



**Environmental
Law Clinic**
UNIVERSITY OF VICTORIA

VIA FACSIMILE

The Honourable Premier Gordon Campbell
Executive Council
Room 156, Parliament Buildings
Victoria, BC V8V 1X4

August 28, 2006

Honourable Premier:

**Re: Request for the Appointment of a Commission of Inquiry into the
Operations of the Agricultural Land Commission**

Please find enclosed a report that raises concerns about whether the Agricultural Land Commission's Regional Panel System that was instituted in 2002 can adequately preserve British Columbia's farm land. The report, *Case Studies of Agricultural Land Commission Decisions: The Need for Inquiry and Reform*, by Ryan Green of the Environmental Law Clinic at the University of Victoria, documents a number of recent decisions by the Agricultural Land Commission's Regional Panels.

In light of:

- The questionable decisions of the Regional Panels documented in this report;
- The serious policy issues raised by Charles Campbell's report *Forever Farmland: Reshaping the Agricultural Land Reserve for the 21st Century* and by the ALR Protection and Enhancement Committee's report, *Protecting the Agricultural Land Reserve: Our Foodlands Under Threat* (also enclosed); and
- Various allegations of possible impropriety and lack of diligent protection of farm land that have been raised in the media and the courts,

it would now be appropriate to conduct a Public Inquiry into the issue of protection of British Columbia's farm land -- and how the system can be changed to better implement the mandate of the Agricultural Land Commission.

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Therefore, on behalf of the Agricultural Land Reserve Protection and Enhancement Committee, I request that the Lieutenant Governor in Council appoint a Commission of Inquiry pursuant to s. 8 of the *Inquiry Act*. This Commission of Inquiry should be directed to do the following:

- Review all decisions made by the Regional Panels since they were established in 2002, in order to determine whether Panel Decisions throughout the Province are adequately protecting agricultural land;
- Examine whether the decision making structure of the Agricultural Land Commission should be altered to better protect British Columbia's agricultural land;
- Consider whether there should be a prohibition against removing prime farm land from the Reserve; and
- Make recommendations for reforming the *Agricultural Land Commission Act* to better protect British Columbia's scarce farm land.

Until this Commission of Inquiry completes its work and government has an opportunity to implement the recommended reforms, there should be a moratorium on all present Agricultural Land Reserve application decisions involving prime agricultural land.

The value of agricultural lands to present and future generations of British Columbians demands that we have an Agricultural Land Commission that can effectively carry out its statutory mandate to preserve BC farm lands. At this point, only a public inquiry can ensure that this takes place.

Sincerely,

Ryan Green
Law Student
Environmental Law Clinic

cc: D. Sands

Enclosures