



The Mount Vernon Council of Citizens Associations, Inc.

P.O. Box 203, Mount Vernon, VA 22121-9998

<http://www.mvcca.org>

Supervisor Dan Storck
2511 Parkers Lane
Alexandria, VA 22306

Chairman McKay
12000 Government Center Parkway
Fairfax, VA 223035

Dear Supervisor Storck and Chairman McKay

January 29, 2022

Ref: Support of Living Shorelines House Bill 739

The MVCCA once again strongly objects to the current law related to requirements for living shorelines and the lack of grandfathering of existing legally permitted rip rap or bulkheads.

The lack of grandfathering is not only costly to private property owners but creates potential delays in repairs of current structures if needed. Furthermore, if the wetlands board disapproves the repairs, the delays created by removal of existing rip rap or bulkheads and the designs and installations of new living shorelines will exacerbate siltation etc. into the river—the very thing this law is trying to correct.

We urge you to have our County legislators to Richmond pass House Bill 739.

Sincerely,

Katherine Ward

Katherine Ward
Cochair
MVCCA

Enclosed: MVCCA E&R 2022-01 Resolution in Support of HB 739 Living Shorelines

MOUNT VERNON COUNCIL OF CITIZENS' ASSOCIATIONS (MVCCA) E&R 2022-01
RESOLUTION IN SUPPORT OF HOUSE BILL 739 ON LIVING SHORELINES

WHEREAS, the Mount Vernon Council of Citizens' Associations (MVCCA) has identified concerns resulting from the unintended consequences of the law arising from Senate Bill (SB) 776 in Resolution MVCCA (ER) Senate Bill 776 Living Shorelines Resolution Number E&R - 2021-03;

WHEREAS, on January 24, 2022, at a hearing before the House of Delegates Agriculture Chesapeake and Natural Resources – Chesapeake Subcommittee, representatives of environmental groups testified that bill number House Bill (HB) 739, filed by 44th District Delegate Paul Krizek to revise statutes revised in 2020 as a result of passage of then bill SB776, constitutes a “solution looking for a problem,” and as a result of that testimony, the Subcommittee tabled HB739;

WHEREAS, contrary to the testimony of those representatives of environmental groups before the Chesapeake Subcommittee, property owners are being threatened with denial of a permit to maintain existing sea walls or rip rap to stabilize their property and the possibility of being required to replace an existing shoreline improvement with a living shoreline, and enforcement of the law is inconsistent across the Commonwealth thereby necessitating adding "guard rails" in HB739 to ensure uniformity of results in differing jurisdictions;

WHEREAS, MVCCA members have reached out to Delegate Paul Krizek to express concern and have proposed revisions to the previously enacted law, and HB739 incorporates the proposed revisions to address the concerns associated with the law arising from SB 776 from 2020;

WHEREAS, it will be necessary for a corresponding bill to be enacted in the Virginia Senate in order for HB 739 to become law;

WHEREAS the Virginia General Assembly and Governor must approve HB 739 to enact it into law and provide the authorization for the Fairfax County Board of Supervisors to enact a corresponding local ordinance and update the Comprehensive Plan; and

WHEREAS, members of the Virginia General Assembly benefit from hearing directly from voters regarding issues that impact citizens;

THEREFORE, BE IT RESOLVED, that the Mount Vernon Council of Citizens' Associations believes that HB739 addresses the voters' concerns regarding living shoreline policies;

THEREFORE, BE IT FURTHER RESOLVED, that the MVCCA asks the Fairfax County Board of Supervisors to communicate support for HB739 to the entire General Assembly;

THEREFORE, BE IT FURTHER RESOLVED, that the MVCCA strongly encourages the Chesapeake Subcommittee to revisit its decision to table HB739, reverse that decision and move HB739 to the full committee;

THEREFORE, BE IT FURTHER RESOLVED that the MVCCA membership encourages the Virginia Senate to enact a bill corresponding to HB739 so that HB739 can be enacted into law; and

THEREFORE, BE IT FURTHER RESOLVED that the MVCCA asks the Fairfax County Board of Supervisors, if HB739 is enacted into State law with the same or similar language to that which is currently proposed, to promptly enact a corresponding local ordinance and update the Comprehensive Plan.

Approved at the January 26, 2022, at the MVCCA General Council Meeting