

Bill would give DNR ability to manage better

A package of proposals to streamline DNR processes needs tweaking but deserves legislative approval.

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With 1,000 fewer employees than it had in the 1990s, the state Department of Natural Resources needs to find better ways of managing the time of the 2,100 employees it has left. At the same time, streamlining the bureaucracy and permitting process that companies and homeowners have to go through could help create jobs and result in a better process for all concerned.

That's the double impetus behind a package of reforms largely put together by state Sen. Neal Kedzie (R-Elkhorn) and other legislators, with vital help from DNR staff and some outside groups. It's a package that deserves passage by this Legislature as long as sufficient changes are made to ensure the environment is not put at risk or the authority of the DNR is weakened.

Streamlining by itself does not mean weaker protection, as some environmentalists argue. The Jobs Creation Act, enacted in former Gov. Jim Doyle's first term, streamlined some of the permitting process and has not resulted in serious problems or harm to the environment. Going further down that road shouldn't, either.

Furthermore, this legislation does not open a back door to weakening regulations covering wetlands or mining. Both of those issues will be dealt with in separate future legislation, Kedzie emphasized in his recent testimony to Senate and Assembly committees.

What this legislation does do is allow DNR managers to free up staff from unnecessary or duplicative tasks and allow them to focus on projects that might pose a risk to the environment. "It's about how we get our work done; that's all," Deputy DNR Secretary Matt Moroney told the Editorial Board Wednesday.

In his testimony, Kedzie said the point of the bill was to streamline "various regulations which are either duplicative, vague, costly or confusing for businesses and individuals." Among the key issues to be addressed are simpler rules for piers that won't have owners scratching their heads.

Those are all good goals that should not affect the environment.

As proposed, however, there were some troubling elements. Among them are how much dredging a property owner could do on an annual basis. Current law allows for 2 cubic yards. The original bill would have raised that to 10. That's too much.

The bill would presume a regulatory permit is approved if DNR officials didn't act fast enough, even if officials lacked all the information they had asked for. Too loose; that might allow someone to obtain a permit simply by declining to provide necessary information.

The bill expands information available to the public on the DNR's website and would make it more easily accessible, a good thing. But it also substitutes the website for traditional public notice venues in some cases, not a good thing. Posting public notices on the website is fine, as long as traditional public notice venues - where the public is used to seeing such notices - are still required. Any final bill also should not crimp the public's ability to speak out on projects.

There may be other issues that need to be tweaked as well before passage.

Kedzie said he was working on a revised draft that could address some of those issues. He stressed that the drafters would take to heart comments made by the public, and would make some adjustments. That's good news. Done right, this is a bill worth passing and one that could create jobs, unlike too many of the measures arising from the fall session of the Legislature.

MINOR PROJECTS

Senate / Assembly Bill 24 allows the state Department of Natural Resources to create an expedited process for minor projects if: the plan designs are for minor additions, have been submitted by a registered engineer, are similar to other facilities where no adverse impacts to the environment have occurred and contain no unique siting requirements or features.