



## CHAIR DIRECTIVE

### Establishment of a Panel for the Purposes of Determining Soil and Fill Use Applications

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**WHEREAS** the Chair of the Commission may establish panels consisting of 2 or more members of the Commission: *Agricultural Land Commission Act (ALCA)* s.11 (1); and

**WHEREAS** the Chair of the Commission may establish panels based on criteria established by the Chair, which may include but are not limited to administrative regions, panel member expertise, quorum, and the type of application under consideration: (*ALCA*) s.11 (2); and

**WHEREAS** the Chair of the Commission may refer to a panel the power to determine an application and therefore the reconsideration of a decision for the purposes of s. 33 of the *ALCA* set out in s. 11.1 of the *ALCA*; and

**WHEREAS** the Chair may designate a member of the commission to chair a panel: *ALCA* s. 11(3); and

**WHEREAS** s.6(2) of the *ALCA* requires the Commission to give priority to factors such as protecting and enhancing the integrity of the Agricultural Land Reserve and its use for farming; and

**WHEREAS** the finding of the ALC's 2018 Agricultural Land Soil Investigation Report identify the need for a consistent decision-making framework that may consider factors such as:

- Agricultural capability and suitability of ALR land;
- Characteristics of proposed fill material;
- Depth, slope, grade and volume of fill material;
- Drainage and potential off-site impacts;
- Compliance monitoring and security;

**I HEREBY**, in my capacity as Chair of the Commission:

1. without limiting my ability to establish additional or other panels for deciding these or other applications, or my discretion to refer applications to those additional or other panels, establish a Soil and Fill Use Panel that will, subject to other direction, decide soil and fill use applications and placer mining applications under the BC Mineral Tenure Act in the six (6) administrative regions;

2. appoint the following members of the Commission to the Soil and Fill Use Panel:
  - Commissioner Bob Haywood-Farmer from the Interior Administrative Region;
  - Commissioner Holger Schwichtenberg from the South Coast Administrative Region;
  - Commissioner Jerry Thibeault from the Kootenay Administrative Region;
  - Commissioner Erin Carlson from the Okanagan Administrative Region;
  - Commissioner Karen McKean from the North Administrative Region
3. appoint myself as a member who may sit and decide on applications on the Soil and Fill Use Panel and appoint myself as its Panel Chair;
4. without limiting my ability to establish additional or other panels for deciding these or other applications, or my discretion to refer applications to those additional or other panels, to allow greater flexibility in considering and deciding certain matters, establish Soil and Fill Use Panel A, Soil and Fill Use Panel B, each of which will, subject to other direction, decide soil and fill use applications and placer mine applications under the BC *Mineral Tenure Act* in the six (6) administrative regions;
5. appoint the following members of the Commission to Soil and Fill Use Panel A:
  - Commissioner Karen McKean from the North Administrative Region;
  - Commissioner Holger Schwichtenberg from the South Coast Administrative Region;
6. appoint myself as a member who may sit and decide on applications on Soil and Fill Use Panel A and appoint myself as its Panel Chair;
7. appoint the following members of the Commission to Soil and Fill Use Panel B:
  - Commissioner Jerry Thibeault from the Kootenay Administrative Region;
  - Commissioner Bob Haywood-Farmer from the Interior Administrative Region;
  - Commissioner Erin Carlson from the Okanagan Administrative Region;
  - Commissioner Wayne Harris from the Kootenay Administrative Region as an alternate member for Commissioner Thibeault when Commissioner Thibeault is unavailable;
8. appoint the following members of the Commission as Chair to Soil and Fill Use Panel B:
  - Commissioner Jerry Thibeault from the Kootenay Administrative Region.



Nov 6, 2024