

ENVIRONMENTAL PERMITTING

An Opinion

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The field of environmental permitting is relatively new as a government function. Only thirty years ago, not only the jobs, but the concerns were virtually nonexistent. By comparison, zoning was instituted in New York City in 1916.

Partly because of that newness, people who hold positions within the field are more closely scrutinized than people in other more readily accepted areas of governmental responsibility. This scrutiny brings with it a deeper division among those who support the need for permitting and those who don't. The people in the jobs may often pay the toll for this divided opinion.

The people holding environmental permitting jobs must also accept the responsibility to bring the function into the realm of the more accepted jobs. The permitter must strive to do a job on each and every permit which will withstand the scrutiny of the supporter and the dissident and solidify the status of the permitting function as a necessary governmental responsibility.

This means making inroads into areas of planning and organizing that go beyond other functions. It means detailed work load and work flow evaluations, and organization designed to do more and better with fewer resources.

It means managing both the real and perceived quality of the work and the way in which the staff interacts with the public. The environmental permitter must master delicate skills such as tact, negotiation, and the exercise of judgement. This necessity is born of the often bewailed appearance of over-regulation of the development community and charges of black and white interpretations of regulations.

The environmental permitter must always be aware of the economic costs of regulation and must not only strive to excel, but must in fact succeed in balancing these costs with associated environmental benefits. Neither the quality of the environment nor the bank account of the applicant is to be sacrificed. The permitter must also strive to obtain the permittee's concurrence that this balance has been achieved.

The profile of the permitting process often will overshadow all other functions in a typical environmental department. Because of that profile, the environmental permit writer must recognize the role played in sustaining the credibility and respect of the entire department. Each individual's professionalism and attitude directly influences public and private perceptions of the department and to a certain degree, government as a whole.

The environmental permitter must develop an approach which will foster the perception of “assistance rendered” versus “impediments erected” to the permit issuance process. This perception is a crucial tool in achieving the department mission and the positive public image which must be maintained for the department to survive.

Failure in the latter would mean much more than the loss of a department. It would signal the loss of environmental protection and management, and even the loss of its stewardship as a governmental concern.

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Author’s Note: This opinion piece was written on the tenth anniversary of the author’s tenure with Pinellas County Government. For the first year of that time, the author was engaged in seeking environmental permits from the State of Florida. During the remaining years, he was the Department Chief of the County agency that was engaged in issuing environmental permits. The piece was written for inclusion in a trade magazine.