

## Letters to the Editor: On Streamlined Permitting and Points of No Return

### Streamlined permitting presents a trade-off for agencies

Dear MEAM,

Thanks for another interesting and useful issue. I am struck by what I think is an important connection between your April/May issue's discussion of trade-off negotiations, and Charles Ehler's insights on the myths and realities of marine spatial planning ("[Perspective: 13 Myths of Marine Spatial Planning](#)", MEAM 5:5). Dr. Ehler presents as myths the arguments that "MSP will replace single-sector management" (which, I agree, it will not) and "MSP will lead to more government regulations," where he argues that spatial planning should result in streamlined permitting.

I agree with Dr. Ehler in theory, but in practice I find streamlined permitting to be a very difficult outcome to achieve. I suggest the reason can be found in the lead article on trade-off negotiations.

Streamlined permitting does not replace single-sector management. By definition, however, it does require regulatory agencies to agree to limit their full review and permitting authority based on project type, spatial location, or some combination of the two. This is a form of trade-off negotiation. But it is one that the lead article seems to caution strongly against, because agencies are being asked to give something up with little or nothing to gain in return (from their perspective). Most agencies will agree that permit streamlining may be a good concept, but agencies' self-interest, inertia, and regulatory mandates are all pushing against it. Absent political pressure forcing them to the table, it is very difficult to get agencies to commit voluntarily to limit their permitting authority.

I suggest that unless permit streamlining is an explicit component of an MSP process from the beginning, with real agency commitment on that point, the "myth" that MSP will lead to more regulations is in fact correct: the MSP outcome will simply be layered on top of existing permitting authorities. I would also offer that successes and failures in reaching agreement among multiple agencies on streamlined permitting processes would be worthy of examination as a particular form of trade-off negotiations. I should note that my perspective comes from working on the California coast of the US.

#### Dan Berman

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#### Ehler's response to Berman

Dear Dan,

Thank you for your thoughtful comment on my summary of MSP myths. I agree with your observation that "unless permit streamlining is an explicit component of an MSP process from the beginning, with real agency commitment on that point, the 'myth' that MSP will lead to more regulations is in fact correct." However, experience in The Netherlands and Germany has shown that, in fact, permitting (known as "consenting" in Europe) can be streamlined when development proposals are in areas already identified (not necessarily "zoned") for development. Streamlined permitting is built into the MSP process in those examples.

#### Charles Ehler

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## There are "points of no return" in economics and society as well

Dear MEAM,

I agree wholeheartedly with Tundi Agardy's preeminent lesson of "Avoid points of no return." ([Tundi's Take: In Trade-offs and Choices, There is One Simple Rule](#); MEAM 5:5) However, all of her points of no return are ecological ones. After more than two decades of working with social scientists, I am finally waking up to the fact that not only have the economic sciences long had points of no return (like bankruptcy) but so do sociology and anthropology. I think the reason the inshore fisherfolk of Newfoundland and Labrador (Canada) fought so hard against the major quota reductions being advised for cod as early as 1988 (four years before the moratorium) was their intuitive belief (much later documented by social scientists studying the system) that their communities and culture had points of no return as well. That is, there would be a loss of work opportunities and emigration of young people that would transform their communities into near-ghost towns and their culture into little more than the substance of folk songs and yarns told by grandparents.

This is the real challenge of achieving "sustainability" - that there are non-linearities to regions of irreversible change not just on the ecological dimension of sustainability but on the economic and social dimensions as well. Governments and social systems can provide alternatives to those who pay the direct costs when points of no return are exceeded on the social and economic dimensions in ways that cannot be done for costs on the ecological dimension. However, many can (and do) argue that there is little real difference between asking society to accept making residents of coastal areas adapt to fundamentally different lifestyles, lacking many of the things that gave their lives most meaning, and asking society to adapt to fundamentally different ecosystems that still do have some structure, function, and productivity - just different kinds and levels of each.

Personally I have not abandoned my conviction that the points of no return on the ecological dimension do matter the most. But I have lost my hubris that that is the only

rational way to look at the situation - or the trade-offs.

**Jake Rice**

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