MORE NATURE, LESS PAPERWORK

Insights from Research on Streamlining Permits for Restoration Projects

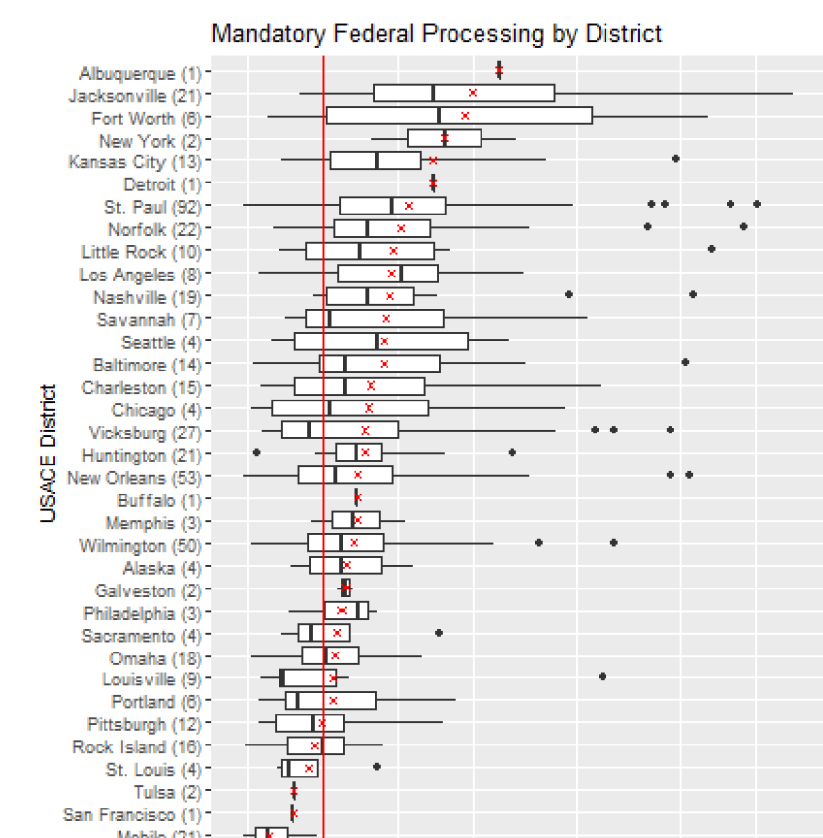**ENVIRONMENTAL POLICY INNOVATION CENTER**

BACKGROUND

Leaders around the globe have committed to restoring 30% of the world's degraded ecosystems but right now, the costs of permitting burn through up to ⅓ of a restoration project's budget. We need money to go to Nature, not paperwork. Over the past two years, the Environmental Policy Innovation Center (EPIC) has quantitatively and qualitatively analyzed policies and processes related to permitting restoration projects. One consistent theme in our research findings is that the permitting process presents significant challenges and often results in major project delays. This poster showcases results of multiple research efforts related to restoration permit streamlining.

THE TIME IT TAKES FOR RESTORATION

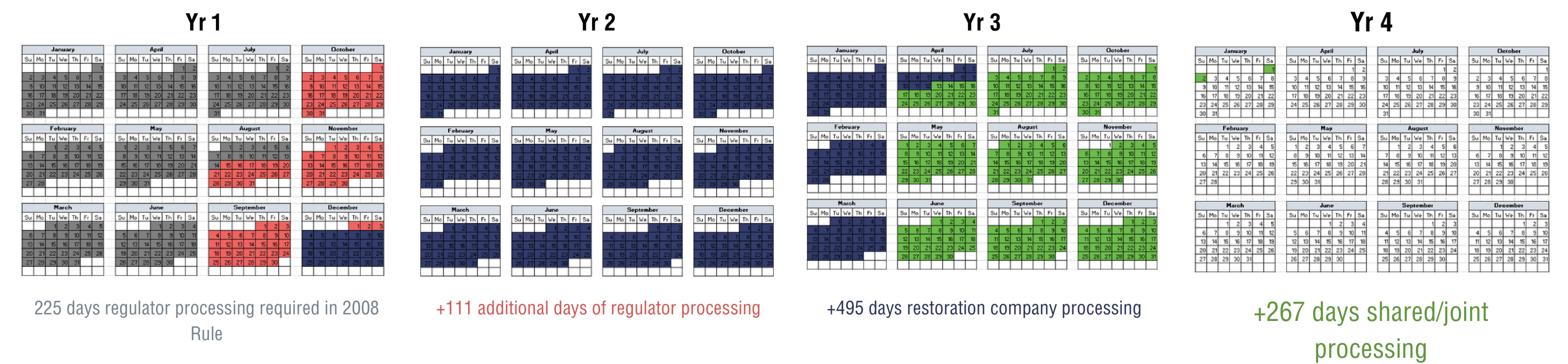AN ANALYSIS OF MITIGATION BANKING INSTRUMENT TIMELINES
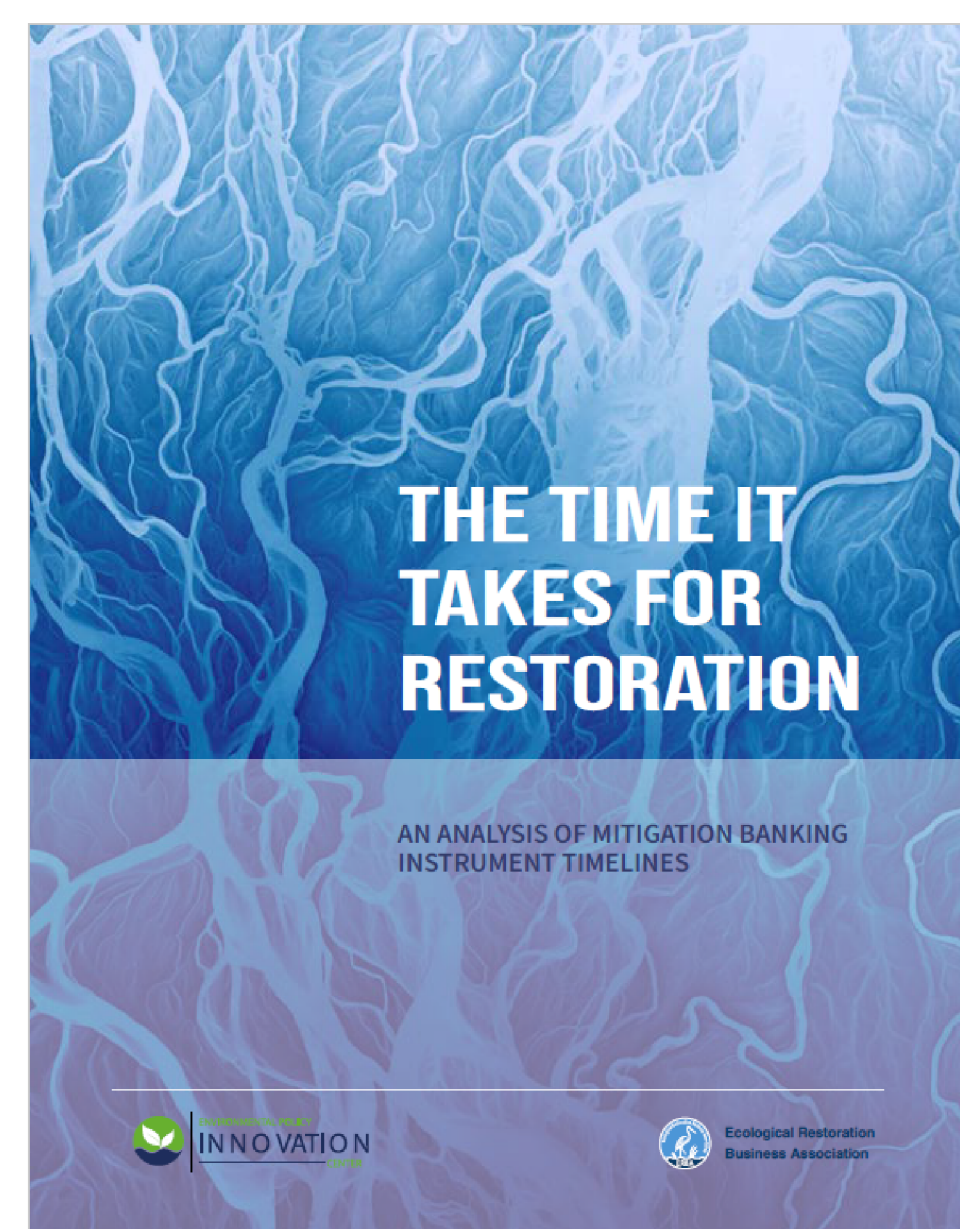
bit.ly/mitigationbankresearch

In a national report released in March 2023, EPIC revealed delays in the approval of a class of wetland and stream restoration projects called 'mitigation banks.' Researchers analyzed US Army Corps of Engineers data on 500 mitigation banks and found that the average project took 1.5x longer than required "on the regulator's desk." The full timeline for project approval — including back and forth between the Corps and applicants — takes over 1,000 days on average (the longest project took over 12 years!).

Figure 2 of the report highlights differences in federal processing time in different Corps Districts between 2014-2021. The red line indicates the 225-day timeline required in the 2008 Rule, and the X indicates the mean.

Mandatory Federal Processing by District

THE TIME IT TAKES FOR RESTORATION

COMPANION REPORT

A QUALITATIVE ANALYSIS OF FACTORS THAT SPEED AND SLOW MITIGATION BANKING APPROVAL TIMELINES

bit.ly/mitigationbankresearchPhase2

Follow-on research published in September 2023 identified the top bottlenecks in the Corps' review process and highlighted dozens of solutions that could be implemented.

BOTTLENECKS

- Lack of standardization / consistency
- Lack of staff training
- Miscellaneous
- Lack of decisiveness in approval process
- Lack of Corps leadership with IRT
- Counsel review not limited
- Not sticking to timelines
- Staff (lack thereof, time allocated to process)

Interviewees identified the 'top 3' factors that created delays in the approval process.

Total time to permit a wetland or stream mitigation bank - 1,099 days

Yr 1	Yr 2	Yr 3	Yr 4
225 days regulator processing required in 2008 Rule	+111 additional days of regulator processing	+495 days restoration company processing	+267 days shared/joint processing

WHAT BOTTLENECKS HAVE YOU ENCOUNTERED?

WE WILL NOW COMMENCE WITH

THE AIRING OF GRIEVANCES

Restoration practitioners identified many bottlenecks and expressed frustrations in the 32 interviews we completed over the course of our research. In the tradition of "Festivus for the Rest of Us,"* we invite you to share with EPIC staff your grievances with permitting as well as ideas for improvements. Share IRL or use write a comment card.
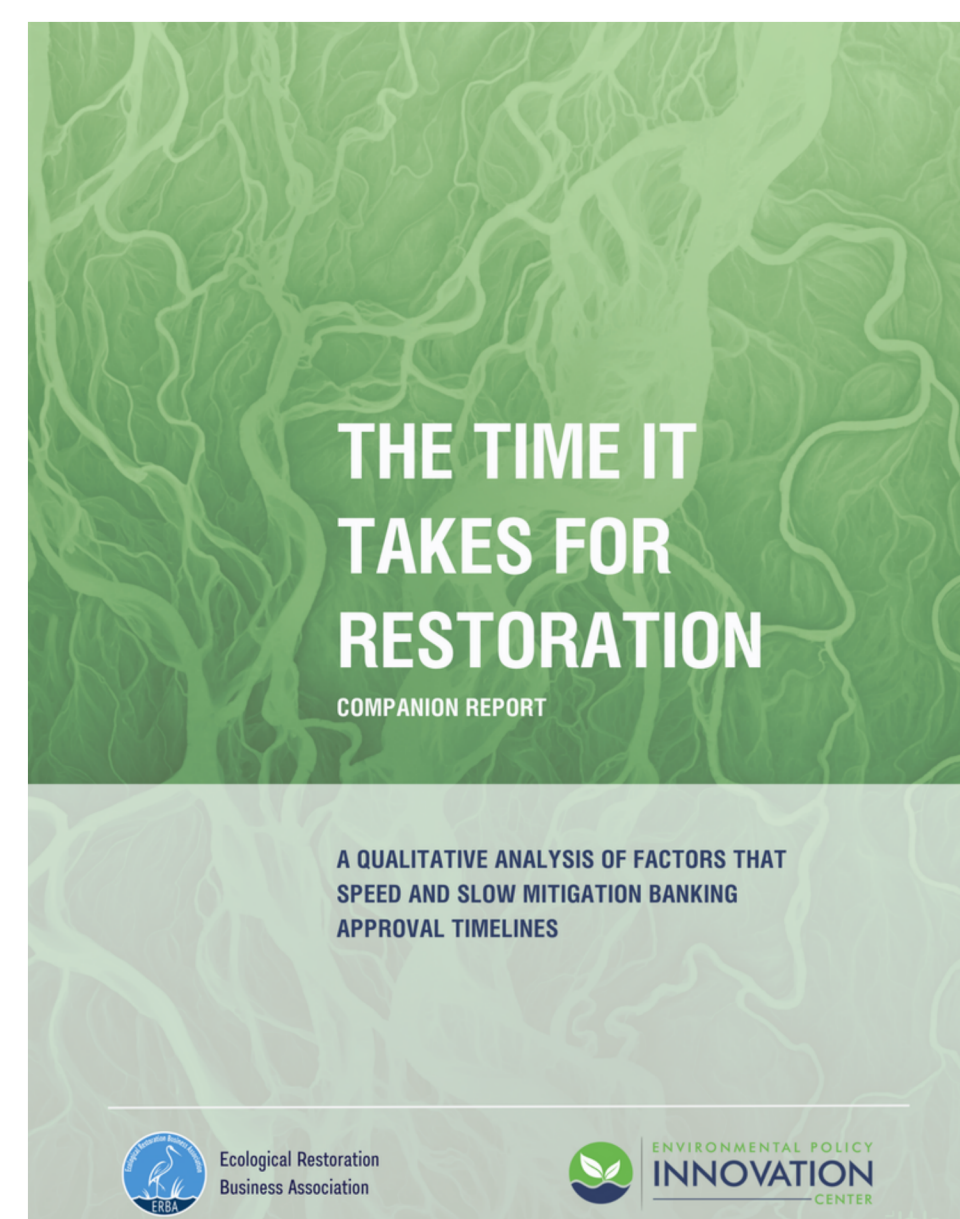
*Festivus was described in a 1997 Seinfeld episode ("The Strike") in which Frank Costanza describes the fictional, non-consumer holiday that involves an unadorned metal pole instead of a tree (tinsel is "distracting"), feats of strength and the airing of grievances.

"The larger issue is that staffing and expertise is paper thin."
-Anonymous interviewee

"We gave up on thinking there's deadlines."
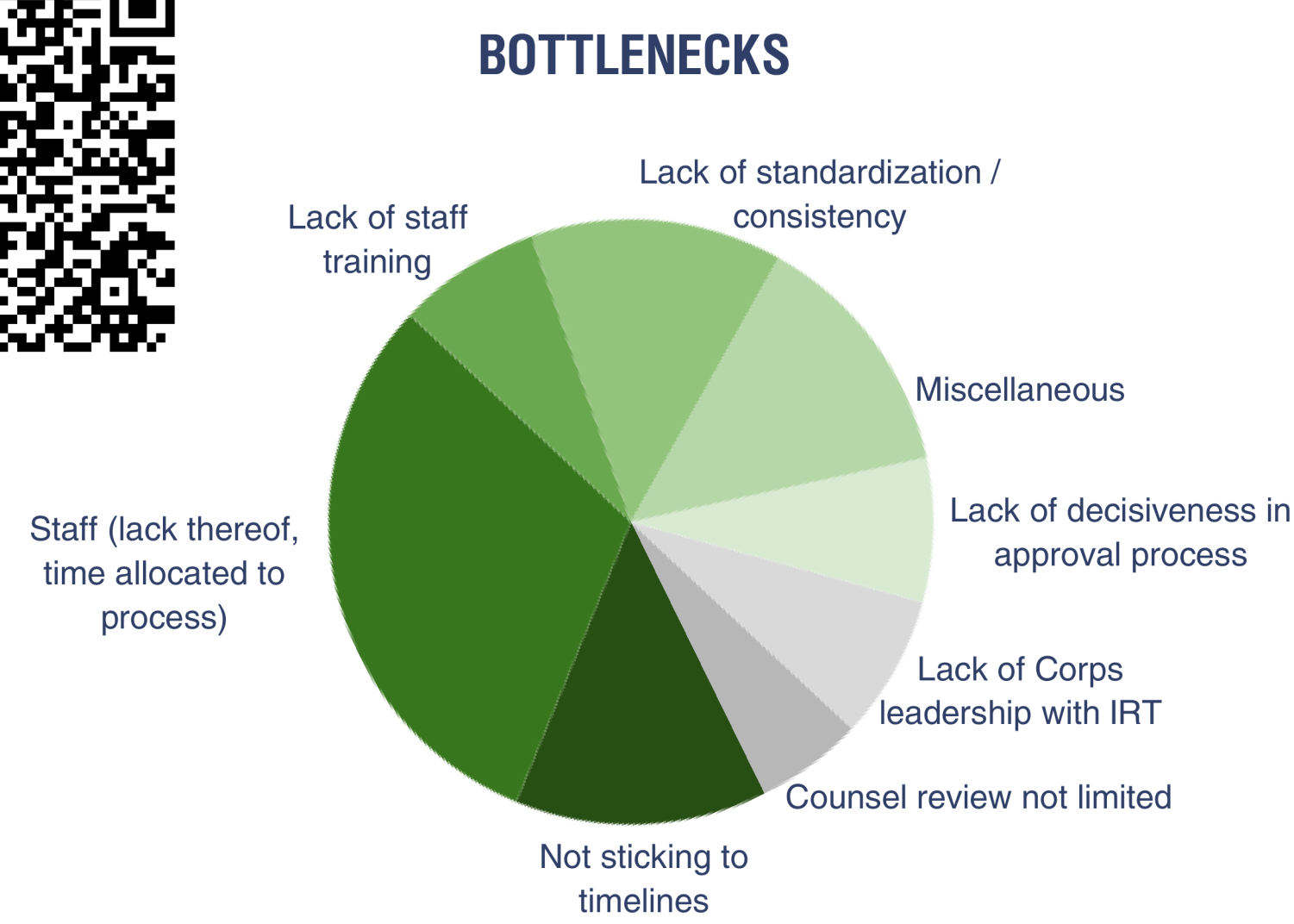- Anonymous interviewee

"We're asking soil scientists and fisheries experts to be a full shop - to be their own administrative staff, legal counsel, construction expert, and economist. It must be overwhelming for them."
-Anonymous interviewee

comment card holder

SOLUTIONS

Along with bottlenecks, EPIC research has identified potential policy, programmatic, and technological solutions.

Funding Nature, Not Paperwork

FUNDING NATURE, NOT PAPERWORK
Policy and Programmatic Pathways to Speed Restoration Permitting

bit.ly/8paths4restpermit

The objective of this concept note is to showcase multiple pathways to speed permitting, along with excerpts from enabling policy text. These examples could be tailored and replicated in other contexts.

Pathways to speed restoration permitting:

1. EVALUATE STATE PERMITTING

2. CREATE A CATEGORICAL EXCLUSION / PROGRAMMATIC ANALYSIS

3. CREATE A PROGRAMMATIC BIOLOGICAL OPINION

4. USE NATIONWIDE AND REGIONAL PERMITS

5. CREATE A DEDICATED / RAPID RESPONSE PERMIT REVIEW TEAM

6. USE TECHNOLOGY FOR PERMITTING EFFICIENCIES, TRANSPARENCY, AND ACCOUNTABILITY

7. SYSTEMATICALLY STREAMLINE MULTIPLE PERMITS

8. ADDRESS FUNDING FOR PERMIT STAFF AND PRIORITIZE TIMELINESS

Permit Streamlining Database

Contains over 35 records of legislation, policy, programs, and case studies. The information provides the raw 'ingredients' that could be used to replicate permit streamlining in other contexts. This research is the source of examples in the 'Funding Nature Not Paperwork' report.

bit.ly/EPICdatabase