

2024 -- S 2298

LC004275

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: Senators Gu, Valverde, DiMario, Kallman, Sosnowski, Euer, Britto,
Miller, LaMountain, and Tikoian

Date Introduced: February 12, 2024

Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

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

3 CHAPTER 23.4

4 ACT ON COASTS - COASTAL RESILIENCY

5 **46-23.4-1. Short title.**

6 This chapter shall be known and may be cited as the "Act on Coasts – Coastal Resiliency".

7 **46-23.4-2. Rhode Island chief resilience officer (CRO) – Executive Order.**

8 (a) The chief resilience officer (CRO) shall:

9 (1) Develop a statewide resilience plan with the EC4 to improve coordination among state
10 agencies and local jurisdictions to support community and economic recovery efforts and to address
11 risk and vulnerability reduction from sea rise, riverine flooding and urban heat and shall provide
12 the plan to the governor, the EC4 and the general assembly by June 30, 2025, to be included in the
13 state climate plan as outlined in chapter 6.2 of title 42 ("2021 act on climate") which statewide plan
14 is due December 31, 2025;

15 (i) It shall be based on existing data and the best available science regarding the current
16 and anticipated environmental effects of climate change in Rhode Island, including, but not limited
17 to, increased temperatures, sea level rise, increased frequency or severity of rainfall, storms and
18 flooding, increased forest fires, and increased frequency and severity of droughts, anticipated by

1 scientists at least through 2050, working in concert with the goals outlined in chapter 6.2 of title 42
2 ("2021 act on climate");

3 (i) The state resiliency office (the "office") shall develop, implement, and maintain the
4 state resilience plan and shall coordinate resilience and disaster recovery efforts, including
5 coordination with federal, state, and local governmental agencies, stakeholders, and
6 nongovernmental entities. The office shall coordinate and strengthen efforts to reduce losses from
7 future disasters across the state and shall develop, implement, and maintain a strategic statewide
8 resilience plan;

9 (2) The office shall consult with the governor's office, the Rhode Island emergency
10 management agency (RIEMA), the department of health (DOH), the department of environmental
11 management (DEM), the coastal resources management council (CRMC), Rhode Island
12 Infrastructure bank and all other affected state agencies in developing the state resilience plan;

13 (3) In developing the program, the CRO shall ensure a participatory process that includes
14 local government, state agencies, business, labor, industry, agriculture, civic and volunteer
15 organizations, academia, community leaders, and other stakeholders;

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

19 (5) Provide technical assistance to state agencies for the implementation of resilience
20 policies and procedures and to institutionalize resilience practices across departments and agencies;

21 (6) Provide technical assistance to local governments and state agencies to secure
22 additional resources and investment to implement resilience solutions;

23 (7) Integrate resilience criteria into existing competitive grant programs;

24 (8) Develop metrics and targets to measure the short- and long-term success of resilience
25 efforts and actions;

26 (9) Support RIEMA in long-term community recovery efforts and resource navigation after
27 a disaster;

28 (10) Provide strategic direction and support to the EC4 and other cross-departmental
29 climate change resilience initiatives;

30 (11) Facilitate on-going stakeholder engagement, particularly the Rhode Island business
31 community, realtors, engineers, municipalities, academia, environmental justice communities, state
32 and local emergency response teams and the health care delivery systems and input into
33 recommendations; and

34 (12) Undertake any and all other duties assigned to the CRO by the governor, DEM and

1 the EC4.

2 (c) The CRO will provide support to agencies as they identify and incorporate projections
3 related to coastal change provided by the state resilience plan into their strategic plans.

4 **46-23.4-3. Coastal resilience plan.**

5 (a) The statewide climate change resilience strategy shall include a state coastal resilience
6 plan that recommends a specific long-term and short-term strategy for climate change resilience
7 and adaptation in the coastal areas of the state, i.e., tidal and non-tidal waters, waterfronts, and
8 inland areas along the coast. The coastal resilience plan shall include, at a minimum:

9 (1) An assessment of the vulnerabilities of communities located within the coastal areas to
10 climate change effects such as rising sea levels, increased flooding, and tidal and storm surge
11 flooding anticipated by the year 2050, including physical, economic, and social vulnerabilities;

12 (2) A description of the investments that the state, along with the federal government, local
13 governments, and other organizations, have already made or committed to make in building the
14 resilience of coastal communities, including hard and nature-based resistance structures, planning
15 guidance and assistance, and other resilience and adaptation measures;

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

19 (4) Recommendations for actions to be taken by the state to prepare coastal communities
20 to plan, mitigate, and adapt to the anticipated impacts of climate change including, but not limited
21 to, stormwater drainage, hard infrastructure, nature based solutions, relocation and retreat
22 strategies; and

23 (5) Recommendations for financing strategies to fund the recommended resilience and
24 adaptation measures.

25 (b) The statewide climate change resilience plan shall be updated as necessary and shall be
26 reviewed at least every two (2) years by the chief resilience officer, with the support of the
27 interagency council, to ensure consistency with the scientific report on climate change and with
28 evolving scientific information.

29 SECTION 2. Chapter 42-6.2 of the General Laws entitled "2021 Act on Climate" is hereby
30 amended by adding thereto the following section:

31 **42-6.2-4.1. Advisory board on resilience for ocean and riverine coasts.**

32 (a) The advisory board on resilience for ocean and riverine coasts is hereby established.
33 The advisory board shall have fourteen (14) members. Six (6) members shall be appointed by the
34 governor; two (2) of whom shall be representatives of city or town government. Four (4) members

1 shall be appointed by the president of the senate, who shall give due consideration to appointing
2 persons with expertise in insurance; flood management and mitigation; and infrastructure. Four (4)
3 members shall be appointed by the speaker of the house, who shall give due consideration to
4 appointing persons with expertise in land use planning; environmental organization; riverine
5 geology; and real estate.

6 (b) The members of the advisory board shall be appointed for terms of three (3) years;
7 provided, however, that, with regard to the initial appointments, four (4) members shall be
8 appointed for a term of one year; five (5) members shall be appointed for a term of two (2) years;
9 and five (5) members shall be appointed for a term of three (3) years. Members may be reappointed,
10 and their appointments shall continue until their successors are appointed. The term of a member
11 representing a city or town shall end when the member no longer holds an elected or appointed
12 position in the city or town they were representing. A vacancy other than by expiration shall be
13 filled in the manner of the original appointment, but only for the unexpired portion of the term.

14 (c) The members of the advisory board shall receive no compensation.

15 (d) The governor shall appoint a chairperson. A vice-chairperson and secretary shall be
16 elected annually by the advisory board members. All officers of the advisory board shall serve until
17 their successors have been duly appointed or elected.

18 (e) The advisory board shall meet at least quarterly or at the call of the chairperson of the
19 EC4 council. The chairperson of the council, or designee, shall be present for all advisory board
20 meetings.

21 (f) The advisory board shall have the following purposes and duties:

22 (1) Advise the EC4 on all matters including plans, programs, strategies and make
23 recommendations for adaptation on resilience in urban, coastal and riverine environments, and sea
24 rise environments;

25 (2) Assist the EC4 in improving public access to the best available scientific, technical and
26 other information regarding coastal, riverine, and urban resilience;

27 (3) Serve as a conduit for communicating information from the EC4 to communities and
28 constituencies as well as input from the community level to the EC4; and

29 (4) No later than June 30, 2025, the EC4 along with the state resilience office shall prepare
30 a state coastal and resilience plan for submission to the governor. The plan shall also be utilized by
31 the EC4 for inclusion in the climate plan described in § 42-6.2-2(a)(2)(i).

32 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would require the chief resilience officer (CRO) and a resiliency office within the
2 department of environmental management (DEM) be charged with the creation, maintenance and
3 updating of the state's resiliency and community recovery program. The act would also create a
4 statewide climate change resilience strategy for climate change as well as a fourteen (14) member
5 advisory board on resilience for ocean and riverine coasts.

6 This act would take effect upon passage.

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