

## Fw: ALC App

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From: Bain, Don PREM:EX <Don.Bain@gov.bc.ca>  
To: Meggs, Geoff PREM:EX, Hockin, Amber PREM:EX, Aaron, Sage PREM:EX  
Sent: March 16, 2021 8:43:43 AM PDT  
Received: March 16, 2021 8:43:43 AM PDT  
Attachments: IN\_ALC Tachik Lake community care facility\_Feb 21.docx

**From:** Craik, Jason GCPE:EX  
**Sent:** March 8, 2021 8:58 AM  
**To:** Howlett, Tim GCPE:EX; Brandt, Alissa GCPE:EX  
**Cc:** Bain, Don PREM:EX  
**Subject:** ALC App  
Here's the IN from AFF on the Tachick Lake application.  
Exec Summary:

- Proponents applied to the ALC to build a treatment facility on the Tachick Lake Resort lands. The property has been used as a resort since before the creation of the ALR (pre-1972) and has never been actively farmed.
- ALC denied the application to build a 25,000 sq/ft treatment centre, but did allow the applicants to use the current on-site buildings for non-farm use. (the 2000 sq/ft main lodge and 10 additional cabins)
- They cited potential agricultural capacity on the land, and the viability of near by parcels as the reason for denial. The soil is currently classified as 5x (Class 1 being the best, class 7 being unviable), which means with improvement through soil management measures, it has low capacity for anything other than forage crops due to the climate and nutrient make up.
- The applicant has 90 days to apply for a re-consideration.

Jason Craik  
Issues Manager

Page 02 of 16 to/à Page 04 of 16

Withheld pursuant to/removed as

s.13

## 194283 MDN\_ALC\_Carrier Sekani Treatment Centre.docx

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From: Kristianson, Eric PREM:EX <Eric.Kristianson@gov.bc.ca>  
To: Bain, Don PREM:EX <Don.Bain@gov.bc.ca>  
Sent: March 19, 2021 11:00:52 AM PDT  
Received: March 19, 2021 11:00:53 AM PDT  
Attachments: 194283 MDN\_ALC\_Carrier Sekani Treatment Centre.docx

Eric Kristianson  
ADM Strategic Initiatives  
Office of the Premier  
Deputy Minister's Office  
778-584-1248

**Ministry of Agriculture, Food and Fisheries**  
**BRIEFING NOTE FOR MINISTER FOR INFORMATION**

Ref: 194283

Date: March 18, 2021

**Title:** Agricultural Land Commission (ALC) decision regarding Carrier-Sekani First Nations Treatment Centre.

**Issue:** Options for provincial response to the ALC's decision to decline the application by the Carrier-Sekani First Nations Treatment Centre to construct a 60-bed facility on the Agricultural Land Reserve (ALR) land.

**Background:**

On February 26, 2021, the ALC released its decision to decline a non-farm use application by the Carrier-Sekani Family Services (CSFS) to build a 60-bed mental health and addiction recovery services facility on the ALR. The 9.3-hectare property is currently the site of Tachick Lake Lodge (the Lodge), located near Vanderhoof, B.C. The resort currently includes a 185-metre-square lodge, 10 cabins and 33 campsites. The Lodge predates the 1972 creation of the ALR and can continue operating on the ALR as long as it remains in its current use. The CSFS's proposal is to construct a 2,733-metre-square facility and a 400-metre-square parking lot.

The ALC reasons for the decision to decline this application focused on: the likely permanent loss of agriculture land should the new buildings be constructed; the potential impact of increasing the value of agricultural properties generally; other site options appear to be available to the applicant; and the construction of 2323 m<sup>2</sup> facility and 400m<sup>2</sup> parking lot would further alienate the property from future agriculture, proving it is inconsistent with their mandate. While the ALC's decision declines the construction of new buildings, it does approve the non-farm use of the current infrastructure for a community care facility.

Information provided by CSFS in the ALC application indicate that feasibility reviews of several alternative sites were conducted in 2014 and again in 2020. Criteria included accessibility, connectivity, current land use, potable water and the importance of natural landscapes as part of the healing process, among others. The on-reserve options were ruled out due to the complexity and uncertainty that comes with developing reserve land. Most other options were ruled out for a range of reasons, leaving three viable options, of which the Tachick Lake property was the preferred. The Tachick Lake site is the only site located in the ALR.

The CSFS is a non-profit that provides holistic wellness services to First Nations in north central B.C. The combined population of Carrier-Sekani member First Nations is over 5,000 people with combined territories of approximately 69,600 km<sup>2</sup>. First Nations represent just three percent of the population but 16 percent of the overdose deaths. As part of the provincial overdose response and addictions treatment and recovery, the B.C. Ministry of Mental Health and Addictions is working directly with the First Nations Health Authority and has committed \$20M to two new, and six replacement, healing and treatment centres, including the proposal by the CSFS.

s.13

**First Nations Considerations:** The Province has made a commitment to lasting and meaningful reconciliation with First Nations and the implementation of the *B.C. Declaration of the Rights of Indigenous Peoples Act* (DRIPA). There is also a provincial commitment to work with First Nations partners to respond to the overdose and addictions crisis that disproportionately impacts First Nations communities.

**Discussion:**

The ALC is an independent administrative tribunal. The decision-making framework for the ALC is defined in s. 6 of the *Agricultural Land Commission Act* (see Appendix A) and does not include economic and social factors, including First Nations considerations. As such, First Nations considerations are not explicitly part of the ALC mandate.

As defined in the *Agricultural Land Commission Act* (ALCA), an applicant has the option to request a reconsideration of a decision within 90 days of that decision, providing new evidence has become available that was not available at the time of the original decision, or there is evidence demonstrating that either all or part of the original decision was based on evidence that was incorrect or was false. The CSFS has 90 days to request a reconsideration.

The ALC receives many requests for reconsideration. <sup>s.13</sup>

s.13

The *Environment and Land Use Act* (ELUA) provides government with broad order making powers. It provides that, “on the recommendation of [Environment and Land Use Committee], the Lieutenant Governor in Council (LGIC) may make orders the LGIC considers necessary or advisable respecting the environment or land use.” This process involves taking a land use proposal before ELUC. If ELUC agrees with the proposal, it can make a recommendation to the LGIC or make an order regarding how land can be used even if this use is contrary to existing legislation such as the ALCA.

As per changes made by Bill 15, a private landowner is unable to apply to exclude land from the ALR. However, a local government may apply to exclude land, within its jurisdiction, from the ALR. The ALCA and its regulations requires the local government to hold a public hearing, with 10 days’ notice, prior to submitting the exclusion application to the ALC. If the local government passes a resolution to support an exclusion application for land in its jurisdiction and forwards the application to the ALC, the ALC will consider its mandate in deciding on the application.

**Options:**

s.13

**Approved Option:** (Please circle approved option)

Option 1: <sup>s.13</sup>

Option 2:

Option 3:

\_\_\_\_\_  
Minister

\_\_\_\_\_  
Date Signed

Contact: Willow Minaker, Director, 778-974-3846, and Arlene Anderson, Director, 778-698-5170

DIR WM      ADM AL      DM TE

Appendix A:

**Purposes of the commission**

**6** (1) The following are the purposes of the commission:

- (a) to preserve the agricultural land reserve;
- (b) to encourage farming of land within the agricultural land reserve in collaboration with other communities of interest;
- (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of land within the agricultural land reserve and uses compatible with agriculture in their plans, bylaws and policies.

(2) The commission, to fulfill its purposes under subsection (1), must give priority to protecting and enhancing all of the following in exercising its powers and performing its duties under this Act:

- (a) the size, integrity and continuity of the land base of the agricultural land reserve;
- (b) the use of the agricultural land reserve for farm use.

## **FW: 194283 MDN\_ALC\_Carrier Sekani Treatment Centre.docx**

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From: Brandt, Alissa GCPE:EX <Alissa.Brandt@gov.bc.ca>  
To: Bain, Don PREM:EX <Don.Bain@gov.bc.ca>, Craik, Jason GCPE:EX <Jason.Craik@gov.bc.ca>  
Sent: March 19, 2021 12:54:32 PM PDT  
Received: March 19, 2021 12:54:33 PM PDT  
Attachments: 194283 MDN\_ALC\_Carrier Sekani Treatment Centre.docx, ATT00001.txt

-----Original Message-----

From: Olson, Michael GCPE:EX <Michael.Olson@gov.bc.ca>  
Sent: March 19, 2021 12:52  
To: Brandt, Alissa GCPE:EX <Alissa.Brandt@gov.bc.ca>  
Subject: FW: 194283 MDN\_ALC\_Carrier Sekani Treatment Centre.docx

-----Original Message-----

From: Newhook, Kelly MMHA:EX <Kelly.Newhook@gov.bc.ca>  
Sent: March 19, 2021 11:46 AM  
To: Malcolmson, Sheila MMHA:EX <Sheila.Malcolmson@gov.bc.ca>  
Cc: Olson, Michael GCPE:EX <Michael.Olson@gov.bc.ca>  
Subject: FW: 194283 MDN\_ALC\_Carrier Sekani Treatment Centre.docx

For your review and consideration.

Kelly



Sent from my iPhone

## Re: Carrier Sekani

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From: Hockin, Amber PREM:EX <Amber.Hockin@gov.bc.ca>  
To: Bain, Don PREM:EX <Don.Bain@gov.bc.ca>  
Sent: March 21, 2021 9:09:36 AM PDT  
Received: March 21, 2021 9:09:36 AM PDT

Thanks Don

Amber Hockin  
Deputy Chief of Staff  
Office of the Premier  
7785840867  
Amber.hockin@gov.bc.ca  
Sent from my iPhone

On Mar 20, 2021, at 4:09 PM, Bain, Don PREM:EX wrote:

I meant MSM not MSR

**From:** Bain, Don PREM:EX  
**Sent:** March 20, 2021 3:02 PM  
**To:** Meggs, Geoff PREM:EX; Hockin, Amber PREM:EX  
**Cc:** Wanamaker, Lori PREM:EX; Zacharuk, Christina PREM:EX; Kristianson, Eric PREM:EX; Popham, Lana AFF:EX  
**Subject:** Re: Carrier Sekani

Good afternoon Geoff and Amber,

s.13

The Carrier Sekani Family Services application is supported by the Regional District of Bulkley-Nechako Board, which voted last October to inform the land commission it believed the overall impact on agriculture would be minimal.

s.13

We can follow up on Monday.  
Thank you.  
Don

**Re:**

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From: Yeung, Lucinda IRR:EX <Lucinda.Yeung@gov.bc.ca>  
To: Bain, Don PREM:EX <Don.Bain@gov.bc.ca>  
Sent: March 21, 2021 7:29:10 PM PDT  
Received: March 21, 2021 7:29:11 PM PDT

Very clear, thank you Don for keeping us in the loop.

On Mar 20, 2021, at 4:09 PM, Bain, Don PREM:EX <[Don.Bain@gov.bc.ca](mailto:Don.Bain@gov.bc.ca)> wrote:

FYI

**From:** Bain, Don PREM:EX  
**Sent:** March 20, 2021 3:02 PM  
**To:** Meggs, Geoff PREM:EX; Hockin, Amber PREM:EX  
**Cc:** Wanamaker, Lori PREM:EX; Zacharuk, Christina PREM:EX; Kristianson, Eric PREM:EX; Popham, Lana AFF:EX  
**Subject:** Re: Carrier Sekani

Good afternoon Geoff and Amber,

s.13

The Carrier Sekani Family Services application is supported by the Regional District of Bulkley-Nechako Board, which voted last October to inform the land commission it believed the overall impact on agriculture would be minimal.

s.13

We can follow up on Monday.  
Thank you.  
Don

## Fwd: Brief update re CSFS

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From: Bain, Don PREM:EX <Don.Bain@gov.bc.ca>  
To: Meggs, Geoff PREM:EX, Hockin, Amber PREM:EX, Aaron, Sage PREM:EX, Howlett, Tim GCPE:EX, Brandt, Alissa GCPE:EX  
Sent: March 23, 2021 5:10:02 PM PDT  
Received: March 23, 2021 5:10:02 PM PDT  
Attachments: Key Messages- Carrier-Sekani Treatment Centre -.docx

Sent from my iPhone

Begin forwarded message:

**From:** "Godfrey, Sam AFF:EX"  
**Date:** March 23, 2021 at 5:08:04 PM PDT  
**To:** "Newhook, Kelly MMHA:EX"  
**Cc:** "McNish, James IRR:EX" , "Bain, Don PREM:EX" , "Kristianson, Eric PREM:EX" , "Sam, Anne-Marie IRR:EX"  
**Subject:** Brief update re CSFS

Hi,  
MLP was able to speak to RDBN Chair this afternoon s.13  
s.13

Attached is the note MLP had for the meeting as an FYI but she didn't need to go into all this detail. They have already had a public hearing on the proposal so there is likely no need for another one, as you will see is allowed in the note.  
s.13

Kelly – it's fine for MSM to reach out to Chief Leween on this at any time. I'm happy to help however you like.

Best, S.

**Sam Godfrey**

Senior Ministerial Advisor to the Honourable Lana Popham  
Minister of Agriculture, Food and Fisheries. British Columbia  
Mobile: 250 208 1359 | Office: 250 387 1023  
Rm 327, Parliament Buildings,  
501 Belleville St., Victoria, BC, CAN, V8W 1X4

*This message including any attachments is not to be disclosed outside of the Provincial Government without prior written consent from the sender. If you are not the intended recipient please notify by reply email, and fully delete. Thank you.*

**Minister of Agriculture, Food and Fisheries**  
**KEY MESSAGES March 23, 2021**

- As you are aware, the Agricultural Land Commission (ALC) recently declined the Carrier-Sekani Family Services (CSFS) application for non-farm use permit to build a 60-bed mental health and addiction recovery services facility on ALR land at Tachick Lake.
  - The preservation of ALR and the promotion of farming remains a Government priority. However, so too is the health and wellness of B.C. communities, including an appropriate response to the mental health and addiction crisis and reconciliation with B.C.'s First Nations.
  - This government is trying to find ways to stop young people from dying, and help people who are really suffering. Indigenous people are getting hit especially hard.
  - I know you see it in Vanderhoof, it affects us all -it's a terrible, and a provincial emergency as you know.
  - Government has looked hard at what to do with the Tachick Lake proposal by the CSFS
  - I know you support it already – thank you!
  - s.13
  - CSFS did a non-farm use application, <sup>s.13</sup>
  - s.13
  - ALC is of course independent and their decision can't be known
  - s.13
  - We also know they have approved exclusions after failed non-farm use applications.
    - Example right here on the Island where North Saanich Local Government was unsuccessful in getting permission for a library to be non-farm use, but then applied again for an exclusion and they got it. There are other examples.
  - We've looked at the problem carefully and the fastest and most efficient way to try and resolve <sup>s.13</sup>
  - For what we need your help.
  - Helping them helps us all and is the right thing to do.
- s.13

**Minister of Agriculture, Food and Fisheries**  
**KEY MESSAGES March 23, 2021**

s.13

If pressed on uncertainty of an ALC decision:

The ALC Commissioners know, like we all do, what an emergency we are in with mental health and addiction recovery.

We can't predict the decision<sup>s.13</sup>

s.13

Background:

- On February 26, 2021, the Agricultural Land Commission (ALC) released its decision to decline a non-farm use (NFU) application by the Carrier-Sekani Family Services (CSFS) to build a 60-bed mental health and addiction recovery services facility on a property within the ALR.
- The CSFS is a non-profit that provides holistic wellness services to First Nations in north central B.C. First Nations represent three percent of B.C.'s population but 16 percent of the overdose deaths.
- The 9.3-hectare property is currently the site of Tachick Lake Lodge and includes a 185-metre-square lodge, 10 cabins and 33 campsites. The CSFS's proposal is to construct a 2,733-metre-square facility and a 400-metre-square parking lot.
- Information provided by CSFS in the NFU application indicate that feasibility reviews of several alternative sites were conducted in 2014 and again in 2020. Ultimately, three viable options were chosen, of which the Tachick Lake property was the preferred primarily due to access to potable water, the natural landscape of the property which is an important part of the healing process and that the purchase of this property would allow CSFS to acquire the land and assets outright and thus, avoid long-term lease costs.

s.13

## Fwd: ALC File 61143

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From: Nash, Amber PREM:EX <Amber.Nash@gov.bc.ca>  
To: Meggs, Geoff PREM:EX <Geoff.Meggs@gov.bc.ca>, Hockin, Amber PREM:EX <Amber.Hockin@gov.bc.ca>  
Sent: March 16, 2021 8:51:50 AM PDT  
Received: March 16, 2021 8:51:51 AM PDT  
Attachments: 1189289 - Ministry Materials - Carrier Sekani Family Services.pdf

Amber

Begin forwarded message:

**From:** "Newhook, Kelly MMHA:EX"  
**Date:** March 15, 2021 at 4:41:33 PM PDT  
**To:** "Nash, Amber PREM:EX"  
**Cc:** "Godfrey, Sam AFF:EX"  
**Subject:** RE: ALC File 61143

Hi Amber,

I believe this meeting note provides a good background on the Carrier Sekani Treatment Centre proposal. It was produced by MMHA staff in advance of them being aware of the ALC decision, so does not include that information.

Please let me know if you need anything else.

s.22

Kelly

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**From:** Nash, Amber PREM:EX  
**Sent:** March 15, 2021 4:17 PM  
**To:** Newhook, Kelly MMHA:EX  
**Subject:** RE: ALC File 61143  
Thanks Kelly.

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**From:** Newhook, Kelly MMHA:EX <Kelly.Newhook@gov.bc.ca>  
**Sent:** March 15, 2021 4:13 PM  
**To:** Nash, Amber PREM:EX <Amber.Nash@gov.bc.ca>  
**Cc:** Godfrey, Sam AFF:EX <Sam.Godfrey@gov.bc.ca>  
**Subject:** RE: ALC File 61143

Hi Amber,

We do have information for sure, Ministry is just updating it. Have it to you as soon we can.

Kelly

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**From:** Nash, Amber PREM:EX <Amber.Nash@gov.bc.ca>  
**Sent:** March 15, 2021 3:48 PM  
**To:** Newhook, Kelly MMHA:EX <Kelly.Newhook@gov.bc.ca>  
**Subject:** FW: ALC File 61143

Hi Kelly,

s.13

Could your Ministry provide any additional info on this issue? (I have the note regarding ALC decision).

A

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**From:** Godfrey, Sam AFF:EX <Sam.Godfrey@gov.bc.ca>  
**Sent:** March 15, 2021 3:45 PM  
**To:** Nash, Amber PREM:EX <Amber.Nash@gov.bc.ca>  
**Subject:** Re: ALC File 61143

This Thurs at 4:30pm.

Sent from my iPhone

On Mar 15, 2021, at 3:39 PM, Nash, Amber PREM:EX <[Amber.Nash@gov.bc.ca](mailto:Amber.Nash@gov.bc.ca)> wrote:

Thanks! I understand there is a meetin with your Minister, Minister Rankin and Malcolmson tomorrow on this too? Could you let me know what time?

---

**From:** Godfrey, Sam AFF:EX <[Sam.Godfrey@gov.bc.ca](mailto:Sam.Godfrey@gov.bc.ca)>

**Sent:** March 15, 2021 3:30 PM

**To:** Nash, Amber PREM:EX <[Amber.Nash@gov.bc.ca](mailto:Amber.Nash@gov.bc.ca)>

**Cc:** Newhook, Kelly MMHA:EX <[Kelly.Newhook@gov.bc.ca](mailto:Kelly.Newhook@gov.bc.ca)>; Craik, Jason GCPE:EX <[Jason.Craik@gov.bc.ca](mailto:Jason.Craik@gov.bc.ca)>

**Subject:** Re: ALC File 61143

Yes. Jason Craik is working on this as well and provided an Issues Note. Our DM is meeting with them tomorrow morning.....

Sent from my iPhone

On Mar 15, 2021, at 3:16 PM, Nash, Amber PREM:EX <[Amber.Nash@gov.bc.ca](mailto:Amber.Nash@gov.bc.ca)> wrote:

Hi Samuel,

PJH is looking for more information regarding this issue Shirley Bond Raised in QP today.

RE: Carrier Sekani Family Services (CSFS) is seeking approval of a community care facility at the Tachick Lake Resort located within the traditional territory of the Saik'uz First Nation southwest of Vanderhoof. Regional District of Bulkley-Nechako approved, pending approval from ALC.

s.13

Would you be able to assist in providing more info on this?

A

**Amber Nash**

*Director of Executive Operations & Scheduling*

*Office of the Premier | Government of British Columbia*

*501 Belleville St, Victoria, BC V8V 2L8*

*Direct: 778-974-6068 | Cell: 778-584-3330*



**MINISTRY OF MENTAL HEALTH AND ADDICTIONS  
MEETING MATERIAL**

**CLIFF#:** 1189289

**DATE OF PREVIOUS NOTE (if applicable):** Feb 19, 2021

**PREVIOUS CLIFF # (if applicable):** 1189183

**PREPARED FOR:** Honourable Sheila Malcolmson, Minister

**DATE, TIME AND LOCATION OF MEETING:** March 9, 2021

**MEETING REQUEST/ISSUE:** Meeting with Chief Corrina Leween (Cheslatta Carrier Nation), Sandra Teegee (Takla Lake First Nation), Jasmine Thomas (Saik'uz First Nation), Theresa Nooski (Nadleh Whut'en First Nation) and Chief Maureen Luggi (Wet'suwet'en First Nation) to discuss a new treatment centre being proposed by Carrier Sekani Family Services (CSFS) in Northern BC.

**SHOULD MINISTRY STAFF ATTENDING THIS MEETING:** Yes, Nick Grant, Assistant Deputy Minister, Strategic Policy and Planning and Matthew Kinch, Senior Director, Indigenous Partnerships and Wellness

**BACKGROUND:**

- Carrier Sekani Family Services (CSFS) is a non-profit society that provides health, social, and children and family services to 11 First Nation communities in northcentral BC with offices in Prince George, Burns Lake, Fort St. James and Vanderhoof.
- CSFS has contracts with Northern Health, First Nations Health Authority (FNHA) and the Ministry of Children and Family Development (MCFD) to deliver a continuum of primary care, mental health and substance use services for member communities.
- CSFS currently delivers a 28-day adult in-patient treatment program between the months of May and October at a facility located at Ormond Lake (approximately 25 km northwest of Vanderhoof). The facility is comprised of cabins with 14 treatment beds, pit toilets and naturally fed showers. This is a seasonal program due to the current limitations of the facility and its location. CSFS delivers a mobile outreach program during the winter months.
- The treatment facility operated by CSFS is one of ten First Nation-run treatment facilities funded by FNHA in BC. These treatment services are available to all status First Nations clients in BC (i.e. not available to Metis or non-status First Nation clients).
- CSFS is seeking capital funding from the Province to build a new wellness centre that would replace their existing facility and enable an expanded service model that could include a continuum of treatment services.
- The proposal prepared by CSFS describes a wellness centre with a detox wing (10 beds), an addiction recovery wing (35 beds), renovated cabins for longer-term recovery (8-12 beds), and associated amenities (e.g. dining hall, commercial kitchen, cultural space, nursing station, etc.).
- Based on a feasibility study completed in October 2020, it is estimated that construction costs will total \$16.64 million.

- In 2020/21, FNHA approved CSFS for \$5.75 million. This was a one-time contribution meant to cover a portion of the capital costs for this project. The funding committed for this project is cost shared by FNHA and the Province.

#### **DISCUSSION:**

- With the transfer of federal health programs and funding in 2013, FNHA assumed responsibility for the administration of ten First Nation-run treatment facilities in BC.
- In 2018, the Province of BC, the Government of Canada and the First Nations Health Council (FNHC) signed a Memorandum of Understanding ('the MOU') to improve mental health and wellness services. The MOU included a commitment to develop a tripartite plan to renovate, replace and build treatment facilities across BC.
- The Province made a one-time capital contribution of \$20 million in 2019/20 in fulfillment of this commitment. FNHA made a matching capital contribution of \$20 million for a total investment of \$40 million.<sup>s.16</sup>

s.16

- The project being proposed by CSFS is one of six existing treatment facilities that FNHA has identified for remediation or full replacement within the \$40 million available. It is on this basis that CSFS was funded by FNHA to complete a feasibility study for a new facility.
- Based on the project proposal, FNHA has indicated to MMHA that the capital and ongoing operational costs exceeds funding currently available for these programs. While FNHA receives funding from the federal government for the core operations of the existing treatment facilities, this does not include funding for an expanded scope of services (e.g. pre- and post-treatment) or capital projects (beyond the \$40 million committed by FNHA and the Province for these projects).
- Based on the expanded scope of services contemplated in the project proposal, it is anticipated that CSFS will be seeking funding from federal, provincial and regional partners for the operation of the new treatment facility once completed.
- MMHA has recently established a provincial advisory committee for bed-based services. This committee includes MMHA, HLTH, Health Authorities (including FNHA), BC Housing and BCCSU. This committee presents an avenue to advance collaboration across partners and explore opportunities to leverage new and existing resources for this project.
- CSFS has submitted the same project proposal to Indigenous Services Canada. It will be important to understand how additional funding from the federal government could complement or augment the funding provided by FNHA and the Province for this project.

• s.17

#### **SUGGESTED RESPONSE:**

- s.13; s.17

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- s.13; s.17

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**Program ADM/Division:** Nick Grant, Strategic Policy and Planning  
**Program Contact (for content):** Matthew Kinch, Senior Director  
**Drafter:** Kristin Price, Policy Analyst  
**Date:** March 4, 2021

## Fwd: ALC File 61143

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From: Nash, Amber PREM:EX <Amber.Nash@gov.bc.ca>  
To: Meggs, Geoff PREM:EX <Geoff.Meggs@gov.bc.ca>, Hockin, Amber PREM:EX <Amber.Hockin@gov.bc.ca>  
Sent: March 16, 2021 8:52:16 AM PDT  
Received: March 16, 2021 8:52:17 AM PDT  
Attachments: IN\_ALC Tachik Lake community care facility\_Feb 21 D2.docx

Amber

Begin forwarded message:

**From:** "Craik, Jason GCPE:EX"  
**Date:** March 15, 2021 at 3:32:40 PM PDT  
**To:** "Godfrey, Sam AFF:EX" , "Nash, Amber PREM:EX"  
**Cc:** "Newhook, Kelly MMHA:EX"  
**Subject:** RE: ALC File 61143

Hi Amber,

Attached is the IN put together by AFF/MMHA with some further details but will be updated after the meeting DM Ethier has with the Carrier-Sekani leadership tomorrow. Feel free to give me a call if you have any questions.

Thanks,

Jason

250-812-8091

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**From:** Godfrey, Sam AFF:EX  
**Sent:** March 15, 2021 3:30 PM  
**To:** Nash, Amber PREM:EX  
**Cc:** Newhook, Kelly MMHA:EX ; Craik, Jason GCPE:EX  
**Subject:** Re: ALC File 61143

Yes. Jason Craik is working on this as well and provided an Issues Note. Our DM is meeting with them tomorrow morning.....

Sent from my iPhone

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s.13

Would you be able to assist in providing more info on this?

A

**Amber Nash**

*Director of Executive Operations & Scheduling*

*Office of the Premier | Government of British Columbia*

*501 Belleville St, Victoria, BC V8V 2L8*

*Direct: 778-974-6068 | Cell: 778-584-3330*

## ADVICE TO MINISTER

<p><b>CONFIDENTIAL ISSUES NOTE</b></p> <p>Ministry of Agriculture Date: March 5, 2021</p>	<p><b>ALC – Tachick Lake Lodge – Community Care Facility</b></p>
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### ADVICE AND RECOMMENDED RESPONSE:

- **Decisions on land use applications within the Agricultural Land Reserve (ALR) are up to the Agriculture Land Commission (ALC).**
- **The ALC is an administrative tribunal – arm’s length from government – and government does not interfere in that independent decision-making process.**
- **The ALC looks at many factors when carrying out its mandate and each application has its own distinct set of circumstances and is considered on its own merits.**
- **In this decision, the ALC approved the use of the existing 185-square meter building and 10 cabins for a Community Care Facility, but did not approve the construction of a new 2300-square-meter building and a 400 square metre parking lot, noting their mandate of preserving the Agricultural Land Reserve and encouraging farming.**
- **Persons affected by a decision of the Commission may request reconsideration under section 33 of the ALC Act if all or part of a decision was based on incorrect information or evidence that was not available at the time becomes available that could not have been available through the exercise of due diligence**

### Government Support for Recovery Homes:

- **Our government is working as quickly as possible to build the system of mental health and addictions care that British Columbians deserve – from the ground up.**

## **ADVICE TO MINISTER**

- **However, there is no such thing as a one-size-fits-all treatment and recovery model for people living with mental health and substance use challenges.**
- **Options are key to meeting people where they're at and making sure they can access treatment and recovery services that are appropriate for their unique circumstances.**
- **We will continue to increase options for people by adding more publicly funded treatment and recovery beds, providing more oversight and training to the supportive recovery sector, increasing access to prescription alternatives to the toxic drug supply and investing in complex care housing that meets people's unique needs.**
- **Our government has made important investment to support Indigenous-led solutions, including the construction of new First Nation-run treatment centres across the province. We are committed to working with partners to find solutions to ensure these projects meet the needs of First Nations people experiencing mental health and substance use challenges.**

## **BACKGROUND**

On Feb.26, the Agricultural Land Commission (ALC) declined a non-farm use application by Carrier Sekani Family Services to build a 25,000 square-foot (2323 square metre) Community Care Facility and 400 square metre parking lot on a property near Vanderhoof. The property has operated as Tachick Lake Lodge since prior to the creation of the ALR and includes a 185 m2 main lodge and restaurant and 10 cabins, which the applicants had wished to convert to staff housing.

The proposed Community Care Facility would have been a year-round residential treatment centre that would provide mental health and addiction recovery services to up to 60 people. The facility would be run by Carrier Sekani Family Services (CSFS) which has entered into an agreement to purchase the property subject to ALR approval and rezoning.

In their decision, the ALC stated "While the Panel appreciates the social benefits of the Proposal, the Panel must consider the mandate of the Commission, as set under s. 6 of the ALCA: to preserve agricultural land and encourage farming on agricultural land."

And:

## ADVICE TO MINISTER

“the Panel recognized that the existing resort is a longstanding non-farm use, and is prepared to permit an alternate proposal to use the existing buildings on the Property for a Community Care Facility...”

The decision noted the property has secondary agricultural capability and that neighbouring parcels of similar agricultural capability are farmed, and:

“Ministry of Agriculture staff submitted comments to the RDBN, identifying concerns with the location of the proposal within an active farming area, including:

- Potential conflicts between the proposal and surrounding farming uses (including noise, dust, or odours), which may not always be in accord with the pursuit of a tranquil setting and may become a source of frustration.
- Non-agricultural uses typically have an option to be located outside of the ALR or an existing farming area, while farms typically don't. Long-term access to land in the ALR for farming is in the interest of agriculture and food security.

AFF Staff also acknowledged the existing site development and the community importance of gaining such an amenity and recommended if the proposal is approved, that any development be limited to areas previously disturbed, and sited and sized to minimize the impact on arable land.”

On March 4, Chief Corinna Leween, President of Carrier Sekani Family Services sent a letter to several ministers asking them to take action and stating the decision fails to uphold government commitments to address the opioid crisis on an urgent basis, to close the systemic gaps in medical and health services for First Nations people in the north, to implement the TRC Calls to Action and to honour the UN Declaration of the Rights of Indigenous Peoples.

The proposal also received support from the Regional District of Bulkley-Nechako which indicated an intention to amend its zoning bylaw to add a community care facility as an approved use of the property.

The ALC is an independent administrative tribunal comprised of appointed Commissioners that are responsible for administering the Agricultural Land Commission Act (ALCA). The purposes of the ALC as set out in Section 6 of the Act are:

- to preserve the Agricultural Land Reserve;
- to encourage farming in collaboration with other communities of interest; and
- 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.

Under section 33 of the ALC Act a person affected by a decision of the Commission may request reconsideration if they believe all or part of the decision was based on incorrect information, or evidence that was not available at the time becomes available that could not have been available through the exercise of due diligence.



## **ADVICE TO MINISTER**

**Ministry of Agriculture, Food and Fisheries**  
**BRIEFING NOTE FOR MINISTER FOR INFORMATION**

Ref: 194283

Date: March 18, 2021

**Title:** Agricultural Land Commission (ALC) decision regarding Carrier-Sekani First Nations Treatment Centre.

**Issue:** Options for provincial response to the ALC's decision to decline the application by the Carrier-Sekani First Nations Treatment Centre to construct a 60-bed facility on the Agricultural Land Reserve (ALR) land.

**Background:**

On February 26, 2021, the ALC released its decision to decline a non-farm use application by the Carrier-Sekani Family Services (CSFS) to build a 60-bed mental health and addiction recovery services facility on the ALR. The 9.3-hectare property is currently the site of Tachick Lake Lodge (the Lodge), located near Vanderhoof, B.C. The resort currently includes a 185-metre-square lodge, 10 cabins and 33 campsites. The Lodge predates the 1972 creation of the ALR and can continue operating on the ALR as long as it remains in its current use. The CSFS's proposal is to construct a 2,733-metre-square facility and a 400-metre-square parking lot.

The ALC reasons for the decision to decline this application focused on: the likely permanent loss of agriculture land should the new buildings be constructed; the potential impact of increasing the value of agricultural properties generally; other site options appear to be available to the applicant; and the construction of 2323 m<sup>2</sup> facility and 400m<sup>2</sup> parking lot would further alienate the property from future agriculture, proving it is inconsistent with their mandate. While the ALC's decision declines the construction of new buildings, it does approve the non-farm use of the current infrastructure for a community care facility.

Information provided by CSFS in the ALC application indicate that feasibility reviews of several alternative sites were conducted in 2014 and again in 2020. Criteria included accessibility, connectivity, current land use, potable water and the importance of natural landscapes as part of the healing process, among others. The on-reserve options were ruled out due to the complexity and uncertainty that comes with developing reserve land. Most other options were ruled out for a range of reasons, leaving three viable options, of which the Tachick Lake property was the preferred. The Tachick Lake site is the only site located in the ALR.

The CSFS is a non-profit that provides holistic wellness services to First Nations in north central B.C. The combined population of Carrier-Sekani member First Nations is over 5,000 people with combined territories of approximately 69,600 km<sup>2</sup>. First Nations represent just three percent of the population but 16 percent of the overdose deaths. As part of the provincial overdose response and addictions treatment and recovery, the B.C. Ministry of Mental Health and Addictions is working directly with the First Nations Health Authority and has committed \$20M to two new, and six replacement, healing and treatment centres, including the proposal by the CSFS.

s.13

**First Nations Considerations:** The Province has made a commitment to lasting and meaningful reconciliation with First Nations and the implementation of the *B.C. Declaration of the Rights of Indigenous Peoples Act* (DRIPA). There is also a provincial commitment to work with First Nations partners to respond to the overdose and addictions crisis that disproportionately impacts First Nations communities.

**Discussion:**

The ALC is an independent administrative tribunal. The decision-making framework for the ALC is defined in s. 6 of the *Agricultural Land Commission Act* (see Appendix A) and does not include economic and social factors, including First Nations considerations. As such, First Nations considerations are not explicitly part of the ALC mandate.

As defined in the *Agricultural Land Commission Act* (ALCA), an applicant has the option to request a reconsideration of a decision within 90 days of that decision, providing new evidence has become available that was not available at the time of the original decision, or there is evidence demonstrating that either all or part of the original decision was based on evidence that was incorrect or was false. The CSFS has 90 days to request a reconsideration.

The ALC receives many requests for reconsideration. s.13  
s.13

The *Environment and Land Use Act* (ELUA) provides government with broad order making powers. It provides that, “on the recommendation of [Environment and Land Use Committee], the Lieutenant Governor in Council (LGIC) may make orders the LGIC considers necessary or advisable respecting the environment or land use.” This process involves taking a land use proposal before ELUC. If ELUC agrees with the proposal, it can make a recommendation to the LGIC or make an order regarding how land can be used even if this use is contrary to existing legislation such as the ALCA.

As per changes made by Bill 15, a private landowner is unable to apply to exclude land from the ALR. However, a local government may apply to exclude land, within its jurisdiction, from the ALR. The ALCA and its regulations requires the local government to hold a public hearing, with 10 days’ notice, prior to submitting the exclusion application to the ALC. If the local government passes a resolution to support an exclusion application for land in its jurisdiction and forwards the application to the ALC, the ALC will consider its mandate in deciding on the application.

**Options:**

s.13

s.13

**Approved Option:** (Please circle approved option)

Option 1: <sup>s.13</sup>

Option 2:

Option 3:

\_\_\_\_\_  
Minister

\_\_\_\_\_  
Date Signed

Contact: Willow Minaker, Director, 778-974-3846, and Arlene Anderson, Director, 778-698-5170

DIR WM      ADM AL      DM TE

\_\_\_\_\_  
**CONFIDENTIAL**

3

Appendix A:

**Purposes of the commission**

**6** (1) The following are the purposes of the commission:

- (a) to preserve the agricultural land reserve;
- (b) to encourage farming of land within the agricultural land reserve in collaboration with other communities of interest;
- (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of land within the agricultural land reserve and uses compatible with agriculture in their plans, bylaws and policies.

(2) The commission, to fulfill its purposes under subsection (1), must give priority to protecting and enhancing all of the following in exercising its powers and performing its duties under this Act:

- (a) the size, integrity and continuity of the land base of the agricultural land reserve;
- (b) the use of the agricultural land reserve for farm use.

## RE: Carrier Sekani

---

From: Kristianson, Eric PREM:EX <Eric.Kristianson@gov.bc.ca>  
To: Meggs, Geoff PREM:EX <Geoff.Meggs@gov.bc.ca>, Bain, Don PREM:EX <Don.Bain@gov.bc.ca>  
Cc: Wanamaker, Lori PREM:EX <Lori.Wanamaker@gov.bc.ca>, Zacharuk, Christina PREM:EX <Christina.Zacharuk@gov.bc.ca>  
Sent: March 19, 2021 12:21:58 PM PDT  
Received: March 19, 2021 12:21:58 PM PDT

I've asked AFF to ensure that's reflected in the ELUC discussion

Eric Kristianson

ADM, Strategic Initiatives

Office of the Premier, Deputy Minister's Office

778-698-8511 (office)

778-584-1248 (cel)

---

**From:** Meggs, Geoff PREM:EX

**Sent:** March 19, 2021 12:21 PM

**To:** Bain, Don PREM:EX

**Cc:** Kristianson, Eric PREM:EX ; Wanamaker, Lori PREM:EX ; Zacharuk, Christina PREM:EX

**Subject:** Re: Carrier Sekani

I agree, s.13

G

Sent from my iPhone

On Mar 19, 2021, at 11:04 AM, Bain, Don PREM:EX <[Don.Bain@gov.bc.ca](mailto:Don.Bain@gov.bc.ca)> wrote:

s.13

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**From:** Kristianson, Eric PREM:EX

**Sent:** March 19, 2021 10:59 AM

**To:** Meggs, Geoff PREM:EX

**Cc:** Wanamaker, Lori PREM:EX; Zacharuk, Christina PREM:EX; Bain, Don PREM:EX

**Subject:** Re: Carrier Sekani

Thanks Geoff. Good points.

My advice to Tom was that s.13

s.13

Eric Kristianson

ADM Strategic Initiatives

Office of the Premier

Deputy Minister's Office

778-584-1248

On Mar 19, 2021, at 10:52 AM, Meggs, Geoff PREM:EX <[Geoff.Meggs@gov.bc.ca](mailto:Geoff.Meggs@gov.bc.ca)> wrote:

Thanks Eric, I'm fine with taking the issue to ELUC but would just note the following:

s.13

While I understand the project would be larger than the current square footage and include a parking lot, it is not clear to what degree this would materially expand the footprint of the current operation.

Geoff

**GEOFF MEGGS**

Chief of Staff, Premier's Office  
West Annex, Parliament Buildings  
Victoria, BC, V8V 1K7  
250 387-1715

---

**From:** Kristianson, Eric PREM:EX <[Eric.Kristianson@gov.bc.ca](mailto:Eric.Kristianson@gov.bc.ca)>

**Sent:** March 19, 2021 10:14 AM

**To:** Wanamaker, Lori PREM:EX <[Lori.Wanamaker@gov.bc.ca](mailto:Lori.Wanamaker@gov.bc.ca)>; Meggs, Geoff PREM:EX <[Geoff.Meggs@gov.bc.ca](mailto:Geoff.Meggs@gov.bc.ca)>

**Cc:** Zacharuk, Christina PREM:EX <[Christina.Zacharuk@gov.bc.ca](mailto:Christina.Zacharuk@gov.bc.ca)>

**Subject:** FW: Carrier Sekani

Lori and Geoff,

Attached is AFF's proposed decision note for MLP to bring for discussion to ELUC.

s.13

I think the note is good,

though I've not formed an opinion on the merits of the option. Geoff, per your direction, Tom is preparing to take a presentation on this to ELUC for discussion. Please let me know if this is consistent with your thinking.

Thanks

Eric Kristianson  
ADM, Strategic Initiatives  
Office of the Premier, Deputy Minister's Office  
778-698-8511 (office)  
778-584-1248 (cel)

---

**From:** Ethier, Tom AFF:EX <[Tom.Ethier@gov.bc.ca](mailto:Tom.Ethier@gov.bc.ca)>

**Sent:** March 19, 2021 9:57 AM

**To:** Kristianson, Eric PREM:EX <[Eric.Kristianson@gov.bc.ca](mailto:Eric.Kristianson@gov.bc.ca)>

**Subject:** FW: Carrier Sekani

Can you have a scan of this and let me know your thoughts? I need to get this into the MO this morning.

---

**From:** Evers, Charlene AFF:EX <[Charlene.Evers@gov.bc.ca](mailto:Charlene.Evers@gov.bc.ca)>

**Sent:** March 19, 2021 9:35 AM

**To:** Ethier, Tom AFF:EX <[Tom.Ethier@gov.bc.ca](mailto:Tom.Ethier@gov.bc.ca)>

**Subject:** Carrier Sekani

As requested

Charlene Evers  
A/Senior Executive Assistant  
Deputy Minister's Office  
Ministry of Agriculture, Food and Fisheries  
☎ 778 974-3844

## RE: Carrier Sekani

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From: Kristianson, Eric PREM:EX <Eric.Kristianson@gov.bc.ca>  
To: Ethier, Tom AFF:EX  
Sent: March 19, 2021 10:09:14 AM PDT  
Received: March 19, 2021 10:09:00 AM PDT

I think this is good Tom  
Eric Kristianson  
ADM, Strategic Initiatives  
Office of the Premier, Deputy Minister's Office  
778-698-8511 (office)  
778-584-1248 (cel)

---

**From:** Ethier, Tom AFF:EX  
**Sent:** March 19, 2021 9:57 AM  
**To:** Kristianson, Eric PREM:EX  
**Subject:** FW: Carrier Sekani

Can you have a scan of this and let me know your thoughts? I need to get this into the MO this morning.

---

**From:** Evers, Charlene AFF:EX <[Charlene.Evers@gov.bc.ca](mailto:Charlene.Evers@gov.bc.ca)>  
**Sent:** March 19, 2021 9:35 AM  
**To:** Ethier, Tom AFF:EX <[Tom.Ethier@gov.bc.ca](mailto:Tom.Ethier@gov.bc.ca)>  
**Subject:** Carrier Sekani

As requested  
Charlene Evers  
A/Senior Executive Assistant  
Deputy Minister's Office  
Ministry of Agriculture, Food and Fisheries  
☎ 778 974-3844



## RE: Carrier Sekani

---

From: Kristianson, Eric PREM:EX <Eric.Kristianson@gov.bc.ca>  
To: Ethier, Tom AFF:EX  
Sent: March 19, 2021 11:49:28 AM PDT  
Received: March 19, 2021 11:49:00 AM PDT

Tom,

One more point to pass along.<sup>s.13</sup>

discussion. Additionally, you may want to flesh out a bit of a discussion about the farming history/suitability of the property. You may want to add this to the ELUC

Thanks

Eric Kristianson

ADM, Strategic Initiatives

Office of the Premier, Deputy Minister's Office

778-698-8511 (office)

778-584-1248 (cel)

---

**From:** Ethier, Tom AFF:EX

**Sent:** March 19, 2021 9:57 AM

**To:** Kristianson, Eric PREM:EX

**Subject:** FW: Carrier Sekani

Can you have a scan of this and let me know your thoughts? I need to get this into the MO this morning.

---

**From:** Evers, Charlene AFF:EX <[Charlene.Evers@gov.bc.ca](mailto:Charlene.Evers@gov.bc.ca)>

**Sent:** March 19, 2021 9:35 AM

**To:** Ethier, Tom AFF:EX <[Tom.Ethier@gov.bc.ca](mailto:Tom.Ethier@gov.bc.ca)>

**Subject:** Carrier Sekani

As requested

Charlene Evers

A/Senior Executive Assistant

Deputy Minister's Office

Ministry of Agriculture, Food and Fisheries

☎ 778 974-3844

## Fwd: Carrier Sekani

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From: Kristianson, Eric PREM:EX <Eric.Kristianson@gov.bc.ca>  
To: Ethier, Tom AFF:EX  
Sent: March 21, 2021 10:36:54 AM PDT  
Received: March 21, 2021 10:36:55 AM PDT

Eric Kristianson  
ADM Strategic Initiatives  
Office of the Premier  
Deputy Minister's Office  
778-584-1248

Begin forwarded message:

**From:** "Bain, Don PREM:EX"  
**Date:** March 20, 2021 at 3:02:33 PM PDT  
**To:** "Meggs, Geoff PREM:EX" , "Hockin, Amber PREM:EX"  
**Cc:** "Wanamaker, Lori PREM:EX" , "Zacharuk, Christina PREM:EX" , "Kristianson, Eric PREM:EX" , "Popham, Lana AFF:EX"  
**Subject:** Re: Carrier Sekani

Good afternoon Geoff and Amber,

s.13

The Carrier Sekani Family Services application is supported by the Regional District of Bulkley-Nechako Board, which voted last October to inform the land commission it believed the overall impact on agriculture would be minimal.

s.13

We can follow up on Monday.  
Thank you.  
Don