

Experts: Permitting hassles prevent beneficial projects

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Confusing, competing requirements prevent ecosystem-improving projects from moving

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SACRAMENTO -- Permitting for farmland-conservation efforts can get easier if federal, state and regional agencies continue recent efforts to fix problems, the director of a nonprofit organization told the State Board of Food and Agriculture.

The difficulties and uncertainties of permitting are repelling farmers and ranchers from conservation projects, said Katy Mamen, a program director with the Ag Innovations Network, at the state board's Dec. 16 meeting. Landowners and local agencies say they choose projects based on potential permitting hassles, rather than potential environmental benefits, Mamen said.

Agency managers are interested in fixing the situation, she said. USDA's Natural Resource Conservation Service is funding the salary of a regulatory coordinator, while other federal agencies are collaborating to promote communication.

"There's a lot of openness on the part of all people involved," Mamen said.

Mamen's group runs the stakeholder initiative California Roundtable on Agriculture and the Environment. In a recent report, CRAE cites a study by the California Rangeland Conservation Coalition that found two-thirds of projects get scaled back or stopped after encountering permitting problems.

Farmers and ranchers wanting to improve their land, often helped by public and nonprofit programs, find they need permitting from a number of state and regional agencies, each with its own requirements and timeframe. If a property straddles agency boundaries, the process is further complicated.

The agencies' requirements often conflict. On a project to control streambed erosion, one agency might require weeds to be pulled by hand to protect a mouse while another prohibits weeding to protect a snake, CRAE's report stated.

Sorting out conflicts takes time. Meanwhile the streambed erodes more, necessitating larger repairs and

altered plans. Staff turnover creates further confusion. Landowners hire consultants to help, further inflating costs.

"Those of us who take on these nightmares appreciate the regulatory environment," said Al Montna, president of the state ag board. Montna, a Sacramento Valley rice farmer, said the expected cost of a project on his farm has skyrocketed.

The cost jumped "from pennies to 20 or 30 dollars an acre" because of a confused and lengthy process between various public bodies, Montna said.

"The agencies don't talk to one another," he said. "We really expect to be regulated, but we expect to be regulated fairly."

In its report, CRAE calls for an Internet-based permitting tool to help smooth interagency communication, "user-friendly so as not to overwhelm applicants." It also recommends an interagency panel tasked with coordination, retraining staff and further studies.

Ag board member Ashley Boren said critics might portray a streamlining effort as skirting regulations. But farmers want to improve ecosystems on their land while confusing requirements prevent it, she said.

U.S. Environmental Protection Agency data shows stream erosion degrading aquatic habitat up and down the state, said Boren, director of Sustainable Conservation, a group that works to balance conservation with farm economics.

"This is not about cutting environmental corners, this is about doing it right and contributing," she said. "Think of what bad things will continue if we don't do this."