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Mitigation Directorate  
Federal Insurance and Mitigation Administration  
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400 C Street SW  
Washington, DC 20472-3100

May 8, 2020

Dear Sir or Madam:

On behalf of The Pew Charitable Trusts, we thank you for the opportunity to submit comments on FEMA’s proposed guidelines for “Hazard Mitigation Assistance: Building Resilient Infrastructure and Communities” (BRIC). We strongly support continued assistance from the Federal government dedicated to pre-disaster mitigation, and we appreciate FEMA’s work to establish a sound framework for assisting states and communities to better prepare for natural disasters. This letter offers recommendations for strengthening the guidelines.

We understand that portions of the proposed guidelines are set by statutory requirements, particularly with regard to the process of estimating fund levels, setting cost shares, and determining applicant eligibility. In addition, the law itself emphasizes the importance of “infrastructure” to prevent flood damages, and it underscores the value of adoption and enforcement of updated building codes and standards. Beyond that, however, it allows FEMA appropriate discretion to direct federal dollars to those projects that will result in the most significant and most needed risk reductions.

We appreciate that the Administration, with these guidelines, is committing to utilize fully the law’s six percent estimate approach to construct a robust fund for pre-disaster mitigation investments. We also concur with the decision to make a yearly allocation determination rather than spend down the full amount of the fund in a single year, regardless of amount. Given the significant unmet needs for mitigation projects across the country, we believe it important to spread available amounts over multiple years, thereby managing the fund to meet those needs in a reliable and consistent manner. This approach will not only support important projects but also bolster the capacity, expertise, and longevity of state- and local-led resilience efforts.

We were pleased to see that the guidelines rightly include references to partnerships, innovation, and capacity-building—all objectives which were raised in Pew’s [initial comments](#) to FEMA and principles that we believe will help the new program achieve solid reductions in flood damage and destruction. We also support the language under eligible activity criteria that calls for

projects to account “for long-term changes to the areas and entities it protects,” incorporate future operations and maintenance considerations, and contribute to long-term solutions.

In particular on the capacity-building front, Pew supports directing a portion of BRIC funding to help under-resourced communities and states build their own capacity for ongoing flood risk assessment, effective floodplain management, and planning and implementation of effective mitigation projects and policies. As we noted in our previous comments, we also support allowing some funds to be used for updating and improving state and local hazard mitigation plans. However, we believe that FEMA should be explicit in its guidance to prioritize plan funding for communities that are working to add detail, timelines, and benchmarks to previously adopted plans and integrate hazard mitigation plans into capital improvement plans, comprehensive land use plans, zoning and subdivision ordinances, and other tools commonly used by local governments to regulate land use and guide infrastructure investment.

Pew believes that the proposed guidelines should be expanded on other points as well. Most importantly, we urge FEMA to:

1. set a clear priority for funding projects that incorporate natural features, including restoration or preservation of functioning floodplains and wetlands to store floodwaters;
2. require that funded projects will not simply transfer risk onto other communities;
3. specifically encourage partnerships that cross-jurisdictional lines to follow watersheds; and
4. direct dollars to projects and programs that are based on careful consideration of the dynamic nature of flood risk and have been designed to protect from future as well as current risks.

Again, as we noted in our earlier comments, we believe it is imperative for FEMA to articulate a clear definition of the term “infrastructure” as one that includes and relies on natural infrastructure, including functioning floodplains, wetlands, vegetated dunes, and other so-called “green” features that can mitigate the strength, duration, size, and impacts of severe storms and floods. FEMA’s Hazard Mitigation Assistance programs have long been an important source of funding for such efforts in the form of property buyouts, and we hope to see that support continue and grow.

As both the U.S. Army Corps of Engineers and the Federal Highway Administration have recently recognized with important reports<sup>1</sup>, reliance on or “engineering” with nature can often

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<sup>1</sup> U.S. Army Corps of Engineers, “Engineering with Nature: An Atlas,” 2018, <https://ewn.el.erdc.dren.mil/atlas.html>; Webb, Bret, et.al., U.S. Department of Transportation, Federal Highway Administration, “Nature-Based Solutions for Coastal Highway Resilience: An Implementation Guide,” August 2019, [https://www.fhwa.dot.gov/environment/sustainability/resilience/ongoing\\_and\\_current\\_research/green\\_infrastructure/implementation\\_guide/](https://www.fhwa.dot.gov/environment/sustainability/resilience/ongoing_and_current_research/green_infrastructure/implementation_guide/). Multiple other studies lend support to the overall value of nature-based flood mitigation solutions. For example, U.S. Army Corps of Engineers, “Charles River Natural Valley Storage Area,” draft master

provide protections at a lower cost than traditional “grey” infrastructure and, in some cases, may also provide more lasting and effective mitigation. The suitability and costs of nature-based or green infrastructure options, like the range of other mitigation approaches, will vary from community to community, but Pew believes it is important to assure their consideration in BRIC funded projects going forward. Additionally, we believe there is a demand from states to leverage this funding for such projects.

Pew understands that additional detail on FEMA priorities may be spelled out in each annual Notice of Funding Opportunity, but we believe there is a benefit to adding clarity and direction to the guidelines themselves. The objectives described above are essential to pre-disaster mitigation; they should be foundational to the BRIC program and endure beyond more transitory annual notices. By articulating the priorities in the guidelines’ principles and in the list of eligible activities, FEMA can offer early notice to communities seeking support, allowing more time for the development of thoughtful and innovative award applications.

We appreciate this opportunity to offer additional comments, and we hope that FEMA will act quickly to move forward with expanded guidelines and acceptance of applications as soon as possible.

Sincerely,



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The Pew Charitable Trusts



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plan presentation, April 2017, [http://www.nae.usace.army.mil/Portals/74/docs/Civil%20Works/Charles%20River/Charles\\_River\\_Natural\\_Valley\\_Storage\\_Area\\_Presentation.pdf](http://www.nae.usace.army.mil/Portals/74/docs/Civil%20Works/Charles%20River/Charles_River_Natural_Valley_Storage_Area_Presentation.pdf); Narayan, Siddarth, et al, “The Value of Coastal Wetlands for Flood Damage Reduction in the Northeastern USA,” Scientific Reports 7, 9463, 2017, <https://www.nature.com/articles/s41598-017-09269-z>; Reguero, Borja G., et al, “Comparing the cost effectiveness of nature-based and coastal adaptation: A case study from the Gulf Coast of the United States,” PLoS ONE 13(4): e0192132, 2018, <https://doi.org/10.1371/journal.pone.0192132>; and Carter Smith, et al., “Hurricane Damage Along Natural and Hardened Estuarine Shorelines: Using Homeowner Experiences to Promote Nature-Based Coastal Protection” Marine Policy Vol 81 (July 2017), <https://www.sciencedirect.com/science/article/pii/S0308597X17300477?via%3Dihub>.