

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1530

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 14, 2023

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Senate Bill No. 1530 (1R).

This bill, as amended by the committee, 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 (OEM) or by a county office of emergency management, to address the current and future impacts of climate change, identify the specific hazards and risks associated with climate change, and include strategies to prevent and mitigate the impacts of climate change on the natural hazards identified through the planning process.

The bill would require each HMP, among other things, to:

(1) identify and analyze the existing and future threats to, and vulnerabilities of, resources of value including buildings, facilities, and equipment, which result from natural hazards that are caused or worsened by climate change;

(2) identify the critical facilities, utilities, roadways, and other types of infrastructure that are necessary for evacuation, for sustaining assets and systems that protect life and property during a natural disaster, or for facilitating rapid recovery after a natural disaster;

(3) include a social vulnerability assessment that evaluates how, and to what extent, socially vulnerable and underserved communities may be disproportionately impacted by climate change-related natural hazards;

(4) 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;

(5) describe the proactive and preventive means, methods, strategies, procedures, protocols, and design and building standards that will be used under the HMP to eliminate or reduce climate change-related threats and vulnerabilities, to mitigate the hazardous impacts of climate change, and to mitigate the impacts of climate change on socially vulnerable communities; and

(6) describe the means, methods, strategies, procedures, protocols, and design and building standards that will be used under the HMP to remediate or offset the effects of natural hazards.

The bill requires the climate change-related components of an HMP to be based on the most recent natural hazard projections and best available science. Finally, 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, a county, or a local government or other local jurisdiction, on or after the date the bill is enacted into law, to be consistent with, and to reflect, the natural hazard risks of the applicable HMP.

As amended and reported by the committee, Senate Bill No. 1530 (1R) is identical to Assembly Bill No. 4691 (2R), as reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amendments:

- (1) delete the definition of "FEMA community lifelines";
- (2) provide that the bill would apply only to HMPs adopted by the State or a county, and not to HMPs adopted by other local governmental entities;
- (3) require an HMP covered by the bill to identify infrastructure consistent with FEMA community guidance for fundamental essential community functions and services, rather than with "FEMA community lifelines";
- (4) require an HMP covered by the bill to identify assets and systems that protect life and property, rather than those that sustain quality of life;
- (5) remove the requirement that master plans be consistent with the natural hazard risks of the applicable HMP;
- (6) require the OEM to adopt rules and regulations to implement the bill in consultation with the DEP;
- (7) clarify that the bill would not apply to planning applications submitted prior to the date of enactment; and
- (8) make other technical and clarifying changes.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.