



Provincial Agricultural Land Commission - Staff Report Application: 52727

Applicant: Coldstream Ranch (2002) Ltd
Local Government: District of Coldstream

Proposal: To further expand the existing Rosebush Gravel Pit northward involving two phases (Phase 3 and 4) as shown on "Map 2: Land Application for Gravel Extraction within Lots 194 - 197 and Vimy Road", prepared by Summit Environmental Consultants Inc. (Summit) and dated November 2011. This Report was prepared at the request of the applicant (Coldstream Ranch) to accompany their proposal to extract gravel from lands in Lots 194, 195, 196, 197 and Vimy road within the ALR.

The total area proposed for extraction (as shown in "purple" on Map 1 and 2 of Appendix A of Summit Report) covers a total area of 9.44 ha or 94,400 sq. m. The estimated volume in the local gravel reserve is 377,600 cu. m. which includes approximately 66,080 cu. m. of topsoil to be managed for temporary storage and final reclamation. The principal goal of the reclamation plan is to improve the net agricultural capability of the Rosepit site after reclamation is complete, compared to the pre-development condition.

At this time, the applicant's request approval for extraction and reclamation for only Phase 3. In approximately three years a separate application will be forwarded to the ALC covering Phase 4 as outlined in the Summit Report. The applicant's believe it is prudent to divide the mining and reclamation project into two applications as it will provide time to develop more definitive plans on how to deal with any challenges presented, with the Phase 4 being close to the Buchanan Road, and present plans for the final reclamation of the entire area.

BACKGROUND INFORMATION

This application is a continuation of three previous gravel extraction applications which have taken place at the "Rosebush Pit" since around the mid 1990s. The Commission allowed gravel extraction with the condition that the property would be rehabilitated for agriculture when the extraction was complete. A few years ago the Commission noted the extraction of gravel was exceeding beyond the limits of its approval and that rehabilitation of the land was occurring too slowly. As a result, the Commission has supported further gravel extraction subject to first rehabilitating areas previously and currently mined and subject to further conditions including the submission of quarterly "Land Use Balance" reports throughout the duration of the gravel extraction plan. These reports provide an update of the reclamation and extraction activities at the Rosebush Gravel Pit. The most recent report dated July 20, 2012 indicated that about 5.92 acres (2.4 ha) has been 100% reclaimed, and 0.06 acres has been 90% reclaimed since last inspection in March 2012. Lots that have had recent reclamation works include Lots 204, 205, 206, 207 and 214. See attachments for a copy of this report.

PROPERTY INFORMATION

PID: 011-728-655
Legal Description: Lot 194, Section 16, 20 and 21, Township 6, Osoyoos Division Yale District Plan 1216
Property Area: 2.3 ha
ALR Area: 2.3 ha
Purchase Date: December 7, 2004
Location:
Owner: Coldstream Ranch (2002) Ltd

PID: 011-728-671
Legal Description: Lot 195 Sections 16, 20 and 21 Township 6 Osoyoos Division Yale District Plan 1216
Property Area: 3.8 ha
ALR Area: 3.8 ha
Purchase Date: December 7, 2004
Location:
Owner:

PID: 011-728-680
Legal Description: Lot 196 Section 16, 20 and 21 Township 6 Osoyoos Division Yale District Plan 1216
Property Area: 2.1 ha
ALR Area: 2.1 ha
Purchase Date: December 7, 2004
Location:
Owner:

PID: 011-728-698
Legal Description: Lot 197 Sections 16, 20 and 21 Township 6 Osoyoos Division Yale District Plan 1216
Property Area: 2.7 ha
ALR Area: 2.7 ha
Purchase Date: December 7, 2004
Location:
Owner: Coldstream Ranch (2002) Ltd

Total Land Area: 10.9 ha
Total ALR Area: 10.9 ha

LAND USE

Current Land Use:

The area proposed for expansion of the gravel pit is used as hay and pasture land. There are no buildings on the land.

Surrounding Land Uses:

North: Buchanan Road and small holdings
East: Hay and pasture land
South: Hay and pasture land
West: Hay, pasture land and silage corn

PROPOSAL DETAILS

PREVIOUS APPLICATIONS

Application ID: 52263

Applicant: Coldstream Ranch (2002) Ltd

Proposal: Gravel Extraction - The total area proposed for extraction within the remainder of Lot 203, and portions of Lots 202, 205 and Vimy Road is 3.75 ha (37,000 sq. meters). Test pits dug in those areas confirm that the gravel reserves extend from 0.8 to 4.0 m below ground surface. Assuming a conservative estimate of 3.0 m thickness (Osborn pers. comm., 2010), it is estimated that the volume of local gravel reserve is 112,500 cubic meters is available for extraction if permitted to proceed.

The proposed extraction includes a reclamation plan to improve the net agricultural capability of the site after reclamation is complete, compared to the pre-development condition. This will be accomplished by removing the steep "escarpment" slopes and creating soils and creating soils in both Nahun and Spallumcheen polygons that are more fertile, and holds moisture and nutrients better than the pre-development case.

The present application is to occur in two phases. As shown on the proposal map, topsoil from Lots 202 and 205 will be placed on the balance of Lot 206 and west, to the access road, on Lot 207. The aggregate will then be removed from the Phase 1 area and then recontoured. Phase 2 will involve the removal of the topsoil from this area and placed on the Phase 1 area which has been contoured to receive topsoil for final reclamation of the site. The aggregate material will then be extracted from the Phase 2 area of Lot 203.

Decision:

Resolution #	Decision Date	Decision Description
201/2011	May 26, 2011	Allow proposed extraction of gravel subject to conditions consistent with previous decisions.

Application ID: 45970

Legacy #: 38998

Applicant: Coldstream Ranch (2002) Ltd

Proposal: To extend the boundaries of the Rosebush Gravel Pit to take out the gravel subsoils that decrease the water retention capability of the soils and to take out the steep slopes that prevent the efficient cropping of part of these areas.

The Commission allowed the extraction of approximately 3,400,000 m³ of sand and gravel from an approximately 11 ha area of the 36 ha total area of the original nine subject properties. However, extraction has gone beyond the Commission's approval and the applicants are now requesting permission for areas already extracted and additional expansion to the north.

Decisions:

Resolution #	Decision Date	Decision Description
2846/2010	November 25, 2010	Allowed, subject to conditions
421/2009	June 17, 2009	Refused as proposed. Allowed extraction from 68.6 ha of the proposed 81.5 ha area, subject to conditions. Completion of extraction and subsequent rehabilitation of Lot 204, 206, 207, 207A, 208, 209, 210, 211, 212, 215, 216 and 217. Extraction from 6 properties - Lot 194, 195, 196, 197, 197A and 203 - for a total of 12.9 ha was refused. The Commission wished to record that extraction took place and rehabilitation has been completed on Lot 202, 205, 217, 218, 219 and 220 (except for part of the west ½ of Lot 217). The Commission will consider the applicant's request to proceed with gravel extraction from portions of Lot 194, 195, 196, 197, 197A and 203 after the completion of the rehabilitation of the area required under #1 above and the final report is received and accepted by the Commission.

Application ID: 2413

Legacy #: 29101

Applicant: Coldstream Ranch (2002) Ltd

Proposal: To extract 2,000,000 - 3,000,000 m³ of sand and gravel to a depth of 10 metres from 35.1 ha total area of ten (10) properties.

PREVIOUS APPLICATIONS

Decision:

Resolution #	Decision Date	Decision Description
703/1994	June 30, 1994	Tabled until a detailed excavation and reclamation plan is submitted for review. In addition, the excavation and all topsoil sales must immediately cease until the Commission has had the opportunity to review the required plan (to be submitted within 60 days of the Commission's decision letter of July 13, 1994).

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Coldstream OCP Bylaw No. 1445, 2005

Designation: Agricultural

OCP Compliance: Yes

Zoning:

Zoning Bylaw Name: Zoning Bylaw No. 1382, 2002

Zoning Designation: Rural Two

Minimum Lot Size: 2.0 ha

Zoning Compliance: Yes

Comments and Recommendations:

Advisory Planning Committee

The APC recommends that Council direct staff to confirm and report back to Council:

1. Coldstream Ranch's compliance of Resolutions REG2011-153 and REG2011-154 adopted at the April 11, 2011 meeting of Council; and

1. Coldstream Ranch's level of success of its reclamation efforts;

before considering approval of the application to place fill or remove soil in the ALR for the Rosebush Pit - Lots 194-197 and Vimy Road.

Board/Council

Moved that the application be forwarded to the ALC for their adjudication and that a list of recommendations be forwarded to the ALC for their deliberations. A copy of this resolution and list of recommendations is attached.

ALC STAFF COMMENTS

In 2011 the ALC approved the existension of Rosebush Gravel Pit northward involving two phases (1 & 2) involving Lots 203 and portions of Lots 202, 205 and Vimy Road. To date, for Phase 1 the gravel has been mostly extracted and rehabilitation of the site is underway. The extraction of material from Phase 2 is still occuring and expected to be completed by early 2013.

- The current proposal is for extraction and reclamation for only Phase 3 which lies to the north and is an extention of Phase 2 which was approved by the ALC in application 52263. Upon completion of Phase 3 in approximately three years, a new application will be submitted to continue with proposed Phase 4.

- The most recent Land Use Balance Report dated July 20, 2012 indicates that approximately 2.43 ha of land has been successfully reclaimed since March 29, 2012 which is more than double the rate since last inspection.

- The fast rate of site rehabilitation is expected to continue over the next year or so with the availability of additional fill material from the nearby Highway #6 Realignment Project.

- Some local residents along Buchanan Road have recently complained to the ALC about excess dust coming from Rosebush Gravel Pit. A process is in place to contact the Bylaw Enforcement Officer (BEO) with the District of Coldstream with any complaints about the Pit. The BEO will then contact the operators of the Pit to help mitigate any problems.

- A site visit is scheduled to review the progress of this operation.

ATTACHMENTS

52727_ContextMap10k.pdf

52727_AgCapabilityMap_HR.pdf

52727_AirphotoMap10k_HR.pdf

52727SummitReport.pdf

52727CouncilReport.pdf

52727LandUseBalanceReport.pdf

END OF REPORT

Prepared by: Ron Wallace, August 9, 2012