

EXECUTIVE ORDER NO. 315

WHEREAS, global atmospheric warming, driven largely by human activities that emit greenhouse gases and other climate pollutants, is leading to significant changes in climate patterns here in New Jersey and around the world, presenting an existential threat to residents of New Jersey and their health, communities, businesses, environment, and way of life; and

WHEREAS, traditional methods of energy production that rely on the burning of fossil fuels release harmful emissions of greenhouse gases, which contribute to global climate change; and

WHEREAS, New Jersey's overburdened communities disproportionately bear the burdens of climate change; and

WHEREAS, it is the policy of this State that, as a key part of its efforts to curtail the serious impacts of global climate change caused by greenhouse gas emissions, New Jersey must pursue an equitable and smooth transition to clean and renewable energy sources while building a stronger and fairer economy; and

WHEREAS, on July 6, 2007, the State enacted the Global Warming Response Act, P.L.2007, c.112 ("GWRA"), which established a statewide goal of reducing greenhouse gas emissions to 80 percent below 2006 levels by 2050; and

WHEREAS, on July 23, 2019, I signed into law P.L.2019, c.197, which reinforced the GWRA by requiring action in the short-term to better enable the State to meet its goal of reducing greenhouse gas emissions to 80 percent below 2006 levels by 2050; and

WHEREAS, in one of my earliest actions as Governor, I signed Executive Order No. 7 (2018) authorizing the State to rejoin the Regional Greenhouse Gas Initiative, a cooperative program to cap and reduce carbon dioxide emissions from power plants in participating states, and to begin limiting carbon dioxide

emissions from New Jersey's power sector, while simultaneously allowing New Jersey to make transformational investments in clean energy to further reduce greenhouse gas emissions; and

WHEREAS, Executive Order No. 8 (2018), No. 92 (2019), and No. 307 (2022) emphasized the vital importance of offshore wind energy to aid in the State's equitable and smooth transition to a clean energy economy, setting a goal of procuring 11,000 megawatts of the State's energy from offshore wind by 2040, which will further reduce greenhouse gas emissions; and

WHEREAS, in Executive Order No. 23 (2018), in recognition of the disproportionate exposure of New Jersey's overburdened communities to unacceptably high levels of environmental pollution, I directed all Executive Branch departments and agencies to consider environmental justice in implementing their responsibilities; and

WHEREAS, pursuant to Executive Order No. 28 (2018), on January 27, 2020, the New Jersey Board of Public Utilities ("BPU") released New Jersey's 2019 Energy Master Plan ("EMP"), which provided a comprehensive, forward-thinking blueprint for an equitable and smooth transition from reliance on fossil fuels that contribute to climate change to 100 percent clean energy sources on or before January 1, 2050; and

WHEREAS, New Jersey's first Scientific Report on Climate Change, issued by the Department of Environmental Protection ("DEP") on June 30, 2020 pursuant to Executive Order No. 89 (2019), described impacts of climate change that are presently occurring in New Jersey as a result of increased atmospheric levels of greenhouse gases; including increasingly mild winters and related ecosystem harms, more intense rainfall, more severe flooding, sea level rise, damage to aquatic habitats, increased air pollution,

more severe droughts, and damage to agricultural and marine resources; all of which threaten public health, safety, and the State's infrastructure and economy, and will likely be more severe in years to come; and

WHEREAS, the DEP's October 15, 2020 GWRA 80x50 Report found that, without steep and permanent reductions in greenhouse gas emissions, New Jersey will increasingly experience significant adverse effects of climate change; and

WHEREAS, in Executive Order No. 221 (2021), I established the Governor's Office of Climate Action and the Green Economy to coordinate policymaking across the Executive Branch with respect to climate change, and created the New Jersey Council on the Green Economy to support the transition to an equitable clean energy economy and the creation of innovative and sustainable job opportunities; and

WHEREAS, the August 6, 2021 Sixth Assessment Report of the United Nations Intergovernmental Panel on Climate Change, which the United Nations Secretary General called "a code red for humanity" and which describes the present effects of climate change on every inhabited region of the world, emphasizes the need for deep reductions in greenhouse gas emissions in the coming decades; and

WHEREAS, on November 10, 2021, I signed Executive Order No. 274, setting a policy for the State of reducing greenhouse gas emissions to 50 percent below 2006 levels by 2030, to complement the GWRA's goal of an 80 percent reduction in emissions by 2050; and

WHEREAS, my Administration has consistently invested in the development of New Jersey's clean energy economy, including procuring 3,758 megawatts of offshore wind energy production to

date, increasing the amount of solar energy in New Jersey to over 4,000 megawatts; including through the Community Solar Energy Program, which brings the benefits of solar energy to those who might otherwise be excluded; and working with my partners in the Legislature to enact P.L.2021, c.169, which directs the BPU to create New Jersey's first competitively-procured grid-scale solar incentive program, which is currently accepting applications; and

WHEREAS, my Administration has similarly invested in ensuring that the transition to a clean energy economy delivers on the promise of high-quality, accessible jobs for New Jersey residents; including by releasing the Council on the Green Economy's report, *Green Jobs for a Sustainable Future*, on September 21, 2022, and by announcing over \$10 million in new investments in initiatives to build an inclusive green workforce and increase access to green jobs for residents of communities on the frontlines of the climate crisis; and

WHEREAS, the Clean Energy Act, P.L.2018, c.17 established one of the most ambitious renewable portfolio standards in the nation, which provides for 35 percent of the electricity sold in New Jersey to be supplied from renewable resources by 2025, and 50 percent by 2030, through a market-based system of matching electricity consumption with renewable energy certificates; and

WHEREAS, policies and programs requiring that a percentage of the State's electricity come from clean sources, send an important signal of the State's commitment to climate action, reduce greenhouse gas emissions that are worsening the adverse impacts of climate change in the State, serve to spur investment and innovation in clean energy technologies, and support improved job growth in the green economy; and

WHEREAS, my Administration has invested in the continued viability of New Jersey's nuclear power plants as a reliable, zero-emission power source in the State; and these power plants currently supply approximately 40 percent of the State's electricity; and

WHEREAS, the federal Inflation Reduction Act provides an unprecedented level of federal financial support for clean energy, which is supercharging innovation in clean energy technology and driving down the cost of the clean energy transition; and

WHEREAS, BPU's EMP Ratepayer Impact Study, released August 17, 2022, found that, for an average residential ratepayer in 2030, the pathway to achieving a 100 percent clean energy standard by 2035 would cost only approximately two percent more than the pathway to achieve 100 percent clean energy by 2050 set forth in the EMP; even before taking into account the impact of the federal support in the Inflation Reduction Act, and would reduce greenhouse gas emissions by an additional 5.5 million metric tons annually by 2030, providing a benefit of \$355 million per year; and

WHEREAS, on January 20, 2023, I announced that the State would begin planning for the development of a new EMP for release in 2024 that will update and expand on the pathway to achieving a 100 percent clean energy economy by 2050 set forth in the 2019 EMP; and

WHEREAS, accelerating New Jersey's transition to 100 percent clean electricity through the mechanism of a clean electricity standard that matches electricity sales with clean energy attribute certificates representing carbon-free electricity generation is critical to reducing the worsening impacts of climate change, technically and financially sound, and consistent with the long-term reliability of New Jersey's electric grid;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. It is the policy of the State to advance clean energy market mechanisms and other programs in order to provide for 100 percent of the electricity sold in the State to be derived from clean sources of electricity by January 1, 2035.

2. In the 2024 EMP, the BPU shall make updates to the State's roadmap to 100 percent clean energy that are consistent with the policy set forth in Paragraph 1, and shall provide specific proposals to be implemented both in the short-term and longer-term to achieve this goal.

3. Nothing in this Order shall be construed to confer any legal rights or additional limitations upon entities whose activities are regulated by State entities; nothing shall be construed to create a private right of action on behalf of any such regulated entities or other persons; and nothing shall be used as a basis for legal challenges to rules, approvals, permits, licenses, or other action or inaction by a State entity. Nothing in this Order shall be construed to supersede any federal, State, or local law.

4. Nothing in this Order shall be construed to limit the operation of any lawfully existing electric generating unit, or the construction or operation of any proposed electric generating unit, consistent with applicable laws and regulations. Nothing in this Order shall be construed to create any additional limitations on entities whose activities are regulated by State entities.

5. This Order shall take effect immediately.

GIVEN, under my hand and seal this
15th day of February,
Two Thousand and Twenty-
three, and of the
Independence of the United
States, the Two Hundred and
Forty-Seventh.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Lisa M. Almeida

Deputy Chief Counsel to the Governor