



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

January 10, 2014

Reply to the attention of Ron Wallace
File: #53516

Jeffrey Randal Czepil
145 Riverdale Drive
Enderby, BC V0E 1V2

Dear Sir:

Re: Notice of Intent to Extract Shale Rock from the ALR
Property: 849 Fortune Road, Summerland, BC
PID: 009-876-421
Lot 1 Sections 13 and 24 Township 18 Range 9 West of the 6th Meridian
Kamloops Division Yale District Plan 8091

This letter is in response to the 'Notice of Intent' (NOI) that was received at this office on November 14, 2013. It also acknowledges that additional information about the proposal, as requested, was received by the Agricultural Land Commission on December 23, 2013.

As described in the NOI and accompanying documents, the Commission understands the following about the proposed extraction:

- The property is owned by Jeffrey Randal Czepil.
- The type of material proposed to be extracted is shale rock.
- The area of the proposed pit is 3 ha.
- The proposed volumes of extracted material are 2500 m³.
- The intended depth of extraction is 40 m.
- The proposed duration of the extraction project is 3 to 5 years.
- The proposed site is an old pit that has been used many times over the years. There will be no farmland disruption from the operation and given the steep slope of the site (55 degrees) there will be no reclamation of the site for agricultural purposes.

Based on the above, please be advised that your project may proceed subject to the attached terms and conditions.

Please be further advised that with this authorization, stands the requirement to comply with all applicable Acts, regulations, bylaws of local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

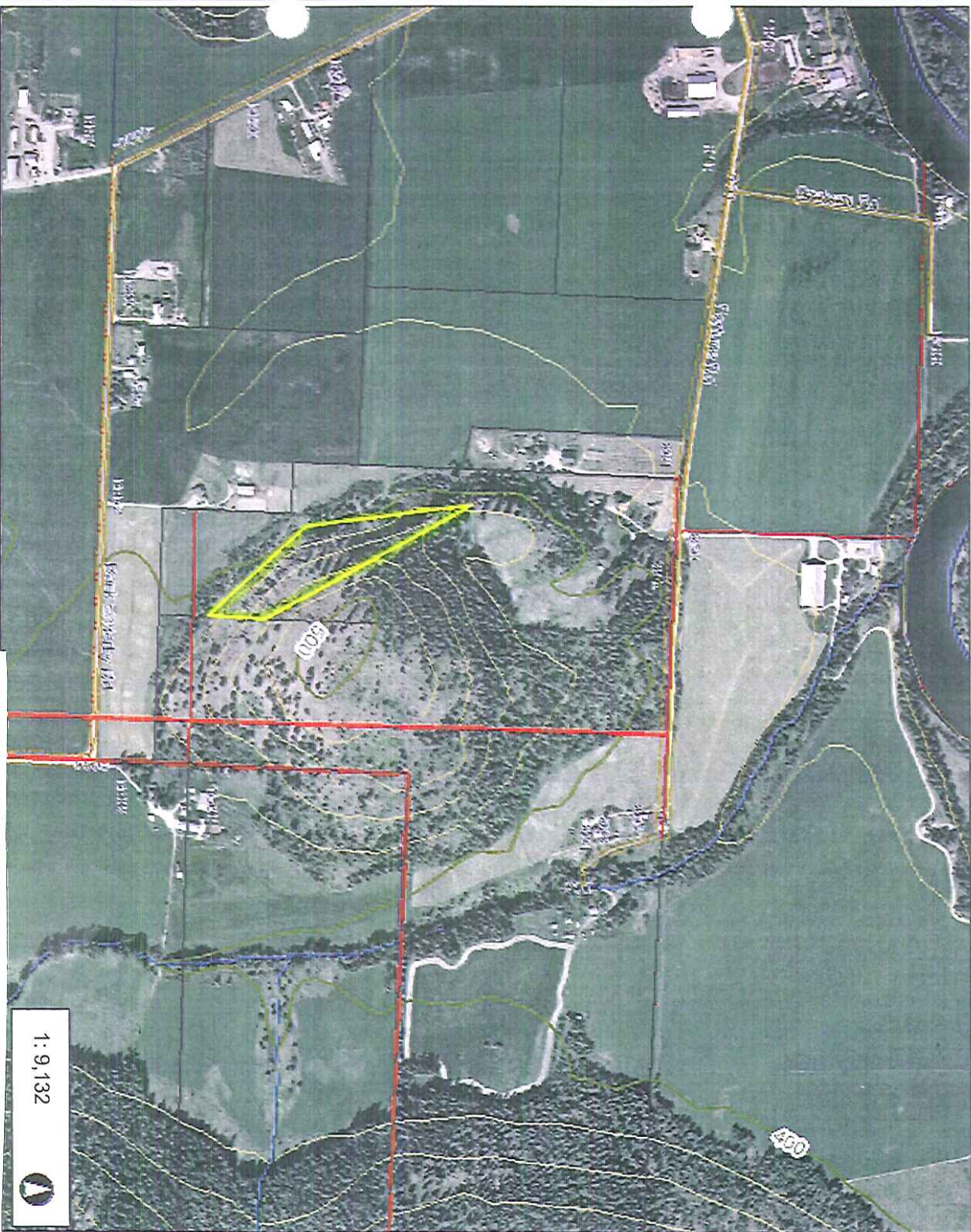
Per:

Richard Bullock, Chair

cc: Township of Spallumcheen
Ministry of Energy, Mines and Petroleum Resources - Kelowna
BC Assessment - Kelowna

Encl: Terms and Conditions
Map of extraction area

North Okanagan Map



© Corporation of the City of Vernon & Regional District of North Okanagan

Provincial Agricultural Land Commission
NOI File #53516

Area approved for shale extraction in the ALR

1 : 9,132



Legend

- Vernon Legal Lines**
 - Covenants
 - Easements
 - Right of Ways
- Vernon Parcel Lines**
 - Lake Lines
 - Lot Lines
 - Road Lines
 - Roll Lines
- Vernon Hook Lines**
- Vernon Water Features**
 - Creeks
 - Lake Shore
- Vernon Misc Parcel Lines**
 - DELETED LOT LINES
 - LAKE LINES
 - LOT LINES
 - ROAD LINES
 - SECTION LINES
 - UNDEDICATED ROAD LINES
- Area B CADLines**
 - Easement RW
 - Electrical RW
 - Gas RW
 - GWW RW
 - Railway RW
 - Roadway RW
 - Utility RW

Notes

TERMS AND CONDITIONS

1. That the shale extraction activities be restricted to the 3 ha area shown on the sketch submitted with the proposal.
2. That the access and egress of all vehicle traffic associated with the shale extraction, and other related shale pit activities, be restricted to the existing 'access road' that was previously used to haul out shale by BC Hydro.
3. That dust suppression practices, and/or restrictions on shale pit vehicle traffic be applied when necessary to minimize air-borne dust from traffic on the access road and thereby potential negative impacts resulting from the dust on neighbouring properties.
4. That the proposed shale extraction project be completed by May 31, 2019. Should you require an extension of time beyond this date to complete the project, a request shall be submitted to the Commission prior to April 30, 2019. The request shall include a status report regarding the project.
5. No security will be required at this time. The Commission reserves the right to require the submission of a bond at a later date to ensure rehabilitation to an agricultural standard.
6. Approval for extraction is granted for the sole benefit of the applicant and is non-transferable without written approval of the Commission. Should ownership of the property change and/or the operator of the pit, please inform the Commission in writing.

Please advise this office, by signing and returning one copy of these conditions, whether or not you intend to proceed with the aggregate extraction proposal on the above basis. Should you not agree to restrictions as set out in the above 'terms and conditions', the option of submitting a formal Non-Farm Use application to the Commission is available. Should an application be made, please be advised that the Commission has the authority to grant an approval, with or without conditions, or deny the proposal. The application process is initiated by submitting the required forms and paying the requisite fee (\$600) to the local government ().

I, _____ agree to the above terms and conditions and intend to
(print name here) proceed with extraction as outlined above.

Signature of owner or operator