

# Sustainable Conservation

Newsletter

Summer 2001

## A Letter From the Director

*This June, the House of Representatives more than doubled the money available for Pacific salmon restoration. California's share will be \$120 million over 3 years. While this is great news, those that work with the regulations governing these restoration activities understand that putting the projects in place will not be as simple as just allocating the funds.*

*While regulations are critical safeguards to environmental quality, they can be blind—frequently lacking a distinction between restoration and development. This became immediately clear in 1996 when we began work on Partners In Restoration (PIR), an effort to remove the barrier of regulatory review for voluntary conservation on private lands.*

*Since then, the problem has only grown. More plants and animals are in danger of extinction, so their habitat is now subject to regulation. Total Maximum Daily Loads of non-point source pollutants in water bodies, a requirement of the Clean Water Act, are being actively developed statewide. And changes in the Department of Fish and Game's policy has increased the complexities of complying with the California Environmental Quality Act.*

*At the same time, more funds, like those approved by the House, are available to spur on restoration including monies earmarked in Propositions 12 and 13, and allocated through Section 319 of the Clean Water Act. Together with the enthusiasm at the community level to improve watershed health, there is tremendous momentum to increase restoration activities.*

*The increase in regulation coupled with the increase in restoration opportunities is creating a regulatory bottleneck, one that can be opened up considerably by Sustainable Conservation's PIR program. While honoring all environmental regulations, the program streamlines the regulatory review process for landowners willing to exercise conservation on their lands. PIR is currently in 5 California watersheds, with plans to expand to 10 more over the next 5 years.*

*Our ultimate goal is to make coordinated regulatory review for environmental enhancement projects common practice throughout the state. Last year, we undertook two efforts to help us meet that goal. First, we conducted a statewide survey to determine the scope of the need for regulatory coordination and to prioritize those watersheds in need. We also worked with Secretary for Resources, Mary Nichols, on a State Task Force to develop recommendations that the California Resources Agency could implement to facilitate restoration on private lands. We are delighted to report on both these efforts in this newsletter.*

Ashley Boren  
Executive Director

## Our Mission

Sustainable Conservation advances the stewardship of land and water resources using innovative strategies that actively engage businesses and private landowners in conservation.

## Organizational Milestones

**Governor Gray Davis recently signed** a bill designating \$10 million dollars to encourage California's dairy farms to use methane digesters as a manure management technology, a solution Sustainable Conservation has been advocating.

### A special thanks to

The William and Flora Hewlett Foundation, The David and Lucile Packard Foundation, and the Richard and Rhoda Goldman Fund for recent major gifts.

### The Brake Pad Partnership held a

very successful Annual Stakeholder Conference at Stanford University in May. The stakeholders united behind the proposed action plan that will guide the partnership's next steps.

### The Auto Recycling Project was

launched with the hiring of Nathan Arbitman as project manager. The project aims to encourage auto dismantlers throughout California to implement the best environmental practices to reduce the impacts of their sites' stormwater runoff.

### Sustainable Conservation welcomes

Russell Siegelman as a new board member, as well as Project Manager Nathan Arbitman, Senior Project Manager (and former Research Associate) Sarah Connick, Office Administrator Kim Collins and Program Associates Dennis Gutierrez and Melissa Barry. MBA candidates Eric Strand and Kristin Tegtmeier have joined us as part of our Summer Associate Program.

### We've moved!

As of July 30, 2001, our new address is: 121 Second Street, Sixth Floor, San Francisco CA 94105.

Our phone number and fax number remain the same, as do our email addresses and website.

## Partners in Restoration in Demand

With the success of Partners in Restoration (PIR) in the Elkhorn Slough watershed, Sustainable Conservation has received calls from watershed groups, agencies, and local offices of the Natural Resource Conservation Service (NRCS) and Resource Conservation Districts (RCD) requesting the program in their locales. “We knew we had a responsibility to meet demand for the program,” remarks Bob Neale, Director of PIR, “but we didn’t want to do so haphazardly.” So Sustainable Conservation commissioned a survey, underwritten by a Switzer Environmental Leadership Grant, to provide information about where and why permit coordination is necessary, in order to develop an effective expansion plan.

Switzer Fellow Sarah Connick was recruited to carry out the task. After more than 40 in-depth interviews with NRCS, RCD, and regulatory agency staff throughout the state, she presented this picture:

- ◆ Increased attention is being focused on resource problems and solutions.
- ◆ Erosion control is a priority for many watersheds.
- ◆ Other habitat and water quality threats exist that may be appropriate for the PIR model.
- ◆ Permitting barriers vary. Location, resource conditions, and local NRCS/RCD priorities determine the intensity of the “permitting problem.”

All in all, the survey identified nearly thirty areas where PIR is needed sometime in the next five years to assist private landowners and communities with conservation projects. As the accompanying map shows, many of these watersheds are coastal, especially in northern California. The watersheds ready for PIR now have strong watershed planning in place. Those

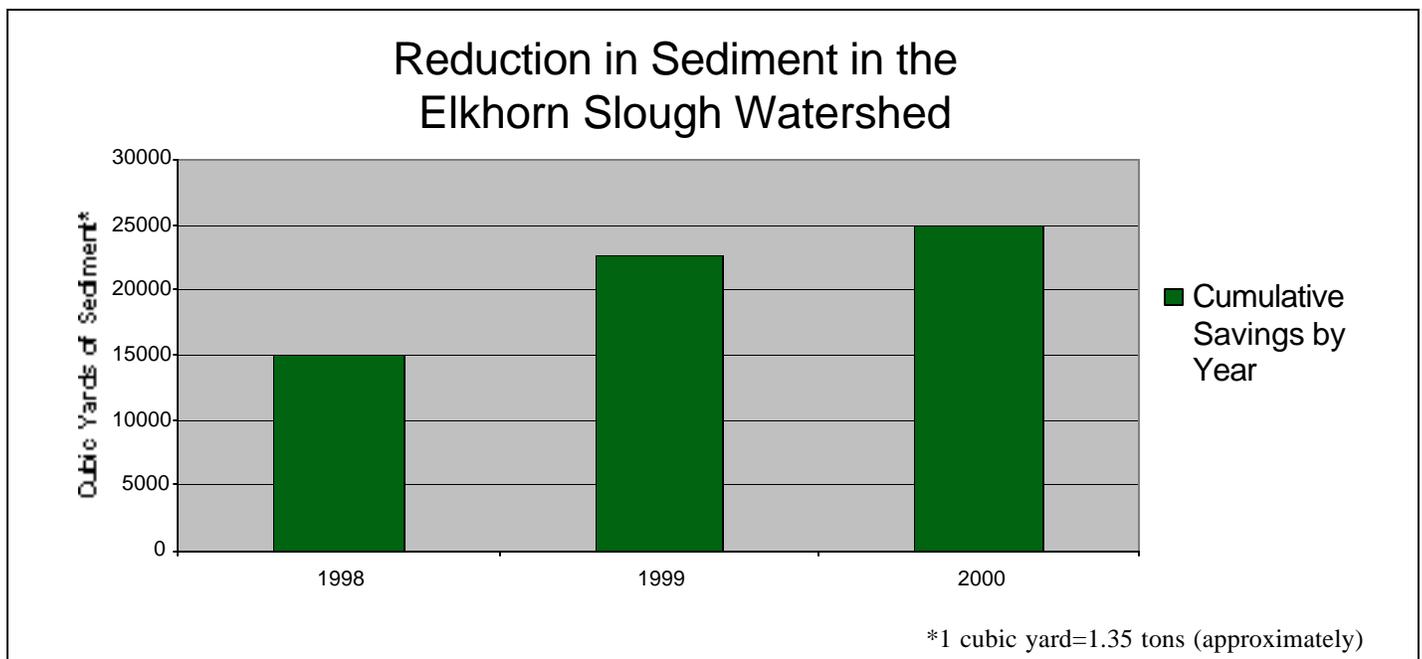
that will be ready for PIR in three to five years are not as far along in the planning process. Good watershed plans are critical to PIR’s success: they assess watershed health, gather important data, and usually result in community agreement on problems and solutions.

Sarah also evaluated other factors critical to a successful PIR implementation. The local NRCS and RCD must be enthusiastic and have the capacity to participate in PIR’s implementation and administration in their area. There must also be landowners willing to take part, with the potential for at least 15 to 20 conservation projects to be completed over a five-year period to make the program worthwhile.

Using the survey information, we will continue to implement the program, in part to demonstrate its versatility in the face of varied natural and political conditions. The results have already spurred us to enter the early planning stages for PIR in Alameda County, Santa Cruz County, and northern Santa Barbara County.

However, the demand to deliver this program one-by-one to all the identified watersheds exceeds Sustainable Conservation’s staffing resources. In order to strengthen our partnership with regulators, we are pursuing state-level programmatic agreements and policy to support PIR at the local level. We are also investigating ways to train local watershed coordinators and partners to initiate and foster permit coordination in those watersheds we are unable to begin with at this time.

“Now we have evidence to show where PIR’s presence can be most effective,” comments Bob Neale. “The significant and widespread need for the program offers an opportunity to improve watershed health dramatically.”



# STATEWIDE SOLUTIONS FOR PRIVATE LANDOWNERS

“Landowners and restoration practitioners are frustrated,” says Resources Secretary Mary Nichols, “because they can’t get permits to do what needs to be done to protect and restore their land.” In a twist the authors of environmental legislation could not have imagined, complex regulatory processes that were intended to safeguard the environment from development impacts and other intensive land uses are now unfortunately discouraging restoration activities.

Believing that voluntary conservation activities by landowners play a critical role in protecting and restoring our natural resources, Secretary Nichols convened the State Task Force on Removing Barriers to Restoration on Private Lands. The Task Force, which included private landowners, restoration consultants, and personnel from federal, state, and county agencies, was asked to develop recommendations that would make it easier to get well designed restoration projects on the ground. Recognizing Sustainable Conservation’s expertise in this area, Secretary Nichols asked us not only to join the Task Force, but also to facilitate its meetings.

The Task Force studied four common disincentives, or barriers, to restoration by landowners, local non-profit groups, and others: the regulatory review process, public funding bottlenecks, liability issues, and safe harbor issues. It identified ten measures that the Resources Agency or other Task Force participants could pursue, ranging from discrete actions to more complex efforts. Recommendations focused on coordinating existing resources and removing seeming overlap between agencies. The ideas being submitted to Secretary Nichols include:

**Permit Assistance Center:** This office would be established to

offer in-depth information and confidential assistance to landowners regarding the environmental review process for restoration projects.

**Alternative Review Process through Watershed Planning:** The Resources Agency would assist with the expansion of Sustainable Conservation’s Permit Coordination Program and also encourage the incorporation of permit coordination during the watershed planning process, rather than after.

**CEQA Categorical Exemption for Restoration Projects:** This exemption from the requirements of the California Environmental Quality Act would apply only to small-scale restoration projects unlikely to have significant adverse impacts on natural resources.

**Technical Review Teams:** Regulators, technical experts, and restoration specialists would team up to review larger-scale restoration projects, in order to efficiently provide coordinated and consistent feedback on project design and to expedite the review process.

“The Task Force represents a widespread recognition that restoration work shouldn’t be so difficult for private landowners,” states Secretary Nichols. “The Resources Agency is committed to putting these creative recommendations into action to aid private landowners and government in their mutual goal of protecting and restoring our vital natural resources.”

The recommendations, upon completion, will be posted on the Resources Agency’s website at <http://resources.ca.gov>.

**“The Task Force represents a widespread recognition that restoration work shouldn’t be so difficult for private landowners.”**

**Resources Secretary Mary Nichols**

## A W A R M W E L C O M E !

*Sustainable Conservation welcomes these Investor’s Circle members, a core group of individuals who recognize the value of our entrepreneurial yet pragmatic approach to solving environmental problems and want to invest in the creation of first-of-their-kind solutions that engage businesses and private landowners in conservation.*

For further information or to join please contact Claudia Cohan, [ccohan@suscon.org](mailto:ccohan@suscon.org).

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