



**Agricultural Land Commission**  
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Burnaby, British Columbia V5G 4K6  
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July 15, 2011

Reply to the attention of Gordon Bednard  
ALC File:#52225

Roy Northern Land and Environmental Ltd

Attention Denny Chramosta:

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

Please find attached the Minutes of Resolution # 260/2011 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to advise your client of this decision.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'B. Underhill', is written over a horizontal line.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Peace River Regional District file 35/2011

GB/  
/52225d1



## PROVINCIAL AGRICULTURAL LAND COMMISSION

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A meeting was held by the Provincial Agricultural Land Commission on May 26, 2011 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

### COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Roger Mayer	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

### COMMISSION STAFF PRESENT:

Gordon Bednard      Land Use Planner

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### APPLICATION ID: #52225

**PROPOSAL:** Non-farm Use - Proposal to use 5.1 ha of a 254.3 ha property to construct a gas processing plant.

(Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)

### PROPERTY INFORMATION:

**Parcel ID:** Crown Land

**Legal Description:** District Lot 191, South West 1/4 Section 2, Township 82, Range 22, West of the 6<sup>th</sup> Meridian, Peace River District

**Civic Address:** Del Rio - Monias

**Size:** 254.3 ha

**Area in ALR:** 254.3 ha

**Current Land Use:** Forestry, Oil and Gas extraction

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### PROPERTY OWNER INFORMATION:

Crown Provincial

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### COMMISSION CONSIDERATION:

Section 6 of the *Agricultural Land Commission Act* identifies the purposes of the Commission 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.

### **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.

#### **Subclasses**

X        cumulative and minor adverse

### **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. This property, while only partial used for farming at present, has prime agricultural capability and could be used for a wide range of agricultural production in the future. The property is located in a substantially rural area with no residential/urban or other non-farm activity in the immediate area. Therefore the Commission does not believe there are external factors that render the land unsuitable for agricultural use.

### **Assessment of Potential Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission believed that the proposal would not substantively impact potential agricultural use of the subject property or adjoining lands in the long term provided care was taken to implement measures to handle and preserve the disturbed top soil to ensure adequate reclamation of the site once decommissioning takes place in the future.

#### **CONCLUSIONS:**

1. That the land under application has agricultural capability, is appropriately designated as ALR, and is suitable for agricultural use.
2. That the proposal will not negatively impact agriculture in the long term provided measures are taken to properly handle the soils and reclaim the land to the pre-existing agricultural capability.
3. The facility could be removed and reclaimed for agriculture upon cessation of the use and decommissioning of the site.

#### **IT WAS**

**MOVED BY:**                Commissioner Bert Miles

**SECONDED BY:**        Commissioner Jerry Thibeault

THAT the application to use a 5.1 ha area of the subject property for a natural gas processing facility be approved subject to the following conditions:

- That the non-farm use is confined to the 5.1 ha area identified on the plan submitted to the Commission and that the 5.1 ha area be fenced.
- No further expansion of the gas plant beyond that identified on the site plan submitted with the application is to occur without approval of the Commission. Submission of a new application does not automatically guarantee that approval for further non-farm use will be granted.
- Reclamation of the land to an agricultural standard that is the same or better compared to pre gas plant development. Reclamation must give reference to the pre-disturbance site assessment (Schedule A attached to application) and meet the standards set out in Schedule B – Site Reclamation Requirements. A report based on the Schedule B must be submitted to the Commission following reclamation.
- Every effort must be made to ensure that the remainder of the parcel that is not used for oil and gas development purposes is made available for agricultural use. A plan of action in this regard is requested prior to the completion of the construction project and before operation of the plant begins.
- Approval is given to the applicant only and until implemented, it 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, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

**CARRIED**

**Resolution # 260/2011**