



# CITY OF HOUSTON

Chief Recovery Officer

**Sylvester Turner**

Mayor

Stephen C. Costello, P.E.  
Chief Recovery Officer  
P.O. Box 1562  
Houston, Texas 77251-1562

T. 832.393.1123  
[www.houstontx.gov](http://www.houstontx.gov)

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Regulatory Affairs Division  
Office of Chief Counsel  
Federal Emergency Management Agency  
8 NE Ste. 1007, 500 C Street SW  
Washington, D.C 20472

Subject: City of Houston Comments to **Docket ID: FEMA-2019-0018**, BRIC Policy

To Whom It May Regard:

The City of Houston appreciates the opportunity to offer comments on the Federal Emergency Management Agency (FEMA) proposed policy for the Building Resilient Infrastructure and Communities (BRIC) program (**Docket ID: FEMA-2019-0018**). Houston has experienced six major floods within five years, all federally declared disasters. Houstonians understand the value of investment in pre-disaster mitigation activities in order to protect lives and properties and allow our communities to recover more quickly.

In addition to flooding, currently ranked as our region's biggest threat, Houston will face severe climate-related challenges in the future related to urban heat, drought, and more severe storms. FEMA has indicated that "mitigation grants funded through select federal government agencies can save the nation, on average, \$6 in future disaster costs, for every \$1 spent on hazard mitigation"<sup>1</sup>. As more projects and investments are made, the data continues to show that these activities result in major savings as damages are reduced and communities are more prepared to handle the various shocks and stressors they are exposed to.

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<sup>1</sup> <https://www.fema.gov/natural-hazard-mitigation-saves-2017-interim-report>

To ensure the BRIC program meets its stated purpose of building resilience across the nation, the BRIC Policy should include guidance and requirements to ensure the projects and programs implemented reflect resilience values. Houston is a member of the Global Resilience Cities Network, which defined urban resilience as “the capacity of individuals, communities, institutions, businesses, and systems within a city to survive, adapt, and grow no matter what kinds of chronic stresses and acute shocks they experience.” The most vulnerable populations, including the elderly and low-income citizens, recover less quickly than others. Therefore, BRIC projects that improve the resilience of the most vulnerable populations merit priority. Priority consideration should also be given to proposals that leverage existing projects, plans, and partnerships to maximize co-benefits, include a risk-based approach, and a multi-functional design to reduce not one, but many threats.

### ***Recommendations***

- a. The BRIC policy should integrate resilience-specific language on Page 2, PRINCIPLES section, and add a sixth item to include the following: “Support projects, programs, and planning activities that not only reduce the risk of one or multiple natural hazards but also provide additional community and environmental benefits, including but not limited to quality of life, socio-economic benefits, and improvements to ecosystem health and stability.”
- b. The policy should integrate resilience-specific language on equity on Page 2, PRINCIPLES section, and add a seventh item to include the following: “Support projects, programs, and planning activities that provide a benefit to communities that are most vulnerable and have the highest need and risk.”
- c. The policy also should provide more clarification in relation to the 90/10 cost share definition on Page 3, REQUIREMENTS, Section A.4.C. In looking at the overall community impacts of a project, FEMA should consider a broader perspective that is watershed-based. For example, a flood reduction project or improvement, can have significant downstream or upstream benefits evidenced throughout an entire watershed. The proposed BRIC policy should clarify that 90 percent of the cost of eligible mitigation activities can and should be considered for projects that are not location-specific but directly benefit a *small impoverished community*.
- d. The policy should expand the definition of mitigation projects to include specific language around maximizing co-benefits and integrating a multi-functional design. On Page 5, REQUIREMENTS, Section C.3, the following language should be included: “Mitigation projects that are innovative and designed to mitigate multiple hazards, where appropriate, and maximize co-benefits to the communities in need, are encouraged.
- e. On Page 5, REQUIREMENTS, Section C. 2, the policy should provide more specificity on the types of criteria, which reflect the objectives and goals of the program, that projects will be evaluated under. It is understood that specific criteria may not be able to be established prior to release of a NOFO, but a statement that indicates that specific projects will be evaluated every year based on a set of criteria that reflects the resilience principles of this policy should be included.
- f. Page 6, Section C.3.e. should include a fifth item that reflects the intent of the BRIC program. The proposed policy should add the following “reduces the risk of one or multiple natural hazards but also provides additional community and environmental benefits, including but not limited to impacts to quality of life, socio-economic benefits, and improvements to ecosystem health and stability”. A sixth item should also be added that states “Prioritizes project, programs, and planning activities that provide a benefit to the communities that are most vulnerable and have the highest need and risk”.

- g. Page 7, Section D.3.e.iv requires that a project "Accounts for long-term changes to the areas and entities it protects..." Applicants and sub applicants will need additional information about the level of forecasting required to account for long-term changes and whether it needs to exceed standard forecasts for population growth and include other factors, such as risk and vulnerability to climate changes and safety.
- h. The policy should identify ways in which to best incorporate co-benefits into the Benefit-Cost Analysis calculation early on to be inclusive of disadvantaged communities, which may have lower costs and benefits as a result of the value of assets to be protected. This should be reflected in various mentions of cost-effectiveness evaluation and benefit-cost analysis throughout the policy, which is required to advance and award projects.
  - a. Page 7, Section D3 requires compliance with OMB Circular A-94. There are limitations for using the FEMA BCA Tool for determining cost effectiveness in the most vulnerable areas. Under current FEMA rules, environmental and social benefits cannot be counted towards a project's benefit cost ratio (BCR) until that project has a base BCR of at least 0.75. This limits acknowledgement of co-benefits and exacerbates the under-count of benefits derived from reliance on property values. This unintended consequence is contrary to the policy's stated intent to foster resilience.
- i. The policy should require annual update of precalculated benefits and mitigation reconstruction cost.
  - a. In coordination with the Texas Water Development Board, Houston used the FEMA method of developing allowable cost for elevations. However, in the State of Texas, the average cost of elevation is closer to \$225,000, a higher value when compared to FEMA's \$175,000 per structure. Increasing the allowable costs would provide the ability to mitigate more structures and more efficiently, with fewer pre-award costs devoted to the cost benefit analysis.
  - b. The current financial cap on mitigation reconstruction projects is \$150,000, which makes this mitigation strategy largely unavailable within our community due to the average cost of construction and size of homes. Mitigation reconstruction cap needs to be assessed and adjusted to ensure equitable access to these programs.
- j. The policy should include eligibility of alternate mitigation strategies. In many cases, structures that experience multiple flood losses are not optimal candidates for acquisition if the property is not viable for other uses (detention, green space, etc.) and its location is within a neighborhood or area which would lead to checker boarding of vacant lots. In many cases, the elevation alternative is not viable due to the condition of the structure. Last year FEMA accepted comments for structure buyouts which would make grant funding available for purchasing and demolishing a structure with the property owner maintaining ownership of the land. This mitigation method would allow the homeowner to stay within the community and to have additional funds to construct a code compliant structure reducing future flood risks.

The City also proposes changes in law and regulation to ensure the most efficient, cost effective and impactful delivery of mitigation projects. These include:

- Congress should make funding made available for investment of mitigation and resilience-building activities
- Congress should provide a direct allocation to local governments of a certain size and that have the capacity to deliver mitigation activities, to expedite delivery of projects and programs.
- Congress should authorize FEMA to provide NEPA waivers to eligible projects

- FEMA should expand eligibility of pre-award activities
- Congress should authorize advanced funding and lines of credit for project implementation

The City of Houston appreciates the opportunity to provide comment to the BRIC proposed policy and is happy to provide additional clarification on the recommendations proposed. A copy of these comments will also be submitted electronically following guidance on [www.regulations.gov](http://www.regulations.gov). For additional information, please contact:

Stephen Costello, Chief Recovery Officer, City of Houston at [stephen.costello@houstontx.gov](mailto:stephen.costello@houstontx.gov).

Thank you,

A handwritten signature in black ink, appearing to read 'Stephen Costello', with a long horizontal flourish extending to the right.

Stephen Costello  
Chief Recovery Officer  
City of Houston