

Permitting Process Improvement Workshop

May 7-11, 2001

NCDOT—DENR—COE

Workshop facilitated by:

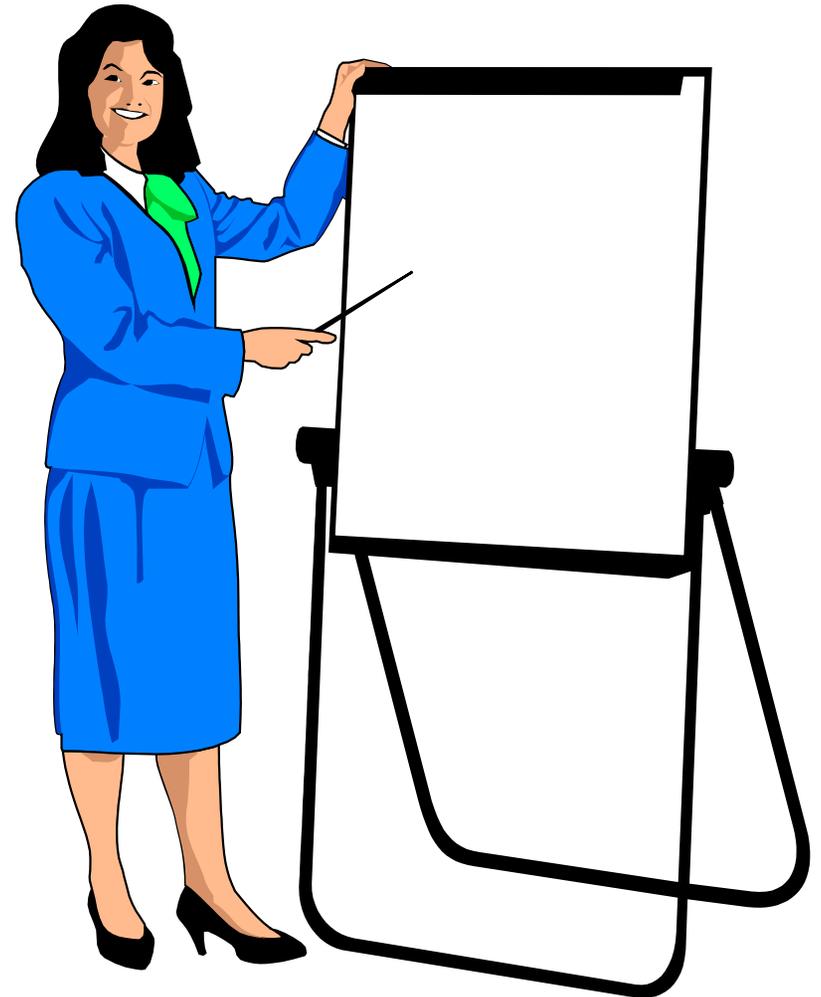


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Select & Scope Process

- **Process Mission**
- **Workshop Participants**
- **Customers**
- **Sponsor Expectations**



Process Mission

To develop quality applications and issue environmental permits that support the timely delivery of the transportation program while minimizing disruption to the natural and human environment.

Workshop Participants

Authorizing Sponsors:

Dempsey Benton, DENR
Roger Sheats, DOT
Colonel James DeLony, COE
Len Sanderson, DOT

Reinforcing Sponsors:

Sherri Evans-Stanton, DENR
Janet D'Ignazio, DOT
Wayne Wright, COE
Tommy Stevens, DENR
Donna Moffitt, DENR
Len Hill, DOT
Don Goins, DOT

Expert Participants:

David Cox, NCWRC
Marella Buncick, USFWS
John Dorney, DENR
Mike Street, DENR
Ron Sechler, NMFS
Ted Bisterfeld, EPA
Linda Pearsall, NHP
Renee Gledhill-Earley, DCR
Dave Schiller, DOT
Mike Wood, DOT
Beth Harmon, DOT

Team Leaders:

Scott McLendon, COE
Greg Thorpe, DENR
Bill Gilmore, DOT

Team Members:

David Franklin, COE
Eric Alsmeyer, COE
Charles Jones, DENR
Doug Huggett, DENR
Cathy Brittingham, DENR
Cyndi Karoly, DENR
John Hennessey, DENR
Ron Ferrell, DENR
Charles Bruton, DOT
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Eric Midkiff, DOT
Debbie Barbour, DOT
Dave Henderson, DOT
Don Lee, DOT

Facilitators:

Diane Davis, MDOT
Margo Schmidt-Derwae, MDOT
Kim Henderson, MDOT

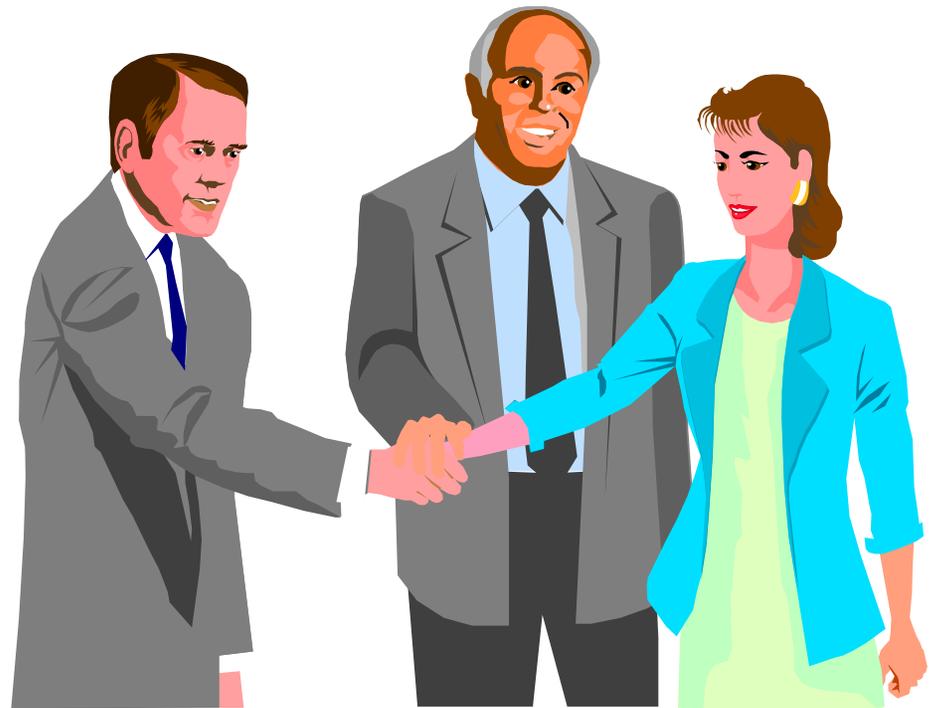
Customers

Internal:

COE
DENR
DOT

External:

Public
Local Government
USFWS
NMFS
EPA
NCWRC
DCR

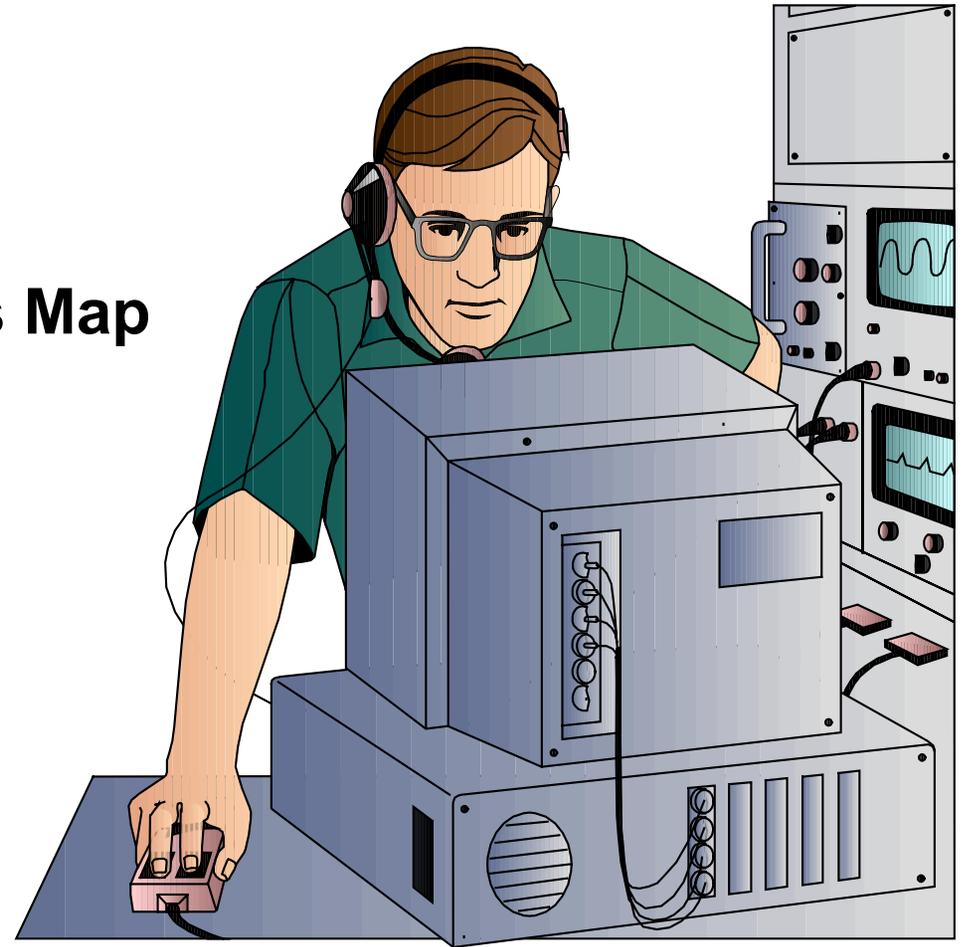


Sponsor Expectations

- Identify customer requirements
- Define existing process
- Identify inhibitors of current process
- Improve current process
- Forecast of project volume, specific projects, and priorities flowing through the process
- Reduction of rework and duplication of effort
- Post evaluation of TransTIP process by participants
- Documentation of process improvement journey
- Develop implementation plan

Analyze Current Process

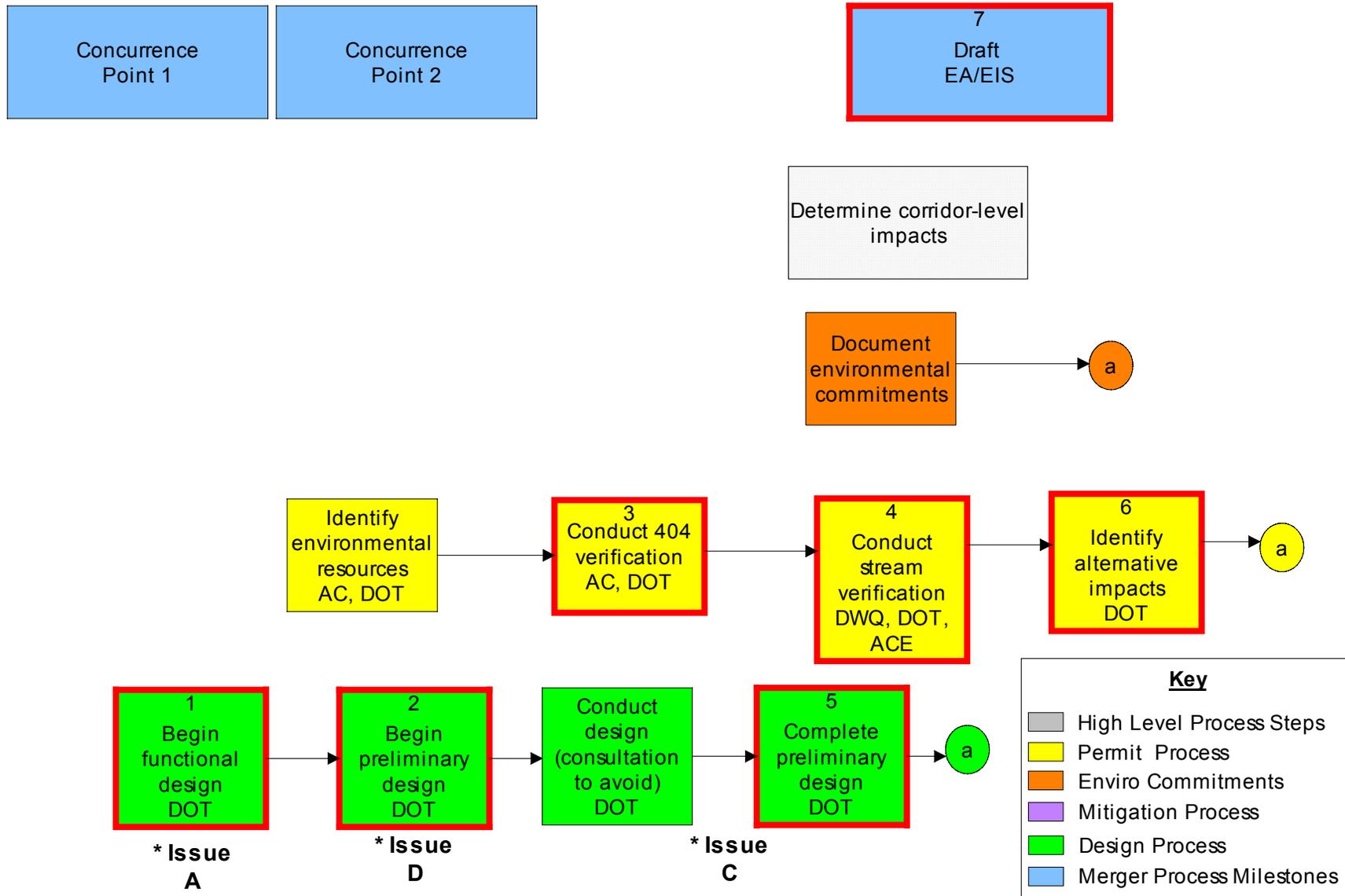
- Detailed Level As-Is Process Map
- Flow Item
- Cost-Time Profile
- Customer Value Structures
- Paradigms
- Issues
- Key Issues



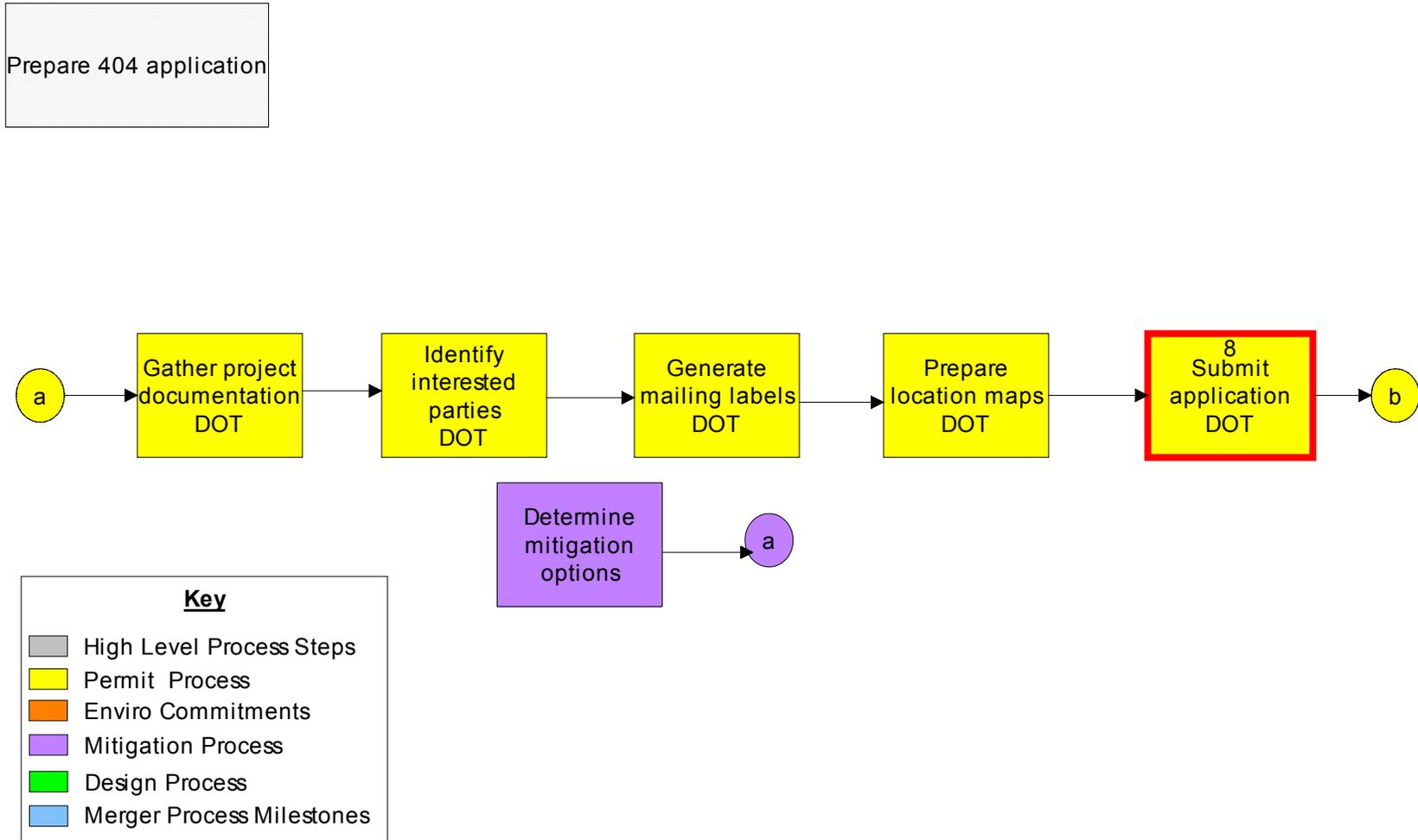
Critical Path As-Is Map

See next page.

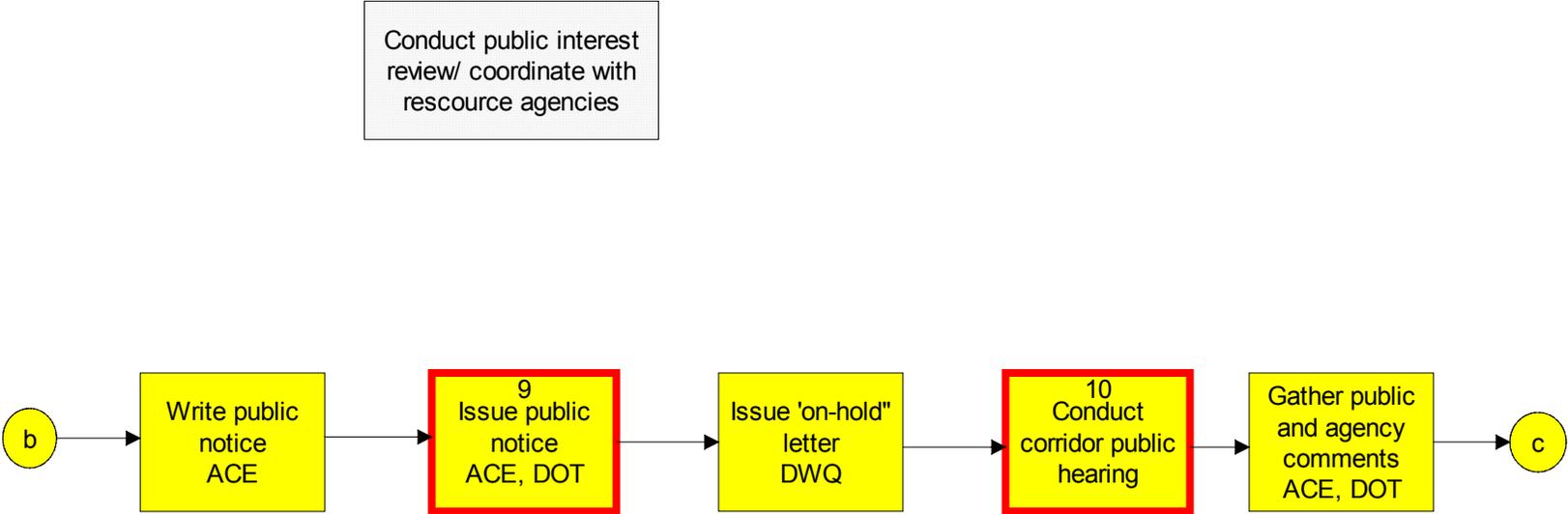
Detailed Level As-Is Process Map



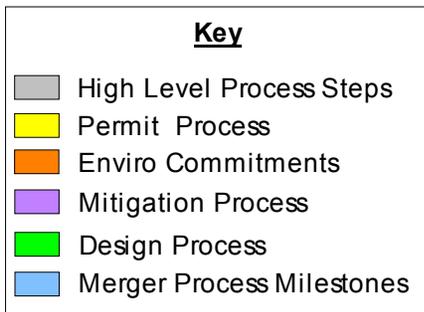
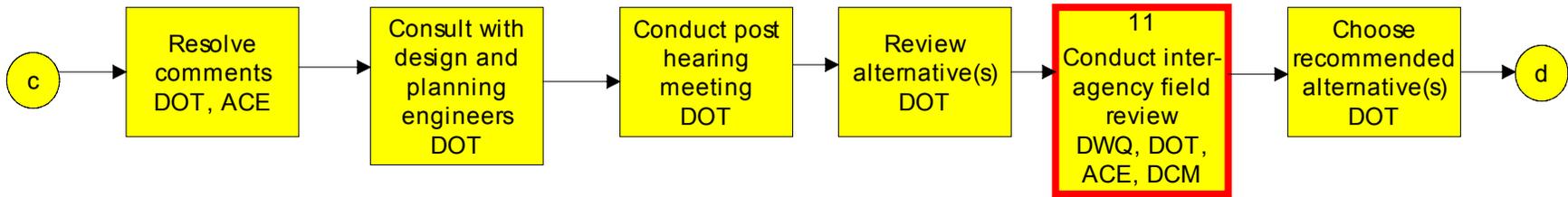
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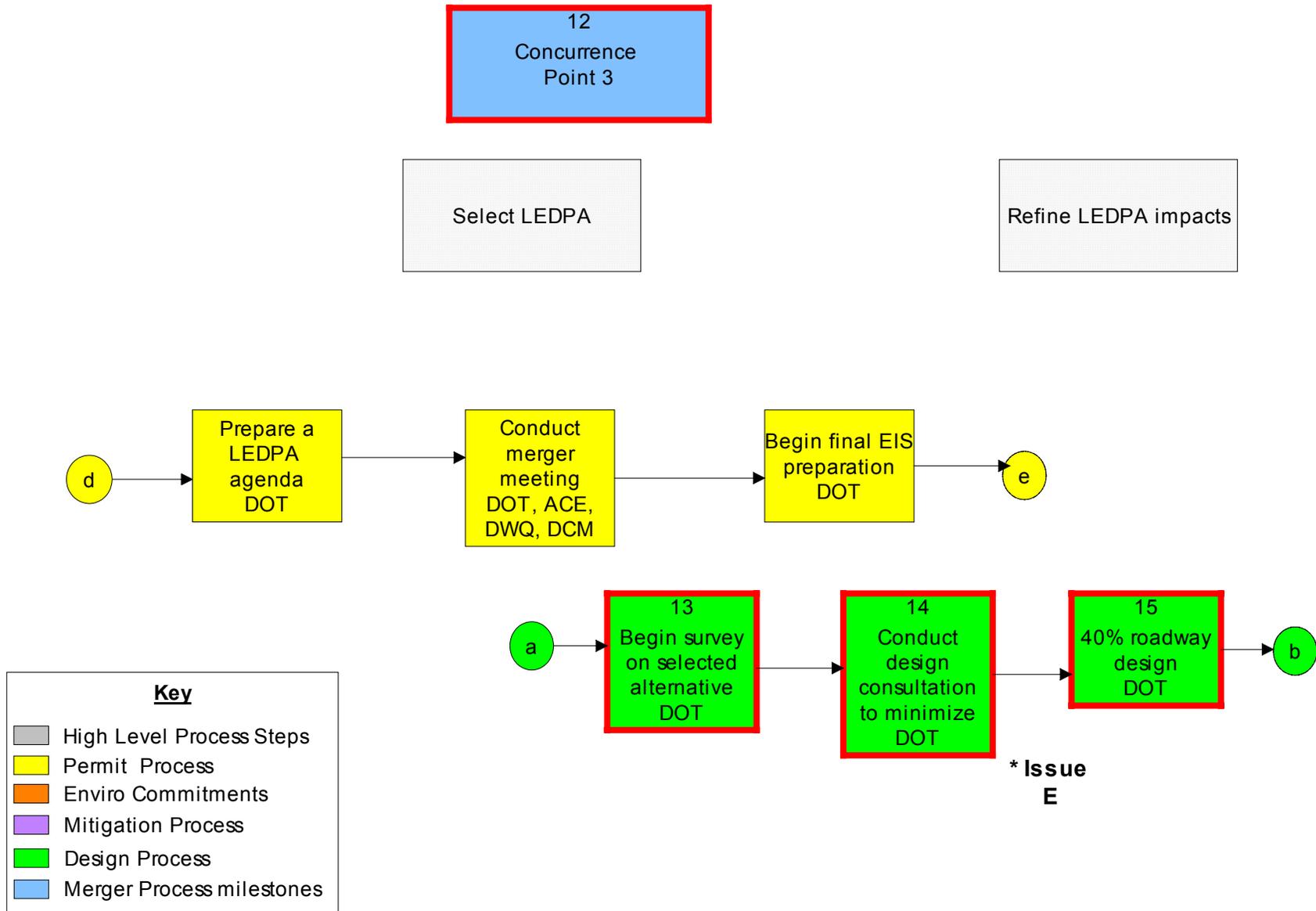
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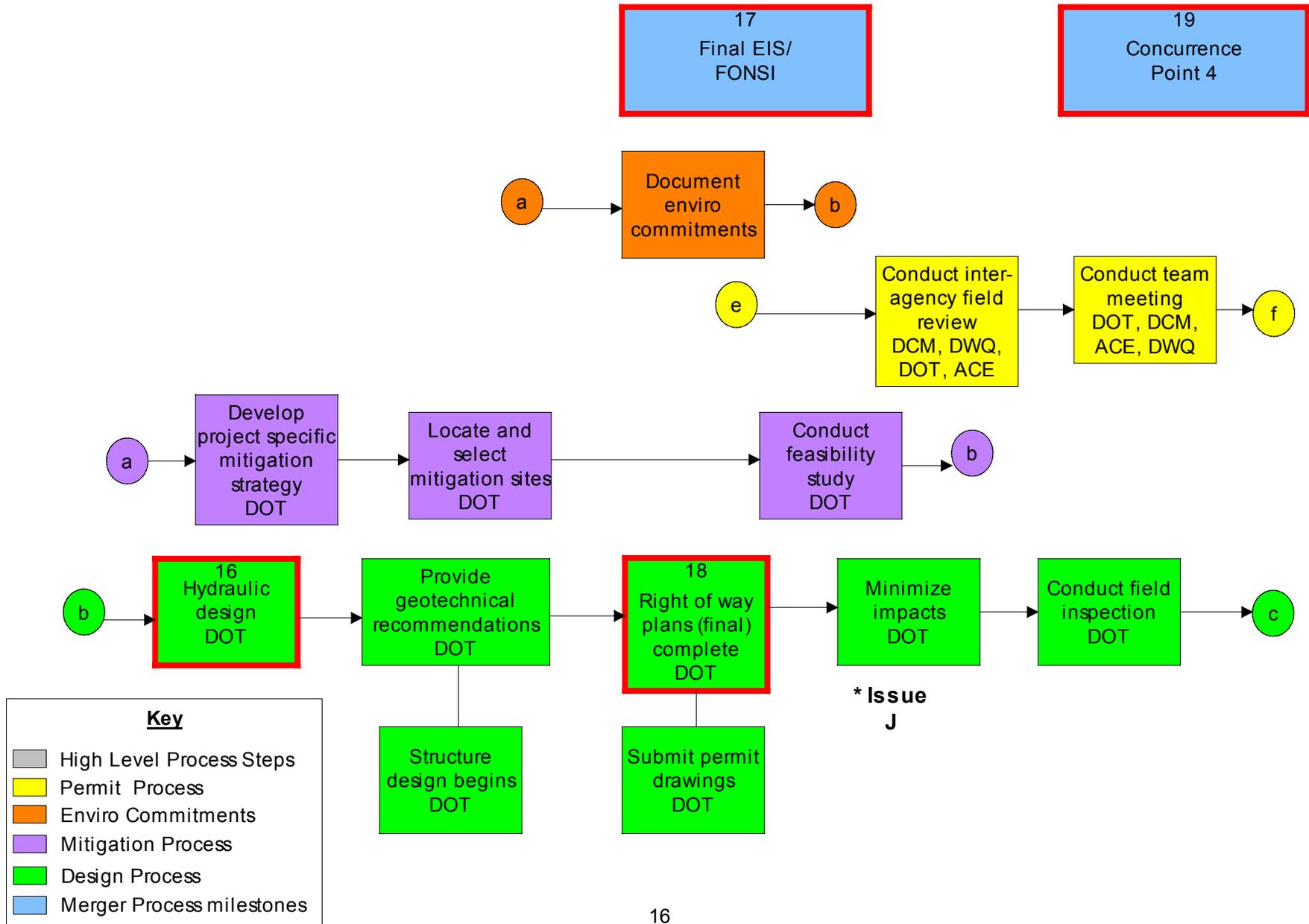
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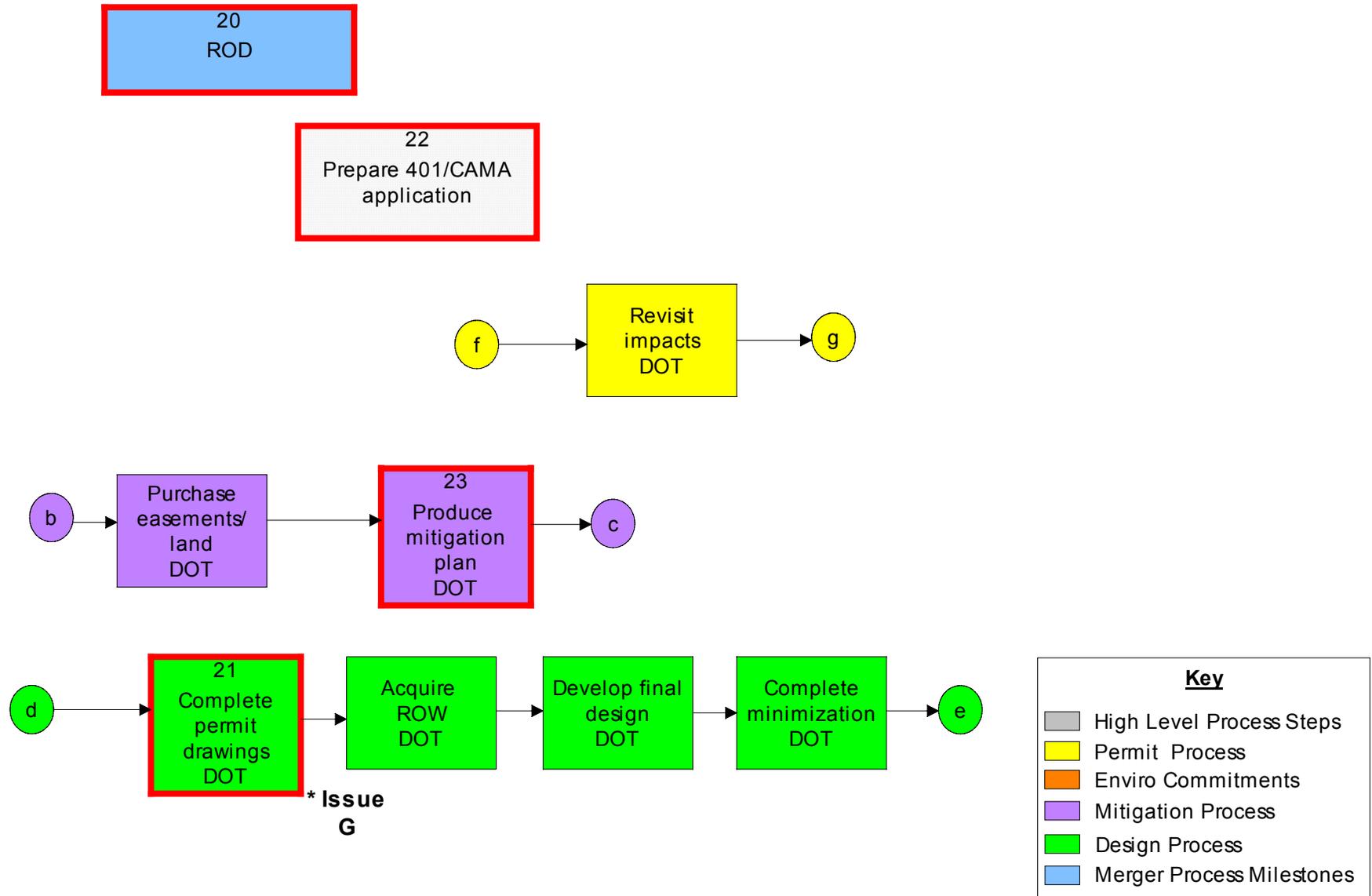
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Detailed Level As-Is Process Map

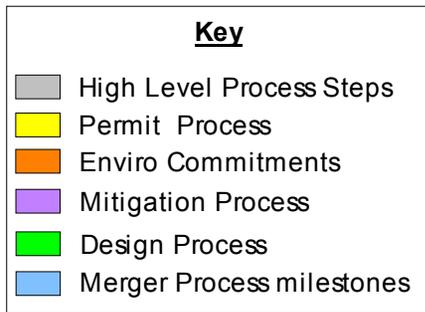
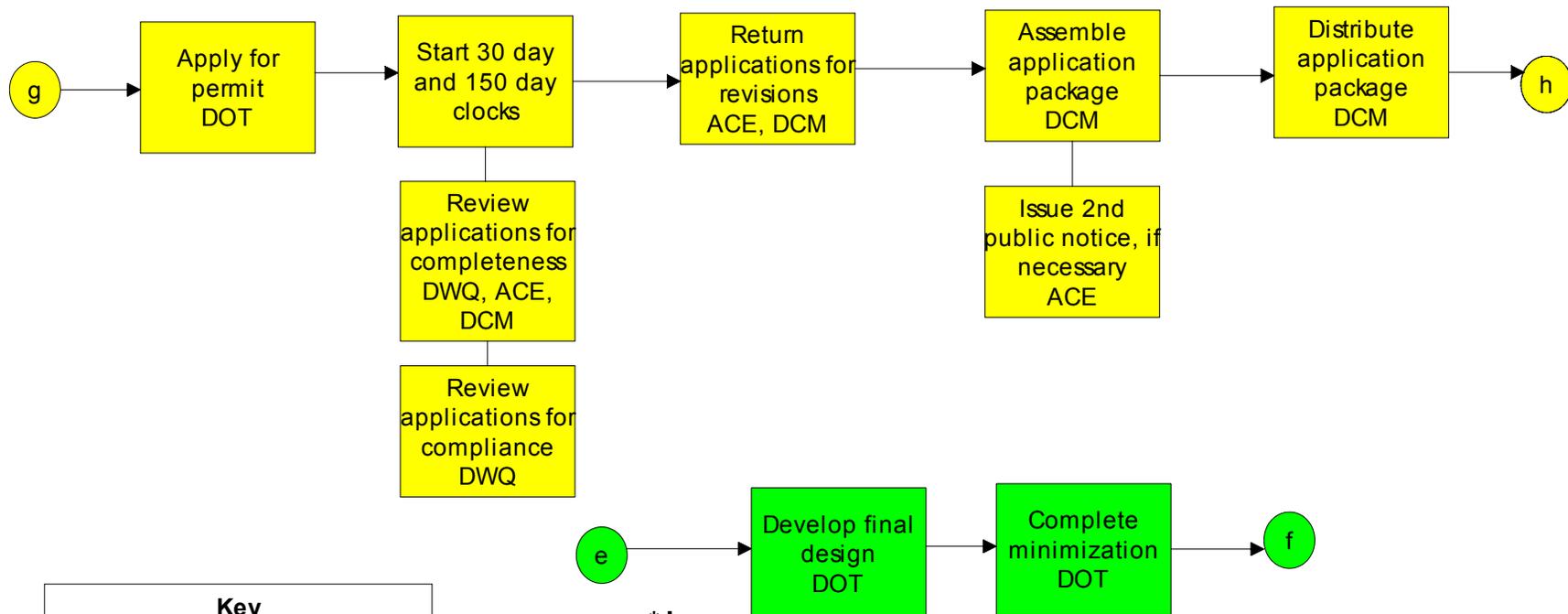


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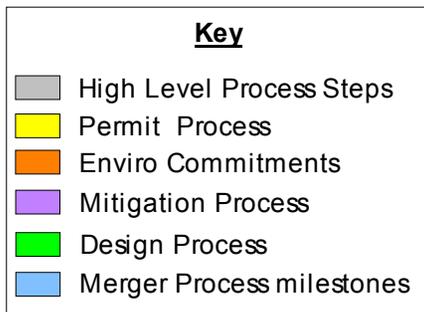
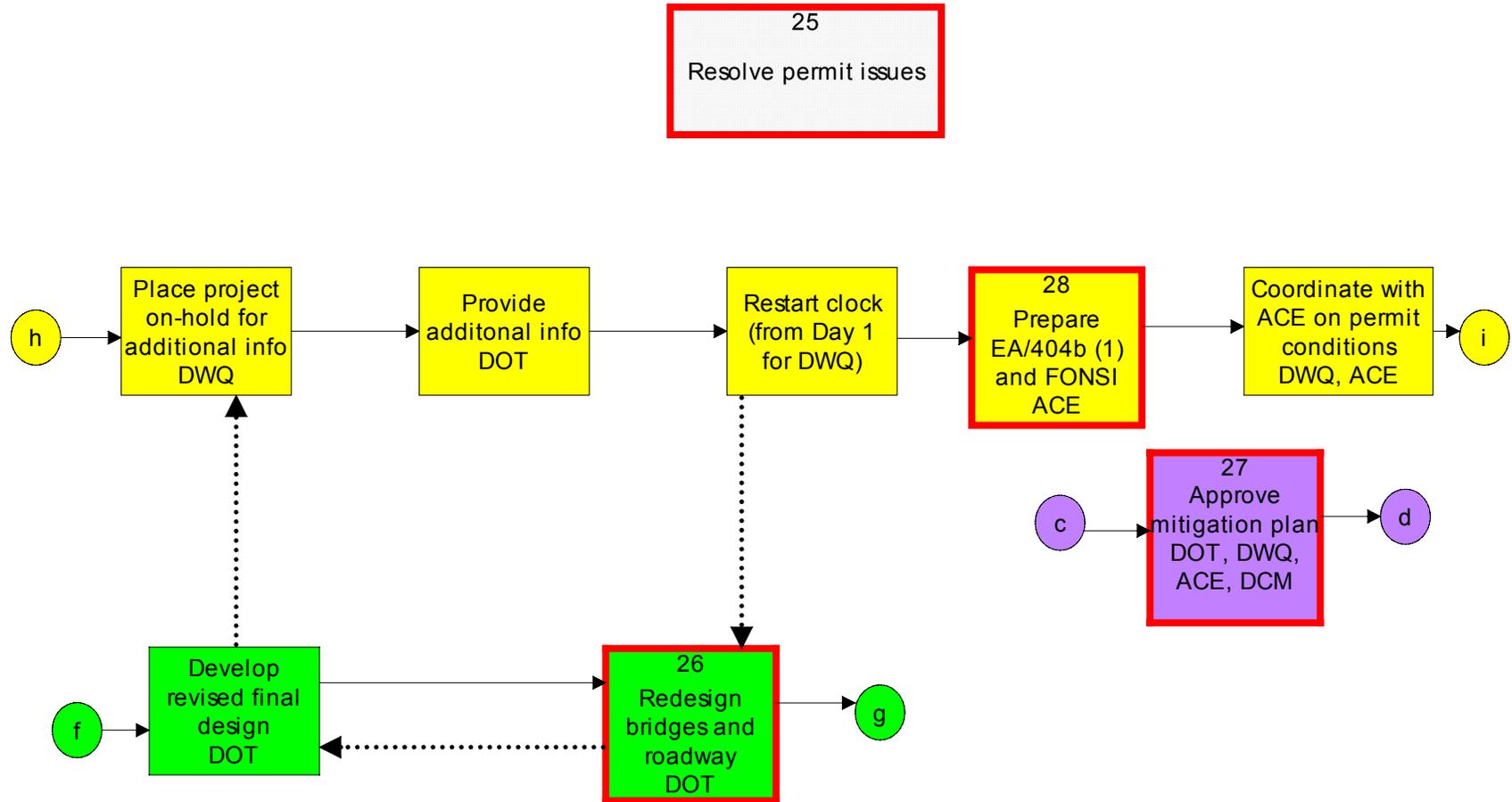
Detailed Level As-Is Process Map

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Submit 401 and 404
CAMA applications
DOT

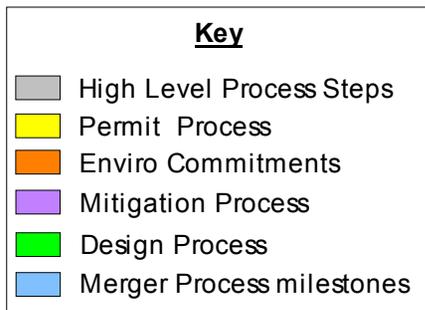
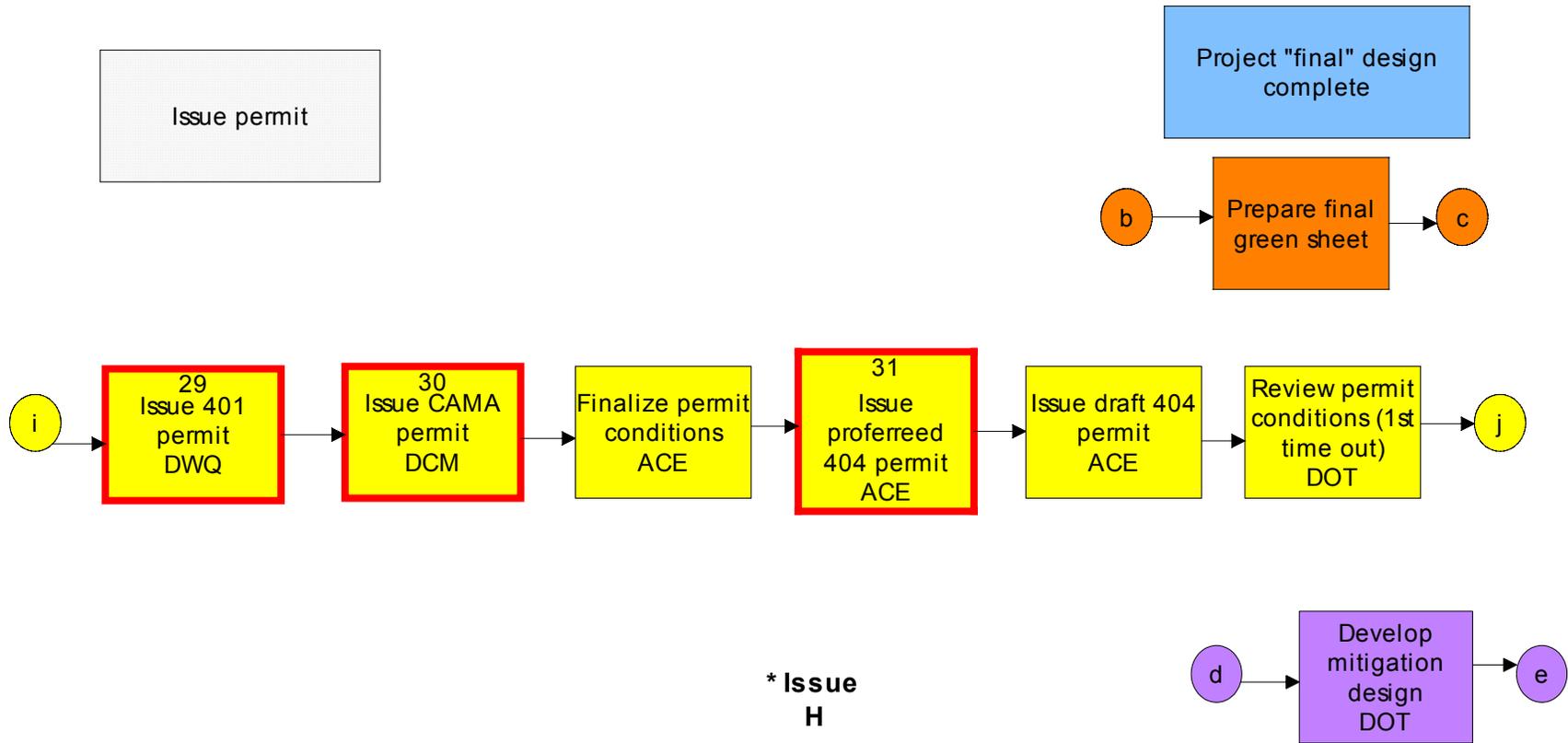


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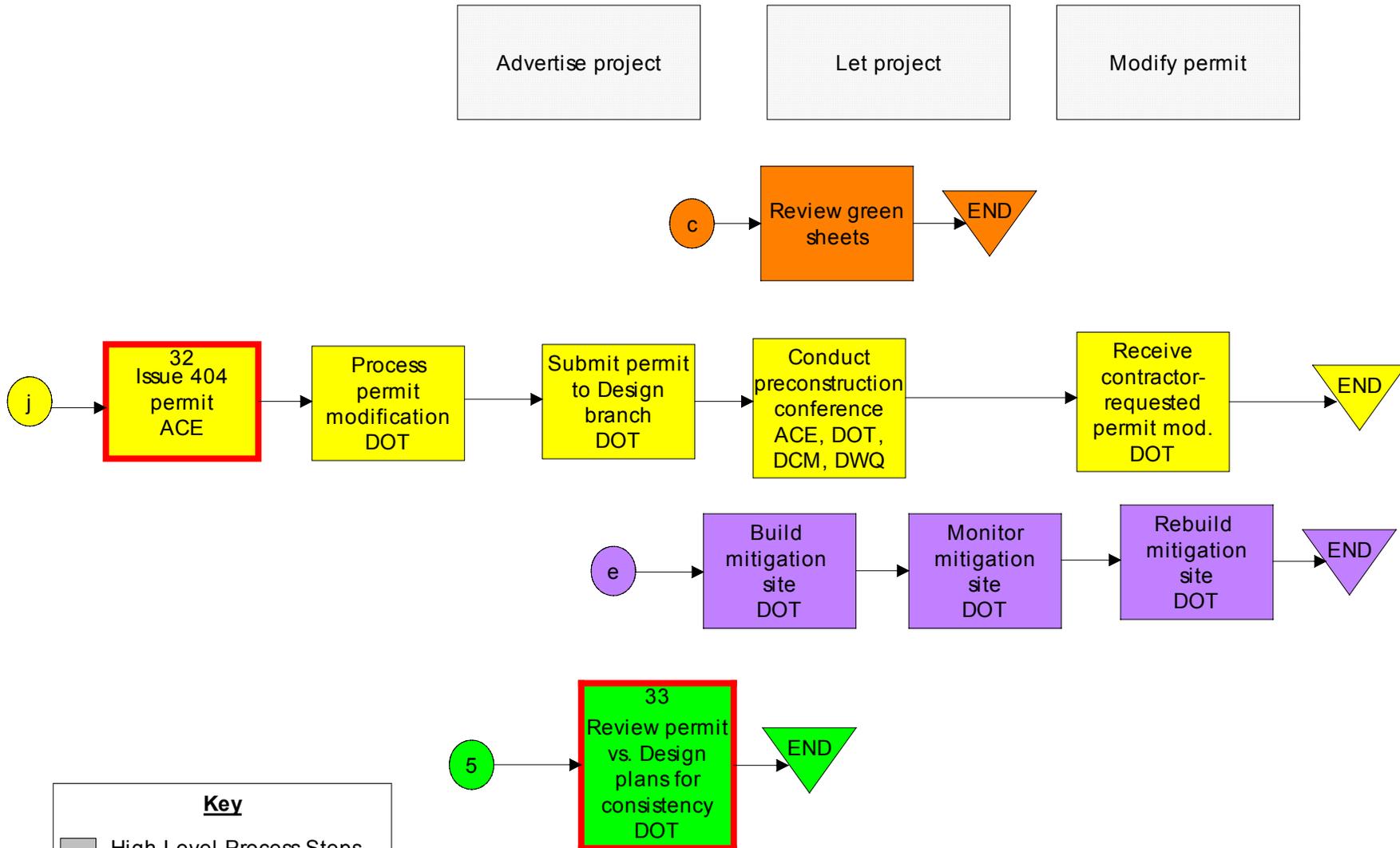
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Detailed Level As-Is Process Map



Detailed Level As-Is Process Map



Key

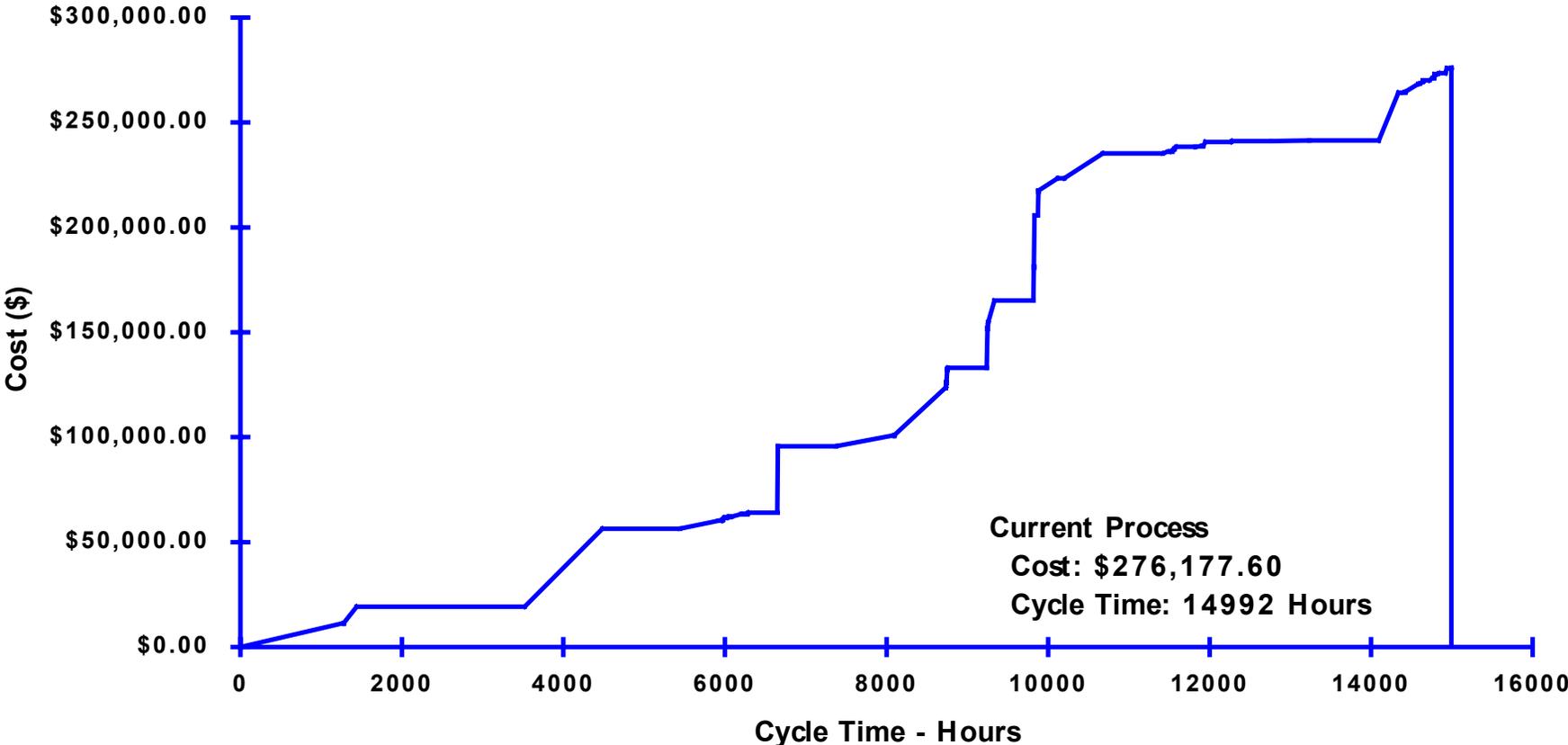
- High Level Process Steps
- Permit Process
- Enviro Commitments
- Mitigation Process
- Design Process
- Merger Process milestones

Flow Item

- Complex
- Potential for high adverse environmental impacts
- Gone through NEPA/404 merger process
- 404, 401 CAMA permits required for project
- Have completed Concurrence Points 1 and 2
- EA and/or Draft EIS completed
- Pre-let permit modification
- Permit put on hold for more information (DWQ)

Cost-Time Profile

Permit Process
Cost-Time Profile



Customer Value Structures

Customer: NC Division of Marine Fisheries

Customer Needs	Value %	Performance	Score	Gap
Fish stocks, habitats/water quality and fishermen are not negatively affected by given project.	20	.2	4	16
The net result of a project results in a net improvement of fisheries.	20	.1	2	18
Projects must incorporate environmental values from the beginning.	25	.2	5	20
Environmental agencies be involved with projects from initial concept.	20	.2	4	16
Mitigation should include correction of existing detrimental projects.	15	.1	1.5	13.5
Totals	100		16.5	83.5

Customer Value Structures

Customer: NC Department of Cultural Resources

Customer Needs	Value %	Performance	Score	Gap
The receipt of early, continuous and accurate information concerning the project and historical resources.	45	.7	31.5	13.5
The DOT, review agencies and public understand regulations regarding historic projects.	25	.3	7.5	17.5
Ability to expect and deal with political influences to ensure minimal impact of them on the relationships among the agencies.	15	.4	6	9
Minimum reviews and no duplication of projects.	10	.5	5	5
Totals	100		50	45

Customer Value Structures

Customer: NC Department of Transportation

Customer Needs	Value %	Performance	Score	Gap
Timely receipt of permit (per TIP).	35	.6	21	14
Flexibility to apply all options within regulatory guidelines.	15	.2	3	12
Consistent regulatory agency requirements and interpretation of regulatory requirements.	15	.2	3	12
Permit that allows “Let” on time and project completion on budget.	20	.5	10	10
Professionalism through mutual respect leading to resolution of issues.	15	.4	6	9
Totals	100		43	57

Customer Value Structures

Customer: NC Division of Water Quality

Customer Needs	Value %	Performance	Score	Gap
Complete comprehensive application with all requirements (especially mitigation plan).	30	.3	9	21
Objective, clear, legally defensible documented alternative analysis and mitigation details.	20	.3	6	14
Consistent expectations throughout regulated communities.	15	.4	6	9
Early coordination in planning and design process.	20	.3	6	14
Timely receipt of permit application.	15	.3	4.5	10.5
Totals	100		31.5	68.5

Customer Value Structures

Customer: US Army Corps of Engineers

Customer Needs	Value %	Performance	Score	Gap
Adequate and accurate information to make a permit decision.	25	.5	12.5	12.5
Timely information.	10	.4	4	6
Mutual earlier commitment to avoid and minimize.	25	.5	12.5	12.5
DOT project schedule needs to include the mitigation plan schedule.	20	.1	2	18
Adequate time for permit review and issuance.	20	.2	4	16
Totals	100		35	65

Customer Value Structures

Customer: NC Division of Coastal Management

Customer Needs	Value %	Performance	Score	Gap
Predictable and mutually understood process.	10	.2	2	8
Project workload generated by DOT considers staff workload of DOT and resource agencies.	10	.3	3	7
Prior coordination with other review agencies prior to issuing CAMA permit.	30	.4	12	18
Accurate and complete applications.	30	.2	6	24
Adequate time for permit review and issuance.	20	.3	6	14
Totals	100		29	71

Customer Value Structures

Customer: NC Wildlife Resources Commission

Customer Needs	Value %	Performance	Score	Gap
Enough information provided to allow a decision to be made on fish and wildlife.	25	.2	5	20
Impact of project on fish and wildlife is minimized.	20	.4	8	12
Mitigation provides functional replacing of habitats lost.	20	.1	2	18
Information recommendations are accepted and incorporated into project design.	20	.5	10	10
Adequate research is available on impact to fish and wildlife by construction techniques, design, and material used in a project.	15	.1	1.5	12.5
Totals	100		26.5	72.5

Paradigms

These paradigms are the result of a brainstorming session and reflect the individual personal perceptions about the process.

- Baseline planning beats everything else.
- Design doesn't need to request a schedule change because we won't get a permit anyway (Blame Game).
- We must work only within regulations.
- Can't change the laws.
- The world will end if the "Let" date isn't met.
- You will lose your job if the "Let" date isn't met.
- All projects are Governor's favorite project.
- You can fit a 10-year highway design project into a 7-year TIP schedule.
- Contractors can't be dictated to.
- DOT doesn't listen to Resource Agencies.
- Delays in permit process are because agencies won't cooperate.
- Mitigation is a necessary evil.
- On site, in kind mitigation is best for environment.
- NCDOT buys its permits.
- Environmental stewardship means doing what the regulators tell you to do.
- We love our jobs.
- Groups think their mission is most important.
- Biologist can't design projects.
- Highway projects create growth.
- We only need to design hydraulic opening to pass flood flows.

Paradigms

- Permitting process is a simple fix.
- Individuals can handle an infinite number of top priority projects.
- It's not possible to delete a project from the TIP.
- Next to safety, the environment is most important to DOT.
- You can't build interchanges less than a mile apart.
- Consultants do it better—and cheaper.
- Bridges cost too much.
- We need more roads.
- Highways can't work with the environment.
- Engineers can't safeguard the environment.
- Money will solve everything.
- Highway projects aren't compatible with environmental protection.
- Regulatory agencies want to stop projects.
- DOT personnel don't care about the environment.
- DOT has lots of money.
- Agencies don't care about human impacts on projects.
- Every project is a great idea.
- DOT thinks resource agencies only pick on them.
- Funds will be lost if project isn't "Let" this year.
- All problems can be solved by adding more staff.
- Highway design standards must always be followed.

Issues

Concurrence Points 1 and 2

- NC constitution provides for productive environment; therefore healthy environment is equal to transportation
- Agencies have different responsibilities
- Need to consider balance of all issues including wetlands, Section 4(f), Section 106, property impacts, environmental justice and cost.
- No clear definition for avoidance.

Prepare DEIS and 404 application

- Follow formal merger process or not—formal process not followed on all projects.
- Preliminary hydraulic design at DEIS stage—yes
- Documentation prior to all concurrence meetings is not received in advance of meetings.
- More design information is available for initial permit application than is being used (preliminary design)

Conduct Post Hearing Meetings

- Who should be invited to post hearing meeting?? (from agency and DOT)
- DOT biologists not included (routinely) in DOT post-corridor public hearing meeting
- Corps not consistent in attending DOT's post hearing meetings
- This process addresses a single project; we handle 300 active projects

Issues

Refine LEDPA (Least Environmentally Damaging Practicable Alternative) Impacts

- Implementation problems with stream mitigation after the permit is issued
- DOT proceeds with mitigation sites despite major concern
- DOT purchases mitigation sites in advance of approval by resource agencies
- Insufficient commitment to increased avoidance and minimization

FEIS/FONSI

- FEIS doesn't include hydraulic design impacts
- Must be addressed in COE's EA

Concurrence Point 4

- Minimization (for example, increased bridge length) after Concurrence Point 4
- Additional minimization--revised impact drawings
- Minimization has no end!

Prepare 401/CAMA Permits and 404 Modifications

- Roadway design and structure design are being done and redone: inefficient process
- Design changes occur right up to and after permits are issued
- Utility relocations are not included in permit drawings
- All design is not finalized
- Design changes occur after permit application
- Redesign is occurring throughout process

Issues

- Submit permit application
- Lack of understanding when DWQ clock starts
- Clock stop/start is different by agency

Resolve permit issues

- Insufficient coordination between review agencies
- Permit application loop
- Any slight change in impact requires a permit application revision
- Last minute buffer rule affects permit drawings
- Redo permit application

Let project

- Let lots of redesign late in process
- Issues related to utilities and access by developers
- Address 11-hour utility contractor modifications
- Contractor issues discovered late that result in post-Let permit revisions

Key Issues

(As relating to As-Is Process Map)

Issue A

- Tip schedules are set without regard to time requirements for planning, design, regulatory approvals and right-of-way acquisition which results in increased project cost, delayed projects, unrealistic expectations by stakeholders, and strained relationships between agencies. (29 votes)
 - ◆ Root cause: TIP process is 7 years and project development process takes more than 7 years.

Issue B

- Inadequate human resources to meet productivity expectations in both DOT and resource agencies. (25 votes)
 - ◆ Root cause: Lack of funding at adequate levels and increased public demand for environmental protection and transportation services.

Issue E

- Lack of clear, concise and consistent mitigation policy, as evidenced by net loss in environmental resources, leads to delays in permit. (25 votes)
 - ◆ Root cause: No agreement on how to compensate for permitted impacts.

Key Issues

(As relating to As-Is Process Map)

Issue D

- Development of mitigation plan is not done in time to satisfy TIP requirements. (25 votes)
 - ◆ Root cause: Adequate resources not assigned/available early enough in the process.

Issue C

- Bridging is not considered early enough in transportation planning process. (25 votes)
 - ◆ Root cause: Upper management concerned with fiscal constraints, productivity, delivery of TIP and meeting perceived public expectations.

Issue G

- Right-of-way acquisition begins too early in the overall process (i.e., not sequenced adequately with the sequential analysis of impacts). (18 votes)
 - ◆ Root cause: Let schedulers determine right-of-way acquisition; unrealistic contract letting schedules; programming assumes schedules can be met; federal-aid and equity requirements require schedules be met; and possible loss of funding.

Issue F

- Incomplete permit applications delay issuance. (19 votes)
 - ◆ Root cause: Agencies have not been given appropriate guidance.

Key Issues

(As relating to As-Is Process Map)

Issue I

- Inappropriate behavior and/or professional conduct in working relations (both during and outside meetings) and in the way individuals do their jobs in general. (14 votes)
 - ◆ Root cause: Regulatory culture dictates confrontation; agencies sometimes believe they can not get too friendly with permit applicants; lack of full disclosure on issues; and lack of appropriate guidance and model behavior/expectations by supervisors.

Issue J

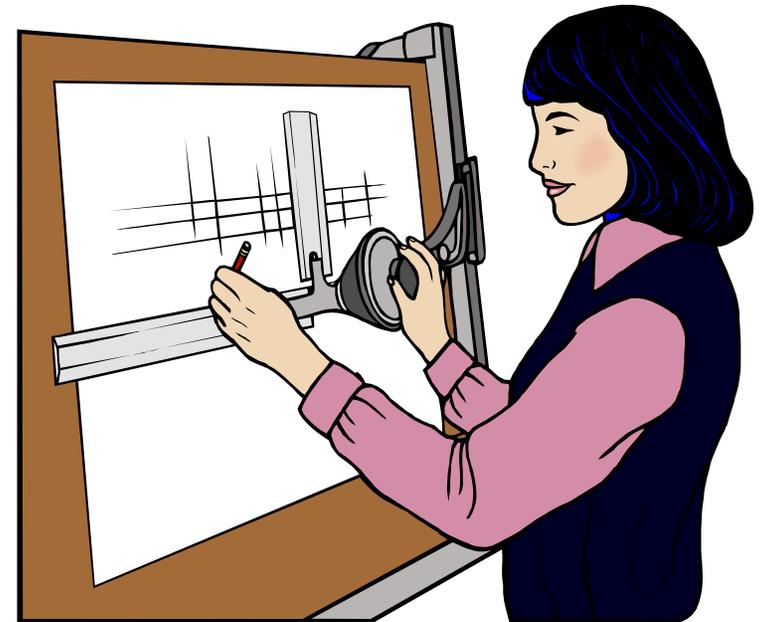
- Inadequate connectivity between multiple DOT planning, design, and operations functions. (10 votes)
 - ◆ Root cause: It's the way we have always done it; resistance to change; resources drive it (lack of staff); tasks are specialized because of complexity of issues; and project "hand-off" without continuity.

Issue H

- The different interpretation of existing regulations, laws and policies by individual reviewers can lead to delays and increased costs when applied to projects. (10 votes)
 - ◆ Root cause: Lack of effective communication.

Design New Process

- Redesign Ideas
- High Level To-Be Map
- Detailed Level To-Be Map
- Revised Cost-Time Profile
- Revised Customer Value Structures
- Assumptions
- Measures



Redesign Ideas

Mitigation

- New manpower in DOT earmarked for specific products (i.e., mitigation planning personnel work on mitigation planning)
- Additional staff to focus on future mitigation needs (special group)
- Address mitigation in DEIS or EA
- Up front mitigation
- Standards for what is a final mitigation plan
- Common thread for all agencies' individual needs
- Mitigation decisions should follow some type of concurrence process similar to the Merger Process
- Determine if EPA guidelines for mitigation ratios should be used
- WRP should expand its catalog unit list to statewide
- Flexible mitigation to correct water problems quickly
- Compensatory mitigation requirements should be based on the needs of the watershed, not individual projects
- Final mitigation plan provided with permit application
- Natural resource agencies should assist with identification of mitigation requirements
- Develop mitigation "sponsors" for DOT mitigation sites to follow best construction practices and monitoring

Redesign Ideas

Application

- Provide half-size construction drawings
- Establish standard pre-application process
- Submit permit application at time of right of way plans go out
- Develop user-friendly written guidance to explain regulatory requirements
- Standard checklist for applications for all agency requirements
- DOT should mandate on-site pre-application meetings for all projects
- Develop one DOT-specific permit application form accepted by all agencies
- Agencies develop permit application checklist
- Identification of all permit requirements and applicable regulations prior to submitting permit application

Training

- Hire, train and keep more people
- Training for DOT and agencies for complete permit applications
- Training regarding the re-designed process should be done for design, planning, and agency employees so there is a clear understanding
- Train all agencies on access to GIS and its capabilities

Redesign Ideas

Technology

- Access to DOT's server by resource agencies
- Put permit applications on DOT website
- Develop GIS and fully utilize layers for entire state
- Electronic transmittal or accessibility to permit drawings
- Expand electronic transmittals through permit process

Avoidance and Minimization

- Needs agency review on-site about 2 months after hydraulic design begins to reduce changes in the right-of-way stage
- We need to have minimization completed shortly after LEDPA based on preliminary design
- Develop design criteria and avoidance/minimization criteria that will guarantee permit issuance if followed
- Bridging decisions considered and completed at Concurrence Point 3
- Satisfy minimization requirements prior to ROW acquisition – Concurrence Point
- Develop an approved high quality wetland bridging policy
- Identify high quality resources that require avoidance
- Identify high quality resources pre-TIP

Redesign Ideas

Agency Changes

- Regulatory agencies should attend public hearings and post hearing meetings
- Consolidate DENR programs into one contact
- Punctual to meetings

Permitting

- Permit projects based on a tolerance of impacts
- Enter permits review with an open mind

Management

- Play well with others
- Adequate guidance on professional conduct
- Reschedule TIP to allow for this group's recommendations
- Insert pipeline projects into merger process or determine a way to relieve "pain" on these projects
- Biology and permit functions need to be within a single team at DOT
- More quality control within DOT
- Restructure DOT by agency geographic area
- Improve efficiencies to optimize staff
- Develop measures of success for environmental protection
- Single project manager for each project from cradle to grave
- Adequate notification of changes to regulations

Redesign Ideas

- Agencies provide threshold to apply new regulations to existing projects
- Consider program delegations under specific rules and conditions and quality control
- Reduce number of projects in TIP
- Don't allow AGC to drive TIP
- Be prepared for meetings
- More formalized communication

Scheduling

- Two-tiered scheduling process is needed for TIP (1st schedule - in-house - DOT; 2nd schedule – public –DOT)
- Board's role should be reduced in establishing TIP schedules
- Don't put projects in the TIP until the LEDPA is selected
- Agencies should approve thoroughfare plans prior to roads being added to TIP
- Tie concurrence points to design process at appropriate time
- DOT incorporate a point in the design process to review project for any new environmental regulations
- More realistic preliminary cost estimates and schedules from Program and Policy
- Reschedule TIP projects as necessary to incorporate new flow re-design

Redesign Ideas

- Projects should not be added to 12-month let list until mitigation is approved
- No let schedule before LEDPA
- Develop 10-year TIP
- Need internal DOT checks or schedule milestone checks on EIS development to ensure project stays on schedule in the planning stage
- Floating let date schedule (room for change)
- Agencies review hydraulic design upon completion (don't wait for permit application)
- Additional concurrence point for hydraulic design

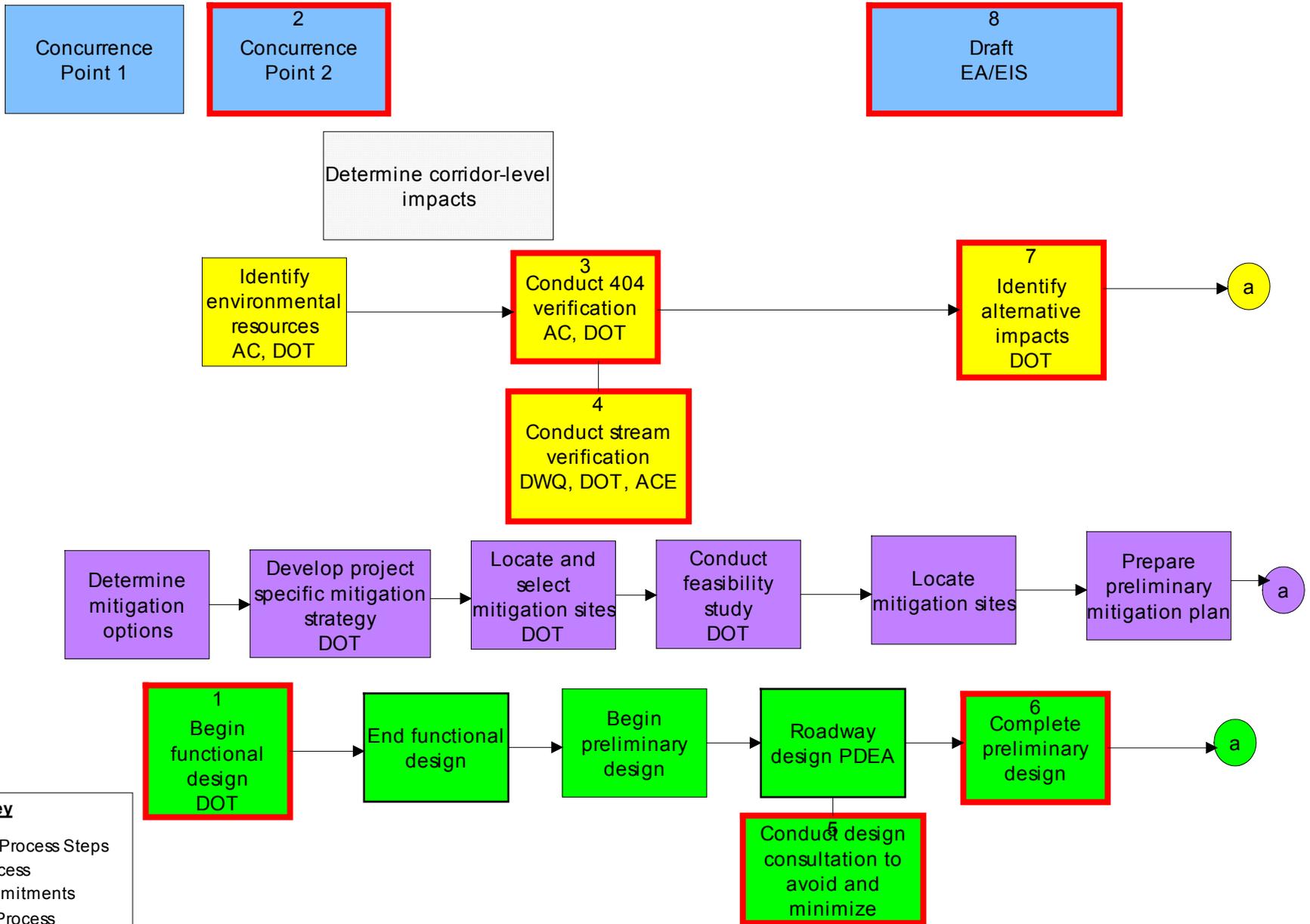
Planning

- Put pipeline projects into the merger process
- Don't advance design ahead of milestone concurrence points or ahead of planning
- Statewide planning (Pre-TIP) should perform work through Concurrence Point 3
- Involve agencies at the statewide planning level
- Agencies will accept purpose and need for replacement projects
- Environmental documentation for transportation projects should be developed by natural resource agencies
- Address construction methodology in Draft EIS
- Require MPO's to address secondary and cumulative impacts
- Proceed with the proposed Pre-TIP process
- Shelf life of environmental documents

Critical Path To-Be Process Map

See page 9. Critical Path To-Be Process Map is included with Critical Path As-Is Process Map.

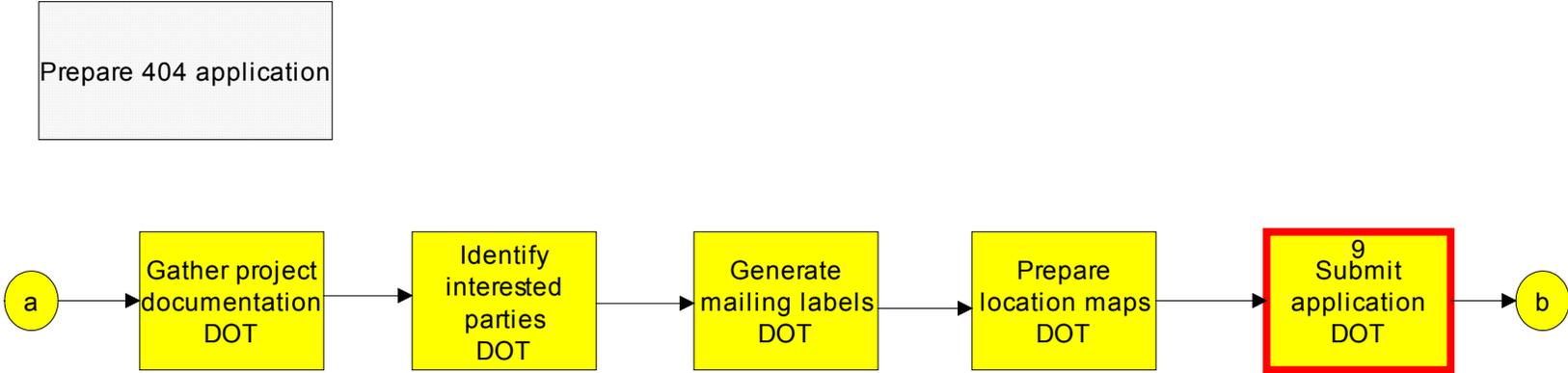
Detailed Level To-Be Process Map



Key

- High Level Process Steps
- Permit Process
- Enviro Commitments
- Mitigation Process
- Design Process
- Merger Process Milestones

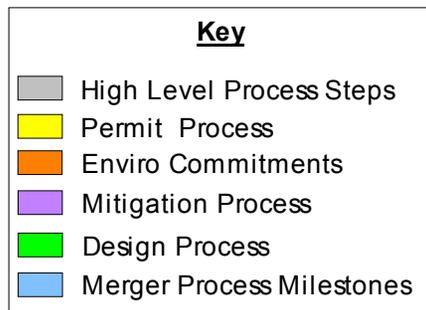
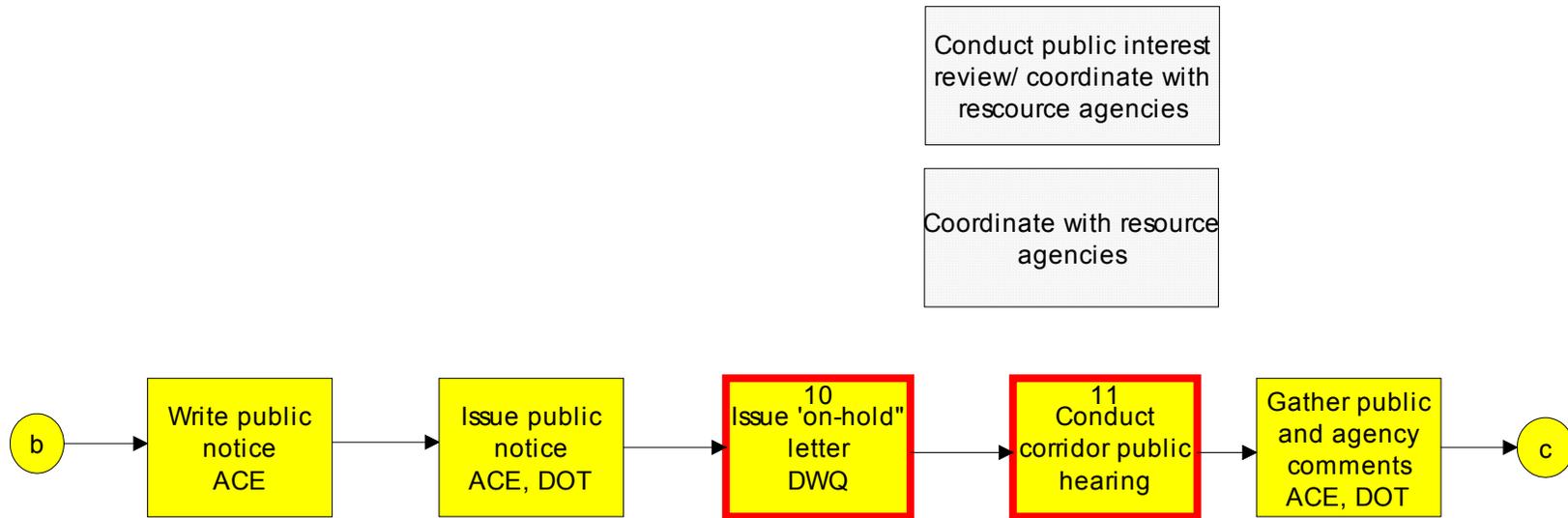
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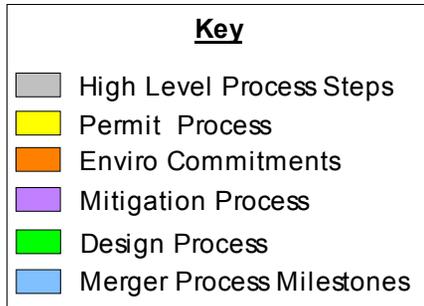
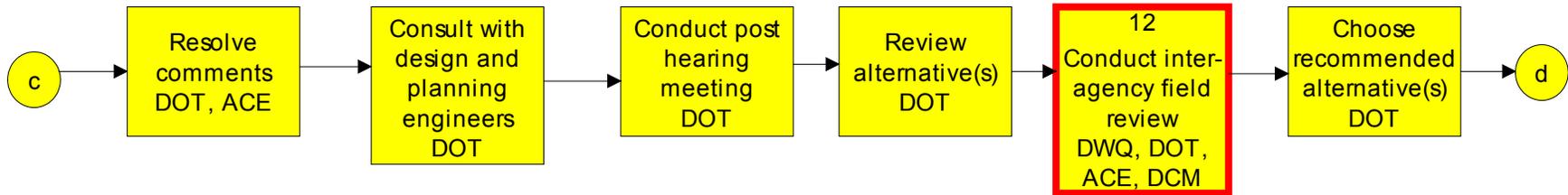
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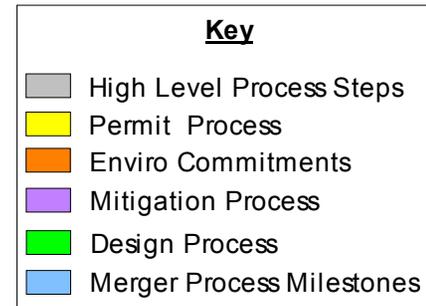
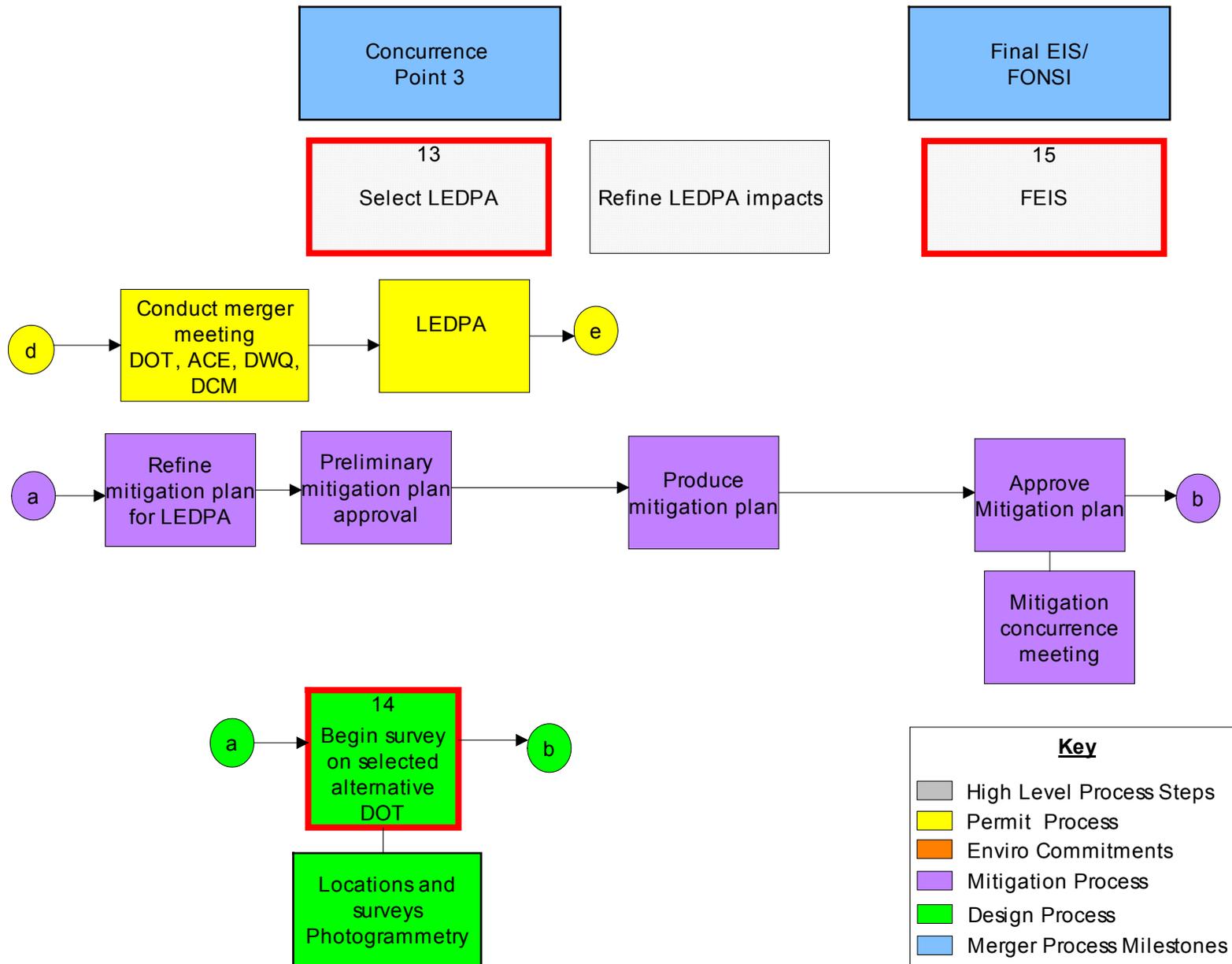
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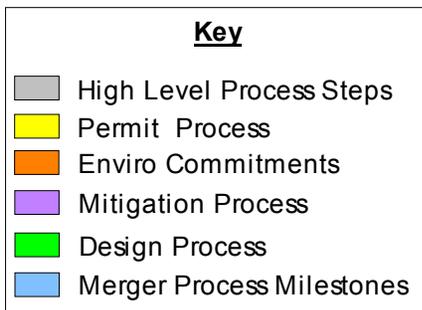
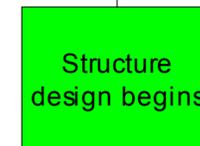
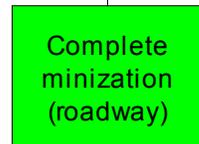
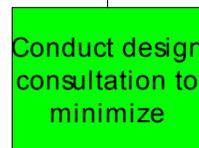
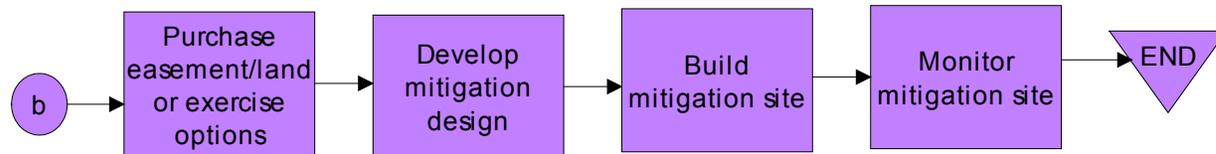
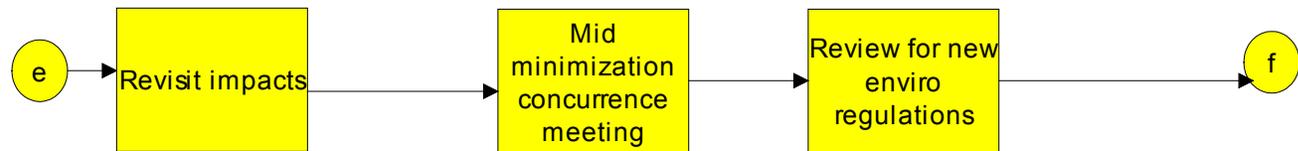
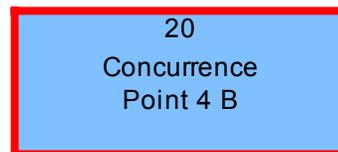
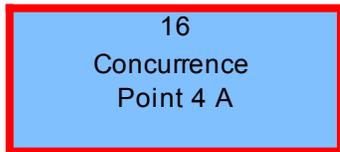
Detailed Level To-Be Process Map



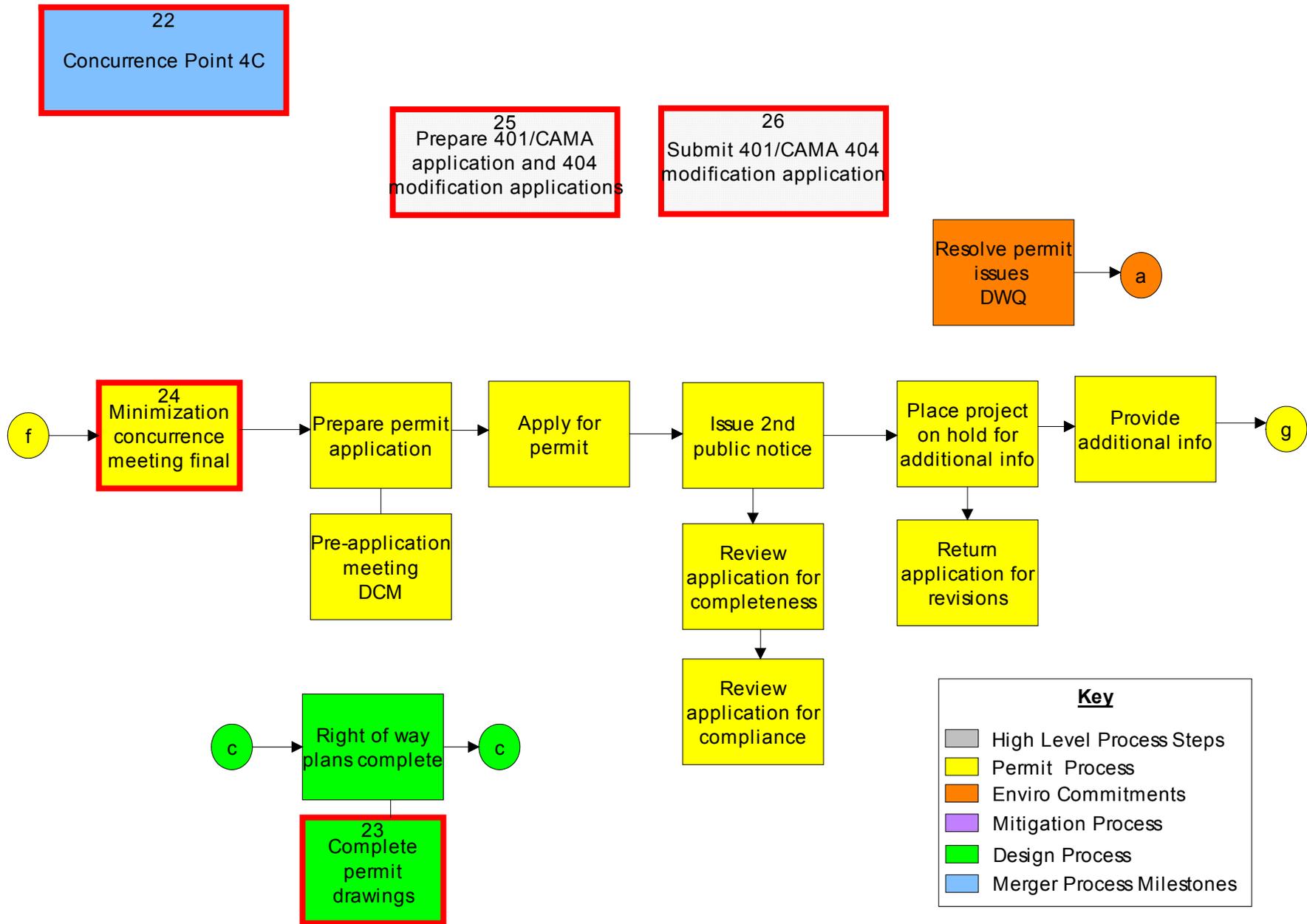
Detailed Level To-Be Process Map



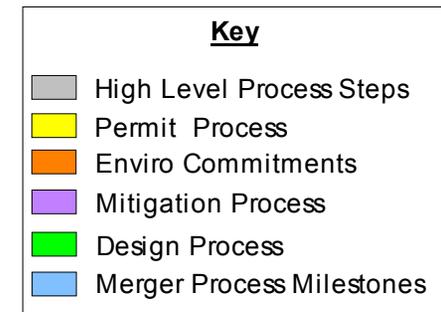
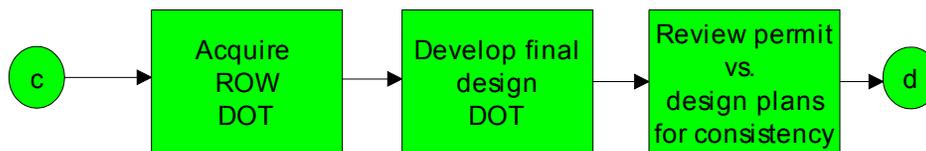
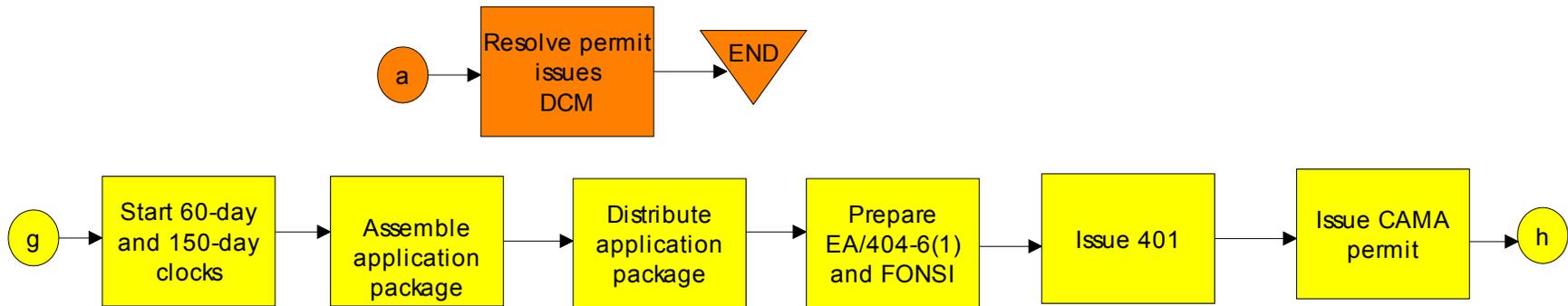
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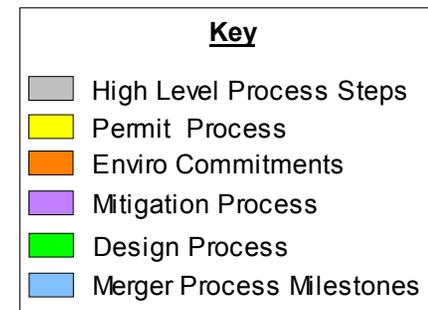
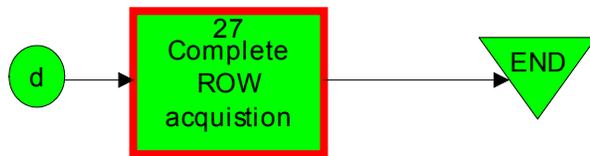
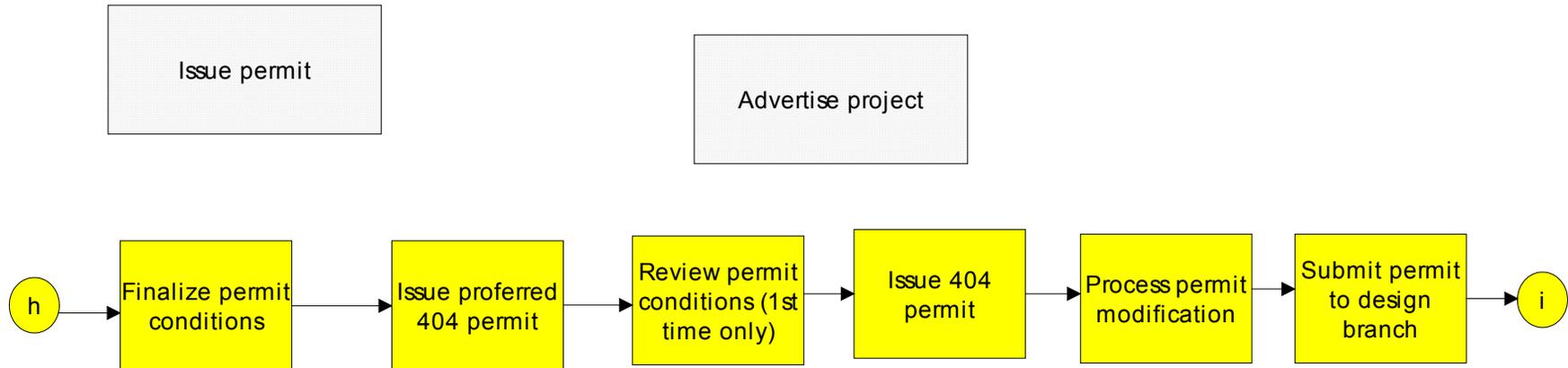
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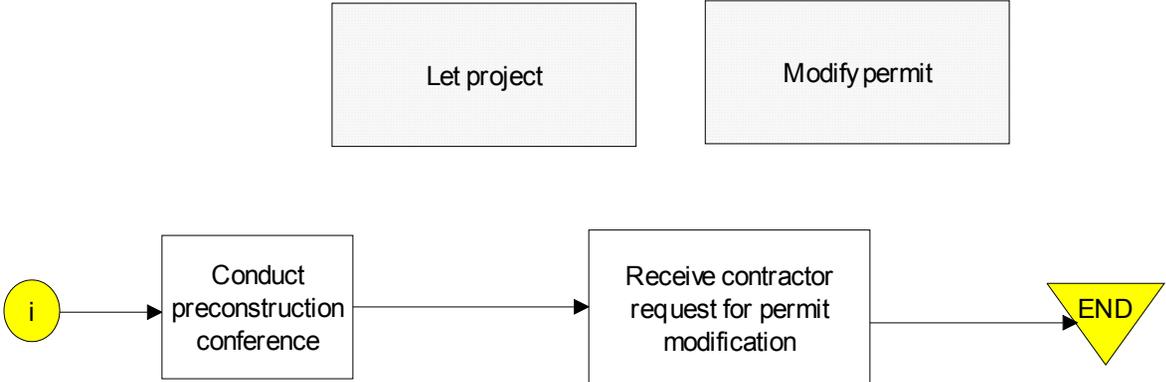
Detailed Level To-Be Process Map



Detailed Level To-Be Process Map



Detailed Level To-Be Process Map

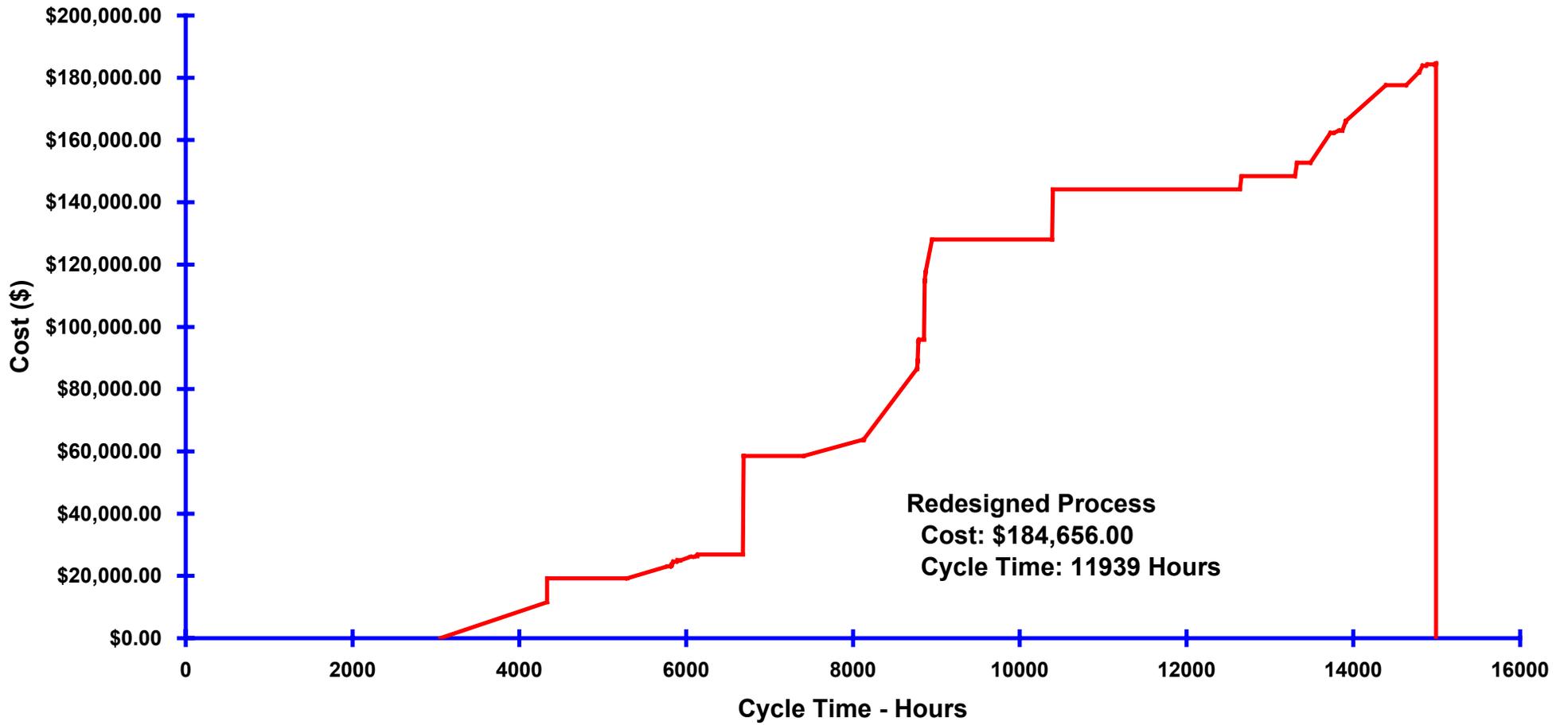


Key

- High Level Process Steps
- Permit Process
- Enviro Commitments
- Mitigation Process
- Design Process
- Merger Process Milestones

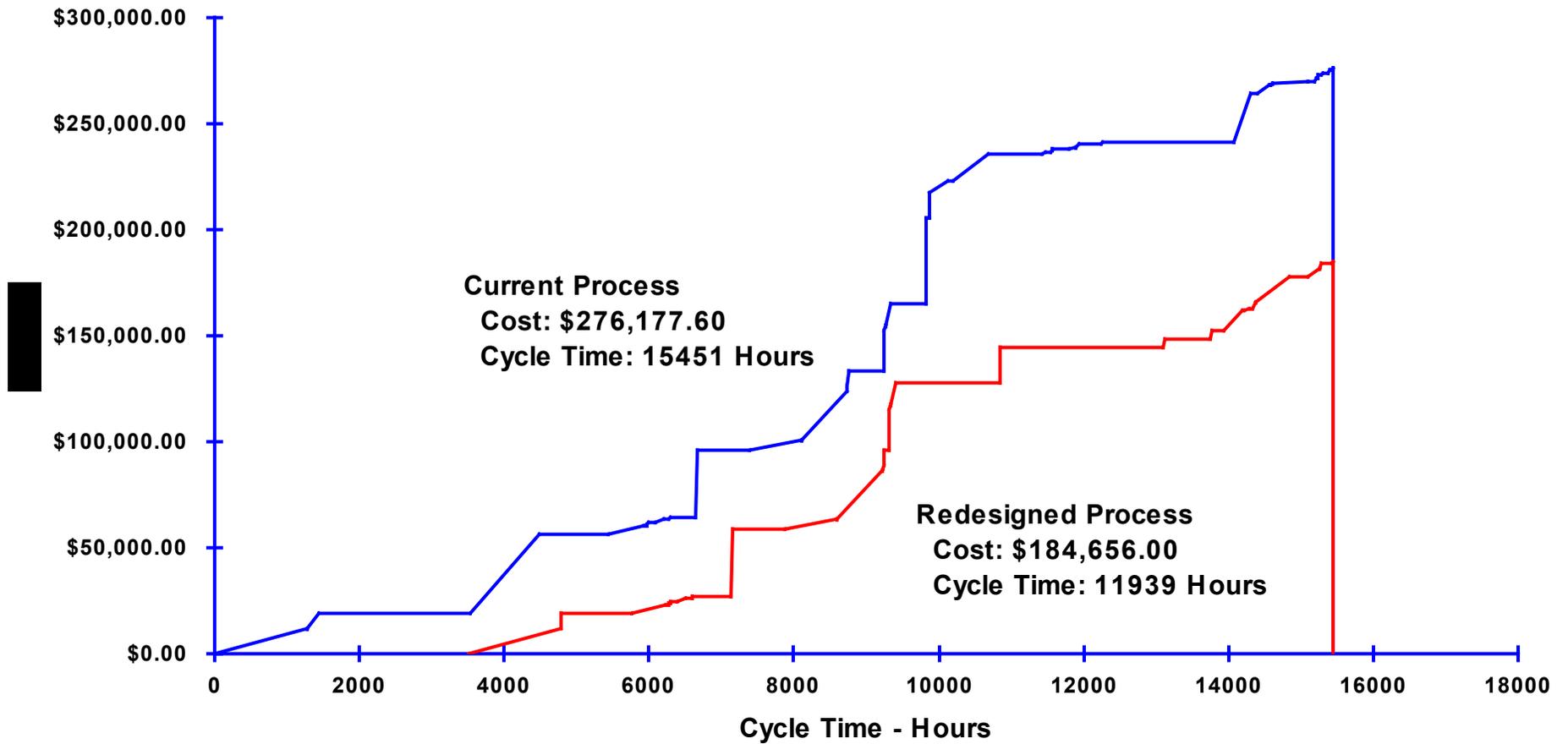
Revised Cost-Time Profile

Permit Process To-Be
Cost-Time Profile



Revised Cost-Time Profile

Permit Process Cost-Time Profile



Revised Customer Value Structures

Customer: NC Division of Marine Fisheries

Customer Needs	Value %	Performance	Score	Gap
Fish stocks, habitats/water quality and fishermen are not negatively affected by given project.	20	0.3	6	14
The net result of a project results in a net improvement of fisheries.	20	0.3	6	14
Projects must incorporate environmental values from the beginning.	25	0.4	10	15
Environmental agencies be involved with projects from initial concept.	20	0.4	10	10
Mitigation should include correction of existing detrimental projects.	15	0.2	3	12
Totals	100		35	65

Revised Customer Value Structures

Customer: NC Department of Cultural Resources

Customer Needs	Value %	Performance	Score	Gap
The receipt of early, continuous and accurate information concerning the project and historical resources.	45	0.9	40.5	4.5
The DOT, review agencies and public understand regulations regarding historic projects.	25	0.5	12.5	12.5
Ability to expect and deal with political influence to ensure minimal impact of them on the relationships among the agencies.	15	0.7	10.5	4.5
Minimum reviews and no duplication of projects.	10	0.8	8	2
Totals	100		71.5	28.5

Revised Customer Value Structures

Customer: NC Department of Transportation

Customer Needs	Value %	Performance	Score	Gap
Timely receipt of permit (per TIP).	35	0.8	28	7
Flexibility to apply all options within regulatory guidelines.	15	0.4	6	9
Consistent interpretation of regulatory requirements regulatory agency requirements.	15	0.3	4.5	11.5
Permit that allows “Let” on time and project completion on budget.	20	0.7	14	6
Professionalism through mutual respect leading to resolution of issues.	15	0.4	6	9
Totals	100		57.5	42.5

Revised Customer Value Structures

Customer: NC Division of Water Quality

Customer Needs	Value %	Performance	Score	Gap
Complete comprehensive application with all requirements (especially mitigation plan).	30	.8	24	6
Objective, clear, legally defensible documented alternative analysis and mitigation details.	20	.7	14	6
Consistent expectations throughout regulated communities.	15	.8	12	3
Early coordination in planning and design process.	20	.9	18	2
Timely receipt of permit application.	15	.9	13.5	1.5
Totals	100		81.5	18.5

Revised Customer Value Structures

Customer: US Army Corps of Engineers

Customer Needs	Value %	Performance	Score	Gap
Adequate and accurate information to make a permit decision.	25	.7	17.5	7.5
Timely information.	10	.6	6	4
Mutual earlier commitment to avoid and minimize.	25	.5	12.5	12.5
DOT project schedule needs to include the mitigation plan schedule.	20	.5	10	10
Adequate time for permit review and issuance.	20	.5	10	10
Totals	100		56	44

Revised Customer Value Structures

Customer: NC Division of Coastal Management

Customer Needs	Value %	Performance	Score	Gap
Predictable and mutually understood process.	10	.8	8	2
Project workload generated by DOT considers staff workload of DOT and resource agencies.	10	.5	5	5
Prior coordination with other review agencies prior to issuing CAMA permit.	30	.8	24	6
Accurate and complete applications.	30	.9	27	3
Adequate time for permit review and issuance.	20	.9	18	2
Totals	100		82	18

Revised Customer Value Structures

Customer: NC Wildlife Resources Commission

Customer Needs	Value %	Performance	Score	Gap
Enough information provided to allow a decision to be made on fish and wildlife.	25	0.4	10	15
Impact of project on fish and wildlife is minimized.	20	0.4	8	12
Mitigation provides functional replacing of habitats lost.	20	0.1	2	18
Information recommendations are accepted and incorporated into project design.	20	0.7	14	6
Adequate research is available on impact to fish and wildlife by construction techniques, design, and material used in a project.	15	0.1	1.5	12.5
Totals	100		35.5	64.5

Assumptions

- Adequate resources available (staff)!
- New process won't show full benefits for 4-year
- Mitigation process will be improved next
- Implementation planning will include transition plan
- Identification of high quality resources is completed



Measures

- Timely submission of information by DOT (30 votes)
- Number of permit modifications (9 votes)
- Percent of impact reduced between DEIS and application (5 votes)
- Percent of permit applications submitted with final approved mitigation plan (11 votes)
- Percent of applications placed on hold (13 votes)
- Percent of successful mitigation sites (8 votes)
- Average time before letting permits received (12 votes)
- Average cycle time from permit application to formal approval (45 votes)
- Percent of projects with permit delivered on schedule (34 votes)
- Number of projects delayed due to reasons other than permits
- Roadway footage where existing causeways are removed from ... (measure of avoidance/protection) (9 votes)

Key Measures

- Average cycle time from permit application to formal approval (M1)
- Percent of projects with permit delivered on schedule (M2)
- Timely submission of information by DOT (M3)
- Percent of applications placed on hold (M4)
- Average time before letting permits received (M5)
- Percent of permit applications submitted with final approved mitigation plan (M6)
- Number of permit modifications (M7)

New Process Implementation

- **Benefits**
- **Recommendations**
- **Next Steps**



Benefits

- Shorter process
- Potential cost savings (\$)
- Predictability improved
- Closer coordination—cooperation
- Better projects with better environmental protection
- Increase in customer satisfaction, as evidenced by Revised Customer Value Structures (gaps closed by 50% or more)
 - Timely receipt of permits by NCDOT
 - Complete, comprehensive applications with all requirements (especially mitigation plans)
 - Objective, clear, legally defensible documented alternative analysis and mitigation details
 - Consistent expectations throughout regulated communities
 - Early coordination in planning and design process
 - Timely receipt of permit applications
 - Predictable and mutually understood process
 - Prior coordination with other review agencies prior to issuing CAMA permit
 - Accurate and complete applications
 - Adequate time for permit review and issuance
 - Receipt of early, continuous and accurate information concerning the project and historical resources
 - Ability to expect and deal with political influence to ensure minimal impact of them on the relationships among the agencies
 - Minimum reviews with respect to historic resources and no duplication of efforts

Recommendations

Legislature

- Require Metropolitan Planning Organizations to address secondary and cumulative impacts of transportation projects
- Change “mix” to reduce the number of high impact projects in the TIP

Programming

- Don't schedule projects in TIP until LEDPA is selected
- Accelerate the proposed Pre-TIP process
- Develop a 10-year TIP
- Involve agencies at the statewide planning level
- Move all projects through the merger process with the exception of mutually agreed upon deviations (i.e., projects processed as categorical exclusions, bridges, etc.)

Mitigation

- Sponsor Workshop II – mitigation process improvement
- Sponsor pan-agency mitigation policy – state and federal
- Provide flexible mitigation to correct water quality problems quickly
- Authorize compensatory mitigation requirements on the needs of the watershed, not individual project impacts
- Support common thread to mitigation for all agencies' individual needs

Recommendations

Resource Commitment

- Provide additional staff to focus on future mitigation needs
- Provide adequate personnel resources needed
- Hire, train, and keep more people
- Provide training opportunities for design, planning and resource agency employees on new process to assure clear understanding

Mitigation

- Develop mitigation “sponsors” for DOT mitigation sites to follow best construction practices and monitoring
- Provide upfront mitigation

Permit Application

- Develop one DOT-specific permit application form acceptable by all agencies
- Identify all permit requirements and applicable regulations prior to submitting permit application by increased coordination
- Establish standard pre-application process
- Develop standard checklist for applications for all agency requirements
- Develop DCM pre-application process
- Identify high quality resources at pre-TIP stage of development

Recommendations

Training

- Train all agencies on access to GIS and it's capabilities

Guidance

- Develop design criteria and avoidance/minimization criteria that will guarantee permit issuance if followed
- Provide adequate guidance on professional conduct
- Agencies provide thresholds to apply new regulations to existing projects

Recommendations

(Items That Have Been Addressed in the Process Redesign)

Scheduling

- Incorporated additional concurrence point for hydraulic design
- Agencies will review hydraulic design upon completion (don't wait for permit application)
- Tied concurrence points to design process at appropriate time

Planning

- Will not advance design ahead of milestone concurrence points ahead of planning

Application

- DOT will mandate on-site pre-application meetings for all projects
- Submit permit application at time right of way plans are prepared

Avoidance and Minimization

- Agencies will review hydraulic design on-site at the right-of-way stage of development
- Complete minimization shortly after LEDPA based on preliminary design
- Bridging issues will be decided at Concurrence Point 2
- Satisfy minimization requirements prior to ROW acquisition – Concurrence Point 4

Recommendations

(Items That Have Been Addressed in the Process Redesign)

Mitigation

- Address mitigation at DEIS or EA stage of documentation
- Provide final mitigation plan with permit application

Items the Team Will Implement Now

- Agencies will develop a permit application checklist
- Natural resource agencies will assist with identification of mitigation projects
- Planning engineers address construction methodology in Draft EIS
- Agencies will provide adequate notification of changes to the regulations
- Agencies will accept purpose and need for bridge replacement projects
- DOT will check on schedule milestones to ensure project stays on schedule in the planning stage
- Agencies will determine if EPA guidelines should be used for mitigation
- DOT will provide 1/2 size construction drawings
- Agencies will develop standards defining “final” mitigation plan
- Agencies will develop an approved high quality wetland bridging policy
- All agencies will implement training for DOT and agencies for complete permit applications
- Agencies will strive to develop more effective communication (develop and implement communication plan)

Recommendations

(Items That Have Been Addressed in the Process Redesign)

Will Be Studied and Recommendations Developed Within 6 Months

Scheduling

- Cluster multiple similar projects to combine same concurrence meetings (i.e., bridge replacement projects)
- Develop screening criteria for Merger projects
- Reschedule TIP projects as necessary to incorporate flow redesign
- Provide utility design earlier in the process
- Develop BMPs to avoid permit modifications (start at LEDPA)
- Consider program delegations under specific rules, conditions, and quality control for self-certification

Technology

- Study electronic transmittal or accessibility to permit drawings
- Confirm existing GIS data layers, develop new layers (as appropriate), and utilize layers for entire state
- Expand electronic transmittals through permit process
- Provide agency access by resource agencies to DOT's server
- Put permit applications on DOT website

Recommendations

(Items That Have Been Addressed in the Process Redesign)

Management

- Biology and permit functions need to be within single team at DOT
- Restructure DOT by agency and geographic area
- Natural resources documentation for transportation projects should be developed by natural resource agencies
- Investigate DOT project manager concept, especially for complex projects
- Expand WRP coverage for catalog units to statewide
- Permit projects based on a tolerance of impacts
- Project should not be added to 12-month let list until mitigation is approved

Next Steps

- Schedule Implementation Workshop (Julie Hunkins)
- Distribute copies of workshop documentation to Team and Sponsors (Julie Hunkins)
- Complete and submit workshop evaluations to facilitators (all Team Members and Sponsors)
- Follow-up meeting with Sponsors regarding Team workshop recommendations (Julie Hunkins/Chris Russo)

Recognition

The NCDOT, DENR and the COE would like to thank all workshop participants for their hard work, leadership and the sincere commitment put forth during the Permit Process Improvement Workshop:



- Authorizing Sponsors:** Dempsey Benton, Roger Sheats, Colonel James DeLony, and Len Sanderson
- Reinforcing Sponsors:** Sherri Evans-Stanton, Janet D'Ignazio, Wayne Wright, Tommy Stevens, Donna Moffitt, Len Hill and Don Goins
- Expert Participants:** David Cox, Marella Buncick, John Dorney, Mike Street, Ron Sechler, Ted Bisterfeld, Linda Pearsall, Renee Gledhill-Earley, Dave Schiller, Mike Wood and Beth Harmon
- Team Leaders:** Scott McLendon, Greg Thorpe and Bill Gilmore
- Team Members:** David Franklin, Eric Alsmeyer, Charles Jones, Doug Huggett, Cathy Brittingham, Cyndi Karoly, John Henessey, Ron Ferrell, Charles Bruton, Alice Gordon, Randy Turner, Eric Midkiff, Debbie Barbour, Dave Henderson and Don Lee
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