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# STATEMENT FOR THE RECORD

**On behalf of the**
**National Emergency Management Association**

**Submitted to the House Committee on Transportation & Infrastructure**
**Subcommittee on Economic Development, Public Buildings, and Emergency Management**

***Building Smarter: The Benefits of Investing in Resilience and Mitigation***

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Thank you, Chairman Titus, Ranking Member Webster, and distinguished members of the Committee for allowing me to testify today.

I am proud to testify today representing the National Emergency Management Association (NEMA). NEMA represents the state emergency management directors of all 50 states, territories, and the District of Columbia. As Executive Director of the Maryland Emergency Management Agency and on behalf of my colleagues in state emergency management, we thank you for holding this discussion on the importance of investing in mitigation and resilience.

## UNDERSTANDING THE LANDSCAPE OF MITIGATION AND RESILIENCE

As disasters become more frequent and larger in scale, scope, and complexity, we know we will never be able to respond our way out of the vulnerabilities our communities face. Instead we must invest in mitigation projects that work with our communities to build resilience where it is needed most. These investments are key to ensuring that when a disaster occurs the communit(ies) affected will be able to withstand its impacts and rapidly recover.

Communities need to be supported and provided resources to pursue a pathway to increase their resilience. This includes support for their mitigation projects from inception to implementation. We must also place comprehensive, transformational mitigation at the forefront of our national security strategy to reduce risk. We also have to be flexible with each community and recognize that each has its own set of unique risks and vulnerabilities. Then, we can identify obstacles and provide solutions to overcome them and continue to build upon our successes.

I am known among my colleagues for saying, "mitigation is the center of the universe," because these projects are imperative as we seek to avert the worst possible impacts of disasters and prepare our communities for when the next disaster strikes. As a coastal state Maryland is prone to a host of water-related hazards, including flooding, severe storms, and hurricanes, as well as tornadoes, earthquakes, and excessive heat. This is in addition to the risks faced across our nation by threats such as pandemics. Mitigation activities can be as individual as washing hands and wearing a mask to combat COVID-19 or purchasing flood insurance when living in a flood zone or as large as conducting coastal restoration to mitigate the impacts of climate change in the Chesapeake Bay.

Resilience must be made actionable to be effective. The NEMA Resilience Committee is focused on considering methods to ensure that resilience is incorporated into all stages of emergency management, from updating preparedness and mitigation plans to incorporating resiliency principles into exercises and rebuilding stronger post-disaster.

Maryland and other states across the nation are working to inculcate a culture of preparedness and promote resilience through increased public awareness of risk, enhancements to critical infrastructure, and mitigation projects that incorporate nature-based solutions and public-private partnerships.

## THE MARYLAND EXPERIENCE

*Success*

As we collectively move beyond a traditional mitigation mindset to one that incorporates large infrastructure projects and partnerships we must go beyond tradition to think broadly about resilience. Building dynamic partnerships across the whole community to include non-profits and the private sector will expand our capacity to reduce risk across the landscape. Maryland, under the leadership of Governor Larry Hogan, is making great strides in establishing partnerships across sectors and across nations in order to bring innovative solutions to the challenges we are facing. During his 2019-2020 chairmanship of the National Governors Association, Governor Hogan made strengthening the resilience of America's critical infrastructure a top focus for states.

*Challenges*

Among the most significant challenges to increasing mitigation and resilience projects is the need for funding that is flexible and accessible to vulnerable low- and moderate-income communities. Many communities that are at elevated levels of hazard risk are those with limited resources to invest in disaster risk reduction.

Relatedly, grant applications involve all levels of government, ranging from local to state to federal. Many grants have cumbersome proposal and application requirements. This further exacerbates the challenges for jurisdictions without sufficient staff to shepherd an application to its fruition. Continuing to streamline processes at the federal level where possible will increase engagement from under resourced jurisdictions, and their strengthened resilience will enhance our local, state, and national resilience.

## BRIC PROGRAM AND SET-ASIDE

Section 1234 of the Disaster Recovery Reform Act (DRRA) of 2018 (P.L. 115-254) authorizes the National Public Infrastructure Pre-Disaster Mitigation fund, which has been implemented as the Building Resilient Infrastructure and Communities (BRIC) program. The program provides opportunities for increased whole community collaboration to pursue transformative mitigation projects. The first application period for this new program closed at the end of January 2021.

Maryland submitted a proposal to remainage the Middle Branch of Baltimore City. The area is home to the Nation's first Urban Wildlife Refuge but plagued by flooding and environmental degradation. The BRIC proposal will be the catalyst to address flooding and climate change risk and support a vulnerable community with valuable environmental resources. Additionally, this area supports critical infrastructure and facilities, such as Harbor Hospital and a main thoroughfare to support activity for the Port of Baltimore. Reducing the flooding risk will continue to ensure the protection of these vital community services.

BRIC provides opportunities to support capacity and capability building activities for communities to identify and develop resilience projects. However, there are opportunities for greater flexibility within this

program in order to support the development of complex, innovative projects and also prioritize resources for vulnerable communities. The current State set-aside of $600,000 for each State, Territory, and District of Columbia is far too limited to support the development of the types of resilience projects needed to combat the risks on the horizon.

BRIC is funded by a set-aside of up to six percent of estimated disaster grant expenditures. For the initial offering, FEMA made $500 million available and the total applicant pool totaled $3.6 billion dollars. This clearly demonstrated the need and desire among state, local, tribal, and territorial governments to invest in mitigation if the opportunity is available. As such, we strongly urge Congress to work with FEMA and the Office of Management and Budget (OMB) to ensure that the full six percent set-aside is available each year.

**SUPPORTING THE IMPLEMENTATION OF CONSENSUS-BASED BUILDING CODES**

Strong building codes save lives and protect property. A commonly cited statistic (and appropriately so) from a series of ongoing National Institute of Building Sciences (NIBS) studies is that mitigation investments return $6 for every $1 invested, but even more impressively, the study's authors found that there is a national benefit of $11 in return for every $1 invested in designing buildings to model building codes.

We have seen this play out nationwide where newer building codes have been implemented. Notably, Alaska underwent a 7.0 earthquake in late 2018 that was very geographically similar to the famed 1964 earthquake which killed more than 100 people. In 2018, however, with the adoption of model building codes there were no reported deaths or serious injuries.

Last year FEMA released *Building Codes Save: A Nationwide Study* which concluded that the U.S. will avoid $132 billion in losses from hazard events by 2040 because of buildings built to international standards. While not all codes are appropriate in all instances, ensuring building codes meet the needs of a locality and its hazard profile has a demonstrated impact on community resilience in the event of a disaster.

This year a piece of the scoring rubric for BRIC worth 20 percent of the total score is whether the applicant has a mandatory building code adoption requirement (2015 or 2018 versions of the International Building Code and International Residential Code). These points are awarded in an all-or-nothing fashion, potentially disadvantaging those applicants who do not have the capability to change building code standards within their states unilaterally and must undergo a lengthy stakeholder and legislative process to do so. FEMA has stated that it wishes to support the adoption of appropriate building codes through BRIC but if applicants are disadvantaged because of their older building codes and unable to obtain funding for those projects it perpetuates a cycle that leaves buildings and people less safe. Especially in the initial years of the BRIC process, we encourage FEMA to be understanding of the different status of codes nationwide and work collaboratively and not punitively to support the states as they work to raise their building code standards.

## INTEGRATING COMMUNITY LIFELINES INTO MITIGATION AND RESILIENCE EFFORTS

BRIC is an opportunity to create transformative, community-based projects that work with the private sector, homeowners, locals, and other stakeholders that incentivizes large infrastructure projects for community lifelines. Governor Hogan recently testified before the U.S. Senate Committee on Environment and Public Works on the importance of investing in resilient transportation and infrastructure projects which bolster our collective resilience in the face of disasters and cyber threats[1]. As a designated community lifeline, resilient infrastructure and transportation networks will enable areas affected by disaster to more rapidly return to normal function.

Ensuring community lifelines, particularly energy and communication, are resilient against hazard impacts is a priority for Maryland and many other states to ensure the safety and security of our residents post-disaster. Community lifelines are often owned and operated by the private sector, further underscoring the need to embrace partnerships and educate those outside of traditional emergency management on the role everyone can play in mitigation and resilience.

## BUILDING BACK STRONGER

An immediate post-disaster priority is beginning the long process to rebuild a community. Increased resilience helps us to do that more quickly, as those in the community are more prepared and ready for the impacts. However, with the scale of disasters growing we must be prepared to build back stronger in anticipation of the future, rather than building back to previous capacity and capability which was insufficient.

As always when working with multiple organizations and levels of government, coordination can always be improved. Maryland has seen significant benefits in this space from the placement of a FEMA Integration Team (FIT) within the Hazard Mitigation and Public Assistance programs. These FEMA personnel have served to expedite processes and be a dedicated source to ensuring resources are made available to disaster survivors as soon as possible.

MEMA continues to see successes in FEMA's Public Assistance 406 Mitigation programs and Hazard Mitigation Assistance programs. In 2018, Frederick County, MD sustained intense damages due to flooding. Through the Public Assistance 406 Mitigation program we were able to go above an in-kind replacement to implement a larger scale resilience project that will reduce future losses to residential and commercial properties within the community. Through the Hazard Mitigation Assistance programs we are continuing to build upon these efforts by pursuing funding to increase the level of protection of the surrounding infrastructure.

[1] Senate Committee on Environment and Public Works hearing on "Building Back Better: Investing in Transportation while Addressing Climate Change, Improving Equity, and Fostering Economic Growth and Innovation." February 24, 2021. https://www.epw.senate.gov/public/index.cfm/hearings?ID=A076F488-6A1E-41DB-9279-7C943023D8D9

A significant challenge when it comes to building back stronger is the length of time between when a disaster declaration is approved and when the funding associated with that declaration is available in the impacted areas. Streamlining federal requirements and processes while still ensuring judicious stewardship of taxpayer dollars is critical to helping communities when they need it most.

On August 4, 2020, Tropical Storm Isaias made landfall in Maryland resulting in widespread flooding and several tornadoes touching down in our rural communities. These impacts were additionally challenging as we were in the midst of COVID-19 response efforts. Due to COVID-19 restrictions on travel, the Joint Preliminary Damage Assessment was done remotely for the vast majority of the event. This then places a documentation burden on state and local personnel that is not typically seen at this phase of the process, making meeting the 30-day deadline for a declaration request impossible. Changes were also made to the PDA guide during the pandemic that were conflicting and prohibitive when considering how to mitigate damaged infrastructure during the Public Assistance project phase.

Maryland's request for federal assistance through a Presidential Major Disaster Declaration was initially denied and was finally awarded through the appeals process six months later on February 4, 2021. This six-month delay caused us to miss opportunities to build upon the State's resilience and implement mitigation projects. Citizens do not have the ability to wait months to receive assistance and return to their homes and businesses. Our local governments are not able to wait months to make repairs and improvements to critical infrastructure. We urge Congress to work with FEMA in order to continue to streamline federal assistance programs in order to expedite programs and capitalize on mitigation opportunities.

## CONCLUSION

On behalf of the state emergency managers, thank you again for holding this hearing and drawing attention to the needs of the emergency management community. In Maryland, we are acutely aware of the need to build upon the momentum from the implementation of the BRIC program to further improve mitigation and resilience efforts to ensure we effectively support our communities in their time of need. As you consider the topics of this hearing, please remember that investing in mitigation and resilience makes real differences in the lives of those affected by disasters and allows us to build back smarter to lessen the impacts of future events.