

Provincial Agricultural Land Commission



BUSINESS PLAN

2011/12

July 2011



Agricultural Land Commission
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July 14, 2011

Honourable Don McRae
Minister of Agriculture
Parliament Buildings
Victoria, BC V8V 1X4

Dear Minister:

I respectfully submit herewith the Business Plan for the Agricultural Land Commission for the period April 1, 2011 – March 31, 2012.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in dark ink, appearing to read 'R. Bullock', with a long horizontal flourish extending to the right.

Richard Bullock, Chair

Message from the Chair

To meet current fiscal constraints, the Agricultural Land Commission (ALC) will meet as a single Board rather than 6 regional panels. The Board will continue to have regional representation with at least 1 Commissioner from each of the ALC's administrative regions. At least 1 Commissioner and staff will continue to travel to the regions to view properties under application on an as needed basis. Meetings with local governments and other stakeholders will be infrequent. The Board will decide applications, review local government planning documents and discuss policy development. The majority of Board meetings will be held in Burnaby to maximize access to staff resources. Fiscal constraints will compel the ALC to continue focusing its work on processing applications to subdivide, exclude or use ALR lands for non-farm purposes. The ALC receives 500-700 new applications each year.

Ideally, the ALC would like to participate in all local government planning initiatives. However, this is not possible and the ALC will continue its selective participation in local planning reviews.

In September 2010, the BC Auditor General released his report on the audit of the ALC. The audit found that the ALC is challenged to effectively preserve agricultural land and encourage farming in British Columbia, specifically:

- the ALC has not determined that the boundaries of the ALR are accurate and include lands that are both capable of and suitable for agricultural use;
- the ALC has identified limitations in its ability to preserve agricultural land and encourage farming through the application process;
- the ALC is not sufficiently involved in proactive long term land use planning with local governments to encourage farming on a broad basis; and
- oversight of the decisions made by its "delegated authorities" needs strengthening to ensure that agricultural land is being preserved and farming encouraged.

The ALC will continue to work towards addressing the Auditor General's recommendations but recognizes the challenges ahead in light of current fiscal constraints.

Finally, as directed by the then Minister of Agriculture and Lands, the Honourable Steve Thomson, I conducted a review of the ALC regarding its operations, policy, regulations and legislation over the course of the three month period between August and October 2010. The purpose of the review was to verify that the ALC is meeting its mandate while looking for ways to improve its decision making processes. The report was submitted to then Minister Stewart in November 2010. I and my Commission colleagues await direction from government regarding my report.

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Purpose of the Agricultural Land Commission

The Agricultural Land Commission (ALC) is the provincial agency responsible for administering the Agricultural Land Reserve (ALR), a provincial land use zone for the primary use of agriculture. The purposes of the ALC as set out in legislation are:

- (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.

The *Agricultural Land Commission Act* (ALC Act) sets out processes for the inclusion and exclusion of land to and from the ALR and for non-farm use and subdivision of land within the ALR. The *ALC Act* is supported by the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation* (BC Regulation 171/2002), which provides procedures for applications and defines permitted land uses and subdivisions within the ALR.

As an administrative tribunal acting pursuant to the *ALC Act* and the *Administrative Tribunals Act*, the Commission considers each application on its individual merits through a fair and transparent review process.

The work of the ALC is carried out by provincial government appointed Commissioners. The appointed Commissioners are the board of directors of the Commission which is supported by 20 professional staff located in a central office in Burnaby.



External Factors

The ALC operates in a complex environment where outside influences related to land use, social and economic shifts and changes in the business of agriculture affect its work and the number and type of applications it receives.

Land uses adjacent to the ALR - Urban and rural non-farm development adjacent to the ALR is a growing concern requiring the attention of local governments. These uses place mounting pressures on farmers trying to use ALR land for farm purposes as urban and rural non-farm residents tend to consider the agricultural landscape as a green space rather than a working landscape.

Broadening societal interest in farmland preservation and local food - Over the past several years a broader-based societal interest in farmland preservation and local food supply has focused more attention on the ALC's work and on the ALR in general.

Economics of farming - Economic returns to farming are variable and unpredictable. As a result, farmers and ranchers are looking at alternative land uses to supplement farm income.

Water - Agricultural access to irrigation continues to be an issue in light of increasing domestic, commercial and industrial water supply demands and climate changes.

Unlawful use of agricultural land - The unauthorized use of ALR land continues which if left unchecked may result in the permanent debilitation of agricultural land.

Growth pressures on agricultural land - In all regions of the province and particularly within high-growth areas there are ongoing, and in many places, increasing pressures to convert ALR land to residential, industrial, commercial, institutional, conservation and other community uses.

Ecological goods and services - The ALR and agriculture provide a variety of ecological goods and services that contribute to the general well-being of the environment, wildlife habitat, air quality etc.

Cost of agricultural land – Increasing costs of agricultural land has reduced the ability of new farmers to enter the business of agriculture and existing farmers from expanding their business. The cost of agricultural land is in part driven by speculation that zoning will change and allow for non-agricultural or perceived “*higher value*” land uses.

Intra and Inter-governmental legislation, policy and projects impacts – federal and provincial government policy and projects sometimes place undue pressure on the ALR. Environmental and fisheries regulations impact on farmers' ability to manage their land. Large infrastructure projects have the potential to seriously impact the land base. Federal/provincial jurisdictional issues regarding specific projects or land uses continue to be an issue.

Energy, Mining and Oil and Gas – impacts from energy projects including wind farms, hydro projects, carbon credits/offsets, mining projects and oil and gas activities continue to impact the ALR



Goals, Objectives, Strategies and Indicators

The ALC's goals are based on the purpose as set out in the *Agricultural Land Commission Act* (the "Act") to preserve agricultural land and encourage and enable the farming of that land. Due to the nature of the work, the ALC reports out on its decisions and uses key indicators that reflect its efforts regarding agricultural land preservation.

Goal: Preserve Agricultural Land and Encourage Farming

This goal will be achieved by meeting the following objectives through the associated strategies.

Objective 1: To preserve the provincial agricultural land base through comprehensive decision making.

Each application is considered on its own merits with reference to information provided by the applicant, local governments, ALC planning staff and other information it feels is pertinent to the application. In all instances the ALC considers the impact to the agricultural land base and to the use of the land base for agriculture.

Strategies

This objective will be achieved through the following strategies:

- Consideration of agriculture capability and suitability of lands under application; and
- Consideration of the potential impacts on the land base and the agricultural use of the land base.

Indicators

As indicators for preserving agricultural land through decision making the ALC will report on the following:

- Area of land excluded from the ALR;
- Agricultural capability of land excluded;
- Area of land included into the ALR; and
- Agricultural capability of land included.

Operational Priorities

Increase the ability/capacity for ALC staff to conduct thorough and professional reviews of land use applications in order to provide the ALC with complete information and a range of options for decision making.



Objective 2: To expand the planning function to include proactive planning related to community planning, major projects and emerging issues.

The Act enables the ALC to work closely with local governments with respect to planning and providing advice and direction to ensure that official community plans and bylaws are consistent with the legislation. Experience shows that early dialogue regarding community planning initiatives and local planning has positive results in encouraging farming and promoting the farm use of agricultural land. The suitability of lands in the ALR for farming, even those lands with the highest capability for agricultural production, can be compromised by the establishment of incompatible land uses adjacent, within or in close proximity to the ALR.

In order to meet this objective, the ALC identified the need to initiate pro-active land use planning as a priority. Pro-active planning is intended to move the ALC away from application-based planning which is re-active by nature. The ALC's objective is to move towards enhanced collaboration with local governments and farm industry groups to better assess regional issues and to be positioned to deal with emerging issues.

Reviewing major projects and emerging issues that affect the ALR should be a key part of this objective.

Allowing the ALC to assess the potential impacts related to land use planning and major projects in the ALR leads to reduced conflicts and mitigation to reduce impacts where they occur.

The ALC also believes that reviewing the ALR boundaries in certain areas of the province where ad hoc applications are being submitted and approved regularly indicating that the quality of the land may need to be reviewed and/or to confirm the accuracy of the ALR boundaries established in the 1970s.

Strategies

This objective will be achieved through the following strategies:

- Encourage local governments to engage in discussion with the ALC and planning staff early in their land use planning processes;
- Encourage local governments and other land use agencies to develop agriculturally sympathetic land use planning;
- Review ALR boundaries in select areas of the province with a view to confirming the accuracy and appropriateness of the boundary;
- Become involved in major projects at the early conceptual development phase; and
- Research and assess emerging issues that impact the agricultural land base.

Indicators

As indicators for proactive planning the ALC will report on the following:

- Number of local government plans the ALC reviewed and deemed consistent with the Act;
- Number of meetings with stakeholders regarding planning, major projects and emerging issues.



Operational Priorities

Increase the ability of the ALC to initiate pro-active planning to move away from application based planning which is re-active in nature and towards collaborative long-range planning with local governments. To have planning staff involved early in planning projects in order to assess impacts to the ALR land base, determine ways to mitigate impact and suggest alternative approaches.

Increase the number of staff so that each regional panel is supported by one regional planner to enable pro-active planning, major projects and emerging issues review in each of the regions of the province.

Objective 3: To ensure a high degree of compliance with the *Agricultural Land Commission Act*, regulation and orders of the ALC.

Legislation, regulation and orders of the ALC set out the uses permitted in the ALR. The ALC has an obligation along with significant legislative authority to ensure that ALR lands are being used for appropriate purposes. Ensuring that ALR lands are being used appropriately helps to maintain a high quality land base for farming and reduce the potential of lands being degraded to the extent that they can no longer be used for agricultural production. Significant degradation has occurred in some areas of the province and it will continue to occur in the ALR, unless the ALC takes a more active role to ensure agricultural lands are protected from unlawful activities such as the significant instances of land filling in the high population growth regions of the province.

In order to carry out this important function, the ALC compliance and enforcement program will need to be enhanced. This will require more resources directed to compliance and enforcement and new partnerships with other government agencies and local government partners. The program has been partially implemented.

Strategies

- Ensure compliance with the Act, regulations and orders of the ALC based on current resources; and
- Follow up on complaints of inappropriate use of ALR lands.

Indicators

- Number of complaints received;
- Number of complaints investigated and resolved; and
- Number of stop work orders.



Operational Priorities:

Ensure a fully functional and effective compliance and enforcement program to ensure compliance across the province's 4.7 million hectares of ALR land.

Ensure the ability exists to follow through on compliance and enforcement actions taken against unauthorized uses of ALR lands.

Objective 4: Propose ways to strengthen the ALC's mandate and improve operations.

The environment in which the ALC operates and in which the ALR exists is continually changing. The ALR program was implemented in the early 1970s and the general purpose of preserving agricultural land has not changed substantially. However, now that the program is 38 years old and the world in which it operates has changed significantly, the ALC's focus, procedural policies and operational systems should be reviewed. Legislation and regulation provide the mandate and procedural policies for the ALC's focus and operation. Amendments to the legislation and regulation have occurred over the history of the program, and the ALC believes it is important to provide feedback on how the legislation and regulation is affecting the business of the ALC and its operations.

Strategies

- Initiate a visioning exercise that will forecast where the ALR program should be positioned for the next several decades;
- Identify options for enhancing the program in order to strengthen its mandate and improve operations; and
- Work with the Minister responsible to bring forward proposed legislative and regulatory changes to strengthen the ALR and the mandate of the ALC.

Operational Priorities:

Commissioners and staff will focus on developing suggestions for improving the program based on over 8 years experience with the current legislation, regulation and ALC structure. These suggestions will build on information gathered as part of a visioning exercise at the ALC's 2008 Annual General Meeting.



Commission Operations

Based on continued budget constraints in fiscal year 2011/12, the ALC plans to convene as required in order to meet fiscal commitments. The ALC will be unable to meet with most applicants, local governments and stakeholder groups in various parts of the province. Some applications will take longer to process given the reduced number of meeting days. The ALC operates based on 6 administrative regions that reflect the varied geography and agricultural areas of the province.

Interior

The Interior Panel region extends from the Central Coast (Bella Coola Valley) to the community of Chase at the western end of Shuswap Lake, encompassing cattle ranching in the Cariboo and Thompson-Nicola Regional Districts. The region is dominated by BC's interior plateau and characterized by dry grasslands and forested parklands. The region includes the Central Coast, Cariboo and Thompson-Nicola Regional Districts.

Island

The Island Panel region encompasses Vancouver Island, most of the Gulf Islands and a number of coastal mainland areas that are part of Regional Districts headquartered on Vancouver Island or are more readily accessed from the Island than from mainland centers. The region includes the Alberni-Clayoquot, Capital, Comox Valley, Cowichan Valley, Mount Waddington, Nanaimo, Powell River and Strathcona Regional Districts.

Kootenay

The Kootenay Panel region encompasses the southeasterly portion of BC extending from the BC/Alberta border in the east to the Grand Forks and Kootenay Boundary area in the west. The region includes the Central Kootenay, East Kootenay and Kootenay Boundary Regional Districts and a portion of the Columbia Shuswap Regional District in the vicinity of Golden.

North

The North Panel region encompasses north east, north central and north west BC, from Prince George, north east and west. The region includes the Bulkley-Nechako, Fraser-Fort George, Kitimat-Stikine, Peace River and Skeena-Queen Charlotte Regional Districts and the Northern Rockies Regional Municipality.

Okanagan

The Okanagan Panel region encompasses the Okanagan and Similkameen Valleys, the Columbia Shuswap and Princeton areas. The region includes the Central Okanagan, Columbia Shuswap, North Okanagan and Okanagan-Similkameen Regional Districts.

South Coast

The South Coast Panel region encompasses the lower mainland region of BC from Hope and environs to the Fraser River delta and north to the Sunshine Coast and the Squamish River and Pemberton valleys. The region includes the Fraser Valley, Metro Vancouver, Squamish-Lillooet and Sunshine Coast Regional Districts.



Mapping, GIS and Data Management

The ALC mapping department maintains the official ALR maps, prepares maps for application and planning files, responds to mapping enquires from the public, ALC staff, government and local government, updates the ALC website, manages the ALC application database and provides IT (Information Technology) support.

The ALR boundary is maintained in digital format so that GIS (Geographic Information Systems) can be used to view and map the boundary. The mapping department is working on improving the digital ALR boundary by completing quality assurance on the data and correctly aligning it to better cadastre information as it becomes available.

Conversion of the ALR boundaries to GIS format has improved the ability to calculate the ALR area. The Commission continues its efforts to adopt the GIS data method of reporting the ALR area.

This department manages OATS (Online Application Tracking System), the ALC's customized business application database system which has been in place since June 2009. The department will continue its efforts to improve the functionality of OATS as resources allow.



2011/12 Budget

Budget:

Operating Budget	\$1,974,000
Capital Budget	\$0



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