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Streamlined, Clear, Expeditious Permitting/Governor Executive Order: Arkansas Department of Energy and Environment Submitted Plan

10/15/2026

The Arkansas Department of Energy and Environment (“E&E”) previously submitted its Improvement Plan as required by Arkansas Governor Sarah Sanders’ Executive Order 26-04 (“EO”).

[The Governor had signed on February 16th the EO styled:](#)

EXECUTIVE ORDER TO MAKE ARKANSAS THE BEST STATE IN AMERICA TO DO BUSINESS THROUGH STREAMLINED, CLEAR, AND EXPEDITIOUS PERMITTING PROCESSES THAT PROTECT NATURAL RESOURCES AND FOSTER ECONOMIC DEVELOPMENT.

The EO required that:

- Each cabinet-level state agency, along with any state board or commission thereof that issues permits, licenses, certifications, or other such regulatory approvals, including but not limited to the Arkansas Department of Agriculture, the Arkansas Department of Energy and Environment, Arkansas Department of Labor and Licensing, and the Arkansas Department of Health, shall conduct a comprehensive review of all such processes within 120 days of this Order.

The review was required to identify and subsequently submit a written Improvement Plan to the Governor that included:

- Specific process improvements;
- Any legislative changes needed to implement recommendations;
- Any rule changes needed to implement recommendations;
- A timeline for implementation; and
- Performance metrics such as average turnaround time.

E&E in its 120-day comprehensive review stated that it examined 112 permit, license, certification, and registration programs. These included:

- Division of Environmental Quality (70).
- Division of Energy and Mineral Resources (42).

E&E states that a primary finding is that delay is caused by procedural requirements in addition to technical review:

- Newspaper -only public notice.

- Sequential rather than parallel review.
- Open-ended deficiency loops.
- Multi-level review of standardized submittals under general permits.

A second finding is that fee recovery in several programs has not kept pace with the cost of administering them. This is stated to limit review capacity and therefore lengthens turnaround time.

Components of the Improvement Plan include:

- Specific Process Improvements.
- Legislative Changes Needed.
- Rule Changes Needed.
- Timeline for Implementation.
- Performance Metrics.
- Structural Metrics.
- Additional Directives.

In terms of requested actions, E&E ask for support in the upcoming 2027 Arkansas General Assembly for seven legislative recommendations described in the Improvement Plan. The department also asks for funding for SEEK enhancements.

A copy of the Improvement Plan can be found [here](#).