EXECUTIVE ORDER
NUMBER EIGHTEEN

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES

RE: IMPLEMENTING THE DELAWARE PERMITTING ACCELERATOR

WHEREAS, efficient, predictable, and transparent permitting processes are essential to accelerate the timely delivery of critical infrastructure projects that support housing, transportation, broadband, water and wastewater systems, energy infrastructure, and economic growth throughout the State of Delaware, and excessive delays in permitting can increase costs, deter investment, and hinder job creation; and

WHEREAS, Delaware's current permitting processes have in some cases taken up to 18-24 months or longer to reach final determinations, creating barriers to housing supply and economic development and placing the State at a competitive disadvantage with neighboring states that have more streamlined review processes, contributing to higher costs and slower project delivery; and

WHEREAS, streamlined and coordinated permitting practices have been identified as best practices in public administration and regulatory reform to reduce administrative burdens, improve interagency coordination, and enhance the State's ability to respond to community needs while preserving statutory requirements for environmental protections, public health, and safety, consistent with the State's statutory and constitutional authorities; and

WHEREAS, modern infrastructure is foundational to economic opportunity, workforce participation, education, healthcare access, and community development, and delays perpetuate inequities that disadvantage households, businesses, and communities; and

WHEREAS, investment in resilient water, wastewater, transportation, and energy systems safeguards public health, supports economic growth, and enhances community sustainability and environmental resilience, all of which depend on predictable and efficient state review and approval processes; and

WHEREAS, it is the policy of the State of Delaware to ensure that permitting and administrative processes are transparent, equitable, and aligned with statutory requirements while eliminating unnecessary procedural impediments that do not advance statutory objectives or protect public health, safety, and environmental quality; and

WHEREAS, nothing in this Order is intended to expand the statutory authority of any agency, to waive or diminish substantive environmental and public health protections, or to alter existing statutory procedures, timelines, or public participation requirements established by the General Assembly or applicable federal law.

NOW, THEREFORE, I, MATTHEW MEYER by virtue of the authority vested in me as Governor of the State of Delaware, do hereby **DECLARE and ORDER** that:

1. The following **Delaware Permitting Accelerator** is hereby implemented in accordance with the terms therein.

2. If any provision of the **Delaware Permitting Accelerator** is found to be in conflict with state or federal law or to exceed the Governor's authority, that provision shall be severed and shall not affect the validity of the remainder of this Order.

3. To the extent the **Delaware Permitting Accelerator** conflicts with prior executive orders, guidance documents, or policies from the named agencies, the provisions of this Order shall govern.

4. This Order shall be effective immediately upon signature and shall remain in effect unless amended or rescinded by subsequent executive order.

APPROVED this 26th day of February, 2026.

_____
Matthew Meyer
Governor

ATTEST:

_____
Secretary of State
Charuni Patibanda-Sanchez

DELAWARE PERMITTING ACCELERATOR

SECTION 1. INTERPRETATION AND LEGAL FRAMEWORK

(a) **Preservation of Statutory Authority**. This Order is intended to be implemented in a manner fully consistent with all applicable Delaware statutes, federal laws, and constitutional provisions. Agencies possess only such authority as is granted to them by statute. Nothing in this Order shall be interpreted to:

1. Grant agencies authority beyond what is provided by statute;
2. Authorize an agency to waive or reduce substantive environmental, safety, or public health standards;
3. Override explicit statutory procedures, timelines, or public participation requirements;
4. Preempt municipal or county home rule authority in land use, zoning, or local permit decisions; or
5. Override the terms of any franchise agreement, utility tariff, or existing agreement with private entities.

(b) **APA Compliance**. All actions taken by agencies pursuant to this Order shall comply fully with the Delaware Administrative Procedure Act (Title 29, Part X, Chapter 101). Where this Order directs an agency to adopt new regulations, modify guidance documents that constitute regulations, or establish new policies that bind regulated parties, the agency shall follow APA notice-and-comment procedures, unless the agency determines that expedited rulemaking is available under 29 *Del. C.* § 10115 and appropriate notice is provided.

(c) **Agency Director Review and Certification**. Within 30 days of this Order, the head of each affected agency shall submit to the Governor's Office a brief written certification stating:

1. What provisions of this Order the agency can implement immediately within existing statutory authority;
2. Any unanticipated conflicts with existing statutes or regulations; and
3. A proposed schedule for implementation with full EO implementation of one year.

SECTION 2. DEFINITIONS

The following definitions apply throughout this Order. Where a definition involves a performance standard or metric, agencies are directed to interpret these definitions according to the specified criteria.

(a) **Priority Housing Project**. A "Priority Housing Project" means any residential development project that meets *all* of the following objective criteria:

1. Density Component: Delivers either (i) Greater than 4.0 dwelling units per acre OR (ii) Greater than 30 total dwelling units (for projects on sites smaller than 7.5 acres);
2. Affordability Component: For rentals, reserves at least 15% of the units as affordable to households at or below 80% of Area Median Income (AMI), with long-term affordability restrictions of at least 20 years; For purchase, reserves at least 15% of the units as

affordable to households at or below 120% of AMI, with long-term affordability restrictions of at least 15 years. Units for purchase must be reserved for use by individuals intending to use the location as their primary residence. DSHA may adjust this definition to align with other state, municipal, or county definitions for housing affordability as necessary; and

3. Location Component: Is located in one of the following:
    i. Within an area already served by existing public water and sewer infrastructure,
    ii. Within a growth area or employment center for a municipality or county, or
    iii. On an Infill Site (as defined in Section 2(b) below).

    All three location components together will give the project higher consideration.

Projects within growth areas that do not meet the density or affordability thresholds are not "Priority Housing Projects" under this Order but may still benefit from expedited review through normal channels.

(b) **Infill Site**. An "Infill Site" is a site that has a positive outlet for runoff and meets at least one of the following::

1. A site predominantly paved, developed, or previously used (such as a parking lot, former industrial site, brownfield, or greyfield site);
2. A site surrounded on three or more sides by existing development; or
3. A site able to be served by existing public sewer and water infrastructure without requiring infrastructure extensions of more than one-quarter mile.

(c) **Priority Energy Project**. A "Priority Energy Project" means any project to develop, or upgrade energy infrastructure that will measurably improve, increase or expand energy generation, transmission, distribution or storage capacity. Projects may include:

1. New or expanded energy generation facilities
2. Energy storage, demand response, and load curtailment projects and installations;
3. Grid and transmission upgrades; or
4. Projects that lower consumer energy prices or facilitate the integration of clean energy resources including nuclear power.

(d) **Priority Commercial Mixed-Use Project**. A "Priority Commercial Mixed-Use Project" means a development that integrates residential uses (housing) and non-residential uses (such as ground-floor retail, offices, or commercial services) within the same structure or on the same site, provided it meets all of the following objective criteria:

1. Mixed-Use Component: Reserves at least 25% of the total Gross Floor Area or a minimum of 5,000 square feet (whichever is greater) for non-residential uses designed for ground-floor and pedestrian access; Meets the Density Components of a Priority Housing Project; and
2. Connectivity Component: Directly abuts a public right-of-way with safe pedestrian infrastructure (e.g., sidewalks, crosswalks) and provides either direct access to public

transit or is within an area proposed for future transit expansion documented in the DART Reimagined Plan.

(e) **Priority Broadband Project**. A "Priority Broadband Project" means any project that extends high-speed internet access to unserved or underserved communities or significantly increases broadband capacity in support of economic development and digital equity, including:

1. Installation of fiber-optic cable networks, wireless broadband infrastructure, or other technologies delivering broadband speeds meeting or exceeding the federal definition (100 Mbps download / 20 Mbps upload); or
2. Projects funded through state or federal broadband expansion programs and aimed at achieving universal broadband coverage.

(f) **Priority Water and Sewer Project**. A "Priority Water and Sewer Project" means any project that expands, upgrades, or establishes public drinking water or wastewater service to support planned development, address public health needs, or improve system resilience, including:

1. Extension of municipal water or sewer lines to growth areas;
2. Capacity upgrades at water treatment plants or wastewater treatment facilities;
3. Establishment of community water supply wells; or
4. Interconnections between systems to improve resiliency.

(g) **Growth Area**. A "Growth Area" is an area within an existing municipality; or officially identified in an adopted comprehensive plan, state development strategy, or similar planning document as appropriate for concentrated development and infrastructure investment; or an area designated by the Governor to accommodate a priority project as described in this section.

SECTION 3. PRIORITY PROJECT SELECTION, COORDINATION, AND TRANSPARENCY

(a) **Governor's Priority Project Selection Process**. The Office of the Governor shall administer a Priority Project Selection Process to designate, track, and elevate projects that qualify under Section 2 of this Order. Designation as a Priority Project does not waive any legal requirement, but it triggers the coordinated review, fast-track processes, and escalation procedures described in this Order.

1. **Eligibility**. To be designated, a project must meet at least one Priority Project definition in Section 2; or the project is intended to be financed, in whole or in part, through an IRS-certified Qualified Opportunity Fund investment; or the project must be for critical infrastructure as approved by the Governor.
2. **Nomination and Intake**. A project sponsor may nominate a project for the coordinated review, fast-track processes, and escalation procedures described in this Order by applying to the Governor's Office through a process that will be determined by the Governor in coordination with the relevant Agency heads within 90 days. This application will include at least:
    i. A brief project description (scope, location, sponsor, and category);
    ii. The basis for eligibility under Section 2;

iii. A list of known or anticipated state permits/approvals and responsible agencies;

iv. A proposed timeline and key milestones;

v. Anticipated barriers (statutory constraints, federal coordination needs, or public participation requirements); and

vi. Certification that the project will comply with all state permit applications and additional requests for information as necessary.

3. **Designation Decision.** The Governor, or the Governor's designee, may designate a nominated project as a Priority Project in writing and may impose conditions necessary to ensure legal compliance and sound project management.

4. **Project Management and Escalation.** Upon designation, the Governor's Office shall assign (or direct assignment of) a lead project manager or interagency coordinator. Agencies shall cooperate in good faith and elevate unresolved issues promptly for resolution.

5. **Modification or Removal.** The Governor, or the Governor's designee, may modify or rescind a designation in writing if the project no longer meets eligibility criteria, the sponsor withdraws, or circumstances materially change.

(b) **DTI Priority Project Dashboard**. The Department of Technology and Information (DTI), in coordination with the Governor's Office and all implementing agencies, shall develop and maintain a Priority Project Dashboard to track projects designated under Section 3(a). Within 90 days of this Order, DTI shall publish an initial dashboard and establish a standard process and cadence for updates. At minimum, the dashboard shall include for each designated project:

1. Project name, location (as appropriate), sponsor, and category;

2. Participating agencies and designated points of contact;

3. Key permits/approvals required and current status for each;

4. Date of completeness determination (where applicable) and applicable target timelines under this Order;

5. Milestones achieved and upcoming milestones; and

6. Identified bottlenecks and the agency responsible for next action.

DTI shall work with agencies to establish standardized status codes. The Governor's Office may require an internal (non-public) operational view. Public-facing information shall be written in plain language and shall not disclose information protected by law, contract, or privilege.

SECTION 4. HOUSING INFRASTRUCTURE ACCELERATION

(a) **Housing Fast-Track Program—Establishment**. The Department of Natural Resources and Environmental Control (DNREC), the Delaware Department of Transportation (DelDOT), the Office of the State Fire Marshal, and the Delaware State Housing Authority (DSHA) are hereby directed to establish a unified Priority Housing Project Fast-Track Program ("Housing Fast Lane"). All Priority Housing Projects shall receive:

1. Coordinated review with a single agency liaison/project manager;
2. Concurrent (parallel) evaluation of environmental, transportation, fire safety, and other permits to the maximum extent permitted by law; and
3. Accelerated timelines as specified below, while maintaining full compliance with all applicable statutes and environmental review procedures.

(b) **Implementation Timeline and Framework**. Within 60 days of this Order, the above agencies shall publish a joint framework for the Housing Fast Lane, including at minimum:

1. Single Point of Contact: A designated inter-agency coordinator and housing project liaison who will guide developers through state requirements and consolidate information;
2. Consolidated Application Checklist: A single, user-friendly checklist of all required state submissions (environmental permits, transportation approvals, fire safety documentation, utility hookup requirements, etc.), so applicants can prepare a complete package upfront;
3. Parallel Review Commitment: A statement that agencies will conduct reviews simultaneously rather than sequentially, with coordinated agency meetings at 30, 60, and 90-day marks to share findings and identify any issues; and
4. Decision Timeline: A commitment that, for a complete application, all agencies will issue final determinations within 120 business days (approximately 6 months), measured from the date of completeness determination. Each agency may set shorter internal target deadlines, but 120 business days is the outside limit for all state-level determinations combined, excluding timelines that may need to be extended subject to (c) below.

   This timeline reflects best practices in other states and responds to testimony that current Delaware permitting takes 18–24 months even for zoned sites.

(c) **Agency Deadline Accountability**.

1. Each agency shall work diligently to issue its portion of the decision within the 120-day window. If an agency determines it cannot meet the deadline due to specific, genuine factors (e.g., required federal coordination, required public comment, incomplete application despite applicant's best efforts, or identified health/safety issues requiring investigation), the agency head shall:
   i. Notify the Governor's Office and the developer in writing, within 100 days of the initial application, with specific reasons for the anticipated delay; and
   ii. Propose a revised timeline and remediation plan.
2. The Governor's Office may, based on the preceding, grant a time extension documented in writing to the developer.

(d) **Transportation Review for Priority Housing Projects**.

1. **Traffic Impact Study Exemption**. DelDOT shall exempt Priority Housing Projects from any requirement to conduct or fund a traditional Traffic Impact Study (TIS) and shall allow the project to use Area Wide Study Fees, except where DelDOT identifies site-specific safety concerns:
   i. A known high-crash intersection in immediate proximity to the project access, where DelDOT can document that the project will materially worsen existing safety

conditions; or

ii. Operational safety concerns at traffic signals or other infrastructure already identified in DelDOT's capital improvement or safety programs.

2. **Level of Service ("LOS") Standards Reform**. Within 180 days, DelDOT shall revise its Development Coordination Manual and related technical guidance documents to implement the following changes for Priority Housing Projects:

   i. Remove LOS Requirements: Delete any language requiring projects to achieve, maintain, or improve Level of Service at nearby intersections;

   ii. Adopt Multimodal Access Standard: In lieu of LOS, DelDOT, in coordination with relevant state Agencies, shall evaluate whether the project site has safe and adequate access by multiple transportation modes:

      a. Pedestrian: Safe pedestrian connections to the site (sidewalks, crosswalks, minimum -grade crossings) within 0.25 miles;

      b. Transit: Access to frequent public transit service within 0.5 miles, OR a commitment by DelDOT and transit provider to extend service in coordination with the project;

      c. Bicycle: Connection to an existing or planned bike network within 0.5 miles, OR a requirement that the developer provide safe bike parking and facilities on-site;

   iii. Site-Specific Improvements—Complete Streets Focus: Any improvements required of the developer for site access should prioritize complete streets (sidewalks, bike lanes, transit shelters) rather than increasing vehicular throughput; and

   iv. Safety as Limiting Factor: The only traffic-related basis for delaying or conditioning a Priority Housing Project shall be imminent safety concerns (e.g., a dangerous intersection layout that cannot be corrected, or inadequate sight distance). Generalized congestion or LOS degradation is not a valid reason to block housing.

   This LOS change does not apply to housing projects that are not Priority Projects; DelDOT may continue to apply standard traffic review to non-qualifying projects.

(e) **DNREC Environmental Review Streamlining**. Within 90 days, DNREC and the delegated Agencies shall establish a streamlined "Residential Development" permit pathway for Priority Housing Projects for relevant DNREC permits. This streamlined track shall recognize that infill sites are already disturbed or in urban settings, and may include distributed authorities to counties and municipalities related to stormwater management and wetlands floodplain review.

(f) **Fire Code Modernization**. The Office of the State Fire Marshal shall convene a working group to review and suggest any changes to the Delaware State Fire Prevention Regulations, including proposals for statewide fire and building codes, ways to expedite infill site development in urban settings, and ways to differentiate urban and rural development site concerns. The working group should prepare a report with proposals within 120 business days

of this Order. This working group shall consist of individuals appointed by the Governor, including State governmental representatives from the Office of the State Fire Marshal, DSHA, the Delaware Fire Service. The working group shall also include local governments and industry representatives such as architects, engineers, and construction experts.

(g) **Historic Preservation and State-Level Review**. The Delaware Division of Historical and Cultural Affairs (and any other state entity with historical review authority) shall exercise review authority in a manner that does not impede Priority Housing Projects

(h) **Acceleration for Priority Commercial Mixed-Use Projects**. Any project meeting the definition of a "Priority Commercial Mixed-Use Project" (Section 2(e)) shall be eligible for selection for the Priority Housing Project Fast-Track Program (Section 4(a)) and shall be eligible for all associated benefits, including the 120-business-day decision timeline, subject to extensions. Specifically:

1. Traffic Review: Priority Commercial Mixed-Use Projects on Infill Sites shall receive the same Traffic Impact Study exemption and Level of Service (LOS) reform as detailed in Section 4(d).
2. Environmental Review: Priority Commercial Mixed-Use Projects on Infill Sites shall be eligible for the DNREC Infill Environmental Review Streamlining outlined in Section 4(e).

SECTION 5. ENERGY INFRASTRUCTURE ACCELERATION

(a) **Priority Energy Project Permitting**.

1. The Public Service Commission (PSC), Delaware Department of Natural Resources and Environmental Control (DNREC), Delaware Public Advocate (DPA) shall establish a coordinated permitting process to expedite approvals for Priority Energy Projects as defined in Section 2 of this Order.
2. Agencies shall issue permitting guidelines to consolidate the steps for obtaining necessary approvals including permits, certificates to operate, impact assessments and other regulatory requirements.
3. Agencies shall review projects in parallel, identifying relevant requirements for permits and other regulatory approvals, to allow for collective communication about what is required and if and when approvals will be issued.
4. Within 60 days, DNREC and PSC shall jointly designate a Single Point of Contact (Energy Projects Concierge) to guide Priority Energy Projects through state requirements and consolidate permitting steps.

(b) **Priority Energy Project Accelerated Decision.**

1. Agencies shall make a determination about all permits or regulatory requirements within 120 business days of the submission of a completed application or the close of a required public hearing or public comment period. Agencies may make a determination within 180 business days for projects deemed complex. All timelines are to be communicated to applicants.

2. Should an agency be unable to meet accelerated timelines the agency shall submit a written explanation to the Office of the Governor within 10 business days of permit completeness determination, outlining the cause of delay, outstanding issues, and a defined action plan.
3. The Office of the Governor shall designate a lead agency to convene rapid-response interagency meetings to resolve any logjams, invoking emergency authorities or expedited review as necessary.

(c) **General Permits, Categorical Approvals & Review of State Requirements.**

1. Agencies shall maximize the use of general permits or categorical approvals for energy projects deemed routine or low-impact related to environmental and infrastructure resources.
2. Within 120 days, Agencies shall review all state technical requirements for energy facilities, to identify and streamline or eliminate outdated, duplicative, or unnecessarily restrictive provisions, without compromising safety or environmental standards.

(d) **Regional and Federal Coordination.**

1. DNREC shall coordinate actively with regional entities and federal agencies (DOE, FERC, NRC) to avoid duplicative or inconsistent reviews.
2. DNREC shall engage federal programs, coordinate with DOE on demonstration project funding, and partner relevant state and federal agencies for project streamlining.

(e) **Deployment of Clean Energy & Efficiency Initiatives.**

1. Agencies shall coordinate to clear the current backlog for community solar projects to interconnect, by no later than December 31, 2026 and provide for the requisite transparency to ensure that future solar projects are connected to the grid in a timely manner.
2. The Office of the Governor (OGOV) shall work with the Office of Management and Budget (OMB), DNREC and Sustainable Energy Utility (SEU) to identify and implement opportunities to expand solar and battery storage installations:
    i. Conduct an inventory of state-owned facilities suitable to accommodate solar or battery storage installations;
    ii. Enter into an agreement with solar or battery storage companies to complete installations on selected state owned facilities by the end of 2027;
    iii. Develop a pilot project for Delaware Right of Way with DelDOT by 2027; and
    iv. Coordinate with and provide supports to counties and municipalities to conduct solar-potential assessments, coupled with storage where appropriate, using mapping and analysis tools, with initial reporting completed within 90 business days.
3. Agencies, in coordination with the Office of the Governor, shall actively pursue all avenues for advancing energy deployment, including nuclear energy, solar energy, and wind energy.
4. For Nuclear, cost-sharing agreements with other PJM states may be pursued to mitigate investment risks.

5. All projects qualifying as Priority Energy Projects shall follow the expedited permitting process above, with coordinated state and federal review, and adoption of federal environmental or safety findings whenever feasible.
6. DNREC SEO, Energy Efficiency Advisory Council (EEAC), PSC, DPA, and the SEU shall:
    i. Identify and assess the most cost-effective ways to put demand response tools in the hands of residential, commercial, and institutional customers;
    ii. Review the DPL Affordability and Load Flexibility Portfolio proposal to ensure consistency with strategic priorities; and
    iii. Work with all electric utilities to develop awareness and communication materials to expand customer access to new cost-effective time-of-use rates.

(f) **Workforce, Supply Chain, and Community Engagement**.

1. DNREC, Department of Education, Department of Labor, SEU, and industry partners shall ramp up workforce development and training for energy facility construction and operation optimizing in-state talent development.
2. Quarterly progress reports to the Governor's Office shall cover site assessment status, federal program engagement, permitting milestones, workforce development, and public engagement initiatives.

SECTION 6. BROADBAND INFRASTRUCTURE ACCELERATION

(a) **Broadband Permitting Program**. The Department of Technology and Information (DTI), through the Delaware Broadband Office, shall serve as the lead coordinating agency for Priority Broadband Projects. DTI shall maintain its role as the single point of contact for ISPs and broadband deployment entities and shall ensure that all other state agencies (DelDOT, DNREC, Department of Safety and Homeland Security, etc.) cooperate to streamline approvals.

(b) **Broadband Permitting Toolkit**.

1. Within 90 days, DTI shall publish an updated "Broadband Permitting Toolkit" consolidating in one place:
    i. Pole attachment processes;
    ii. Underground cable installation procedures;
    iii. Railroad crossing permits;
    iv. Road cut and utility work permits;
    v. Environmental or historical clearances (if applicable); and
    vi. Tower clearances and other safety approvals.
2. The Toolkit shall list agency liaisons for each category and commit the state to expedited response times (see subsection (c) below).
3. Within 90 days, DTI shall develop a map of broadband access across the State and make

the data available to relevant State Agencies.

(c) **Concurrent and Fast Review**. All state agencies with a role in broadband deployment shall conduct reviews concurrently and aim to issue necessary permits or clearances within 60 business days of a complete application.

1. **Expedited Environmental Review**. For projects using existing infrastructure (poles, conduits, roads), DNREC shall apply categorical exclusions or general permits, avoiding case-by-case environmental analysis absent unusual circumstances.
2. **Historic Preservation**. Installation of fiber on existing poles does not typically trigger historic preservation review (it does not alter historic properties), and that practice shall continue.
3. **Prioritization**. Agencies must prioritize broadband permits, recognizing that delays affect real families and communities awaiting service.

(d) **Use of Existing Infrastructure**. When broadband is installed on or within existing infrastructure (utility poles, conduits, roads), no new state environmental or land-use review should be required beyond what is absolutely necessary. Projects using existing corridors shall be fast-tracked.

(e) **Reasonable Fees and Bonds**. Subject to the review of the Governor, and in consultation with the relevant agency head no state agency shall impose excessive fees, performance bonds, or other requirements that could deter broadband deployment.

(f) **Implementation Coordination**. DTI shall convene regular meetings with DelDOT, DNREC, and other agencies to troubleshoot issues on grant-funded projects (e.g., federal BEAD program projects) and to ensure interagency coordination.

(g) **GEAR Board Recommendations**. DTI, working with the Government Efficiency and Accountability Review (GEAR) Board, shall explore any additional legislative or regulatory changes needed to permanently simplify broadband deployment (e.g., dig-once policies, pole attachment dispute resolution mechanisms). Quarterly progress reports shall identify any persistent permitting hurdles and recommend solutions.

SECTION 7. WATER AND SEWER INFRASTRUCTURE ACCELERATION

(a) **Priority Water and Sewer Projects**. The Department of Natural Resources and Environmental Control (DNREC), through its Division of Water, and the Department of Health and Social Services (DHSS), through its Division of Public Health, shall prioritize and expedite Priority Water and Sewer Projects that support planned growth, public health, and environmental protection.

(b) **Coordination with Developers and Utilities**. For any development project meeting Priority Housing criteria or located in a Growth Area but lacking central sewer or water service, DNREC and DHSS shall coordinate with local utility providers and developers to facilitate timely extension of service or interim solutions.

(c) **Performance-Based Wastewater Standards** shall apply broadly to support not only housing but also schools, businesses, and mixed-use projects in rural villages, provided the system adequately protects groundwater quality.

(d) **Expedited Permitting for Water/Sewer Projects**. DNREC's Division of Water in conjunction with the Division of Public Health shall implement an expedited permitting process for water and sewer infrastructure projects akin to the housing fast-track program:

1. **Parallel Review**. Permits for new water infrastructure shall be reviewed in parallel and issued within 90 days of application.
2. **Multi-Permit Coordination**. If multiple DNREC or DHSS permits are needed they shall be handled together within the same timeframe.

(e) **Differentiated Review for Infill vs. Greenfield**. DNREC shall apply different review standards for drinking water/sewer projects in Infill Sites versus greenfields:

1. **Infill Sites**. For utility work in built-up areas (e.g., sewer line replacement down a city street), DNREC shall waive full environmental assessments and use categorical exclusions or general permits.
2. **Environmental Benefits of Redevelopment**. Recognizing that utility projects in redevelopment areas often yield environmental benefits (fixing leaky pipes, connecting septic users to central sewer), the process should encourage such projects.

(f) **Flexibility in Environmental Reviews**. DNREC in conjunction with DHSS shall critically examine rules that indirectly discourage housing or development density due to overly restrictive water/sewer or environmental standards. Tools such as buffer averaging, off-site mitigation, or enhanced stormwater designs should be used to allow projects to proceed while protecting environmental resources.

(g) **Drinking Water Quality Protection**. In areas facing drinking water quality issues (high nitrates, PFAS contamination, etc.), connections of those areas to central water systems shall be treated as Priority Projects. Any state regulatory reviews shall be fast-tracked to alleviate health risks quickly.

SECTION 8. INTERAGENCY COORDINATION, STAFFING AND LAND USE SUPPORT

(a) **Facilitating Local Government Support**. Working with the Office of the Governor, DelDOT, DNREC, the Office of State Planning Coordination, and DSHA shall work together to encourage local governments to support Priority Projects defined in Section 2 through fast-track procedures and complementary land use policies (e.g., zoning for higher-density and mixed-use development in conjunction with existing and new transit investments). While this Order does not override local land use authority, the state may offer technical assistance, planning grants, or incentives to support local code changes that facilitate priority projects.

(b) **Land Use and Infrastructure Alignment**. All Agencies and the Office of State Planning Coordination shall work together to ensure that comprehensive plans align transportation, water/sewer infrastructure planning, broadband, energy siting and housing development with land use policies, so that future growth areas have advance infrastructure planning to the maximum extent possible rather than reactive crisis responses.

(c) **Staffing and Reclassification**. Recognizing that state permitting agencies will require adequate staffing to reduce barriers to permitting and meet accelerated timelines, the

Department of Human Resources (DHR) and the Office of Management and Budget (OMB), in coordination with the Office of the Governor, shall work jointly with relevant Agency Heads to identify and prioritize staffing needs related to this Executive Order. This includes the expedited review and approval of hiring, position reclassifications, use of contracting authorities, and other employment-related requests submitted by agencies to support compliance with this Order.

SECTION 9. LEGISLATIVE RECOMMENDATIONS AND AGENCY REPORTING

(a) **Agency Director Certification (Due 30 Days from Order)**. Within 30 days of this Order, each agency head shall submit a written certification to the Governor's Office identifying:

1. The Agencies implementation plan for the order; and
2. A primary point of contact for order implementation.

(b) **6/12/18-Month Implementation Report**. At 6, 12, and 18 months of the date of this Order, DNREC, DelDOT, State Fire Marshal, OSPC, OMB, DHR, DSHA, PSC, DTI, and DHSS shall submit (where relevant jointly) comprehensive reports to the Governor detailing:

1. Actions Taken, including:
    i. A detailed list of regulations, guidance documents, checklists, and procedures that have been amended or adopted;
    ii. Examples of projects that have benefited from the Housing Fast Lane or other expedited processes, regardless of the projects' level of completion; and
    iii. Average approval timelines before and after implementation (to measure acceleration).
2. Statutory Barriers Identified, including:
    i. Specific language of statutes that conflict with Order provisions and how the Agency resolved them; and
    ii. Recommendations for legislative amendments (to be proposed to the General Assembly).
3. Performance Metrics, including:
    i. Number of Priority Projects approved and their characteristics;
    ii. Average agency decision timelines for Priority Projects; and
    iii. Any applications that exceeded 120-day timelines and reasons for delay.
4. This report shall be written in plain language and made publicly available on a website designated by the Governor.

Ongoing Accountability. Agencies shall continue to track performance data (approval timelines, number of projects, etc.) and include such metrics in annual budget presentations or regulatory reports to demonstrate ongoing progress and identify emerging barriers.