

LEGAL & POLICY TOOLS for Climate Resilience at the State and Local Level

Project Description

State and local governments seek to help their constituents mitigate and become resilient to the impacts of climate change. Because the nature of the need, response, and capacity vary, existing legal frameworks providing authority for decision making, finance, and project ownership may be inadequate to meet the projected needs of communities as responses to climate change are contemplated. By comparing the response of different states and communities to similar climate challenges, we seek to identify gaps in current law and identify potential legal tools to help develop a robust legal response to the impacts of climate change in Connecticut.



Flooding in Bridgeport, CT after Superstorm Sandy, 2012
Photo by John Christofferson/ AP

Project Findings

States in the northeast have developed robust interagency governmental organizations to assess statewide climate change vulnerability and develop action plans for mitigation and adaptation. Standout state-specific policies for climate resilience:

- NY requires climate vulnerability and risk assessments for critical infrastructure planning and has created a tool kit of model land use regulation to facilitate resilience and climate adaptation in municipalities.
- MA has created a Municipal Vulnerability Preparedness program to assist with assessment of risk and provide competitive grants for a wide range of community resilient action projects.
- RI has enabled the RI Infrastructure Bank to invest in climate-resilient infrastructure.
- Most states explicitly center vulnerable communities, environmental equity and justice in climate-resilient responses in statewide climate planning, including incorporating climate justice into statute.
- Connecticut's interagency response to climate change is on par with other states in the region. It includes participation in regional mitigation initiatives, enabling expansion of local authority to create flexible resiliency financing bodies, and leveraging university research to create evidence-based policy and tools for improved regional and municipal climate-resilient planning.

Research Gaps and Recommendations

States recognize climate impacts increase the need to engage with and center future adaptation strategies in vulnerable communities. Often, the burdens of increased heat, flooding, and associated harms fall on poor or racially segregated populations. However, those working in the legal climate space may not be familiar with tools to measure and gauge the effectiveness of environmental justice-centered climate action planning and implementation.

Further work should evaluate how climate action is contextualized for environmental justice populations at the state and municipal level. Are legal tools like stormwater or resilience authorities equitable? How can the legal framework include flexibility within a state's climate response to address the diverse needs of different geographies, cultures, and capacities?

Connecticut will benefit from developing tools to assist municipalities assessing vulnerabilities and enabling a variety of flexible municipal finance authorities geared at funding resilient projects. Requiring towns to include climate change impacts in planning would be a long-term, cost-effective strategy for the state along with increased funding for climate planning and projects at the regional or municipal level.