

# GOT A PERMIT FOR THAT?

## QUICK STATS

- ✘ **CONFERENCE:** Regulation
- ✘ **TEAM:** Army Corps of Engineers and other agencies
- **FUMBLE:** Duplicative, costly federal permits
- **HOW TO RECOVER THE BALL:** Pass the Federal Permitting Improvement Act

America's mining operations face ever-growing duplicative permitting requirements that prevent them from selling their products like Northern White sand, which is necessary for natural gas extraction at home and abroad. In March 2015 the U.S. Senate Subcommittee on Regulatory Affairs and Federal Management held a hearing focused on the federal regulatory process at which former Office of Information and Regulatory Affairs Administrator John D. Graham testified on the permitting difficulties sand miners face.

In his testimony Mr. Graham stated that in order to maintain sand mining operations, companies in Wisconsin and Minnesota must secure 15 permits from local and state authorities in addition to federal permits from USACE required by the Clean Water, Clean Air, and Endangered Species Acts. Illustrating how confusing and duplicative permitting requirements harm small businesses, Mr. Graham testified that only large mining companies can afford the "team of lawyers, engineers, and scientists" necessary to navigate the permitting process.<sup>146</sup>

These duplicative and costly permitting requirements will force American companies to relocate their operations and the jobs they provide to other countries, which would have a massive impact on the communities that rely on mining jobs. Many countries' environmental regulations are not as strong as those in the U.S., and by forcing American mining jobs to move overseas, U.S. permitting requirements will harm both the environment and American families.

## **RECOVERY**

The U.S. can start to streamline the process by sending the Federal Permitting Improvement Act of 2015 to the President's desk.<sup>147</sup> This bipartisan bill would improve the permitting process and ease duplicative regulatory burdens by requiring greater transparency, earlier public participation, and increased interagency coordination. The federal government must work to ensure that federal regulations do not cause Americans to lose their jobs.

*[For more information, please visit:](#)*

[United States Senate Committee on Homeland Security and Governmental Affairs: Examining Federal Rulemaking Challenges and Areas of Improvement Within the Existing Regulatory Process](#)

[S.280 – Federal Permitting Improvement Act of 2015](#)