

# EXECUTIVE ORDER NO. 569

## ESTABLISHING AN INTEGRATED CLIMATE CHANGE STRATEGY FOR THE COMMONWEALTH

WHEREAS, climate change presents a serious threat to the environment and the Commonwealth's residents, communities, and economy;

WHEREAS, extreme weather events associated with climate change present a serious threat to public safety, and the lives and property of our residents;

WHEREAS, the Global Warming Solutions Act (the "GWSA") directs the Secretary of Energy and Environmental Affairs and the Department of Environmental Protection to take certain steps to reduce greenhouse gas emissions and prepare for the impacts of climate change, including setting statewide greenhouse gas emissions limits for 2020, 2030, 2040 and 2050;

WHEREAS, the statewide greenhouse gas emissions limit for 2020 is 25% below the 1990 level of emissions and the corresponding limit for 2050 is 80% below the 1990 level of emissions, but no interim limits have yet been set for 2030 or 2040;

WHEREAS, the Commonwealth can provide leadership by reducing its own emissions from state operations, planning and preparing for impending climate change, and enhancing the resilience of government investments;

WHEREAS, the transportation sector continues to be a significant contributor to greenhouse gas emissions in the Commonwealth, and is the only sector identified through the GWSA with a volumetric increase in greenhouse gas emissions;

WHEREAS, the generation and consumption of energy continues to be a significant contributor to greenhouse gas emissions in the Commonwealth, and there is significant potential for reducing emissions through continued diversification of our energy portfolio and adoption of a comprehensive energy plan;

WHEREAS, on May 17, 2016, the Supreme Judicial Court ruled that the steps mandated by the GWSA include promulgation of regulations by the Department of Environmental Protection "that establish volumetric limits on multiple greenhouse gas emissions sources, expressed in carbon dioxide equivalents, and that such limits must decline on an annual basis;"

WHEREAS, the ambitious goals for greenhouse gas emissions established by the GWSA will help to mitigate future climate change, strong and prompt action beyond emission reductions is required to meet the serious threats presented by climate change and associated extreme weather events;

WHEREAS, our state agencies and authorities, as well as our cities and towns, must prepare for the impacts of climate change by assessing vulnerability and adopting strategies to increase the adaptive capacity and resiliency of infrastructure and other assets;

WHEREAS, the Executive Office of Public Safety and Security and its constituent agencies, including the Massachusetts Emergency Management Agency, have deep institutional expertise in preparing for, responding to, and mitigating damage from natural hazards; and

WHEREAS, only through an integrated strategy bringing together all parts of state and local government will we be able to address these threats effectively;

NOW, THEREFORE, I, CHARLES D. BAKER, Governor of the Commonwealth of Massachusetts, by virtue of the authority vested in me by the Constitution, Part 2, c. 2, Section 1, Art. 1, do hereby order as follows:

Section 1. The Secretary of Energy and Environmental Affairs shall coordinate and make consistent new and existing efforts to mitigate and reduce greenhouse gas emissions and to build resilience and adapt to the impacts of climate change. To achieve these objectives the Secretary shall lead the efforts set out in this Executive Order, and shall:

- a. continue to consult the GWSA Implementation Advisory Committee for advice on greenhouse gas emission reduction measures, including recommendations on establishing statewide greenhouse gas emissions limits for 2030, and 2040 pursuant to Section 3(b) of Chapter 21N of the General Laws by December 31, 2020 and December 31, 2030, respectively;
- b. expand upon existing strategies for the Commonwealth to lead by example in making new, additional reductions in greenhouse gas emissions from Government operations;
- c. work, in consultation with the Secretary of Transportation, with New England and Northeastern state transportation, environment and energy agencies to develop regional policies to reduce greenhouse gas emissions from the transportation sector consistent with meeting the GWSA's 2050 and interim emissions limits;
- d. continue to lead on reform of regional wholesale electric energy and capacity markets to ensure that state mandates for clean energy are achieved in the most cost-effective manner;
- e. publish, within two years of this Order, and update every five years thereafter, a comprehensive energy plan which shall include and be based upon reasonable projections of the Commonwealth's energy demands for electricity, transportation, and thermal conditioning, and include strategies for meeting these demands in a regional context, prioritizing meeting energy demand through conservation, energy efficiency, and other demand-reduction resources in a manner that contributes to the Commonwealth meeting each of these limits; and
- f. ensure that efforts to meet greenhouse gas emissions limits are consistent with and supportive of efforts to prepare for and adapt to the impacts of climate change and extreme weather events as detailed in Section 3 of this order.

Section 2. The Department of Environmental Protection shall promulgate final regulations that satisfy the mandate of Section 3(d) of Chapter 21N of the General Laws by August 11, 2017, having designed such regulations to ensure that the Commonwealth meets the 2020 statewide emissions limit mandated by the GWSA. In order to ensure that the Department's regulations meet this requirement on this schedule, the Department of Environmental Protection shall:

- a. establish an internet portal through which interested parties, including affected businesses and members of the public, may propose regulatory approaches for the Department's consideration;
- b. revise the Global Warming Solutions Act requirements for the Massachusetts Department of Transportation set forth in 310 C.M.R. 60.05 to establish declining annual aggregate emissions limits;

- c. consider limits on emissions from, among other sources or categories of sources, the following: (i) leaks from the natural gas distribution system; (ii) new, expanded, or renewed emissions permits or approvals; (iii) the transportation sector or subsets of the transportation sector, including the Commonwealth's vehicle fleet; and (iv) gas insulated switchgear;
- d. publish, no later than December 16, 2016, the notice associated with these regulations as required by Section 5 of Chapter 30A of the General Laws; and
- e. hold, no later than February 24, 2017, a public hearing associated with these regulations as required by Section 5 of Chapter 30A of the General Laws.

Section 3. The Secretary of Energy and Environmental Affairs and the Secretary of Public Safety shall coordinate efforts across the Commonwealth to strengthen the resilience of our communities, prepare for the impacts of climate change, and to prepare for and mitigate damage from extreme weather events. In order to facilitate this coordination, the Secretaries shall:

- a. within two years of this Order, publish a Climate Adaptation Plan that includes a statewide adaptation strategy incorporating: (i) observed and projected climate trends based on the best available data, including but not limited to, extreme weather events, drought, coastal and inland flooding, sea level rise and increased storm surge, wildfire, and extreme temperatures; (ii) guidance and strategies for state agencies and authorities, municipalities and regional planning agencies to proactively address these impacts through adaptation and resiliency measures, including guidance regarding changes to plans, by-laws, regulations, and policies; (iii) clear goals, expected outcomes, and a path to achieving results; (iv) approaches for the Commonwealth to lead by example to increase the resiliency of Government operations; (v) policies and strategies for ensuring that adaptation and resiliency efforts complement efforts to reduce greenhouse gas emissions and contribute towards the Commonwealth meeting the statewide emission limits established pursuant to the GWSA; and (vi) strategies that conserve and sustainably employ the natural resources of the Commonwealth to enhance climate adaptation, build resilience and mitigate climate change;
- b. within one year of this Order, establish a framework for each Executive Office to assess its and its agencies' vulnerability to climate change and extreme weather events, and to identify adaptation options for its and its agencies' assets;
- c. within one year of this Order, establish a framework for each City and Town in the Commonwealth to assess its vulnerability to climate change and extreme weather events, and to identify adaptation options for its assets;
- d. provide technical assistance to Cities and Towns to complete vulnerability assessments, identify adaptation strategies, and begin implementation of these strategies;
- e. implement the Climate Adaptation Plan upon its completion; and
- f. update the Climate Adaptation Plan at least every five years, incorporating information learned from implementing the Plan and the experiences of agencies, and Cities and Towns in assessing and responding to climate change vulnerability.

Section 4. The Secretary of each Executive Office shall designate an existing employee to serve as the Secretariat's Climate Change Coordinator. Each Climate Change Coordinator shall:

- a. serve as the Secretariat's point person regarding climate change mitigation, adaptation and resiliency efforts;
- b. meet under the leadership of personnel from the Executive Office of Energy and Environmental Affairs and the Executive Office of Public Safety and Security to assist in the development and implementation of the Climate Adaptation Plan;
- c. within two years of this Order, assess the vulnerability to climate change and extreme weather events for the Coordinator's Executive Office and for each agency within the Coordinator's Executive Office and identify adaptation options for the assets of such Executive Office and agencies; and
- d. incorporate results from vulnerability assessments into existing policies and plans for the Executive Office and its agencies.

Section 5. This Executive Order shall be reviewed no later than December 31, 2019, and every five years thereafter.

Given at the Executive Chamber in Boston this 16th day of September in the year of our Lord two thousand sixteen and of the Independence of the United States of America two hundred forty-one.