Media backgrounder to support BCFSN news release from 7 November 2013
Regarding BC Government proposals for the Agricultural Land Commission (ALC)
and the Agricultural Land Reserve (ALR)

INTRODUCTION

This material was prepared by the Policy Working Group of the BC Food Systems Network as a resource for media and other interested parties regarding the Agricultural Land Commission and Agricultural Land Reserve in British Columbia. It is part of the BCFSN's response to reports of a Cabinet proposal from the Minister of Agriculture, Honourable Pat Pimm, to introduce significant changes to the ALC and ALR.

SUMMARY

1. The rationale for farmland protection through a province-wide Agricultural Land Reserve is stronger today than ever before.
2. A land reserve will only work if its administrative body is province-wide, independent and quasi-judicial, as the Agricultural Land Commission is today.
3. If the Province is considering any major changes to the ALR or ALC, there needs to be full and transparent public consultation with all affected parties, particularly farmers, ranchers, food advocates, property holders, and local governments.

THE RESERVE

The Minister Responsible for Core Review, Honourable Bill Bennett, is quoted as saying "There is nothing that we would contemplate that would reduce or undermine the central principle of the Agricultural Land Reserve, which is the protection of farmland and the sustainability of farming."

While the Minister makes this assertion, the reported proposals would be detrimental to farmland protection.

1. **What is the history of the ALR?**

   The Agricultural Land Reserve (ALR) was established in BC in 1973. In the ensuing 40 years it has become known in North America and around the world as a forward-thinking and effective planning tool. It is the envy of policymakers in many other jurisdictions.[1]

2. **What was the founding rationale for farmland protection in BC?**

   BC's farmland is scarce – it accounts for less than 5% of the provincial land base – and it is highly vulnerable to development and degradation. Local governments may be unwilling or unable to protect it, so we need a province-wide strategy and mechanism: the ALR, a zoning tool based on soil and climatic potential, with an independent body to administer it.

[1] History of the ALR
- Synopsis from ALC http://www.alc.gov.bc.ca/publications/Alr_history.htm
- Forever Farmland by Charles Campbell http://www.davidsuzuki.org/publications/downloads/2006/DSF-ALR-final3.pdf
- A Work in Progress by Barry Smith http://www.smartgrowth.bc.ca/Portals/0/Downloads/AWorkinProgress_Smith.pdf;

3. **What is today's rationale for farmland protection in BC?**

- If the ALR did not already exist, now would be the time to create it. Amid an existing and expanding global food crisis, the ALR plays a vital role in delivering food security to British Columbians.[2]
- By protecting farmland for farming, the ALR is the foundation of the provincial agri-food economy which provides key contributions to provincial employment and GDP.
- Pressures on British Columbia's farmland have increased exponentially. Amid increasing speculation in land and growing concern around the emergence of a farmland bubble, the ALR keeps agricultural land prices within the reach of farmers and ranchers and food prices within the reach of consumers. In the last five years, according to Farm Credit Canada's Farmland Values reports, farmland values in BC have increased 5% versus 38% for Alberta, 80% for Saskatchewan, 60% for Manitoba, 71% for Ontario and 63% for Canada as a whole.[3]
- By serving as a crucial mechanism for mitigating the effects of climate change, the ALR helps to ensure a sustainable future for BC and its residents. In short, a prudent government thinking of the long term would err on the side of farmland protection, today more than ever.

4. **Why emphasize agriculture? What is its value for the province?**

Apart from its obvious value of producing essential goods, BC's agri-food sector is an important driver of the provincial economy. In 2012, BC's agriculture, fisheries and processing sectors provided almost 62,000 jobs and $11.7 billion in annual revenue.[4] Some areas, like direct sales to consumers, have grown by 147% in just over five years (from $46 million to $113 million between 2006 and 2012.)[5] Moreover, unlike extractive industries, agriculture can be sustainable. Given that diversity is a hallmark of sustainability, BC is well favoured with a highly diverse agricultural sector producing over 200 commodities.

5. **What results have we seen from 40 years of the ALR?**

- The ALR has effectively preserved agricultural land for current and future food production. Removals from the ALR have slowed loss of farmland to the point that the overall amount of farmland in the reserve has stayed just over 4.6 million hectares.
- The ALR has served as an effective growth management mechanism.[6] By holding the line around farmland, the ALR contributes to the reduction of urban sprawl and related development and costs (such as roads). Other jurisdictions in Canada and North America envy BC for this.
- The ALR has mitigated the rapid rise in farmland values that have been observed in several other Canadian provinces in recent years. Given current speculatory pressures, weakening or dismantling the ALR will lead to a rapid inflation in farmland prices, making it difficult for existing

---

[2] Global trends
- Pacific Institute for Climate Solutions: Strengthening BC's Agriculture Sector in the Face of Climate Challenge http://pics.uvic.ca/sites/default/files/uploads/publications/Strengthening%20BC's%20Agriculture%20Sector_0.pdf
- Welcome to Dystopia: Entering a long-term and politically dangerous food crisis, Jeremy Grantham http://f2cfnd.org/wp-content/uploads/2012/09/GMOQ2Letter.pdf
- UN Conference on Trade and Development Report, 2013 http://unctad.org/en/PublicationsLibrary/tdr2013_en.pdf
- Climate change draft report predicts war, heat waves, starvation http://www.cbc.ca/news/technology/climate-change-draft-report-predicts-war-heat-waves-starvation-1.2350352

[3] http://www.fcc-fac.ca/en/Products/Property/FLV/Spring2013/)
[4] https://www.google.ca/#q=bc+agrifoods+a+strategy+for+growth
[5] http://www.bcfarmersmarket.org/resources/subpage/economic-and-social-benefits-study
[6] Smart Growth BC position statement on the ALR http://www.smartgrowth.bc.ca/Portals/0/Downloads/SGBCALRposition.PDF

farmers to expand their operations, preventing new farmers from entering the sector, and hampering the process of farm succession.

6. **What is the primary activity and group the ALR is intended to protect?**

- Farming, and farmers and ranchers. This is about them. About 98% of the province's roughly 20,000 farms and ranches are family owned and operated. The 2011 agriculture census showed a 0.4% decrease in the number of census farms in BC, as opposed to the national average decrease of 10.3%. BC is staying almost stable in number of farmers, unlike the national trend: we had a 0.2% increase in the number of farm operators between 2006 and 2011. In 2012 there was an 8% growth in farm receipts from crops and a 7% growth in the livestock sector.
- The ALR's relationship to farming is complex – the ALR has enhanced farming in some ways, such as by keeping taxes low, while it has hampered farming in some other ways, such as by restricting farm-related business activities on farms. Soil classification is useful but it is not the only land indicator for farm success, nor does the highest quality soil necessarily equate to the most important or valuable farmland or farm. If government really wants to look at the purposes and benefits of the ALR, it must seek the views of farmers and ranchers.

The Globe and Mail suggests the Province is considering two classes of ALR, one in the Fraser Valley, Okanagan Valley and Vancouver Island, and everything north and east of the Okanagan in another.

7. **How is ALR land distributed in BC?**

ALR land currently breaks down regionally as follows. The Okanagan (5%), Fraser Valley (4%) and Vancouver Island (2%) account for a total of 11% of the ALR in BC. The remaining 89% is made up of the Interior (31%), Kootenays (8%) and North (50%). In the 40 years since the ALR was created, about 90% of the land added to the ALR has been in the north and 72% of the land lost has been in the south. Under the two classes approach, this means 89% of existing ALR land will be put at risk in the majority of the province east and north of the Okanagan, and the remaining 11% will remain under heavy pressure, as it is now. This has negative implications for BC's food security.

8. **What is the rationale for proposing a separation?**

The argument put forward is that lands east and north of the Okanagan are often not useful for agriculture or needed more for other economic purposes. In terms of agriculture, ranchlands are just as important as valley bottoms. We need the whole province and a full suite of land types to meet our dietary needs. Our variety is our strength. We have had 40 years of adjustments, and if there are areas and boundaries that still need to be reviewed, the ALC has the history, the expertise and the big picture to understand how all types of land contribute to food production in BC.

What British Columbians need

The Province must retain the ALR as one zone for the whole province. If changes are to be considered, the government must conduct a public consultation process with particular reference to farmers and ranchers - recognizing their scheduling needs – regarding how the ALR can more effectively serve them. This should include consideration of additional measures and resources for the Ministry of Agriculture, such as restoring extension services.

THE COMMISSION

9. **What is the mandate of the Agricultural Land Commission?**

The Agricultural Land Commission (ALC) is a provincial administrative tribunal that reports to the Minister of Agriculture. Its purposes are (1) to preserve agricultural land; (2) to encourage farming in collaboration with other communities of interest; and (3) 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. In other words, its job is to put agriculture first.

The Minister proposes to modernize the ALC by widening its mandate to include economic development, and to move its staff into the Ministry of Agriculture. **This fails to recognize the economic contributions of agriculture to the province and will destroy the effectiveness of the ALC, and with it, the ALR.**

10. What would absorption into the Ministry do to the ALC's effectiveness?

- This will render the ALC ineffective. The ALC's capabilities stem from the fact that it operates province-wide, is independent of government, and has the powers and status of an administrative tribunal. For the Province to change <u>any one</u> of those four characteristics - its mandate or its provincial, independent, quasi-judicial status – will mean the ALC will be unable to protect farmland. And the ALR (our precious farmland) will disappear, piece by piece.
- When speaking to the proposal in radio interviews on 7 November, the Minister Responsible for Core Review, Honourable Bill Bennett, said that the government has no interest in having elected people or bureaucrats making decisions about exclusions and that those had better be done with panels. But if those ALC panels are in the Ministry of Agriculture (or even at arm's length with their decisions interpreted by the Ministry), they will be subject to the Minister's direction. So the "elected people" can be brought in to influence decisions at will.
- Minister Bennett also commented on the government's wish for Agencies, Boards and Commissions to be more "people friendly" and to "give reasons for their decisions," possibly a recommendation for more transparency. The ALC already posts all its decisions on its website. In one particularly notable decision from August 2013 regarding an application for a rodeo ground in the Peace River,[7] which the ALC turned down, the report on the decision describes the pressure brought to bear on ALC officials by local and provincial elected officials. It is notable that the ALC was moved to detail this behaviour in its decision report and also to issue a policy statement concerning the role of elected officials in applications to the ALC.[8]

The proposal suggests that authority would be delegated away from the ALC to the Oil and Gas Commission.

11. What is the relationship between the two Commissions?

There is currently an agreement between the Oil and Gas Commission and the Agricultural Land Commission that outlines how the two bodies will collaborate to ensure that both their interests

[7] http://www.alc.gov.bc.ca/application_status/Docs/53049d2a.pdf
[8] http://www.alc.gov.bc.ca/publications/Policy_Statement_Elected_Officials_1.pdf

can be accommodated. Both interests are important and are not inevitably incompatible. It does not serve BC's long-term food security public interest to remove agriculture from that equation. The ALC must sit at the decision-making table. Mitigation and compensation measures for agriculture for lands used for oil and gas purposes must be firmly in place and adhered to.

The proposal suggests that authority would be delegated away from the ALC to local governments.

12. What would be the effects of community growth decisions being made by local governments?

- Delegation of community growth applications to local governments will, **f**or a number of reasons, lead to the death of farmland protection by a thousand cuts.
- The ALR takes precedence over most other public interest considerations on Classes 1 to 5 soils. It is subject only to the Environmental Management Act and a few other laws. That means that the priority of maintaining and protecting farmland is paramount. Decisions about that landscape are most appropriately made by an independent tribunal that is taking regional specifics into account. And most importantly, the decisions must be divorced from local politics about land ownership and development potential. This has been one of the greatest strengths of the ALR - keeping the discussion about farming and farmland and not about urban potential or highest and best use. The Commission's view is that the highest and best use of our scarce farmland is agriculture.
- At the same time it is important to recognize that the ALC works closely with local governments and takes long-range community interests into account. This can be seen from the track record of its decisions.[9] Also, over the last 40 years the ALC and local governments have been collaborating in the production of local government agriculture plans which complement Official Community Plans. Currently BC has 52 agriculture plans in place.[10] Many of them express strong support in principle for the ALR.
- Municipalities that often come under undue pressure from developers with deep pockets have been able to rely on a provincial body that runs interference for them by adjudicating farmland exclusion applications. Municipalities will likely not welcome a download of this responsibility.
- Interestingly, research shows that despite the promised benefits, levies and taxes usually fail to recover the long-term costs of urban development. On the other hand, agricultural land is a net benefit to a municipal balance sheet because it costs less to service it.
- Most (over 90%) of the exclusion applications the ALC receives today are from property owners who are not farmers. These are land owners who knowingly bought ALR land and now want to realize benefits for non-agricultural purposes. If they are allowed to do this, the many landowners who have lived with and upheld the ALR over the past 40 years will be unfairly disadvantaged. Speculators, on the other hand, will be rewarded.

13. Has the ALC been consulted about the proposed changes?

Despite its considerable expertise and experience, the ALC has not been consulted. The ALC has deep knowledge of the dynamics described above, and considerable expertise in managing farmland exclusion requests and working with local governments and First Nations on planning for agriculture. For the Province to ignore the expertise of the Chair, Commissioners and staff is

[9] http://www.alc.gov.bc.ca/application_status/app_status_main.htm
[10] http://www.al.gov.bc.ca/resmgmt/sf/aap/Status_of_Ag_Area_Plans_and_Strategies_8_Jan_2013.pdf

inappropriate and an insult to their 40 years of effort and dedication for the protection of farmland in the public interest.

14. **Why are further changes being proposed at this time? Are they needed?**

What is peculiar is not just the magnitude of the proposed changes, which effectively would dismantle the ALC and ALR as we know them, but that the changes represent a significant shift in direction. The ALC has been on course to clarify ALR boundaries, make the organization more proactive, and increase its enforcement abilities: in other words, to strengthen the ALR. This approach was supported by the Province, as shown in its current guiding documents (Ministry of Agriculture Service Plan[11]) and in its budget, at least up to the start of this fiscal year. The ALC Chair in his 4 October 2013 report outlines how he is following through with commitments made after a review by the Auditor General in 2010 and his own review later that year. The Cabinet proposal overturns all this, without public consultation.

What British Columbians need

The Province must retain the ALC as a province-wide, independent, quasi-judicial body. It should be allowed to get on with its work as outlined in the commitments made under the 2010 reviews by the Auditor General and the ALC Chair. If further changes are to be considered, the government must conduct a public consultation process with the ALC and those affected by its decisions.

THE CONSULTATION PROCESS

15. **What consultation opportunities has government offered regarding these changes?**

The proposed changes are non-trivial and there has effectively been no public consultation. The proposed changes are significant in that a major change to the mandate and makeup of the ALC will inevitably affect the ALR. This in turn impacts farmers, ranchers, food advocates, property holders, and local governments. The more people affected, the greater the need for adequate consultation.

It is not clear whether these changes are emerging from the Core Review, since they were signed by the Minister of Agriculture. However, the Minister Responsible for Core Review is speaking to them now and has made comments in the past about the ALR and ALC being up for scrutiny. The only avenue for public input to the Core Review was announced on 24 September, through the budget hearings held by the Select Standing Committee on Finance and Government Services in September and October 2013. By the time of the announcement, one hearing had already taken place. When the BC Food Systems Network presenters went to the hearing in Victoria on 26 September, the Committee members did not know they had been written into the Core Review's terms of reference. Opportunities for public input through the Committee ceased when its hearings were completed on 16 October.

The BC Food Systems Network has been assured verbally, on two occasions, first by the Chair of the Select Standing Committee on Finance and Government Services, and also by the Premier, that there will be lots of opportunities for input about the ALR and ALC into the Core Review process.

[11] http://www.bcbudget.gov.bc.ca/2013/sp/pdf/ministry/agri.pdf

However, we have written three letters, to the Premier and Ministers Pimm and Bennett, to ask what these opportunities will be, and we have not yet received a reply.

16. What do we know of public opinion regarding farmland protection in BC?

Public opinion favours farmland protection for BC. In a 2008 Ipsos Reid Poll[12], 91% of British Columbians from across the Province responded that *"It is important that BC produce enough food so we don't have to depend on imports from other places"* and 95% of respondents said they support the ALR and the policy of preserving farm land. When asked about acceptable reasons for removing land from the ALR, 61% of respondents said there were no acceptable reasons.

What British Columbians need

If the Province wants to propose major changes to the farmland protection system, it should do so inclusively, fully, and openly, through a managed public consultation process. We have all learned from 40 years of living and working with the ALR and ALC. Those of us who have a case for farmland protection should be heard, as much as those who do not consider it a priority.

WHO WE ARE

The BC Food Systems Network (www.fooddemocracy.org) includes hundreds of members in over 20 organizations representing farmers, food producers, health promoters, and community food organizations around British Columbia who are concerned with farming and food security in the province.

Follow us on Facebook: ALR Watch https://www.facebook.com/alrwatch
and Twitter @ALRWatch https://twitter.com/ALRwatch

For further information, contact:

Brent Mansfield - brentmansfield@gmail.com * Tel 604.837.7667
Linda Geggie - lgeggie@telus.net * Tel 250.896.7004

[12] Public opinion polls
Ipsos Reid December 2008: http://www.iafbc.ca/publications_and_resources/documents/PublicOpinionPoll_Results.pdf
CBC-Ipsos Reid poll September 2008: Acceptable reasons for removing land from ALR
http://www.cbc.ca/bc/features/feelingtheheat/poll-results-Q8.html#flashcontent