

Integrated Decision Making of the Natural Resource Sector within a Horizontal Management Framework

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Dedication Page

Aldous – everything is possible with a vision and hard work.

Thanks to Andrew Morgan and Catherine Althaus for the endless patience and support.

Thanks for the dry shoulder: CT, AG, MT, KK, TM, SO, PR, RP, BF, CM and JL.

Executive Summary

Background

The Integrated Decision Making (IDM) initiative is a horizontal management approach developed by the British Columbia (BC) Public Service in October 2010 to bring together the natural resource sector (NRS) ministries¹ to deliver a streamlined approach to land management and project authorizations from project inception to reclamation. Together, these NRS ministries generate nearly \$3 billion in direct annual revenue to the government and the industry sectors directly employ 153,000 people. The NRS's Deputy Ministers in the Natural Resource Sector Transformation Plan 2013-2014, recognize the need for BC to remain globally competitive, environmentally responsible, and responsive to the needs and expectations of citizens and stakeholders.

IDM is a world leader program attempting to integrate the entire NRS in BC as opposed to individual sectors within it, which is occurring in other jurisdictions around the world. IDM will integrate business processes, legislation and IM/IT systems from NRS ministries which historically and currently operate separately from each other.

IDM will address competing priorities and pressures within the NRS and from a fiscally constrained government. IDM will meet increasing public expectations for quality services, offer efficient and clearer processes to facilitate business development, and streamline internal functions to operate more efficiently within a demographically changing workforce.

This report began as part of my duties as policy analyst with IDM in July 2012 and evolved from a cross-jurisdictional scan to become my Master's project. Working closely with the client, the following research question was posed: What do IDM-relevant experiences from other jurisdictions as well as horizontal management theory have to teach the ongoing planning and implementation of IDM in BC?

IDM as a Horizontal Initiative

The IDM initiative is an example of horizontal management because it is an initiative among non-hierarchical ministries focused on gaining efficiencies by harmonizing regulations, IT systems and business processes for the betterment of the NRS as a whole. Horizontal management is premised on joint or consensual decision making rather than a more traditional vertical hierarchy. Horizontal collaborations create links and share information, goodwill, resources, and power or capabilities by organizations in two or more sectors to achieve jointly what they cannot achieve individually.

Vertical structures are traditional in governments as individual ministries are established under different Acts and operate under separate leaders, budgets, and organizational structures which are commonly hierarchical. Within vertical management there is usually a superior who gives commands and management relies on traditional hierarchical reward structures such as money, recognition, and/or power to motivate.

Horizontal initiatives are based on collaborative relationships, communication, negotiation, trust and mutual respect. IDM's objectives cannot be met without the NRS ministries and business lines working together to create an integrated model for natural resource management.

¹ NRS Ministries as of September 2013: Ministry of Aboriginal Relations & Reconciliation, Ministry of Agriculture, Ministry of Energy and Mines, Ministry of Environment and Environmental Assessment Office, Ministry of Forests, Lands and Natural Resource Operations, and Ministry of Natural Gas Development.

Horizontal collaborations are not a panacea; however they are increasing due to the interconnectedness of issues and systems, and the failures of single agencies to solve complex problems.

IDM's vision is to enable NRS agencies to manage the land base holistically. IDM's vision stems from the 'One Land Base/One Land Manager' approach towards the NRS. To support the province's stewardship and sustainability goals there needs to be integrated management of natural resources. The vision to manage the land base holistically requires three fundamental shifts:

1. Improved client interaction with the NRS;
2. Consideration of how the land base is managed which often involves overlapping resource uses; and
3. Integration of legislation, systems and processes to enable more timely and durable decisions.

IDM to date has been an intensive upfront process to bring about executive and cross-ministerial support. It has set deliverables on significant outcomes such as a new Act, provincially integrated business processes and an integrated IT system. IDM runs the risk that delays may cause frustration for participants and a loss of faith in its ability to deliver on its objectives. Strong leadership and coordination are cited in this report as a remedy, as well as transparency about the issues that arise.

Many aspects of IDM are examples of horizontal management theory (HMT) in practice. For example, stakeholder groups are interwoven and affected by the four pillars of IDM (process, legislation, IT systems and change management) and the six key issue areas (public review and comment, securities, billings, tenure terms and renewals, fees, and appeal mechanisms). These components of IDM reach across the entire NRS impacting ministries and business lines. IDM has not formally set out to transform the NRS using horizontal management techniques but nonetheless it is using them.

Cross-Jurisdictional Scan

In addition to a literature review on HMT, a cross-jurisdictional scan of Ontario and Alberta in Canada and Queensland in Australia was conducted to provide information from the experiences of other jurisdictions who have undertaken a similar IDM-like transformation. While these three jurisdictions are streamlining at least one sector within their NRS, none of them are engaged in restructuring the entire NRS authorization process as BC is.

All four jurisdictions have started streamlining initiatives approximately within two years of each other. Queensland is the most advanced jurisdiction because it had a strong political champion (the Premier) who won an election on the issue of increasing revenue for the state by bringing greater efficiencies to natural resource development. This gave Queensland a strong and clear mandate and focus on funding priorities. As a result, at the time of concluding jurisdictional research Queensland had passed two Acts and several supporting pieces of legislation (e.g. regulations and several policy changes). It had also conducted extensive stakeholder consultation with proponents, aboriginal groups and the public; all of which served to inform an internal bureaucratic restructuring.

Alberta is the second most advanced jurisdiction since at the time of concluding research for this report it had also passed a significant Act enabling greater legislative efficiencies in its energy sector. While Alberta also conducted upfront stakeholder engagement, research indicates that stakeholder engagement was not as extensive as in Queensland, nor as deeply streamlined.

Ontario ranks third in its progress of streamlining because it had strong upfront political will which was leveraged to pass a regulation and bring some efficiency to the clean energy sector quickly. However that political will was short lived and the changes made were not strongly rooted which in turn meant that they did not carry forward sustainable change. For example, the regulation drafted by executive was passed in nine months, presenting a political victory; however, it had to be re-written three times because decision makers were not consulted and resented the changes they felt were imposed upon them. Overall, any short-term gains made in Ontario were not met with long-term changes to bring about sustained or substantive efficiencies.

BC has the latest start date, and is unique amongst the jurisdictions reviewed in that the province is seeking to transform the entire NRS and all of its component pieces. Though BC's transformational focus is different from the jurisdictions reviewed, BC can still learn from the experiences of Ontario, Alberta and Queensland.

Recommendations

After completing the HMT literature review and cross-jurisdictional scan, the following recommendations are made for client consideration:

Planning related recommendations

1. Clearly understand and define leadership roles and responsibilities;
2. Create teams with strong mandates that can meet leadership objectives; and
3. Evaluate the impact of changes on staff and consult with them prior to major initiatives being finalized to ensure change fatigue does not set in.

Implementation related recommendations

1. Conduct extensive stakeholder consultation prior to implementing changes to ensure long-term buy-in;
2. Achieve quick and tangible wins such as automating low risk authorizations;
3. Improve data collection frameworks so that information collected can be managed, stored and accessed over times such as enhancing the collection of securities information;
4. Improve accountability mechanisms such as collecting pooled securities fees to ensure funds are available to remedy the land base when proponents fail to follow through on their authorization requirements; and
5. Assist in improving First Nations relations and consultation by focusing on projects or initiatives such as First Nations consultation on geographic areas.

Conclusion

A significant challenge for the NRS is to attain the best long-term economic return from the land base while simultaneously minimizing environmental impacts and improving the value all citizens derive from its use. By ensuring a more efficient examination and use of resources under IDM, the full value and cost of utilizing BC's natural resources can be reflected in the decisions that are made. This ensures that the highest-value return is received when utilizing the land.

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List of Abbreviations

BC – British Columbia
DEEDI – Department of Employment, Economic Development and Innovations (Queensland)
DERM - Department of Environment and Resource Management (Queensland)
EAO – Environmental Assessment Office (BC)
EAP – Enhanced Approval Process
EASR – Environmental Activity and Sector Registry (Alberta)
EDS – Electronic Disposition System
EP – Environmental Protection
FIT – Feed-in Tariff
FLNRO – Ministry of Forests, Lands and Natural Resource Operation (BC)
FN – First Nations
FNC – First Nation consultation
FOI – Freedom of Information
Forests – Forests Tenures Branch in FLNRO
GIIG – Government-Industry Implementation Group (Queensland)
HMT – horizontal management theory
HP – Hewlett Packard
IDAS – Integrated Development Assessment System
IDM – Integrated Decision Making
IM/IT – Information Management/Information Technology
ISSS – Integrated Systems & Services Strategy
IT – information technology
Lands – Lands Tenures Branch in FLNRO
LAT – Land Analysis Tool
LIO – Land Information Ontario
MEM – Ministry of Energy and Mines (BC)
Mines – Legislation, Policy & Issues Resolution Branch with MEM
MOE – Ministry of Environment (BC, Ontario, Alberta and Queensland)
MOU – Memorandum of Understanding
NRRRA – Natural Resource Road Act
NRS - natural resource sector
O&G – oil and gas
OP/OP – one project, one process
Parks – Parks Facilities & Authorizations in MOE
PDF – portable document format
PMO – Program Management Office
PR&C – public review and comment
REA – Renewable Energy Approval
REP – Regulatory Enhancement Project
RETF – Regulatory Enhancement Task Force
Transformation Plan – Natural Resource Sector Transformation Plan 2013-2014

Definitions

The following key terms are used throughout this report.

General

Integrated Decision Making

Integrated Decision Making (IDM) is the initiative that provides an overarching vision and ensures timely and durable decisions for the natural resource sector through the integration of legislation, systems, business processes and people.

Government

Ministries, central agencies, Crown corporations, decision makers, management and staff.

Authorization

“Any rights granted for the use of natural resources in BC. This includes permits, tenures, licences, leases, notices of work and many others that are and have been used as nomenclature for granting those rights. (Ministry of Forests, Land and Natural Resource Operations, 2010, p 10)”

Project

“A project is an activity on the land base that requires more than one authorization. An application made to government by an applicant that will involve multidiscipline/multiple authorizations of a more complex nature (as opposed to transactional) in order for the project to proceed (Ministry of Forests, Lands and Natural Resources Operations, 2010, p 10).”

Project Phases

Investigative stage - limited use and permission for activity on land base;

Development - authorizations required to implement improvements and/or activity on the land base;

Construction - authorizations required to construct a project (often time limited); and

Operation - post-decision management of the project for compliance, enforcement, and reporting purposes. Usually includes reclamation and remediation.

Stakeholders

Proponents and clients

Clients and proponents can be corporations, private citizens, other Canadian jurisdictions, and other countries that are interested in using or are authorized to use BC's natural resources.

Proponents are individuals or companies that have submitted an application for an authorization(s) but a decision of acceptance or disallowance has not yet been taken by the government. Clients are individuals or companies whose application has been accepted by the government and the two parties are working together to ensure project completion and compliance is achieved as set out in the authorization(s) terms.

For the purposes of this report the term ‘proponent’ will be used as the standard terminology to refer to this stakeholder group.

Decision Makers

Decision makers are employees of the BC Government and they have the authority and capacity to make decisions about land use and/or resources.

First Nations

For IDM's purposes First Nations are peoples who possess unique rights guaranteed under the Constitution Act that are entitled under the law to meaningful consultation and accommodation in matters affecting their interests and territories.

The Public

Society at-large, and future generations.

Pillars of IDM

Process

One land manager – the partnership between natural resource sector (NRS) ministries which works towards a team approach for decision making.

One process – is a process flow chart that melds numerous single agency processes for issuing authorizations into 'one process' to improve consistency coordination of multiple authorizations.

One project, one process – is the same as above.

Legislation

Statutes and regulations that give the government authority to make decisions.

IT Systems

Information technology systems are spatial/temporal database tools that assist staff and the public in accessing government services more effectively.

Integrated Systems and Services Strategy (ISSS) is an information management and information technology framework for IDM that seeks to build a common authoritative spatial-database for the NRS. It will also link existing systems together and have a client facing portal.

Change management

The management of change as IDM transforms the processes for staff, clients, First Nations, and the public which will incorporate a strong communications component.

Key Issues Areas

Public Review and Comment

Advertising – a broad-based announcement to provide the public with information on a project or request for authorizations. Currently, advertisements are usually placed in a local newspaper or the BC Gazette.

Notifications – an announcement made by letter to an individual or entity regarding an application, decision, or cancellation of an authorization associated with a project. Where multiple people are required to be notified, advertising can be used as an alternate form of notification. Notifications are used differently by different statutes and agencies.

Referral – a specific announcement addressed to another government agency to provide them with information on a project or request for an authorization. They are most often sent by letter.

Comments – a remark from a member of the public on a project or application for an authorization. Their comment may or may not be taken into consideration by the decision maker depending on the policy or legislative framework.

Existing rights holders – as per legislation, regulation or policy all existing rights holders must be contacted, if required. Examples of rights holder include individuals downstream, upland, or adjacent to a proposed project.

Website – an online portal that provides a single location where projects are posted for viewing by proponents, stakeholders, citizens and government.

Tenure Terms and Renewals

Tenure terms are the lengths of time that each authorization is issued for. Renewals are the extension of these authorizations when their term limits expire.

Securities

Financial guarantees collected by the government to be used in the event of a proponent being unable to remediate the land to the condition set out in their authorization.

Fees

Monies charged by the government for the issuances of authorizations and services. Charging and changing fees is established under legislation.

Billings

The summary statement sent to clients for the fees charged.

Appeals

A formal request to change a decision.

Key terms or searchable words

To aid the reader the following key terms have been grouped by subject matter to allow searching on a particular topic easier. Since a cross-jurisdictional scan is part of this report it is important to note that different jurisdictions use different phrases for a similar subject matter.

- Clients or proponents
- Decision makers, staff, or public servants
- First Nations, Aboriginal, or Native Title
- IT, information management
- Public, or citizens

Integrated Decision Making as a Horizontal Management Initiative

Chapter 1 – Problem Outline and Research Question

Introduction

The Integrated Decision Making (IDM) initiative is a horizontal management approach developed by the British Columbia (BC) Public Service in October 2010 to bring together the natural resource sector (NRS) ministries² to deliver a streamlined approach to land management and project authorizations from project inception to reclamation. Together, these NRS ministries generate nearly \$3 billion in direct annual revenue to the government and the industry sectors directly employ 153,000 people (Ministry of Forests, Lands and Natural Resource Operations, 2013, p 4). The impetus for IDM is articulated in the objectives endorsed by the NRS Deputy Ministers in the Natural Resource Sector Transformation Plan 2013-2014, published in September 2012. The Transformation Plan recognizes the need for BC to remain globally competitive, environmentally responsible, and responsive to the needs and expectations of citizens and stakeholders.

IDM is a world leader program in that it is attempting to integrate the entire NRS in BC as opposed to individual sectors within it, as is being performed in other jurisdictions around the world. IDM will integrate business processes, legislation and IM/IT systems from NRS ministries which historically operate separately from each other.

Problem Description

While the land base is an integrated system, the management of the land base is split into many different ministerial structures. This results in fragmented and siloed decision making, which in turn creates bureaucratic inefficiencies, stakeholder frustration, and proponent confusion. This management system constrains economic development and transparency, and hampers the durability of decision outcomes.

Each ministry or business line follows its own Acts, regulations and policies when deciding to approve or disallow a requested authorization. This results in separate bills being issued, separate security deposits being collected, separate advertising and notification requirements and separate tenure term renewal dates. The NRS ministries or business lines operate siloed from each other which results in inefficiencies because of duplications, delays due to transferring paper files between agencies, extra expenses for proponents, and confusion for the public, clients and government staff.

IDM is a NRS wide initiative to integrate business processes, legislation and IM/IT systems to enable timely, efficient and durable decisions. IDM will need to create a one process approach to legislation, IT systems, and business procedures that will need to occur concurrently while transitioning the current siloed approval system over to the new process.

Three reasons have prompted BC's pursuit of IDM:

1. **Economic** - A vertical and fragmentary approach to NRS authorizations has constrained BC's economic development. Currently separate ministries, budgets and legislation hampers

² NRS Ministries as of September 2013: Ministry of Aboriginal Relations & Reconciliation, Ministry of Agriculture, Ministry of Energy and Mines, Ministry of Environment and Environmental Assessment Office, Ministry of Forests, Lands and Natural Resource Operations, and Ministry of Natural Gas Development.

projects as decisions are processed individually, rather than in a horizontal and integrated manner.

An example of the negative impacts of siloed decision making is in the mining sector, as currently projects go through multiple authorization approval processes. If these authorizations are decided separately then a delay in coming to a decision can occur, as well as conflicts arising over competing priorities which are identified and addressed separately. If there was an integrated process to the decision making, decisions could be made faster and in a more coordinated fashion. As a result there could be an increase in revenue to the province because more clients would want to come to BC to do business. There would also be an increase in revenue due to the time value of money resulting from projects starting sooner.

Specifically, acceleration of the operational start of a major mine by 6 months would create a present value benefit of \$5.1 million. A 6 month accelerated operational start date for a new liquefied natural gas facility would be \$3.0 million (A. Morgan, personal communication, July 15, 2013). According to the [Ministry of Jobs, Tourism and Skills Training - Major Projects Inventory](#), as of March 2013 there are 41 mining projects currently proposed in BC. If 10 new mines were accelerated by 12 months this would result in a present value benefit of \$103 million.

2. **Client Service** - The current siloed structure for NRS processes impedes a client-focused approach to decision making.

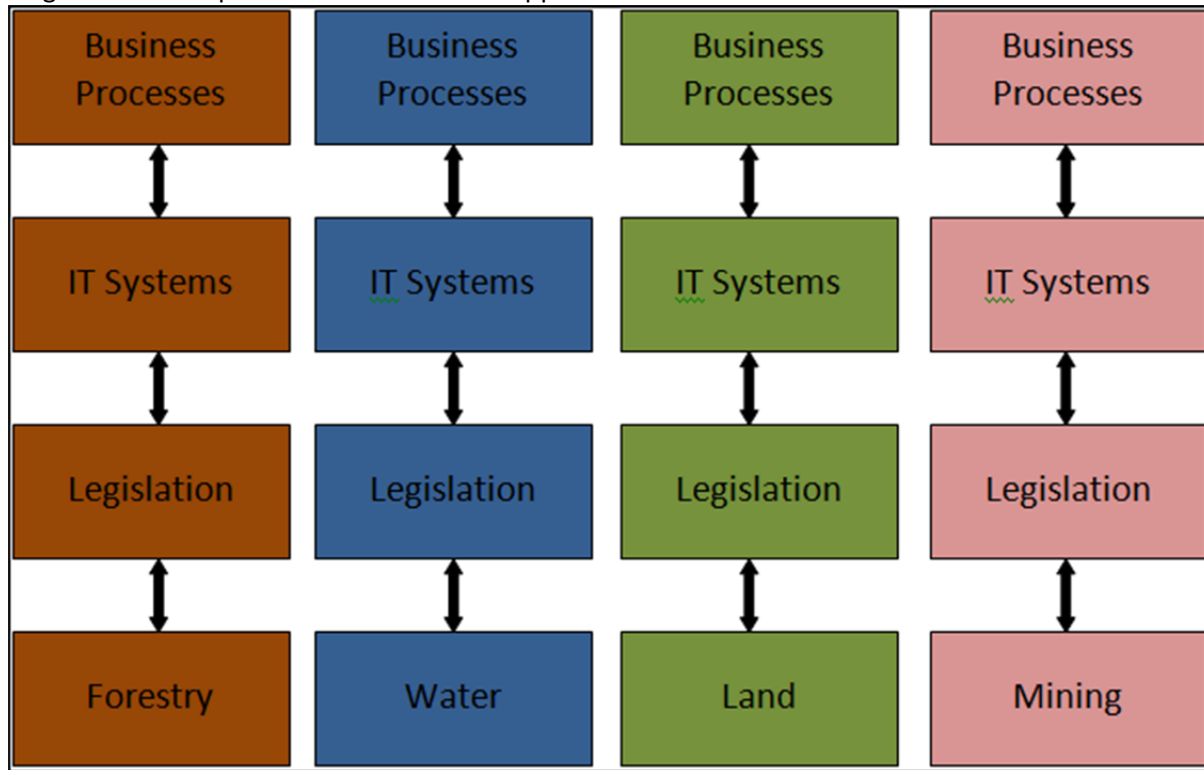
Service delivery for clients is a problem because clients have to make separate applications and meet separate requirements to comply with the multiple authorizations needed for project approval. This duplication and multiple access point approach creates extra cost, time and uncertainty for clients. This leads clients to sometimes choose different jurisdictions with more streamlined processes; and

3. **Resource Management** - The current siloed approach also negatively impacts on the environmental management of the land base as a whole because there is limited ability to take cumulative effects of environmental impacts on the land base into account.

Under current approaches, water decision making is independent from forests, from lands, from agriculture and so on, thus impeding the ability to take a holistic view of the land base and associated impacts.

Diagram 1 provides a visual representation of the current siloed approach to legislation that exemplifies some of the fragmented processes confronting NRS clients.

Diagram 1 – Example of the current siloed approach within the NRS



Source: IDM: The Journey (Andrew Morgan, 2013)

Context to this Report

This Master of Public Administration project (Master’s project) began in July 2012 in my capacity as a policy analyst for IDM with the original client being Penny de Waal, Manager of Legislation and Andrew Morgan, Director of Integrated Initiatives. My original duties were to undertake a cross-jurisdictional scan to provide information to the Public Review and Comment (PR&C) working group members and the legislative manager of IDM (Penny de Waal). This cross-jurisdictional scan was not originally intended to become part of this Master’s project; however it became apparent that the information from the cross-jurisdictional scan was applicable to the planning and operational aspects of IDM and was of great interest to the client for a Master’s project. It was at this time that the client identified that a cross-jurisdictional scan should become a central component of the project. A theoretical component for informing the planning and operational aspects of IDM was also sought and it was at this time that horizontal management theory (HMT) was identified as being another central component to the report.

Andrew Morgan had always undertaken an oversight client role, being Penny de Waal’s supervisor; however, Andrew took over direct client responsibilities from Penny de Waal as her job duties became more onerous. As my job duties evolved, the design of the cross-jurisdictional scan and the information presented in this report morphed. Andrew Morgan confirmed the research question and the centrality of using the application of HMT and consideration of a cross-jurisdictional scan to inform the research.

Central Research Question

The central research question for this report as agreed with the client was stipulated as:

What do IDM-relevant experiences from other jurisdictions as well as horizontal management theory have to teach the ongoing planning and implementation of IDM in BC?

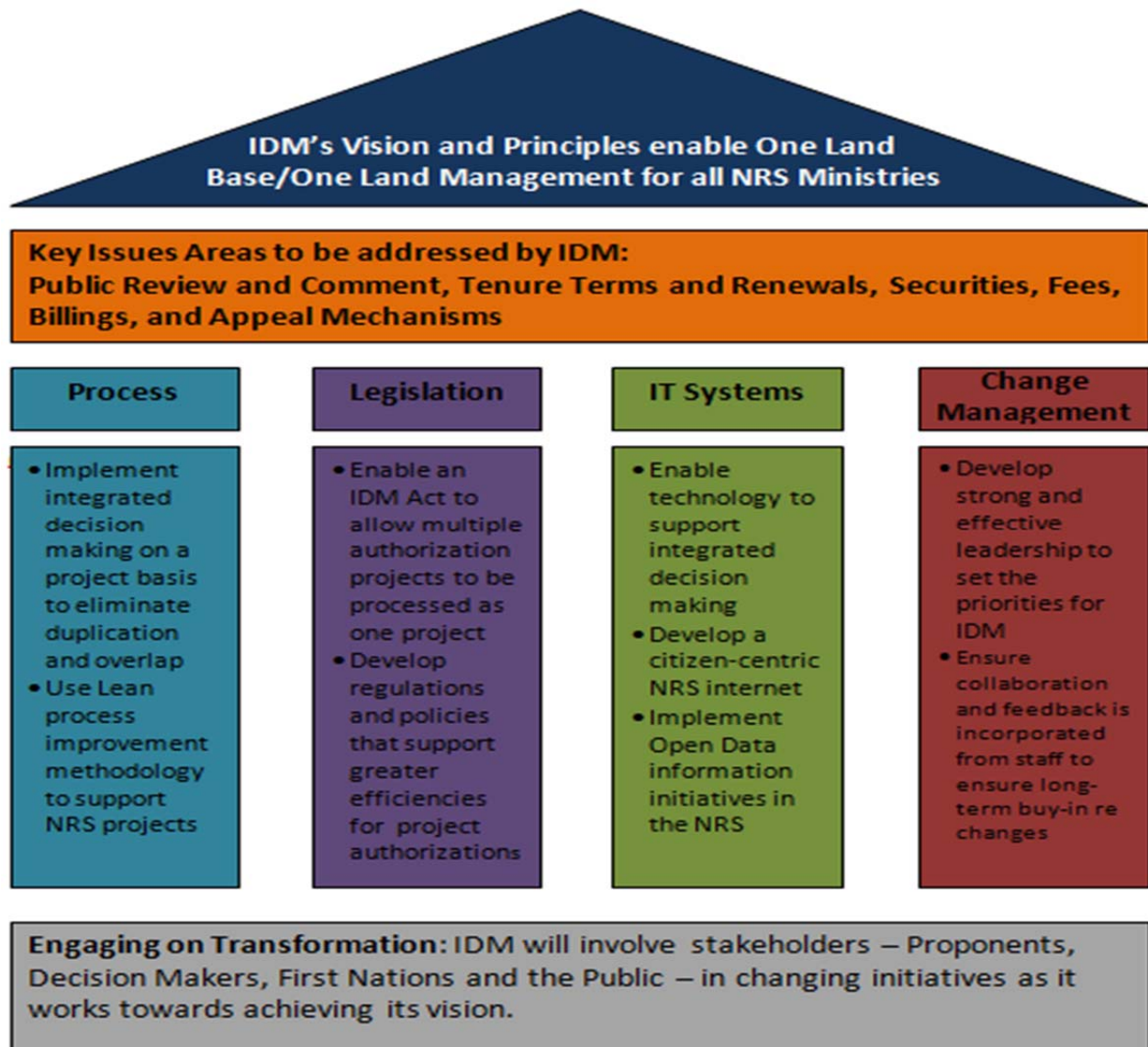
Accordingly, this report:

- examines HMT and how it applies to the processes IDM is utilizing to bring about change to the NRS and its component ministries; and
- reviews current jurisdictional practices across Canada and Australia that are enacting similar streamlining processes to IDM.

In so doing, this project also comments on:

- IDM's vision and principles for strengthening a 'one land manager' approach for addressing the issues that stem from siloed systems and legislation;
- the four components or 'pillars' of IDM:
 - (a) process
 - (b) legislation
 - (c) IT systems and
 - (d) change management;
- the current state of the NRS decision making process and outlines why it is a problem and for whom:
 - (a) clients/proponents,
 - (b) decision makers,
 - (c) First Nations, and
 - (d) the public; and
- the key issue areas that IDM's pillars will change:
 - (a) public review and comment,
 - (b) securities,
 - (c) billings,
 - (d) tenure terms and renewals,
 - (e) fees, and
 - (f) appeal mechanisms.

Diagram 2 – Overview of IDM’s vision, four pillars, stakeholders and key issue areas



Source: Presentation to DCMTT on IDM, October 2012 from Andrew Morgan.

Client and Report Parameters

The client for this report is Andrew Morgan, Director, Integrated Initiatives. Andrew Morgan’s primary function is to lead the business transformation aspects of IDM by securing executive support and funding for this initiative. Though there are other leads overseeing key aspects of IDM, such as IT transformation, legislative development, and operational implementation they are not clients for this project because it would magnify the scope beyond its intended purpose and manageability. This report is focused on the specific research question outlined above. As such, the research is concerned with the planning and operational implementations for IDM as associated with insights gained by the researcher on HMT and from the cross-jurisdictional scan that have been conducted. The report does not attempt to review any other aspect of IDM, leaving this for additional future research and for the relevant practitioners in each area to focus upon.

Report Structure

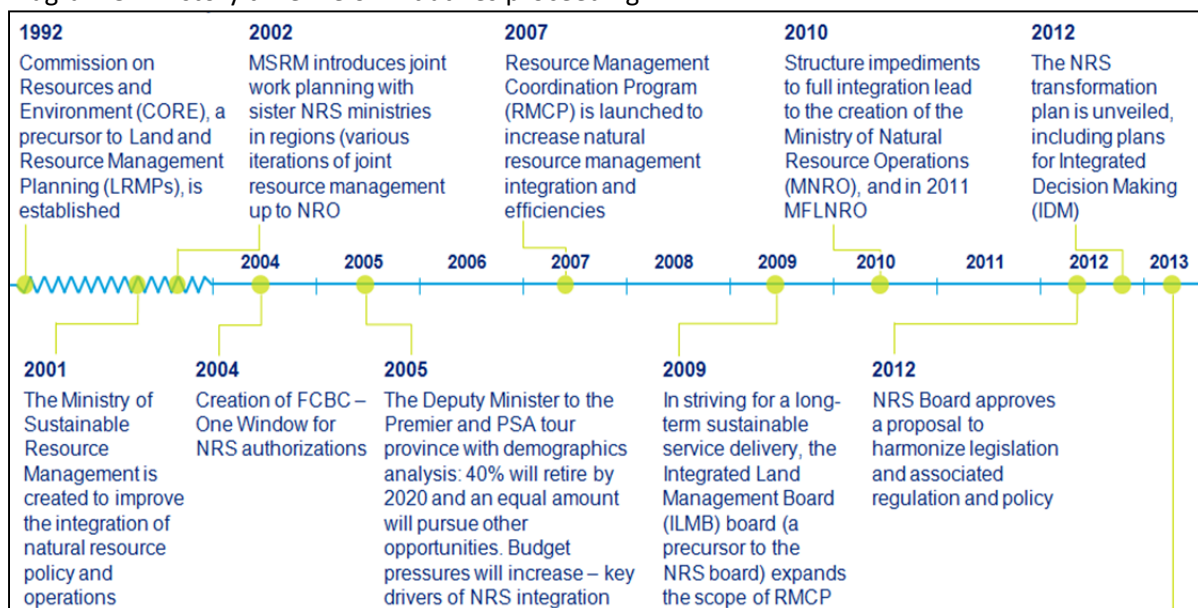
This Master's project is structured as follows: Chapter 2 details the background and history of IDM in order to give context to the current situation and the proposed improvements that IDM is intended to bring. Chapter 3 outlines the methodology chosen to address the research question, noting strengths and weaknesses of the methods selected. Chapter 4 details a literature review of HMT and its applicability to the planning and operational aspects of IDM. Chapter 5 provides a cross-jurisdictional scan of relevant experiences and information from three jurisdictions as it relates to BC's integration of the NRS through the IDM initiative. Chapter 6 presents a list of recommendations for consideration by the client emerging from the HMT review and cross-jurisdictional scan and Chapter 7 concludes this Master's project.

Chapter 2 –History and background to IDM

History of the NRS leading up to IDM

Streamlining and integration initiatives for the NRS have been in existence in one form or another for decades. Diagram 3 provides details of this historical context. Structures with responsibility for integration aspects have included: BC Assets and Land Corporation, Land and Water BC Inc., Ministry of Sustainable Resource Management, Resource Management Coordination Project, and Ministry of Natural Resource Operations (NRO). The Integrated Land Management Board (ILMB) was established in the mid-2000's and set priorities around resource management coordination. The ILMB's Directors, comprised of Deputy Ministers from NRS organizations, proactively addressed challenges associated with workforce demographics, service delivery, increasingly complex land use issues and economic challenges.

Diagram 3 – History timeline of initiatives proceeding IDM



Source: Integrated Decision Making – Overview, August 27, 2013

The ILMB's vision was "the coordination of people and resources for excellence in service delivery" by the expansion of the resource management coordination of the NRS ministries. To help achieve this vision ILMB created the Resource Management Coordination Project to increase natural resource management integration and efficiencies.

IDM's streamlining and integration efforts differ from past attempts because it is focused on concurrently enabling legislative, IT systems and process changes so they can be integrated across the entire NRS.

The Transformation Plan and IDM

In October 2010, operations related to forestry, water, lands and Notices of Work (mining) across the BC Public Service were merged into the Ministry of Forests, Lands and Natural Resource Operations (FLNRO) with a view to combining these ministries and business lines to make NRS decision making more timely, effective and durable. Previous to this merger and until IDM is fully realized, each ministry operates under different legislative requirements, separate IT systems, and inconsistent business

procedures. This has resulted in siloed decision making, problems with coordination for users as well as practitioners, and inefficient business practices such as decision makers not being legally allowed to share files for a coordinated decision or even able to electronically share files between ministries.

In July 2012, the Deputy Ministers Committee on Transformation and Technology requested a high-level, multi-year implementation approach to integrate the various NRS ministries and business lines. IDM was put forward as the initiative to bring about the coordination and transformation of the legislative, IT systems and business procedures of the NRS.

IDM and other Government Initiatives

The IDM initiative will harmonize the current suite of NRS authorizations for projects as there is currently no single process to approve all the various project authorizations that are required for any given project. Each authorization is reviewed and decided upon separately by different ministries or business lines.

Currently other initiatives are underway to improve other parts of the NRS: pilot projects to assess cumulative effects of NRS decisions on the land base, funding and strategies to reduce backlogged water and land applications, and various LEAN projects to bring about streamlining improvements to the NRS. The use of Lean, a business process improvement methodology originating from Toyota in Japan, launched 47 projects in July 2012. Of these projects 32% were focused on the NRS: coal tenure management, FN treaty obligation tracking system, and range tenuring processes to name a few. However, each of these projects or initiatives still acts separately. IDM is needed to enable a holistic approach to the management of the NRS (Ministry of Forests, Lands and Natural Resource Operations, 2013, p 21).

IDM is fundamental to the government achieving many of its wider strategic commitments including:

- The June 26, 2013 Speech from the Throne reinforcing the government's commitment to dramatically reduce backlogged land and water authorizations;
- *BC Jobs Plan* (2011) recognizing that a globally competitive investment climate needs to have an efficient permitting and regulatory system for NRS projects;
- *Citizens @ the Centre: Government 2.0* which outlines a transformation and technology strategy for the BC Public Service to better engage citizens, expand online services and develop business innovation by taking a more corporate approach;
- *Being the Best* which focuses on building a better BC Public Service through transforming the organizational culture to be more open, flexible and engaging as the government recognizes the demographic core of the BC Public Service is significantly changing and that improved integration will bring about streamlining and process efficiencies; and
- Core Review which will make recommendations on how to improve BC's regulatory reform and red tape reduction initiatives to benefit BC businesses and produce measurable increases in workforce productivity.

Chapter 3 - Methodology

This chapter outlines the methodological approach and specific methods pursued for the research of this report, including a brief discussion of strengths and weaknesses of the chosen methods and conclusions regarding their efficacy in meeting the stated needs of the client. It should be noted from the outset that the methodological choices informing this research evolved over time and with client need.

Methodology overview

The methodology used in this report is qualitative and was specifically led by the client's needs and research question. In order to answer "What do IDM-relevant experiences from other jurisdictions as well as horizontal management theory have to teach the ongoing planning and implementation of IDM in BC?", two components of the client needs concerning IDM were identified: planning and implementation. The client specifically wanted strategic information concerning the application of horizontal management theory to IDM to inform the planning and operational components of IDM. In addition, the client stipulated a cross-jurisdictional scan of IDM-type experiences from across Canada and Australia would inform planning and implementation in the BC context.

As such, the chosen methods to respond to the research question include:

- (i) a literature review and application of horizontal management theory to IDM; and
- (ii) a cross-jurisdictional scan of IDM-related experiences from Ontario, Alberta, and Queensland. The cross-jurisdictional examination was undertaken of similar states to BC that are enacting legislative, IT systems, and business process changes to integrate their own NRS. A thorough review and examination of publicly available documents was used to collect information on their practices and approach to integration.

Using this literature review and cross-jurisdictional scan, analysis was performed by the researcher to develop a set of recommendations as they apply specifically to the BC rollout of IDM.

HMT Research Parameters and Linkages to IDM

Horizontal management theory was identified as an applicable theory to investigate for relevant strategic insight into planning and operational dimensions associated with IDM. Accordingly, HMT as it applies to IDM was examined in detail for this report. The literature search was international in scale but limited to articles, books and grey literature that related to HMT theory and practice in western liberal democracies with similarity to Canada. The catalogue and Summons search engine from the UVic library databases were used to search for HMT related literature along with Google and Google Scholar. Due to the breath of information available on HMT and the need to highlight relevant aspects to IDM, the following key words were used in the HMT research:

- Horizontal management
- New public management
- Cross collaboration
- Theory
- Definition
- Leadership

- Stakeholders
- Trust
- Process
- Accountability
- Success/failure

After an exhaustive key word search and review of HMT literature, it became clear that the HMT literature applies to both the planning and operational aspects of IDM.

The planning aspects of IDM pertain to securing upfront financial and executive support to create a foundation from which IDM will launch operational changes. The operational aspects of IDM focus more on the project management and regional implementation of process changes. Despite this split between the planning and operational aspects of IDM there are many areas within IDM which are applicable to both. The literature review and cross-jurisdiction scan have elements that pertain to both the planning and operational dimensions of IDM.

Criteria and Rationale for Jurisdiction Selection for Cross-jurisdictional Scan

The following criteria were used to determine whether to pursue a review and examination of a given jurisdiction:

- Does this jurisdiction have similar IDM initiatives and if so, what aspects from these initiatives are applicable to IDM?;
- Are the stakeholder experiences from these jurisdictions similar and applicable to those in BC and the IDM initiative?; and
- What insights from these jurisdictional experiences can be applied to IDM?

Initially, the client identified that all Canadian, Australian and Washington State jurisdictions could be relevant to BC and IDM because they are all natural resource competitors for the South East Asian market. Within Canada, Ontario and Alberta were selected specifically and the other provinces and territories ruled out. Ontario was included because it is a large economic natural resource jurisdiction within Canada that is considered a leader in regulatory development. Alberta was included because it is the main competitive jurisdiction to BC for natural resource development. Within Australia, Queensland was selected because it is performing a leading role in that country with respect to streamlining natural resource decision making and it is also a competitor to the South East Asian market for oil, gas and mining. Both Queensland and Alberta have a strong economic reliance on the NRS and have focused considerable resources to strengthening their legislative and political positions to attract investment, particularly from the South East Asian market. Washington State was ruled out because its regulatory system was not as compatible with BC's as originally thought and was excluded on the basis of not meeting the three criteria listed above.

Strengths and Weakness of Methodology

This section examines the strengths and weaknesses of the methodology used for this report. They are outlined in Table 1.

Table 1 - Strengths and weakness of methodology

Strength	Weakness
The data used was based on publicly available information that outlines what has been done or is being planned. This methodology makes for a straightforward comparison between IDM initiatives and the chosen jurisdictions.	Publically-available information does not provide a comprehensive picture about all of IDM initiatives and the resulting analysis has limitations due to incomplete information. Interviews could have supplemented the jurisdictional scan to deepen and widen the comprehensiveness of the research data but this option was not within the timeframe and project scope of the report.
From conducting a thorough examination of HMT literature and the jurisdictional review information, the researcher was able to analyze relevant information that is applicable to IDM’s initiatives.	The documents reviewed only provided the reader with information at a specific point in time; this fails to capture the fluid and developing nature of IDM. Nevertheless a snapshot approach was more within project scope as stipulated by the client.

Despite the limitations of the methodology employed for this report the approach chosen was carefully designed in consultation with the client to address the research questions outlined.

Implications of Evolving Project

As noted in the introduction to this report, this research has evolved over time as my duties in the IDM branch shifted and as client needs became clearer. From a methodological perspective, it is important to note two significant implications associated with this project evolution.

Firstly, the cross-jurisdictional scan was originally intended to provide information and an overview for the members of the Public Review & Comment (PR&C) working group for their particular subject matter areas. At the time of originally writing this review, the working group had representatives from the following ministries or subject areas: Environmental Assessment Office, Environmental Protection, Freedom of Information, Forests (Tenures), FrontCounter BC, IT support, Lands, Mines, NRRRA, Parks, Water and legal counsel. The original intent of this review was to research information and present it as an overview on the various subject areas for the PR&C working group members. However, due to the variety and large number of subject areas it was not feasible to provide an extensive and full summary of each subject area. Instead a summary of the most relevant areas was written with links to the source documents or reference sites so those group members interested in more details could follow-up from the summary information.

The research and information written for the first jurisdiction, Ontario, contained a stronger public review and comment (PR&C) focus than for the second and third jurisdictions, Alberta and Queensland respectively, which focused more on legislation and business processes. During the time of writing the Queensland experience and rewriting the legislative section on Alberta (due to passage of a key Act) I was transferred to a different branch and was no longer working on the IDM file as part of my job duties. As a result the focus of this project changed from its original design on PR&C in the cross-jurisdictional scan to one that focused more on legislative initiatives within these jurisdictions.

Second, IDM is a seven year plus initiative which is continually developing. Many of IDM's major deliverables have timelines that are a minimum of one to two years in the making and as a result the researcher had to create a cut-off date with respect to the research and presentation of information. This cross-jurisdictional scan began in late Summer 2012 as part of my job duties on the IDM file and was completed in Winter 2012 around the same time as my job duties finished. It is possible that further streamlining initiatives and updates have occurred within the jurisdictions surveyed since Winter 2012. However, in order to complete this report and consistent with the closure of my job duties on the file, further updates on legislation, IT system upgrades and business process developments in these jurisdictions have not been pursued. This approach was agreed with the client.

Chapter 4 –Literature Review - Horizontal Management Theory & IDM

4.1 General Discussion of Applicability of HMT to IDM

An overview of the historical context, theory, definition, and examples of horizontal management are presented in this chapter along with details of how IDM is a horizontal initiative. Further descriptions of horizontal management are presented in this project as they relate, or offer insight, to the different segments of IDM. As such, following a general discussion of the applicability of HMT to IDM, this chapter is sectioned according to the following IDM components: (i) HMT and its application to IDM’s vision and principles for strengthening a ‘one land manager’ approach; (ii) HMT and the four component pillars of IDM; (iii) the application of HMT to IDM stakeholders; and (iv) HMT and its relevance for key issue areas that IDM’s pillars will change.

The literature review information has been written in this form for ease of use to the reader as it presents the literature or academic suppositions within the context of the real world application of IDM and the changes it will be making to the NRS.

4.1.1 Historical Context for Understanding Horizontal Management

According to Painter and Peters (2010) all states, autocratic or democratic, have a continuous interaction with the bureaucracy created to serve it. Public servants imbue this bureaucracy with differing styles or traditions. The Anglo-Saxon tradition, the precursor to the Westminster Parliamentary system in effect in BC and Canada, has tended to separate politics and administration with a strong contractual element, at least historically, according to Painter et al (2010). In contrast, Latin American systems have tended to have stronger “clientelistic relationships” where recruitment and promotion of individual employees has occurred (Painter et al, 2010, p. 7).

According to Peach (2004), historically from the 1930’s public administration has been professionalized and with this has come a bureaucratization of departments that has divided government’s tasks into specialized functions. A premium has been placed on subject matter expertise which has been beneficial for developing and reflecting disciplines within the public service profession.

In the 1960’s, according to Painter et al. (2010), there was an increase in ‘rational’ reforms of governing based on economic models. Painter et al. (2010) assert that more utilitarian assumptions based on cost-benefit analysis and program budgeting became the norm; bringing about more financially modest approaches to governing.

Painter and Pierre (2004), maintain that in the 1980’s in Western democracies there was a “drive to create structures that operate at arm’s-length from elected officials, such as agencies and quangos” (p. 257). As a result, increasing policy capacity and coordinating complex institutional systems emerged within governments. Painter et al. (2004) point out that this shift has been caused as much by institutional change as globalization and changes in the world economy. Painter et al. (2004) assert that it is difficult to ascertain “which losses in policy capacity should be attributed to cutbacks and which have been caused by the reforms” (p. 258). Peach (2004) continues that the challenge now arises as how to maintain expertise while bridging gaps between the divisions that have resulted from fiscal constraints.

This briefly described historical context presents a backdrop for understanding the present conditions in which IDM operates. IDM needs to address competing priorities and pressures within the NRS and from a fiscally constrained government. IDM needs to meet increasing public expectations for quality services, offer efficient and clearer processes to facilitate business development, and streamline internal functions to operate more efficiently within a demographically changing workforce.

4.1.2 Horizontal Management – Theory

Horizontal management and cross-sector collaborations are terms which describe the partnerships between “government, business, non-profits, and/or communities and the public or citizenry as a whole” (Bryson & Crosby, 2008, p. 56) and are used interchangeably within this Master’s project. Bryson et al. (2008) define cross-sector collaborations “as the linking or sharing of information, goodwill, and good intentions; resources; activities; and power or capabilities by organization in two or more sectors to achieve jointly what could not be achieved by organizations in one sector separately” (p. 56).

Bryson et al. (2008), along with many authors mention how horizontal collaborations are not a panacea. However, they are increasing due to the interconnectedness of issues and systems, and the failures of single agencies to solve complex problems. Examples of issues previously thought about in narrow terms include health care, educational policy, immigration, homeless and security. There is also an expectation from the public that government services will address these pressing issues; however the public is less concerned with what agency is tasked with the responsibility.

Since the mid-1990’s the public sector has been promoting horizontal management initiatives. Regardless of the level of government (e.g. federal, provincial or municipal) or the project focus (e.g. health, security, climate change etc.) many organizations are sharing resources, knowledge and expertise to meet larger objectives. (Bakvis, 2004 - A Word from the Canada School of Public Service).

Within horizontal management there must be some form of joint or consensual decision-making among peers (Sproule-Jones, date). Within vertical management there is a hierarchical structure usually with a superior who gives commands. Horizontal management does not have a single superior (Sproule-Jones, date, p. 97) whereas vertical management relies on traditional hierarchical reward structures such as “money, recognition, professional or hierarchical authority” (Bourgault, Lapierre, pp. 18-19).

4.1.3 Horizontal Management – Definition

According to Bakvis and Juillet (2004) horizontal management is:

“the coordination and management of a set of activities between two or more organizational units, where the units in question do not have hierarchical control over each other and where the aim is to generate outcomes that cannot be achieved by units working in isolation” (p. 8).

4.1.4 Catalysts to Horizontal Management

According to Bakvis (2004) there are commonly four catalysts that initiate horizontal management changes:

1. The existence of a problem and the realization that it needs to be resolved. Often the problem is brought into focus by a trigger or event.
2. A vacuum or ambiguous situation arises in addition to specific triggers. This vacuum provides an opportunity for ground-breaking or original solutions by team members or leaders.

3. Recognition of a problem in a proactive manner by a strong or 'maverick' type of leader within the organization.
4. Some form of commitment from the top of the organization of funding and/or personnel is needed to move forward change (Bakvis, 2004, p. 19).

For IDM all of the above factors have been a catalyst to bring about transformation. In 2010 when many of the NRS ministries and business lines merged into the 'super ministry' of FLNRO it became apparent to the NRS executive that separate processes, authorizations and legislative mechanisms were and remain inefficient. As Bakvis et al. (2004) indicates, horizontal collaborations do not happen naturally, they are made to happen. As with these types of collaborations there are costs and benefits associated with making them happen.

4.1.5 Cost and Benefits to a Horizontal Management Approach

The costs of working horizontally are often underestimated (Bakvis, 2004). Often agencies and their representatives feel that it is the only reasonable course of action open to them to achieve significant results on complex files; that they have no choice but to participate. With this participation comes an increased demand on staff time to join meetings, increased volumes of work, and more reporting and accountability requirements (Bakvis, 2004).

The benefits can include a feeling of effectiveness by joining with counterparts to achieve solutions to problems that cannot be adequately addressed by working in isolation. Another benefit is less duplication because agencies are working in a more coordinated way. This would include pooling money for programs or projects to achieve a better result than if funding were spread thinly between agencies.

Though there are costs and benefits to horizontal management initiatives it is difficult to measure them in terms of a direct cost-benefit analysis. In part this is due to outcomes that do not and cannot have specific measurables attached to them. For example, how do you measure better working relationships between provinces and First Nations? The other factor that makes measurement of horizontal management initiatives difficult is the time involved in achieving outcomes. There is often a need for more upfront time from participants and staffing resources to maintain participants' engagement. This can be seen as a waste of time if there is a long lag between initial meetings and outcomes or it can be seen as a vital part of building trust and understanding between agencies on complex issues they are trying to address.

IDM to date has been an intensive upfront process to bring about executive and cross ministerial support. It has set deliverables on significant outcomes such as a new Act, a provincially integrated business process and an integrated IT system. In comparison to other initiatives, written about by Bakvis, IDM runs the risk that delays may cause frustration for participants and a loss of faith in its ability to deliver on its objectives. Strong coordination is cited as a remedy as well as transparency about the issues that arise.

4.1.6 Tools and Resources Required

The tools utilized in horizontal management initiatives are unique. Horizontal initiatives are based on collaborative relationships, communication, negotiation, trust and mutual respect. The tools and resources required to support these skills are important for the successful functioning of these initiatives.

According to Elson, Struthers and Carlson (2007) there are five types of tools used by national governments to support horizontal practices. They are:

- **Information management tools** – which have become common for governments as a ‘one-stop shopping’ tool to provide information to stakeholders on a myriad of topics from dog licenses to starting a business. Elson et al. (2007) notes that the greatest challenge with IT is sharing between government departments. This is due to departmental IT systems being developed in isolation from each other and sharing information, even if the intentions are good, often they are not practical;
- **Sector to government relational agreement tools** – which often set out the “values, principles and commitments to guide the relationship” (p.27) in a transparent and collaborative manner. For example, procurement and policy guidelines are often standard regardless of the jurisdiction.
- **Funding tools** – which can range from grants (or contingency funding) to core funding with a variety of partners including those internal and external to government. Getting funding relationships right regardless of who they are with is increasingly being seen as important. Regardless of the initiative, funding should be driven by the intended outcomes and must be clearly agreed to up front.
- **Leadership tools** – which are by definition “outside the rules” for horizontal initiatives and therefore require robust partnerships, trust and strong working relationships. To minimize bureaucratic behaviour there needs to be strong champions with sustained leadership, preferably at the ministerial and senior cabinet level, if there is to be lasting effect for horizontal initiatives (p.30). Horizontal initiatives are vulnerable to change in key personnel or departmental changes in policy priorities.
- **Structural tools** – have been established to cut across government units to establish and implement policies to address broader social issues. The New Labour government under Tony Blair has been cited as leading the way for ‘joined-up’ government initiatives while New Zealand has taken a designated lead ministry approach that incorporates many ministerial groups. Both approaches are horizontal initiatives that have been established to tackle larger issues.

The use of one or more of these tools is dependent on the type of horizontal initiative.

According to Bakvis et al. (2004), access to HMT tools and resources are often cited by research interviewees as not available or unknown. For example, most of Bakvis et al’s interviewees were not aware that the Treasury Board of Canada Secretariat published a guide entitled [Managing Collaborative Arrangements: A guide for regional managers](#). Within this guide there is extensive ‘how to’ information on best practices, interpretation of rules and policies, checklists and frameworks for working horizontally. As a result, leaders of horizontal initiatives should make it a priority to understand how best to manage and function within these types of structures by making themselves aware of the literature and information available to them. In turn, this information should be passed on to teams so they are aware of the different type of structure they are working within and how best to operate within it.

4.1.7 Overarching Best Practices, Recommended Steps & Pitfalls to Avoid

As IDM moves forward with the transformation of the NRS the following information is presented as guidance on best practices, recommended steps for sustaining partnerships and pitfalls to avoid, according to Bakvis (date, pp. 13-14):

Best practices

- Agree at the outset on common objectives, performance measures, reporting requirements and evaluation plans;
- Look for ways in which to harmonize and streamline reporting requirements;
- Test the proposed methodologies with the people that will be required to collect and analyze data;
- Think through who will use the data and for what purpose;
- Re-visit the reporting plan before launching the project in order to ensure that it is still relevant, practical and not burdensome; and
- Eliminate duplication and overlap in reporting requirements.

Recommended steps for sustaining partnerships

- Establish joint responsibilities and approval procedures for communication strategies and materials;
- Establish approaches for obtaining client feedback and measures of stakeholder satisfaction;
- Identify contacts in partner organizations and appropriate communication channels and methods;
- Obtain commitments from partners to communicate effectively (perhaps jointly) the details of the partnership and related expectations;
- Maintain focus and try not to lose sight of the fundamental objectives of the initiative;
- Set realistic and achievable goals that recognize political and organizational realities and resource limitations;
- Maintain the flexibility to innovate and respond quickly to emergent opportunities and avoid too much formality and control; and
- Find ways to recognize the commitment of those involved.

Pitfalls to avoid

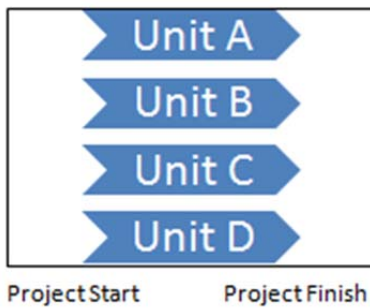
- Occasionally, when initiatives are decided centrally, some organizations are required to participate because of their mandate. There may be a risk, in such cases, that these partners will place their own organizational mandate ahead of the objectives of the initiative; and
- Whereas enthusiasm for a project is necessary, it is also possible to get carried away and speed to implementation without putting in place the proper arrangements.

4.1.8 Different Types of Horizontal Management

Within horizontal management there are three types of relationships (Sproule-Jones, 2008):

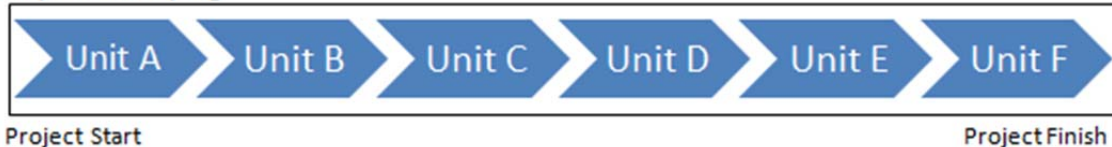
1. **Pooled coupling** – is when different units are responsible for one or more discrete activities. If one unit stalls or fails to deliver on their activity the other units can still deliver on theirs, though the overall project may be delayed. For example, Units A, B, C and D work separately but simultaneously towards an overall direction or end point. As long as all units stay relatively synchronised they can continue to operate separately.

Pooled Coupling



2. **Sequential coupling** – is when work-flows are linked chains of activities and one activity cannot proceed before the other is completed. There must be strong emphasis on coordination and sequential work flow between units otherwise a breakdown of the project may occur. For example, Unit A must complete its task first then pass on its work in order for Unit B to begin.

Sequential Coupling



3. **Reciprocal coupling** – is when a mutual exchange of work occurs between two or more units. For example, unit A produces an activity for unit B, then unit B adds to it and passes it back to unit A or another unit for completion or further development. This is the most interdependent form of horizontal management.

Reciprocal Coupling



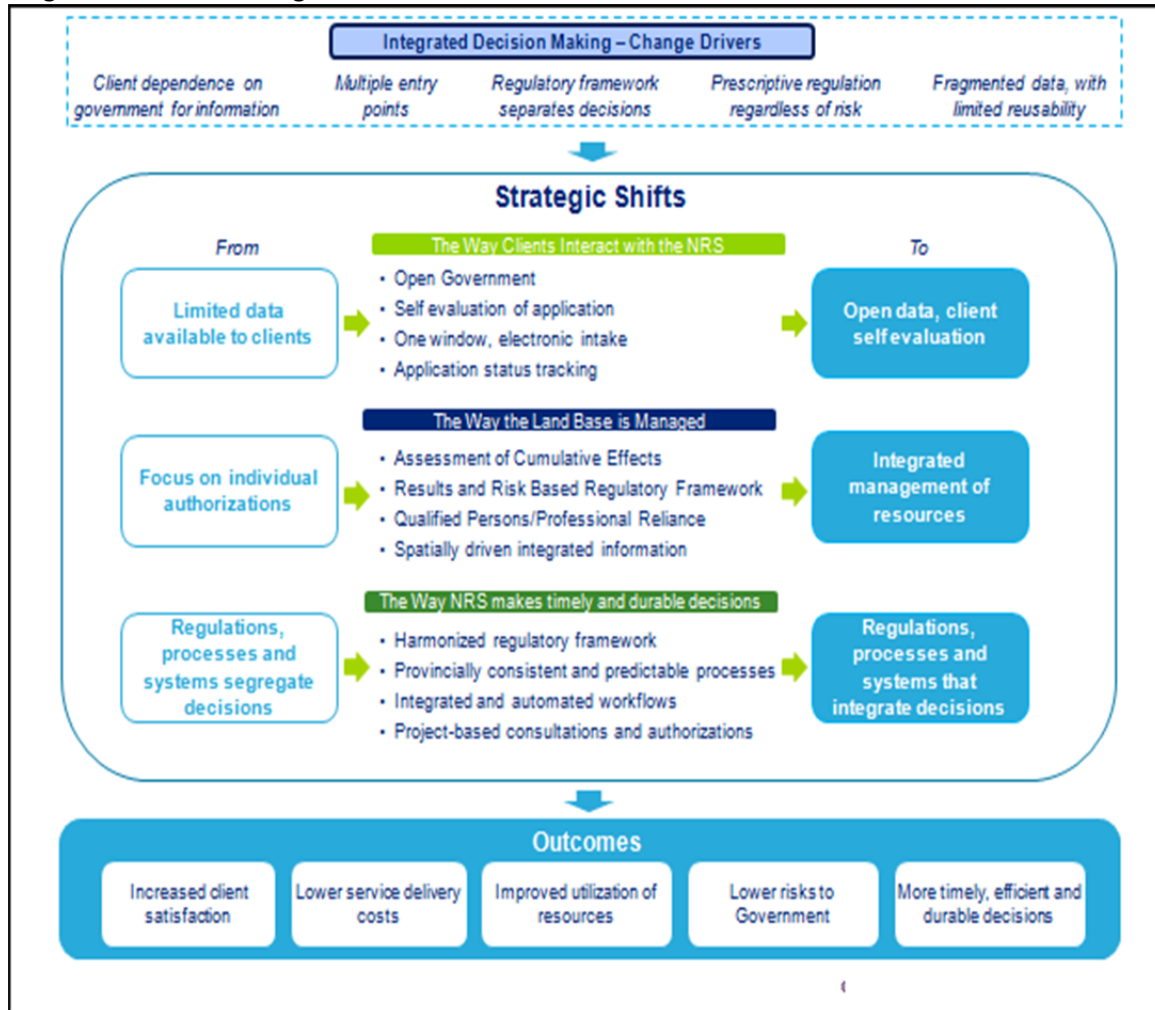
The IDM initiative is an example of pooled coupling. With a strong Program Management Office (PMO), IDM will be able to oversee each of the four pillars' deliverables while allowing each of them to operate and function separately. For example, the proposed IDM Act is being written to enable the collection of certain kinds of personal information that cannot legally be collected at present, meanwhile the new IT systems to collect this information are being designed. By coordinating the deliverables of each of these objectives (i.e. the electronic application process is not enabled before the proposed IDM Act is enforce allowing this process) each unit can work in relative independence. This independence between units is useful for an initiative as large as IDM since there are many component pieces that subject matter expertise is needed to achieve the finer details.

4.1.9 IDM as a Horizontal Initiative

The IDM initiative is an example of pooled coupling within a horizontal management framework. It is developing a one process system for implementing streamlined legislative, IT systems, and business process systems for the NRS. Though Diagram 4 below does not indicate the various ministries and

agencies involved in IDM it shows the current and future state that IDM will deliver. By integrating these systems IDM will be delivering for the public, proponents and government agencies improved and efficient land management decision making.

Diagram 4 – IDM – Change Drivers



Source: IDM Learning Series, presented January 10, 2013

IDM will deliver improved services to the public so they are better informed of land management proposals and decisions. Currently proponents in different regions throughout the province may experience variations in application requirements and different lengths of time for receiving a final decision. Proponents will be better served by an integrated decision making process because they will have more accurate information prior to applying and a standardized process throughout the decision making procedure. Currently government staff operate in isolation from each other on authorization decisions because of legislation, even though the decisions are for the same project and effect the land as a whole.

Under IDM, staff will have legislative authority, IT systems and business procedures to more effectively communicate with each other. Overall this will result in a better informed public, improved efficiency

for proponents and staff, and better environmental management of the land base since decisions will be made holistically instead of in isolation.

4.1.10 How is IDM a Horizontal Management Theory Initiative?

The IDM initiative is an example of horizontal management because it's an initiative among non-hierarchical ministries focused on gaining efficiencies by harmonizing regulations, IT systems and business processes for the betterment of the NRS as a whole. No one ministry or business line can accomplish this objective on its own.

The NRS ministries and in particular FLNRO have dual functions: (1) setting and enforcing environmental standards and regulations through policy and Acts; and (2) operationalizing and facilitating development opportunities on the land base.

Once IDM is in place the submission and processing of applications will be fully automated and standardized across the province and business lines, there will be consistency among ministries and business lines for legal requirements (e.g. one set of advertising and notification requirements, one bill, one security deposit, and aligned tenure terms and renewals for projects). There will be an end to redundant and legacy IT systems and compatibility between the remaining systems that will mean an increase in the sharing of information between stakeholders and improved service delivery on behalf of the government.

These objectives cannot be met without the NRS ministries and business lines working together to create an integrated model for natural resource management.

4.2 Integrated Decision Making – Vision, Principles & One Land Base/One Land Management

A significant challenge for the NRS is to attain the best long-term economic return from the land base while simultaneously minimizing environmental impacts and improving the value all citizens derive from its use. By ensuring a more efficient examination and use of resources under IDM, the Province can ensure the highest-value return is received when utilizing NRS sector resources.

Many aspects of IDM are examples of horizontal management theory in practice. For example, stakeholder groups are interwoven and affected by the four pillars of IDM (process, legislation, IT systems and change management) and the six key issue areas (public review and comment, securities, billings, tenure terms and renewals, fees, and appeal mechanisms). These components of IDM reach across the entire NRS impacting ministries and business lines. IDM has not formally set out to transform the NRS using horizontal management techniques but nonetheless it is using them.

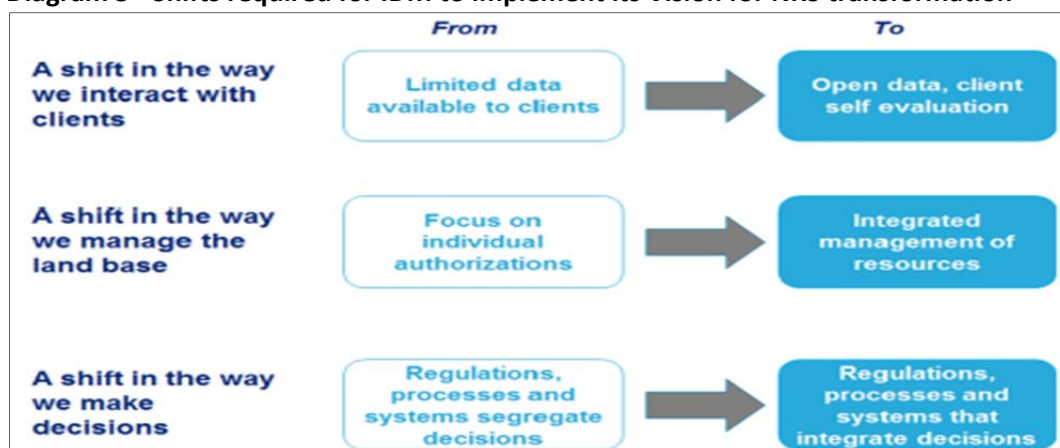
4.2.1 IDM's Vision

IDM's vision stems from the 'One Land Base/One Land Manager' approach towards the NRS. To support the province's stewardship and sustainability goals there needs to be integrated management of natural resources. The vision to manage the land base holistically requires three fundamental shifts:

1. Improved client interaction with the NRS;
2. Consideration of how the land base is managed which often involves overlapping resource uses; and
3. Integration of legislation, systems and processes to enable more timely and durable decisions.

Diagram 5 outlines the three fundamental shifts that need to occur to enable IDM.

Diagram 5 - Shifts required for IDM to implement its Vision for NRS transformation



Source: Presentation to the Deputy Minister's Committee on Technology and Transformation

The way clients interact with the NRS – the first shift addresses client's dependency on the government for information. Currently the government is the exclusive source of information for clients to make informed investment decisions. This limits client's ability to make efficient and effective decisions if the information is incomplete or inaccurate. It also places liability on the government to track and inform decision makers so they can make accurate and timely decisions.

IDM will transform client interactions with government by designing and delivering new self-service capabilities. New services will include: one window designs to access information, electronic intake of applications and centralized service inquiry and support. These improved services will increase the integrity of the applications entering the system, provide more comprehensive information to the public and decision makers, and allow clients to track the status of their applications thus keeping them better informed. Overall, this will result in more efficient service delivery.

Improved management of the land base – the second shift speaks to the need to move from individual, authorization-specific approvals to a more holistic approach to managing resources. At present each authorization is applied to, assessed, and approved or disallowed by each applicable NRS ministry or business line. This results in uncertainty for clients and proponents, duplication of effort by decision makers, frustration for FN’s, and confusion for the public.

Under IDM a project-based approach to authorizations will enable integration and move the NRS away from siloed or separate decision making. By shifting to integrated decision making, the government can better account for the environmental impacts of authorizations, leading to a fundamental change in the realization of resource management objectives.

Integration of decisions – the third shift enables the first two shifts by addressing the regulatory, process and system constraints. Currently separate Acts, regulations and policies govern how NRS ministries and business lines approve individual authorizations. This has resulted in separate approval processes and separate IT systems which operate in isolation from one another.

By harmonizing legislation IDM will be creating the corner stone for transformation. This transformation in turn will sync processes and IT systems to work together. The result will be increased provincial consistency for decision making, more timely and predictable decisions, and cost-saving efficiencies.

4.2.2 IDM’s Principles

Building upon IDM’s vision for an integrated future state for the NRS the following principles underpin IDM’s design.

Principle	Description
Transparency in decision-making, and data and information sharing	NRS data and information will be shared with the public, FN’s, and proponents unless restricted by legislation.
Clearly articulated expectations for proponents and the public	Clear, available data and information in support of objectives and requirements, together with tools to achieve the objectives provides for better applications and more efficient and durable decision making.
Stewardship embedded into decision making and on-going management	Stewardship values, frameworks and tools are incorporated into authorization decision making, on-going project management, and compliance and enforcement processes to support durable decision making.
Improved quality service experience for the public, clients and proponents	Ensure the public, FN’s, and proponents consistently receive high-quality and timely service through multiple channels, including more robust digital and self-service options.
Enhanced ability to manage risk	Risk models and processes that balance the risks associated

	with the geography, the activity and the proponent are in place to aid decision making, compliance verification and safe guard public resources.
Efficiency and cost effectiveness	Using LEAN principles and staff engagement, the NRS will avoid duplication and overlap in its operations and information systems by directing resources towards the highest priority areas
Improved relationships with FN's	Processes and structures that enable effective FN consultation and engagement to build effective working relationships will be in place across IDM functions
Resiliency to withstand future pressures	Innovative processes and structures are built to reflect the dynamic environment in which the sector operates and to withstand future pressures
Information, processes, systems and structures are integrated across the NRS and government	Systems, processes and legislation are designed to allow for integrations of information and workflows across the NRS and government
Flexibility is built into the design of systems and processes	Processes and systems are designed to be adaptable and allow future business processes, legislation and technology changes to be addressed without complete redesign or significant investment

These principles guide IDM's transformation as it creates the future state of the NRS business design. IDM will enable the NRS to make substantial progress towards achieving cross-governmental priorities, including a more open, transparent and accessible government. This approach will empower citizens and businesses to make better decisions by having access to an authoritative source of spatial and non-spatial data.

4.2.3 One Land Base/One Land Management

There is recognition that the land base is integrated as the NRS ministries strive to deliver on their vision for the sector to work together. Decisions affecting the management and use of the land base need to be integrated.

The NRS has the opportunity to build on its social license as effective stewards of the land base for the public, FN's and proponents. As government looks to uphold and increase its role as a driver of economic prosperity while maintaining high expectations for managing the land it needs to make integrated decisions.

To manage the land base as one land manager, the government is challenged with:

- Decision makers that do not have an integrated view of the land base. The current siloed systems constrain decision makers ability to make decisions that balance economic and environmental objectives;
- Managing cumulative effects in a more consistent way on the land base that supports FN's rights, environmental concerns, and economy prosperity; and
- Inconsistent and inefficient decision making processes. There is a lack of transparency regarding decisions which negatively impacts proponent's views of government.

4.3 Pillars of IDM

IDM has four main components or pillars which are the foundation of its transformation: process, legislation, IT systems and change management of people. IDM is a set of initiatives to enable the NRS to work as a team to integrate these pillars in order to deliver the NRS's vision of one land base/one land manager. Through IDM, the NRS will be able to make substantial progress in achieving cross-government priorities, and be more open, transparent and accessible. The NRS is poised to transform its business and become more integrated managers of the land base.

4.3.1 Process

As IDM moves forward with transforming the processes of the NRS (as detailed below) a common dichotomy arises between the nature of horizontal initiatives and accountability. According to Bakvis (2004), accountability involves being held responsible for one's actions (or those designated to a person or unit) while horizontality involves cutting across hierarchical responsibilities. Accountability and responsibility are often linked to the notion of authority. However, people and agencies can only be held responsible for actions they have authority for.

4.3.1.1 Process and Horizontal Management Theory

Phillips (2004) has a similar position in that she writes that "collaboration involves skills of negotiation, modulation and enablement, and entails a certain degree of discretion" (p. 394). Accountability can be measured through deliverables and specified outcomes, centred on control and compliance. Phillips (2004) asserts that this tension between management styles will likely result in control taking over "because it involves less risk for government" (p. 394).

As IDM moves forward in transforming the NRS, it will be changing many of the processes that have long been established as the norm. It is likely that opposition, or at minimum tensions, will arise as to how best to change processes for the better. Bakvis (2004) recognizes this challenge for central agencies and suggests the following three improvements could be made:

- **Mandate** – provide clear details on expectations for departments, particularly on substance and expected outcomes;
- **Authority and reporting** – clearly set out the authority or new structures for organizations or departments; and
- **Ongoing support** – which needs to be strengthened in four ways:
 - Deeper policy expertise in central agencies so everyone involved can become more engaged;
 - Strategic timing of funding to motivate and ensure results are consistent with objectives;
 - Accountability frameworks reduce reporting requirements which can be burdensome for both horizontal and vertical agencies or initiatives; and
 - A change in management culture from command and control to one with more financial incentives, continual monitoring and ongoing consultation and engagement (p.3).

By better developing accountability regimes, choosing horizontal initiatives carefully and strategically, recruiting staff with horizontal skills (e.g. financial management, mediation, negotiation, creativity and patience) and creating special units within departments, IDM will help to foster a horizontal culture and deliver on its mandate to transform the processes of the NRS.

4.3.1.2 Process and IDM

To bring about provincial consistency IDM will need to incorporate progressive practices from across government in its design of business processes. Key areas that will need to be developed are business requirements and rules, the design of processes and workflows within the authorization lifecycle, and development of support materials such as the [One Process Guide](#). The objective of One Process is to focus on the project as a whole, rather than through the component authorizations, thereby combining efficient use of human resources with a renewed focus on integrated and effective resource management.

According to the *One Process Guide for Natural Resource Sector Authorizations*, “One Process is an internal government process for issuing authorizations” (Ministry of Forests, Lands and Natural Resource Operations, 2012, p 6). The steps outlined in One Process meld numerous single agency and business line processes into one. The objective is to “eliminate overlap and duplication while maintaining or enhancing current environmental standards” (p. 6).

One Process is a framework for single or multiple authorization activities. The intent is to align all the authorization steps into a single process for authorizing land use in the NRS. The term ‘use’ in relation to the issuance of land based authorizations is “the physical act of removing, utilizing, cutting, draining, redirecting, digging, blasting, constructing, occupying, sampling or in some way modifying the land base” (p. 7). Authorizations issued for this use include cutting permits, forestry licences to cut, water licences, licences of occupation, leases, special use permits, mines permits, park use permits and many others” (p.7). One Process does not include minor permits such as fishing or hunting licences.

The objective of One Process is to focus on the project instead of the single authorizations needed to do each activity. The benefit is the ability to focus limited resources on priorities and improve efficient and effective land resource management. One Process collaboration fosters and strengthens working relationships with all stakeholders.

One Process covers the entire scope of the standard steps in a projects authorization process from pre-application to decision. The process can be iterative depending on the project and timeline involved.

One Process enables the bundling of authorizations into “projects” which results in greater coordination between stakeholders and reduces administration. It enables provincial consistency and creates a recognized framework. This results in reduced timelines, consistent processes, and an enhanced applicant experience. However, One Process is limited by legislative and IT system constraints which hampers full integration of the entire NRS.

The main challenge that One Process faces is the same as IDM and the NRS as a whole – a history of siloed processes and outdated systems hampers full and consistent integrated decision making. IDM will bring about integration for the NRS by addressing the barriers present in the business processes, legislative silos and separate IT systems. IDM will enable integration of IT systems by creating a single authoritative source of spatial data. IDM will broaden One Process so its potential to fully integrate the land base is realized.

4.3.2 Legislation

The NRS lacks legislative mechanisms to support integrated decision making. Currently separate statutes and regulations are required to authorize natural resource activities which are treated as

independent from one another each with their own requirements. When an activity requires multiple authorizations this can lead to systemic duplication of requirements for proponents through the application, decision making and ongoing management processes with a corresponding duplication of effort by government staff to administer those requirements.

In addition, legislation governing Freedom of Information and Protection of Privacy limits the use, storage, and disclosure of information between government agencies and the electronic service delivery necessary to realize the benefits of integration envisaged under IDM.

4.3.2.1 Legislation and Horizontal Management Theory

According to Christensen and Lægreid (2008) many countries have been “dominated by strongly specialized ministries” which have led to “increased vertical administrative coordination within each ministerial sphere” (p. 20). As a result, a ‘coordination paradox’ has emerged in the application of HMT, where implementing horizontal legislative and policy initiatives between sectors has become more difficult through this selfsame horizontal approach.

Christensen and Lægreid (2008) suggest putting greater emphasis on collective goals for government including legislative reform. Though they recognize that legislative and administrative reforms have “neglected cooperation across sectors” (p. 19). Vertical reform measures have included “performance management, performance auditing, and monitoring” though they have “enhanced fragmentation and challenged vertical coordination” which in turn has challenged horizontal coordination (p. 19). A consequence has been that it is “difficult to establish cross-ministerial cooperation in policy areas” (p. 19).

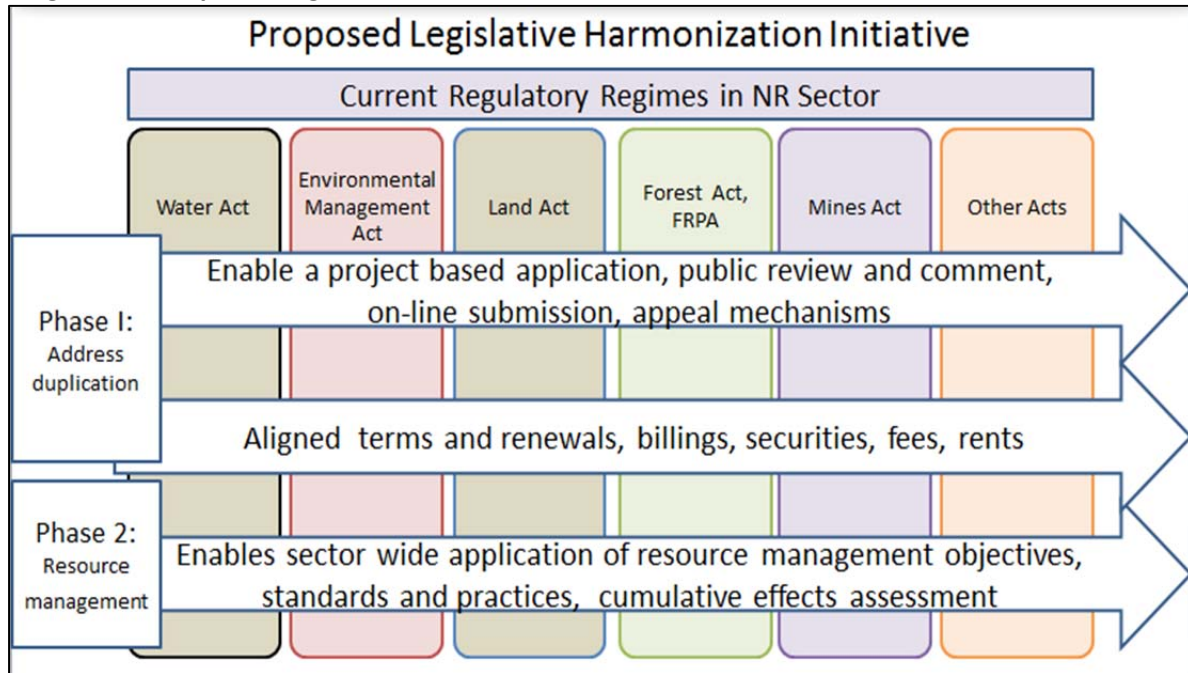
Solutions to this paradox can include emphasizing the collective goals of government and rebuilding capacity in central agencies. This will in turn provide leadership across government agencies and set standards for legislative and administrative policy and behaviour.

4.3.2.2 Legislation and IDM

In April 2012, the NR Board approved an initiative to explore the need for legislation, and associated regulations and policies to enable decision making for projects requiring multiple authorizations spanning multiple ministries or business lines.

As illustrated in Diagram 6, several Acts will be affected or overridden by IDM’s proposed act.

Diagram 6 – Proposed Legislative Harmonization Initiative



Source: Presentation to the Deputy Minister’s Committee on Technology and Transformation

The IDM Act would only operate when decisions under multiple statutes are required. At the time of writing this report a final decision has not been chosen as to how the proposed IDM Act will enable project-based decision making. A regional pilot project is currently being developed to flesh out details and develop recommendations to enable project-based decision making through legislation.

4.3.3 Information Technology Systems

Technology systems and tools can assist with decision making which will bring more efficiency and help deliver on the government’s objective for more inclusivity. However, currently “many legacy technologies are at the end of their useful life, cannot be repurposed to enable streamlined/ integrated processes, and are falling behind in meeting citizen service expectations” (NRS IDM Addendum, 2013-2014, p. 4).

From a Public Service perspective technology provides an opportunity to enhance citizen services and improve their experiences with government. However, government also recognizes that “technology is wasted if it is only applied to speed up work that shouldn’t be done in the first place” (Citizens @ The Centre p. 21). The government through Citizens @ the Centre articulates the need for a strategy to transform, not just how the public service works but the nature of the work itself (p.21).

Citizens @ The Centre has the objective of creating a more holistic approach to the traditional functions of government. Citizens @ The Centre recognizes that IT investments in the past have focused narrowly on the potential for cost savings but government must look for opportunities to collaborate. IDM’s transformation can support government to generate revenue, improve regulations and performance, and increase citizen satisfaction with government services.

4.3.3.1 Information Technology Systems and Horizontal Management

As IDM moves forward transforming the NRS's IT systems it is important to recognize that sweeping changes to IT systems do not remain a solely technical process. As outlined in the Stakeholders section, Maass and Eriksson (2006) write about the 'socio-technical process' that occurs when major IT systems are introduced and substantially affect the way staff work and the public experience services.

Milinusic (2002) argues that a major stumbling block when implementing integrated IT systems can come from attaining buy-in and the full cooperation of personnel. Milinusic (2002) contends that staff who are used to working separately because of data limitations may be resistant to change because they are comfortable with the familiar. However, when "departments become part of a continuum rather than separate entities" successful results are possible (p. 30). Building trust between personnel and the operations of the organization are essential to a successful transition according to Milinusic (2002). When trust is established, Milinusic (2002) reports, there is an increase in work capacity because data becomes available to personnel, easing their ability to perform their job.

As IDM moves forward with the transformation of the NRS, changing IT systems will be a substantial part of this process. It is important for the IDM team to be cognizant of the cultural impacts changes will have on staff on how they perform their duties, and the public and how they perceive service quality improvements.

4.3.3.2 Information Technology Systems and IDM

Technology systems are not integrated within the NRS. These separate IT systems present risks to the province because it results in duplications for staff to process multiple applications, authorization backlogs due to lengthy timelines to transfer paper files, and uncertainty for proponents. An example of this disconnection exists with the freedom of information legislation and policies which were developed decades before today's technology. Identity management and authentication can deliver secure online services but existing privacy legislation creates barriers.

Currently the NRS has over 370 centrally supported IT systems with approximately 100 systems associated with the issuance of authorizations. As part of IDM's transformation plan for the NRS an Information Management/Information Technology (IM/IT) Strategy document has been written as an addendum to the NRS 2012/13 Transformation Plan. The IM/IT strategy will transition the NRS from siloed systems to one of integration utilizing a single operational spatial database and consistent Web presence (NRS IDM Addendum, 2013-2014, p. 13).

IDM will deliver current and future business benefits by supporting the integration of processes, workflow and spatial data. This includes large capital asks upfront which will reduce future requests because future systems will be able to leverage from the foundation established as part of IDM. In addition, new integrated systems will increase flexibility and speed up new capabilities.

4.3.4 Change Management

Change management will have an impact on leadership alignment, risk, stakeholder engagement, and culture.

The horizontal management literature presented focuses on the leadership qualities and team formations necessary to oversee a large horizontal initiative such as IDM. At this early stage in IDM's development, leadership and team formations are crucial to get right since they will be the foundations from which change will be built upon.

4.3.4.1 Leadership and Horizontal Management Theory

In much of the literature on HMT there is an emphasis on how group members and leaders work with each other. There is a consistent recognition of the importance of teamwork, coordination, collaboration, partnership and an emphasis on trust within working groups in order to achieve objectives. By working across horizontal units a non-traditional leadership style it is often cited in the literature as key to creating successful group dynamics and results.

According to Sproule-Jones (2008), the horizontal leader or manager will likely be able to plan, organize, staff, direct, coordinate, report and plan budget activities. However to do these activities well, they will constantly need to consult, work collectively, and monitor for obstacles in which interdependency and sustained collaboration are identified. Sproule-Jones (2008) recognizes that these skills are “rarely taught” and “rarely developed” in public administration programs or through in-house training or exercises (p. 103). Nor are these skills recognized in performance reviews, job classifications or remuneration.

According to Bourgault and Lapierre, specific horizontal leadership abilities include knowing how to “create a collective vision”, communicate it and mobilize people to support it (2000, p. 15). A horizontal leader will seldom enjoy authority in the traditional sense, has a modest ego, good team spirit and “great listening capacity, even for what is left unsaid” (Bourgault and Lapierre, 2000, p. 15). Good judgement is exercised by supporting group dynamics, creating a friendly work environment, having a sense of humor that is “gathering” and generating pleasure within the project and personal relationships with members instead of creating a role-to-role dynamic (Bourgault and Lapierre, 2000).

IDM’s leadership face challenges to horizontal integration, namely power imbalances and turf wars.

Power imbalances

According to Phillips (2004), a challenge to horizontal initiatives is building and maintaining political interest, which often requires ministers and deputy heads being directly involved in implementing HMT. However, in horizontal initiatives “no one minister owns or will get the credit for collective action,” but all of them share the risk (p. 396). Phillips continues to argue that structural reforms will be needed to change this process as “managers who are used to and rewarded for ‘managing up’ and managing down’ have not yet been provided with appropriate incentives and rewards for ‘managing out’ as well” (p. 401).

Bryson and Crosby (2008) maintain that mistrust is a threat to effective collaboration and can occur from power imbalances amongst partners. Bryson et al. (2008) argue that power imbalances are most likely to occur when partners disagree on a shared purpose, which can be exacerbated by resource constraints, partner relationships, and changing political trends that reshape government priorities. Even if horizontal agreements are negotiated, Peters (1998) contends that the delicate balance of interests that may have been forged could be sacrificed for other political causes. Bryson et al. (2008) assert that horizontal initiatives are more likely to succeed if resources and tactics for addressing power imbalances are built into the process with strategic planning and scenario development in mind to manage shifts in power effectively.

Turf Wars

Peters (1998) argues that turf wars are likely to be activated by organizations in similar policy areas that lack common ideas about service delivery. He continues that organizations close in ideology and service

types are the most difficult to co-ordinate. They tend to fight over the same budgetary and policy turf, while more diverse organizations are less threatened by co-operating together because they are not serving the same clients or funded through the same ministry.

Positions can become solidified among similar organizations because it reflects on the relative importance of their services and their ability to deliver them. Even when faced with reduced resources where horizontal collaborations makes sense, similar organizations can become entrenched instead of creative about working together. In such situations 'negative co-ordination' may be the best possible outcome, in which organizations "respect each other's commitments but do nothing to integrate their actions" (p. 303).

Peters also mentions how down-sizing is reducing movement within government and that individuals are remaining in posts longer, resulting in a narrower vision of government. It is also important for successors to be prepared to sustain collaboration during leadership changes, particularly for IDM since this initiative will span a long timeframe and it is likely that leadership changes will occur.

As IDM moves forward with its vision and principles for enabling a one land base/one land manager process it is important for the IDM team, particularly its leadership, to be conscious of the challenges it faces in enabling a large scale horizontal initiative. Bryson et al. (2008) suggest two leadership roles that can have a positive impact on large horizontal initiatives are 'sponsors' and 'champions'. Sponsors are individuals with "considerable prestige, authority, and access to resources" that can be utilized by the initiative to push forward important milestones or secure support, even if the sponsor is not involved in the day-to-day operations (p. 67). While champions are "people focused intently on keeping the collaboration going and use process skills to help the collaboration to accomplish its goals" (p. 67). Horizontal initiatives are more likely to succeed if they have committed sponsors and effective champions at various levels and from different sectors.

4.3.4.2 Leadership and IDM

During the conceptualization of IDM, leadership alignment and support were identified as key components in maintaining integrity through change management (Deloitte, 2013). Significant upfront effort is required to establish leadership alignment, particularly when difficult trade-off decisions need to be made (Ministry of Forests, Lands and Natural Resource Operations, 2013, p 14). Ongoing monitoring to ensure the right leadership behaviours are being exhibited is also needed.

Conclusion

As IDM moves forward with its change management of the NRS it will need to build on each sector's strengths, both its leadership and staff, to effectively enable a horizontal alignment of the policy and operational changes needed. IDM will need to ask and answer:

- What is the *nature* of the problems to be solved?
- How will collaboration support and sustain change?
- Who are the best representatives to bring about collaborative change?

The strength of collaborations or horizontal initiatives is that they can achieve sector-wide buy-in and create lasting results for change implementation. As illustrated in this section, relationship building and trust are key factors that will need to be present for both the teams and the leaders that bring about the NRS transformation.

4.4 Stakeholders – Current State

There are four main stakeholder groups affected by the current siloed conditions within the NRS Ministries: (a) clients/proponents, (b) decision makers; (c) First Nations; and (d) the public. Common to all of these stakeholder groups is a requirement for transparency, accountability, flexibility, convenience, and effectiveness to increase citizens' trust in the services the NRS provides and the government as a whole.

Though there are common issues and requirements to all these stakeholders, there are also distinct challenges for each group. This section of the Master's project gives an overview of the main concerns for stakeholders. For more details regarding IDM and stakeholders see Appendix 1.

4.4.1 Clients and Proponents

Clients and proponents can be corporations, private citizens, other Canadian jurisdictions, and other countries that are interested in using or are authorized to use BC's natural resource capital.

Proponents are individuals or companies that have submitted an application for an authorization(s) but a decision of acceptance or disallowance has not yet occurred by government. Clients are individuals or companies whose application has been accepted by government and the two parties are working together to ensure project completion and compliance is achieved as set out in the authorization(s) terms.

For the purposes of this report, the term proponent will be used as the standard terminology to refer to this stakeholder group.

4.4.1.1 Proponents and Horizontal Management Theory

Building legitimacy with all stakeholder groups is important but particularly with proponents since they have a choice of what territory they invest in and they need to have confidence in the NRS and the authorizations process to be transparent, legitimate and fair. According to Bryson et al (2008) horizontal collaborations are more likely to succeed if they establish with the "stakeholder the legitimacy of collaboration as a form of organizing, as a separate entity, and as a source of trusted interaction among members" (p. 68). Bryson et al. (2008) argue that networks or horizontal collaborations are "not automatically regarded by others as a legitimate organizational entity because [they are] less understandable and recognizable than more traditional forms, such as bureaucratic structures" (pp. 67-68). Bryson et al. (2008) put forth that "an organization seeking to acquire the resources necessary to survive must build legitimacy through making use of structures, processes, and strategies that are deemed appropriate within its institutional environment" (p. 67).

4.4.1.2 Proponents and IDM

From August to October 2012, a series of exploratory questions were asked of proponents regarding their experience with the current siloed regulatory regime. IDM conducted 29 proponent interviews³ to

³ The IDM team conducted proponent interviews with 29 individuals or groups representing the following six industry sectors: adventure tourism; aggregate mining; clean energy; placer mining; the Urban Development Institute; and an oil, gas and electricity discussion group. The proponents were asked questions on the following six key issue areas of IDM: performance securities; public review and comment requirements; one project authorization documentation; aligning tenure terms; renewals, replacements and amendments; automation (online submissions); and coordinated project/client based billings.

test government assumptions and document proponent perspectives regarding potential benefits to harmonizing regulatory requirements which help to actualize Bryson and Crosby's stance. The proponents interviewed all had experience with projects requiring multiple permits under multiple statutes within the NRS.

The experiences conveyed by proponents varied between industry sectors and key issues. The most significant challenges occurred for smaller proponents, who are more adversely impacted by delays to their projects due to government inefficiencies and higher security fees because they have less financial capital to withstand delays and extra costs. Both of these issues hamper their project's development and in some instances prevent project completion.

These proponent interviews can be utilized by the IDM team to understand the current issues proponents face and therefore set priorities and objectives to address them. By recognizing proponent concerns IDM establishes trust and legitimacy as it changes policy, processes and systems to support better results.

Further details on proponents and securities; public review and comment; aligning tenure terms and renewals; billings; and online submissions are detailed in Appendix 1.

4.4.2 Decision Makers

Fast Facts:

- **BC Public Service workforce:** approximately 30,000 (Government of BC, n.d., p. 4);
- **NRS sector:** 5,600 employees, representing over 20% of BC Public Service (Ministry of Forests, Lands and Natural Resource Operations, 2013, p 3); and
- **Locations:** 65% of NRS employees are based in regions, in over 50 communities and operating from over 400 sites in BC (Ministry of Forests, Lands and Natural Resource Operations, 2013, p 3).

Decision makers are employees of the BC Government and have the authority and capacity to make decisions about land and/or resources that have been entrusted to the government to maintain and utilize on behalf of the citizenry.

4.4.2.1 Decision Makers and Horizontal Management Theory

According to Maass and Eriksson (2006) changes to processes and procedures, particularly IT systems, are too often regarded as a technical process instead of as a socio-technical process. What they mean is that IT projects can fail because of a focus on the changes to procedures or systems being implemented and not enough attention, time, and money is spent on ensuring the social change to working habits are sufficiently managed.

Maass et al. (2006) emphasize that implementing change takes time and that lessons must be learned from previous attempts. Missteps need to be recognized, valued, and used in the development of future stages or projects, and that some projects will be more successful than others. The lack of a comprehensive project plan, funding, and trained personnel will result in a prolonged project. Therefore stages which are incremental to an overall larger change may be more effective than sweeping ones.

4.4.2.2 Decision Makers and IDM

Demand for resource use and increasingly complex land based decisions are adding pressures onto the current capacity of the NRS workforce. As the current workforce decreases, the government is at risk of poorly meeting its service delivery expectations to stakeholders.

IDM's pillars are addressing the issues faced by stakeholders by changing business processes to bring about an integrated project-based authorization system. IDM is enabling legislation and streamlining IT systems so decision makers will be able to access information using fewer systems to complete the same tasks, thus saving time and money. IDM's change management approach will have the greatest impact on decision makers as it transforms the direct services and interactions the government has with all stakeholders across the province.

4.4.3 First Nations

Fast Facts:

- **Population:** 196,000 which is approximately 4.6% of the total population in BC (First Nations in British Columbia, n.d.);
- **Number of First Nations in BC:** 203 of 600 total in Canada with approximately 30 different tribal groupings (First Nations Technology Council, n.d.);
- **Languages spoken:** 32 with approximately 59 dialects (First Nations Technology Council, 2010);
- **Historic Treaties** (Government of British Columbia, n.d.):
 - Douglas Treaties – 14 purchases of First Nations land by James Douglas of the Hudson's Bay Company between 1850 and 1854; and
 - Treat 8 – signed in 1899 the federal government negotiated eight treaties with First Nations in northeastern BC to help resolve problems related to the Klondike Gold Rush.
- **Modern Treaties** (Government of British Columbia, n.d.):
 - First Nations with ratified Final Agreements: [Tsawwassen First Nation](#) and [Maa-nulth First Nations](#);
 - Negotiating to Finalize a Treaty: [Yale First Nation](#) and [Tla'amin Nation](#) (Sliammon First Nation); and
 - First Nations currently negotiating Final Agreements: [K'ómoks First Nation](#), [Yekooche First Nation](#) and [In-SHUCK-ch Nation](#).

For IDM's purposes, First Nations are peoples who possess unique rights guaranteed under the *Constitution Act* that are entitled under the law to meaningful consultation and accommodation in matters affecting their interests and territories.

4.4.3.1 First Nation Consultation and Horizontal Management Theory

Though trust is a component of all stakeholder relationships, the group most often referred to as requiring improved relationships for engagement because of a lack of trust is FN's (conversation with Andrew Morgan, August 20, 2013).

FN's can be frustrated with government consultations because they are repetitive, time consuming and sometimes considered lacking in meaningful consultation (conversation with Andrew Morgan, August 20, 2013). Bryson et al. (2008) describe trusting relationships paradoxically as both lubricant and glue; lubricant because trust facilitates collaboration and glue because trust holds collaboration together.

Trust is comprised of “interpersonal behaviours, confidence in organizational competence and expected performance, and a common bond and sense of goodwill” (Bryson et al., 2008, p. 68). Trust and collaboration is particularly important following a history of single-sector failure as partners can easily blame another, as is the case with previous and current consultation between FN’s and the government.

The FN consultation process is extensive, time consuming, and based on relational trust between FN’s, decision makers, and proponents. To establish trusting relationships, according to Bryson and Crosby (2008) collaboration partners need to share information, knowledge and demonstrate competency, good intentions, and follow-through. Failure to achieve this will undermine trust. Bryson et al. (2008) emphasizes the effectiveness of achieving ‘small wins’ between partners and that trust building activities need to be continuous to succeed at cross-sector collaborations. As IDM moves forward with its FN’s Consultation and Engagement Program, incorporating trust and relationship building will help to strength implementation of the projects.

4.4.3.2 First Nations and IDM

In *Haida Nation v. British Columbia*, the Court ruled that the Crown could delegate certain procedural aspects to proponents. In practice, when proponents engage with FN’s for consultation on project development the Province will:

- Advise FN’s that the proponent will be undertaking certain procedural aspects of consultation;
- Identify which FN’s are to be consulted;
- Provide non-confidential information to the proponent about affected FN’s;
- Consider the level of consultation that may be required; and
- Assess the adequacy and appropriateness of consultation and accommodation.

Staff are responsible for keeping informed about proponent and FN engagement. Legal or policy advice should be sought by staff when managing confidential or sensitive FN information in relation to proponents.

As summarized in *Regulatory Harmonization – Proponent Interview Results* (2012), proponents interviewed consistently asserted that it is difficult for them to make knowledgeable decisions about where to locate projects because of a lack of information regarding First Nations’ claims. Proponents frequently mentioned that having direct access to information through an online mechanism which identifies First Nations’ interests or claims would be beneficial for them in their project development (Ministry of Forests, Lands and Natural Resource Operations, 2012).

4.4.4 The Public

Currently, the public has access to information in a similar way to clients - disjointed and controlled by government. Citizens, like all of the stakeholder groups, want easy and timely access to public information in a format of their choosing. Citizens are reliant on government to provide them with information which is limited and often confusing because it is incomplete. For example, with respect to NRS activities, there is no central website that publishes all authorizations or project requests.

The public service’s primary role is to deliver services to citizens, businesses and communities. The Transformation Plan recognizes that the “rapid pace of technological advancement and changing needs and expectations of citizens continues to influence how public services are delivered” (p. 11). Bridging

the gap between the current disjointed system and a future vision that effectively informs citizens and enhances engagement is what IDM is developing.

4.4.4.1 The Public and Horizontal Management Theory

According to Phillips (2004) horizontal management practices do not necessarily engage the active citizen as an agent for better services or a co-producer of policies that determine services. Phillips argues that there can still be a democracy deficit at the highest political level and that adjustment within administrative institutions and management practices is needed.

IDM is addressing this 'deficit' by embracing and actualizing the new approaches outlined in Citizens @ the Centre to engage citizens. In 2010, the Deputy Ministers' Committee on Transformation and Technology defined three central themes to shift the public service's operating philosophy:

1. Increase citizen participation by engaging them more directly through improved access to government data and sharing information;
2. Expand service innovation opportunities by improving and modernizing online services to better serve citizen needs; and
3. Develop business innovation by taking a more corporate approach to technology planning and innovation.

There are several benefits to moving services online: it saves time and money, allows government to redirect resources, and encourages greater satisfaction and trust in government (Citizens @ the Centre, p. 17).

By increasing self-service options and increasing online services for citizens, IDM will be able to actualize the vision of the Deputy Ministers' Committee on Transformation and Technology. IDM will improve citizen engagement and enable a more open government by facilitating open data sharing, thus addressing Phillips concerns by bringing into practice increased engagement with citizens.

4.4.4.2 The Public and IDM

To further address Phillips' concerns, IDM plans to standardize services across the NRS that will result in more predictable timelines and decisions associated with client applications. For example, by using technology, the NRS can move away from paper-based application forms and files to electronic versions. This will provide improvements to all stakeholder groups because information can be shared between decision makers, published openly for citizens, better enable tracking of consultation with FN's, and provide more accurate information or investment opportunities for clients.

Currently IDM is focused on developing the following new services to better serve the public:

- **Application self-assessment** – enables the public and clients to self-assess if they meet application submission requirements;
- **Integrated spatial database** – integrated data sets on tenures, authorizations, and existing rights are compiled on geographical areas of interest to provide stakeholders with information on environmental values and existing activities;
- **Electronic submission** – online applications for authorization requests;
- **Client portal** – an online account for clients to manage their account information, including paying bills, viewing statements and tracking financial history; and

- **Online review and comment service** – using web-based technology to collect comments from the public and rights holders on proposed projects.

It is important to note that not all citizens are comfortable using information technology, and some live in communities where connectivity remains limited. However, the government's intention with IDM is to provide better services, more timely and durable decisions, and to have consistency across the province on NRS authorizations. Technology provides many opportunities to deliver on these goals and to enhance governments' ability to better engage citizens.

Conclusion

IDM aims to increase trust, accountability, transparency and ownership for all stakeholder groups. Though government is anticipated to have a smaller work force, there is an expectation from stakeholders that the government will maintain or improve the current level of services they receive. To accomplish this objective, the government needs to embrace and facilitate change, foster positive and open communications and interactions, and apply the NRS's stewardship values consistently and fairly across the province.

4.5 Key Issue Areas for IDM

As IDM transforms the NRS and the land base with its vision and principles through its four main pillars, there are six key issue areas that need to be addressed: public review and comment, securities, billings, tenure terms and renewals, fees, and appeal mechanisms which are detailed below. Though these key issue areas are distinct and address different topics, it is important to note that they all are affected by and have influence upon the pillars of IDM and the stakeholder groups addressed in this Master's project.

4.5.1 Key Issue Areas and Horizontal Management

4.5.1.1 Problem framing

One way for IDM to view these key issues areas is described by Phillips (2013) who argues that 'problem framing' "reminds us that problems are not given, but need to be shaped and framed and that this is inherently a political process" (p. 389). Within the context of horizontal management, collaboration is a key factor with respect to whether the problems have been "framed jointly, or at least whether there is mutual agreement on the nature of the problems at hand" (p. 389). According to Philips (2013) collaborative teams, such as IDM, need to have an open process "so that a sense of working on an equal footing can be established from the beginning" (p. 390).

The IDM team will need to strike the right balance between allocating resources and prioritizing completion of individual key issue areas over others to deliver a 'quick win'. Quick wins will establish momentum and credibility for IDM but the team will need to ensure buy-in from all the parties so that trust is built and turf wars are not created.

4.5.2 Key Issue Areas and IDM

The following outlines the six key issue areas of IDM and the challenges that exist from the current siloed systems.

4.5.2.1 Public Review and Comment

Public review and comment (PR&C) solicits input from the public and notifies rights holders of authorization applications. In return the government receives comments so decision makers can adjudicate applications. PR&C uses the following four methods:

- **Advertising** – a broad based announcement to provide the public with information on a project or request for authorizations. Advertisements are usually placed in a local newspaper or the BC Gazette.
- **Notifications** – an announcement made by letter to an individual or entity regarding an application, decision, or cancellation of an authorization associated with a project. Where multiple people are required to be notified, advertising can be used as an alternate form of notification. Notifications are used differently by agencies under separate legislative requirements.
- **Referral** – a specific announcement addressed to another government agency to provide them with information on a project or request for an authorization. Referrals are most often sent by letter.

- **Comments** – a remark from a member of the public on a project or application for an authorization. Their comment may or may not be taken into consideration by the decision maker and the decision maker is not required to respond or engage on the remarks.

Currently NRS ministries have separate legislation and processes regarding PR&C for each authorization. Decision makers are legally only allowed to consider comments received in relation to the specific authorization they are reviewing. This may require the public to comment multiple times on one project which has multiple authorizations, otherwise their comments may not be considered. Decision makers use the information attained through PR&C's methods to accept or disallow authorizations.

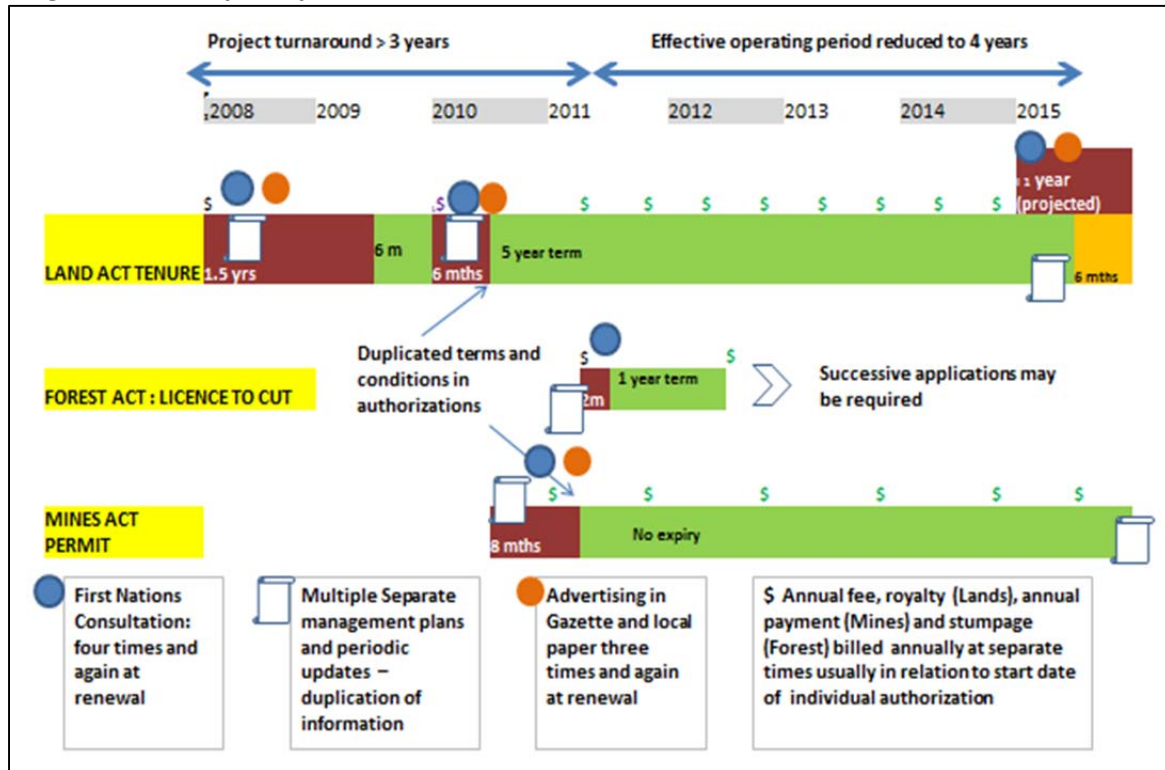
Proponents are sometimes required to replicate advertising for each authorization which incurs additional costs for them and can lead to confusion for the public because they then think each authorization advertisement is for a separate project. Moreover, advertising for such authorizations is often antiquated and lack a digital communication component. For example, Lands authorizations require advertising in the BC Gazette, a newspaper that is now scarcely read and distributed.

4.5.2.2 Tenure Terms and Renewals

Tenure terms refer specifically to access to the land. Currently each ministry issues separate authorizations under the authority of their parent act. Each ministry has developed their own authorization term lengths based on their business priorities and objectives. Since the NRS ministries are siloed the result is authorization terms with differing timeframes even when they are for the same project.

As an example, Diagram 7 illustrates the current authorizations process for a remote gravel pit. The proponent may be issued a licence to cut trees (to create access to the gravel site) for two years, a mining permit for seven years, and a lease to occupy the land for 10 years.

Diagram 7 – Example in practice: Remote Gravel Pit



Source: NRS IDM Addendum 2013-1014

Under the current system a proponent needs to apply for each authorization separately. Authorization timeframes are not synchronized to phases or on a project basis.

Once all the authorizations have been attained and a project has started concerns for the proponent can still arise. For example, if the proponent encounters a problem that causes delays a new authorization may need to be applied for instead of as an extension being issued. This can cause delays to the project as a whole.

Different authorization end dates can cause future issues for the proponent. For example, if the proponent wants to extend their project each authorization must be applied for again. Since each authorization has a different end date they are applied for separately and at different times during the project. If one of those authorizations is denied then the project as a whole is affected. This results in uncertainty for proponents and in turn this can make it difficult for them to secure financing or sell their project.

4.5.2.3 Securities

Securities are financial guarantees collected by the government to be used in the event of a proponent being unable to remediate the land to the condition set out in their authorization.

Currently securities are calculated and collected separately for each NRS authorization, even when multiple authorizations are needed for one project. A consolidated approach is constrained because there is no legislative mechanism to enable an integrated approach

Multiple issues will need to be addressed by the IDM team regarding securities:

- Amounts collected are often insufficient to remediate damage caused by negligent proponents resulting in the government being liable for the cost and remediation. Government is hampered by its inability to assess and adjust security amounts as projects and risk evolve;
- Lack of provincial policy results in different regional practices and accusations of unfairness. For example, sometimes statutory decision makers can set the security amount or waive a security requirement which leads to inconsistencies and a perception of unequal treatment amongst proponents;
- Limited capacity exists to assess and monitor proponent's contracts and sites for performance. Spot monitoring instead of province-wide monitoring, due to limited government resources, results in problems not being caught early. With sufficient monitoring there is an ability to avoid some types of default and thus reducing risk to government;
- Insufficient historical data, limited information sharing between government agencies, and lack of capacity to accurately judge a proponent's likelihood of defaulting increases government's exposure risk;
- Poor administration and record keeping of security details have resulted in: (a) orphaned security deposits where the security is not returned or not traceable to a proponent, (b) lost by either the ministry, bank and/or proponent because agreements have been misplaced due changes in government or proponent ownership, and (c) securities returned despite the proponent needing to clean abandoned sites; and
- Concern over proponents reactions to proposed changes; the government may be accused of negatively impacting proponent's business and financial status.

There are many issues impacting the current state of securities which can be improved upon by IDM.

4.5.2.4 Fees

IDM's objective is to consolidate fees, or create similar categories of fees, on a project basis.

Presently, fees are established under legislation, so either amending or overriding existing legislation is needed to consolidate fees. In addition, compliance with existing provisions in some legislation to take a portion of revenue generated and placed into special funds must be adhered to. For example, 50% of annual rents from power projects must go to the First Nations Clean Energy Business Fund. Any changes IDM makes must comply with existing provisions and allow for future provisions.

IDM would need to change legislation to allow for one fee to be charged or consolidate individual fees on a project basis. This would reduce the billings and payments required by proponents and staff for processing. As illustrated by the dollar signs in Diagram 11 fees are collected throughout a projects life cycle which increases the administrative burden for government and clients. A more streamlined and effective approach is possible.

4.5.2.5 Billings

IDM is considering two billing options for proponents: consolidated billing or coordinated billing. Consolidated billing would provide proponents with a single fee reflective of all the fees for their project. Coordinated billing would provide proponents with one statement listing all the separate fees related to their project. The main difference between these two options is whether the fees will be added together (consolidated) or kept separately but shown as one final fee on a statement (coordinated).

Either option would be an improvement on the current state in which proponents receive multiple fees related to a single project. This is confusing since proponents often find it difficult to identify, track and schedule fee payments for the multiple fees they are charged.

Under IDM proponents would be able to link fees with permit authorizations, clearly understand their payment options and deadlines, and be able to track their payment history. Government would be better positioned to ensure all revenues are tracked and collected, and ensure special accounts receive the appropriate funds.

Any changes introduced by IDM on billings will need to be coordinated with the proposed IT and process system changes to ensure success.

4.5.2.6 Appeal Mechanisms

Appeal mechanisms like other legislative or authorization components for the NRS are siloed. Similar inefficiencies arise due to duplication requirements for proponents and decision makers throughout the project application, decision making and post decision implementation process.

A wide range of appeal processes exist under various acts. These acts outline what decisions are appealable, the timeframe for appealing, the cost, who can appeal, and what tribunal they can appeal to. Currently, NRS appeal decisions go before one of three appeal tribunals:

- Environmental Appeal Board under the *Environmental Management Act*;
- Forest Appeals Commission under the *Forest Practices Code of British Columbia Act*; and
- Oil and Gas Appeal Tribunal under the *Oil and Gas Activities Act*.

Each tribunal has similar authorities and processes under their parent acts, and each tribunal addresses similar types of legal and technical issues. As a result board members have similar skills and expertise, and all members have been cross-appointed to all three boards with administrative support coming from the same office. Legally there are three separate boards; however, in practice there is one board which operates under different rules depending on which act the appeal is being heard under.

There are several options available to Executive for streamlining appeal mechanisms. Currently, appeal mechanisms are being reviewed by the Ministry of Justice for potential consolidation. IDM will address future appeal mechanisms after this review's findings are presented. One option may be to harmonize the requirements for appeals on a project basis (two authorizations or more) under the proposed IDM Act.

Conclusion

In this chapter the concepts of HMT were presented in conjunction with how they relate and connect to IDM. There are numerous challenges that IDM's leadership and team face as they operate within a vertical structure while changing processes and engaging stakeholders to support a more horizontal and integrated approach. The type of horizontal framework that can address one issue may not work for another, or may need to adjust over time as the parties and mandates change. IDM's leadership will need to ensure that the IDM team and working group leaders can be flexible to change to ensure the greatest likelihood of success.

Horizontal initiatives presented in this literature review give examples and demonstrate the benefits of such approaches; however implementing these initiatives comes with challenges. The projects and scope of IDM are extensive and span over many years. As IDM moves forward with operational and policy developments it must adapt to each group's different needs and changing priorities. For example, these working groups and the stakeholder groups mentioned earlier will all have their own separate focus and mandates which may conflict with each other. There is no one size fits all model that the NRS can apply to all the issues and parties that will be involved in this transformation. BC is on the verge of creating a transformation for its entire NRS that has the potential to fulfil a longstanding vision of uniting the various components in a unique and groundbreaking manner.

Chapter 5 – Cross-Jurisdictional Scan

The following cross-jurisdictional scan provides information on streamlining initiatives similar to IDM underway in the provinces of Alberta and Ontario in Canada, and the state of Queensland in Australia. This review is intended to provide a general overview of information for the reader. Details on recommendations are presented at the end of this report for the IDM team. Full operational details are provided in the appendix on these jurisdictions with respect to their approach to changing their processes, legislation, and technology systems for clients, decision makers, First Nations and the public.

Each jurisdiction examined has undertaken the harmonization of at least one sector within its natural resource portfolio. For example, oil and gas in Alberta, clean energy in Ontario, and oil, gas and mining in Queensland. However, no jurisdiction examined has, or is, attempting to harmonize its entire NRS such as BC is undertaking with the IDM initiative. Despite the different focus on natural resource sectors among these jurisdictions there are ideas which can be considered and enhanced to suit BC's specific requirements which can be applied to IDM's initiatives. These findings are summarized in Chapter 6 - Recommendations of this report.

The following table provides a summary of findings from the cross-jurisdictional scan of Alberta, Ontario and Queensland.

Table 2 - What other jurisdictions are implementing for greater efficiency in authorizing NRS projects with multiple authorizations

Jurisdiction & Overview	Is the process currently coordinated or siloed?	Use of Legislation/ Regulations/ Policy	Use of web based tools for system integration
British Columbia is eliminating duplication and ineffective administrative requirements by transforming legislation, business and IT processes.	Move towards integration of all NRS authorizations to follow a 'one project, one process' model.	Developing IDM Act and associated regulations and policies.	Yes
Alberta is moving to a coordinated approach for Oil & Gas (O&G) projects only. There is no current or anticipated future coordination of NRS projects.	Moving to a coordinated approach for O&G developments through an Enhanced Approval Process (EAP). The Regulatory Enhancement Project (REP) will create a single regulator for O&G projects expected to be operational by June 2013.	Responsible Energy Development Act passed on December 10, 2012. The Act gives a single regulator authority over the Public Lands Act , the Environmental Protection and Enhancement Act and the Water Act with respect to energy development for oil and gas.	Landscape Analysis Tool (LAT) is an 80+ data layered, web-enabled spatial tool that reports on qualitative and quantitative info. Proponents must complete a report using LAT data and submit with their application or go through a more complicated, expensive and time consuming process. <i>Benefits:</i> proponents can make more informed decisions upfront, and the government of Alberta attains real-time updated data sets.
Ontario - Renewable Energy Approvals	REA's are coordinated through the Ministry of Energy (MoE) which attempted creating a 'super permit' process but it has not succeed as originally envisioned. However, there is more coordination behind the scenes than previously but the same number of approvals exists (sometimes in a different format than previously), and NRS ministries still act in silos.	The Green Energy Act enables a 'one permit, one project' approach to renewable energy projects. MoE has had to re-write regulations for a third time as consultation with regions did not occur and staff found workarounds to current regulations. To facilitate the process, the Ontario government removed all municipal authorities' powers and rolled	There is no single database and no plans to develop one. The main barrier has been the cost to develop the necessary IT systems. It was felt the number of REA's to be used was limited so expense of creating a new IT system could not be justified. Staff still input data by hand and struggle to maintain system.

	Regional discretion is still a big factor.	them up into the provincial authority.	
Ontario – Automation of low risk authorizations	NRS ministries are modernizing how they manage <i>low risk</i> projects by changing their regulations on issuing business permits or authorizations but are maintaining the existing siloed system.	Each NRS ministry is establishing rules through regulation for applicants to follow and then automatically processing low risk applications.	Converting all paper applications to an electronic format. EASR issues permits by rule. Environmental Bill of Rights Registry is for more complex authorizations which require an individual review by MOE staff.
Queensland State, Australia is moving to a coordinated approach for its mining and petroleum industry only. There is no current or anticipated future coordination of NRS projects.	Extensively coordinated since 2008-09 having introduced two new acts, one of which overrides five separate acts. Ten new policies have been introduced to support industry and the public transition. Extensive funding for technology and business processes has occurred including a revision of fees. Queensland is likely three years ahead of IDM in achieving its goals.	Extensive regulatory reform occurring. The following have been passed: Mines Legislation (Streamlining) Amendment Bill 2012 and Environmental Protection (Greentape Reduction) and Other Legislation Amendment Act 2012 A minimum of 10 operational policies published as guidance on new reforms.	Mines online is a single portal for all mining, petroleum and resource industries including, searches for permit activity, reports, exploration maps and geological data, and lodgement of applications and permits. In addition, Queensland produces environmental maps and data online services on a range of environmental and natural resource data to customers free of charge.

Overall, this table indicates that all three jurisdictions are streamlining at least one sector within their Natural Resource Sectors. However, no jurisdiction is currently, or planning on, changing its entire NRS. BC is the exception and as a result a world leader in streamlining or harmonizing its NRS authorization processes and the support tools and culture shifts that will be impacted by such changes. This is a substantial undertaking requiring significant upfront funding, strong leadership, and extensive long-term planning and implementation forethought to make this endeavour successful.

All three jurisdictions and BC have started streamlining initiatives approximately within two years of each other. Queensland is the most advanced jurisdiction because it had an election where a political champion (the Premier) campaigned on the issue of increasing revenue for the state by bringing greater efficiencies to natural resource development. This in turn gave the Queensland process a strong and clear mandate and focus on funding priorities. As a result, at the time of concluding jurisdictional research Queensland had passed two Acts and several supporting pieces of legislation (e.g. regulations and several policy changes). It had also conducted extensive stakeholder consultation with proponents, aboriginal groups and the public; all of which served to inform an internal bureaucratic restructuring.

Alberta is the second most advanced jurisdiction since at the time of concluding research for this report it had also passed a significant Act enabling greater legislative efficiencies in its energy sector. Alberta had also conducted upfront stakeholder engagement though from the research found it did not indicate that the stakeholder engagement was as extensive as Queensland or was used to incorporate change extensively in its streamlining transformation.

Ontario ranks third in its progress of streamlining because it had strong upfront political will which was leveraged to pass a regulation and bring some efficiency to the clean energy sector quickly. However that political will was short lived and the changes made were not strongly rooted which in turn meant that they did not carry forward sustainable change. For example, the regulation drafted by executive was drafted and passed in nine months, presenting a political victory; however, it had to be re-written three times because decision makers were not consulted and resented the changes they felt were imposed upon them. Overall, any short-term gains made in Ontario were not met with long-term changes that brought sustained or substantive efficiencies.

BC has the latest start date and it is seeking to transform the entire NRS and all of its component pieces which is an objective no other jurisdiction is willing to attempt. The experiences and lessons learned from the Queensland, Albert and Ontario jurisdictions are presented in the following section of this Master's project.

Some quick fact details are presented at the beginning of each jurisdiction to give the reader the ability to compare population and NRS features between jurisdictions. For detailed scan information the reader should consult Appendix 2.

Ontario, Canada

Fast Facts:

- **Population:** 13,505,900 for 2012 (Statistics Canada, 2012, “Population by year”)
- **Crown land:** 87% (P. Desroches, personal communication, August 22, 2012)
- **Land size:** 1,076,395 square kilometres, second largest province (Natural Resources Canada [NRC], 2005, “Land and freshwater area”)
- **Water:** 158,654 square kilometres, including 250,000 lakes and about one-third of the world's fresh water (NRC, “Land and freshwater area”)

Renewable Energy Approvals

The only type of natural resource sector in Ontario to follow a ‘one project/one process’ approach to authorizations, similar to IDM, is within the renewable energy sector. Ontario’s approach to transforming this sector has been with the following two initiatives: renewable energy approvals and automating low risk authorizations.

1. **Renewable Energy Approvals** (REA’s) – a regulation was introduced to allow a ‘one-window’ approach **authorizing only** renewable energy projects and is administered by the [Ministry of Environment](#) (MOE). In order to implement REA’s, changes to Ontario’s [Environmental Protection Act](#) (s. 47.3) occurred enabling the Director of MOE to issue approvals for renewable energy projects (as long as they are not engaged in specific activities such as waste management systems or plants, or structures that discharge a contaminant). This transformation has mostly been completed, though Ontario has had to re-write the regulation three times because it did not consult with regional operational staff prior to its implementation.

Ontario currently has no plans to extend this approach to other natural resource sectors.

Though BC has been implementing low risk NRS authorizations for over five years through the [Environmental Management Act](#) the process is neither automated nor electronic. Currently in BC a registrant completes a paper application, submits it to a regional office or sends it to Victoria for processing, pays by cash or cheque (the government does not accept credit cards) and then waits 45 days. If after 45 days the registrant does not hear from the government then they are allowed to consider their application as having been accepted and can proceed. However, government might not receive all notifications and considerable staff time is required to process the paper applications and fees. Without direct confirmation of approval from the government to the registrant it is possible for misunderstandings to occur.

Challenges and successes for Renewable Energy Approvals

A key challenge the government of Ontario had was getting all of its ministries to work together to determine and agree upon which ministry should take the lead in overseeing the development of renewable projects. Rolling up the mandates and responsibilities of the various ministries resulted in confusion and disagreement at first. For example, with wind turbines, MOE was responsible for sound and determining proximity to homes, while the [Ministry of Natural Resources](#) was responsible for species at risk. Initially it was thought to be too difficult for MOE to look at species at risk because they would not agree to take on that responsibility or have the right experts to make an accurate assessment.

Some of the challenges Ontario encountered have been resolved but only to a limited extent. The various NRS ministries still act in silos. There is no single ‘super permit’ process as originally envisioned

and the same approval requirements still exist – whether it's five approvals requiring 20 things, or 20 approvals requiring the same 20 things – the result is the same at the end. However, there is more coordination behind the scenes now. There are more established guidelines, policies and allocated responsibilities. The policies were originally written at a high level but local discretion by decision makers is essential for developing renewable energy projects. It is anticipated that local discretion will lessen over time as policy becomes more established but this is several years away.

A success for REA's is that renewable energy projects are moving ahead faster than before. This is because more time is spent up front planning and the government of Ontario brings in operational decision makers earlier on in the process. However, there is currently no plan to extend this approach to other NRS authorizations.

2. **Automating low risk authorizations** - Ontario is currently assessing risk levels for all NRS authorizations and automating approvals of low risk projects. To support this new approach Ontario is creating an entirely electronic system which will accept, process applications and fees, and notify clients automatically of their registration. Projects must meet the pre-set criteria that: clients attest to the compliance standards and pay the fee. Automatic approval of applications has eliminated the need for decision makers in this process, thus saving time and resources.

Challenges and successes for automating low risk authorizations

The biggest challenge for MOE has been juggling too many competing priorities at the same time since it has been overhauling business processes and changing IT system simultaneously.

A success for MOE has been its ability to be transparent throughout the process. They established a multi-stakeholder group that has provided input from the start and still meets every four to six months. By implementing the transformation in multiple stages it has allowed for business and IT processes to change and adapt.

Alberta, Canada

Fast Facts:

- Population: 3,873,700 for 2012 (Statistics Canada, 2012, “Population by year”)
- Land size: 661,848 square kilometres, fourth largest province in Canada (Natural Resources Canada [NRC], 2005, “Land and freshwater area”)
- Crown land: 58% (B. Tyssen, personal conversation, September 21, 2012)
- Water: 19,531 square kilometres (NRC, “Land and freshwater area”)

Streamlining Alberta’s Oil and Gas Sectors

Alberta is streamlining its oil and gas (O&G) sector by addressing similar key pillars and issues as IDM. It is important to note that other NRS activities such as agriculture or aggregates are not presently being considered by Alberta for streamlining. Neither does Alberta have plans to have one regulatory system for addressing these other types of NRS activities though in the future it may be considered.

O&G developments are not in scope for IDM since BC has an Oil and Gas Commission which has an integrated decision making process through the [Oil and Gas Activities Act](#) (OGAA).

The Government of Alberta published a report in March 2010, [Energizing Investment: A Framework to Improve Alberta’s Natural Gas and Conventional Oil Competitiveness](#) which cited “a lack of coordination and collaboration among the players makes the regulatory system hard to navigate and creates duplication” (p. 17). Alberta’s O&G regulatory processes face similar efficiency obstacles to BC’s NRS in that “proponents must submit applications and secure various approvals through multiple, disconnected points even when they are related to the same project” (Government of Alberta, 2010, p. 17). Alberta and BC have experienced a similar siloed approach to approving applications because each jurisdiction has not had a system that is project based. As a result duplication and unnecessary effort is experienced by stakeholders.

Alberta is streamlining its O&G regulatory inefficiencies by:

- Undertaking a comprehensive review of its regulatory system;
- Creating a task force to address specific issues and make recommendations;
- Working with multiple stakeholders including three other provincial government ministries, proponents, landowners, environmental groups, First Nations and actively engaging the public for feedback (Alberta Ministry of Energy [MoE], n.d.); and
- Writing and passing Bill 2 the [Responsible Energy Development Act](#) which supersedes six other acts.

Queensland State, Australia

Fast Facts

- Population: 4,513,009 (Australian Bureau of Statistics, 2012)
- Crown Land: 68 percent (Queensland Government, n.d., “State Land”)
- Land size: 1,730,648 square kilometers, second largest state (Briney, 2011)
- Water: 121,994 square kilometers (“Queensland”, 2012)

Streamlining Queensland’s Oil, Gas and Mining Sectors

Prior to changing legislation and business processes Queensland worked extensively with industry to discover and prioritize recommendations to improve its mining and petroleum industry. The following improvements (in order of priority by Queensland) are most relevant to IDM’s initiatives:

- resource and implement the *Streamlining Approvals Project: mining and petroleum tenure approval process, 2009*. Queensland has completed eight of 13 recommendations with the remaining five in the process of being implemented;
- shift towards parallel rather than sequential approval processes, particularly in regard to the notification process;
- improve accountability timeframes by providing targets at each stage of the approval process; and
- fully convert the application and approval process to an electronic based system.

Since January 2009, at the direction of Premier and as an election commitment, Queensland has undertaken several streamlining initiatives to make its mining and petroleum industry’s approvals processes more efficient and effective. In 2009-2010, \$1.5 million of base funding was given to the Department of Employment, Economic Development and Innovations (DEEDI) which by November 2009 included the Department of Mines and Energy. With this funding DEEDI began streamlining initiatives which increased support positions and began IT enhancements (Queensland Department of Employment, Economic Development and Innovation [DEEDI], 2011, p. viii).

Common Initiatives with IDM

Currently the Queensland government is introducing a streamlining permit approval process to reduce red tape for the mining and exploration industry. Queensland is working collaboratively with industry to drive business and system transformations for resource permit approvals (Queensland Department of Natural Resources and Mines [DNRM], n.d., “Streamlining”). Queensland’s approach is comprised of key pillars which are similar to IDM:

- **Process** - changing their business service delivery model so they can respond more flexibly to the needs of industry and enable the most efficient use of resources;
- **Legislation** - aligning and improving legislation so that it can be administered and understood more easily;
- **IT systems** - updating their business systems by making permit applications online (DNRM, “Streamlining”).

At present IDM is in year negative-one of its seven year transformation plan for BC’s NRS. When conducting research, no information was found on Queensland’s timeframe for fully implementing its streamlining processes. However, Queensland began its process in 2009 and at the time of concluding

research for this report (Winter 2012) Queensland had passed two significant acts, changed 10 operational policies, and implemented eight of 13 recommendations.

Each of these cross-jurisdictional initiatives are examined in detail in Appendix 1 along with fees, and native title which are discussed as key issues of IDM for the purposes of this report.

Conclusion

Though BC's transformational focus is different from the jurisdictions presented in this chapter, BC can still learn from the experiences of Ontario, Alberta and Queensland. For example, Alberta and Queensland conducted extensive stakeholder consultations with positive results while Ontario did not include consultation as part of its transformation process and as a result challenges arose from staff which negatively impacted the legislation they introduced. The results from these jurisdictions were closely examined, and help inform the recommendations found in chapter 6.

Chapter 6 - Recommendations

The following recommendations were developed by the researcher from analysis of both the HMT literature review and cross-jurisdictional scan just completed in Chapters 4 and 5. Here it was broadly found that strong leadership within the transformation team is essential for setting the objectives and focus of the transformation. Leadership at the political level sets the tone, priorities and ensures continued ownership and focus of the integration process at the bureaucratic level. It is crucial that there is a consistency of principles and vision at both the political and public service levels for any IDM initiative.

Leadership needs to be followed by rigorous and detailed stakeholder consultation. Stakeholder buy-in is essential for horizontal initiatives within a vertical structure because it is more likely that success of the initiative will be achieved. This stakeholder buy-in means acceptance of the changes from those living or experiencing the transformation on a day-to-day basis as well as leaders who are responsible for ensuring an overall vision is attained.

The second key principle learned from conducting the horizontal management literature review is the importance of accountability. In general, horizontal initiatives can involve less measurability for tasks and outcomes, so successes are often less tangible. An example of such less tangible successes would be improved First Nations relations between proponents and the government. Horizontal initiatives can create different incentive structures than what is experienced in traditional vertical processes. In a vertical structure it is easier to allocate rewards and punishments based on measurable targets. This in turn makes it easier to assess and allocate acclaim and culpability. In a horizontal initiative it is more challenging to identify these qualities if accountability measures are not set up to be clear and specific. Since an organization cannot manage what it cannot measure different incentive structures need to be set up in a horizontal initiative to ensure it is able to deliver on its objectives. The IDM process should be attentive to this unique set of accountability and incentive demands.

Building on these two core principles derived from the HMT review and cross-jurisdictional scan, the following nine recommendations are presented for consideration by the client and are divided according to (i) planning and (ii) implementation themes associated with IDM in BC. This thematic division is consistent with the demands of the central research question underpinning this report.

The recommendations are listed in priority order based on the analysis of the researcher. Having said this, they are provided for detailed consideration by the client within the context of IDM as it evolves over time. They are based on a snapshot-in-time analysis according to the timeframe in which this report was conducted and finalised. Detailed implementation considerations associated with each recommendation should be separately decided by the client and do not form part of this report.

Planning-related Recommendations

1. Clearly defined leadership roles and responsibilities

Establish strong and clearly defined leadership roles and responsibilities from the outset. These roles will become a demarcation of priorities areas. Assigning clear responsibilities will serve executive in the present and the future as new issues arise and priorities change. This includes having an IDM sponsor for planning (attained in August 2013) and champions for the various components of IDM. Part of this leadership function is to prioritize the planning and operational objectives of IDM. In addition, IDM must

be transparent with its processes to bring about change, including conveying missteps and delays so lessons can be learned.

2. Create teams with strong mandates and leaders

Create task forces or working groups with strong mandates, expectations and leaders. Ensure sufficient funding is in place to achieve the key priorities set by IDM's executive. Within these groups the leaders should identify specific, measurable, and attainable goals and milestones that can be recognized and celebrated within the group and to the larger IDM audience in order to build momentum and sustain morale. Also ensure there is ongoing support for policy development, accountability frameworks and management of the changes in culture which will take place.

3. Evaluate the impact of changes on staff

As IDM shifts from a siloed to project-based approach, it is important that decision makers are mindful of the number of initiatives in existence or that have been introduced in the last five years. According to Sieffert (2013, p. 2), staff can become reticent to supporting new or additional initiatives given the number of existing or recently introduced initiatives. Staff can become overwhelmed and resistant to too many changes, particularly if they have not been involved in their development. IDM should act with awareness and plan to evaluate the impact of initiatives they introduce, particularly on staff and First Nations communities.

Implementation-related Recommendations

1. Need for consultation with staff prior to major initiatives being finalized

Consult with operational staff prior to the drafting stage of writing legislation. In Ontario a new regulation had to be re-written three times to tighten policy issues and close loopholes exploited by regional decision makers who found workarounds as a result of their exclusion from the drafting stages and a rushed legislative process. Moreover, policy advisors and senior managers were focused on the process and legal requirements, agreed to everything at a high level, but never wrote anything down. After the project was completed senior staff went on to other positions but then regional decision makers were left figuring things out. This presented challenges for everyone concerned.

2. Conduct Extensive Stakeholder Consultation Prior to Implementing Changes

Once funding has been secured, IDM should conduct extensive stakeholder consultations with the relevant groups for the priorities issues of IDM. The drawback to this approach is the cost of engagement and the upfront time spent collecting and analyzing information. In addition, the information gathered may not align with IDM's vision or objectives. However, stakeholder engagement is strongly recommended as upfront consultation will provide insight into stakeholder perspectives and increase stakeholder buy-in for the long-term, if managed effectively.

3. Automating Low Risk Authorizations

BC is currently creating a fully electronic system for accepting mining, water and land applications which will have the ability to also accept fee payments. IDM could build upon this new electronic application design by creating a system to fully automate the acceptance of low risk authorization registrations. In a fully automated system, like Ontario's, the registrant receives an answer within 7 minutes and the public is able to review registrations in real time and the information is linked to a spatial map for ease of reference. It has been estimated that \$5-10 million has been saved by businesses because they no longer need to submit reports or seek assistance from consultants to register low risk authorizations.

4. Enhance Collection of Securities Information

Overall clarity and consistency is needed with respect to securities. The following points articulate specific examples the IDM could implement for securities:

- Create one risk-based model that can be understood, administered, monitored and followed by decision makers and proponents;
- Create agreements specifying the authority under which securities are collected, for what purpose, and under what circumstances they will be returned to the proponent;
- Create accurate and transparent assessments for risk and ensure securities are appropriately tied to the risk assessment;
- Ensure enforcement of contract and site monitoring, terms regarding risk and insurance, and provincial consistency regarding rules; and
- Centralize administration, data collection and information sharing to ensure long term use by decision makers and proponents.

5. Collect Pooled Securities Fees

Set securities fees at levels that meet remediation costs for the government. This could be achieved by either directly collecting a high enough security fee to cover remediation costs based on individual projects, or creating a pooled security fee. Pooled security fees require proponents to pay a portion of the estimated remediation costs for their project. The fee is joined with other proponents' fees and held collectively by the government. Security fees can be set and grouped by industry sector, since some industries have a greater environmental impact and thus a higher remediation cost if a proponent fails or is unable to clean up damage caused by their project. If a proponent fails to remediate damage, then the cost to government is reimbursed from the pooled security fee. Fees are returned to proponents once their project is completed and reclamation has occurred in accordance with their authorization. The benefit to proponents is a smaller upfront security fee resulting in more funds being available for project development. The benefit to government is a guaranteed revenue source to reimburse remediation costs resulting in less risk for project development.

6. First Nations Consultation Focused on Geographic Areas

According to Sieffert (2013) in *A Potential Strategic Approach to Consultation with First Nations* a more strategic approach would be to move away from site-specific approvals to consultation on specific land areas. Sieffert (2013) proposes a “*strategic-scale dialogue* that is designed to identify priorities and approaches for subsequent consultation activities” (p. 1).

First Nations discussions could move towards geographic areas or territory-based consultation using pre-determined strength of claim information. This approach could be achieved by building upon ethno-historic reports which are currently being written for every area of the province and for every FN band. These ethno-historic reports outline past FN land use and help determine present strength of claim assessments. Currently, agreements on revenue sharing and land access are based on these strength of claim assessments when the government consults on individual authorizations with FN's.

Instead of continuing to consult on individual authorizations the government, in partnership with FN's, would map territory according to development potential. For example, FN's and government would determine areas of land that would not be available for development (such as sacred burial grounds), and areas of land where development is welcome with pre-determined consultation levels (for instance, minimal consultation for low risk activities to higher consultation for riskier activities such as mining).

By working in partnership with FN's the government improves relationships with this group, provides proponents and the public with upfront information which makes determining land development opportunities easier, and streamlines the process for decision makers. The overall effect saves time and money for all stakeholders.

Chapter 7 – Conclusions

IDM is a significant and critical initiative to the NRS and the BC Public Service because it is attempting to transform the entire natural resource base of BC. It is also a world leader because no other jurisdiction is attempting an extensive integration across the NRS.

This report began as part of my duties as policy analyst with IDM in July 2012 and evolved from a cross-jurisdictional scan to become my Master's project. Working closely with the client, the following research question was posed: What do IDM-relevant experiences from other jurisdictions as well as horizontal management theory have to teach the ongoing planning and implementation of IDM in BC?

The methodology used to address this question naturally became a literature review and application of HMT to IDM. The cross-jurisdictional scan of relevant IDM related experiences from three jurisdictions had similar horizontal initiatives from which lessons could be learned for BC planning and implementation aspects of IDM.

After completing the HMT literature review and cross-jurisdictional scan, the following recommendations are made for client consideration:

Planning related recommendations:

1. Clearly understand and define leadership roles and responsibilities;
2. Create teams with strong mandates that can meet leadership objectives; and
3. Evaluate the impact of changes on staff and consult with them prior to major initiatives being finalized to ensure change fatigue does not set in.

Implementation related recommendations:

1. Conduct extensive stakeholder consultation prior to implementing changes to ensure long-term buy-in;
2. Achieve quick and tangible wins such as automating low risk authorizations;
3. Improve data collection frameworks so that information collected can be managed, stored and accessed over times such as enhancing the collection of securities information;
4. Improve accountability mechanisms such as collecting pooled securities fees to ensure funds are available to remedy the land base when proponents fail to follow through on their authorization requirements; and
5. Assist in improving First Nations relations and consultation by focusing on projects or initiatives such as First Nations consultation on geographic areas.

Overall, IDM is continuing to roll out within the BC public sector over the next seven years and more work will be needed to continually inform its successful implementation. This report provides a starting block of informed experience to help assist in this process. The IDM implementation team should stay on top of the jurisdictions reviewed as they continue to evolve and develop new integrated approaches in order to continually learn and gain smart practices. Extensive stakeholder consultation would also greatly help the IDM rollout. Even though this is time consuming and expensive it will provide long-term benefits and help avoid delays.

IDM should be tracking and documenting its learning's and successes for sharing with other jurisdictions as well as for gaining insights that might be applicable to other wider reaching and critical program initiatives in the BC context.

Appendix 1 – IDM

Stakeholders

Proponents and Securities

Securities are financial guarantees collected by the government to be used in the event of a proponent being unable to remediate the land to the condition set out in their authorization. Currently, securities are calculated and collected separately for each NRS authorization, even when multiple authorizations are needed for one project. Often, the total security collected is insufficient to remediate damage caused by negligent proponents, resulting in the government being liable for the cost and remediation.

All proponents interviewed agreed that the fees for securities are hard to predict, inconsistent and there is uncertainty as to how they are calculated by government. Proponents supported a shift to a risk-based approach for calculating fees, citing it would be more fair and beneficial than the current blanket fee system. Some proponents argued that securities should be calculated on environmental risk levels, as this would allow for lower fees for lower risk projects. Clean energy proponents argued that securities are too high and should be lowered for this sector, since they have a history of minimal environmental impacts from their projects.

Proponents and Public Review and Comment

Public review and comment (PR&C) refers to broad-based advertising, notifications sent to title holders, referrals sent to other government agencies, and the transmission of comments from the public (or title holder) to the government or proponents. Any or all of these may be a requirement in a multi-authorization project and repeated for each phase of a project (for example, exploration, construction, operation, and reclamation). Each ministry or line branch (such as Lands, Forestry, Water, etc.) has developed different legal requirements and standards regarding PR&C over decades of issuing permits singularly.

When interviewed, the proponents' main concerns focused on the duplication of work required by them to meet the different requirements and the confusion this creates for the public. Overall, proponents agreed that there is "room for significant improvement" and cited that "a lack of connection between two advertisements sometimes leads to the perception that there are multiple projects underway when in reality there is just one" (p. 6). Proponents supported a project-based approach to PR&C, and suggested a website be created that would allow them to provide initial project outlines, updates, and project progression details through to a final decision.

By creating a project-based approach and a website that provides a main site for conveying and receiving information, proponents said there would be less 'false opposition' created. Currently, multiple advertisements for multiple authorizations spark concerns regarding issues that do not relate to the project as a whole or are taken out of context by the public.

In addition, proponents asked that government set clear guidelines on minimum standards for public consultation and engagement, including standards for town hall meetings. Proponents also asked for flexibility to select the PR&C method based on the particular circumstance, as they recognized that a one-size-fits-all model does not work.

Proponents and Aligning Tenure Terms, Renewals, Replacements, and Amendments

Currently, permits are accepted or disallowed separately instead of as a whole when projects require multiple authorizations. Even when separate authorizations are approved and a project proceeds, each business line has different expiry terms for their respective permits. This system has many negative ramifications for proponents:

1. Project planning and securing financial backing for a project is currently hampered because proponents do not know what authorizations will be needed or the approximate timelines for them to be approved. Proponents indicate that they “do not know when their projects are officially approved” (p. 8).
2. Due to unclear government procedures and lack of coordination for project authorizations, proponents create and maintain their own checklists and “hope that they have not overlooked anything” (p. 8). Proponents agreed that approving project authorizations as a whole would alleviate client uncertainty.
3. Lack of coordination of the tenure terms leads to uncertainty and lack of efficiency. Aligning tenure terms to a single project authorization would bring continuity. For example, the lands authorization could be the central authorization, since it is the main permit that other authorizations rely on. Coordinating tenure terms to renew on a coordinated, instead of sporadic, basis would assist in bringing about greater project certainty for proponents and reduce backlog for government, since duplication of approvals would be minimized.
4. Proponents mention that a “project’s schedule is often impacted by things that cannot be predicted.” Longer timelines for authorizations would increase flexibility. If government gave a two-year leeway on authorizations, particularly in the construction phase, this flexibility would give proponents time to deal with setbacks.
5. Currently, there is no distinction between small and large amendments to an authorization. Any amendment request triggers the same review process, regardless of the type of amendment. This results in duplication of effort for both proponents and government. Proponents would like small amendments to be processed in a more timely and efficient manner, especially during the exploratory phase of a project and the first six months of construction.

The majority of proponents interviewed support these possible changes.

Proponents and Project Based Billings

Currently, each business line or agency sends a separate bill for each authorization. Not only are these bills not coordinated, they also provide little context. The proponents interviewed agreed that there is “room for significant improvement” by coordinating project billings (p.12). The main areas of confusion for proponents in the current billing system stem from how bills are calculated, and when they are due. Proponents find the information given on bills to be insufficient. For example, major billing details are unclear or missing key pieces of information, such as the project the bill corresponds to, and where payments should be sent.

Proponents would appreciate bills to be consistent in both timing and formatting. They would like bills to clearly state what they are for. They should indicate the project number, permit number, billing address and key government contact. Proponents also want information on how bills are calculated, with the basic methodology and an ‘example bill’ to be available online.

Proponents are adamant that there needs to be payment flexibility. Many proponents support an online payment option, but still want to maintain the current mail-in or in-office payment methods.

Proponents would like the ability to print off a bill and conduct online searches by company or project. Proponents also support automated billing cycles, and feel this option could be linked to aligning tenure terms and renewals.

Proponents and Automation (Online Submission)

Currently, many business lines can only accept paper submissions for authorization requests. Though projects are underway to switch some business lines to an electronic submission system, at the time of writing there is only one business line that has an electronic submission system in place. Proponents are “extremely supportive of electronic monitoring” and would like the ability to view the status of their application online (p. 11). Electronic submission and monitoring of authorizations would be beneficial to proponents and the government. Numerous proponents have complained that they have had to repeatedly provide the same information to different government employees because, when they check on their application, the decision maker cannot find the information that has been submitted. For decision makers, it would enable them to transfer files more easily between available staff members and other offices, as well as give them greater access to information because it would be centralized.

Though proponents feel electronic access to guidelines and practices, as well as past and current land use data, would be helpful, they do not feel that automation of information could replace the opinions of professionals and government decision makers on complex questions. Automation can, however, streamline the application process, make it more predictable, and allow for self-elimination by providing information upfront.

Decision Makers

Workforce transformation under IDM

A transformation to staff and their working environment needs to be managed effectively. According to *Citizens @ The Centre: BC Government 2.0* (Date unknown), the government must be willing to change the culture of a workforce of 30,000 to bring about real and substantive transformation. IDM is the mechanism to flesh out this goal and enact on-the-ground change. With respect to decision makers, IDM is challenged with a shrinking workforce through attrition that will result in the loss of experienced staff, processes that are siloed and cumbersome resulting in extra staff time spent on administration instead of decision making, and a changing demographic that will expect greater use of technology to enable them to do their job better. However, IDM also has an opportunity to make substantive changes as a younger workforce, unlikely to be bound by traditional approaches, takes over. IDM needs to retain the knowledge of experienced NRS staff before they retire, seek new and innovative ideas from staff to improve processes, and support technological changes to streamline and bring about greater efficiencies.

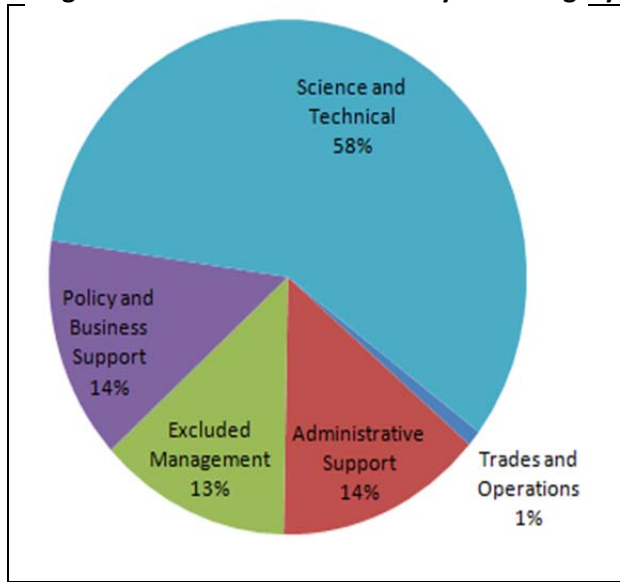
Overview

The BC Public Service’s average age is higher than the general population (*Citizens @ The Centre*, p. 8). The NRS has a specialized workforce with unique skills, knowledge, and experiences (see Diagram’s 5 & 6 for details). These two factors, along with an anticipated skilled labour shortage and the current fiscal constraints, means the overall size of government will decrease. As a result, there is a greater need for IDM to bring streamlining efficiencies to the NRS in order to achieve the most effective results for stakeholders. Technology, in particular, will be crucial for streamlining workloads. For example, creating electronic applications and files that can be shared will ease the time required by staff for administration, thus freeing them to make decisions and better serve the public.

Skill composition of decision makers

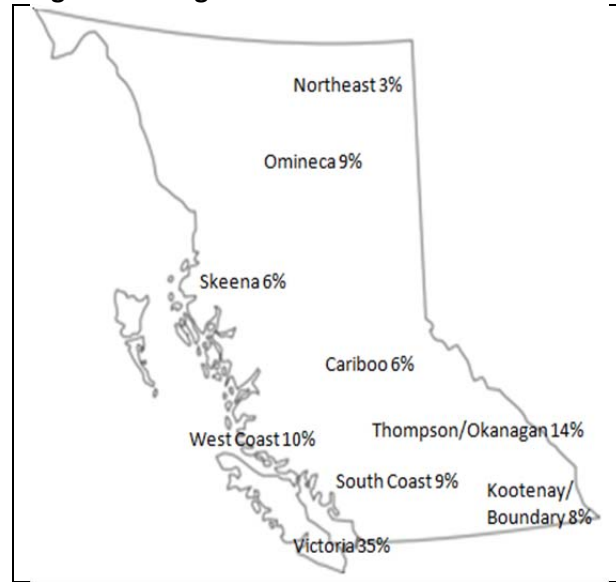
The majority of NRS employees have science and technical positions, such as foresters, engineers, agronomists and geoscientists, as illustrated in Diagram 1. Over 65% of NRS employees are based in the regions outside of Victoria, though Victoria houses the greatest single concentration of NRS employees because it is the capital of the government, as illustrated in Diagram 2.

Diagram 1 – BC’s NRS Workforce by Job Category



Source: Transformation Plan 2013-2014

Diagram 2 – Regional Distribution of NRS Staff



Source: Transformation Plan 2013-2014

Demographics of decision makers

The BC Government, for the first time, has five generations represented in its NRS workforce:

- Generation M (22 and under) – 0.3%
- Generation Y (24-34 years) – 14.5%
- Generation X (35-47 years) – 27.9%
- Baby Boomers (48-66 years) – 50.4%
- Traditionalists (67 and over) – 6.9% (Transformation Plan, p.9)

It is projected that the average attrition in the NRS over the next three years will be 2.77%, accounting for new hires and exits from the BC Public Service due to retirement (Transformation Plan, p.9).

Current issues for NRS decision makers

In June 2012, a conference of 100 regional and operational staff was held to ascertain the strengths and challenges they face by the current siloed state. Several questions were asked and staff responses collected. A summary of the most important findings affecting decision makers follows. For a full list of responses, see Appendix 4.

- Inexperienced project leads cause frustration for other staff;
- Need for more resources, namely experienced staff such as hydrologists and ecosystem biologists;

- People uninformed or stuck in old patterns/silos; and
- Duplication in processes results in extra work for staff.

Staff were also asked to identify what is working well, and the following responses were given as most relevant to decision makers:

- Staff engagement and training;
- Integrated team approach;
- Backlog cleanup (due to hiring temporary staff);
- Lean concept being embraced by all parties; and
- FrontCounter BC getting better (FrontCounter BC has 28 frontline offices across the province that intake and process all NRS applications).

Overall, the issues, concerns and suggestions raised by these decision makers at this meeting are being addressed under the IDM pillars.

First Nations

Legal Precedent set by *Haida Nation v. British Columbia*

From the ruling in *Haida Nation v. British Columbia*, several substantive government policy changes occurred due to the following rationales given by the Court:

- “the government’s duty to consult with Aboriginal peoples and accommodate their interests is grounded in the honour of the Crown” (Section B, par. 16);
- The government’s “duty to consult and accommodate varies with the circumstances,” which “will be defined as the case law in this emerging area develops,” but “the scope of the duty is proportionate to a preliminary assessment of the strength of the case supporting the existence of the right or title, and to the seriousness of the potentially adverse effect upon the right or title claimed” (Section D, par. 39);
- Good faith on both sides at all stages is required (Section D, par. 42). “Thus the effect of good faith consultation may be to reveal a duty to accommodate” (par. 47);
- The meaning of ‘accommodate’ is to “adapt, harmonize, reconcile” and “does not require a duty to agree,” but does “require good faith efforts to understand each other’s concerns and move to address them” (par. 49);
- Third parties are not obliged to consult or accommodate, though, “the Crown may delegate procedural aspects of consultation to industry proponents seeking a particular development” (par. 53). However, “The Crown alone remains legally responsible for the consequences of its actions and interactions with third parties, that affect Aboriginal interests” (par. 53);
- The duty of the Province “to consult and perhaps accommodate...if it is to be meaningful...must take place at the stage of granting or renewing” (par. 76).

The Court found that the “Province failed to meet its duty to engage in something significantly deeper than mere consultation. It failed to engage in any meaningful consultation at all” (par. 79).

History of First Nations in BC

The first aboriginal rights policy was written in 1995 by the Province in response to emerging case law requiring the Province to “avoid or justify infringements of aboriginal rights, where such rights were determined” (Updated Procedures for Meeting Legal Obligations, p. 4). Between 1995 and 2002, several amendments to government policy occurred as aboriginal law evolved and necessitated change.

The Province’s duty to consult expanded as a result of the Supreme Court of Canada’s 2004 decision in *Haida Nation v. British Columbia* (Minister of Forests). This significant development in case law meant the government had a legal duty to consult First Nations “regarding claimed but not yet proven rights and where appropriate accommodate those” (p. 4). For further details on the legal precedent set by *Haida Nation v. British Columbia*, see Appendix 5.

First Nation Consultation in Practice

The following information is presented to illustrate the previous and current FN practices for the reader. As a result of the *Haida Nation v. British Columbia* ruling, the duty to consult with FN’s is readily triggered for “most government decisions respecting Crown land and resources, because aboriginal rights or title claims are geographically extensive in British Columbia” (p. 8). According to *Updated Procedures for Meeting Legal Obligation When Consulting First Nations* (2010), consultation is always required when:

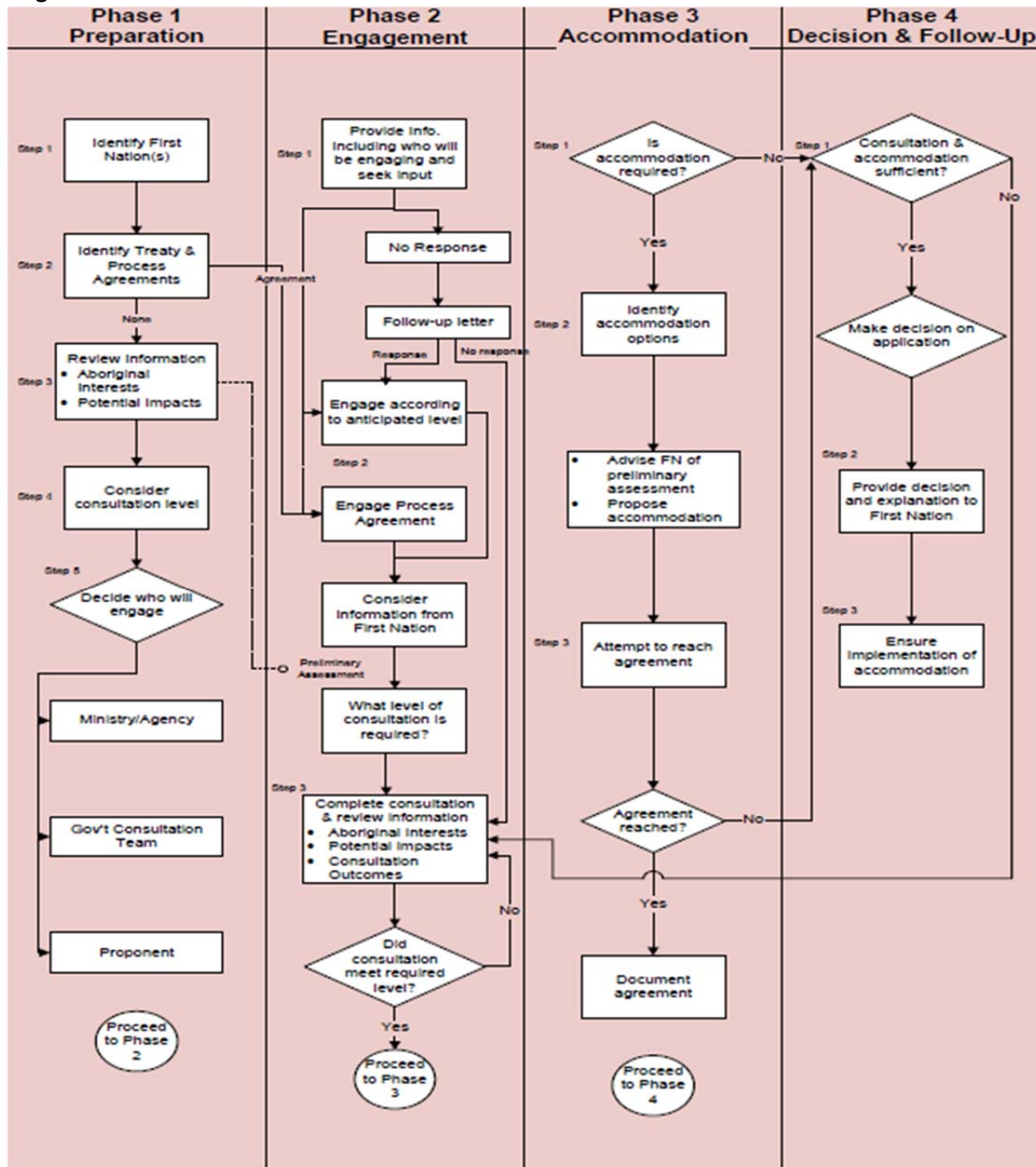
- “the Province has knowledge, or should have knowledge of a claimed or proven aboriginal right (including title) or treaty right (i.e. an Aboriginal Interest); and
- A proposed government decision may impact that claimed or proven aboriginal right or treaty right” (p. 8).

First Nation consultation serves three purposes:

1. Satisfy the duty of the Crown to consult with, and where appropriate, accommodate First Nations;
2. Advance the process of reconciliation; and
3. Inform the Province about the nature and scope of claimed and proven aboriginal rights (including title), and treaty rights (p. 5).

Overall the general consultation process has four phases: preparation, engagement, accommodation, and decision and follow-up, as illustrated in Diagram 3.

Diagram 3 – General Consultation Process



Source: Updated Procedures for Meeting Legal Obligations When Consulting First Nations p. 20.

Determining consultation

Determining who will engage with First Nations depends on the scope of the proposed activity and the governing legislation. When consulting, the following procedural aspects may be undertaken by (Updated Procedures, p. 12):

- “The ministry or agency proposing to make a decision;

- an interagency consultation team; or
- the proponent” (p. 12).

The decision maker in all of these instances is responsible for ensuring the record on consultation and accommodation is complete and appropriate for the circumstances. A clear explanation of the roles of the various parties in the consultation process should be provided to the FN’s. Currently, when NRS projects require approvals from multiple ministries or agencies, a coordinated consultation approach is preferred by going through a ‘virtual single agency’ (p. 12).

Pillars of IDM

Information Technology Systems

Future state of IT systems under IDM

As outlined in *Citizens @ The Centre*, the government intends to modernize and open up government by providing frequently requested information that the public is entitled to under Freedom of Information legislation. Examples include:

- creating new online resources that will serve as a single point to access data;
- addressing data copyright issues allowing the public to re-use government data;
- identifying high-value data sets allowing the public to use this information in new and creative ways; and
- proactively sharing information through online tools with the public.

This will result in “greater transparency, cost savings and cost avoidance over time” as the number of requests will be reduced (*Citizens @ The Centre*, p. 15).

Specific to the NRS, IDM’s technology transformation will aim to be:

- **Sustainable** – by supporting the long-term needs for the NRS;
- **Scalable** - by creating systems that are easily adaptable and can be adjusted over time as needs increase or decrease; and
- **Supportable** – by using proven and well-known technology to support the needs of government and industry.

The NRS has begun to define and implement an Integrated Systems & Services Strategy (ISSS). ISSS is an IM/IT framework, which will establish the technology foundation for IDM that will help deliver on *Citizens @ The Centre*’s objectives. ISSS will integrate systems, integrate access to all data types, and create a strong online presence to support more streamlined processes. IDM will achieve this by providing:

- self-service options to enhance stakeholders’ understanding of resource management decision making;
- services for mobile devices;
- access to integrated information that is spatially-enabled based on a consolidated view of the land;
- integrated sector-wide spatial and operational data;
- standard project tracking and document management tools;
- a consistent single-point of access for information that is critical to decision making;
- automation and monitoring of business processes through workflow technology;
- improved system infrastructure stability and reliability;
- reduced dependency on obsolete technology with high maintenance costs;
- consolidation of overlapping, redundant systems and decommissioning of end-of-life systems; and
- high-level reporting and business intelligence abilities (conversation with Andrew Morgan, July 15, 2013).

Government service delivery expectations are changing rapidly as a result of technology. ISSS will be able to fulfil those expectations as IDM moves forward.

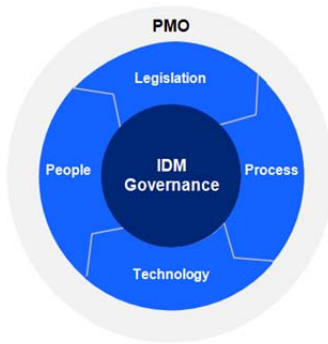
Change Management

Change Management Risks and IDM

Designing a strategy to realize IDM's vision and principles means staff and stakeholder beliefs and behaviours will need to align. For this to occur, supporting procedures and infrastructure will need to be put in place.

IDM plans to create a Program Management Office (PMO), which will encompass the four components or pillars of IDM as illustrated in Diagram 4.

Diagram 4 – NRS Business Transformation Process



Source: NRS IDM Addendum 2013-1014

The PMO will:

- oversee communication activities at a strategic level to manage the complexities inherent in a transformation the size and scope of IDM;
- scale up or down change management and communication activities as required through the different life cycles of IDM;
- drive a consistent standard and quality in the methods, tools, and templates throughout the implementation of IDM;
- monitor, track, and measure impact and progress;
- track and monitor costs against value and benefit requirements; and
- make available subject matter experts to support various leaders involved and impacted by IDM.

In total, IDM will oversee 75 projects as part of its transformation plan, of which as many as 33 of them will run concurrently (conversation with Andrew Morgan, July 15, 2013). These projects are necessary to deliver IDM's vision; they are interrelated and have common objectives. The PMO will play a critical role in the planning and implementation of these projects to ensure their success (conversation with Andrew Morgan, July 15, 2013).

Changing culture and IDM

The NRS has experienced significant changes in the past few years with the merger of NRS ministries and the creation of FLNRO. As a result, IDM runs the risk of creating change fatigue for people. There is the potential for conflict by implementing multiple projects in different program areas. If change is not managed well, initiatives introduced by IDM could disrupt productivity and reduce staff's ability to implement change.

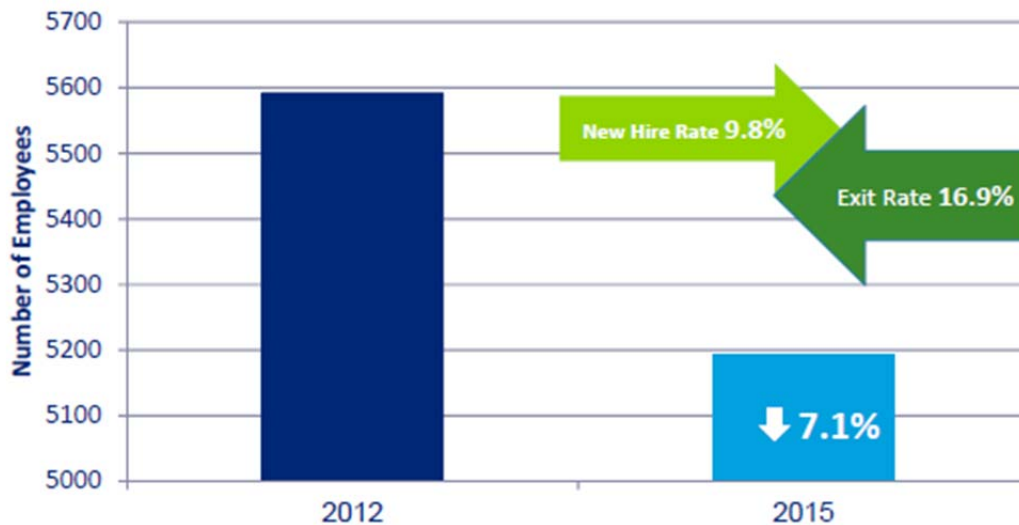
Risk can be mitigated however, by aligning change management and communication strategies through the PMO. IDM has outlined six key conditions to ensure staff and stakeholders are willing and able to change as part of IDM's transformation.

1. **Perspective** – a clear vision for IDM supported by funds and a roadmap
2. **People** – the right people with the right skills in the right structures
3. **Path** – process, technology, governance
4. **Belief** – people believing in IDM's vision and being committed to making it happen
5. **Belonging** – people feeling connected to the IDM implementation group
6. **Behaviour** – a shared understanding of how to implement IDM and work in the new way enabled by IDM (British Columbia NRS IDM Implementation Phase Change Management and Communication Strategy).

The first three conditions to change are ability-based; the last three conditions require a willingness to change. Change is not only possible, but inevitable within the Public Service, as workforce demographics indicate.

It is the people component that will bring IDM's changes to life. IDM recognizes the need to support staff and stakeholders in this transformational journey. This coincides with a changing demographic and in turn changing culture in the public service. The new hire rate of 9.8% will not keep pace with the 16.9% exit rate. As a result, over the next three years 7.1% of the NRS workforce will decrease due to retirements and a shrinking labour supply, as illustrated in Diagram 5.

Diagram 5 – demographic trends in the NRS over the next three years



Source: BC NRS IDM Transformation Implementation Phase Change Management and Communication Strategy

With this challenge comes the opportunity to bring about a cultural change as the demographics of the workforce loosen ties with traditional ways of working. For example, according to *Workpoint – Rethinking How and Where We Work in the BC Public Service*, workers prefer flexibility and mobility in their workplace. This is particularly true for employees who no longer see the ‘office’ as a defined space and desk (p.4). As illustrated in the diagrams 6 and 7, workers are becoming more mobile; focusing on the work they produce instead of where they produce the work.

Diagram 6 - The Rise of Mobile Work

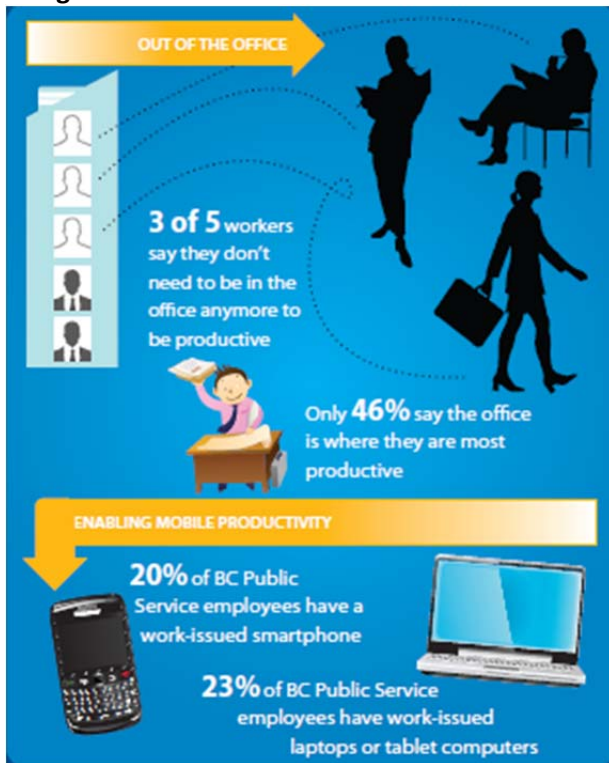


Diagram 7 - Mobility and Engagement



Source: Workpoint (2012). Pp. 4-5

Appendix 2 - Cross Jurisdictional Scan

Ontario, Canada

Renewable Energy Approval (REA)

Background

Due to the economic downturn in 2008-09, a government mandate to reduce Ontario's coal dependency, and pressure from environmental groups, the government of Ontario passed the [Green Energy and Green Economy Act](#) (known as the *Green Energy Act*) in 2009 allowing a 'one permit, one project' approach to all renewable energy projects (e.g. wind, solar, hydroelectric, and bioenergy). The government of Ontario felt that taking this approach would speed up the approval of renewable energy projects, reduce Ontario's dependency on coal while spurring the creation of manufacturing jobs, and reducing delays, duplication, time and money in the government approval process. In addition, the *Green Energy Act* brought in the Feed-in Tariff (FIT) program, which provides stable prices for generators of energy from renewable sources.

Approach

The government of Ontario set about creating a 'super permit' to integrate all the ministries' approval requirements for renewable energy projects. There were many government agencies involved including municipal governments and the Federal government (though, to a lesser extent). To help the government of Ontario enable the 'super permit' process, they removed all municipal authorities' powers and rolled them up into the provincial authority (J. Nowlan, personal communication, August 22, 2012). A coordinated approach between provincial ministries was established, but originally each ministry only took responsibility for their own permits.

Public Review & Comment

For REA's, public consultation is mandatory except for small wind projects and on-farm bio-energy facilities. Consultation is conducted on a project basis, not an authorization basis. Depending on the classification of the project, the applicant must notify landowners within a certain distance (from 120 metres to 550 metres) of a proposed project location, and place a notice in a local newspaper (Government of Ontario, 2011, p. 24).

Applicants must also hold at least two community consultation meetings at the beginning of the process, once the project concept is clear. The first community consultation meeting takes place at the start of project planning. At least 60 days before a REA application is made, the applicant must make available for public review any studies related to the project that have been carried out. A final public consultation meeting is required when the applicant has gathered all of the information needed to make a REA application. Applicants are encouraged to hold additional meetings throughout the project design and study period (Government of Ontario, 2011, p. 25).

Environmental Registry

All REA applications are posted on the [Environmental Registry](#) (see Appendix 2 for example), which is a public website that allows for [public comment](#) for 30 – 45 days from the application's acceptance and again upon issuance of a final decision. The Environmental Registry contains 'public notices' about environmental matters being proposed by all government ministries covered under the [Environmental Bill of Rights](#). The public notices may contain information about proposed new laws, regulations, policies, and programs; or about proposals to change or eliminate existing ones. For examples see

Appendix 1. The registry contains ‘public notices’ about environmental matters being proposed by all NRS government ministries.

Consultation with municipalities

For REA’s, consultation with municipalities is also mandatory, except for small wind projects. Affected municipalities must be given documentation at least 30 days prior to the first mandatory public meeting. All subsequent reports must be given to affected municipalities at least 90 days prior to the final public meeting. Municipalities must give feedback on:

- Municipal services and infrastructure affected.
- The rehabilitation of areas disturbed and/or municipal infrastructure damaged during construction.
- Emergency management procedures/safety protocols related to the ongoing management of the facility.

Consultation with Aboriginal communities

For REA’s, consultation with Aboriginal communities is mandatory, except for small wind projects. Consultation varies depending on the project but the applicant is encouraged to draw up and carry out a consultation plan that may impact Aboriginal or treaty rights, and/or have an environmental effect (Government of Ontario, 2011, p. 26).

Engaging and encouraging public participation

REA’s offer extensive [guides](#) to the public on [developing renewable energy projects](#), including the [FIT](#) and [microFIT](#) programs. The microFIT program was launched in 2009 as part of the government of Ontario’s efforts to increase renewable energy production for the province. The program provides homeowners and other eligible participants a guaranteed price over a 20-year term (40 years for waterpower projects) for electricity produced and delivered to the province’s electricity grid.

Information Technology

The various NRS ministries involved in approving REA’s have no common means of electronically communicating with each other. The government of Ontario has no single database and has no plans to develop one. The main barrier has been the cost to develop the necessary IT system to support this new approach to renewable energy projects. Since the timelines were tight in developing this initiative and the number of renewable energy projects that could be built limited, it was decided that the cost and timelines would not serve this initiative. As a result, staff still input data by hand and there is a continuous struggle to maintain the system they have (J. Nowlan, personal conversation, August 22, 2012).

Automation of Low-Risk Authorizations

Background

All NRS ministries in Ontario are [modernizing](#) how they manage *low-risk* projects by changing their regulations on issuing business permits or authorizations. In an attempt to transform their policy and operating procedures, they are converting all paper applications to an electronic format, establishing rules through regulation for applicants to follow, and then automatically processing low-risk applications. They are currently reviewing all of their decisions through a risk model, and are working closely with the MOE when their approval is needed (W. Fallis, personal conversation, August 22, 2012).

The government of Ontario is establishing this risk-based approach to authorization approvals in an attempt to reduce its deficit and reduce each ministry's budget and staff by 20% (J. McKay, personal conversation, August 29, 2012). They are also reviewing what they charge for use of Crown land and want to ensure they receive fair market value (J. McKay, personal conversation).

Ministry of Environment

The MOE is leading the other NRS ministries for transforming Ontario's business and IT procedures for approving business permits or authorizations. In 2009, industry lobbied the Premier to change the MOE's processes and in 2010, a [legislative framework for modernizing environmental approvals](#) was established. In 2011, MOE began phase one of its transformation and they have the following two registries:

1. [Environmental Activity and Sector Registry \(EASR\)](#). This registry issues permits by rule, i.e. the government of Ontario sets the standards and rules for compliance and the business is either in compliance or not. If eligible, the business registers online, answers a series of questions, attests to their answers, submits their application, pays the [fee](#), and then receives a confirmation of registration that they can operate in Ontario.

Currently, only heating systems, standby power systems, and automotive refinishing shops can [register on EASR](#), but more business activities are coming online.

It takes seven minutes for an approval to be processed, and it has saved businesses to date \$5-10 million by not having to submit reports or seek support from consultants. The public can review registrants in real time, which is linked to a spatial map, but there is no ability for the public to comment. Nor is there a right for the business to appeal a decision.

2. [Environmental Bill of Rights Registry \(noted above\)](#). This registry is for more complex authorizations that require an individual review by MOE staff. Applications are publicly posted and the public has a right to comment (S. Perry, personal conversation, August 30, 2012). The registry is project-based and all authorizations associated with the project are listed.

The MNR is going through the same transformation (risk-based approach) as the MOE, but they are one year behind. All other NRS ministries are going through the same process and each ministry will be releasing a White Paper to update the public.

IT support

The IT system was designed by Enterprise Solutions, is client-centric, and the legacy systems will be decommissioned once this transformation is complete. It is supported by 25 IT government staff. The normal procedure in Ontario is for three to five IT staff to be allocated to support each branch, but personnel were pulled from other branches to support this project. Once completed, the IT staff will be transferred to the next business line adopting this approach.

The MOE envisions a final system in which all applicants will register by going to a common site. Applicants will select the forms needed through a shopping cart approach, pay a fee, and submit their application online. They will be able to monitor the process to see if their application has been approved or if it is being reviewed. Applicants will be notified electronically and then the decision will be made publicly available.



Instrument Proposal Notice:

Proponent: Cornwall Gravel Company Limited,

 390 P.O. Box 67, Eleventh Street West
 Cornwall Ontario
 Canada K6H 5R9
Instrument Type: Permit to take water - OWRA s. 34

EBR Registry Number: 011-7723
Ministry Reference Number:
 1845-92JKDK
Ministry:
 Ministry of the Environment
Date Proposal loaded to the Registry:
 December 07, 2012

Keyword(s): Ground Water | Water | Wells
 The comment period for this proposal is now over.

Description of Instrument:

This application proposes the renewal of the existing Permit To Take Water No. 6567-6FLPPK for construction purposes and water supply from one (1) well and one (1) pond. Details of water taking will be as follows:

Source Name: Sump
Purpose: Construction/Dewatering
 Maximum rate taken per minute (Litres): 6,250
 Maximum number of hours of taking in a day: 24
 Maximum volume per day (Litres): 9,000,000
 Maximum number of days taken per in a year: 365
 Period of water taking: January 1 to December 31
 Length of time: 10 years

Source Name: Domestic Well
Purpose: Water Supply
 Maximum rate taken per minute (Litres): 18
 Maximum number of hours of taking in a day: 4
 Maximum volume per day (Litres): 4,320
 Maximum number of days taken per in a year: 365
 Period of water taking: January 1 to December 31
 Length of time: 10 years

Contact:

Nick Murphy
 Permit To Take Water Coordinator
 Ministry of the Environment
 Operations Division
 Eastern Regional Office
 Technical Support Section
 1259 Gardiners Road
 Unit 3
 PO Box 22032
 Kingston Ontario
 K7M 8S5
 Phone: (613) 540-6868
 Fax: (613) 548-6908

Location(s) Related to this Instrument:

18217 Pine Ridge Rd, South Glengarry, Township, United Counties of
 Stormont Dundas and Glengarry

 TOWNSHIP OF SOUTH GLENGARRY

Public Consultation:

This proposal was posted for a 30 day public review and comment period starting December 07, 2012. Comments were to be received by January 06, 2013.

 All comments received during the comment period are being considered as part of the decision-making process by the Ministry of the Environment.

 Please Note: All comments and submissions received have become part of the public record.

Add Notice into My Watch List

Land Information Ontario (LIO)

Ontario has developed [Land Information Ontario](#) (LIO), which is a Geospatial Data Exchange that allows more than 400 public sector organizations to share and use digital geographic information (e.g. maps, satellite imagery, and road and trail network information) under a single legal agreement. Membership is free to eligible public organizations. LIO collects only qualitative data, and developers use it to gather information and make assessments for their applications; but there is no requirement to use it, unlike Alberta's Land Analysis Tool.

Geo-Claims

Geo-Claims display mining claim information with geological data sets. It also provides tools to create multi-layered data compilations or print maps, and provides links to further information on GeologyOntario.

GeologyOntario

[GeologyOntario](#) is an online warehouse that contains all of the publicly available digital data collected by the Mines and Minerals division. All data is available for downloading and can be discovered by using spatial and attribute-based search.

Funding

The MOE was allocated funding for two years, but it has been extended until the project is completed, which is anticipated to be in one to two years.

Conclusion

Each NRS ministry continues to operate separately and there are no plans to change this siloed approach now or in the future. There are several service-level agreements between ministries to establish working procedures and responsibilities that occur behind the scenes to make the approval process seem like one.

Alberta, Canada

Comparable Initiatives to IDM

Legislative Reform

The Regulatory Enhancement Task Force (RETF) was established in March 2010 to conduct a comprehensive upstream⁴ O&G regulatory review and to make recommendations on system-level reforms. The task force found Alberta has complex O&G policies that lacked integration and delivery mechanisms (MoE, n.d.).

The RETF made the following six recommendations that were adopted by the Government of Alberta:

- Establish a Policy Management Office to ensure the integration of natural resource policies, and provide an interface between policy development and policy assurance;
- Establish a single regulatory body with responsibility for oil, gas, oil sands, and coal activity;
- Provide clear public engagement processes;
- Develop a systemic and common risk assessment and management approach;
- Adopt a performance measurement framework and public reporting mechanism;
- Develop an effective mechanism to address landowner concerns (Your Alberta Government, Minister Ken Hughes, 2012).

Regulatory Enhancement Project

The [Regulatory Enhancement Project](#) (REP) is the result of the RETF's work. It is similar to IDM and its key pillars, in that it is the overarching initiative to address legislation and process efficiencies while using a horizontal management approach. The Government of Alberta recognizes the single regulator as a part of the integration of its resource system to achieve the "environmental, economic and social outcomes Albertans expect from resource development, while maintaining the social licence to develop resources" (MoE, n.d. Where we're going section, par. 5).

The Responsible Energy Development Act

The REP will create a new single regulator for all oil, gas, oil sands, and coal projects, from application to reclamation (MoE, n.d.), through the [Responsible Energy Development Act](#), which was passed (Bill 2) on December 10, 2012. The *Responsible Energy Development Act* will give the regulator authority over the [Public Lands Act](#), the [Environmental Protection and Enhancement Act](#), and the [Water Act](#), with respect to energy development.

Single Regulator

The regulator will operate at arm's length from the Government of Alberta, but under direction from an appointed Board of Directors and Chief Executive Officer, and it will have broader jurisdiction over energy resource activities (MoE, n.d.). Decisions will be based on a "one body [project], one board" (G. Gache, personal conversation, August 8, 2012) approval process, similar to the OGAA model implemented in BC in 2008. The new regulator is expected to be operational by June 2013.

⁴ Upstream O&G activities include extraction sites, transportation of raw O&G for processing, pipeline installations, and access roads to extraction sites. Downstream O&G activities include processing facilities, pipelines from processing facilities and pipeline installations that transport processed O&G. Source: [Enhanced Approval Process FAQ's website](#).

Policy Management Office

The newly created Policy Management Office will set energy-related policy direction for the province and be responsible for providing clear policy guidance to the new regulator. It is also tasked with engaging the public in an effective manner early in the regulator's review of project applications and developing performance measures.

Land Use

The newly formed [Ministry of Environment and Sustainable Resource Development](#) (ESRD) is completing and implementing regional land-use plans for all of Alberta's regions. Its first plan was released in August 2012 for the [Lower Athabasca Region](#). The ESRD states that these land-use plans set environmental limits, conserve sensitive lands, and outline the long-term intentions toward the land base. These plans can be used as an effective tool in recognizing and managing the cumulative effects of past, present, and future land-based activities (Alberta Ministry of Environment and Sustainable Resource Development [ESRD], n.d., Lower Athabasca Region).

Environmental Monitoring System

The ESRD announced on October 17, 2012 the creation of an arms-length agency to oversee environmental monitoring across Alberta, beginning with the oil sands region. A management board has been put in place until they can create this agency, which is expected to take six to eight months. The agency will monitor, evaluate, and report publicly on the air, land, water and wildlife of Alberta in a "scientifically credible, accessible and open" manner (ESRD, n.d., Environmental Monitoring in Alberta).

This agency is intended to integrate with land-use planning and the single regulator for O&G activities as part of the REP.

Enhanced Approval Process

Effective May 1, 2012, the ESRD has an [Enhanced Approval Process](#) (EAP). Illustrated in the flow chart (ESRD, December 1, 2012) in Diagram 17, the EAP is the application process for the issuing of O&G development projects related to surface land dispositions on Crown land. The EAP is intended to be advantageous to industry by providing:

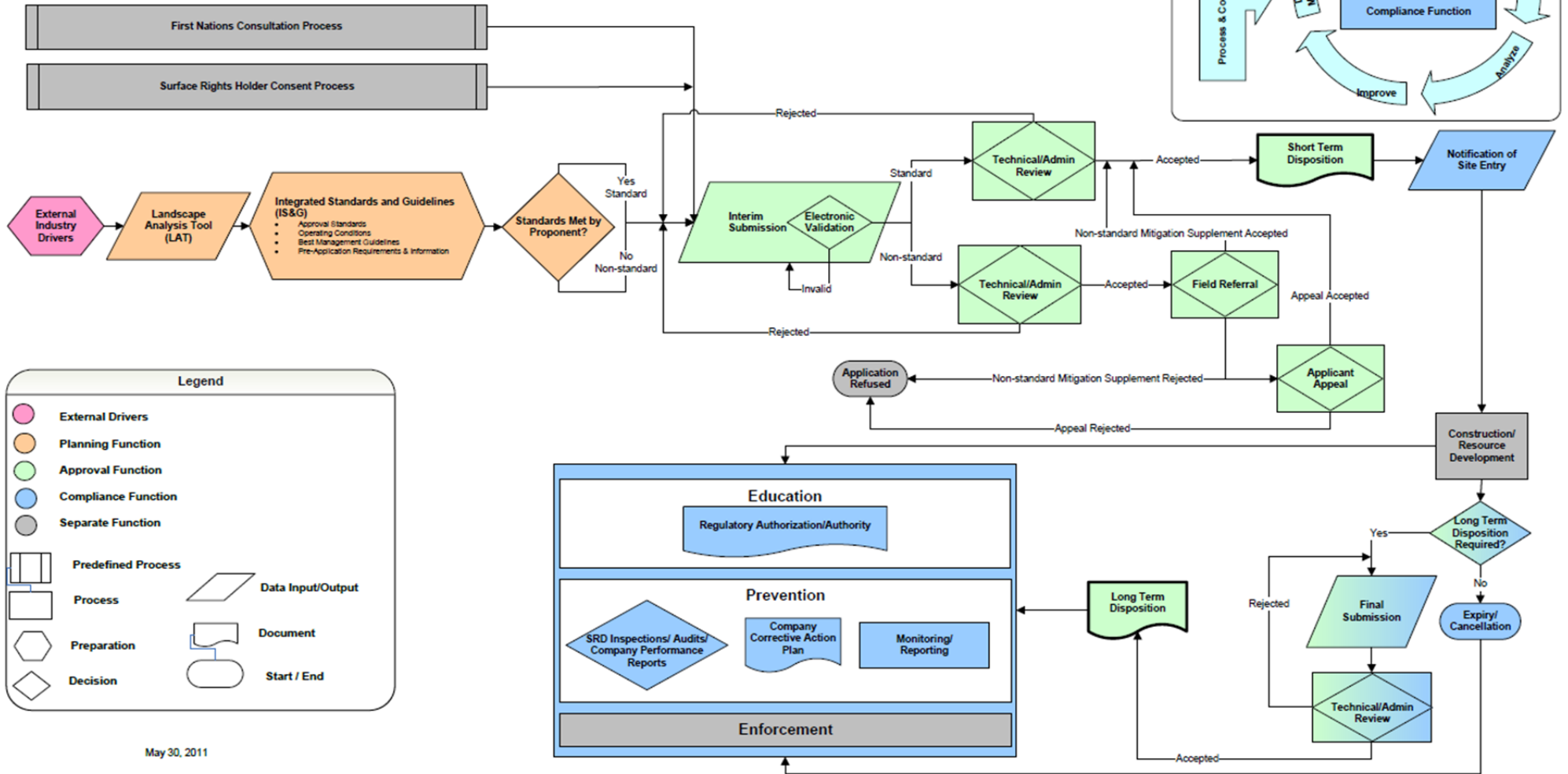
- Clarity around requirements at the beginning of a project;
- A streamlined approval process for standard applications; and
- Integrated land management practices promoting a high standard of stewardship and footprint management (ESRD, November 15, 2012).

Diagram 8 – Enhanced Approval Process Flowchart

Government of Alberta ■ Enhanced Approval Process (EAP) Flowchart

The EAP supports enhancement of value-added activities, increased innovation and contribution to building stewardship and responsibility to promote the long term sustainability of Alberta's natural resources and the competitiveness of Alberta's economy.

Enhancements to SRD's approval process will support long-term streamlining and rationalization of the natural resource regulatory system and will identify improvements that promote responsible development.



Public Review and Comment

Public Engagement

The [RETF](#) found the Government of Alberta needs to improve its public engagement processes on proposed O&G projects (Government of Alberta and Sierra Systems, 2010). In the current system, the RETF found that it is difficult for interested parties to determine when and how to best provide input into policies and decisions. As the Government of Alberta develops its new policies on processing O&G project applications, the RETF recommends, with respect to public engagement, that it:

“Simplify the system, enhance policy clarity, improve public engagement processes, enhance accountability, improve knowledge and information sharing, promote risk management, and set clear expectations” (Vlavianos, 2012).

Under the *Responsible Energy Development Act*, the intention of the new single regulator will be to engage Albertans early in the review process. Though the Government of Alberta has not finalized its policies or processes on O&G projects under the REP, the following examples overlap with IDM’s objectives with respect to public review and comment issues:

Table 1 –Alberta’s previous and new PR&C system

	Previous System (G. Gache, personal conversation, August 14, 2012)	New System (MoE, n.d.)
Advertising	Advertising of O&G projects occurs based on the size and impact of the activity.	The regulator will engage the public early in the application review process with the intention that Albertans will be more involved in the front-end before a decision is made.
Notifications	Previously, decisions could be made without providing notice.	Under the new <i>Responsible Energy Development Act</i> , the regulator will be required to provide notice regarding project applications to all Albertans.
Comments	On larger O&G projects, where public meetings and notifications are required, there is an opportunity for the public to engage with proponents to discuss issues for mitigation or resolution. These discussions are usually incorporated into the project proposal prior to the issuance of a licence. If disputes cannot be mitigated, the government will facilitate discussions prior to approval of a licence.	All Albertans who believe they are ‘directly and adversely affected’ may provide a notice of concern directly with the regulator, and will be granted standing before the regulator (MoE, n.d.).
Review	No information available.	The regulator will have authority over all decisions and review processes, though there are provisions for applying to the Court of Appeal.
Appeals	No information available.	The intention of the system is to engage Albertans up-front in the decision-making process rather than challenging a decision after it has been rendered. If a person who is ‘directly

		and adversely affected' is missed during the notification process, they can request a regulatory appeal.
Disputes	No information available.	The regulator has been given the authority to require both parties to participate in an alternative dispute resolution process when appropriate.
Landowner concerns	No information available.	Landowners can request the regulator determine if industry is complying with the terms and conditions of the agreement. If they are not, the regulator can issue an order directing compliance. Landowners have the right to keep agreements private. This applies to new agreements only.

First Nations

First Nation Consultation

The Government of Alberta is currently reviewing how it engages with FN's on land management and resource development (Government of Alberta et al, 2010, p. 11). Currently, the [Lands Division](#) has a [three-step procedure](#) for consultation with FN's:

1. **Pre-Consultation Assessment** requires the proponent to download the [Assessment Request](#) and e-mail it to the ESRD, where they will decide if further consultation is required.
2. **Applicant Consultation** requires the proponent to notify and [provide proof](#) they have contacted the FN to advise of any potentially adverse impacts. The FN's will have 21 calendar days (at least 15 must be Government of Alberta business days) to respond with concerns, though, this may be adjusted for more complex projects.
3. **Consultation Adequacy Review** occurs when the proponent believes consultation has been completed and submits their assessment to the ESRD for an adequacy review. If the assessment is submitted by e-mail, the ESRD usually provides its decision within two full business days (Government of Alberta et al., p. 11).

First Nations and the Regulatory Enhancement Project

From April 2010 to November 2010, all 47 of Alberta's FN's and the three Treaty Organizations were invited to participate in informing the REP. Several FN's actively participated and raised concerns regarding:

- A high level of concern for historical and future environmental and social impacts by resource industries;
- A desire for improvements to consultation requirements and processes with more attention to treaty rights; and
- Concerns over accommodation measures and their impact on FN communities (Government of Alberta et al., 2010).

Since the Government of Alberta is currently reviewing how it engages with FN's on land management and resource developments, further details have not been given on how the ESRD plans to incorporate the above FN concerns.

Electronic Disposition System and First Nation Consultation

Implemented [September 7, 2012](#), the [Electronic Disposition System](#) (EDS) allows for the electronic creation and management of [FN consultation](#) (FNC) case files related to public land. The EDS was developed to aid proponents seeking direction on land-based FNC assessment requests and adequacy decisions. EDS will create new FNC files, and compile assessment requests and consultation documents so proponents and the ESRD ministry will have access to real-time data.

EDS is a multi-year program and it is intended to have all dispositions and amendments become electronic. Currently, only seven dispositions are electronically available: power lines, roads, pipelines, pipeline risers, aggregates, and now FNC.

The FNC procedures will remain the same; however, the process will be fully electronic instead of paper-based.

Criticism to the Responsible Energy Development Act

Successful passage of the *Responsible Energy Development Act* on December 10, 2012 has met with criticisms and required the revision of 15 amendments to the bill during its second reading (Henton, D. November 5, 2012). The main criticisms have been:

- Lack of an outside appeals mechanism and elimination of the right to appeal to the Environment Appeal Board (Henton, D. November 5, 2012);
- Removal of the regulator to act in the public interest. The *Responsible Energy Development Act* overrides other acts that had specified this requirement (Henton, D. November 15, 2012);
- The sweeping powers given to the regulator (Henton, D. November 5, 2012);
- Lack of independence of the regulator because the ministers of Energy and Environment and Sustainable Resource Development can set the priorities of the regulator (Henton, D. November 5, 2012);
- Narrowing landowners' rights. Specifically changing the benchmark for standing in front of the regulator from "directly affected" to "directly and adversely affected," thus narrowing the scope of who can demand a hearing (Henton, D. November 5, 2012); and
- No specified timeline for processing projects (Henton, D. November 5, 2012).

Prior to the passage of the *Responsible Energy Development Act*, Energy Minister Ken Hughes responded to criticisms by saying:

- The new regulator will "give public notice for all project applications it receives;
- Clarify the appeal mechanism for project approval; and
- Provide individuals [not just landowners] who believe they are directly and adversely impacted by an application the ability to file a statement of concern with the Alberta Energy Regulator" (The Energy Practice Group, 2012).

Information Technology Transformations

Self-registration

The self-registration feature of the EAP allows the public to self-register for updates on [current articles](#) by subscribing to a Really Simple Syndication or '[RSS feed](#)'. RSS feeds are commonly used to publish frequently updated works, such as blogs and news headlines. They are free to use and commonly subscribed to by the public (by inputting their e-mail address), and can be unsubscribed from easily. Alberta offers an RSS feed on news of EAP's new [standards and guidelines](#), [Landscape Analysis Tool](#) (LAT), [manuals](#), and online training.

Landscape Analysis Tool

The LAT is a web-enabled spatial tool (using over 80 data layers) that allows users to plan activities on Crown land prior to applying for approval. The Alberta government updates the LAT with information specific to a geographical area based on many criteria (e.g. mineral rights, wildlife, vegetation, local community issues, [First Nation issues](#)), so the proponent has all the known information prior to deciding on moving forward with their project. The LAT was designed to aid in risk mitigation planning, link to approval standards and operating conditions for proposed activities, and assist in the issuance of Temporary Field Authorizations.

A proponent is obliged to meet the standards and requirements for a specific area, which are outlined in the LAT, and submit a LAT report with their application. By seeking out and meeting the government's requirements prior to applying, the proponent will have their application processed quicker and have more autonomy up front. Meanwhile, Alberta has an evolving, up-to-date, and spatially-based central database.

IT Development of LAT

Development of LAT took Hewlett Packard (HP) one full year (with four HP techs and five government employees working 50% time) to construct and spatially map data. HP used some existing mapping systems, but despite the LAT currently being used, it does not meet all of Alberta's requirements, so a second phase is underway to upgrade LAT's capabilities.

Government IT Systems

Alberta has a similar IT system to FLNRO's, in which several ministries or business lines have independent programs operating in isolation from one another. Alberta has a similar vision to IDM's, which is to build a new integrated IT system between government agencies, but it is still in the planning stage.

Queensland State, Australia

Process

Working groups

The Queensland government set up a Government-Industry Implementation Group (GIIG) to facilitate collaboration between these parties. The working group was tasked with identifying specific problems and solutions to streamlining the mining and petroleum industry. Five working groups were formed under GIIG to focus on the following key areas: environment, legislation, native title, tenures, and small-scale mining (DEEDI, 2011, p. viii).

Assessment and approval process for exploration permits

The assessing officer decides whether or not the applicant has provided all the required information in their application or 'program of work.' If deemed sufficient, the application is delegated to a decision maker who decides on approving the program of work. The delegated decision maker must show regard for the following:

- the extent of the proposed activities in the proposed area;
- when and where the applicant proposes to carry out exploration activities; and
- whether the applicant has the financial and technical capability to carry out the work (DNRM, 2012, Operational policy).

The delegated decision maker is permitted only to assess applications based on the information provided on the approved application form and any accompanying information submitted.

The delegated decision maker is responsible for approving or rejecting the applicants program of work. Generally, decision makers do not request further information to remedy deficient applications. Applications received on the same day, for the same mineral and in respect of some or all of the same land, are treated as in competition with each other. The decision maker will give priority and grant the exploration permit to only one applicant.

A panel of technical assessment officers will make a recommendation to the delegated decision maker about which application is most likely to accomplish the exploration of the mineral within the permit area. The technical officer's report will:

- make recommendations about which applicant should be given priority;
- make recommendations about the term, area, and expenditure commitment for the successful applicant's exploration permit; and
- where one or more applications are considered unsuitable, make recommendations that the application(s) not be given a priority ranking (DNRM, Operational policy).

A sufficient program of work will contain the following information:

- details on the previous data captured regarding the resource potential;
- provide in-depth rationales for the program of work;
- provide details of when and where the exploration activities will be carried out;

- demonstrate the applicant’s ability to carry out the work and have sufficient finances, human and technical capabilities; and
- illustrate the applicant’s ability to advance the assessment and understanding of the mineral or coal potential of the permit area (DNRM, Operational policy).

The delegated decision maker can only grant exploration permits when the program of work is approved. All applicants who are unable to get their program of work approved by the technical assessment officers will be refused by the delegated decision maker.

Exploration permits – Work program

All exploration permits are subject to the [Work Program and Relinquishment Conditions Policy](#), which outlines the conditions and timelines for compliance by holders.

The intention of the policy is to provide and promote consistency of tenure administration and regulation across the state, and increase the department’s timeliness and efficiency of processing exploration permit applications. This policy also provides flexibility to the exploration permit holder to comply with their program of work and expenditure commitments over a longer time frame.

For example, if a five-year permit is issued (which is the common standard), the exploration permit holder at the year three and year five (renewal) milestones will need to demonstrate compliance with their work program conditions. The benefits to the permit holder are:

- the exploration permit holder has flexibility and time to complete the yearly work program components over a longer period;
- increases the likelihood of the exploration permit holder to comply with the work program conditions;
- decreases the need to vary the work program conditions; and
- allows the exploration permit holder to meet work program conditions despite reasons beyond their control (e.g. force majeure circumstances) or other reasons (e.g. land access arrangements) (DNRM, Operational policy).

Exploration permits – Relinquishment conditions

Part of the Queensland’s government issuing of exploration permits is a relinquishment condition for each permit holder. For coal and mineral exploration permits, the area must be reduced by:

- 40% of the original area by the end of the first three years after the permit is granted” (i.e. at the end of the three-year milestone); and
- a further 50% of the remaining area by the end of five years (i.e. at the end of the five-year permit) (DNRM, 2012, Operational policy).

In circumstances where the permit is renewed, the same relinquishment portions are repeated. For example, if a five-year permit is granted, the permit holder will have to relinquish 40% of the original areas at the end of year three and 50% of the remaining area at the end of year five. If the permit is renewed, 40% of the remaining area is relinquished at the end of year eight and 50% of the remaining area at the end of year ten (DNRM, Operational policy). Where permits are issued for less than five years, a pro rata relinquishment condition is calculated.

Legislation

To improve consistency of Queensland's permits and enable online systems, the government made amendments to the following Acts:

- Geothermal Energy Act 2010
- Greenhouse Gas Storage Act 2009
- Mineral Resources Act 1989
- Petroleum Act 1923
- Petroleum and Gas (Production and Safety) Act 2004.

In August 2012, Queensland passed the [Mines Legislation \(Streamlining\) Amendment Bill 2012](#) to support its online lodgement and provide consistency to the processes across Queensland resources Acts ("Streamlining News," 2012). This new Act will improve the assessment process and reduce the time it takes to make decisions by:

- reducing the number of forms from 20 to three;
- create an online lodgement, which will remove the requirement to submit applications in person at a regional office;
- develop assessment hubs for mineral, coal, and greenhouse gas storage, as well as geothermal activities, which will establish a critical mass of skilled staff and resources to assess materials more efficiently; reduce assessment timelines; and create a single contact centre for each resource type; and
- grant mining leases by the Minister for Natural Resources and Mines instead of the Governor-in-Council ("Streamlining News," Legislative Developments Supporting the Streamlining Project section).

Parallel approval processes (instead of sequential)

GIIG recommended Queensland shift toward parallel rather than sequential approval processes wherever possible, particularly in regard to the notification process. The benefits will be time savings for both the project proponents and the government, particularly once the workflow process is entirely electronic and the Greentape Reduction Project is operational.

When DEEDI receives an application, the file is assessed concurrently by the native title team (PR&C is overseen by this team), and the technical assessment team, and is subsequently forwarded to the Department of Environment and Resource Management (DERM) for the environmental assessment (DEEDI, 2011, p. 15).

Creating policy by defining what is and is not a project

Since January 2012, Queensland has created or reviewed at least [10 of its operational policies](#) to provide guidance to industry and the public on how it administers the legislative acts and regulations it changes by enacting the *Streamlining Act*.

The [Project-based Permit Administration Operational Policy](#) defines what is and is not a project with respect to granting exploration permits under the [Mineral Resources Act 1989](#). The policy outlines that it does not limit the exercising of discretion in assessing a project, nor does it override legislative requirements regarding compliance.

To be considered a project, *all* of the following conditions must be met:

- “A local group of exploration permits situated within a specific geological terrain that has a unifying exploration concept or proposed development outcome and that are individually integral to the whole resource economic concept;
- The separate parts of the project may be adjacent exploration permits or may be separated by a nominal maximum distance of 50-100 kilometres, depending on the unifying concept or commodity” (DNRM, 2012, Operational policy); and
- The exploration permits must be held by the same tenure holder.

Examples are:

- A group of exploration permits for the same mineral(s) that have different geological models, but will utilize a central processing site under the mining tenure;
- A group of exploration permits that have different target commodities but form part of the same value-added project with centralized infrastructure, such as limestone, coal, iron, and chromium for the production of steel;
- A logically demonstrable reason for a group of local exploration permits to be linked as an integral group for exploration and reporting purposes.

The following conditions may be considered in determining what is *not* a project:

- Exploration permits issued in the first three years of their initial term. However, exploration permits holders can apply their relinquishment requirement to an alternative permit, but their project-based status will only apply to their relinquishment condition(s).
- Project consideration will not apply to the work program condition until the initial three years is complete.

Examples are:

- A group of exploration permits that do not have a common linking element such as a geological concept, processing plant, target market, or product;
- A group of exploration permits linked by a common objective, but which have separate and unlinked projects imbedded within the tenure that comprise the main project;
- A group of exploration permits for different minerals and are under a different geological concept and do not have a linking element, such as a common process or product (DNRM, Operational policy).

Other Legislative Initiatives within Queensland’s Natural Resource Sectors

Greentape Reduction within Environmental Protection

Queensland created the [Greentape Reduction project](#) to streamline, integrate, and coordinate regulatory requirements under its *Environmental Protection Act 1994*, without compromising environmental standards or outcomes. In 2012, the government passed the [Environmental Protection \(Greentape Reduction\) and Other Legislation Amendment Act 2012](#). The project aimed to reduce the regulatory burden on businesses and government by:

- Introducing a licensing model proportionate to environmental risk;
- Introducing flexible operational approvals;
- Streamlining the approvals process for mining and petroleum; and
- Streamlining and clarifying information requirements (Queensland Department of Environment and Heritage Protection, n.d.).

Queensland achieved the above while maintaining environmental outcomes that did not lower regulatory standards or worsen environmental outcomes. It reduced the regulatory and financial burdens on small to medium-size businesses by identifying 29 environmentally relevant activity thresholds that could potentially be deleted.

For further information, a discussion paper and regulatory assessment statement were written, entitled [Greentape Reduction – Reforming licensing under the *Environmental Protections Act 1994*](#) and a [quick guide to the Greentape Reduction Act](#).

One Lead Agency for Natural Resource Projects

GIIG recommended a ‘one-stop shop’ for managing the overall project approval process from inception to reclamation with DEEDI as the lead agency. Specific requirements include:

- A dedicated case manager for each project who would act as a contact point for proponents and government, and steward the project through the application process;
- Implementation of a modern and electronic work-flow system that would provide seamless management of all aspects of the assessment and granting of tenure, including native title and environmental processes; and
- Sufficient resources are to be made available, particularly for native title and specialist officers within DERM.

The benefits are:

- Clarification of the assessment process to industry; and
- Streamlined government workflows through an electronic document management system.

Major legislative reform is not suggested in creating a lead agency, though, having basic operational consistencies across resource legislation is seen as offering a long-term benefit (DEEDI, 2011, p. 16).

Information Technology

Mines Online

[Mines Online](#) is a single portal for mining, petroleum, and resource industries in Queensland. Services include searches for, and lodgement of permit activity notices, statutory reports, exploration maps and geological data, and lodgement of applications and permits (Queensland Government, n.d., “Mining online services”).

[Mymines online](#) is a customized information portal designed to be a secure and authenticated online environment for businesses to view their permits regarding resources and environmental approval data. [Registration](#) is simple, online and mandatory, but an activation key is required, which is sent by registered letter first (“Streamlining News,” Register for MyMinesOnline section).

An [instructional video](#) has been developed to inform first-time users of the features MyMinesOnline offers.

Since launching in 2009, almost 2,000 unique users have made over 50,000 online transactions (DEEDI, 2011). Though development of this online system is still ongoing, early feedback has been positive. Mines Online continues to enhance the services it provides to clients through a phased approach. As Mines Online develops, it plans to offer:

- richer spatial search functionality, including details of constraints that should be noted as they could impede or exclude an application;
- a consolidated view of all current resource approval activity; and
- time-frame projections for concluding an approval process (DEEDI, p. x).

Environmental maps and data online

The Queensland government produces [environmental maps and data online](#), which provide a range of environmental and natural resource data to customers free of charge. Information is provided on the following:

- [Apiary](#) (beekeeping) – shows the current distribution and status of apiary sites on protected areas;
- [Areas of ecological significance](#) – currently only the Far North Queensland has been mapped but comprehensive mapping has been undertaken;
- [Environmentally sensitive areas maps for mining and petroleum](#) – enables an individual to select an area of interest and obtain a geographical map in Adobe PDF by e-mail. The map will include information on environmentally sensitive areas described in the Codes of Compliance and Tenures, chapter (5A) of the [Environmental Protection Regulation 2008](#) governing mining activities. Maps are printable in any size and contain a scale bar, locality diagram, legend, and a graticule showing latitudes and longitudes. Applications are applied for online by indicating the Tenure Type (either central coordinates or tenure number) from dropdown menus, entering latitude and longitude in decimal degree (calculator provided), and submitting to a valid e-mail address; and
- [Integrated Development Assessment System \(IDAS\) advice agency referrals](#) – are a series of web pages and a [map](#) of wetland protection areas for the Great Barrier Reef. Queensland has the most diverse wetlands in Australia and as a result, local, state, federal and international policies and legislations have been developed to protect and manage it. [WetlandInfo](#) provides background information, facts and figures on managing wetlands, scientific monitoring and assessments, and a [Wetlands Planning and Legislation Toolbox](#). The Toolbox assists in the identification and application of [legislation and planning information](#), policies and planning instruments, and their application. Search criteria include: area; wetland system; tenure; and management situation.

Fees

Fees and other charges for mining and petroleum tenures were reviewed and increased to reflect what the user pays in relation to the public benefit elements for use of the land. Queensland Treasury approved the re-allocation of all additional revenue raised from fee increases to DEEDI, to enable additional resourcing for processing tenure applications and improving information systems. Additional avenues for increasing DEEDI's resources as industry activity grows are under consideration.

Similarly, the Department of Environment and Resource Management (DERM) was also allowed to increase fees to be in line with increased industry activities, and allocated more revenue to expand environmental assessment areas for mining, petroleum, and gas processes.

The benefit for DEEDI and DERM from increased fees and charges has been certainty of resource allocations over a longer time frame (three years), which have been allocated to streamlining activities.

Fees and charges will be reviewed after an electronic workflow system is implemented, where a cost-benefit analysis will be made on the true cost of tenure administrations against public benefit (DEEDI, 2011, pp. 2-3).

For detailed fee listings, click below:

- [Mineral Resource fee list](#);
- [Petroleum and Gas fee list](#);
- [Greenhouse Gas and Geothermal fee list](#);
- [Fossicking fee list](#); and
- [Tenure rental rates](#)

Public Review and Comment

Advertising

Public notifications are administered under the [Native Title Act 1993](#), which requires that native title parties and the public must be notified of:

- “proposed grants of mining leases and claims;
- proposed grants of exploration tenements (including the Expedited Procedure);
- proposed addition of excluded land in exploration permits;
- proposed grant of authority to prospect; and
- proposed mineral development licences (Including the Expedited Procedure)” (DNRM, n.d., “Native title”).

The public notice must occur in both:

- “a newspaper that circulates generally throughout the area to which the notification relates;
- a relevant special interest publication which is usually a newspaper or magazine (e.g. [Land Rights Queensland](#) or [Koori Mail](#)) that:
 - caters mainly or exclusively for the interests of Aboriginal peoples or Torres Strait Islanders;
 - is published at least once a month; and
 - circulates in the geographical area of the proposed activities” (DNRM, “Native title”).

Notices advertised in newspapers are organized by the Queensland government. Payment for the notices are taken from the applicant upfront and any overpayment is refunded or credited to the first year’s rent, or returned if the application is rejected. If applicants are using the Expedited Procedure,

then the proposed text is drafted by the government, and the applicant at the time of application signs off on the advertisement and pays for the advertising costs (DNRM, 2012, Mineral and coal exploration guideline).

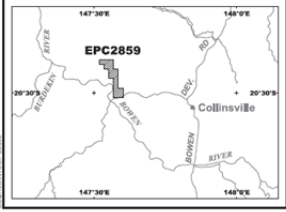
Notices in portable document format (PDF) are also available online in date order. An example of a recent advertisement (Queensland Government, 2012) is shown below in Diagram 9:

Diagram 9 – Notice of proposed grant of Exploration Permit for Coal

Notice of proposed grant of Exploration Permit for Coal

Native Title Act 1993 (Cth) Section 29

Exploration Permit 2859 sought by Coal China Resources Pty Ltd, ACN 148 842 531, over an area of 15 sub-blocks (48km²), centred approximately 32km West North West of Collinsville, in the locality of the Whitsunday Regional Council.



Great state. Great opportunity

The Queensland Minister for Natural Resources and Mines, PO Box 15216, City East, Queensland, 4002, hereby gives notice of the proposed grant of the Exploration Permit for Coal shown below under the *Mineral Resources Act 1989 (Qld)*.


Nature of Act(s): The grant of an Exploration Permit under the Mineral Resources Act 1989 (Qld), authorises the holder to explore for coal for a term not exceeding five (5) years and to seek renewals for a term not exceeding five (5) years. It is proposed to grant Exploration Permits subject to the Mineral Resources Act 1989 (Qld) and also subject to the General Conditions Version 5, 10 December 2010 and Native Title Protection Conditions Version 2, October 2010.

Native Title Parties: Under the Native Title Act 1993 (Cth) any person who is a "native title party" is entitled to certain rights in relation to the proposed grant of Exploration Permits. Under section 30 of the Native Title Act 1993 (Cth), persons have until three (3) months after Notification Day to take certain steps to become native title parties in relation to this notice. Enquiries in relation to filing a native title determination application may be directed to the Federal Court, Brisbane Registry, Level 6, Commonwealth Law Courts, 119 North Quay, Brisbane, Queensland 4000. Telephone: (07) 3248 1100 or Email: qldreg@fedcourt.gov.au

Expedited Procedure: The State of Queensland considers the grant of each Exploration Permit to which this notice applies is an act attracting the Expedited Procedure. Each individual Exploration Permit may be granted unless, within a period of four (4) months after the Notification Day a native title party lodges an objection in respect of the individual Exploration Permit with the National Native Title Tribunal against the inclusion of the statement that the State considers the grant of that Exploration Permit is a future act attracting the Expedited Procedure. Enquiries in relation to lodging an objection should be directed to the National Native Title Tribunal, Level 30, 239 George Street, Brisbane, Queensland, 4000. Telephone: (07) 3307 5000 or 1800 640 501.

Further Information: Further Information about the proposed grants may be obtained from the Department of Natural Resources and Mines, Landcentre, Corner of Vulture and Main Streets, Woolloongabba, Qld 4102. Telephone: (07) 3008 5741.

Notification Date: 26 December 2012



Queensland
Government

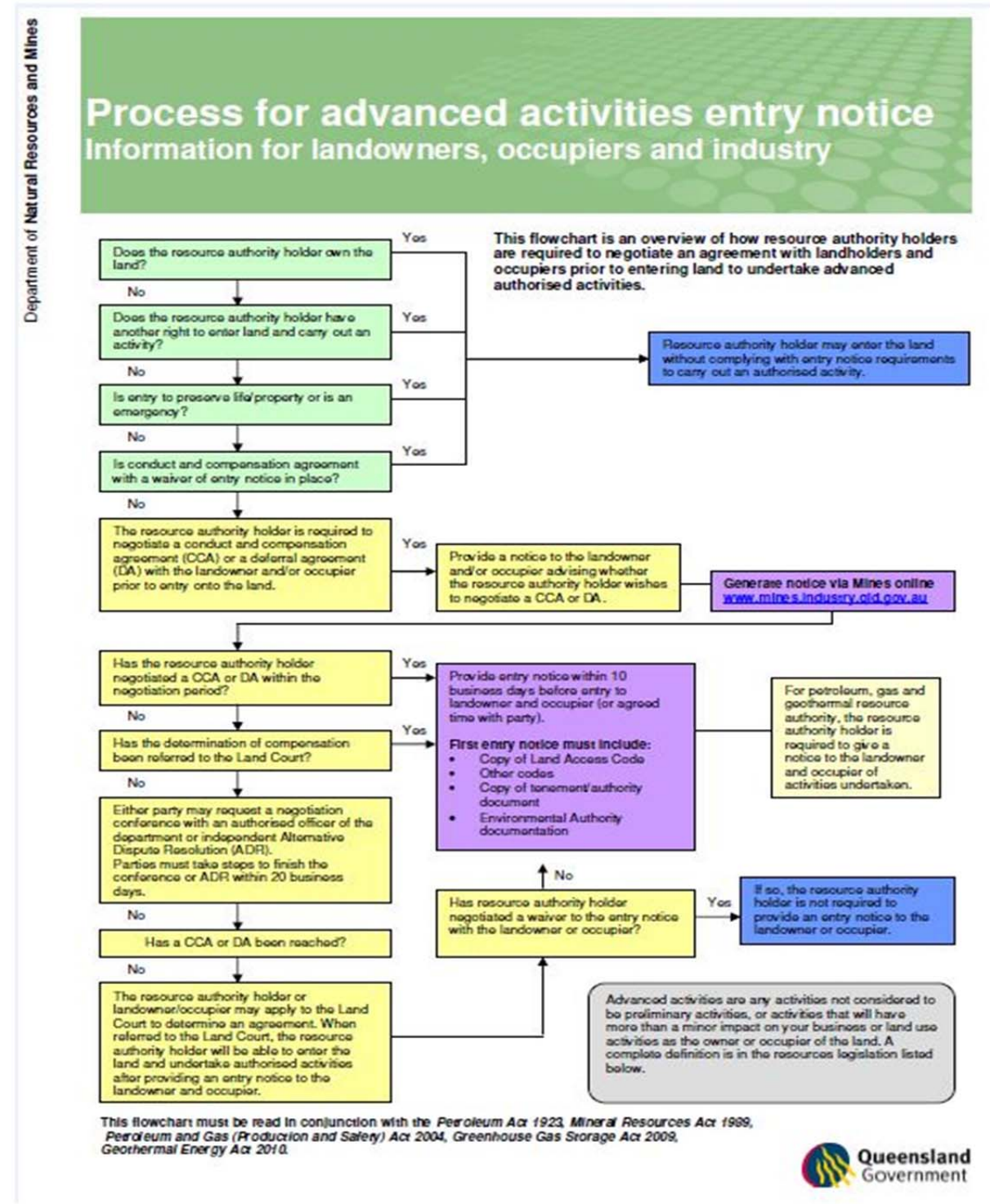
Notice to enter land

Queensland has similar legislation to BC's with respect to mining and petroleum permit holders' obligations to notify landowners and/or occupiers of entry on to private land. For example, petroleum permit holders must give 10 business days' notice before the start of certain petroleum, gas and coal seam gas activities, and give notice again within 10 business days of completing those activities (DNRM, n.d., "Amendments").

Notices are sent by the permit holder in all instances. However, depending on the type of activity, notices are either sent directly to the landowner or occupier by form, or submitted to the Queensland government through Mines online prior to the landowner or occupier (DNRM, "Amendments," Your legal obligations, Mandatory notification of activities section).

The following process flow diagram illustrates the advanced activities entry notice created for landowners, occupiers, and industry by the Department of Natural Resources and Mines (DNRM, n.d., "Process").

Diagram 10 – Process for advanced activities entry notice; Information for landowners, occupiers, and industry



Queensland publishes [Tips for landholders negotiating agreements with resource companies](#) as a guideline to help landowners undertake negotiations about land access and compensation with resource companies so they can enter into a Conduct and Compensation Agreement. The permit holder is

required to negotiate a conduct and compensation agreement or a deferral agreement with the landowner and/or occupier prior to entry onto the land.

In addition, free, non-means tested, legal assistance is available to rural landowners by the Queensland government to provide legal advice and assistance in dealing with resource companies about land access and compensation matters (DNRM, n.d., “Landholder information”).

Native Title

British Columbia and Queensland both require proponents to engage with First Nations and Aboriginals, respectively, prior to NRS activities taking place. However, legislation differs significantly between these two jurisdictions with respect to land settlement and compensation claims, therefore there can be no meaningful comparison between these two jurisdictions within the context of this report.

However, for readers wanting to know more about Queensland’s legislation and practices with respect to native title, the following documents are available:

- [Native Title Act 1993](#)
- [Operational policy – Excluding land subject to native title](#)
- Website - [Native title and environmental factors](#)

Appendix 3 - Summary of Issues on Harmonization to Eliminate Duplication/Inconsistency

Issues on harmonization to eliminate duplication and inconsistencies

Fifteen issues were identified by the IDM team prior to the meeting, and presented to the decision makers. They were asked to rank the hindrances they experience in the current siloed state as either high or medium/low. The following table summarizes the responses:

	Issue	High Occurrences	Medium & Low Operational
1	Authority to require online submission and integration of applications varies across regulatory regimes, which will eliminate duplication of tombstone information.	4	2
2	Current appeal processes are inconsistent (e.g. timelines and triggers) and not commensurate with the investment, impacts, and complexity.	4	1
3	Inconsistent policies for FN consultation timelines and level of consultation across business lines for the same project. First Nations consultation agreements with time frames that do not match policy regulations/legislation.	3	4
4	Term of tenures are inconsistent across authorizations - variable, no term, do not expire when main activity ceases.	3	4
5	Too many documents issued for one project, all referring to conditions in different ways. Should be a consistent approach to documents or only one project document.	3	3
6	Multiple NR authorization security deposits required for a project, with multiple authorizations AND Multiple NR authorization security deposits for major clients, who hold multiple NR authorizations issued under 1 or more NR legislation.	3	2
7	Inconsistent approaches for public review and comment, time frame for review (plus inconsistent turnaround times).	2	2
8	Duplication of instruments (e.g. SUP and LOO): PCL vs. RW.	1	3
9	Sending clients multiple bills for the same project, and staff not being aware of what other bills have been sent to them.	1	2
10	Delegate inspectors the ability to issue other agency approval/permits that are specific to the support of applications made under the Mines Act.	1	0
11	Allow renewal/extension of permits (e.g. with an extension letter) instead of fixed time period.	1	0
12	A client may be subject to multiple fees collected at different times for the same project.	0	5
13	Some tenures are not the right match, but are not changed to save cost (e.g. logging camp).	0	4
14	A client may be subject to multiple rents collected at different times for the same project.	0	4
15	Different instruments are used to grant comparable rights (some contractual, some licences, and each allows for different flexibility and different restrictions).	0	3

Handout – Issues & Comments from Regions

	Issue	Comment
1	Authority to require online submission and integration of applications varies across regulatory regimes.	Authorization processes for major mining projects are fairly effective and reasonably timely. One intuitive instrument for permit issuing would reduce the duplication and create an all-in-one permit for one project. Set application criteria. Add toggle selections to build the contact for the permit. Require online submission.
2	Current appeal processes are inconsistent (e.g. timelines and triggers) and not commensurate with the investment, impacts, and complexity.	For all NRS authorizations, there should be a common appeals process and appeals criteria. Currently, there are few such cases, but if they increase, this issue will become more important.
3	Inconsistent policies for FN consultation timelines and level of consultation across business lines for the same project. First Nations consultation agreements with time frames that do not match policy regulations/legislation.	Our biggest challenges centre on FN consultation.
4	Term of tenures are inconsistent across authorizations - variable, no term, do not expire when main activity ceases.	Have the right permit for the right authorization.
5	Too many documents issued for one project, all referring to conditions in different ways. Should be a consistent approach to documents or only one project document.	The terms for permits are not all aligned. This is especially an issue during exploratory phases of a project.
6	Multiple NR authorization security deposits required for a project with multiple authorizations AND Multiple NR authorization security deposits for major clients who hold multiple NR authorizations issued under 1 or more NR legislation.	The possibility of having one decision maker, one review period, and one deposit upfront for each project; and the possibility of having the client apply for the whole project instead of piecemeal authorizations.
7	Inconsistent approaches for public review and comment, time frame for review (plus inconsistent turnaround times).	--
8	Duplication of instruments (e.g. SUP and LOO): PCL vs. RW.	--
9	Sending clients multiple bills for the same project, and staff not being aware of what other bills have been sent to them.	--
10	Delegate inspectors the ability to issue other agency approvals/permits that are specific to the support of applications made under the Mines Act.	--
11	Allow renewal/extension of permits (e.g. with an extension letter) instead of having them expire at a fixed date, thus requiring another application process.	--

12	A client may be subject to multiple fees collected at different times for the same project.	Have common application fees for similar authorizations. Have collection of fees and rents tied to online application process.
13	Some tenures are not the right match, but are not changed to save cost (e.g. logging camps).	This topic would require a great deal of work and consultation.
14	A client may be subject to multiple rents collected at different times for the same project.	Using one method to issue permits would bring consistency on the deposits and rent issues.
15	Different instruments are used to grant comparable rights (some contractual, some licences, and each allows for different flexibility and different restrictions).	--

Additional comments

- There should be a common review/advertising timeline.
- Expand role of Front Counter BC to collect and disseminate all information.
- Expand role of Front Counter BC to provide packages to potential proponents of required authorizations.
- Train new and current staff on permit process requirements.
- Additional legislation will add another layer for decision makers, thereby increasing workload.
- Authorization processes for major mining projects are fairly effective and reasonably timely.
- Greater co-ordination with MOE on effluent discharge permits for major mines.
- New initiatives:
 - Bill 19 - allows some low-risk mining activities to occur without a permit,
 - LEAN - examining efficiency aspect of Notice of Work and tenuring,
 - Working groups - Cumulative Effects, Environmental Mitigation Policy, Qualified Professionals/Professional Reliance.
- Increase bonding for major mines.

Table 1:

What is Working Well
Project-based management
Integrated Team Approach
Move towards One Project-One Process
DPIR & DP Index
Staff Engagement and Training
Somewhat Considering All Resources and Users of Land Base (Almost Everybody)
Backlog Cleanup
Communicating is better than ever
C.E.P. Guidebook is Getting Better
Concept of Project Lead: Consultation lead is being embraced by all parties
COP
FCBC is getting better!
We (FCBC) need your help and feedback to build this capacity!

Table 2:

What other comments do you have about the regulatory framework for IDM on Natural Resources?
Clear outcome measures and service standards are needed
Great potential; don't rush the planning process or it will flop! Start rolling out low level pilots.
Regular framework/process needs to incorporate BCEAA/EAO. It is as though we are moving towards a mini EA process for all sub-threshold projects. Why create disconnect with EA?
How templates are shared. Housed provincial in one location. But still allow templates to be modified.
Same, intake office, advertising, consultation understanding, template letters, consistency
One agency needs to be able to authorize all permitting
Why not implement some of the processes: NRAC, CLIFF (PP)? One Process, don't reinvent the world.
One decision maker sign-off for different? water, as well as forests and lands
E-licensing is the pits
No Access to each other's databases

Table 3:

Tricky
Inter-regional initiatives/improvements not easily shared...
We need more hydrologists and ecosystem biologists to work on CEPs
We need more resources! We need to retain experienced staff!
Need more project leads who can focus on projects, especially high-risk projects
Regulation overlap & different standards, change is difficult: Age of workforce
Technology is driving process, rather than good processes that utilize technology. (Just because it is electronic, doesn't mean it's better)
First Nation consultation: Different understanding or what this means
Resources lacking to physically/geographically restructure within FLNRO
Regional inequities in staffing/expertise levels
Better IT so application info. can be affectively shared within government and public (?EPIC!)
CEPs are/can be time sinks in our workloads. Tricky!
E-referrals

Table 4:

What is tricky/ unnecessary? What is getting in the way? (Regulatory)
Project leads are often inexperienced. Causes frustration
Systems need to talk to each other: Tantalus, Earthone, ATS, Oracle, Fta
Tricky: project managing & client managing to ensure the project does not adversely affect other agencies. Making sure applications come in early enough to allow review and adjudication
Too much duplication in applications
Applications should be digital and write into SDM databases
Project lead can be staff other than land officers
Lack of planning oversight
Cross mining training is good but more is required
Initial client interaction: i.e. being able to point proponents to : <ul style="list-style-type: none"> • Solid, straight forward orientation to process • Simple electronic interface for submitting info/application i.e. full-suite FCBC service

i.e. modern and online technology (electronic applications)
Identity: public perception/understanding of <ul style="list-style-type: none">• Our name• Purpose• Branding• Process
One client database
Data requiring expert interpretation <ul style="list-style-type: none">• Insufficient resources

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