2024 -- H 7022 SUBSTITUTE A AS AMENDED

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO WATERS AND NAVIGATION -- ACT ON COASTS - COASTAL RESILIENCY

Introduced By: Representatives Spears, Cortvriend, Kislak, Kazarian, Casimiro, Carson, Cotter, Speakman, Ajello, and Dawson

Date Introduced: January 05, 2024

Referred To: House Environment and Natural Resources

It is enacted by the General Assembly as follows:

SECTION 1. Title 46 of the General Laws entitled “WATERS AND NAVIGATION” is hereby amended by adding thereto the following chapter:

CHAPTER 23.4

ACT ON COASTS -- COASTAL RESILIENCY

46-23.4-1. Short title.

This chapter shall be known and may be cited as the “Act on Coasts -- Coastal Resiliency”.

46-23.4-2. Rhode Island chief resilience officer (CRO).

The chief resilience officer (CRO) shall:

(1) Conduct a comprehensive assessment of the climate risks related to sea level rise for coastal and riverine communities. The CRO will conduct an assessment of risk to Providence, Kent, Washington, Bristol and Newport counties for the purposes of the development of a statewide coastal resilience strategy, building upon and supporting the work of the Rhode Island shoreline change special area management plan, hazard mitigation plan and the municipal resilience planning program;

(2) Develop a coastal resilience plan and draft state policies on resilience and implement such policies in conjunction with the Rhode Island executive climate change coordinating council (the “RIEC4”) to improve coordination among state agencies and local jurisdictions to support community and economic recovery efforts and to address risk and vulnerability reduction from sea
rise, riverine flooding and urban heat. The CRO shall provide the statewide coastal resilience plan to the governor, the RIEC4 and the general assembly no later than October 1, 2025, to be included in the state climate plan as outlined in chapter 6.2 of title 42 (“2021 act on climate”) which statewide plan is due December 31, 2025:

(3) Coordinate resilience efforts across state agencies, municipalities, businesses, and other organizations and to advise the RIEC4, established pursuant to § 42-6.2-1, on the status and effectiveness of those efforts;

(4) Draft state policies on resilience and implement such policies under the direction of the RIEC4;

(5) Serve as the primary voice and advocate for state actions on resilience;

(6) Build upon the planning assistance provided to municipalities by municipal resilience program (“MRP”) workshops, in coordination with partner agencies;

(7) Work closely with Rhode Island infrastructure bank (“RIIB”) on the MRP action grants and the planning and financing of other resilience projects;

(8) Work with RIIB and coastal resource management council on the implementation of the ocean state climate adaptation and resilience fund (“OSCAR”) grant program;

(9) Plan and implement projects to protect and restore the habitat and recreational resources owned or under the stewardship of department of environmental management;

(10) Aggressively track and apply for federal grants to fund resilience efforts across Rhode Island;

(11) Coordinate resilience efforts with decarbonization programs, activities, and policies taken in accordance with the chapter 6.2 of title 42 (“2021 act on climate”);

(12) Provide technical assistance to municipalities and the state for the implementation of resilience planning, including resilience frameworks, vulnerability profiles, risk-reduction plans, and economic development strategies; and

(13) Provide biennial reports to the RIEC4, the governor, the speaker of the house of representatives, and the president of the senate on the state of resilience in Rhode Island, with the first report to be submitted by December 31, 2025.

46-23.4-3. Statewide coastal resilience plan.

(a) The Rhode Island statewide climate change resilience strategy shall include a coastal resilience plan that recommends a specific long-term and short-term strategy for climate change resilience and adaptation in the coastal areas of the state including, but not limited to, tidal and non-tidal waters, waterfronts, and inland areas along the coast.

(b) The statewide coastal resilience plan shall include at a minimum:
(1) All necessary information and assessments required by the Federal Emergency Management Agency (FEMA) advanced mitigation plans that will allow Rhode Island to apply for federal funding for coastal resilience preparedness;

(2) An assessment of the vulnerabilities of communities located within the coastal areas to climate change effects such as rising sea levels, increased flooding, and tidal and storm surge flooding anticipated by the year 2050, including physical, economic, and social vulnerabilities including, but not limited to:

(i) Power infrastructure;

(ii) Water and sewage infrastructure including water and sewage treatment facilities and private wells and septic systems;

(iii) Stormwater drainage;

(iv) Existing hard infrastructure such as seawalls, tidal gates, dams, roads and bridges; and

(v) Emergency and shelter facilities;

(3) Comprehensive and detailed information of the investments that the state, along with the federal government, local governments, and other organizations, have made or committed to make in building the resilience of coastal communities, planning guidance and assistance, and other resilience and adaptation measures;

(4) Recommend methodologies for decision-making for further investment of state or federal funds in constructing additional hard or nature-based resilience structures to prevent or mitigate impacts of climate change, or in adopting other resilience or adaptation strategies;

(5) A detailed analysis that includes assessment of highest, immediate and long-term risks to the coastal regions; and

(6) A comprehensive list of any recommendations for actions to be taken by the state to prepare coastal communities to plan, mitigate, and adapt to the anticipated impacts of climate change including, but not limited to, stormwater drainage, hard infrastructure, nature-based solutions, relocation and retreat strategies and for financing strategies to fund the recommended resilience and adaptation measures.

c) The statewide coastal resilience plan shall be updated as necessary and shall be reviewed at least every two (2) years, beginning October 1, 2027, by the CRO.

SECTION 2. This act shall take effect upon passage.
This act would require the chief resilience officer (CRO) to be charged with the creation, maintenance and updating of the statewide coastal resilience plan. The act would also create a statewide climate change coastal resilience plan and establish a twenty (20) member advisory board on coastal resilience for ocean and riverine coasts.

This act would take effect upon passage.