



PHOTO BY ROBERT ROSE/FEMA

Hurricane Sandy cost Rhode Island communities at least \$11.2 million in recovery, with coastal homes bearing the brunt of the damage.

Resiliency Training in Rhode Island—And Beyond

IN 2017, RHODE ISLAND PASSED legislation requiring every member of a local planning board or commission to complete two hours of training on the effects of sea-level rise and floodplain development. Designed to meet the requirement, the new tool also amounts to a planning best practice: six modules of about 10 minutes each, consisting of PowerPoint slides with speaker voice-overs. The state's citizen-planners have already begun to use the online training modules.

The modules aim to make municipal officials aware of best practices in resilience and to empower them to make informed decisions that take climate change impacts into consideration. The modules may be accessed via the Providing Resilience Education for Planning in RI website at prep-ri.seagrant.gso.uri.edu.

Responding to climate change

The training mandate grew out of years of study at the state level, undertaken in direct response to extreme weather events over the last decade. Many Rhode Island communities felt the effects first-hand of

events like the floods of 2010, when 20 inches of rain fell during the month of March. That total is nearly half the state's annual average rainfall.

In response to the widespread destruction of homes and businesses, the Federal Emergency Management Administration declared a major disaster in the state. For weeks, vehicle access to several neighborhoods was completely cut off. In Warwick, the state's second largest city, the sewer treatment plant was inundated with 10 feet of water, and weeks passed before the staff regained control of the facility. State officials saw a dire need to reduce

the economic risk of lost business and property and to ensure the reliability of the transportation network and other infrastructure.

Eight months later, in October 2012, the Rhode Island coast was hit with another major disaster, Hurricane Sandy. That's when the reality of more frequent coastal storms, intense flooding, and higher storm surges really set in. The need to start thinking further afield than the 10 to 20 years associated with most comprehensive planning efforts became inescapable. The wake-up call led to adoption in 2014 of the Resilient Rhode Island Act of 2014. The legislation set specific targets for reducing greenhouse gases and incorporated the consideration of climate change impacts into official state plans.

In June 2015, Resolution H-5478 (<http://bit.ly/2tZ7Dg5>) created a special legislative study commission that was

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charged with making recommendations to deal with threats to the local economy related to flooding and sea-level rise. This commission reported back to the General Assembly in early 2016.

One of the commission's chief recommendations was to increase awareness statewide of climate change threats and to make resources available to promote resiliency. The 2017 legislation requires board members and local commissioners to complete the required training by September 30, 2019. In addition to the six standard training modules, a variety of related documents and videos are being placed on the city's website so that members can round out their training. The materials emphasize the potential impacts on the transportation network and provide infrastructure and mapping tools to help trainees visualize problems.

The training modules available online include these topics:

INTRODUCTION TO CLIMATE CHANGE IN RHODE ISLAND. The state's beaches offer diverse habitats, provide recreational opportunities, and are important as an economic engine. Climate change brings frequent floods, coastal erosion, and rapid ecological change, which, in turn, threaten community safety, the built and natural environment, and important economic sectors. This module helps citizen planners understand how climate change works, identify current trends, and recognize the need for resilient planning.

FLOODING. The most common natural hazard in Rhode Island, floods damage infrastructure, prevent first responders from responding to emergencies, cause property damage, and disrupt the state's economy. This module offers long-term planning solutions and near-term adaptation methods to limit flooding damage.

INFRASTRUCTURE. Transportation, communications, waste, energy, and sewage systems affect everyday life. They are essential to the safety of residents and the stability of the state's economy. Much of the area's infrastructure was not designed to withstand increasing pressures related to climate change and severe weather. This module shows communities what actions they can take to protect their infrastructure investments.

STORMWATER. Rhode Island's lakes, rivers, and ocean inlets supply drinking water, support recreation, provide natural habitat, and drive the economy. Stormwater runoff is the leading cause of pollution in Rhode Island water. This module describes how communities can accommodate growth and maintain a high quality

of life while avoiding, reducing, and managing the impacts of runoff.

MAPPING TOOLS. Rhode Island's 400 miles of coastline are particularly susceptible to hazards. Mapping tools provided in this module are useful for visualizing storm-surge impacts and making informed land-use decisions that protect residents, natural features, and businesses from sea-level rise.

Adaption to climate change and its effects, along with long-range plans and hazard mitigation measures, can help communities adjust. This module provides guidance for dealing with increased flooding and storm surges. Both larger scale and smaller, site-based adaptation methods are outlined.

The mapping tools are obviously unique to Rhode Island and its local communities, but the other modules might be useful to professional planners, board members, and decision makers all over the U.S. Some may be familiar

with the U.S. Environmental Protection Agency's online Local Government Climate Adaption Training, which has some similarities and can be accessed at <https://bit.ly/2IHGw4I>.

The EPA materials provide links to federal programs and suggest requirements that go beyond the sea-level, storm surge, and floodplain impacts that Rhode Island's training modules focus on.

If you are interested in climate change implications as they pertain to cultural resources, heat events, air quality, and waste management, you may want to look to the EPA resources and material prepared by other states. These tools provide necessary education in the push to make our communities more resilient. ■

—Lisa Bourbonnais

Bourbonnais is the planning director of East Greenwich, Rhode Island.

Rhode Island's training emphasizes climate change's impact on transportation networks and provides mapping tools to help visualize problems.

RESOURCES

FROM APA

Facing Challenges of Sea-Level Rise, on-demand education: planning.org/events/course/9126557.

Local Planning in Climate Change Adaptation, on-demand education: planning.org/events/course/9126471.

"Promoting Flood Resiliency Through the Regulatory Process," *Zoning Practice*, April 2012: planning.org/publications/document/9006917.

"Using Smart Growth to Adapt to Climate Change," *Zoning Practice*, February 2017: planning.org/publications/document/9119219.

ONLINE

Resilient Rhody, Rhode Island's First Comprehensive Climate Preparedness Strategy: climatechange.ri.gov/resiliency.

Climate Change Adaptation Resource Center, United States Environmental Protection Agency: epa.gov/arc-x.



The Little Pink House starring Catherine Keener tells the story behind *Kelo v. New London*, the influential eminent domain case. Watch the trailer at youtu.be/6GPWNNiJ9g.

Eminent Domain v. the Little Pink House

PLANNING AND ZONING BOARD MEMBERS perked up their ears this year when they heard the words “eminent domain” uttered in a Hollywood movie. The film is *The Little Pink House*, an adaptation of a 2009 book by Jeff Benedict based on the *Kelo v. New London* case decided by the Supreme Court in 2005.

The plaintiffs, a Connecticut home owner named Susette Kelo and her attorneys at the California-based legal group, the Institute of Justice, had contended that the city was using eminent domain essentially to benefit private developers. In a five-to-four vote, the court affirmed the right of the city and its development group, the New London Development Corporation, to make use of the takings clause of the Constitution.

“You don’t see many movies about urban planning,” says Anthony Flint, a senior fellow at the Lincoln Institute of Land Policy in Cambridge, Massachusetts, who organized a session on the film for a recent urban journalism institute. “This makes us think not only about the law but about the challenges faced by a place like New London, which in the late 1990s was desperately trying to promote regeneration. It also pays tribute to the efforts of one woman to keep her property.”

The little pink house’s impact

Kelo and her neighbors in the Fort Trumbull area astonished local and state officials by refusing to sell their houses. Instead, they sued, charging that it was unconstitutional for the state to acquire their properties through eminent domain in order to transfer them to a private company as part of a 96-acre development plan.

The *Kelo* case, and others that followed, led to legislation in a number of states modifying the use of eminent

domain for the purpose of economic development—and in some cases restricting its use. The Pfizer Corporation, the international pharmaceutical firm that the city was seeking to accommodate, closed its New London plant a few years after the Supreme Court decision.

Critics gave the film version of *The Little Pink House* mixed reviews. Some said there are too many legal details; others, not enough. There is no doubt, however, that members of local planning boards and commissions—and development commissions like the New London Development Corporation—will find it thought-provoking.

In particular, it offers a rare insight into the minds of the home owners who are affected by the decisions of those same boards and commissions. The film reveals the dangers of a lack of communication and a kind of “we know best” attitude on the part of local officials.

An article in the April 2013 issue of *Planning* titled “New London Readies for Its Close-Up” suggests that the city had learned its lesson from the battle. A local resident was quoted as saying, “The elephant in the room is that no one will admit that destroying the neighborhood in order to upgrade it was a risky strategy from the start.” ■

—Ruth Eckdish Knack, FAICP
Knack is a former executive editor of *Planning*.

RESOURCES

FROM APA

Alternatives to Eminent Domain, on-demand education: planning.org/events/course/9126541.

“New London Readies for Its Close-Up,” *Planning*, April 2013: planning.org/planning/2013/apr/newlondon.htm.

ONLINE

“What *Kelo* Does Not (Necessarily) Change,” by George J. Kroclic: duanemorris.com/articles/article3461.html.



Chicago's Jackson Park, a designated national historic landmark that hosted the World's Columbian Exposition in 1893, will soon be home to the Obama Presidential Center.

HISTORY THE OBAMA PRESIDENTIAL CENTER AND HISTORICAL PRESERVATION

This year marks the 125th anniversary of the World's Columbian Exposition in Chicago's Jackson Park, designed by Frederick Law Olmsted and designated a national historic landmark. Today the park is the future site of the Obama Presidential Center and part of an extensive review process that has made area residents instant experts on the work of planning commissions.

On May 11, after heated public debate, the Chicago Plan Commission approved the project unanimously. Later in the month, the city council voted 47 to one to allow the transfer of 19.3 acres of parkland from the city to the park district, which will lease it to the Obama Center for a nominal fee. The transfer allows for a variety of uses like underground parking.

Still to come: The final draft of the *South Lakefront Framework Plan*, which covers parkland outside boundaries of the Obama Center, and a park district plan for new track and field facilities. Most important is the Section 106 review, required by the National Historic Preservation Act of 1966, to protect historic and archeological elements.

Even with all this oversight, objections abound. Area residents concerned about gentrification are pushing for a community benefits agreement. Others want to save the two nine-hole golf courses that have been on the site for years from being replaced with a Tiger Woods-design pro course. Others question where the city's promised \$175 million for new infrastructure will come from. Finally, a group called Protect Our Parks has filed a lawsuit alleging that building the center in Jackson Park violates the city's century-old lakefront protection ordinance.

—Ruth Eckdish Knack, FAICP

"LOOKING WEST FROM PERISTYLE; COURT OF HONOR AND GRAND BASIN OF THE 1893 WORLD'S COLUMBIAN EXPOSITION (CHICAGO, ILLINOIS)" BY C. D. ARNOLD, H. D. HIBINBOTHAM, WIKIMEDIA (CC 3.0)