



Rise to Resilience Comments for FEMA

July 20, 2021

Comments in response to the Federal Emergency Management Agency's Request for Information on FEMA Programs, Regulations, and Policies [Docket ID: FEMA-2021-0011] from the Rise to Resilience coalition.

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Overview

The following comments are submitted by the Waterfront Alliance and Rise to Resilience, a campaign and coalition spearheaded by the Waterfront Alliance and composed of [over 100 partner organizations](#). We represent residents, volunteer organizations, scientists, environmental advocates, design professionals, and leaders in business, labor, community and justice collectively calling on our federal, state, and local governments to make climate resilience an urgent priority.

Our comments reflect a series of interviews of coalition partners - experts in housing, resilience, and emergency management, and community members that have lived experience with FEMA programs and policies - as well as the input of the coalition. Anecdotes and quotes are included to provide specific, illustrative examples of experiences following Hurricane Sandy in the NY-NJ metropolitan region.

In addition to policy and program adjustments, **many of these challenges or barriers are reflective of underfunded agency needs.** FEMA must be funded adequately to meet basic needs as well as effectively support programs to serve communities and fund state, local, and nonprofit partners.

In the following document, you will find this input organized by the questions posed by FEMA in its Request for Information.



Responses to general questions

Question 1: Barriers - Are there FEMA programs, regulations, and/or policies that perpetuate systemic barriers to opportunities and benefits for people of color and/or other underserved groups as defined in Executive Order 13985 and, if so, what are they? How can those programs, regulations, and/or policies be modified, expanded, streamlined, or repealed to deliver resources and benefits more equitably?

FEMA programs intersect with many existing barriers facing people of color and low-income communities, which are related to income inequality, historically racist land use policies, access to home ownership (redlining), and basic services. Historically, lands of lower quality and at higher risk of flooding were among the few options for many Black and low-income communities, a pattern which persists to this day. Overall, a greater understanding of how these historic injustices inform today's risks could help to support a more equitable approach to policy and investment. The following are primary barriers identified by the coalition:

Short deadlines for FEMA program applications: for many homeowners in communities comprised of people of color, low-income populations, and immigrant populations, the accessibility of FEMA programs is a challenge. Pamela Pettyjohn, longtime Coney Island resident and President of Coney Island Beautification Project, shared that in her community, information about available FEMA programs did not flow quickly or clearly after Hurricane Sandy. Homeowners were given a 30-day window to sign up for certain support programs, often finding out about those programs after the deadline.

A lack of emergency and essential services disproportionately affecting vulnerable communities: immediately following Hurricane Sandy, a lack of government response significantly impacted community safety and function. Lost cars, electricity, heat, fuel shortages, and flooded and offline subways meant that many people were unable to get to work to earn income, secure critical medical supplies, or otherwise access daily needs for safety and wellbeing. In Red Hook, Tevina Willis, a Brooklyn-based organizer, shared that New York City Housing Authority buildings were without electricity, gas, internet and hot water for one month, requiring residents to take up to 14 flights of stairs and use candles in the hallways.

In many areas, disaster response was initially led by volunteers and local non-government organizations that were able to quickly respond due to local knowledge and community trust. In Red Hook Brooklyn, for example, Red Hook Initiative (RHI) brought in generators, food, and medical resources, and developed a community grid. Like other community organizations across the City, RHI became a



volunteer and assistance hub, and even provided battery-operated machines for people with serious respiratory issues. Since 2012, RHI has trained 250 people in the community for emergency preparedness, CPR, and First Aid, providing a stipend for participation.

But resources for these organizations are limited. In New Jersey, Keith Adams, Executive Director of New Jersey Voluntary Organizations Active in Disaster, shared that currently, FEMA only gives non-profits funds for a limited number of purposes after a disaster (e.g. sheltering people, debris removal). Expanding these resources and making them available to community organizations before disaster could fill gaps where FEMA has been unable to reach residents or has been occupied with other simultaneous disasters, as was the case in 2017.

"When we have a disaster, these relationships are already formed. Let's do it before the storm...and identify trusted agents," Adams said. "We need to expand our thinking about what a disaster is... [In emergencies], what we're really called to be is community organizers...Sandy came and those people who were barely getting by are now homeless...those are the relationships that are missed because we are viewing disasters as one-offs," he concluded.

Disparities in information access regarding FEMA programs between poor communities comprised of people of color and whiter, wealthier communities: residents interviewed described disparities in access to FEMA information and inconsistencies in information and resources between communities, providing anecdotal evidence of broader patterns.¹ When interviewed, Coney Island resident and President of Coney Island Beautification Project Pamela Pettyjohn shared that she found limited assistance or information available from FEMA following Hurricane Sandy beyond recommendations for mold treatment. Pettyjohn travelled to other neighborhoods to attend community meetings and found that in other neighborhoods, there were several FEMA programs and resources that were not being offered in her community, ranging from technical assistance regarding FEMA maps to home elevation estimates.

Keith Adams, Executive Director of New Jersey Voluntary Organizations Active in Disaster, shared that *"historically, FEMA hasn't prioritized direct outreach to impacted communities."* Most of FEMA's public assistance and mitigation efforts flow through state block grants, establishing a reliance on the state to reach vulnerable populations. Often, vulnerable populations aren't engaged with state government under normal circumstances, so it is hard for states to engage them post-disaster. Additional resources

¹ Flavelle, Christopher. June 7, 2021. Why Does Disaster Aid Often Favor White People? The New York Times <https://www.nytimes.com/2021/06/07/climate/FEMA-race-climate.html>



for information access are needed for under-resourced communities, and those communities must be prioritized.

Challenges with language access and cultural sensitivity: for many immigrant communities, language and trust in government are barriers to participation. After Hurricane Sandy, there were attempts to provide language access, but there was often a lack of locally-appropriate language interpretation, cultural sensitivity, and depth of knowledge. Pamela Pettyjohn, Coney Island resident and President of Coney Island Beautification Project, shared that the translators made available were often not knowledgeable about FEMA policies and programs, and had difficulty answering critical technical questions and effectively assisting in navigating insurance claims - *"I saw homes where children - elementary kids - made decisions and conducted business for the family because the parents didn't speak English,"* she said. In the Lower East Side of Manhattan, an emergency management expert shared that following Hurricane Sandy, FEMA arrived in the neighborhood with Italian interpreters, when Spanish and Chinese were the dominant languages of the neighborhood.

The need for local contextual awareness and cultural sensitivity was echoed by a community development and insurance assistance professional. Following Hurricane Sandy, she observed an initial disparity in the number of claims between Canarsie, a predominantly Black and Immigrant neighborhood in which 40% of residents are foreign-born,² and wealthier, whiter neighborhoods, leading to an initial perception by FEMA that Canarsie was less affected. Recognizing that this was more likely a reflection of distrust and lack of information, she subsequently went door to door with her team and found that there had been an enormous unmet need for claims assistance.

Barriers specific to low-income populations: many residents are uninsured due to insurance costs, preventing quick payouts and the ability to recover financially after repairs drain limited financial resources.³ Even when policies are in place, the periods of time between application submission, approval, and disbursement, respectively, are too long for low-income individuals or entities within the community. Ultimately, funds may cover only temporary repairs. Applications require resources like access to a computer and internet, documents (e.g. social security cards, financial statements), or time off work, all of which can be barriers to low-income, immigrant, and elderly residents. An emergency management policy expert interviewed highlighted that even local governments in impoverished areas have had to take out loans while they wait for FEMA funds to reach them.

² New York City Community District Profiles. <https://communityprofiles.planning.nyc.gov/>

³ Dixon, L. et al. 2017. The Cost and Affordability of Flood Insurance in New York City. Rand Corporation.



Last, it is important to acknowledge the cascading health effects of FEMA policies on low-income and marginalized communities. Recurrent flooding increases the occurrence of mold, leading to asthma and other public health issues. An increase in asthma-related hospital visits and fatalities, especially with children, has been documented in North Carolina since 2010.⁴ These impacts are disproportionate to low-income and minority communities that are more likely to experience recurrent flooding and do not have the resources to properly clean up after a flood event.

Further, a study in Prehospital and Disaster Medicine found a large negative impact of recurrent flood on mental health outcomes and psychological and physical function, likely related to an erosion of social, environmental, and material circumstances.⁵ In addition, there is an increase in substance abuse and hospitalizations following flood events, specifically with low-income and minority individuals.⁶ All of these mental health issues induce costs on the health care system.

Recommendations:

Particularly in communities with high populations of people of color, immigrants, and low-income residents:

- Increase the ease of applications and outreach and extend application windows, especially in socially vulnerable communities.
- Increase on-the-ground staff and fund preparedness efforts through locally embedded and trusted community organizations. FEMA's CERT program is a step in the right direction to increasing an on-the-ground community presence. But many organizations are already embedded within communities, have built trust, and are equipped to prepare and coordinate rapid deployment following a disaster.
- Train technically and culturally competent multi-lingual inspectors and translators or create mechanisms for rapidly funding local organizations to provide these services.
- Increase targeted engagement and awareness-building regarding programs and insurance availability and support in communities. Evaluate innovative strategies to expedite payouts to socially vulnerable individuals and entities, such as parametric policies that automatically pay out

4 Bonner, Lynn. "As Mold Grows in the Aftermath of Hurricanes, More NC Asthma Patients Suffer." *News & Observer*, 20 Oct. 2020, www.newsobserver.com/living/article244970985.html.

5 Wind, T., Joshi, P., Kleber, R., & Komproe, I. (2013). The Impact of Recurrent Disasters on Mental Health: A Study on Seasonal Floods in Northern India. *Prehospital and Disaster Medicine*, 28(3), 279-285. doi:10.1017/S1049023X13000290

6 Moise IK, Ruiz MO. Hospitalizations for Substance Abuse Disorders Before and After Hurricane Katrina: Spatial Clustering and Area-Level Predictors, New Orleans, 2004 and 2008. *Prev Chronic Dis* 2016;13:160107. DOI: <http://dx.doi.org/10.5888/pcd13.160107>.



a percentage based on a triggering event, to provide some resources until a full inspection (if needed) can take place.

Question 2: Resilience - Are there FEMA programs, regulations, and/or policies that do not bolster resilience to impacts of climate change, particularly for those disproportionately impacted by climate change, and, if so, what are they? How can those programs, regulations, and/or policies be modified, expanded, streamlined, or repealed to bolster resilience to the impacts of climate change?

FEMA program eligibility requirements are not adequately focused on climate resilience:

historically, eligibility requirements for FEMA funding have not adequately required grantees to address climate resilience (where relevant) in project design.⁷ Moreover, in addition to not requiring climate resilience, FEMA often declines to pay for climate resilient designs even when the property owner wants to build them.

FEMA risk mapping does not adequately reflect future risks: while FEMA's risk mapping practices reflect the current risk of climate events, they do not adequately reflect future risk. Since 2012, FEMA has been required to include future risk in mapping by the Biggert-Waters Flood Insurance Reform Act of 2012. Accurate mapping of risks is fundamental to the future of FEMA programs. The Department of Homeland Security's Inspector General revealed that 58% of all FEMA flood maps are considered inaccurate or out-of-date.⁸ It was reported that as little as 17% of homes flooded during Hurricane Harvey had flood insurance, many not even in the flood zone. Over the three decades before Harvey, 47% of the flood claims in the region came from properties outside of the 100-year flood zone.⁹ This flooding outside of the flood zone disproportionately impacted Black and Hispanic communities in the Houston region.¹⁰

Recommendations:

- Integrate a requirement to consider future climate projections in hazard mitigation grant funding criteria.

7 Frank, Thomas. "EXTREME WEATHER: IG: FEMA Never Followed 20-Year-Old Disaster Law." *EXTREME WEATHER: IG: FEMA Never Followed 20-Year-Old Disaster Law -- Monday, July 12, 2021*, www.eenews.net/stories/1063736879.

8 *FEMA Needs to Improve Management of Its Flood Mapping Programs*. Office of Inspector General, Department of Homeland Security, 27 Sept. 2017, www.oig.dhs.gov/sites/default/files/assets/2017/OIG-17-110-Sep17.pdf.

9 Highfield, Wesley E, et al. "Examining the 100-Year Floodplain as a Metric of Risk, Loss, and Household Adjustment." *Wiley Online Library*, John Wiley & Sons, Ltd, 22 May 2012, onlinelibrary.wiley.com/doi/10.1111/j.1539-6924.2012.01840.x.

10 Smiley, Kevin T. "Social Inequalities in Flooding inside and Outside of Floodplains during Hurricane Harvey." *Environmental Research Letters*, IOP Publishing, 15 Sept. 2020, iopscience.iop.org/article/10.1088/1748-9326/aba0fe.



- Accelerate the updating of NFIP maps to current and future projections of risk across the country, in accordance with the Biggert-Waters Flood Insurance Reform Act of 2012.

Question 3: Environmental Justice - Are there FEMA programs, regulations, and/or policies that do not promote environmental justice? How can those programs, regulations, and/or policies be modified, expanded, streamlined, or repealed to promote environmental justice?

See response and recommendations to General Question 1, Barriers.

Pollution disproportionately impacts marginalized communities: additionally, pollution sources and hazardous substance storage are more likely to be located in communities of color and low-income communities. However, these compounding vulnerabilities and impacts are not adequately factored into assistance programs. FEMA should coordinate extensively with the Environmental Protection Agency's Emergency Planning and Community Right-to-Know Act (EPCRA) program to ensure collaboration and integration of hazardous materials planning and information into FEMA programs in communities of color and low-income communities.¹¹

FEMA's benefit-cost analysis is biased against the underserved: one major opportunity to promote environmental justice is the benefit-cost analysis (BCA) for FEMA's Building Resilient Infrastructure in Communities (BRIC) program. Currently, the BRIC program's BCA is biased against underserved communities. This point was explained thoroughly in public comments submitted by the Environmental Defense Fund (EDF) to the Office of Management and Budget.¹² The following excerpts from EDF's comments are instructive:

...the BCA for FEMA's BRIC program relies on avoided property losses to estimate benefits. The central challenge is that underserved communities, communities with both high flood risk and increased socioeconomic vulnerability, often do not have the property values to justify costs within [FEMA's BCA framework]. The result is that those in chronically underserved communities most vulnerable to losing their wealth and livelihoods in floods are largely unprotected...Notable economists with deep experience with BCA are in agreement that federal agencies should not

¹¹ Emergency Planning and Community Right-to-Know Act (EPCRA). Environmental Protection Agency, www.epa.gov/epcra.

¹² Environmental Defense Fund, Comments to Office of Management and Budget on Methods and Leading Practices for Advancing Equity and Support for Underserved Communities through Government (Jul. 6, 2021). <https://www.regulations.gov/comment/OMB-2021-0005-0443>



be bound by strict benefit-cost tests, and that a good analysis also identifies important distributional consequences.

...Overall, the BRIC program definition [of a small impoverished community] encompasses a very limited number of communities and leaves many underserved communities out. Additionally, tribes are often grouped as one tribal population, even when individual towns or subsets of populations are geographically very rural and separated.

...the benefit-cost ratio (BCR) for FEMA is 1...If chronically underserved communities have lower BCR scores, the BCA policy as currently implemented is less likely to pass proposals from them, leaving the most vulnerable without flood protection.

...Natural infrastructure solutions have the potential to offer direct flood risk-reduction benefits as well as co-benefits to underserved communities. However, since [FEMA BCA] methodologies are required to use the 7% discount rate set by OMB Circular A-9412, even substantial benefits in the medium to long run do not enter meaningfully into the BCA.

The BRIC program BCA requires municipalities and states to estimate the value of ecosystem services. These calculations can be difficult and can require the expertise of expensive outside consultants. This could be a hurdle for underserved communities without funding or access to the necessary expertise to estimate potentially significant but hard-to-quantify benefits.

For all of the above reasons, the BCA for FEMA's BRIC program has been biased against marginalized and low-income communities.

Recommendations:

- Develop strategies that address compounding vulnerabilities like pollution sources and hazardous substance storage into assistance programs.
- Adjust the benefit-cost analysis (BCA) for FEMA's BRIC program in a way that removes the biases against underserved communities.

Question 4: Complexity - Are there FEMA programs, regulations, and/or policies that are unnecessarily complicated or could be streamlined to achieve the objectives of equity for all (including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality), bolstering resilience to climate change, or addressing the disproportionately



high and adverse climate-related impacts on disadvantaged communities in more efficient ways? If so, what are they and how can they be made less complicated and/or streamlined?

See response to General Question 6, Information Collection.

See response to General Question 11, Specific Barriers.

See response to Specific Question 3, National Flood Insurance Program.

Question 6: Information Collection - Does FEMA currently collect information, use forms, or require documentation that impede access to FEMA programs and/or are not effective to achieve statutory, regulatory, and/or program objectives? If so, what are they and how can FEMA revise them to reduce burden, save time or costs, increase simplification and navigability, reduce confusion or frustration, and increase equity in access to FEMA programs and achieving statutory and/or regulatory objectives?

The application process for FEMA aid is often lengthy, repetitive, and a barrier for many Black, Brown, immigrant, and Native American populations.

Deed and title requirements present barriers: FEMA currently requires deed and title to proceed with the application process. An emergency management expert shared that in many communities of color, home ownership is not defined by a deed or title and often involves less formal transfers of properties between family members, and can also involve multiple owners.¹³ In one example shared by an emergency management professional following Hurricane Sandy in New York, "one family couldn't get through an application process because they needed to provide a deed or title. Three sisters had joint ownership [of a family home], but [the sisters applying for assistance did not have access to the deed]." Examples like this one are very common among underserved communities.¹⁴

Process steps lead to complexities and challenges for low-income and immigrant populations that reduce access to aid: experts agreed that the information collection process is lengthy and redundant in a way that reduces the participation of working individuals and families with limited time, internet access, and comfort sharing personal information, especially the undocumented. Generally, FEMA gives money to states to manage a case management system, often leading survivors to have to go through several processes for multiple agencies, repeatedly giving the same information out to federal and state

¹³ A study by the USDA found that following hurricanes Rita and Katrina, approximately 20,000 property owners were denied assistance from FEMA and HUD because they could not furnish property titles. See Pippin, S. et al. 2017. Identifying potential heirs properties in the Southeastern United States. USDA online at https://www.srs.fs.usda.gov/pubs/gtr/gtr_srs225.pdf

¹⁴ Hersher, Rebecca. "Why FEMA Aid Is Unavailable To Many Who Need It The Most." NPR, 29 June 2021, www.npr.org/2021/06/29/1004347023/why-fema-aid-is-unavailable-to-many-who-need-it-the-most.



agencies. Keith Adams, Executive Director of the New Jersey Voluntary Organizations Active in Disaster, recalled, "A lot of people didn't get what they were supposed to get not because they weren't eligible but because they gave up."

Internet access can also be a challenge. A resilience policy expert observed that some communities and families don't have the internet bandwidth or computers needed to access government resources. Further, after a disaster, few people have internet access or cellular communications, and unsecured internet sources can create vulnerabilities to scammers.

Recommendations:

- Reform deed and title requirements to allow for more flexibility in proof of ownership.
- Simplify forms and communication materials to a middle school level and consider a broader range of needs - individuals with limited access, education, cognitive disabilities, and the elderly. Consider a target rate for successful first-time applications (e.g. 90%), and review regularly if those targets are not being met to better understand and modify the process.
- Remove information silos with a common portal used across agencies and levels of government, where survivors can upload their information once and grant permission to one or more agencies to access information on a case-by-case basis.
- Make eligible the funding of communication networks as part of existing pre- and post-disaster grant programs to provide hardened access points for free public Wi-Fi or loaning of tablets and other devices post-disaster.
- FEMA should improve its support for a "mobile field office" model post-disaster in the form of mobile units with traveling staff. These mobile field offices provide internet access and forms to surrounding communities. FEMA should deploy more mobile units to underserved communities, and these units should be deployed more quickly. Additionally, FEMA should base translators with relevant proficiencies in mobile field offices according to anticipated translation needs. FEMA should also consider providing paper forms for people who lack computer literacy.

Question 7: Technological Developments - Are there FEMA regulations and/ or policies that have been overtaken by technological developments? Can FEMA leverage new technologies to modify, streamline, or do away with existing regulatory and/or policy requirements? If so, what are they and how can FEMA use new technologies to achieve its statutory and regulatory objectives in light of the Executive orders cited?



Mutual aid groups provide essential support post-disaster: immediately following disasters, many social media-powered mutual aid networks spring up. While some of these groups flare up and dissipate, others stay and can evolve into long-term social resilience-building organizations pre- and post-disaster. Whether short-lived or long-term, these networks are extremely valuable. This was exemplified by Facebook groups and a sharp uptick in volunteering that sprung up after Hurricane Sandy.¹⁵ These groups were the first and primary resource for emergency resources for many days in some communities. Their flexibility enabled volunteers to quickly deploy and provide many targeted resources (e.g. medicine, generators, essential needs like diapers and food) through social media, spreadsheets, and on-the-ground volunteer captains.

Recommendation:

- Track, monitor, support, and acknowledge mutual aid groups pre- and post-disaster. Research into mutual aid could inform successful support models toward maximum benefit for those that need resources most.

Question 8: Duplication and Inconsistency - Are there any FEMA regulations and/or policies that are duplicative, overlapping, or contain inconsistent requirements generally? Are there areas where FEMA's regulations create duplicative, overlapping, or difficult to navigate situations for individuals also navigating regulatory requirements of another Federal Government agency?

See response to Question 6.

Question 11: Specific Barriers - Are there FEMA regulations, programs, or processes that create barriers to mitigation, response, recovery, or resilience for a specific industry or sector of the economy, geographic location within the United States, or government type (e.g. a specific tribal or territorial government or a specific local government)?

Local match requirements for local governments are often infeasible: public housing authorities like the New York City Housing Authority (NYCHA) often lack the city funding to provide the local match mandated by FEMA. For example, when NYCHA gets funding from the city, it is always tied to a specific purpose (e.g. a playground in a specific place, or waste management broadly), with little flexibility to serve as a match. The timing of budget cycles for federal and local processes are also very different, adding challenges to aligning resources.

¹⁵ US Department of the Interior Strategic Sciences Group, Operational Group Sandy Technical Progress Report, (Washington, DC: Department of the Interior, 2013) as referenced in Svendsen et al. 2015.
https://www.fs.fed.us/nrs/pubs/jrnl/2015/nrs_2015_svendsen_001.pdf



Inflexibility in funding requirements lead to delays and unmet needs for local governments:

funding requirements are often stringent and reimbursement-based, meaning that applicants must demonstrate that funding went toward exactly what was applied for. During the design and construction process, needs arise and change, potentially resulting in a lack of funding for essential but un-anticipated components of a project. In part due to this inflexibility, one case of negotiation and iteration led to three years of back and forth between FEMA and NYCHA in 2012-2015, making the local community feel like a FEMA-funded project was unnecessarily stalled.

Further, while FEMA grant programs like BRIC give points for community engagement, cost-effectiveness requirements can also limit the quality and quantity of engagement. Engagement and education are critically important and require significant capacity and investment, especially in the most disinvested communities. In one case, a public housing expert shared the example of rooftop generator installations that require the clearing of residents from two entire floors, presenting a tremendous engagement challenge. What is appropriate and cost-effective are often different depending on the context. Additionally, if spending is inflexible, this sets up the engagement process for failure as there is limited opportunity to meet community needs or priorities if funding has already been tied to specific scope items.

This frustration was echoed by Tevina Willis, a Brooklyn-Based organizer working with primarily public housing residents. She observed that the bulk of the structure and infrastructure-related FEMA-funded construction did not begin in Red Hook NYCHA developments until eight years after Hurricane Sandy and is still in progress, an observation that was confirmed by a NYCHA presentation.¹⁶ Delays have led the community to be exposed to construction and disrepair disturbances for long periods of time. There have been regular outages (water, power, gas) during the pandemic, some of which are related to FEMA-funded construction. She also reflected the lack of effective outreach within the community and unmet needs. In one case, construction began with razing the entire area at once including trees. For a project of this size, NYCHA had to cut down the trees to build new developments and piping. FEMA funds this construction, but did not fund tree replacement, resulting in cut trees and the associated loss of benefits. In this case, a narrow mandate resulted in an outcome contradictory to broader resilience goals.

¹⁶ NYCHA'S SUPERSTORM SANDY RECOVERY PROGRAM. New York City Housing Authority Department of Recovery and Resilience, 21 Nov. 2019, www1.nyc.gov/assets/nycha/downloads/pdf/2019_11_21_Red_Hook_Kickoff_Final_Phase.pdf.



FEMA’s nature-based resilience strategies are not sufficiently robust. FEMA criteria can disincentivize green projects: when considering requirements to demonstrate benefits versus costs, many heat mitigation projects wind up appearing expensive. However, heat mitigation projects like tree-planting or green space development have tremendous co-benefits and are cost-effective, but these benefits are difficult to prove in accordance with FEMA criteria for costs and benefits.

Community designations can hinder some communities’ ability to receive funds or reduced rates: jurisdictional requirements and designations can be a barrier to some smaller and disadvantaged communities from applying for funds. For example, small communities often lack designation as communities because they are part of larger towns. Or, some communities that identify as tribal are technically not designated as such by the federal government, and these communities lose opportunities to get resources and benefits, including reduced or waived match for BRIC grant applications.

Aggregations can also lump communities together in ways that mask disparities and community needs or prevent reduced insurance rates. For example, New York City is considered one community by the NFIP’s Community Rating System (CRS) and would have to coordinate collective action across the entire City to enroll in CRS. Practically, this means that low-lying, low-income communities that attempt to comply with CRS criteria will have to pay the same high insurance rates as the rest of the city because their compliance doesn’t affect their rates. Small-and medium-sized towns have a comparatively easier time taking advantage of CRS.

Oversight needed to ensure resources serve local communities is lacking: There is a need to ensure that funding for non-government organizations to support disaster recovery efforts leads to local empowerment, hiring, and investment. Dr. Edward Williams, President of Regional Ready Rockaway in Queens, NY and local leader, shared that his organization was one of few New York-based organizations within the Rockaway - Broad Channel Long Term Recovery Group. This Group consisted of 74 organizations convened to assist with the granting and oversight of funds. Regional Ready Rockaway chaired this Group and found that after funds were disbursed, group members disengaged. Dr. Williams reported that there was little follow-up or accountability as to how and where money was spent. While the recovery group was convened to create local control over the recovery process, it ultimately fell short and could have been better supported by FEMA through incentives or other mechanisms to ensure sustained accountability.



Recommendations:

- Explore match waivers for certain cases and increase funding flexibility as to what constitutes matching funds for grant programs through FMA and BRIC, including other federal funds. With more flexibility, repair and mitigation projects could be better paired to simultaneously reduce costs and increase efficiency.
- Maintain prioritization of community engagement while removing cost-effectiveness requirements, empowering localities to determine how much engagement is needed for the project and context.
- Fund education and awareness campaigns through hazard mitigation grant programs. While guidance and recommendations are helpful, localities and local non-profits are often much better-suited to tailor messaging to target audiences.
- Incentivize or remove disincentives to investing in natural and sustainable approaches (e.g. providing an exception to or changing standards for proving benefits for green projects). Additionally, accounting for co-benefits of nature-based solutions would improve uptake of greener mitigation efforts. If projects necessitate the destruction of trees, FEMA should also require and fund replacement of trees.
- Make CRS available to smaller jurisdictions (e.g. census blocks or local jurisdictions). For example, Community Districts in New York City are important local planning geographies, as are parishes in Louisiana.
- Provide more flexibility on match requirements for not-yet-recognized groups and/or expand the definition of "tribal."
- Prioritize support for local hiring and organizations embedded within communities in funding criteria. Ensure that grantees follow through and are accountable to communities that they serve following funding disbursement.

Responses to specific questions

Question 1: Individual Assistance - Are there regulations and/or policies that act as a barrier to people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty, inequality, and climate change?

Individual assistance has limitations in scope and value for low-income individuals: individual assistance standards are unattuned to the needs of low-income residents, resulting in unmet needs or



disproportionate application rejections.¹⁷ Thresholds for restoration (i.e. to a “safe and sanitary living condition”) do not support repairs to pre-disaster conditions, potentially impacting the long-term wealth of low-income flood survivors.

One of the first experiences in Red Hook, Brooklyn following Hurricane Sandy was the offer of loans to community members, many of whom were renters who lived in public housing with extremely limited financial resources. From Tevina Willis - *“It was crazy that they offered people who suffered severe losses loans. These people were unemployed. They should’ve been offered grant money.”*

Keith Adams, Executive Director, New Jersey Voluntary Organizations Active in Disaster, shared that out of the 400,000 families in New Jersey that received assistance post-Sandy, half wouldn’t get aid under FEMA’s new Individual Assistance standards. “The last Individual Assistance declaration for a disaster in New Jersey was for Sandy. But we’ve had many more regional disasters since that declaration. FEMA isn’t involved in these disasters, as they do not meet the threshold for Public Assistance or Individual Assistance.”

Dr. Edward Williams, President of Regional Ready Rockaway, also highlighted examples of the standards being too stringent or inflexible in ways that prevented aid from being provided where needed most. In Rockaway, many properties owned by people of color were denied FEMA aid because of a determination that damage was not Sandy-related, even in cases where clear and significant flood damage had occurred.

Recommendations:

- Increase the availability and amount of individual assistance available, prioritizing those with the greatest need for a range of support including grant aid.
- Review and address inflexible individual assistance requirements.

Question 2: Public Assistance - Are there measures FEMA could take to more effectively bolster or incentivize resilience to the impacts of climate change?

See response to General Question 1, Barriers.

¹⁷ Martin, C. and C Kousky. Improving the Disaster Recovery of Low-Income Families. Urban Institute. <https://www.urban.org/debates/improving-disaster-recovery-low-income-families>



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Question 3: National Flood Insurance Program - Are there regulations and/or policies that disincentivize purchasing flood insurance, particularly by lower-income communities, communities of color, and Tribal communities? Are there measures FEMA could take to increase nationwide the number of flood-insured homes in the general population and particularly in lower-income communities, communities of color, and Tribal communities?

Improvements to the National Flood Insurance Program (NFIP) are being made with the proposal of Risk Rating 2.0, but there remain many challenges for low-income homeowners and renters, articulated below.

NFIP policies are not taken up by those who most need them due to a lack of awareness and affordability: overall, there is an overwhelming need for support for flood insurance for low-income families and individuals.¹⁸ A lack of affordability and awareness results in many low-income communities being uninsured and more at risk to devastating, worsening financial impacts. *"I didn't know people in NYCHA could get that kind of insurance,"* reflected Tevina Willis, a Brooklyn Organizer. *"They think it isn't available to them, but they would want it if they could get it."*

Unfair or inaccurate adjudication of claims post-disaster: even for those who have NFIP policies, receiving payouts is often unnecessarily difficult, exacerbating inequities. In one case, a homeowner had both flood insurance through the NFIP to the maximum policy of \$250,000 and \$100,000 in surplus lines. She documented her insurance, had receipts, contacted a lawyer, and took pictures of her belongings and the destruction in her neighborhood. Despite the coverage, documentation, and legal representation, her claims were denied at the outset. She was fully covered, but FEMA only paid half of her damages. Paying out of pocket immediately also threatened eligibility for other local programs.

Further, in order to qualify for additional mitigation funds (e.g. elevation), she was told by FEMA to exhaust all avenues of help, and even pressured to take on a small business loan (despite being a retiree and homeowner, not a business owner) in order to qualify.

Recommendations:

- Pursue measures like vouchers for flood insurance for low-income renters and homeowners and increasing the ease of getting and maintaining policies. While risk rating 2.0 may reduce rates on

¹⁸ Dixon, L. et al. 2017. The Cost and Affordability of Flood Insurance in New York City. Rand Corporation.



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average for low-income families, this will not be true for everyone. For many individuals and families, assistance is necessary.

- Invest in on-the-ground education about program availability and policy changes in Risk Rating 2.0.
- Simplify the claims process and offer more information about the process up-front during enrollment.
- Eliminate inaccurate adjudication of claims post-disaster through better training, staffing, and quality control programs. Provide internal pathways and resources for those denied claims to escalate their disputes to higher levels of management within FEMA.

Question 4: Hazard Mitigation Programs - Are there measures FEMA could take to prioritize funding to mitigate the disproportionate impact climate change has on the most vulnerable in society, particularly lower-income communities, communities of color, and Tribal communities?

BRIC grants point system can bias against communities with the highest needs: the BRIC program is comprised of a 100-point system in which some points are allotted for prior resiliency investments. This is significant because it means that one can more easily get a BRIC grant in a wealthy community with prior investments, while poorer communities may get penalized due to a lack of prior investment. For example, if a state is far behind on code, applicants within that state are penalized by 30 points. What was intended as a resiliency incentive has potentially resulted in deeper disinvestment in communities that need resources.

Buyout programs reflect and can perpetuate discriminatory housing practices: whiter and wealthier communities disproportionately benefit from FEMA aid, including buyout programs. And yet, it is people of color who are more likely to accept a buyout within these areas, effectively speeding gentrification and reflecting historical discriminatory practices, even if these perpetuations are unintentional and the implementing agencies comply with anti-discrimination laws.¹⁹

¹⁹ Elliot, JR; PL Brown, and K Loughran. 2020. Racial Inequities in the Federal Buyout of Flood-Prone Homes: A Nationwide Assessment of Environmental Adaptation. *Socius: Sociological Research for a Dynamic World*. <https://journals.sagepub.com/doi/full/10.1177/2378023120905439>



Recommendations:

- Incentivize or provide a bonus to first-time applicants with high needs; provide positive incentives to updating code (e.g., specific assistance opportunities to high need communities).
- Review and adjust policies to ensure buyout programs are available to all who need them, along with sufficient and appropriate resources to relocate and receive counseling.
- Work closely with states and local governments to support the strengthening of local land use laws to restrict future development in buyout areas.
- Review cost-benefit analyses to better account for vulnerability or consider them as one lens of many when providing assistance. When considering preparedness grants, provide exceptions to benefit-to-cost ratios for low-income areas.
- Invest in home elevations.
- Invest in shoreline resilience via natural infrastructure.

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Rise to Resilience is a campaign and coalition spearheaded by the Waterfront Alliance. We represent residents, leaders in business, labor community and justice, volunteer organizations, scientists, environmental advocates, and design professionals collectively calling on our federal, state, and local governments to make building climate resilience an urgent priority.