DATE: August 23, 2021

TO: Oregon Local Governments (to include Special Districts), Tribal Governments, and State Agencies

FROM: Stephen Richardson, Mitigation and Individual Assistance Section Manager

SUBJECT: Notice of Funding Opportunity for Annual Mitigation Grant Programs for Fiscal Year (FY) 2021

The purpose of this memo is to share information regarding FEMA Notice of Funding Opportunities (NOFOs) and the Oregon State subapplication process for the annual hazard mitigation assistance grant programs for **FY2021**.

**FY2021 BRIC and FMA Oregon Subapplication Timeline**

The Federal Emergency Management Agency (FEMA) has announced that the application period for the FY2021 Building Resilient Infrastructure and Communities (BRIC) and Flood Mitigation Assistance (FMA) grant programs will run from **September 30, 2021 to 3:00 pm EST on January 28, 2022**.

Per Oregon State’s plan for administering FEMA-funded mitigation grant programs, the Mitigation Team has established a two-step process for subapplicants (cities, townships, counties, special district governments, and tribes) that starts with a pre-application (also referred to in the past as the letter of intent or LOI; for this iteration of pre-disaster grants, it will be referred to as the pre-application) followed by a development of a full subapplication. This will be done through the online FEMA’s Grants Outcomes System known as FEMA GO (for both BRIC and FMA). The State’s timeline is compressed to allow the Mitigation Team time to adequately review subapplications and provide feedback to jurisdictions while adhering to the federal timeline.

For potential subapplicants for both FY21 BRIC and FMA, the process and deadlines are as follows:

**Step 1. Pre-application Submittal**:

* Submit pre-applications no later than **11:59 pm PST on Thursday, September 23, 2021** to shmo@mil.state.or.us. Potential subapplicants who do not submit a pre-application by **11:59 pm PST on Thursday, September 23, 2021** will not be eligible to be considered for the FY2021 rounds for either program. In the subject line of the email that the pre-application is submitted in, please be sure to clearly specify which program it’s intended for. The Mitigation Team (and when appropriate, the State National Flood Insurance Program (NFIP) Coordinator), will review the pre-applications for eligibility and contact potential subapplicants to discuss their proposals if there are any questions or concerns.
* The Mitigation Team will activate the Interagency Hazard Mitigation Team (IHMT) review panel from **Friday, September 24 – Friday, October 8, 2021** to assist with reviewing and scoring pre-applications for both BRIC and FMA that will result in identifying those proposals of which will move forward in the subapplication process for both the state set-aside and then national competition funds available for BRIC and for those applicable subcategories under FMA. The IHMT review panel will be comprised of volunteers from the IHMT of which participants are listed in section 4.2.1 beginning on page 1699 in the [State Mitigation Plan](https://www.oregon.gov/lcd/NH/Documents/Approved_2020ORNHMP_00_Complete.pdf)
* The Mitigation Team will then send notifications out to those entities selected to move forward in the subapplication process no later than **Friday, October 15, 2021**.
* Submittal of a pre-application does not guarantee funding/award.

**Step 2 (by invitation only). Development and Submission of a full FEMA GO Subapplication:**

* For subapplicants who completed step one (above) and who are invited to prepare and submit full subapplications, the deadline to submit a complete FEMA GO subapplication for BRIC or FMA for SHMO review is **11:59 pm PST on Monday, January 17, 2022**. Subapplications submitted after **11:59 pm PST on Monday, January 17, 2022** will not be reviewed or submitted to FEMA for consideration. Subapplicants are encouraged to submit their subapplications early.
* The Mitigation Team (and when appropriate the State NFIP Coordinator) will review subapplications for eligibility, completeness, and cost effectiveness. The Mitigation Team will request additional information if required and will work with subapplicants to make selected subapplications as competitive and complete as possible.
* The Mitigation Team anticipates that by **Friday, January 21, 2022** (and no later than **Friday, January 28, 2022**) a Mitigation Team representative will complete the subapplication review process for all subapplications submitted. Upon completion, a Mitigation Team representative will submit the finalized State application package, to include a state management cost subapplication, to FEMA for the FY2021 BRIC and FMA programs on behalf of Oregon.
* Submittal of a subapplication does not guarantee funding/award.

FEMA expects to announce subapplications which are identified for further review and potential funding at a future date yet to be announced during CY2022. Final award announcement dates will vary based on the grant program and are dependent upon FEMA’s internal review process.

On a case-by-case basis the Mitigation Team may provide limited technical assistance for BRIC subapplication development on the scope of work, benefit-cost analysis (BCA), project budget, and other sections if requested and as time permits. The Mitigation Team will maintain a frequently asked questions Excel document that will shared routinely statewide. FEMA will offer webinars on the FY21 NOFOs for prospective subapplicants which will be offered [over the next several weeks](https://www.fema.gov/grants/mitigation/2021-building-resilient-infrastructure-and-communities-and-flood-mitigation-assistance-programs); local entities and tribes are encouraged to attend.

**FY2021 Building Resilient Infrastructure and Communities (BRIC)**

The BRIC program makes federal funds available to states, U.S territories, federally recognized tribal governments, and local communities for hazard mitigation activities. It does so with a recognition of the growing hazards associated with climate change, and of the need for natural hazard risk mitigation activities that promote climate adaptation and resilience with respect to those hazards. These include both acute extreme weather events and chronic stressors which have been observed and are expected to increase in the future. The BRIC Program is also meant to promote the goal of equity, by helping members of particularly disadvantaged groups, who might be at special risk as a result of current hazards, including those associated with climate change.

Detailed program information is available at

<https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities> and described in FEMA’s full [BRIC 2021 NOFO](https://www.fema.gov/sites/default/files/documents/fema_nofo-fiscal-year-2021-building-resilient-infrastructure.pdf).

**Cost Share:** Cost share is required for all subapplications funded under this program. Generally, the cost share for this program is 75 percent federal / 25 percent non-federal. This means federal funding is available for up to 75 percent of eligible costs. The remaining 25 percent of eligible costs must be derived from non-federal sources.

Economically Disadvantaged Rural Communities is a new term introduced in the FY21 BRIC round. The BRIC program identified title “Economically Disadvantaged Rural Communities” is synonymous with small impoverished communities as used in the Stafford Act. Economically Disadvantaged Rural Communities are eligible for an increase in cost share up to **90 percent federal / 10 percent non-federal**. The definition of an Economically Disadvantaged Rural Community is a community of 3,000 or fewer individuals identified by the applicant that is economically disadvantaged, with residents having an average per capita annual income not exceeding 80 percent of the national per capita income, based on best available data. Applicants and subapplicants who apply as an Economically Disadvantaged Rural Community must request the increased federal cost share amount in the Cost Share section of their C&CB activity and mitigation project subapplication(s). Management costs are already 100 percent funded. Applicants must certify subapplicants’ Economically Disadvantaged Rural Community status and provide documentation with the subapplication(s) to justify the increased federal cost share. If documentation is not submitted with the subapplication, then FEMA will provide no more than 75 percent federal cost share of the total eligible costs.

Federally recognized tribal governments meeting the definition of an Economically Disadvantaged Rural Community that apply to FEMA directly as applicants are eligible for a 90 percent federal cost share for their subapplications, which make up their overall BRIC grant subapplication.

**Eligible Subapplicants:** Local governments, including cities, townships, counties, special district governments, and tribes (including federally recognized tribes who choose to apply as subapplicants) are eligible for grant consideration. All subapplicants must have a FEMA-approved hazard mitigation plan by the grant application deadline and at the time of award, in accordance with Title 44 Code of Federal Regulations (CFR) Part 201. Private corporations, private citizens, and private nonprofits are not eligible to apply directly for BRIC as a subapplicant, however an eligible subapplicant may take on a project for said entity/individual on its behalf.

**Available Funding:** The total, nationally available funding for FEMA’s 2021 BRIC grant round is **$1,000,000,000**. FEMA has established specific state allocations (**$1,000,000 per state**) and tribal set-asides, as described in the NOFO, leaving **$919,000,000** available for the national competition.

The maximum federal share available to any single project subapplication is **$50,000,000**.

These funds are competitively available for eligible mitigation activities that fall into in two main categories:

1. Capability- and Capacity-Building (C&CB) activities, which enhance the knowledge, skills, expertise, etc., of the current workforce to expand or improve the administration of mitigation assistance. This includes activities in the following sub-categories: building codes activities, partnerships, project scoping, mitigation planning and planning-related activities, and other activities.

2. Mitigation Projects: cost-effective projects designed to increase resilience and public safety; reduce injuries and loss of life; and reduce damage and destruction to property, critical services, facilities, and infrastructure from natural hazards and the effects of climate change.

Additionally, funding for [management costs](https://www.youtube.com/watch?v=sqhTY3xR0UU) is also available. Management costs are financial assistance to reimburse the recipient and subrecipient for eligible and reasonable indirect costs, direct administrative costs, and other administrative expenses associated with a specific mitigation measure or project in an amount up to 15 percent of the total amount of the grant award, of which not more than 10 percent of the total award amount may be used by the recipient and 5 percent by the subrecipient for such costs generally.

**Priorities:** For FY2021, the priorities for the program are to incentivize natural hazard risk reduction activities that mitigate risk to public infrastructure and disadvantaged communities as referenced in EO 14008; mitigate risk to one or more [community lifelines;](https://www.fema.gov/emergency-managers/practitioners/lifelines) incorporate [nature-based solutions](https://www.fema.gov/sites/default/files/documents/fema_riskmap-nature-based-solutions-guide_2021.pdf); enhance climate resilience and adaptation; and to increase funding to subapplicants that facilitate the adoption and enforcement of the latest published editions of building codes.

BRIC aims to implement projects that reduce risks posed by natural hazards to reduce future losses, by funding priority projects and activities. Priorities include risk reduction of both acute events and chronic stressors, driven by climate change, which are either observed or expected.

To achieve these goals, for FY21 BRIC is prioritizing the following types of projects: infrastructure projects, those that mitigate risk to lifelines, projects that benefit disadvantaged communities as referenced in EO 14008, projects that incorporate nature-based solutions, climate change adaptation and resilience projects, and projects proposed by applicants who adopt and enforce mandatory tribal-, territory-, or state-wide building codes based on the latest published editions of building codes.

FEMA will measure the percent of dollars invested in these priorities, which will indicate that BRIC projects expect to meet the goal of reducing both risks posed by natural hazards and future losses. Results are based on 1) federal dollars requested for priority projects selected and 2) total federal dollars of eligible projects applied for through the BRIC national competition.

**Evaluation Criteria:** Scoring criteria will be a combination of what is stated in the FY21 BRIC NOFO, the current Oregon Mitigation Plan, and the CY2021 Oregon Hazard Mitigation Admin Plan as reflected in version 5 of the pre-application/letter of intent dated August 23, 2021 and more clearly reflected below. The pre-application will be used for both pre- and post-disaster grant programs and incorporate all aspects of each accordingly for IHMT review.

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| --- | --- | --- | --- |
| **Ranking Category** | **Points Possible** | **Weight** | **Description** |
| **State Priority** | 10 | 20% | Activity meets the State’s priorities as identified in the current Administrative Plan. The State’s priority are entities directly affected by said natural disaster. * 10 points: Within a directly affected jurisdiction\*
* 0 points: Not within a directly affected jurisdiction

\*For pre-disaster grant programs, all entities will receive 10 points if Oregon is eligible for said program.  |
| **Hazard Mitigation Plan** | 5 | 10% | Points will be for planning-related HMGP activity subapplications only. The effective expiration date of a FEMA approved Hazard Mitigation Plan. * 5 points: Jurisdictions that have never developed a plan or Not applicable
* 4 points: Jurisdictions that have expired plans
* 3 points: Jurisdictions whose plans will expire within 18 months
* 2 points: Jurisdictions whose plans will not expire within 18 months
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| **Cost Share** | 2 | 4% | If a potential subapplicant indicates that the non-federal cost share for the proposal exceeds 25 percent.Scoring will be 2 for “Yes” and 0 for “No”. |
| **Community Lifelines** | 5 | 10% | Reduction of risk to community lifelines (safety and security; food, water, shelter; health and medical; energy; communications; transportation; and hazardous material).* 5 points: Reduce risk to five (5) or more community lifelines
* 4 points: Reduce risk to four (4) or more community lifelines
* 3 points: Reduce risk to three (3) or more community lifelines
* 2 points: Reduce risk to two (2) community lifelines
* 1 point: Reduce risk to one (1) community lifeline
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| **Natural Hazards**  | 5  | 10% | Reduction of risk to natural hazards identified in the State Hazard Mitigation Plan. Coastal Erosion, Drought, Earthquake, Floods, Heat Wave, Landslides, Tsunami, Volcano, Wildfire, Windstorms, and Winter Storms. * 5 points: Four (4) or more natural hazards
* 4 points: Three (3) natural hazard
* 3 points: Two (2) natural hazards
* 2 points: One (1) natural hazard
* 1 point: Emerging hazard or a hazard not identified in the State HMP/listed above
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| **Climate Change** | 5 | 10% | Briefly describe how the project will enhance climate adaptation and resilience, details how the project is being responsive to the effects of climate change (such as sea level rise) and/or other future conditions (population/demographic/land use, etc.), and cites data sources, assumptions, and models. *Climate change is defined as “Changes in average weather conditions that persist over multiple decades or longer. Climate change encompasses both increases and decreases in temperature, as well as shifts in precipitation, changing risk of certain types of severe weather events, and changes to other features of the climate system.”*Scoring will be 5 for “Yes” and 0 for “No”. |
| **National Floodplain Insurance Program (NFIP)** | 5 | 10% | The National Flood Insurance Program (NFIP) aims to reduce the impact of flooding on private and public structures. It does so by encouraging communities to adopt and enforce floodplain management regulations. In exchange, flood insurance is made available to property owners and renters. These efforts help mitigate the effects of flooding on new and improved structures.Scoring will be 5 for “Yes” and 0 for “No”. |
| **Community**  | 5 | 10% | Proposal will affect a disadvantaged community as defined initially by the FY21 BRIC NOFO (may be characterized by variables including, but not limited to: low income, high and/or persistent poverty, high unemployment and underemployment, racial and ethnic segregation, particularly where the segregation stems from discrimination by government entities, linguistic isolation, high housing cost burden and substandard housing, distressed neighborhoods, high transportation cost burden and/or low transportation access, disproportionate environmental stressor burden and high cumulative impacts, limited water and sanitation access and affordability, disproportionate impacts from climate, high energy cost burden and low energy access, jobs lost through the energy transition, access to health care, and all geographic areas within Tribal jurisdictions).* 5 points: Five (5) or more variables listed
* 4 points: Four (4) variables listed
* 3 points: Three (3) variables listed
* 2 points: Two (2) variables listed

1 point: One (1) of the variables is selected  |
| **Additional Information**  | 8 | 16% | Additional information included will receive 1 point for “Yes and 0 points for “No” or “Not Applicable”. If unsure, Mitigation Team will need to work with said entity to confirm yes, no, or N/A.* Is this an infrastructure project?

*Infrastructure is defined as critical physical structures, facilities, and systems that provide support to a functioning community, its population, and its economy.** Does this project incorporate nature-based solutions?

*Nature-based solutions are sustainable planning, design, environmental management, and engineering practices that weave natural features or processes into the built environment to promote adaptation and resilience. Such solutions enlist natural features and processes in efforts to combat climate change, reduce flood risks, improve water quality, protect coastal property, restore and protect wetlands, stabilize shorelines, reduce urban heat, add recreational space, and more.** Does your entity have Building Code Effectiveness Grading Schedule (BCEGS) Rating of 1 to 5?

*The Building Code Effectiveness Grading Schedule (BCEGS®) assesses the building codes in effect in a particular community and how the community enforces its building codes, with special emphasis on mitigation of losses from natural hazards. For more information regarding this question, please go to* [*https://www.isomitigation.com/bcegs/*](https://www.isomitigation.com/bcegs/)*.* * Is this proposal from a previous FEMA HMA advance assistance or project scoping award, High Hazard Potential Dams (HHPD) award, or DHS Cybersecurity and Infrastructure Security Agency’s (CISA) Regional Resiliency Assessment Program (RRAP), or a previous recipient of BRIC non-financial Direct Technical Assistance?
* Does this proposal increase resilience and reduce risk of injuries, loss of life, and damage and destruction of property, including critical services, and facilities?
* Will this proposal utilize innovative techniques to facilitate implementation?
* Will this proposal include an outreach strategy?
* Will your entity be incorporating any partnerships (e.g., state, tribal, private, local community, etc.) that will ensure the proposal meets community needs, including those of disadvantaged populations?
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| **Total potential points:**  | 50 | 100% |  |

**FY2021 Flood Mitigation Assistance (FMA)**

The Flood Mitigation Assistance (FMA) program makes Federal funds available to states, U.S. territories, tribal governments, and local communities to reduce or eliminate the risk of repetitive flood damage to buildings and structures insured under the National Flood Insurance Program (NFIP).

Mitigation Team will be providing very limited technical support for FMA2021. NFIP guidance and assistance can be requested from Celinda Adair, Oregon’s National Flood Insurance Program (NFIP) Coordinator, via email at celinda.adair@dlcd.oregon.gov.

FMA grants are dispersed through the reimbursement of eligible expenses and are based upon an established federal-local cost share of the given award. For mitigation activities not involving Severe Repetitive Loss (SRL) or Repetitive Loss (RL) properties, the cost share will be 75 percent federal funds and 25 percent local (non-federal) funds. For mitigation activities involving eligible SRL or RL properties, the cost shares are as follows:

* SRL properties: 100 percent federal funds. No match requirement.
* RL properties: 90 percent federal funds and 10 percent local (non-federal) funds.

The Mitigation Team and State NFIP Coordinator strongly encourage project subapplicants to include a minimum of one SRL and/or RL property in their FMA mitigation project proposal(s) in order to be competitive nationally for these grant funds.

Available FY2021 FMA funds will be distributed to eligible subapplicants as follows:

* $300,000 per Project Scoping subapplication for individual flood mitigation projects;
* $900,000 per Project Scoping subapplication for Community Flood Mitigation Projects;
* $30 million cap per Community Flood Mitigation Project subapplication;
* $50,000 per applicant for all Technical Assistance subapplications, for recipients to which FEMA obligated an FY 2020 FMA award of at least $1 million federal share;
* $100,000 per applicant for flood hazard mitigation planning with maximums of:
	+ $50,000 for state flood hazard mitigation planning;
	+ $25,000 for local flood hazard mitigation planning;
* 10 percent of the total application budget for applicant management costs for applicants to administer and manage award and subaward activities;
* 5 percent of the total mitigation project, Project Scoping, and planning subapplication budget for subapplicant management costs for subapplicants to manage their subaward.

Additional details regarding current FMA funding priorities and eligible activities are provided in FEMA’s 2021 FMA NOFO.

**All properties participating in a FMA grant must have NFIP flood insurance policies in place at the time of application, which must be maintained for the duration of the activity.** Please refer to the FY2015 HMA Unified Guidance and Addendum for more details regarding this and other important eligibility requirements.

A benefit-cost analysis (BCA) is required for all project subapplications, with the exception of two project types, which fall under FEMA’s “Pre-Calculated Benefits” waiver: property acquisitions that cost $276,000 or less, or home elevations that cost $175,000 or less. FEMA considers these to be cost effective and requires no further BCA work. Please see Part V, Section I.7 of FEMA’s FY2015 HMA Unified Guidance for further information.

**Additional Subapplication Information for BRIC and FMA**

* The State does not provide any portion of the non-federal cost share for the BRIC and FMA programs. Also, special conditions apply to FMA grants when Increased Cost of Compliance payments (Coverage D of NFIP insurance policies) are used to cover a local match requirement. See the [FY2015 HMA Guidance](https://www.fema.gov/sites/default/files/2020-07/fy15_HMA_Guidance.pdf) and Addendum for more information.
* Private nonprofit (PNP) organizations, private corporations, and private citizens are not eligible to directly apply for assistance from the BRIC and FMA programs. Another eligible subapplicant (e.g., local government or state agency) must act as the subapplicant on the organization’s behalf. Collaboration and partnership are strongly encouraged.
* All subapplications must be made to the State through FEMA’s online FEMA GO (BRIC and FMA). FEMA GO account and login information will be provided to subapplicants when they’re invited to apply (after pre-application evaluation).
* Subapplicants may be reimbursed for eligible pre-award costs incurred prior to the date of grant award for non-construction activities directly related to developing (not implementing) the project proposal. Activities may include, but are not limited to, development of the application, benefit cost analysis, environmental/historic preservation data, project documentation, and engineering design. These costs can only be reimbursed after award, and in accordance with the approved cost share terms, if they are included in the proposed budget—and only with proper documentation. Pre-award costs are not eligible for reimbursement if a subapplicant is not selected/awarded funding.
* The same subapplication cannot be submitted for both FMA and BRIC programs. If a proposal is eligible for FMA then it will not be considered for BRIC.
* All project subapplications must determine cost effectiveness using FEMA’s benefit-cost analysis (BCA) software, [Version 6.0](https://www.fema.gov/grants/guidance-tools/benefit-cost-analysis) (except for proposals covered under the pre-calculated Benefits waiver). This software is available for free download on the linked FEMA site. The Mitigation Team staff cannot provide in-depth technical assistance for BCA software download issues, so please use the BCA helpline.
* If other HMA funding is available during the open application period for BRIC and FMA, the Mitigation Team may identify and move proposals into the other funding stream (if subapplicant concurs) to pursue that funding vs via pre-disaster grant programs. Focus on BRIC and FMA priorities will be taken into consideration along with other funds available and said priorities for those post-disaster grant program rounds.
* Both grant programs will be competitive and the Mitigation Team cannot guarantee grant awards to any subapplicant. Subapplicants should only consider submitting high-quality risk-reduction proposals to the Mitigation Team for consideration.

Please feel free to contact the Mitigation Team at shmo@mil.state.or.us.