

The Natural Hazard Mitigation Association is grateful for the opportunity to submit comments and feedback on behalf of its members. The following comments reflect feedback from the board and members across the United States:

1. Benefit-cost analysis (BCA) can perpetuate systemic barriers for communities. First, what counts as a cost and benefit can leave out critical assets for some communities, including subsistence hunting and gathering rights, cultural assets, and other kinds of capital assets that can be included as costs and benefits. Second, in neighborhoods or communities in which historical neglect has led to the deterioration of property values and disinvestments in infrastructure, BCA then disadvantages historically marginalized neighborhoods.
2. Floodplain Management Regulations contained in 44 CFR 60.3 presume that “effective” Flood Insurance Studies, Flood Insurance Rate Maps, Base Flood Elevations and Special Flood Hazard Areas accurately reflect the flood hazard. However, these regulations do not account for the lifespan of infrastructure which exceeds that of Flood Insurance Studies. Critical infrastructure must be “resilient” through its entire useful life, not just in relation to the hazard profile identified at the time of initial design, permitting, and construction.
3. As Risk Rating 2.0 rolls out, many communities will face increases on their flood insurance premiums. Logically, this should produce an increased demand for hazard mitigation funds in such areas. Unfortunately, there has been no indication that the flood risk information used for rating purposes will be made available to be leveraged in the cost-benefit analysis required for HMA programs. Similarly, there has been no indication that the legacy Flood Insurance Studies and Flood Insurance Rate Maps will be updated. Though there are obvious complexities with expanding the footprint of the “mandatory purchase requirement”, it is important that flood hazard data is used consistently across the entire spectrum of FEMA Mitigation activities. As it currently stands, FIRMs and SFHAs will dominate for Executive Orders, the mandatory purchase requirement, 44 CFR, pre-calculated benefits for HMA, etc. while an entirely different suite of flood risk data will be utilized for rating policies. This information should be shared openly in order to allow for its use by communities, and in order to allow inaccuracies to be identified and addressed.
4. Increase the transparency of HMA application review.
5. While the reduction of matching funds requirement to 10% for smaller, impoverished communities is an improvement upon the 25% match, this is still an unattainable, unjust requirement that disadvantages under-resourced communities, for whom 10% match is still cost prohibitive. Matching fund requirements could be adjusted to be based on the tax-base, as opposed to a set percentage across the board.
6. Due to FEMA’s current disaster declaration process, smaller, rural communities experience systemic barriers to qualifying for federal aid to respond and recover from damage caused by emergency events, including those exacerbated by slow-onset events, creating an even greater disaster and harm. The factors currently used by FEMA, such as estimated cost of assistance and insurance coverage in force, should be changed to create a more fair and equitable system. Further, slow-onset events are increasingly resulting in accumulated impacts and harm, particularly for communities who have been put in harm’s way; the disaster declaration process should be expanded to include slow-onset events. Furthermore, 44 CFR 206.48(a)(3) introduces moral hazard into the major disaster declaration process. Risk transfer should be considered a “best practice” in the disaster declaration process, not one which diminishes the likelihood of a declaration. Improvement to (a)(3) could come from a reframing similar to subsection (a)(4) which highlights that hazard mitigation reduces damages. Though risk transfer does not inherently reduce the damage itself, there is a virtuous cycle between risk reduction (hazard mitigation) and insurance premiums/coverage, an elimination of the aforementioned moral hazard, and technological improvements in insurance products, namely parametric solutions, should facilitate more timely, efficient, and robust recovery in the aftermath of an event.

7. Gentrification has become a predictable outcome following disasters, resulting in further harm and displacement of under-resourced and historically marginalized populations. Mechanisms are needed to ensure that the long-term beneficiaries of disaster risk reduction efforts are the original population.

8. Provide support to disadvantaged communities with regards to Environmental Assessments and Environmental and Historic Preservation (EHP) review.

9. Expand the populations and communities included in FEMA's programs and services. A number of under-resourced and historically marginalized populations and communities are often excluded from accessing FEMA's programs and services, including but not limited to, renters, houseless population, non-federally recognized tribes, multi-generational households, families without clear title to homes, persons in remote and rural areas, and undocumented persons. Programs and services need to be expanded to include these populations if FEMA is going to "advance racial equity and support for underserved communities."

10. Expand who is given access to interact with FEMA. Under-resourced communities who do not have the capacity for their own hazard mitigation or disaster recovery plans, and are therefore a sub-applicant/sub-recipient of bigger entities' (e.g., county) plans, they do not have the ability to interface directly with FEMA, instead engaging with the main applicant. They should be able to interface directly with FEMA so that their concerns, impacts, and expertise is centered and equitably included in the process.