

Natural Resources Conservation Board

2007/08 -2009/10 Business Plan

May 10, 2007

INTRODUCTION

The Natural Resources Conservation Board is a quasi-judicial regulatory agency of the Government of Alberta that is accountable to the Minister of Sustainable Resource Development. It has two core businesses:

- the Board functions as a review panel under the *Natural Resources Conservation Board Act* (NRCBA) and an appeals panel under the *Agricultural Operation Practices Act* (AOPA), and
- conducts ongoing regulatory functions under AOPA at the operational level, reviewing applications and ensuring compliance with the act.

These functions are supported by an administrative and technical staff.

The *Natural Resources Conservation Board Act* is the responsibility of Alberta Sustainable Resource Development. The *Agricultural Operation Practices Act* is the responsibility of Alberta Agriculture and Food.

A memorandum of understanding between the Minister of Sustainable Resource Development, the Minister of Agriculture and Food, and the Chair and Chief Executive Officer of the Natural Resources Conservation Board describes the purpose of AOPA and the governance of the NRCB with respect to the act.

VISION

Helping Alberta develop its agricultural and natural resources in the best interests of current and future generations.

MISSION

Serving Albertans through balanced decisions that support sustainable and responsible growth of Alberta's natural resource developments and confined feeding operations.

VALUES

The Natural Resources Conservation Board and staff members uphold the values of:

- Accessibility – the services of the NRCB are easy to access
- Fairness – all stakeholders and members of the public are treated fairly and without bias
- Trustworthiness – all NRCB staff strive to make objective, impartial and balanced decisions
- Service – NRCB services are delivered with a high standard of excellence

LINKS TO GOVERNMENT BUSINESS PLANS

<p>Government of Alberta – 2007-2010 Priorities and Strategies</p>	<p>Government of Alberta vision for the future: “A vibrant and prosperous province where Albertans enjoy a superior quality of life and are confident about the future for themselves and their children.”</p> <p>Alberta Government priorities: Govern with integrity and transparency; Manage growth pressures; Improve Albertans’ quality of life; Build a stronger Alberta; and Provide safe and secure communities.</p> <p>Alberta Government long-term strategies: of nine strategies, the following relates to the NRCB: “Building on our strengths, through research and technology that supports more effective, efficient and responsible development of our renewable and non-renewable resources. This includes continuing to use our natural resources wisely by ensuring that our land-base is used efficiently, water resources are effectively managed and competing interests are managed for the benefit of all Albertans. The government will also encourage innovative solutions on climate change and ensure a balanced and sustainable approach to economic development and growth, including addressing the environmental impacts of climate change.”</p> <p>NRCB links:</p> <ul style="list-style-type: none"> • The NRCB continuously strives for improved transparency and accountability. • The NRCB contributes to the management of growth pressures in Alberta by regulating Alberta’s confined feeding industry and conducting fair and balanced reviews of proposed natural resource projects.
<p>Ministry Initiatives 2007-08</p>	<p>“Complete the land-use framework for the province to address conflicts over competing uses of land and provide a vision for an integrated sustainable land use approach that balances economic, environmental and social concerns.” (Sustainable Resource Development priority)</p> <p>“Work collaboratively with industry to develop an Agri-Environmental Strategy that will result in increased industry competitiveness and sustainable growth, increased public confidence in the agriculture sector and continued and enhanced environmental responsibility. Industry and government priorities will be identified and action plans will be established giving due consideration to the Water for Life Strategy and the Land-use Framework.” (Agriculture and Food priority)</p> <p>“Develop integrated sustainable resource and environmental management policies and regulatory processes and improve coordination and integration of inter-departmental operations.” (Energy, Environment and Sustainable Resource Development priority)</p> <p>“Develop a Biodiversity Strategy to conserve biological diversity and enable sound management of Alberta’s natural resources on a sustainable basis.” (Sustainable Resource Development priority)</p> <p>“Establish a Board Governance Review to provide recommendations on how the Government of Alberta can improve the transparency, accountability and governance of its agencies, boards and commissions.” (Executive Council priority)</p> <p>NRCB link:</p> <ul style="list-style-type: none"> • Through its roles under the <i>Natural Resources Conservation Board Act</i> and the <i>Agricultural Operation Practices Act</i>, the NRCB helps Alberta manage conflicting pressures on public and private lands, helps ensure economic development is environmentally sustainable, and strives for consistency and transparency in its decision-making processes.

SIGNIFICANT OPPORTUNITIES AND CHALLENGES

Challenges

Alberta is experiencing significant economic and population growth. This growth puts added demand on land for residential, recreational, industrial and agricultural use. These pressures are reflected in the Natural Resources Conservation Board's activity with resource development reviews and AOPA-based approvals, enforcement and appeals.

Under the *Natural Resources Conservation Board Act (NRCBA)*, the NRCB must ensure that natural resources are developed on the basis of a balanced, sustainable model that respects both the community and the environment. Its reviews will require particular attention to the growing cumulative impact of resource development.

At the same time, increased population growth and recreational demand will place new demands on parks, forestry and sensitive areas of the province. Reviews of resource developments under the NRCBA will also take into account issues of sustainability, as well as environmental and community impact.

Under the *Agricultural Operation Practices Act*, from an agricultural perspective, provincial regulation of the confined feeding industry in Alberta is still relatively new.

The NRCB continues to look for ways to build stronger partnerships with all its stakeholders, including the agricultural industry, municipalities and non-government environmental organizations.

Opportunities

The restructuring in 2006 and hiring of a new Chair and Chief Executive Officer strengthened the organization and its relations with its partners and stakeholders.

Looking inward, the NRCB has a loyal, dedicated and highly qualified staff of 46 including three part-time Board members. In 2007-10, team-work, technical training and support, and internal communications will be given priority to allow the competencies of all staff to fully benefit and strengthen the organization.

Looking outward, in 2007-10 the Chair and Chief Executive Officer will focus on building strong partnerships with industry, municipalities, non-governmental environmental organizations and other regulatory authorities in its work under both acts.

Under the NRCBA, the NRCB will partner closely with Alberta Environment, the Energy and Utilities Board, and other provincial and federal regulatory authorities to ensure that reviews of proposed resource developments are efficient and comprehensive, and that they account for broad cumulative impact on communities and the environment.

Under AOPA, the NRCB will work closely with the Policy Advisory Group and the Technical Advisory Group, and will review its progress through regular stakeholder accountability sessions. The NRCB will also continue to expand its direct communication with its partners and stakeholders through face to face meetings with industry associations, municipalities, and other stakeholders.

The NRCB will continue to work with industry, municipalities and non-governmental environmental organizations to provide stakeholders and other Albertans with factual information about the regulatory process and industry compliance with environmental standards.

STRATEGIC PRIORITIES

The Natural Resources Conservation Board is committed to continuing to build confidence and trust in the organization's effectiveness and fairness, and will evaluate its success through all-stakeholder accountability sessions. To that end, the following strategic priorities have been identified for 2007-2010:

1. Human resource development

**Linkage:
NRCB goal 1**

- The NRCB will support the work of its staff and board members by providing additional training and development programs, increased internal communications and a new performance management system.

2. AOPA policy base

**Linkage:
NRCB goals 3**

- The NRCB will review and improve its policy base for the delivery of functions under AOPA. The NRCB will regularly consult its partners about policy needs through the Policy Advisory Group.

3. Mediation and facilitation

**Linkage:
NRCB goals 2 and 3**

- The NRCB will encourage the use of mediation and facilitation to resolve issues under the *Agricultural Operation Practices Act* at both the operational and Board level.

4. Enhanced communications

**Linkage:
NRCB goals 2 and 3**

- Under the *Agricultural Operation Practices Act*, the NRCB will work with government departments, municipalities, the agricultural industry and other partners to deliver accurate information to operators and affected parties about the regulatory process. The NRCB will work with Agriculture and Food and the Technical Advisory Group to ensure that technical standards are developed, clearly written and communicated.
- Under the *Natural Resources Conservation Board Act (NRCBA)*, the NRCB will strive for continued improvement in preparing members of the public and other parties for participation in NRCBA reviews.

CORE BUSINESSES: GOALS, STRATEGIES AND PERFORMANCE MEASURES

Goal one Natural Resources Conservation Board staff and board members are highly trained, competent and motivated to deliver high standards of service. Staff and board members have the technical tools to do their work.

What it means NRCB staff and board members work with diverse issues and need detailed technical knowledge. The NRCB is committed to providing corporate training and orientation for its staff and board members. Improved internal communications, including additional opportunities for face to face interaction and conference calls between management and employees, will create better team work and a shared understanding throughout the organization of its values and mandate.

Strategies

- 1.a Provide funding and opportunities for ongoing training for staff and board members in areas of required knowledge.
- 1.b Encourage staff and board members to take advantage of training opportunities.
- 1.c Create and implement orientation programs for new staff and board members.
- 1.d Create and implement an internal web site to promote better sharing of information and technical knowledge.
- 1.e Promote increased opportunities for face to face communication between managers, staff and divisions.
- 1.f Implement a performance management system.
- 1.g Review and implement other methods of staff retention.

Performance measures

NRCB employee satisfaction*	2007/08	2008/09	2009/10
Per cent of staff who express satisfaction on survey results	75%	75 %	75 %
NRCB employees have appropriate training*	2007/08	2008/09	2009/10
Per cent of staff who participate in training programs	90%	90%	90%

* new performance measure and targets

Core Business One: Board reviews and appeals under the *Natural Resources Conservation Board Act* and the *Agricultural Operation Practices Act*

Goal two Board reviews and hearings result in balanced decisions and are conducted in a manner that is effective and transparent.

What it means The board conducts reviews of proposed natural resource projects under the *Natural Resources Conservation Board Act (NRCBA)*, and hears appeals of decisions made by approval officers and inspectors under the *Agricultural Operation Practices Board Act (AOPA)*.

NRCBA reviews are comprehensive. Reviews are automatically referred to the board if the project falls into one of the categories listed in the act – mineral, forestry, water diversion, or recreational – or if the project requires an environmental impact assessment under the *Environmental Protection and Enhancement Act*. Reviews are sometimes referred to the Board by Order in Council. The review panels may sit for a number of weeks to hear and review evidence. Public participants are provided with information sessions to help them prepare for the sessions.

Under AOPA, the Board considers every request for a review and determines whether to grant a review based on the information provided. The Board may also encourage the parties to use mediation to resolve the issues. Mediated solutions must uphold the requirements of AOPA.

Strategies

- 2.a Ensure resources are available to deliver balanced decisions through timely and effective reviews and hearings.
- 2.b Provide opportunities for all participants to understand review and hearing processes.
- 2.c Encourage the use of mediation to resolve issues brought to review under AOPA, where appropriate.

Performance measures

Efficiency of review process*	2007/08	2008/09	2009/10
Percentage of decisions issued within 80 working days of the conclusion of reviews under the NRCBA and within 30 working days of the conclusion of hearings under AOPA	100%	100%	100%

* performance measure and target consolidated from 06/07

Core Business Two: Regulation of confined feeding operations under the *Agricultural Operation Practices Act*

Goal three Effective, efficient and consistently-applied application and compliance processes for confined feeding operations.

What it means The operational side of the NRCB delivers a regulatory process to ensure that Alberta's agricultural industry grows in an environmentally responsible and sustainable manner. Approval officers review applications for new or expanding confined feeding operations. Their decisions are based on the information provided by the livestock operator, the requirements of the *Agricultural Operation Practices Act*, the land use provisions in the local municipal development plan, and environmental, social or economic concerns expressed to the approval officer in writing by affected parties, the municipality and government agencies.

Inspectors respond to complaints, work with operators to achieve compliance with AOPA and the conditions on their permits, and take appropriate enforcement actions if required.

The compliance policy was developed and implemented and the applications review process, forms, guides and public notices were revised in 2006 in consultation with industry, municipalities and other partners. The NRCB also produces technical guidelines to help operators and consultants meet AOPA construction standards. In 2007-10 the NRCB will consult with its partners about policy, procedures, and technical issues through the Policy Advisory Group and the Technical Advisory Group, and will assess its performance through stakeholder accountability sessions.

Strategies

- 3.a Coordinate an effective extension program in partnership with Alberta Agriculture and Food.
- 3.b Encourage the use of facilitation and mediation to resolve disputes between affected parties during consideration of an application or for a compliance issue.
- 3.c Communicate applications and compliance requirements.
- 3.d Consult with our partners and stakeholders on policy changes and technical requirements through the Policy Advisory Group and the Technical Advisory Group.
- 3.e Review the success of risk-based compliance response, and modify the current strategy if required.

Performance measures

Efficiency of permitting process*	2007/08	2008/09	2009/10
Percentage of decisions issued within 65 working days from the date the application is determined to be complete	85%	85%	85%
Complaint resolution*	2007/08	2008/09	2009/10
Percentage of complaint files resolved or requiring no further action within 90 days	95%	95%	95%

* performance targets revised in 06/07

BUDGET INFORMATION

The 2007-08 budget is based on the strategic priorities and strategies identified in the business plan.

EXPENSE BY CORE BUSINESS

AOPA and NRCBA Mandates	Comparable 2005-06 Actual	Comparable 2006-07 Budget	Comparable 2006-07 Forecast	2007-08 Estimate	2008-09 Target	2009-10 Target
Board: Reviews under NRCBA and AOPA	\$2,281,969	\$1,521,171	\$ 1,521,182	\$ 1,489,520	\$ 1,489,520	\$ 1,489,520
Operations: Regulation under AOPA and support for the NRCBA applications	4,386,739	5,273,829	5,273,818	5,525,480	5,525,480	5,525,480
Total Expenses	\$6,668,708¹	\$6,795,000	\$6,795,000	\$7,015,000	\$7,015,000	\$7,015,000

STATEMENT OF OPERATIONS

	Comparable 2005-06 Actual	Comparable 2006-07 Budget	2006-07 Forecast	2007-08 Estimate	2008-09 Target	2009-10 Target
Revenues						
Transfer from Sustainable Resource Development	\$6,392,000	\$6,751,000	\$6,751,000	\$6,971,000	\$6,971,000	\$6,971,000
Miscellaneous Investment & other revenue	194,408	11,000	51,000	11,000	11,000	11,000
Total Revenues	\$6,586,408	\$6,762,000	\$6,802,000	\$6,982,000	\$6,982,000	\$6,982,000
Expenses						
Personnel	4,913,172	5,209,841	5,097,700	5,279,400	5,279,400	5,279,400
Supplies and Services	1,290,879	1,535,159	1,647,300	1,685,600	1,685,600	1,685,600
Amortization	79,116	50,000	50,000	50,000	50,000	50,000
Total Expenses	\$6,283,167	\$6,795,000	\$6,795,000	\$7,015,000	\$7,015,000	\$7,015,000
Net Operating Results	\$303,241	(\$33,000)	\$7,000	(\$33,000)	(\$33,000)	(\$33,000)

¹ Includes \$365,639 leased cost for office space paid by Alberta Infrastructure and \$19,902 for shared services from the EUB. These amounts are not included in the Statement of Operations.