



APPENDIX J. EXECUTIVE ORDER #344

This appendix includes Executive Order #344 (Murphy), Continued the operation of the State Hazard Mitigation Team established in Executive Order #115 and described the role of the SMHT in updating the SHMP, Governor Murphy, October 6, 2023.

EXECUTIVE ORDER NO. 344

WHEREAS, various natural hazards have caused and will continue to cause physical and economic impacts in New Jersey, resulting in significant costs to residents and private entities, as well as to local, county and State government facilities and operations; and

WHEREAS, New Jersey, with nearly 1,800 miles of tidal coastline and numerous back-bays and inland rivers, is particularly vulnerable to natural hazards which are increasingly amplified by the effects of climate change caused by the increase in atmospheric carbon dioxide concentrations, resulting in increased frequency and intensity of damaging weather-related hazards including but not limited to: flooding, storm surges, snow storms, wind events, tornadoes, hurricanes, and extreme heat and cold; and

WHEREAS, the New Jersey Civilian Defense and Disaster Control Act, N.J.S.A. App A:9-33 et seq., as well as Executive Order No. 39 (1954), Executive Order No. 12 (1970), Executive Order No. 115 (1994), and Executive Order No. 125 (2013) all recognize the importance of a coordinated and evolving statewide response to disasters and reflect the need for long-term, cross-agency hazard mitigation projects and policies to maintain the State's resilience in the face of natural hazards; and

WHEREAS, Executive Order No. 115 (1994) established the interagency State Hazard Mitigation Team, led by a representative of the Governor's Office and the State Hazard Mitigation Officer, to examine and recommend actions to reduce New Jersey's vulnerability to natural hazards such as coastal storms, hurricanes, floods, wildfires, earthquakes, and other hazards; and

WHEREAS, in Executive Order No. 89 (2019), I created the position of Chief Resilience Officer to direct the Climate and Flood Resilience Program within the Department of Environmental Protection and an Interagency Council on Climate Resilience to coordinate the development and implementation of the Statewide Climate Change Resilience Strategy, which was subsequently issued in October 2021, to promote the long-term mitigation, adaptation, and resilience of New Jersey's economy,

communities, infrastructure, and natural resources throughout the State from the impacts of climate change; and

WHEREAS, in Executive Order No. 166 (2020), I established the Governor's Disaster Recovery Office to ensure coordination, compliance, and transparency of federal disaster recovery funds received following disasters such as Superstorm Sandy, Coronavirus disease 2019 ("COVID-19"), Tropical Storm Ida, and other disasters that may arise that require a wide-scale coordinated government response; and

WHEREAS, in Executive Order No. 221 (2021), I established the Governor's Office of Climate Action and the Green Economy to focus on the interlocking priorities of addressing climate change, ensuring New Jersey's clean energy future, and transitioning to a green economy while prioritizing equity and environmental justice; and

WHEREAS, the Department of Community Affairs created the Disaster Recovery & Mitigation Division (formerly the Sandy Recovery Division) in response to Superstorm Sandy to specifically oversee federal Department of Housing and Urban Development Community Development Block Grant - Disaster Recovery funding awarded in response to Superstorm Sandy and Tropical Storm Ida, as well as any Community Development Block Grant - Disaster Recovery funding that may be awarded in connection with future disasters; and

WHEREAS, the Department of Transportation is responsible for maintaining and improving the State's transportation network and for effectively spending federal funds provided by the Infrastructure Investment and Jobs Acts of 2021, which prioritizes investments in resilience and climate-related upgrades in transportation infrastructure; and

WHEREAS, coordination between the efforts of the State Hazard Mitigation Team, the Governor's Disaster Recovery Office, the Governor's Office of Climate Action and the Green Economy, the Department of Environmental Protection's Chief Resilience Officer, the Department of Community Affairs' Disaster Recovery & Mitigation Division, and the

Department of Transportation is critical to ensuring consistency across State programs and to leveraging opportunities between the State's risk reduction and resilience efforts, particularly in light of the current and future impacts of climate change; and

WHEREAS, the State Hazard Mitigation Team must keep pace with the State's growing need for disaster preparedness capacity building as well as the need to coordinate local, county, State, federal, and regional disaster preparedness efforts to provide a cohesive strategy for risk reduction and resilience initiatives; and

WHEREAS, it is appropriate to reconfigure the State Hazard Mitigation Team to reflect changes to the structure of State Government, and to ensure that the appropriate agencies are involved in updating the State's Hazard Mitigation Plan; and

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. The State Hazard Mitigation Team established in Executive Order No. 115 (1994) shall continue to operate pursuant to the terms of that Order except as modified herein and shall serve as a coordination point for all Federal Emergency Management Agency-funded natural hazard risk reduction and mitigation activities and projects that will be evaluated in conjunction with other federal- and State-funded recovery and resilience activities.

2. The State Hazard Mitigation Team shall be co-chaired by the Executive Director of the Governor's Disaster Recovery Office and the State Hazard Mitigation Officer appointed by the Governor, pursuant to federal law, to serve as the primary point of contact with the Federal Emergency Management Agency in mitigation planning and implementation of mitigation programs and activities. The co-chairs shall work collaboratively to ensure a unified State response to the hazards identified in the State Hazard Mitigation Plan and to hazards made apparent by active disasters.

3. The Executive Committee of the State Hazard Mitigation Team shall consist of at least seven members, which shall include:

- a. The Executive Director of the Governor's Disaster Recovery Office;
- b. The State Hazard Mitigation Officer;
- c. The Chief Resilience Officer, or designee;
- d. The State Director of Emergency Management, who is the Superintendent of State Police, or designee;
- e. The Commissioner of Community Affairs, or designee;
- f. The Commissioner of Transportation, or designee; and
- g. The Attorney General, or designee.

If the Chief Resilience Officer is not an employee of the Department of Environmental Protection, the Executive Committee of the State Hazard Mitigation Team additionally shall include the Commissioner of Environmental Protection, or designee. All members and designees shall serve at the pleasure of the appointing department or agency, or in the case of those appointed by the Governor, at the pleasure of the Governor, and all shall serve without compensation.

4. The Governor may, as determined to be appropriate, appoint additional members to the State Hazard Mitigation Team, who shall serve at the pleasure of the Governor and without compensation.

5. The State Hazard Mitigation Team is authorized to call upon any department, office, division, or agency of this State, or any non-State entity, to supply it with data and any other information or assistance available to such agency as the State Hazard Mitigation Team deems necessary to execute its duties under this Order. Each Executive Branch department and agency is hereby required, to the extent not inconsistent with law, to cooperate fully with the State Hazard Mitigation Team within the limits of its statutory authority and to furnish it with such assistance on as timely a basis as is necessary to accomplish the purpose of this Order.

6. The co-chairs shall convene an initial meeting of the State Hazard Mitigation Team within one month of any Presidentially declared disaster event that results in Federal Emergency Management Agency funding for hazard mitigation being made available to the State of New Jersey. Other meetings of the State Hazard Mitigation Team shall be held at the call of the co-chairs, but not less frequently than once a year.

7. The State Hazard Mitigation Team shall periodically update the State's Hazard Mitigation Plan to identify hazards, monitor changes in hazard vulnerability, and reduce the threat of hazards by implementing hazard mitigation projects and initiatives.

8. The State Hazard Mitigation Team shall be purely advisory in nature and shall prepare and submit to the Governor through the State Director of Emergency Management an annual progress report detailing efforts to reduce New Jersey's risk to natural hazards. The report shall include:

- a. All submitted, selected pending award, approved, and completed federal, State, and local hazard mitigation projects funded by the Federal Emergency Management Agency;
- b. Recommendations for additional hazard mitigation, flood control, and adaptation projects; and
- c. Recommendations and policy changes that would increase the State's resilience, improve operations, increase capabilities, and best leverage resources.

9. For purposes of this Order, "Executive Branch departments and agencies" shall mean any of the principal departments in the Executive Branch of State government and any agency, authority, board, bureau, commission, division, institution, office, or other instrumentality within or created by any such department, and any independent State authority, commission, instrumentality, or agency over which the

Governor exercises executive authority, as determined by the Attorney General.

10. Nothing in this Order shall be construed to confer any legal rights 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, and nothing shall be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or inaction by a State entity. Nothing in this Order shall be construed to supersede any federal, State, or local law.

11. Executive Order No. 115 (1994) is hereby superseded to the extent inconsistent with this Order.

12. This Order shall take effect immediately.

GIVEN, under my hand and seal this
6th day of October,
Two Thousand and Twenty-
Three, and of the
Independence of the United
States, the Two Hundred and
Forty-Eighth.

[seal]

/s/ Philip D. Murphy
Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor