

NASEO Comments on FEMA BRIC Program

July 15, 2019

Infrastructure Mitigation Projects:

- FEMA, with the help of relevant interagency partners, should provide guidance on how to implement new or non-traditional infrastructure mitigation projects (e.g. energy, water/wastewater, transportation etc.). For example, energy infrastructure is often the critical focus of many response and recovery efforts, and the energy lifeline is interdependent with most of the other sector lifelines identified by FEMA. Even so, critical energy pre-disaster hazard mitigation projects are neither widely-recognized nor highly-prioritized, despite proven benefits of energy infrastructure resilience investments. For example, [New Jersey's Energy Allocation Initiative](#), which was funded through FEMA's Hazard Mitigation Grant Program, thoroughly and objectively identified, evaluated, and ranked energy resilience projects for federal funding allocations based on benefit-cost analyses and compliance with FEMA requirements. Approved projects include single and multi-fuel backup generators, solar generators, off-grid inverters and backup battery storage, distributed energy studies, combined heat and power (CHP) system installations, and microgrid connections, with a standing offer for other innovative uses to support energy resilience.¹
- Diversification of fleets to include vehicles capable of running on alternative fuels such as compressed natural gas, propane, biofuels (biodiesel and ethanol), and electricity could mitigate vulnerability to fuel shortages caused by natural disasters or fuel supply disruptions and strengthen emergency preparedness and the resiliency of the transportation sector. FEMA should consider the energy security and resiliency benefits of transportation sector fuel diversification and potential investments that could be made in alternative fueling infrastructure during its BRIC program design processes.²

Grant Application, Evaluation, and Reporting

- FEMA can streamline the grant application and evaluation process by providing in-person community workshops and/or webinars for potential applicants. Establishing a resource hub, clearinghouse, or packet of BRIC application materials, programmatic templates, examples of past applications/projects which have been awarded funds, and other useful information for applicant reference and use will further aid in assisting applicants and improving quality of proposals. It is important that information be readily available via the web and hard copy such that communities which may lack consistent and reliable access to the Internet have equal opportunity to access resources and pursue funding.
- NASEO will work with FEMA, state emergency managers, and state energy officials to bring subject matter energy experts from the state energy offices to the workshops described in this paragraph. FEMA should fund and host workshops which bring together local, state, and federal subject matter experts, emergency managers, hazard mitigation officers, and other professionals from various sectors to identify new and innovative projects that may have

¹ State of New Jersey. Permissible Uses of Energy Allocation Initiative Funding. 2014.

http://ready.nj.gov/programs/pdf/hmgp/062414_hmgp_permlist.pdf, Accessed June 6, 2019

² The U.S. Department of Energy Clean Cities coalitions is a technical resource that can be made available to applicants interested in these types of infrastructure mitigation projects. The U.S. DOE Clean Cities program advances the nation's economic, environmental, and energy security by working locally to advance affordable, domestic transportation fuels and technologies.

previously unidentified and significant long-term investment benefits. These projects and their respective benefits could then be moved from the local to the federal level, with partners seeking formal implementation and adoption of these new projects in FEMA-approved state and local hazard mitigation plans. The expansion and diversification of mitigation project options would allow FEMA to examine mitigation grant opportunities from a broader selection.

Risk Based Funding

- The BRIC program could consider providing all eligible applicants meeting certain threshold requirements with varying ranges of funding based on risk data. This could potentially increase participation in the BRIC program and ensure distribution of funding to those most in need. Preparing an application for the BRIC program will require significant staff and/or consultant time. For eligible grant recipients that are constrained in terms of staff or funding for consultants, a competitive process (particularly one without equivalent access to risk data) will serve as a deterrent to applying and potentially favor applicants with more accessible resources.

Funding and Resource Management

- FEMA should identify a cost-sharing framework for projects to be co-funded through other state and federal grants, and private investment. FEMA should help states and communities reach their mitigation/resilience objectives through interagency funding opportunities. For example, more expensive projects that may not be fully funded by the maximum cost-share amount provided by FEMA could be realized by applying additional federal grants which devolve to state and local use after being awarded. For example, it may be possible to apply U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant—Disaster Recovery (CDBG-DR) funding to meet the remaining financial minimums of a costly project.
- FEMA should allow for and issue guidelines on phased pre-disaster hazard mitigation projects. Some states do not legally permit annual budget deficits, preventing large PDM investment projects from receiving the required state-level cost match. Multi-year, phased projects would allow states with such limitations to apply for and execute projects with proven benefits and long-term savings.
- Transition in local government leadership associated with election cycles and absence of centralized documentation may present challenges in many communities particularly for funding, resource management, and reporting requirements for multi-year projects. To the extent practicable, BRIC program design should include elements which seek to minimize the potential for these factors to impede project implementation and success. An online BRIC grants management system or similar platform which stores all documentation and reporting associated with a given project may help mitigate historical information being lost while also enhancing FEMA's ability to aggregate information associated with projects and the BRIC program, generally. FEMA could also consider establishing various levels of access to information that caters to the interests of the public, grant recipients, state energy offices, state EMAs, and FEMA.

Benefit-Cost Analysis (BCA)

- **BCA:** FEMA should identify new methods for BCA, resources that can help communities conduct BCA, and approved funding opportunities to conduct BCA for new project types. For example, the U.S. Department of Energy has immense and proven research capacity through its National Laboratories. These labs could be leveraged to conduct BCAs for projects related specifically to energy and energy systems. Considering the U.S. Department of Energy's commitment to resilience, there may be an opportunity for partnership. This would also support FEMA's objective of using proven methods to ensure that hazard mitigation projects be technically feasible, cost-effective, environmentally-sound, and hazard-specific.
- FEMA should increase the number of pre-calculated or template format BCAs to reduce the burden on State, Local, Tribal, and Territorial (SLTT) governments, which often have limited staffing resources and capacity. These tools should include calculators with assumptions pre-approved by engineers familiar with FEMA's current BCA process and allow for simple calculations for common equipment (e.g., backup generator BCA based on peak load demand and fuel source).
- FEMA should develop an on-line clearinghouse or library of existing tools and methods which can be used to support BCAs for both traditional (e.g., backup generators) and non-traditional (e.g., transportation fuel, vehicle diversity, green infrastructure, stream restoration, etc.) mitigation projects.

Building Codes and Enforcement

- FEMA should strongly support adoption of model or approved building codes (e.g. the most recently published International Building Code and International Residential Code, which include wind and wildfire resistance provisions, energy efficiency, and indoor air quality) every three years as minimum criteria for reference during building or rebuilding periods. These codes and standards have been proven to reduce the amount of damage incurred on residential homes, private businesses, and public facilities. Additionally, these codes ensure faster economic recovery times and can reduce the size of the population needing to evacuate during emergencies. In the building energy codes area, we strongly suggest use of the latest version of American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) 90.1 or International Energy Conservation Code (IECC) (commercial) and the residential IECC.
- FEMA should require an enforcement mechanism mandating building codes in hazard-prone areas be updated to a prescribed minimum threshold, such as adoption and enforcement of the entirety of the most recently published edition of the building code, before receiving certain types of funding, similar to the requirement for Local and State Hazard Mitigation Plans prior to receiving funding. This requirement should include related minimum building energy codes of a robust nature.
- FEMA should consider providing incentives, such as lower matching requirements or higher project funding maximums, for jurisdictions that have adopted the most recent code edition with no amendments, for jurisdictions with so-called "stretch" codes that go beyond the minimum requirements of building codes, and for local jurisdictions applying for BRIC funding that have adopted the minimum residential and commercial building codes set at the state level. Doing so could result in economic, health, environmental, and mitigation benefits for all citizens. Residential building codes represent one of the most fundamental mitigation

measures the nation can undertake to constantly improve the nation's housing stock. By encouraging adoption of a prescribed minimum level of residential building codes for BRIC participation, the nation will shift its preparedness for all hazards over time.

- FEMA, as part of BRIC, should also offer workshops, technical assistance, and other resources that may further support and encourage the adoption of building codes in local governments that do not have codes, or to update codes in local governments that have older code versions. The burden to participate in these trainings should be kept as low as possible and be designed such that they are accessible to rural communities as well as urban.
- FEMA should consider building program resources which encourage consistent codes inspection and enforcement to hold communities accountable.
- FEMA should consider allowing BRIC funding to be used to support building inspector positions, training, and continuing education. Building departments often face staffing challenges, and as a result decide not to enforce elements of the building code due to staff capacity limits. Building codes describe interactive systems which function less effectively when applied partially. In recognition of this fact, FEMA allowance of BRIC program funding to allow building departments to add positions will strengthen community resilience.