



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

June 10, 2014

ALC File: #53331

Michelle Schaeffer
Sharp Environmental (2000) Ltd.
10543 - 100th Street
Fort St John, BC
V1J 3Z4

Dear Madam:

Re: Application for Non-Farm Uses in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution #186/2014 as it relates to the above noted application. A sketch plan is also attached. As agent it is your responsibility to notify your client.

Further correspondence with respect to this application is to be directed to Gordon Bednard.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

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

Colin J. Fry, Chief Tribunal Officer

Enclosure: Minutes of Resolution #186/2014
Sketch plan

cc: Peace River Regional District File: #84/2013

53331d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on May 28, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53331.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner

COMMISSION STAFF PRESENT:

Jennifer Carson	Planner
Gordon Bednard	Regional Planner
Martin Collins	Regional Planner
Colin Fry	Chief Tribunal Officer

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

NON FARM USE: To use a 4 ha water dugout on the 255 ha property for both agriculture and industrial water sales (to the oil and gas industry).

PROPERTY INFORMATION:

Owner: South Peace Hutterian Church

Agent: Sharp Environmental (2000) Ltd. Michelle Schaeffer

Legal: PID: 014-485-486
Section 18, Twp. 81, R16, W6M, Peace River District, Except Plans PGP40854 and BCP12717

Location: Triangle Road, southeast of Taylor, south of the Peace River

Size: 255 ha.

LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

6 The following are the purposes of the commission:

(a) to preserve agricultural land;

- (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
 - (c) 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.
-

COMMISSION CONSIDERATION

After considering the application information the Commission concluded as follows:

1. The Commission assessed the agricultural capability of the 4 ha water dugout area.

Conclusion:

The Canada Land Inventory (CLI) soil capability rating for the subject property is 4X indicating that the land has moderate capability for agricultural development, with the limitations to soil bound agriculture being various, minor, and unspecified (X). The air photographs in the application indicate that although the property is partially cleared and developed for agriculture (pasture), the proposed water dugout would occupy currently forested land.

2. The Commission considered the necessity for, and the impacts of a 4 large watering facility on the farm operation.

Conclusion:

The applicant submitted information indicating that thousands of the colony livestock, including cattle, sheep, hogs, chickens and turkeys require drinking water. Also water is required for meat processing, irrigation, dust control and fire protection. However, the Colony acknowledged that the dugout is larger than the amount of water needed for the farm operation for a year. It is anticipated that there will be water sales to the oil and gas industry if excess water is available.

3. The Commission considered the impacts of industry usage of farm water.

Conclusion:

The Commission was aware that the capture and sale of surface water to industrial users in the Peace Region was occurring with little regulation. According to the applicant, the water is primarily needed for agricultural uses, though excess water might be sold to industrial users. However, a larger than necessary dugout could also have positive agricultural impacts, by permitting agricultural expansion.

The Commission's primary concern is with landowners who do not farm but excavate dugouts wholly for industrial water sales. If this routinely occurs, arable land could be alienated, and surface streams could suffer reduced water flow. However, there are also long term agricultural benefits to water dugouts on farm parcels, even if there is no immediate agricultural rationale. Dugouts can facilitate future agricultural development or intensification.

IT WAS

MOVED BY: Commissioner Miles
SECONDED BY: Commissioner Gillette

THAT the application to develop a 4 ha water dugout for both agricultural uses and industrial water sales be allowed.

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.

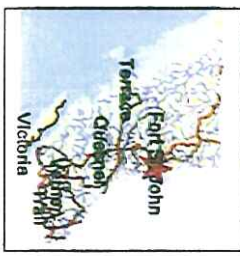
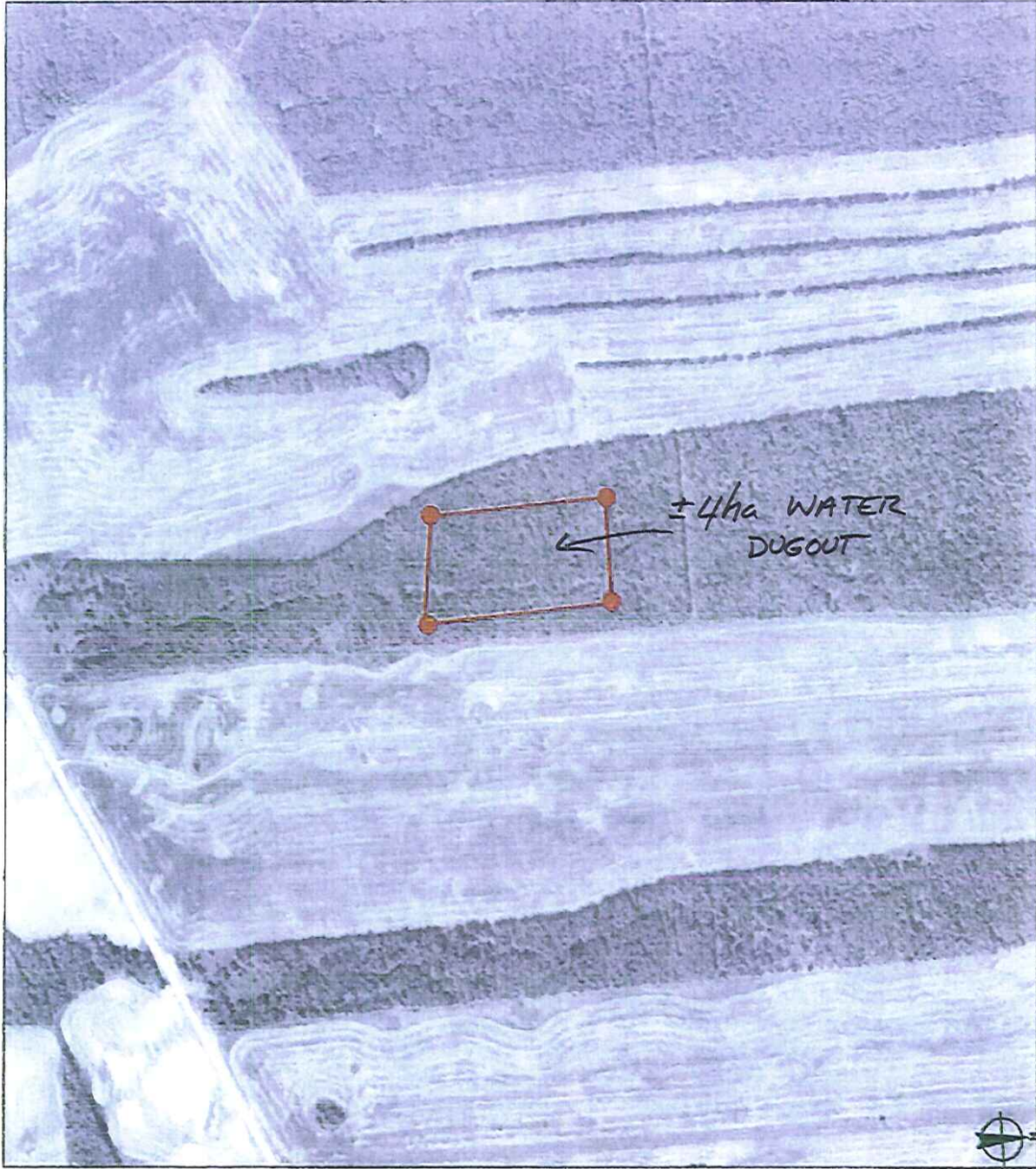
CARRIED

Resolution #186/2014

ALC APPLICATION # 53331

RESOLUTION # 186/2014 - SKETCH PLAN

R-18

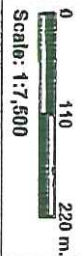


Key Map of British Columbia

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Duration/Period: 10/01/2014, 10/01/2014



BRITISH COLUMBIA
 Dugout #1 - Peace View
 Legend