

Audit of the Agricultural Land Commission

As at: August 2012

Released: 7 September 2010

1st Follow-up: October 2011

Discussed by the Public Accounts Committee: 7 December 2010

Self-assessment conducted by the Agricultural Land Commission

Comments:

Since its last update in October 2011 there have been significant steps taken to improve the operations of the Agricultural Land Commission (ALC). In November 2011 Government announced a number of improvements including legislation that will allow the ALC to charge service fees to augment provincial funding. In accordance with Government’s announcement, the ALC with the assistance of the Ministry of Agriculture, has reviewed potential fee opportunities.

Four potential funding sources have been identified: Increased application fees; service fees associated with the ALC completing its administration of approved applications; monitoring fees associated with the ALC’s ongoing monitoring and site inspections of long term approvals; and auditing fees associated with the ALC’s oversight and administration of delegation agreements with local governments and other authorities. The ALC, working with the Ministry of Agriculture, is currently undertaking the consultation phase of the fee review. Following consultation, the ALC will await direction from Government regarding fees.

In the interim, Government provided the ALC with \$625,000 in transitional funding for fiscal year 2011/12 and a further \$975,000 this fiscal year to facilitate a transition to a more self-supporting operating model by 2013. The ALC has embarked on a number of significant projects that pertain to the recommendations of the Auditor General in his 2010 report; Audit of the Agricultural Land Commission. Reference is made to these projects in the ALC’s following responses. Fees would support the transitional projects now underway. Fees would also enhance the ALC’s ability to: undertake ALR boundary reviews; proactively engage stakeholders to encourage farming and preserve agricultural land; shift to a proactive planning organization; monitor and audit delegation agreements; conduct more compliance and enforcement; and to enhance its information technology capabilities.

Outstanding Recommendations:

RECOMMENDATION AND SUMMARY OF PROGRESS	SELF-ASSESSED STATUS
Recommendation 1: Ensure that ALR boundaries are accurate and include land that is both capable of and suitable for agricultural use.	Partially implemented

Actions taken, results and/or actions planned

Transitional funding is being used to update the ALC’s ALR boundary review procedural manual to provide clear and concise guidance regarding the methodology to be employed for reviews and to ensure boundary reviews are conducted in an open and transparent manner. The ALC has also had the agricultural capability mapping converted from a paper to a digital format. This mapping will form part of the technical foundation for ALR boundary reviews. The digital conversion of the agricultural capability mapping for the ALR is essentially complete. The ALC has also embarked on a large data entry project related to approximately 20-25,000 hardcopy files of previous ALC decisions. This information is essential to identifying areas of potential boundary review. Due to the extent of work involved, the data entry project will continue into the next fiscal year.

Reviews of the ALR boundary will be targeted to specific regions of the province, not the entire ALR. The ALC will focus its attention for the first boundary review in the Regional District of East Kootenay and has drafted a work plan and embarked on preliminary work to identify the target area.

Recommendations (Cont.)

Recommendation 2: Seek government’s support to make changes that will allow it to more effectively preserve agricultural land and encourage farming through the application process. **Partially implemented**

Actions taken, results and/or actions planned

On August 23, 2012 the ALC Chair released a message entitled, Changing The Way We Do Business: An Update On The Transition of the Agricultural Land Commission. The ALC will no longer allow the purely reactive role of dealing with applications to drive our allocation of priorities. Instead of application work accounting for 80% of the ALC’s budget, the ALC is initially targeting to have that work account for 30% of our budget. Moreover, applications will not be addressed according to a simple “first in time” rule, but rather according to the priority of the application, after a screening process that takes into account the nature and purpose of the application and the application’s potential to encourage farming and the larger purposes of the Agricultural Land Commission Act (ALCA). Within the targeted 30% budget allocated to application work, the ALC will increase its efficiency by streamlining the processing of applications.

To achieve the streamlining objective, several initiatives are being given active consideration; some are underway. One involves creating an application process – in due course, a fully electronic one - that places the onus to provide all relevant information on the person making the application. Transitional funding is being used to design and build a web-based application portal and client self-help kiosk to provide enhanced web services to clients and greater access to information. Establishing the ability to file applications electronically will further reduce the amount of ALC resources devoted to processing applications. The design phase is underway and it is expected that building of the application portal will commence shortly with product delivery by the end of December 2012 or early January 2013. The ALC is targeting April 1, 2013 to bring the electronic application process online.

This change in approach to dealing with applications is intended to allow the ALC to focus more on pro-active planning and policy initiatives that will help the ALC to more effectively preserve agricultural land and encourage farming.

Recommendation 3: Engage in proactive long-term planning with local governments to encourage farming. **Partially implemented**

Actions taken, results and/or actions planned

The ALC will no longer allow the purely reactive role of dealing with applications to drive our allocation of priorities. Instead of application work accounting for 80% of the ALC’s budget, the ALC is initially targeting to have that work account for 30% of our budget. Some of the resources freed up with the shift away from application processing will be dedicated to enhancing the ALC’s ability to engage in proactive planning with local governments and provincial ministries, agencies and Crown Corporations. This reflects the ALC’s larger responsibility to communicate with and educate local communities and provincial ministries, agencies and Crown Corporations regarding the ALCA in particular and agriculture generally.

Recommendation 4: Work with Fraser-Fort George Regional District to address concerns it has with the District’s processes. **Partially implemented**

Actions taken, results and/or actions planned

The ALC is compiling and assessing the application decisions made by the FFGRD under the delegation agreement. Following its review of the delegated decisions, the ALC will confer with its legal advisors to ensure decisions made under the delegation agreement reflect the purpose and intent of the ALCA and regulation. The review will also serve to identify opportunities to improve the delegation agreement.

Recommendations (Cont.)

Recommendation 5: Work with the Oil and Gas Commission to develop an action plan to implement the recommendations of the 2009 audit.	Partially implemented
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Actions taken, results and/or actions planned

The ALC has been working with the OGC to amend the delegation agreement to reflect recommendations of the 2009 delegation audit. The ALC will engage its legal advisors to ensure the delegation agreement, and any amendments thereto, reflect the purpose and intent of the ALCA and regulation. The review will also serve to identify opportunities to improve the delegation agreement .

Recommendation 6: Ensure that it has a sufficiently robust compliance and enforcement program.	Partially implemented
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Actions taken, results and/or actions planned

The ALC has appointed 38 provincial government employees from the Ministry of Forest and Natural Resource Operations as “officials” to aid in the ALC’s compliance and enforcement activities around the Province. Appointees provide for greater oversight of the ALR on the ground and operate at the request and direction of the ALC. Appointments now provide the ALC with enhanced compliance and enforcement capabilities in the South Coast, Interior, Okanagan and Kootenay Boundary regions. The ALC is planning for additional appointments in 2012 and 2013 to provide enhanced compliance and enforcement coverage in other areas of the Province.

Recommendation 7: Prioritize completion of the new database and finalize conversion of the original paper ALR maps into digitalized format.	Partially implemented
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Actions taken, results and/or actions planned

Transitional funding is being used to design and build a web-based application portal and client self-help kiosk to provide enhanced web services to clients and greater access to information. Establishing the ability to file applications electronically will further reduce the amount of ALC resources devoted to processing applications. The design phase is underway and it is expected that building of the applicant portal will commence shortly with product delivery by the end of December 2012 or early January 2013. The ALC is targeting April 1, 2013 to bring the electronic application process online.

Online Application Tracking System (OATS) fixes and upgrades are underway. The first upgrade was completed and installed in March 2012. It is anticipated work on OATS will continue throughout fiscal year 2012/13.

Auxiliary employees have been hired and work is underway to retrieve application files, verify digital mapping of properties, enter application data into the database and to scan relevant file documents. It is estimated that 20-25,000 applications will be processed as part of the data entry, document scanning and mapping quality assurance project. Due to the extent of work involved, the data entry project will continue into the next fiscal year.

Historical (original) ALR application history maps have been converted to GIS digital format and quality assurance is partially complete.

Recommendations (Cont.)

Recommendation 8: Evaluate the collective impacts of its decisions on applications and its broader policy decisions. **Partially implemented**

Actions taken, results and/or actions planned

Auxiliary employees have been hired and work is underway to retrieve application files, verify digital mapping of properties, enter application data into the database and to scan relevant file documents. It is estimated that 20-25,000 applications will be processed as part of the data entry, document scanning and mapping quality assurance project. Due to the extent of work involved, the data entry project will continue into the next fiscal year.

This work will ensure that all historical decisions of the ALC are accessible via the database and GIS mapping. The ALC will be better positioned to analyse applications, review the cumulative impact of its decisions, conduct planning exercises and analysis and provide information for improved policy development. The project will also facilitate ALR boundary reviews and improved statistical reporting.

Recommendation 9: Report publicly on the cumulative impacts of its decisions. **Partially implemented**

Actions taken, results and/or actions planned

Auxiliary employees have been hired and work is underway to retrieve application files, verify digital mapping of properties, enter application data into the database and to scan relevant file documents. It is estimated that 20-25,000 applications will be processed as part of the data entry, document scanning and mapping quality assurance project. Due to the extent of work involved, the data entry project will continue into the next fiscal year.

This work will ensure that all decisions of the ALC are accessible via the database and GIS mapping. The ALC will be better positioned to analyse applications, review the cumulative impact of its decisions, conduct planning exercises and analysis and provide information for improved policy development. The data entry, document scanning and mapping quality assurance project, coupled with the work currently underway to design and build an electronic application portal and self-help kiosk, will also enable detailed and timely public access to the work and decisions of the ALC. Preliminary work is also being done to determine how best to provide public access to all historical decisions and mapping.