

## **SUBJECT: Saskatchewan Environmental Management Model and Code**

### **SUBMITTED BY: Environment Committee**

#### **BACKGROUND**

The current Saskatchewan model for environmental management has been primarily based on a legislative framework with approval requirements, prohibitions, and prescriptive regulations. Provincial environmental legislation has been developed over the last 30 years, and requires continuing revision to accelerate harmonization with other provinces, reduce duplication within and between governments, and change the primary allocation and assumption of responsibility for environmental performance.

The new Environmental Management Model is based on existing methodology for creating standards (i.e., the National Building Code), guidance on environmental management similar to ISO 14001, and legislative regimes like the Income Tax Act. Core to this model are consistent universal standards, self-management, self-assessment and reporting, and improved information for environmental management and compliance, supported through an approach of continual improvement and discerning enforcement.

In 2008, the Ministry of Environment initiated consultations on a “Results-Based” regulatory model and evaluated new regulatory models. In 2009 it proclaimed some new/revised bills for environmental management. The initial chapters of the Saskatchewan Environmental Code were developed during 2009–2012, and proclaimed in 2014.

The Code allows proponents to propose their own solutions, thus encouraging innovation and continuous improvements. Most importantly, it allows a much more efficient process for the approval of activities that have environmental aspects. Through a multi-stakeholder Environmental Code Advisory Committee and development process, the Ministry continues to prepare the additional chapters of the Code, containing clear and concise legal requirements that will govern the management and protection of the environment in Saskatchewan.

More work is needed now, to fully implement the remaining aspects of the Environmental Management Model.

#### **ISSUE**

The new, results-based approach to legislation using the Code is a shift from prescribing how to do something, to setting out the results that must be achieved and leaving room for proposing alternative methods of achieving them. This allows flexibility for innovation,

and for regular improvements that keep up with changing technology and environmental priorities. The core requirements and outcomes mandated in the Code will provide incentives for system owners and operators to improve their environmental management.

The development of the first edition of the Code resulted from the involvement and contributions of over 200 experts from inside and outside the province. Work is expected to continue in the further development of needed additional chapters of the Code. As this approach continues to be implemented, it will provide enhanced environmental management and regulation, and achieve increased protection of the environment at lower costs to the government, the regulated community, and the provincial economy. The Chamber continues to support the further development and implementation of the Code.

While it is key to have the benefits of implementing the Model through the Code that has been developed, it is also critical to continue the updating of provincial processes to meet the Model. This is particularly important with respect to the management of the commons with a standardized environmental information system, and management system improvement through a feedback mechanism.

It is critical to these functions that the provincial government accelerate the implementation of a public provincial environmental information system with detail on environmental areas, media and ecosystem indicator data, and status with respect to critical threshold states. That public information data system would gather and publish the available data for air, soil and water quality, ecological diversity, and habitat, etc., by relevant areas of the provincial landscape (e.g. air-sheds, drainage basins, soil zones, eco-zones, etc.).

It is also the appropriate time to plan the needed overall process for periodic feedback, assessment, and review of the environmental management mechanisms. This should be a five to ten-year cycle where the provincial government and stakeholders review the environmental effectiveness and outcomes from the Code, the public information database, and the environmental management system. Broad stakeholder involvement, using the existing provincial model for environmental stakeholder consultation, and the related CSA Standard No. Z764-96, would be appropriate in these regular reviews. That involvement would allow a periodic opportunity to debate resource use, land use allocation and planning, and environmental management. This process, together with the ongoing reporting and evaluation of the status of the commons, would lead to confidence in the community that the standards are appropriate and are being met.

## **RECOMMENDATIONS**

1) That the provincial government advance the development of the needed public provincial environmental information system with detail on environmental areas, media and ecosystem indicator data, and status with respect to critical threshold states (e.g. air, soil and water quality, ecological diversity, habitat, etc.).

- 2) That the provincial government proceed as quickly as possible to continue the development of the Saskatchewan Environmental Code in consultation with the Code Advisory Committee for ongoing promulgation.
- 3) That the provincial government move as quickly as possible to develop appropriate Code chapter(s) with respect to water regulation.
- 4) That the Saskatchewan Water Security Agency (SWSA) adopt a Results-Based regulatory model and the use of the Code (as agreed when SWSA was formed).
- 5) That the provincial government put in place legislation to facilitate adoption of a Results-Based regulatory model and the use of the Code for environmental activities throughout all Ministries.
- 6) That Saskatchewan Chamber of Commerce members strive to adopt the Model and Code in their own businesses.

### **DATE OF POLICY RESOLUTION RATIFICATION**

This policy resolution was ratified by the Saskatchewan Chamber of Commerce Board of Directors on September 14, 2017.