

Natural Resources Conservation Board

Business Plan 2020-23

The Natural Resources Conservation Board (NRCB) is an independent, quasi-judicial, and regulatory agency of the Government of Alberta. It is accountable to the Minister of Environment and Parks and is responsible for reviews of natural resource projects under the *Natural Resources Conservation Board Act* (NRCBA) and for regulating Alberta’s confined feeding industry under the *Agricultural Operation Practices Act* (AOPA).

As of March 19, 2020, the NRCB has closed its offices in response to COVID-19 and all employees are working remotely until further notice. During the pandemic, the NRCB continues to deliver on its mandates to conduct public interest reviews of proposed major natural resource projects, to conduct reviews and written hearings under AOPA, and to process permit applications and respond to complaints relating to confined feeding operations.

The NRCBA is the responsibility of Environment and Parks. 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 of the NRCB, and the Chief Executive Officer of the NRCB describes the purpose of AOPA, and governance and mandate responsibilities.

In working closely with the ministries of Environment and Parks and Agriculture and Forestry, the NRCB also supports and prioritizes those ministries’ desired outcomes as defined in their respective business plans. For Environment and Parks those outcomes are: environment and ecosystem health and integrity; sustainable economic development; public well-being; and public health and safety from environmental conditions and events. For Agriculture and Forestry the outcomes include: growth and sustainability of Alberta agriculture and forest sectors; public health and safety; responsible resource management; and thriving rural communities.

The NRCB meets its responsibilities efficiently and effectively. It values teamwork and internal communication, and ensures its staff has the expertise, technical resources, and ongoing training to provide excellent service. The NRCB also takes pride in meeting high standards of public accountability through its financial reporting, and compliance with the *Alberta Public Agencies Governance Act* and the Public Agencies Governance Framework.

<i>Vision</i>	To be a respected decision-maker, exemplifying integrity and foresight in the best interests of Alberta.
<i>Mission</i>	As a quasi-judicial and regulatory agency, the NRCB makes impartial and knowledge-based decisions across two distinct mandates: <ul style="list-style-type: none"> • Under the <i>Natural Resources Conservation Board Act</i>, the NRCB decides if natural resource projects are in the public interest, considering social, environmental, and economic effects, and • Under the <i>Agricultural Operation Practices Act</i>, the NRCB fulfills application and compliance responsibilities, administers and advances policies, and conducts board reviews for confined feeding operations
<i>Values</i>	In achieving our mission, we honour the NRCB’s core values of integrity, fairness, respect, excellence, and service.

STRATEGIC PRIORITIES

The Natural Resources Conservation Board has identified the following strategic priorities for 2020-23:

1. In collaboration with Agriculture and Forestry, pursue and deliver on the ministry's red tape reduction targets, as applied to AOPA, and NRCB operational policies in place to assist in the delivery of AOPA.
2. Continue to improve the efficiency of the AOPA permit application and compliance response processes.
3. Implement call to action 57 of the Truth and Reconciliation Commission of Canada report (2015), endorsed by the Government of Alberta for all Alberta public servants, by providing training for NRCB staff and Board members on the history of Aboriginal peoples, including the legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, and Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations, as outlined in the report.
4. Continue to ensure an effective biosecurity policy is in place and that field staff have the necessary training, equipment, and supplies to adhere to the biosecurity policy.
5. Coordinate review processes with other provincial and federal review agencies of project applications under the NRCBA to make reviews as efficient and effective as possible; continue to investigate opportunities to streamline processes under the NRCBA with a focus to reduce timelines and ensure participant engagement is effective and efficient.

CORE BUSINESSES: GOALS, STRATEGIES, AND PERFORMANCE MEASURES

Core Business One: Public interest reviews of proposed natural resource projects under the *Natural Resources Conservation Board Act* and reviews of approval officer and inspector decisions under the *Agricultural Operation Practices Act*

Goal one

Natural Resources Conservation Board reviews and hearings are conducted in a manner that is effective, fair, transparent, and timely.

What it means

The Board conducts reviews of proposed natural resource projects under the NRCBA to determine whether the projects are in the public interest, having regard for their environmental, social, and economic impact. Projects subject to review under the NRCBA include forest industry, recreation/tourism, metallic or industrial mineral, and water management projects. Projects may also be referred to the Board by Order in Council. Reviews consider the consistency of proposed projects with regional plans that have been completed and publicly released under the *Alberta Land Stewardship Act*.

Under AOPA, the Board must determine whether to grant a request for a review of a permitting or compliance decision. Should the Board grant a review, it may be conducted in person or in writing. The Board may also recommend mediation. The Board must have regard for the land use provisions of municipal development plans but is not bound by the provisions.

Strategies

- 1.a Investigate opportunities to streamline processes under the NRCBA to reduce timelines and ensure participant engagement is effective and efficient.
- 1.b Ensure the NRCB continues its consultation obligations with Indigenous peoples whose rights may be adversely affected by natural resource projects under the NRCBA, or in confined feeding operation applications and Board reviews under AOPA. In addition, the Board will develop a fact sheet and web presence outlining its role, operating principles, and what Indigenous communities can expect when participating in an NRCB hearing.
- 1.c Identify critical issues related to applications under the NRCBA, including participation in developing the terms of reference for environmental impact assessments, to ensure that all relevant information is included in the review process.
- 1.d Proactively provide opportunities for all participants to understand NRCBA and AOPA review and hearing processes through guides; public information sessions; and prompt, accurate responses to direct inquiries.
- 1.e Improve access to the complete public record for public interest determinations under the NRCBA and reviews under AOPA by continuing to update the NRCB website.

Performance measures

Efficiency of review processes	2020/21	2021/22	2022/23
Percentage of Natural Resources Conservation Board decisions issued within 80 working days of the conclusion of reviews under the <i>Natural Resources Conservation Board Act</i>	100%	100%	100%
Percentage of Natural Resources Conservation Board decisions issued within 30 working days of the conclusion of reviews under the <i>Agricultural Operation Practices Act</i>	100%	100%	100%

Core Business Two: Regulation under the *Agricultural Operation Practices Act*

Goal two

Effective and efficient permitting and compliance processes for confined feeding operations and management of livestock manure.

What it means

The NRCB regulates Alberta's confined feeding operations (CFOs) and the management of manure under AOPA. It seeks advice from the multi-stakeholder Policy Advisory Group on priority issues, including operational policies, to ensure consistent and effective delivery of AOPA.

Confined feeding operations must comply with the requirements of AOPA. The NRCB uses a risk-based approach to ensure that operations are compliant with their permits, to investigate and respond to complaints, and to initiate enforcement action as required. Permitting decisions consider the consistency of permit applications with land use provisions of municipal development plans, and compliance with regional plans that have been completed and publicly released under the *Alberta Land Stewardship Act*. The NRCB makes timely, focused communication with confined feeding operators and other stakeholders an ongoing priority.

- Strategies**
- 2.a Help ensure that Agriculture and Forestry meets its red tape reduction targets as applied to AOPA, and NRCB operational policies in place to assist in the delivery of AOPA by collaborating with colleagues in the ministry.
 - 2.b Streamline the application process for confined feeding operations by updating application forms, and ensuring they are available on the NRCB website and can be submitted electronically.
 - 2.c Meet with and inform municipalities about permitting requirements in AOPA; explain how the NRCB assesses municipal land use planning provisions when making permitting decisions; and explain the NRCB's compliance and enforcement processes.
 - 2.d Meet with CFO applicants to explain AOPA permitting requirements and information needed to support AOPA applications.
 - 2.e Clarify roles and improve the efficiency of procedures for applications and compliance responses under AOPA by consulting and engaging with Alberta Health Services and Alberta Environment and Parks.
 - 2.f Improve the efficiency of the delivery of AOPA by developing and updating operational policies, with advice from the Policy Advisory Group as required.
 - 2.g Provide consistent understanding and application of regulatory requirements under AOPA by staff, operators, and consultants by developing technical guidelines and continuing the NRCB commitment to participate in the Technical Advisory Group as required.
 - 2.h Educate CFO operators about compliance requirements, including unauthorized construction, application of manure on frozen or snow covered land, and record keeping for manure application, by coordinating with industry associations.
 - 2.i Continue to support other provincial ministries and agencies studying the potential effects of manure collection and storage facilities on groundwater quality, and use the results for ongoing improvements to tools used by the NRCB in regulation of CFOs and manure management under AOPA.
 - 2.j Update existing biosecurity policy to ensure it is current and effective and ensure staff are equipped to comply with the policy.
 - 2.k Stay informed on confined feeding operation siting issues and any challenges facing the livestock industry by attending producer meetings, Rural Municipalities of Alberta

conferences, and other relevant events.

Performance measures

Efficiency of permitting process	2020/21	2021/22	2022/23
Percentage of decisions issued within 65 working days from the date the application is determined to be complete	85%	85%	85%
Complaint resolution	2020/21	2021/22	2022/23
Percentage of complaint files resolved or requiring no further action, within 60 days	95%	95%	95%

ORGANIZATIONAL CAPACITY

NRCB staff and Board members work with diverse and complex technical issues and are highly trained, creating a culture that ensures the delivery of a high standard of service. The NRCB is committed to providing ongoing opportunities for training to maintain a high level of expertise and to provide the technical resources required to support the work of its staff and Board.

The NRCB is also committed to achieving excellence in its financial accountability, its provision of clear internal policy and procedures, and its support for a positive work environment.

- Strategies**
1. Provide in-house training and support external training opportunities in areas of required professional development, including education and training on Aboriginal issues as required by call to action 57 of the Truth and Reconciliation Commission of Canada report.
 2. Develop an occupational health and safety policy and program for the NRCB.
 3. Advance the NRCB records retention and disposition schedule through the provincial government's Alberta Records Management Committee approval process.
 4. Maintain and continuously improve essential infrastructure including:
 - a. improving the functionality of the confined feeding operation database, and
 - b. updating computers and other electronic devices issued to staff in accordance with the NRCB's commitment to information technology evergreening.
 5. Prioritize the safety of NRCB staff when conducting field work by providing appropriate vehicle and personal identification, and other equipment as required.

BUDGET INFORMATION

The 2020-23 budget is based on the strategic priorities and strategies identified in the business plan.

EXPENSE BY CORE BUSINESS

	Comparable			2020-21 Estimate	2021-22 Target	2022-23 Target
	2018-19 Actual	2019-20 Budget	2019-20 Forecast			
AOPA and NRCBA Mandates						
Board Reviews & Hearings	\$1,131,785	\$1,151,000	\$1,151,000	\$1,066,000	\$1,066,000	\$1,066,000
Regulating Confined Feeding Operations	4,432,434	4,287,000	4,287,000	4,358,000	4,358,000	4,358,000
Total Expenses	\$5,564,219¹	\$5,438,000	\$5,438,000	\$5,424,000	\$5,424,000	\$5,424,000

STATEMENT OF OPERATIONS

	Comparable			2020-21 Estimate	2021-22 Target	2022-23 Target
	2018-19 Actual	2019-20 Budget	2019-20 Forecast			
Revenues						
Transfer from Environment & Parks	\$5,133,000	\$5,397,000	\$5,397,000	\$5,397,000	\$5,397,000	\$5,397,000
Miscellaneous Investment & Other Revenue	92,950	71,000	71,000	71,000	71,000	71,000
Total Revenues	\$5,225,950	\$5,468,000	\$5,468,000	\$5,468,000	\$5,468,000	\$5,468,000
Expenses						
Salaries, Wages, & Employee Benefits	4,349,965	4,618,861	4,618,861	4,593,465	4,593,465	4,593,465
Supplies and Services	692,174	777,139	778,739	812,775	816,905	812,655
Amortization	41,823	42,000	40,400	17,760	13,630	17,880
Total Expenses	\$5,083,962	\$5,438,000	\$5,438,000	\$5,424,000	\$5,424,000	\$5,424,000
Annual Operating Surplus (Deficit)	\$141,988	\$30,000	\$30,000	\$44,000	\$44,000	\$44,000

1. Includes \$480,257 leased cost for office space paid by Alberta Infrastructure. This amount is not included in the Statement of Operations.