



BEST PRACTICES IN PERMITTING

Good For The Economy, Good For The Environment

INTRODUCTION

In 2018, EPA established a goal that by September 30, 2022, all EPA permitting decisions would be made within six months. EPA's Smart Sectors Program set about looking for examples of when the permitting process has been efficient, so that the Agency could learn from such examples. This profile and accompanying video showcase a successful permitting process in an effort to help EPA, along with companies, states, and other regional/federal agencies, learn from this example.

THE CHALLENGE

When The Boeing Company decided to secure additional land for future growth in Charleston, SC, the company identified 468 adjacent acres that met its needs. Because about 150 of those acres were wetlands, Boeing worked with the U.S. Army Corps of Engineers, the South Carolina Department of Health and Environmental Control, and EPA Region 4 to secure air, wetlands, and other permits for development. Leadership at Boeing understood that this complex permitting could take years, but they hoped to attain the permits faster to allow for immediate expansion needs.

THE RESULT

Boeing received the necessary permits to expand onto 468 acres, including a major air permit and a wetlands permit, just over six months after the permit applications were filed. One component of the company's comprehensive wetlands mitigation plan involved protecting wetland and upland resources



The Boeing Company 787 assembly facility in Charleston, SC.

that are next to the Francis Marion National Forest. The wetlands mitigation plan includes restoration and enhancement of aquatic resource functions and habitat improvements on nearly 4,000 acres of land that will eventually be turned over to the USDA Forest Service and the South Carolina Department of Natural Resources for public access, including hiking, bird watching, and other recreational activities.

This wetlands mitigation plan benefits the community, water quality, wildlife, and threatened and endangered species. From a regulatory perspective, it also helps maintain and improve the Cooper River watershed by fully offsetting adverse impacts to aquatic resource functions associated with the expansion of the existing aircraft manufacturing and assembly complex. Finally, landscape-scale conservation and collaboration are integral to helping restore the longleaf pine ecosystem.



LESSONS LEARNED

- **Plan:** Engage early with key stakeholders; take advantage of pre-application meetings; and create a permit target schedule.
- **Communicate:** Identify needs (requirements, priorities, uncertainties) and solutions.
- **Be flexible:** Be willing to change course when necessary to overcome barriers.
- **Collaborate:** Work together to achieve the best outcomes.

A streamlined permit process is good for the economy and good for the environment.

FAST FACTS

- South Carolina has reduced the average time it takes to issue state permits by about 40 percent since 2007.
- This 40-percent reduction yields an estimated economic impact between \$72-\$103 million dollars each year for the state and corresponds to between 619-882 jobs and \$35.6-\$50.7 million in new labor income for South Carolinians.
- Any reduction in timeframes contributes to measurable economic results, and it may contribute to faster environmental protection.
- The wetlands mitigation plan protects almost 4,000 acres of property, helping to expand the green belt around Charleston.

REPLICATION POTENTIAL

Volvo and Mercedes-Benz have each followed the Boeing example with similarly successful outcomes.

USDA's Forest Service has changed the way it prioritizes lands for future acquisition, partially as a result of this project. The Forest Service has added mitigation potential into the equation.

The Open Space Institute has worked on three projects immediately adjacent to the site for other mitigating parties since the completion of this project – and they all had similar approaches.



Planting longleaf pines as part of the mitigation plan.

PERSPECTIVES

Plan: Engage early with key stakeholders; take advantage of pre-application meetings; and create a permit timetable with a joint schedule.

“We make permitting as clear and predictable as possible starting with Permit Central, our service for South Carolina’s permit information. We jointly created a matrix with Boeing that includes every required permit in the process, indicated when they would provide required information, and when we would target a decision on each permit.”



We’ve been very successful when we set a joint schedule. We also establish single points of contact for decision makers in the process and make schedule adjustments as necessary.”

– Shelly Wilson, South Carolina Department of Health and Environmental Control, Permitting and Federal Facilities Liaison

“We like to see wetland mitigation projects adjacent to existing protected lands because that helps ensure the success of the restoration. This is a good example of a watershed approach to compensatory mitigation.”

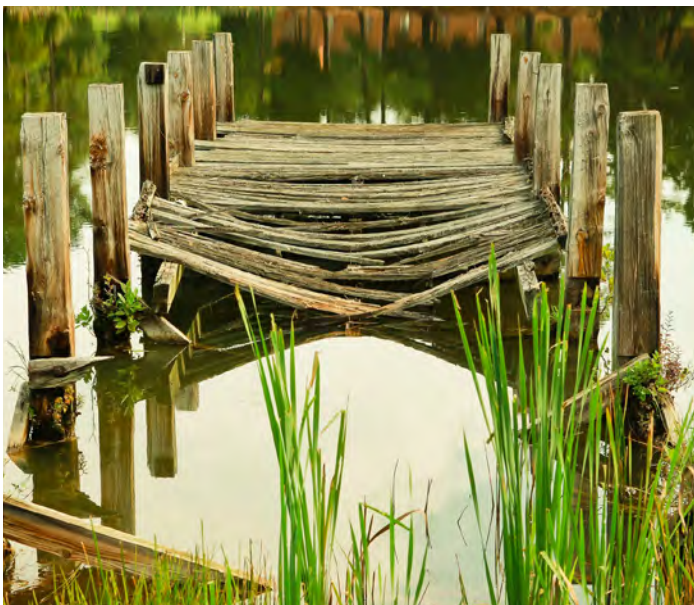


– Nathaniel Ball, U.S. Army Corps of Engineers Biologist

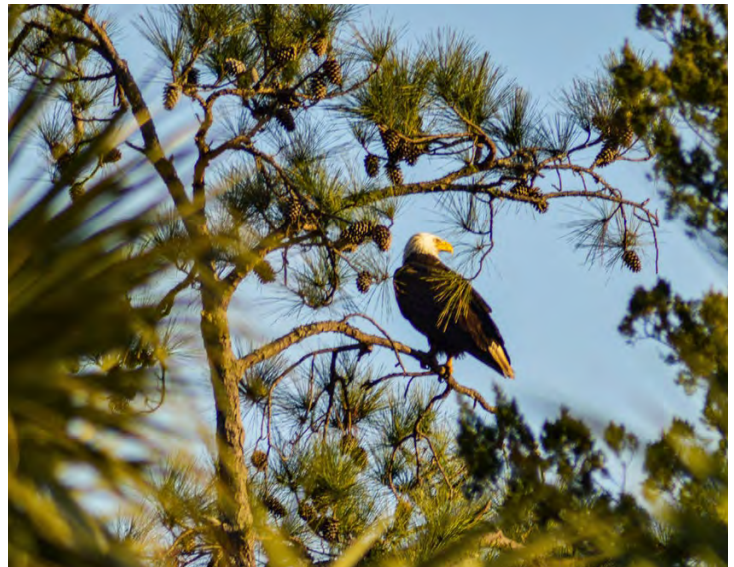
“Although SC DHEC and Army Corps of Engineers issue the actual permits, EPA can provide support throughout the permitting process. What I would say to other companies is: call us to request pre-application meetings. Once you file a permit application, the process becomes more formal. Everything must be documented in writing back and forth, and that takes longer.

We often get permit application packages where the applicant has not engaged the community, stakeholders, or the regulatory agencies. Engaging early in the process makes the permitting process work much more efficiently. Additionally, you must view your mitigation cost as part of your overall cost. Wetlands mitigation projects don’t have to be large; it’s more about functional ecological gain than it is about acreage.”

– Kelly Laycock, EPA R4 Wetlands Regulatory Division



Wetlands conservation is important for the economy, water quality, and fish and wildlife productivity.



Maintaining and improving the Santee Watershed is critical for the health of the diverse ecosystem in Charleston.

Communicate: Identify needs (requirements, priorities, uncertainties) and solutions.

“When Boeing started talking about how to enable long-term growth on this site over time, including an immediate need for a facility where we could paint the 787s we build here, we realized we’d need additional land. We intended to acquire about 468 acres adjacent to this campus for just that, but were faced with a challenge — about 150 of those acres were wetlands. So, we started having extensive conversations internally and externally.



We knew we’d need permits from the U.S. Army Corps of Engineers and the South Carolina Department of Health and Environmental Control. We knew this kind of permitting could take years, but we aspired to get the permits in nine months or less to allow for immediate expansion needs. Never did we imagine we’d get the permits in six months.”

– Leah Krider, Senior Counsel, The Boeing Company



“In terms of challenges, the USDA Forest Service couldn’t do the front-end work of purchasing land and the actual mitigation itself, and The Nature Conservancy was not the right long-term owner of the land. I think putting our heads together and communicating was what ultimately worked.”



– Mark Robertson, *The Nature Conservancy, South Carolina Chapter Executive Director*

Be flexible: Be willing to change course when necessary to overcome barriers.

“I recall at one point, we wanted to do something with another organization, and we weren’t able to do it. So, we got together and said, “Okay, well, what CAN we do?” The thing is: Everyone has a different mission. Ours is to protect the land. Boeing really wanted to get this expansion permitted. Everyone wants to save the woodpeckers. The key was finding a project that met the goals of everyone involved.”

– Robert Perry, *Former Director of Environmental Programs, SC Department of Natural Resources*

“The hardest part was negotiating the property sale with the owners. The good news is: after the land is transferred, it will be protected for the benefit of all residents under the South Carolina Land Property Trust Act.”



– David Maybank, III, *Lowcountry Land Trust Board Chair*

“This project has changed the way we prioritize lands for future acquisition as part of National Forests. We have added mitigation potential into the equation. It’s important to point out that from a federal perspective, we worked together to find the flexibility to do this within our regulations.”



– Peggy Jo Nadler, *USDA Forest Service Lands Program Manager*

Collaborate: Work together to achieve the best outcomes.

“When a permit applicant proposes to impact aquatic resources that are protected under the Clean Water Act, the applicant is responsible for evaluating their options and developing a compensatory mitigation plan. Boeing took this responsibility seriously and worked with resource agencies, environmental organizations, and elected officials to develop a mitigation plan that would provide a long-term benefit to the community and the environment.



Different industries have different permitting hurdles. But, every industry can stand to gain from streamlining processes. The importance of collaboration and flexibility cannot be highlighted enough.”

– Travis Hughes, *U.S. Army Corps of Engineers Senior Chief*

“OSI has worked on three projects immediately adjacent to this site for other mitigating parties since the completion of this project – and they all had similar approaches to how we worked with Boeing. We’ve done three or four other mitigation projects around the state that are variations on the Boeing theme, so it is definitely a best practice with a successful and replicable model.”



– Nate Berry, *Open Space Institute Vice President*



The red-cockaded woodpecker depends on the mature pine trees for nesting and foraging.



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