Province of British Columbia

Land Reserve Commission

ANNUAL REPORT
2000–2001

Working Farms, Working Forests
His Honour
The Honourable Garde B. Gardom
Lieutenant-Governor of British Columbia
Government House
1401 Rockland Ave
Victoria BC V8S 1V9

Your Honour:

I have the honour to present herewith the annual report and financial statement for the Land Reserve Commission for the period April 1, 2000 through March 31, 2001.

Yours truly,

[Signature]

Stanley B. Hagen
Minister
The Honourable Stan Hagen  
Minister of Sustainable Resource Management  
Parliament Buildings  
Victoria, British Columbia  
V8V 1X4  

Dear Minister:

I respectfully submit herewith the annual report and financial statement for the Land Reserve Commission for the period April 1, 2000 through March 31, 2001.

Yours truly,

Alan Chambers, Chair  
Land Reserve Commission
British Columbia. Land Reserve Commission.

Annual report for 2000/01

Annual.
At head of title: The LRC times.
Report year ends Mar. 31.
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C2001–960133–6
1. Profile of the Land Reserve Commission

MISSION STATEMENT

The Land Reserve Commission is an independent Provincial agency dedicated to protecting the agricultural and forest land base to meet the current and future needs of British Columbia. The legislation regulates land use in the Agricultural Land Reserve and the Forest Land Reserve. The Commission works with communities of interest to accommodate and support working farms and working forests on Reserve lands.

DAY–TO–DAY OPERATIONS

At the beginning of the 2000/2001 fiscal year, the former Agricultural Land Commission and Forest Land Commission were merged into one Land Reserve Commission. The Land Reserve Commission Act grants the Commission broad discretionary powers over lands to be included into the ALR and excluded from the ALR and FLR. It also administers forest practices on private lands within the FLR and on private managed forest lands within the ALR. In addition, the Commission has broad powers to ensure that local government plans and bylaws are in compliance with the Agricultural Land Reserve Act and the Forest Land Reserve Act. The Commission is also empowered under its legislation to investigate, hold hearings, levy fines and seek court remedies to ensure compliance with its orders.

Since 1973 the Land Reserve Commission has provided advice on land use planning to local communities, adjudicated applications for the use of land in the ALR and encouraged farming to provide a basis for a sustainable economy and a secure source of food. The ALR now comprises 4,724,204 hectares or just over five percent of the land mass of the province.

The former Forest Land Commission was established in 1994 to minimize the impact of urban development and rural settlement on BC’s commercial forest land base. The Land Reserve Commission now administers 920,000 hectares of private managed forest lands and 16 million hectares of public land designated as FLR. The majority of the private lands are located on Vancouver Island (70%) and in the Kootenays (25%). The Crown lands include the Provincial forests on Vancouver Island, in the Kootenays and in the Cariboo–Chilcotin. The Commission adjudicates applications for the use of private managed forest lands and reviews proposals to add or remove private land from the FLR. The Commission also advises the Minister of Forests on proposals to remove Crown land from the FLR, and administers the Private Land Forest Practices Regulation.

Over the past 28 years the Commission has considered 33,780 applications from landowners and others wishing to remove land from the ALR, subdivide land within the ALR, use agricultural lands for non–farm purposes or include land within the ALR. Since 1995 the Commission has also considered over 420 applications from landowners and others wishing to remove land from the FLR, subdivide land within the FLR, use forest lands for non–forest purposes or include land within the FLR. In 2000/2001 the Commission reviewed 524 applications and 58 plans pertaining to the ALR and FLR.

Over the years applications have increased in complexity and in the number of issues that need to be addressed. The range of people, organizations and groups interested in each outcome has also grown. With growing concern over environmental issues, there is also far more public awareness and opinion with respect to each application.

In addition to considering applications the Commission refines the ALR and FLR boundaries to reflect new information and research on crop potential, soil, terrain, present land use, climate and other factors that determine the suitability of land for agriculture or forestry. It works continually to improve communications with local governments, farm and forestry organizations, landowners, First Nations and the general public. The Commission assists local governments by ensuring their plans and bylaws are consistent with Provincial objectives. In 2000/2001 the LRC provided eight recommendations to the Minister of Forests on proposals to remove Crown lands from the FLR and ensured that key public environmental values were being protected during timber production activities on private lands in the FLR and ALR. The Commission was also active in the area of sustaining the quality of agricultural soils through the administration of the Soil Conservation Act.
In 2000/2001 the Commission met approximately five days every month. With the new panel structure, three days were spent in the regions and two days were spent in the Burnaby office. During these meetings the Commission decided on applications, held hearings with landowners wanting to exclude lands from the ALR and reviewed bylaws and community plans.

While in the regions the Commission met with local government representatives and attended dozens of meetings with farm organizations such as the BC Fruit Growers’ Association, BC Cattlemen’s Association, BC Agriculture Council and local farmers’ institutes. In addition, we worked with the Private Forest Landowners’ Association, the Union of British Columbia Municipalities, numerous Provincial ministries and other agencies involved in land use issues.

The following tables illustrate the functional operations of the Commission and the organization of the Land Reserve Commission Office in Burnaby, which provides support for the Commission’s activities.

Table 1. Land Reserve Commission Panel Function.
Table 2. Organization Chart.

LAND RESERVE COMMISSION ORGANIZATION
2000/2001

MINISTER OF AGRICULTURE, FOOD AND FISHERIES

CHAIR OF LAND RESERVE COMMISSION

CHIEF EXECUTIVE OFFICER

Policy Planner
Policy Planner
Policy Analyst

Director Regional Operations

Regional Research Officer
Regional Research Officer
Regional Soil Conservation and Enforcement
Staff Agrologist

Director Strategic Planning and Corporate Policy

Planning Officer
Planning Officer
Forest Practices Coordinator
Forest Practices Officer

Systems Administrator and Office Manager*

Records Coordinator
Word Processing Clerk
Office Clerk
Receptionist

Manager Information Systems and GIS

GIS Coordinator
GIS Assistant
GIS Technician
Land Info Assistant

Co-op Training Program

Director Regional Operations

Regional Research Officer
Regional Research Officer
Regional Research Officer
Regional Research Officer

* The Coordinator Soil Conservation and Enforcement is also performing the task of Systems Administrator and Office Manager.
2. Message from the Chair

The past year was an important one of transition for the Land Reserve Commission, highlighted by the merger of the former Agricultural Land Commission and Forest Land Commission. Key challenges during the year included the merger, creating regional panels, regulating forest practices on privately managed forest lands and completing a comprehensive strategic planning process. The Commission also addressed Provincial government initiatives in 2000/2001, including the development of an agri-food policy and the promotion of agri-forestry.

In its Strategic Plan the Commission identified its long-term goals and objectives. The first goal – resource protection – involves preserving the land base. The objective is to maintain the net stock and quality of agricultural and forest reserve lands.

The second goal – resource utilization – relates to the LRC’s mandate to promote working farms and working forests. The primary objective is to work with communities of interest to create an environment in which working farms and working forests can succeed.

The third goal – resource security – means keeping resource options open for the future. This goal addresses our role as an advocate for the protection of farm and forest lands with other agencies and levels of government.

The Strategic Plan is, however, a living document that will be amended over time as the Commission responds to new challenges. For instance, we have long recognized that the best way to achieve our goals of resource protection, utilization and security is to have a thorough understanding of regional and local issues and excellent working relationships with local governments, groups and individuals.

Overall this 2000/2001 annual report demonstrates that the LRC’s new ways of doing business have been successful in increasing our regional presence and improving accessibility to applicants, local governments and farm and forest communities. The report reflects the way the Commission is divided into regional panels and the impact this has had on our external stakeholders and internal organization. To reflect the new panel structure, information about the Commission and the state of the ALR and FLR is provided with a regional emphasis in this report.

The Commission will build on the successes of the past year by continuing to forge closer links with local governments, First Nations, applicants, the farm and forest communities and other stakeholders in the coming years. Building more cooperative relationships with people in all of the regions is helping the Commission to be more responsive to regional and local concerns and to play a more proactive role in agricultural and forest planning. The Land Reserve Commission will also build on the success of its first delegation agreement by transferring additional authority for subdivision and non-farm use decisions to interested local governments who meet the criteria set for delegation of these powers.

While the Commission strives to maintain flexibility to respond to changing conditions in British Columbia’s varied landscapes, it also has the responsibility to protect working farms and working forests now and for the future. The past year has been in many ways a “test run” of the merged Commission and the new regional panel structure. I believe we can declare the LRC’s new ways of doing business a success, due in no small measure to the extraordinary efforts, professionalism and perseverance of Commissioners, staff and our local government partners.

Dr. Alan Chambers
Chair
3. Performance Report

BUSINESS PLAN

During 1999/2000, when the proposed merger of the former Agricultural and Forest Land Commissions was being planned, an 18-month Business Plan was prepared to cover the last six months of 1999–2000 and all of 2000–2001. The first six months of that plan identified a number of business goals and activities concerned with the amalgamation of the two Commissions and was developed to guide the operational and other changes needed for that merger. The first six months covered by that Business Plan also addressed the Commission’s new responsibilities under the Private Land Forest Practices Regulation. As these responsibilities are ongoing, the following section provides a brief description of activities relating to this regulation.

Private Land Forest Practices Regulation

On April 1, 2000 the Land Reserve Commission assumed new responsibilities with the administration and enforcement of the Private Land Forest Practices Regulation (BC Reg. 318/99). This new regulation applies to private land within the Forest Land Reserve and to managed forest in the Agriculture Land Reserve.

The regulation is performance based, providing basic standards and objectives. The standards address key public environmental values including fish habitat, water quality, soil conservation, critical wildlife habitat and reforestation. The regulation allows landowners to manage for a wide range of objectives and to promptly respond to market and customer demand. There are no requirements for plans or prescriptions to be submitted to government for approval or inspection. Rather than a system based on routine inspections, this is an enquiry or complaint driven system, backed by audits.

Three Forest Practices Officers and a Forest Practices Coordinator were hired in 2000/2001 to administer and oversee the new regulations. These staff worked closely with landowners, the Private Forest Landowners’ Association, the Ministry of Environment, Lands and Parks and other individuals and agencies to build relationships and familiarize forest landowners with the new regulation through on-site visits, tours, peer reviews, workshops and information sessions. In 2000/2001 these meetings included six information sessions (three in Nanaimo and three in Nelson) for landowners, officials and non-government organizations. The Commission also worked closely with the Private Forest Landowners’ Association to conduct a peer review of harvesting practices on Saltspring Island and to hold a small stream workshop in the Nanaimo area.

In 2000/2001 LRC staff responded to 30 public inquiries into forest practices on private land within the Reserves. Twenty-four were on the Coast and six were in the Interior. Three of these inquiries resulted in determination hearings by the Commission’s Chief Executive Officer Kirk Miller; one resulted in a $13,000 fine and a remediation order as a result of damage to a stream.

The Commission also published a Private Land Forest Regulation bulletin called “Browse”, which highlighted the administrative requirements of the regulation and emphasized important management practices.

In 2000/2001 the new results-based regulation worked very well, with excellent cooperation from landowners and the PFLA. Most of the forest practice concerns brought to the attention of Commission staff were promptly and professionally addressed.

lrc.gov.bc.ca
GOALS FOR 2000/2001

The Business Plan provided business goals and recommended actions for 2000/2001. Three additional business goals and activities relating to the in–house administration of the Land Commission Office are not listed here but will be addressed in the Message from the Chief Executive Officer. Actions not taken this year have been included in the Commission’s 2001–2004 Performance Plan.

Business Goal #2. To encourage compliance with the Agricultural Land Reserve Act, the Forest Land Reserve Act and the Soil Conservation Act.

Actions Taken:

- Pursued 60 enforcement–related actions in 2000/2001. These ranged from responding to complaints and enquiries from the public to initiating legal actions in the Supreme Court of British Columbia.
- Worked with Provincial agencies, local governments, First Nations, industry associations and other communities of interest to enforce regulations and to address compliance issues.

Business Goal #3. To ensure that Commission decisions effectively preserve agricultural and forestry resources and promote a healthy farm and forestry economy.

Actions Taken:

- Completed the Land Reserve Commission Strategic Plan.
- To promote a healthy farm and forest economy, General Orders and policies were reviewed and a discussion paper was written with proposed changes for agri–tourism, on–farm processing, double–wide mobile homes and other initiatives.
- A discussion paper was prepared to address congruency between permitted uses in the ALR and FLR; and preliminary consultations were completed.
- A study of recapture charges in the ALR and FLR was begun.

Action Not Taken:

- Although the Commission maintained statistics on the amount of land in the ALR/FLR, more detailed performance criteria need to be developed to ensure that Commission decisions are effectively preserving agricultural and forestry resources. Development of these criteria will be addressed in the Performance Plan for 2001–2004.
Business Goal #4. To improve communication and consultation with local governments, First Nations, the public and other communities of interest.

Actions Taken:

- Responded to all enquiries from the public, other government agencies and communities of interest by providing appropriate information in a timely manner.
- The Commission's regional presence was increased through the creation of panels which allow Commissioners to travel to regions more often and meet with local governments, First Nations, the public and other communities of interest.
- A draft First Nations consultation policy was developed.
- Commissioners held 69 meetings with local governments; conducted 176 on-site inspections and held 37 meetings with other communities of interest.
- Application process was reviewed and application summary sheets were revised.
- 191 applications were considered within 90 days of receipt.
- All correspondence was acknowledged within one week.
- The LRC developed and implemented a Communications Plan for 2000/2001.

Action Not Taken:

- Although the Commission had anticipated reducing turn-around time for a higher percentage of applications in 2000/2001, this was not achieved due to the additional staff time required for training new personnel and implementing the regional panel structure. Now that these initiatives are completed, a reduction in turn-around time for the majority of applications to 60 days is anticipated in the Commission's 2001–2004 Performance Plan.

Business Goal #5. To increase local government responsibility for routine land use applications within the ALR.

Actions Taken:

- A consistent delegation policy framework for the ALR was completed.
- A delegation agreement with the Regional District of Fraser–Fort George was negotiated and signed.
- Ten other local governments expressed an interest in receiving more information about delegation agreements.
- Work on performance measures for decisions delegated to local government was begun.
- An information package for local governments interested in delegation agreements was developed.

Business Goal #6. To ensure that LRC time is used effectively.

Actions Taken:

- Delegated specific approval powers to the CEO.
- Regulatory reform proposals were made including recommendations for special case uses which should be permitted uses within the ALR.

Actions Not Taken:

- Assessment of plan and bylaw review process was not completed and is scheduled for 2001/2002.
Business Goal #7. To co-ordinate LRC activities with the activities of other government agencies.

*Actions Taken:*

- The Commission participated in a review of agri-food policy documents.
- The LRC conducted preliminary research on the impact of the *Fish Protection Act* on irrigation.
- Preliminary research on assessment and taxation issues in the context of recapture charges in the ALR/FLR was conducted.
- Preliminary research on the impact of the Ministry of Municipal Affairs policy and proposed legislative changes affecting Irrigation Districts was conducted.
- The LRC supported the Ministry of Agriculture, Food and Fisheries by participating in 25 agri–teams.

*Action Not Taken:*

- Although we are participating in agri–teams with the Ministry, improving the division of responsibilities between MAFF and the Commission was not addressed but will be part of the 2001–2004 Performance Plan.

Business Goal #8. To ensure that Commission proceedings demonstrate fairness and accountability.

*Actions Taken:*

- Researched and evaluated internal decision review mechanisms for certain types of applications and other potential changes to Commission proceedings.
- Devolution of roles and responsibilities between planning and research staff was begun.
- Policy was changed to allow applicants for subdivision to meet with the Commission in a hearing/meeting format and all applicants had the opportunity to attend their hearing.
- Commissioners met with 213 applicants.

Business Goal #9. To ensure that the Commission has accurate information to support its decision-making, monitoring, enforcement and performance measurement activities.

*Actions Taken:*

- 473 ALR applications and 45 FLR applications were plotted on maps and staff were provided with mapped data, as required.
- Maps were distributed to local governments and Provincial agencies as required.
- Records were filed manually and electronically and data was entered into appropriate databases.
- The Commission’s GIS section completed the conversion of ALR boundary maps for five regional districts to Provincial standard TRIM base maps, for a total of 284 maps. These included the Northern Rockies, Peace River and Central Kootenay, which were resolved by the Commission as new ALR base maps. As of March 31, 2001, the Capital and Cowichan Valley regional districts were ready for final map distribution.
- Data compilation and verification of all private managed forest lands in the FLR and ALR were also completed. In total there were 429 TRIM based 1:20,000 maps with FLR identified on them.

Business Goal #10. To ensure that the Commission has adequate hardware and software to support its activities.

*Actions Taken:*

- During 2000/2001 the Commission continued to work with its current information technology support providers to enable a degree of autonomy in administering our Local Area Network. To support this, a new position was created which provides in–house technical support.
- The Commission contracted the upgrading of the Application Tracking System (ATS) for the next fiscal year. The pilot phase and initial application components were completed successfully in 2000/2001.
A new version of the website included reconsolidated versions of all Acts, Regulations, Orders, Bylaws, Policies and Procedures. This new version replaced the hardcopy handbook that described the operations of the Land Reserve Commission.

Five workstations were upgraded. Standards for desktop software were maintained as part of the Ministry of Agriculture, Food and Fisheries standardization project.

As the report on the Business Plan demonstrates, in 2000/2001 the Commission was successful in carrying out a major reorganization in order to meet the more critical business goals and action items. It successfully created regional panels and, with a more flexible structure, was able to meet with 69 local governments and 213 applicants during the year. Operational responsiveness was improved and further streamlining of regulatory processes was begun. All of these initiatives moved the Commission toward better communication with people in all regions of the province and gave it a much greater understanding of local issues.

The Commission is aware of the actions remaining to be addressed and is pursuing ways to implement them next year and beyond.
STATE OF THE ALR

There were 4,724,204 hectares of land in the ALR on April 1, 2001. The size of the ALR changed slightly from last year with the addition of 2,982.6 hectares included into the Reserve and 6,246.2 hectares excluded. Figure 1 shows the amount of ALR included and excluded in each region during the past year.

*Figure 1. ALR Inclusions and Exclusions by Region 2000/2001.*
There were a total of 473 applications received by the Commission in 2000/2001. Of these, 421 were approved. In some cases an application may initially be refused but subsequently approved on reconsideration so the total number of decisions made may exceed the number received.

Figure 2 compares the number of applications received and the number approved in the ALR in each regional district.
Figure 3 shows the percentage of the 421 applications approved in each of the six regions of the province.

Figure 3. ALR Applications Approved in ALR by Region April 1, 2000–March 31, 2001.

The largest number of applications received by the Commission were for subdivision of properties in the ALR. In 2000/2001 the Commission received 250 such applications, of which 130 were approved. Figure 4 shows the distribution of these approvals in the various regions of the province.

Figure 4. Subdivision Approvals in ALR by Region 2000/2001.
STATE OF THE FLR

Net changes in the total area of the FLR do not provide useful information on trends because of the relatively large area of both Crown and private forest land. Instead, the quantity and capability of private forest land added and removed from the FLR gives a better assessment of the effectiveness of the program.

The quality of forest land is expressed as a Site Index rating. The Site Index rating reflects an assessment of the productivity of the site for forestry based on the height of the forest stand at 50 years. Site index ratings vary by the type of forest stand and by region. A site index that would be considered very productive in the Okanagan would be considered poor for Vancouver Island.

For Vancouver Island and the Coast a Site Index rating of 35 is considered good. For the Kootenays a site index rating of 25 is considered good.

The average Site Index rating of the 524 hectares of private land included within the FLR in 2000/2001 was 26 or medium. The average site index of the 249 hectares of private land removed from the FLR in 2000/2001 was 27 or medium. Of the 249 hectares removed, 23 were considered non-productive and 226 hectares were removed following the designation of replacement land of equivalent forest value. Almost twice as much FLR was included as excluded in 2000/2001. Therefore the difference in the productive quality of the private forest lands included or excluded in the FLR is negligible.

Data on the capability ratings for proposals to remove Crown forest land from the FLR were incomplete as of March 31, 2001. Therefore aggregated trend information on these removals is not available. Current efforts to clarify the role of the FLR in the Provincial Forest should result in better Crown land information in the future.
4. Message from the Chief Executive Officer

In 2000/2001 the creation of the new Land Reserve Commission with more legislative responsibilities underscored the need for a framework to provide clearer decision-making. As CEO of the Commission it was my responsibility to build this framework through a variety of internal policies and plans.

The Governance Policy sets expectations for effective governance of the Commission. It focuses on the Commission's function of overseeing management and provides appropriate processes and standards for conduct for the Commission, its members, management and staff.

While the Strategic Plan will continue to guide the work of the Commission for the foreseeable future, a three year Performance Plan was prepared in accordance with the mandate of the Budget Transparency and Accountability Act. The Commission has prepared a Performance Plan for 2001–2004 and will submit the plan to the Legislature on April 30, 2001.

The current Business Plan covers an eighteen–month period including the last six months of 1999/2000 and all of 2000/2001. The purpose of the Business Plan is to provide a basis for allocating resources and prioritizing the activities of the LRC and the Land Commission Office and to inform Commissioners, staff, stakeholders and the public of planned activities and performance commitments. The first ten goals of this plan were discussed earlier in this report. The last three goals are specific to the responsibilities of the Chief Executive Officer and were achieved during the year, including:

Business Goal #11: Improving administrative efficiency and customer service.

Business Goal #12: Ensuring that the Commission has adequate funding for staff and operating expenses to carry out planned activities for 2000/2001.

Business Goal #13: Providing effective management and leadership for the Land Commission Office.

During 2000/2001 the Commission relied more heavily on legal action to maintain the integrity of the ALR and FLR; the resulting increases in legal costs and related expenses placed additional and significant strains on the Commission's budget during the year.

For 28 years the Commission has successfully navigated through a multitude of changes in economic, social, environmental and political conditions. We look forward to an interesting and challenging 29th year with confidence, knowing that we have the support of the people of BC in our efforts to protect working farms and working forests.

Kirk B. Miller
Chief Executive Officer
5. Financial Report

Table 3. Revenues and Expenditures April 1, 2000 to March 31, 2001.

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<th>STOB</th>
<th>Description</th>
<th>2000/2001 Budget</th>
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<td>Supplemental Salaries</td>
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<td>Office Expenses</td>
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<td>67</td>
<td>Information and Advertising</td>
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<td>68</td>
<td>Statutory Advertising</td>
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<tr>
<td>69</td>
<td>Supplies</td>
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<td>78</td>
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<td>89</td>
<td>Recoveries</td>
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<td></td>
<td><strong>Total</strong></td>
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</tr>
<tr>
<td></td>
<td><strong>FTE’s</strong></td>
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Table 4. Comparison with Financial Statistics from Previous Five Years.

<table>
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<tr>
<th>YEAR</th>
<th>REVENUE</th>
<th>EXPENSES</th>
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<tbody>
<tr>
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<td>Fees and Penalties</td>
<td>Budget</td>
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<td>ALC</td>
<td>FLC</td>
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<td>2000–2001</td>
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<tr>
<td>1999–2000</td>
<td>152,300</td>
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<td>1998–1999</td>
<td>204,555</td>
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<tr>
<td>1997–1998</td>
<td>194,189</td>
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<td>1996–1997</td>
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</tr>
<tr>
<td>1995–1996</td>
<td>205,261</td>
<td>2,081,284</td>
</tr>
</tbody>
</table>

Table 3 shows the Commission budget for 2000/2001 with allocations to various activities. Separate revenues and expenses for ALC and FLC are not shown for 2000/2001 in Table 4 due to the merging of the two Commissions. The approved budgets for both the Agricultural Land Commission and the Forest Land Commission are combined in one legislative vote each year to make their administration more efficient. The Land Commission Office (LCO) response code is for the secretariat that supports the Commission.
6. Commission Governance

It is important that the Commission functions and is seen to function with an appropriate degree of independence from the government and other interests. The Commission has therefore adopted a Governance Policy that includes a number of initiatives it believes will foster and preserve this independence. Its purpose is to ensure that appropriate processes and standards of conduct for the Commission, its members, management and staff are established and monitored. It is available for viewing on the Commission website: www.lrc.gov.bc.ca.

GOVERNANCE POLICY

The Commission's primary mandate is to administer its legislation in the public interest. In addition, the Commission is a quasi–judicial administrative tribunal and must adhere to the principles of administrative law. The Commission has been recognized by the courts as an expert tribunal whose decisions are worthy of considerable judicial deference.

Landowners, the public, government and others expect the Commission to govern itself in a manner that maximizes its effectiveness. Effective governance of the Reserves is important as the Commission has significant regulatory powers affecting individual property rights and may supersede the authority of elected local governments. Commission members are appointed by the Provincial government, but operate with a high degree of independence. As an independent regulatory agency, the Commission must make every effort to demonstrate a high level of public accountability.

The Commission’s responsibilities include overseeing management; developing proposed legislation, regulations and policies; and enforcing and implementing legislation, regulations and policies. To meet these responsibilities the Commission must have the independence appropriate to the exercise of each function and must be held accountable. Management is accountable to the Commission and the Commission is accountable to the Provincial government. By extension it is accountable to the public for the proper administration of the Acts and the effective governance of the Reserves.

The Commission has responsibility for setting strategic and policy direction in a Strategic Plan. It approves a Business Plan or Performance Plan annually with proposed actions that conform with the goals and objectives of the Strategic Plan. The Commission also ensures that finances are reported fairly and accurately and that changes to legislation, new policies, General Orders and decisions are communicated appropriately and on a timely basis.

The Commission does not involve itself in day–to–day management as this is the responsibility of the Chief Executive Officer. However, the Commission must be able to independently assess the effectiveness of the Land Commission Office and the performance of its management. Mechanisms for achieving this function are also detailed in the Governance Policy.

Commissioners are appointed by the Lieutenant–Governor–in–Council upon the recommendation of the Minister of Agriculture, Food and Fisheries. The Commission consists of a minimum of five members but has had up to eleven. Commissioners reflect a wide range of agricultural, forestry and land use experience and come from a variety of regions of the province. Orchardists from the Okanagan, forest landowners from Vancouver Island and the Kootenays, ranchers from the Bulkley, Cariboo and Kootenay regions, grain farmers from the Peace River and dairy farmers and vegetable growers from the Lower Mainland have all been members of the Commission. Commissioners have also included an agrologist, a professor of plant sciences, a lawyer, several former district agriculturists, farm consultants, land use planners and a former director of an Agriculture Canada research station.

Many Commissioners have also been members or directors of farm and forestry organizations, local farmers’ institutes and agricultural societies. Some have also had local government experience as municipal councillors and regional district board members.
COMMISSION 2000/2001

Chair of the Land Reserve Commission

Dr. Alan Chambers, Vancouver
Consultant and former professor in the management of natural resources. Previously Chair of the Agricultural Land Commission and the Forest Land Commission

Commissioners

Janna Bakker, Langley
(Appointed as Vice Chair, Panel A)
Professional agrologist and partner in Koch Greenhouses, a leading producer of roses and orchids.

Gus Horn, 100 Mile House
(Appointed as Vice Chair, Panel B)
Manager of a Cariboo cattle ranch and past participant in regional Crown land use planning process.

Allen Hopwood, Courtenay
Owner of a forestry business and operator of two private woodlots near Courtenay. Acts as a forestry advisor.

Christine Hunt, Port Hardy
Advises First Nations interested in starting agricultural projects; former member of the Pacific Salmon Commission.

Jaswant Dukhia, Vernon
(to November 2000)

James Ingram, Slocan
Past mayor of Slocan. Operated an agricultural business in Saskatchewan where he was an independent grain farmer for 12 years.

Wayne Nowlin, Cranbrook
Officer on the District Labour Council and former regional representative to the national IWA board.
Maureen Thompson, Prince George
(Appointed as Vice Chair, Panel C)
Elected member of the Regional District of Fraser–Fort George Board of Directors since 1990.

Ruth Veiner, Dawson Creek
A self-employed farmer producing grains and oilseeds; former board member of the National Farmers’ Union.

Ajaib Mann, Surrey
(from March 2001)
An outreach/advocacy worker with the Progressive Intercultural Community Services Society; organizer of social events, fundraising and Food for Hungry Project.

Panels

With the merging of the Agricultural and Forest Land Commissions additional Commissioners were appointed to address new and ongoing responsibilities of the Land Reserve Commission. At the same time, the Commission heard from local governments that more frequent meetings with Commissioners in the regions would promote better cooperation in the management of the Reserves. The Commission therefore agreed to divide into three panels to increase regional presence and responsiveness.

The three panel structure was chosen because the Commission’s administrative structure historically divided the province into six regions. In allocating two of these regions to each panel, efforts were made to include an urban/higher growth and a rural/lower growth area. Chair Alan Chambers is a member of each panel; he alternates amongst panels and chairs full Commission meetings. The following provides a profile of the areas, members and activities of each of the three panels.
PANEL A: VANCOUVER ISLAND, KOOTENAYS AND ISLANDS TRUST

Vice Chair’s Statement

The principal goal for 2000/2001 was to meet with as many local governments, individuals and interest groups in the regions as possible. Panel A wanted to gain a better understanding of important issues, build on existing relationships and explain the Commission’s new ways of doing business. During the year the panel made four visits to the Kootenays, five to Vancouver Island and one to Powell River. It met with seven regional district boards and seven municipalities, carried out 34 on-site inspections and met 40 applicants in the Kootenays and on Vancouver Island. Panel A reviewed 107 applications and 17 plans. Of the applications reviewed 99 were approved. Vancouver Island and the Kootenays include the bulk of privately-managed forest lands within the FLR so Panel A dealt with more forestry issues than other panels.

Panel A reviewed a relatively small number of Official Community Plans during the year. Among them were two from the Regional District of Kootenay-Boundary, three from Vancouver Island and three from the Islands Trust. In most instances the panel supported these plans, often with suggestions for improvements that received local government support. However, in one instance the panel was unable to agree to two designations affecting land within the ALR and the FLR, despite meetings with the regional district and affected landowners.

Panel A refused an application for exclusion of an area north of Radium in the East Kootenay Regional District because of agricultural capability. For this and many other applications, the panel was able to conduct site inspections of the properties and meet with the applicants to discuss their proposals. On-site inspections enabled us to gain a better understanding of the issues and make more informed decisions. This is a significant benefit of the new process.

Other issues Panel A dealt with during the year included: the Georgia Strait gas pipeline (crossing both Reserves in the Cowichan Valley); a proposed outdoor recreational area affecting FLR in the Cowichan Valley; composting on the Saanich Peninsula; unauthorized auto sales and log home construction in the Nanaimo Regional District; and a boundary expansion proposal for the City of Grand Forks.

Janna Bakker

Case Study – Georgia Strait Gas Pipeline

In 2000/2001 Panel A reviewed a gas pipeline route proposed over high capability agricultural land and significant areas of FLR in the Cowichan Valley. Panel A worked with the Environmental Assessment Office of the Ministry of Environment, other Provincial ministries, the Cowichan Valley Regional District and affected landowners to find measures to minimize the impact on the ALR and FLR. Affected landowners, Commissioners and BC Hydro attended site inspections and meetings to discuss this proposal. The panel supported a route closer to residential areas and considered the pros and cons of a route through the FLR rather than the ALR. Since the pipeline is to cross from the United States it falls under federal legislation; however, it will be referred to the Commission for comment. As construction of underground pipelines can have significant impacts on agricultural and forest soils, mitigation measures and soil reclamation are issues that the panel will likely consider.

This brings into focus the potential for conflicts between the Commission’s dual mandate to protect forest and agricultural lands. In this case, the two proposed pipeline routes could impact either agricultural or forest lands and the Commission is faced with recommending in favour of avoiding impacts to one Reserve or the other.
Case Study – Liaison with Local Government

Panel A reviewed a Comox–Strathcona Regional District Official Community Plan involving designation of a major new industrial area at Menzies Bay. Historically, the Commission has worked closely with local governments on Vancouver Island in the development of plans and bylaws. Only on rare occasions has agreement not been reached on those plans and bylaws affecting ALR or FLR. In fact, on Vancouver Island the Commission has not opposed an OCP provision in the last 10 years. One of the key elements in this cooperative relationship has been to ensure the Commission is aware of planning affecting the FLR and ALR at an early stage in the process so that potential conflicts can be identified and resolved at an early date.

Despite an extensive public consultation process undertaken by the CSRD, Panel A and the Ministry of Agriculture, Food and Fisheries were only made aware of the proposal after first reading. It was unfortunate that early notification on this OCP was not received as Panel A had major concerns. The panel and the Minister of Agriculture, Food and Fisheries were concerned because the area had some of the highest potential for agriculture in the region and the Panel was unable to support the requested designations that proposed industrial and urban development. The industrial area was considered by the CSRD to be critical to future economic development of the area.

The CSRD was reluctant to change its plans for the development at this late stage, particularly in view of strong public support for it. Despite two further reconsiderations of the plan by the Commission and a meeting with the CSRD and property owners, agreement was not reached.

PANEL B: LOWER MAINLAND AND NORTH

Vice Chair’s Statement

Panel B carried out 84 on-site inspections and met with 26 local governments and 172 applicants in northern BC and the Fraser Valley in 2000/2001. Panel B reviewed 208 applications and 9 plans. Seven of these plans were in the Lower Mainland. The most important event for Panel B in the North was completion of a delegation agreement with the Fraser–Fort George Regional District. This is discussed in more detail in the case study which follows. Other highlights included meetings in June and December with the Peace River Regional District Board that laid the groundwork for long-term collaboration on planning issues in the northeast. In addition, Panel B reiterated its commitment to delegation in those northern regions wishing to take on this responsibility.

The panel also had opportunities to view agricultural operations in Terrace, Kispiox, Vanderhoof, Bella Coola Valley and the Peace River and Fort Nelson areas. These meetings increased the panel’s awareness of the land use implications of non-farm development and the unique agricultural and land use problems affecting each region. For example, in the Fort Nelson area there was a limited supply of small- to mid-size farm parcels, while the problems in the Peace focused on provision of rural residential parcels and the implications of oil and gas development.
Case Study – Delegation Agreement

The Commission agreed to delegate subdivision and land use decisions in the ALR in the Willow River area of the Upper Fraser to the Regional District of Fraser–Fort George. On January 18 in Prince George, Commission Chair Dr. Alan Chambers and the Regional District of Fraser–Fort George Chair Colin Kinsley signed BC’s first agreement delegating Commission powers to a local government.

The delegation is for a two-year trial period and provides for the regional district board to assume these powers for the specific plan area, based on provisions in the Official Community Plan. The regional district’s OCP was supported by the Commission and the plan’s protection of land for agriculture and encouragement of farming were conditions for entering into the agreement. Decisions under the delegation agreement will be closely monitored by both the regional district and the Commission to ensure the Provincial mandate is being met.

This is the first time since its inception in 1973 that the Commission has delegated a portion of its powers and responsibilities to a local government. Both bodies are looking forward to a cooperative partnership in managing land uses within the ALR. With the experience gained from this pilot project the Commission hopes that other local governments will follow the lead of Fraser–Fort George.

Case Study – Enforcement Issue

In 1996 the owner of a property on Barnston Island in the Fraser River was found to be using the property to store demolition debris and had accumulated a substantial pile of material. The Land Reserve Commission and the Greater Vancouver Regional District commenced a joint legal action in 1997 which resulted in the owner agreeing to a Consent Order which was entered at the Supreme Court of BC in 1998. The Order required the owner to remove the stockpiled debris by December 31, 1998.

The owner failed to comply with the Order and the Commission and the GVRD returned to Court with a contempt application. In April 1999 the owner was found in contempt and the Commission and the GVRD were authorized to enter the property and remove the debris at the owner’s expense.

The Commission and the GVRD then began a lengthy review of options for removal and contacted various waste disposal facilities and trucking firms. The removal of debris was complicated as the property was located on an island accessed only by a small ferry. At the same time, the Commission and the GVRD attempted to minimize the costs to the owner by encouraging her to remove the debris using her own equipment. In a further attempt to facilitate the removal of debris, the Commission and the GVRD set up an account in the owner’s name at landfill facilities in Richmond and Delta. By March 2000 the owner had only removed three truckloads of fill.

In September 2000 the Commission and GVRD issued an invitation to tender for the removal of the debris. On November 14, 2000 the contractor began removing the debris. The entire operation took a little over three weeks to complete with little or no disruption to island residents. The Commission and GVRD are now seeking to recover the costs incurred to remove the debris.

Shown at the delegation signing ceremony are l–to–r LRC Chair Dr. Alan Chambers, RD Chair Colin Kinsley and RD Director Bob Headrick.
PANEL C: OKANAGAN AND CENTRAL INTERIOR

Vice Chair’s Statement

Panel C carried out 58 on-site inspections and met with 29 local governments and 101 applicants in the Okanagan and Central Interior in 2000/2001. Panel C reviewed 158 applications and 5 plans. Of the applications reviewed, 156 were approved.

As a panel we toured ten times, covering all of the Okanagan and most of the Interior. The main areas not yet visited are the western Nicola Valley, the Chilcotin, the south Cariboo and Columbia Shuswap south and east of Revelstoke.

The panel also spent some time with block applications and amendments to ALR boundaries. The Commission initiated the exclusion of the urban areas of Olalla and Tulameen and achieved inclusions and exclusions of land in the Otter Lake, Coalmont, Twin Lakes/White Lake area, Vaseux Lake, Okanagan Falls and Kaleden. Panel C also assisted the Regional District of North Okanagan and attended the public hearing on its block application to amend ALR boundaries. From Osoyoos in the south to Quesnel in the north and from Kelowna to Kamloops, Panel C met applicants and interested parties. The panel appeared as a delegation before the Thompson–Nicola Regional Board and also had meetings with Coldstream, Sicamous, Salmon Arm and Chase Councils.

In September Panel C traveled with MAFF staff to the Pemberton Valley to meet Squamish–Lillooet representatives. These representatives gave us excellent insights in issues ranging from the high growth rate of Pemberton to the effects of Lillooet Land and Resource Management Planning work on agriculture in the Yalakom Valley.

A highlight of the year for Panel C was the opportunity to resolve long-standing issues in Kelowna’s Mission Flats, which is discussed in the case study following.

One of the best aspects of the new panel system is that it allows the Commission to spend more time with local governments and the people managing BC’s working farms and working forests. We had excellent opportunities to build bridges and explain the Commission's new ways of doing business. We have not had the opportunity to meet all the local governments in our area but hope to do so in the coming year.

Vice Chair Maureen Thompson
Case Study – Mission Flats, Kelowna

Panel C approved the exclusion of a proposed park and recreation centre in the Mission Flats area of Kelowna conditional on completion of drainage works to lower the water table to an agreed level. From the Commission’s perspective the drainage works would provide a net benefit for agriculture because production from the remaining ALR lands in the Mission Flats would exceed what would have otherwise been produced in the entire Mission Flats area. From Kelowna’s perspective the cost of providing agricultural drainage to the Mission Flats was a net saving over the economic and social cost of building the park elsewhere.

This agreement was the culmination of years of cooperative planning between the Land Reserve Commission and the City of Kelowna. Traditionally this area has produced vegetables and other crops well-suited to organic soils in the Okanagan climate. Organic soils are common in parts of the Lower Mainland (e.g. Pitt Meadows, east Richmond) but they are relatively rare in the Okanagan. These soils require careful management to preserve suitability for agriculture.

Over the years a number of factors had led to rising water tables, making it increasingly difficult for farmers and causing disputes amongst landowners over individual attempts to resolve the problem. It was agreed to address the Mission Flats issue in the Kelowna Agriculture Plan. That plan identified an opportunity for the city to provide effective drainage works in conjunction with development of one corner of Mission Flats for a major city recreation centre.

Kelowna applied to exclude land from the ALR for a park facility in return for City works to lower the water table to an agriculturally manageable level. Kelowna’s estimate was that the initial cost of these works would be $1.2 million. The City also committed to monitor the water table and, if necessary, construct additional works costing an estimated $0.5 million. The Commission approved exclusion of the proposed park in two phases, the first to be excluded immediately and the second to be excluded upon completion of drainage works.

Case Study – Quesnel Airport

The Commission agreed to exclude an industrial park area from the ALR in the City of Quesnel. This was subject to inclusion into the ALR of airport lands being farmed and subject to retention of forested airport lands within the ALR as part of a demonstration forest.

The Quesnel Airport is located on prime-dominant farmland within the City boundary about 5 kilometres from the core. In order to achieve its economic development goals, Quesnel had wanted to exclude part of the airport property from the ALR in order to establish a “value-added” industrial park. In 1986 the Commission objected to this proposal on the grounds that an industrial park should not be located on such good farmland. More recently, in the spirit of cooperative planning, the Commission agreed to review the proposal in the context of an airport management plan.

In 2000, after receipt of the City’s airport management plan, Panel C traveled to Quesnel and met with the mayor and council. Following a tour of the airport and in-depth discussions the Commission agreed to development of the proposed “value-added” industrial park in conjunction with enhancement of existing agricultural and forest lands within the airport properties.
7. Statistical Trends in the ALR and FLR

ALR

As of March 31, 2001 the Agricultural Land Reserve totaled 4,724,204 hectares. This represents a net decrease in size of 3,263.6 hectares since March 31, 2000 but a net increase in size of 3,009 hectares since designation of the ALR in 1974.

One of the main reasons for the significant decrease in the size of the ALR in 2000/2001 was the Commission’s effort to implement several years’ exclusion decisions which had not been reflected in the ALR boundary for some time.

The Agricultural Land Reserve has evolved over the past 28 years in terms of size, distribution throughout the province and the agricultural capability of lands included in the Reserve. It has been redefined through a series of inclusions and exclusions. Generally, lands may be excluded that are proven to have limited potential for agriculture or where a net benefit for agriculture can be demonstrated. Similarly, new land may be included in the ALR if information indicates there is good potential for agriculture. Figure 5 shows the number of hectares that have been included and excluded in the ALR since 1974 by region.

Although the size of the ALR has increased, these charts indicate these increases are not taking place in areas of high agricultural suitability or in close proximity to markets. The majority of the lands included in the ALR since 1974 were in the lower growth regions of the North while regions with the largest amounts of land excluded from the ALR are in the higher growth regions of southern BC. Clearly pressures for development in more urban areas put greater pressures on the Reserve. These province-wide considerations must be factored into Commission decision-making on individual applications.

Statistics also point to the fact that preserving and protecting farm and forest lands entail more than including or excluding lands from the Reserves. The Commission knows it must gather more information in order to provide meaningful measures of the impacts of the Commission’s decisions on the resource. One of the challenges for next year will be to develop measures that can be used in assessing our performance, using existing and new information gathering techniques.
Figure 5. Inclusions and Exclusions in ALR by Regional District 1974–2001.
Figure 6 shows that the trends toward higher exclusions in southern BC and higher inclusions in the North have been most pronounced over the past five years.
Figure 7 shows the percentage of lands excluded in each of the Commission’s six regions. Half of all exclusions have taken place in the Okanagan and Central Interior, which suggests that there has been a significant redefining of the boundaries of the ALR in these regions.

Figure 8 shows the percentage of ALR in each of the six regions. This chart shows that almost half of the ALR is in the North, while the high population and growth areas of the Lower Mainland, Okanagan and Vancouver Island have only 11% of the ALR.
FLR

As of March 31, 2000 the area of private forest land in the FLR equalled approximately 920,000 hectares. Our data capture process is just coming to an end and we will be able to provide more accurate statistics in the next Annual Report. Since 1994 a total of 881.5 hectares of private forest land have been removed from the FLR and 1739 hectares added, for a net increase of 857.5 hectares. Figure 9 shows the percentage of Private Forest Land in the FLR by region as of March 31, 2001.

The Forest Land Reserve Act makes an important distinction between private and Crown forest land because the Commission has a different role for each of these categories. “Private land” means land other than Crown land as defined in the Land Act. “Crown license land” is included in this definition because it is private land to which a tree farm license under the Forest Act applies.

Private Forest Land

In 1994 all land classed as private managed forest land under the Assessment Act which was not in the ALR, and all private land which was part of a tree farm license, were designated as land in the Forest Land Reserve. Approximately 78% of the private lands are classed as private managed forest land. The remaining 22% of the private land are part of a tree farm license. As shown in Figure 9 approximately 96% of this private forest land is located in the Vancouver Island and Kootenay regions.

Note that only about one-half of BC's private forest land was classed as managed forest land in 1993 and designated as land in the FLR.

Figure 9. Private Forest Lands in FLR by Region by Percentage.
Crown Forest Land

In 1995 the Provincial government designated over 15 million hectares of Crown land in Provincial Forests as land in the FLR. These Crown forest lands were in forest use zones that had been identified in regional land use plans for Vancouver Island, the Cariboo–Chilcotin and the Kootenays. Orders–in–Council were used to define these Crown lands. The FLR designations did not include Crown land in parks, ecological reserves or the Agricultural Land Reserve. It is anticipated that additional Crown forest land will be added to the FLR as land and resource management plans are completed for the other regions of BC. Figure 10 shows the percentage of Crown Forest Land by Region as of March 31, 2001.

The Commission does not remove or include Crown lands within the FLR. However, the Commission is often consulted on proposed Orders–in–Council to remove Crown lands. Since 1994 the Commission has supported the removal of 26.4 hectares of Crown land with no conditions. The Commission did not support the proposed removal of 19.5 hectares.

Figure 10. Crown Forest Land in FLR by Region by Percentage.
8. Our Ongoing Challenge

Since the end of World War II agricultural land and forests have been rapidly disappearing all over the world. Soil erosion, urbanization, the growth of deserts and salinization have all contributed to a loss of productive farmland; over-harvesting, urbanization and high demands for timber have contributed to the loss of forests.

BC’s population, now over four million people and growing, relies heavily on BC grown agricultural and forest products. In fact the province’s agricultural producers supply more than half of our food requirements and forestry provides more jobs than any other sector of the economy.

Having a secure home-grown source of both food and fibre is a cornerstone of any community’s independence. The loss of BC’s farmlands and forests, if allowed to occur, would force a growing reliance on sources outside the province for our needs. This prospect has clear risks – particularly with respect to ensuring high quality supplies at affordable prices.

British Columbia may be a large province – at 95 million hectares it is bigger than Washington, Oregon, and California combined – but it has only a small amount of productive agricultural land. The areas considered suitable for farming total only five percent of the province, and much of that is close to our expanding urban centres.

Almost 62 percent of BC – 58.7 million hectares – is forested. But many of these forested areas are considered uneconomical to harvest or unsuitable due to difficulty of access, terrain instability or other factors. Areas harvested in the past have been reforested and now support second-growth forests; however, second-growth forests are not generally suitable for harvesting for five decades after planting. In order to sustain the Provincial economy and support forest-based communities in the interim, British Columbians need to manage forest lands for a range of forest values, including timber harvesting.

The LRC is committed to meeting these needs, now and for the future. It works hard to increase public awareness and understanding of BC’s agriculture and forest industries and the value of our agricultural and forest resources.

To learn more about the work of the Commission, the role of the ALR and FLR and the importance of farming and forestry, visit our website: www.lrc.gov.bc.ca. Or write to the LRC at #133 – 4940 Canada Way, Burnaby, BC V5G 4K6. Or call us at (604) 660-7000.