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HOUSE JOINT RESOLUTION NO. 552

Offered January 13, 2021

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Establishing a joint subcommittee to study the development of a comprehensive and coordinated planning effort to address recurrent flooding in inland and urban areas across the Commonwealth. Report.

Patrons—Levine, Ayala, Carr, Cole, J.G., Cole, M.L., Hayes, Heretick, Hope, Keam, Kory, Mundon King, Murphy, Reid, Simon and Simonds

Referred to Committee on Rules

WHEREAS, the House of Delegates and Senate have been diligent in focusing resources on the study of tidal and coastal flooding in Virginia; and

WHEREAS, House Joint Resolution 50 (2012) and Senate Joint Resolution 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, such resolutions resulted in a VIMS report, entitled "Recurrent Flooding Study for Tidewater Virginia," which was published as Senate Document 3 (2013); and

WHEREAS, House Joint Resolution 16 (2014) and Senate Joint Resolution 3 (2014) established a joint subcommittee to recommend short-term and long-term strategies minimizing the impact of recurrent flooding and coastal storms; and

WHEREAS, House Joint Resolution 84 (2016) and Senate Joint Resolution 58 (2016) extended the study of recurrent flooding for two additional years and renamed the joint subcommittee as the Joint Subcommittee on Coastal Flooding to "more accurately reflect its mission"; and

WHEREAS, in addition to the threat of sea level rise, the threat of inland and urban flooding due to severe rainfall events resulting in major flash flooding is a major threat to localities across Virginia; and

WHEREAS, flooding is the natural hazard with the greatest economic and social impact in the United States, and these impacts are becoming more severe over time; and

WHEREAS, the National Oceanic and Atmospheric Administration (NOAA) National Centers for Environmental Information summarizes that annual precipitation is projected to increase in Virginia and that the state is part of a large area of projected increases in precipitation across the northern and central United States by the middle of the 21st century; and

WHEREAS, the number and intensity of heavy precipitation events is also projected to increase, continuing recent trends; and

WHEREAS, inland and urban flooding is caused when the inflow of stormwater in these areas exceeds the capacity of drainage systems to infiltrate stormwater into the soil or carry it away; and

WHEREAS, floodwater inundation and movement in inland and urban areas are influenced by land development, which disturbs natural drainage patterns and creates hardened surfaces that inhibit infiltration of stormwater; and

WHEREAS, stormwater systems that are undersized for current needs increase exposure to drainage hazards; and

WHEREAS, many localities across Virginia already experience extreme flooding from what are now routine weather events, causing extensive damage to private property and public infrastructure; and

WHEREAS, vulnerable critical infrastructure within areas affected by recurrent inland and urban flooding includes key roads, highways, and bridges; passenger and freight railroad services; wastewater treatment plants; water supply systems; stormwater systems; dams and floodwalls; airports; and national security infrastructure; and

WHEREAS, numerous local, regional, state, and federal partners have a stake in coordinating efforts to address the problems associated with recurrent inland and urban flooding; and

WHEREAS, the impacts of inland and urban flooding on localities across Virginia are significant and call for a multidisciplinary approach, including addressing infrastructure, zoning, building codes, land use planning, public safety, environmental issues, and racial and social equity; and

WHEREAS, the recommendations and solutions, both short-term and long-term, for mitigating and resolving the impacts of inland and urban flooding must be similarly multidisciplinary, including capital investment and grant and tax incentives; and

WHEREAS, the costs of addressing the impacts of inland and urban flooding far exceed the capacity of local governments and residents to bear alone; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be

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58 established to study the development of a comprehensive and coordinated planning effort to address
59 recurrent flooding in inland and urban areas across the Commonwealth. The joint subcommittee shall
60 have a total membership of 13 members that shall consist of eight legislative members and five
61 nonlegislative citizen members. Members shall be appointed as follows: five members of the House of
62 Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of
63 proportional representation contained in the Rules of the House of Delegates; three members of the
64 Senate to be appointed by the Senate Committee on Rules; three nonlegislative citizen members, one of
65 whom shall be a member of the scientific community with experience in the area of inland and urban
66 flooding, one of whom shall be a representative of the development community, and one of whom shall
67 be a representative of the environmental community, to be appointed by the Speaker of the House of
68 Delegates; and two nonlegislative citizen members who shall be local officials representing Virginia
69 communities experiencing inland or urban flooding to be appointed by the Senate Committee on Rules.

70 Nonlegislative citizen members of the joint subcommittee shall be citizens of the Commonwealth of
71 Virginia. Unless otherwise approved in writing by the chairman of the joint subcommittee and the
72 respective Clerk, nonlegislative citizen members shall be reimbursed only for travel originating and
73 ending within the Commonwealth of Virginia for the purpose of attending meetings. If a companion
74 joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required.
75 The joint subcommittee shall elect a chairman and vice-chairman from among its membership, who shall
76 be members of the General Assembly.

77 In conducting its study, the joint subcommittee shall recommend short-term and long-term strategies
78 for minimizing the impact of recurrent inland and urban flooding in the Commonwealth.

79 Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates.
80 Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be
81 provided by the Division of Legislative Services. Technical assistance shall be provided by faculty from
82 Virginia's institutions of higher education with expertise in the subject matter. All agencies of the
83 Commonwealth shall provide assistance to the joint subcommittee for this study, upon request.

84 The joint subcommittee shall be limited to four meetings for the 2021 interim and four meetings for
85 the 2022 interim, and the direct costs of this study shall not exceed \$21,040 for each year without
86 approval as set out in this resolution. Approval for unbudgeted nonmember-related expenses shall require
87 the written authorization of the chairman of the joint subcommittee and the respective Clerk. If a
88 companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall
89 be required.

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

94 The joint subcommittee shall complete its meetings for the first year by November 30, 2021, and for
95 the second year by November 30, 2022, and the chairman shall submit to the Division of Legislative
96 Automated Systems an executive summary of its findings and recommendations no later than the first
97 day of the next Regular Session of the General Assembly for each year. Each executive summary shall
98 state whether the joint subcommittee intends to submit to the General Assembly and the Governor a
99 report of its findings and recommendations for publication as a House or Senate document. The
100 executive summaries and reports shall be submitted as provided in the procedures of the Division of
101 Legislative Automated Systems for the processing of legislative documents and reports and shall be
102 posted on the General Assembly's website.

103 Implementation of this resolution is subject to subsequent approval and certification by the Joint
104 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
105 delay the period for the conduct of the study, or authorize additional meetings during the 2021 or 2022
106 interims.