

---

# Environment and Local Government

**Annual Report**

2021–2022

# **Environment and Local Government**

## **ANNUAL REPORT 2021 – 2022**

Province of New Brunswick  
PO 6000, Fredericton NB E3B 5H1 CANADA

ISBN 978-1-4605-3152-5 (Print Bilingual)  
ISBN 978-1-4605-3153-2 (Electronic English)  
ISBN 978-1-4605-3154-9 (Electronic French)

ISSN 2368-4429 (Bilingual print edition)  
ISSN 2368-4437 (PDF: English edition)  
ISSN 2368-4445 (PDF: version française)  
22-00118 | 2022.11 | Printed in New Brunswick

# Transmittal letters

## FROM THE MINISTER TO THE LIEUTENANT-GOVERNOR

**Her Honour 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,  
2021, to March 31, 2022.

Respectfully submitted,



**Honourable Gary Crossman**  
Minister

---

## FROM THE MINISTER TO THE LIEUTENANT-GOVERNOR

**Her Honour 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,  
2021, to March 31, 2022.

Respectfully submitted,



**Honourable Daniel Allain**  
Minister

# Transmittal letters

## 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, 2021, to March 31, 2022.

Respectfully submitted,



**Heidi Liston**  
Deputy Minister

---

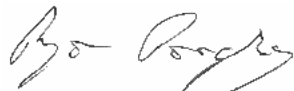
## FROM THE DEPUTY MINISTER TO THE MINISTER

**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, 2021, to March 31, 2022.

Respectfully submitted,



**Ryan Donaghy**  
Deputy Minister

# Table of contents

Minister's message	6
Minister's message	7
Deputy Minister's message	8
Deputy Minister's message	9
Government Priorities	10
Highlights	11
Performance outcomes	12
Overview of departmental operations	16
Division overview and highlights	17
Financial information	26
Summary of staffing activity	28
Summary of legislation and legislative activity	29
Summary of Official Languages activities	31
Summary of recommendations from the Office of the Auditor General	33
Report on the Public Interest Disclosure Act	35

# Minister's message

During the 2021 – 2022 fiscal year, the Department of Environment and Local Government continued to achieve our mandate by supporting and promoting programs that not only protect and enhance our environment but also protect our citizens.

New Brunswick is experiencing the effects of climate change and we are acting now. Our current Climate Change Action Plan “Transitioning to a low-carbon economy” was completed at the end of March 2022 with 76 per cent of the actions fulfilled. The focus has now shifted to developing a new climate change action plan.

The Climate Change Secretariat has worked with 56 municipalities, three Regional Service Commissions, and three First Nation communities to assist in the completion of their climate change vulnerability assessment and adaptation plans.

New Brunswick is leading the country in the reduction of greenhouse gas emissions (GHG) and is well on its way to meeting the national target of 40 – 45 per cent below 2005 levels. Fifty-one communities have developed GHG reduction plans.

The Climate Change Fund saw approximately \$36M allocated to dozens of climate-related projects such as \$1.95M for the electric vehicle incentive program, \$250,000 for the First Nations Housing Retrofit program and \$1.5M for a partnership with Opportunities New Brunswick and the New Brunswick Innovation Foundation to support innovation in clean technology.

Our Hydrology Centre achieved a key milestone with the release of our comprehensive and interactive flood hazard mapping, which uses the latest information and modeling technology to identify areas at risk while incorporating the effects of climate change. While the province escaped significant flooding in 2021 – 2022, the centre is an important partner in the annual River Watch program doing flood forecasting during the spring freshet and during significant weather events throughout the year.

Our annual Environmental Trust Fund invested more than \$9M in 266 environmental projects. These community-based initiatives help address climate change, build sustainable communities, protect our environment, foster environmental awareness, and manage waste. We produced our first ETF impact report that featured the many success stories from across New Brunswick.

Recycling and waste diversion are also top priorities. We conducted public engagement, and regulation changes took effect for our packaging and paper products extended producer responsibility program. We are the first in Atlantic Canada to take such an important step toward waste reduction.

Engagement with the public and stakeholders is always top of mind as we released air and water quality reports and launched data portals – like the ETF e-claims portal - to make information more readily accessible.

Through collaboration with stakeholders and our many partnerships, we're ensuring New Brunswick's natural environment will be sustainable for many generations to come.

From the Shediac Bay Watershed Management Plan to the cleanup of dangerous and unsightly premises, the staff at ELG go above and beyond daily. Our work is diverse and challenging at times, but thanks to your dedication and commitment, we're able to make this province a better place for all New Brunswickers.

It's an honour to work with you.



**Hon. Gary Crossman**

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

# Minister's message

The progress made towards modernizing our local governance system reached several significant milestones in fiscal 2021 – 2022, positioning the province to make the changes needed to ensure a vibrant and sustainable future for all New Brunswickers.

We released our discussion paper in April and embarked upon a lengthy and robust consultation period, which spanned several months. There are many facets to a reform of this magnitude, but our department has done an exceptional job of working with all of our many stakeholders across the province and with other government departments. The spirit of One Team, One GNB has never been so evident.

Our engagement period was followed by a what we heard document, which then formed the basis for our white paper, *Working together for vibrant and sustainable communities*. The legislature passed legislation in December, enabling local governance reform to officially take shape.

Our province will go from 340 local entities to 89, while ensuring that all New Brunswickers have a voice, all communities have access to quality services and infrastructure, and we have opportunities to grow. Transition facilitators hit the ground running in January to work with local governments, and Local Service Districts and Regional Service Commission representatives. Some of the major accomplishments include setting new boundaries and maps, submitting new names for entities, and deciding on council structure.

This reform is the most significant in 60 years, but it is not the only great initiative we have been championing.

We know how important animals are to New Brunswickers. The department implemented several new regulatory changes to strengthen animal protection in New Brunswick and continues to consult with the NBSPCA and other stakeholders.

Local government representatives were members of the rental review committee. The province is going to establish a provincial planning framework to standardize planning across New Brunswick and provide a new planning tool on inclusionary zoning for local governments to further enhance affordable housing.

We partnered with the federal government to deliver infrastructure funding support for local governments and unincorporated areas of the province. About \$70M went to 101 local governments and there were 116 projects approved in unincorporated areas, totaling approximately \$35M. Local governments and local service districts also received \$75.6 M in community funding and equalization grants from the provincial government to support their service needs and priorities.

The pandemic continued to test our resolve but through planning and ingenuity, the province was able to hold local government, and health and education board elections in May 2021, which had been postponed in 2020. We were able to have elections in all areas of the province except one region which was experiencing a Covid-19 outbreak. Weeks later, those residents were able to vote, and all results were released on May 25. We held a municipal orientation like no other with 450 council members and Regional Service Commission staff participating through online programs and presentations.

We also held Local Service District elections for the first time virtually. This meant everyone could vote online or by phone, ensuring the public's safety while reaching far more voters.

Thank you,



**Hon. Daniel Allain**

Minister of Local Government and  
Local Governance Reform

The Department of Environment and Local Government

# Deputy Minister's message

We know how important it is to have proper planning, management, and regulation of our environment in place, and to ensure it is being followed. By protecting environmentally sensitive areas, monitoring air and water quality, and mitigating the effects of climate change, we are making a difference every day.

Climate change is one of the most important issues of our time. The Climate Change Secretariat is working with communities all over New Brunswick to prepare for the impact of climate change while reducing their carbon footprint. We're also working across government to ensure we lead by example.

Investments from the provincial government's energy efficiency programs and the Climate Change Fund have contributed to a greenhouse gas reduction of more than 43,000 tonnes from government-owned buildings and 28 sites have converted to lower emission fuels. As well, more than 800 government-owned buildings have been entered and maintained in ENERGY STAR Portfolio Manager.

The Hydrology Centre punches well above its weight and not just during the flood forecast season as a key partner in the River Watch program. This year - through the centre's work - our flood-hazard mapping was made public. These interactive maps identify locations prone to flooding, determine the anticipated frequency and magnitude of the flooding, and accounts for climate change.

The Environmental Trust Fund is another important program that is improving our environment through projects big and small across our province. More than \$9M was invested in 266 community-based projects, in addition to allocating approximately \$350,000 to projects with province-wide benefits.

New Brunswick is a solid waste management and recycling leader in Atlantic Canada. When implemented, our extended producer responsibility program for packaging and printed paper products increases recycling opportunities, diverts material from landfills and puts the onus on large producers to reduce their packaging. We value the work redemption centres do to help with our recycling efforts and have increased handling fees.

While work on this front continues, we also tackled the issue of illegal dumping by launching an education campaign through social media and facilitated the clean-up of dozens of dangerous and/or unsightly premises.

Through the work of the department and stakeholders, the Shediac Bay Watershed Management Plan will characterize the state of the watershed; identify issues of concern regarding water quality and establish goals and actions that will help improve and protect the water quality in the long-term.

These are just a few examples of the programs and projects we undertake that make our province stand out as a leader on the environmental front.

The Department of Environment and Local Government is sustaining and improving our natural environment by reaching key milestones and working collaboratively with stakeholders.

It's a pleasure to work with such a dedicated team and to see the results of our collective effort.



**Heidi Liston**

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



# Deputy Minister's message

The Department of Environment and Local Government continues to achieve its goals while working towards a better future for all New Brunswickers.

Modernizing our local governance reform system is a clear example of how we keep the public and our stakeholders informed. We held numerous engagement sessions with stakeholders and the public, and many of their ideas found their way into our white paper, *Working together for vibrant and sustainable communities*.

This blueprint for reform was made possible by the dedication of people in this department and across other branches of government. The timing was critical as we moved from our discussion paper to engagement to the white paper, but we met deadlines by rolling up our sleeves and getting the job done.

Legislation put the process in place for municipal restructurings that are to be undertaken in 2022 and will become effective January 1, 2023. The changes will eliminate the democratic deficit for approximately 30 per cent of the population that currently does not have a say in how their local area is governed.

We had transition facilitators in place early in January to lead the implementation changes in newly created entities and Regional Serviced Commissions. Entity boundaries were finalized, and council compositions determined.

Legislation was passed allowing the chief electoral officer to delay elections in an area experiencing an emergency, municipal elections that were postponed in 2020, took place in 2021. The voting occurred on schedule in most of the province except for one area. Once the situation improved, the election was held, and all results became public on May 25.

Municipal orientation is important for new local government members and for those who are returning. Through online means, in partnership with municipal associations, we held an energetic, informative, and educational series of sessions online.

Another first for the department was the election of Local Service District representatives. Once again, we were nimble, and we were able to keep people safe while ensuring they could vote online or by phone.

Our department administers the Canada Community-Building Fund on behalf of the federal government. Approximately \$70M was transferred to 101 local governments in New Brunswick. There were 116 projects approved in unincorporated areas, totaling approximately \$35M.

We know how much animals are a part of our family and that's why we strengthened animal protection legislation.

There are many accomplishments to be proud of and I am so appreciative of the daily efforts. This is a team that gets things done and New Brunswickers are benefitting from your dedication.

Thank you,



**Ryan Donaghy**

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 our vision as an organization and a collaborative approach to how we operate. It is our path forward, and it represents a civil service that is working collectively across departments, professions, and sectors. Together, we are learning, growing, and adapting, and discovering new and innovative ways of doing business. It is enabling us to achieve the outcomes needed for New Brunswickers, and we are working more efficiently and effectively than ever before.

As *One Team One GNB*, we are improving the way government departments:

- communicate with one another,
- work side-by-side on important projects, and
- drive focus and accountability.

### **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, using the Formal Management system, 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 2021 – 2022 is a vibrant and sustainable New Brunswick. To make progress towards this vision, we must focus on our government's priorities.

- Energize private sector
- Vibrant and sustainable communities
- Affordable, responsive and high-performing government
- Dependable public health care
- World-class education, and
- 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 voluntary redeployment of many employees to assist with priority areas.
- Supporting the Departments of Health and Justice and Public Safety in coordinating virtual meetings with departmental stakeholders (senior administrators, mayors, executive directors of the four municipal associations and the 12 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. Attending briefings conducted by the New Brunswick Emergency Management Organization (NB EMO).
- Working with members of the department's Executive Management Committee in maintaining critical business functions as identified in the departmental plan.

# Highlights

During the 2021 – 2022 fiscal year, the Department of Environment and Local Government focused on government priorities with the following actions:

- Established and made effective the Packaging and Paper Products (PPP) Extended Producer Responsibility (EPR) program regulation changes to require industries to submit plans to Recycle NB and, in time, increase recycling of PPP and reduce impacts to New Brunswick landfills.
- The *Beverage Containers Act* was amended to improve the Beverage Containers Program by removing Alcool New Brunswick Liquor (ANBL) as the sole distributor of alcohol beverages for the purposes of the act and transferring this responsibility to individual beverage distributors, adding new recycling plan requirements, and allowing for alternative refund methods at redemption centres.
- Air Quality monitoring results for 2019, derived from the data of key pollutant data collected from nine air quality monitoring stations, five acid rain stations and 32 industry-operated stations, was publicly released.
- Publicly released a drinking water quality report, *Drinking Water Quality in My Community*, containing historical drinking water quality data summarized for 70 communities covering the 1994 to 2017 period.
- Released a progress report on *A Water Strategy for New Brunswick 2018 – 2028*. Progress to date includes the implementation of a recreational water monitoring program at provincial park beaches, more accurate wetland mapping, and three new online water quality data portals to make information more accessible.
- Publicly launched Flood Hazard Mapping, a comprehensive and interactive flood hazard mapping tool using latest information and modeling technology, to help inform New Brunswickers of flood-prone areas and the effect of climate change on water levels in the province.
- Approved three-year financial support from the Climate Change Fund to NB Power for an Electric Vehicle Incentive Program to help New Brunswickers purchase an electric vehicle and meet the provincial target of 20,000 electric vehicles by 2030.
- Leading the implementation of the plan to reform New Brunswick's local governance structure and service delivery system, a green paper was published detailing a series of options for reform and was entitled *Working together for vibrant and sustainable communities*. Public and stakeholders were engaged in an extensive consultation process which culminated in the publication of a report on "What we heard", followed by a series of additional engagement sessions to discuss the findings. A white paper was published entitled *Working together for vibrant and sustainable communities* detailing a comprehensive local governance reform plan for New Brunswick.
- The *Local Governance Act*, the *Community Planning Act*, the *Regional Service Delivery Act*, and the *Real Property Tax Act* were amended under *An Act Respecting Local Governance Reform* to enable local governance reform. Transition facilitators were hired, and advisory committees formed to begin implementation of transition to reform, in all restructured local governance entities.
- The Local Service District Advisory Committee election process and timelines were adapted to facilitate contactless features including online meetings and mail-in balloting. 165 elections took place through this new contactless virtual process.

# Performance outcomes

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

## PACKAGING AND PAPER PRODUCTS WASTE DIVERSION PROGRAM

### The priority, its intended outcome and timeline

New Brunswick has extended producer responsibility (EPR) programs for tires, paint, oil and glycol products and electronics. In 2019, the province announced that an additional EPR program for packaging and printed paper products (PPP) end-of life materials would be developed, in collaboration with Recycle NB and stakeholders, and operational by the spring or summer of 2023.

Establishing a province wide regulated waste diversion program using the EPR approach will result in significant waste reductions for the province; increase the recovery, re-use, and recycling opportunities for New Brunswickers for items like plastic packaging, single use bags and paper products across the province; and make the producers responsible to fund and operate the waste diversion program. Once implemented, New Brunswick will be the first in Atlantic Canada to have this program.

### Why it is important

The increasing amount of post-consumer PPP material is one of public concern. PPP's make up approximately 20 per cent of the waste landfilled in the six Regional Landfills operating in the province. Currently, the Regional Service Commissions (RSCs) and local governments have established voluntary recycling programs for the PPP end-of-life materials and are paying for the management (collection, landfilling, recovery, recycling) of this material. It is estimated that New Brunswickers are already diverting 30 per cent of PPP through these existing programs. Implementing an EPR program is expected to divert more than 60 per cent.

Establishing a province wide regulated waste diversion program for PPP end-of-life materials using the EPR approach would make the producers responsible for the management of this material. This would shift the historical public sector tax-supported responsibility of these materials to the producers, thereby saving RSCs and local governments approximately \$16M per year. It will also provide a consistent approach across the province for the management of the PPP end-of-life materials.

There are five Canadian jurisdictions that have province-wide regulated waste diversion program for PPP end-of-life materials using the EPR approach. These provinces (BC, SK, MB, ON, and QC) represent about 80 per cent of the Canadian population. As a result, the costs to consumers are not expected to increase as the national pricing by the large multi-national corporations already includes the cost for these programs.

### Overall Performance

This initiative is on track and meeting intended timelines. The feedback from the public, as well as other environmental organizations, has been positive.

### Initiatives or projects undertaken to achieve the outcome

After an extensive stakeholder engagement was completed, the department amended the *Designated Material Regulation* filed under the *Clean Environment Act*, to enable the key regulatory features that supports the development and implementation of the PPP waste diversion program using the EPR approach: and published the regulation for public comment. Regulatory amendments were submitted, approved, and became effective on October 14<sup>th</sup>, 2021.

Recycle New Brunswick has taken on their oversight role and is now working with stakeholders to make the program operational by the spring or summer of 2023.

# NEW BRUNSWICK'S CLIMATE CHANGE ACTION PLAN (2016-2022)

## The priority, its intended outcome and timeline

In December 2016, New Brunswick released a comprehensive Climate Change Action Plan *Transitioning to a Low-Carbon Economy: New Brunswick's Climate Change Action Plan*. The plan outlines the actions necessary to achieve our climate goals for the province. It included 118 actions aimed at reducing greenhouse gas (GHG) emissions while promoting economic growth and increasing the province's resilience to climate change through adaptation. It called for greater emphasis on renewable energy, a coordinated approach to energy efficiency, and a phase-out of coal-fired electricity generation. In early 2021, the provincial government committed to complete 75 per cent of the actions in the Action Plan by March 31, 2022.

## Why it is important

Climate change is already affecting New Brunswick. From our coastlines to our rivers, our agricultural land, and our forests, climate change is impacting the health of our environment and the well-being of New Brunswick. Taking action to reduce GHG emissions and to prepare for the impacts of climate change and build resilience is needed to avoid the worst impacts of climate change.

## Overall Performance

During the last five years (2017 – 2022), the provincial government has continued to make progress on building resiliency and reducing GHG emissions through the development and implementation of a multitude of initiatives, projects, and legislation.

Climate change action is a shared responsibility. Through the work of various government departments, funding and collaborations, this action plan has achieved great success. At the completion of this action plan, 90 of the 118 actions are complete: exceeding its target by completing 76 per cent of its actions. These actions enabled New Brunswick to meet its 2020 GHG emission targets and set the stage for the 2030 target.

To sustain momentum, a renewed Climate Change Action Plan is expected to be released in 2022.

## Initiatives or projects undertaken to achieve the outcome

Amended operating approvals for industrial facilities that emit at least 10,000 tonnes of GHG emissions per year, requiring that they report their GHG emissions using the Federal Single Window Reporting web platform.

Established the Coordinating Committee of Experts under the Pan-Canadian Framework, which includes federal, provincial, and territorial representatives.

Co-chaired the Climate Adaptation Working Group with Maine under the NEG-ECP and released the *Regional Coordination for Resiliency and Adaptation Planning* report which outlines how states, provinces, and the Adaptation Working Group, can action climate change adaptation.

Completed three projects under Natural Resource Canada's 'Building Regional Adaptation Capacity and Expertise (BRACE)' program.

Increased the provincial carbon tax from \$30/tonne to \$40/tonne and directed incremental revenue toward climate change initiatives in 2020 – 2021 and to the Climate Change Fund in 2021 – 2022.

Developed and launched a communications campaign to educate New Brunswickers about the causes of climate change, its impact on the province and identifying opportunities to participate in solutions.

Released a final progress report, *New Brunswick's Climate Change Action Plan Progress Report 2022: Detailed Summary*, that highlights the work New Brunswick has done and is doing to transition itself to a low-carbon economy and strengthen its ability to prepare for the impacts of a changing climate.

# FLOOD HAZARD MAPPING

## The priority, its intended outcome and timeline

Hazards and disaster risks have always been a concern; however, climate change is driving the need to adapt to more intense and frequent events. The department has the responsibility to monitor environmental conditions, provide scientific testing services, and interpret, evaluate, and report on the state of the environment in New Brunswick. It also has a responsibility to provide interpreted data, forecasts, and advice to assist in informed decision making.

Traditionally, responses to disasters have been reactive, but recent experiences have shown the benefit of investing in proactive and preventative measures. Under Action 96 of *Transitioning to a Low-Carbon Economy: New Brunswick's Climate Change Action Plan*, the department committed to renewing and expanding its flood hazard data and mapping by March 2022 to incorporate the anticipated effects of climate change in parallel with the development of a provincial statement of interest that addresses flood risk and climate.

## Why it is important

Climate change is contributing to extreme and catastrophic weather events throughout much of Canada. In New Brunswick, flooding is a potential year-round problem and can be caused by one or a combination of heavy rain, ice jams, snow melt and coastal storm surges.

The New Brunswick Flood Hazard Mapping application presents a series of flood hazard maps for the province using the latest information and modeling technology. The maps outline the predicted location, frequency, and depth of coastal and inland flooding in New Brunswick to identify areas at risk and incorporate the future impacts of climate change. It allows users to explore areas that may experience potential flooding on the coast and near rivers in New Brunswick and includes the possible climate change impacts up to the year 2100.

The application has been designed to help New Brunswickers understand the risks of flooding. This information can be used to help governments and communities make decisions about the location and design of houses, commercial buildings, roads, and

other important infrastructure. Communities can also use the information to plan for increasing flood risk because of the changing climate. Individuals can use the application as a tool to identify how to protect infrastructure, such as homes and cottages, and plan evacuation routes in the event of a flood.

## Overall Performance

This initiative was completed within the expected timelines. The feedback from the public, environmental organizations, other provinces, and other New Brunswick government departments has been positive.

## Initiatives or projects undertaken to achieve the outcome

Previous flood hazard maps, created from the 1970s to the 1990s, were updated with support from the Government of Canada and using projections from *Updated Sea-Level Rise and Flooding Estimates for New Brunswick Coastal Sections 2020* by R.J. Daigle Enviro and *Hydrotechnical Report: Inland Flood Mapping in New Brunswick* by l'Université de Moncton.

Launched the New Brunswick Flood Hazard Maps online viewing application on the GeoNB website, with support from the Government of New Brunswick and Public Safety Canada's National Disaster Mitigation Program.

Released a new Flooding in New Brunswick webpage containing historical information on flooding in New Brunswick and centralized access to flooding applications, the RiverWatch program, New Brunswick's Flood Risk Reduction Strategy, pertinent information on flood recovery, an image gallery and more.

Following the launch of the online viewing application and the release of the webpage, the department hosted three public information sessions.



# 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 vision and intended outcome of local governance reform is “vibrant and sustainable communities working together to enhance the quality of life of New Brunswickers”.

Local governance reform began in earnest in January 2021 and has continued apace since then. 2021 – 2022 was a year of planning, engagement, assessment of options, communication of priorities and plans, and the kick-off of implementation. 2022 will be a year of transition, which will prepare the ground for the implementation of the new local governance system, beginning on January 1, 2023.

## Why it is important

During the local governance reform process, it was made very clear that the status quo is no longer meeting the needs and desires of New Brunswickers. Doing nothing to change the status quo would have resulted in some communities losing infrastructure, reducing their services and service levels, and missing out on economic development opportunities.

The changes proposed in the plan for local governance reform, as articulated in the white paper, *Working together for vibrant and sustainable communities*, will ensure that larger tax bases in local governments and rural districts make it more feasible for these entities to provide a higher and more sustainable level of service to residents. The changes will also enable more equitable cost-sharing of services, encourage greater collaboration, and reduce unproductive competition among communities in a region. The new structure will provide a better footing to take advantage of economic opportunities and address various environmental and social challenges.

## Overall Performance

This initiative is on track and meeting its ambitious intended milestones. All of the planning, assessment of options, engagements and drafting of plans and legislation throughout 2021 – 2022 was led by a team of internal experts from across GNB under the leadership of the Minister of Local Government and Local Governance Reform. Local governance reform benefits from its collaborative nature, involving contributions and participation from all departments and multiple external stakeholders, in the true spirit of *One Team, One GNB*.

## Initiatives or projects undertaken to achieve the outcome

Published the green paper *Working together for vibrant and sustainable communities*, to present options for public and stakeholder consideration of the various paths toward a more viable local governance system.

Completed formal stakeholder and public engagement including 25 engagement sessions with over 1,100 participants, four subject matter expert working groups, 120 briefs, hundreds of emails and letters submitted by residents and stakeholders, and over 1,200 responses to an online survey. An engagement summary entitled “What we heard” and 11 additional public and stakeholder engagement sessions followed.

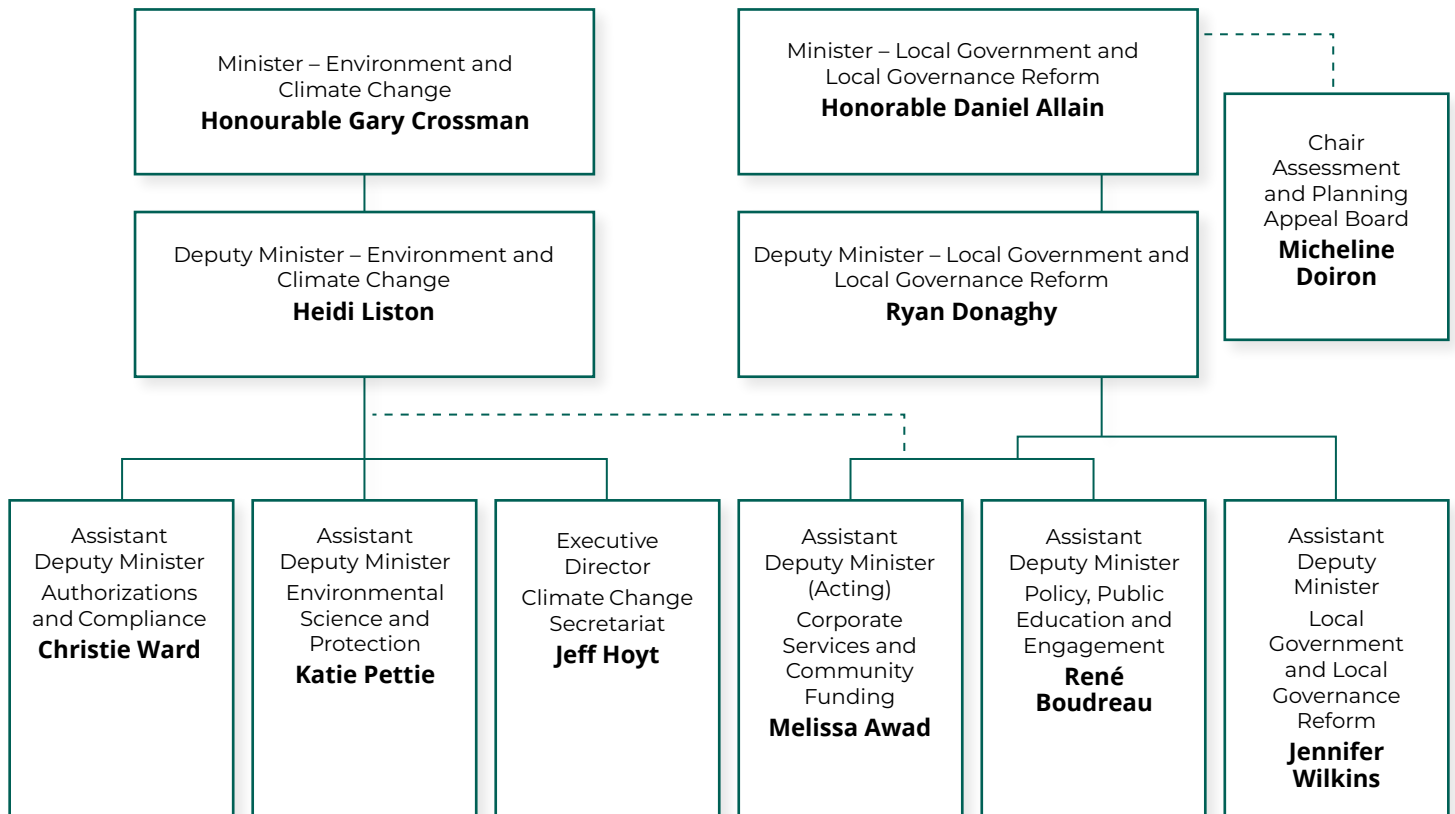
Published a white paper entitled *Working together for vibrant and sustainable communities*, which articulates the government’s plan for local governance reform, and in December 2021, “Bill 82: An Act Respecting Local Governance Reform” was approved.

Hired transition facilitators and formed advisory committees to begin implementation, starting with defining the outer boundaries, ward boundaries, and electoral structure for all newly restructured local governance entities.

# 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 105 appeals filed under the *Assessment Act*. Of these, 84 were matters pertaining to residential properties and 21 were commercial properties.
- In total, 133 assessment appeals were disposed of either through a hearing or withdrawal by the appellant prior to the hearing. 82 residential property assessment appeals and 51 commercial property assessment appeals were dealt with by the board.
- At the end of the fiscal year, 61 residential property assessment appeals and five commercial property assessment appeals were outstanding and carried forward.
- 17 land use and planning appeals were filed and 23 were disposed of under the *Community Planning Act*. 11 were carried forward.
- One appeal was filed and carried forward 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 2,644 new licences, certificates, permits and approvals. This includes 154 pesticide permits, certificates and licenses; 1,228 petroleum storage tank site licences and approvals; 362 ozone depleting substances permits and licences; 1,262 Air and Water quality approvals.
- Under the Contaminated Sites Management Program, 66 new files were opened, and 60 sites were successfully remediated, and the files closed.
- Within the Compliance Auditing program, 1,137 approval or permit conditions were audited with an overall compliance rate of 88.6 per cent.
- The branch received and processed 1,730 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 and Glycol, and Electronics.

### Highlights

- Completed amendments to the *Designated Materials Regulation* to support a waste diversion program for Packaging and Paper Products using the extended producer responsibility approach.
- Completed Phase I of the modernization of the Beverage Containers waste diversion program, amending the *Beverage Containers Act*; and initiated extensive stakeholder engagement on Phase II, proposal to convert the program to an extended producer responsibility approach.

- Completed amendments to the *General Regulation* under the *Beverage Containers Act* to increase the handling fees paid to redemption centres by beverage distributors for containers handled at their facility.
- Completed extensive stakeholder engagement on a draft 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 proposed regulatory framework to support a waste diversion program for pharmaceutical products and medical sharps using the extended producer responsibility policy approach.
- Work has been initiated to propose an expansion to the existing electronics waste diversion program by expanding the definition of the electronic waste included in the current program.
- Work has been initiated to propose two new waste diversions programs for the province and include: batteries, lamps and bulbs.

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.

- Under the Beverage Containers waste diversion program, there were 91 beverage container distributors in compliance with their management plans with one distributor determined to be non-compliant.
- Under the Beverage Containers waste diversion program over 100 per cent of the refillable containers are being redeemed and approximately 70.5 per cent of the recyclable containers are being redeemed, based in the annual amount of beverage containers being sold in the province and then redeemed at redemption centres in the province.

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 3,763 Occurrence files were managed by the Regional Offices - 64 per cent of which were the result of complaints from the public, field inspections, audits, and document reviews. The balance of the files related to emergency response actions, public education, and responses to minor incidents.
- Throughout the fiscal year, the Regional Operations and Compliance Branch conducted enforcement actions which included the issuance of 104 Orders, *five Provincial Offences Procedures Act* (POPA) tickets, and were successful in six court actions, all totaling \$10,202.50 in fines.
- Completed a public education awareness campaign and the distribution of 1,500 new illegal dumping signs throughout the province.
- A process improvement project commenced with the objective of identifying efficiencies and consistencies in the operational and reporting procedures for the branch. This project will be completed in the 2022 – 2023 fiscal year and will result in an improved ability to publicly report on our work, conduct thorough business analysis, and ensure up to date and accurate record keeping.

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 with consideration of 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.

## Highlights

- The Watercourse and Wetland Alteration Program issued 2,072 permits. Four permits were refused during this period.
- A total of 40 wellfield exemption applications were processed; 15 were issued, four were refused, 18 did not require an exemption and three are pending on additional information from the applicant.
- A total of 42 watershed exemption applications were processed: 22 were issued, two were refused, four were closed, seven did not require an exemption and seven applications are in progress.
- Water well construction permits were issued to 36 water well contractors and 53 water well drillers.
- Continued the updates to the Watercourse Alteration Certification Program to include all roadbuilders. 59 individuals were certified bringing the total to 665 certified individuals.

## 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 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 provide input into the decision-making process.

## Highlights

- A total of 16 projects were registered during the year; 14 projects were approved with conditions, and 62 projects remained in the determination review stage.
- A variety of projects were reviewed across a number of sectors, including water supplies, sewage treatment facilities, waste disposal, power transmission, power generation, and peat development.
- Completed the development and testing of the new digital EIA Portal platform and launched the first operational phase for EIA Branch staff, proponents, and consultants. All new EIA registrations are now being registered in the EIA Portal.
- Continued the development of the new EIA portal, with development and testing of the application for the EIA Technical Review Committee, and eventually the addition of a public facing component.
- Initiated development of an updated process to assess financial securities as part of the EIA process.
- The Hydrology Center provided flood forecasting services during the 2021 Riverwatch season. Monthly water level reports were released and flow and water level forecasting services for extreme weather events were provided throughout the year.
- Completed and released Coastal and Inland Flood Hazard Maps along with and a new flood webpage.
- The branch carried out monitoring at 55 river stations as well as conducted recreational beach monitoring at nine of New Brunswick's provincial park beaches.
- A finalized Watershed Management Plan for the Shediac Bay Watershed was released on GNB's Parlee Beach webpage to help improve water quality in the watershed over the long term.

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 and other partners to collect and interpret data for flood forecasting services to ensure the public safety of New Brunswickers.

## Highlights

- Published the 2019 *Air Quality Monitoring Results* report and a special air quality monitoring study report for Miramichi.
- Developed and published a guidance document for industry-run ambient air quality monitoring stations to clarify and simplify the requirements for regulated industries and serve to assure stakeholders and the public that industry is being held to appropriate standards with respect to the accuracy of their reported monitoring data.
- Deployed the mobile air quality monitoring unit for a one-year special study in the Utopia area of Charlotte County.

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 lead the Drinking Water Programs Team to ensure collaboration and communication across departments on drinking water.
- Completed several initiatives in support of the province's Climate Change Action Plan.
- Released the *Drinking Water Quality in My Community* report which is a comprehensive analysis of drinking water quality for local government-owned systems in support of the provincial Water Strategy.
- Provided technical scientific and engineering program support to the department and partner departments on various environmental issues and policy including drinking water, recreational water quality, on-site sewage disposal, air quality, and various regional issues.
- Developed new cyanobacteria education materials, including signage, and launched a new website to support public awareness and education.

# POLICY, PUBLIC EDUCATION AND ENGAGEMENT DIVISION

The **Policy, Public Education and Engagement Division** has the responsibility to undertake research, policy and legislative development, consultation and relationship building, public engagement and education, as well as strategic project management, in support of government priorities and departmental objectives. The division also provides right-to-information services, information access and legislative support and coordination 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 and Engagement Branch, and the Strategic Initiatives Branch. Additionally, a dedicated policy team focused on Local Governance Reform has been created to support this important transition.

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

- *An Act Respecting Local Governance Reform* was introduced as the first step in a comprehensive reform of New Brunswick's local governments and local governance structure.
- A regulatory framework was established for the implementation of a province-wide packaging and paper products extended producer responsibility program.
- The *Beverage Containers Act* was amended to transfer the responsibility for recycling alcohol containers from ANBL to individual alcohol distributors, add new recycling plan requirements, and allow for alternative refund methods at redemption centres.
- Received 79 Right to Information requests and 52 Fee for Information requests in 2021 – 2022.

The **Public Education and Engagement Branch** coordinates the development and/or support of departmental public education and engagement

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. It also liaises with the Department of Aboriginal Affairs (DAA) to oversee and support the department's First Nations engagement and consultation requirements.

## Highlights

- Supported the First Nations EIA registration notification process. A total of 18 EIA notifications were sent to First Nations.
- Fostered a positive working relationship with First Nations, including assisting with ongoing information sharing with representatives from First Nations communities.
- Supported the public release of the New Brunswick Flood Hazard Maps, updated Flooding in New Brunswick web page and educational materials.
- Supported the development of educational materials related to climate change and cyanobacteria.

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.

## Highlights

- Released the first Water Strategy Progress Report for a Water Strategy for New Brunswick 2018-2028.
- Supported Local Governance Reform in the development of the new Statement of Public Interest Regulation under the *Community Planning Act* and the updating of the community funding and equalization grant formula under the *Community Funding Act*.

Additionally, the **Local Governance Reform (LGR)** policy team conducted in-depth research and provided policy, regulatory and legislative expertise to support the implementation of key departmental priorities in areas such as local governance transition, regional collaboration, local government boundaries, land use planning and property taxation.



## CLIMATE CHANGE SECRETARIAT

The Climate Change Secretariat coordinates initiatives promoting the reduction of GHG emissions and the adaptation to impacts of climate change. It also focuses on initiatives related to education, awareness, and capacity-building. The secretariat 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

- Continued to support communities in their efforts to adapt to climate change. All cities, and higher risk municipalities (19) within coastal areas and along

the lower St. John River floodplain have completed adaptation plans. 56 of 104 municipalities, three of 12 Regional Service Commissions and three of 15 First Nations have completed adaptation plans.

- Allocated \$36M in funding through the Climate Change Fund for climate change projects to reduce GHG emissions, adapt to the impacts of a changing climate, and foster climate change education opportunities for youth in the province.
- New Brunswick continues to be a national leader in GHG emission reductions, having reduced our emissions by 37 per cent since 2005. New Brunswick has surpassed its legislated 2020 GHG target and is on its way to achieving its 2030 target of lowering emissions by 46 per cent below 2005 levels. In 2021, the Government of Canada committed to a new national 2030 target of lowering emissions by at least 40 – 45 per cent below 2005 levels by 2030.

## 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 (RSCs) 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 Local Governance Reform.

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 \$69M in grants to the 104 local governments and \$7M to LSDs.

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

- Four new local government municipal plans or rural plans were approved and six rural plans for unincorporated areas were approved. There were also 51 local government municipal plan or rural plan amendments approved and seven rural plan amendments or re-zonings for unincorporated areas were approved.
- Supported four RSCs (Kent, Greater Miramichi, Restigouche and the Acadian Peninsula) in exploring and securing a cloud permitting tool as a means of improving client service for building permits including more efficient processing time of permits using enhanced technology.

The **Local and Regional Governance Branch** fulfils a provincial support and liaison function with local governments, regional service commissions and the New Brunswick Society for the Prevention of Cruelty to Animals (NBSPCA). 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 a supervisor 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

- Completed Municipal Orientation 2021, related to roles and responsibilities, with 450 elected and non-elected council members and RSC staff following the municipal election in May 2021.
- Supported the transition from the trustee for RSC 8 and facilitated training for new board members as part of the process of reinstating the boards authority following the municipal election in May 2021.

- Supported the development of enhanced animal protection regulations to strengthen animal protection legislation.

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.

## Highlights

- Held contactless Local Service District elections for the first time virtually designed to allow residents to vote online, by phone and mail while ensuring public safety and reaching far more voters than otherwise possible.
- Worked closely with the Office of the Fire Marshal in the administration of the fire service to keep fire department members and the public safe during the pandemic.
- Procurement of fire apparatus and maintenance of infrastructure in continued support of the fire service.

The **Local Governance Reform Team** is tasked with leading the implementation of the plan to reform New Brunswick’s local governance structure and service delivery system. Building on its work throughout 2020 – 2021 to develop a plan, this multidisciplinary team of experts is leading changes to address to the financial, social, environmental, and structural challenges faced by New Brunswick’s current local governance system. Over the past year, the work of the Local Government Reform team is focused on enabling vibrant and sustainable communities today and well into the future.

## Highlights

- Published a series of options for reform in a green paper entitled *Working together for vibrant and sustainable communities*.
- Analysed options for reform through four working groups on structures, regional collaboration, land use planning and finances.

- Engaged public and stakeholders in an extensive consultation process which culminated in the publication of a report on “What we heard”, followed by a series of additional engagement sessions to discuss the findings.
- Published a white paper entitled *Working together for vibrant and sustainable communities* detailing a comprehensive local governance reform plan for New Brunswick.
- Introduced “Bill 82: An Act Respecting Local Governance Reform” which provided legislative authority and direction to proceed with the implementation of the reform plan.
- Established a project management office and extensive plans to direct and support the implementation of local governance reform.
- Hired transition facilitators to lead advisory committees in each restructured local government and all regional service commissions.

## 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 provided by Service New Brunswick. The division also administers the Canada Community Building Fund (CCBF), the Small Communities Fund, the Clean Water and Wastewater Fund, as well as the provincial Environmental Trust Fund (ETF). The division provides technical support and engineering advice to communities in addressing their infrastructure concerns as they relate to the applicable funding programs.

The division consists of the following branches: Corporate Finance and Administration, Legal Affairs, Strategy and Performance Excellence, Information Management Services (IMS), 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 including Local Governance Reform and the Climate Change Fund.
- Continued working with the Enterprise Resource Planning (ERP) team on the planning and implementation of additional modules for the new 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 and Ministerial appeal responses issued under the *Clean Environment Act*, *Clean Water Act* and *Clean Air Act*.
- Mentored and provided on-going support to staff in the development and review of contracts, including agreements under the CCBF and the ETF.



The **Strategy and Performance Excellence Branch** leads the adoption of GNB's formal management system within the department including the development and use of the department's strategy map. The branch undertakes and facilitates various projects using Lean Six Sigma, Project and Change Management methodologies, serves as a focal point for the development of operational standards, practices and guidelines, and ensures the alignment of the department's strategy and effort with the GNB accountability reporting process.

### Highlights

- Lead portfolio oversight of the department's mandated priority projects including reporting at the GNB Accountability Meetings.
- Supported the departments Local Governance Reform initiative through project management and facilitation support to multiple projects.
- Led various continuous improvement projects to improve key department programs, services, and processes.
- Provided support, coaching and training to ELG personnel regarding process improvement and project management practices, including providing our first yellow belt training.

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 Service New Brunswick supports and aligns with the department's IT priorities and strategies.

### Highlights

- The IMS GIS section produced over a thousand maps in support of the government's Local Governance Reform initiative.

The **Community Funding Branch** administers the federal CCBF, the Small Communities Fund and the Clean Water and Wastewater Fund. The goal of these federal/provincial investment programs is to build, replace, or improve municipal infrastructure that help deliver vital services in communities across the province. The branch also manages New Brunswick's ETF. This application-based program provides funding to municipalities, education institutions, First Nations, 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

- Under the ETF program, a total of nearly \$9.5M was awarded to support over 270 projects benefitting the natural environment. This includes 266 community-based projects worth over \$9M.
- Through the CCBF, nearly \$70M was transferred to local governments to support strategic infrastructure investments contributing to more vibrant and sustainable communities.
- Completed the first public Call for Applications for infrastructure projects benefitting LSDs. Over \$35M was awarded to 116 community infrastructure projects.
- This was the final year for the Clean Water Wastewater Fund which saw the successful completion of 131 projects valued at over \$159M. The projects delivered through this program focused on the rehabilitation and optimization of municipal drinking water, storm water, and wastewater systems.

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

- Implemented a new Working Alone Policy across the department.
- Supported Executive Development programs for Emerging Executives and Evolving Leaders.

# Financial information

## Statement of Financial Information for the fiscal period ending March 31, 2022 (000s)

EXPENDITURES	MAIN ESTIMATES	APPROPRIATION TRANSFERS *	BUDGET	ACTUAL	"VARIANCE OVER/ (UNDER)"
<b>Corporate Services</b>					
• Senior Management	500.0	6.0	506.0	809.5	303.5
• Corporate Services	1,511.0	13.4	1,524.4	1,724.5	200.1
• Community Funding	165.0	1.5	166.5	156.5	(10.0)
<b>Local Government</b>					
• Local Service District Expenditures	65,363.0	6.9	65,369.9	61,494.8	(3,875.1)
• Community Funding and Equalization Grant	68,879.0	-	68,879.0	68,879.3	0.3
• Municipal and Rural Community Property Tax Warrant	-	-	-	(3,177.9)	(3,177.9)
• Community Finances **	962.0	2.9	964.9	483.6	(481.3)
• Local & Regional Governance	1,838.0	16.5	1,854.5	3,201.3	1,346.8
<b>Authorizations and Compliance</b>					
• Regional Operations and Compliance	3,129.0	10.8	3,139.8	3,398.5	258.7
• Authorizations	2,772.0	5.2	2,777.2	2,982.5	205.3
• Source and Surface Water Management	591.0	5.1	596.1	677.7	81.6
• Waste Diversion	365.0	1.0	366.0	412.1	46.1
<b>Environmental Science and Protection</b>					
• Environmental Impact Assessment	1,585.0	10.2	1,595.2	1,446.9	(148.3)
• Air and Water Sciences	2,511.0	7.7	2,518.7	2,835.6	316.9
• Healthy Environments	494.0	3.6	497.6	332.1	(165.5)
<b>Policy, Climate Change, First Nations and Public Engagement</b>					
• Policy, Climate Change, First Nations and Public Engagement	1,216.0	13.8	1,229.8	1,340.6	110.8
• Climate Change Secretariat	1,579.0	7.8	1,586.8	1,576.3	(10.5)
<b>Assessment Planning and Appeal Board</b>	316.0	-	316.0	354.3	38.3
<b>Total Ordinary Budget</b>	<b>153,776.0</b>	<b>112.4</b>	<b>153,888.4</b>	<b>148,928.1</b>	<b>(4,960.3)</b>
<b>Total Capital (Local Service Districts)</b>	<b>1,000.0</b>	<b>-</b>	<b>1,000.0</b>	<b>1,000.0</b>	<b>-</b>
<b>Regional Development Corporation</b>				580.7	
• Canada / New Brunswick Infrastructure Program - RDC					
• Canada / New Brunswick Infrastructure Program - Capital Projects				77,566.7	
<b>Total Funding Provided by Regional Development Corporation</b>				<b>78,147.4</b>	

<b>SPECIAL PURPOSE ACCOUNT</b>					
<i>Program</i>	<i>Carry over from previous year</i>	<i>Revenue</i>	<i>Total Funding</i>	<i>Expenditures</i>	<i>Carry over to next year</i>
Environmental Trust Fund	36,995.8	13,092.7	50,088.5	9,416.8	40,671.7
Climate Change Fund	-	47,150.0	47,150.0	29,054.5	18,095.5
<b>REVENUES</b>			<b>MAIN ESTIMATES</b>	<b>ACTUAL</b>	<b>"VARIANCE OVER/(UNDER)"</b>
Return on Investment			20.0	37.9	17.9
Licenses and Permits			3,434.0	3,782.6	348.6
Sale of Goods and Services			349.0	351.3	2.3
Miscellaneous			-	0.2	0.2
<b>Total Ordinary</b>			<b>3,803.0</b>	<b>4,172.0</b>	<b>369.0</b>

\* Appropriation Transfer for central salary draw

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 2021 – 2022 for department of Environment and Local Government.

NUMBER OF PERMANENT AND TEMPORARY EMPLOYEES AS OF DEC. 31 OF EACH YEAR		
EMPLOYEE TYPE	2020	2021
Permanent	202	206
Temporary	35	31
<b>TOTAL</b>	<b>237</b>	<b>237</b>

The department advertised 19 competitions, including 12 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 CIVIL SERVICE ACT	NUMBER
Specialized Professional, Scientific or Technical	An appointment may be made without competition when a position requires: <ul style="list-style-type: none"> <li>• a high degree of expertise and training</li> <li>• a high degree of technical skill</li> <li>• recognized experts in their field</li> </ul>	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)	1
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)	3
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)	1
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
42	<i>Miscellaneous Statutes Amendment Act</i> <a href="#">Chap-16.pdf (gnb.ca)</a>	June 11, 2021	This Act includes amendments to <i>An Act Respecting Animal Protection</i> to clarify the intent of provisions related to veterinary certificates of health.
70	<i>An Act to Amend the Beverage Containers Act</i> <a href="#">Chap-40.pdf (gnb.ca)</a>	December 17, 2021	This Act amended the <i>Beverage Containers Act</i> to improve the Beverage Containers Program by: <ol style="list-style-type: none"> <li>removing ANBL as the sole distributor of alcohol beverages for the purposes of the Act and transferring this responsibility to individual beverage distributors,</li> <li>adding new recycling plan requirements, and,</li> <li>allowing for alternative refund methods at redemption centres.</li> </ol>
82	<i>An Act Respecting Local Governance Reform</i> <a href="#">Chap-44.pdf (gnb.ca)</a>	December 17, 2021	This Act amends the <i>Local Governance Act</i> , the <i>Community Planning Act</i> , the <i>Regional Service Delivery Act</i> , and the <i>Real Property Tax Act</i> to enable local governance reform.

NAME OF REGULATION	EFFECTIVE DATE	SUMMARY OF CHANGES
Reduction of Greenhouse Gas Emissions – <i>Climate Change Act</i> <a href="#">2021-43.pdf (gnb.ca)</a>	Filed on June 1, 2021, but deemed to have come into force on January 1, 2021.	This is a new regulation under the <i>Climate Change Act</i> to enable the regulation of greenhouse gas emissions from large emitters in New Brunswick through a provincial output-based pricing system.
Administrative Penalties Regulation – <i>Climate Change Act</i> <a href="#">2021-44.pdf (gnb.ca)</a>	Filed on June 1, 2021. Sections 1 and 2 and 4 to 7 were deemed to have come into force on January 1, 2020. Section 3 was deemed to have come into force on January 1, 2021.	This is a new regulation under the <i>Climate Change Act</i> to provide for administrative penalties for violations of the Act or regulations.
Municipalities Order – <i>Municipalities Act</i> <a href="#">2021-48.pdf (gnb.ca)</a>	June 25, 2021	The purpose of these amendments was to annex 13 parcels of land to the village of Centreville.
Local Service Districts Regulation – <i>Municipalities Act</i> <a href="#">2021-49.pdf (gnb.ca)</a>	June 25, 2021	The purpose of these amendments was to annex 13 parcels of land to the village of Centreville.
Municipalities Order – <i>Municipalities Act</i> <a href="#">2021-50.pdf (gnb.ca)</a>	June 25, 2021	The purpose of these amendments was to annex two parcels of land to the town of Woodstock.

NAME OF REGULATION	EFFECTIVE DATE	SUMMARY OF CHANGES
Designated Materials Regulation – <i>Clean Environment Act</i> <a href="#">2021-76.pdf (gnb.ca)</a>	October 14, 2021	These amendments established a new EPR program for packaging and paper products.
Designated Easements Regulation – <i>Community Planning Act</i> <a href="#">2021-83.pdf (gnb.ca)</a>	November 18, 2021	This Regulation was transferred from the former <i>Community Planning Act</i> to the new <i>Community Planning Act</i> .
General Regulation – <i>Society for the Prevention of Cruelty to Animals Act</i> <a href="#">2021-87.pdf (gnb.ca)</a>	January 1, 2022	The <i>General Regulation</i> was amended to require dog owners to adhere to additional tethering standards and require persons selling a dog or cat to provide a valid veterinary certificate of health to the purchaser. It also updated the references to <i>A Code of Practice for Canadian Kennel Operations</i> and added references to the following standards for animal care: <i>Code of Practice for the Care and Handling of Rabbits</i> and <i>The NBSPCA Code of Practice for the Care of Dogs</i> .
Pet Establishment Regulation – <i>Society for the Prevention of Cruelty to Animals Act</i> <a href="#">2021-88.pdf (gnb.ca)</a>	January 1, 2022	The <i>Pet Establishment Regulation</i> was amended to clarify when pet establishment license holders must obtain NB SPCA approval prior to making alterations to their premises and update the references to <i>A Code of Practice for Canadian Kennel Operations</i> .

The acts for which the department was responsible in 2021 – 2022 may be found at:  
<http://laws.gnb.ca/en/deplinks?subjectnumber=6>

# 2021 – 2022

## 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 completion rate report is provided yearly to managers.
- Active offer reminder continues to be 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 completion rate report is provided yearly to managers.
- 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. Fourteen employees received second language-training in 2021 – 2022.

### **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 were 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.
- Always 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.

### **CONCLUSION**

The year 2022 will bring some important changes with the implementation of a new action plan. Preparation has already begun with the Office of the Commissioner of Official Languages for NB; the Official Languages Coordinator Policy and Guidelines has recently been updated, previous action plan has been shared with the Office for their review and an important presentation by the new Commissionaire took place at the Wu Center in June 2022 where they gave an overview of the 2020 – 2021 Annual Report.



# 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 2021 – 2022 and 2019 – 2020 fiscal years.

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

NAME AND YEAR OF AUDIT AREA	RECOMMENDATIONS
	TOTAL
Department of Environment and Local Government & NB Power Climate Change – 2017 <a href="https://www.agnb-vgnb.ca/content/dam/agnb-vgnb/pdf/Reports-Rapports/2017V1/Chap3e.pdf">https://www.agnb-vgnb.ca/content/dam/agnb-vgnb/pdf/Reports-Rapports/2017V1/Chap3e.pdf</a>	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 January 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.

<p>3.63 We recommend the Department finalize an implementation plan that describes:</p> <ul style="list-style-type: none"> <li>• how and when the actions identified in the Climate Change Action Plan will be implemented; and</li> <li>• how the Department intends to monitor and report on the progress.</li> </ul>	<p>The Climate Change Secretariat, on behalf of GNB, coordinated the implementation of the Climate Change Action Plan.</p> <p>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 per cent of actions in the plan by March 31, 2022.</p> <p>The Climate Change Secretariate worked collaboratively with lead departments to establish an implementation plan that was tracked monthly to ensure that the 75 per cent target is reached.</p> <p>Monitoring and reporting on process was done through annual progress reports as committed to in the Climate Change Act (Section 3).</p> <p>A progress report for the period of December 2017 to March 31, 2020 was released in January 2021 and a final progress report was released on July 5, 2022.</p>
<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"> <li>• Risk identification;</li> <li>• Risk analysis;</li> <li>• Risk evaluation;</li> <li>• Risk treatment and adaptation measures; and</li> <li>Implementation plan and monitoring.</li> </ul>	<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 five 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, NB 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 2021 – 2022 fiscal year.