

**Testimony of Delegate Keith Hodges**  
**Virginia House of Delegates, 98th District**  
**House Select Committee on the Climate Crisis**  
***“Creating a Climate Resilient America”***  
**May 23, 2019**

Good Morning Chairwoman Castor, Ranking Member Graves, and the members of the Select Committee. My name is Keith Hodges and I represent the 98th District, located in the heart of rural coastal Virginia, in the Virginia House of Delegates. I also have the distinct pleasure of serving as the Co-Chair for the Virginia General Assembly Joint Subcommittee on Coastal Flooding and serve as a member of the General Assembly State Water Commission.

I am here today to paint a picture of the real impacts coastal flooding is having on our rural, suburban and urban areas of the Commonwealth. My constituents are already feeling the impacts. One of the smallest localities in my district – Mathews County – has just 9,000 people but has already suffered a \$65 million dollar loss of land value directly and indirectly due to flooding. The loss of land value impacts not only property owners, but means less tax revenue is available for critical public services such as police, fire, and schools.

I will also outline the challenges we face in mitigating the effect of water, the layers of government regulations that stand in between property owners and their ability to protect themselves, and the innovative solutions being developed to address it – solutions that ultimately could be applied in any coastal region of the nation.

We can all agree that the Commonwealth’s signature water quality protection legislation – the Chesapeake Bay Preservation Act, dating back to the late 1980s – was needed and is responsible for the significant improvements that have been made over time to the clean-up of our most important waterways on the East Coast.

A large part of the preservation part of the act regulated the riparian areas, generally where the tidal wetlands and the uplands converge.

It was written to protect the natural spaces around the waterways, preventing over development and protecting water quality.

That was on paper.

But in reality, a great deal of those areas are people’s yards. It’s where people’s lives are. Where they grill out. It’s their homes. Their sense of place.

That’s where we’re seeing flooding. And that’s where we’re seeing layers upon layers of additional government regulations.

There is a disconnect between where the laws are – laws that prevents any sort of resiliency efforts being done – and where people live.

It's important to note here, that many of these laws were intended to manage water running off from a higher elevation – land – and into a lower elevation – the sea. It never realized that we would be facing water coming from a lower elevation to a higher elevation – bringing the rivers into people's yards.

Doesn't make it right. Doesn't make it wrong. It's just reality.

But these 23 laws and regulations that protect water quality, while well intended, are also holding us back.

In the Commonwealth of Virginia – specifically in rural coastal Virginia – we have been studying ways to both adhere to the spirit of the Preservation Act and other regulations and the goals to maintain water quality, while also helping property owners protect their homes, localities protect their tax base and promote resiliency.

It's started with looking at legislation and regulations in a more holistic and innovative way.

We've found ways to help property owners – residential and commercial – install Living Shorelines, proven to help with water quality and resiliency, and provided the funding and insurance to bring them to reality. We're building shorelines that are more robust – bigger, wider, taller.

We've addressed stormwater legislation, and equalized the cost for developers building in rural vs urban areas.

We've created ways – through the Virginia Waterway Maintenance Fund – to give localities more options to use dredged materials for resiliency efforts.

We are looking at how you insure risk more properly, and creatively – that is, insuring nature based flood mitigation strategies.

And we are fighting the flood with a new campaign set to launch this year, where we are bringing together the consumer need for solutions with the marketplace. We're connecting them together and making it cheaper for property owners to protect themselves.

Perhaps most innovatively, we're also leveraging intellectual capital around this issue. Thanks to the Virginia Growth and Opportunity Fund, we have funded a project to study ways to harness and focus that intellectual capital.

Water goes everywhere.

It doesn't discriminate whether you are rural, suburban or urban.

We have opted to look at it as an asset, not a liability.

We are looking at it as a relationship verses something that is detrimental.

We are reframing the way we approach water management.

When you reframe the way you approach water management, you can come at it from a more holistic economic perspective. You can create jobs. You can protect livelihoods.

We're not sitting back and complaining about the problem.

We're looking at it as something that's not going away.

We're creating opportunity.

That opportunity requires us all to work together to address the challenges, to find the innovative solutions, from here in Washington, to Richmond and all the localities where our constituents live, work and play.

Thank you for the opportunity to discuss this important issue here today, and for helping us all see that working together will benefit us all.

As they say, a rising tide lifts all ships.