



Planning Application Information Sheet

Application Type: Agricultural Land Reserve

File Number: 3015-20/E20220070

ALR Application Type: Soil or Fill Use 20.3(5)

Electoral Area: E

Date of Referral: November 24, 2022

Date of Application: November 16, 2022

Property Owner's Name(s): WILLIAM C STAFFORD
JAMES R STAFFORD
ROSS W STAFFORD

Applicant's Name: Martin Sills

SECTION 1: Property Summary

Legal Description(s): District Lot 11, Group 4, Cariboo District

Property Size(s): 61.51 ha (152 ac.)

Area of Application: 4 ha (9.88 ac.)

Location: 1330 Highway 20

Current Designation:
N/A

Min. Lot Size Permitted:
N/A

Current Zoning:
Resource / Agricultural (R/A)

Min. Lot Size Permitted:
32 ha (79.07 ac.)

Proposal: Gravel extraction to supplement income for ranching.
This proposal has been previously rejected by the ALC (Resolution #7/2022).

Existing Buildings: Vacant Lot

Proposed Buildings: No buildings proposed.

Road Name: Private driveway

Road Type: Gravel/Dirt Road

Within the influence of a Controlled Access Highway: Highway 20

Services Available: None

Within the confines of the Agricultural Land Reserve: Yes - fully within

Required to comply with the Shoreland Management Policy: N/A

Name of Lake/Contributing River: Unnamed stream

Lake Classification: High

Within Development Permit Area: No

Adjoining Properties: (Source: B.C.A.A.)

	Land Use:	Lot Sizes:
(a) North	150 - Beef	53.42 ha (132 ac.)
(b) South	151 - Beef (Vacant)	82.94 ha (204.95 ac.)
(c) East	Unsurveyed Crown Land	---
(d) West	First Nation Reserve (Chimney Creek 5)	---
	Fraser River	---

Agricultural Capability Classification:

Canada Land Inventory: Class 1 = Best, Class 7 = Worst

% of parcel	Unimproved rating	Improved rating
%99	% 60 Class 5 – Adverse Climate and Topography	% 60 Class 4 – Topography
	% 40 Class 6 – Topography	No Improved Rating
%1	% 80 Class 7 – Erosion	No Improved Rating
	% 20 Class 5 – Moisture and Topography	No Improved Rating

The agricultural capability classification of the property ranges from Classes 5 to 7. The limiting factors are noted as adverse climate, topography, erosion and moisture.

Class 5 soils have limitations that restrict its capability to producing perennial forage crops or other specially adapted crops. Soil and climate conditions limit cultivation to Land in Class 5 is generally limited to the production of perennial crops or other specially adapted crops. Productivity of these suited crops may be high. Class 5 lands can be cultivated, and some may be used for cultivated field crops provided unusually intensive management is employed and/or the crop is particularly adapted to the conditions peculiar to these lands. Cultivated field crops may be grown on some Class 5 land where adverse climate is the main limitation, but crop failure can be expected under average conditions. Note that in areas which are climatically suitable for growing tree fruits and grapes the limitations of stoniness and/or topography on some Class 5 lands are not significant limitations to these crops.

Class 6 soils are nonarable but are capable of producing native and/or uncultivated perennial forage crops. Land in Class 6 provides sustained natural grazing for domestic livestock and is not arable in its present condition. Land is placed in this class because of severe climate, or the terrain is unsuitable for cultivation or use of farm machinery, or the soils do not respond to intensive improvement practises. Some unimproved Class 6 lands can be improved by draining and/or diking.

Class 7 soils have no capability for arable or sustained natural grazing. All classified areas not included in Classes 1 to 6 inclusive are placed in this class. Class 7 land may have limitations equivalent to Class 6 land, but they do not provide natural sustained grazing by domestic livestock due to climate and resulting unsuitable natural vegetation. Also included are rock land, other non-soil areas, and small water-bodies not shown on maps. Some unimproved Class 7 land can be improved by draining or diking.

The improved rating is Class 4 with topography as the limiting factor. Class 4 soils have limitations that require special management practices or severely restrict the range of crops, or both. Soil and/or climate limitations make it suitable for only a few crops, or the yield for a wide range of crops is low, or the risk of crop failure is high, or soil conditions are such that special development and management practices are required. The limitations may seriously affect one or more of the following practices: timing and ease of tillage, planting and harvesting, and methods of soil conservation.

note: the information above is an interpretation of Agricultural Capability from the Canada Land Inventory map sheet # 093B009 (scale 1:50,000). An on-site visit of the property has not been conducted.

PLANNING COMMENTS

Background:

The proposal is to extract gravel from an existing gravel pit within the Agricultural Land Reserve (ALR) to supplement income for ranching. The requested proposal will include a total of 4 ha (9.88 ac.) material removal area, a maximum of 6 m (19.69 ft.) depth of materials to be excavated, and 10,000 m³ (353,146.7 ft.³) volume of materials to be removed. The estimated duration of the project is 5 years, and the proposed gravel extraction site is shown in Appendix C.

There has been a Notice of Work submitted to the Ministry of Energy and Mines (Reference #100331467). The subject property is 61.51 ha (152 ac.) in size and is zoned Resource/Agricultural (R/A) in the Central Cariboo Area Rural Land Use Bylaw No. 3503, 1999. The property is currently used for grazing in spring and fall seasons and 16.19 ha (40 ac.) is being used as hayfield.

Application History:

The CRD Board previously considered this proposal (File #3015-20/E20200047) and resolved to forward to the ALC with no recommendation of support or rejection. The application was then rejected by the ALC (Resolution #7/2022) because the required Reclamation Plan for aggregate extraction submitted earlier in 2021 did not meet the criteria outlined in Policy P-13.

During the previous application for this proposal, the Williams Lake First Nation (WLFN) had raised concerns regarding the historic and ongoing destruction of identified archaeological/heritage site boundaries and impeded access caused by continuing the proposed gravel extraction activities on the subject property. There has been an investigation conducted in this regard by the provincial authorities at the Archaeology Branch of Forest, Lands, Natural Recourse Operations and Rural Development (FLNRORD), and by the Compliance and Enforcement division of FLNRORD.

Location and Surrounding:

Located at 1330 Highway 20, the subject property is completely within the Agricultural Land Reserve and is adjacent to Chimney Creek 5 IR with Fraser River to the west of the property as shown in Appendix C. The property is currently within the environmentally sensitive area for Mule Deer Winter Range with an overall slope grid range of 0%-30%. There are mostly agricultural farmlands surrounding the subject property with unsurveyed crown lands to the north and east of the property, across the highway.

CRD Regulations and Policies:

Central Cariboo Area Rural Land Use Bylaw No. 3503, 1999

8.14 RESOURCE/AGRICULTURAL (R/A) ZONE

8.14.1 USES PERMITTED

(b) NON-RESIDENTIAL USES:

- xx) extraction of raw materials from the land, including crushing and screening activities, but excluding any further processing activities.

Rationale for Recommendations:

The proposal of gravel extraction on the subject property complies with the Central Cariboo RLUB by being a permitted land use in the existing R/A zone. The edges of the pit are proposed to be sloped at no more than 2:1 and once the project is completed, it is intended to spread the stockpiled overburden over the disturbed area for natural regeneration of native species and seeded with an appropriate seed mix as land reclamation measures.

Further, the proposed location is situated at an adequate setback from an existing stream to the south and Chimney Creek to the far north of the property to avoid water contamination. The applicant has indicated that there is no storage of oil or fuel, and spill kits are available on site if required to minimize potential contamination.

In May 2022, a detailed Reclamation Plan required by the ALC was prepared based on the Agricultural Capability Assessment conducted by Sonoran Resource Management Ltd. The Ministry of Agriculture and Food (MAF) has reviewed this 2022 Reclamation Plan and notes that it contains direction on weed control, with an option to provide an extensive Noxious and Prohibited Noxious Weed Management Plan, and the Revegetation Management Planning. The MAF recommends requiring these suggested additional plans, if forwarded to the ALC.

The Electoral Area 'E' Advisory Planning Commission (APC) has reviewed the application and expressed their support to the proposal.

As part of their application package, the applicant has submitted a letter from the Ministry of Forest, Lands, Natural Recourse Operations and Rural Development (FLNRORD). This letter states that the archaeological site FaRn-7 was first recorded on the subject property in 1970 which was never properly mapped. An examination of the gravel pit operation on site was conducted by the Archaeology Branch that was completed on September 13, 2020 and resulted in the identification of no remnants of site FaRn-7. The investigation included northern and western edges of the gravel pit to the edge of the slope down to Chimney Creek and the Fraser River.

Based on the survey findings, the Ministry assigned the site with a "legacy" status to indicate it is not protected under the *Heritage Conservation Act* and concluded that the continued operation of the gravel pit poses no threat to archaeological resources within the existing footprint of the

pit. The Ministry added that any future expansion of the pit operations will require further examination due to the presence of FaRn-6 archaeological site located approximately 100 m east of the northeast corner of the gravel pit.

Recommendation:

That the Provincial Agricultural Land Commission application for Soil or Fill Use, pertaining to District Lot 11, Group 4, Cariboo District be authorized for submission to the Provincial Agricultural Land Commission, with a recommendation of approval.

REFERRAL COMMENTS

Advisory Planning Commission: December 14, 2022
See attached.

Ministry of Agriculture and Food: December 15, 2022
See attached.

BOARD ACTION

January 13, 2023:

That the Provincial Agricultural Land Commission application for Soil or Fill Use, pertaining to District Lot 11, Group 4, Cariboo District be deferred up to 60 days to allow the applicant time to follow up with Williams Lake First Nation.

ATTACHMENTS

Appendix A: Application
Appendix B: General Map
Appendix C: Specific Map
Appendix D: Orthographic Map
Other: Advisory Planning Commission Comments
Ministry of Agriculture and Food Comments
Correspondence from Williams Lake First Nation dated January 11, 2023 and October 29, 2021



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 66768

Application Status: Under LG Review

Applicant: William Stafford

Agent: Martin Sills

Local Government: Cariboo Regional District

Local Government Date of Receipt: 11/15/2022

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Non-Farm Use (Removal of Soil)

Proposal: Sale of aggregate provides needed supplemental income for economic sustainability to the ranch operation

Agent Information

Agent : Martin Sills

Mailing Address :

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Primary Phone : [REDACTED]

Email : [REDACTED]

Parcel Information

Parcel(s) Under Application

1. **Ownership Type :** Fee Simple

Parcel Identifier : 015-031-276

Legal Description : DISTRICT LOT 11 GROUP 4 CARIBOO DISTRICT

Parcel Area : 64.4 ha

Civic Address : 1330 Highway 20 Williams Lake BC V2G 2V6

Date of Purchase : 03/13/1956

Farm Classification : Yes

Owners

1. **Name :** William Stafford

Address :

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Applicant: William Stafford

Phone : [REDACTED]

Email : [REDACTED]

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

See attached

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

See attached

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

Aggregate removal as per Agrologists's Jasper's report

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm

Specify Activity : See attached

East

Land Use Type: Agricultural/Farm

Specify Activity : See attached

South

Land Use Type: Agricultural/Farm

Specify Activity : See attached

West

Land Use Type: Agricultural/Farm

Specify Activity : See attached

Proposal

1. Have you submitted a Notice of Work to the Ministry of Energy and Mines?

Yes

Notice of Work Tracking/Reference Number

100331467

2. Are you submitting this application as a follow-up to a Notice of Intent (NOI)?

No

Applicant: William Stafford

3. What is the purpose of the proposal? Describe any benefits to agriculture that the proposal provides.

Sale of aggregate provides needed supplemental income for economic sustainability to the ranch operation

4. Proposal dimensions

Total material removal area (0.01 ha is 100 m²) *4 ha*

Maximum depth of material to be removed *6 m*

Volume of material to be removed *10000 m³*

Estimated duration of the project *5 Years*

5. Has a Professional Agrologist reviewed the project and provided a written report? If yes, please attach the Professional Agrologist report in the "Upload Attachments" section.

Yes

6. Describe the type of material proposed to be removed.

Pit run gravel

7. Describe the type of equipment to be used to remove material. If applicable, describe any processing to take place on the parcel(s) and the equipment to be used.

Loading gravel with excavator

8. What steps will be taken to reduce potential negative impacts on surrounding agricultural lands?

The edges of the pit are sloped no more than 2:1. There is no groundwater in the area for potential contamination, there is no storage of fuel, oil or explosives and there are suitable spill kits on site

9. Describe all proposed reclamation measures. If a reclamation plan from a qualified professional is required, please summarize the reclamation and attach the full plan in the "Upload Attachments" section.

Upon the end of the useful life of the pit the pit faces will be sloped to no more than 2:1. Overburden stockpiles will be spread over the disturbed area for natural regeneration of native species as well as being seeded with an appropriate seed mix.

Applicant Attachments

- Agent Agreement - Martin Sills
- Agrologists Report - 66768
- Proposal Sketch - 66768
- Other correspondence or file information - Letter
- Site Plan / Cross Section - 66768
- Other correspondence or file information - Letter of Support
- Other correspondence or file information - Overview
- Other correspondence or file information - Arch Letter
- Other correspondence or file information - Arch Letter (1)
- Certificate of Title - 015-031-276

ALC Attachments

None.

Applicant: William Stafford

Decisions

None.

Overview of the Stafford Ranch

This is a third generation operation founded by Bill Stafford's father in 1956 and has been in successful operation for 66 years.

The ranch now consists of 5,000 acres/2024 ha. of which 300 acres/121 ha. is in alfalfa and timothy hayfields with the rest in pasture land for early spring feed from April to May and late fall feed from September to December. It is a 250 head cow calf operation with 14 registered Black Angus and Hereford bulls, there are also 16 registered quarter horses that the family uses for moving our livestock on the range and for round up.

The cows calve out during the March and April months and then turn out onto range May 1 to September 30 with the bulls being turned out June 1 to September 30. Their spring range is the Fraser River grazing unit which is 100 AUM's from May 15 to June 1, this unit is 24 km long and 3 km wide. The summer range is the 75 AUM Williams Lake grazing unit from June 1 to September 30 and is 17 km wide and 35 km long. The first 100 AUM's are moved to the summer range on June 1 for a total of 175 AUM's available. The last grazing unit is Copely Lake, 9 km wide by 20 km long and holds another 75 AUM's from June 1 to September 30.

When the cows are out on the range they irrigate the 300 acres/121 ha. of hayfields from April 1 to September 30 with haying commencing June 30 through to August 31. There are two cuts and total 1,200 round bales weighing an average of 1,200 lbs. each. Winter feeding is from December 1 to May 15 and a supplemental 250 tons of hay is purchased to cover off calving season, late springs and severe winter conditions.

Land adjacent to the gravel pit:

North – pasture land for 3 km.

South – pasture land for 1 km and a 130 acre/52.6 ha hayfield.

East – pasture land for 1 km and a 76 acre/31 ha hayfield.

West – the Fraser River which runs 5 km along the west boundary of the ranch and also 1,000 acres/405 ha of pasture land and a 120 acre/49 ha hayfield.



Map Symbols

- | | | |
|---------------------|---------------------|-----------------|
| Other Roads | Proposed | provincial park |
| Highway | Built | cadastral |
| Local | Road Permit | River |
| Forest Service Road | Forest Service Road | Stream |
| Trail Roads | | Wetlands |
| | | Lakes |

Stafford Ranch - Gravel Pit Map

Timbermark: Mapsheet: 063A001 Supply Block: 29H
Region: 47 Compartment: 6 PSYU: Williams Lake
Forest Region: RSI District: DCC FE: H
Dry Belt Fd Zone: 100% Date: 2021-07-07



1:2,000



Drawn by: D. HUESKEN

TJ CONSULTING LTD.

**Agricultural Capability Assessment &
SOIL SALVAGE, STOCKPILE, PLACEMENT AND
RECLAMATION PLAN – 2021
Non-farm Use Gravel Extraction (ALC ID 61723)
Stafford Pit**

Prepared for:

William and Lyn Stafford

Prepared by:

Sonoran Resource Management Ltd.
2248 Pearce Road, Quesnel BC; V2J 7B5

May 2022

CONTENTS

1	Introduction	1
1.1	Development Overview	1
1.2	Pit Location	1
2	Provincial and Municipal Requirements	1
3	Site Access.....	1
4	Agricultural Capability Assessment.....	2
4.1	Existing Land Use and Disturbances	2
4.2	Topography, Aspect	2
4.3	Soils	2
4.4	Soil Profile Description.....	3
4.5	Soil and Site Photographs	3
4.6	Land Capability.....	4
4.7	Climate, Vegetation	5
4.8	Surface Drainage, and Hydrogeology.....	5
4.9	Wildlife	5
5	Salvage and Reclamation Operations	5
5.1	Buffers, Setbacks and Final Grading.....	5
5.2	Mining Sequence.....	6
5.2.1	Layout.....	6
5.2.2	Soil Salvage, Stockpiling, Stabilization	6
5.2.3	Weed Prevention as it relates to Salvage	6
5.2.4	Soil Salvage Tolerances	7
6	Reclamation Plan	7
6.1	Final Contours, Drainage and Land Use	7
6.2	Decompaction and Soil Replacement	7
6.2.1	Prep Grading	7
6.2.2	Subsoil Placement	7
6.2.3	Surface Soil Placement.....	7

6.3	Revegetation	8
6.4	Final Reclamation and Monitoring.....	8
6.5	Land Use and Post-Reclamation Agricultural Land Capability	9
7	Mitigation Measures for Pit Operations	9
7.1	Dust Control	9
7.2	Weed Control	9
7.3	Noise Monitoring	10
7.4	Wind and Water Erosion.....	10
7.5	Waste and Hazardous Materials	10
7.6	Fire Protection	10
8	Summary	11
9	References	12
Appendix A Site Map, Proposed Gravel Extraction Area, and Profiles.....		1
Appendix B BC Soil Information Finder Tool Mapping and Soil Series Information		2

1 INTRODUCTION

1.1 Development Overview

Stafford Pit is owned and operated by William and Lyn Stafford (The Stafford's herein) This pit has been in existence since 1967.

Currently the Stafford's are **not** proposing any form of mine advance into undisturbed agriculturally capable land. The proposed extraction takes place from existing stockpiles and from within the existing pit.

The Stafford's are simply looking to obtain the ALC approval too renew the mine permit to continue an ongoing operation.

For that extent of the pit which lies **outside** of the pit as it legally existed and was in operation for a minimum of 6 months prior to December 21, 1972; the family would like to apply, using a Non-Farm Use Application, to remove **49,995 cubic metres** of sand and gravel.

It is currently proposed to extract an estimated **9,999 cubic metres** of aggregate each year for a total of 5 years. Please see the figures below in Appendix A to review a map of the current pit, the proposed Gravel Extraction Area and the proposed extraction and post extraction profiles.

This form of planning typically proposes reclamation occur in three phases, where applicable:

1. Soil Salvage, Stockpiling, Stabilization.
2. Soil Placement, Interim Stabilization.
3. Revegetation, Noxious and Prohibited Weed Management.

It is the case of ALC ID 61723; phase 1 has already been completed. It should be noted that everything is satisfactory.

Please accept this Soil Salvage, Stockpile, Placement and Reclamation Plan (SS,S,P&RP) demonstrating all steps necessary for the Stafford's to execute the proposed extraction while ensuring the land base is reclaimed to an equivalent land use or better.

1.2 Pit Location

The Properties are privately owned disposition located on agricultural land reserve (ALR) located within DL 11, group 4; and 12053 Cariboo District. The mine advance will take place exclusively within DL 11, group 4.

2 PROVINCIAL AND MUNICIPAL REQUIREMENTS

The owner will maintain a mine permit from the appropriate jurisdiction as determined by the proponent of the permit.

3 SITE ACCESS

To haul aggregate from the Property, existing access will be utilized.

4 AGRICULTURAL CAPABILITY ASSESSMENT

4.1 Existing Land Use and Disturbances

The Stafford Pit was at one time used for gravel extraction and commercial sales. This land base is also used to graze livestock. Livestock do have access to the pit and the revegetated soil stockpiles.

The proposed 5-year Gravel Extraction Area is privately owned ALR land and is found exclusively in DL 11, group 14. This area has already undergone surface soil salvage. Surface soil is currently stockpiled on site and have revegetated from native seedbank found within the salvaged soils.

4.2 Topography, Aspect

The topography within the Gravel Extraction Area is slightly undulating with slopes between 2-5%. It is generally West facing and is found 1820 feet above sea level (masl) according to google earth. Adjacent to the extraction area slopes were identified to range from 2-10%.

4.3 Soils

The *British Columbia Soil Information Finder Tool* (Province of British Columbia 2018) identifies the soil within the Gravel Extraction Area as having medium textures overlaying Glacial Fluvial parent materials. The site has a drainage classification as Rapidly Drained or Well Drained.

These soils have been surveyed in detail, and confirmed in the field, to be of the Hargreaves Soil Series which are comprised of an Orthic Eutric Brunisol. The extraction area has already been disturbed so a Pedon location was chosen nearby and used as a representation for the extraction site. The Pedon location was noted as 52 degrees, 32 minutes, 26 seconds North; 122 degrees, 15 minutes, and 54 seconds West. Appendix B below details the soils information as collected via the BC Soil Information Finder Tool.

4.4 Soil Profile Description



Test Pit No.: TJ 01 - Staffords
Client: Bill and Lyn Stafford
File No.: Stafford - 2022
Completed By: Ty Jasper
Date: 15-Apr-22

Soil Profile Description											
DEPTH (CM)	Horizon	TEXTURE	C.F.	STRUCTURE			CONSISTENCE	COLOR	MOTTLES		
				Grade	Class	Kind			QUANTITY	SIZE	CONTRAST
2-0	LFH	-	-	-	-	-	-	-	-	-	-
0-38	Ah	Sandy Loam	0	W to M	Medium	Granular	Friable	2.5YR 3/2	-	-	-
38+	C	Auger Refusal at 38+ centimetres into Parent Material; high coarse fragments (ie. Gravel).									
Redoximorphic features (motting/gleying): None present Ground water table: None present Seasonal or Parched Water Table: None present Restrictive horizon: Very high coarse fragments found in C horizon - ie gravel extraction											

4.5 Soil and Site Photographs



Photo 1: A photo of the proposed Gravel Extraction Area from the South boundary looking North.



Photo 2: A picture of the revegetated soil stockpile found immediately South of the proposed Extraction Area.



Photo 3: A soil Pedon was dug and soil survey completed in undisturbed native soils due East of the proposed Gravel Extraction Area.



Photo 4: Soils were carefully removed in lifts as the colour change between A and B horizon in a Eutric Brunisol may be slight. None noted.



Photo 5: An Ah horizon extending down 38 centimetres was observed.



Photo 6: A view of the site looking North from the soil Pedon.

4.6 Land Capability

The British Columbia Soil Information Finder Tool (Province of British Columbia 2018) generally identifies the soil within the Stafford Pit as having an Agricultural Capability rating of 6:5CT~4:6T.

As identified in the field, this agrologist classifies the soils immediately adjacent to the proposed Gravel Extraction Area as 5CT. With improvements in the form of irrigation from an approved source, these lands might be greatly improved. A much broader soil survey would need to be conducted to provide an accurate rating for improvements and is not apart of the current field exercise.

The Stafford's are committed to returning these lands to a Land Capability rating of 5CT or better, post extraction.

4.7 Climate, Vegetation

The British Columbia Soil Information Finder Tool (Province of British Columbia 2018) identifies the subject property known as the Stafford Pit to receive 447 mm of rainfall annually. The Frost-Free Days are known to be 123 with the Growing Degree Days determined to be 1669. The corn heat units are unknown though, corn is successfully grown further north in slightly higher elevations under pivot. This site would be suitable for cool season spp. production under irrigation from an approved source. Warm species started and transplanted to a field under irrigation may also prove successful.

The vegetative characteristics of the Gravel Extraction Area is currently sparsely vegetated with native fescues, which at the time of site visit have been grazed to ground level. Very little bare ground was noted adjacent to the pit. These lands had been used for winter feeding and a cover of manure and forage residue was noted. Areas previously disturbed during prior clearing activities remained in a disturbed state.

Soils have been salvaged from the pit itself and no significant vegetation was noted inside the existing pit.

4.8 Surface Drainage, and Hydrogeology

At the time of the site evaluation, there was no surface water on the site. The Gravel Extraction Area has a *Well Drained* drainage classification and thus explains why no surface water was present.

The hydrogeology is largely unknown. This form of operation does not present a hydrogeological risk for pollution. It can be assumed that water infiltrating the ground would migrate its way to the regional aquifer given the subject properties location relative to the Fraser River.

4.9 Wildlife

No wildlife or wildlife habitat has been observed. The balance of the property would serve for grazing ungulates and migratory birds under cultivation.

5 SALVAGE AND RECLAMATION OPERATIONS

5.1 Buffers, Setbacks and Final Grading

Please note – these conditions are only relative to the proposed Gravel Extraction Area which this report, and ALC approval concerns itself.

These conditions have no business with the pit and pit activities previously conducted under the Mine's Act; however, they may be used voluntarily as best practices.

There will be a minimum of a one-metre buffer established around the Property line maintained by a fence. The fence line is already present, and the buffer exists where pit development has previously occurred.

Extraction setbacks of 1.0 metres will be strictly maintained from the crest of excavation to the toe of any form of reclamation material stockpile. Currently setbacks are satisfactorily noted between the revegetated soil stockpile and the proposed Gravel Extraction Area.

A 3.0 metre buffer will be placed between different reclamation material types, this is to allow for segregation of material and future access needs. Soil windrows of varying types, however, may be placed

1.0 metres (toe to toe) from one another. At the Stafford pit only one soil type will be salvaged and stockpiled.

Excavated FINAL slopes will be maintained via grading with a maximum steepness of 1.5H:1V slope. This means that the South, East, and West facing pit walls of the mine advance up too and including year 5 will be maintained at a 1.5H:1V slope to allow for slope stabilization and revegetation post extraction.

5.2 Mining Sequence

The mine advance will be performed sequentially. It is expected that this document and the appendices will be printed and found on site during these activities. All employees and contractors should review this document ahead of participating in this mining sequence.

5.2.1 Layout

The extent of disturbance will be staked and flagged in the field. It is recommended that the Stafford's preferred geomatics team provide line of sight on the property boundary and the Gravel Extraction Area so that operations are performed with certainty of their approved disturbance area.



5.2.2 Soil Salvage, Stockpiling, Stabilization

The soils as described in Section 4 are dark brown and have a distinct colour change from the parent material below. This makes them easily salvaged; however, in our experience we see operators treat all soil as dirt and stripping occurs rather than careful soil salvage. We highly recommend the approved agrologist is on site during all salvage and placement operations.

30 – 40 centimetres of Surface Soil will be salvaged and stockpiled on site, South of the proposed Gravel Extraction Area. Salvage will be conducted by colour change. Care should be taken; should soils become thinner in areas.

With regards to the Stafford's pit these works have already been conducted. By the hearty vegetative cover on the stockpile this agrologist can confirm that soil salvage was done with the utmost care.

- It is estimated that 1000 m³ of Surface Soil has been salvaged and stockpiled on site. This is estimated based on the spatial extent of most recent disturbance and a rough volume calculated on site of the stockpile. This material for use during reclamation ONLY.
- As apart of the permit, it is estimated that 49,995 m³ of aggregate will be mined and removed during aggregate extraction to reach the planned final surface.

5.2.3 Weed Prevention as it relates to Salvage

Construction equipment, including tracked equipment and rubber-tired vehicles, will arrive to the Property clean (i.e. free of soil and vegetative debris) and in good working order. This to prevent the importation of noxious or noxious prohibited weeds.

5.2.4 Soil Salvage Tolerances

Surface Soil salvage tolerances are not relative as the salvage has already been completed. With that said, as a best practice for other areas tolerances of + or – 5 centimetres should be adhered too. Better yet the distinct colour change should be followed as thickness vary.

6 RECLAMATION PLAN

6.1 Final Contours, Drainage and Land Use

It is assumed that final slopes are graded to a maximum slope of 1.5H:1V as extraction occurs. Should they be left steeper, post-extraction contouring will be completed to reduce slopes sufficiently to allow for the landscape to be used for pastureland following reclamation.

The general drainage pattern from the Property will not be altered by reclamation activities. Surface drainage will continue to find its way into the lowest point and either infiltrate or remain in the pit and evaporate in time.

6.2 Decompaction and Soil Replacement

Construction equipment, including tracked equipment and rubber-tired vehicles, will arrive to the Property clean (i.e., free of soil and vegetative debris) and in good working order. Decompaction of native material and subsoil will be assessed at the time of placement by the approved Agrologist. If compaction is found a series of ripping and cross ripping will be used to alleviate compaction. Once ripping is complete the site can be groomed with a dozer, tractor and disc, harrows, etc.

6.2.1 Prep Grading

The post extraction site will be contoured to final grade as apart of the extraction effort. Simple contouring with a dozer may be undertaken to prepare the surface for soil placement. Lumps and ruts should be graded out. No restriction on the size or type of equipment will be placed on this activity so long as the equipment themselves do not contribute to increased surface roughness i.e., tracks sinking creating ruts.

The most important thing is that the site is contoured and groomed so to easily place a continuous, uniform lift of surface soil.

Inspection Required: The Soil and Reclamation Monitor will inspect the prepared substrate to confirm compaction is not present and the contour of the surface is suitable for placement.

6.2.2 Subsoil Placement

Subsoil placement is not relative to the Stafford's Pit.

6.2.3 Surface Soil Placement

Surface soil will be placed overtop of contoured parent material at the average placement depth of 20 cm and tolerance of only +/- 5 cm.

Small, precise equipment should be used for the placement of surface soil. Often surface soil will crust. We would recommend that mechanical texturing be applied post placement to remove this crust. Removing this crust is a form of "decompaction" and should be implemented prior to final seeding. Mechanical texturing in this application would includes:

- a. Finish discing &/or harrowing behind a tractor, ATV.

Each lift of soil placed during reclamation will be verified and recorded as apart of the Closure Report.

6.3 Revegetation

Our revegetation strategy is to obtain a pasture suitable for intermittent high intensity grazing. Revegetation of the subject property will consist of:

1. Nutrient Management – These soils contain organic matter and there is the possibility an amendment may be avoided however, it is recommended; that after any soil placement the soils should be sampled and analyzed for micro and macro nutrients, pH, and SAR to determine if an amendment is needed.

Granular fertilizer & composted manure/peat mineral mix may be used as an organic amendment. Amendments should be sampled and analyzed prior to application if their nutrient capacity is unknown.

2. Soil preparation – this should include a light finishing disc or harrowing to break up any crusting post placement and develop a seed bed.
3. Seeding - a cool season, warm season mix of, drought tolerate perennial forages may be used. An annual cover crop mixture should be applied to assist in erosion control and contribute to soil organic matter. These mixes will be offered by Sonoran once the nutrient management planning is complete.
4. Clean, weed free straw may be used as mulch if required.

The scope of this report does not allow for cropping system development or nutrient management planning; however, these services will be made available during and after soil placement.

Clean straw (free of propagules) should be placed over non-stabilized soils to reduce the potential for noxious weeds or erosion.

Note – Soil placement should not occur without considering nutrient management and revegetation before hand. Soils placed and left to regenerate on their own will promote weed establishment. Weed establishment is natures Band-Aid but it is understood by United that stand succession can be accelerated by participating in nutrient management and revegetation.

6.4 Final Reclamation and Monitoring

Following completion of reclamation in this proposed expansion, a closure report will be submitted to ALC which will include, but is not limited to:

- A written description of the completed area.
- A soil survey and agricultural capability assessment to confirm the post-reclamation agricultural capability of the area.
- Vegetation surveys to confirm that plant species have been re-established at an appropriate density.
- Final cross-section profiles of the extraction are showing final post-reclamation contours.

- Clear and accurate measurements of the final areas, depths, and volumes of the extracted material.
- Photographs of the reclaimed area.

Site visits and monitoring will be conducted by the professional agrologist in a frequency determined “as needed” to fulfill the obligations of ALC ID 61723.

Monitoring will be ongoing until which time the subject property has been stabilized and the goals of the owner have been realized.

6.5 Land Use and Post-Reclamation Agricultural Land Capability

The Property will be reclaimed to an equivalent pre-disturbance land capability rating of 5CT or better. The land around and including the pit will be used for spring and winter grazing as has been the case on the Stafford’s ranch for many years.

7 MITIGATION MEASURES FOR PIT OPERATIONS

7.1 Dust Control

The following outlines various dust control measures that can be applied during mining operations:

- Inspections: conduct daily on-site assessment to determine if dust control is required
- Climate concerns: increase suppression during dry and windy conditions or when dust is visible on nearby vegetation
- Earthworks:
 - Limit disturbed areas to the Property
 - Stabilize by progressive reclamation, as soon as practicable
 - Track-compact soil in worked areas, where possible
- Physical barriers: mature trees to the west of the Property will provide a wind break and screen
- Traffic control
 - limit driving speed at the Property to 30 km/hr
 - cover dust generating loads in all trucks to and from location (as per *Transport Canada Guidelines*)
- Suppression: apply water using water spray truck or sprinkler system on stockpiles, worked areas and roadways as required, based on daily assessments,

7.2 Weed Control

This document details means to prevent the establishment and for the control of noxious and prohibited noxious weeds as it relates to soil salvage, stockpiling, placement, and reclamation activities; identified under the *Weed Control Act* and *Weed Control Regulation* (Province of British Columbia 2020).

The primary defense to the establishment of invasive species is prevention. Equipment and vehicles accessing the site will require visual inspection by owner or owner representative. Unclean equipment will be turned away at the gate or directed to a blow down pit controlled at the site boundary.

Nutrient management, seeding, mulching, and grazing will be tools utilized to prevent the establishment of noxious and noxious prohibited weeds on soil windrows, stockpiles, or reclaimed areas. This is prevention by establishing competition.

Inspections will be conducted mid spring to ID plants of concern prior to setting seed should they become present. Weeds will be removed via hand picking, bagged, and transported to an approved location for incineration. Spot spraying, grazing, nutrient management, and mowing may also be used indirectly through general vegetation management.

Please note – an extensive Noxious and Prohibited Noxious Weed Management Plan can be made available upon request.

7.3 Noise Monitoring

The mining operations will be conducted in accordance with the provincial and municipal noise regulations. All extraction and processing work will occur close to the pit face. The pit face is expected to buffer noise beyond the Property boundary.

7.4 Wind and Water Erosion

Sections 6.0 and 7.0 detail the means to stabilize soil, preventing erosion and the subsequent deposition. This prevention is through seeding and mulching with clean (propagule free) straw. So long as these measures are implemented and maintained; it is clearly evidenced that these means of control are more than suitable in this small of an application.

Please note – the wind and water erosion mitigative steps are in relation specifically to reclamation. Should the site require engineered solutions, Sonoran is able to supply planning and installation to assist with erosion and deposition.

7.5 Waste and Hazardous Materials

Good housekeeping practices will be employed to maintain an orderly and clean site. No hazardous materials will be stored on site. An adequate supply of spill prevention and emergency response equipment will be always available on site. All waste will be handled and recorded following applicable regulations and be disposed of at an appropriate disposal facility.

7.6 Fire Protection

The mine operations shall abide by all provincial and municipal bylaws regarding fire prevention. Strategies to minimize the risk of fire on the Property will be implemented.

8 SUMMARY

Soils salvaged from an expansion area are valuable and should be maintained for use in Reclamation. Currently these soils have been salvaged, stockpiled and that stockpile is revegetated. Care must be taken during grazing events to ensure bare soil is not created through overgrazing. I would also recommend that inspections be done monthly to ensure no noxious or noxious perennial weeds are present.

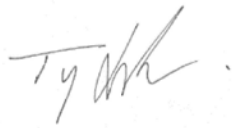
Reclamation includes more than simply soil placement. A revegetation strategy must be employed in conjunction with any soil placement. Together these steps will manage erosion and prevent the establishment of noxious and prohibited noxious weeds, which is a regulatory requirement.

Reclamation itself is a means to manage both weeds and erosion. We trust the contents of this report meet your requirements. Please do not hesitate to contact Tyler Jasper at 250-255-7350 should you have any questions or require further assistance.

Please note – should a direct placement and progressive reclamation opportunity present itself in the field; the owner in agreement with the Professional Agrologist may determine to deviate from this plan and direct place salvaged soils.

Report prepared by:

Sonoran Resource Management Ltd.



PER

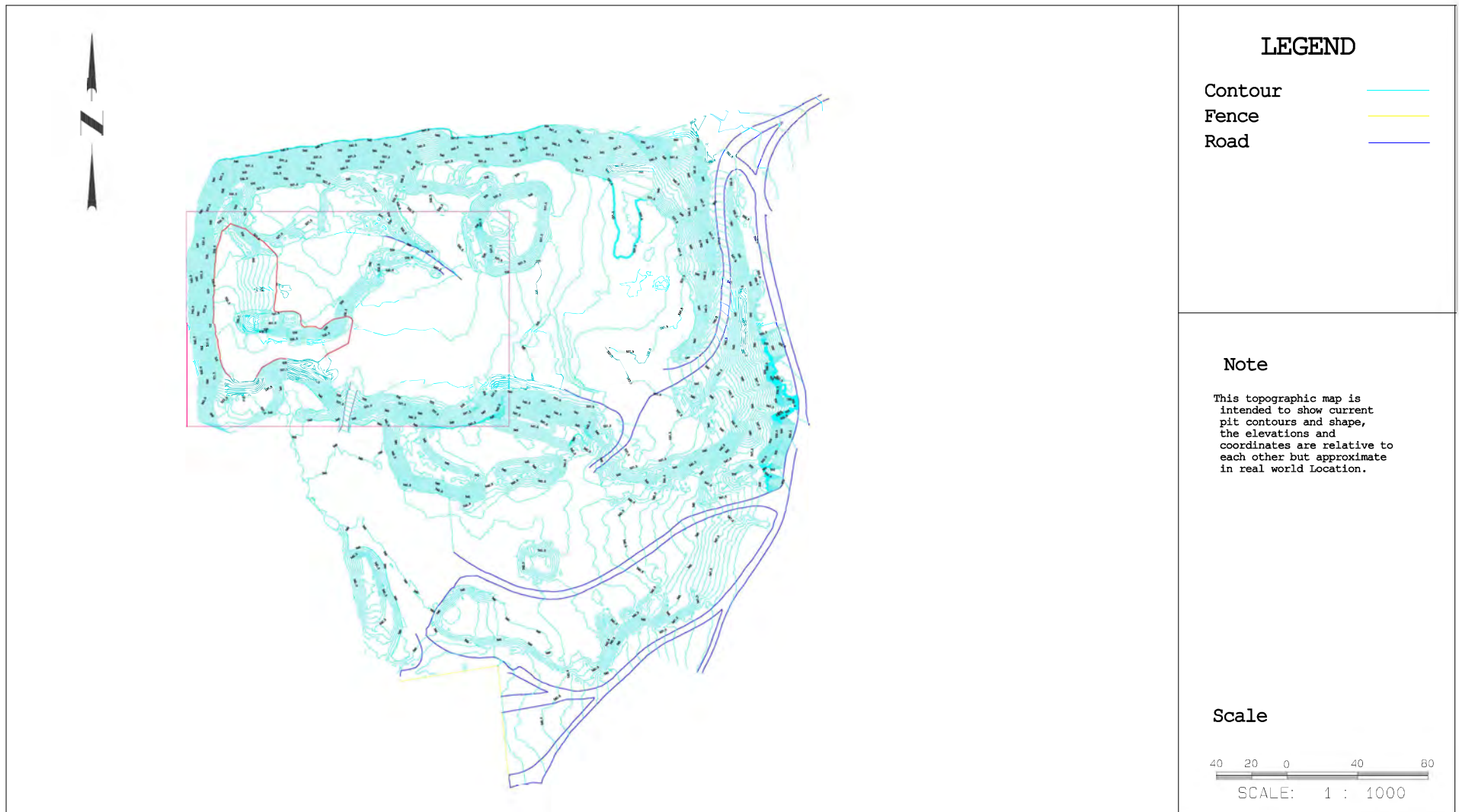
Tyler Jasper, B.Sc., P.Ag., ESCP., ROWP.

9 REFERENCES

- Agricultural Land Commission. 2017. Policy P-10 Criteria for Agricultural Capability Assessments.
- Agricultural Land Commission. 2019. Section 4: Board Action.
- Agricultural Land Commission. 2020. *Agricultural Land Commission File 58973 Request for additional information under section 20.3(2)(a) of the Agricultural Land Commission Act.*
- Demarchi, D.A. 2011. *An Introduction to the Ecoregions of British Columbia*. Ecosystem Information Section. Ministry of Environment. Victoria, British Columbia.
- Province of British Columbia. 2018. *British Columbia Soil Information Finder Tool*. Ministry of Agriculture. Ministry of Environment & Climate Change Strategy. Accessed online between April and May 2022 <https://governmentofbc.maps.arcgis.com/apps/MapSeries/index.html?appid=cc25e43525c5471ca7b13d639bbcd7aa>
- Province of British Columbia. 2020. *Weed Control Regulation*. Queen's Printer, Victoria, British Columbia.

Appendix A Site Map, Proposed Gravel Extraction Area, and Profiles

Topographic Map



Stafford Pit Overview

FIGURE 4 SITE PLAN MAP

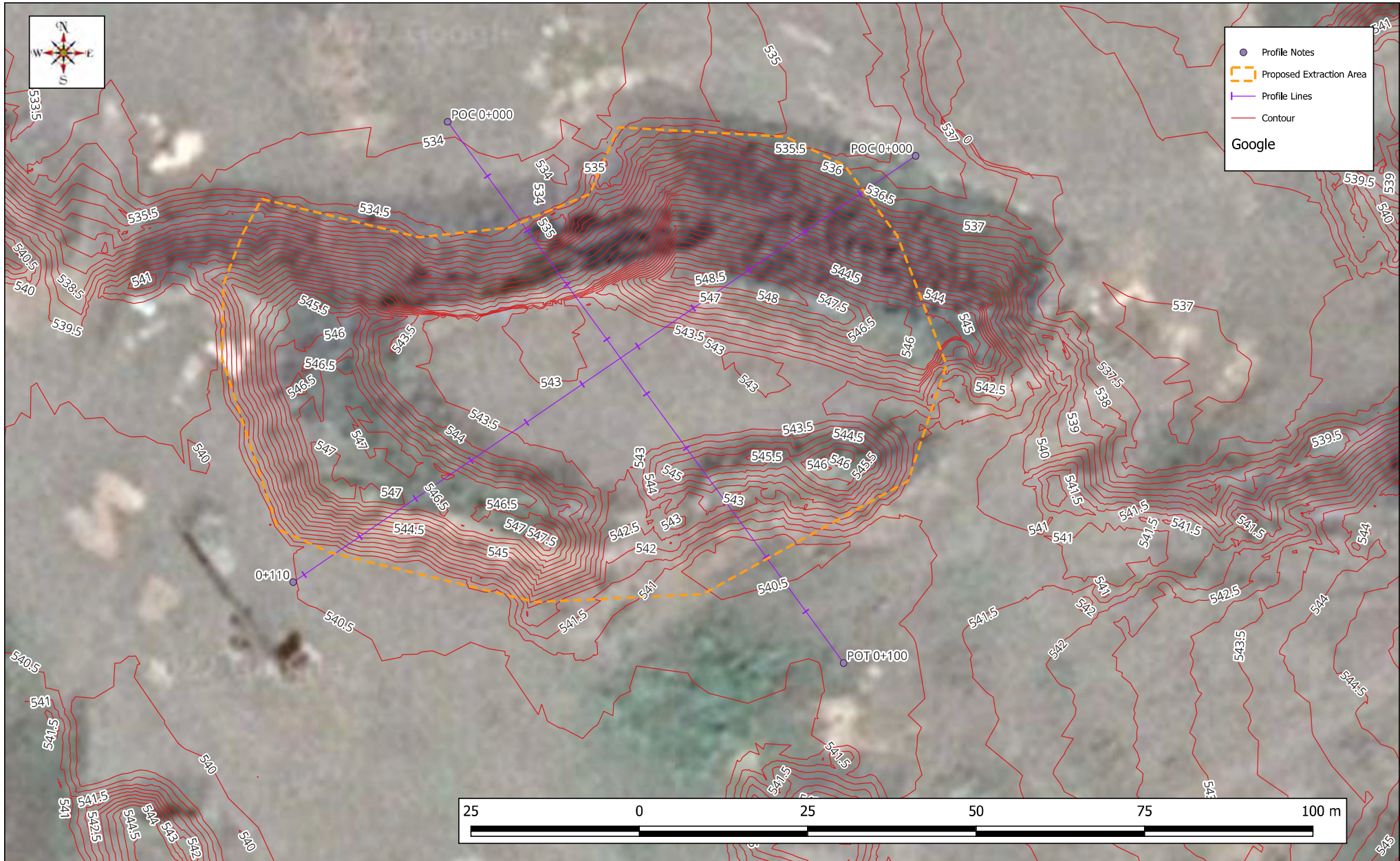


FIGURE 5 PROFILE LINE 1

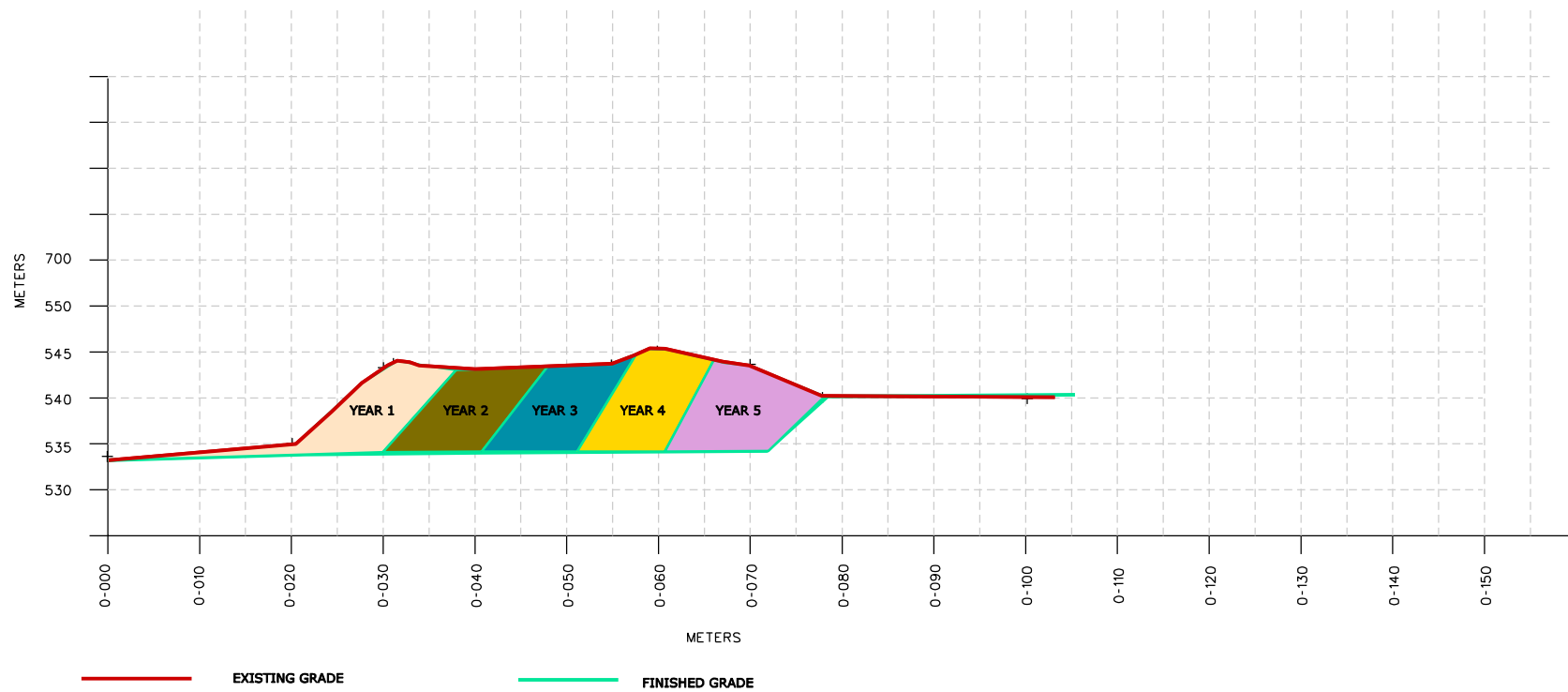
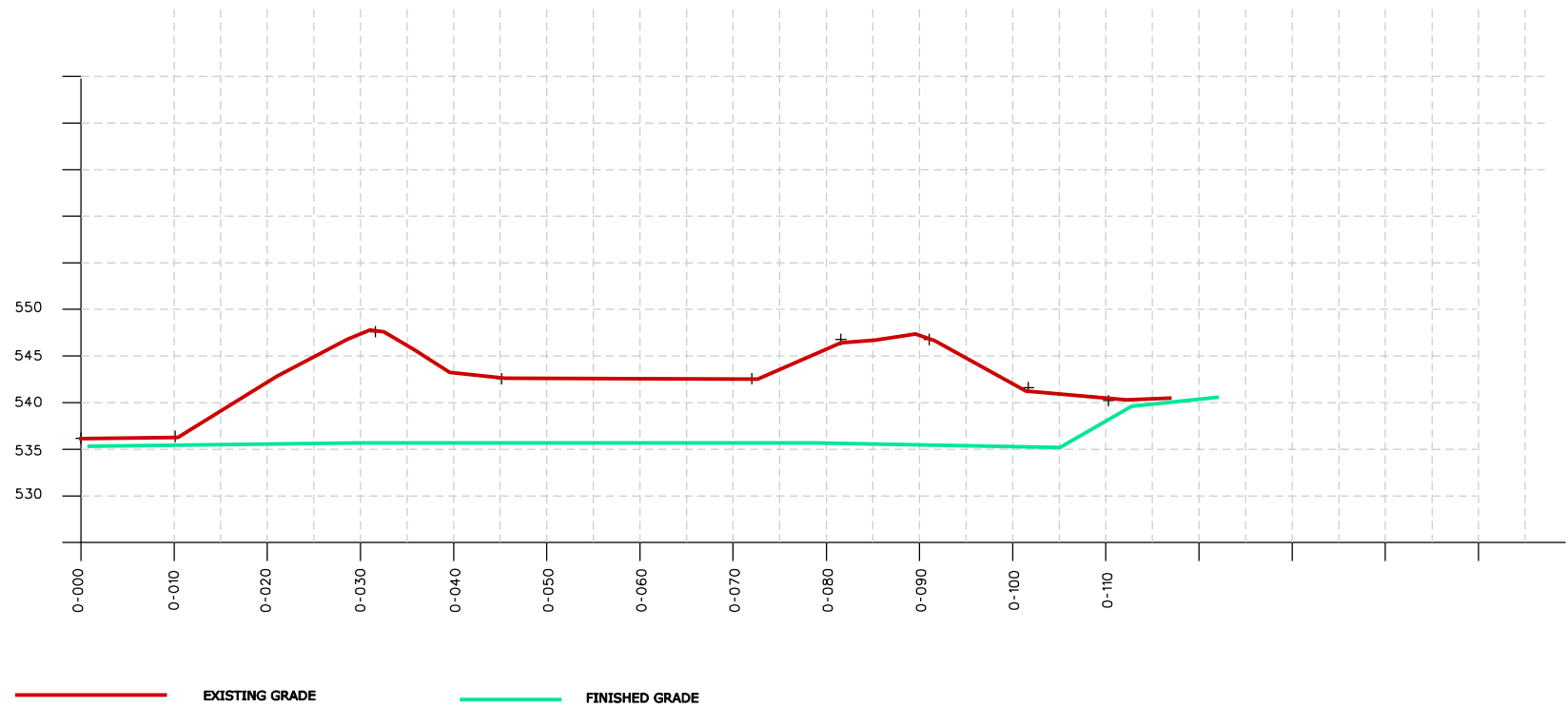
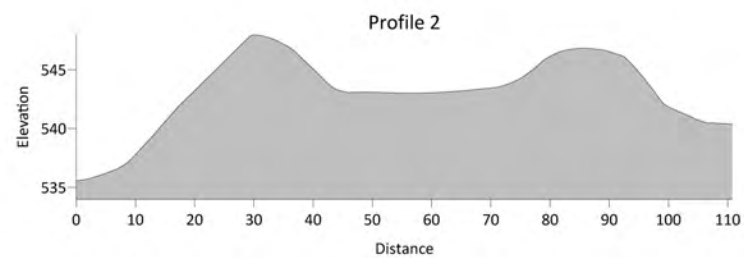
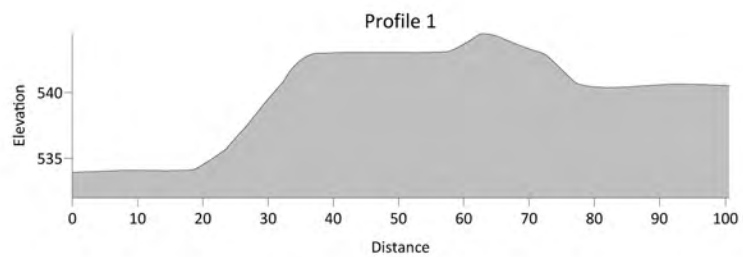
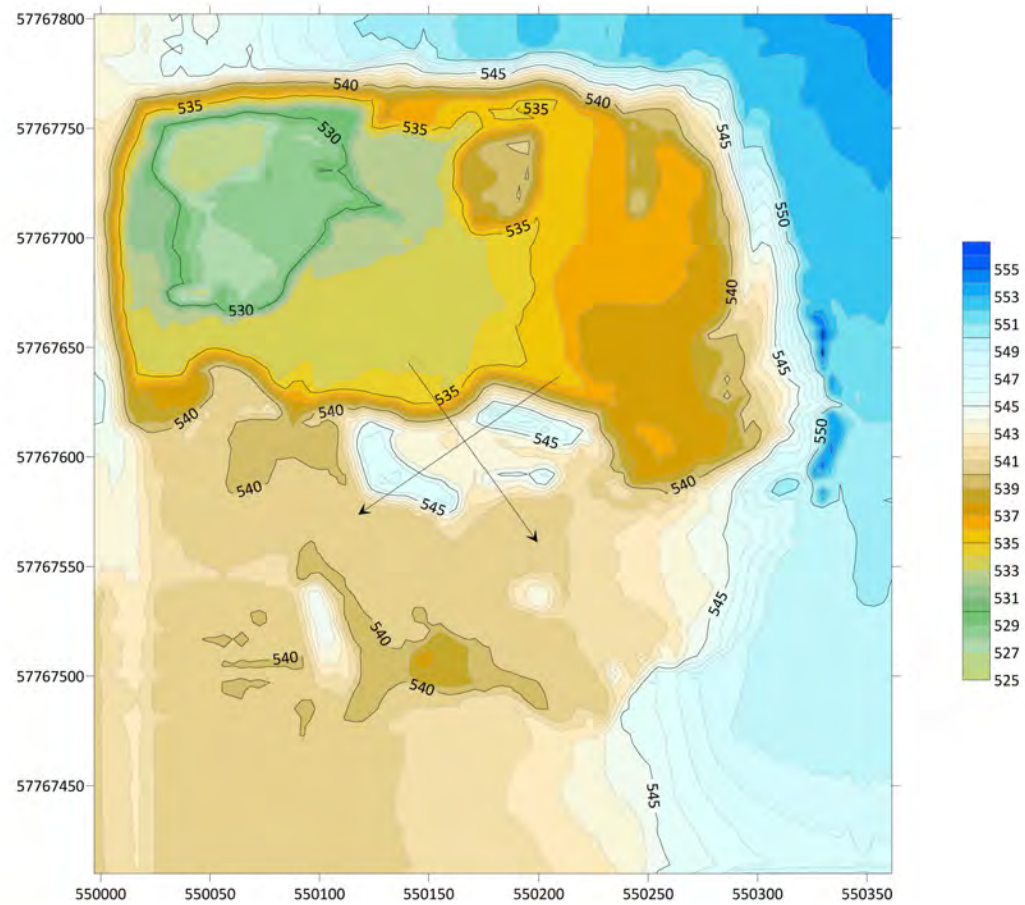


FIGURE 6 PROFILE LINE 2





Appendix B BC Soil Information Finder Tool Mapping and Soil Series Information

Chimney
Creek 5

Chimney Creek

6:5CT~4:6T

Project ID	6445
Project Type	AGCAP
Project Scale	
CC Label	6:5CT~4:6T
IC Label	(6:4T~4:6T)
CC1 Decile	6
CC1 Class	5
CC1 Subclass 1	C
CC1 Subclass 2	T
CC1 Subclass 3	
CC2 Decile	4
CC2 Class	6
CC2 Subclass 1	T

[Zoom to](#)

...

Chimney
Creek 5

Chimney Creek

8:7E~2:5MT

Project ID	6445
Project Type	AGCAP
Project Scale	
CC Label	8:7E~2:5MT
IC Label	(8:7E~2:5MT)
CC1 Decile	8
CC1 Class	7
CC1 Subclass 1	E
CC1 Subclass 2	
CC1 Subclass 3	
CC2 Decile	2
CC2 Class	5
CC2 Subclass 1	M

[Zoom to](#)

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Government
of Canada

Gouvernement
du Canada

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> [Agriculture and the environment](#) > [Soil and land](#) > [CanSIS](#) > [Soils](#) > [BC](#)

> [HVS](#) > [~~~~~](#)

Description of soil BCHVS~~~~~N (HARGREAVES)

General Characteristics

<u>Classification</u>	O.EB <u>Orthic Eutric Brunisol</u>
<u>Profile</u>	Native soil profile The soil is in native condition (undisturbed by agriculture).
<u>Kind of material</u>	Mineral The soil material is primarily composed of mineral particles.
<u>Water table</u>	Never The water table is not present in the soil at any time.
<u>Root restrictions</u>	No root restricting layer The growth of plant roots is not restricted by any soil layer.
<u>Type of root restricting layer</u>	n/a Not Applicable

<u>Drainage</u>	Well drained Water is removed from the soil readily but not rapidly. Excess water flows downward readily into underlying pervious material or laterally as subsurface flow. Soils have intermediate available water storage capacity (4-5 cm) within the control section, and are generally intermediate in texture and depth. Water source is precipitation. On slopes subsurface flow may occur for short durations, but additions are equaled by losses.
------------------------	---

Parent Materials

<u>Mode of Deposition</u>	<u>Texture</u>	<u>Chemical properties</u>
Glaciofluvial Material moved by glaciers and subsequently sorted and deposited by streams flowing from the melting ice. The deposits are stratified and may occur in the form of outwash plains, deltas, kames eskers, and kame terraces. See also glacial drift and till.	Medium Medium (USDA Texture Classes: VFSL,L,SIL,SI,GL,GSIL).	Moderately / Very Strongly Calcareous 6 - 40 CaCO ₃ equivalent (%)

Soil Layer Characteristics

			Classification				Physical	
<u>Layer Number</u>	<u>Upper depth</u>	<u>Lower depth</u>	<u>hzn lit</u>	<u>hzn mas</u>	<u>hzn suf</u>	<u>hzn mod</u>	<u>bd</u>	

			Classification				Physical
<u>Layer</u>	<u>Upper</u>	<u>Lower</u>					
<u>Number</u>	<u>depth</u>	<u>depth</u>	<u>hzn lit</u>	<u>hzn mas</u>	<u>hzn suf</u>	<u>hzn mod</u>	<u>bd</u>
1	0	0		CH			0.1
2	0	6		A	h		1.2
3	6	41		B	m		1.4
4	41	53		C	ca		1.5
5	53	100		C	k		1.5



January 6, 2021

Ref: 20V023

Ms. Lyn Stafford
[REDACTED]
[REDACTED]

Dear Ms Stafford

Re: Investigation Report and Status of Site FaRn-7

Archaeological site FaRn-7 was first recorded on your property in 1970, however it was never properly mapped. An examination of the gravel pit operation within your property (PID 015031276) that was completed on September 13, 2020 and resulted in the identification of no remnants of site FaRn-7.

The survey conducted on September 13, 2020 by Officer Matt Dubois (C&E officer) and Tal Fisher (C&E archaeologist) included the northern and western edges of the gravel pit to the edge of the slope down to Chimney Creek and the Fraser River. No house pit features or partial remains of house pit features identified. The western most house pit in FaRn-6 (located to the east of FaRn-7) was relocated outside the gravel pit area, has not been disturbed and was easy to identify. It appears all of the features associated with FaRn-7 were located within the footprint of the current gravel pit, and they are completely gone as the floor of the entire pit is well below the culture bearing soil layers.

As a result of these findings, site FaRn-7 has been granted legacy status by our office. Continued operation of the gravel pit poses no threat to archaeological resources within the existing footprint of the pit. However, if there is a desire to expand the pit operations in the future there is an archaeological site, FaRn-6, located approx. 100 meters east of the northeast corner of the gravel pit and would warrant further examination prior to entertaining any kind of development in this area.

Please feel free to contact our office if you have any questions regarding the above. In the unlikely event that unanticipated archaeological remains are encountered during your operations, please immediately stop work in their vicinity and contact me at (250) 953-3307.

Ministry of Forests,
Lands, Natural
Resource Operations
and Rural Development

Archaeology Branch

Phone: (250) 953-3334
Fax: (250) 953-3340

Mailing Address:

PO Box 9816 Stn Prov Govt
Victoria BC V8W 9W3

Location:

1st floor – 1250 Quadra St.
Victoria, BC V8W 2K7

Website: <http://www.for.gov.bc.ca/archaeology/>

Email: ArchPermitApp@gov.bc.ca

Sincerely,

A handwritten signature in dark ink, appearing to read "Gary Brewer", with a long horizontal flourish extending to the right.

Gary Brewer
Archaeologist
Permitting and Assessment Section



"FURTHERING THE PRODUCTION AND MARKETING OF BEEF CATTLE IN THE CARIBOO"

PO Box 4247 STN Main, Williams Lake BC V2G 2V3

September 30, 2022

Attn: Soil and Fill Panel Chair and members

File: 61723 – Stafford's

Dear Ms. Dyson,

Please accept this letter as support in the approval of an aggregate removal permit in the above referenced application.

The Stafford family owns and operates a 250 head cow-calf operation near Williams Lake since 1956. This ranch relies on the additional income provided by the sale of aggregate located on their property specifically DL 11 C.D., PID 015031276, which went to crown grant in 1871, this grant included the rights to all minerals, this pit has been in active operation since 1967. This ranch, typical of virtually all ranches in this region, relies on supplemental income to support their beef production in order to remain economically viable. The last extraction occurred in August of 2020 for a Williams Lake First Nations Band major project with the banks providing the ranch with financing in the interim.

Without the ability to access other sources of income ranching will not remain viable in the Cariboo-Chilcotin region and this association recommends expedited approval. If any further information is required, please contact me directly at 778 267 7445.

Sincerely,

Jordan Grier President, Cariboo Cattlemens Association

CC. Board of Directors



09NOV2022

Mr. Martin Sills

Williams Lake, BC

Re: Letter to support an Agricultural Land Commission Application on behalf of Bill and Lyn Stafford

To whom it may concern:

I was engaged as a Qualified Professional to conduct a site visit, excavate a soil Pedon, and assess an existing gravel extraction operation as it relates to soil and land management within the Agricultural Land Reserve. This operation is located within DL 11 Group 4 and 12053 Cariboo District. I prepared a soil salvage, stockpile, placement, and reclamation plan on behalf of Bill and Lyn Stafford.

I have considerable experience with soil, reclamation, revegetation, and land management planning and execution for mining operations across Western Canada – ranging from Oil Sands mines to small, family-owned gravel extraction operations. I also have a strong background in agriculture (practically speaking). I have professionally assessed five commercial gravel extraction operations in the Cariboo Regional District in the last two years. I have performed ad hoc inspections of countless Ministry of Transportation and Infrastructure &/or their road maintenance contractors gravel pits, waste dumps, etc. This puts me in a position of both education and competence to comment on operations and land management practices within the Agricultural Land Reserve.

The Stafford's operation displays an inherent working knowledge for soil, vegetation and weed management. They have revegetated stockpiles and pit slopes (which is rare to see). The Stafford's use livestock to provide vegetation control. I made two simple recommendations to Mr. Stafford which include the addition of signage around soil stockpiles and ensuring grazing frequency and duration is managed so not to contribute to erosion of soil resources. It is clear to me that his operation utilizes many best management practices; in fact, it is the best managed gravel extraction operation I have visited in the Cariboo Regional District. I could only hope to see these practices embraced by the British Columbia Ministry of Transportation and Infrastructure.

Sincerely,

Ty Jasper, P. Ag., ROWP

Appendix B: GENERAL MAP



LEGEND

- Subject Property
- ALR
- Electoral Areas

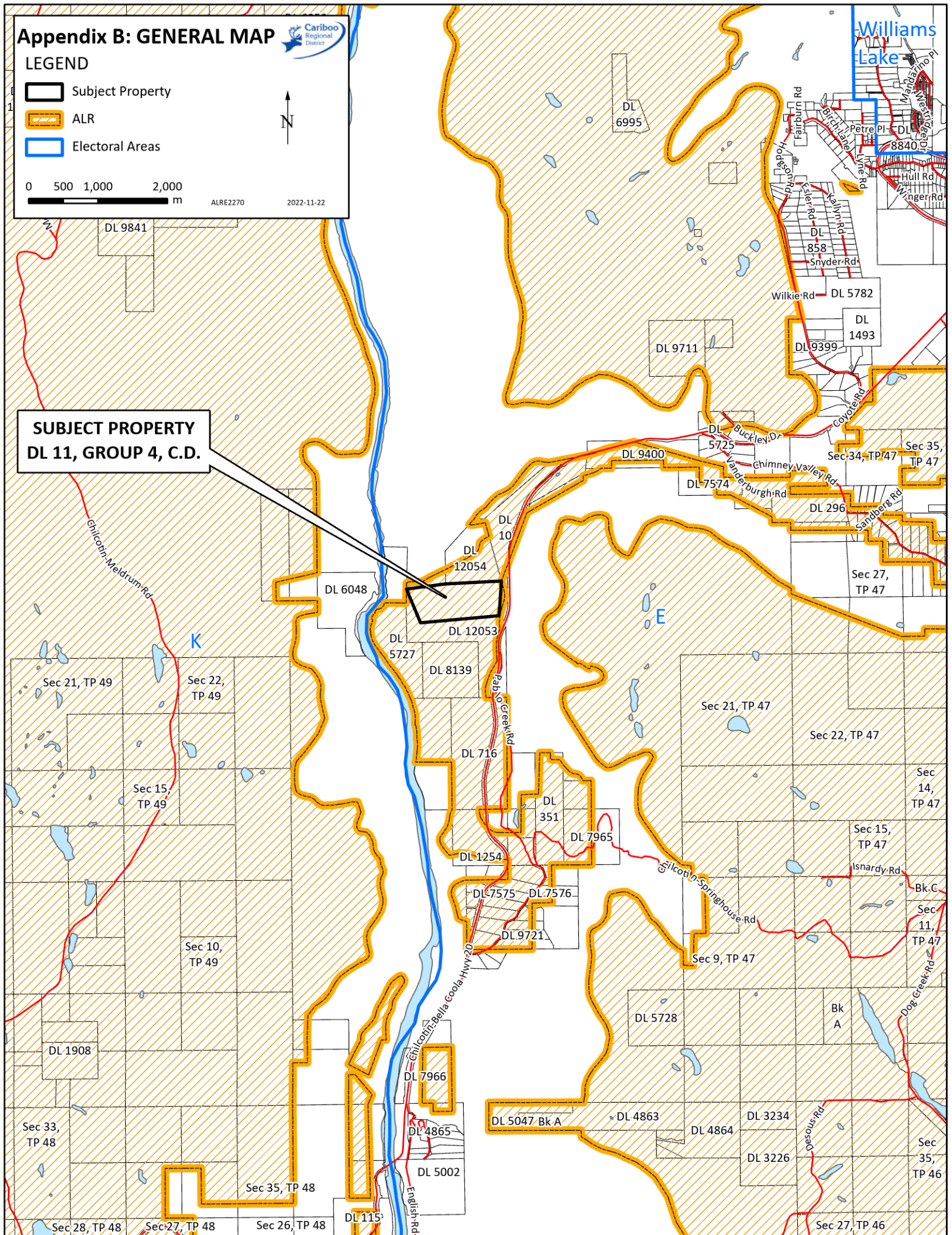
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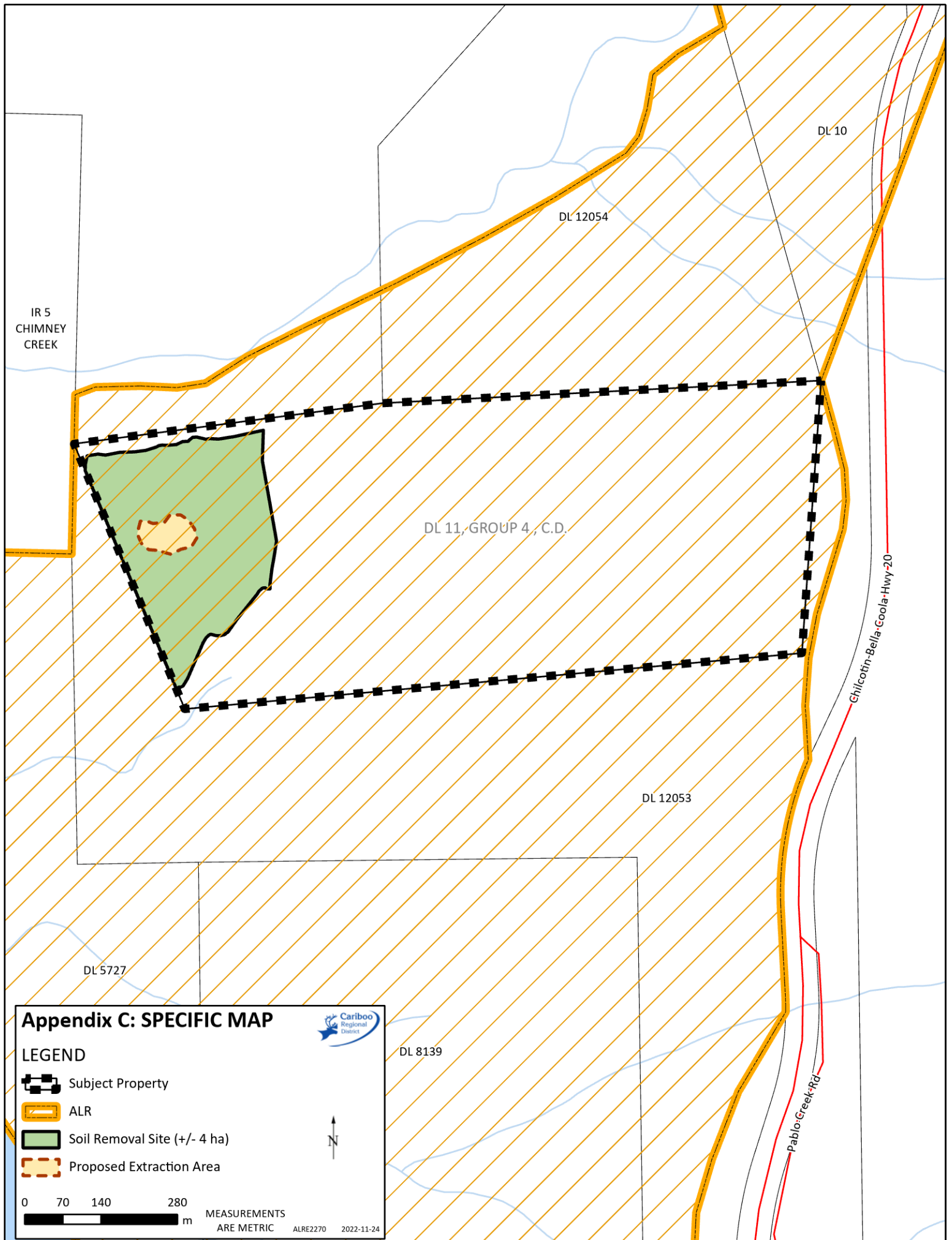
ALR2270

2022-11-22







SUBJECT PROPERTY
DL 11, GROUP 4, C.D.





Appendix C: SPECIFIC MAP

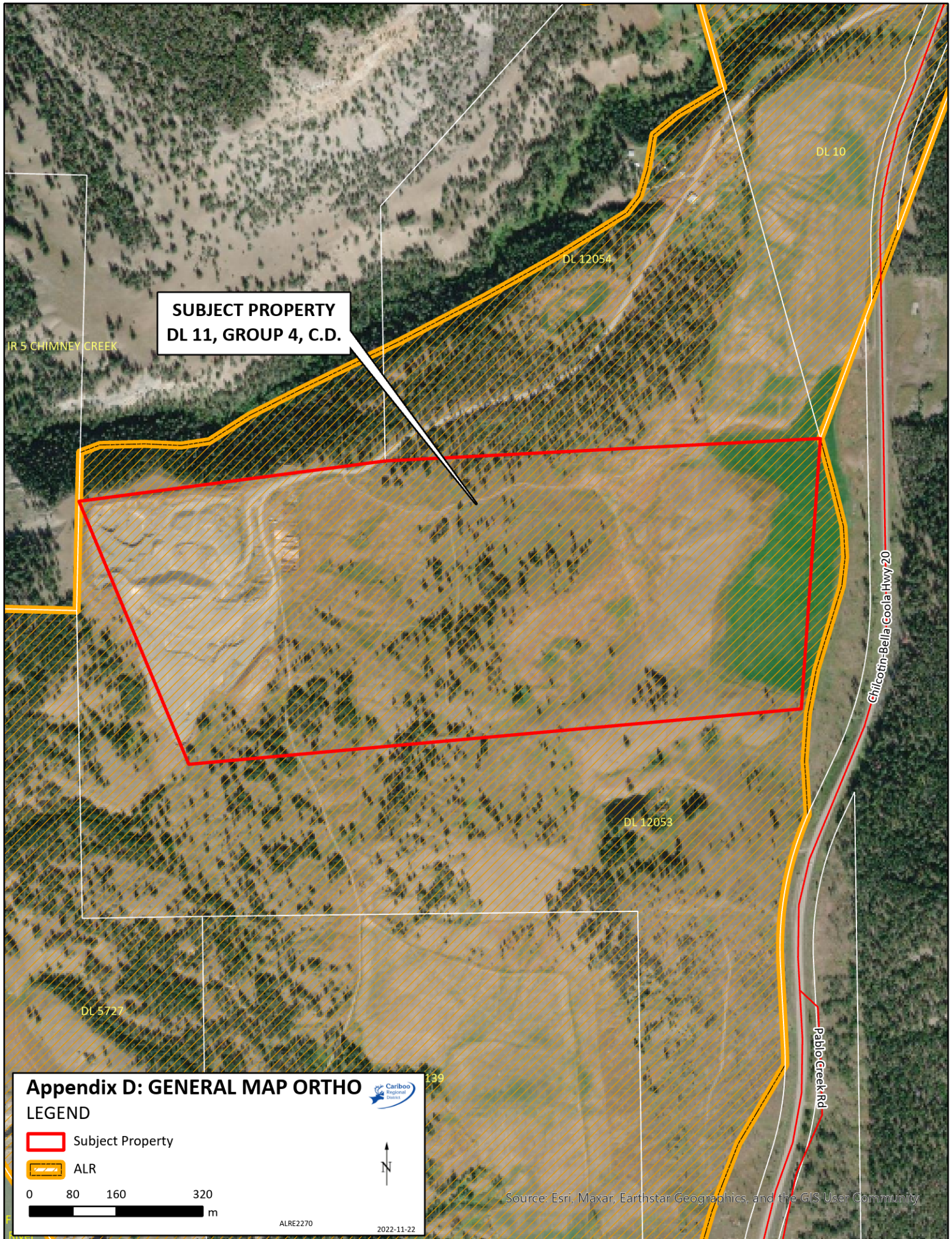
LEGEND

-  Subject Property
-  ALR
-  Soil Removal Site (+/- 4 ha)
-  Proposed Extraction Area

0 70 140 280
m

MEASUREMENTS
ARE METRIC

ALR2270 2022-11-24



ADVISORY PLANNING COMMISSION RESPONSE FORM

Minutes of the meeting of the Electoral Area 'E' advisory planning commission held on in the Dec 14/22, located at CRD, BC, commencing at 11:00 am

PRESENT:

Chair

Members

Recording Secretary

Owners/Agent, or

☐ Contacted but declined to attend**ABSENT:****ALSO PRESENT:** Electoral Area Director

Staff support (if present)

Agenda Items

APPLICATION UNDER THE LAND COMMISSION ACT – 3015-20/E20220070 (DISTRICT LOT 11, GROUP 4, CARIBOO DISTRICT)

20 be supported / rejected for the following reasons:

- i) ALC is authority, CRD formality
- ii) Question about size of proposal and future expansion

For:

Against:

CARRIED/DEFEATEDTermination

: That the meeting terminate.

CARRIED

Time:

Recording Secretary

Chair

Dec 14/22

John Dresler - Chair



December 15, 2022

Local Government File: 3015-20/E20220070

ALC ID: 66768

Genny Hilliard
Development Services Clerk V
Cariboo Regional District

VIA EMAIL: planning@cariboord.ca

Re: ALC Soil or Fill Use 20.3(5) referral – 1330 Highway 20 (Stafford) – 2022

Dear Genny Hilliard:

Thank you for providing the B.C. Ministry of Agriculture and Food (Ministry) with the opportunity to comment on the proposed Agricultural Land Commission (ALC) application for soil or fill use to extract gravel from the property for supplementary income. Ministry staff have reviewed the provided information and offer the following comments:

- In a letter dated January 26, 2021, Ministry staff provided feedback to the previous ALC application ID #61723 (which was refused permission) from the applicant regarding gravel extraction. In this previous letter, Ministry staff noted the importance of weed control at gravel pits.
- In this current proposal, Ministry staff note that it appears the information, as described in its May 2022 Reclamation Plan, contains some direction on weed control, with an option to provide an extensive Noxious and Prohibited Noxious Weed Management Plan. The Regional District may wish to recommend requiring this additional Plan, if forwarded to the ALC.
- Ministry staff also note that Section 6.3 Revegetation of the May 2022 Reclamation Plan, mentions nutrient management planning. Information regarding current nutrient management requirements of the Code of Practice for Agricultural Environmental Management (AEM Code) can be found here: <https://www2.gov.bc.ca/gov/content/environment/waste-management/industrial-waste/agriculture>

If you have any questions or concerns about our comments, please do not hesitate to contact us.

Sincerely,

Gregory Bartle Land Use Planner
B.C. Ministry of Agriculture and Food
Phone: 778 974-3836
Email: Gregory.Bartle@gov.bc.ca

Nicole Pressey, P.Ag., Regional Agrologist
B.C. Ministry of Agriculture and Food –
Cariboo Central Coast
Office: 236 713-2223
Email: Nicole.Pressey@gov.bc.ca

Email copy: Agricultural Land Commission, ALC.Referrals@gov.bc.ca



January 11, 2023

via email: ajohnston@cariboord.ca

Cariboo Regional District
Suite D, 180 North Third Avenue
Williams Lake, BC, V2G 2A4

Attn: Alice Johnston, Deputy CAO

Dear Ms. Johnston:

Re: ALC Application – Proposed Gravel Extraction from CRD Parcel 015-031-276

We write in response to an application (the “Application”) before the Agricultural Land Commission (“ALC”), made by William Stafford, Ross Stafford, and James Stafford (the “Applicants”) with respect to gravel extraction on Cariboo Regional District Parcel 015-031-276 (the “Property”).

Background Information

On February 11, 2021, the CRD considered a request to submit an application for non-farm use of the Property, and recommended that the application be received and authorized for submission to the Provincial Agricultural Land Commission (“ALC”) with no recommendation on the proposal. On March 9, 2021 WLFN submitted a letter to various agencies outlining the concerns regarding the historic and ongoing destruction of an identified archaeological/heritage site and impeded access caused by the Applicants’ use of the Property. Additional correspondence was sent to the ALC on October 29, 2021 further detailing the concerns regarding cultural heritage destruction and impeded access. A copy of that letter is appended for your reference. To date, none of the concerns raised in that letter have been addressed.

It is our understanding the Applicants’ 2021 application was not approved, and that they are again seeking approval for the proposed gravel extraction activities through the revised Application.

We strongly oppose the Application. To summarize, the key issues with respect to the Property include:

1. **Destruction of cultural heritage resources:** there is an active and ongoing compliance and enforcement investigation related to the Applicants’ destruction of archaeological site FaRn-7 on the Property. The destruction of this arch site occurred as a result of the Applicants’ previous gravel extraction activities. WLFN has outlined a detailed course of action required to address this issue, but we are still awaiting a response from the provincial archaeology branch. Further, LiDAR imaging clearly shows a village site of large housepits across the

Property, up to and including the gravel pit area. So, the extent of the WLFN cultural heritage resources on the Property goes beyond what has been formally recorded.

2. **Trespass on adjacent IR lands:** The IR lands (WLFN IR #5) adjacent to the Property are a recorded archaeological site. There is evidence that the owner or occupant of the Property has trespassed on those WLFN lands with tracked equipment, causing damage to that archaeological site.
3. **Denial of Access to adjacent WLFN lands:** WLFN has been working with the Ministry of Transportation and Infrastructure (MoTI) and the Ministry of Forests, Lands, Natural Resources Operations and Rural Development (FLNRORD) to resolve a long-standing access issue through the Property to WLFN IR#5. The owner of the Property has refused to meaningfully cooperate in finding a resolution.

Legislative Contraventions

WLFN reiterates that the establishment and operation of commercial gravel extraction at the Property constitutes a contravention of the *Heritage Conservation Act*, and that the continued lack of access to WLFN IR #5, and the destruction of archaeological and heritage sites, are contrary to several of the principles set out in the United Nations Declaration on the Rights of Indigenous Peoples (“UNDRIP”). More specifically:

- Article 8.2(b) of UNDRIP provides that States shall provide effective mechanisms for the prevention of, and redress for any action which has the aim or effect of dispossessing Indigenous peoples of their lands, territories or resources.
- Article 26.2 of UNDRIP provides that Indigenous peoples have the right to own, use, develop and control lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
- Article 28 of UNDRIP provides that States in consultation and cooperation with Indigenous peoples, shall take the appropriate measures, including legislative measures, to achieve the ends of this Declaration.

The past actions of the Property owner(s) have had a profound impact on WLFN’s Aboriginal rights, and the activities proposed by the Application will further impact WLFN’s Aboriginal rights. The Cariboo Regional District may maintain that the formal legal obligation for consultation and accommodation resides with the province, but we would assert that there is unequivocally a moral and ethical obligation on local governments to contemplate, and attempt to understand, the impacts of their decisions on the First Nations upon whose traditional territories their boundaries are located. This is the cornerstone of healthy, respectful, cooperative relationships between First Nations and local governments and the way in which local governments demonstrate their commitment to reconciliation.

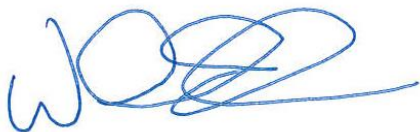
We would therefore request that you carefully consider the materials we have provided you and recommend that the application for gravel extraction from Parcel 015-031-276 not proceed further. There should be no consideration given to any further extraction activities on the Property until the issues outlined above are addressed.

Should you wish to further discuss the contents of this letter, please feel free to contact Kirk Dressler, WLFN Director of Corporate and Legal Services, at Kirk.Dressler@wlfm.ca, or 778-417-0193.

Sincerely,

WILLAMS LAKE FIRST NATION

Per:

A handwritten signature in blue ink, appearing to read 'Willie Sellars', with a stylized, cursive script.

Chief Willie Sellars



October 29, 2021

Via Email: SoilandFillApplications@gov.bc.ca

Agricultural Land Commission
Provincial Agricultural Land Commission
201 - 4940 Canada Way
Burnaby, BC, V5G 4K6

Attn: Michael McBurnie

Dear Michael:

Re: ALC Application 61723 – Proposed Gravel Extraction CRD Parcel 015-031-276

Please consider the following letter on behalf of Williams Lake First Nation (WLFN) in response to an application before Agricultural Land Commission (ALC), made by William Stafford, Ross Stafford, and James Stafford with respect to gravel extraction on CRD Parcel 015-031-276 (the Subject Property). This letter is designed to provide new information to the ALC, regarding the aforementioned

Background Information

On February 11, 2021, the Cariboo Regional District (CRD) considered a request to submit an application for non-farm use of the above noted property and recommended that the application be received and authorized for submission to the Provincial Agricultural Land Commission with no recommendation on the proposal.

On March 9, 2021, WLFN submitted a letter outlining certain concerns regarding the historic and ongoing destruction of identified archaeological/heritage site boundaries and impeded access caused by continuing the proposed gravel extraction activities on the subject property. At that time, there was an active investigation being conducted by the provincial authorities at the Archaeology Branch of Forest, Lands, Natural Recourse Operations and Rural Development (FLNRORD), and by the Compliance and Enforcement division of FLNRORD. WLFN has suggested not to consider any application regarding the subject property until the addressed issues are resolved to their reasonable satisfaction.

In May of 2021, those concerns had not been addressed including the request that the Subject Property be fully assessed by way of an Archaeological Impact Assessment.

Archaeological and Heritage Resource Destruction via Gravel Extraction

WLFN provided the following information in its letters of March 9, that WLFN, Ministry of Transportation (MoTI), and the Ministry of Forests, Lands, Natural Resources Operations and Rural Development (FLNRORD) have been working to resolve a long-standing access issue, surrounding access to WLFN Indian Reserve (IR) #5 Chimney Creek. The issue involves the IR parcel being surrounded by a combination of privately owned and crown lands without ensuring WLFN is afforded proper legal access to IR#5.

WLFN further detailed that as a result of research surrounding this issue, LiDAR imaging was purchased over the Subject Property. The LiDAR indicated that gravel extraction activities have been occurring within the recorded archaeological site boundaries of FaRn-7 for many years. As a result of the compliance and enforcement investigation related to FaRn-7, provincial representatives from the Archaeology Branch of FLNRORD attended the property.

During this visit, they unilaterally determined to legacy the site at FaRn-7, based on non-credible personal accounts of the Property Owner. Also during this visit, those provincial staff **trespassed onto WLFN Federal Indian Reserve lands (IR#5 – Chimney)**, and recorded a new archaeological site (FaRn-61) on that property, with no prior informed consent of WLFN, notice of intent to attend the property, or accompaniment from WLFN. As a result of this visit and legacy decision, WLFN provided further correspondence from it's legal counsel, Donovan and Company, detailing this grievance and outline a course of action which included:

- Reversing its decision to list FaRn-7 as a legacy site; and
- Conducting a full archaeological impact assessment or require that the landowner have a full archaeological impact assessment conducted by a third party to delineate the archaeological sites in the environs of the gravel pit, including an investigation into whether the topsoil and potentially culturally bearing sediments from the gravel pit footprint have been removed from the property

To date, the Archaeology Branch has not responded to either WLFN or their legal counsel on this matter.

Archaeological Investigation of Adjacent Lands at IR#5 Chimney

Given the inaction of the provincial authorities to properly investigate and determine the nature of archaeological deposits surrounding the Subject Property and gravel extraction area, WLFN has embarked on their own assessment, to outline historical impact, and potential future impacts resulting from the Property Owner's commercial gravel extraction.

In May 2021, WLFN determined that a site visit to WLFN IR#5 Chimney was required in order to address the provincial trespass, and properly record the extent of archaeological resources and features at that property. Due to the continued impeded access to IR#5, WLFN was forced to rent a helicopter and fly to that location, at considerable expense. The site visit included Whitney Spearing (WLFN Manager of Title and Rights, and registered professional archaeologist, RPCA), Julia Flinton (WLFN staff), and Trista Johnson (WLFN Member and Archaeological Field Supervisor). Assessment of adjacent lands has determined that:

- 1) There has been trespass on the federal IR lands parcel, by the Property Owner, by way of tracked machinery (excavator or otherwise). This trespass has caused ecological and archaeological damage to the subject property and is the subject of a recently submitted compliance and enforcement claim by WLFN. Photos and details of this trespass were recorded on site.
- 2) There is an extensive deposit of subsurface and surface archaeological material present on the property, **as close as 1 cm to the property line**. This was established by way of shovel tests, all of which yielded dense subsurface deposits of archaeological material. WLFN is in process of drafting provincial site records for this site and have prepared applicable mapping attached hereto. These positive shovel tests:
 - a. **fall within the bounds of legacy site FaRn-7**, giving more weight to the assertion that the legacy status be reversed for FaRn-7; and
 - b. have been recorded to provincial standard, with a 5m buffer applied to them, **which results in overlap with the gravel pit area**.
- 3) A cluster of cultural depressions (cache pits) were present **within the bounds of FaRn-7**;
- 4) The petroform recorded at FaRn-61 exhibits signs of being a burial cairn, as was indicated in the original site forms for this location, and again **should not have been extracted from it's original site record of FaRn-7**.

In addition, WLFN will be providing to the Archaeology Branch, MEMPR, and the CNE department at FLNRORD, a map of the LiDAR imaging of the Subject Property. This map clearly shows the extent of the village site at this location, which is the subject of an ongoing specific claim. The imaging shows a village site of large housepits across the entire subject property, up to and including the gravel pit area, and onto the IR#5 Chimney federal lands. There is no escaping that this area is, and remains, a large and mostly intact Secwepemc village. Use of this area for commercial gravel extraction, or any other purposes which degrade its intrinsic heritage value, is a heinous act and should not be encouraged or sanctioned by provincial authorities.

Existing Gravel Pit / Extraction Activities

Since our last correspondence, the Applicant continues to flagrantly disregard the need for proper permitting related to gravel extraction activities and continues to extract gravel for commercial gain on the Subject Property. As well,

Legislative Contraventions

WLFN reiterates by way of the above, that the establishment and continual operation of commercial gravel extraction at the Subject Property equates to contraventions of the *Heritage Conservation Act*.

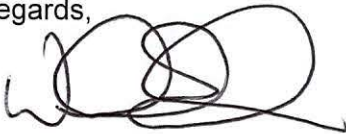
Additionally, WLFN reiterates that the continued lack of access to WLFN Chimney Creek IR No. 5, and the destruction of archaeological and heritage sites, are contrary to several of the principles set out in UNDRIP:

- Article 8.2(b) of UNDRIP provides that States shall provide effective mechanisms for the prevention of, and redress for any action which has the aim or effect of dispossessing Indigenous peoples of their lands, territories or resources.
- Article 26.2 of UNDRIP provides that Indigenous peoples have the right to own, use, develop and control lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
- Article 28 of UNDRIP provides that States in consultation and cooperation with indigenous peoples shall take the appropriate measures, including legislative measures, to achieve the ends of this Declaration.

To date, none of these contraventions have been appropriately dealt with by provincial authorities. WLFN asserts that the non-action on this contravention, coupled with the trespass onto Federal Indian Reserve land for the express purpose of recording archaeological resources without consent, by the province of British Columbia is cause for injunctive relief. **To this end please be advised that WLFN has retained counsel and will actively be pursuing whatever form of relief is necessary to halt operations at this site.**

Should you wish to further discuss the contents of this letter, or the treatment of the Subject Property, please feel free to contact Kirk Dressler, WLFN Director of Corporate and Legal Services, at kirk.dressler@wlfm.ca , or (778) 417-0193.

Regards,



Chief Willie Sellars
Williams Lake First Nation

Cc:

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