

Audit of the Agricultural Land Commission

As at: August 2013

Released: [7 September 2010](#)

First Follow-up: [October 2011](#)

Second Follow-up: [October 2012](#)

Discussed by the Public Accounts Committee: [7 December 2010](#)

Self-assessment conducted by the Agricultural Land Commission

Comments

“Since its last update in October 2012 work has continued on improving the operations of the Agricultural Land Commission (ALC) by building on the transitional projects initiated in fiscal year 2011/12 and continuing throughout fiscal year 2012/13 using \$1.6 million in funding provided by Government. Reference is made to these projects in the ALC’s following responses.

In Budget 2013/14 Government increased the ALC’s base budget from \$1.974 million in 2012/13 to \$2.905 million for this fiscal year; an increase of \$931,000. Government has also indicated the ALC’s operating budget will increase by a further \$611,000 in 2014/15 bringing the ALC’s operating budget for that fiscal year to \$3.516 million. In 2015/16 the ALC’s budget will stabilize at \$3.391 million.

The ongoing projects intended to improve the operations of the ALC will now be funded from its increased operating budget. The projects now underway will enhance the ALC’s ability to: undertake ALR boundary reviews; proactively engage stakeholders to encourage farming and preserve agricultural land; shift to a proactive planning organization; monitor and audit delegation agreements; conduct more compliance and enforcement; and to enhance its information technology capabilities.”

Outstanding Recommendations

RECOMMENDATION AND SUMMARY OF PROGRESS	SELF-ASSESSED STATUS
<p>Recommendation 1: Ensure that ALR boundaries are accurate and include land that is both capable of and suitable for agricultural use.</p>	<p>Partially implemented</p>
<p>Actions taken, results and/or actions planned</p>	
<p>“Reviews of Agricultural Land Reserve (ALR) boundaries will be targeted to specific regions of the province, not the entire ALR. As noted in its 2012 update, the ALC will focus its attention for the first boundary review in the Regional District of East Kootenay. The purpose of the review is to refine the ALR boundaries so that they encompass land that is both capable and suitable for agricultural use. The Elk Valley review began in late 2012 and the ALC has researched and developed its methodology for carrying out boundary reviews. It has compiled extensive land use and ownership data and land quality mapping information for the review area. The ALC has identified 175 properties comprising a 1,380 hectares for potential exclusion from the ALR and 16 properties comprising 800 hectares for potential inclusion; field work has been carried out in collaboration with Ministry of Agriculture staff and the ALC has sought input from local government, agricultural stakeholders and government agencies. On July 15, 2013 the ALC Board sanctioned the proposed boundary adjustments moving forward to a public hearing on August 15, 2013. Work on the second review in the East Kootenays is well underway.”</p>	

All information has been provided by the organization and has not been audited.

Oustanding Recommendations (Continued)

Recommendation 2: Seek government’s support to make changes that will allow it to more effectively preserve agricultural land and encourage farming through the application process.

Partially implemented

Actions taken, results and/or actions planned

“The ALC’s business objective is to significantly reduce the amount of operational resources it expends on processing applications from historic levels of approximately 80% to 30% to allow redeployment of resources to other program areas such as ALR boundary reviews, long range planning, policy development, auditing delegation agreements and compliance and enforcement. As reported in 2012 within the 30% targeted budget allocation devoted to applications, the ALC will increase its efficiency by streamlining the processing of applications.

The ALC recently reviewed processing times for applications received from January 1, 2012 to May 31, 2013. During this period, the ALC made approximately 400 decisions. The majority of applications (80%) received a decision within 83 days. Processing times have not increased, and in some cases have decreased, as a result of the ALC implementing early vetting of applications for completeness, triaging simple applications for immediate processing, early identification of the need for additional information for more complex files, more frequent Commission meetings and through the establishment of criteria for delegated decision-making to the ALC’s Chief Executive Officer.

Other initiatives to enable the more efficient processing of applications involve the ALC improving its information technology and management capacity to facilitate the electronic submission of applications. The ALC has designed a new self-service Online Application Portal, and with its consultants, is currently testing the prototype. The Portal will be accessible via the ALC website. The ALC has also reviewed and redesigned its website and is preparing to retain a consultant to build the website changes to link with the Portal. It is anticipated the improvements to the website, roll out of the Online Application Portal and other internet-based features will be available in fall 2013.”

Recommendation 3: Engage in proactive long-term planning with local governments to encourage farming.

Partially implemented

Actions taken, results and/or actions planned

“The ALC Board has made changes to its staff organizational structure which includes the required staff positions to carry out its business functions in support of its mandate. The structure is designed in part to provide more effective service by focusing the staff secretariat operations on pro-active planning and policy development functions. With the increased funding provided by Government, the ALC plans to recruit additional staff. Since late 2012 the ALC has been working with the Public Service Agency (PSA) to review job profiles and classifications for both existing and new positions. With regard to proactive planning and encouraging farming the ALC plans to recruit for the following positions:

- 2 professional Agrologists specializing in soil science to assist with ALR boundary reviews and other planning initiatives; and
- 3 planners and 1 planning manager to enable the ALC to strengthen ties to local government land use planning. These positions will also enable the ALC to respond more readily to emerging issues that directly relate to agriculture as well as those that may impact agriculture.

The ALC plans to fill the positions in 2013.”

All information has been provided by the organization and has not been audited.

Outstanding Recommendations (Continued)

Recommendation 4: Work with Fraser-Fort George Regional District to address concerns it has with the District’s processes.

Fully or substantially implemented

Actions taken, results and/or actions planned

“In its 2012 self-assessment report the ALC advised that it was compiling and assessing the application decisions made by the Fraser-Fort George Regional District (FFGRD) between 2001-2012 under the delegation agreement. The ALC has completed its review of 38 non-farm use applications and 89 subdivision applications decided upon by the FFGRD with the specified time frame. At the time of this self-assessment, the ALC has not yet released its report to the FFGRD, and as such, any reporting out regarding the findings of the review in this self-assessment is inappropriate. However, the ALC has identified matters for discussion with the FFGRD and plans to provide its report to the FFGRD in August 2013. The ALC will follow up with the FFGRD shortly thereafter to make arrangements for a meeting to discuss in detail the findings of the ALC’s review.”

Recommendation 5: Work with the Oil and Gas Commission to develop an action plan to implement the recommendations of the 2009 audit.

Fully or substantially implemented

Actions taken, results and/or actions planned

“The ALC has been working with the OGC to amend the delegation agreement. In June 2013, the agreement was updated and the OGC is currently working on an implementation plan with the intent that the updated agreement be brought into use in fall 2013.

The changes to the agreement better address unconventional gas development and some of the short-comings of the current agreement and maintain protection of the agricultural land in the long term. The basis of the agreement is:

- All oil and gas activities are considered temporary non-farm uses in the ALR;
- The location of activities are planned to have minimum impact on agricultural use of the land;
- A pre-development site assessment helps ensure soil conservation and effective reclamation potential;
- Activities are streamed as Exempt from ALC Act decision or requiring an application & decision under ALC Act;
- Sites no longer required for oil and gas are reclaimed to the same agricultural condition – confirmed by a reclamation report; and
- No change in purpose; streamline and improve the review and approval of oil and gas activities on ALR lands while preserving agricultural land and encouraging farming on those lands.

The ALC Board has also made changes to its staff organizational structure which includes the required staff positions to carry out its business functions in support of its mandate. The structure is designed in part to provide access to professional advice from professional Agrologists regarding soil quality and land reclamation. With the increased funding provided by Government, the ALC plans to recruit additional staff. Since late 2012 the ALC has been working with the Public Service Agency (PSA) to review the job profile and classification for the position of Staff Agrologist. The ALC plans to recruit for two professional Agrologists specializing in soil science and to fill the positions in 2013.”

All information has been provided by the organization and has not been audited.

Outstanding Recommendations (Continued)

Recommendation 6: Ensure that it has a sufficiently robust compliance and enforcement program.

Partially implemented

Actions taken, results and/or actions planned

“The ALC Board has made changes to its staff organizational structure which includes the required staff positions to carry out its business functions in support of its mandate. The structure is designed in part to provide more effective service regarding compliance and enforcement operations.

With the increased funding provided by Government, the ALC plans to recruit additional staff. Since late 2012 the ALC has been working with the Public Service Agency (PSA) to review job profiles and classifications for both existing and new positions. The ALC plans to recruit for a Compliance and Enforcement Coordinator who will oversee the compliance and enforcement activities of the ALC’s 2 officers and the 38 officials appointed from the Ministry of Forests, Lands and Natural Resource Operations (FLNRO) pursuant to the Agricultural Land Commission Act. The FLNRO officials are empowered to act on behalf of the ALC regarding compliance and enforcement related matters. These appointments provide the ALC with enhanced compliance and enforcement capabilities in the South Coast, Interior, Okanagan and Kootenay Boundary regions. Continuing to build on collaborative opportunities regarding compliance and enforcement will be key to the ALC’s success regarding this aspect of its mandate.

The new Coordinator position will continue to actively seek opportunities to establish proactive alliances with other provincial ministries and agencies as well as with local governments.

The ALC plans to fill the position in 2013.”

Recommendation 7: Prioritize completion of the new database and finalize conversion of the original paper ALR maps into digitalized format.

Partially implemented

Actions taken, results and/or actions planned

“In 2011, the ALC embarked on a project to retrieve 20,000 - 25,000 application files, verify digital mapping of properties, enter application data into the database and to convert (scan) relevant paper documents to a digital format.

Progress to date:

- 5,350 files have been completed (documents scanned, data entered and GIS mapping verified);
- 15,475 files have historical documents scanned (data entry and GIS mapping verification underway and ongoing); and
- 6,860 files have digital mapping of properties verified.

The data entry portion of the project is proving to be the most time consuming aspect of this work because there is often a need to interpret the data prior to entering it into the database.

The conversion project is already enabling quicker access to data by ALC staff and Commissioners, and is a key element of enhancing the ALC’s ability to work efficiently on ALR boundary review projects, being proactive with local governments in planning, improving administration and oversight, and improving compliance and enforcement.

The ALC expects to complete the scanning of historical documents by the end of this fiscal year with data entry and map verification continuing throughout fiscal year 2014/15.”

All information has been provided by the organization and has not been audited.

Outstanding Recommendations (Continued)

Recommendation 8: Evaluate the collective impacts of its decisions on applications and its broader policy decisions.

Partially implemented

Actions taken, results and/or actions planned

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The ALC expects to complete the scanning of historical documents by the end of this fiscal year with data entry and map verification continuing throughout fiscal year 2014/15.

When this work is completed all historical decisions of the ALC will be accessible via the database and GIS mapping. This will enable the ALC to analyse applications, review the cumulative impact of its decisions, conduct planning exercises and analysis, and provide information for improved policy development. The project will also facilitate ALR boundary reviews, which has been the case regarding the Elk Valley review, and improved statistical reporting.”

Recommendation 9: Report publicly on the cumulative impacts of its decisions.

Partially implemented

Actions taken, results and/or actions planned

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The ALC expects to complete the scanning of historical documents by the end of this fiscal year with data entry and map verification continuing throughout fiscal year 2014/15.

When this work is completed all historical decisions of the ALC will be accessible via the database and GIS mapping. The ALC will be better positioned to analyse applications, review the cumulative impact of its decisions, conduct planning exercises and analysis and provide information for improved policy development. The data entry, document scanning and mapping quality assurance project, coupled with the improvements to the website, roll out of the Online Application Portal and other internet- based features in fall 2013, will also enable detailed and timely public access to the work and decisions of the ALC.”

All information has been provided by the organization and has not been audited.