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SENATE JOINT RESOLUTION NO. 58
AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Rules
on February 29, 2016)

(Patron Prior to Substitute—Senator Locke)

Continuing the Joint Subcommittee to Formulate Recommendations for the Development of a Comprehensive and Coordinated Planning Effort to Address Recurrent Flooding as the Joint Subcommittee on Coastal Flooding. Report.

WHEREAS, House Joint Resolution No. 16 (2014) and Senate Joint Resolution No. 3 (2014) established the Joint Subcommittee to Formulate Recommendations for the Development of a Comprehensive and Coordinated Planning Effort to Address Recurrent Flooding (the Joint Subcommittee); and

WHEREAS, House Joint Resolution No. 50 (2012) 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 Tidewater and Eastern Shore Virginia localities; and

WHEREAS, the resulting VIMS report, entitled "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, the Joint Legislative Audit and Review Commission (JLARC) study mandated by House Joint Resolution 132 (2012) and presented on October 15, 2013, entitled "Review of Disaster Preparedness Planning in Virginia," stated: "The state generally has strong disaster response plans, but deficiencies in evacuation and shelter plans may compromise the safety of the Hampton Roads population during a catastrophic disaster"; and

WHEREAS, the JLARC study further noted that if four key assumptions in the state's current evacuation plan do not hold, "timely hurricane evacuations could be compromised," placing citizens at risk after the storm; and

WHEREAS, the Virginia Housing Commission studied this issue through its Housing and Environmental Standards Work Group and found that zoning, building codes, and planning issues will all be affected by recurrent flooding; and

WHEREAS, House Joint Resolution 16 (2014) and Senate Joint Resolution 3 (2014) established the Joint Subcommittee as recommended by the VIMS report; and

WHEREAS, the Joint Subcommittee 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 filed an executive summary with the General Assembly prior to the 2015 Session that 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 during the 2014 interim resulted in six bills passing the General Assembly during the 2015 Session, all with bipartisan support; and

WHEREAS, the Joint Subcommittee 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, recommendations made by the Joint Subcommittee during the 2015 interim resulted in additional recommendations that are legislative in nature and require additional coordination among federal and state agencies and institutions of higher education; and

WHEREAS, the members of the full Joint Subcommittee concurred that the Joint Subcommittee should be continued for two more years in order to keep the Commonwealth on the path of advancing Virginia as the leader among coastal states in advancing resiliency strategies and, most importantly, protecting its citizens and business assets; and

WHEREAS, to more accurately reflect its mission, the Joint Subcommittee would be more appropriately named the Joint Subcommittee on Coastal Flooding; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Joint Subcommittee to

HOUSE SUBSTITUTE

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60 Formulate Recommendations for the Development of a Comprehensive and Coordinated Planning Effort
61 to Address Recurrent Flooding be continued as the Joint Subcommittee on Coastal Flooding. The joint
62 subcommittee shall have a total membership of 11 members that shall consist of three members of the
63 Senate appointed by the Senate Committee on Rules; five members of the House of Delegates appointed
64 by the Speaker of the House of Delegates in accordance with the principles of proportional
65 representation contained in the Rules of the House of Delegates; one nonlegislative citizen member who
66 is a local official representing Virginia's flood-prone communities appointed by the Senate Committee on
67 Rules; and two nonlegislative citizen members, one of whom shall be a business leader and one of
68 whom shall be a representative of the environmental community, appointed by the Speaker of the House
69 of Delegates. Nonlegislative citizen members of the joint subcommittee shall be citizens of the
70 Commonwealth of Virginia. The current members of the Joint Subcommittee appointed by the Speaker
71 of the House of Delegates shall be subject to reappointment. The current members of the Joint
72 Subcommittee appointed by the Senate Committee on Rules shall continue to serve until replaced.
73 Vacancies shall be filled by the original appointing authority. Unless otherwise approved in writing by
74 the chairman of the joint subcommittee and the respective Clerk, nonlegislative citizen members shall
75 only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the
76 purpose of attending meetings. If a companion joint resolution of the other chamber is agreed to, written
77 authorization of both Clerks shall be required. The joint subcommittee shall elect a chairman and
78 vice-chairman from among its membership, who shall be members of the General Assembly.

79 In conducting its review, the joint subcommittee shall recommend short-term and long-term strategies
80 for minimizing the impact of recurrent flooding and coastal storms.

81 Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates.
82 Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be
83 provided by the Division of Legislative Services. Technical assistance shall be provided by Virginia
84 college and university faculty with expertise in the subject matter. All agencies of the Commonwealth
85 shall provide assistance to the joint subcommittee for this review, upon request.

86 The joint subcommittee shall be limited to four meetings for the 2016 interim and four meetings for
87 the 2017 interim, and the direct costs of this subcommittee shall not exceed \$17,440 for each year
88 without approval as set out in this resolution. Approval for unbudgeted nonmember-related expenses
89 shall require the written authorization of the chairman of the joint subcommittee and the respective
90 Clerk. If a companion joint resolution of the other chamber is agreed to, written authorization of both
91 Clerks shall be required.

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

96 The joint subcommittee shall complete its meetings for the first year by November 30, 2016, and for
97 the second year by November 30, 2017, and the chairman shall submit to the Division of Legislative
98 Automated Systems an executive summary of its findings and recommendations no later than the first
99 day of the next Regular Session of the General Assembly for each year. Each executive summary shall
100 state whether the joint subcommittee intends to submit to the General Assembly and the Governor a
101 report of its findings and recommendations for publication as a House or Senate document. The
102 executive summaries and reports shall be submitted as provided in the procedures of the Division of
103 Legislative Automated Systems for the processing of legislative documents and reports and shall be
104 posted on the General Assembly's website.

105 Implementation of this resolution is subject to subsequent approval and certification by the Joint
106 Rules Committee. The Committee may approve or disapprove expenditures for the joint subcommittee
107 review, extend or delay the period for the conduct of the review, or authorize additional meetings during
108 the 2016 and 2017 interims.