



Land Reserve Commission

Land
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Home LRC ALR FLR How Do I... News Releases Publications
Legislation - Policy Forms Application Status Links Contacts Search

*Working Farms,
Working Forests*

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I. ISSUE:

[Agricultural Land Commission Act, Section 26](#) — Delegation of Section 25 powers to other authorities.

II. CHANGES:

Subsection (1) is changed to extend the ability of the Commission to delegate certain decision making to an 'authority'. This is in addition to delegation to local governments which has been part of previous legislation since 1994. 'Authority' is defined in the Act as "an agent of the government, a public body or public officer" with whom the Commission has an agreement.

Under subsection (2), the Commission would have the power to use the delegation agreement with the 'authority' to also exempt certain specified uses from the requirement of an application under the Act.

III. WHY:

The intent is for the Commission to delegate specific decision-making for specified uses to agencies and boards such as Land and Water BC and the Oil and Gas Commission. Delegation to these authorities will eliminate the Agricultural Land Commission approval step in the process, reduce duplication of similar application requirements and streamline processing while continuing to ensure that the preservation of and impacts on ALR lands are considered. Streamlining of the approval process is in line with government deregulation commitments and the "one stop shop" approach.

Subsection (2) provides for the Commission and authority to negotiate specific uses in specified areas which would not require an application provided they met any terms contained in the agreement. Thus, what the Commission currently exempts under internal policy, may be exempted in a delegation agreement with an 'authority' (e.g. Uses currently permitted without application under General Order 293/95 Oil & Gas Exploration, Wellsites and Pipelines in the ALR). The exemption of certain uses from an application will further streamline the process.

IV. HOW:

The Agricultural Land Commission is committed to being flexible in it's approach to delegation in order to acknowledge the different functions of other authorities. In all cases, a formal written delegation agreement will be signed by both parties. The Agricultural Land Commission will retain authority and oversight and the ability to withdraw a delegation agreement if the terms of the agreement are not adhered to.

Delegation agreements to authorities will attempt to recognize regional differences to reflect direction from government to be more regionally responsive to community needs.

V. LOCAL GOVERNMENT IMPLICATIONS:

Local governments will be consulted during the process of negotiating a delegation agreement with an authority.

Delegation agreements will be developed in recognition that other legislation and regulatory processes of other authorities and local governments that currently apply, would continue to do so.

The Agricultural Land Commission has a history of consulting with our local government partners and with the delegation of Commission powers, this approach will continue.

VI. PROCESS:

Changes to the current process would be set out in the delegation agreement. All stakeholders will be notified in advance of implementation targets and procedural changes.

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