

# PERMITTING ACCELERATOR (EO 18)

## Public FAQ / Fact Sheet

### 1. What is the Permitting Accelerator?

- a. The Permitting Accelerator is a statewide strategy to reduce unnecessary delays in permitting for critical infrastructure projects—housing, energy, broadband, water and sewer, and mixed-use development—while fully preserving environmental protections, public health standards, and local land-use authority.

### 2. What is the Current Permitting Process in Delaware?

- a. For large projects, it is a journey through at least 7 state agencies, the local land use authority, and local conservation districts to get to construction:

#	Stage	Involved agencies
1	<b>PLUS process</b> <i>(1-2 months)</i>	<ul style="list-style-type: none"> <li>• DSHA, DeIDOT, Fire marshal, DNREC, OSPC, SHPO, local conservation districts, local land use authorities</li> <li>• <i>Sometimes involved:</i> Division of Public Health within DHSS, Department of Agriculture, Department of Education</li> </ul>
2	<b>“Pre-pre-recordation” approvals</b> <i>(6 months to 1.5 years)</i>	<ul style="list-style-type: none"> <li>• Local land use authorities for local land use approvals with SHPO sometimes consulted</li> <li>• DeIDOT for Traffic Impact Study (TIS)</li> <li>• SHPO for certain government-funded projects for funds to be released</li> <li>• DNREC for environmental permits (e.g., wetlands permits)</li> </ul>
3	<b>Pre-recordation approvals</b> <i>(2-3 months)</i>	<ul style="list-style-type: none"> <li>• DeIDOT for Letter of No Objection to Recordation (LONOR) or Letter of No Contention (LONC)</li> <li>• Fire marshal for site plan approval</li> </ul>
4	<b>Recordation</b> <i>(1 week)</i>	<ul style="list-style-type: none"> <li>• County recordation of deed</li> </ul>
5	<b>Pre-building permits approvals</b> <i>(3-12 months)</i>	<ul style="list-style-type: none"> <li>• DeIDOT for entrance permit and utility construction permit</li> <li>• Local conservation districts for sediment &amp; erosion control plan approval</li> <li>• DNREC for construction-related environmental permits (e.g., well &amp; septic permit)</li> <li>• Fire marshal for building plan approval</li> </ul>
6	<b>Building permits approval</b> <i>(1-3 months)</i>	<ul style="list-style-type: none"> <li>• Local land use authorities for building permits</li> </ul>

7	<b>Inspections during construction</b>	<ul style="list-style-type: none"> <li>• DelDOT for entrances, roads, and utilities inspections</li> <li>• Local conservation districts for sediment &amp; erosion control compliance</li> <li>• Local land use authorities for building construction inspections</li> </ul>
8	<b>After construction and ongoing</b>	<ul style="list-style-type: none"> <li>• Local conservation districts for final inspection of permanent stormwater best management practices (BMPs) and maintenance inspections of stormwater facilities</li> </ul>

**3. Why did Governor Meyer issue this Executive Order?**

- a. Permitting for major projects in Delaware has often taken 18–24 months or longer, increasing costs, delaying housing and infrastructure, and discouraging investment. These delays contribute to:
  - i. Higher housing costs
  - ii. Slower energy and broadband deployment
  - iii. Missed economic development opportunities
  - iv. The Order modernizes how agencies coordinate reviews to make processes faster, more predictable, and more transparent.

**4. Does this weaken environmental or safety protections?**

- a. No. The Order explicitly:
  - i. Does not expand agency authority
  - ii. Does not waive environmental, health, or safety standards
  - iii. Does not eliminate public participation
  - iv. Requires full compliance with Delaware law and the Administrative Procedure Act
  - v. It improves how agencies work together—not what standards apply.

**5. What types of projects benefit?**

- a. Projects that meet clear, objective criteria may be designated as Priority Projects, including:
  - i. Affordable and higher-density housing
  - ii. Energy generation, transmission, storage, and grid upgrades
  - iii. Broadband expansion to unserved or underserved areas
  - iv. Water and sewer infrastructure
  - v. Mixed-use developments in walkable, transit-served locations

**6. How does this help housing?**

- a. Creates a Housing Fast Lane with parallel review across agencies
- b. Sets a target of 120 business days for state-level permitting decisions
- c. Focuses on projects with affordability, density, and infill or growth-area locations
- d. Focuses Traffic reviews around improving safety

**7. How does this support energy reliability and affordability?**

- a. Establishes expedited, coordinated review for Priority Energy Projects
- b. Clears backlogs for solar and battery storage interconnections
- c. Supports clean energy, nuclear, grid upgrades, and demand-response tools
- d. Improves certainty for utilities and developers planning long-term investments

**8. How does this reduce sprawl?**

- a. Prioritizes infill sites, growth areas, and existing infrastructure
- b. Encourages mixed-use and transit-oriented development

- c. Aligns land use, transportation, housing, and infrastructure planning
- d. Reduces pressure to build on farmland and undeveloped land

**9. Does this override counties or municipalities?**

- a. No.
- b. Local zoning and land-use authority remain fully intact.
- c. The State may offer technical assistance or incentives, but local governments retain decision-making authority.

**10. How will the public know this is working?**

- a. A public Priority Project Dashboard will track progress
- b. Agencies must submit 6-, 8-, and 12-month public reports
- c. Metrics will show approval timelines before and after implementation
- d. Legislative recommendations will be reported where statutes cause delays

**11. When does this take effect?**

- a. The Order is effective immediately, with full implementation targeted within one year.