



***Making Massachusetts resilient in the face of climate change***

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May 15, 2018

***An Act Promoting Climate Change Adaptation, Environmental and Natural Resource Protection, and Investment in Recreational Assets and Opportunity (H.4318)***

The Honorable Antonio F.D. Cabral, Chairman  
House Committee on Bonding, Capital Expenditures and State Assets  
24 Beacon St, Room 466  
Boston, MA 02133

Dear Chairman Cabral:

We write in support of ***An Act Promoting Climate Change Adaptation, Environmental and Natural Resource Protection, and Investment in Recreational Assets and Opportunity (H.4318)*** filed by Governor Charlie Baker, and we respectfully request a favorable vote by the Committee.

The Massachusetts Climate Change Adaptation Coalition is comprised of over fifty organizations representing architects, engineers, planners, historic preservation, conservation, and recreation with a shared goal of making the Commonwealth more resilient to the impacts of climate change.

The Coalition thanks you for your support of our priority bill, ***An Act providing for the establishment of a comprehensive adaptation management plan in response to climate change (CAMP, S.2196)*** during this and previous legislative sessions. We applaud the leadership of your colleagues Senator Marc Pacheco and Representative Frank Smizik for sponsoring and supporting CAMP. Both have provided strong support for climate change policies to avoid the unmanageable and manage the unavoidable.

The Coalition also thanks Governor Charlie Baker for his leadership on climate change adaptation. In September 2016, Governor Baker issued Executive Order (E.O.) 569, *Establishing an Integrated Climate Change Strategy for the Commonwealth*. E.O. 569 mirrored CAMP and provided many welcome enhancements. The Baker Administration has steadfastly provided strong support and resources to implement E.O. 569. The administration is preparing an Integrated Hazard Mitigation and Climate Change Adaptation Plan (the Plan) and has established and is administering the Municipal Vulnerability Preparedness (MVP) grant program.

The Coalition respectfully offers our support for H.4318 Sections 15-20, which would codify the Plan and the MVP Program into law. The Coalition also respectfully requests the addition of one outside section and amendments to the existing outside sections, which originate from CAMP, but we have modified based on discussions with Executive Office of Energy and Environmental Affairs (EEA), the business community, and legislators.

### **Supporting Current Outside Sections**

As stated above, we offer our support of outside Sections 15-20 regarding comprehensive adaptation management planning and technical assistance in the face of climate change.

### **Integrated Hazard Mitigation and Climate Change Adaptation Plan**

The Coalition supports the preparation of an Integrated Hazard Mitigation and Climate Change Adaptation Plan.

Since Governor Baker issued E.O. 569, EEA and the Executive Office of Public Safety and Security (EOPSS; Massachusetts Emergency Management Agency) have been working to develop a fully integrated, innovative, and actionable State Hazard Mitigation and Climate Adaptation Plan. The practices of hazard mitigation and climate adaptation planning have much in common. Both outline long-term actions that deal with the built and natural environment to reduce harm from hazards and both are underpinned by vulnerability and risk assessments. Further, both planning frameworks span multiple sectors, involve numerous stakeholders, and are best considered holistically. Delivering one plan that meets the goals of each is a strategic opportunity to leverage resources, address existing and future hazards and challenges across the state, and foster a strong partnership between EEA, EOPSS, and other offices across state government. Finally, Hazard Mitigation Plans are a known entity and are implemented statewide and through local Hazard Mitigation Plans in cities and towns. Combining plans will immediately make the Climate Adaptation Plan useful and relevant, frame the issue as cross-sectoral, and introduce this new challenge through an established planning vehicle. This will be the first time any state in the nation has implemented this approach.

The plan includes the robust identification, evaluation, and prioritization of strategies to reduce current and future threats and vulnerabilities across Massachusetts, and to do so in a fully comprehensive, integrated manner. The project was initiated by the Commonwealth in September 2016, with consultant support hired in March 2017. The development process will extend through August 2018, with the final plan expected to be released on September 16, 2018.

Per the Executive Order, the plan will incorporate:

- observed and projected climate trends based on the best available data, including but not limited to, extreme weather events, drought, coastal and inland flooding, sea level rise and increased storm surge, wildfire, and extreme temperatures;
- guidance and strategies for state agencies and authorities, municipalities and regional planning agencies to proactively address these impacts through adaptation and resiliency measures, including guidance regarding changes to plans, by-laws, regulations, and policies;
- clear goals, expected outcomes, and a path to achieving results;
- approaches for the Commonwealth to lead by example to increase the resiliency of Government operations;
- policies and strategies for ensuring that adaptation and resiliency efforts complement efforts to reduce greenhouse gas emissions and contribute towards the Commonwealth meeting the

statewide emission limits established pursuant to the Global Warming Solutions Act (GWSA); and

- strategies that conserve and sustainably employ the natural resources of the Commonwealth to enhance climate adaptation, build resilience and mitigate climate change.

EEA and EOPSS have contracted AECOM, Northeast States for Coordinated Air Use Management (NESCAUM), and the Northeast Climate Science Center (based at the University of Massachusetts Amherst) to assist with plan development and to provide key data and analyses of projected climate change impacts, respectively. The project management team consists of staff across Secretariats and agencies. Many staff experts and experts from outside of the agencies were brought into the process for targeted review of key sections of the plan such as the risk assessment.

The plan is being developed with robust stakeholder engagement. Many of the Coalition's members have been participating in the stakeholder process and providing input from our areas of expertise and knowledge.

H.4318 would provide for regular updates to the Plan and ensure a more resilient Commonwealth. In the short-term, the Plan would be updated with new science, forecasts and scenario models. In the longer term, the Plan would be updated every five years in a more robust fashion.

### **Municipal Vulnerability Preparedness Program**

The Municipal Vulnerability Preparedness grant program (MVP) provides support for cities and towns in Massachusetts to begin the process of planning for resiliency. The state awards communities with funding to complete vulnerability assessments and develop action-oriented resiliency plans. Communities who complete the MVP program become certified as an MVP community and are eligible for follow-up grant funding and other opportunities.

In the first year of MVP, EEA awarded over \$1 million in funding to 71 municipalities in the Commonwealth. 66 of the communities are currently undergoing a stakeholder-based planning process called Community Resilience Building (CRB). Through CRB, a core team performs a climate change vulnerability assessment and designs an adaptation/resiliency plan with the help of a larger advisory team over the course of two workshops led by trained service providers. Five communities had already done significant planning, and EEA certified them for this work.

Certified communities are eligible for funding from EEA to implement the priorities they have identified through their planning processes.

H.4318 would codify the MVP Program into law and ensure its long-term success and viability beyond E.O. 569.

### **Amendments**

We also respectfully offer the following friendly amendments, a line-by-line mark-up of which has been provided to your staff:

### **Advisory Group**

The Coalition respectfully requests that the Committee amend Section 15 of H.4318 by establishing an advisory group. The group would assist EEA and EOPSS secretaries in developing, maintaining and implementing the Plan. The group would help with collaboration among various sectors to ensure adaptation and mitigation capabilities continually develop and that comprehensive adaptation and mitigation includes strategies for all community systems. The secretaries of EEA and EOPSS would co-chair the advisory group and appoint its members. Membership of up to 20 persons would stakeholders from sectors with expertise, mitigation capabilities and responsibility for: hazard data; climate projections and data; coastal zones and oceans; commercial, industrial and manufacturing activities; economic development; electric generation and transmission; floodplain management; ecosystem dynamics; emergency management; housing; health and social services; land use and development; municipal government; natural and cultural resources; freshwater systems; regional planning; transportation and built infrastructure; water supply and resources.

The advisory group would meet at least quarterly and at the discretion of the secretaries. The advisory group shall hold public meetings relative to matters within the jurisdiction of the adaptation management plan and shall make recommendations to the secretaries for developing, maintaining and implementing the plan. The advisory group would advise the secretaries by supporting and integrating adaptation, resilience and hazard mitigation efforts across state agencies, regional planning agencies and municipalities and the private and non-profit sectors.

### **Consistency**

We recommend that the Commonwealth's climate change plan not sit on a shelf when completed but be implemented and complied with by state agencies. And the same goes for future administrations. Therefore, we recommend that: within six months of adoption of the plan, all executive branch agencies revise their plans and policies to ensure consistency with the plan. And, within 24 months of adoption of the plan, all agencies shall revise those rules, regulations, and guidelines identified in the plan to ensure consistency with the plan.

In addition, we recommend that this amendment apply to the Commonwealth's largest projects subject to state environmental agency review for those that exceed Massachusetts Environmental Policy Act environmental impact report thresholds.

We recommend this language be added to Section 15.

### **Land subject to coastal flooding**

In 1995, the Massachusetts Coastal Zone Management Office convened a task force that recommended rules and regulations for the only wetland resource area not fully regulated under Massachusetts law. The regulations were never promulgated.

In 2014, a Department of Environmental Protection Working Group also recommend that the Commonwealth promulgate standards for managing land subject to coastal storms. The regulations were never promulgated.

And today, the EEA stands ready to promulgate such language.

We recommend that this friendly amendment be added as a new outside section, after Section 15, to further coax the Commonwealth to manage these extremely vulnerable coastal areas and promulgate such regulations.

Governor Baker has demonstrated his administration's commitment to addressing the impacts of climate change by proposing and significantly increasing funding in both the Fiscal Year 2019 State Operating Budget and capital authorizations in H.4318.

The Coalition believes that H.4318, if enacted, will protect our economic assets and investments; ensure resilient infrastructure for communities and businesses; and reduce risks to public safety and health.

Thank you again for your time and consideration, and please feel free to contact us at any time if we can be of assistance.

Sincerely,



Steve Long  
Director of Government Relations  
The Nature Conservancy



John J. Clarke  
Director of Public Policy and Government Relations  
Mass Audubon

*A Better City ◇ American Council of Engineering Companies/Massachusetts ◇ American Institute of Architects Massachusetts ◇ Appalachian Mountain Club ◇ Association to Preserve Cape Cod ◇ The Boston Harbor Now ◇ Boston Preservation Alliance ◇ Boston Society of Architects ◇ Boston Society of Civil Engineers ◇ Cape Cod Commission ◇ Cape & Islands Self Reliance Corporation ◇ Center for Coastal Studies ◇ Ceres ◇ Charles River Conservancy ◇ Charles River Watershed Association ◇ Clean Water Action ◇ Climate Action Business Association ◇ Codman Square Neighborhood Development Corporation ◇ Collaborative Institute for Oceans, Climate and Security at UMass Boston ◇ Conservation Law Foundation ◇ Consensus Building Institute ◇ Environmental League of Massachusetts ◇ Great Marsh Coalition ◇ Green Building Council ◇ Green Newton ◇ Interfaith Power & Light ◇ Health Care Without Harm ◇ Historic New England ◇ Kleinfelder ◇ Mass Audubon ◇ Massachusetts Association of Conservation Commissions ◇ Massachusetts Association of Planning Directors ◇ Massachusetts Association of Regional Planning Agencies ◇ Massachusetts Climate Action Network ◇ Massachusetts Land Trust Coalition ◇ Massachusetts Organization of Scientists and Engineers ◇ Massachusetts Rivers Alliance ◇ Metropolitan Area Planning Council ◇ Mystic River Watershed Association ◇ National Wildlife Federation ◇ New England Forestry Foundation ◇ Newton Conservators ◇ Ocean River Institute ◇ Sierra Club Mass Chapter ◇ Storm Surge ◇ The Nature Conservancy Massachusetts ◇ Transportation for Massachusetts ◇ Trust for Public Land ◇ The Trustees of Reservations ◇ Union of Concerned Scientists ◇ Urban Harbors Institute at UMass Boston ◇ Urban Land Institute Boston/New England ◇ US Green Building Council MA*