PERMITTING – OBTAINING PROJECT SUCCESS

MD – DC Utilities Association
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OBJECTIVES

- **Points to Understand:**
  - Permits are needed for much of the work we perform.
  - Permits are necessary, but why? (how do they add value and minimize risk)
  - What systems are used to obtain permits
  - Timeline for permitting a project

- **Identify ways to improve the Permitting Process**

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AGENDA

- **Introduction to Permitting** - Is "Permit" a dirty word?

- **Permit Applicability** – Do I have to?

- **Permitting Processes** – From concept to construction

- **Permit Timelines** - Fitting permits into the Schedule

- **Optimizing the Permit Process** – Helping the Project meet the In-Service Date (ISD)

INTRODUCTION TO PERMITTING

- "Is Permit a Dirty Word?"
- *Why would one try to avoid a permit?*

  - Extra work
  - Limited value
  - Added cost
  - Added project delays (time of year restrictions)
  - Additional requirements of project
  - Lengthy Regulatory Review

INTRODUCTION TO PERMITTING

- Why get permits?
  - **IT'S THE LAW!**

- How does obtaining a permit add value?
  - Defines limitations and assures compliance with law

- What is the purpose of permits?
  - Regulatory requirements = Permits
  - Natural Resource Protection

- Remember the agency's perspective
  - They have a job to do just like you!
  - Regulatory Agencies exist to regulate and enforce the laws

- Bottom Line:
  - **COMPLY AND MAXIMIZE VALUE**

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PERMIT APPLICABILITY

- What triggers permitting:

  - Wetlands & Waterways
  - Stormwater/Erosion & Sediment Control/Grading
  - Building
  - Rare, Threatened and/or Endangered Species (RTE)
  - Cultural Resources
  - Vegetation Management

The "PERMITTING PROCESS"

In the Ideal World, the permitting process would be:

- Project is designed
  - Pre-application meeting
  - Application Submittal
  - Application Review and Response

- Permits are obtained
  - Kickoff Meetings scheduled and held

- Project is constructed
  - Permit Condition Compliance
  - Regulatory Inspections
  - Permit Closeout/Notifications

PERMITTING PROCESSES

Often, the permitting process follows the path below:

- Concept is formed
- Engineer asks, "Can I do this?"
- Permit applicability review
- Can permit be avoided?
- Start permit applications
- Permit approved
- Design changes
- Permit Modification
- Project not funded this year
- Project funded
- Rules change – Restart Permitting Process

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PERMITTING PROCESSES

Key Points -

- Project Manager communicates with environmental contact early and often

- Environmental contact provides pertinent applicability thresholds during early scope development

- Utilize consultants and lawyers as a resource

- Communicate with Agencies Early and Often

- Consider how wording affects permit applicability

- Ensure contractors have permits

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PERMITTING TIMELINES

- Identify permit needs and timelines early

- Project Manager (PM) should incorporate permit timelines into the Project Schedule

- Construction Schedule

- Communicate project schedule with agencies and check in with them often

- Know the Critical Path:
  - Ordering materials/equipment
  - Start of construction
  - In service date

OPTIMIZING THE PERMIT PROCESS

- Brainstorm in groups ideas and past experiences for improving the permit process
  - Understand the process and requirements
  - Internal process issues
    - reduce permit/project conflict
  - Streamlining agency review/issuance
    - Pre-application meeting(s)
    - Complete and through permit application package
    - Utilizing experienced consultants
    - Be Realistic!
  - Reducing permit condition burden
- Identify best-case and worst-case timelines
  - Consider time for negotiation of conditions and/or public involvement/Community Outreach

CONCLUSIONS

- If you think you don't need a permit, THINK AGAIN

- Time = $$$$

- Each project and permit takes a different approach

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GROUP EXERCISE

Instructions

1. The following two slides depict an urban and rural setting.

2. Study the image and think about what permits may be needed…

3. Group discussion…What are the potential permitting concerns ?

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25 12.5 0   25 Meters

Urban Setting

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100   50   0   100 Meters

Rural Setting

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APPLICABLE PERMITS