

Working Title Superintendent, Environmental Investigations Manager	Name
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Position Number	Reports to Position No., Class & Level Deputy Chief, Environmental Investigation Section (SM2)	Division, Branch/Unit Regulatory Assurance Division, Environmental Enforcement Branch, Environmental Investigations Section	Ministry Environment and Parks
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Present Class SM1	Requested Class SM1	Levels to Deputy Minister (Not including incumbent level) 4
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Dept ID	Program Code	Project Code (if applicable)
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**POSITION SUMMARY:**

Reporting to the Deputy Chief, Environmental Investigations Manager (SM2), the Superintendent, Environmental Investigations Manager (Investigations Manager) provides effective leadership and direct supervision of investigative teams of staff designated as Peace Officers and support staff, in delivering investigation services for the ministry. The Environmental Investigations Section is responsible to undertake investigations involving issues of noncompliance or environmental offences that require enforcement action to ensure the ministry's regulatory outcomes are achieved. The role is responsible for operational leadership and oversight of investigations and enforcement actions for contraventions of legislation including but not limited to the *Alberta Land Stewardship Act, Environmental Protection and Enhancement Act, Public Lands Act, Emissions Management and Climate Resilience Act, Water Act*, and associated regulations and codes of practice.

While the Deputy Chief, Environmental Investigations Manager (SM2) takes on a more strategic focus, the Investigations Manager manages the operational delivery of the environmental investigations program at a regional level. The position is focused on ensuring environmental investigations achieve regulatory assurance outcomes using the compliance assurance management framework principles of education, prevention and enforcement. The position provides direct guidance, leadership, expert advice and direction to a team of investigators designated as Peace Officers to deliver investigation services across multiple divisions. The Investigations Manager requires the ability to work in an integrated fashion at an operational level with a wide variety of government departments, agencies, stakeholders and industry, requiring advanced communication, leadership, coordination, management, and decision-making skills. The position works closely with the Environmental Law Section and Specialized Prosecutions of Alberta Justice, and collaboratively with other program managers within and across Divisions, to ensure program outcomes are realized.

The Investigations Manager has delegated statutory decision-making authority related for AEP statutes, and requires a thorough knowledge of legislation to issue civil enforcement actions. This requires the delivery of enforcement responses to noncompliance of legislation leading to decisions such as administrative penalties, as well as remedial responses through Enforcement Orders, Environmental Protection Orders, Water Management Orders, and Orders to Vacate. This position is expected to be the primary statutory decision maker in the branch through informed decision-making consistent with legislation and departmental policies in a timely, credible, defensible, reasonable and transparent process. Statutory decisions made by this position can have significant economic impact to industry, stakeholders, and the public, which can impact the reputation of the Government of Alberta. The Investigation Manager must know and apply the principles of natural justice and ensure a procedurally fair process. This position may be required to defend their statutory decisions in front

of a judicial and quasi-judicial independent panel upon formal appeal of their decision.

## **SPECIFIC ACCOUNTABILITIES:**

The Investigations Manager is a Statutory Decision Maker for many regulatory assurance actions taken under the mandate of the Department, and responsible to ensure decisions made follow the principles of natural justice and are procedurally fair. Responsibilities in this regard include;

- Determining the appropriate enforcement tool to address an issue of non-compliance or violations. The range of tools include:
  - Written warnings to encourage voluntary compliance.
  - Administrative penalties which are monetary fines and may include economic benefit assessments.
  - Ensuring administrative penalties are assessed to address non-compliance, and with the objective of changing behavior so positive corrective actions of stakeholders and industry are achieved.
  - Determining when an investigation needs to be referred to Specialized Prosecutions or General Prosecutions for prosecution of an offence, and ensuring the investigation can meet the burden of proof needed for success.
- Ensuring investigations and statutory decisions are legally defensible through ongoing engagement and working closely with the Environmental Law Section of Alberta Justice and Solicitor General, throughout the investigation, decision making and appeal processes.
- Rationalizing and defending statutory decisions upon formal legislated appeal in front of a judicial and quasi-judicial independent panel.
- Identifying and submitting recommendations to the Deputy Chief Environmental Investigations Manager and other senior managers within and across divisions regarding policy conflicts, policy or knowledge gaps, or situations where decision making may set regional or provincial precedence.

Given the integrated and high level of dependency on providing investigation services to program areas within and across Divisions, the Investigations Manager will provide leadership and collaborate with other managers and/or statutory decision makers:

- To ensure statutory decisions for assigned remedial enforcement actions are delivered under the mandate of the Department, such as Orders that require immediate action to prevent or stop adverse environmental impacts (Emergency Environmental Protection Order, Environmental Protection Order, Water Management Order, Enforcement Order, Order to Vacate).
- Where parallel regulatory activities and/or investigations are occurring in other branches/divisions, with multiple statutory decisions that may impact each other.
- Provide leadership and coordination when operationally transitioning issues that require collaboration between the environmental investigations section and the branches and divisions where an investigation requires complementary and independent investigations, applying the spectrum of tools across compliance and approvals functions.
- To act as subject matter expert on complex technical environmental investigations.

The Investigations Manager provides direct operational leadership and supervision to a team of investigators in the region designated as Peace Officers, to ensure that investigative services provided within and across divisions meet Departmental goals, environmental objectives, and overall regulatory assurance outcomes. This is accomplished by:

- Providing input into the development of the environmental investigations section operations plan and annual work plans based on ministry and departmental priorities.
- Identifying emerging operational issues and shift priorities to address those issues.
- Managing the budget at a regional level for the investigative team, reviewing expenditures, and accountable to ensure funds are being utilized in a cost-effective manner.
- Reporting on metrics and responsible for setting expectations and implementing processes to ensure investigation services and their outcomes are delivered in a manner that meets Albertan's expectations.

## **SPECIFIC ACCOUNTABILITIES:**

- Ensuring staff appointed as Alberta Peace Officers competently and professionally represent and deliver on their investigation activities and services under the requirements of the Alberta Justice and Solicitor General Peace Officer Program.
- Providing advice, guidance and mentorship to staff, and leadership within the department in order to influence strategic direction in the area of changing behavior of the regulated community.
- Meeting departmental OH&S manager responsibilities by ensuring all staff are appropriately trained and aware of their responsibilities and of potential hazards in the workplace.
- Accountable for oversight in setting and maintaining a comprehensive case management system involving high standards for records management pertaining to investigation files such as court briefs, crown disclosure, FOIP, Directors records for appeals, and/or other legal processes.
- Establishing and maintaining a quality assurance function to ensure investigations follow established standards and procedures, and reports that meet quality standards.
- Providing learning and development opportunities for staff through various forms of training, coaching and mentoring to build competencies in investigative staff, to increase succession capacity in the program, and to establish a culture of excellence in the Environmental Enforcement Branch.
- Ensuring action requests, information requests, and briefing materials are responded to and delivered in a timely manner so the management team within and across Divisions pertaining to investigations, and executive are aware of sensitive/important issues.

The Investigations Manager is responsible to operationally manage the investigation program to deliver effective and efficient enforcement actions that address issues of noncompliance, and lead to positive behavior change and achieve regulatory assurance outcomes by:

- Designing and maintaining an intake system for categorizing, risk-based prioritizing, and leading processes for assigning and transitioning files referred to the Regulatory Assurance Division, from within and across divisions that require investigations from the Environmental Investigations Section and/or Regulatory Assurance North and South branches.
- Co-ordinating in an integrated manner within and between divisions to ensure compliance assurance tools are used in a strategic, escalating approach that achieves compliance in the most appropriate manner to meet environmental objectives.
- Ensuring investigation files are carried out in an integrated, defensible, and timely manner in providing a high level of service.
- Ensuring the investigations are operationally delivered in accordance with the legislation, regulations, policies, standard operating procedures and other regulatory requirements.
- Delivering investigative services expertise and provide access to resources in-house and/or through partnerships to investigative teams within the branch, and investigative teams in the Regulatory Assurance Division North and South regions.
- Maintaining integrated partnerships between branches and the other divisions so that investigations are well coordinated to ensure stakeholders are treated in a fair, consistent and timely manner.
- Ensure operational investigative policies and procedures, partnerships, recruitment, mentoring and training are assessed and continuous improvement is undertaken where gaps are identified.

The Investigations Manager is the operational liaison between ministries, agencies, law enforcement partners, and department divisions when required to support the delivery of environmental investigations by:

- Having a firm knowledge and understanding of operational programs across multiple Divisions (i.e. Regulatory Assurance, Lands, and Policy Divisions) to successfully deliver investigation service requirements.
- Working at the regional level with branches and divisional programs to gather intelligence to identify trends in non-compliance, and operationalizing investigative service delivery to address immediate and systemic issues.
- Establishing and maintaining working relationships with operational managers and senior technical staff across all divisions within the department, for access to the appropriate subject matter experts

## **SPECIFIC ACCOUNTABILITIES:**

necessary to support investigations, the statutory decision, and any appeals or judicial challenges.

- Represent the Environmental Investigations Section to provide an operational perspective when actively participating on departmental committees working on regulatory and enforcement issues.
- Maintaining a professional relationship with the Environmental Law Section, Specialized Prosecutions Services Section, and General Prosecutions within Alberta Justice to ensure all regional investigation files, outcomes, and challenges under appeal or judicial review are legally sound and defensible.
- Maintaining key relationships within the branch (Conservation Officers) and across other Ministries and Agencies (i.e. Alberta Justice & Solicitor General [Fish and Wildlife Enforcement Branch and Sheriffs Branch], Agriculture and Forestry, Alberta Energy Regulator, RCMP, municipal police, etc.), as an operational liaison, to leverage expertise from law enforcement agency partners when required to support investigation files, in areas such as:
  - Preparing and/or personal service of legal documents including but not limited to Enforcement Orders, Environmental Protection Orders, Orders to Vacate, Production Orders, cancellation/suspension, seizure of assets, laying of charges, warrants, etc.
  - Surveillance, gathering intelligence, human source handling/confidential informants, handling of some evidence, leveraging access to reward systems, etc.
  - Any other law enforcement services (i.e. Criminal Code, officer safety) from Peace Officers of a higher level of designation, training and expertise that may be required to support the branch's investigations.

## **KNOWLEDGE/EXPERIENCE:**

The position requires a post-secondary education in either law enforcement (preferably environmental or conservation law enforcement), resource management, environmental sciences, environmental/natural resource law, business administration or a related field with equivalencies, plus directly related experience at a senior manager level where a background in environmental/natural resource enforcement is an asset. The position requires working knowledge, and experience in the following areas:

- GoA and Ministry mandate, business goals and objectives.
- Applicable legislation, regulations, codes of practice, ministerial orders and guidelines including but not limited to the *Environmental Protection and Enhancement Act*, *Water Act*, *Emissions Management and Climate Resilience Act*, *Alberta Land Stewardship Act*, and *Public Lands Act*.
- GoA and Ministry decision-making processes and applicable directives and policies.
- Strong leadership skills are required to organize, mentor, motivate and manage the activities of investigative staff.
- Strong understanding on technical aspects of conducting investigations such as gathering of evidence, taking statements, charter/caution, sampling, chain of custody, serving documents, legislative authorities, etc. for providing direction and advice to investigators.
- Procedural fairness and the principles of Natural Justice as it applies to investigations, statutory decision making and appeals/legal challenges.
- Procedures and processes in relation to the judicial system and prosecution services.
- Strong written skills particularly for communicating with responsible parties in the civil enforcement process, making statutory decisions, defending decisions in appeals, preparing court documents, department action requests and briefing notes, and communicating with other agencies.
- Effective verbal communication, conflict resolution, facilitation and presentation skills.
- Developing strong interpersonal relationships at all levels with internal and external organizations.
- Assessing complex situations and providing advice to staff, divisional, and regional branch leadership teams and the ADM.
- Natural resource management, issues management, risk management, and change management.

## **LEADERSHIP AND BUSINESS KNOW-HOW:**

As a member of the Environmental Investigations Section, the Investigations Manager is accountable for leading a regional team to ensure the effective implementation, coordination and delivery of investigation services within and across divisions in the department. In addition to supervising a regional team of investigators, this management position is the primary statutory decision maker for civil enforcement decisions under multiple environmental Acts, Regulations and Codes of Practice for the ministry within the region. The position also needs to exercise the judgement necessary to understand when an investigation file should be referred to Specialized Prosecution Services or General Prosecutions for prosecution of an offence. As an investigation service to multiple programs and divisions in the department, the role is critical in establishing and maintaining working relationships with similar levels of management (Compliance Managers, Approvals Managers, Lands Managers, and Resource Managers) and senior technical staff to ensure investigations assigned to this section are supported by the program areas, and delivered to meet expected regulatory assurance outcomes through an appropriate enforcement response, coordinating remedial outcomes, and ultimately a positive behavior change of the responsible party.

The position requires a well-developed coordination, organization and leadership skillset developed through work experience in regulatory assurance positions. In order to provide effective investigation services, a strong understanding of all compliance program functions of education, prevention and enforcement through incident response, inspections, investigations and/or authorization management work is required. When investigation files require specialized skillsets to support an investigation, this position requires the establishment and maintenance of critical partnerships for collaboration with other internal and external law enforcement agencies to assure successful outcomes. These leadership skills demonstrated in an investigation service delivery role are required to direct and support a team of investigators and functionally direct professional subject matter experts often required to support the investigation and the position as a statutory decision maker in a variety of contentious and sometimes high conflict and high profile situations. The Investigations Manager is expected to take the lead role in statutory decision making and ensuring staff are accountable to complete their assigned tasks in an efficient and effective manner. The Investigations Manager will be expected to:

- Work within a broadly defined conceptual framework and manage multiple issues, support numerous programs, and functions while delivering the investigative services to achieve the desired regulatory assurance outcome.
- Manage conflict between the department and parties being investigated, and any impacted stakeholders, other regulated parties, and staff across divisions who may have competing perspectives, expectations, and priorities.
- Lead innovation by staying current with new and evolving investigative techniques and motivate others to adopt and implement new and innovative investigative concepts, creative problem solving and approaches.
- Facilitate and promote collaborative and integrated solutions to problems requiring investigative services within allocated resources and limited timelines.
- Work cooperatively and productively with others to achieve agreed upon goals.
- Assess and respond to a wide variety of contentious issues using regulatory tools within the existing legislation, potentially using novel approaches while ensuring risks are mitigated.
- An ability to lead the work of multi-disciplinary professional and technical subject matter expert staff across divisions who are called upon to support investigations.
- Conduct a risk analysis of daily workloads and establish deliberate direction to staff to work on priority issues and investigations.

## **PROBLEM SOLVING:**

Challenges faced by this position require strong analysis, reasoning, evaluation, judgement and problem solving skills required to manage complex and contentious problems regarding regulatory situations around alleged non-compliance. Interpretative and critical thinking is required along with the ability to facilitate decision-making processes involving Ministry and Cross Ministry representatives, responsible parties to contraventions, multiple stakeholders and staff. Problem solving often requires phased, escalating, and

**PROBLEM SOLVING:**

sometimes multiple approaches that are situation dependent. Examples of difficult or challenging situations faced by the position include:

- Situations that are generally unstructured and unique requiring creative approaches in managing critical investigations to ensuring compliance outcomes that are meaningful and result in clear benefits for the environment or appropriate management of natural resources.
- Championing the stewardship model in providing investigative services across program areas through education and prevention opportunities, and initiative in a quasi-judicial compliance and enforcement environment/relationship with Albertans, municipalities, industry, and the regulated community.
- Capitalizing on opportunities to partner effectively with managers and team of subject matter experts within and across divisions, the AER, law enforcement agency partners and other ministries with differing mandates, business objectives and philosophies.
- Managing investigation due process meetings with the responsible parties.
- Engaging with complainants across numerous regulated sectors to discuss areas of non-compliance and offences, and follow-up with the complainants on the outcomes of any punitive and/or remedial enforcement actions.
- Maintaining Ministry credibility in providing assurance to Albertans that compliance activities are transparent and conducted under legislative authority where non-compliance and offences receive an appropriate enforcement response.

**RELATIONSHIPS/CONTACTS:**

Clients	Frequency	Nature and Purpose of Contact
<p><b>Internal</b></p> <p>ADM, and Ministry executive leaders</p> <p>Divisional and cross-Divisional Branch Management Teams</p> <p>Staff</p>	<p>Regularly</p> <p>Regularly</p> <p>Daily</p>	<p>Providing information, advice, program delivery issues, specific situation updates, potential contentious situations pertaining to major investigations</p> <p>To share information, collaborate and coordinate on investigations, to manage priorities and realign resources to achieve program outcomes</p> <p>To provide leadership, direction, advice, coaching and mentoring</p>
<p><b>External</b></p> <p>Senior representative of other ministries (e.g.: Justice and Solicitor General [Fish &amp; Wildlife Enforcement and Sheriffs Branches], Agriculture and Forestry, Alberta Energy Regulator, Municipal Affairs, Alberta Transportation)</p> <p>Other provincial regulators</p> <p>Law enforcement agencies (RCMP, municipal police)</p> <p>Municipalities</p> <p>Industry representatives</p> <p>Regulated community</p> <p>Public</p> <p>MLAs</p> <p>Stakeholder communities and organizations</p>	<p>Frequently</p>	<p>Develop partnerships and collaborative working relationships, facilitate problem solving, exchange information, accessing specialized investigative services, championing education, preventative and stewardship programs, developing and communicating AEP compliance policy to other regulators delivering similar compliance assurance activities for the legislation within the scope of the position (ie to Alberta Energy Regulator)</p>

**IMPACT AND MAGNITUDE OF JOB (SCOPE):**

The position is delegated extensive freedom to organize, plan and coordinate work associated with the delivery of investigative services to the department. The service provided by the Environmental Investigations Branch impacts the Ministry's and GoA's assurance to Albertans, and national and international observers that non-compliance to legislation is identified, inspected/investigated and enforced. The requirement for leadership is considerable as accountabilities involve directing multi-functional teams in context of investigations; providing direction and consultation to diverse representatives across divisions, regions, and program areas within the department, with varied views and priorities.

This position has direct accountability for all the statutory decisions they make for enforcement matters under investigation, including providing testimony at Environmental Appeal Board Hearings, Public Lands Appeal Board Hearings and/or Legal proceedings on environmental enforcement activities. This position makes commitments that bind the Department, and statutory decisions can have significant economic impact to industry, stakeholders, the public, and on the reputation of the Government of Alberta.

**CHANGES SINCE LAST REVIEW:**

This is a new position that is an investigative compliance program component of the Compliance Manager in Alberta Environment and Parks.


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**Signatures**

**Incumbent**

_____	_____	_____
Name	Signature	Date

**Manager**

_____	_____	_____
Name	Signature	Date

**Division  
Director/ADM**

_____	_____	_____
Name	Signature	Date

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