



## Permit Review Process: Questions to Ask

Permit application review can be complicated, but state coastal management programs commonly use five basic steps: examine basic details, identify the type of permit, identify the standard of review, review and analyze the project, and develop recommendation and decision. To help those new to the permitting process, this document contains an initial set of questions to ask when approaching each step. The applicable questions vary by state, so talk with experienced staff members to modify this document and create a customized set of questions for your coastal management program.

**Note:** To complete the worksheet, have on hand the following resources:

- The coastal management program's federally approved final environmental impact statement and program documents
- NOAA's final approval findings for the coastal management program
- Authorities, policies, and standards for the program
- Information on the program's permit application process

Program supervisors, colleagues, and subject matter experts are also helpful resources.

### 1. Examine Basic Details

Examine the basic details of a proposed project to determine if the project is subject to review.

- a. Is the development within the coastal zone boundaries? If the development is outside the coastal zone boundaries, is the development still subject to state coastal management program review, or is a state permit that is linked to the coastal management program still needed?
- b. What type of land or water use is proposed?
- c. Has this type of activity been identified as a permissible use?
- d. Has this type of activity been identified as a use that is subject to management measures?
- e. What is the coastal management program's responsibility for issuing permits?
- f. Is a permit required?

## 2. Identify the Type of Permit

Identify the kind of permit required, application materials needed, and permitting timelines.

- a. What type of permit is needed (specific to the project)?
- b. What application materials are required?
- c. What are the timelines for processing an application (e.g., gathering information, application review, response, decision-making)?

## 3. Identify the Standard of Review

Identify the standard of review, decision making process, and other authorizations needed.

- a. What natural resources are on and adjacent to the project site?
- b. Is the proposed project within an area of particular concern? If so, does this use appear on the prioritized list of uses for the area of concern?
- c. What are the standards for development projects?
- d. What is the process for decision making? Who makes the decision?
- e. How does the public get involved in the permitting process?
- f. Are there local government, interstate, regional, area-wide, or other state agencies with authorities that apply to the project? Have you communicated with them? Are there potential conflicts?
- g. Are federal authorizations required?

## 4. Review and Analysis

Evaluate the project for consistency with the coastal zone management program's applicable policies and regulations, which may consider a wide range of coastal issues, such as the following.

1. Will it have a direct and significant impact on coastal waters, and water quality?
2. Does it impact open space or recreational use of the shoreline?
3. Would sea level rise impact it now or over time? How?
4. How might the project affect natural resources or the use of them?
5. How might the project affect historic, cultural, and visual resources?
6. How compatible are existing and proposed uses?

### **To help in the analysis, consider the following:**

1. Is more information needed to identify and understand impacts? If so, what information?
2. Does your program have subject matter experts who can be consulted?
3. Are the impacts allowable under the program policies and regulations?
4. If the project or aspects of the project are not consistent, can the project be modified or conditioned to mitigate impacts? Does your program have a list of standard permit conditions?
5. If the project is not allowable and cannot be modified or conditioned, should the development be prohibited?

## **5. Recommendation and Decision**

Once the project analysis is complete, a recommendation or determination will be made. If the decision is made to approve the permit, the permit will be issued once all conditions and requirements are met. Here are some questions to consider.

1. What are the requirements and process to document the analysis?
2. What is the recommendation?
3. When is the decision made?
4. Once the decision is made, how is the permit issued?
5. How is the permit monitored?

### **Notes:**