

**Ministry of Agriculture**  
**BRIEFING NOTE FOR MINISTER FOR INFORMATION FOR MEETING October 31, 2013**

Ref: 178816

Date: October 30, 2013

**Issue: Site C Dam Environmental Assessment and Removal of ALR Land**

**Background:** BC Hydro has proposed the construction of the Site C Clean Energy Project (Site C) a third dam and hydroelectric generating station on the Peace River in northeastern BC. The proposed reservoir would flood land in the Agricultural Land Reserve (ALR) that is currently or could be capable of producing agricultural products.

**First Nations Considerations:** BC Hydro and Aboriginal groups are engaged in a thorough consultation process that will continue through all stages of the project.

**Discussion:**

**Environmental Assessment:**

The AGRI Provincial Soil Specialist engaged with BC Hydro's contractors who reviewed agricultural land capability, suitability and utility within the proposed reservoir foot print. The AGRI Provincial Soil Specialist is also assisted the Agricultural Land Commission (ALC) as a technical advisor. Two northern AGRI staff (Regional Agrologist – Ft. St. John / Crop Protection Specialist-Dawson Creek.) have been engaged at the community level providing local knowledge and context to BC Hydro and their consultants as well as liaising with other agencies at a regional level.

AGRI participated in the NRS agency comments on the proposed Site C Clean Energy Project and the Environmental Impact Statement (EIS) review. AGRI submitted initial comments through the review process indicating that they were generally on target and requested additional clarity in a few areas (wildlife impacts, economic impacts, agriculture utility, water supply infrastructure, downstream effects and invasive plants). Subsequently, AGRI staff reviewed the response from BC Hydro and was satisfied that all relevant environmental impact issues are considered in the assessment.

On August 1, 2013, the Canadian Environmental Assessment Agency and the BC Environmental Assessment Office have determined that BC Hydro's amended EIS for the Site C Clean Energy Project is satisfactory.

It is recognized that there will need to be a series of mitigation funds to address the multiple impacts of the project. Further clarity will be required around a compensation fund and its governance. This is outside the scope of the environmental assessment. An agriculture mitigation fund would need to involve AGRI, the ALC, BC Hydro, local governments and affected parties.

**Removal of ALR Land:**

s.13, s.17

ALC staff have been engaged at a high level on the scope of the project. Based on existing information, the ALC's position is that the reservoir for Site C and all associated facilities, infrastructure, temporary working areas, roads, rights of way, gravel extraction sites, etc., that would be located in the ALR, will require the submission of an application(s) pursuant to the *Agricultural Land Commission Act*. BC Hydro is also aware

that section 40 of the *Agricultural Land Commission Act* provides the opportunity for the Lieutenant Governor in Council to decide on an application(s) considered to be in the Provincial Interest. The Lieutenant Governor in Council may exercise the authority in section 40 on its own initiative, or at the request of local government, a first nation government or the ALC.

If the Lieutenant Governor in Council considers an application in the Provincial interest, the ALC retains a referral and advisory role. The ALC is aware of the provincial significance of Site C and how this project can provide significant economic opportunities and benefits to British Columbians. The ALC is also aware that if it is left to make a decision regarding the use of ALR land for Site C that it's decision-making will be guided by the purposes of the ALC Act.

**Suggested Response:**

Continued discussion with BC Hydro is required to clarify a compensation fund and its governance.

A decision on the ALR application process will have to be made if the project proceeds.

Contact: Leslie MacDonald, Asst. Director, SAMB, 604 556-3074

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**Ministry of Agriculture**  
**BRIEFING NOTE FOR MINISTER FOR INFORMATION FOR MEETING**  
**with the**  
**BC REAL ESTATE ASSOCIATION**

Ref: 178624

Date: November 29, 2013

**Issue:** Core review of the Agricultural Land Reserve

**Background:**

The British Columbia Real Estate Association (BCREA) represents 11 member real estate boards and their approximately 18,500 realtors on all provincial issues, providing an extensive communications network, standard forms, economic research and analysis, government relations, applied practice courses and continuing professional education. To demonstrate the profession's commitment to improving quality of life in BC communities, BCREA supports policies that help ensure economic vitality, provide housing opportunities, preserve the environment, protect property owners and build better communities with good schools and safe neighbourhoods.

In the summer of 2010 the Agricultural Land Commission (ALC) and the Ministry of Agriculture (AGRI) conducted a series of stakeholder consultations across BC as part of a review of the ALC requested by the Premier. The BCREA was one of the groups consulted.

The BCREA expressed support for the ALR as the cornerstone of provincial food security and a *de facto* urban growth management tool. They also expressed support for the ALC, and noted that the ALC was under resourced relative to its mandate. They also noted that stronger compliance and enforcement was required for violations of ALC rules (e.g. truck parking on farmland), that the ALC should have more input to provincial interest decisions (e.g. LGIC exclusions for major infrastructure projects), and that prime farm land needed stronger protections than under the current rules. The BCREA also commented that marginal land could be treated with more flexibility, and that it was important to support not only farmland preservation, but also farmers and farming.

The BCREA's request of the ALC was for the ALC to engage the BCREA on a proactive basis in long term land use planning.

**First Nations Considerations:** N/A

**Discussion:**

BCREA is aware of the Core Review of the ALC and wishes to discuss the potential opportunities and challenges for their members. Their key concerns will be the lack of consultation during the Core Review process, and the need for clear information and certainty for their members.

**Suggested Response:**

- 1. The Premier has requested that I review the ALR to ensure that it is working for British Columbians – balancing farmland protection, the stability of farm families and the farming industry, and responsible economic development opportunities.**
- 2. No decisions have been made on changes to the ALR or ALC.**

Contact: David Coney, Policy manager, 250 387 3232

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