



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

September 22, 2009

Reply to the attention of Brandy Ridout
ALC File: F-38936 (45897)

Nick Boulin
PO Box 164
Crescent Valley, B.C.
V0G 1H0

Dear Sir:

Re: Application to extract gravel within the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 835/2009 and a sketch plan outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify the landowner (the Province of B.C.) accordingly.

Please provide the Commission with the financial security noted in the attached minutes before commencing extraction.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact your Local Government.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: Regional District of Central Kootenay File: 4035-20-A09707HS 8909.670

MC/i/38936/d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on Thursday, September 17, 2009 by telephone conference call.

| | | |
|-----------------|-----------------|-----------------------|
| PRESENT: | Barry Minor | Chair, Kootenay Panel |
| | Carmen Purdy | Commissioner |
| | Jerry Thibeault | Commissioner |
| | Erik Karlsen | Chair |
| | Martin Collins | Staff |

For Consideration

| | |
|--------------|--|
| Application: | 38936 (45897) |
| Applicant: | Province of B.C. |
| Agent: | Nick Boulin |
| Proposal: | To extract an unspecified amount of gravel from a 1 ha portion of a 2.9 ha property. |
| Legal: | PID 014-390-931 |
| Location: | Krestova |

Site Inspection

No site inspection was conducted.

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

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system.

The agricultural capability of the soil of the subject property is;

- Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.
- Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

The limiting subclasses are seasonal moisture deficiency (M) and topography (T).

Assessment of Agricultural Suitability and Impact

The Commission assessed whether external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. Although the land is surrounded by rural residential properties, is currently vacant and has been subject to some gravel extraction in the past, the Commission does not believe these factors render the land unsuitable for agricultural use.

The Commission also believes that provided topsoil is stripped and stockpiled, that the land could be returned to an agricultural standard.

Assessment of Other Factors

The Commission noted that the surrounding parcels are relatively small (0.5 - 1 ha) and used for residential purposes. However the adjoining property to the east, across Cemetery Road is used for gravel extraction. Although this land is in the ALR there is no record of a previous ALR (*Soil Conservation Act*) application. It appears that this gravel pit predated the establishment of the ALR.

Conclusions

1. That the land under application has agricultural capability and is suitable for agricultural use.
2. That the gravel extraction proposal will result in the land not being used for agriculture in the short to mid term.
3. That with reclamation the land can be used for agriculture in the long term.

IT WAS

MOVED BY: Commissioner J. Thibeault

SECONDED BY: Commissioner C. Purdy

THAT the application to extract gravel from a 1 ha portion of the 2.9 ha property be allowed subject to the following conditions;

- The submission of a financial security (letter of credit) in the amount of \$10,000.00 to ensure reclamation. The letter of credit must be automatically renewing annually and will be returned upon satisfactory completion of reclamation to an agricultural standard.
- Stripping and storing topsoil to ensure reclamation. Weed and erosion control must be undertaken on the stockpile. Proof of completion of this condition must be provided before commencing extraction.
- The extraction must be commenced within three years of 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. This includes zoning,

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Application # F-38936 (45897)

subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

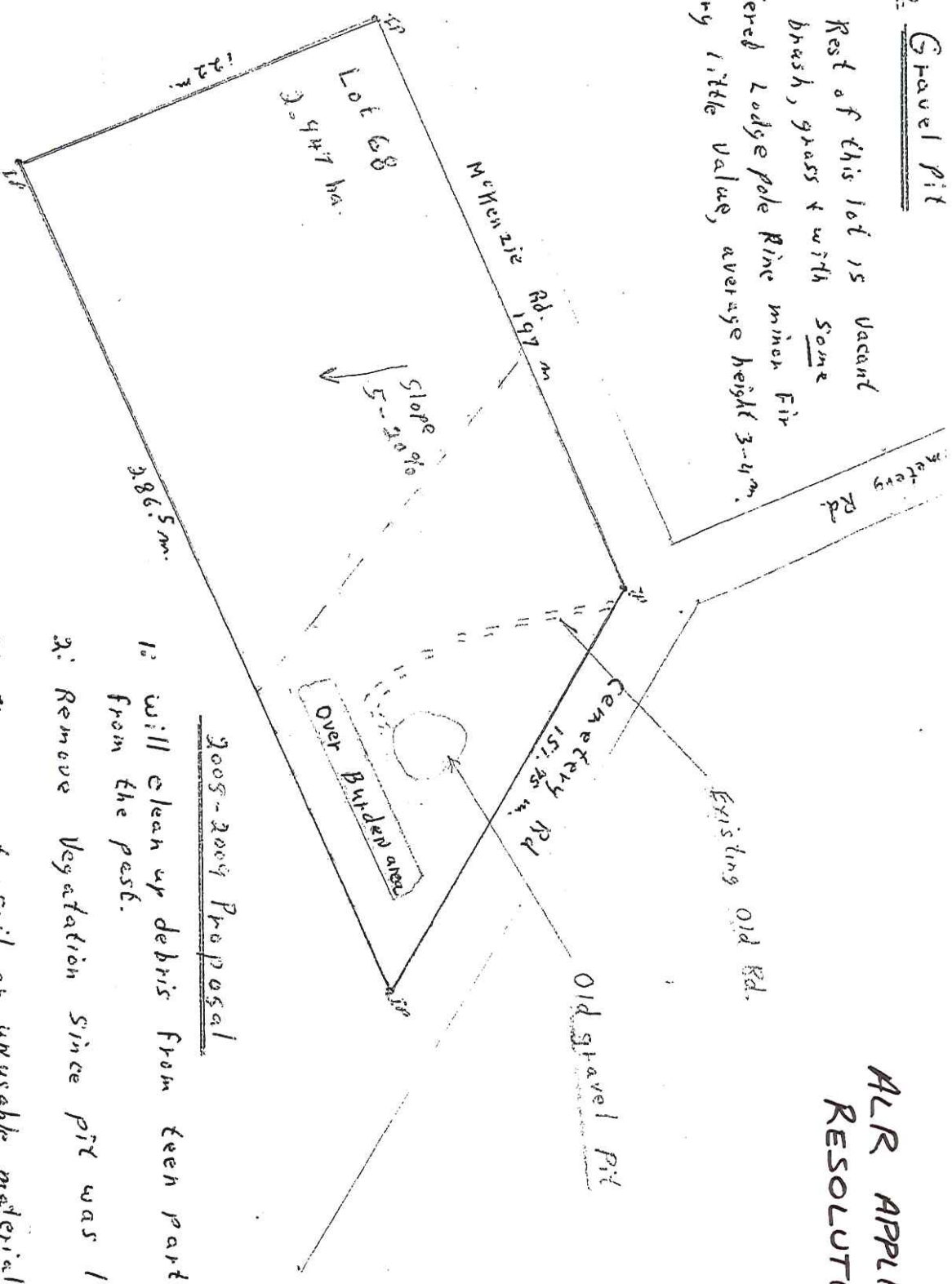
CARRIED

Resolution # 835/2009

isting Gravel Pit

The Rest of this lot is vacant with brush, grass & with some scattered Lodge pole Pine minor Fir a very little value, average height 3-4m.

ALR APPLICATION F-38936
RESOLUTION # 835/2009



2008-2009 Proposal

- 1: will clean up debris from teen parties from the past.
- 2: Remove vegetation since pit was last used.
- 3: Place any top soil or unusable material on over Burden areas; will stay 10m. away from Bdy.
- 4: will start at existing gravel pit moving North west towards McKenzie Rd.

Area applied for at this time.
Approx. 1 ha. in size

Scale: 1 to 2,000

