

STATE OF VERMONT

EXECUTIVE DEPARTMENT

EXECUTIVE ORDER NO. 04-21

[Permitting Modernization Directive]

WHEREAS, Vermonters deserve a modern government providing efficient and effective services, including exemplary customer service and reasonable expectations; and

WHEREAS, the work of the Governor's Cabinet over the last four years has highlighted the fact that Vermont's diversity of statutes, rules and regulatory programs to encourage economic growth, improve our roadways, facilitate the work of our farmers in times of increasing economic stress, develop our outdoor recreation infrastructure and protect our natural resources, environment and public health often require complex and overlapping permitting and approval processes in an environment of highly politicized competing policy and resource demands; and

WHEREAS, coordinated support for both existing enterprises and new and expanded commercial opportunities are critical to Vermont's economic prosperity and workforce growth needed to sustain educational and health and human services for Vermont's most vulnerable; and

WHEREAS, it is unfortunate many perceive our system of permitting and approvals to be so cumbersome, complex, time-consuming and expensive they would rather risk non-compliance; and

WHEREAS, key to the support needed by Vermonters are permitting and approval processes that are rational and navigable; and

WHEREAS, optimizing total permitting time, modernizing and coordinating permitting processes and better utilizing technology to improve both oversight and efficiency, will benefit both Vermonters and Vermont's environment; and

WHEREAS, continuously improving programs and processes is important, and ensuring that staff have the knowledge and skills to be able to do so effectively is crucial to meeting the ever-changing needs of Vermonters; and

WHEREAS, it is essential my Cabinet members use the continuous improvement skills we have developed to ensure greater collaboration and coordination across programs, departments and agencies to improve the customer experience of Vermonters while securing the environmental outcomes required in law and rule.

NOW, THEREFORE, I, Philip B. Scott, by virtue of the authority vested in me as Governor of the State of Vermont, do hereby direct as follows:

I. Permitting Modernization Plan:

A. The following Cabinet members shall work together to develop an implementable plan for an effective, Vermonter-focused land use permitting system designed to improve customer experience while securing environmental outcomes required in law and rule (“Permitting Modernization Plan”). This Commission shall be advisory to the Governor. The development of the Permitting Modernization Plan shall ensure a robust public participation process:

1. Agency of Agriculture, Foods and Markets;
2. Agency of Commerce and Community Development;
3. Agency of Digital Services;
4. Agency of Natural Resources;
5. Agency of Transportation;
6. Department of Health;
7. Department of Public Safety; and
8. Natural Resources Board.

Meetings shall be chaired by the Secretary of Commerce and Community Development, or designee, who shall schedule regular meetings to be held at least monthly, and more frequently as needed. The first meeting shall be held by April 15, 2021.

The Secretary of the Agency of Digital Services shall designate a Project Manager and the Chief Performance Officer shall designate a facilitator to support this initiative. The Project Manager and Facilitator shall coordinate and guide the Permitting Modernization Plan’s development process and record activities and decisions, using continuous improvement tools and methods appropriate for this task.

The assigned Cabinet members shall immediately establish a multi-disciplinary team (“MDT”) to provide increased coordination on existing projects triggering multiple permit jurisdictions. Members of the MDT shall immediately develop a charter for approval by the Chair, acting on behalf of the Cabinet members. The MDT shall meet every week or as needed to streamline the permitting and approval processing for outstanding projects. The MDT shall be chaired by the lead representative from the Agency of Commerce and Community Development. The MDT shall have the direct support of the Project Manager.

The Cabinet members shall ensure additional subject matter experts and resources are made available when deemed necessary by the Chair. The Chief Performance Officer and a liaison appointed by the Governor shall also support this work as necessary.

B. The Permitting Modernization Plan shall be delivered to the Governor no later than May 31, 2021 and shall address, at a minimum:

1. Key Performance Indicators (“KPI”) for the functioning of the permitting system, to include estimated total permitting time, and how those KPIs shall be made available to all Vermonters;
2. The creation of a common entry system into the permitting process;
3. The integration of existing and new permitting workflows into the Business Portal currently being upgraded by the Agencies of Commerce and Community Development and Digital Services together with the Office of the Secretary of State;
4. The development or procurement of a Customer Relationship Management (“CRM”) tool and how a CRM might be used in relationship to permitting interactions with the State of Vermont;
5. An evaluation of current and needed communications tools, including the permitting handbook, websites, best practice guides, outreach to municipalities, and other steps that should be included in the Permitting Modernization Plan;
6. An assessment of current permitting staffing and existing volumes of applications to make any necessary recommended changes; and
7. An evaluation of various state databases; how the data in each can more effectively communicate with another, and what changes are necessary.

C. The Plan shall articulate all necessary short-, medium-, and long-term actions, create a timeline for achieving those steps, and recommend any immediate legislative action for steps which cannot otherwise be performed under the existing authority of the Governor or an Executive Branch agency.

II. Reporting:

Updates on the KPIs and the status of the Permitting Modernization Plan implementation shall be reported to the Governor no less frequently than quarterly on each July 1, October 1, January 1 and April 1 of each year.

This Executive Order shall take effect upon execution and shall terminate at midnight, December 31, 2023 unless extended by the Governor.

WITNESS my name hereunto subscribed
and the Great Seal of the State of Vermont
hereunto affixed at Montpelier this 5th day of
March, 2021.



A handwritten signature in blue ink, reading "Philip B. Scott". The signature is written over a horizontal line.

Philip B. Scott
Governor

By the Governor:

A handwritten signature in black ink, reading "Brittney L. Wilson". The signature is written over a horizontal line.

Brittney L. Wilson
Secretary of Civil and Military Affairs

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