



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
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www.alc.gov.bc.ca

November 30, 2010

Reply to the attention of Ron Wallace
ALC File: 51857

BC Hydro & Power Authority
659 Victoria Drive
Penticton, BC
V2A 5N5

Attention: Patrick T. Beaven, Property Representative

Re: Application for Utility Corridor Use in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 2766/2010 outlining the Commission's decision as it relates to the above noted application.

As proponent it is your responsibility to notify any affected landowner of the Commission's decision. A copy of the minutes must be provided to each landowner.

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 black ink, appearing to read 'B Underhill', is written over a vertical line that extends downwards from the signature area.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Regional District of East Kootenay (BC hydro File # 153-1402.0(2)-1)

RW/
/51857d1



A meeting was held by the Provincial Agricultural Land Commission on October 27, 2010 at Cranbrook.

PRESENT:	Richard Bullock	Chair
	Barry Minor	Chair, Kootenay Panel
	Jerry Thibeault	Commissioner
	Gordon Gillette	Commissioner
	Brian Underhill	Staff
	Ron Wallace	Staff

For Consideration

Application: 51857
 Applicant: BC Hydro & Power Authority
 Agent: Patrick Beaven
 Proposal: On behalf of BC Hydro, the proposal is for a Crown statutory right of way for the Columbia Valley Transmission Project. The new proposed 230 kV Transmission Line will allow the transmission of electricity from the existing Invermere Substation to the proposed Kicking Horse Substation which will be located in the vicinity of Golden. The total area of ALR land required for the statutory right of way is ±84.4 ha. However, most of the area under the transmission line will still be available for cattle grazing except for the footprint area of each tower location.

Legal: No part of the project impacts ALR land within the CSRD.

- That Part of Lot 156 District Lot 4596 Kootenay District Plan 988, INCLUDED in SRW Plan 16430
- That Part of Lot 157 District Lot 4596, Kootenay District Plan 988, Included in SRW Plan 16430
- That Part of Lot 158 District Lot 4596 Kootenay District Plan 1232 Included in SRW Plan 18294
- Lot 159 District Lot 376 Kootenay District Plan 1232 Except Part Included in Plan 13556
- District Lot 7418 Kootenay District
- District Lot 7419 Kootenay District
- District Lot 7420 Kootenay District
- District Lot 7499 Kootenay District
- District Lot 7908 Kootenay District Except (1) The East 1/2 and (2) The NE 1/4 of the West ½
- District Lot 7909 Kootenay District
- District Lot 8236 Kootenay District
- District Lot 9447
- Lot 158 District Lot 376 Kootenay District Plan 1232 Except Part Included in Plans 13556 and 18294
- District Lot 7503
- District Lot 9581
- Lot 157, District Lot 4596
- District Lot 7910 Kootenay District
- Lot 160 District Lot 4596

Location: Between Invermere and Golden, BC

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, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The agricultural capability of the soil of the subject property is

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.

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

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

M	soil moisture deficiency
C	adverse climate
P	stoniness
T	topography

Assessment of Impact on Agriculture

The Commission assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission believed the proposed transmission line would have minimal impact to the existing grazing use of the agricultural properties.

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 have a minimal impact on agriculture.

IT WAS

MOVED BY: Commissioner Minor

SECONDED BY: Commissioner Thibeault

THAT the application be allowed as proposed subject to the following conditions:

- That the statutory right of way for the Columbia Valley Transmission Project be in substantial compliance with the plan submitted with the application.
- Approval for this project 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. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

CARRIED

Resolution # 2766/2010