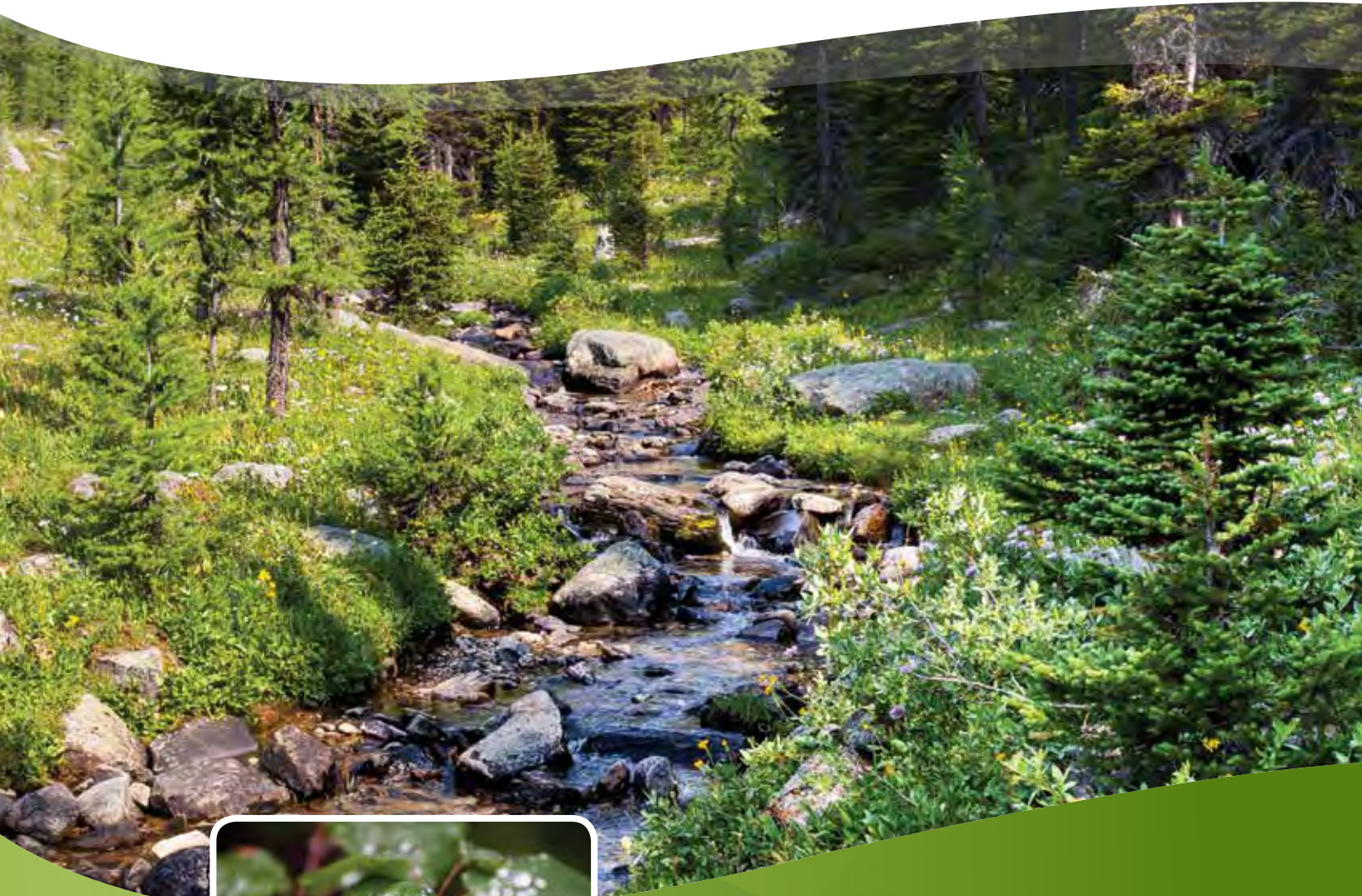




**NRCB** | Natural Resources  
Conservation Board



## CELEBRATING 25 YEARS 1991 – 2016

Natural Resources Conservation Board  
ANNUAL REPORT **2015-16**

# Vision, Mission and Values

**Our vision:** to be a respected decision-maker, exemplifying integrity and foresight in the best interests of Alberta.

**Our mission:** as a quasi-judicial and regulatory agency, the NRCB makes impartial and knowledge-based decisions across two distinct mandates:

- under the *Natural Resources Conservation Board Act*, the NRCB decides if natural resource projects are in the public interest, considering social, environmental and economic effects, and
- under the *Agricultural Operation Practices Act*, the NRCB fulfills applications and compliance responsibilities, administers and advances policies, and conducts board reviews for confined feeding operations.

**Our values:** in achieving our mission, we honour the NRCB's core values of integrity, fairness, respect, excellence and service.





## Governance

The chair and board members of the Natural Resources Conservation Board are responsible for the overall governance of the organization, its financial reporting and performance. The chief executive officer is responsible for the performance of the operational divisions, including Corporate Services (finance, human resources and information technology), Applications, Compliance, and Science and Technology.

The Natural Resources Conservation Board complies with the requirements of the *Alberta Public Agencies Governance Act*, the *Public Agencies Governance Framework*, the *Public Sector Compensation Transparency Act*, the *Reform of Agencies, Boards and Commissions Compensation Act*, and the *Alberta Land Stewardship Act*. Its mandate and roles, code of conduct, expense and compensation disclosures and board member competency framework are publicly available at [www.nrcb.ca](http://www.nrcb.ca).

## Accountability Statement

The Natural Resources Conservation Board is accountable to the Minister of Environment and Parks.

The *Natural Resources Conservation Board Act* (NRCBA) is the responsibility of Environment and Parks.

The *Agricultural Operation Practices Act* (AOPA) is the responsibility of Agriculture and Forestry. A 2006 memorandum of understanding between the Minister of Sustainable Resource Development, the Minister of Agriculture and Rural Development, the chair, and the chief executive officer of the Natural Resources Conservation Board describes the purpose of the act, and governance and mandate responsibilities.

The audited 2015-16 financial reports of the Natural Resources Conservation Board are provided in the annual report issued by Environment and Parks.



## Message from the Chair

When the Natural Resources Conservation Board (NRCB) was created back in 1991, the Government of Alberta foresaw the significant role the new organization would play in Alberta's natural resource development, and the important long term impact of its decisions. The government leadership also understood the need for full public engagement and consultation in the decision-making process. Now celebrating 25 years of service to Albertans, the NRCB continues to champion accessible and open decision making processes.

Since 2006, I have been privileged to follow in the shoes of the excellent chairs who preceded me: Gerry DeSorcy, Tony Yarranton, Ken Smith, Bill Kennedy, Brian Bietz, Brady Whittaker, and Bob Clark. By 2006 the NRCB had established itself as a fair and credible review body for non-energy natural resource projects, issuing decisions that have had a lasting and beneficial impact on Alberta. In 2002, the NRCB had also been designated the responsible authority for delivering the *Agricultural Operation Practices Act*, an entirely new focus for the organization.

As chair, I have the opportunity to work closely with the NRCB's board members, scientists, and operational staff. We are a small organization, and in my mind, one of the best. The NRCB operates on a tight budget, but delivers on a large scale.

This is of course due to the talented and dedicated people who work for the NRCB. We are fortunate to have staff at all levels who are passionate about their work.

In 2015-16, as in every preceding year, the NRCB passed the Auditor General's financial audit with flying colours. We take pride in being accountable for every dollar spent, while ensuring that staff have the technical supports and professional training they need to do their jobs safely and well.

The NRCB's relevance to Albertans holds true in this, its 25th year. Three reviews under the *Natural Resources Conservation Board Act* are pending, and the number of applications under the *Agricultural Operation Practices Act* continues to climb. The NRCB is fully up to these challenges, and I look forward to the NRCB's continued success in its next 25 years of serving Albertans.

A handwritten signature in black ink that reads "Vern Hartwell". The signature is written in a cursive, flowing style.

Vern Hartwell  
Chair



## Message from the CEO

In 1991 the legislature passed the *Natural Resources Conservation Board Act* (NRCBA) and created the NRCB, putting in place a process for Albertans to weigh in on projects that would affect the environment, their community, and their local economy. This year, we are celebrating the 25 years that the NRCB has served Albertans.

Since 1992, the board has reviewed numerous projects, all of them significant, relating to water management, forestry, metallic and mining industries, and recreation. Many of these projects have had significant impact: Three Sisters, Swan Hills, and Westcastle, to name a few. The board has done an admirable job of considering the effects of these projects, listening to input, and determining whether the projects are in the public interest.

Adding the *Agricultural Operation Practices Act* (AOPA) to the board's mandate in 2002 created new challenges. Through close consultation with our Policy Advisory Group (PAG) and other stakeholders, we've made tremendous progress building a credible and trusted regulatory framework for AOPA, as well as mutual understanding and respect. Solid policy, developed in consultation with PAG, now provides a consistent basis for permitting and enforcement.

This confidence in the NRCB is due in large part to our field staff. I am privileged to work with talented, professional, and hard-working staff. They put in many extra hours and hundreds of thousands of kilometres on the road to work with operators and respond to complaints.

Over the past few years we've had to say goodbye to a number of colleagues as they leave the NRCB for retirement or other new adventures in life. And we've been fortunate in the caliber of new people who have joined us, bringing their energy and new perspectives to our work.

The NRCB's AOPA mandate is also evolving, and now includes the manure handling aspect of bio-digesters. We look forward to expanding this aspect of our work.

After 25 years, the relevance of the NRCB to Albertans is stronger than ever. Several important public interest reviews will be initiated in 2016-17. The NRCB's operations division is handling a resurgence of applications from operators. With the growth of confined feeding operations in the province, the protection of groundwater and surface water is an increasingly important focus. But it is the people who work for the NRCB who have made and continue to make the NRCB the successful organization that it is. I am consistently proud of the work that is achieved by our staff and board members, and I look forward to continuing this important work in the coming years.



Peter Woloshyn  
Chief Executive Officer





Left to right: Vern Hartwell, *Chair*, with board members Donna Tingley and Glenn Selland

## The Board

### Mandate

The chair and board members are responsible for overall governance of the Natural Resources Conservation Board, conduct public interest reviews under the *Natural Resources Conservation Board Act*, and are the appeal body for decisions made by approval officers and inspectors under the *Agricultural Operation Practices Act*.

The board provides an important arms-length review function for proposed natural resource projects. Projects are referred to the board under the *Natural Resources Conservation Board Act* if a project requires an environmental impact assessment, or if Cabinet deems that a board review to determine the public interest of a project is desirable.

The board delivers a quasi-judicial appeal function under the *Agricultural Operation Practices Act*, providing operators and directly affected parties, including municipalities and neighbours, with an avenue for a fair and objective review of decisions that affect them. The board considers each request received and will conduct a review if the appeal has sufficient merit.

### Board Members

Board members in 2015-16 were Vern Hartwell (chair), Donna Tingley, Jim Turner, and Glenn Selland. Changes to the board included the expiry of the appointment term for Jim Turner on November 12, 2015. After 13 years of service to the NRCB, Jim was its longest standing board member and brought exceptional knowledge of the agricultural industry to his role, as well as a well-earned reputation for fairness. Board member Glenn Selland joined the NRCB on February 1, 2016. Glenn brings a strong background in environmental management and land use planning. Jay Nagendran remained on leave, following his appointment to the Alberta Environmental Monitoring, Evaluation and Reporting Agency (AEMERA) on October 1, 2014.



Jay Nagendran,  
*Board Member*  
(on leave)



Jim Turner, *Board Member*  
(term expired  
November 12, 2015)

### Board Staff

Board staff are Bill Kennedy, General Counsel, and Tim Riordan, Manager, Board Reviews. General counsel provides legal advice to the board for reviews under both acts.

The manager of board reviews coordinates hearings, and facilitates participation in the review process by applicants, respondents, and members of the public.

## Strategic Priorities 2015-16

1. Cross government initiatives: *Continue to support priority Government of Alberta initiatives such as Water for Life, the Clean Air Strategy and the Land-use Framework.*

The NRCB continued to coordinate with Environment and Parks on the regulation of biodigesters, and contributed to monthly Water for Life cross ministry meetings, the Odour Management team of the Clean Air Strategic Alliance (CASA), the CASA Cross Ministry Coordinating Committee, the CASA Non-Point Source Project, and the Parkland Regional Airshed Zone.

2. Consistent delivery of the *Agricultural Operation Practices Act*: *Coordinate with government and stakeholders on operational policy and technical guidelines to support consistent delivery of the act. Operational policy will include a comprehensive update and amalgamation of relevant approval policies.*

Consulted with the Policy Advisory Group, Agriculture and Forestry, and Environment and Parks on operational policy under the *Agricultural Operation Practices Act*, resulting in a comprehensive update of the *Approvals* policy and related policies. Also consulted with the beef and cattle sectors on distinguishing features of seasonal feeding and bedding sites, and participated in the development of technical guidelines.

3. Risk based approach to regulating confined feeding operations: *Continue to use an environmental risk based approach for compliance activities at confined feeding operations and for reviewing permit applications for new or expanding operations.*

Inspectors and approval officers used the environmental risk screening tool for assessments under the risk based compliance program and to assess existing and proposed manure storage and collection facilities for all permit applications. The risk assessment audit committee continued to review and evaluate the risk assessment outcomes for consistent interpretation of results.

4. Board procedures and public information: *Update board regulations and information documents in consultation with stakeholders.*

The board consulted with stakeholders on proposed amendments to the Board Administrative Procedures Regulation, and drafted proposed revisions to the regulation. The proposed revisions were submitted to Legislative Council for review.



## Board Activity

### Consultation on Board Administrative Procedures Regulation

The Board Administrative Procedures Regulation sets out the procedures for permit applications, requests to review approval officer or inspector decisions, the conduct of board hearings, and other matters.

The current regulation has been in place for more than 12 years. The board consulted with stakeholders on proposed amendments during spring and summer 2015. Based on the input received, in fall 2015 the board submitted revisions to Legislative Counsel, Alberta Justice, to review.

### Communication with stakeholders

The board makes it a priority to meet with confined feeding operators through site visits, and with industry association members at regional conferences. Board members also attend the bi-annual conventions of the Alberta Association of Municipal Districts and Counties (AAMDC). In 2015-16, board members visited operations in the Lethbridge and Red Deer regions, and attended regional meetings of Alberta Beef Producers and Alberta Pork, the Western Canadian Dairy Seminar, and AAMDC conventions.



Board members attended sessions on environmental and municipal issues relevant to the board's mandates under AOPA and the NRCBA. The board and senior staff of the NRCB were also briefed by Indigenous Relations Consultation and Land Claims, on the Aboriginal Consultation and the Metis Settlements Consultation.

### Natural Resources Conservation Board Act reviews

The *Natural Resources Conservation Board Act* sets out the criteria for projects that are reviewable by the board. The projects are automatically referred to the NRCB if they require an environmental impact assessment (EIA) under the *Environmental Protection and Enhancement Act*, and may also be referred to the board by order in council.

In 2015-16, the board collaborated with Environment and Parks to finalize the terms of reference for the Springbank flood mitigation project, the Cougar Creek debris and flood containment project, and the Amisk proposal to construct a hydroelectric project on the Peace River, upstream of Dunvegan. The board also met with the Canadian Environmental Assessment Agency to discuss the review process for Springbank and Amisk, and with the Alberta Utilities Commission with respect to the Amisk project.

### Requests for review under the Agricultural Operation Practices Act

The board provides an appeal function for decisions made by approval officers and inspectors. It considers each request for review it receives. It issues a written decision to explain why the request is granted or denied, based on whether the issues were adequately dealt with by the approval officer or inspector, and whether they have sufficient merit to justify a review. In 2015-16 one request for review was submitted, concerning one approval officer decision, but was withdrawn when the applicant reached a separate settlement with the operator.



# Performance

## Performance Goals

### Strategy

### Result achieved

<p><b>1a</b> Update the Board Administrative Procedures Regulation in consultation with NRCB staff and stakeholders.</p>	<p>Prepared draft revisions to the regulation with the assistance of the Legislative Counsel, Alberta Justice.</p>
<p><b>1b</b> Proactively provide opportunities for all participants to understand NRCB review and hearing processes through guides, public information sessions, and prompt, accurate responses to direct inquiries.</p>	<p>Reviewed and updated website content. Briefed the Amisk proponent and federal officials on the board public review process. Responded to public inquiries about NRCBA and AOPA reviews.</p>
<p><b>1c</b> Identify critical issues related to applications under the <i>Natural Resources Conservation Board Act</i>, to ensure that relevant information is included in the review process. This information is essential to ensuring that reviews are effective, fair and transparent.</p>	<p>Assisted Environment and Parks with developing the joint terms of reference for the environmental impact assessments for the Springbank flood mitigation project, the Cougar Creek debris and flood containment project, and the proposed Amisk hydroelectric project.</p>
<p><b>1d</b> Ensure that natural resource projects and confined feeding operation permit application reviews are consistent with regional land use plans under the <i>Alberta Land Stewardship Act</i>.</p>	<p>Thresholds are established by regional plans and were not relevant to reviews conducted in 2015-16.</p>

## Core Business One:

Board reviews and appeals under the *Natural Resources Conservation Board Act* and the *Agricultural Operation Practices Act*

## Performance Measure and Results

### Efficiency of review process

### Result achieved

Target: 100%

2013/14

2014/15<sup>1</sup>

2015/16

Percentage of Natural Resources Conservation Board's decisions issued within 80 working days of the conclusion of reviews under the *Natural Resources Conservation Board Act* and within 30 working days of the conclusion of hearings under the *Agricultural Operation Practices Act*

100%  
1 NRCBA review  
1 AOPA review

100%  
No NRCBA reviews completed  
7 AOPA hearings

NA  
No NRCBA reviews completed  
No AOPA reviews

1. Performance result reporting was adjusted in 2014-15 to provide a more accurate measure of board reviews conducted under the AOPA. As of 2014-15, "hearings" means any board deliberation(s) resulting in a Request for Review (RFR) decision, and any oral or written hearing.

# Operations

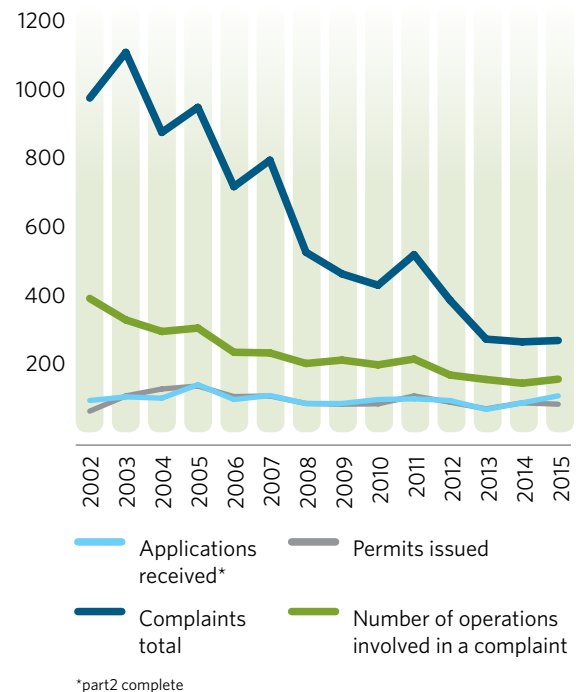
## Regulation under the Agricultural Operation Practices Act

Large producers submitted more permit applications in 2015-16 than in previous years. The number of complaints remained steady with 2014-15 but the emphasis shifted from concerns about surface water to concerns about odour.

The NRCB focused in 2015-16 on updating and developing policy in consultation with the Policy Advisory Group and Agriculture and Forestry. A significant body of policy to guide approval officer and inspector decisions was finalized. The NRCB also contributed to Agriculture and Forestry's analysis of potential clarifications for the *Agricultural Operation Practices Act*. The ministry has since announced its decision to not proceed with the formal review and engagement process.

It is becoming increasingly difficult to determine the grandfathered status of an operation as it existed in 2002, if the operation did not hold a municipal permit. Records and other proof of operation can be hard to obtain, and determining the facts is time consuming, especially if the grandfathered status of an operation needs to be determined. In 2015-16, the NRCB clarified its public notice policy for these important determinations.

Application and complaint trends, 2002 - 2015



## Science and Technology—overview

The NRCB's Science and Technology division continued to provide support to operations and the board under both mandates. Sci Tech staff reviewed the terms of reference for the proposed Amisk hydroelectric project and the Cougar Creek debris and flood containment project. They also worked with Field Services staff on surface water data collection, a consistency review of the data collected through use of the environmental risk screening tool, and provided support for other science-based assessments.

## Applications—overview

The NRCB received 108 applications in 2015-16, up nearly 27 per cent from the previous year. A significant number were submitted in the last quarter. Nearly half were for approval permits (52 in 2015-16, compared to 39 the previous year). Approvals are required for operations with large numbers of livestock. The permitting process for these applications is often complex and time consuming. The number of permits issued in 2015-16 was largely the same as the previous year.

NRCB approval officers consistently demonstrated high standards in their decisions and ability to meet timelines. Applications are not deemed complete and cannot be processed until the applicant has provided all of the required



information. This can affect the number of days required to issue a permit. The majority of decisions were issued in fewer than 65 working days from the date the application was deemed complete.

The permitting process includes an environmental risk assessment of existing and proposed facilities, responding to statements of concern, and a detailed technical review to ensure that the application meets the requirements of the act. In some cases a grandfathering determination is also required.

#### Average number of working days to issue a decision, by type of application

Approvals	48.9
Authorizations	41.1
Registrations	37.3

#### Applications received and permits issued, by region, 2015-16<sup>1</sup>

Region	Applications received			Permits issued		
	Approvals	Registrations	Authorizations	Approvals	Registrations	Authorizations
Peace	2	0	0	0	0	1
North Central	3	3	2	2	2	2
Central	17	4	22	10	4	21
Southern	30	3	22	19	3	19
<b>Total</b>	<b>52</b>	<b>10</b>	<b>46</b>	<b>31</b>	<b>9</b>	<b>43</b>

1. Applications are for larger operations, registrations are for smaller operations, and authorizations are for manure storage facilities.

#### Applications received and permits issued, by livestock category, 2015-16<sup>1</sup>

Livestock category	Applications received <sup>2</sup>			Permits issued		
	Approvals	Registrations	Authorizations	Approvals	Registrations	Authorizations
Cattle	11	0	8	7	0	7
Dairy	10	5	21	4	5	21
Other <sup>3</sup>	2	0	0	1	1	0
Poultry	25	5	14	17	3	12
Swine	4	0	7	2	0	7

1. Applications are for larger operations, registrations are for smaller operations, and authorizations are for manure storage facilities.

2. If an application is for more than one livestock category, it is counted under each applicable livestock category.

3. Includes bison, goats, horses and sheep.

## Compliance—overview

The number of complaints received in 2015-16 was consistent with 2014-15. The Peace and Central regions saw slight increases in the number of operations involved in a complaint. In the Southern region, the number of operations involved in a complaint dropped by nine.

The kind of complaint and the affected livestock category did change. Complaints involving mixed operations increased slightly. The number of complaints about odour also increased, from 16 per cent in 2014-15, to 23 per cent in 2015-16. Surface water concerns declined, from 26 per cent of complaints in 2014-15, to 18 per cent.

While inspectors responded to a total of 253 complaints involving 146 operations, no enforcement orders or

emergency orders were issued in 2015-16. In each case, compliance was achieved through voluntary compliance or written directives.

In addition to responding to complaints, inspectors receive calls from operators to “request permission” for specific manure spreading requirements, or to self-report an issue with their manure storage. In 2015-16, the NRCB received 16 calls from operators (involving 15 operations) that required an inspector’s response.

Emergencies are given priority and are responded to within 24 hours. Other complaints are responded to within one business day and are resolved within 90 days.

### Number of operations involved in complaints by region 2015-16

Peace	North Central	Central	Southern
9	25	49	63

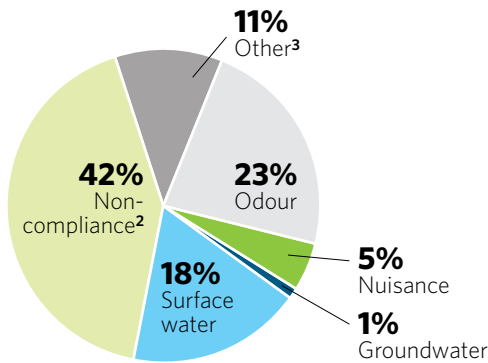
### Number of operations involved in complaints by livestock category<sup>1</sup>

Cattle	Cow/calf <sup>2</sup>	Dairy	Swine	Other <sup>3</sup>	Mixed	Poultry
38	28	26	24	17	16	7

1. An operation may be counted more than once in a single category as a result of multiple inspections, or may be counted in more than one category.
2. Cow/calf do not require a permit under the AOPA but must comply with the manure management requirements of the act.
3. Includes bison, goats, horses, and sheep.



Type of complaint 2015-16<sup>1</sup>



1. Calculated by the number of operations that are involved in a type of complaint.
2. *Non-compliance* includes manure spreading infractions, setbacks, etc.
3. *Other* includes dead animal disposal, animal welfare and other issues that do not fall under AOPA.

Enforcement and emergency orders issued 2015-16		
Enforcement	Emergency	Written Directives
0	0	11

### Protecting Alberta’s groundwater and surface water

In 2015-16, inspectors conducted environmental risk screenings of 15 confined feeding operation facilities under the risk based compliance program. The program determines the risk to groundwater posed by liquid earthen manure storage facilities that were constructed before 2002 and are located in a region with a vulnerable aquifer. Use of the NRCB’s environmental risk screening tool ensures consistent evaluations. Inspectors continue to work with operators whose facilities score a moderate or high risk, to ensure that the risk is appropriately managed. In addition, a number of low risk sites are reviewed each year for quality control. Any surface water issues that are identified are also addressed under the program. The program will be completed in 2016-17.

The NRCB’s surface water data collection program began in 2013. Inspectors document their observations when they are at a confined feeding operation as part of a complaint response or to follow up on permit conditions. They use a standardized report to record potential impact on surface water quality. The NRCB uses the information to determine

what kinds of risks are caused by run-on and runoff, to review the effectiveness of the way it responds to surface water risks at confined feeding operations and to inform its compliance policy.

In 2015-16, inspectors completed 335 surface water inspections at 213 confined feeding operations (some operations had multiple inspections). Surface water issues were observed at 16 operations. None of the issues were “serious” as defined by the *NRCB Implementation Plan for Surface Water Data Collection* policy: in other words, inspectors did not find evidence of manure-contaminated runoff entering a surface water body. Of the issues that were identified, nearly half related to manure being spread too close to a common body of water, four involved lagoons or catch basins that were at risk of overflowing, and the remainder involved the location of stockpiles or potential runoff. In each case, the operator voluntarily addressed the issue under the guidance of the inspector.

### Risk based compliance program as of 2015-16

#### Confined feeding operations (CFOs)

Number of CFOs identified at start of program in 2010

172

Number of CFOs screened since start of program

161

Number of CFOs no longer operating or not meeting criteria

87

#### Facilities<sup>1</sup>

Number of facilities ranked low potential risk to groundwater

163

Number of facilities ranked moderate potential risk to groundwater

26

Number of facilities ranked high potential risk to groundwater

8

1. A confined feeding operation often has more than one manure storage facility.

### Surface water data collection program 2015-16

Number of inspection reports completed

335

Number of CFOs where data was collected

213

Number of CFOs where surface water issues identified

16

Number of CFOs with serious surface water issues requiring action

0



## Highlights

- Policy Advisory Group—the Policy Advisory Group (PAG) met in October 2015 to review a complete update of the *Approvals* policy, and other policy documents. PAG also reviewed and responded to proposed revisions to the Board Administrative Procedures Regulation, brought forward by the NRCB board.
- Operational policy—the following policies were updated or finalized in consultation with PAG:
  - *Approvals*, including sections on waivers, relevance of statutory plans and land use bylaws to municipal development plan consistency determinations, consolidation of permits, and burdens and standards of proof
  - Permit Cancellations under AOPA Section 29
  - Amending Municipal Permit Cancellations
  - Approval Officer Amendments under Section 23 of AOPA
  - Determining Deemed Capacity for Grandfathered Confined Feeding Operations
  - Public Notice on Grandfathering Decisions
  - Resolving Disputed Permit Information Requirements
  - Winter Spreading Guidelines
  - Post-Construction Inspections
- Technical guidelines—The Technical Advisory Committee completed the following guidelines: Concrete Liners (June 2015), Definitions for Frozen and Snow-covered Land (February 2016), and Calculator for Determining the January 1, 2002 Livestock Capacity of Grandfathered CFOs (February 2016).

## Policy Advisory Group members 2015-16

### Government sector

<b>Natural Resources Conservation Board</b>	<b>Peter Woloshyn</b> (CEO; PAG co-chair); <b>Jim Turner</b> (NRCB Board)
<b>Agriculture &amp; Forestry</b>	<b>Dave Burdek</b> (ADM, Policy & Environment; PAG co-chair) <b>Sean Royer</b> (Environmental Stewardship)
<b>Environment &amp; Parks</b>	<b>Andy Ridge</b> (Water Policy)

### Livestock sectors

<b>Beef</b>	<b>Stuart Thiessen &amp; Rich Smith</b> (Alberta Beef Producers); <b>Bryan Walton</b> (Alberta Cattle Feeders Association)
<b>Dairy</b>	<b>Martin Van Dieman &amp; Gert Schrijver</b> (Alberta Milk)
<b>Pork</b>	<b>Darcy Fitzgerald &amp; Will Kingma</b> (Alberta Pork)
<b>Poultry</b>	<b>Erna Ference</b> (Alberta Egg Producers); <b>David Hyink</b> (Alberta Chicken Producers)
<b>Intensive Livestock Working Group</b>	<b>Martin Zuidhof</b> (Alberta Cattle Feeders Association); <b>Ron Axelson</b> (Intensive Livestock Working Group)

### Municipal sectors

<b>Alberta Association of Municipal Districts &amp; Counties</b>	<b>Al Kemmere &amp; John Whaley</b> (AAMDC)
<b>Alberta Urban Municipalities Association</b>	<b>Jenelle Saskiw</b> (AUMA)
<b>Environment non-government sector</b>	<b>Ann Baran &amp; Wayne Ungstad</b> (Alberta Environmental Network)

# Performance

## Performance Goals

Strategy	Result achieved
<b>2a</b> Deliver timely communications for confined feeding operators and key stakeholders on NRCB initiatives, policies and programs.	Produced and distributed two issues of the CFO newsletter <i>Update</i> ; developed fact sheets and updated website content.
<b>2b</b> Develop new and update existing operational policies in consultation with the Policy Advisory Group including policies on waivers, denying applications with incomplete information, and amendments of municipal permit conditions.	Completed a comprehensive update of the <i>Approvals</i> policy, developed six stand-alone operational policies, and reviewed and updated a 2006 policy.
<b>2c</b> Consult with government and the Policy Advisory Group on key issues and policy for responding to requests for permission to apply manure to frozen or snow covered land.	Consulted with Agriculture and Forestry and the Policy Advisory Group. Interim NRCB policy was communicated to operators in the CFO newsletter <i>Update</i> .
<b>2d</b> Support other departments and agencies studying the effects of manure collection and storage facilities on groundwater quality.	Continued to be involved with the study led by Agriculture and Forestry, including analysis and report preparation.
<b>2e</b> Consult with Agriculture and Forestry and the Policy Advisory Group to finalize the parameters used to determine the status of a site as a seasonal feeding and bedding site or as a confined feeding operation.	Finalized and implemented the policy for use by field staff. Some follow-up discussion with key stakeholders will occur in 2016-17.
<b>2f</b> Complete the design of and implement a three-year program to review all water well monitoring conditions in <i>Agricultural Operation Practices Act</i> permits.	Designed a water well assessment tool. The tool is being reviewed and will be implemented in 2016-17.
<b>2g</b> Document surface water conditions at confined feeding operations. Use the data collected to inform future compliance response for surface water issues. Continue to standardize the collection of surface water information and ensure appropriate follow-up action.	Compiled for review all surface water statistics collected by inspectors in 2015-16. The report was submitted to NRCB management in March 2016.
<b>2h</b> Continue to audit results from environmental risk screenings to maintain quality and ensure consistent risk determinations.	Audited files for consistency. A policy to guide the audit process was developed and implemented.
<b>2i</b> Continue upgrades to the confined feeding operation database to improve the efficiency of data entry and retrieval. Use quarterly exception reports to monitor the management and entry of data on the database.	Updated the CFO database to improve data entry and reports. The quarterly exception reports are in place and proving effective.
<b>2j</b> Work with the Technical Advisory Group to develop technical guidelines that support delivery of the <i>Agricultural Operation Practices Act</i> .	Continued to co-chair the steering committee and participate on working committees.
<b>2k</b> Review internal permit review processes and timelines.	Reviewed the processes and determined them to be appropriate. The timelines will be reviewed in 2016-17.
<b>2l</b> Ensure that confined feeding applications are consistent with regional land use plans under the <i>Alberta Land Stewardship Act</i> .	Conducted the consistency test for all applications in regions with a regional plan.



## Core Business Two:

Regulation under the Agricultural Operation Practices Act

### Performance Measure and Results

Efficiency of permitting process	2013/14	2014/15	2015/16
Percentage of decisions issued within 65 working days from the date the application is determined to be complete	77%	90%	93%

Complaint resolution	2013/14	2014/15	2015/16
Percentage of complaint files resolved or requiring no further action, within 90 days	100%	99%	99%



# Organizational Capacity

The NRCB continued to build organizational capacity through training, internal communication, policy, technical support, and limited hiring to fill vacant positions and ensure succession planning.

In-house training was provided and well attended. It included two environmental risk screening training sessions for field staff; a two-day writing training course and a half day follow-up course; and a joint two-day training session with NRCB field staff and AOPA staff from Agriculture and Forestry. The Applications, Compliance and Science and Technology divisions each held monthly video conference meetings. In addition, eight joint division meetings were held by video conference for all field staff.

Following a series of focus group sessions with all staff, the Government of Alberta's *Respectful Workplace Policy* was adapted for NRCB purposes and implemented. Corporate Services staff provided all staff and board members with face to face training on the intent and meaning of the policy. The Human Resources policy was reviewed to determine the need for updates, and the vehicle policy was revised for consistency with CRA guidelines.

The NRCB's functional disaster recovery was tested in September 2015.

Field staff had significant involvement in the update of the *Approvals* policy and other AOPA operational policies. NRCB management implemented a policy tracker to support staff awareness of operational policy development and their participation in its development.

Several internal changes were made to promote the strengths of staff, and workloads and succession planning for field staff were reviewed. A vacant approval officer position was filled and a competition for a Morinville office approval officer was initiated. One inspector position remains vacant. The workload of inspectors is being monitored.

Staff changes:

- Ben Hsu - moved from financial administrator to manager, Corporate Services, April 2015
- Jeff Froese - approval officer, joined Red Deer office, May 2015
- Jim Turner - Board Member, term expired November 2015
- Barb Hazelton - inspector and database coordinator, resigned, January 2016
- Kari Lisowski - moved from approval officer to inspector position, Red Deer office, February 2016
- Lynn Stone - moved from inspector position to approval officer, Red Deer office, February 2016
- Glenn Selland - Board Member, joined February 2016

## Statement of Disclosures Under the Public Interest (Whistleblower Protection) Act

NRCB policy and procedures for disclosures under the *Public Interest (Whistleblower Protection) Act* (PIDA) are posted for staff access on the NRCB's internal intranet site. No disclosures were initiated in 2015-16.

# Performance

## Performance Goals

Strategy	Result achieved
<b>3a</b> Provide appropriate training in areas of required professional development.	<ul style="list-style-type: none"> <li>Twenty nine out of 40 employees (73%) accessed external training in 2015-16.</li> <li>In-house training was provided and well attended.</li> </ul>
<b>3b</b> Examine the opportunities, challenges and resource implications for expanded web-based public access to Board review and decision documents.	<ul style="list-style-type: none"> <li>Deferred to 2016-17.</li> </ul>
<b>3c</b> Conduct an in-house review of corporate records management needs.	<ul style="list-style-type: none"> <li>In progress. This project will continue in 2016-17.</li> </ul>
<b>3d</b> Maintain and continuously improve internal information technology tools.	<ul style="list-style-type: none"> <li>Ceridian Dayforce was selected to automate absence reporting. Implementation will occur in 2016-17.</li> <li>All approval officers and inspectors have been issued computer tablets and trained in their use, and are integrating them in their day to day work to improve the quality and timeliness of field data collection.</li> </ul>

## Organizational Capacity: Expertise and technical resources

### 2015-16 Performance Measure and Results

NRCB employee satisfaction <sup>1</sup>	Result achieved		
Target: 75%	2013/14	2014/15	2015/16
Per cent of staff who express satisfaction on survey results	88%	80%	Not available

NRCB employees have appropriate training <sup>2</sup>	Result achieved		
Target: 90%	2013/14	2014/15	2015/16
Per cent of staff who participate in training programs	70%	74%	73%

1. The staff survey was not run in 2015-16.

2. Reflects participation in external training only. All staff participated in at least one in-house training session.



*"I think the NRCB is an excellent vehicle for better co-operation between governments."*

## NRCB ends Ruling will help fash

ERIN ELLIS  
Edmonton Journal

March 30

SWAN HILLS — Patiently, mostly silent, three men sit at the end of a windowless hall listening to battling experts for the end.

It may not look like history in the making, but the Natural Resources Conservation Board is about to set the tone for all major industrial projects to be built in Alberta with its first ruling.



## The Sisters project approved by NRCB

### Valley Spared

December 18, 1992  
 Hearings on Swan Hills plant  
 New board's image

Although the NRCB took on the Swan Hills hearings at the special request of the provincial cabinet, it is required to judge all new forestry projects, dams, mines and tourism ventures in the province. It leaves all oil and gas activities to the much larger, older organization after which it is modeled, the Energy Resources Conservation Board, which recently took over the...  
 Slavik, who represents the original group from Fort Chipewyan during 1989 hearings on the Alberta-Pacific Forest Industries' pulp mill said the NRCB is miles ahead of the AER hearings.  
 "I think the NRCB is a substantial improvement over previous construction and development processes," said Slavik. The industry complained the AER's...  
 During 1992, the first full year of operation of the Alberta Natural Resources Evaluation Board (NRCB), the fledgling agency began to define its mandate, its procedural methods, and its... The three...  
 may be ordered by the provin...  
 NRCB investigations generally...  
 projects require an Environm...  
 Assessment under provincial...  
 law. Pulp and paper projects...  
 require an NRCB review. The...  
 board, chaired by engineer and...

## The NRCB defines its role

The NRCB Journal

ARTICLE  
 Alberta Report  
 December 28, 1992

# 1991 – 2016 25 years of success

## The early years

The NRCB was established in early 1991 by Premier Don Getty and Environment Minister Ralph Klein, and immediately began to prepare for its first review. The board and appointment of its first chair, Gerry DeSorcy, were announced February 28, 1991. The board was officially proclaimed by Alberta's Lieutenant-Governor on June 3, 1991, and its first hearing, the proposal to expand the Swan Hills special waste treatment centre incinerator, began on November 15.

The NRCB earned a reputation for fair and effective reviews, despite the controversy surrounding many of the applications. Reviews that immediately followed the Swan Hills decision included the proposed Kan-Alta golf course in Kananaskis and the Three Sisters Golf Resorts Inc. proposal for a major development in the Wind Valley and Canmore areas. These reviews required the board to respect the importance of the potential economic activity as well as the significant environmental resources that needed adequate protection. In 1995, Pine Coulee was the first water management project reviewed by the board. It was also the board's first joint review with the federal government and the first under Alberta's new *Environmental Protection and Enhancement Act*, proclaimed in 1993.

**“While some people think of the NRCB solely as an environmental guardian, it is in fact our role to judge the balance of social, environmental and economic merits of any project brought before us.”**

*– DeSorcy, ERCB “Conservation Conversation” newsletter, fall 1991.*

The NRCB's review function was modelled on the Energy Resources Conservation Board (ERCB). Gerry DeSorcy had chaired the ERCB since 1987, and brought his exceptional leadership skills to the new board. Initially based in Calgary out of ERCB offices, the NRCB moved to Edmonton in 1993.

**Reviews**  
 Metallic and industrial mineral • Forestry  
 Water management • Recreation  
 Referred by order in council

### Board chairs

- Gerry DeSorcy 1991 - 1993
- Tony Yarranton, *Acting Chair* 1993
- Ken Smith 1993 - 1998
- Bill Kennedy, *Acting Chair* March 1998 - Nov 1998
- Brian Bietz 1998 - 2004
- Brady Whittaker 2004 - 2005
- Bob Clark 2005 - 2006
- Vern Hartwell 2006 - present



Gerry DeSorcy,  
Board Chair 1991 - 1993



### Bill Kennedy—25 years of service

Bill Kennedy, General Counsel, joined the board in 1991 and is its longest serving employee. Bill has provided legal advice to the board for every review under the *Natural Resources Conservation Board Act*, and every hearing under the *Agricultural Operation Practices Act*. Under the NRCB's shared services agreement, Bill has also worked on a dozen or more hearings with Alberta Energy Regulator (formerly the Energy and Utilities Board and the Energy Resources Conservation Board). Over time, he says, the learnings from every hearing contribute to the next.

"Working with colleagues at the NRCB is and always has been a joy, because they care about and are committed to what they do," Bill says. "The organization makes a difference. We don't get second chances to do things right. Every hearing and every review is important to all of the stakeholders."

Favourite hearings? All of them, but especially some of the first that set the procedural groundwork for future hearings, and have had lasting impact: the Three Sisters and Wind Valley decision, the board's observations on the importance of the Westcastle region to Albertans, and the first Swan Hills hearing, which posed questions of a provincial scope.

Bill also played an important role in drafting the 2002 AOPA legislation. Under AOPA, Bill believes that the NRCB and industry have achieved mutual respect and understanding. "The industry is so diverse, and hearings are different than NRCBA hearings. We needed to become less formal and more approachable. Over the years the NRCB has become a better regulator, and industry has become appreciative of having a single regulator."



Bill Kennedy, 1991 – setting up office



## And AOPA was added ...

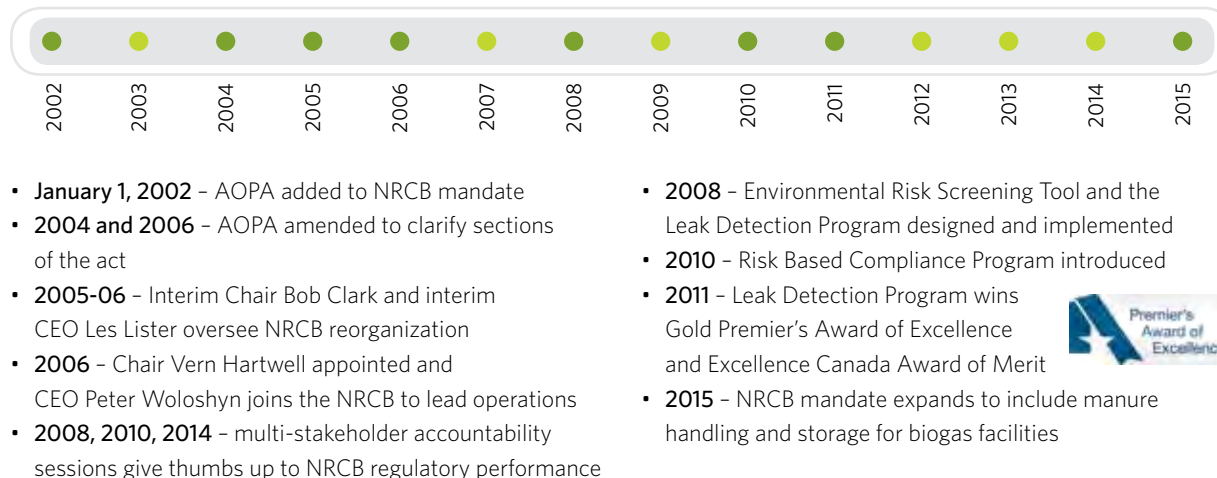
On January 1, 2002, the NRCB also became responsible for regulating Alberta's confined feeding operations under the *Agricultural Operation Practices Act (AOPA)*. Previously a municipal responsibility, the province—and industry—needed more consistent regulation of permitting and manure management. Once again, the NRCB hit the ground running. Within weeks, approval officers and inspectors were hired and offices were opened in provincial government buildings in Fairview, Barrhead, Red Deer, and Lethbridge to give operators better access to NRCB services. (The Barrhead office moved to Morinville in 2004.)

In the first years of its AOPA mandate, the act, the approval and compliance functions, and the supporting policy and processes were new. In its first two years, the board was asked to review 26 approval officer and inspector decisions. Satisfaction with decisions has since increased. Only one review was requested in 2015-16 (it was later withdrawn).



In 2006, the NRCB was reorganized to separate the appeal function of board members from the operational functions of permitting and compliance. The multi-stakeholder Policy Advisory Group (PAG) was struck to provide ongoing advice to the NRCB on policy and to the ministry of Agriculture and Forestry on the legislation. First meetings of PAG were highly charged. Meetings are now an open dialogue of all stakeholders, and PAG continues to provide solid guidance to the board and ministry. The NRCB is proud of its positive working relationship with industry, municipalities, neighbours and non-government environmental stakeholders.

### Key Dates







## Proactive risk management, for long term safety

AOPA has always been about ensuring that environmental risks from manure are appropriately managed, by requiring soil testing, manure management plans, run on and runoff controls, and safely constructed manure storage facilities. In recent years the public has become increasingly committed to knowing that land and water are protected from agricultural sources. Operators are equally committed to these issues. However, in the early days of AOPA, the data wasn't there to demonstrate that most operators do a good job of managing their manure and risks to the environment. Through the risk based compliance and leak detection programs, and

data being collected under the surface water monitoring program, the NRCB is building an impressive database of results from on-site inspections.

In 2008, the NRCB, Agriculture and Forestry, Environment and Parks, and industry experts designed the science-based environmental risk screening tool (ERST). Initially designed for the leak detection program, then applied to the risk based compliance program, the tool is now used to assess risk to groundwater and surface water for all applications.

### Inspector Karl Ivarson

Karl Ivarson was raised on his family's 110 year old southern Alberta homestead. He graduated from university with a Bachelor of Science in biology, has worked a combined total of more than 34 years with Agriculture Canada, Alberta Agriculture, and the NRCB, and, until recently, farmed 2500 acres of dry land. Karl started with the NRCB in December 2001, and has been a part of its AOPA mandate for 15 years. "I've witnessed incredible changes in the agriculture industry over the past 60 years. The understanding and cooperation we have achieved with producers under AOPA is greatly satisfying. Alberta has a fair and reliable regulatory program, and it's one I'm proud to be part of."



Karl Ivarson

This page. **All staff, 2014.** Back, L to R: Scott Cunningham, Jason Moodie, Andy Cumming; 3rd row, L to R: Mike Iwanyshyn, Francisco Echegaray, Jim Turner, Vern Hartwell, Peter Woloshyn, Jay Nagendran, Amanda Cundliffe, Walter Ceroici, Sylvia Kaminski; 2nd row, L to R: Randy Bjorklund, Kevin Seward, Karl Ivarson, Tim Jespersen, Judy Ireland, Ashleen Dwivedi, Carina Weisbach, Jacinta Rodrigues, Susan Whittaker, Donna Tingley, Sharon Gagnon, Nora Decosemo; Kari Lisowski; Karen Stewart, Mike Wenig, Ben Hsu, Kai Ma; Front, L to R: Barb Hazelton, Lynn Stone, Anne Kelly, Caroline Taylor, Linda Brazel

Opposite page. **All staff, 2004.** Back, L to R: Bill Kennedy, Susan Whittaker (formerly: Schlemko), Alex Bolton, Sylvia Kaminski, Kurt Stilwell, Judy Ireland, Kai Ma, Maureen Schwab, Linda Brazel, Rebecca Stein, Sheryl Vaughn; 4th row, L to R: Frank DeGroot, Wayne Inkpen, Gordon Atkins, Scott Cunningham, Vince Murray, Jim Fujikawa, Laura Friend, Rob Powell, Barb Hazelton, Andrea Hiba Brack; 3rd row, L to R: Bev Brezina, Garbine Lazar, Aaliyah Rizwan, Sandi Roberts, Brady Whittaker, Kevin Seward, Richard Stein, Lindsay Hagan, Phyllis Senneker, Andy Wierenga; Karl Ivarson; 2nd row, L to R: Jim McKinley, Alasdair MacKinnon, Doug Beddome, Ben Hsu, Shiela Leggett, Sharon Gagnon, Orin Kenzie; Front, L to R: Jacinta Rodrigues, Laura Roberts, Eileen Kahler, Jim Turner, Andy Cumming

## Where we were

Alberta Milk Regional Meeting, Barrhead, April 14, 2105

Blair McPherson School, presentation, April 23, 2015

Cypress County, Dunmore, May 20, 2015

Alberta Pork Regional Meeting, Red Deer, May 27, 2015

Camrose County, Camrose, June 30, 2015

Calgary Stampede Trade Show, Calgary, July 10-19 , 2015

County of Vermillion River, Kitscoty, July 22, 2015

Clean Air Strategic Alliance Odour Management Group,  
Edmonton, July 28, 2015

Clean Air Strategic Alliance Odour Management Group,  
Edmonton, August 20, 2015

Vulcan County, Vulcan, August 27, 2015

Municipal District of Willow Creek, Claresholm,  
September 9, 2015

Alberta Beef Producers Regional Meeting, Cochrane,  
October 21, 2015

Alberta Milk Producer Meeting, Red Deer, October 29, 2015

Alberta Pork Annual General Meeting, Calgary,  
November 5, 2015

County of Newell, Brooks, November 6, 2015

Agri-trade, Red Deer, November 11-13, 2015

Municipal District of Foothills, High River,  
November 12, 2015

Alberta Association of Municipal Districts and Counties  
(AAMDC) Fall Convention, Edmonton, November 16-19, 2015

Alberta Milk Annual General Meeting, Edmonton,  
November 17-18, 2015

Alberta Beef Annual General Meeting, Calgary,  
December 8-9, 2015

Alberta Chicken Producers, Edmonton, January 14, 2016

Alberta Federation of Agriculture Annual General Meeting,  
Red Deer, January 21-22, 2016

Alberta Industrial Heartland Association Meeting,  
January 21, 2016

Red Deer County, Red Deer, January 25, 2016

Environmental Services Association of Alberta (ESAA)  
Forum, Edmonton, February 11, 2016

Rocky View County, Calgary, February 11, 2016

Alberta Beef Industry Conference, Red Deer,  
February 18-19, 2016

Ag Expo, Lethbridge, February 25, 2016

Globe 2016, Vancouver, March 1-4, 2016

2016 Western Canadian Dairy Seminar, Red Deer,  
March 10, 2016.

County of Paintearth, Castor, March 11, 2016

Special Areas No. 2, Hanna, March 11, 2016

Stettler County, Stettler, March 11, 2016

Alberta Milk, Edmonton March 14, 2016

Alberta Association of Municipal Districts and  
Counties (AAMDC) Spring Convention, Edmonton,  
March 14-16, 2016

Environmental Services Association of Alberta  
(ESAA), Calgary, March 16, 2016

Municipal District of Willow Creek, Claresholm,  
March 23, 2016

Red Deer County, Red Deer, March 31, 2016

*The Natural Resources Conservation Board gratefully acknowledges permission of Peter Woloshyn, CEO, to use the photos on the front cover, the inside cover (owl), and pages 3, 5, 6, 12 (crocuses), 18 (Ha Ling Peak), and 25 (Badlands).*





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