

HOUSE BILL NO. 1458

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Agriculture, Conservation and Natural Resources
on February 20, 2024)

(Patrons Prior to Substitute--Delegates Hernandez and Lopez [HB 948])

A BILL to amend and reenact §§ 2.2-220.5, 10.1-104.6:1, 10.1-603.25, 10.1-603.29, and 10.1-659 of the Code of Virginia and to repeal § 2.2-435.11 of the Code of Virginia, relating to Chief Resilience Officer of the Commonwealth; Interagency Resilience Management Team; Virginia Community Flood Preparedness Fund; Resilient Virginia Revolving Fund; Advisory Review Committee.

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-220.5, 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 as follows:

§ 2.2-220.5. Chief Resilience Officer of the Commonwealth; Interagency Resilience Management Team.

A. The Governor shall designate a Chief Resilience Officer. 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, ~~recurrent flooding, all flooding-related pre-disaster hazard mitigation, and adaptation~~ 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's duties, in consultation with the Special Assistant to the Governor for Coastal Adaptation and Protection, shall include but not be limited to the following~~ 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

27 prioritize the protection of Virginia's natural resources and maximize the implementation of nature-based
28 design while supporting Virginia's statutory obligations to clean water; and (iv) initiate and assist with
29 economic development opportunities associated with adaptation. The Chief Resilience Officer, in his role,
30 shall also:

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

34 2. ~~Upon the request of any locality in the Commonwealth in which is located a substantial flood~~
35 ~~defense or catchment area, including a levee, reservoir, dam, catch basin, or wetland or lake improved or~~
36 ~~constructed for the purpose of flood control, review and comment on plans for the construction or~~
37 ~~substantial reinforcement of such flood defense or catchment area.~~ Provide support to local governments,
38 as that term is defined in § 10.1-603.28, that are seeking to promote resilience within their communities
39 by providing technical assistance and capacity building support regarding best practices for resilience
40 planning, data collection, and project design and implementation;

41 3. ~~Serve as the primary point of contact on all issues relating to pre-disaster hazard mitigation and~~
42 ~~coordinate the planning of resilience initiatives across state government.~~ Coordinate with the Department
43 of Emergency Management on all issues related to pre-disaster hazard mitigation and post-disaster
44 recovery;

45 4. ~~Create and oversee~~ Assist the Department of Conservation and Recreation with the development
46 and implementation of a Virginia Flood Protection Master Plan and a Virginia Coastal Resilience Master
47 Plan in accordance with § 10.1-602 to anticipate, prepare for, respond to, and recover from significant
48 multi-hazard threats with minimum damage to social well-being, health, the economy, and the
49 environment.;

50 5. ~~Initiate and assist with the pursuit of~~ Seek to maximize the coordination, availability, and use of
51 federal, state, and private funding to address resilience challenges, including initiating and assisting with
52 the pursuit of funding opportunities for resilience initiatives at both the state and local levels and help to

53 ~~oversee and coordinate funding initiatives of all agencies of the Commonwealth.~~ In order to maximize
54 federal funding, the Chief Resilience Officer is authorized to:

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

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

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

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

67 7. Beginning July 1, ~~2023~~ 2025, and every two years thereafter, report to the Governor and the
68 General Assembly on the status of ~~flood~~ resilience in the Commonwealth. ~~The~~ Such report shall ~~serve as~~
69 ~~an evaluation of flood protection for critical infrastructure, including human and natural infrastructure.~~
70 ~~The report shall identify risks to critical transportation, energy, communication, water and food supply,~~
71 ~~waste management, health, and emergency services infrastructure. The report shall also include the status~~
72 ~~of flood resilience planning~~ include the status of actions undertaken by the Chief Resilience Officer and
73 state agencies regarding resilience coordination and planning and all resilience funding received and
74 distributed by the Commonwealth during the prior two years. In preparing the report, the Chief Resilience
75 Officer shall also coordinate with the Director of Diversity, Equity, and Inclusion and shall be assisted by
76 all relevant Secretariats and agencies.

77 C. The Chief Resilience Officer shall convene an Interagency Resilience Management Team (the
78 Team) to support the coordination of planning and implementation of resilience efforts, and he shall serve
79 as chairman of the Team. The Team shall meet on the call of the chairman but not less than once every

80 three months. Membership of the Team shall include representatives from the Departments of Agriculture
81 and Consumer Services, Conservation and Recreation, Emergency Management, Energy, Environmental
82 Quality, Forestry, General Services, Health, Historic Resources, Housing and Community Development,
83 Transportation, and Wildlife Resources; the Marine Resources Commission; the Virginia Resources
84 Authority; the Office of Diversity, Equity, and Inclusion; and others as appointed by the Governor. Each
85 agency participating in the Team shall designate a resilience coordinator to represent such agency in the
86 Team. The responsibilities of the Team shall include:

- 87 1. Exchanging information and best practices related to resilience, including means of integrating
88 common language and practices for resilience work across agencies;
- 89 2. Advising the Chief Resilience Officer on strategies for enhancing resilience planning and
90 funding coordination across agencies under a unified statewide approach to resilience; and
- 91 3. Recommending metrics for measuring the progress of resilience efforts in the Commonwealth.

92 **§ 10.1-104.6:1. ConserveVirginia program established.**

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

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

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

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

117 E. The Department shall incorporate ConserveVirginia into acquisition or grant decisions when
118 appropriate.

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

127 **§ 10.1-603.25. Virginia Community Flood Preparedness Fund; loan and grant program.**

128 A. The Virginia ~~Shoreline Resiliency~~ Community Flood Preparedness Fund is hereby ~~continued~~
129 established as a permanent and perpetual fund ~~to be known as the Virginia Community Flood Preparedness~~
130 ~~Fund~~. All sums that are designated for deposit in the Fund from revenue generated by the sale of emissions
131 allowances pursuant to subdivision C 1 of § 10.1-1330, all sums that may be appropriated to the Fund by
132 the General Assembly, all receipts by the Fund from the repayment of loans made by it to local
133 governments, all income from the investment of moneys held in the Fund, and any other sums designated

134 for deposit to the Fund from any source, public or private, including any federal grants and awards or
135 other forms of assistance received by the Commonwealth that are eligible for deposit in the Fund under
136 federal law, shall be designated for deposit to the Fund. Interest earned on moneys in the Fund shall remain
137 in the Fund and be credited to it. Any moneys remaining in the Fund, including any appropriated funds
138 and all principal, interest accrued, and payments, at the end of each fiscal year shall not revert to the
139 general fund but shall remain in the Fund. All loans and grants provided under this article shall be deemed
140 to promote the public purposes of enhancing flood prevention or protection and coastal resilience.

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

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

155 D. 1. The Fund shall be administered by the Department as prescribed in this article. The
156 Department, in consultation with the Secretary of Natural and Historic Resources and the ~~Special Assistant~~
157 ~~to the Governor for Coastal Adaptation and Protection~~ Chief Resilience Officer of the Commonwealth,
158 shall establish guidelines regarding the distribution and prioritization of loans and grants, including loans
159 and grants that support flood prevention or protection studies of statewide or regional significance. The
160 Department shall develop and provide an opportunity for a 30-day public comment period prior to each

161 new grant or loan offering to solicit feedback on proposed revisions to the Virginia Community Flood
162 Preparedness Manual. A record of each application for a grant or loan and the action taken thereon shall
163 be available for public inspection at the office of the Department and on a publicly accessible website.

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

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

182 F. Any locality is authorized to secure a loan made pursuant to this section by placing a lien up to
183 the value of the loan against any property that benefits from the loan. Such a lien shall be subordinate to
184 each prior lien on such property, except prior liens for which the prior lienholder executes a written
185 subordination agreement, in a form and substance acceptable to the prior lienholder in its sole and
186 exclusive discretion, that 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
188 geographic area is authorized to forgive the principal of such loan. If a locality forgives the principal of
189 any such loan, any obligation of the locality to repay that principal to the Commonwealth shall not be
190 forgiven and such obligation shall remain in full force and effect. The total amount of loans forgiven by
191 all localities in a fiscal year shall not exceed 30 percent of the amount appropriated in such fiscal year to
192 the Fund by the General 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
195 and perpetual fund, ~~to be known as the "Resilient Virginia Revolving Fund,"~~ All sums appropriated to
196 the Fund by the General Assembly, all sums allocated to the Commonwealth for resilience purposes
197 through the federal government, all receipts by the Fund from loans made by it to local governments, all
198 income from the investment of moneys held in the Fund, and any other sums designated for deposit to the
199 Fund from any source public or private shall be designated for deposit to the Fund. The Fund shall be
200 administered and managed by the Authority as prescribed in this article, subject to the right of the
201 Department, following consultation with the Authority, the Secretary of Natural and Historic Resources,
202 and the Chief Resilience Officer of the Commonwealth, to direct the distribution of loans or grants from
203 the Fund to particular local governments and to establish the interest rates and repayment terms of such
204 loans as provided in this article. A portion of the Fund shall be reserved to hold money that is allocated
205 only for the hazard mitigation of buildings and that shall not be available for other uses. In order to carry
206 out the administration and management of the Fund, the Authority is granted the power to employ officers,
207 employees, agents, advisers, and consultants, including, without limitation, attorneys, financial advisers,
208 engineers, and other technical advisers and public accountants and, the provisions of any other law to the
209 contrary notwithstanding, to determine their duties and compensation without the approval of any other
210 agency or instrumentality. The Authority may disburse from the Fund its reasonable costs and expenses
211 incurred in the administration and management of the Fund and a reasonable fee to be approved by the
212 Department for its management services. The Authority may provide a portion of that fee to the
213 Department to cover the Department's costs and expenses in administering the Fund.

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

219 2. The Director shall convene an Advisory Review Committee (the Committee) to assist in the
220 distribution of loans and grants from the Fund. The Committee shall review applications to the Fund and
221 make recommendations on the disbursement of moneys from the Fund and any other appropriate issues
222 to the Department, the Secretary of Natural and Historic Resources, and the Chief Resilience Officer of
223 the 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
227 others as the Director deems appropriate. Appointed members of the Committee shall serve without
228 compensation.

229 **§ 10.1-659. Flood protection programs; coordination.**

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

241 agricultural stewardship, farmland preservation, and disaster assistance programs of the Department of
242 Agriculture and Consumer Services; the statewide building code and other land use control programs of
243 the Department of Housing and Community Development; the habitat management programs of the
244 Virginia Marine Resources Commission; the hazard mitigation planning and disaster response programs
245 of the Department of Emergency Management; the fish and wildlife habitat protection programs of the
246 Department of Wildlife Resources; the mineral extraction regulatory program of the Department of
247 Energy; the flood plain restrictions of the Virginia Waste Management Board; flooding-related research
248 programs of the state universities; local government assistance programs of the Virginia Soil and Water
249 Conservation Board; the Virginia Antiquities Act program of the Department of Historic Resources; the
250 public health and preparedness programs of the Virginia Department of Health; the State Council of
251 Higher Education for Virginia; the State Corporation Commission; and any other state agency programs
252 deemed necessary by the Director, and the Chief Resilience Officer of the Commonwealth, ~~and the Special~~
253 ~~Assistant to the Governor for Coastal Adaptation and Protection~~. The Department shall also coordinate
254 with soil and water conservation districts, Virginia Cooperative Extension agents, and planning district
255 commissions, and shall coordinate and cooperate with localities in rendering assistance to such localities
256 in their efforts to comply with the planning, subdivision of land, and zoning provisions of Chapter 22 (§
257 15.2-2200 et seq.) of Title 15.2.

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

267 under this article and any other law. These activities shall constitute the Commonwealth's flood resilience,
268 preparedness, prevention, and protection program.

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

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

292 3. ~~The Chief Resilience Officer~~ Director shall invite participation by the Commander of the U.S.
293 Army Corps of Engineers, Norfolk District; the Commander of the U.S. Army Corps of Engineers,

294 Baltimore District; the Commander of the Navy Region Mid-Atlantic; and representatives of the seven
295 federally recognized Tribal Nations indigenous to the Commonwealth of Virginia.

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

297 5. The Committee shall meet at least quarterly.

298 6. The Department, ~~the Special Assistant to the Governor for Coastal Adaptation and Protection,~~
299 and the Coastal Zone Management Program shall provide staff support to the Committee.

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

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

312 2. The Committee shall be composed of the following individuals representing state agencies, or
313 their designees: the Director, the Chief Resilience Officer of the Commonwealth, the Director of the
314 Department of Emergency Management, the Director of the Department of Housing and Community
315 Development, the Executive Director of the Virginia Resources Authority, the Director of the Department
316 of Environmental Quality, the Commissioner of the Department of Transportation, the Director of the
317 Office of Intermodal Planning and Investment, the Commissioner of Marine Resources, the Director of
318 the Department of General Services, the Virginia Director of the Chesapeake Bay Commission, and the
319 Director of Diversity, Equity, and Inclusion. Committee membership shall also include one representative
320 from each of the following: the Virginia Association of Planning District Commissions, the Virginia

321 Municipal League, and the Virginia Association of Counties. The Director may invite participation by
322 other representatives as deemed appropriate. The Director shall serve as chairman of the Committee. The
323 Chief Resilience Officer of the Commonwealth shall serve as vice-chairman of the Committee.

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

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

326 5. The Department shall provide staff support to the Committee.

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

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

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

346 **2. That § 2.2-435.11 of the Code of Virginia is repealed.**

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

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

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

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