

2024 -- H 7022 SUBSTITUTE A

LC003288/SUB A

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:

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).**

8 The chief resilience officer (CRO) shall:

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

15 (2) Develop a coastal resilience plan and draft state policies on resilience and implement
16 such policies in conjunction with the Rhode Island executive climate change coordinating council
17 (the "RIEC4") to improve coordination among state agencies and local jurisdictions to support
18 community and economic recovery efforts and to address risk and vulnerability reduction from sea

1 rise, riverine flooding and urban heat. The CRO shall provide the statewide coastal resilience plan
2 to the governor, the RIEC4 and the general assembly no later than October 1, 2025, to be included
3 in the state climate plan as outlined in chapter 6.2 of title 42 ("2021 act on climate") which statewide
4 plan is due December 31, 2025;

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

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

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

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

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

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

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

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

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

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

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

29 **46-23.4-3. Statewide coastal resilience plan.**

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

34 (b) The statewide coastal resilience plan shall include at a minimum:

1 (1) All necessary information and assessments required by the Federal Emergency
2 Management Agency (FEMA) advanced mitigation plans that will allow Rhode Island to apply for
3 federal funding for coastal resilience preparedness;

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

8 (i) Power infrastructure;

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

11 (iii) Stormwater drainage;

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

13 (v) Emergency and shelter facilities;

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

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

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

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

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

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

32 **42-6.2-4.1. Advisory board on coastal resilience.**

33 (a) The advisory board on coastal resilience is hereby established. The purpose of this board
34 is to advise the governor, RIEC4 and the general assembly on coastal risks related to sea level rise.

1 (b) Membership. The advisory board shall have twenty (20) members. Eight (8) members
2 shall be appointed by the governor; two (2) of whom shall be representatives of city or town
3 government; two (2) of whom shall be representatives of academic institutions with expertise in
4 coastal resiliency issues; four (4) of whom shall be representatives of environmental recreational
5 communities. Six (6) members shall be appointed by the president of the senate, and six (6)
6 members shall be appointed by the speaker of the house, who shall give due consideration to
7 appointing persons with expertise in accordance with subsection (e) of this section.

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

17 (d) Compensation. The members of the advisory board shall receive no compensation.

18 (e) Representation. The members of the advisory board appointed by the governor, the
19 speaker of the house, and the president of the senate pursuant to the provisions of this chapter shall,
20 to the extent possible, be individuals with various expertise in the following areas:

21 (1) Flood management and mitigation;

22 (2) Infrastructure;

23 (3) Land use planning;

24 (4) Environmental organization;

25 (5) Riverine geology;

26 (6) Quonset Point and Providence port issues;

27 (7) Coastal resilience;

28 (8) Environmental justice;

29 (9) Labor industry;

30 (10) Building and realtor issues; and

31 (11) Finance and insurance field among other areas.

32 (f) Appointment of chairperson. The governor shall appoint a chairperson. A vice-
33 chairperson and a secretary shall be elected annually by the advisory board members. All officers
34 of the advisory board shall serve until their successors have been duly appointed or elected.

1 (g) Schedule of meetings. The advisory board shall meet at least quarterly and/or at the call
2 of the chairperson of the RIEC4 council. The chairperson of the RIEC4 council, or designee, shall
3 be present for all advisory board meetings.

4 (h) Role and responsibilities. The advisory board shall have the following purposes and
5 duties:

6 (1) Advise the RIEC4 on all matters including plans, programs, strategies and make
7 recommendations for adaptation on resilience in urban, coastal and riverine environments, and sea
8 rise environments;

9 (2) Assist the RIEC4 in improving public access to the best available scientific, technical
10 and other information regarding coastal, riverine, and urban resilience; and

11 (3) Serve as a conduit for communicating information from the RIEC4 to communities and
12 constituencies as well as input from the community level to the RIEC4.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO WATERS AND NAVIGATION -- ACT ON COASTS - COASTAL
RESILIENCY

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

5 This act would take effect upon passage.

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