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LC001344

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

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

Introduced By: Representatives Spears, Carson, Cortvriend, Finkelman, Casimiro, Kazarian, Boylan, McGaw, Shanley, and Speakman

Date Introduced: March 03, 2023

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 (a) The Rhode Island chief resilience officer ("CRO") shall create, maintain, and keep
9 current the state's resiliency and community recovery program. The CRO shall work half-time in
10 the department of administration (DOA) and half-time in the department of environmental
11 management (DEM) and be a member of the executive climate change coordinating council(EC4)
12 coastal advisory board.

13 (b) The CRO shall:

14 (1) Develop a statewide resilience plan with the EC4 to improve coordination among state
15 agencies and local jurisdictions to support community and economic recovery efforts and to address
16 risk and vulnerability reduction from sea rise, riverine flooding and urban heat and shall provide
17 the plan to the governor, the EC4 and the general assembly by June 30, 2025 to be included in the
18 state climate plan as outlined in the act on climate which statewide plan is due December 31, 2025;

1 (i) It shall be based on existing data and the best available science regarding the current
2 and anticipated environmental effects of climate change in Rhode Island, including, but not limited
3 to, increased temperatures, sea level rise, increased frequency or severity of rainfall, storms and
4 flooding, increased forest fires, and increased frequency and severity of droughts, anticipated by
5 scientists at least through 2050, working in concert with the goals outlined in chapter 6.2 of title 42
6 ("act on climate");

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

13 (2) The state resiliency office shall consult with the governor's office, the Rhode Island
14 emergency management agency (RIEMA), the department of health (DOH), DEM, the coastal
15 resources management council (CRMC), and all other affected state agencies in developing the
16 state resilience plan;

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

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

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

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

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

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

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

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

34 (11) Facilitating on-going stakeholder engagement, particularly the Rhode Island business

1 community, realtors, engineers, municipalities, academia, environmental justice communities, state
2 and local emergency response teams and the health care delivery systems and input into
3 recommendations.

4 (c) The chief resilience officer will provide support to agencies as they identify and
5 incorporate projections related to coastal change provided by the state resilience plan into their
6 strategic plans.

7 **46-23.4-3. Coastal resilience plan.**

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

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

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

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

22 (4) Recommendations for further actions to be taken by the state to assist coastal
23 communities in planning for, mitigating, and adapting to the anticipated impacts of climate change;
24 and

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

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

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

33 **42-6.2-4.1. Advisory board on resilience for ocean and riverine coasts.**

34 (a) The advisory board on resilience for ocean and riverine coasts is hereby established.

1 The advisory board shall have fourteen (14) members. Six (6) members shall be appointed by the
2 governor; two (2) of whom shall be representatives of city or town government. Four (4) members
3 shall be appointed by the president of the senate, who shall give due consideration to appointing
4 persons with expertise in insurance; flood management and mitigation; and infrastructure. Four (4)
5 members shall be appointed by the speaker of the house, who shall give due consideration to
6 appointing persons with expertise in land use planning; environmental organization; riverine
7 geology; and real estate.

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

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

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

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

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

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

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

29 (3) Serve as a conduit for communicating information from the EC4 to communities and
30 constituencies as well as vice versa, for input from the community level to the EC4; and

31 (4) No later than June 30, 2025, the EC4 with the state resilience offices shall prepare a
32 state coastal and resilience plan for submission to the governor. The plan shall also be submitted to
33 the EC4 to be included in the climate plan described in § 42-6.2-2(a)(2)(i).

1 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 establish a chief resilience officer (CRO) and a resiliency office for the state
2 charged with the creation, maintenance and updating of the state's resiliency and community
3 recovery program. The act would also create a statewide climate change resilience strategy for
4 climate change as well as an advisory board on resilience for ocean and riverine coasts.

5 This act would take effect upon passage.

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