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## Joint Subcommittee on Coastal Flooding

August 19, 2019

The Capitol, House Room 3

[dls.virginia.gov/interim\\_studies\\_flooding.html](https://dls.virginia.gov/interim_studies_flooding.html)

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The Joint Subcommittee on Coastal Flooding (the Joint Subcommittee) met in Richmond with Senator Lynwood W. Lewis, Jr., and Delegate M. Keith Hodges, co-chairs, presiding.<sup>1</sup> The meeting began with introductions and opening remarks followed by presentations and discussion. Materials presented at the meeting are accessible through the [Joint Subcommittee's website](#).

### **Presentation: Toxic Floodwaters: A Study Focused on Risk to Facilities Storing Hazardous Chemicals Due to Flooding**

*Noah M. Sachs, Professor, University of Richmond School of Law*  
*David Flores, Policy Analyst, Center for Progressive Reform*  
*Jamie Brunkow, James River Association*

The presenters gave an overview of their study of the risk of chemical disaster in Virginia's James River watershed due to flooding. Mr. Brunkow gave a general description of the James River watershed. Mr. Flores made note of recent flooding disasters in Houston and North Carolina and the unintentional discharge of dangerous substances during those events. Mr. Sachs pointed out that regulation of above-ground storage tanks (ASTs) is lacking and that regulations are not tailored to flooding events. Possible recommendations include establishing a system of registration, reporting, and inspection of ASTs modeled after existing regulations for oil tanks. Such regulations, according to the presenters, could include standards for the siting and construction of new tanks, spill response planning that takes into account flood exposure, and financial responsibility requirements for operators of tanks.

### **Presentation: RISE Resilience Grants: Briefing on Grant Recipients**

*Dr. Paul Robinson, Executive Director, RISE Resilience Innovations*

RISE, based in Norfolk, is a nonprofit organization dedicated to developing innovative technologies in the resilience sector. Dr. Robinson, who has addressed the Joint Subcommittee previously, presented an update on the 2018 \$1.5 million Coastal Community Resilience Grant Challenge, including the winning projects. He also briefed the Joint Subcommittee on the upcoming 2019 grant challenge.

### **Presentation: U.S. Army Corps of Engineers Multi-Jurisdictional Studies Update**

*Susan Conner, Chief, Planning and Policy Branch, U.S. Army Corps of Engineers*

Ms. Conner briefed the Joint Subcommittee on the continuing work of the U.S. Army Corps of Engineers (USACE), including discussion of the Norfolk Flood Risk Management Study, the Coastal Virginia Resilience Study Authority, the Tangier Island Resilience Study Authority, and

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<sup>1</sup> **Members Present:** Delegate M. Keith Hodges (co-chair), Senator Lynwood W. Lewis, Jr. (co-chair), Delegate Robert S. Bloxom, Jr., Senator Bill R. DeSteph, Jr., Delegate Mark L. Keam, Senator Mamie E. Locke, Delegate Christopher P. Stolle, Richard L. Bowie, Nikki Rovner, James L. Wood

**Members Absent:** None

a variety of other flood risk studies. She also discussed the 17 steps of the USACE civil works process and how to access USACE construction funding. Ms. Connor emphasized the advantages of a multi-jurisdictional resiliency strategy as new studies go forward.

### **Presentation: Coastal Master Plan Update**

*Rear Admiral Ann Phillips, U.S. Navy (Retired), Special Assistant for Coastal Adaptation and Protection*

Admiral Phillips updated the Joint Subcommittee on the Northam administration's ongoing efforts to develop a master plan for coastal adaptation and protection in Virginia. Such plan, according to Admiral Phillips, should be based on the best available science, be updated every five years, provide recommendations to reduce tidal and storm surge flooding and flood risk, employ natural solutions to the maximum extent possible, and include detailed funding analysis. The plan priorities should include collaborative programs that incentivize multi-jurisdictional projects and should also ensure equitable access to funding and technical support for underserved communities.

### **Presentation: Resource Protection Area Flood Management**

*Jutta Schneider, Director, Water Planning Division, Virginia Department of Environmental Quality*

Ms. Schneider presented an overview of resource protection areas (RPAs) in Virginia and development in such areas. She discussed the benefits of RPAs, including providing adaptive buffers for flooding impacts and sea level change by slowing floodwaters, reducing shoreline erosion, reducing storm surge, and attenuating waves. Ms. Schneider noted that the Chesapeake Bay Preservation Act and implementing regulations specify criteria for the designation, use, development, and redevelopment of land in RPAs. She further noted that certain land development activities and uses are allowed within RPAs under certain conditions, subject to local government review and approval.

### **Presentation: Moving Forward to Manage Flooding in Virginia's Rural Coastal Region**

*Delegate M. Keith Hodges, Chairman*

Delegate Hodges addressed the Joint Subcommittee to present his thoughts on how to move forward in order to better manage flooding in Virginia's rural coastal region. Delegate Hodges emphasized that previous solutions often have not been based on the current difficulties faced in this region or have been focused on outdated flooding scenarios. He stated that it is important for the Commonwealth to consider holistic solutions to the existing problems and to provide choices to address problems. Delegate Hodges also mentioned the importance of removing government obstacles to possible solutions.

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For more information, see the [Joint Subcommittee's website](#) or contact the Division of Legislative Services staff:

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