



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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August 30, 2012

Reply to the attention of Lily Ford  
ALC File 52849

David DeRosa, Project Manager  
Teck Metals, Ltd.  
P.O. Box 1000  
Trail, BC  
V1R 4L8

Dear Mr. DeRosa:

Re: **Application for a Non-Farm Use (Transportation/Utility Corridor) in the  
Agricultural Land Reserve**

Please find attached Minutes of Resolution # 302/2012 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

  
Richard Bullock, Chair

Enclosure: Minutes

cc: Regional District of Kootenay Boundary

LF/52849d1



## PROVINCIAL AGRICULTURAL LAND COMMISSION

**Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on August 30, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.**

### FOR CONSIDERATION

#### **Application:**

*[Submitted pursuant to Section 6 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation)]*

**Application:** 52849  
**Applicant:** Teck Metals Ltd.  
**Agent:** David DeRosa, Project Manager  
**Proposal:** Request to construct temporary upgrades to an approximately 0.75 km dirt road, including grading, widening the road bed by 2 m on either side and construction of a turnaround area and temporary crossing at the railroad tracks. The proposed project affects approximately 0.5 ha of ALR land. The applicants propose to remove the upgrades and revegetate the affected area at the completion of the project, which is expected to last approximately three months. An invasive plant control program, soil and erosion control plan, and monitoring program are also proposed.

**Legal:** That Part of District Lot 7178, Kootenay District, which lies to the south of the Trail Castlegar Road and is shown outlined in red on Reference Plan 38750I; and  
That Part of District Lot 5638 included in Plan 617QQ, Kootenay District, Except (1) Part shown green on Plan 7681 and (2) Part included in RW Plans 7874 and 7681.

**Location:** West bank of Columbia River, 9km north of Trail, Kootenay Boundary region

**Background:** The purpose of the proposal is to allow construction equipment to access Birchbank Snye, a backwater channel of the Columbia River, for habitat enhancement purposes. Surrounding land uses include the Canadian Pacific Railway and the Columbia River to the east, undeveloped land and a golf course to the west, and Birchbank Park to the north. No agriculture occurs in the immediate project area.

**Attachment:** Resolution #016N/2011

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### **DELEGATION OF DECISION-MAKING TO THE CHIEF EXECUTIVE OFFICER (CEO)**

On June 27, 2011 the Commission delegated decision-making to the CEO by Resolution #016N-2011 (File: 135-45/ALC/CEO/APPL). In accordance with section 27 of the *Agricultural Land Commission Act* the Commission has specified that the following applications may be decided by the CEO.

#### **Criterion 4**

Non-farm use applications made pursuant to section 6 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation);

**DECISION:**

After reviewing the entire file material, I, Richard Bullock, Chief Executive Officer of the Commission, am satisfied that the proposal is consistent with Criterion #4 of Resolution #016N/2011 and approve the application on behalf of the Commission.

Approval is subject to the following condition:

- Submission of a soil and erosion control plan, a soil salvage plan, and a reclamation plan for areas of temporary disturbance, prepared by a professional agrologist.

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.

**RESOLUTION # 302/2012**

**I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION**

A handwritten signature in black ink, appearing to read 'Richard Bullock', written over a horizontal line.

**Richard Bullock, Chief Executive Officer**