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Dear Mr. Daneluz:

Review of the proposed Official Community Plan for Hatzic Valley, Electoral Area “F” of the Fraser Valley Regional District

The Ministry of Agriculture and Lands (MAL) has been asked to provide comment on the Official Community Plan for Hatzic Valley, Electoral Area “F”. The following is a list of specific comments and discussion on sections 2, 3, 4, 5, 6, 7, 10 and 15 of the Plan.

General Comments

There are many favorable points with respect to agriculture and the management of the lands and water required for agriculture within the proposed Official Community Plan for Hatzic Valley, Electoral Area “F”, hereafter referred to as “the Plan.” There is a very good context statement that reviews the interesting and colorful history of agriculture in the area. The Plan recognizes that the agricultural land in the electoral area is of excellent quality and that the area has many agriculture amenities, similar to the adjacent agricultural areas in the FVRD such as Electoral Area “G”, the City of Abbotsford, the City of Chilliwack, the District of Kent, etc., which make this Regional District one of the most productive in BC and Canada.

The amount of land put into production and the intensity of food production in the FVRD have increased over time, in response to markets and the high value that the consumer places on the food produced in the Region. This trend is likely to increase, if farmers have access to land and aren't hindered in profitably developing their farm operations. The Plan clearly values this reality and sees farming as integral to the economic and social structure of the region.

Central to reaching the goal of optimizing the agriculture use of lands designated for agriculture is resolving drainage issues. The Plan has covered the drainage issues very thoroughly and should be commended for doing so. In addition, there are several details contained in the Plan that are important to consider when working to meet the stated objective of having the agricultural area flourish and encourage good environmental performance by the agriculture sector.

Section 2.0

In Table 2-5, of Building Permits Issued from 1996 – 2007, it is interesting to note that the value of agriculture permits are second only to that of residential, with capital investment totaling over 5 million dollars. This shows that farmers will invest a great deal of money into buildings and other infrastructure, if the agriculture area is set up in a way that will allow for their agriculture business to develop and they

can see a return on investment. The investment figures show that some of the agriculture in the area is high value with high capital costs.

Section 3.0

The regional context statement is very good here, as it references the high public amenity value of agriculture and the bright future that agriculture has in this region.

Section 4.0

In Table 4-1, the permitted land uses under 'Agricultural' include the three residential uses in addition to Park and Park Reserve, Public, Conservation, and Recreation. These uses may all be present on the Agricultural Land Reserve (ALR), but they are not all necessarily compatible with agriculture. We encourage caution when allowing these uses within the ALR. More about non-farm use is covered under Section 4.3.3.

Table 4-2 covers parcel sizes for subdivision. MAL does not recommend subdivision on farmland, as it can decrease the breadth of possible agricultural activities and there are already many small agricultural parcels available throughout the region. We would prefer that no minimum parcel size be established for the agricultural designation and that existing agricultural parcels be retained. Additional detailed comments are made on subdivision parcel sizes within the ALR under Sections 5.1.16 and 5.1.17.

Section 4.2 on residential uses, states that in 2009, 65 residential parcels did not have houses built on them and neither did a number of agricultural parcels. To achieve optimal productivity in the ALR, it is generally best not to encourage more housing, including the occupation of vacant parcels with residences subdividing parcels or encouraging the construction of new residences within the ALR. The Ministry of Agriculture and Lands (MAL) encourages local governments to meet anticipated housing needs by placing new dwellings on existing vacant parcels outside of the ALR and/or subdividing vacant parcels outside of the ALR. In our experience, subdividing ALR land and adding residences on vacant parcels within the ALR do not strengthen agriculture. Calculations concerning the community's capacity for additional residences should not include land within farming areas, so that those areas are not seen as places to absorb population growth.

Regarding bullet 4.2.3, MAL is in the process of developing a Ministry standard on residential uses within the ALR that will address footprint and placement of housing to ensure that the land can still be utilized primarily for agricultural activities. This standard should help local governments draw clearer boundaries around second dwellings within the ALR.

Regarding Section 4.3., associated rural residential uses are not always conducive to agricultural activities within the ALR and are discussed in detail under bullet 4.4.1. It is important to keep the ALR and the viability of farming areas in mind when allowing associated rural residential uses.

Regarding section 4.4, the proposal to rationalize property boundaries could be studied more closely through an Agriculture Area Plan (AAP) process, as suggested in bullet 4.4.3. There may be some merit to re-aligning property boundaries without creating more parcels, if it allows farmers more access to land and allows the Regional District to better manage the area's drainage.

Bullet 4.4.1 indicates that the Regional Board will work with the Agricultural Land Commission to provide for a broader range of agricultural uses. We recommend that this occur as part of an AAP

process, as suggested in bullet 4.4.3. This is because the introduction of broader agriculture uses requires careful examination and should be done in close consultation with farmers in the area. As discussed in Section 5.1.14, it is important to use caution when allowing different uses in the ALR because it can often have the unintended consequence of limiting agriculture opportunity and hindering long-term agriculture development.

Bullet 4.4.4 could be interpreted as discouraging certain types of agriculture. This does not match the language or intent of provincial legislation regarding farming areas, which allows and encourages a very wide range of agricultural activities. Non-soil based agriculture accounts for about 1/3 of the farm receipts of the Fraser Valley and therefore is a very important and integral part of the agriculture production system. Non-soil based agriculture, while important to support on all parcels, can also make good use of smaller parcels and parcels that have poor soil quality or topography issues. Therefore, it would be in the best interest of the region to show that all agriculture uses are encouraged in farming areas.

MAL supports the ongoing adoption of environmentally sustainable farm practices and encourages participation in the Environmental Farm Plan Program as a way to achieve that goal.

Section 5.0

Regarding Section 5.1, the Regional Board has the power to choose not to forward applications to the Agricultural Land Commission. MAL encourages local governments to only forward applications that meet the statements within their OCPs and other growth and development strategies. As stated in bullet 5.1.1, avoiding the introduction of incompatible uses onto the ALR is very important to the functioning of the Reserve. The introduction of supplemental and ancillary uses should be done with caution and would be best identified through an Agriculture Area Plan.

Under bullet 5.1.6, farming should be the primary use in areas designated agricultural. Conservation, park and park reserve and recreational uses, while allowed on the ALR, have the potential to jeopardize the long term viability of farmland.

Regarding bullet 5.1.13, the establishment of minimum separation distances could inadvertently restrict the growth of agriculture, as it may favor a conflicting land use or prevent a farm business from expansion due to conflicting non-farm use. However, we encourage edge planning, which promotes the establishment of buffers on the non-ALR side of the ALR boundary. Requiring buffers on the ALR side of the boundary would necessitate the development of a farm bylaw with the permission of the Minister of Agriculture and Lands. You can find out more about edge planning from our Guide to Edge Planning: <http://www.agf.gov.bc.ca/resmgmt/sf/Publications.htm#edge>. It may also be helpful to refer to our Ministry standards on setbacks, which are located within our Guide for Bylaw Development: <http://www.agf.gov.bc.ca/resmgmt/publist/800Series/840000-1.pdf>. Also, please see the notes under Section 15 for feedback on the use of the term 'intensive agriculture'.

Regarding bullet 5.1.14, we recognize that this is a positive statement in support of agriculture use. However, it is prudent to note that the issue of non-farm uses needs careful examination, as many non-farm uses can inhibit agricultural activities and are best located in an area specifically zoned for that purpose. Non-farm uses can conflict with farming activities, as evidenced by many of the cases that have been dealt with by the Farm Industry Review Board. Compromises arising from Farm Industry Review Board decisions can deter investment in agriculture and inhibit agricultural use of land.

MAL recommends that non-farm uses be discouraged in all areas with the agricultural designation and that an agriculture impact assessment be done before approving any non-farm use.

We recommend that bullet 5.1.15 be eliminated. Section 915(2) of the *Local Government Act* states that intensive agriculture is a permitted use in the ALR. The limitations suggested next to bullets (a) and (b) are not possible without the development of a farm bylaw with the permission of the Minister of Agriculture and Lands. Please see the notes under Section 15 for more feedback on the use of the term ‘intensive agriculture.’

Limitation (c) is difficult to address on an individual parcel basis. Many farm units have access to land outside the Electoral Area and nutrients may be exported to other areas.

Regarding bullets 5.1.16 and 5.1.17, subdivision on the ALR has a critical long term impact on the viability of agriculture in farming areas. MAL recommends that no minimum lot size be established for agricultural areas, as it increases speculation and has no appreciable benefit for agriculture. Our Agricultural Land Use Inventory studies have shown that there are many small parcels of agricultural land available throughout the region and smaller parcels are less likely to be farmed. Preliminary data analysis on the Land Use Inventory of Electoral Area “F” shows that 90% of the parcels over 16 ha are farmed and 45% of the parcels between 4 and 8 ha are not farmed. Therefore, subdivision of land in agriculture land use should not be encouraged.

Subdivision of large parcels down to a 16 ha minimum is unlikely, in most cases, to be conducive to the long-term viability of agriculture in the region. It is generally best to leave larger parcels not reduced in size. Likewise, more parcels of 4 ha are not required in this area, and smaller parcels are less likely to be farmed, therefore subdivision of parcels above the flood plain to a 4 ha minimum would likely have a detrimental impact on the agriculture in the area. We recommend that subdivision not be allowed in the agricultural areas of the electoral area unless there it is proven that agriculture production would be enhanced by such a decision.

Regarding Section 5.2, conservation areas on farmland can restrict agricultural uses. We prefer that the language in this section be amended so that new conservation areas cannot be established within the ALR.

Regarding Section 5.8, if farming is to be encouraged outside the ALR, then the rural use and subdivision policies should be revised, to reflect the comments on the definition of Intensive Agriculture in section 15.0.

Regarding bullet 5.9.5, regarding the subdivision and development of land zoned as Suburban Residential, it should be noted that subdivision upslope from agricultural lands can have deleterious impacts on agriculture land, as subdivision and development can cause increased runoff and could flood lower lying land. Measures should be taken when approving subdivision and development upslope from agricultural land to ensure that either increased runoff does not occur, or that drainage and other infrastructure is in place to accommodate increased runoff.

Under Section 5.10, there are measures to protect water quality within the proposed zone of influence for the groundwater wells to ensure they don’t become contaminated.

Regarding bullet 5.10.9, see discussion for section 15. It should be noted that confined livestock such as conventional poultry or swine operations, do not increase the risk of groundwater contamination if they have well-designed barn and manure storage structures. As mentioned previously, this type of non-soil based agriculture can make good use of poor soils and smaller parcel sizes. Placing excessive restrictions on this type of operation would hinder various objectives of this OCP. However, it would be prudent to call for properly engineered manure storage facilities and require properly designed buildings for housing livestock within the Community Watershed Protection Area.

Regarding bullet 5.10.10, if pesticide application is restricted outside of the ALR in the interests of wellhead protection, care should be taken that the control of noxious weeds can continue, as excessive weed growth can have a negative influence on the agriculture production capacity of the region.

Section 6.0

Regarding bullet 6.2.1, policies that relate to expanding the Hatzic Prairie Water Supply and Distribution system should ensure that existing agriculture use is not negatively impacted and should also consider future agriculture needs. It is anticipated that water needs for agriculture, including livestock watering and crop irrigation, will increase.

Section 7.0

Section 7.2, suggests developing a trail system with roads and rights of way, many of which would run through agriculture land. MAL recommends that farmers be closely consulted regarding trail development. Trails through farmland can be problematic for farmers, as they may prevent them from fully utilizing their lands. Recreational use of trails can cause many nuisance concerns for farmers including dogs, garbage, trespassing, and theft. These types of problems can be mitigated if trails are designed and constructed properly. Guidance on trail development is provided in Trails Through Agricultural Areas, available at: http://www.agf.gov.bc.ca/resmgmt/sf/trails/agtrails_br_05.pdf.

Section 10

In the section titled Risks to Groundwater, many statements are made with respect to agricultural impacts on ground and surface water. The 2006 Doctoral Study by Jamie Ross found that “sites in areas of intensive agriculture activity, specifically livestock operations, consistently produced the highest nutrient and bacterial concentration in streams.” To interpret these findings, it is crucial to know Ross’s definition of “intensive livestock operations”. It is likely that the thesis is referring to cattle or horses grazing in and around streams, as there are very few housed livestock operations in Hatzic Valley. Agriculture of this type is considered extensive and does not fit within this OCP’s definition of intensive agriculture. The best way to remedy issues caused by livestock grazing in and around streams is to encourage farmers to engage in the Environmental Farm Plan Program, specifically, the Riparian Management component. Please see the notes under Section 15 for more feedback on the use of the term ‘intensive agriculture’.

Section 15.0

We encourage the use of definitions in the “Guide to Bylaw Development in Farming Areas.” The definition of “Agricultural Use” is contained in our definition of “farm operation.”

We do not include a definition for “intensive agriculture” in the Guide to Bylaw Development. The Local Government Act in Section 915 ensures that those types of agriculture listed in the “intensive agriculture” definition here are an outright use despite a zoning bylaw to the contrary. Please note that one cow would

be deemed “intensive agriculture” by this definition as no scale is included. For areas outside the ALR you may wish to limit the scale of farm operations to address your concerns. One way to do this would be to use thresholds similar to those in our “Guide to Edge Planning” (refer to pg. 33). Alternatively, it may be possible to use the definition of Agriculture that is stated in our Guide to Bylaw Development and then add density restrictions in a zoning bylaw.

We hope that these comments will assist you in designing an OCP that will help achieve the aims of encouraging economic growth in this region. Thank you again for giving us an opportunity to comment.

Yours truly,

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