
Environment and Local Government

**ANNUAL REPORT
2020-2021**



**Environment and Local Government
Annual Report 2020-2021**

Province of New Brunswick
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TRANSMITTAL LETTERS

From the Minister to the Lieutenant-Governor
The Honourable Brenda Murphy
Lieutenant-Governor of New Brunswick

May it please your Honour:

It is my privilege to submit the annual report of the Department of Environment and Local Government, Province of New Brunswick, for the fiscal year April 1, 2020, to March 31, 2021.

Respectfully submitted,



Honourable Gary Crossman
Minister

From the Minister to the Lieutenant-Governor
The Honourable Brenda Murphy
Lieutenant-Governor of New Brunswick

May it please your Honour:

It is my privilege to submit the annual report of the Department of Environment and Local Government, Province of New Brunswick, for the fiscal year April 1, 2020, to March 31, 2021.

Respectfully submitted,



Honourable Daniel Allain
Minister

From the Deputy Minister to the Minister
Honourable Gary Crossman
Minister of Environment and Climate Change

Sir:

I am pleased to be able to present the annual report describing operations of the Department of Environment and Local Government for the fiscal year April 1, 2020, to March 31, 2021.

Respectfully submitted,




Cade Libby
Deputy Minister

From the Deputy Minister to the Minister
Honourable Daniel Allain
Minister of Local Government and Local Governance Reform

Sir:

I am pleased to be able to present the annual report describing operations of the Department of Environment and Local Government for the fiscal year April 1, 2020, to March 31, 2021.

Respectfully submitted,



Ryan Donaghy
Acting Deputy Minister

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Minister's message

During the 2020-2021 fiscal year, the Department of Environment and Local Government continued to achieve our mandate by supporting and promoting initiatives that protect and enhance our environment while collaborating with stakeholders.

Through our many programs and partnerships, we're ensuring our natural environment is not only sustainable but thriving.

Climate change is real and the action we take now will pave the way for a cleaner and greener future for our children and grandchildren. Our Climate Change Action Plan is making a difference not only today but into the future. We continue to reduce our greenhouse gas emissions in New Brunswick through innovative projects and partnerships. We are investing carbon tax revenue into initiatives that will help our province address and mitigate the effects of climate change.

We know there is much more to be done.

The Climate Change Secretariat is helping communities across New Brunswick, including all cities and highest-risk coastal municipalities, finish their adaptation plans.

Each year, hundreds of projects receive financial support from the Environmental Trust Fund. For 2020-21, we invested more than \$9 million through the ETF in 266 community-based projects, in addition to allocating approximately \$350,000 to projects with province-wide benefits.

Recycling and waste reduction are top priorities and the work on our packaging and printed paper – extended producer responsibility program will position us to be the first in Atlantic Canada to take such an important step.

Our engagement with the public and stakeholders is always top of mind as we released reports and launched data portals to make air and water information more readily accessible.

We escaped any serious flooding this year, but we were busy modernizing flood forecasting services and developing our coastal and inland flood hazard mapping. We completed development of the 2018 and enhanced 2008 historical flood mapping for the Lower Saint John River Basin to help visualize the extent of flooding and provide valuable information to the public.

Our work is diverse but through your dedication, we're able to accomplish so much together.

Whether it's monitoring lakes and rivers for blue-green algae, doing a thorough EIA, monitoring our air quality or protecting our wetlands, the professionalism I see daily by staff is a testament to the type of people who make this department such a success.

It's an honour for me to work with you. I thank you for your dedication to the department, the government and the citizens of New Brunswick.

Honourable Gary Crossman



Minister of Environment and Climate Change
The Department of Environment and Local Government

Minister's message

During the 2020-2021 fiscal year, the Department of Environment and Local Government achieved its mandate by providing many important programs and services that improved the lives of all New Brunswickers.

The pandemic continued but through the commitment and dedication of employees of this department and many others throughout government, we provided support and services to residents and communities all over New Brunswick.

The launch of local governance reform was an important milestone for this government and for this province and it was made possible by a group of hard-working and dedicated individuals.

We unveiled a modern and informative website dedicated to local governance reform in January.

We prepared our green paper - *Working together for Vibrant and Sustainable Communities* - which presented options that fostered discussion with New Brunswickers on how to improve our local governance system.

Since I became minister in 2020, I have been meeting with stakeholders across New Brunswick.

The department sought feedback and perspectives from across New Brunswick on the challenges facing the current local governance system and on how to improve it. It's thanks to all of you that the modernization of the local governance system is well underway.

Our province received \$41M under the municipalities stream of the Safe Restart Agreement to help New Brunswick communities address the financial challenges created by the pandemic

Many in the department worked long hours and over the holiday period to ensure payments to communities were processed as quickly as possible.

We also distributed \$68.6M to the 104 local governments and \$7M to LSDs.

As well, we amended the *Local Government Budgets Regulation - Local Governance Act*, to support the separation of property assessment notices and property tax bills.

Amendments to the *Municipal Elections Act* received Royal Assent in December 2020, authorizing altered voting procedures in the event of an emergency, including the pandemic.

We also processed 34 amendments to land-use plans and approved 17 new land-use plans.

I want to thank all members of the ELG team for your role in helping us achieve so much together.

Hon. Daniel Allain



Minister of Local Government and Local Governance Reform
The Department of Environment and Local Government

Deputy Minister's message

The Department of Environment and Local Government is protecting our environment now and into the future by achieving our important objectives and working closely with our stakeholders.

Together, we're making a difference by having proper planning and management of land and waste management as well as ensuring environmental legislation and regulations are in place and being followed.

Our Climate Change Secretariat released a progress report that highlighted the work of this department in collaboration with many others to ensure we reduce our carbon footprint. Climate change is a shared responsibility and it's gratifying to see New Brunswickers from all sectors and regions working together.

Our Climate Change Action Plan is one of the most comprehensive in the country and includes 118 actions being led by government and key stakeholders across the province.

We have reduced our greenhouse gas emissions by 38 per cent since 2005, exceeding the national 2030 target of 30 per cent.

The secretariat continues to work with communities across New Brunswick with 46 per cent, including all cities and highest-risk coastal municipalities, completing their adaptation plans.

The Environmental Trust Fund provides significant support to community-based initiatives. For 2020-2021, we invested more than \$9M in 266 community-based projects, in addition to allocating approximately \$350,000 to projects with province-wide benefits.

Recycling and solid waste management are priority issues in New Brunswick. Our work on an extended producer responsibility program for packaging and printed paper products (PPP) will position us as a leader in Atlantic Canada. We are also making progress on waste diversion, and rules enforcement to limit illegal dumping.

We didn't have any significant flooding in this fiscal year, but the Hydrology Centre was still extremely busy. It continued to modernize its flood forecasting services and contributed to enhancing the new RiverWatch Mobile Viewer (APP) with Service New Brunswick. As well, it released monthly water level reports throughout the year.

We engaged with stakeholders and the public by releasing reports and launching data portals to make air and water information more readily accessible.

From environmental impact assessments to protecting wetlands and monitoring drinking water, the work of this department is not only important it's essential.

I want to commend all of you for not only your commitment but your enthusiasm. It's a privilege for me to be part of this incredible team.

Cade Libby



Deputy Minister of Environment and Climate Change
The Department of Environment and Local Government

Deputy Minister's message

The Department of Environment and Local Government works tirelessly to support our communities throughout the province and to keep our stakeholders informed and engaged.

It was another challenging year with the global pandemic but through the dedication of employees of this department, we continued to provide support and services to residents, communities, stakeholders and our partners in government.

We supported the departments of Health and Justice and Public Safety in co-ordinating virtual meetings with stakeholders, such as mayors, Local Service District representatives, First Nations, municipal associations and many others. The collaboration and partnerships were key to the province's response to COVID-19.

New Brunswick received \$41M under the municipalities stream of the Safe Restart Agreement. We were pleased to work with the federal government to ensure funding was provided to local governments in an efficient and timely manner.

We announced Phases 1 and 2 of the Safe Restart Agreement in October, which provided financial support to our municipal transit systems. We also partnered with the Regional Development Corporation (RDC) to provide critical funding to the City of Edmundston to be dispersed to Maritime Bus as part of Phase 1. The company had been struggling with low ridership since the pandemic began.

Phase 2 provided more than \$11M in support for all local governments that sustained net losses due to COVID-19 and under the third and final phase, approximately \$28M was distributed to all local governments on a per-capita basis.

Amendments to the *Municipal Elections Act* received Royal Assent in December 2020, authorizing altered voting procedures in the event of an emergency, such as the pandemic.


Another important part of our mandate is the distribution of grants to local governments and local service districts. We distributed \$68.6M to the 104 local governments and \$7M to LSDs.

We also amended the *Local Government Budgets Regulation - Local Governance Act*, to support the separation of property assessment notices and property tax bills.

One of the more significant accomplishments of fiscal 2020-21 was the launch of the local governance reform process. In January, the department unveiled a modern and informative website dedicated to local governance reform.

It's a privilege to be part of the Local Government and Local Governance Reform team. Team members are dedicated, passionate and professional. We are committed to ensuring our residents can thrive and grow along with their communities.

Ryan Donaghy



Acting Deputy Minister of Local Government and Local Governance Reform
The Department of Environment and Local Government

Government Priorities

DELIVERING FOR NEW BRUNSWICKERS - ONE TEAM ONE GNB

One Team One GNB is a new, collaborative approach to how we operate. It represents a civil service that works together as a single unit for New Brunswickers. We have discovered new and innovative ways of doing business, ways that have allowed us to achieve the outcomes needed for New Brunswickers and we are working more efficiently and effectively than ever before. Our new path forward includes a mindset of focus, urgency and results.

We are working every day to improve the way government departments:

- Communicate with one another;
- Drive focus and accountability.
- Work side-by-side on important projects; and,

STRATEGY AND OPERATIONS MANAGEMENT

The Government of New Brunswick (GNB) uses a formal management system built on leading business practices to develop, communicate and review strategy. This process provides the public service with a proven methodology to execute strategy, increase accountability and continuously drive improvement.

The development of the strategy starts with our government's roadmap for the future of New Brunswick that focuses on key priorities and the importance of public accountability.

GOVERNMENT PRIORITIES

Our vision for 2020-2021 is a vibrant and sustainable New Brunswick. To make progress towards this vision, we must focus on our government's priorities.

- Energize the private sector
- Dependable public health care
- Vibrant and sustainable communities
- World-class education, and
- Affordable, responsive and high-performing government
- Environment

COVID-19 RESPONSE

As part of GNB's priorities this past year, responding to the COVID-19 pandemic was at the forefront. Our department supported GNB in responding to the pandemic by:

- The redeployment of more than 40 employees to assist with priority areas.
- Supporting the Departments of Health, Justice and Public Safety in coordinating virtual meetings with departmental stakeholders (senior administrators, mayors, executive directors of the four municipal associations and regional service commissions, and Local Service District representatives, members of the legislative assembly and chiefs and band managers of First Nations communities regarding just-in-time pandemic response updates.
- Facilitating responses to questions from stakeholders related to the interpretation of the mandatory order and WorkSafe NB and Public Health guidelines.
- Participating as a member of the Provincial Emergency Action Committee (PEAC). Attended briefings conducted by the New Brunswick Emergency Management Organization (NB EMO).
- Working with members of the department's Executive Management Committee (EMC) in maintaining critical business functions as identified in the departmental plan.

Highlights

During the 2020-2021 fiscal year, the Department of Environment and Local Government focused on government priorities with the following actions:

- Completed extensive stakeholder engagement on a draft regulatory framework for establishing an Extended Producer Responsibility (EPR) program for Packaging and Paper Products (EPR-PPP) in New Brunswick.
- Completed initial stages of several Solid Waste Management projects including stakeholder engagement on proposed amendments to the *Beverage Container Act* and a jurisdictional review on the management of single use plastic bags.
- The Hydrology Centre provided flood forecasting services remotely during the 2020 RiverWatch season and completed the development of the 2018 and enhanced 2008 historical flood mapping for the Lower Saint John River Basin to help visualize the flood extent and provide valuable information to the public.
- Negotiated a January 1, 2021 effective date for New Brunswick's Output-Based Pricing System regulating greenhouse gas emissions from the province's largest industrial emitters and brought forward regulations to support the system.
- Publicly released a progress report on the implementation of the New Brunswick Climate Change Action Plan, covering the January 2017 to March 2020 period.
- Developed and launched an online claims portal on the pre-existing administration system to improve the speed and accuracy of claim processing for the Environmental Trust Fund.
- Issued payments totalling \$41,131,000 to local governments as part of Phase 1, 2, and 3 of the Safe Restart Agreement including a \$360,000 investment to Maritime Bus (matched by RDC) to guarantee continued bus service to New Brunswick communities through 2021.
- The Local Governance Reform initiative was officially announced in January 2021 which included the launch of a new website. A green paper was prepared with the help of stakeholders participating on an advisory committee with the anticipated release of the green paper in April 2021.
- The Local Government Budgets Regulation was amended under the *Local Governance Act* to support the separation of property assessment notices and property tax bills.
- The *Municipal Elections Act* was amended authorizing altered voting procedures in the event of an emergency, including the COVID-19 pandemic.
- Completed an inventory of illegal dumping sites and updated the Operational Protocol for Illegal Dumping.
- Developed new advisory signage along the Saint John River between Woodstock and Fredericton aimed at informing and educating the public about blue-green algae (cyanobacteria) and precautions to take while enjoying recreational waters.
- Completed key stakeholder review of the final report of the independent review of the Solid Waste Management Service Model.

Performance outcomes

The information below outlines some of the department's priorities and how we measured our performance.

LAKES AND SURFACE WATER PORTALS INITIATIVE

THE PRIORITY, ITS INTENDED OUTCOME AND TIMELINE

The Department, with assistance from Service New Brunswick, developed three lakes and surface water quality portals: Watershed Group Water Quality Data Portal, Volunteer Lakes Monitoring Program Data Portal and the Department of Environment and Local Government Lakes Water Quality Data Portal.

These portals serve as a mechanism to provide the public with easier access to data on surface water quality. They can also be used to increase public awareness of all water quality monitoring activities that take place throughout the province. Additionally, these portals can be used by non-government organizations to upload their water monitoring results.

Each of the portals contains a map showing the location of the water quality monitoring stations. Each station contains a list of the parameters measured and the concentration of each parameter. Historic data is available in each portal and the portals are updated regularly with the most recent data. Data can also be downloaded to a spreadsheet so users can work with the data using their own tools. Several of the portals also have the ability to show data in graphical format so that data can be plotted over a period of time. This allows the user to view potential trends over time.

The work on the data portals began in February 2020 and the portals were made available to the public on ELG's webpage on August 13, 2020.

WHY IT IS IMPORTANT

Prior to the launch of the data portals, the surface water quality data could only be accessed through a data request to the department. Additionally, non-government organizations that conduct monitoring as part of their Environmental Trust Fund projects did not have the ability to electronically upload their monitoring results to the department and had to submit it through email requiring ELG staff to enter the data manually.

OVERALL PERFORMANCE

The feedback from the public, as well as other environmental organizations, has been positive.

INITIATIVES OR PROJECTS UNDERTAKEN TO ACHIEVE THE OUTCOME

The project used data that was collected as part of the Volunteer Lake Monitoring Program, the ELG Lakes Monitoring Program and water quality monitoring data that has been collected by watershed groups through Environmental Trust Fund projects. ELG's river water quality monitoring data is already available online through the Department of Environment and Local Government River Water Quality Data Portal for the 55 stations the department monitors throughout the Province.

ILLEGAL DUMPING EDUCATION AND ENFORCEMENT

THE PRIORITY, ITS INTENDED OUTCOME AND TIMELINE

Through six regional offices, ELG manages and verifies reports of illegal dumping. Reports of illegal dumping are verified with direct client contact and site inspections. Work is then undertaken to encourage voluntary compliance in cleaning up illegal dump sites, where possible. Efforts are also made to educate the public to eliminate the waste source, control the access to the dumping area, and to investigate any violations of the *Clean Environment Act* using the Departmental Compliance and Enforcement Policy.

When illegal dumping of a large volume occurs, when it poses a significant risk to the environment, or when it is located within sensitive and protected areas, the department will use a Ministerial Order to clean up and rehabilitate those areas.

To improve and strengthen program effectiveness and to eliminate illegal dumping in New Brunswick, the department committed to reviewing existing programs.

WHY IT IS IMPORTANT

Illegal Dumping poses a risk to the environment and its surrounding community, especially when it is located within sensitive or protected areas. Illegal Dumping detracts from the enjoyment of the natural environment around us. For those caught and convicted, Illegal Dumping conviction fines range from \$500 - \$1,000,000.

EXPLAIN OVERALL PERFORMANCE

The objective was to promote education and stricter enforcement of illegal dumping to support proper solid waste management practices in NB by October 31, 2021 through seven projects. By March 2020, six of the seven projects were completed with the remaining project to be complete in the next fiscal quarter. The department has completed an active review of the illegal dumping program in support of the mandate of government.

It was identified that an evaluation of additional legal tools is necessary to help combat and address illegal dumping such as the potential use of the Dangerous and Unightly Premises and Property regulation for small to mid size illegal dumping located within Local Service Districts. This will be a focus during the next fiscal year.

INITIATIVES OR PROJECTS UNDERTAKEN TO ACHIEVE THE OUTCOME

A review of our Illegal Dumping Operational Protocol has been completed and the protocol is updated and re-sanctioned. The department has a clear process to follow in response to complaints of illegal dumping from New Brunswickers.

An inventory of existing illegal dumping complaints and known sites was collected and reviewed. The department identified 12 sites that required action using our Compliance and Enforcement Policy.

Under the Illegal Dumping Signage Campaign, the department made 1500 signs accessible to Local Service District committees to help combat illegal dumping in local communities.

The department had partnered with the Southeast Regional Service Commission (ECO360) to develop a social media awareness campaign. By the end of 2020-2021 the campaign was in the final planning stages. It was anticipated that advertisements would begin on Facebook and Google platforms beginning in April 2021 and ending in July 2021.

LOCAL GOVERNANCE REFORM

THE PRIORITY, ITS INTENDED OUTCOME AND TIMELINE

Local governance reform is the process of adapting our local governance system from what we have into what we need. The reform process involves understanding the issues and challenges facing our local governance system and how they relate to one another, considering options to address the issues, and implementing changes that will make a positive difference. The reform is planned to begin in 2021.

Through the reform process, we must ask ourselves: are we organized locally and regionally in a way that best serves the needs and interests of all of us as New Brunswickers and the communities in which we live?

Local governance reform will find ways to strengthen our local governance system and make it sustainable, while continuing to improve our quality of life. We need to work together to understand these challenges, the impact they are having and what the solutions will be. The goal is to have a local governance and service delivery system that is effective and affordable today and well into the future.

The reform process was launched in 2020 and will continue over the next several years.

WHY IT IS IMPORTANT

Our local governance system faces many challenges – financial, social, environmental and structural. Nearly one-third of New Brunswickers don't have a local government that can make local decisions on their behalf. Cooperation between communities when it comes to cost sharing and service delivery continues to be very difficult to achieve in many regions. At the same time, many communities have limited financial resources and struggle to provide or maintain good quality local services at an affordable cost.

These issues, among several others, impact one another. We have a system of local governance that is not as efficient or effective as it could be. It is not organized in a way that can meet the many current and future challenges facing our communities and regions.

The vision for reform is vibrant and sustainable communities working together to enhance the quality of life of New Brunswickers.

OVERALL PERFORMANCE

This initiative is on track and meeting its intended milestones. It is led by a team of experts from across GNB under the leadership of the Minister of Local Government and Local Governance Reform. Governance committees for the reform process are comprised of deputy ministers, assistant deputy ministers, internal and external advisors, and representatives of municipal associations, local service districts and regional service commissions.

INITIATIVES OR PROJECTS UNDERTAKEN TO ACHIEVE THE OUTCOME

A formal governance structure, team, and initiative priorities were established to guide the initiative.

A public-facing website and communications materials were published.

Green paper was prepared for a planned April 2021 release.

Initial informal stakeholder engagements began, and a formal engagement plan was completed.

NEW BRUNSWICK OUTPUT BASED PRICING SYSTEM

THE PRIORITY, ITS INTENDED OUTCOME AND TIMELINE

The federal government requires that all provinces and territories have a carbon pricing system in place that aligns with federal benchmark requirements. In July 2019, the Department submitted a proposal for a provincial Output-Based Pricing System (OBPS) to the Government of Canada, with the intention of replacing the federal OBPS in the province. In September 2020, the federal government approved New Brunswick's OBPS proposal, and following negotiations, an effective date of January 1, 2021 was established, allowing the province to begin retroactively regulating greenhouse gas (GHG) emissions from New Brunswick's largest industrial emitters, including electricity generators. The provincial OBPS has been approved by the federal government until the end of 2022, at which point it will be subject to federal reassessment.

The department amended the *Climate Change Act* to enable the key regulatory features of the OBPS and published supporting regulations, the *Reduction of Greenhouse Gas Emissions Regulation* for public comment in late 2020.

The department is working towards finalizing the *Reporting and Reduction of Greenhouse Gas Emissions Standard* that provides the technical guidance for large emitters around reporting and compliance. It is anticipated that the standards will be finalized in 2021.

WHY IT IS IMPORTANT

The provincial OBPS is a regulatory approach that establishes facility specific GHG emissions intensity performance standards that New Brunswick's large industry will be required to meet. For industrial facilities, the performance standards have been designed to achieve a total GHG emissions intensity reduction of 10 per cent by 2030 (approximately 1 per cent annually). The electricity generation performance standards have been designed to minimize electricity rate impacts and deliver incremental GHG reductions.

For both industry and electricity generation, facilities that do not meet their respective standards will have a compliance obligation. All revenue generated from carbon pricing in the province is directed to a Climate Change Fund to support climate change action in New Brunswick.

The provincial approach to carbon pricing ensures that industry and electricity generators are contributing to reduce the province's overall GHG emissions in a way that is fair, cost-effective and flexible to the unique circumstances within New Brunswick.

OVERALL PERFORMANCE

On track. Meeting milestones.

INITIATIVES OR PROJECTS UNDERTAKEN TO ACHIEVE THE OUTCOME

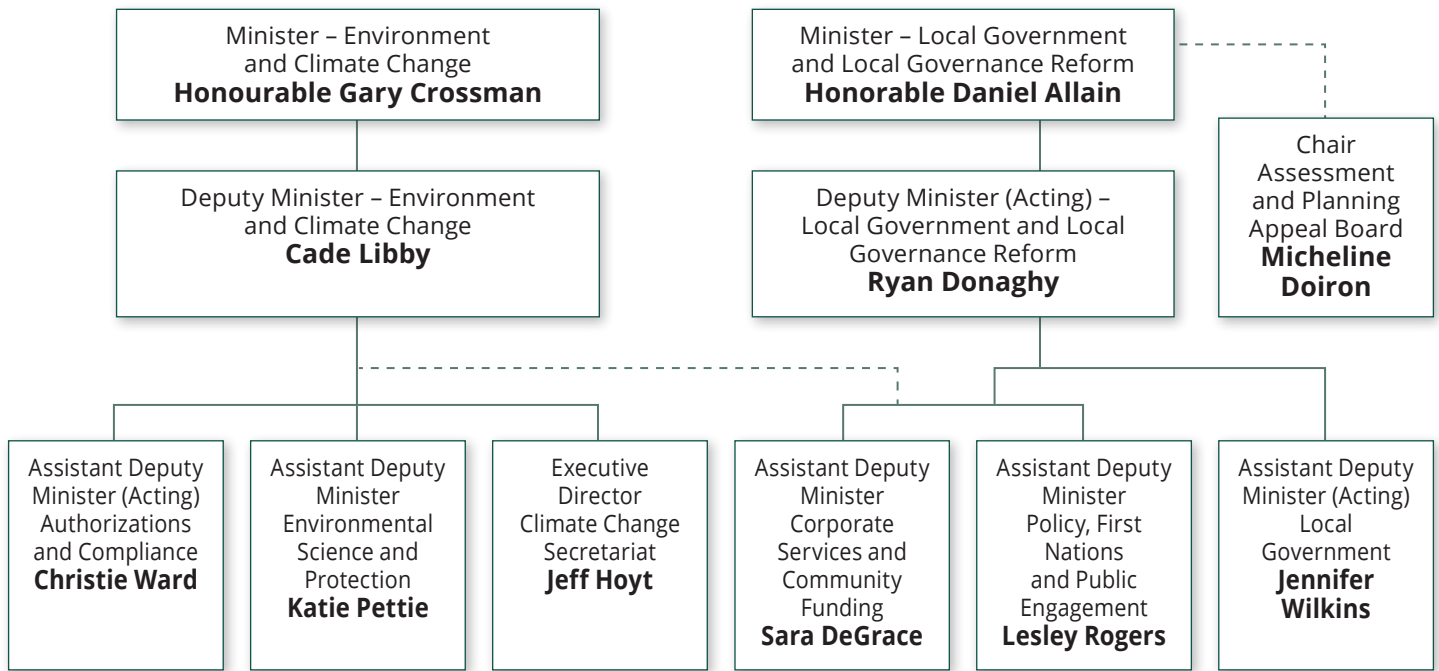
The provincial OBPS policy proposal, *Holding Large Emitters Accountable: New Brunswick's Output-Based Pricing System* was drafted and released in 2019 for public comment prior to submitting to the federal government for approval.

Overview of departmental operations

The mandate of the Department of Environment and Local Government is to provide integrated stewardship through planning and management of land use, zoning development and waste management issues; ensure effective enforcement of, and compliance with,

environmental legislation and regulations; and foster vibrant communities by providing effective consultation and liaison with municipal governments on governance issues and providing the administration of Local Service Districts (LSDs).

HIGH-LEVEL ORGANIZATIONAL CHART



Division overview and highlights

ASSESSMENT AND PLANNING APPEAL BOARD

The **Assessment and Planning Appeal Board** functions independently from the department, but for administration purposes, such as staffing and budget allocation, is aligned with Local Government.

The board is responsible for hearing appeals and rendering decisions on the following:

- Property assessment appeals under the *Assessment Act*;
- Appeals of land use and planning decisions under the *Community Planning Act*; and
- Appeals of local heritage review board decisions under the *Heritage Conservation Act*.

The board conducts hearings through 11 regional panels, which are convened as and where required throughout the province. Each panel consists of a chairperson and two members appointed from the respective region. The chairperson of the Assessment and Planning Appeal Board may either act as chair or designate one of the three vice-chairs to act as chair for a hearing.

Highlights

- ♦ There were 245 appeals, filed under the *Assessment Act*. Of these, 176 were matters pertaining to residential properties and 69 were commercial properties.
- ♦ In total, 193 assessment appeals were disposed of either through a hearing or withdrawal by the appellant prior to the hearing; 151 residential property assessment appeals and 42 commercial property assessment appeals were dealt with by the board.
- ♦ At the end of the year, 58 residential property assessment appeals and 35 commercial property assessment appeals were outstanding and carried forward.
- ♦ 22 land use and planning decision appeals were filled, 13 were disposed of under the *Community Planning Act* and 13 were carried forward.
- ♦ No appeal was filed and disposed of under the *Heritage Conservation Act*.

AUTHORIZATIONS AND COMPLIANCE DIVISION

The **Authorizations and Compliance Division** is responsible for the administration and management of regulatory programs and activities as well as responding to inquiries and concerns from the public related to departmental programs and environmental emergencies.

The division consists of the Authorizations Branch, Waste Diversion Branch, Regional Operations and Compliance Branch and the Source and Surface Water Management Branch.

The **Authorizations Branch** has three core programs that are administered in the branch and include: Authorizations; Compliance Auditing; and Environmental Information.

AUTHORIZATIONS

The branch administers an authorizations program that includes managing and issuing licences, certificates, permits and approvals (i.e. authorizations), required under the *Clean Air Act*, *Clean Environment Act*, and the

Pesticide Control Act, for various regulated activities having the potential to impact the province's air, land, and water environments.

COMPLIANCE AUDITING

The branch also undertakes a strong Compliance Auditing program to assess compliance with the authorizations. For all non-compliance issues identified in the Compliance Auditing program, the branch applies the Department's Compliance and Enforcement Policy to compel compliance or to take enforcement action.

ENVIRONMENTAL INFORMATION

The Environmental Information program is responsible for maintaining various databases to support the branch's core programs. These databases contain important environmental information on specific properties in New Brunswick. The Fees for the Provision of Environmental Information Regulation filed under the *Financial Administration Act* gives the Minister the authority to charge fees for the environmental information per property.

Highlights

- ◆ Under the Authorizations program, the branch issued approximately 4,345 new licences, certificates, permits and approvals. This includes 2,258 pesticide permits, certificates and licences; 1,358 Petroleum Storage licences and approvals; 395 Ozone Depleting Substances permits and licences; 334 Air and Water Quality approvals.
- ◆ Under the Contaminated Sites Management Program, 46 new files were opened, and 55 sites were successfully remediated, and their files closed.
- ◆ Within the Compliance Auditing program, there were 124 audits completed assessing compliance with approximately 1,954 terms and conditions with an overall compliance rate of 93 percent.
- ◆ The branch received and processed 1,370 requests for environmental information on specific properties in New Brunswick as part of the branches Environmental Information program.

The **Waste Diversion Branch** is responsible to develop and administer provincial waste reduction and diversion programs for solid waste generated within the province. Currently, the branch regulates the following provincial waste reduction and diversion programs: Beverage Containers, Tires, Paint, Oil & Glycol, Electronics.

Highlights

- ◆ Completed the commissioning of an independent review of the Solid Waste Management Service Model in New Brunswick and a key stakeholder review of the final report.
- ◆ Work has been initiated to create a Solid Waste Management Strategic Action Plan for the Province to replace our current plan that was developed in 2001.
- ◆ Completed extensive stakeholder engagement on a draft regulatory framework for establishing an Extended Producer Responsibility (EPR) program for Packaging and Paper Products (EPR-PPP) in New Brunswick.
- ◆ Work has been initiated to propose two new waste diversion programs for the Province and include: Packaging and Paper Products, Pharmaceuticals Products and Medical Sharps.

- ◆ Work has been initiated to provide options to government for the better management of single use plastic bags.

Per section 4(8) of the *Beverage Container Act*, the Minister is required to provide information on distributor compliance with their management plan, and the rate of redemption of refillable and recyclable beverage containers in the province. This information is presented in the following highlights section and is considered fulfillment of this reporting requirement.

- Work has been initiated to propose amendments to the *Beverage Containers Acts*, including the completion of a key stakeholder engagement.
- Completed a jurisdictional review related to the management of single use plastic bags.
- Under the Beverage Containers Program, there were 89 beverage container distributors in compliance with their management plans with one distributor determined to be non-compliant.
- Under the Beverage Containers Program over 100 per cent of the refillable containers are being redeemed and approximately 71 per cent of the recyclable containers are being redeemed, based on the annual amount of beverage containers being sold in the province and then being redeemed at Redemption Centres in the province.
- ◆ Note: One reason for the high percentage of refillable containers being redeemed is thought to be a significant drop in refillable beer containers sales and a lag of redeeming refillable beer into the following reporting year. The four per cent redemption rate drop from 2019-2020 is believed to be a result of COVID-19 restrictions and behaviours.

The **Regional Operations and Compliance Branch** provides local service delivery of various departmental programs and an inspection program delivered through six regional offices. It manages compliance activities related to the acts and regulations under the department's mandate. The branch is also responsible for the coordination of emergency management activities, including the department's Emergency Management Plan and on-call system.

Highlights

- ◆ A total of 3,753 Occurrence files were managed by the Regional Offices – 58.9 percent of which were the result of complaints from the public, field inspections, audits, and document reviews (an increase of 14 per cent from last fiscal year).

- ♦ 75 enforcement-related actions were handled by the Regional Offices which included 109 Orders, 3 *Provincial Offences Procedures Act* (POPA) tickets, and 49 official warnings.
- ♦ A review of our Illegal Dumping Operational Protocol has been completed and the protocol has been updated and re-sanctioned.
- ♦ An inventory of existing illegal dumping complaints and known sites was collected and reviewed. The department identified 12 sites that required action using our Compliance and Enforcement Policy.
- ♦ Under the Illegal Dumping Signage Campaign, the department made 1500 signs accessible to Local Service District committees to help combat illegal dumping in local communities.

The **Source and Surface Water Management Branch** is responsible for municipal drinking water source protection, water well protection, watercourse and wetland alteration, wetland management, and coastal protection. The branch is mandated to allow suitable development in appropriate locations and to ensure that it is undertaken considering avoidance and minimization criteria. It has the responsibility for implementing programs to ensure, maintain and protect the quality and quantity of drinking water for future generations.

ENVIRONMENTAL SCIENCE AND PROTECTION DIVISION

The **Environmental Science and Protection Division** is responsible for the environmental review of major projects and monitoring the air and water resources of New Brunswick. It provides scientific assessment and environmental protection advice and reports on the state of the environment; develops programs and policies; and provides technical, scientific and engineering support. This includes interpreting, evaluating and maintaining awareness of research and developments in science, engineering, and environmental health issues and initiatives on behalf of the department.

The division consists of the Environmental Impact Assessment Branch, the Air and Water Sciences Branch and the Healthy Environments Branch.

The **Environmental Impact Assessment Branch** is responsible for the Environmental Impact Assessment (EIA) process to identify potential environmental impacts associated with activities and developments before they are undertaken so that such impacts can be avoided or mitigated to acceptable levels if the

Highlights

- ♦ The Watercourse and Wetland Alteration Program issued 1,972 permits. There were eight permits refused between April 1, 2020 and March 31, 2021.
- ♦ A total of 27 wellfield exemption applications were processed; 11 were issued, two were refused and 14 did not require an exemption.
- ♦ A total of 39 exemptions were requested under the Watershed Protection Program with 23 exemptions issued.
- ♦ Water well construction permits were issued to 37 water well contractors and 50 water well drillers (2020 calendar year).
- ♦ Revised and expanded the NB Watercourse Alteration Certification Program.
- ♦ Partnered with the Maritime College of Forest Technology to host a list of Wetland Consultants who offer services in New Brunswick and who are qualified to conduct wetland identification and delineation work as well as wetland functional assessments.
- ♦ Provided new and revised information for the public on wetlands, including updates to the Wetland Guidelines.

project is permitted to proceed. The EIA process is an interactive, iterative and thorough review process that includes opportunities for public input and resolution of technical issues through dialogue with project proponents. In addition, the EIA process gives technical specialists from government agencies, as well as local residents, the public, stakeholders and First Nations, a chance to input into the decision-making process.

Highlights

- ♦ A total of 20 projects were registered during the year; 13 projects were approved with conditions, and 70 projects remained in the determination review stage.
- ♦ Continued development of the new EIA Portal to replace the current EIA database, with phased operational implementation planned from summer 2021 to spring 2022.

- ♦ A variety of projects were reviewed across a number of sectors, including water supplies, power transmission, resource development, campgrounds and transportation.

The **Air and Water Sciences Branch** has the responsibility to monitor current environmental conditions; provide scientific services; and interpret, evaluate, and report on environmental conditions in New Brunswick. Through the Hydrology Centre, the branch also works with the Emergency Measures Organization (EMO) and other partners to collect and interpret data for flood forecasting services to ensure the public safety of New Brunswickers.

Highlights

- ♦ Published the *2018 Air Quality Monitoring Results Report* and the *Final Report* for a special air quality evaluation in Saint-François de Madawaska.
- ♦ Continued collection of air quality data for a special air quality monitoring project in Miramichi.
- ♦ Established a new, permanent, air quality monitoring station at Gretna Green Elementary School in Miramichi, to provide real-time Air Quality Health Index (AQHI) values for the city.
- ♦ The Hydrology Centre provided flood forecasting services during the 2020 RiverWatch season. The flood forecasting services and ice jam monitoring were done remotely (off site) for the entire RiverWatch season during the pandemic. Flow and water level forecasting services for extreme weather events were provided throughout the year.
- ♦ The Hydrology Centre also continued to modernize its flood forecasting services, contributed to enhancing the new RiverWatch Mobile Viewer (APP) with Service New Brunswick, and released monthly water level reports throughout the year.
- ♦ Continued development of Coastal and Inland Flood Hazard Mapping and associated viewers in support of the Climate Change Action Plan.
- ♦ Completed development of the 2018 and enhanced 2008 historical flood mapping for the Lower Saint John River Basin to help visualize the flood extent and provide valuable information to the public.

- ♦ The following reports related to the assessment of water quality and watershed management of Parlee Beach and Shediac Bay Watershed were released: 2019 Parlee Beach and Shediac Bay Watershed Water Quality Report, 2019 Intensive Stormwater Sampling Program in the Shediac Bay Watershed, What We Heard Public and First Nation Engagement Summary Report and the Draft Shediac Bay Watershed Management Plan.

- ♦ The online release of three water quality portals including the: Watershed Group Water Quality Data Portal, Volunteer Lakes Monitoring Program Data Portal and the Department of Environment and Local Government Lakes Water Quality Data Portal. The data portals will make it easier for the general public, researchers, First Nations, and non-government agencies to access water quality data.

- ♦ The branch also maintained the full capacity of New Brunswick's surface water monitoring programs during the pandemic.

The **Healthy Environments Branch** is responsible for working collaboratively with partners and stakeholders to coordinate, develop, plan, and manage environmental health programs; inform environmental health policy; provide scientific and engineering support and training to the department and its partners; report on the state of environmental health; and assess and anticipate new and emerging environmental health hazards as they apply to New Brunswick. The branch works as part of a multi-disciplinary team to achieve its objectives.

Highlights

- ♦ Continued to support and strengthen department-wide efforts to focus on evidence-based decision making in environmental health files including: supporting the development of a Drinking Water Programs Team, and developing collaborative partnerships with the Institute for Research, Data, and Training (IRDT).
- ♦ Worked toward the development of a drinking water report for local government owned systems in support of the provincial Water Strategy.
- ♦ Provided technical and program support to the department and Public Health New Brunswick on various environmental health issues and policy including drinking water, recreational water quality, on-site sewage disposal, outdoor air quality, and various regional issues including the tire fire in Minto.

- ◆ Developed new advisory signage along the Saint John River between Woodstock and Fredericton aimed at informing and educating the public about cyanobacteria (blue-green algae) and precautions to take while enjoying recreational waters.
- ◆ Continued development and implementation of several initiatives in support of the province's Climate Change Action Plan.
- ◆ Continued membership on the Federal-Provincial-Territorial Canadian Drinking Water Committee responsible for the development of the Guidelines for Canadian Drinking Water Quality.
- ◆ Continued membership on the Federal-Provincial recreational water working group responsible for the development of the Guidelines for Canadian Recreational Water Quality.

POLICY, FIRST NATIONS AND PUBLIC ENGAGEMENT DIVISION

The **Policy, First Nations and Public Engagement Division** has the responsibility to undertake research and policy development, legislative development, First Nations consultation and relationship building, public engagement and education, as well as strategic project management, in support of government priorities and departmental operational objectives. The division also provides right-to-information services, information access and legislative support and co-ordination services.

The division provides these services to both the Minister of Environment and Climate Change and the Minister of Local Government and Local Governance Reform and their respective teams.

The division consists of the Policy Branch, the Public Education, Stakeholder and First Nations Engagement Branch and the Strategic Initiatives Branch. Additionally, a dedicated policy team focused on Local Governance Reform was added to the Division in January 2021.

The **Policy Branch** provides a range of policy related services, including information access, legislative coordination, research and policy development, regulatory and legislative development, and intra-/inter-governmental connections.

Highlights

- ◆ The *Climate Change Act* was amended to ensure that those New Brunswick facilities that voluntarily opted-in to the federal output-based pricing system have the same opportunity under the provincial system.
- ◆ The *Municipal Elections Act* was amended to provide the Municipal Electoral Officer with the flexibility to adapt the provisions of the Act to the execution of its intent and to protect public safety in the event of an emergency, including a public health emergency related to COVID-19.

- ◆ Introduced the *Municipal General Elections in 2021 Act* to direct the Municipal Electoral Officer to suspend voting and related electoral activities in a health zone under lockdown during the 2021 municipal general elections as a result of COVID-19.
- ◆ A new Water Costs for Fire Protection Regulation was enacted under *the Local Governance Act* to repeal and replace Regulation 81-195 under the former *Municipalities Act*.
- ◆ A new Uniform Contributory Pension Plan Regulation was enacted under the Local Governance Act to repeal and replace Regulation 2010-23 under the former *Municipalities Act*. It also postponed the date of the election of members to the New Brunswick Municipal Employees Pension Plan Board due to COVID-19.
- ◆ Received 50 Right to Information requests and 40 Fee for Information requests in 2020-2021.

The **Public Education, Stakeholder and First Nations Engagement Branch** has the responsibility to oversee and support the department's First Nations engagement and consultation requirements and liaise with First Nations and the Department of Aboriginal Affairs. It also coordinates the development and/or support of departmental public education initiatives aimed at capacity-building and behavioural change, oversees legislated consultative processes, devises options for non-legislated engagement, and supports stakeholder recognition and public outreach activities.

Highlights

- ◆ Continued a First Nations Environmental Impact Assessment (EIA) registration notification process. A total of 22 EIA notifications were sent to First Nations.

- ◆ Continued to foster a positive working relationship with First Nations, including assisting with the facilitation of meetings with representatives from First Nations communities to discuss department-related or project-specific topics.
- ◆ Collaborated with DAA and across ELG to continue to develop approaches to consult First Nations on various departmental programs and initiatives.

The **Strategic Initiatives Branch** provides focused leadership to complex strategic initiatives that are priorities of GNB. This includes the development and implementation of large, complex, multi-year policy initiatives and programs that will have far-reaching impacts across the province. The branch provides enhanced coordination across government departments while supporting a culture of policy innovation and a new collaborative approach to working directly with the public, stakeholders and First Nations. A key

member of this team was seconded to help manage the Pandemic Response at the Department of Public Safety for the duration of this reporting period.

Additionally the Local Governance Reform (LGR) policy team worked on background research on local governance systems, regional collaboration, land use planning and property taxation in support of the launch of the green paper on Local Governance Reform: *Working together for Vibrant and Sustainable Communities*.

Highlights

- ◆ Worked with ELG on the development of flood hazard mapping as part of a long-term plan to better address the impacts of inland and coastal flooding.
- ◆ Continued to work across the department on the implementation of multiple water strategy actions.
- ◆ Contributed to the development of a Green Paper on Local Governance Reform.

CLIMATE CHANGE SECRETARIAT

The **Climate Change Secretariat** coordinates initiatives promoting the reduction of greenhouse gas (GHG) emissions and the adaptation to impacts of climate change. It also focuses on initiatives related to education, awareness, and capacity-building. It is responsible for the development of New Brunswick's climate change action plans and coordinating their implementation. It engages most government departments and agencies to ensure that actions on climate change are integrated with governmental policies, programs and day-to-day decisions. It also engages a range of local government and non-government partners and stakeholders to encourage lower carbon investments and practices and climate adaptation activities.

Highlights

- ◆ Negotiated a January 1, 2021 effective date for New Brunswick's Output-Based Pricing System regulating greenhouse gas emissions from the province's largest industrial emitters and brought forward regulations to support the system.
- ◆ Released a progress report on the implementation of the Province's Climate Change Action Plan in Jan 2021 covering period January 2017 to March 2020.

- ◆ Continued to support communities in their efforts to adapt to climate change. All cities and higher risk municipalities in the province have completed adaptation plans. 48 of 104 municipalities, three of 12 Regional Service Commissions and three of 15 First Nations have completed adaptation plans.
- ◆ Provided over \$25M in funding for climate change projects to reduce greenhouse gas emissions and adapt to the impacts of a changing climate.
- ◆ Reduced greenhouse gas emissions by 38 per cent since 2005, exceeding the national 2030 target of 30 per cent.

LOCAL GOVERNMENT AND LOCAL GOVERNANCE REFORM DIVISION

The **Local Government and Local Governance Reform Division** is the primary point of contact between the Government of New Brunswick and local communities. With a vision of fostering vibrant and sustainable communities, the division provides support and advisory services to local governments and regional service commissions and is responsible for the administration of Local Service Districts (LSDs).

The division consists of four branches including the Community Finances Branch, the Provincial and Community Planning Branch, the Local and Regional Governance Branch, and the Local Government Support Services Branch. The division is also leading the Local Governance Reform initiative.

The **Community Finances Branch** is responsible for providing advice and guidance on the financial aspects of local government entities, LSDs and commissions. The branch provides support for accounting, capital borrowing, budgeting and financial reporting services to communities. It provides secretariat services to the Municipal Capital Borrowing Board and administers the long-term borrowing of local governments and commissions through the New Brunswick Municipal Finance Corporation. The branch also supports the ongoing work of the Division with research and analysis on provincial-municipal fiscal policy.

Highlights

- ♦ Distributed \$68.6M in grants to the 104 local governments and \$7M to LSDs.
- ♦ Sought amendments to the *Local Government Budgets Regulation - Local Governance Act*, to support the separation of property assessment notices and property tax bills. Moving the deadline to the 15th day of November in each year.

The **Provincial and Community Planning Branch** is responsible for the administration of the *Community Planning Act* and associated regulations to guide development in New Brunswick. The branch also provides leadership, support, guidance and training to departmental staff, regional service commissions, local governments, professional associations, local government associations, and the general public.

Highlights

- ♦ Processed 34 amendments to land use plans and approved 17 new land use plans.
- ♦ As of February 2021, the Department of Justice and Public Safety assumed the responsibility for building permits and the National Building Code from the Department of Environment and Local Government with the enactment of the *Building Code Administration Act* and supporting regulations.
- ♦ Participated in the Review of the Rental Housing Landscape in New Brunswick.

The **Local and Regional Governance Branch** fulfills a provincial support and liaison function with local governments, regional service commissions and the New Brunswick Society for the Prevention of Cruelty to Animals (SPCA). The branch provides advice on matters of governance and administration to local governments and regional service commissions. It works with the 104 local governments, four municipal associations and 12 regional service commissions, and responds to general inquiries regarding local government matters, the application of the *Days of Rest Act*, as well as animal protection and control matters. The branch also provides advice and guidance on the administration of the *Control of Municipalities Act* which authorizes the appointment of supervisors to oversee the day-to-day operations of a local government should quorum be lost. The branch is the liaison with the Provincial-Territorial Officials Committee (PTOC) on Local Government for the coordination of provincial-territorial (PT) meetings for ministers responsible for local government. The branch is also responsible for supporting communities interested in undertaking community restructuring projects. The branch provides support and guidance to Business Improvement Areas (BIAs), including disbursing their funding.

Highlights

- ♦ Co-ordinated the department's participation following the activation of the Provincial Emergency Operations Centre in response to COVID-19.
- ♦ Amendments to the *Municipal Elections Act* received Royal Assent in December 2020 authorizing altered voting procedures in the event of an emergency, including the COVID-19 pandemic.

- ◆ Continued providing support to the trustee of Regional Service Commission 8.
- ◆ Established a committee to address the development and delivery of an orientation session for elected officials following the municipal election.
- ◆ Coordinated the appointment and provided support to the supervisor in the administration of the rural community of Campobello Island following a loss of quorum.
- ◆ Attended the annual general meeting of the New Brunswick Society for the Prevention of Cruelty to Animals (NBSPCA) and continued to fulfil the departmental liaison role.
- ◆ Provided support to the policy branch in relation to an amendment to the *Days of Rest Act* removing any existing prohibitions against engaging in real estate activities on Sundays.

The **Local Government Support Services Branch** administers the delivery of services in unincorporated areas (referred to as Local Service Districts or “LSDs”) of the province. The branch ensures the delivery of services such as fire protection, solid waste collection and support for emergency measures in LSDs through its regional offices. In carrying out its responsibilities, the branch works with LSD advisory committees, volunteer fire departments, regional service commissions and recreational councils. It also administers a \$1M small capital loans program for LSD projects.

CORPORATE SERVICES AND COMMUNITY FUNDING DIVISION

The **Corporate Services and Community Funding Division** provides departmental services including financial management, legal affairs analysis, performance excellence, human resources and information management as well as oversight of information technology development and support services provide by Service New Brunswick. The division also administers the Gas Tax Fund, the Small Communities Fund and the Clean Water and Wastewater Fund, as well as the provincial Environmental Trust Fund. The division provides technical support and engineering advice to communities in addressing their infrastructure concerns as they relate to the applicable funding programs.

Highlights

- ◆ Prepared for possible spring flooding. Prepared to organize flood debris and sandbag clean up, if required.
- ◆ Worked in close partnership with the Office of the Fire Marshal throughout COVID-19 to ensure the Local Service District fire departments had the supplies and information they needed to continue serving their communities safely.
- ◆ Ensured pandemic related signage was posted in recreational areas, playgrounds, and community centers in Local Service Districts.

The **Local Governance Reform Team** was brought together in the fall of 2020 to address to the financial, social, environmental, and structural challenges faced by New Brunswick’s current local governance system. This multi-disciplinary team of experts is tasked with leading the development of the plan to reform New Brunswick’s local governance and service delivery system to enable vibrant and sustainable communities today and well into the future.

Highlights

- ◆ Launched the Local Governance Reform initiative in January 2021 which included the launch of a website.
- ◆ Identified and finalized the vision and objectives for local government reform in February 2021.
- ◆ Planned stakeholder and public engagement and prepared for the release of a green paper.

The division consists of the following branches: Corporate Finance and Administration, Legal Affairs, Performance Excellence Process, Information Management, Community Funding and Human Resources.

The **Corporate Finance and Administration Branch** coordinates the financial planning, budgeting and interim financial statement processes, provides financial information, analysis and advice to departmental staff, executive management and central agencies, and provides purchasing and vehicle management services. The branch provides accounting services that include ensuring transactions are accurately reflected in GNB’s financial statements, maintaining the departmental

Financial Information System index, reconciling asset and liability accounts, and collecting and depositing revenue. The branch also provides general office and administrative support services.

Highlights

- ♦ Provided financial analysis and support to key GNB priorities.
- ♦ Continued with various improvement projects to streamline internal processes including participation on committees tasked with planning and implementing GNB's new Enterprise Resource Planning (ERP) system.

The **Legal Affairs Branch** provides departmental and program delivery advisory support in the form of legislative research, interpretation, and application. The branch acts as the departmental liaison with the Office of the Attorney General on legal matters; it is responsible for the management of legal files within the department, facilitation of requests for legal opinions, the review of contracts, memoranda of understanding and agreements, and the provision of operational and policy advisory support to staff and senior management.

Highlights

- ♦ Mentored and provided on-going support to staff in the preparation of Ministerial orders issued under the *Clean Environment Act*, *Clean Water Act* and *Clean Air Act*.
- ♦ Mentored and provided on-going support to staff in contract and agreement preparation and the preparation of response letters to the public.
- ♦ Prepared a guideline for staff to assist in the transfer of administration and control of departmental property.

The **Performance Excellence Process Branch** leads the adoption of GNB's formal management system within the department including the development and use of the department's strategy map, Balanced Scorecard and a list of priority initiatives and actions to guide the department's strategic improvements. The branch undertakes and facilitates various improvement projects using Lean Six Sigma practices, serves as a focal point for the development of operational standards, practices and guidelines, and is responsible for leading

continuous improvement program implementation such as waste walks and daily management practices throughout the department.

Highlights

- ♦ Coordinated departmental strategic planning and reporting processes to streamline government and departmental priorities throughout the pandemic.

The **Information Management Services Branch** is responsible for ensuring the strategic and effective use of Information Technology (IT), Geographic Information Systems (GIS) and Records Management by the department. The branch provides consultation and operational support to departmental staff in these areas and ensures the department is aligned with and contributes to GNB initiatives and strategies in IT, GIS and Records Management. The branch provides oversight on IT projects and matters to ensure the work carried out by SNB supports and aligns with the department's IT priorities and strategies.

Highlights

- ♦ Enhancements to the Environmental Trust Fund Administration System to include an online claims portal so fund recipients can submit claims online. This improvement enables the department to improve the speed and accuracy of processing over 700 claims every year for this funding program.

The **Community Funding Branch** administers the federal Gas Tax Fund, the Small Communities Fund and the Clean Water and Wastewater Fund. The goal of these investment programs is to support communities in improving their infrastructure. The branch also manages New Brunswick's Environmental Trust Fund. This application-based program provides funding to municipalities, education institutions, as well as private and not-for-profit organizations for environmental projects that meet the criteria of the *Environmental Trust Fund Act*. The projects are funded from revenues that result from the *Beverage Containers Act* and the fees associated with the recycling of containers.

Highlights

- ♦ Payments issued to local governments as part of Phase 1, 2, and 3 of the Safe Restart Agreement. \$360,000 investment to Maritime Bus (matched by RDC) to guarantee continued bus service to New Brunswick communities through 2021.

- ♦ Worked with local governments to encourage the development of asset management plans as required under the Gas Tax Fund. 74 local governments have submitted asset management plans that met or exceeded the minimum requirements contained in the Guide to Asset Management Planning for Local Governments. 26 local governments have submitted compliance plans outlining work accomplished to date and made a commitment to completing asset management plans. The department continues to work with the remaining four to ensure asset management plans are developed for all NB local governments.
- ♦ Under the Environmental Trust Fund Program, a total of \$9.5 million was awarded to support 266 projects benefitting the natural environment. This includes more than 260 environmental initiatives worth over \$9 million and an additional \$350,000 for provincewide projects.
- ♦ ELG launched a Call for Applications from January 22 to April 6, 2021 for infrastructure projects benefitting Local Service Districts under the Gas Tax Fund. Approximately \$55 M is available to be invested in community infrastructure by March 31, 2024 under this funding program.

The **Human Resources Branch** provides support and expert advice to management and staff across the department. It oversees programs and processes in all areas of human resources including workforce planning; staffing and recruitment; classification; official languages; employee and labour relations; workplace health, safety and wellness and employee and organizational development.

Highlights

- ♦ Coordinated more than 40 internal COVID-19 deployment assignments during the pandemic to fill positions required for vaccination clinics, mandatory order interpretation, lab support and others.
 - ♦ Supported the development and implementation of COVID- 19 operational plans across the department and regional offices.
 - ♦ Completed the creation of a new Working Alone Policy.
 - ♦ Implemented safety talks in the department.
 - ♦ Developed and implemented a new training matrix to support managers in training coordination and accountability.
-

Financial information

Statement of Financial Information for the fiscal period ending March 31, 2021 (000s)

Expenditures	Main Estimates	Appropriation Transfers *	Budget	Actual	Variance over/ (under)
Corporate Services					
- Senior Management	490.0	2.2	492.2	534.8	42.6
- Corporate Services	1,486.0	12.9	1,498.9	1,701.7	202.8
- Community Funding	155.0	40,007.9	40,162.9	41,383.7	1,220.8
Local Government					
- Local Service District Expenditures	62,098.0	11.5	62,109.5	60,973.7	(1135.8)
- Community Funding and Equalization Grant	68,604.0		68,604.0	68,605.7	1.7
- Municipal and Rural Community Property Tax Warrant	1,000.0		1,000.0	130.3	(869.7)
- Community Finances **	11,358.0	2.2	11,360.2	3,629.4	(7,730.8)
- Local & Regional Governance	1,223.0	8.7	1,231.7	1,079.9	(151.7)
Authorizations and Compliance					
- Regional Operations and Compliance	3,113.0	18.9	3,131.9	3,306.8	174.9
- Authorizations	3,125.0	28.9	3,153.9	3,405.5	251.6
- Source and Surface Water Management	587.0	4.7	591.7	736.2	144.4
Environmental Science and Protection					
- Environmental Impact Assessment	1,567.0	7.7	1,574.7	2,089.5	514.8
- Air and Water Sciences	2,492.0	10.0	2,502.0	2,300.0	(202.0)
- Healthy Environments	487.0	1.7	488.7	380.0	(108.7)
Policy, Climate Change, First Nations and Public Engagement					
- Policy, Climate Change, First Nations and Public Engagement	1,107.0	11.2	1,118.2	930.1	(188.2)
- Climate Change Secretariat	1,564.0	6.8	1,570.8	1,162.0	(408.8)
Assessment Planning and Appeal Board	316.0	1.4	317.4	343.6	26.2
Total Ordinary Budget	160,772.0	40,136.7	200,908.7	193,692.8	(8,215.9)
Total Capital (Local Service Districts)	1,000.0		1,000.0	1,000.0	-
Regional Development Corporation					
- Canada / New Brunswick Infrastructure Program - RDC				223.2	
- Canada / New Brunswick Infrastructure Program - Capital Projects				235.1	
Total Funding Provided by Regional Development Corporation				458.3	

Special Purpose Account					
Program	Carry over from previous year	Revenue	Total Funding	Expenditures	Carry over to next year
Environmental Trust Fund	34,295.1	11,353.3	45,648.4	8,652.6	36,995.8

Revenues	Main Estimates	Actual	Variance over/(under)
Return on Investment	20.0	27.6	7.6
Licenses and Permits	3,434.0	3,376.9	(57.1)
Sale of Goods and Services	349.0	297.6	(51.4)
Miscellaneous	-	2.3	2.3
Total Ordinary	3,803.0	3,704.4	(98.6)

* Appropriation Transfers for Federal Safe Restart agreement, central salary draw, and unsigned contracts

** City of Saint John financial results more favourable than anticipated, resulting in cancellation of 2nd payment for 2021 per agreement

Note: Figures are draft and may vary slightly from information subsequently published in Supplementary Information Volume 2 Public Accounts.

Summary of staffing activity

Pursuant to section 4 of the *Civil Service Act*, the Deputy Minister of Finance and Treasury Board delegates staffing to each Deputy Head for his or her respective department(s). Please find below a summary of the staffing activity for 2020-2021 for department of Environment and Local Government.

Number of permanent and temporary employees as of Dec. 31 of each year		
Employee type	2020	2019
Permanent	202	202
Temporary	35	34
TOTAL	237	236

The department advertised 15 competitions, including eight open (public) competitions and seven closed (internal) competitions.

Pursuant to sections 15 and 16 of the *Civil Service Act*, the department made the following appointments using processes to establish merit other than the competitive process:

Appointment type	Appointment description	Section of the <i>Civil Service Act</i>	Number
Specialized Professional, Scientific or Technical	An appointment may be made without competition when a position requires: <ul style="list-style-type: none"> - a high degree of expertise and training - a high degree of technical skill - recognized experts in their field 	15(1)	0
Equal Employment Opportunity Program	Provides Aboriginals, persons with disabilities and members of a visible minority group with equal access to employment, training and advancement opportunities.	16(1)(a)	0
Department Talent Management Program	Permanent employees identified in corporate and departmental talent pools, who meet the four-point criteria for assessing talent, namely performance, readiness, willingness and criticalness.	16(1)(b)	0
Lateral transfer	The GNB transfer process facilitates the transfer of employees from within Part 1, 2 (school boards) and 3 (hospital corporations) of the Public Service.	16(1) or 16(1)(c)	8
Regular appointment of casual/temporary	An individual hired on a casual or temporary basis under section 17 may be appointed without competition to a regular properly classified position within the Civil Service.	16(1)(d)(i)	0
Regular appointment of students/ apprentices	Summer students, university or community college co-op students or apprentices may be appointed without competition to an entry level position within the Civil Service.	16(1)(d)(ii)	0

Pursuant to section 33 of the *Civil Service Act*, no complaints alleging favouritism were made to the Deputy Head of Department of Environment and Local Government and no complaints were submitted to the Ombud.

Summary of legislation and legislative activity

Bill #	Name of legislation	Date of Royal Assent	Summary of changes
2	<i>An Act to Amend the Climate Change Act</i> Chap-20.pdf (gnb.ca)	December 18, 2020	This Act amended the <i>Climate Change Act</i> to ensure that those New Brunswick facilities that voluntarily opted-in to the federal output-based pricing system have the same opportunity under the provincial system.
23	<i>An Act to Amend the Municipal Elections Act</i> Chap-34.pdf (gnb.ca)	December 18, 2020	This Act amended the <i>Municipal Elections Act</i> to provide the Municipal Electoral Officer with the flexibility to adapt the provisions of the Act to the execution of its intent and to protect public safety in the event of an emergency, including a public health emergency related to COVID-19.
45	<i>An Act Respecting Municipal General Elections in 2021</i> Chap-6.pdf (gnb.ca)	March 26, 2021	This Act directs the Municipal Electoral Officer to suspend voting and related electoral activities in a health zone under lockdown during the 2021 municipal general elections as a result of COVID-19.

Name of regulation	Effective date	Summary of changes
Repeal of the Aldouane Local Service District Basic Planning Statement Adoption Regulation – <i>Community Planning Act</i> 2020-46.pdf (gnb.ca)	August 19, 2020	This Regulation was repealed so that it could be replaced by a rural plan.
Repeal of the Aldouane Local Service District Zoning Regulation – <i>Community Planning Act</i> 2020-47.pdf (gnb.ca)	August 19, 2020	This Regulation was repealed so that it could be replaced by a rural plan.
Water Costs for Fire Protection Regulation – <i>Local Governance Act</i> 2020-52.pdf (gnb.ca)	October 30, 2020	This new Regulation repealed and replaced Regulation 81-195 under the former <i>Municipalities Act</i> .
Uniform Contributory Pension Plan Regulation – <i>Local Governance Act</i> . 2021-01.pdf (gnb.ca)	January 6, 2021	This new Regulation repealed and replaced Regulation 2010-23 under the former <i>Municipalities Act</i> . It also postponed the date of the election of members to the New Brunswick Municipal Employees Pension Plan Board due to COVID-19.
Repeal of the National Building Code Designation Regulation – <i>Metric Conversion Act</i> 2021-4.pdf (gnb.ca)	February 1, 2021	This Regulation was repealed as a result of the enactment of the <i>Building Code Administration Act</i> .
Repeal of the Provincial Building Regulation, 2002 – <i>Community Planning Act</i> 2021-5.pdf (gnb.ca)	February 1, 2021	This Regulation was repealed as a result of the enactment of the <i>Building Code Administration Act</i> .
Local Government Budgets Regulation – <i>Local Governance Act</i> 2021-25.pdf (gnb.ca)	March 2, 2021	This Regulation was amended to change the date by which local governments must submit their budgets to the Minister of Local Government and Local Governance Reform to accommodate the separation of property assessment notices and property tax bills.

The acts for which the department was responsible in 2020-2021 may be found at:
<http://laws.gnb.ca/en/deplinks?subjectnumber=6>

Summary of Official Languages activities

INTRODUCTION

In 2020-2021, the department of Environment and Local Government continued to fulfill its obligation under the *Official Languages Act* and was committed to actively offering and providing quality services in both Official Languages. Below are associated activities that were carried out on an ongoing basis during the year.

FOCUS 1

New Brunswickers will continue to have access to service of equal quality in English and French throughout the province.

Activities that took place to meet the objective of Language of Service and ensure employees have a good understanding of the Language of Service Policy:

- Required employees to complete the Language of Service module through the GNB Knowledge Center. Managers are to ensure the modules are completed and verified annually during the performance review period. A recent training matrix has been created to ensure modules are completed and track.
- Active offer reminder is sent yearly to all staff. Additionally, staff are provided with tools and coaching is offered by Official Language Coordinator to assist employees in providing the appropriate level of service.
- Ongoing consultation and discussions between human resources consultants and managers to ensure the department best meets the linguistic profile requirements. Linguistic profiles are all completed and reviewed on a needed basis.

FOCUS 2

An environment and climate that encourages, for all employees, the use of the Official Language of their choice in their workplace:

Activities that took place to meet the objective of Language of Work and ensure employees have a good understanding of the Language of Work Policy:

- Required employees to complete the Language of Work module through the GNB knowledge Center every two years. Managers are to ensure the modules are completed and verified annually during the performance review period. A recent training matrix has been created to ensure modules are completed and on track.
- New employees were provided an opportunity to state their preferred language of work for communication purposes through the employment acceptance form. A Language of Work Quick Reference Guide is offered to new employees through the employee orientation package.
- Ensured employees received their performance review in the language of their choice. Managers also review the Language of Work and Language of Service policies with their employees to ensure they understand their right to work in their language of choice, as well as, their obligation to provide an active offer and service in both Official Languages.
- Provided second-language training to employees who met the requirements of the department's Second-Language Training Policy. Fifteen employees received second language-training in 2020-2021.

FOCUS 3

New and revised provincial government programs and policies will take into account the realities of the two Official Linguistic communities.

Activities that took place to meet the objective of promotion of Official Languages:

- Through the department's onboarding program, new employees are required to familiarize themselves with the *Official Languages Act* by completing mandatory modules through the GNB Knowledge Center.

- Employees are required to review the *Official Languages Act* during the annual performance management process.

FOCUS 4

Ensure Public Service employees have a thorough knowledge and understanding of the *Official Languages Act*, relevant policies, regulations, and the province's obligations with respect to Official Languages:

Activities that took place to meet the objectives of knowledge of the *Official Languages Act*:

- Ensured orientation was provided to all new employees, which included information about the *Official Languages Act* and the policies and regulations governing their interactions with respect to Official Languages. They are asked to sign and send confirmation to Human Resources upon completion.
- Current employees are required to read the Official Languages policies as part of their annual performance review.
- Continue to remind all employees of their responsibility to provide an active offer of service in both Official Languages.
- The department's Official Languages coordinator attended quarterly meetings established through Treasury Board to remain knowledgeable and proactive on all activities regarding Official Languages.

Summary of recommendations from the Office of the Auditor General

Section 1 – Includes the current reporting year and the previous year.

The Department of Environment and Local Government did not receive any recommendations from the Office of the Auditor General in the 2020-2021 and 2019-2020 fiscal years.

Section 2 – Includes the reporting periods for years three, four and five.

Name and year of audit area with link to online document	Recommendations
	Total
Department of Environment and Local Government & NB Power Climate Change – 2017 https://www.agnb-vgnb.ca/content/dam/agnb-vgnb/pdf/Reports-Rapports/2017V1/Chap3e.pdf	8 (5 ELG and 3 NB Power) <i>Note: only ELG recommendations are reported here</i>

Implemented Recommendations	Actions Taken
3.41 We recommend the Department propose to Cabinet that Greenhouse Gas (GHG) emission targets, as specified in its Climate Change Action Plan be legislated, similar to other Canadian provinces.	GHG targets are included in the new Climate Change Act (Bill 39) as follows: “2 It is the objective of the Government of New Brunswick that greenhouse gas emissions in the Province be reduced so that they do not exceed (a) 14.8 megatonnes in 2020, (b) 10.7 megatonnes in 2030, and (c) 5 megatonnes in 2050.”
3.48 We recommend the Department set specific GHG emission reduction targets for NB Power to ensure the provincial targets set in the Climate Change Action Plan are achievable.	On April 27, 2021, New Brunswick Output-Based Pricing System (OBPS) received federal approval retroactive to Jan.1, 2021. Emissions from electricity generation will be regulated under the NB OBPS effective January 1, 2021. For 2019 and 2020 electricity generation was regulated by the federal government. New Brunswick is also committed, as per Action 40 listed in New Brunswick’s Climate Change Action Plan, to phasing out coal-fired electricity generation, either in 2030 or through an equivalency agreement, which represents the single largest opportunity for GHG emissions reduction in the province.
3.63 We recommend the Department finalize an implementation plan that describes: <ul style="list-style-type: none"> – how and when the actions identified in the Climate Change Action Plan will be implemented; and – how the Department intends to monitor and report on the progress. 	The Climate Change Secretariat, on behalf of GNB, has been coordinating the implementation of the Climate Change Action Plan. The implementation of the Climate Change Action Plan is a Priority Initiative for the Department of Environment and Local Government. A target has been established to complete 75% of actions in the plan by December 31, 2021. The Climate Change Secretariate has worked collaboratively with lead departments to establish an implementation plan that will be tracked monthly to ensure that the 75% target is reached. Monitoring and reporting on process will be done through annual progress reports as committed to in the <i>Climate Change Act (Section 3)</i> . A progress report for the period of December 2017 to March 31, 2020 was released in January 2021.

<p>3.108 We recommend the Department develop a provincial climate change risk assessment. The assessment should include:</p> <ul style="list-style-type: none"> - Risk identification; - Risk analysis; - Risk evaluation; - Risk treatment and adaptation measures; and <p>Implementation plan and monitoring.</p>	<p>Adaptation planning efforts in the province are guided by key risk assessments completed by Environment Canada (sea level rise), Natural Resources Canada (national/regional assessment), the province (regional adaptation collaborative) and various municipalities. The province is engaged with the federal government in building capacity on climate information for use in such assessments.</p> <p>Although there is not a single comprehensive provincial climate change risk assessment, the assessments completed to date cover the elements outlined in the recommendation.</p> <p>The Climate Change Action Plan commits to developing vulnerability and risk assessments for critical infrastructure, municipalities, regional service commissions and natural resources.</p> <p>Considerable progress is being made in completing vulnerability assessments and developing climate adaptation plans in communities and for key infrastructures and sectors. To date 45 municipalities have completed Adaptation Plans, including all Cities, Highest-Risk Municipalities, and 5 St. John River municipalities exposed to annual spring flooding. Adding to this foundational work in municipalities, NB will have expanded its focus by conducting risk assessments of essential sectors such as our Regional Health Networks, vulnerable communities, and universities.</p> <p>Building on the significant work to date, New Brunswick will continue to consider and look for opportunities to participate in regional level risk assessments.</p>
<p>3.134 We recommend the Department update the CCAP Progress Tracking System to reflect the changes in the most current Climate Change Action Plan.</p>	<p>The Climate Change Secretariat, on behalf of GNB, currently uses a system to monitor and track implementation, including ongoing planning, priority setting and reporting on progress. This system has replaced the CCAP Progress Tracking System.</p>

Report on the *Public Interest Disclosure Act*

As provided under section 18(1) of the *Public Interest Disclosure Act*, the chief executive shall prepare a report of any disclosures of wrongdoing that have been made to a supervisor or designated officer of the portion of the public service for which the chief executive officer is responsible. The Environment and Local Government did not receive any disclosures of wrongdoing in the 2020-2021 fiscal year.