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HOUSE JOINT RESOLUTION NO. 437

Offered January 13, 2025

Prefiled January 3, 2025

Establishing the Joint Subcommittee on Recurrent Flooding. Report.

Patrons—Convirs-Fowler, Askew, Feggans and Tran

Referred to Committee on Rules

WHEREAS, House Joint Resolution No. 50 and Senate Joint Resolution No. 76 (2012) directed the Virginia Institute of Marine Science (VIMS) to study strategies for adaptation to prevent recurrent flooding in Virginia's Tidewater and Eastern Shore localities; and

WHEREAS, the resulting VIMS report, titled "Recurrent Flooding Study for Tidewater Virginia," published as Senate Document 3 (2013), stated that recurrent flooding impacts all localities in Virginia's coastal zone and is predicted to become worse over reasonable planning horizons (20 to 50 years); and

WHEREAS, VIMS offered several recommendations, including that the Commonwealth, working with its coastal localities, (i) begin comprehensive and coordinated planning efforts; (ii) initiate identification, collection, and analysis of data needed to support effective planning for response efforts; and (iii) take a lead role in addressing recurrent flooding in Virginia for the following reasons: (a) accessing relevant federal resources for planning and mitigation may be enhanced through state mediation, (b) flooding problems are linked to water bodies and therefore often transcend locality boundaries, and (c) prioritizing flood management actions must be based in part on risk, and therefore the Commonwealth must oversee the necessary studies to determine adaptation strategies, as well as implementation of the agreed-upon strategies; and

WHEREAS, House Joint Resolution No. 16 and Senate Joint Resolution No. 3 (2014) established the Joint Subcommittee to Formulate Recommendations to Address Recurrent Flooding as recommended by the VIMS report; and

WHEREAS, the Joint Subcommittee to Study Recurrent Flooding met four times during the 2014 interim to collect information from federal and state agencies, localities, and stakeholders and to carry out its work; and

WHEREAS, the Joint Subcommittee to Study Recurrent Flooding filed an executive summary with the General Assembly prior to the 2015 Session, which included five initial recommendations to increase public awareness, improve local and state government agency resiliency coordination, and address floodplain management; and

WHEREAS, recommendations made by the Joint Subcommittee to Study Recurrent Flooding during the 2014 interim resulted in six bills passing the General Assembly with bipartisan support during the 2015 Session; and

WHEREAS, the Joint Subcommittee to Study Recurrent Flooding met four times during the 2015 interim to collect information from federal and state agencies, localities, and stakeholders and to carry out its work; and

WHEREAS, pursuant to House Joint Resolution No. 84 and Senate Joint Resolution No. 58 (2016), the Joint Subcommittee to Study Recurrent Flooding was renamed as the Joint Subcommittee on Coastal Flooding and continued its work during the 2016 and 2017 interims and brought forth additional recommendations for the 2018 Session; and

WHEREAS, pursuant to House Joint Resolution No. 26 and Senate Joint Resolution No. 19 (2018), the Joint Subcommittee on Coastal Flooding continued its work during the 2018 and 2019 interims and brought forth additional recommendations for the 2020 Session; and

WHEREAS, pursuant to House Joint Resolution No. 102 and Senate Joint Resolution No. 27 (2020), the Joint Subcommittee on Coastal Flooding continued its work during the 2020 and 2021 interims and brought forth additional recommendations for the 2022 Session; and

WHEREAS, pursuant to House Joint Resolution No. 16 and Senate Joint Resolution No. 35 (2022), the Joint Subcommittee on Coastal Flooding was renamed as the Joint Subcommittee on Recurrent Flooding and continued its work during the 2022 and 2023 interims; and

WHEREAS, riverine flooding and flooding from stormwater are also major concerns for the Commonwealth and deserve further study and action from the joint subcommittee; and

WHEREAS, former members of the joint subcommittee concur that the joint subcommittee be reestablished and continue its work for two additional years; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Joint Subcommittee on Recurrent Flooding be reestablished and its work continued. The joint subcommittee shall have a total

56 membership of 13 members as follows:

57 1. Five members of the House of Delegates appointed by the Speaker of the House of Delegates in
58 accordance with the principles of proportional representation contained in the Rules of the House of
59 Delegates;

60 2. Three members of the Senate appointed by the Senate Committee on Rules; and

61 3. Five nonlegislative citizen members as follows: (i) one shall be a business leader appointed by the
62 Speaker of the House of Delegates, (ii) one shall be a representative of the environmental community
63 appointed by the Speaker of the House of Delegates, (iii) one shall be from an urban area impacted by
64 stormwater flooding appointed by the Speaker of the House of Delegates, (iv) one shall be from a rural area
65 impacted by riverine flooding appointed by the Senate Committee on Rules, and (v) one shall be a local
66 official representing an area impacted by coastal flooding appointed by the Senate Committee on Rules.
67 Nonlegislative citizen members of the joint subcommittee shall be citizens of the Commonwealth of Virginia.
68 Vacancies shall be filled by the original appointing authority. Unless otherwise approved in writing by the
69 chairman of the joint subcommittee and the respective Clerk, nonlegislative citizen members shall only be
70 reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of
71 attending meetings. If a companion joint resolution of the other chamber is agreed to, written authorization of
72 both Clerks shall be required. The joint subcommittee shall elect a chairman and vice-chairman from among
73 its membership, who shall be members of the General Assembly.

74 In conducting its study, the joint subcommittee shall recommend short-term and long-term strategies for
75 minimizing the impact of flooding.

76 Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates. Legal,
77 research, policy analysis, and other related services as requested by the joint subcommittee shall be provided
78 by the Division of Legislative Services. Technical assistance shall be provided by faculty at Virginia
79 institutions of higher education who have expertise in the subject matter. All agencies of the Commonwealth
80 shall provide assistance to the joint subcommittee for this study, upon request.

81 The joint subcommittee shall be limited to four meetings for the 2025 interim and four meetings for the
82 2026 interim, and the direct costs of this study shall not exceed \$17,440 for each year without approval as set
83 out in this resolution. Approval for unbudgeted nonmember-related expenses shall require the written
84 authorization of the chairman of the joint subcommittee and the respective Clerk. If a companion joint
85 resolution of the other chamber is agreed to, written authorization of both Clerks shall be required.

86 No recommendation of the joint subcommittee shall be adopted if a majority of the House members or a
87 majority of the Senate members appointed to the joint subcommittee (i) vote against the recommendation and
88 (ii) vote for the recommendation to fail notwithstanding the majority vote of the joint subcommittee.

89 The joint subcommittee shall complete its meetings for the first year by November 30, 2025, and for the
90 second year by November 30, 2026, and the chairman shall submit to the Division of Legislative Automated
91 Systems an executive summary of its findings and recommendations no later than the first day of the next
92 Regular Session of the General Assembly for each year. Each executive summary shall state whether the joint
93 subcommittee intends to submit to the General Assembly and the Governor a report of its findings and
94 recommendations for publication as a House or Senate document. The executive summaries and reports shall
95 be submitted as provided in the procedures of the Division of Legislative Automated Systems for the
96 processing of legislative documents and reports and shall be posted on the General Assembly's website.

97 Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules
98 Committee. The Committee may approve or disapprove expenditures for this study, extend or delay the
99 period for the conduct of the study, or authorize additional meetings during the 2025 and 2026 interims.