

NY Climate Risk and Resilience Act

Coastal Risks and Hazards Commission

December 19, 2014



Steve Couture
NH Coastal Program Manager
NH Department of Environmental Services
steven.couture@des.nh.gov



NY Climate Risk and Resilience Act¹

- Introduced April 2013
- Effective September 22, 2014
- Only legislation in nation to require climate impacts in planning, permitting and funding²
- Climate Impacts: sea level rise, storm surge and flooding
- Applies state-wide

1. New York Community Risk and Resilience Act. (2014, September 22). Retrieved December 19, 2014, from http://assembly.state.ny.us/leg/?default_fld=&bn=A06558&term=2013&Summary=Y&Actions=Y&Memo=Y&Text=Y

2. Georgetown Climate Center. (n.d.). Retrieved December 19, 2014, from <http://www.georgetownclimate.org/resources/new-york-community-risk-and-resiliency-act>

NY Climate Risk and Resilience Act-Planning¹

- Requires state development by Jan. 1, 2017 of:
 - Model Ordinances for municipalities
 - Guidance for “natural resilience measures”
- Requires establishment of regulations to codify sea level rise projections by Jan. 1, 2016
 - Identifies IPCC and NOAA and their NY City Climate Change Panel as primary sources
 - Update required “no less than every 5 years”

1. New York Community Risk and Resilience Act. (2014, September 22). Retrieved December 19, 2014, from http://assembly.state.ny.us/leg/?default_fld=&bn=A06558&term=2013&Summary=Y&Actions=Y&Memo=Y&Text=Y

NY Climate Risk and Resilience Act-Funding & Permitting

“Provided that, the Commissioner determines that future physical climate risk due to SLR, and/or storm surges and/or flooding, based on available data predicting the likelihood of future extreme weather events, including hazard risk analysis data if applicable, *has been considered.*”¹

1. New York Community Risk and Resilience Act. (2014, September 22). Retrieved December 19, 2014, from http://assembly.state.ny.us/leg/?default_fld=&bn=A06558&term=2013&Summary=Y&Actions=Y&Memo=Y&Text=Y

NY Climate Risk and Resilience Act-Funding¹

- State funding for agricultural land protection (Agric. & Markets § 325);
- Smart growth public infrastructure criteria (ECL Art. 6);
- Water pollution revolving loan fund (ECL Art. 17, title 19);
- Land acquisition for preservation of open space; recreation; and natural, cultural and historic resources (ECL Art. 49, title 2 and Art. 54, title 3);
- State assistance for closure of non-hazardous municipal landfills (ECL Art. 54, title 5);
- State assistance for local waterfront revitalization programs and coastal rehabilitation projects (ECL Art. 54 title 11);
- Drinking water revolving fund (Public Health Law Art. 11, Title 4);

1. Georgetown Climate Center. (n.d.). Retrieved December 19, 2014, from <http://www.georgetownclimate.org/resources/new-york-community-risk-and-resiliency-act>

NY Climate Risk and Resilience Act-Permitting¹

- Petroleum bulk storage requirements (ECL Art. 17, title 10);
- Oil and gas well permits (ECL Art. 23, title 3);
- Siting of hazardous waste facilities (ECL Art. 27, title 11);
- Bulk storage of hazardous substances (ECL Art. 40);
- Uniform procedures for major permits (ECL Art. 70)

1. Georgetown Climate Center. (n.d.). Retrieved December 19, 2014, from <http://www.georgetownclimate.org/resources/new-york-community-risk-and-resiliency-act>

Questions??

