



# BC Cattlemen's Association

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Prepared for:

**Honourable Lana Popham, Minister of Agriculture**

**And The Minister's Advisory Committee on ALR/ALC Revitalization**

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## RE: ALR/ALC Revitalization

Ranchers own and manage the largest portion of ALR lands within the province. An effective land reserve should enable active farm operations and protect the lands from external pressures that threaten their viability. If British Columbia truly wants food security, then farming must be profitable.



### Elements for Success

The BC Cattlemen's Association believes the Agricultural Land Reserve needs to support that foster agricultural water security and profitable farm/ranch businesses. Only when all three – land, water and people – are secured will the Agricultural Land Reserve be able to achieve its intended purpose of food security.

### BCCA'S TOP FIVE PRIORITIES

The BC Cattlemen's Association has reviewed the engagement paper and provided a broad section of comments to guide the operational activities within the Reserve. We have identified the following five recommended priorities that we believe will make tangible improvements for farmers and ranchers:

1. Eliminate delegation agreements.
2. Create a 50-year Agricultural Plan for the province and promote it to local governments.
3. Advocate for agriculture and seek opportunities for growth/expansion.
4. Reduce regulatory burden that inhibits growth of farm/ranch businesses.
5. Implement financial supports and production incentives that meet with the 50-yr plan goals.

### ENGAGEMENT TOPICS

#### 1) Defensible ALR

BCCA supports a defensible Agricultural Land Reserve and feels that ongoing boundary reviews are necessary. When originally established, the boundaries of the reserve were rough drawn and there remains land within the reserve that doesn't have agriculture potential. Before undertaking additional boundary reviews, the Commission should ensure the process is efficient and effective.

#### 2) ALR Resilience

In general, BCCA supports having a stable and resilient Agricultural Land Reserve. We feel the current operation of the Commission is effective at protecting lands for agricultural purpose. In keeping with the Commission's mandate, which we support, the BCCA encourages the Minister to facilitate opportunities for the promotion of agriculture.

### 3) **Stable Governance**

BCCA is strongly opposed to delegation agreements and feels that the ALC be the only decision maker for applications and use approvals about lands within the Reserve. BCCA encourages the Minister to terminate existing delegation agreements with local governments and the Oil & Gas Commission. The ALC needs to be properly funded to support decision making without the use of delegation agreements. All decisions about non-farm uses within the Reserve should rest with the Commission to ensure that agricultural use made a priority.

### 4) **Efficacy of Zones**

It is our view that the creation of two zones within the ALR has neither been a threat nor a benefit to agriculture. This is primarily because of the way applications are adjudicated and the fact that the Commission has been diligent in upholding the principle that agricultural use or benefit must be the priority. As long as this remains, the Association does not have a preference about whether the Reserve returns to one zone or remains as two zones.

### 5) **Implementation of the Act & Regulation**

BCCA supports efforts to ensure consistent decision making of lands within the reserve. However, we must ensure that there remains flexibility to allow uses that may benefit agriculture. BCCA has concerns that agricultural capacity and interests are not adequately protected by local governments. Decisions on allowable activities and subdivisions within the ALR should involve the ALC as they have the necessary agricultural expertise.

The ALC could implement measures to prevent rural conflict, such as:

- Rural declaration statements whereby land purchase/transfer with the ALR require landowners to acknowledge their responsibilities for fencing and understanding of adjacent grazing activities. (see attached sample)
- Requirements for perimeter fencing around rural subdivisions to reduce conflicts with livestock and protect the safety of the motoring public.
- Require community water/sewer systems, as a condition of approving a subdivision application, to minimize burden on available water sources and aquifers.
- Where subdivisions are being considered, there should be efforts to minimize rural sprawl by limiting parcel size and increase residential density (infilling). This could be addresses through sensible community planning.

### 6) **Food Security**

The ALR protects farmland but it does not require these lands to be “in production”, as such British Columbians have a false sense of food security. Growing agriculture in BC requires the ability for farmers and ranchers to make a living. If the economy is there to support herd expansion, then the market will respond accordingly. British Columbia has the potential to support significant growth in the provincial breeding herd as well as the feeding industry. We need to be careful not to squander our potential for growth by choking small farm businesses with red-tape and costs. Creating opportunities for farm/ranch businesses to be financially viable is the best way to achieve food security goals.

### 7) **Residential Uses**

Buildings within the ALR should be property sited to minimize impact on productive lands. In many areas, the market has driven the price of agriculture land beyond a level that farming/ranching earnings can support. Rural estates, vacant speculation lands, and seasonal recreation landowners are all tying up productive farmland for residential purposes.

BCCA recommends that the Minister consider:

- a) increasing the threshold for farm taxation and/or
- b) link the percentage of income generated by farming activities to the total assessed value of the property and buildings.

Ranches are often multi-generational operations. To retain youth involvement in the ranch business, they need to be able to support their families which includes the ability to own/build a home. Effort is needed to address the ongoing issue of homes for ranch families as well as seasonal and full-time labour. BCCA encourages the proper siting of homesites to minimize impact on farming and agricultural potential.

#### **8) Farm Processing**

BCCA supports a policy that allows farm operators to further process goods and have retail space. Appropriate building siting must be done to minimize impact on high quality agricultural lands.

#### **9) Unauthorized uses**

BCCA supports the ALC having adequate resources to conduct enforcement. Recognizing that enforcement action takes significant effort and budget, BCCA encourages the Commission to collaborate/partner with Regional Districts wherever possible. While illegal fill, dumping, and commercial activity seem to be the major non-compliance concerns for the Commission, we would like to raise concerns about the Oil and Gas commission decisions and approvals. The OGC decisions show that agricultural interests are not given priority and that opportunities to create benefits for agriculture are not being encouraged (i.e., water use, grass seeding, poplar tree thinning etc.).

#### **10) Non-Farm Uses**

BC Cattlemen's Association strongly feels that decisions about non-farm use should be made by the ALC to ensure there is sufficient benefit for agriculture and that agricultural needs are met. We are concerned that this section in the discussion paper compares agri-tourism accommodation and impacts from resource extraction. The environmental impact and footprint of these uses is not comparable and therefore should be treated exclusively.

BCCA strongly believes that active ranch operations need the ability to diversity and capitalize on complementary uses such as sand and gravel extraction or logging. We encourage the Revitalization Committee to consider allowing some provisions for bonafide farms and ranches to conduct "non-compatible" non-farm uses on a small portion of their lands to achieve financial security through diversification without impacting the farming operation or overall production potential.

We support the current ALC policies regarding agri-tourism and affiliated accommodation. However, large resource extraction such as oil and gas development remains a problem for the farm and ranch operators. Primarily because there is a large environmental footprint and the landowner has almost no control over the development. These major resource development projects should require a reasonable rehabilitation plan with a return to agriculture productivity as a focus (i.e., grass seeding, weed control, soil reclamation).

### **OTHER SUGGESTIONS**

#### **a) Designated ALR Crown Lands**

A percentage of the Reserve is located on Crown land. Currently, these Crown ALR lands do not have to follow the parameters established by the Agricultural Land Commission. Where Crown lands

fall within the Reserve, we recommend that farming or ranching activities be given first priority over all other industrial uses.

The extensive agricultural use policy was established to allow ranchers to expand their operations by purchasing or leasing to purchase Crown land. Although this program still exists, the terms have made it unworkable in most cases. With some minor revisions, this could once again become a program that supports agricultural expansion. BCCA would be pleased to work with province to revitalize this program.

**b) Raise Awareness of Agriculture Within Government**

By establishing the Reserve, the Province has worked to protect agricultural lands but efforts are still needed to promote agriculture within the province.

Some suggestions include:

- Engage with Cabinet and senior staff to raise awareness of the challenges facing farmers/ranchers and help identify the regulatory barriers to growing a viable agriculture industry.
- Outline the detrimental effects that “Right to Roam” type legislation could have on the future of the farming.
- Advocate for the *Right to Farm Act* to have equality with other legislation and provide farmers/ranchers with actual protection.

**c) Protect Water for Agricultural Use**

Water is the lifeblood of a ranch. BC's agricultural water needs should be assessed and available water ear-marked for agriculture to support future growth. Cost to build and maintain water capacity often exceeds what an individual rancher can afford. The *“Costs and Benefits Associated with Dams and Reservoirs on British Columbia Cattle Ranches”* report identified agricultural water developments provide many secondary benefits to society (i.e., recreation, flood mitigation, wildlife, etc.). BCCA believes that investing in water storage is beneficial to society overall and therefore agriculture should not bear the full costs of water storage development and maintenance. To ensure water security, society along with federal and provincial governments need to invest in the development and maintenance of water infrastructure.

**d) Promote Landowner Accountability**

People who purchase lands within the ALR should be made aware of the responsibility that comes with those lands. We support having a landowner declaration that is signed at the time of purchase. The purchaser would acknowledge that they have been made aware of their responsibilities (i.e., fencing) and that farming activities are encouraged on these lands.

**e) Establish Subdivision Requirements**

Fencing, or rather the lack there of, is a major concern and cost for the agricultural industry. Fencing is a necessity particularly where rural subdivisions and even smaller farmed parcels are concerned. We believe that the ALC should adopt policies that have conditional requirements for subdivision approvals such as appropriate livestock fencing and cattle guards.

**f) Protect ALR Land from “For the Greater Good” type of Development**

The ALR should not be a land-bank where governments seek lands to support large scale projects such as electricity generation, highway bypasses, pipelines, parks etc. There has been an alarming rate of land removed from the Reserve to support these “for the greater good” type development projects. Fundamentally, those lands were set aside to provide a foundation for growing food. As

society becomes more disconnected from their farming heritage, the value of farming is diminished.

In the last 5 years, 62% of land removed from the ALR has been done by government. This is unsustainable and cannot continue.

**g) Promote Viability**

The off-loading of regulatory costs and burden are having a severe impact on the viability of ranch operations. To be viable, agriculture needs a regulatory framework that enables and supports economic growth. We believe that there needs to be a role within government – either the Ministry or the Commission – whereby the needs of agriculture are championed and the efforts are undertaken to eliminate unnecessary burden.

One such example of an area needing review is the excessive bureaucracy within the Ministry of Forests, Lands and Natural Resource Operation & Rural Development. This is the primary agency that ranchers must work with for operational activities (permits, tenures, licences, etc.) and often experience unnecessary delays or requirements that negatively impact ranch operations. The recent implementation of groundwater licensing is a great example of how collaboration with Agri could have greatly improved client services from FLNRO & FrontCounter BC. Having a stronger connection between the Ministry of Agriculture and FLNRO may address the disconnect and improve service to ranching/agriculture clients. Raising the profile and awareness of agriculture and the provincial objectives, such as increasing forage production, would be very beneficial.

In 2009, the Ranching Task Force identified 38 action items to improve the regulatory framework for ranching within the province. It is time to review and complete the Task Force recommendations. The Association has identified the following legislation, regulation and policies that require attention and resolution:

- Implement the Livestock Water Regulation
- Establish an expedited process for existing-use groundwater licence applications
- Implement the recommended amendments to the Forest & Range Practices Act.
- Strengthen the Right to Farm Act.
- Ensure Regulations recognize accepted farming practices (i.e., AWCR & OBSCR).
- Avoid Right to Roam type legislation.
- Assist dam owners in retaining and maintaining essential infrastructure that offers multiple environmental benefits.
- Provide farmers and ranchers the ability to mitigate nuisance wildlife conflicts

**OVERVIEW**

What to keep?	
<b>Operations</b>	<ul style="list-style-type: none"> <li>• The Agricultural Land Commission as an independent tribunal.</li> <li>• The mandate of the Commission to both <u>preserve</u> agricultural lands and <u>encourage</u> farming.</li> <li>• Keep all land classes currently within the Reserve (1-6). Livestock production uses all classes of land.</li> <li>• Conduct periodic review of ALR boundaries.</li> <li>• The appointment of Commissioners and the Chair.</li> <li>• The separation of duties between CEO &amp; ALC Chair.</li> <li>• The 3-person regional panels to make decisions on applications of regional significance. Retain the residency requirement for regional panel members to reside in the region they serve.</li> </ul>

	<ul style="list-style-type: none"> <li>Continue to sufficiently fund enforcement activities.</li> </ul>
<b>Applications</b>	<ul style="list-style-type: none"> <li>The current rigorous process for reviewing applications with a priority emphasis on agricultural potential, benefit and use.</li> <li>The process where the Chair reviews all applications and any of provincial significance are referred to the ALC Executive Committee for decision.</li> <li>Continue to support value added processing on ALR lands and encourage sourcing of local products.</li> </ul>

<b>What to Toss?</b>	
<b>Delegation of ALC Authority</b>	<ul style="list-style-type: none"> <li>Eliminate all delegation agreements -- including the Oil and Gas Commission and local government.</li> </ul>
<b>Landowner input</b>	<ul style="list-style-type: none"> <li>Remove a landowners' control over the decision about inclusion and/or removal from the ALR following a boundary review. This decision should rest with the Commission.</li> </ul>

<b>What to Change?</b>	
<b>Operations</b>	<ul style="list-style-type: none"> <li>Sufficiently fund ALC operations so delegation agreements can be avoided.</li> <li>Adequately fund Compliance and Enforcement but recognize that C&amp;E is not the sole purpose of the ALR &amp; ALC. The ALC cannot simply focus on the "stick" and must provide some incentives for people to operate within the rules.</li> </ul>
<b>Planning</b>	<p>Create and promote a long-term (50-yr) plan for agriculture in British Columbia.</p> <ul style="list-style-type: none"> <li>Establish a long-term (50-year) agricultural plan for the Province and facilitate its inclusion in local government and municipality community planning.</li> <li>Encourage local governments and municipalities to adopt long-term land use planning to promote agriculture.</li> <li>Establish more oversight of local government decisions regarding ALR lands.</li> <li>Encourage local governments to have and seek input from an Agriculture Committees.</li> <li>For Crown lands within the ALR, ensure priority is given to agricultural uses on that landbase over other industrial activities.</li> </ul>
<b>Advocacy</b>	<p>Champion for policies and regulations that support agriculture.</p> <ul style="list-style-type: none"> <li>Liaise with the provincial government and local governments to advocate for policies and regulation that benefit agriculture.</li> <li>Identify and encourage the review of government policies, and regulation that negatively impact agriculture.</li> </ul>
<b>Verify</b>	<p>Determine ways to clearly define bonafide farm/ranch operations from land speculators and tax avoidance.</p> <ul style="list-style-type: none"> <li>Establish a process to clearly define active bonafide farm/ranch operations.</li> <li>Encourage the minimum threshold for farm taxation be significantly increased.</li> <li>Establish a formula for farm status taxation that is tied to the value of the residential infrastructure as well as farming income.</li> <li>Establish a rural and agricultural lands declaration (sample attached). Require ALR land purchases/transfers to sign a rural landowner declaration stating they understand their responsibilities (re: fencing, invasive plant control, etc.).</li> </ul>
<b>Legacy Fund</b>	<ul style="list-style-type: none"> <li>Create an ALR Legacy Fund to support agricultural infrastructure projects.</li> </ul>

	<ul style="list-style-type: none"> <li>• Require ALR exclusions to contribute a percentage of the overall value of the land to the ALR Legacy Fund.</li> <li>• Identify eligibility criteria for the Legacy Fund that would lend financial support toward agricultural infrastructure projects that provide benefit to the agricultural community. Such as water storage, three phase power upgrades to support irrigation, grassland restoration, drainage, etc.</li> <li>• Create a cross-commodity Council of producers to review and approve applications to the Legacy Fund.</li> </ul>
<b>Diversification</b>	<p>Recognize that farms and ranches are small businesses that often need to diversify to remain financially viable.</p> <ul style="list-style-type: none"> <li>• Establish a process whereby bonafide farm operations can apply to conduct non-farm activities, including those which are not compatible with the existing farm operation, on a limited portion of their property.</li> </ul>
<b>Rewards</b>	<p>Establish financial rewards for farmers for land management practices that are beneficial to the environment and meet with the 50-year provincial agriculture plan objectives (i.e., paid ecosystem services).</p>
<b>Ag Production Incentives</b>	<p>Create incentives that encourage agricultural lands to be actively farmed or used for livestock production.</p> <ul style="list-style-type: none"> <li>• Create incentives for landowners within the Reserve to actively farm ALR lands. This could include encouraging a network/connections of existing nearby farm operations.</li> <li>• Create incentives for local governments &amp; municipalities to encourage ALR lands within their boundaries to be actively farmed. (i.e., stipend to municipalities to offset the difference between tax revenue from agriculture lands versus commercial industrial lands.</li> <li>• Launch a provincial paid ecosystem services program for bonafide farm/ranch operations that provides financial benefits for land management practices, including those already in existence, that demonstrate positive environment benefit.</li> </ul>
<b>Streamline</b>	<p>Reduce regulatory burden on farming and ranching operations.</p> <ul style="list-style-type: none"> <li>• Reduce economic burden on farming operations. Programs and supports are needed to assist farmers/ranchers with viability.</li> <li>• Streamline the boundary review process.</li> <li>• Authorize the Commission to decide which properties belong in / out of the ALR following a boundary review.</li> </ul>

## CONCLUSION

The BC Cattlemen's Association applauds the Minister, the Chair and the Revitalization Committee for reviewing operations and seeking input from those on the land. We appreciate your openness to new ideas and solutions. We would also like to recognize the valuable work of the ALC Chair, Commissioners, and Staff whose work behind the scenes to preserve agricultural lands. It is our goal to offer suggestions that will improve the Agricultural Land Reserve for the ranching families who are responsible for the stewardship of these lands. May we work together to find the means for all generations to see hope for a sustainable future from farming and ranching.

In conclusion, the best way to protect agricultural land is to keep farming and ranching profitable.

*Respectfully submitted to the Minister and the ALR / ALC Revitalization Committee  
 on behalf of the BCCA Board of Directors and our 1,070 rancher members.*