

Alaska Department of Natural Resources Mining, Land & Water

PERMITTING OVERVIEW: MAKING DETERMINED PROGRESS



I. Where have we been?

II. Where we are.

III. Where we are headed.

- DEPARTMENT OF NATURAL RESOURCES -



DNR:

- Manages one of the largest portfolios of oil, gas, minerals, renewable resources, water, and land in the world
- Oversees and authorizes all activities that occur on state land, which includes approximately 100 million acres of uplands, 60 million acres of tidelands, shorelands, and submerged lands, and 40,000 miles of coastline.

Land Base

- 586,412 square miles—more than *twice* the size of Texas
- Is larger than all but 18 sovereign nations
- Has more coastline than all other U.S. states combined
- Has more than 3 million lakes and half of the world's glaciers



THE CHALLENGE: ADDRESS PERMITTING DEFICIENCIES



2011 PERMIT BACKLOG PLAN

- Submitted to the HFSC on 22 Feb 2011
- "It is now our highest priority to address this (permit backlog) problem."
- Goal: "To timely process all incoming land and water use applications, and to eliminate the backlog."
- Comprehensive, multi-faceted approach to eliminating the backlog and preventing its re-occurrence



- From: Wyn Menefee, Acting Director Wyn DNR Division of Mining, Land & Wator
- Date: 2/22/2011
- Re: Permit Backlog Plan

Please accept this written response to your request on February 11, 2011.

The Problem:

There is a substantial backlog of applications and other authorization management duties in the Division of Mining, Land and Water (DMLW). This has a direct adverse impact on many businesses, communities, and individuals seeking to develop and use state land and resources. This in turn negatively affects job creation, contracts, economic stimulus in communities, and further development of Alaska. It is now our highest priority to address this problem.

At the beginning of FY11, there was a backlog of over 2,500 authorizations for the main types of authorizations necessary for development projects. This includes applications for permits (314), leases (297), easements (658), material sales (181), water rights (742), and instream flow reservation applications (346). This does not include the other types of authorizations or the administration workload for the existing authorizations. There is a spreadsheet attached that shows the full backlog per authorization type as requested. We are not yet able to show average and maximum cycle time for each authorization type, but that is being programmed into the reporting system so that we can report on in the future.

The backlog of applications range in complexity from very basic authorizations such as a commercial recretation permit that can be issued within a day, to large projects requiring multiple interrelated authorizations, multi-agency coordination, required studies and review that may take a few years to complete the authorizations. Each specific application may present an assortment of obstacles that can vary the processing times such as land ownership disputes, multiple use conflicts, business transaction delays, unresponsive applicant, encumbrance removal, project revisions, appeals and litigation.

This backlog of applications has been growing in recent years because the division has only been able to process 87% of incoming applications. This is due to a number of reasons:

- Inefficient internal processes and cumbersome regulatory requirements
- Land ownership patterns have become more complex, thereby increasing the conflicts that have to be resolved.
- Increasing federal and municipal regulation has increased the processing time for applications.

"Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans."

PERMIT BACKLOG PLAN STRATEGIES

- Increase the number of fully funded positions (26 DMLW positions were required to remain vacant in FY2011 due to funding shortages)
- Conduct comprehensive review of the Division's permitting processes. Find and implement changes that increase permitting efficiencies. Evaluate:
 - Organizational changes
 - Statutes, regulations and procedures for improvements
 - Appeals process
 - Regulatory relationship between the state, federal and local governments
 - Contracting with private sector
- Analyze, categorize and prioritize those authorizations within the backlog (priority is given to those applications/projects that provide the most benefit to the highest number of Alaskans)
- Drive and leverage the Unified Permit project effort

Additional Efficiencies Within the Plan

- Request for restructuring the previous 6 budget components within DMLW into one Divisional component that would allow for flexibility and a singular prioritization of effort and resources
- Evaluate certain types of authorizations to see if general permits would facilitate more efficient authorizations and the continued safeguarding of the environment
- Provide support for litigation defense of permitting decisions

APOLLO XIII: "FAILURE IS NOT AN OPTION"



STATEWIDE PERMITTING REFORM - STRATEGY -

Objective:

Improve the State of Alaska's permitting processes in order to advance the public interest by ensuring projects are permitted in a timely, predictable and efficient manner while safeguarding the environment.



- I. Improve agencies' internal permitting structure to create a more efficient, timely, and certain process
- II. Enhance coordination within different state departments and with different entities and stakeholders throughout the state
- III. Seek input from the public about the permitting process including input from municipalities, industry and non-governmental organizations
- IV. Improve coordination between the state and the federal government—federal permitting issues have a strong influence on state projects
- V. Anticipate and plan for permitting the next phases of resource development, e.g. the Shale Oil Task Force



II. Where we are.

STATEWIDE PERMITTING REFORM - Significant Progress Made -

- Objective of permitting reform is to create a **timely**, **predictable** and **efficient** permitting process while safeguarding the environment
- In the fall of 2012 DNR spearheaded the statewide permitting outreach effort by conducting public and stakeholder meetings for input and ideas on how to improve the state's permitting processes
- In FY 2012 and FY 2013, DNR received approximately \$3.65M in operating funds and \$5.8M in capital funds for the Division of Mining, Land & Water to create efficiencies, timeliness and certainty in the permitting process

- We have made significant progress:
 - Modified several statutes in 2012 to create permit efficiencies; included the highest priority changes related to leasing and disposal programs that would help reduce the permitting burden on the applicant and free more time for staff to work on processing applications (HB 361)
 - DNR has successfully implemented IBM's Business Process Management System for modernizing the issuance of Land Use Permits and is commencing now on Water Rights
 - Since the beginning of FY 2012, the DMLW permit backlog has been reduced by 38.2% (1,015 authorizations)

DMLW BACKLOG AUTHORIZATION TOTALS BY FISCAL YEAR



ANATOMY OF A LARGE SCALE DEVELOPMENT PROJECT

- Most have statewide or strong regional impact with regards to infrastructure, economic growth and opportunities
- Generally require long term *leases* or dedicated legal access such as *easements* in order to obtain project financing
- Often short term land use *permits* are necessary for construction
- *Material sales* need to be timely for development
- *Water authorizations* are critical for development and long term operation



PERMIT BACKLOG BY AUTHORIZATION TYPE



STATEWIDE PERMITTING REFORM - 2013 Legislature -

2013 Proposed Statutory Changes - HB 77 & SB 26

- Building on the success of 2012, the Division of Mining, Land and Water has identified additional statutory changes that would help streamline permitting requirements for the public to use and enjoy Alaska's land and resources
- Governor Parnell has introduced HB 77, which would reform and streamline procedures for obtaining, issuing, and appealing permits, leases, best interest findings, and other DNR authorizations. It would also clarify DNR's authority to establish general permits for certain activities on state land.



"The permitting functions of State government necessarily balance protecting the environment with utilization to provide the economic means for Alaskans to sustain themselves. This legislation encourages responsible development of our State land and water resources. An efficient permitting process with clear rules contributes to Alaskan economic growth and creates more Alaskan business opportunities." - Governor Parnell, HB 77 Transmittal Letter

IBM QUICK WIN PROJECT

- Installed the Business Process Management (BPM) Software
- Utilized Blue Works Live to map out business processes
- Conducted a Quick Win Project for Land Use Permits (LUP)



- Perfected core process functions in BPM with LUP
- Developing capabilities and expertise of both business and IT staff within the BPM system
- Achieved "Go Live" milestone with LUP
- Expanding to Water Rights, Easements, Leases and Material Sales



III. Where we are headed.

BPM IS ABOUT VALUE, NOT TECHNOLOGY

BPM Defined: An <u>integrated</u> approach to aligning the key activities of an organization into <u>processes</u> you can consistently <u>measure</u> to <u>optimize</u> value to your organization and its end customers.



REALIZED VALUE



"This process will allow me to spend less time pushing paper and more time managing land." Cliff Larson, MLW Permitting Manager, SCRO

Additional Realized Value

Provides Staff Guidance

Move to Electronic Case File

Allows Teamwork on one file

Helps Managers better assess and assign files

Better Analysis for Improvement

Speeds Programming and Implementation

Other Reasons

Better Transparency



- Better reporting on key measurables that evaluate increase in business value
- Better granularity of process to evaluate bottlenecks and alternative approaches
- Better accountability of cycle times, efficiency, and predictability
- Eventually better transparency to the public to track their applications

UNIFIED PERMIT: UP AND RUNNING



UNIFIED PERMIT: UP AND RUNNING

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DNR 015	300	Agency Notice LAS 1884: CLEARY	Agency Notice LAS 1884: CLEARY SUMMIT IN					It is the decision of this office to take the action as described therein.			
DNR 015	289	Land Use Permit	Land Use Permit					Alaska DNR Case Abstract	_		
DNR 015	288	First Request For Information Jan	First Request For Information Jan 8, 2013					File Type: LAS File Number: 28748 Printable Case File Abstract See Township, Range, Section and Acreage? New Search			
	Draft Decision: LAS 1515 Roland, Angela						Due: March	• Yes © No			
								AS Menu Case Summary Case Detail Land Abstract			
Privacy								File: LAS 28748 Search for Status Plat Updates As of 02/11/2013 Customer: 000055148 ALASKA DEPT OF FISH & GAME, SPORT FISH DIVISION - REGION 1			
	Send Notice							PO BOX 110024	by		
		1	1 2					JUNEAU AK 998110024 Case Type: <u>571</u> DMLW PERMIT DNR Unit: 200 LAND MANAGEMENT			
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	Recipients: Shaishnikoff, Ryan; Quarberg, Don; Reed, Paul; Start Date: Thu Feb 07, 2013 Comment Period (days): 30 End Date: Sat Mar 09, 2013				t Date: Thu Feb 07, 2013			Meridian: C Township: 058S Range: 079E Section: 36 Section Acres: 1 Search Plats			
							Case Actions				
	Subject: Public Notice LAS 1515: CLEARY SUMMIT INVESTORS, LLC							10-09-2012 APPLICATION RECEIVED	1		
	Narrative: Please review the attached documents by Sat Mar 09, 2013. Activity Description: (Test) The description of the activity goes here.						STATUS 09 09 APPLICATION RECEIVED				
		ocuments Title/Name						CHINOOK NET PEN PROJECT TO REAR & RELEASE CHINOOK SALMON SMOLTS INTO WATERS OF FREDERICK SOUND NEAR CITY CREEK WATERSHED AREA/PETERSBURG			
		Public Notice LAS 1515: CLEARY SUMMIT I	Public Notice LAS 1515: CLEARY SUMMIT Ldocx	1	Feb 7, 2013 4:55 PM	Roland, Ange	-	12-05-2012 LAND WITHIN SECTION (S) CHANGED			
		Add Document						NEW TOTAL AC 1			
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		Generate Notice Check Documents Into CMS						01-28-2013 AGENCY REVIEW SENT AGENCY REVIEW INITIATED; COMMENTS DUE 02/27/2013.			
							Back Eve	at 01-30-2013 PUBLIC NOTICE SENT			
								COMMENTS DUE: 03-01-2013	22		
								PUBLIC NOTICE INITIATED ON 01-30-2013; COMMENTS DUE 03-01-2013	23		

WHAT IS THE BENEFIT TO THE DEPARTMENT/STATE?

- Measurable business value for return on investment
 - Staff time saved due to efficiency
 - Backlog reduction
 - Improved quality and consistency of authorizations
 - Improved process visibility to drive continued process improvement
 - Improved industry and citizen relationship
- Improved consistency across divisions who are using the same authorities to issue the same types of authorizations

- Improved cross-divisional communication and transparency where several divisions are managing aspects of use of the same state owned land
- Potential growth of use by other departments with the opportunity to coordinate statewide permitting activities

TRANSFORMATIONAL EXPERIENCE



- Change is necessary...user buy in is also needed
- Collaboration
- Working relationship of IT / Business
- Enabled implementation of electronic case file
- Organizational structure / capabilities / skill sets
- Administering the process / stewardship of the authorization and providing a better customer service

BLAZING NEW TRAILS



Accessibility 24/7
Field presence
Consistency
Transparency
Agility
Certainty

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THE END RESULT: IMPROVED PERMITTING EXPERIENCE

Governor Parnell (with signed Legislative package)

QUESTIONS?

