



Staff Report
Application # T – 38460
Applicant: Ministry of Transportation and Infrastructure
Agent: Rampaul Dulay
Location: Spallumcheen

DATE RECEIVED: September 2, 2008

DATE PREPARED: October 3, 2008

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Land Use Planner

PROPOSAL: To four-lane Highway 97A in the Township of Spallumcheen and adjacent to the City of Armstrong. Total Agricultural Land Reserve area required for the proposed Right of Way is 9.4 ha.

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

BACKGROUND INFORMATION:

An Agricultural Assessment was submitted with the application that assessed the agricultural resources and operations potentially affected by the project construction and operation in order to develop strategies to avoid and mitigate potentially negative impacts through the incorporation of sound agricultural planning measures in the engineering design. The major objectives of the agricultural impact assessment were:

1. Identification of impact avoidance measures to be incorporated into detailed project design, such as minor alignment shifts to avoid particularly sensitive or high use areas.
2. Assessment of the type, quality, use and extent of lands lost within the required ROW, for each legal parcel of land.
3. Identification of agricultural infrastructure such as buildings, storage areas, fences, corrals, and underpasses that may be affected by project construction.
4. Assessment of current ranch access requirements, including livestock movements, along and across the ROW, and determination of potential access issues associated with project construction.
5. Determination of required mitigation measures including:
 - a. livestock underpasses and handling facilities,
 - b. fencing, and
 - c. establishment of livestock trails along the ROW.
6. Outline of reclamation requirements for abandoned sections of the existing highway.

For example, it is indicated that all fencing will be replaced when construction is complete and a Weed Management Plan will be developed for the project area. Impacts and proposed mitigation is described for each ALR property.

Although the total land required for the proposed ROW is 9.4 ha, approximately 3 ha land may be used for agricultural purposes following construction of the highway.

Local Government:

The Township of Spallumcheen

Legal Description of Properties:

1. PID: 015-386-759
Lot 13, District Lot 46, Osoyoos Division Yale District (ODYD), Plan 322, EXCEPT Part Shown as Lot 3 on Plan H862
2. PID: 012-731-989
Lot 16, Section 29, Township 4, ODYD, Plan 322, EXCEPT Plan 41214
3. PID: 012-024-694
Lot 6, Section 32, Township 4, ODYD, Plan 834
4. PID: 014-012-146
Lot 1, Section 29, Township 4, ODYD, Plan 41214
5. PID: 013-518-348
The West ½ of the North ½, of the North East ¼, Section 29, Township 4, Kamloops Division of Yale District (KDYD)
6. PID: 012-504-106
Lot 14, District Lot 46, KDYD, Plan 322, EXCEPT 1) Part shown as Lot 3 on Plan H862, 2) Plan 32642
7. PID: 006-683-339
Lot 1, Section 32, Township 4, ODYD, Plan 22870
8. PID: 012-732-079
Lot 15, Section 29, Township 4, ODYD, Plan 322
9. PID: 012-024-708
Lot 7, Section 32, Township 4, ODYD, Plan 834
10. PID: 011-094-303
Lot 2, Section 32, Township 4, ODYD, Plan 1850, EXCEPT Plan 41289 and H732
11. PID: 014-137-500
Lot A, Section 32, Township 4, ODYD, Plan 41288
12. PID: 013-522-060
North ½ of the South East ¼ of, Section 32, Township 4, ODYD, EXCEPT Plans B1472, B1699, H732 and KAP65289
13. PID: 013-522-230
South West ¼ of the North East ¼, Section 32, Township 4, KDYD
14. PID: 013-522-264
North West ¼ of the North East ¼, Section 32, Township 4, KDYD
15. PID: 008-560-790
Lot 1, Section 5, KDYD, Plan 16621
16. PID: 013-992-457
That Part South East ¼, Section 5, Township 35, KDYD, Plan B998, EXCEPT Plans B5180 and 16621
17. PID: 013-992-431
That part of the North East ¼, Section 5, Township 35, ODYD, Plan B998, EXCEPT Plan H732
18. PID: 004-533-631
Lot 2, Section 5, Township 35, KDYD, Plan 28498
19. PID: 003-623-742
Lot A, Section 4 and 5, Township 35, KDYD, Plan 31578
20. PID: 002-221-764
Lot 1, Section 5, Township 35, KDYD, Plan 11560, EXCEPT Plans H732

Location of Properties:

Highway 97A - Pleasant Valley Cross Road to Lansdowne Road

Area of Properties affected by proposal:

9.4 ha (The entire property is in the ALR).

Present use of the Property:

The properties are used for a number of purposes ranging from grazing to cropland with alfalfa, what, hay, barley and trees.

Agricultural Capability:

Data Source: Agricultural Capability Map # 82L.045

The properties are identified as having a range of ratings between Class 2 and Class 6.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Township of Spallumcheen Council: Support.

City of Armstrong Council: Support.

STAFF COMMENTS:

Bill Cleave, an affected property owner (3545 Highway 97A), is concerned with the proposal as it will require the use of 0.5 ha of his 1.2 ha property. The concern is with acquiring farm status – when the property becomes smaller, \$10,000/year sales will be required to get farm status while currently only \$2,500/year is required because of the size of the property.

MARTIN's blurb

ATTACHMENTS:

- ALC Context Map (1:50,000)
- ALC Airphoto Map (1:20,000)
- AgCap Map (1:25,000)

END OF REPORT

Signature

Date