



# State of New Jersey

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

OFFICE OF THE COMMISSIONER

401 East State Street

P.O. Box 402, Mail Code 401-07

Trenton, New Jersey 08625-0420

Tel. (609) 292-2885 • Fax (609) 292-7695

[www.nj.gov/dep](http://www.nj.gov/dep)

**PHILIP D. MURPHY**

*Governor*

**SHAWN M. LATOURETTE**

*Commissioner*

**SHEILA Y. OLIVER**

*Lt. Governor*

### ADMINISTRATIVE ORDER NO. 2023-13

WHEREAS, global atmospheric warming, caused largely by human activities and primarily the burning of fossil fuels, is leading to significant changes in climate patterns here in New Jersey, across the United States, and around the world;

WHEREAS, the continued emission of greenhouse gases (GHG) and other climate pollutants presents an existential threat to the residents of New Jersey, their health, communities, businesses, environment, economy, and way of life; and

WHEREAS, without steep and permanent reductions in global GHG emissions within the next several years, New Jersey's people and their property will experience significant adverse effects of climate change, including rising sea-levels, increases in temperature and precipitation causing periods of both intense storms and drought, and chronic inundation from flooding; and

WHEREAS, the New Jersey Global Warming Response Act, N.J.S.A. 16:2C-42, (GWRA) directed the New Jersey Department of Environmental Protection (DEP) to develop plans and make recommendations for reducing emissions of climate pollutants to 80% below their 2006 levels by the year 2050 (known as the "80x50" goal); and

WHEREAS, on October 15, 2020, DEP issued the GWRA 80x50 Report, which recommends a suite of legislative, regulatory, and policy initiatives that would reduce the emissions of climate pollutants; and,

WHEREAS, by way of Executive Order 274 (Nov. 10, 2021), Governor Philip D. Murphy established that it is the policy of the State to reduce greenhouse gas emissions to 50% below 2006 levels by the year 2030 (known as "50x30" goal); and

WHEREAS, residential and commercial building represent the second largest source of GHG emissions in New Jersey, representing approximately 26% of the state's emissions of climate pollutants, with space and water heating accounting for the majority of emissions from these sectors; and,

WHEREAS, for New Jersey to achieve the 80x50 goal, new residential and commercial buildings must be net zero emissions and 90% of existing residential and commercial buildings, including State government buildings, must be converted to 100% clean energy systems, with full-scale conversion beginning by 2030; and

WHEREAS, by virtue of their ample building inventory, state government agencies can achieve substantial reductions of buildings-related greenhouse gas emissions through implementation of energy conservation measures and the concerted conversion of their buildings to clean energy systems; and

WHEREAS, due to its statewide operational footprint, including its stewardship of State Parks, Forests and Historic Sites assets, DEP has approximately 2,119 buildings in its inventory across 84 facilities that utilize electric, gas, fuel oil, diesel, liquefied petroleum gas, and/or water and sewer services; and

WHEREAS, New Jersey's Clean Energy Act, P.L.2018, c.17 (C.48:3-87.8 et al.), enacted on May 23, 2018, establishes the State's goals for improving and expanding renewable energy programs: (1) by December 31, 2025, 35 percent of the energy sold in the state comes from qualifying renewable energy sources, (2) by December 31, 2030, 50 percent of the energy sold in the state comes from qualifying renewable energy sources, (3) by December 31, 2021, the solar renewable portfolio standard accelerates to 5.1 percent, (4) by December 31, 2030, 3,500 MW is generated by offshore wind and (5) by December 31, 2030, 2,000 MW of energy storage is installed; and

WHEREAS, to meet the requirements of the Clean Energy Act, no later than five years after the date of enactment, owners, or operators of commercial buildings over 25,000 square feet in the State must benchmark energy and water use for the prior calendar year using the United States Environmental Protection Agency's Portfolio Manager tool; and

WHEREAS, following the spirit of the Clean Energy Act, the DEP is committed to benchmarking its buildings inventory starting with those over 25,000 square feet and has already begun efforts to electrify and increase the efficiency of DEP buildings, having conducted local government energy audits at ten (10) facilities administered by the DEP Fish & Wildlife program, generated over 2 million kWh through installation of a solar photovoltaic system at DEP headquarters, and installed a ground source heat pump system at Monmouth Battlefield Park Visitor's Center; and

WHEREAS, implementing energy conservation measures and transitioning DEP's buildings to clean energy systems will require a carefully crafted plan that includes conducting energy audits of DEP buildings and evaluating DEP facilities for renewable energy siting potential; and

WHEREAS, the DEP recognizes that its many State-owned parks and recreational areas include buildings and other areas, such as parking lots, that provide the Department a unique opportunity to deploy clean energy systems to better serve the needs of visitors and employees, and promote the objectives of the Clean Energy Act and the GWRA 80x50 Report; and

WHEREAS, therefore, DEP uniquely positioned to develop an initiative that evaluates and implements renewable energy and efficiency solutions across its myriad assets; and



WHEREAS, DEP's Air, Energy, and Materials Sustainability (AEMS) program has already taken affirmative steps to develop such an initiative to reduce building emissions and demonstrate the Department's leadership by example; and

NOW, THEREFORE, I, Shawn M. LaTourette, Commissioner of Environmental Protection, hereby ORDER as follows:

1. There is hereby established, within DEP, the Climate Mitigation *'Lead by Example'* (LBE) initiative, which shall serve to inventory and analyze DEP-owned or administered assets, develop policies and provide technical support concerning emissions reductions planning and projects, and assist in the deployment of clean energy systems across DEP assets to better serve the needs of visitors and employees and otherwise promote the objectives of the GWRA and Clean Energy Act.
2. The work of the LBE initiative shall be primarily administered by DEP's Division of Climate Change Mitigation & Monitoring in partnership with DEP's Division of Health, Safety & Facility Management.
3. There is hereby established, within the Commissioner's Office, the LBE Steering Committee, which shall provide executive leadership and oversight for LBE activities and assist in identifying resources, developing policies, and ensuring clear lines of communication across program areas.
4. LBE Steering Committee shall be comprised of:
  - a. The Department's Chief of Staff or their designee;
  - b. The Manager of the Climate Change, Clean Energy & Sustainability element of the Division of Climate Change Mitigation & Monitoring, who shall serve as Co-Chair of the Steering Committee;
  - c. The Director of Division of Health, Safety & Facility Management, who shall serve as Co-Chair of the Steering Committee;
  - d. The Assistant Commissioner for the following programs, or their designee:
    - i. State Parks, Forests and Historic Sites;
    - ii. Fish and Wildlife;
    - iii. Water Resources Management;
    - iv. Management and Budget; and,
  - e. The Chief Advisor for Legal & Regulatory Affairs or their designee.
5. Each Assistant Commissioner with oversight of units responsible for administering real property shall identify and appoint a principal LBE liaison who shall be responsible for coordinating the activities described herein.
6. All staff from DEP programs, divisions, bureaus, offices, or other units responsible for administering real property shall prioritize participation in or requests from the LBE initiative and




work collaboratively with their program's principal LBE liaison, as well with the Climate Change, Clean Energy & Sustainability staff and Health, Safety & Facility Management staff, to coordinate the following activities, and such others activities as may be later identified by the Steering Committee:

- a. Developing a verified list of all buildings or other structures with energy or water demand including, but not limited to, heating and cooling, lighting and operational need, sanitation, and vehicle charging (buildings);
- b. Identifying all utility meter(s) serving each building;
- c. Benchmarking energy and water usage at each building;
- d. Identifying all energy conservation or efficiency measures that have already been implemented;
- e. Developing a greenhouse gas inventory for all Department operations, including but not limited to building, vehicle energy and water use;
- f. Conducting an analysis of opportunities to implement renewable energy solutions on buildings and properties including, but not limited to, analysis of preferred areas suitable for solar installation;
- g. Developing a department-wide energy efficiency and renewable energy capital improvement plan;
- h. Supporting efforts to apply for energy audits at applicable Department buildings; and,
- i. Supporting the implementation of energy efficiency conservation measures and leveraging Treasury's Solar Power Purchase Agreement (PPA), at applicable Department buildings.

Provisions of any previous Administrative Order inconsistent with this Administrative Order are hereby superseded and repealed.

This order shall take effect immediately.

Dated July 17, 2023

  
Shawn M. LaTourette  
Commissioner

