

**Agricultural Land Commission (ALC) Application Section 20(3) - Non-Farm Use in the
Agricultural Land Reserve (ALR) LC2553C (Roy Johnston)**

Electoral Area C Official Community Plan Bylaw No. 725

Applicable Policies

Section 2 Protecting our Lake Community

2.1.1 Objectives

- .1 To protect the water quality of Shuswap Lake and its watershed.
- .2 To maintain healthy aquatic and groundwater environments and protect people from contaminated water.

2.1.2 Policies

- .1 Regardless of the level or type of treatment, the discharge of liquid waste (human, agricultural, industrial) into Shuswap Lake, White Lake and other natural waterbodies is unacceptable. In the event that a sewer system is available, properties within the service area will be required to connect to the system.
- .2 Any new commercial, industrial, and institutional development must connect to a community sewage system. Existing residential development must connect to a community sewage system, when capacity is available.

The Regional District will:

- .3 Implement its Liquid Waste Management Plan (LWMP);
- .4 Assume control over private community sewage systems if the proper circumstances exist, and if there is support to do so from residents and the Provincial government, the users will fund the cost of operating and maintaining the system;
- .5 Investigate opportunities for one or more marine pump-out(s) to a land-based discharge system located away from the residential areas of Shuswap Lake;
- .6 Request the Interior Health Authority to prohibit any further use of dry wells for liquid waste management, and recommend that the Interior Health Authority continue to work with property owners towards replacement of these existing dry wells and failing septic systems as appropriate;

- .7 Work to enhance environmental awareness and promote activities that protect the water quality and natural aquatic habitat;
- .8 Use the full range of planning tools and regulatory measures to protect the watershed and water quality of Shuswap and White Lakes. These include zoning bylaws, development permits, building regulation, and, potentially, statutory covenants; and
- .9 Work with federal and provincial ministries and agencies, including the Shuswap Lake Integrated Planning Process (SLIPP), to implement strategies that protect and enhance the quality of the lakes and streams of the South Shuswap.

2.2 Watershed

Shuswap Lake is a large lake system that is fed from a variety of sources, including Shuswap River, Salmon River, Eagle River, Adams River, Seymour River and Anstey River. Several small creeks and streams also flow into the Lake, including Scotch Creek, White Creek, Celista Creek and Adams Creek. There is only one outlet from the Lake — Little River at the west end of the Lake.

Activities within the watershed can significantly impact the water quality of the area lakes. Stormwater runoff in developed areas can contain contaminants that flow into rivers, streams or ditches, and eventually into the lakes. Agricultural operations can also impact the watershed, through the spreading of manure or livestock grazing too close to a watercourse. Poor forest practices can also have negative impacts on the watershed by increasing suspended solids in streams and lakes.

2.2.1 Objectives

- .1 To protect Shuswap and White Lake watersheds from land uses and practices that jeopardize their water quality.
- .2 To facilitate information exchange between local residents and environmental stewardship organizations and resources.

2.2.2 Policies

The Regional District will:

- .1 Continue to work with SLIPP, and other government agencies and non-governmental agencies to facilitate collaboration and joint decision-making on issues that impact the watershed.
- .2 Advise and expect agricultural operators to adhere to the Agricultural Control Regulation under the BC Environmental Management Act and the BC Health Act.

- .3 Advise and expect agricultural operators to collaborate with the BC Agricultural Council in the implementation of the Canada-BC Environmental Farm Program.
- .4 Advise and expect forestry companies to use responsible forestry practices when logging near a watercourse, and to follow the Federal Department of Fisheries and Oceans Habitat Management Operating Principles for Crown and Private Forest Harvesting.
- .5 Disseminate educational information to the public about the importance of responsible stewardship of the watershed and expect property owners and developers to consider the use of permeable surfaces when landscaping their properties.
- .6 Implement the Riparian Areas Regulation of the Fish Protection Act by establishing a Riparian Areas Regulation Development Permit Area along the Lakes, rivers, streams, and other watercourses, requiring proposed activities and development to be subject to a science based assessment conducted by a Qualified Environmental Professional (QEP).

Section 3.10 Agriculture (AG)

3.10.1 Policies

- .1 The lands designated as Agriculture (AG) are shown on Schedules B and C. In general these are lands with half or more of their area lying within the Provincially designated Agricultural Land Reserve at the time of writing of this Plan. Land lying within the Agricultural Land Reserve is identified on Schedule E – ALR Map. Agriculture is the primary and dominant land use, with a full range of crop and livestock production activities permissible, as well as homes, buildings and structures associated with agricultural operations.
- .2 The minimum parcel size of land for subdivision within the Agricultural land use designation is 60 hectares (148 acres).
- .3 New subdivision is discouraged within the Agriculture designation, other than subdivision along ALR boundaries or subdivision or parcel consolidations demonstrated not to have an intrusive or conflicting impact on the surrounding agricultural community.
- .4 The Agriculture land use designation encompasses agricultural uses, and uses accessory to agriculture. Subject to the guidelines of the Agricultural Land Commission and the zoning bylaw the following uses are appropriate in lands designated Agriculture: agri-tourism operations and agri-accommodation, and uses which will not affect the long-term agricultural capability of the land.

Section 6 Respecting our Sensitive Environments

Sustainable Principle

All measures to protect and restore the natural environment will be used, and emphasis placed on Shuswap Lake, White Lake and their interlinked watersheds and foreshores. The CSRD will collaborate with all other jurisdictions that have impact on these Lakes.

The South Shuswap's natural environment consists of pristine shores, natural forests and hillsides, and rocky bluffs and marshes. There is a strong desire to protect and restore the natural environment of the South Shuswap.

Although much of the South Shuswap will remain in its natural state, in areas where development does take place there is a need to protect sensitive ecosystems, including shoreline and aquatic environments, wetlands and wildlife habitat.

Increasingly, attention will also need to be given to the potential impacts of climate change. The average temperature for the Southern Interior continues to increase. This warming trend corresponds with an increase in forest fires — the Canadian Forest Service scientists predict that by mid-century fire incidents in western Canada will increase dramatically.

Best management practices for site-level environmental protection are centred on planning and designing to minimize environmental impacts, ensuring environmental protection during construction, and, where possible, enhancing and restoring natural features. The actual impacts of development vary by the type of ecosystem, site circumstances and proposed development.

In addition to provisions in the Local Government Act to protect the environment, there are provincial and federal laws that govern urban and rural development at the site level:

- The BC Wildlife Act provides protection for all wildlife;
- The BC Fish Protection Act and Riparian Area Regulations regulate setbacks from streams and other watercourses;
- The federal Species At Risk Act provides for the protection of federally listed species at risk and their critical habitats; and
- The federal Fisheries Act provides penalties for destruction or degradation of fish habitat, including sediment and riparian clearing.

6.1 General Environment

Decisions that are made at the local government level can have a cumulative, critical impact on wildlife and ecosystems. A significant amount of environmental protection and restoration work has been undertaken in the Shuswap by the Regional District, the BC

Ministry of Environment, the Fraser Basin Council, and local stewardship groups. The policies of this Plan build on that previous work.

6.1.1 Objectives

- .1 To enhance environmental awareness and promote activities that protect and restore the natural environment.
- .2 To use the provisions of the Local Government Act to enhance and protect the natural environment and human health.

6.1.2 Policies

The Regional District will:

1. Use its authority through the Local Government Act and its Letters Patent to protect the South Shuswap's natural landscapes and ecosystems. This will be accomplished through: development permitting; the development approval information bylaw; an Amenity Policy; the Liquid Waste Management Plan; land acquisition; conservation covenants with willing landowners; and consideration of other powers and tools, as appropriate.
2. Provide environmental information to residents, businesses, and prospective developers and support the involvement of non-government environmental organizations in this activity.
3. Consider incentives for developments that demonstrate unique environmental protection or stewardship measures.
4. Support stewardship by residents, businesses and landowners in order that the natural environment can be enjoyed by future generations.
5. Collaborate with local stewardship groups to address the causes and impacts of climate change. This includes: encouraging greater energy efficiency in new and renovated buildings, fostering a reduction in private vehicle use in favour of less polluting forms of transportation, and promoting "fire smart" measures.

6.2 Environmentally Sensitive Areas

The BC Ministry of Environment identifies and maps "Environmentally Sensitive Areas" (ESAs). These ESAs include:

- Lakes, watercourses, or wetlands, (seasonal or year-round) and their associated aquatic habitats;
- Riparian areas (land and vegetation within 30 metres of a lake, watercourse or wetland);

- Essential habitat areas containing rare, threatened, endangered or otherwise significant plant or animal species;
- Areas of exceptional aesthetic value to the community.

The Local Government Act provides Regional Districts with the authority to establish a development permitting process and identify/map ESAs. Where such a process is in place, the Regional District will review proposed developments in relation to their potential impact on environmentally sensitive areas.

6.2.1 *Objectives*

- .1 To identify and protect sensitive plant, wildlife and fish habitats, as well as lands that include distinctive geologic features, as environmentally sensitive areas (ESAs).
- .2 New developments must consider ESAs, including significant plant, wildlife, and fish habitats.
- .3 To avoid the disturbance of ESAs; and where disturbance is necessary, that mitigation measures be implemented.

6.2.2 *Policies*

The Regional District will:

- .1 Collaborate with other levels of government, non-governmental organizations, and neighbouring local governments in inventorying, mapping, and conserving sensitive ecosystems. On completion of this inventory and mapping, a Schedule that identifies the location of sensitive ecosystems will be added to this Plan. In the interim time period, applicants for development will be required to obtain and present all available information about the site from the Conservation Data Centre, natural area atlases, and other relevant inventories.
- .2 Use its best efforts to have all options explored to protect and preserve an ESA, including the requirement for an impact assessment study, where a significant conflict has been identified in connection with the proposal.
- .3 Work with the Department of Fisheries and Oceans and the Ministry of Environment for appropriate siting of communal boat launch facilities in order to avoid launching in ESAs.
- .4 Encourage voluntary placement of conservation covenants, dedication of land, or voluntary changes in zoning in order to protect sensitive ecosystems. Where a conservation covenant is used to preserve the natural values of sensitive ecosystems, the covenants may be held by any combination of the Regional District, the Province, or a non-government organization eligible to hold conservation covenants.

6.5 Forested Areas and Wildlife Habitat

Forested hillsides and valleys make up a large portion of the South Shuswap. These areas provide habitat for wildlife, stabilize steep slopes preventing erosion, and provide areas for recreational activity. Where development occurs, wildlife habitat is reduced.

6.5.1 Objectives

- .1 To maintain and restore the ecological diversity of wildlife species and their habitats.
- .2 To preserve wildlife habitat, including wildlife corridors, and mitigate conflict between wildlife and human activity.

6.5.2 Policies

The Regional District will:

- .1 Seek provincial or federal funding to undertake a wildlife corridor study, in order to identify wildlife corridors and mitigate impacts on wildlife.
- .2 Expect land owners and developers to maintain natural habitat on private property and to incorporate native vegetation into newly landscaped areas.
- .3 Advocate against clear cutting of forests within view of Shuswap and White Lakes, and encourage Forestry operations to use selective cutting methods, in order to preserve as much natural wildlife habitat as possible.

6.7 Groundwater and Soil Quality

The greatest potential for groundwater and soil pollution comes from in-ground private septic systems and agricultural wastes. In most of the lakeshore and proximate upland areas of the South Shuswap, the subsurface soil and groundwater conditions are marginal for the absorption and treatment of septic effluent. The capacity of the soils to remove nutrients, bacteria and viruses from the sewage is limited. Potentially, unless appropriate measures are implemented, the ground could be overwhelmed by the cumulative effect of individual septic systems and small private sewage treatment systems.

6.7.1 Objective

- .1 To protect groundwater and soil from contamination of all types, including from residential, agricultural, industrial and commercial uses.

6.7.2 Policies

The Regional District will:

- .1 In consultation with the appropriate Provincial government agencies, identify and aim to protect aquifer recharge areas from potential sources of contamination and depletion;
- .2 Require developers to minimize paving, use permeable surfaces wherever possible and examine innovative recharge technologies. Details related to minimizing impervious area coverage by buildings and parking lots will be provided in the zoning bylaw;
- .3 In co-ordination with the Interior Health Authority, work to have private septic systems located appropriately and designed in a manner that protects groundwater and soil from contamination; and
- .4 Encourage agricultural operators to conduct responsible farming practices in accordance with the Best Management Practices materials that are issued by the Resource Management Branch of the BC Ministry of Agriculture and Lands.

6.8 Archaeology Sites

Archaeological sites contain unique information about the past. These sites are protected by the Heritage Conservation Act, and a provincial heritage permit is required before development within a site may take place. Throughout BC, protected archaeological sites are being accidentally damaged with increasing frequency as a consequence of development. The South Shuswap contains a number of recorded archaeological sites and has the potential to contain more.

6.8.1 Objective

- .1 To avoid or reduce damage to archaeological sites.

6.8.2 Policy

The Regional District will:

- .1 Direct the applicant, if the property overlaps with a recorded archaeological site, to engage a professional consulting archaeologist to determine whether an archaeological impact assessment is required. Altering a protected archaeological site will require a Provincial Heritage Alteration Permit before any land altering activities.

Electoral Area C Liquid Waste Management Plan (LWMP)

Applicable Policies

The LWMP for Area C speaks to this somewhat vaguely in section 4.1 (3) where the current Balmoral site is mentioned as well as this statement “In the event that education programs are not producing satisfactory results and a mandatory septic pump out program is being considered, the CSRD Economic Development team could play a role in generating interest in the private sector to invest in the construction of a septage receiving facility to handle the significant increase in work load and volumes”.