

# Natural Resources Conservation Board

## 2008-2011 Business Plan

May 7, 2008



**NRCB**

Natural Resources  
Conservation Board

[www.nrcb.gov.ab.ca](http://www.nrcb.gov.ab.ca)



## INTRODUCTION

The Natural Resources Conservation Board is a quasi-judicial 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 Rural Development.

A memorandum of understanding between the Minister of Sustainable Resource Development, the Minister of Agriculture and Rural Development, 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:

- |                 |   |
|-----------------|---|
| Fairness        | – all stakeholders and members of the public are treated fairly and without bias  |
| Respect         | – respect for others is reflected in all NRCB interactions, both within the organization and with all external stakeholders and members of the public |
| Trustworthiness | – all NRCB staff and Board members strive to make objective, impartial and balanced decisions   |
| Accessibility   | – the services of the NRCB are transparent and easy to access   |
| Service         | – NRCB services are delivered with a high standard of excellence  |

## LINKS TO GOVERNMENT OF ALBERTA STRATEGIC BUSINESS PLANS

### **Government of Alberta Goal 1: Alberta will have a prosperous economy**

Strategic focus – Land use

Strategy – Stewardship in the agricultural industry

- *The NRCB regulates confined feeding operations under the Agricultural Operation Practices Act, ensuring they meet the requirements of the act with respect to impact on the environment, local land use provisions, ground and surface water, and the community. The NRCB consults with stakeholders and its government partners on policy issues related to confined feeding operations under the act.*

### **Government of Alberta Goal 3: The high quality of Alberta's environment will be sustained**

Strategic focus – Renew and resource the Water for Life Strategy

Strategic focus – Cumulative effects

- *Through its roles under the Natural Resources Conservation Board Act and the Agricultural Operation Practices Act, the NRCB helps ensure environmentally sustainable economic development. The NRCB participates in discussions on the cross-government priorities Water for Life, Land Use Framework and cumulative effects assessments. Decisions issued by the NRCB under the Natural Resources Conservation Board Act consider the economic, environmental and social effect of proposed developments, including the impact on water, land use and the community.*

### **Government of Alberta Goal 4: Alberta will have a financially stable, open and accountable government and maintain its strong position nationally and internationally**

Strategy – Board governance

- *The NRCB works together with Government of Alberta ministries and boards to deliver effective, efficient and comprehensive regulatory processes. The NRCB is committed to transparent and accountable delivery of its services.*

### **Sustainable Resource Development Core Business 4, Goal 5: Albertans have access to timely, quasi-judicial processes that consider the collective and individual benefits derived from Alberta's natural resources**

- *The board of the NRCB conducts independent public reviews of major, non-energy, natural resource projects under the Natural Resources Conservation Board Act and is an appeal body for approval officer and inspector decisions under the Agricultural Operation Practices Act. The NRCB provides opportunities for Albertans to participate in and understand review and hearing procedures, encourages the use of alternative dispute resolution where appropriate, and delivers timely and effective reviews and hearings.*

### **Agriculture and Rural Development Core Business 1, Goal 3: The agriculture industry's competitive capacity is advanced through stewardship initiatives and systems; and Core Business 2, Goal 5: Effective risk management**

- *The NRCB regulates Alberta's confined feeding industry under the Agricultural Operation Practices Act. The purpose of the act is to ensure that the province's livestock industry can grow to meet the opportunities presented by local and world markets in an environmentally sustainable manner.*

## SIGNIFICANT OPPORTUNITIES AND CHALLENGES

### Opportunities

**Building strong partnerships** – the Chair and Chief Executive Officer will continue to build strong relationships with industry, municipalities, non-governmental environmental organizations and other regulatory authorities.

Under the *Natural Resources Conservation Board Act (NRCBA)*, the NRCB will continue to partner closely with Alberta Environment, the Energy Resources Conservation Board, and other regulators to ensure that reviews of proposed resource developments are efficient and comprehensive.

Under the *Agricultural Operation Practices Act*, the NRCB will continue to work closely with Alberta Agriculture and Rural Development, Alberta Environment, the Policy Advisory Group and stakeholders.

**Enhanced communications** – communication, consultation and coordination with stakeholders and regulatory partners will be ongoing priorities. The NRCB will continue to expand its communication with industry associations, municipalities, and other stakeholders through face to face meetings and other initiatives.

**Increased public awareness** – public interest in environmental issues facing the agricultural sector and resource industries requires a regulatory process that is accessible, transparent and accountable. The NRCB is committed to delivering services that meet public expectations of accessibility, transparency and accountability.

**Proactive risk management processes** – a proactive inspection program, based on sound science, will provide Albertans with the clear assurance that Alberta's livestock industry is being appropriately regulated and our environment protected.

**Accessible regulatory processes** – as the regulator for the *Agricultural Operation Practices Act*, the NRCB is well positioned to deliver one-window access to regulatory processes that affect confined feeding operations.

**New regulatory opportunities** – the NRCB will coordinate with government of Alberta regulatory agencies and boards to find ways of delivering new regulatory processes efficiently and effectively.

**Professional expertise and retention strategies** – the NRCB has a highly qualified staff with diverse backgrounds and experience that build a comprehensive, professional team. The NRCB will continue to strengthen the organization through flexible retention and recruitment strategies. A continued emphasis on team-work, technical training and support, cross-training and internal communications will allow the competencies of all staff to fully benefit the organization.

### Challenges

**Economic challenges facing Alberta's livestock industry** – increased feed costs, labour shortages, restrictions on exports and the US/Canadian currency exchange rate are affecting Alberta's confined feeding industry. These economic pressures are expected to affect the number of applications received and the number of compliance issues inspectors will need to respond to. New issues associated with decommissioning of manure storage facilities are also anticipated.

**Land use pressures** – Alberta's significant economic and population growth is putting added demand on land for residential, recreational, industrial and agricultural use. These pressures are reflected in the Natural Resources Conservation Board's increased activity with natural resource development reviews and AOPA-based issues around permits and compliance.

**Growth pressures** – under the 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.

The review of some files has been delayed due to the number of applications that require extensive review by other agencies in addition to the NRCB.

**Organizational capacity** – reviews under the NRCBA require significant scientific and technical resources. The NRCB must be able to attract and retain highly qualified staff and Board members and to supplement its ongoing professional expertise.

## STRATEGIC PRIORITIES

The Natural Resources Conservation Board is committed to continuing to build confidence and trust in the organization's effectiveness and fairness. The following strategic priorities have been identified for 2008-2011:

**1. Building organizational capacity**

**Linkage:**  
**NRCB goal 3**

- The NRCB will continue to build its organizational capacity through flexible and innovative retention and recruitment strategies for staff and Board members, providing staff and Board members with targeted training and development opportunities, the creation of a pool of contracted experts, and enhanced internal communications.

**2. Comprehensive AOPA policy base**

**Linkage:**  
**NRCB goal 2**

- The NRCB will continue to refine its policy base for the delivery of functions under AOPA. The NRCB will regularly consult stakeholders about policy needs through the Policy Advisory Group. Groundwater monitoring and environmental risk screening will be priority initiatives.

**3. Enhanced and secure information technology systems**

**Linkage:**  
**NRCB goals 1, 2 and 3**

- The NRCB will contract a needs assessment and re-design of its data management systems to ensure that data collected by the NRCB can be appropriately and efficiently accessed and securely managed. An integrated data management system is essential for designing and evaluating the NRCB's risk and compliance programs, and for efficiently maintaining administrative records.

**4. Cross-government initiatives**

**Linkage:**  
**NRCB goals 1, 2 and 3**

- The NRCB will coordinate with its government partners on the Water for Life strategy and Land Use Framework, and will work closely with its government partners to support the delivery of existing and new regulatory processes.

## CORE BUSINESSES: GOALS, STRATEGIES AND PERFORMANCE MEASURES

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

**Goal one** Board reviews and hearings result in balanced decisions and are conducted in a manner that is effective, fair and transparent.

**What it means** The Board conducts reviews of proposed natural resource projects under the *Natural Resources Conservation Board Act* (NRCBA), and hears reviews of approval and enforcement officer decisions under the *Agricultural Operation Practices Act* (AOPA). In all cases the Board conducts its activities respecting the integrity of the administrative process, recognizing that timeliness of reviews is a key element.

NRCBA reviews are conducted on an original application (rather than an existing decision) to determine whether the project or activity is in the public interest having regard for its environmental, social and economic effects. Reviews are mandated for non-energy mining, forestry, water management, or recreational projects for which an environmental impact assessment is required under the *Environmental Protection and Enhancement Act*. Additional projects may also be referred to the Board by Order in Council. NRCBA applications often involve complex reviews and public hearings. Public participants are provided with information sessions and written guide materials to help them prepare for the hearing.

Under AOPA, the Board must determine whether to grant a review based on the information provided by affected parties. Where the Board determines that a review is warranted, it may refer the matter to mediation before conducting a hearing. Mediated resolutions must uphold the requirements of AOPA.

#### Strategies

- 1.a Ensure resources are available to deliver balanced decisions through timely and effective reviews and hearings.
- 1.b Proactively provide opportunities for all participants to understand review and hearing processes through guides, public information sessions, and prompt and accurate response to direct inquiries.
- 1.c Identify critical issues and determine relevant information needed to ensure review and appeal processes can be conducted effectively, fairly and efficiently.

#### 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 two** Effective, efficient and consistently-applied approval 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. The NRCB consults with the multi-stakeholder Policy Advisory Group (PAG) on priority issues and policy development required under goal two.

Approval officers review applications for new or expanding confined feeding operations, using the approval policy as a guide. Their decisions are based on the information provided by the applicant, the requirements of the *Agricultural Operations Practices Act* (AOPA) and land use provisions in the local municipal development plan. Approval officers also consider statements of concern expressed in writing by affected parties and other regulatory agencies. In order to continuously improve consistency between decisions, approval officers participate in benchmarking exercises and team reviews of draft decisions.

Using the compliance and enforcement policy as a guide, inspectors ensure operators are in compliance with the provisions of AOPA and the conditions on their permits. Inspectors encourage operators to work with them to develop solutions to environmental and nuisance issues. Inspectors use education, voluntary compliance and escalating enforcement action to address non-compliance or potential hazards.

Approval officers and inspectors consult with the NRCB's scientific and technical experts as required. In 2008-11, a science-based environmental risk screening tool will be implemented, in consultation with stakeholders, to promote consistent evaluations of environmental risk at confined feeding operations.

### Strategies

- 2.a Continue to clearly communicate approval and compliance requirements to stakeholders and affected parties.
- 2.b Consult with our partners and stakeholders through PAG on policy changes for compliance and approval functions.
- 2.c Implement an environmental risk screening tool in consultation with PAG to ensure consistent and science-based evaluations of environmental risk.

### Performance measures

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

\* performance targets revised in 06/07

## ORGANIZATIONAL CAPACITY

Successful delivery of the NRCB's two core mandates under the NRCBA and AOPA require a strong and flexible organization, with appropriate staffing, expertise and technical resources. Goal three supports the NRCB's mandates under both the NRCBA and AOPA.

**Goal three** The Natural Resources Conservation Board has the expertise and technical resources required to fulfill its mandates under both the NRCBA and AOPA.

**What it means** Natural Resources Conservation Board staff and Board members work with diverse issues and need detailed technical knowledge. Staff and Board members are highly trained, competent and motivated to deliver high standards of service.

In today's competitive job market, the NRCB must use flexible and innovative recruitment and staff retention strategies to maintain its current high level of expertise. The NRCB continues its commitment to providing orientation programs and ongoing technical training for its staff and board members, to ensuring they have the technical tools to do their job, and to providing a pool of contractual expertise to supplement internal NRCB resources when required.

The NRCB also remains committed to effective internal communications, including in-person communication, conference calls between management and employees, intranet development and cross-division meetings and bench-marking exercises. This emphasis will continue to build team work and a shared understanding throughout the organization of its values and mandate.

### Strategies

- 3.a Provide funding and opportunities for training, and encourage staff and Board member participation in ongoing training in areas of required knowledge.
- 3.b Provide orientation programs for new staff and Board members.
- 3.c Provide an internal web site to promote better sharing of information and technical knowledge.
- 3.d Promote increased opportunities for face to face communication between managers, staff and divisions, including an annual retreat.
- 3.e Develop innovative methods of staff retention and implement new strategies.
- 3.f Increase the NRCB's capacity to provide technical expertise through a variety of means, including creating a pool of contracted experts to support both the NRCBA and AOPA.
- 3.g Build awareness across the organization of the different mandates under the NRCBA and AOPA.

### Performance measures

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

\* new performance measure and targets

## BUDGET INFORMATION

The 2008-2009 budget is based on the strategic priorities and strategies identified in the business plan.

## EXPENSE BY CORE BUSINESS

	Comparable			2008-09 Estimate	2009-10 Target	2010-11 Target
	2006-07 Actual	2007-08 Budget	2007-08 Forecast			
<b>AOPA and NRCBA Mandates</b>						
Board: Reviews under NRCBA and AOPA	\$1,140,541	\$1,489,520	\$1,210,235	\$1,583,026	\$1,638,081	\$1,692,676
Operations: Regulation under AOPA and support for the NRCBA applications	5,008,936	5,525,480	5,094,305	5,769,974	5,959,919	6,205,324
<b>Total Expenses</b>	<b>\$6,149,477<sup>1</sup></b>	<b>\$7,015,000</b>	<b>\$6,304,540</b>	<b>\$7,353,000</b>	<b>\$7,598,000</b>	<b>\$7,898,000</b>

## STATEMENT OF OPERATIONS

	Comparable			2008-09 Estimate	2009-10 Target	2010-11 Target
	2006-07 Actual	2007-08 Budget	2007-08 Forecast			
<b>Revenues</b>						
Transfer from Sustainable Resource Development	\$6,076,000	\$6,971,000	\$6,171,000	\$7,309,000	\$7,554,000	\$7,854,000
Miscellaneous Investment & other revenue	213,357	11,000	219,800	51,000	51,000	51,000
<b>Total Revenues</b>	<b>\$6,289,357</b>	<b>\$6,982,000</b>	<b>\$6,390,800</b>	<b>\$7,360,000</b>	<b>\$7,605,000</b>	<b>\$7,905,000</b>
<b>Expenses</b>						
Personnel	4,425,149	5,279,400	4,907,627	5,617,400	5,989,371	6,324,400
Supplies and Services	1,288,361	1,685,600	1,354,658	1,685,600	1,558,629	1,523,600
Amortization	43,154	50,000	42,254	50,000	50,000	50,000
<b>Total Expenses</b>	<b>\$5,756,664</b>	<b>\$7,015,000</b>	<b>\$6,304,539</b>	<b>\$7,353,000</b>	<b>\$7,598,000</b>	<b>\$7,898,000</b>
<b>Net Operating Results</b>	<b>\$532,693</b>	<b>(\$33,000)</b>	<b>\$86,261</b>	<b>\$7,000</b>	<b>\$7,000</b>	<b>\$7,000</b>

<sup>1</sup> Includes \$372,493 leased cost for office space paid by Alberta Infrastructure and \$20,320 for shared services from the ERCB. These amounts are not included in the Statement of Operations.