



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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Fax: 604 660-7033  
www.alc.gov.bc.ca

June 18<sup>th</sup>, 2010

Reply to the attention of Simone Rivers  
ALC File: #51623

Michelle Schaeffer  
Sharp Environmental Ltd.  
10543 - 100 St  
Fort St. John, BC  
V1J 3Z4

Dear Madam:

**Re: Application for a Right of way within the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 2469/2010 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 your client(s) accordingly.

Please send two (2) paper prints of the final survey plans to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan.

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

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: A handwritten signature in blue ink, appearing to read 'Brian Underhill', written over the word 'Per:'.

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: Peace River Regional District

MC/51623d1



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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**A meeting was held by the Provincial Agricultural Land Commission on June 4, 2010 at Fort St John, B.C.**

<b>PRESENT:</b>	William Norton	Chair, North Panel
	Denise Dowswell	Commissioner
	Jim Collins	Commissioner
	Martin Collins	Staff

### **For Consideration**

Application:	#51623
Applicant:	Arc Petroleum Inc.
Agent:	Sharp Environmental Ltd.
Proposal:	To dedicate a 20 meter wide right of way 135 meters long (0.27 ha) and install a fibre optic cable to monitor the adjacent compressor site.
Legal:	PID 014-209-292 Se ¼ of Sec. 34, Twp 79, R. 14, W6M, Peace River District
Location:	Pavlis Road #2078

### **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. The limiting subclass is severe climate. This cultivated land under application is amongst the highest capability land in the Peace River region.

#### **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 has the potential to negatively impact existing or potential agricultural use of surrounding lands, either by preventing cultivation, or through improper installation.

The Commission confirmed that the right of way must remain available for cultivation and that the cable must be installed at a depth that permitted cultivation (with a safe margin for error), and that soil horizons be preserved and replaced in the appropriate order.

### **Conclusions**

1. That the land under application has agricultural capability and is appropriately designated as ALR and is suitable for agricultural use.
2. That the proposal has the potential to negatively impact the agricultural utilization of a 0.27 ha right way.

### **IT WAS**

**MOVED BY:** Commissioner Jim Collins

**SECONDED BY:** Commissioner Denise Dowswell

THAT the application for a 20 meter wide 135 meter long right of way (0.27 ha) for the installation of a fibre optic cable be approved.

AND THAT the approval is subject to the following conditions:

- That the fibre optic cable be installed at a minimum depth of 1.5 meters to ensure that the right of way can continue to be cultivated.
- That the 0.27 ha area of the right of way continue to be made available for cultivation.
- That soil horizons be preserved upon the excavation of the trench, and returned in their appropriate order upon closing the trench (as per the Schedule A Assessment submitted with the application).
- The submission of a report upon completion of the project confirming that the depth of the cable and photographs of the excavation process and the completed trench.
- the right of way subdivision and installation of the cable must be completed within three (3) years from 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, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

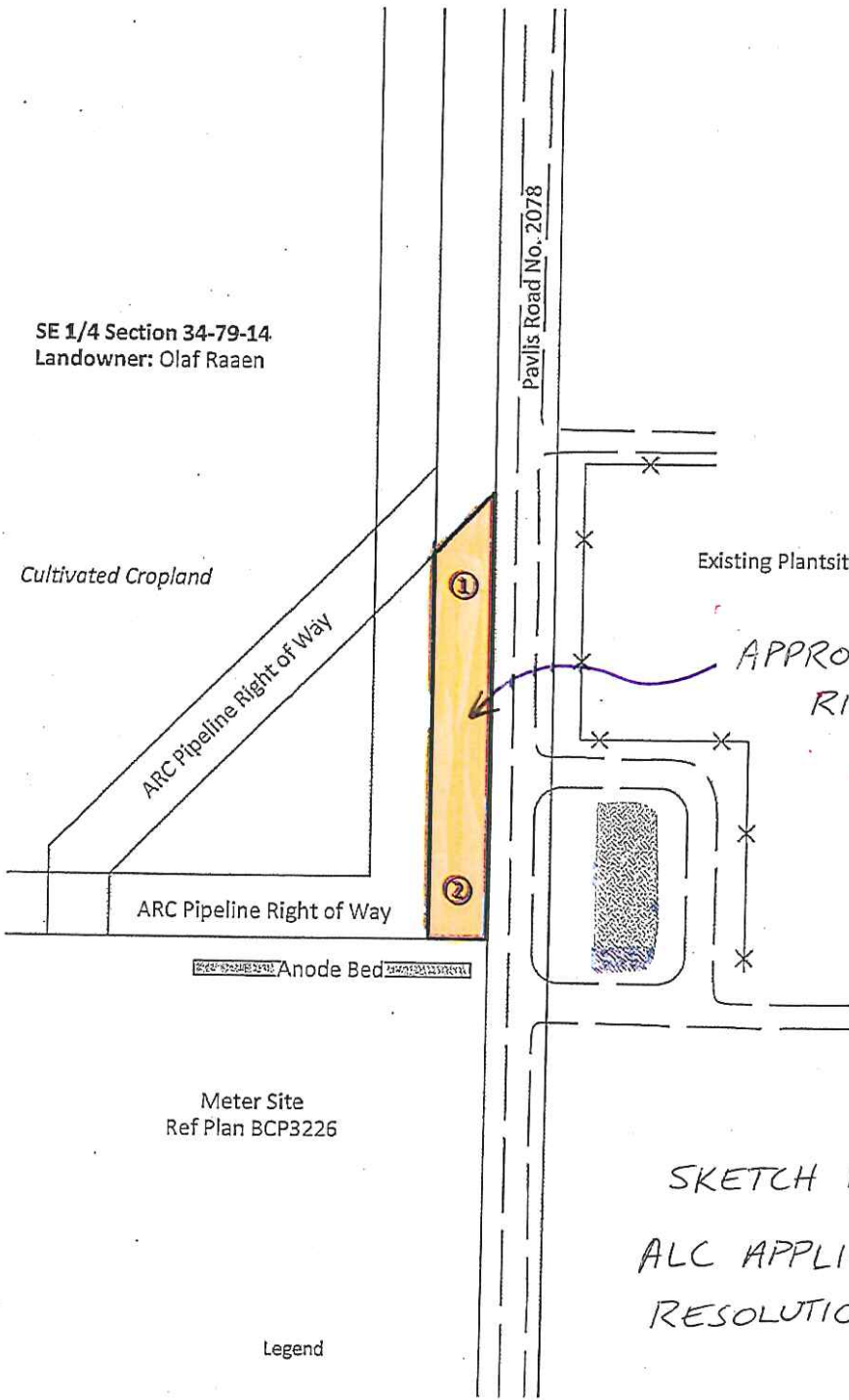
### **CARRIED**

**Resolution # 2469/2010**



SE 1/4 Section 34-79-14  
Landowner: Olaf Raaen

Cultivated Cropland



SKETCH PLAN  
ALC APPLICATION # 51623  
RESOLUTION # 2469/2010

Legend

- : Assessed Area
- - - : Road
- x-x- : Seismic Line
- ▨ : Sub Soil Storage
- ← : Slopes

Fibre Optic Cable Assessment Points	
1	2
Ap-17-C	Ap-18-C
Bt-C	Bt-C

Client:	ARC Petroleum Inc.	
Project:	Schedule 'A' Assessment Plan Showing Proposed 20m Fibre Optic Cable R/W in SE 1/4 Sec 34, Tp 79, R14, W6M	
Title:	Site Sketch	
Scale:	Not to Scale	Drawing No.: 1 of 1
Date:	February 4, 2010	Drawn By: MD Checked by: MS

