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SENATE BILL NO. 733

Offered January 19, 2024

A BILL to amend and reenact §§ 2.2-215, 10.1-104.6:1, 10.1-603.25, 10.1-603.29, and 10.1-659 of the Code of Virginia; to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 4.2:3, consisting of sections numbered 2.2-435.13 and 2.2-435.14; and to repeal §§ 2.2-220.5 and 2.2-435.11 of the Code of Virginia, relating to Chief Resilience Officer of the Commonwealth; Office of Commonwealth Resilience.

Patron—Marsden

Referred to Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-215, 10.1-104.6:1, 10.1-603.25, 10.1-603.29, and 10.1-659 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Title 2.2 a chapter numbered 4.2:3, consisting of sections numbered 2.2-435.13 and 2.2-435.14, as follows:

§ 2.2-215. Position established; agencies for which responsible.

The position of Secretary of Natural and Historic Resources (the Secretary) is created. The Secretary shall be responsible to the Governor for the following agencies: Department of Conservation and Recreation, Department of Historic Resources, Marine Resources Commission, Department of Wildlife Resources, and the Department of Environmental Quality and for the Chief Resilience Officer pursuant to § 2.2-220.5. The Governor may, by executive order, assign any state executive agency to the Secretary of Natural and Historic Resources or reassign any agency listed in this section to another Secretary.

CHAPTER 4.2:3.

CHIEF RESILIENCE OFFICER OF THE COMMONWEALTH.

§ 2.2-435.13. Chief Resilience Officer of the Commonwealth; Office of Commonwealth Resilience.

A. The position of Chief Resilience Officer of the Commonwealth is created within the Office of the Governor and the Chief Resilience Officer shall be appointed by the Governor. The Chief Resilience Officer shall serve as the primary coordinator of resilience and adaptation initiatives in Virginia and as the primary point of contact regarding issues related to resilience, as that term is defined in § 10.1-603.28. The Chief Resilience Officer shall be equally responsible for all urban, suburban, and rural areas of the Commonwealth. All agencies of the Commonwealth shall assist the Chief Resilience Officer in the discharge of his duties upon request.

B. The Chief Resilience Officer shall (i) promote communication, coordination, and cooperation between state agencies, the federal government, local governments, other political subdivisions of the Commonwealth, and other interested parties regarding resilience; (ii) lead in developing and in providing direction and ensuring accountability for a statewide resilience and adaptation strategy; (iii) seek to ensure that resilience and adaptation strategies prioritize the protection of Virginia's natural resources and maximize the implementation of nature-based design while supporting Virginia's statutory obligations to clean water; and (iv) initiate and assist with economic development opportunities associated with adaptation. The Chief Resilience Officer, in his role, shall also:

1. Identify and monitor those areas of the Commonwealth that are at greatest risk from significant multi-hazard threats and recommend actions that both the private and public sectors should consider in order to increase the resilience of such areas;

2. Provide support to local governments, as that term is defined in § 10.1-603.28, that are seeking to promote resilience within their communities by providing technical assistance and capacity building support regarding best practices for resilience planning, data collection, and project design and implementation;

3. Coordinate with the Department of Emergency Management on all issues related to pre-disaster hazard mitigation and post-disaster recovery;

4. Assist the Department of Conservation and Recreation with the development and implementation of a Virginia Flood Protection Master Plan and a Virginia Coastal Resilience Master Plan pursuant to § 10.1-602;

5. Seek to maximize the coordination, availability, and use of federal, state, and private funding to address resilience challenges, including initiating and assisting with the pursuit of funding opportunities at the state and local levels. In order to maximize federal funding, the Chief Resilience Officer is authorized to:

a. Serve as a non-federal sponsor, as that term is described in 33 C.F.R. § 203.15, and enter into a legal agreement with the U.S. Army Corps of Engineers for the purpose of mitigating flooding and integrating resilience, at the request of and in coordination with an eligible funding recipient;

b. Enter into and execute agreements with the federal government, including the U.S. Department of Defense, for support for flood control initiatives to increase resilience related to U.S. Department of Defense

59 *installations; and*

60 *c. Make applications on behalf of the Commonwealth for other federal funding as directed by the*
61 *Governor;*

62 *6. Coordinate the collection and dissemination of the best available resilience science, legal guidance,*
63 *planning strategies, best practices, and needs assessments to the public. Such needs assessments shall include*
64 *any local government needs assessments that have been submitted to the Chief Resilience Officer. Such*
65 *information shall be made available on a publicly accessible website; and*

66 *7. Beginning July 1, 2025, and every two years thereafter, report to the Governor and the General*
67 *Assembly on the status of resilience in the Commonwealth. Such report shall include the status of actions*
68 *undertaken by the Chief Resilience Officer and state agencies regarding resilience coordination and planning*
69 *and all resilience funding received and distributed by the Commonwealth during the prior two years. In*
70 *preparing such report, the Chief Resilience Officer shall also coordinate with the Director of Diversity,*
71 *Equity, and Inclusion and shall be assisted by all relevant Secretariats and agencies.*

72 *C. There is hereby created the Office of Commonwealth Resilience, which shall be led by the Chief*
73 *Resilience Officer, to support the Chief Resilience Officer in the discharge of his functions and duties*
74 *pursuant to subsection B and as otherwise provided by law. The Chief Resilience Officer may employ*
75 *additional professionals as the Chief Resilience Officer deems necessary and such professionals shall be*
76 *subject to the Virginia Personnel Act (§ 2.2-2900 et seq.).*

77 **§ 2.2-435.14. Interagency Resilience Working Group.**

78 *A. The Chief Resilience Officer shall convene an Interagency Resilience Working Group (the Group) to*
79 *support the coordination of planning and implementation of resilience efforts, and he shall serve as chairman*
80 *of the Group. The Group shall meet on the call of the chairman but not less than once every three months.*
81 *The responsibilities of the Group shall include:*

82 *1. Exchanging information and best practices related to resilience, including means of integrating*
83 *common language and practices for resilience work across agencies;*

84 *2. Advising the Chief Resilience Officer on strategies for enhancing resilience planning and funding*
85 *coordination across agencies under a unified statewide approach to resilience; and*

86 *3. Recommending metrics for measuring the progress of resilience efforts in the Commonwealth.*

87 *B. Membership of the Group shall include representatives from the Departments of Agriculture and*
88 *Consumer Services, Conservation and Recreation, Emergency Management, Energy, Environmental Quality,*
89 *Forestry, General Services, Health, Historic Resources, Housing and Community Development,*
90 *Transportation, and Wildlife Resources; the Marine Resources Commission; the Virginia Resources*
91 *Authority; the Office of Diversity, Equity, and Inclusion; and others as appointed by the Governor. Each*
92 *agency participating in the Group shall designate a resilience coordinator to represent such agency in the*
93 *Group.*

94 **§ 10.1-104.6:1. ConserveVirginia program established.**

95 *A. The Department shall develop a program for the creation, maintenance, operation, and regular updating*
96 *of a data-driven Geographical Information Systems model to prioritize potential conservation areas across the*
97 *Commonwealth that would provide quantifiable benefits to the citizens of Virginia. Such program shall be*
98 *known as ConserveVirginia. The model shall synthesize multiple mapped data inputs, divided into categories,*
99 *each representing a different overarching conservation value, including (i) agriculture and forestry, (ii)*
100 *natural habitat and ecosystem diversity, (iii) floodplains and flooding resilience, (iv) cultural and historic*
101 *preservation, (v) scenic preservation, (vi) protected landscapes resilience, and (vii) water quality*
102 *improvement.*

103 *B. The Department shall consult regularly with the Chief Resilience Officer, ~~the Special Assistant for~~*
104 *~~Coastal Adaptation and Protection of the Commonwealth,~~ the Department of Forestry, the Department of*
105 *Agriculture and Consumer Services, the Department of Historic Resources, the Department of Wildlife*
106 *Resources, the Department of Environmental Quality, the Marine Resources Commission, and any other state*
107 *or federal agency or private organization deemed appropriate to provide data or information to update*
108 *methodologies, map layers, and emerging conservation priorities.*

109 *C. The Department shall review and revise the methodology used to develop and prioritize each*
110 *conservation value identified in subsection A. The Department shall conduct such review and revision*
111 *process no less than once every two years, and such process shall include public hearings and solicitation of*
112 *public comment. The Department shall continue to develop ways to incorporate and encourage environmental*
113 *justice, as defined in § 2.2-234, into all existing and future conservation values. The Department shall not*
114 *utilize any methodology or conservation value to limit a landowner's decision on implementing any aspect of*
115 *an approved forest management plan or any appropriate best management practice to achieve water quality*
116 *improvements.*

117 *D. The Department shall provide access to the ConserveVirginia model to the public and all state and*
118 *federal agencies that benefit by using ConserveVirginia to determine conservation priorities.*

119 *E. The Department shall incorporate ConserveVirginia into acquisition or grant decisions when*

120 appropriate.

121 F. The Department shall utilize information provided by the Department of Agriculture and Consumer
122 Services and the Department of Forestry when creating the Agriculture and Forestry map layers of
123 ConserveVirginia. Such information shall include, as appropriate, new data sources that better reflect the
124 economic viability of working farms and forests. The Department of Agriculture and Consumer Services and
125 the Department of Forestry shall engage agriculture and forestry stakeholders to improve and refine the
126 ConserveVirginia model to accurately reflect the conservation value of agricultural and forestal land in the
127 Commonwealth. Such information shall inform whether the ConserveVirginia conservation values related to
128 agriculture and forestry have been achieved.

129 **§ 10.1-603.25. Virginia Community Flood Preparedness Fund; loan and grant program.**

130 A. The Virginia ~~Shoreline Resiliency~~ *Community Flood Preparedness* Fund is hereby ~~continued~~
131 *established* as a permanent and perpetual fund ~~to be known as the Virginia Community Flood Preparedness~~
132 ~~Fund~~. All sums that are designated for deposit in the Fund from revenue generated by the sale of emissions
133 allowances pursuant to subdivision C 1 of § 10.1-1330, all sums that may be appropriated to the Fund by the
134 General Assembly, all receipts by the Fund from the repayment of loans made by it to local governments, all
135 income from the investment of moneys held in the Fund, and any other sums designated for deposit to the
136 Fund from any source, public or private, including any federal grants and awards or other forms of assistance
137 received by the Commonwealth that are eligible for deposit in the Fund under federal law, shall be designated
138 for deposit to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it.
139 Any moneys remaining in the Fund, including any appropriated funds and all principal, interest accrued, and
140 payments, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. All
141 loans and grants provided under this article shall be deemed to promote the public purposes of enhancing
142 flood prevention or protection and coastal resilience.

143 B. Moneys in the Fund shall be used solely for the purposes of enhancing flood prevention or protection
144 and coastal resilience as required by this article. The Authority shall manage the Fund and shall establish
145 interest rates and repayment terms of such loans as provided in this article in accordance with a memorandum
146 of agreement with the Department. The Authority may disburse from the Fund its reasonable costs and
147 expenses incurred in the management of the Fund. The Department shall direct distribution of loans and
148 grants from the Fund in accordance with the provisions of subsection D.

149 C. The Authority is authorized at any time and from time to time to pledge, assign, or transfer from the
150 Fund or any bank or trust company designated by the Authority any or all of the assets of the Fund to be held
151 in trust as security for the payment of principal of, premium, if any, and interest on any and all bonds, as
152 defined in § 62.1-199, issued to finance any flood prevention or protection project undertaken pursuant to the
153 provisions of this article. In addition, the Authority is authorized at any time and from time to time to sell
154 upon such terms and conditions as the Authority deems appropriate any loan or interest thereon made
155 pursuant to this article. The net proceeds of the sale remaining after payment of costs and expenses shall be
156 designated for deposit to, and become part of, the Fund.

157 D. 1. The Fund shall be administered by the Department as prescribed in this article. The Department, in
158 consultation with the Secretary of Natural and Historic Resources and the ~~Special Assistant to the Governor~~
159 ~~for Coastal Adaptation and Protection~~ *Chief Resilience Officer of the Commonwealth*, shall establish
160 guidelines regarding the distribution and prioritization of loans and grants, including loans and grants that
161 support flood prevention or protection studies of statewide or regional significance. *The Department shall*
162 *develop and provide an opportunity for a 30-day public comment period prior to each new grant or loan*
163 *offering to solicit feedback on proposed revisions to the Virginia Community Flood Preparedness Manual. A*
164 *record of each application for a grant or loan and the action taken thereon shall be available for public*
165 *inspection at the office of the Department and on a publicly accessible website.*

166 2. *The Director shall convene an Advisory Review Committee (the Committee) to assist in the distribution*
167 *of loans and grants from the Fund. The Committee shall review applications to the Fund and make*
168 *recommendations on the disbursement of moneys from the Fund and any other appropriate issues to the*
169 *Department, the Secretary of Natural and Historic Resources, and the Chief Resilience Officer of the*
170 *Commonwealth. The Committee shall include representatives from the Department of Emergency*
171 *Management, the Department of Environmental Quality, the Department of Housing and Community*
172 *Development, a nonprofit group engaged in resilience efforts, the agriculture industry, the manufacturing*
173 *industry, and the business community, the Virginia Director of the Chesapeake Bay Commission, and others*
174 *as the Director deems appropriate. Appointed members of the Committee shall serve without compensation.*

175 E. Localities shall use moneys from the Fund primarily for the purpose of implementing flood prevention
176 and protection projects and studies in areas that are subject to recurrent flooding as confirmed by a locality-
177 certified floodplain manager. Moneys in the Fund may be used to mitigate future flood damage and to assist
178 inland and coastal communities across the Commonwealth that are subject to recurrent or repetitive flooding.
179 No less than 25 percent of the moneys disbursed from the Fund each year shall be used for projects in low-
180 income geographic areas. Priority shall be given to projects that implement community-scale hazard

181 mitigation activities that use nature-based solutions to reduce flood risk.

182 F. Any locality is authorized to secure a loan made pursuant to this section by placing a lien up to the
 183 value of the loan against any property that benefits from the loan. Such a lien shall be subordinate to each
 184 prior lien on such property, except prior liens for which the prior lienholder executes a written subordination
 185 agreement, in a form and substance acceptable to the prior lienholder in its sole and exclusive discretion, that
 186 is recorded in the land records where the property is located.

187 G. Any locality using moneys in the Fund to provide a loan for a project in a low-income geographic area
 188 is authorized to forgive the principal of such loan. If a locality forgives the principal of any such loan, any
 189 obligation of the locality to repay that principal to the Commonwealth shall not be forgiven and such
 190 obligation shall remain in full force and effect. The total amount of loans forgiven by all localities in a fiscal
 191 year shall not exceed 30 percent of the amount appropriated in such fiscal year to the Fund by the General
 192 Assembly.

193 **§ 10.1-603.29. Resilient Virginia Revolving Fund.**

194 ~~There shall be set apart~~ A. *The Resilient Virginia Revolving Fund is established as a permanent and*
 195 ~~perpetual fund; to be known as the "Resilient Virginia Revolving Fund,".~~ All sums appropriated to the Fund
 196 by the General Assembly, all sums allocated to the Commonwealth for resilience purposes through the
 197 federal government, all receipts by the Fund from loans made by it to local governments, all income from the
 198 investment of moneys held in the Fund, and any other sums designated for deposit to the Fund from any
 199 source public or private *shall be designated for deposit to the Fund.* The Fund shall be administered and
 200 managed by the Authority as prescribed in this article, subject to the right of the Department, following
 201 consultation with the Authority, *the Secretary of Natural and Historic Resources, and the Chief Resilience*
 202 *Officer of the Commonwealth,* to direct the distribution of loans or grants from the Fund to particular local
 203 governments and to establish the interest rates and repayment terms of such loans as provided in this article.
 204 A portion of the Fund shall be reserved to hold money that is allocated only for the hazard mitigation of
 205 buildings and that shall not be available for other uses. In order to carry out the administration and
 206 management of the Fund, the Authority is granted the power to employ officers, employees, agents, advisers,
 207 and consultants, including, without limitation, attorneys, financial advisers, engineers, and other technical
 208 advisers and public accountants and, the provisions of any other law to the contrary notwithstanding, to
 209 determine their duties and compensation without the approval of any other agency or instrumentality. The
 210 Authority may disburse from the Fund its reasonable costs and expenses incurred in the administration and
 211 management of the Fund and a reasonable fee to be approved by the Department for its management services.
 212 The Authority may provide a portion of that fee to the Department to cover the Department's costs and
 213 expenses in administering the Fund.

214 B. 1. *The Department shall develop and provide an opportunity for a 30-day public comment period prior*
 215 *to each new loan or grant offering to solicit feedback on proposed revisions to the Resilient Virginia*
 216 *Revolving Fund Manual. A record of each application for a grant or loan from the Fund and the action taken*
 217 *thereon shall be available for public inspection at the office of the Department and on a publicly accessible*
 218 *website.*

219 2. *The Director shall convene an Advisory Review Committee (the Committee) to assist in the distribution*
 220 *of loans and grants from the Fund. The Committee shall review applications to the Fund and make*
 221 *recommendations on the disbursement of moneys from the Fund and any other appropriate issues to the*
 222 *Department, the Secretary of Natural and Historic Resources, and the Chief Resilience Officer of the*
 223 *Commonwealth. The Committee shall include representatives from the Department of Emergency*
 224 *Management, the Department of Environmental Quality, the Department of Housing and Community*
 225 *Development, a nonprofit group engaged in resilience efforts, the agriculture industry, the manufacturing*
 226 *industry, and the business community, the Virginia Director of the Chesapeake Bay Commission, and others*
 227 *as the Director deems appropriate. Appointed members of the Committee shall serve without compensation.*

228 **§ 10.1-659. Flood protection programs; coordination.**

229 A. The provisions of this chapter shall be coordinated with the Virginia Coastal Resilience Master Plan,
 230 the Virginia Flood Protection Master Plan, and federal, state, and local flood prevention and water quality
 231 programs to minimize loss of life, property damage, and negative impacts on the environment. This program
 232 coordination shall include but not be limited to the following: flood prevention, flood plain management,
 233 small watershed protection, dam safety, shoreline erosion and public beach preservation, and soil
 234 conservation programs of the Department of Conservation and Recreation; the construction activities of the
 235 Department of Transportation, including projects that result in hydrologic modification of rivers, streams, and
 236 flood plains; the nontidal wetlands, water quality, Chesapeake Bay Preservation Area criteria, stormwater
 237 management, erosion and sediment control, and other water management programs of the State Water
 238 Control Board; the Virginia Coastal Zone Management Program at the Department of Environmental Quality;
 239 forested watershed management programs of the Department of Forestry; the agricultural stewardship,
 240 farmland preservation, and disaster assistance programs of the Department of Agriculture and Consumer
 241 Services; the statewide building code and other land use control programs of the Department of Housing and

242 Community Development; the habitat management programs of the Virginia Marine Resources Commission;
 243 the hazard mitigation planning and disaster response programs of the Department of Emergency
 244 Management; the fish and wildlife habitat protection programs of the Department of Wildlife Resources; the
 245 mineral extraction regulatory program of the Department of Energy; the flood plain restrictions of the
 246 Virginia Waste Management Board; flooding-related research programs of the state universities; local
 247 government assistance programs of the Virginia Soil and Water Conservation Board; the Virginia Antiquities
 248 Act program of the Department of Historic Resources; the public health and preparedness programs of the
 249 Virginia Department of Health; the State Council of Higher Education for Virginia; the State Corporation
 250 Commission; and any other state agency programs deemed necessary by the Director, *and* the Chief
 251 Resilience Officer of the Commonwealth; ~~and the Special Assistant to the Governor for Coastal Adaptation~~
 252 ~~and Protection~~. The Department shall also coordinate with soil and water conservation districts, Virginia
 253 Cooperative Extension agents, and planning district commissions, and shall coordinate and cooperate with
 254 localities in rendering assistance to such localities in their efforts to comply with the planning, subdivision of
 255 land, and zoning provisions of Chapter 22 (§ 15.2-2200 et seq.) of Title 15.2.

256 B. The Director, in coordination with ~~the Special Assistant to the Governor for Coastal Adaptation and~~
 257 ~~Protection~~ *and* the Chief Resilience Officer *of the Commonwealth*, shall hold meetings of representatives of
 258 the programs, entities, and localities described in subsection A at least annually in order to determine,
 259 coordinate, and prioritize the Commonwealth's efforts and expenditures to increase flooding resilience and
 260 flood preparedness and to implement the Virginia Coastal Resilience Master Plan and the Virginia Flood
 261 Protection Master Plan. The Department shall review any revisions to the Virginia Flood Protection Master
 262 Plan and provide an update on the progress of the implementation of the Virginia Coastal Resilience Master
 263 Plan at any such meetings. The Department shall cooperate with other public and private agencies having
 264 flood plain management programs and shall coordinate its responsibilities under this article and any other
 265 law. These activities shall constitute the Commonwealth's flood resilience, preparedness, prevention, and
 266 protection program.

267 C. 1. The *Director, in coordination with the* Chief Resilience Officer; ~~in coordination with the Special~~
 268 ~~Assistant to the Governor for Coastal Adaptation and Protection~~ *and the Director of the Commonwealth*, shall
 269 establish the Virginia Coastal Resilience Technical Advisory Committee (the Committee) to assist with
 270 developing, updating, and implementing the Virginia Coastal Resilience Master Plan.

271 2. The Committee shall be ~~comprised~~ *composed* of representatives of state agencies, coastal planning
 272 district commissions, regional commissions, academic advisors, and any other representatives as needed.
 273 Members shall serve at the pleasure of the Governor and shall include the following individuals or their
 274 designees: the executive directors of coastal planning district commissions and regional commissions; ~~the~~
 275 ~~Special Assistant to the Governor for Coastal Adaptation and Protection~~; the Director; *the Chief Resilience*
 276 *Officer of the Commonwealth*; the Director of the Virginia Department of Emergency Management; the
 277 Director of the Virginia Department of Housing and Community Development; the Executive Director of the
 278 Virginia Resources Authority; the Director of the Department of Environmental Quality; the Commissioner
 279 of the Virginia Department of Transportation; the Director of the Virginia Transportation Research Council;
 280 the Commissioner of ~~the Virginia Marine Resources Commission~~; the Director of the Institute for Coastal
 281 Adaptation and Resilience; the Associate Dean for Research and Advisory Services at the Virginia Institute
 282 of Marine Science; the Director of the William and Mary ~~School of Law Coastal Policy Center~~ *Virginia*
 283 *Coastal Resilience Collaborative*; the Director of the Virginia Tech Center for Coastal Studies; the Director
 284 of the Environmental Resilience Institute at the University of Virginia; the Director of Virginia Sea Grant; the
 285 Director of Diversity, Equity, and Inclusion; and the Chief Data Officer of the Commonwealth. ~~The Chief~~
 286 ~~Resilience Officer~~ *Director* shall serve as chairman of the Committee *and the Chief Resilience Officer of the*
 287 *Commonwealth shall serve as vice-chairman of the Committee.*

288 3. The ~~Chief Resilience Officer~~ *Director* shall invite participation by the Commander of the U.S. Army
 289 Corps of Engineers, Norfolk District; *the Commander of the U.S. Army Corps of Engineers, Baltimore*
 290 *District*; the Commander of the Navy Region Mid-Atlantic; and representatives of the seven federally
 291 recognized Tribal Nations indigenous to the Commonwealth of Virginia.

292 4. Appointed members shall serve in an advisory role without compensation.

293 5. The Committee shall meet at least quarterly.

294 6. The Department, the ~~Special Assistant to the Governor for Coastal Adaptation and Protection~~ *Office of*
 295 *Commonwealth Resilience*, and the Coastal Zone Management Program shall provide staff support to the
 296 Committee.

297 7. The Committee shall ensure that (i) risk evaluations and project prioritization protocols are regularly
 298 updated and are informed by the best applicable scientific and technical data; (ii) statewide and regional
 299 needs are addressed using the best applicable science and long-term resilience approaches; and (iii) the
 300 Virginia Coastal Resilience Master Planning Framework is adhered to in the development and updating of the
 301 Virginia Coastal Resilience Master Plan. The Committee shall also review updates to the Virginia Coastal
 302 Resilience Master Plan and receive updates about the progress of the Virginia Flood Protection Master Plan

303 at each meeting. Additionally, the Committee may be called upon to assist the Department with the
304 development and updating of the Virginia Flood Protection Master Plan.

305 *D. 1. The Director, in coordination with the Chief Resilience Officer of the Commonwealth, shall*
306 *establish the Virginia Flood Resilience Advisory Committee (the Committee) to assist with developing,*
307 *updating, and implementing the Virginia Flood Protection Master Plan pursuant to § 10.1-602 and*
308 *implementing the Commonwealth's flood resilience, preparedness, prevention, and protection programs.*

309 *2. The Committee shall serve at the pleasure of the Governor and be composed of the following*
310 *individuals representing state agencies, or their designees: the Director, the Chief Resilience Officer of the*
311 *Commonwealth, the Director of the Department of Emergency Management, the Director of the Department*
312 *of Housing and Community Development, the Executive Director of the Virginia Resources Authority, the*
313 *Director of the Department of Environmental Quality, the Commissioner of the Department of*
314 *Transportation, the Director of the Office of Intermodal Planning and Investment, the Commissioner of*
315 *Marine Resources, the Director of the Department of General Services, the Virginia Director of the*
316 *Chesapeake Bay Commission, and the Director of Diversity, Equity, and Inclusion. Committee membership*
317 *shall also include one representative from each of the following: the Virginia Association of Planning*
318 *District Commissions, the Virginia Municipal League, and the Virginia Association of Counties. The Director*
319 *may invite participation by other representatives as deemed appropriate. The Director shall serve as*
320 *chairman of the Committee. The Chief Resilience Officer of the Commonwealth shall serve as vice-chairman*
321 *of the Committee.*

322 *3. Members appointed to the Committee shall serve in an advisory role without compensation.*

323 *4. The Committee shall meet at least two times per calendar year.*

324 *5. The Department and the Office of Commonwealth Resilience shall provide staff support to the*
325 *Committee.*

326 *6. The Committee shall receive updates to the Virginia Flood Protection Master Plan, the Coastal*
327 *Resilience Master Plan, and other regional flood resilience plans. The Committee shall advise the*
328 *Department on (i) assessing the impacts of flooding on people, the economy, and the environment; (ii)*
329 *establishing and measuring flood resilience goals and metrics for the Commonwealth; (iii) prioritizing state*
330 *policies, programs, funding, and other strategies to mitigate the impacts of severe and repetitive flooding;*
331 *(iv) enhancing intergovernmental and interagency coordination for flood resilience planning and strategy*
332 *implementation; (v) conducting stakeholder outreach and engagement in support of flood resilience planning*
333 *and implementation; (vi) assisting local governments to minimize loss of life, property damage, and negative*
334 *impacts on the environment resulting from flooding; and (vii) issues relating to the Virginia Flood Protection*
335 *Master Plan in accordance with the requirements established in § 10.1-602.*

336 *7. The Director may establish subcommittees or other bodies to advise on the development and*
337 *implementation of the Coastal Resilience Master Plan and other regional flood resilience plans.*

338 *8. The Department shall engage with the following entities in the development of the Virginia Flood*
339 *Protection Master Plan: the federally recognized Tribal Nations indigenous to the Commonwealth, the*
340 *flood-related research programs of institutions of higher education in the Commonwealth, the agricultural*
341 *community, the economic development community, environmental nonprofit organizations, local*
342 *governments, planning district commissions, regional commissions, the Commander of the U.S. Army Corps*
343 *of Engineers for each District that includes a portion of the Commonwealth, the Commander of the U.S. Navy*
344 *Region Mid-Atlantic, and other federal facilities located within the Commonwealth.*

345 **2. That §§ 2.2-220.5 and 2.2-435.11 of the Code of Virginia are repealed.**

346 **3. That the provisions of subsection C of § 10.1-659 of the Code of Virginia, as amended by this act,**
347 **shall expire on February 1, 2025.**

348 **4. That the provisions of subsection D of § 10.1-659 of the Code of Virginia, as amended by this act,**
349 **shall become effective on February 1, 2025.**

350 **5. The Chief Resilience Officer of the Commonwealth shall submit a report on the funding and staffing**
351 **needs of the Office of Commonwealth Resilience, as created by this act, to the Chairmen of the House**
352 **Committee on Agriculture, Chesapeake and Natural Resources, the House Committee on**
353 **Appropriations, the Senate Committee on Agriculture, Conservation and Natural Resources, and the**
354 **Senate Committee on Finance and Appropriations no later than December 31, 2025.**