



ASSOCIATION OF STATE FLOODPLAIN MANAGERS, INC.

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July 15, 2019

FEMA

Submitted via email at buildbric@fema.dhs.gov

Please find comments by the Association of State Floodplain Managers on the Building Resilient Infrastructure and Communities (BRIC) program.

Positives & Opportunities:

1. ASFPM is pleased to see that BRIC will replace the Pre-Disaster Mitigation grant with a more stable and ongoing source of funding. BRIC has the potential to be a game changer in mitigation and reducing flood losses around the country.
2. The focus on infrastructure will help communities reduce their vulnerability in times of disaster and help maintain the delivery of local services when floods, earthquakes or other natural hazards occur, if natural infrastructure (functioning creeks rivers and their floodplains), is clearly be part it. ASFPM strongly supports criteria for infrastructure risk-reduction projects that connect its useful life to the hazard risk level. ASFPM encourages BRIC to require an alternative analysis for man-made infrastructure that includes green infrastructure alternatives.
3. BRIC provides the opportunity to enhance state capacity to manage and promote mitigation efforts. **BRIC should include a program similar to the CAP-SSSE program to help state hazard mitigation officers maintain a consistent program to maintain mitigation staff capacity, manage grants, review and participate in hazard mitigation plans, and encourage local governments to apply for HMA grants.**

Concerns & Suggestions

1. **Prioritize Traditional, Proven Mitigation Actions.** ASFPM's major concern is how BRIC will prioritize traditional flood mitigation actions (acquisition, elevation, relocation and floodproofing). These traditional mitigation actions have demonstrated success in reducing flood risk in communities from Alaska to Florida, and the National Institute of Building Sciences' latest study shows these actions will save \$7 in reduced future disaster costs for every \$1 spent today. While ASFPM is supportive of BRIC including

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infrastructure projects, FEMA should ensure that proven traditional mitigation activities will be prioritized and that a significant portion of BRIC funding will go toward them.

2. **Ensure Hazard Mitigation Planning Funding.** For a long time, the PDM grant has been a large source of funding for local hazard mitigation plans (HMP). Since HMPs are required to be updated every five years, there is a consistent need for mitigation funding to help with planning efforts. ASFPM encourages the BRIC program continue to prioritize hazard mitigation planning in a cost-effective and efficient manner.
3. **Provide State Set-Asides.** ASFPM encourages BRIC include a minimum state set-aside, similar to what was done in the PDM program for many years. This will ensure that states without open disaster declarations have the opportunity to complete mitigation projects every year.
4. **Continue the Advance Assistance Element of Recent Federal Grant Programs.** States have yet to understand the full significance of this opportunity, but for those that do, this type of funding assistance is extremely effective in helping to build hazard mitigation plan strategies before spending time with grant applications for projects that may not be feasible or cost-effective. ASFPM hopes FEMA will continue to promote Advance Assistance as a way to assure the final project application will be streamlined and well written.
5. **Consider Peer Review.** In the past, PDM grant subapplications were reviewed by national panels that included state and local officials. That process offered an opportunity for projects to be reviewed by peers who have an on-the-ground understanding of implementing successful mitigation projects. It also helps train, educate and encourage mitigation. ASFPM would support the return to this approach for reviewing BRIC applications and subapplications.
6. **Be Cautious in Allowing Waivers of Duplication-of-Programs.** ASFPM is concerned that the ability for governors to waive the duplication of programs restrictions may encourage BRIC funding to go toward other agencies' large infrastructure projects that have typically been outside of this funding source (PDM).
7. **Do Not Fund Routine Infrastructure Maintenance Activities.** Although maintenance of infrastructure certainly contributes to resilience, it should be funded by other means. BRIC funding should only be used for projects that truly mitigate risks, not just provide maintenance funds that solely benefit the localized area. Many of the infrastructure examples shown on FEMA webinars are simply capital improvements/maintenance that local government should be paying for as basic services. If we all rely on the federal government to pay for our local infrastructure maintenance, we're in deep trouble. BRIC funding should prioritize traditional flood mitigation projects and infrastructure risk reduction rather than contributing the cost share of other federal agency projects. ASFPM would encourage FEMA to look at other types of infrastructure in years when BRIC grants have an unusually high amount.
8. **Consider Small and Impoverished Communities.** ASFPM encourages FEMA to continue to give small and impoverished communities opportunities to receive lower

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local cost shares or a set-aside for projects. Communities of all sizes and means face flood risks that challenge their long-term viability. Some communities don't have the capability to handle or contribute a 25% local match to a major mitigation project, so it's crucial that BRIC provide additional resources to small and impoverished communities in terms of lower local cost-shares or an amended BCA process to help projects that may not protect high-value properties.

9. **Higher Regulatory Standards and Building Codes.** Communities working to prevent future flood losses for new development should receive greater project prioritization. When considering BRIC subapplicants' adoption of latest building codes and standards, FEMA should also consider higher regulatory standards enforced by states and local communities. Often, higher floodplain management regulations have more of an impact than adopting the latest International Building Codes and communities should have the opportunity to demonstrate the effect of their higher standards in the context of reducing future losses through regulation.

Consider this example from Wisconsin. The state has had a requirement that all buildings be elevated to 2 feet above the 100-year flood level. There is also a flood mapping standard that only allows a 0.01 foot surcharge. Practically speaking, new buildings are rare in the mapped floodplains in Wisconsin. Just these two standards – adopted in state law outside of the building code – have done far, far more for flood-loss reduction in the state than any building code - past or present - could do. In fact, the 2018 International Residential Code for the first time, had a freeboard standard for residential buildings – 1 foot. Now, when we look at the building code adoption status for Wisconsin, basically the commercial code is the 2015 IRC, but the residential code is the 2009 International Energy Conservation Code (which would not be considered a modern building code). Wisconsin is responsibly managing its flood risk without entirely having the full suite of modern building codes. In fact, there are probably about a half dozen states that have strong state floodplain management regulations that may or may not have up-to-date building codes. ASFPM would not like to see Wisconsin or any of those other states with higher standards than current building codes be at a disadvantage under BRIC.

10. **Consider Equity and Social Justice Factors.** BRIC should consider equity and social justice. The project prioritization and subapplicant selection should consider underserved communities, impoverished neighborhoods and communities with people of color. ASFPM recognizes that flood risk and flood damage can drive disadvantaged communities farther from prosperity, and a new funding program like BRIC can seek strategic investments to reduce disaster losses in these communities to address historical inequities.
11. **Support Planned/Managed Retreat Projects.** Retreating from some areas is truly the best long-term option. Planning and phasing of this work should be allowed under BRIC as long as tangible results are demonstrated with each proposed application.
12. **Limit or Don't Fund Structural Flood Control Projects.** Structural flood control projects, such as levees and sea walls, have traditionally been the responsibility of the

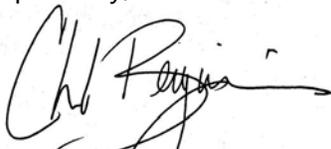
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U.S. Army Corps of Engineers and the Natural Resources Conservation Services, which have technical expertise and funding mechanisms to address those needs. Other funding should be exhausted before using BRIC to fund these large-scale and expensive projects. In the event levees or seal walls are eligible, FEMA should REQUIRE floodplain management standards stay in place in the protected areas so that risk doesn't increase upon failure and overtopping. This condition isn't much different than ensuring an elevated home maintain flood insurance.

If you have any questions, please contact ASFPM's Flood Mitigation Committee Co-chairs Mitch Paine (mpaine@kingcounty.gov), Joy Duperault (joy.duperault@state.ma.us) or myself (cberginnis@floods.org). Thank you for the opportunity to provide input into the development of this critical program.

Respectfully,

A handwritten signature in black ink, appearing to read 'Chad Berginnis', written over a light grey circular stamp.

Chad Berginnis, CFM
Executive Director