

ASSEMBLY SPECIAL COMMITTEE ON INFRASTRUCTURE
AND NATURAL RESOURCES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5797

STATE OF NEW JERSEY

DATED: JUNE 9, 2021

The Assembly Special Committee on Infrastructure and Natural Resources reports favorably Assembly Bill No. 5797.

This bill would require any hazard mitigation plan (HMP) that is adopted or revised, on or after the date the bill is enacted into law, either by the State Office of Emergency Management or by a county office of emergency management, to address the current and future impacts of, identify the specific hazards and risks associated with, and include strategies to prevent and mitigate the hazardous impacts of, climate change. The bill would require each HMP, in particular, to:

1) identify and analyze the existing and future threats and vulnerabilities to the State or county, as the case may be, that are resulting, or are likely to result, from increasing temperatures, droughts, flooding, hurricanes, sea-level rise, and other natural hazards that are either caused or worsened by climate change;

2) include an analysis of any ongoing or future asset development and acquisition activities, which analysis is to: a) identify any planned or anticipated major acquisitions or developments and any potential increases or changes in asset development or acquisitions that may occur as a result of local zoning ordinances and regulations; and b) provide an assessment as to whether, how, and to what extent any major future asset developments or acquisitions, particularly in riparian or coastal flood zones and other low-lying areas, will be impacted by the climate change-related threats and vulnerabilities identified in the HMP;

3) include a list of critical facilities, utilities, roadways, and other types of infrastructure that are necessary for evacuation purposes or for sustaining quality of life during a natural disaster; identify the specific climate change-related threats and vulnerabilities that are likely to affect each type of infrastructure, particularly when located in a riparian or coastal flood zone or other low-lying area; and include a plan to ensure that such infrastructure is maintained, at all times, in an operational state;

4) include an environmental justice assessment that evaluates whether, how, and to what extent, the existing and future climate change-related threats, vulnerabilities, and hazards and the current and future effects of climate change on system assets and critical

infrastructure, as identified pursuant to the bill, will be likely to have, or have already had, a disparate impact on minority, low-income, or other historically disadvantaged or marginalized communities within the State or county, particularly with respect to flooding and the development of heat islands;

5) include an assessment as to whether, how, and to what extent, identified climate change-related threats and vulnerabilities will impact the State's or county's ability, over time, to successfully implement other components of its HMP;

6) describe the proactive and preventive means, methods, strategies, procedures, protocols, and design and building standards that will be used by the State or county, as the case may be, to eliminate or reduce climate change-related threats and vulnerabilities, to avoid the hazardous impacts of climate change, particularly in riparian or coastal flood zones and other low-lying areas, and to prevent and remediate the potential and actual disparate impacts of climate change on minority, low-income, and other historically disadvantaged or marginalized communities; and

7) describe the means, methods, strategies, procedures, protocols, and design and building standards that will be used by the State or county, as the case may be, to promptly and effectively respond to and mitigate, remediate, or off-set the hazardous effects of climate change occurring in the State or county, as appropriate, particularly in riparian or coastal flood zones and other low-lying areas.

The bill requires the climate change-related components of a State or county HMP to be based on the most recent natural hazard projections and best available science from the State Department of Environmental Protection.

The bill further requires the provisions of a floodplain management plan, emergency response plan, post-disaster recovery plan, capital improvement plan, or similar plan, which is adopted or revised by the State or a county on or after the date the bill is enacted into law, to be consistent with, and to reflect, the climate change-related components of the applicable State or county HMP.