

Accountability Report 2017–2018

Department of Environment

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Accountability Report 2017–2018

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Table of Contents

Accountability Statement	2
Message from Minister	3
Financial Results.....	4
Measuring Our Performance	5
Goals to Achieve Mandate and Core Functions.....	5
Education, Compliance, Inspection, and Enforcement.....	5
Program and Risk Management.....	6
Client-Focused Service Delivery	7
Regulatory Excellence	8
Additional Information.....	10
Collaboration and Partnerships	10
Appendix A - Annual Report under Section 18 of the Public Interest Disclosure of Wrongdoing Act	11

Accountability Statement

The Accountability Report of the Nova Scotia Environment for the year ended March 31, 2018 is prepared pursuant to the *Finance Act* and government policies and guidelines. These authorities require the reporting of outcomes against the Nova Scotia Environment Business Plan for the fiscal year just ended. The reporting of the Nova Scotia Environment outcomes necessarily includes estimates, judgments and opinions by Nova Scotia Environment management.

We acknowledge that this Accountability Report is the responsibility of Nova Scotia Environment management. The report is, to the extent possible, a complete and accurate representation of outcomes relative to the goals and priorities set out in the Nova Scotia Environment 2017-18 Business Plan.

Original signed by

Original signed by

Honourable Margaret Miller
Minister of Environment

Frances Martin
Deputy Minister

Message from Minister

I am pleased to present our Accountability Report for 2017-18. This report provides a summary of results achieved in relation to the goals outlined in our Business Plan for 2017-18.

Nova Scotia Environment's (NSE) vision is to be a leader in regulatory excellence, conservation, partnership and promotion through protection of the environment, human health and the welfare of farm animals. In the last fiscal year, we focused on four key priority areas: education, compliance, inspection, and enforcement; program and risk management; client-focused service delivery; and regulatory excellence.

In 2017-18, several key achievements were made in support of our mandate:

- Proclamation of legislation that enables the creation of the cap and trade program and supporting regulations, along with the introduction of new regulations for reporting greenhouse gas (GHG) emissions to inform the program.
- Continued collaboration with the Department of Natural Resources (DNR) to move towards 13 per cent protected land across the province.
- Supporting the completion of the second five-year review of the *Environmental Goals and Sustainable Prosperity Act* (EGSPA).
- Implementation of the Risk Based Assessment (RBA) project to increase efficiency in compliance monitoring.

A number of major initiatives were also launched in 2017-18:

- Work commenced to consult with Nova Scotians on the development of legal protection of our coasts.
- \$1.3 m savings to business through reduction of undue regulatory burden through continued collaboration with the Office of Regulatory Affairs and Service Effectiveness (ORASE).

A sincere thank you to the staff of NSE for their dedication and efforts. We are grateful to our partners and stakeholders who collaborate with us to advance our mandate.

Original signed by

Margaret Miller
Minister of Environment

Financial Results

	2017-2018 Estimate	2017-2018 Actuals	2017- 2018 Variance
Program & Service Area	<i>(\$thousands)</i>		
Departmental Expenses:			
Administration	855	885	30
Policy	5,275	5,113	(162)
Inspection, Compliance and Enforcement	20,900	21,256	356
Sustainability and Applied Science	10,209	9,044	(1,165)
Total: Departmental Expenses	37,239	36,298	(941)
Additional Information:			
Ordinary Revenue	3,490	4,090	600
Fees and Other Charges	1,632	1,463	(169)
Ordinary Recoveries	100	142	42
Total: Revenue, Fees and Recoveries	5,222	5,695	473
TCA Purchase Requirements	0	246	246
Provincial Funded Staff (FTEs)	355.3	325.8	(29.5)
<u>Departmental Expenses Variance Explanation:</u> Saving due to staff turnover and filling of vacant positions (\$511K), decrease in professional service of (\$535K).			
<u>Revenue, Fees and Recoveries Variance Explanation:</u> Increase in Fines Receivable.			
<u>TCA Purchase Requirements Variance Explanation:</u> Carry over of approved projects, in prior years.			

Measuring Our Performance

NSE's 2017-18 Business Plan outlined activities, initiatives and measures relating to our mandate and core responsibilities. The following is an overview of our progress in the past year.

Goals to Achieve Mandate and Core Functions

NSE identified four priority areas related to its mandate and core functions for fiscal 2017-2018 that are important to Nova Scotians:

1. Education, Compliance, Inspection, and Enforcement;
2. Program and Risk Management;
3. Client-Focused Service Delivery; and
4. Regulatory Excellence.

Education, Compliance, Inspection, and Enforcement

In 2017-18, NSE continued efforts to improve education, compliance, inspection and enforcement, positioning NSE to become a best in class inspectorate. This was accomplished through: working with our partner departments to ensure consistent compliance with the legislation and regulations that NSE enforces; ensuring inspectors can apply the appropriate level of response to enforcement actions; and by identifying efficiencies through continued streamlining and coordination of compliance functions.

Planned Activities and Initiatives	Actual Results
<p><u>Priority/Activity</u> Continue to work with our partner departments in streamlining all aspects of compliance including through agreements, structure and logistics to deliver consistent and effective compliance, inspection and enforcement services.</p> <p><u>Planned Approach to Measuring Success</u></p> <ol style="list-style-type: none"> 1. Agreements are in place with partner departments to ensure seamless delivery of compliance, inspection and enforcement services. 	<p>NSE's mandate includes responsibility for compliance programming under a range of pieces of legislation which are a shared responsibility with partner departments (Natural Resources, Health and Wellness, Fisheries and Aquaculture, and Agriculture). Intergration and evolution of these compliance programs has been supported by effective working relationships with our partner departments. This collaboration ensures that changes to regulatory programs in areas of shared responsibility have seamless integration and implementation, with the support of all departments involved.</p> <p>An example includes: The Safe Body Art Regulations, developed collaboratively between NSE and the Department of Health and Wellness throughout 2017-18.</p> <p>This year, agreements were created to formalize these relationships with partner departments, to support and guide the continued delivery of a consolidated compliance, inspection and enforcement services through NSE.</p>

Planned Activities and Initiatives	Actual Results
<p>2. Increased proportion of inspections focused on high risk activities with decreased time spent on low-risk activities.</p>	<p>A new Risk-Based Assessment (RBA) was successfully implemented for environmental protection compliance programming. Compliance audits completed under the <i>Environment Act</i> are now scheduled based on facility risk level. Approval holders determined to be higher risk will be scheduled on a higher inspection frequency than those determined to be lower risk. As a result, resources are allocated more efficiently, with more inspections being conducted at higher-risk facilities (more Inspector time) and fewer conducted at lower-risk facilities (less Inspector time).</p>

Program and Risk Management

One of the core functions of the department is to develop programs that manage risks to an acceptable level and deliver desired benefits. To ensure that programs are well structured and meet intended outcomes, effort was placed on program assessment and improvement.

Planned Results	Actual Results
<p><u>Priority/Activity</u> Implementation of a risk based inspection program for NSE to focus inspection resources on those regulated entities that pose the greatest risks to environment, human and animal health.</p> <p><u>Planned Approach to Measuring Success</u> Incorporation of programs into the activity tracking system (ATS), along with increased staff training, and ensuring audit frequency determined based on risk-based analysis</p>	<p>Staff training for the implementation of the risk based inspection program project was successfully implemented. Regular compliance audits of facilities are now being scheduled according to risk. As a result, NSE resources are allocated to inspection activities where there are greater risks posed to the environment.</p> <p>Also in 2017-18, a risk based inspection program for environmental health programs was developed. It will be implemented when necessary technology infrastructure is rolled out for that program (expected in 2018-19).</p>
<p><u>Priority/Activity</u> Assessing programs to ensure they are optimized and potential improvements are identified.</p>	<p>In 2017-18, a departmental process for the continual and collaborative improvement of programs was initiated to identify and prioritize (based on impact and effort) the improvements needed to ensure programs align with our vision. Some specific examples include the collaborative development of standard terms and conditions templates</p>

Planned Results	Actual Results
<p><u>Planned Approach to Measuring Success</u> Programs improvements are identified and wherever possible made based on assessment.</p>	<p>for most activity approvals, focusing on simplification, achieving outcomes and enforceability. In addition, strategic plans for two high priority programs were completed (On-site Sewage Disposal System and Food Safety programs).</p>

Client-Focused Service Delivery

In 2017-18, NSE improved service delivery to department clients through the implementation of an efficient and transparent system for notification and approval.

Planned Results	Actual Results
<p><u>Priority/Activity</u> Implement a System for Notification and Approval Processing (SNAP) to improve consistency, efficiency and transparency, as well as offer on-line services to clients for Environment and Public Health functions.</p>	<p>SNAP has been successfully implemented and provides consistent management and reporting for over 150 different types of environmental activities regulated by the department. This improved processing system reduces the time spent on completing applications and reduces turnaround times for businesses while ensuring our programs are consistently and efficiently delivered. The system is utilized by staff across the province and provides access to common templates, processes, correspondence, shared provincial data sources, and reports.</p>
<p><u>Planned Approach to Measuring Success</u></p> <ol style="list-style-type: none"> 1. Percentage of clients using the new on-line system (SNAP) 2. Number of Approvals available online and accessible by the public 3. Number of Approval related correspondence delivered electronically 	<p>The system continues to be developed, with the eventual goal of expanding its design to enable Nova Scotians and businesses to use the new system to apply for approvals and submit reports.</p> <p>The Industrial Approval Online Search allows the public to search for and view active industrial approvals, the website is here: https://novascotia.ca/nse/IA/</p> <p>In the last fiscal, 899 industrial approvals were made available to the public. The approvals online numbers can see fluctuations and varies depending on a number of factors including but not limited to industry changes, renewal dates, transfers, and amendments.</p>

Planned Results	Actual Results
<p>4. Evaluation of onsite and watercourse alteration programs to support further use of notification as a regulatory tool</p>	<p>Changes to the Watercourse Alteration Program which came into effect in October 2014 included types of watercourse alterations that moved from approval to formal notification. Changes to the onsite sewage program came into effect May 2016, so that most on-site sewage system installations require a notification to NSE only, rather than an approval. These changes were made to simplify the process for lower risk and less complex activities while maintaining environmental protection.</p> <p>Results of the evaluation of the Watercourse Alteration and On-Site Sewage programs shows an increase in number of applications processed through notification. The electronic and immediate processing of notifications reduces administrative burden on the department and our clients and also significantly reduces processing times for applications.</p>
<p><u>Priority/Activity</u> Introduce consolidated training for staff to improve client service.</p>	<p>Eleven Learning Paths were developed to ensure staff are supported with consistent, appropriate and quality training opportunities designed to address the core learning needs related to their respective roles, to assist in continuing to provide quality service to our clients. Each Learning Path outlines training requirements for specific roles and includes recommended timelines and prerequisites. The department will continue to use a holistic lens to prioritize, source, and/or develop training opportunities.</p>

Regulatory Excellence

NSE committed to continuing its work of reviewing and modernizing its regulatory framework, including leading the legislated 2017 review of the *Environmental Goal and Sustainable Prosperity Act* (EGSPA), while also collaborating with the Office of Regulatory Affairs and Service Effectiveness (ORASE), to reduce regulatory burden. Below is the result of work carried out to advance regulatory excellence:

Planned Results	Actual Results
<p><u>Priority/Activity</u> Lead the legislated 2017 review of <i>Environmental Goal and Sustainable Prosperity Act</i> (EGSPA).</p>	<p>The Minister's Round Table on Environment and Sustainable Prosperity (the Round Table) completed their review of EGSPA. The Round Table produced their report and recommendations based on this review in September 2017. NSE is incorporating the recommendations to inform</p>

Nova Scotia Environment Accountability Report 2017-18

Planned Results	Actual Results
<p><u>Planned Approach to Measuring Success</u> The second five-year review of EGSPA is completed by end of calendar year 2017.</p>	<p>the next iteration of EGSPA which is likely to be brought forward in 2018-19.</p>
<p><u>Priority/Activity</u> Continue to work towards the goals in EGSPA for which NSE is responsible.</p> <p><u>Planned Approach to Measuring Success</u> Goals are either achieved, maintained and/or substantive progress made towards achievement of intent and timelines outlined in EGSPA.</p>	<p>The EGSPA 2015-17 Report was published August 2017. As of March 31, 2017, 13 goals were achieved and 12 goals are still in progress, with 9 of these goals having associated targets that extend to 2020. The report summarizes a number of government-wide achievements in addition to reporting on targets.</p> <p>The report is available on the department's website: https://novascotia.ca/nse/egspa/docs/EGSPA-2015-17-Progress-Report.pdf</p>
<p><u>Priority/Activity</u> Support the integration of greener economy objectives with shared economic goals.</p> <p><u>Planned Approach to Measuring Success</u> Improvements in government's efforts to advance the green economy.</p>	<p>By linking protection of the environment and sustainable economic development, the ongoing implementation of EGSPA continues to support integration of greener economy objectives with economic prosperity through its stated objectives and continued progress on its goals.</p>
<p><u>Priority/Activity</u> Work with the Office of Regulatory Affairs and Service Effectiveness (ORASE) to evaluate impacts to business from our regulations.</p> <p><u>Planned Approach to Measuring Success</u> Regulatory management that aligns with the Premier's Charter of Governing Principles for Regulation.</p>	<p>Supported by ORASE, NSE now conducts detailed qualitative and quantitative analysis on all proposed regulatory changes. This work supports government's direction regarding regulatory reform and service effectiveness by ensuring that impacts to business are identified and considered, and regulatory management aligns with the Premier's Charter of Governing Principles for Regulation.</p> <p>In support of government's target to reduce unnecessary regulatory burden by \$25 million by the end of 2018, NSE has set a goal of \$1.3 million savings to business to be achieved as a result of regulatory changes made in 2017-18.</p>

Additional Information

In addition to the goals and priority set out in the Business Plan, NSE committed to collaborating with key partners to advance shared interests and responsibilities.

Collaboration and Partnerships

Environment and Climate Change Canada

NSE continues to engage with Environment and Climate Change Canada as part of the Pan-Canadian Framework on Clean Growth and Climate Change. Amendments to the Environment Act were proclaimed in February 2018 enabling the creation of the cap and trade program and regulations to support it. The first set of supporting regulations relating to the quantification, reporting and verification of greenhouse gas emissions took effect February 2018. The cap and trade program will begin in January 2019.

Department of Natural Resources (DNR)

This year, NSE continued its collaboration with DNR, establishing a joint Working Group to develop a process to review, consult on, and prioritize lands for protection towards achieving the 13 per cent goal. Together, the joint working group has identified a priority list of sites for potential protection. Research and survey work required to support legal designation of select sites for consideration for protection has also been completed.

Resource Departments

NSE committed to continuing to work collaboratively with the resource departments on public participation activities. This year, resource departments co-hosted a public participation training session in 2017-18 to support adoption of best practices in public participation. Departments are continuing to work to develop public participation awareness and capacity.

Appendix A - Annual Report under Section 18 of the Public Interest Disclosure of Wrongdoing Act

Information Required under Section 18 of the Act	Fiscal Year 2017-18
The number of disclosures received	0
The number of findings of wrongdoing	0
Details of each wrongdoing (insert separate row for each wrongdoing)	0
Recommendations and actions taken on each wrongdoing (insert separate row for each wrongdoing)	0