



Richmond FarmWatch open letter to Premier John Horgan on the recommendation of the “Food Security Task Force” that ALR land be used for agricultural industries, “agri-industries”

June 2, 2020

Honourable John Horgan, Office of the Premier, Premier@gov.bc.ca

Delivered Electronically

Dear Premier John Horgan,

British Columbia needs agri-industries, and Richmond FarmWatch wants agri-industries to thrive. However, they should not erode the ALR’s ability to enable food security and its range of values. This includes ALR lands in Classes 4 to 6, which suit crops like tree fruits, berries and nuts, as well as forage crops our livestock industry depends on.

Much of the prime agricultural land in Richmond has Class 4 soil. It is often improved to Class 2 with a farm plan of drainage upgrades, organic amendment and other improvements. Treating Class 4 as poor land would reward those who let it degrade for industrial use instead of enriching it for ground crops.

The “Food Security Task Force” proposes that ALR lands in Classes 4 to 7 be used for buildings and other agri-industry infrastructure. That has much potential for loss of ALR land, especially if an Agri-Industrial Land Commissioner gets allowed to grab ALR land for industry without Agricultural Land Commission approval. (That applies even if the ALC gets consulted “in areas of mutual interest.”)

We strongly support the points that ALC Chair Jennifer Dyson has made in the attached letter to you (March 9, 2020). As you know, the ALC protects the ALR for the present and future benefit of British Columbians. Your government’s legislation to revitalize the ALR and ALC has helped the ALC to do its job. Keep up the good work! Retain the regulations that require ALC approval for agri-industry on ALR lands.

No doubt there are prominent ALR landowners who would love to increase the monetary value of their land by being freer to add agri-industrial infrastructure there. It will be hard to resist such powerful advocates, but please stand strong.

As an example, the City of Mission has an available 300 acres of prime industrial land **not** in the ALR and would like see it revitalized with agri-industries there. We believe that the A-I Land Commissioner’s first task should be to identify all the locations in BC, like Mission, with land that is **not** in the ALR that is available for agri-industries.

Even when **non**-ALR land is in short supply, ALC approval should be a requirement before ALR land is used for agri-industries. Even then, the ALC may suggest alternative locations that limit any ALR loss.

We can encourage agri-Industry in BC and still retain our strong ALR for current and future food security.

Yours sincerely,

Richmond FarmWatch

cc: Jennifer Dyson, Chair, Agricultural Land Commission, and Lana Popham, Minister of Agriculture



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March 9, 2020

Honourable John Horgan
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Delivered Electronically

Re: The Future of BC's Food System: Findings and Recommendations from the BC Food Security Task Force (2020)

On July 11, 2019, the Government of British Columbia (BC) announced the establishment of the Food Security Task Force (the "Task Force") comprised of academia and industry. The Task Force's mandate was to provide recommendations to support food security and the economic growth of the agriculture sector in BC in the following three areas:

- Increasing the competitiveness, efficiency and profitability of the agricultural sector of BC, through technology and innovation;
- Growing the agritech industry as a standalone economic sector capable of developing technologies that will be applicable both locally and globally; and,
- Supporting the development and application of technologies that can protect the agricultural sector against the effects of climate change and support environmentally sustainable agricultural practices.

On January 7, 2020, the Task Force's findings were summarized in a report titled *The Future of BC's Food System, Findings and Recommendations from the BC Food Security Task Force* (the "Report"), which addresses how BC can lead the next agricultural revolution.

The Report identifies four recommendations with suggested actions to illustrate how the recommendations may be implemented.

Recommendation four seeks **to ensure there is a place to grow food and support emerging agritech industries by examining land use policies and other regulatory considerations**. The associated actions include the following:

- Allocation of up to 0.25% of the Agricultural Land Reserve (ALR) for a broader category of use, essentially categorized as agriculture-industrial. The location of this category of use is proposed to include lower soil classification lands (Class 4-7 only), with proximity to existing transport corridors and services, and potential for clustering agri-industrial uses near other non-agricultural zones.
- The allocations and selection factors be reviewed every three years to ensure appropriate land use and space designations and to assess if the new agricultural-industrial designation has achieved the intended outcomes of increasing investment and developing the agriculture and agritech industries.

- Establish a Commissioner for Agri-Industrial Lands mandated to:
 - Establish and oversee the new zones in consultation with potential land holders, municipal governments and the Province, including the intended industrial lands inventory;
 - Spur rapid establishment of agritech and agri-innovation enterprises, to attract companies that align with agriindustrial vision to these new zones of opportunity, and to ensure the process to relocate or establish in a new zone is seamless;
 - Create a consultation process with the Agricultural Land Commission (ALC) in areas of mutual interest.
- Encourage maximum uptake and productivity on the newly classified land by considering regulatory or policy instruments that can be used to catalyze industry growth.

Only 5% of BC's land base has the soil, climate, and topography suitable for agricultural use. Due to this scarcity, the ALR was established to ensure that lands capable and suitable for agriculture were preserved over the long term. Approximately 50% (2.3 million hectares) of the ALR is Crown land, some of which is utilized by agriculture for Crown land grazing leases, but much of which is used for a myriad of other uses, including: roadways, airports, landfill, licenses of occupation, recreational permits, water, forestry and reforestation objectives; wildlife management, mining and so on.

The findings of the Report, specifically related to recommendation four and the allocation of 0.25% of the ALR for agriculture-industrial use, would have substantial implications on the preservation of the ALR land base. Using 0.25% of the ALR for agriculture-industrial equates to approximately 11,532 hectares* of the 4,612,861 hectare ALR being removed from potential primary agricultural production (*as of January 31, 2020). It should be noted that this number does not adequately reflect the cumulative impact of other permitted ancillary farm and non-farm uses, such as roads/driveways, buildings, and residences, which further reduce the ALR land base available for primary agricultural production.

According to a 2017 study conducted by the University of British Columbia (the "UBC Study"), approximately 10% of the ALR land base in Metro Vancouver is comprised of impervious surfaces, most notably impacted by residences and greenhouses (Rose, Wilson & Lavkulich, 2017). The UBC Study concluded that the decrease in pervious surfaces has negatively influenced the ecosystem health of the region, as well as decreased the amount of agricultural land for soil based agriculture and surface and groundwater dynamics. As soil is a non-renewable resource needed to meet the increased demand for food production, as well as to improve our resilience to floods and droughts, the preservation of soil is imperative.

While the Report proposes that the 0.25% allocation for agriculture-industrial be sited on Class 4 through 7 lands, the Commission wishes to clarify that the growing assumption that these lands are somehow inferior or not useful for agriculture is incorrect. Class 4 to 6 lands are highly suitable to a number of crops, including grapes, tree fruits, berries and nuts as well as forage crops that our livestock industry depends on, which are in increasingly short supply. How would our agricultural industry be impacted if we summarily dismissed Class 4 to 6 lands?

Moreover, the Report suggests that the 0.25% allocation of the ALR be located in proximity to existing transport corridors and services. The Commission notes that much of the prime agricultural lands found within the Province align with existing transport corridors and services. For example, Metro Vancouver contains the most productive agricultural area in BC, and is also the most rapidly growing urban area (Rose, Wilson & Lavkulich, 2017).

Secondly, the Report incorrectly cites the regulations regarding processing in the ALR. Page 72 of the Report states that existing regulations do not allow for large scale processing unless 50% of materials are grown on site or contrarily stated on Page 73 are grown within BC. The ALC would like to clarify that these statements do not adequately reflect the current regulations. Under Section 11(2) of the ALR Use Regulation processing may be permitted under the following:

- 11(2) The use of agricultural land for storing, packing, preparing and processing farm products is designated as a farm use and may not be prohibited as described in section 4 if at least 50% of the farm product is*
- (a) produced either on that agricultural land or by an association to which the owner of the agricultural land belongs, or*
 - (b) feed required for farm use on that agricultural land.*

As you can see, the size or type of facility is not dictated, but is intended to be scaled to the agricultural operation the facility is intended to support. The ALR Use Regulation also ensures that any processing facility established on the finite supply of agricultural land in BC has a direct tie to agricultural production on agricultural land. Agri-food processing facilities that do not have a connection to local, and/or BC agricultural production are more appropriately located on industrially zoned lands.

The Commission would also like to clarify that processing proposals which do not meet the requirements of the ALR Use Regulation may be contemplated through the application process to the ALC. The ALR Use Regulation and the application process is designed to work together to first protect and preserve land in the ALR, but also allow for some flexibility, on a case by case basis. The two work in tandem to ensure that the primary use of the ALR is for agriculture production, while recognizing that other facilities and activities can be accommodated on a site specific basis through the application system. Experience suggests that a permissive use regulation is not an appropriate approach to enabling and encouraging agri-industrial processing. If an agricultural processing entrepreneur is seeking to establish a processing facility in the ALR but is unable to currently meet the 50% on-farm source thresholds of the ALR Use Regulation, the application process provides an opportunity for the Commissioners to take into consideration the intention of a specific proposal and its alignment with the ALC's mandate to preserve land capable of agriculture; encourage farming of the ALR in collaboration with other communities of interest; and encourage local governments, first nations, the government and its agents to enable and accommodate farm use within the ALR and uses compatible with agriculture in their plans, bylaws and policies. Through the application process, the Commission can approve an operation that may not be directly tied to the parcel upon which the facility is located, but which supports regional and/or provincial primary agricultural production. The implication that the ALR constitutes a "bottleneck" to innovative agri-tech development is therefore not clear.

In certain circumstances the Commission has permitted agri-industrial uses not associated with on-site agricultural production through application. For example, the ALC permitted the use of 35 ha of ALR in the City of Chilliwack for agricultural processing adjacent to Highway 1 (ALC

Application 40833; Legacy 35126; Resolution #50/2004). The processing operations occupying these lands currently include:

- Molson Coors Fraser Valley Brewery – a large scale brewery and distribution centre.
- Berryhill Foods Inc. – a commercial supplier of premium quality cultivated blueberries and red raspberries.
- Sandel Foods – a supplier of filling, icing, glazes, syrups, and sauces.
- Five Corners Meats (Donald's Fine Foods) – a primary producer, value added producer (e.g. packaging) and distributor of meats.

Whilst this decision provided space and a location for food industry processing, it is unlikely that the decision directly supports BC agriculture.

In January 2018, BC's Minister of Agriculture, Lana Popham, announced the formation of an independent committee (the "Committee") to lead a public engagement process and provide recommendations to the Provincial government to revitalize the ALR and the ALC. In the Committee's December 2018 final report, titled *Revitalizing the Agricultural Land Reserve and the Agricultural Land Commission – Final Committee Report to the Minister of Agriculture: Recommendations for Revitalization*, 32 recommendations were identified, one of which (Recommendation 14) recommended a maximum cumulative footprint for farm-related commercial and industrial uses in order to ensure agricultural production remains the primary ALR land use, and does not eliminate economic opportunity for farmers.

On May 9, 2019, the Commission sent a letter to the Minister of Agriculture citing its concern for the cumulative impact of ancillary farm uses and inconsistency in application and interpretation of the "scale" for the current regulations for alcohol production, on-farm processing and farm retail sale facilities by local governments. It is felt by the Commission that while the construction of these types of facilities in the ALR was meant to be ancillary and supportive of primary agricultural production (i.e. the growing of crops and the raising of animals) the construction of these types of facilities has in fact become the principal occupation with only enough "farming" being undertaken to justify the construction of these facilities. The Commission believes that limits need to be placed on the total footprint of retail and processing uses not associated with the primary production of farm products.

The Commission also believes that the establishment of limits on these types of uses would help address the escalating cost of agricultural land for farmers. Land valuation is very strongly tied to the "highest and best use" of a parcel and right now in BC the highest and best use of agricultural land is not primary agricultural production, but the development of alcohol production, on-farm processing, and farm retail sale facilities, in conjunction with accommodations, spas, and "event" spaces. This land valuation issue will likely be further compounded in the coming years by the competition for land access resulting from the expansion of cannabis production into the ALR.

It is worth noting that the Ontario Ministry of Agriculture, Food and Rural Affairs, in their guidelines for permitted uses in agricultural areas does not consider large processing plants, large wineries, breweries or distilleries to be agriculturally related due to their size, scale, and substantial servicing requirements, i.e. transportation and servicing infrastructure to address high water demand and effluent generation.

Respectfully, careful consideration must be given to future agricultural innovation and the role in which the ALR and ALC may have. We need to look at how to preserve the finite supply of

agricultural land, while at the same time recognizing the role the ALC can have to encourage appropriate agricultural innovation and growth.

The Agricultural Land Use Inventories (ALUIs) delivered by the BC Ministry of Agriculture, collect consistent, credible, and comprehensive data about land use and land cover on agricultural lands in the Province. The ALUIs measure utilization, vacancy, land use changes, and identify potential agricultural expansion opportunities. The ALUI's also map and describe how BC's agricultural land is being used across the Province, including non-agricultural uses occurring on designated farmland. It is difficult to build the future without a blueprint. Prior to 2017, the ALUI unit had been without stable and ongoing funding to complete or maintain an agricultural land use inventory. In order to look to additional future innovation on the ALR, this data is critical to support the baseline understanding and cumulative impact on the land base.

Finally, the Commission understands that public engagement sessions held between August and December 2019 included engagement with companies/farmers, government, post-secondary institutions/research bodies, and political entities, but did not include consultations with the ALC. Given the implications of the findings of the Report on the ALR and the ALC, the Commission would like to be consulted before any decision is made about potentially increasing the impact of processing and retail facilities on the agricultural land base.

We are proud of the visionary land use policy that the ALR represents. The ALR has been the envy across Canada and the United States. Over the years we have been visited from delegations from around the world asking how to preserve dwindling farm land. It is an important accomplishment for our Province and we must work together to ensure the preservation and viability of the agricultural land base supports farming over the long-term. I believe the success of the ALR has been due to its foundation on the biophysical characteristics of soil and climate to support agriculture, and its applicability to everyone, whether individual landowners, corporations, local governments, Provincial agencies, or Crown corporations. I would be pleased to meet to discuss the ALR and ALC as it relates to the report.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



Jennifer Dyson, Chair of the Agricultural Land Commission

CC: Minister of Agriculture, Lana Popham