

ASSEMBLY SPECIAL COMMITTEE ON INFRASTRUCTURE
AND NATURAL RESOURCES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5796

STATE OF NEW JERSEY

DATED: JUNE 9, 2021

The Assembly Special Committee on Infrastructure and Natural Resources reports favorably Assembly Bill No. 5796.

This bill would require any asset management plan (AMP) that is adopted or revised, on or after the date the bill is enacted into law, either by a water purveyor or by the owner of a public wastewater collection or treatment system, to identify the current and future impacts of, and specific hazards and risks associated with, climate change, and establish strategies to prevent and mitigate the hazardous effects of climate change on system assets and operability. The bill would require each AMP, in particular, to:

1) identify and analyze the existing and future threats to, and vulnerabilities of, system assets 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 a build-out analysis of future asset development and acquisition, and an assessment as to whether, how, and to what extent those future asset developments and acquisitions, particularly in riparian or coastal flood zones and other low-lying areas, will be negatively impacted by the climate change-related threats and vulnerabilities identified in the AMP;

3) identify the critical assets that are necessary to sustain system operability during a natural disaster and, in the case of a wastewater collection or treatment system, that are necessary to prevent system upsets and unpermitted discharges; describe the specific climate change-related threats and vulnerabilities that are likely to affect each critical asset, particularly when located in a riparian or coastal flood zone or other low-lying area; and include a plan to ensure that all critical assets are maintained, at all times, in an operational state and, in the case of a wastewater collection or treatment system, are maintained in a manner that facilitates the ongoing prevention of system upsets and unpermitted discharges;

4) include an assessment as to whether, how, and to what extent, identified climate change-related threats and vulnerabilities will increase the costs of asset maintenance, repair, replacement, and operation over time, and whether, how, and to what extent, such

threats and vulnerabilities will be likely, over time, to impact the successful implementation of other components of the AMP;

5) describe the proactive and preventive means, methods, strategies, procedures, and protocols, and the asset acquisition, development, repair, replacement, and design and building standards that will be used to eliminate or reduce identified climate change-related threats and vulnerabilities, avoid the hazardous impacts of climate change on the system's assets, particularly those that are deemed to be critical or that are located in a riparian or coastal flood zone or other low-lying area, and, in the case of a wastewater collection or treatment system, prevent system upsets and unpermitted discharges; and

6) describe the means, methods, strategies, procedures, and protocols, and the asset acquisition, development, repair, replacement, and design and building standards that will be used to promptly and effectively respond to and mitigate, remediate, or off-set the hazardous effects of climate change on system assets, particularly those that are deemed to be critical or that are located in a riparian or coastal flood zone or other low-lying area, and, in the case of a wastewater collection or treatment system, the strategies and standards that will be used to promptly and effectively redress system upsets and unpermitted discharges resulting from climate change-related factors.

The bill requires the climate change-related components of each system's AMP to be based on the most recent natural hazard projections and best available science from the Department of Environmental Protection.