factors that render the land unsuitable for agricultural use.

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 noted that the proposed compressor station is to be located primarily on forested land (only the south-western corner of the proposed 2 ha site is used for pasture). As such the Commission does not believe the compressor station will have a significant the impact on the agricultural productivity of the parcel(s).

The Commission is concerned with the potential negative impacts of the construction of a new access road from Highway 52 within an existing right-of-way. Negative impacts include; the loss of rough grazing land, and increased potential for public trespass and vandalism of surrounding agricultural operations. However, the Commission believes that the negative impacts of road construction could be mitigated if the 1.6 km access road is fenced on both sides and cattle guards installed on each end of the road.

Conclusions

1. That the land under application has agricultural capability, is appropriately designated as ALR, and is suitable for agricultural use.
2. That the proposal will negatively impact agriculture.
3. That oil and gas extraction represents a significant public benefit and, with limitations, is permitted outright within the Agricultural Land Reserve.
4. That the proposed compressor station has a minor and limited impact on the agricultural land base, that can be mitigated by fencing and cattle-guards.

IT WAS

MOVED BY: Commissioner Craven

SECONDED BY: Commissioner Norton

THAT the application for a ~2 ha compressor site be allowed, subject to the following conditions:

- The non-farm use be limited to the ~ 2 ha area indicated on the plan submitted with the application.
- The construction of a fence along both sides of the 1.6 km access road and the installation of cattle guards at each end of the access road.
- approval for non-farm use is granted for the sole benefit of the applicant and is non-transferable.

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 # 530/2007