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OCTOBER 2024 WATERLOG E-UPDATE

LESSONS FROM HELENE: For decades, a small but vocal group of people has been calling for those who live on the coast to abandon their homes and move to higher ground. Helene has taught us that higher ground isn't safe either. Making our nation resilient to climate change is a hugely expensive and very complex task that can't be solved by telling people to move because the truth is there is nowhere that is without risks.

Again and again, we learn that the Federal Government is unprepared for the scale of natural disasters, evident both in preparation and response. If weather patterns continue to produce such disastrous storms, there must be a new paradigm for preparedness at the local and state levels.

FEDS UNPREPARED FOR CLIMATE CHANGE: A new report calls on Congress to prepare for the economic impacts of climate change. This is no surprise. The General Accountability Office (GAO), the investigative arm of Congress, found that "available climate economics information...indicates that potential climate damages will be quite costly to the federal government," indicating both lost tax revenues while expenses simultaneously increase. GAO urged Congress to develop an organizational arrangement with these five key elements –

1. Federal climate change efforts should be coordinated in a strategic plan to climate resilience
2. The government should identify and update the best available climate information
3. The government should sponsor or conduct research on the potential economic effects of climate change to identify significant risks
4. The government should periodically identify and prioritize climate resilience projects for federal investment
5. The government should assist communities that express affirmative interest in relocation

So far, GAO says it has observed "variable progress and prioritization" for individual elements of this 5-point program. To get more information on this report, go to <https://www.gao.gov/products/gao-24-106937>.

CONGRESS EXAMINES BUILDING CODES' ROLE IN MITIGATING DISASTERS: Is the federal government coercing local communities to adopt a once-size-fits-all building code? That was one of the issues posed at a September 25th public hearing of the House Subcommittee on Economic Development, Public Buildings, and Emergency Management.

Chairman Scott Perry (R-PA), opened the event by declaring that “FEMA spends a lot of taxpayer resources on coercing building code adoption and compliance...I am deeply concerned that under this administration, FEMA continues to push these types of ideology-based agendas [which] should be the purview of state and local governments....” Witnesses at the hearing noted that not all communities are in a position to adopt or increase building standards.

Recognizing that “Building codes are an essential mitigation tool,” Russell Strickland of the National Emergency Management Association, noted that FEMA’s BRIC program awards grant applicants points for state building codes in its pre-disaster mitigation grant program which puts half of the states that have no statewide building codes at a “significant disadvantage.” He also stated that many communities “understand the importance and benefits of building code adoption and enforcement, but do not have the financial capabilities or capacity to adopt and enforce a building code or run a local building code program” - a recurring theme in the coastal space *WaterLog* covers.

Buddy Hughes, testifying on behalf of the National Association of Home Builders, emphasized the importance of **H.R. 5473**, the Promoting Resilient Buildings Act, tracked by *WaterLog*. He noted that “the bill seeks to help jurisdictions maintain local control over building code adoption while encouraging communities to take proactive steps to withstand and recover from extreme events.” As of today, the bill has passed the House and has been approved with an amendment in the nature of a substitute by the Senate Committee on Homeland Security and Government Affairs.

HOUSE COMMITTEE ACTS ON TWO DISASTER MANAGEMENT BILLS: In a development combining both irony and coincidence, the House Transportation and Infrastructure Committee held a September 24th business meeting to discuss and approve final versions of two disaster-related bills.

H.R. 7671, the Disaster Management Costs Modernization Act, amends the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Act) to:

- (1) Authorize the President to provide financial assistance for disaster management costs to grantees or subgrantees for each declared disaster within the five years prior to the report. It would outline the amount allocated, how the funds were used, and the duration of each disaster.
- (2) Permit the Comptroller General to submit a report to Congress (specifically to the Senate Committee on Homeland Security and Governmental Affairs and the House Committee on Transportation and Infrastructure) detailing the specific management costs authorized under this Act.

Additionally, the amendment would encourage states, Indian Tribes, and territories to close disaster recovery projects by allowing them to use excess funds from one project for management costs of other projects.

The committee also approved an amendment in the nature of a substitute for **H.R. 9750**, the Natural Disaster Recovery Program Act of 2024. As introduced, the purpose of that bill was to authorize the President to provide disaster assistance to States and Indian Tribes under a major disaster recovery program. The full text of both bills as approved by committee can be found [here](#).

BILLS INTRODUCED ON FLOOD INSURANCE AFFORDABILITY AND DAMAGE MITIGATION: Just prior to the congressional recess, Congress introduced the Protecting Families and the Solvency of the National Flood Insurance Program Act (**H.R. 9809**). The bill authorizes FEMA to provide additional mitigation assistance to families affected by flooding and also addresses the problems of delays in buyouts for communities facing repetitive losses. The proposal has been referred to the House Financial Services Committee.

Senator Bob Casey introduced **S.5199**, a bill to cap the cost of flood insurance. Called the Fair Flood Protection Act, the bill seeks to lower the cost of flood insurance by creating a sliding scale premium cap so that families pay amounts based on their income. It has been referred to the Senate Banking Committee. Public hearings have not been scheduled for either of these bills.

WILL HELENE BRING CONGRESS BACK TO WASHINGTON BEFORE ELECTION DAY?: Congress has recessed until the week after Election Day, leaving FEMA to do its part of the response to Hurricane Helene with the \$20 billion Congress provided as part of its measure to keep the government funded until December 20th. That figure is FEMA's normal budget and does not provide any additional disaster response funds for the agency. \$6 billion of that money was already spoken for by previous disasters, the most prominent of which were wildfires in Maui and flooding in Vermont. The remainder was designed to allow FEMA to end its practice of prioritizing scarce funds to what it considers the highest priority needs, but the \$20 billion was not intended to be enough to deal with all pre-Helene disasters. President Biden said it might be necessary for Congress to return in October to focus on funding disaster relief, but most observers think a pre-Election Day return is unlikely.

UPDATE ON COASTAL BILLS MOVING THROUGH CONGRESS: In addition to **H.R. 5473**, **H.R. 7671**, and **H.R. 9750** (see articles above), the following legislation being tracked by *WaterLog* showed movement last month. **H.R. 2950**, the Coastal Habitat Conservation Act, passed the House and was placed directly on the Senate's calendar for action before the end of the year. This bill provides statutory authority for the U.S. Fish and Wildlife Service's Coastal Program to conduct collaborative landscape-level planning and on-the-ground coastal habitat assessment, coastal habitat protection, and coastal habitat restoration projects in priority coastal landscapes to conserve and recover federal trust species....**S. 4367**, the Thomas R. Carper Water Resources Development Act of 2024 (WRDA) passed the Senate. The House has already passed its version of WRDA (**H.R. 8812**)**H.R. 1605**, a bill to amend the Stafford Disaster Relief Act to require information on a variety of uses of grant funds was defeated in the House Transportation and Infrastructure Committee on a tie vote.... **S.3348**, the Harmful Algal Bloom and Hypoxia Research and Control Amendments was approved by the Senate Commerce Committee on September 17th....Also approved by committees last month were the following bills: **H.R. 9750**, the Natural Disaster Recovery Program Act; **S.4900**, the Investing in Community Resilience Act; **S. 3067**, the Facilitating Community Resilience Act; **H.R.2672**, the FEMA Loan Interest Repayment Relief Act; **H.R. 6997**, the Disaster Contract Improvement Act; **H.R. 9024**, the Extreme Weather and Heat Response Modernization Act; and **H.R. 9037**, the Federal Emergency Mobilization Accountability Workforce Planning Act. Finally, a

committee hearing was held on **H.R. 6129**, the Studying NEPA's Impact on Projects Act.

Contact Information:

Howard Marlowe | President

Warwick Group Consultants, LLC

Howard.Marlowe@WarwickConsultants.Net

1717 K Street, NW, Suite 900

Washington, DC 20006

(202) 787-5770

Dan Ginolfi | Senior Vice President

Warwick Group Consultants, LLC

Dan.Ginolfi@WarwickConsultants.Net

1717 K Street, NW, Suite 900

Washington, DC 20006

(202) 787-5770

