

# OPINIONS

## ROOM FOR IMPROVEMENT

# Unclear permitting processes block infrastructure

Infrastructure means connectivity. Freeway systems allow quick transportation from one state to the next, bridges provide shortcuts across bodies of water, and pipelines provide affordable and reliable energy and supply chain inputs to homes and businesses.



Benjamin Dierker

Unfortunately, each of these critical projects often face the same roadblock — unpredictable and shifting permitting processes. Just last week, U.S. Secretary of Energy Jennifer Granholm lamented the slow pace of federal permitting processes for new infrastructure projects. But it's not just the federal government that's at fault — delays in permitting can arise from within an agency or by different agencies intervening, combined with court actions due to legal challenges to properly issued permits.

Permits are declarations of consent that local, state, and federal governments provide companies authorizing infrastructure projects. Generally, when developers seek to expand existing or propose entirely new infrastructure projects, they go to the regulatory bodies overseeing their proposed project to receive the appropriate permits. But what happens when the permitting process is changed after development is already underway or nearly finished?

Recently, we've seen this happen to the Mountain Valley Pipeline project, which is reportedly more than 90% completed.

Following pressure from activist groups, federal regulators such as the Federal Energy



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Regulatory Commission and the U.S. Army Corps of Engineers, as well as state authorities, modified existing permitting requirements. They forced the MVP project to seek individualized permits, instead of the overarching permit that projects of similar size and scope have received in the past — and which MVP already had received. Additional interjections from the Environmental Protection Agency have further threatened progress.

Another example of a permitting uncertainty headache can be found off the coast of Massachusetts with the Vineyard Wind Farm. If completed, the project will be the first utility-scale offshore wind energy project in the country, but thus far it has been riddled with disruptions due to regulatory delays and activist lawsuits. After many interruptions, the project was formally

approved by the federal government in May, but developers still must grapple with pending lawsuits and potential additional reviews to meet the operational date goal of 2023. The wind farm is critical to our nation's renewable energy goals, and even with the support of the administration, it continues to hit roadblocks from every angle.

Changing the approval procedures for infrastructure projects after a developer already has made substantial progress in permitting and construction is harmful to all stakeholders involved. Delays in construction lead to exorbitant costs, congestion and gridlock for nearby communities, and temporary or permanent job losses for construction workers. Holdups delivered by changing regulatory or permitting processes also make the area less attractive

to investors looking to develop other projects or bring businesses to the region, leading counties and cities to miss out on valuable tax dollars and other indirect revenue.

Perhaps most ironically, permit reversals and prolonged reviews can even negatively impact the environment. This is especially true when half-complete projects are put on hold. Incidents of mudslides and flooding are not uncommon from pipeline trenches left open while litigation freezes progress. Instead, complete projects would hasten land remediation and eliminate the open conduit for environmental damage.

Washington understands the dire state of many of our systems across the country. From bridges to power lines to water transportation, our infrastructure needs are not being met

by our current systems. A 2021 report card from the American Society of Civil Engineers gave America's infrastructure a C-minus grade, noting 43% of our public roadways are in poor or mediocre condition. The latest infrastructure package in Washington already has initiated the upgrade to America's infrastructure. But without reform, this same package will see hiccups in its implementation across the country for years, costing economic progress and threatening environmental consequences.

Granholm was right when she cited a need for improvement in the infrastructure permitting process. Instead of making it more difficult and less appealing for private companies to pursue new infrastructure projects or improvements, policymakers should be working with developers to ensure clear and predictable approval processes exist to facilitate responsible development.

We need cities, states, regulatory agencies and the federal government to work together to create permitting processes that are fair and predictable, and allow our infrastructure systems to expand safely and efficiently. This includes instilling confidence in developers that the rules will not be changed after initial approval, or that permits will not be vulnerable to activists' lawsuits well after thorough studies and paperwork are completed for initial approval. If we continue to move the goal post for critical infrastructure projects, our nation, communities and the environment all will suffer.

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## IMPROVING LEARNING CONDITIONS

# Collective bargaining for teachers: everyone wins

All through this pandemic, we've seen Virginia educators consistently go above and beyond for our children, and as a parent of four, I can't tell you how much I've appreciated it. Bus drivers delivered food. School staff members drove by homes just to wave so students knew they were missed. Teachers had one-on-one Zoom sessions to offer support in little ways. All of this had a profound impact. That educators were willing to do all this surprised no one.



Betsy Milburn

The city of Richmond recently showed them some of the appreciation they're due by becoming the first community in the state to approve contract negotiation rights for educators.

Why is that such a significant — even a historic — development? Contract negotiations don't sound exciting; they seem administrative and boring. Reading and understanding state and local code is not a popcorn moment. But a contract is actually a living document that expresses a shared set of values. Those values are then put in place to create the most supportive learning environment for our students and, ideally, a holistic working environment for our educators. Our students and school employees haven't had this kind of respectful, problem-solving process in more than 40 years, even though the large majority of other states have offered it for decades.

Teachers and education support professionals end up being with our kids for many of their waking hours and therefore are entrusted with modeling behavior for them every day. A contract is essentially modeled behavior in written form.

Virginia educators faced staffing shortages before the pandemic, which only intensified them. Teachers have lost state-



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mandated planning time and, if they teach elementary school, have few — if any — workforce-covered breaks. To add insult to injury, many also are covering for absent colleagues without fair compensation.

By not fairly compensating our educators or providing them with the working conditions they need, we've been asking them to devalue themselves. This tells our students, who are a largely underserved population in Richmond Public Schools, that such an approach is acceptable — and discourages self-advocacy. Those are certainly not lessons we want our children to be learning.

Strong collective bargaining rights will now allow Richmond's educational staff members to be fairly treated,

and are a vital tool in recruiting and retaining the high-quality people our children deserve. And when we talk about compensation, we're not just talking about money. Educators also need and deserve adequate lunch time and breaks, along with unencumbered time at work as prescribed by state law. A satisfied educator is a better educator. And isn't that what we want?

Last year, Virginia ranked 50th in the country for teacher pay. At the same time, our state also was ranked first for business, according to CNBC. This is incongruent to me. If we want to continue to be ranked best for business and build a strong economy, how can we refuse to compensate and respect those who educate our next genera-

tion of leaders and workers?

Richmond has stepped up and begun the process with educators to create a strong collective bargaining agreement born from meaningful negotiations. It's a win for all of us. Research indicates that learning conditions improve when educators can negotiate their contracts: Bargaining elsewhere has led to smaller class sizes, increased one-on-one attention for students from professionals like nurses and counselors, and improvements in safety issues. In Richmond, we can now show educators we understand and value the importance of their input in the work they do every day for our children and for all of us.

School boards across the state now have the power to instill

the right to negotiate for educators, just as Richmond's has. No local school board has exactly the same set of needs. School board members are elected by the people. Your power, as a parent and concerned citizen, is to let them know how much you'd like valuable educators in your children's lives to be treated. We did this here in Richmond, and we'll all be better for it. Around Virginia, let's encourage school boards to begin the collective bargaining process and use it to better meet the needs of students, educators and communities.

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