

# AMERICAN SOCIETY OF ADAPTATION PROFESSIONALS

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Administrator Deanne Criswell  
Federal Emergency Management Agency  
500 C St SW  
Washington, DC 20024

## Dear Administrator Deanne Criswell,

Thank you for the opportunity to provide the Federal Emergency Management Agency (FEMA) with recommendations compiled and refined by the members of the American Society of Adaptation Professionals (ASAP). Our organization supports and connects climate adaptation professionals to advance innovation in the field of practice. With over 700 individual adaptation professionals - and 25 organizational members collectively employing over 75,000 people - ASAP's members offer expertise covering all facets of this rapidly evolving field including risk management, community-based resilience planning and implementation, economic revitalization, and disaster preparedness. ASAP members bring to their work the highest professional and ethical standards. The considerable years of practical experience represented by our membership has taught us the need for inclusive, authentic stakeholder engagement in concert with the best science and technical expertise.

Given our collective expertise and experience, we are responding to the questions in FEMA's formal request for information that most directly target climate adaptation. We begin by highlighting several critical, cross-cutting themes followed by more detailed policy recommendations in response to the agency's general questions.

### Cross-cutting Themes

ASAP recommends that FEMA consider the following cross-cutting themes when designing reforms to existing programs and policies:

- There is an opportunity for FEMA to manifest transformational change in terms of both climate adaptation and disaster preparedness within the United States – particularly for small, financially disadvantaged communities on the frontlines of climate change – by significantly increasing the resources devoted to technical assistance that facilitates the development of local hazard mitigation plans and subsequent grant applications.
- Current FEMA Hazard Mitigation Assistance Program (HMAP) grant policies are designed in a manner that often exclude small, financially disadvantaged communities on the frontlines of climate change.
- There are opportunities to incentivize nature-based approaches to climate-induced disaster mitigation, particularly within small, financially disadvantaged communities.

The most common concern expressed by ASAP members and the communities they serve is that the technical complexity associated with applying for HMAP grants creates a virtually insurmountable barrier, particularly for historically underserved communities that lack the necessary financial, technical, and human resources to successfully complete the process. Specifically, the fact that a FEMA certified Hazard Mitigation Plan (HMP) is a prerequisite for most FEMA grant programs makes it exceedingly difficult for economically disadvantaged communities to secure eligibility for these programs. And even

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when an economically disadvantaged community is able to comply with this prerequisite, there are often additional technical hurdles that prevent these communities from gaining access to FEMA funds.

For example, ASAP members from communities throughout the United States have expressed a high degree of frustration with FEMA's current methodology for Cost/Benefit Analysis (BCA). Specifically, members have expressed that:

- The current BCA methodology is exceedingly complex
- The current BCA methodology is heavily skewed in favor of real estate, property value, and property owners in general, at the expense of environmental, cultural, and public health benefits for the community as a whole.

The BCA-related challenges faced by ASAP members supporting small, disadvantaged communities on the frontlines of climate change have been so pronounced that a substantial number of constituents have strongly advocated for the outright elimination of the BCA requirement for these communities.

ASAP believes that targeted policy reform can address these barriers to just and equitable distribution of FEMA aid in a manner that maximizes the agency's impact on long-term climate adaptation. Below, we provide answers to several of the general questions that were posed by the agency and include contextual examples of regulatory reforms, with an emphasis on incentivizing uptake for historically underserved communities in a manner that is aligned with the platform of senior climate policy advisors within the current presidential administration <sup>[4]</sup>.

***General Question No. 1 – Programs, regulations, and/or policies that perpetuate systemic barriers to opportunities and benefits for people of color and/or other underserved groups.***

**Increasing Investment in Small and Impoverished Communities**

FEMA Hazard Mitigation Assistance Program (HMAP) regulations and program design have chronically excluded small, financially disadvantaged communities on the frontlines of climate change. We recommend the following actions, which are designed to ensure that FEMA sufficiently, justly, and equitably invests in small, impoverished communities and tribes:

- Increase the number of grants that feature a 100% federal cost-share, particularly for small and impoverished communities.
- Significantly increase the BRIC tribal set-aside for Capability and Capacity-Building (C&CB) activities, which is currently just \$20M.
- Significantly increase the BRIC state and territory set-aside for Capability and Capacity-Building (C&CB) activities, which is currently just \$33M.
- Increase the current \$600,000 per applicant threshold for BRIC Capability and Capacity (C&CB) activities.
- Eliminate the current \$300,000 per applicant threshold for the Mitigation Planning Activities subcategory of Capacity and Capacity-Building (C&CB) activities.
- Provide additional training and support services designed to help communities manifest the organizational capacity required to secure grant awards that include regional subgrantees. FEMA has awarded hundreds of grants of this nature to a variety of regional entities throughout the country, but many communities lack the organizational know-how to secure grants of this nature.

### **Expanding the Scope of Pre-Calculated Cost/Benefit Analysis (BCA) Determinations**

In an effort to streamline the application process for Hazard Mitigation Assistance Program (HMAP) grants, FEMA has created a suite of pre-calculated Cost/Benefit Analysis (BCA) determinations for various types of hazard mitigation projects including floodplain property acquisitions, structural elevation, hurricane wind retrofits, tornado safe rooms, and post-wildfire mitigation <sup>(2)</sup>. The current BCA methodology may be a useful resource for some applications, but it almost entirely focuses on mitigation for single-family, residential properties; this focus and approach perpetuates a systematic barrier for underserved groups that often live in multi-unit residential structures. FEMA can remove this barrier by producing and disseminating pre-calculated BCAs for multi-unit residential structures. Doing so should result in a more equitable distribution of HMP grants.

This proposed reform could have a transformative impact on FEMA's preferred, nature-based approach to flood mitigation; floodplain property acquisitions. The agency's official memorandum regarding pre-calculated BCAs for acquisitions and structural elevation explicitly states that an analysis of over 11,000 mitigated structures revealed that, on average, the return on investment for an acquisition is over \$100,000 higher than that of structural elevation <sup>(3)</sup>. Moreover, the agency's NFIP Community Ratings System Coordinators Manual [FIA-15/2017, OMB No. 1660-0022] explicitly states that the acquisition of buildings in the floodplain is especially effective at reducing flood losses because it is a permanent form of mitigation, that acquisition and relocation (or demolition) of buildings also creates additional open space in the floodplain and allows those lands to return to their natural functions, and that acquisition is the most effective mitigation alternative for addressing repetitive loss properties <sup>(4)</sup>. Yet despite the demonstrable efficacy of property acquisition, the vast majority of grant awards target single-family structures, perpetuating a systematic barrier to the benefits and opportunities afforded by this preferred mitigation option for underserved households and communities.

FEMA could remove this barrier by implementing reforms, such as pre-calculated BCAs for multi-unit residential structures, that incentivize uptake of property acquisition in a manner that is more just and equitable. Generally speaking, pre-calculated BCAs are a powerful tool for reducing the technical complexity of grant applications. And as previously mentioned, this hurdle often proves to be insurmountable for many communities. Therefore, we encourage FEMA to introduce new pre-calculated BCAs whenever feasible and to ensure that these pre-calculated figures are calibrated in a manner that maximizes the value of environmental, cultural, and public health benefits as opposed to real estate and property values.

***General Question No. 4 - Programs, regulations, and/or policies that are unnecessarily complicated or could be streamlined to achieve the objectives of equity for all.***

### **Ensuring That Every Community in the United States is Covered by a Hazard Mitigation Plan**

The most common concern voiced by members of ASAP and the communities they serve is that the HMP grant application process is cumbersome, complex, and unfeasible for underserved communities. More specifically, Title 44 (Chapter I, Subchapter D, Part 201, Subpart 6) of the Federal Code of Regulations [44 CFR § 201.6 - Local Mitigation Plans] requires communities to complete a Local Mitigation Plan (LMP) as a prerequisite to eligibility for most FEMA mitigation grants, and this creates a virtually insurmountable barrier for underserved communities that results in an inequitable distribution of FEMA hazard mitigation funds.

For example, this requirement currently excludes most communities in Alaska and the Gullah/Geechee Nation from being eligible to apply for grant funding. As of March 2021, only 36% of the municipalities and 23% of the Tribes in Alaska had an active LMP, which means that the vast majority of these underserved communities cannot access hazard mitigation funding.

FEMA can remedy this situation by amending subsection (a)(3) of the aforementioned federal regulations [44 CFR § 201.6(a)(3)] which states the following:

Regional Administrator's may grant an exception to the plan requirement in extraordinary circumstances, such as in a small and impoverished community, when justification is provided. In these cases, a plan will be completed within 12 months of the award of the project grant. If a plan is not provided within this timeframe, the project grant will be terminated, and any costs incurred after notice of grant's termination will not be reimbursed by FEMA.

This regulation can be amended to extend the grace period from 12 months to 36 months in order to give underserved communities ample time to manifest the organizational capacity required to complete an LMP. Moreover, the regulation can be further amended to automatically grant this grace period for all small and impoverished communities, thereby assuring that these communities have access to FEMA grant funds and simultaneously incentivizing these communities to manifest the organizational and technical capacity required to successfully complete the LMP certification process.

In addition to exploring regulatory changes, FEMA should increase funding for local and/or regional technical support specialists that can facilitate the creation of HMPs for underserved communities throughout the United States by providing key technical services such as Geospatial Information Services (GIS) to help produce local flood maps. According to FEMA's National Flood Insurance Program Coordinator for the State of Kansas, technical support funding provided by the agency's *Community Assistance Program - State Support Services Element*<sup>(6)</sup> is constrained in a manner that results in just two technical support specialists for the entire state<sup>(6)</sup> and its 732 local government entities, many of which are underserved rural communities that do not have the technical resources required to produce the maps that form the basis for HMPs. Based on a survey of our members, the most common solution to this technical resource constraint is to hire paid consultants. While this might be a viable solution for communities with ample resources, it results in an insurmountable impediment for underserved and under-resourced communities that prevents them from gaining access to FEMA grant programs.

Increasing funding for the aforementioned *Community Assistance Program - State Support Services Element* is a viable alternative that can help the agency achieve its goal of just and equitable allocation of program resources.


### **Final Thoughts**

Based on input from a vast number of adaptation professionals working in countless communities throughout the country, ASAP believes that there is an opportunity to manifest transformational changes within Hazard Mitigation Assistance Program (HMAP) policies that will allow FEMA to achieve its goal of increased equity, justice, and inclusion while simultaneously maximizing the agency's ability to help the nation adapt to climate change. The foundations of this proposed transformation are an emphasis on increasing the degree of technical assistance provided by the agency coupled with lowering the barrier to entry from small and impoverished communities.

Simply put, FEMA's explicit goal should be to ensure that every small, economically disadvantaged community in the country is provided with the technical resources required to gain access to FEMA grant funds.

We appreciate FEMA's efforts to collect public input in a manner that facilitates just and equitable reforms for the agency's programs, regulations, and policies. ASAP believes that these efforts can translate into a more inclusive approach to climate adaptation both at the federal and local level. Our organization is uniquely positioned to provide nuanced and diverse input based on our members' real-world expertise and experience implementing FEMA programs and policies, and we welcome the opportunity to support FEMA's efforts to manifest social equity and environmental justice both now and in the future. Please do not hesitate to let ASAP know how we can be of service to FEMA in its efforts to establish regulatory reforms designed to maximize equity and justice in the face of climate risks.

Thank you for your time and consideration,



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<sup>[1]</sup> David Hayes, et al. (2021). *Preparing for Climate Disasters*

<https://www.eli.org/the-environmental-forum/preparing-climate-disasters>

<sup>[2]</sup> Federal Emergency Management Agency (2021). *Benefit-Cost Analysis: Pre-Calculated Benefits*

<https://www.fema.gov/grants/guidance-tools/benefit-cost-analysis>

<sup>[3]</sup> Federal Emergency Management Agency (2020). *Cost Effectiveness Determinations for Acquisitions and Elevations in Special Flood Hazard Areas Using Pre-calculated Benefits*

[https://www.fema.gov/sites/default/files/2020-04/fema\\_bca\\_pre-calculated\\_special-flood-hazard-area.pdf](https://www.fema.gov/sites/default/files/2020-04/fema_bca_pre-calculated_special-flood-hazard-area.pdf)

<sup>[4]</sup> Federal Emergency Management Agency (2017). *National Flood Insurance Program Community Ratings System Coordinators Manual*

[https://www.fema.gov/sites/default/files/documents/fema\\_community-rating-system\\_coordinators-manual\\_2017.pdf](https://www.fema.gov/sites/default/files/documents/fema_community-rating-system_coordinators-manual_2017.pdf)

<sup>[5]</sup> Federal Emergency Management Agency (2021). *Community Assistance Program – State Support Services Element*

<https://www.fema.gov/floodplain-management/financial-help/community-assistance-program-state-support-services-element>

<sup>[6]</sup> Environmental and Energy Study Institute (2020). *Barriers to Floodplain Management in Rural Communities*

<https://www.eesi.org/articles/view/barriers-to-floodplain-management-in-rural-communities>