



TRANSPORTATION, UTILITY, AND RECREATION USES ON AGRICULTURAL LAND An Advisory for Landowners in the Agricultural Land Reserve

The purpose of this brochure is to describe the application process for pipelines, roads, recreational trails and other utility corridors in the Agricultural Land Reserve (ALR), and the rights and duties of proponents and affected landowners. It does not address compensation or other issues that may arise between a proponent and a landowner, which are private matters to be resolved between the parties and their professional advisors.

Application Process

The provincial *Agricultural Land Commission Act* protects agricultural land in BC for present and future farm use. Proponents of transportation, utility and recreation corridors through the ALR must, in addition to obtaining a landowner's permission, apply and receive permission from the Agricultural Land Commission for such development. Upon receipt of an application, the Commission may contact local governments and other agencies for their comments and recommendations. After reviewing the proposal, the Commission will make a decision and communicate this in writing to the proponent.

The proponent is responsible for notifying the affected landowners at two stages in the process:

- At the time the application is filed with the Commission, and
- When the Commission makes a decision.

If an application is approved by the Commission, the second notice must include any conditions of approval imposed by the Commission.

Landowner's Rights

As an owner of land in the ALR through which a gas, sewer or water line, road, recreation trail or other utility corridor is being proposed, you have the right:

During the Route Selection Stage

- To all information from the proponent on the options and preferred route location of the transportation or utility corridor through your property; and
- To contact the proponent and the Commission to express concerns or suggest specific changes to the preferred route location.

During the Application Stage

- To be notified by the proponent that an application under the *Agricultural Land Commission Act* has been filed for that portion of the proposal which affects your property; and
- To contact the proponent and the Commission to express concerns or make suggestions on site preparation and reclamation.

During the Approval Stage

- To be notified by the proponent of the Commission's decision, by way of a copy of the Commission's approval letter outlining the conditions of approval; and
- To view any of the proponent's site preparation and reclamation reports submitted to the Commission. (During any negotiations between a landowner and the proponent, the landowner may request construction or rehabilitation conditions beyond those specified by the Commission.)

During the Construction & Reclamation Stages

- To review all site preparation, construction and reclamation work as it proceeds; and
- To contact the Commission directly if the Commission's conditions are not being met.

To ensure that the Commission's conditions are being met, the Commission staff will review the construction and reclamation procedures. If the procedures being used do not satisfy the approved conditions, the Commission may amend the conditions or issue a stop work order. The Commission staff has the authority to modify the approval conditions, provided the modifications do not materially alter the intent of the approval.

Notification of Affected Landowners

The Commission requires the proponent to give this brochure to affected landowners. If you have any concerns about the proposal, please complete the back of this form and send it to the Commission within 14 days of receiving the notification:

Attn: Jenna Bedore
Agricultural Land Commission
133-4940 Canada Way
Burnaby, BC, Canada
V5G 4K6



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RESPONSE FORM

The Agricultural Land Commission requires proponents of transportation and utility corridors through ALR land to notify affected landowners. If you have any concerns about the proposed transportation or utility proposal, please complete the following and send it to the Commission within 14 days of receipt of this brochure.

Please note that the information on this form and other documents you provide are collected to process an application under the *Agricultural Land Commission Act* and regulation. This information will be available for review by any member of the public. If you have any questions about the collection and use of this information, contact the Agricultural Land Commission and ask for the staff member handling the application.

Name:

Address:

Telephone:

Email:

Parcel Identifier(s) (PID) of Affected Property:

Current Use of Property:

Company or Agency Proposing the Right of Way:

Project Name (if any): **Shuswap North Okanagan Rail Trail**

Comments & Suggestions: