

NEWS

Kelowna: UBCO economist and water stewardship directors question ALR change

by [Jennifer Smith - Kelowna Capital News](#)

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Researchers, academics, local government representatives and water management specialists at the Okanagan Water Stewardship Council are questioning the proposed Agricultural Land Commission Amendment, asking why it is necessary.

— *Image Credit: Jennifer Smith*

The need to make any changes to the Agricultural Land Reserve and how it is governed is questionable, a local economist told the Okanagan Water Stewardship Council last Thursday.

UBCO professor John Janmatt says the controversial Agricultural Land Commission Amendment Act 2014 currently in the hands of agriculture minister Norm Letnick stirs a litany of questions.

“How broken is the current system and does it really need to be changed?” he asked in interview after his talk. “Are we suffering that much and, if there are these big glaring problems, lets see them rather than these simple little antidotes of the odd person who doesn’t like it.”

The council is the technical advisory board for the Okanagan Basin Water Board. and offered many unique perspectives as members weighed in on the issue.

Janmatt’s presentation pointed out the amendments to the act do not address the concerns outlined in the Auditor General’s 2010 review of the ALC, which noted mapping of the reserve’s boundaries is weak and oversight of the “delegated authorities” needs strengthening.

Those delegated authorities include a couple of regional governments and the B.C. Oil and Gas Commission, which has been handling review of requests for boundary adjustments and removal of chunks of the ALR pertaining to the oil and gas industry since the mid-’90s.

The massive amount of legislative change in the province—the creation of the new Water Sustainability Act, the Parks Amendment Act, the Agricultural Land Commission amendments—is pegged by pundits as paving the way for oil and gas expansion, but Janmaat sees another culprit in the ALC amendments.



“Most of the applications come from municipalities and developers not from farmers,” he said. “So it’s not really about benefiting farm families, but it’s about enabling landowners to either get their land directly out of the ALR or at least to subdivide it or start new activities so they can get new activities out of the land.”

Grape grower Hans Buchler, a former director of the B.C. Agriculture Council and member of the council, suggesting only six per cent of the applications that come to the ALC requesting variances and changes to the protective land reserve come from farmers.

Janmaat’s presentation mapped the lands removed and added to the ALR in this province, and the results clearly indicated land is being taken out in the Kootenays, along the border

where wealthy Calgarians might want to shop for small estate lands, and in pricey Coastal communities.

The main issue highlighted in media reports on the amendments is the proposal to divide the province into two zones with the same protections for the south—the Okanagan, Vancouver Island and Lower Mainland—and more lenience in zone two—the Kootenays and the north.

The presentation thus offered motive: removing valuable real estate in the Kootenays,

Several water stewardship council members suggested the logic behind the amendments is also scientifically flawed.

“Soils being better in the south, that isn’t necessarily the case,” said Denise Neilsen, a researcher at Agriculture and Agri-Food Canada. “The Peace River soils, for example, are potentially very productive soil. It’s really climate that is the limiting factor.”

Both Neilsen and her colleague, Scott Smith, said climate data indicates growing seasons are getting longer in the north, making the land far more valuable and indicating the premise of the two-zone system is backward.

The amendments also place subdivision decisions in the hands of local panels, Janmaat noted, saying there is already research to show this approach has not worked well with the six regional panels created in 2002.

Drawing on a study done by Ryan Green, out of the Environmental Law Clinic at the University of Victoria, he suggested local panels are far more susceptible to listening to the local advocates and approving subdivisions than a Agricultural Land Commission body.

“We love the Agricultural Land Commission,” said Coldstream councillor Maria Besso.

Local councils are happy to turn over decision making to a higher power and be one-step removed from the process, she said, as it’s the best way to protect the land reserve from the persuasive argument of a friend or neighbour of the council.