



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

December 17, 2009

Reply to the attention of Simone Rivers
ALC File: W-39032

James Little
SS2 - Site 13 - Comp 23
Fort St John, BC, V1J 4M7

Dear Mr. Little:

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

Please find attached the Minutes of Resolution # 1689/2009 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 that reads 'Simone Rivers'. The signature is written in a cursive, flowing style.

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: Peace River Regional District (557/2009)
Ministry of Energy and Mines: Prince George. Attn: Katie Ray-Wilks - Mine No.
0900079

SBR/
39032d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 18, 2009 at the offices of the Peace River Regional District in Fort St. John, B.C.

PRESENT: William Norton Chair, North Panel
Denise Dowswell Commissioner
Erik Karlsen Chair, ALC
Simone Rivers Staff

For Consideration

Application: W-39032
Applicant: Rivers Sand and Gravel Inc.
Agent: James Little
Proposal: To use 8.8 ha of the 62 ha subject property for quarry related activities
Legal: PID: 014-554-607
The North West $\frac{1}{4}$ of Section 29, Township 82, Range 17, W6M, Peace River District, Except Plan 15896
Location: East of Taylor

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

The Commission gave initial consideration to this application at a meeting in August 2009. At that time it did not believe that sufficient information had been submitted to allow it to make an informed decision and directed staff to contact the agent to request further information. The agent provided supplementary information for consideration.

Assessment of Agricultural Capability

The agricultural capability of the soil of the majority of the subject property is rated as 70% Class 1 – 30% Class 2x. A small portion of the property is rated 60% class 6T – 40% Class 7TR

Class 1 – Land in this class either has no or only very slight limitations that restrict its use for the production of common agricultural crops.

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 6 – Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.

Class 7 – Land in this class has no capability for arable or sustained natural grazing

Subclasses

R	shallow soil / bedrock outcroppings	T	topography
X	cumulative and minor adverse		

The Commission believes that the subject 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 believes the proposal would impact existing or potential agricultural use of surrounding lands.

Assessment of Other Factors

The Commission understands that gravel resources in the Peace River Regional District are scarce; however, the Commission did not believe that it was appropriate to consider allowing expansion of the gravel pit until there is convincing evidence that the gravel resource in the adjacent non-ALR gravel pit has been exhausted and reclamation on the existing pit had commenced.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal will impact agriculture.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Karlsen

SECONDED BY: Commissioner Dowswell

THAT the application be refused.

AND THAT the Commission would reconsider when some evidence that the resource outside of the ALR has been exhausted and reclamation of the existing pit has begun.

AND THAT the applicant be advised of the provisions of Section 33 of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration.

- S.33 (1) *On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that*
- (a) evidence not available at the time of the original decision has become available,*
 - (b) all or part of the original decision was based on evidence that was in error or was false.*
- (2) *The commission must give notice of its intention to reconsider a decision under subsection (1) to any person that the commission considers is affected by the reconsideration.*

AND THAT the applicant be advised that a revised proposal does not constitute new information and will not be considered as a basis for reconsideration and the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter.

CARRIED
Resolution # 1689/2009