



**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

March 26, 2012

Reply to the attention of Gordon Bednard  
ALC File: 52526

Ben Tschetter  
Colony Manager  
South Peace Hutterian Brethren  
PO Box 69  
Farmington, B.C.  
V0C 1N0

Dear Sir:

**Re: Application for a Landfill in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 7/2012 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Brian Underhill', is written over a white background.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Peace River Regional District file: 157/2011

MC/52526d1



**PROVINCIAL AGRICULTURAL LAND COMMISSION**

**A meeting was held by the Provincial Agricultural Land Commission on March 22, 2012 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
Jim Johnson	Commissioner
Sylvia Pranger	Commissioner
Jerry Thibeault	Commissioner
Gord Gillette	Commisioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner

**COMMISSION STAFF PRESENT:**

Martin Collins	Regional Planner
Gordon Bednard	Land Use Planner
Colin Fry	Executive Director

**APPLICATION ID: #52526**

**PROPOSAL:** To construct and operate a landfill on a 32 ha portion of the 259 ha property for "specified risk material" from poultry and cattle which are raised on the colony and are processed in an abattoir located on the subject property. The landfill would consist of a series of trenches each with a capacity of 225 cubic meters (75 meters long, 1.5 meters wide, 2 meters deep). The trenches will be capped, foraged seeded and restored to productive uses.

Currently the "specified risk material" (SRM) are disposed of at the local landfill.

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

**PROPERTY INFORMATION:**

**PROPERTY**

**Owner:** South Peace Hutterian Brethren Church  
**Date of Acquisition:** September 1986  
**Parcel ID:** 004-860-543  
**Title No.** X27859  
**Legal Description:** Section 34, Twp 81, R 15, W6M, Peace River District  
**Civic Address:** South Peace Colony  
**Size:** 259 ha  
**Area in ALR:** 259 ha  
**Current Land Use:** Agriculture, colony residences, abattoir, forested areas (10,000 ha)  
**Farm Classification:**  Yes  No  
 (BC Assessment)

## COMMISSION CONSIDERATION:

### Context

Section 6 of the *Agricultural Land Commission Act* identifies the purposes of the Commission as: (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

Based on the information contained in Map (Scale 1:50,000) of the Canada Land Inventory (CLI) mapping indicate that the agricultural capability ratings for the property are 3X:

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

The limiting subclass is X which indicates minor and cumulative restrictions.

These ratings suggest that the land has good capability for agricultural development.

### 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. Although the site proposed for the landfill site is forested, no information has been provided that the land cannot be cleared and improved for cultivation or pasture. The 32 ha subject area is surrounded by improved agricultural land.

### Assessment of Potential Impact on Agriculture

The Commission assessed the impact of the proposal against its mandate of preserving agricultural land and encouraging agriculture. The Commission is very concerned about the potential negative impacts of landfilling "specified risk materials" (SRM). It is possible that landfilling SRM could result in the 32 ha area being permanently alienated from soil based agriculture because of the potential for contamination and transfer of disease through either groundwater contamination, and/or the take up of BSE prions by plant material. In view of this the Commission does not believe that it is appropriate to dispose of the SRM's in the ALR.

## CONCLUSIONS:

1. That the property under application has agricultural capability, is appropriately designated as ALR and is suitable for agricultural use.
2. That the landfill proposal has potential to negatively impact agriculture.

3. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

**IT WAS**

**MOVED BY:** Commissioner Jennifer Dyson  
**SECONDED BY:** Commissioner Jerry Thiebeault

THAT the application to use 32 ha for a landfill for SRM be refused.

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 #7/2012**