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Appendix A: Summary of Recommendations

Acknowledgement

The consultants wish to acknowledge the cooperation and support of the many farmers, industry representatives, civil servants and others who took time from their busy schedule to provide input to the agriculture red tape review process. Their candidness and openness was integral to the successful completion of this report.

Executive Summary

Introduction

The Department of Agriculture, Fisheries, and Aquaculture (DAFA) issued a request for proposals “ to examine the agricultural industry and determine what red tape issues are hindering its growth and development ”. *Applied Management Consultants*, in association with *Peters & Associates*, was contracted to conduct the assignment, which was completed during the period of January to March of 2002.

Methodology

The consultants identified three key success factors critical for this project:

- as many people as possible need to be aware of the project
- a process must be established which makes it easy for people to provide input
- the input must be consolidated and analyzed effectively so it is meaningful

A methodology was developed to address these three key success factors. This methodology included a comprehensive communication strategy which began with a press release which was issued on January 4, 2002. Information letters were then sent directly to farmers, farm organizations, civil servants, mayors, LSD coordinators and MLAs explaining the purpose of the review and requesting input. The methodology also provided a number of mechanisms for people to provide input such as key informant interviews, a series of public meetings and several methods for unstructured input.

The Red Tape Issues

Together, farmers, farm organizations, civil servants and others submitted more than 160 issues. The fact that there were many similarities suggests that there is significant agreement among the participants on what the major red tape issues are. In analyzing the issues, the consultants identified that there were five main “threads” that appeared to run throughout many of the issues: lack of planning; lack of communication; lack of coordination; timeliness; and duplication. Keeping these threads in mind, the consultants grouped the issues into the following 6 categories.

Vision and Planning

Farmers from all areas of the province commented on what they perceived as a lack of a long term vision for agriculture. They said that without a stated government vision for the industry, they are unable to plan their own future. They felt that this was also affecting the public’s perception of farming. The lack of planning for new programs sometimes resulted in poor timing

of programs as well as in criteria that was either not clear or which sometimes presented artificial barriers to use.

Government Structure for Agriculture

Farmers voiced their concern over the present structure for agriculture programs and services, which is divided among many departments. It is becoming very complicated to know where to go for information on programs, services, etc. They also find that there is poor communication and coordination among these departments resulting in time delays and duplication of effort causing confusion and frustration.

Definition of Farmer

Perhaps the most common red tape issue identified throughout the consultative process was related to the definition of farmer. There are various definitions used within the Provincial government and an even greater variety when dealing with the Federal government. Because of the various definitions in use, some “farmers” qualify for some programs but not for others. They also have to keep proving that they are a farmer.

Legislation / Regulations

Farmers were very concerned with the status of what they generally referred to as the “right to farm legislation”. They believed that if a farm meets all rules and regulations then the government should stand behind them when they are being harassed. There is also a major concern with trespassing, especially by ATVs. These machines are destroying agriculture land and cause concern for the farmers related to legal liability. It was pointed out that the Motor Vehicle Act is not up to date, particularly as it relates to the leasing of vehicles by farmers, and therefore it should be reviewed.

Farmers indicated that officials from DAFA and the Department of the Environment and Local Government appear to apply different criteria and interpretations concerning regulations related to the storage of fuel. Attempting to meet the requirements is a long, slow and confusing process. The standards to be met under parts of the Clean Water Act is also of concern; many believe that there was a lack of science used in creating them.

Program and Process Issues (Internal to the DAFA)

Most of the issues identified that related to Departmental programs had to do with timeliness, duplication or with the program requirements. Timeliness issues related to the announcement of programs, the turnaround time for approvals and in some cases, the time of year that government was requesting information. Duplication was of concern because farmers were often required to give the same information to government, year after year, when most of it never

changes. Program requirements sometimes lead to artificial barriers, diminishing the use of what may otherwise be good programs.

Program and Process Issues (External to the DAFA)

Many of the program and process issues beyond the control of DAFA relate to the complexity of program criteria and / or to the length of the approval process. There were also concerns expressed related to the timing of information collection and to the availability of certain services locally.

Conclusion

In conclusion, it is to be noted that the 22 recommendations contained in this report is the synthesis of the input of many people. They have high expectations that their ideas and suggestions will be used to improve services. Our overall recommendation to government is that the process that it uses to address these red tape issues be timely, transparent and it should involve industry as much as possible.

1. Introduction

In November, 1999, in response to a commitment set out in the **New Vision - New Brunswick** election platform document, the Government of New Brunswick established a Red Tape Reduction Committee to undertake a six-month review of red tape and other job creation barriers. The committee's report, which was completed in June of 2000, contained 37 recommendations.

The Committee received more than 350 submissions from individuals and organizations across the province. Although some submissions were received from the agriculture industry as a part of this exercise, the focus was primarily on the manufacturing, construction and small business sectors. This led the authors of the report to suggest, in recommendation #29, that the agricultural industry would benefit from a targeted red tape review since it is fundamentally different from other industries.

In response to this recommendation, the Department of Agriculture, Fisheries, and Aquaculture (DAFA) issued a request for proposals “ to examine the agricultural industry and determine what red tape issues are hindering its growth and development ”. *Applied Management Consultants*, in association with *Peters & Associates*, was contracted to conduct the assignment, which was completed during the period of January to March of 2002.

2. Methodology

The consultants identified three key success factors critical for this project:

- as many people as possible need to be aware of the project
- a process must be established which makes it easy for people to provide input
- the input must be consolidated and analyzed effectively so it is meaningful

A methodology was developed to address these three key success factors and is presented in the following sections. Fundamental to the methodology was a clear definition of “red tape”. To maintain consistency between this review and the overall government red tape review, the consultants used their definition of red tape, which is as follows:

“Red Tape is considered to be any government ‘requirement’ standing in the way of job creation and business growth, or wasting tax payers’ time and financial resources. In this context, ‘requirement’ is a term used widely to include items such as: legislation, regulations, fees, permits, approvals, licenses, standards, services, enforcement and inspection practices, rules, guidelines, interpretative notes, paper burden and procedures that have either become unwieldy, obsolete or redundant”.

2.1 Communication Strategy

A comprehensive communication strategy was developed to inform people about the project and to request their input. This strategy included a press release followed by sending information letters directly to farmers, farm organizations, MLAs, civil servants, mayors, and LSD coordinators. The following means were used:

- DAFA issued a press release on January 4, 2002
- The Red Tape Review was announced in the New Brunswick Legislature
- Approximately 2100 letters were mailed directly to farmers and farm organizations informing them of the review and requesting their input
- DAFA provided information on its web page
- All MLAs were sent an information letter requesting their input
- DAFA sent an e-mail (plus a follow-up reminder) to all staff asking them to submit their ideas for red tape reduction directly to the consultants
- Information letters were sent to the mayors of all cities, towns and villages
- An e-mail was sent to all 260 Local Service Districts (LSDs) through the LSD coordinators

In addition:

- At least one radio station and several newspapers reported on the story
- The review was also discussed at the annual meeting (January 18-19, 2002) of La Fédération des Agriculteurs et Agricultrices Francophones du Nouveau-Brunswick, encouraging participation by the members
- The review was also discussed at the annual meeting (January 24-25, 2002) of the New Brunswick Federation of Agriculture, encouraging participation by the members

2.2 Channels To Provide Input

Several channels for individuals / groups to provide input were established:

- By Telephone (1 – 800 numbers – French and English)
- By Mail
- By Fax
- By E-mail
- In Person

Public Meetings were also held in the following locations:

- Fredericton
- Sussex
- Moncton
- St Léonard
- Grand Falls
- Florenceville
- Bathurst
- Tracadie/Sheila
- Edmundston

2.3 Key Informant Interviews

A total of 60 key informant interviews were held. These key informants were drawn from diverse organizations such as the industry Federations, the various commodity groups, staff within DAFA, staff from other provincial departments and staff from some federal departments who dealt with agriculture issues. The purpose was to contact industry and government “key informants” who were believed to have particular insight into industry concerns. It was also an opportunity for the consultants to appeal directly to commodity groups to ask them to submit briefs.

2.4 Analysis of the Red Tape Issues

Together, farmers, farm organizations, civil servants and others submitted more than 160 issues. The fact that there were many similarities suggests that there is significant agreement among the participants on what the major red tape issues are. The issues were then grouped into six categories, as listed below. The list begins with the single issue categories of vision, structure and definition which impact many of the other red tape issues. The latter three categories are broader and each contains several issues.

1. Vision and Planning
2. Government Structure for Agriculture
3. Definition of Farmer
4. Legislation / Regulations
5. Program and Process Issues (Internal to DAFA)
6. Program and Process Issues (External to DAFA)

Although most issues fell naturally into one of the six categories, some issues are fairly broad and could have been placed in more than one category, so it should be noted that the categories are not necessarily mutually exclusive.

In analyzing the issues, the consultants identified that, generally speaking, there were five main “*threads*” that appeared to run throughout many of the issues: lack of planning; lack of communication; lack of coordination; timeliness; and duplication. In many cases these threads are possibly the underlying causes of many of the red tape issues.

Farmers from all areas of the province commented on what they perceived as a lack of a long term vision for agriculture. They said that without a stated government vision for the industry, they are unable to plan their own future. They felt that this was also affecting the public’s perception of farming. They also mentioned that the *lack of planning* for new programs sometimes resulted in poor timing of programs as well as in criteria that, in their opinion, was either not clear or not based on scientific evidence .

Farmers believed that there was a general *lack of communication* between DAFA and the farming community, particularly when new programs or services were introduced without consultation. They also noted the lack of communication and *lack of coordination* among the various departments which are now responsible for agriculture issues.

Timeliness was of most concern as it related to receiving approvals. This included waiting too long for projects to be approved under various programs, for price increases to be announced,

for approval of permits to carry out certain types of projects and for approvals for funding for programs or projects.

Duplication was most often mentioned as it related to filling out forms and documents required to access programs, licenses or permits. Farmers told us that in many instances, DAFA requested information each year that they already have from previous years. A major issue was that all too often the farmer had to keep proving that he / she was a farmer.

3. The Red Tape Issues – Findings And Recommendations

3.1 Vision and Planning

Farmers from all areas of the province identified the lack of a Departmental vision for agriculture as a major impediment to business growth and development. They said that not knowing where DAFA sees the industry in the future makes it more difficult for them to plan, and causes them to be more hesitant to re-invest in their operations. At a time when succession planning is very important to the industry, the lack of vision is creating less desire for other family members to carry on with the family business.

The lack of a positive sustainable vision for agriculture also discourages potential new entrants and contributes to the shortage of both skilled and unskilled labour. Students are less likely to consider any of the many occupations within agriculture as a potential career option.

There is a lack of awareness of the importance of agriculture among the public, many of whom seem to be more inclined to think that their food comes from the grocery store. This lack of understanding can lead to negative public perception of farming and sometimes it can lead to intolerance. This causes many problems for farmers, especially as urban sprawl continues.

Without a clear, long term direction, departmental staff are less able to design new and innovative programs and services to encourage growth and development to sustain agriculture. Farmers believe that many of the programs are very useful but they would like to see an overall strategy that ties them together.

Recommendation 1

That DAFA establish a strategic planning process that includes farmers and other stakeholders, and leads to the development of a positive sustainable vision and long term direction for agriculture in New Brunswick.

3.2 Government Structure for Agriculture

Farmers voiced their concern over the present structure for agriculture programs and services, which is divided among many departments. It is becoming very complicated to know where to go for information on programs, services, licenses, permits, etc. They also find that there is poor communication and coordination among these departments resulting in time delays and duplication of effort causing confusion and frustration among farmers.

Another result of the new structure is that approvals (for programs, permits etc.) are now more centralized in Fredericton. Decisions are being made by people who do not know the local situation thus slowing down the approval process and resulting in more delays.

Farmers told us that many of the experts in agriculture have either left the Department or have been transferred elsewhere. Also, some departments now responsible for agriculture issues do not have professional Agrologists. They say this sometimes can result in rules and regulations being conceived that, in their opinion, have little scientific evidence.

They believed some departments were simply not willing to work with other departments to create a seamless provision of services. Although some farmers suggested that the Department be structured as before, most were more concerned with the actual delivery of services rather than the structure itself. They need timely service, a seamless transition between departments and knowledgeable people making the decisions.

They are suggesting that a combination of information technology and training for staff who deal with agriculture issues would improve the situation. Another suggestion is to have the local agriculture offices be the focal point for many of the programs and services dealing with agriculture. They also believe that the department should consult with industry representatives on innovative ways to accomplish this task.

Recommendation 2

That DAFA undertake a process to ensure the coordination of all services for agriculture that have been transferred to other departments. This may be through information technology or other means, but the result should be a one stop shop approach for programs, services and issues related to agriculture.

Recommendation 3

That DAFA work with other departments to ensure that all staff who are making decisions related to agriculture have the proper background training and expertise.

3.3 Definition of Farmer

Perhaps the most common red tape issue identified throughout the consultative process was related to the definition of farmer. There are various definitions used within the Provincial government and an even greater variety when dealing with the Federal government. Because of the various definitions in use, some “farmers” qualify for some programs but not for others. They also have to keep proving that they are a farmer.

The example identified most often had to do with obtaining a Fuel Tax Exemption Card through the New Brunswick Department of Finance. Many farmers took exception to the fact that they have to re-apply each year while Aquaculturists, Commercial Fishermen, Silviculturists and Wood Producers only have to re-apply every two years. Farmers are also requested to submit their current Registered Agricultural Producer (RAP) Card number or a copy of their financial statements or income tax return.

Farmers told us that they believe there should be just one definition of farmer and that all government departments should accept this definition so that they do not have to keep proving who they are.

There was less consensus on just what the definition should be and who it should include. Some farmers felt that belonging to one of the supply managed commodity groups could be the factor that defines a farmer, while others felt that belonging to one of the Federations of Agriculture (who administer the RAP Card) was sufficient proof that they were a farmer. Presently the RAP definition does not include, for example, Christmas tree growers or maple producers. It also does not include part-time or hobby farmers. Others felt that it may even be possible to simply adopt the Federal definition which is used for Federal / Provincial programs (Net Income Stabilization Account (NISA) for example).

Once the definition is determined, it was suggested that each farmer should be given a unique identifier. The system to administer the unique identifier should be simple, transparent and effective. Those who administer it must be held accountable that only bona fide farmers receive a number. The two Agriculture Federations could be potential candidates to administer such a system.

It should be pointed out that not all farmers are in agreement with the present process to obtain a RAP Card which requires them to pay for membership in one of the Federations (even though they can apply to cancel their membership and still retain their RAP card). This process was set up to help the Federations become self sustaining.

It is understood that a single definition may require changes to some legislation and regulations that are beyond the scope of DAFA. A new single definition may also exclude some current farmers who do not fall within the new definition. Government needs to consider those who may be adversely affected and consider a transition plan.

Recommendation 4

That DAFA establish an inter-departmental committee whose purpose would be to develop a single definition of farmer for all provincial programs and services.

Recommendation 5

That all farmers who fall within the definition (of farmer) be given a single identifier, which would be the only proof of eligibility they require in order to access all provincial programs and services set up to support the growth and development of agriculture. The government should consider the benefits of having the two Federations of Agriculture administer the unique identifier, potentially using the RAP Card system already in place, with any modifications deemed necessary.

3.4 Legislation / Regulations

Right to Farm

Many farmers were concerned with what is generally referred to as the “right to farm legislation” (Agriculture Operation Practices Act). There was some confusion as to its current status and how it is being enforced. Many believed that the legislation has passed but that the regulations have not been enacted. Others believed that the legislation and regulations are in place but are not being fully enforced. A similar concern was expressed related to the Agriculture Land Protection and Development Act. Farmers say it is difficult to get updates on the progress of such legislation.

There is a general feeling that even if farmers abide by all the rules and regulations, they are not being adequately protected from harassment from special interest groups. They are very concerned that the Department of the Environment and Local Government appears to react more to these groups rather than determining whether or not a targeted farm operation is meeting all the rules and regulations.

Resolving this issue may require the involvement of the Department of the Environment and Local Government, but the result should be a clear statement of the status of any and all legislation that affects the right to farm.

Recommendation 6

That DAFA clarify the present status of all legislation / regulations that are generally referred to as “right to farm legislation” and communicate this to the farming community. DAFA should also clearly articulate its position as it relates to protecting farmers from harassment.

Trespassing

Trespassing, particularly as it relates to all terrain vehicles (ATVs), was raised as a major issue (although technically not red tape per se, we have included it because of its significant impact on farming). Two main concerns were identified. The first is the fact that farm land is being destroyed by ATVs and secondly, there is a significant liability issue if someone on an ATV injures him or herself while driving on farm land. Even though they are trespassing, indications are that the farmer could be held liable. It was also noted that Law Enforcement Officers are not consistent in how they interpret the Trespassing Act. DAFA has received a report concerning this issue but no action has yet been taken.

Recommendation 7

That DAFA develop a strategy to deal with the issue of trespassing on farm land by ATVs and then inform the farming community and the general public, of its strategy.

Motor Vehicle Act

Farmers pointed out that the Motor Vehicle Act is out dated and some of its terminology does not reflect today's reality of farmers leasing vehicles. They also indicated that there is a significant discrepancy between the costs of vehicle registration in New Brunswick and neighbouring provinces. They believe that the discrepancy between NB and PEI is causing a competition problem, as PEI only charges \$20 for farm truck licenses while NB charges several hundred dollars.

Recommendation 8

That the Department of Public Safety review the Motor Vehicle Act to ensure that it reflects today's reality, particularly as it relates to the leasing of vehicles by farmers, and the costs of farm truck registrations.

Fuel Storage Process

Attempting to meet the regulations and requirements concerning the storage of fuel is a long, slow and confusing process. Farmers indicated that officials from the DAFA and the Department of the Environment and Local Government appear to apply different criteria and interpretations.

Recommendation 9

That the officials in DAFA and the Department of the Environment and Local Government ensure consistency in the application of the regulations related to the storage of fuel.

Wellhead Zones

Farmers expressed concern that, in their opinion, there was a lack of science involved in establishing the standards which must be met under what they referred to as the Municipal Wellhead Act (Wellfield Protection Area Designation Order under the Clean Water Act). They believe that this will result in many of the standards being challenged, creating extra costs and delays.

They suggest a peer review process be established to evaluate the standards for the application of crop related materials within each protected wellhead zone. They believe this will save time and resources and lead to a faster and more acceptable solution.

Recommendation 10

That DAFA and the Department of the Environment and Local Government consult with industry and establish a peer review process to evaluate the newly established standards for the application of crop related materials within protected wellhead zones.

3.5 Program and Process Issues - Internal To DAFA

Most of the issues identified that related to Departmental programs had to do with timeliness and duplication or with the program requirements.

There were two types of timeliness issues noted. The first has to do with the announcement of certain programs and is often related to the government funding cycle which begins in April; the second has to do with the length of the approval process itself. Sometimes, research projects for example, are announced in April but by the time they receive approval (even if there is a fairly quick approval), the crops should already have been in the ground.

Duplication was of concern because farmers were often required to give the same information to government, year after year, when most of it never changes. Program requirements sometimes lead to artificial barriers, diminishing the use of what may otherwise be good programs.

AEMI Approval Process

The length of the approval process is often caused by too many layers of approval. The Agriculture Environment Management Initiative (AEMI) was given as an example of a program that they believe is very good but has too many layers of approval.

The current time frame is about six weeks from application to approval but many farm projects are very time sensitive and can only be done at certain times of the year. In the past, administration for most of these types of programs was delegated to the Regional Staff with each office being given a funding budget for which they were authorized to approve projects up to a certain financial level.

Recommendation 11

That DAFA review the approval process for the Agricultural Environment Management Initiative Program with the goal being to substantially reduce the time period between application and approval.

Milk Price Approval Process

The approval process for milk price increases was identified as being too slow. In the past the Milk Marketing Board (MMB) had the authority to approve an increase, but now they have to negotiate with the New Brunswick Farm Products Commission (who handle all the supply managed commodities) and this is creating a bottle neck in the approval process. For example, an increase which was recommended in August of 2001 was not approved until February 1, 2002. Farmers suggested that the MMB be allowed to set the price and if there is disagreement from the producers then the Farm Products Commission could make a ruling.

Recommendation 12

That DAFA review the process being used to set the price of milk and determine how it could be improved and made more timely.

Duplication of Information

Farmers indicated that they have to keep giving the same types of information (name, form of business, address, telephone number, fax number etc. etc.) each time they apply for a program, license or permit. They say that the Department has this information on file and they feel that they should be given preprinted forms so that all they have to do is indicate the changes and add any new information that is required relative to the program, license or permit for which they are applying. They also suggested that all forms be available on-line so that they have the option of filling them out and paying required fees electronically.

Recommendation 13

That DAFA make all its applications and forms available on-line including the ability to accept payments electronically. The Department should assess the feasibility of using preprinted forms when requesting information; the forms would already include basic information which can simply be verified by the farmer as being current.

Artificial Barriers / Timing of Programs

Farmers told us that DAFA will often announce a program and then either make the requirements too complicated or not give them sufficient time to apply. The example given was the “nutrient management plan” where there is a requirement that the applicant had to hire a “certified nutrient management planner” of which there were none in New Brunswick.

Most agrologists are qualified and able to do the work, but for purposes of the grant they had to be “certified” and therefore do not meet the program criteria. Farmers felt that this was an artificial barrier. DAFA did attempt to set up a program to train environmental farm management planners and nutrient management planners but, according to those who identified this as an issue, the Department kept adding requirements and the project never got approval.

The Department should consider “pre-testing” the application for any program before finalizing it. They should seek ways to simplify the application process and still maintain the integrity of the program for which assistance is being offered.

Recommendation 14

That DAFA consider the potential artificial barriers that they may be creating when offering a program. The timing of programs should also be a consideration, to ensure that farmers have time to apply for the program and also sufficient time to do the work under the program.

Research Application Process

At the request of Government, the potato industry formed a Stakeholders Advisory Committee to evaluate and recommend applied research projects to the Potato Development Centre. This Committee is comprised of farmers, industry professionals, and Provincial and Federal government employees. The concern is that, even after the Committee reviews and recommends proposals, they are reviewed again by at least two other committees. This leads to unnecessary delays in the approval process thus putting field research activities at risk. It also undermines the work of the Stakeholders Advisory Committee.

The suggestion is that DAFA allocate the research funds directly to the Stakeholders Advisory Committee and put the necessary accountability process in place.

Recommendation 15

That DAFA review the Applied Research Application Procedures (Stakeholders Advisory Committee to the Potato Development Centre) to determine how it can be made more efficient.

Crop Insurance Data Gathering

Farmers are concerned with how and when data is collected from those with crop insurance. This information is currently being collected during the busy summer season. If a claim is made however, this information is not usually used. Instead the claimant is asked to produce receipts for product sold, from which a decision is made. This is duplication of effort and disrupts the farmers during a very busy time and adds to the total cost of the program. They believe that much of the information collected is already available from farm organizations, the Canadian Food Inspection Agency (CFIA) or the Department itself. They acknowledge that visits would still be required if a disaster were to occur.

The suggestion is that the department look at alternative methods or sources to obtain the required information.

Recommendation 16

That DAFA review the process presently being used to collect data for the Crop Insurance Program to ensure that it does not unduly interrupt farmers during their busy season, as well as to reduce duplication.

3.6 Program and Process Issues - External To DAFA

Many of the program and process issues beyond the control of DAFA relate to the complexity of program criteria and / or to the length of the approval process.

NISA / CFIP - Federal Programs

There are two particular Federal programs that are sourced by DAFA for funding, the Net Income Stabilization Account (NISA) and the Canadian Farm Income Program (CFIP). Farmers say these are very complicated to apply for and the outcome (i.e. whether or not they qualify) is difficult to predict. The programs are interrelated, with CFIP being the most complicated of the two. The CFIP was originally a western Canada approach and some feel it should be reworked to take into account the needs of farms in Atlantic Canada.

The suggestion is that the programs be reviewed in an attempt to simplify both the application and the approval process.

Recommendation 17

That DAFA relay the concerns of New Brunswick farmers to those responsible for designing and implementing the Net Income Stabilization Account Program and the Canadian Farm Income Program related to the complexity of their application and approval process.

Standard Plans

The Department of the Environment and Local Government offers a program related to manure storage and a program related to fuel storage. However, many farmers felt that in order to meet the requirements of either of these programs and thus receive the grant, it would cost them more than it does by simply doing it themselves because they are required to have plans developed by engineers, with some of the work performed by contractors. They felt that the grant should benefit the farmers, not engineers and contractors.

For example, since much of the grant money would be consumed by the requirement to have plans drawn up by engineers, a solution offered was that they should be able to use a standard plan for each type of storage and change it only as required depending on the size of the tanks.

Recommendation 18

That the Department of the Environment and Local Government assess the feasibility of using standard plans (as much as possible) for the manure storage program and for the fuel storage program.

Water Course Alteration Approval Process

Farmers were very concerned with the length of the approval process for obtaining a Water Course Alteration Permit. Work can only be done at certain times of the year (which is not in dispute) but it is often too late to do the work because of the length of the approval process, which seems to be between two and four months. It was felt that the problem may be a lack of resources in the Department.

The solution offered was that others in the Department should be trained in how to make decisions relative to these permits and / or minor work could be handled locally.

Recommendation 19

That the Department of the Environment and Local Government review its process for approving applications for Water Course Alteration Permits with a view to shortening the process and still maintain the integrity of the requirements.

Crown Land Lease Program

Farmers noted that the approval process for Crown Land Applications for Agricultural use (Crown Land Lease Program) seems to “take forever”. In fact, they believe that there is little desire within the Department of Natural Resources and Energy (DNRE) to make Crown land available for agricultural production. They acknowledge the recent transfer of Crown land in the Northeast for blueberry production, but otherwise they say there has been very little, if any, that has been transferred.

The suggestion is that full consideration be given to the government’s “best use of land” policy.

Recommendation 20

That the Department of Natural Resources and Energy (DNRE) review the Crown Land for Agricultural Use Program (Crown Land Lease Program) to ensure that it is meeting its objective of transferring “Crown land which is clear cut, old fields or recently burned over areas” for agricultural use. DNRE should also review the process for assessing / approving applications with the intent to reduce the time for approval.

Certified Seed Potato -Timing of Data Gathering

Farmers are also concerned with the delay in the publication of the Certified Seed Potato Growers Book due to protecting privacy under what is generally referred to as the Right To Privacy Act (Protection of Personal Information Act). This requires growers to provide written permission in order to publish their contact information. Last year New Brunswick was the last seed potato growing area to make this important information available, leading to potential lost market opportunities.

Recommendation 21

That the required written permission from the seed potato growers (so that they can be included in the Certified Seed Potato Growers Book) be obtained just after the planting season rather than during harvest. This would allow the document to be published as soon as the certification information is available from the Canadian Food Inspection Agency.

Tractor-Trailer License – Local Availability

At present, owners of heavy trucks (tractor-trailers) must go to Fredericton to license these vehicles. This is particularly problematic for those in the potato belt due to the number of these vehicles required and results in increased costs and time delays.

Recommendation 22

That Service New Brunswick make available within the communities of the Saint John River Valley, the ability to license tractor-trailers. Consideration should also be given to assessing the need for this type of service in other areas of the Province as well.

4. Conclusion

The purpose of this review was to identify red tape issues that are hindering the growth and development of the New Brunswick agriculture industry. This was communicated to industry and they responded by identifying more than 160 issues that were having a significant negative impact. These issues were analyzed and resulted in 22 recommendations. We believe that addressing these recommendations will greatly improve service to the agriculture industry.

Having listened to farmers from across New Brunswick and having read their briefs, faxes and e-mails, the consultants have gained an in-depth understanding of the many challenges facing the industry. There is much agreement within the industry regarding the nature of the red tape issues and what action needs to be taken to support improved service.

We have noted how the five threads (lack of planning, lack of communication, lack of coordination, timeliness, and duplication) weave throughout many of the issues and are in many cases the underlying cause of an issue. This suggests that “fixing” each issue without looking at root causes may only lead to partial success.

We believe that in order to make long term sustainable improvements, i.e. “to maintain the gains”, DAFA should consider the benefits of adopting a philosophy of continuous quality improvement (CQI). A basic tenet of CQI is that the organization looks at how it can improve its whole system of service delivery, not just how it can “fix” specific problems that emerge. It also considers continuous improvement as a way of doing business.

There are many examples within the Provincial government of departments who have successfully applied the tools and techniques associated with CQI to improve their service delivery systems. We suggest that DAFA contact some of these departments to assess the feasibility of using CQI to improve its own service delivery system.

In conclusion, it is important to note that, although the purpose of this project was to look for things that DAFA was not doing as well as it could be, it should also be pointed out that many farmers commented positively on the Department’s approach in seeking the advice of Industry. They have high expectations that their ideas and suggestions will be used to improve services. Our overall recommendation to government is that the process that it uses to address these red tape issues be timely, transparent and it should involve industry as much as possible.

APPENDIX A

Summary of Recommendations

Recommendation 1

That DAFA establish a strategic planning process that includes farmers and other stakeholders, and leads to the development of a positive sustainable vision and long term direction for agriculture in New Brunswick.

Recommendation 2

That DAFA undertake a process to ensure the coordination of all services for agriculture that have been transferred to other departments. This may be through information technology or other means, but the result should be a one stop shop approach for programs, services and issues related to agriculture.

Recommendation 3

That DAFA work with other departments to ensure that all staff who are making decisions related to agriculture have the proper background training and expertise.

Recommendation 4

That DAFA establish an inter-departmental committee whose purpose would be to develop a single definition of farmer for all provincial programs and services.

Recommendation 5

That all farmers who fall within the definition (of farmer) be given a single identifier, which would be the only proof of eligibility they require in order to access all provincial programs and services set up to support the growth and development of agriculture. The government should consider the benefits of having the two Federations of Agriculture administer the unique identifier, potentially using the RAP Card system already in place, with any modifications deemed necessary.

Recommendation 6

That DAFA clarify the present status of all legislation / regulations that are generally referred to as “right to farm legislation” and communicate this to the farming community. DAFA should also clearly articulate its position as it relates to protecting farmers from harassment.

Recommendation 7

That DAFA develop a strategy to deal with the issue of trespassing on farm land by ATVs and then inform the farming community and the general public, of its strategy.

Recommendation 8

That the Department of Public Safety review the Motor Vehicle Act to ensure that it reflects today's reality, particularly as it relates to the leasing of vehicles by farmers, and the costs of farm truck registrations.

Recommendation 9

That the officials in DAFA and the Department of the Environment and Local Government ensure consistency in the application of the regulations related to the storage of fuel.

Recommendation 10

That DAFA and the Department of the Environment and Local Government consult with industry and establish a peer review process to evaluate the newly established standards for the application of crop related materials within protected wellhead zones.

Recommendation 11

That DAFA review the approval process for the Agricultural Environment Management Initiative Program with the goal being to substantially reduce the time period between application and approval.

Recommendation 12

That DAFA review the process being used to set the price of milk and determine how it could be improved and made more timely.

Recommendation 13

That DAFA make all its applications and forms available on-line including the ability to accept payments electronically. The Department should assess the feasibility of using preprinted forms when requesting information; the forms would already include basic information which can simply be verified by the farmer as being current.

Recommendation 14

That DAFA consider the potential artificial barriers that they may be creating when offering a program. The timing of programs should also be a consideration, to ensure that farmers have time to apply for the program and also sufficient time to do the work under the program.

Recommendation 15

That DAFA review the Applied Research Application Procedures (Stakeholders Advisory Committee to the Potato Development Centre) to determine how it can be made more efficient.

Recommendation 16

That DAFA review the process presently being used to collect data for the Crop Insurance Program to ensure that it does not unduly interrupt farmers during their busy season, as well as to reduce duplication.

Recommendation 17

That DAFA relay the concerns of New Brunswick farmers to those responsible for designing and implementing the Net Income Stabilization Account Program and the Canadian Farm Income Program related to the complexity of their application and approval process.

Recommendation 18

That the Department of the Environment and Local Government assess the feasibility of using standard plans (as much as possible) for the manure storage program and for the fuel storage program.

Recommendation 19

That the Department of the Environment and Local Government review its process for approving applications for Water Course Alteration Permits with a view to shortening the process and still maintain the integrity of the requirements.

Recommendation 20

That the Department of Natural Resources and Energy (DNRE) review the Crown Land for Agricultural Use Program (Crown Land Lease Program) to ensure that it is meeting its objective of transferring “Crown land which is clear cut, old fields or recently burned over areas” for agricultural use. DNRE should also review the process for assessing / approving applications with the intent to reduce the time for approval.

Recommendation 21

That the required written permission from the seed potato growers (so that they can be included in the Certified Seed Potato Growers Book) be obtained just after the planting season rather than during harvest. This would allow the document to be published as

soon as the certification information is available from the Canadian Food Inspection Agency.

Recommendation 22

That Service New Brunswick make available within the communities of the Saint John River Valley, the ability to license tractor-trailers. Consideration should also be given to assessing the need for this type of service in other areas of the Province as well.