

# Agricultural Regulations

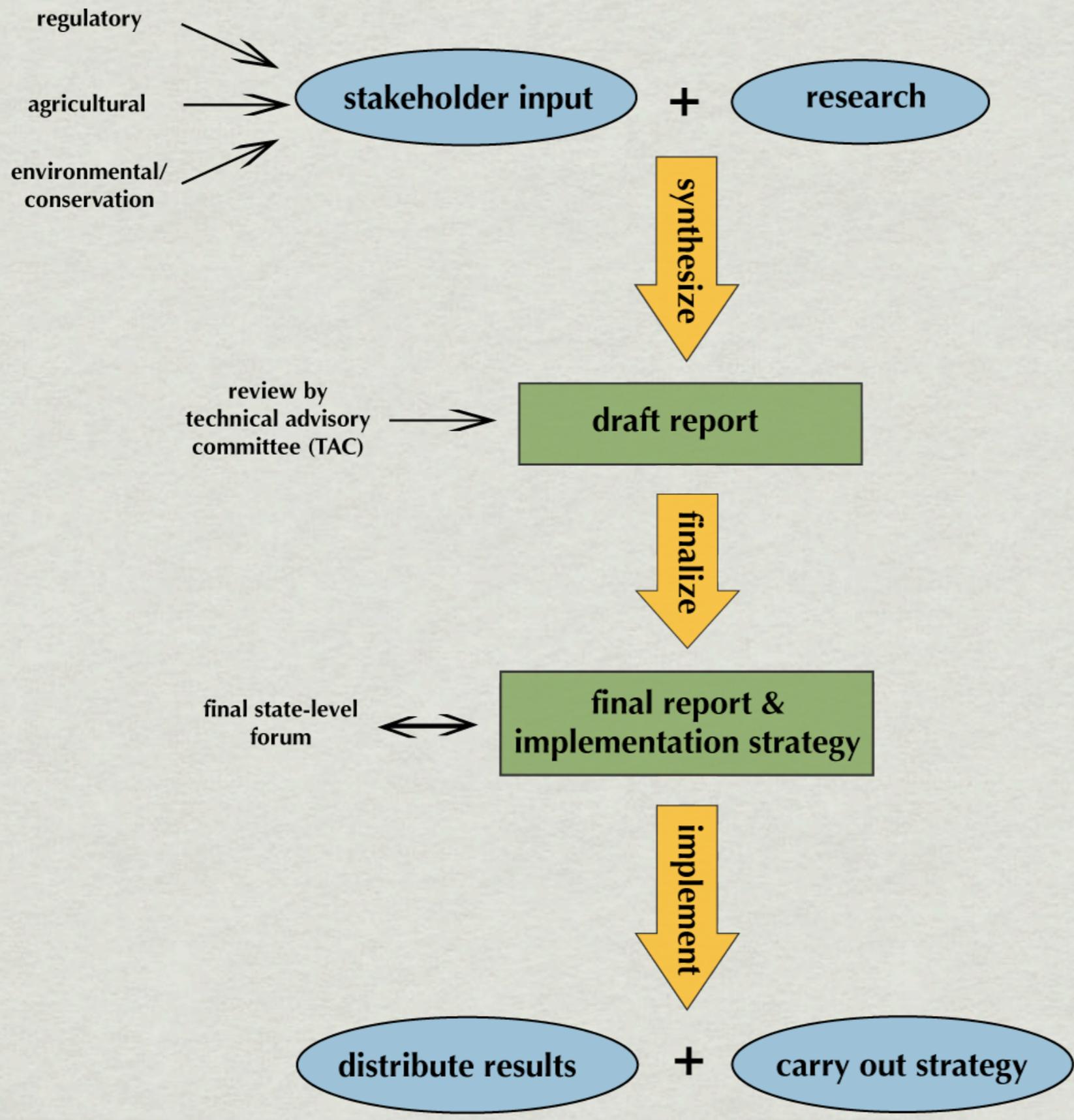
Toward a New Regulatory  
Compact for Agricultural  
and Environmental Health

State Board of Food and Agriculture  
January 8, 2013



# Project Overview

- \* Expand upon existing local/statewide efforts
- \* Foster communication and collaboration
- \* Advance solutions that:
  - \* deliver strong environmental performance
  - \* assure regulatory requirements do not compromise the economic viability of farming operations



# Layer Cake of Regulation

## LOCAL

coastal/wetland modification

land use

pesticide use

environmental impact

## REGIONAL

air quality

water quality

integrated waste management

## STATE

food safety

wildlife protection

labor

forestry

solid & hazardous waste

water quality

environmental impact

## FEDERAL

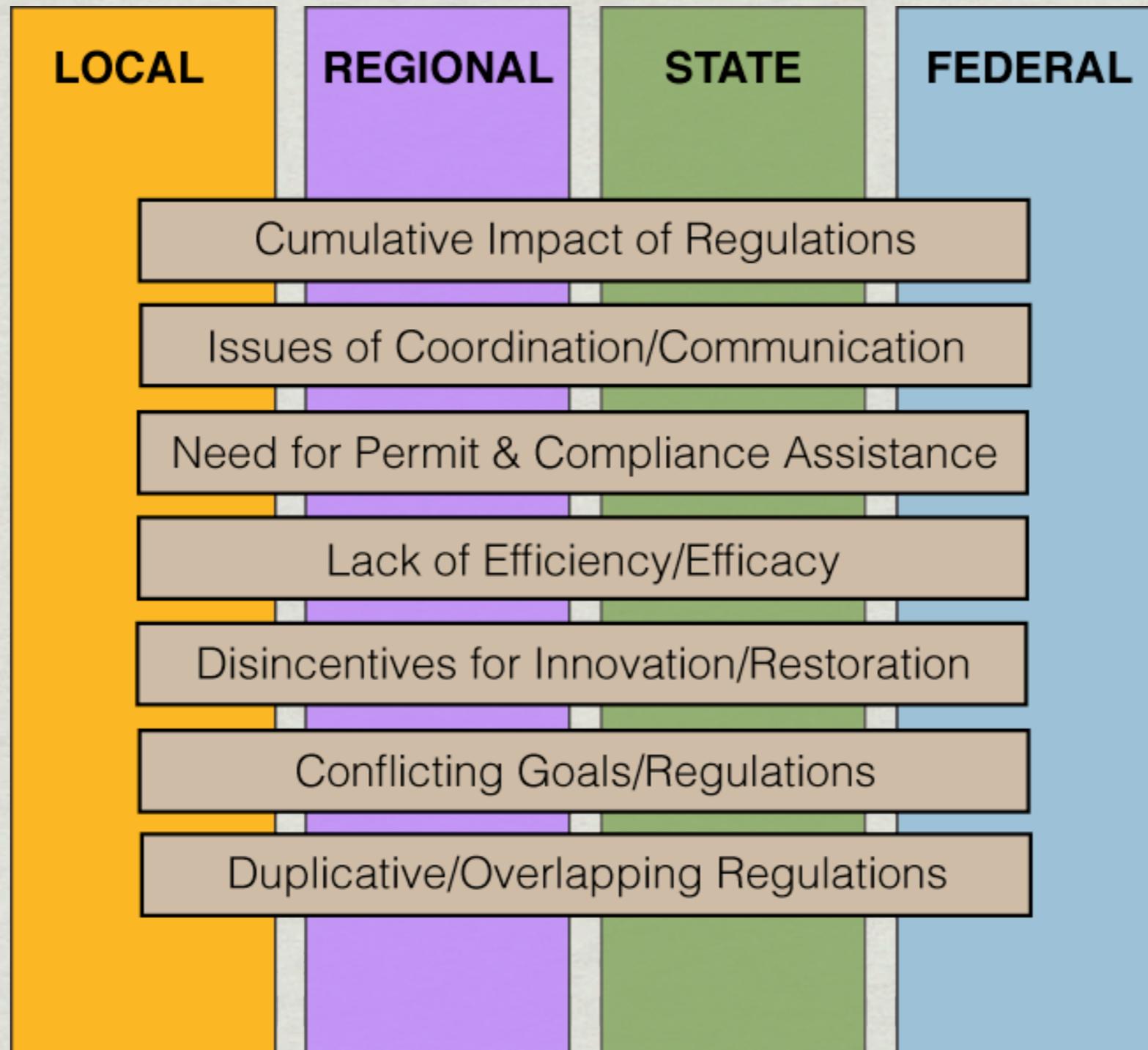
food safety

wildlife protection

waterway modification

solid & hazardous waste

# Cross-Cutting Challenges



# Producer Perspective

- \* Intent vs. application of regulations
- \* Navigation of the regulatory process
- \* Disparities of scale
- \* Misunderstanding among stakeholders
- \* Hindered innovation
- \* Impacts to economic feasibility



# Producer Perspective

Top Challenges	Top Recommendations
1. Difficulty navigating the regulatory process	<ul style="list-style-type: none"><li>- Online permit assistance tools</li><li>- Staff positions (ombudsman)</li></ul>
2. Costly and time-consuming nature of regulatory system	<ul style="list-style-type: none"><li>- Transparent fees and timelines</li><li>- Fast-track beneficial projects</li></ul>
3. Lack of understanding among stakeholders	<ul style="list-style-type: none"><li>- Multi-stakeholder collaboration</li><li>- Farm visits/presentations</li></ul>
4. Disincentives for innovation	<ul style="list-style-type: none"><li>- Collaborate on mutual goals</li><li>- Outcome-based standards</li></ul>

# Environmental/Conservation Perspective

- \* Role of statutes and regulations
- \* Achievement of environmental outcomes
- \* Distinguishing beneficial projects
- \* Concerns with streamlining regulations
- \* Misplaced blame for regulatory burden



# Environmental/Conservation Perspective

Top Challenges	Top Recommendations
1. Difficulty in achieving environmental outcomes	<ul style="list-style-type: none"><li>- Outcome-based standards</li><li>- Ensure regulatory capacity</li></ul>
2. Distinguishing beneficial practices	<ul style="list-style-type: none"><li>- Incentivize high performance</li><li>- Increase technical assistance</li></ul>
3. Misplaced blame for the cost of environmental regulation	<ul style="list-style-type: none"><li>- Focus on prevention</li><li>- Collaborate on solutions</li></ul>
4. Lack of trust & collaboration among stakeholders	<ul style="list-style-type: none"><li>- Build trust</li><li>- Communicate transparently</li></ul>

# Regulatory Perspective

## \* Local Agencies

- \* Increased regulation
- \* Beholden to legal mandates and local stakeholders
- \* Timely response to emerging regulatory areas

## \* State Agencies

- \* Obligation
- \* Efforts to address shortcomings
- \* Lack of resources



# Regulatory Perspective: Local

Top Challenges	Top Recommendations
1. Relationship with the agricultural community	<ul style="list-style-type: none"><li>- Build trust and understanding</li><li>- Encourage specific feedback</li></ul>
2. Regulating in a rapidly changing food & ag landscape	<ul style="list-style-type: none"><li>- Collaborate on setting the right policies upfront</li><li>- Segregate projects (e.g. risk)</li></ul>
3. Forces beyond local control	<ul style="list-style-type: none"><li>- Problem-solve cooperatively</li><li>- Support local regulators in best serving their community</li></ul>

# Regulatory Perspective: State

Top Challenges	Top Recommendations
1. Lack of interagency coordination	- Encourage team approach (e.g. MOUs, divide responsibility, etc.)
2. Need for greater agricultural understanding and outreach	- Share info with one another - Web and staff assistance
3. Barriers to beneficial projects	- Expand existing efforts such as AB1961, Conservation Pivot, PIR
4. Lack of resources	- Raise awareness about the role of agencies and regulation

# Synthesis



- \* Regulation serves an important function.
- \* The regulatory system can be improved.
- \* All stakeholders are striving to meet their obligations, at times impacting one another.
- \* Viable solutions exist to resolve some of the challenges.
- \* **NEED:** balance competing societal goals without unduly burdening any one interest.

# Key Areas of Opportunity

- ✱ Assistance for Producers
- ✱ Increase Beneficial Outcomes
- ✱ Stakeholder Collaboration

# Assistance for Producers

Objectives	Strategies	Efforts/Models
Provide regulatory guidance	<ol style="list-style-type: none"><li>1. guidelines</li><li>2. lead agency/staff</li><li>3. criteria/pre-approved practices</li></ol>	RCD guides; local manuals; Cal/EPA; PRC 71001
Ensure adequate technical support	<ol style="list-style-type: none"><li>1. determine best tools</li><li>2. inform about existing resources</li><li>3. collab/build capacity</li></ol>	
Develop user-friendly web tools	<ol style="list-style-type: none"><li>1. road map - online permit assistance tool</li><li>2. web portal</li></ol>	CalGOLD; CERS; Biodigester; JARPA

# Increase Beneficial Outcomes

Objectives	Strategies	Efforts/Models
Collaborate on innovation and best practices	<ol style="list-style-type: none"> <li>1. foster mutual goals</li> <li>2. government position</li> <li>3. innovation permits</li> <li>4. pilot projects</li> </ol>	Ombuds positions; local ordinances; safe harbor agreements
Differentiate beneficial projects	<ol style="list-style-type: none"> <li>1. define “beneficial”</li> <li>2. 2-tiered reg. track</li> <li>3. segregate activities</li> <li>4. programmatic permits</li> </ol>	PIR; Consolidated Permitting; AB1961; AB 1616; DTSC/IWMB; CARB
Incentivize high performance	<ol style="list-style-type: none"> <li>1. consider net benefit</li> <li>2. regulatory efficiencies</li> <li>3. market incentives</li> <li>4. target land stewards</li> </ol>	EFA SAP; Conservation Pivot; grant/funding programs; 3rd party certification; ordinances
Ensure environmental outcomes	<ol style="list-style-type: none"> <li>1. outcome-based</li> <li>2. feedback loops</li> </ol>	RCDs; SusCon

# Stakeholder Collaboration

Objectives	Strategies	Efforts/Models
Increase collaboration among groups	<ol style="list-style-type: none"> <li>1. build trust and understanding</li> <li>2. collaborative problem-solving</li> </ol>	Biodiversity Council; CRAE; FSAs; PIR
Increase ag understanding	<ol style="list-style-type: none"> <li>1. learning culture</li> <li>2. know your farmer</li> <li>3. share information</li> </ol>	“Inreach” Program; Tech Notes; ag tourism ordinances; field days
Involve stakeholders in rule-making	<ol style="list-style-type: none"> <li>1. engage stakeholders</li> <li>2. specific feedback</li> <li>3. encourage advocacy</li> </ol>	
Improve interagency coordination	<ol style="list-style-type: none"> <li>1. MOU/team approach</li> <li>2. divide responsibility</li> <li>3. agency-tech support coordination &amp; capacity</li> </ol>	Biodigester & Bioenergy Working Groups; Biodiversity Council; AB 1961; ombudspeople

# Next Steps

- ✱ Work with TAC to:
  - ✱ identify priority recommendations
  - ✱ develop implementation strategy
  - ✱ engage key partners
- ✱ Hold working meeting with relevant stakeholders to develop detailed implementation plans
- ✱ Support implementation efforts

# Technical Advisory Committee

## **Agency/Public Sector**

### **State**

- CA Air Resources Board: *Tung Le*
- CA Association of Resource Conservation Districts: *Karen Buhr*
- CA Department of Food & Agriculture: *Sandy Schubert*
- CA Environmental Protection Agency: *Fran Spivy-Weber*
- CA State Assembly Committee on Water, Parks & Wildlife: *Tina Cannon-Leahy*
- Department of Fish & Game: *Sandy Morey*
- Department of Pesticide Regulation: *Brian Leahy*
- Governor's Office of Planning and Research: *Ken Alex*
- Governor's Office of Business and Economic Development: *Panorea Avdis and Paul Martin*
- Natural Resources Conservation Service: *Luana Kiger*
- State Water Resources Control Board: *Fran Spivy-Weber*

### **Regional/Local**

- Central Valley Regional Water Board: *Joe Karkoski*
- Fresno County Ag Commissioner: *Carol Hafner*
- Plumas County: *Robert Meacher*
- San Joaquin Air Pollution Control District: *Dave Warner*
- UC Cooperative Extension: *Aziz Baameur*
- Ventura County Ag Commissioner: *Henry Gonzales*
- Ventura County Resource Management Agency: *Chris Stephens*
- Yolo County Ag Commissioner: *John Young*

## **Agriculture**

### **Ag Representative**

- Agricultural Council of CA: *Emily Rooney*
- CA Almond Board: *Gabriele Ludwig*
- CA Association of Winegrape Growers: *John Aguirre*
- CA Cattlemen's Association: *Justin Oldfield*
- CA Farm Bureau Federation: *Rich Matteis*
- CA Rice Commission: *Tim Johnson*
- San Joaquin Farm Bureau: *Bruce Blodgett*

### **Ag Producer**

- Turkovich Family Wines, Yolo County: *Chris Turkovich*
- Full Belly Farm, Yolo County: *Judith Redmond*
- Farmer John's Pumpkin Farm, San Mateo County: *John Muller*

## **Environmental & Community Organizations**

- Clean Water Action: *Jennifer Clary*
- Defenders of Wildlife: *Kim Delfino*
- The Nature Conservancy: *Jennifer Biringer*
- Sustainable Conservation: *Ashley Boren*
- Trout Unlimited: *Chandra Ferrari*
- Wild Farm Alliance: *Jo Ann Baumgartner*

### **Endorsed by:**

- Department of Conservation: *Mark Nechodom*

# Opportunities for Collaboration

- \* Give feedback on the project and/or findings
- \* Add to the conversation
- \* Ensure all relevant stakeholders are at the table
- \* Contribute to existing efforts and goals
- \* Collaborate on implementation efforts

# Thank You!

We'd love to hear from you with questions or feedback. ***Please contact:***

Serena Coltrane-Briscoe

Project Coordinator

707.823.6111 x220

[serena@aginnoventions.org](mailto:serena@aginnoventions.org)

***Project Website:***

<http://aginnoventions.org/regulations/>