

HOUSE BILL NO. 1458

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Agriculture, Chesapeake and Natural Resources  
on February 5, 2024)

(Patron Prior to Substitute--Delegate Hernandez)

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.

**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.**

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

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

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

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

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

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

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

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

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

64 c. Make applications on behalf of the Commonwealth for other federal funding as directed by the  
65 Governor;

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

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

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

81 **§ 2.2-435.14. Interagency Resilience Working Group.**

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

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

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

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

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

98 **§ 10.1-104.6:1. ConserveVirginia program established.**

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

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

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

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

123 E. The Department shall incorporate ConserveVirginia into acquisition or grant decisions when  
124 appropriate.

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

133 **§ 10.1-603.25. Virginia Community Flood Preparedness Fund; loan and grant program.**

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

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

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

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

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

180 E. Localities shall use moneys from the Fund primarily for the purpose of implementing flood  
181 prevention and protection projects and studies in areas that are subject to recurrent flooding as confirmed  
182 by a locality-certified floodplain manager. Moneys in the Fund may be used to mitigate future flood  
183 damage and to assist inland and coastal communities across the Commonwealth that are subject to  
184 recurrent or repetitive flooding. No less than 25 percent of the moneys disbursed from the Fund each year  
185 shall be used for projects in low-income geographic areas. Priority shall be given to projects that  
186 implement community-scale hazard mitigation activities that use nature-based solutions to reduce flood  
187 risk.

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

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

199 **§ 10.1-603.29. Resilient Virginia Revolving Fund.**

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



215 contrary notwithstanding, to determine their duties and compensation without the approval of any other  
216 agency or instrumentality. The Authority may disburse from the Fund its reasonable costs and expenses  
217 incurred in the administration and management of the Fund and a reasonable fee to be approved by the  
218 Department for its management services. The Authority may provide a portion of that fee to the  
219 Department to cover the Department's costs and expenses in administering the Fund.

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

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

235 **§ 10.1-659. Flood protection programs; coordination.**

236 A. The provisions of this chapter shall be coordinated with the Virginia Coastal Resilience Master  
237 Plan, the Virginia Flood Protection Master Plan, and federal, state, and local flood prevention and water  
238 quality programs to minimize loss of life, property damage, and negative impacts on the environment.  
239 This program coordination shall include but not be limited to the following: flood prevention, flood plain  
240 management, small watershed protection, dam safety, shoreline erosion and public beach preservation,  
241 and soil conservation programs of the Department of Conservation and Recreation; the construction

242 activities of the Department of Transportation, including projects that result in hydrologic modification of  
243 rivers, streams, and flood plains; the nontidal wetlands, water quality, Chesapeake Bay Preservation Area  
244 criteria, stormwater management, erosion and sediment control, and other water management programs  
245 of the State Water Control Board; the Virginia Coastal Zone Management Program at the Department of  
246 Environmental Quality; forested watershed management programs of the Department of Forestry; the  
247 agricultural stewardship, farmland preservation, and disaster assistance programs of the Department of  
248 Agriculture and Consumer Services; the statewide building code and other land use control programs of  
249 the Department of Housing and Community Development; the habitat management programs of the  
250 Virginia Marine Resources Commission; the hazard mitigation planning and disaster response programs  
251 of the Department of Emergency Management; the fish and wildlife habitat protection programs of the  
252 Department of Wildlife Resources; the mineral extraction regulatory program of the Department of  
253 Energy; the flood plain restrictions of the Virginia Waste Management Board; flooding-related research  
254 programs of the state universities; local government assistance programs of the Virginia Soil and Water  
255 Conservation Board; the Virginia Antiquities Act program of the Department of Historic Resources; the  
256 public health and preparedness programs of the Virginia Department of Health; the State Council of  
257 Higher Education for Virginia; the State Corporation Commission; and any other state agency programs  
258 deemed necessary by the Director, and the Chief Resilience Officer of the Commonwealth, ~~and the Special~~  
259 ~~Assistant to the Governor for Coastal Adaptation and Protection~~. The Department shall also coordinate  
260 with soil and water conservation districts, Virginia Cooperative Extension agents, and planning district  
261 commissions, and shall coordinate and cooperate with localities in rendering assistance to such localities  
262 in their efforts to comply with the planning, subdivision of land, and zoning provisions of Chapter 22 (§  
263 15.2-2200 et seq.) of Title 15.2.

264 B. The Director, in coordination with ~~the Special Assistant to the Governor for Coastal Adaptation~~  
265 ~~and Protection~~ and the Chief Resilience Officer of the Commonwealth, shall hold meetings of  
266 representatives of the programs, entities, and localities described in subsection A at least annually in order  
267 to determine, coordinate, and prioritize the Commonwealth's efforts and expenditures to increase flooding  
268 resilience and flood preparedness and to implement the Virginia Coastal Resilience Master Plan and the

269 Virginia Flood Protection Master Plan. The Department shall review any revisions to the Virginia Flood  
270 Protection Master Plan and provide an update on the progress of the implementation of the Virginia  
271 Coastal Resilience Master Plan at any such meetings. The Department shall cooperate with other public  
272 and private agencies having flood plain management programs and shall coordinate its responsibilities  
273 under this article and any other law. These activities shall constitute the Commonwealth's flood resilience,  
274 preparedness, prevention, and protection program.

275 C. 1. The Director, in coordination with the Chief Resilience Officer, ~~in coordination with the~~  
276 ~~Special Assistant to the Governor for Coastal Adaptation and Protection and the Director of the~~  
277 Commonwealth, shall establish the Virginia Coastal Resilience Technical Advisory Committee (the  
278 Committee) to assist with developing, updating, and implementing the Virginia Coastal Resilience Master  
279 Plan.

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

296 ~~Resilience Officer~~ Director shall serve as chairman of the Committee and the Chief Resilience Officer of  
297 the Commonwealth shall serve as vice-chairman of the Committee.

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

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

303 5. The Committee shall meet at least quarterly.

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

307 7. The Committee shall ensure that (i) risk evaluations and project prioritization protocols are  
308 regularly updated and are informed by the best applicable scientific and technical data; (ii) statewide and  
309 regional needs are addressed using the best applicable science and long-term resilience approaches; and  
310 (iii) the Virginia Coastal Resilience Master Planning Framework is adhered to in the development and  
311 updating of the Virginia Coastal Resilience Master Plan. The Committee shall also review updates to the  
312 Virginia Coastal Resilience Master Plan and receive updates about the progress of the Virginia Flood  
313 Protection Master Plan at each meeting. Additionally, the Committee may be called upon to assist the  
314 Department with the development and updating of the Virginia Flood Protection Master Plan.

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

319 2. The Committee shall serve at the pleasure of the Governor and be composed of the following  
320 individuals representing state agencies, or their designees: the Director, the Chief Resilience Officer of  
321 the Commonwealth, the Director of the Department of Emergency Management, the Director of the  
322 Department of Housing and Community Development, the Executive Director of the Virginia Resources

323 Authority, the Director of the Department of Environmental Quality, the Commissioner of the Department  
324 of Transportation, the Director of the Office of Intermodal Planning and Investment, the Commissioner  
325 of Marine Resources, the Director of the Department of General Services, the Virginia Director of the  
326 Chesapeake Bay Commission, and the Director of Diversity, Equity, and Inclusion. Committee  
327 membership shall also include one representative from each of the following: the Virginia Association of  
328 Planning District Commissions, the Virginia Municipal League, and the Virginia Association of Counties.  
329 The Director may invite participation by other representatives as deemed appropriate. The Director shall  
330 serve as chairman of the Committee. The Chief Resilience Officer of the Commonwealth shall serve as  
331 vice-chairman of the Committee.

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

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

334 5. The Department and the Office of Commonwealth Resilience shall provide staff support to the  
335 Committee.

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

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

348 8. The Department shall engage with the following entities in the development of the Virginia  
349 Flood Protection Master Plan: the federally recognized Tribal Nations indigenous to the Commonwealth,

350 the flooding-related research programs of institutions of higher education in the Commonwealth, the  
351 agricultural community, the economic development community, environmental nonprofit organizations,  
352 local governments, planning district commissions, regional commissions, the Commander of the U.S.  
353 Army Corps of Engineers for each District that includes a portion of the Commonwealth, the Commander  
354 of the U.S. Navy Region Mid-Atlantic, and other federal facilities located within the Commonwealth.

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

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

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

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

365 #