

THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 7]

[EXECUTIVE ORDER NO. 2024-04]

PA Permit Fast Track Program

November 19, 2024

Whereas, timely permitting and licensing is critical for spurring economic development, cutting costs, creating jobs, strengthening communities, and speeding up construction of critical infrastructure; and

Whereas, the Federal Permitting Improvement Steering Council's FAST-41 Program provides a model to improve timeliness, predictability, and transparency of the federal environmental review and authorization process for certain critical infrastructure projects; and

Whereas, Executive Order 2023-05 established the Office of Transformation and Opportunity to assist with the implementation of transformational economic development projects by coordinating interagency cooperation and expediting Commonwealth agency permit and license reviews; and

Whereas, the Commonwealth seeks to improve efficiencies in various permitting processes, which has been set forth in Executive Order 2023-07, Building Efficiency in the Commonwealth's Permitting, Licensing, and Certification Processes; and

Whereas, Act 54 of 2024 established the Streamlining Permits for Economic Expansion and Economic Development (SPEED) program within the Department of Environmental Protection, giving applicants the opportunity to have their initial review conducted by a verified professional for certain permits; and

Whereas, the Commonwealth and stakeholders will benefit from improved predictability, timeliness, and transparency in the permitting and licensing process; and

Whereas, having a permitting or licensing process that is designed to accelerate critical infrastructure and transformational economic development project delivery within the Commonwealth will enhance Pennsylvania's economic competitiveness, increase economic opportunity within the Commonwealth, and position Pennsylvania as an infrastructure leader nationally and globally.

Now, Therefore, I, Josh Shapiro, Governor of the Commonwealth of Pennsylvania, by the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby establish the Pennsylvania (PA) Permit Fast Track Program, and order and direct as follows:



Governor

Fiscal Note: GOV-2024-04. No fiscal impact; recommends adoption.

Annex A

TITLE 4. ADMINISTRATION
PART I. GOVERNOR'S OFFICE

CHAPTER 7. MISCELLANEOUS PROVISIONS

Subchapter MMM. PA PERMIT FAST TRACK PROGRAM

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§ 7.1011. Purpose.

The PA Permit Fast Track Program will enhance public awareness, collaboration, accountability, coordination, transparency and predictability in the Commonwealth's permitting, licensing and authorizations processes for critical infrastructure projects and projects delivering significant economic development to Pennsylvanians.

Through a collaborative process, governmental entities and private stakeholders will jointly develop clear project timelines, set milestones and track progress through a publicly available dashboard.

§ 7.1012. Definitions.

The following term, when used in this subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

OTO—The Office of Transformation and Opportunity.

§ 7.1013. Responsibilities.

The OTO shall:

- (1) Issue program guidance and provide training on the PA Permit Fast Track Program process.
- (2) After gathering appropriate information, determine if a project should be designated for participation in the PA Permit Fast Track Program.
- (3) Provide project coordination services to critical infrastructure and economic development projects identified by the OTO in consultation with the Office of the Governor. Projected management services include developing coordinated timelines for permitting and approvals across relevant agencies, liaising with project sponsors and updating the PA Permit Fast Track Dashboard.
- (4) Assist in the operating and maintaining of a public-facing dashboard to display progress against established permitting timelines associated with designated critical infrastructure and economic development projects.
- (5) Design and implement a process to facilitate coordination among permitting agencies and to improve the timeliness, predictability and transparency of the agency's review and authorization processes for designated critical infrastructure and economic development projects.
- (6) Provide technical assistance to implement the PA Permit Fast Track Program.

§ 7.1014. Relationship with other agencies.

Commonwealth departments, boards, offices, commissions and other agencies under the Governor's jurisdiction shall cooperate with and provide assistance to the OTO as needed with respect to its purpose and responsibilities as set forth in this subchapter.

§ 7.1015. Implementation.

This subchapter shall be implemented consistent with applicable law and regulations. Nothing in this subchapter shall be construed to impair or otherwise affect the authority granted by law to an executive department, agency, office, board, commission or council, or the head thereof. This subchapter is not intended to, and does not create, any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the Commonwealth, its departments, agencies or entities; its officers, employees or agents; or any other person.

§ 7.1016. Effective date.

This subchapter shall take effect immediately and shall remain in effect until amended or rescinded by the Governor.

[Pa.B. Doc. No. 24-1766. Filed for public inspection December 13, 2024, 9:00 a.m.]

GOVERNOR'S OFFICE**Proclamation of Disaster Emergency**

November 30, 2024

Whereas, a severe winter event began to impact the Commonwealth of Pennsylvania on November 29, 2024, and continues, causing dangerous winter weather conditions including heavy snow fall and high winds in Erie County; and

Whereas, the impacts of the winter storm caused Erie County to issue a Declaration of Disaster Emergency; and

Whereas, the continuous heavy snowfall is causing poor travel conditions and other significant adverse impacts, and there is concern for the safety and well-being of the population in Erie County; and

Whereas, the emergency event is of such magnitude or severity as to render essential the Commonwealth's supplementation of county and municipal efforts and resources and the activation of all applicable state, county and municipal emergency response plans; and

Whereas, the Commonwealth of Pennsylvania has enacted the Emergency Management Assistance Compact (EMAC) into law and codified it at 35 Pa.C.S. §§ 7601—7604, in order to provide for mutual aid between states during an emergency that is duly declared by the Governor of the affected state.

Now Therefore, pursuant to Article IV, Section 20 of the Pennsylvania Constitution, I do hereby proclaim the existence of a general disaster emergency in Erie County and authorize and direct that the Pennsylvania Emergency Management Agency Director, or designee, assume command and control of all statewide emergency operations and that all Commonwealth departments and agencies, under the direction of the Pennsylvania Emergency Management Agency Director, or designee, utilize all available powers, resources and personnel as is deemed necessary to cope with the magnitude and severity of this emergency event pursuant to the provisions of the Emergency Management Services Code, Title 35, Part V of *Pennsylvania's Consolidated Statutes*. 35 Pa.C.S. § 7101, et seq.

Further, I hereby transfer \$1,000,000 in unused appropriated funds to the Pennsylvania Emergency Management Agency for Emergency Management Assistance Compact expenses related to this emergency, to be increased or decreased as conditions require pursuant to the provisions of section 7604(a) of the Emergency Management Services Code, 35 Pa.C.S. § 7604(a). In addition, I hereby transfer \$2,000,000 in unused appropriated funds, to be increased or decreased as conditions require, to the Pennsylvania Emergency Management Agency pursuant to section 1508 of the Act of April 9, 1929, P.L. 343, No. 176 (the Fiscal Code), 72 P.S. § 1508. The aforementioned funds shall be used for expenses authorized and incurred related to this emergency. These funds shall be credited to a special account established by the Office of the Budget. I hereby direct that any funds transferred herein that remain unused after all costs related to this emergency have been satisfied shall be returned to the General Fund; and

Further, all Commonwealth agencies purchasing supplies or services in response to this emergency are authorized to utilize the emergency procurement procedures set forth in section 516 of the Commonwealth Procurement

Code, 62 Pa.C.S. § 516. This Proclamation shall serve as the written determination of the basis for the emergency under 62 Pa.C.S. § 516; and

Further, I hereby direct the Pennsylvania Emergency Management Agency to staff the Commonwealth Response Coordination Center for the duration of this emergency event, and to augment it with personnel from other Commonwealth agencies and departments. I also authorize the Pennsylvania Emergency Management Agency to direct and coordinate the emergency response, recovery, and mitigation activities of other Commonwealth agencies and departments as deemed necessary to deal with the exigencies of this disaster emergency through implementation of the State Emergency Operations Plan; and

Further, I hereby authorize the Secretary of Transportation to use all available equipment, resources, and personnel of the Department of Transportation, in whatever manner that he deems necessary, to ensure that all federal-aid and state highways in the areas that may be affected by the emergency event are cleared of snow, ice, debris and any other obstructions resulting from this event and to ensure that highways, bridges, roadbeds, and related facilities and structures that may sustain damage in the disaster affected areas are immediately repaired, maintained, reconstructed, or replaced, or that new construction is undertaken where necessary. In addition, I hereby waive any laws or regulations that would restrict the application and use of the Department's equipment, resources, and personnel to assist local jurisdictions in the repairs and clearing and removal of snow, ice, debris, and other types of obstructions from non-state-owned highways. This assistance to local jurisdictions may be provided solely at the discretion of the Secretary of Transportation. This assistance, however, does not apply to privately owned highways, roads, streets, or other types of property; and I hereby authorize the Secretary of Transportation, in his sole discretion, to waive any provision of the Vehicle Code or any other law or regulation which he is authorized by law to administer or enforce as may be necessary to respond to this emergency event; and

Further, I hereby authorize the Commissioner of the Pennsylvania State Police to use all available resources and personnel of the Pennsylvania State Police, in whatever manner he deems necessary, to aid in the recovery aspects related to all interstate and other federal and state highways in the Commonwealth to address this emergency event; and

Further, pursuant to the powers vested in me by the Constitution and laws of this Commonwealth, specifically 51 Pa.C.S. § 508, I hereby authorize the Acting Adjutant General of Pennsylvania to place on state active duty for the duration of this disaster emergency proclamation, such individuals and units of the Pennsylvania National Guard, as requested by the Pennsylvania Emergency Management Agency, to alleviate the danger to public health and safety caused by this emergency event; and

Further, I hereby direct that the emergency response, recovery, and mitigation aspects of the Commonwealth and all applicable county, municipal, and other emergency response plans be activated and that all state, county, and municipal actions taken to implement those plans be coordinated through the Pennsylvania Emergency Management Agency; and

Further, I hereby suspend the provisions of any other regulatory statute prescribing the procedures for conduct of Commonwealth business, or the orders, rules or regulations of any Commonwealth agency, if strict compliance with the provisions of any statute, order, rule or regulation would in any way prevent, hinder, or delay necessary action in coping with this emergency event. All Commonwealth agencies may implement their emergency assignments without regard to procedures required by other laws, except mandatory constitutional requirements, pertaining to the performance of public work, entering into contracts, incurring of obligations, employment of temporary workers, rental of equipment, purchase of supplies and materials, and expenditures of public funds; and

Still Further, I hereby urge the governing bodies and executive officers of all political subdivisions that may be affected by this emergency to act as

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necessary to meet the current exigencies as legally authorized under this proclamation, namely, by the employment of temporary workers; by the rental of equipment; and by entering into such contracts and agreements as may be required to meet the emergency, all without regard to those time-consuming procedures and formalities normally prescribed by law, mandatory constitutional requirements excepted.

Given under my hand and the Seal of the Governor, at the City of Harrisburg, on this thirtieth day of November two thousand twenty-four, the year of the Commonwealth the two hundred forty-ninth.



Governor

[Pa.B. Doc. No. 24-1767. Filed for public inspection December 13, 2024, 9:00 a.m.]
