



Town of North Topsail Beach Planning Board

Thursday, August 13, 2026, at 6:00 PM

Town Hall - 2008 Loggerhead Court, North Topsail Beach, NC 28460

(910) 328-1349 | www.northtopsailbeachnc.gov

Fred Fontana - Chair, Lisa Brown - Vice Chair, Teri Ward, Keith Wilkerson, Sam Ferreri, Jan Bellamy
Genee - Alternate, Charles "Rusty" Walker – Alternate

Staff: Deb Hill, MPA, AICP, CFM - Planning Director, Donna Sayre - Clerk to the Planning Board, Brady
Golden - Planner

I. CALL TO ORDER

Chair Fred Fontana calls meeting to order.

II. ADOPTION OF AGENDA

Specific Action Requested: Chair Fred Fontana requests a motion to adopt the agenda.

III. APPROVAL OF MINUTES

*Specific Action Requested: Chair Fred Fontana requests a motion to approve the minutes of the
Planning Board meeting on July 9, 2026.*

IV. PUBLIC COMMENT

*Citizens have the opportunity to address the Board for no more than three minutes per comment
on any issue upon which the Planning Board has control.*

V. OLD BUSINESS

A. Higher Standards: Wetland Protection

*Consideration of possible amendment to § 5.03 SETBACKS FOR ACCESSORY BUILDINGS
for the purpose of establishing a wetland buffer for certain accessories.*

B. Floodplain Management

Consider recommendations related to disaster preparedness and recovery.

VI. NEW BUSINESS

*Fred Fontana steps down as Chair. Lisa Brown assumes Chair position. Members select Vice
Chair.*

VII. DISCUSSION

VIII. ADJOURNMENT

Specific Action Requested: Chair Lisa Brown requests a motion to adjourn.

Notice to citizens who wish to speak: *As a courtesy to others, a citizen speaking on an agenda item or making a petition is normally limited to three minutes. Persons who are organizing a group presentation and who wish to speak beyond the three minute limit are requested to make prior arrangements through the Planning Director by calling 910-328-1349. If you wish to address the Board this evening, please go to the front right corner of the conference room and sign up with the Recording Secretary. The Board may also change the order in which agenda items are presented.*

Attorneys: *If you are representing a person with an interest in a quasi-judicial proceeding on this agenda and believe you may wish to cross examine a witness, please identify yourself as such to the Recording Secretary. For the sake of maintaining an accurate public record all speakers must be prepared to speak into an amplified microphone and must provide their name to the Recording Secretary.*

Richard Grant, Mayor
Connie Pletl, Mayor Pro Tem

Aldermen:
Kip Malcolm
Mark Barefoot
Laura Olszewski



E. L. Faison, ICMA-CM
Interim Town Manager

Alexis Stanfield, NCCCC
Town Clerk

MEETING DATE: Aug 13, 2026

TO: Planning Board
FROM: Deborah J. Hill MPA AICP CFM
DEPARTMENT: Planning Department
SUBJECT: Higher Standards: Wetland Protection

SUMMARY:

On July 9, 2026, the Staff introduced a discussion about potential higher environmental and flood resilience standards. Topics included: wetland protection; stormwater management; water quality improvements; erosion and sediment control; tree preservation; and wetland buffer requirements. Board members discussed the concept of establishing wetland setbacks or buffers. Issues raised included:

- Possible 75-foot buffer requirements.
- Potential impacts on private property rights.
- Creation of nonconforming lots and structures.
- Economic effects on future development.
- Enforcement limitations for local government.

ATTACHMENTS:

1. *Planner's Guide to Wetland Buffers for Local Governments*, Environmental Law Institute, March 2008.
2. Establishing a Wetland Protection Buffer (B. Golden)

SPECIFIC ACTION REQUESTED:

1. Discuss the merits of establishing a wetland protection buffer for certain accessory structures. **2.** Discuss potential impacts on private property rights; the creation of nonconforming structures; the economic effects on future development; and enforcement limitations for local government. **3.** Determine the appropriate distance from the wetlands to allowable accessory uses. **4.** Consider proposing a text amendment to § 5.03 SETBACKS FOR ACCESSORY BUILDINGS for the purpose of establishing a wetland buffer for certain accessories.

WETLAND PROTECTION BUFFER

No Accessory structure, as defined in § 4.02 PERMITTED AND SPECIAL USES, shall be permitted within fifty (50) feet of the landward side of wetland delineation line (USACE 404 and/or Coastal 401), “Wetland Protection Buffer,” except ___ as permitted.

Accessory use

Bed and breakfast

Boat lift

Boat ramp, private

Bridge, private

Bulkhead

Cross-over (accessory, principal)

Deck

Dock, pier, floating walkways (accessory, principal)

Elevator, dumbwaiter

Enclosure or outside storage and service areas

EVCS Level 1

EVCS Level 2

Fence

Garage, attached or detached

Garage apartment/guest house

Gazebo

Home occupation

Parking lot

Retaining wall

Sign

Storage shed

Swimming pools, spas and hot tubs

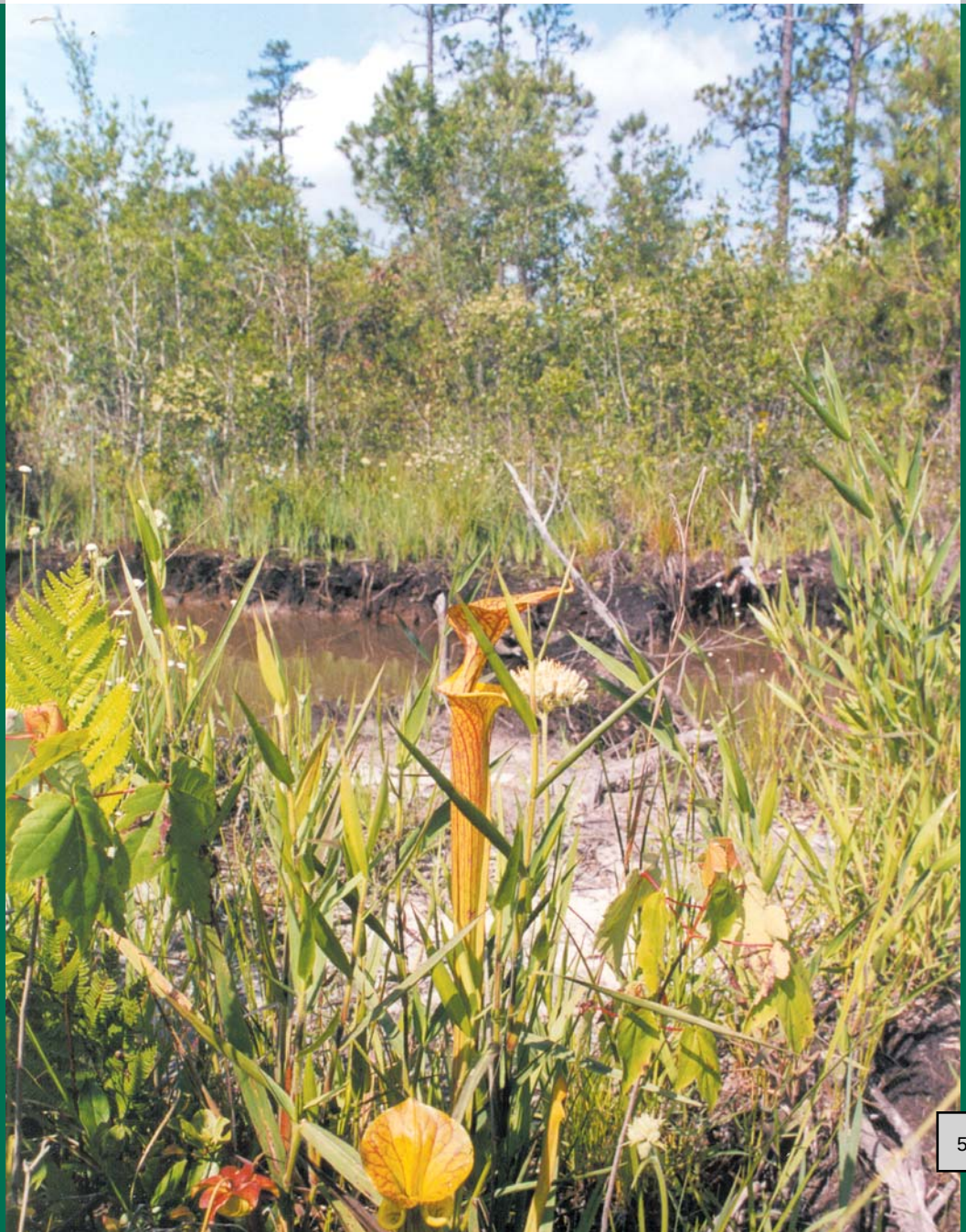
Tennis court (accessory, principal)

Walkway, boardwalk

Water dependent structures (principle use, accessory use)

Windmills

Planner's Guide to Wetland Buffers for Local Governments



Planner's Guide to Wetland Buffers for Local Governments

March 2008
Environmental Law Institute

Acknowledgements

This publication is a project of the Environmental Law Institute (ELI). Funding for this project was provided in part by a Wetland Program Development Grant from the U.S. Environmental Protection Agency (EPA) under grant number WD-83327901-0. However, it does not necessarily reflect the views of the Agency and no official endorsement should be inferred.

This planner's guide was written by James M. McElfish, Jr., Rebecca L. Kihlslinger, and Sandra S. Nichols. The authors gratefully acknowledge valuable review and advice by Paul Adamus, David Burke, Karen Cappiella, Jeanne Christie, and Ted Weber, as well as EPA Wetlands Division staff, including Palmer Hough, Stephanie Kavanaugh, and Myra Price. We also recognize the contribution of Lauren Weldon to identification of many of the ordinances consulted. The Environmental Law Institute is responsible for the views and information contained in this publication.

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Planner's Guide to Wetland Buffers for Local Governments

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ISBN 978-1-58576-137-1, ELI Project No. 0627-01.

Cover photo by Amy Maxwell.

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Planner's Guide to Wetland Buffers for Local Governments

America's local governments know their lands and are familiar with their critical role as the primary regulators of land use and development activities. Many local governments also know their waters and wetlands, and most have authority to regulate land uses in order to conserve and protect these important community assets. While many publications assist local governing boards with land use planning and zoning, this publication compiles the scientific literature on wetland buffers (the lands adjacent to wetland areas) and identifies the techniques used and legislative choices made by local governments across the United States to protect these lands.

This guide for planners is based on detailed examination of approximately 50 enacted wetland buffer ordinances and nine model ordinances, and upon several hundred scientific studies and analyses of buffer performance. This guide identifies both the state-of-the-art and the range of current practice in the protection of wetland buffers by local governments. Local governments considering enacting or amending a wetland buffer ordinance will find here what they need to know to manage land use and development in these important areas.

Why Should Local Governments Adopt Wetland Buffer Controls?

The term "wetlands" encompasses a variety of landscape features that contain or convey water and support unique plants and wildlife. Wetlands often serve as a transitional zone between dry lands and areas dominated by water, including ponds and rivers, oceans and estuaries, and their floodplains and tributaries. Federal regulations define wetlands as "areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas." (40 C.F.R. §230.3(t)) An extensive body of scientific literature,

classification systems (Cowardin et. al. 1979) and legal opinions make important distinctions in wetland types and delineation methods.

Wetlands form part of the natural system of land and water that helps to make human communities livable. Many wetlands help control flooding and reduce damage from storm surges. They trap sediments and pollutants that otherwise might enter waterways. They help to recharge groundwater in some areas, and in tidal zones they provide nurseries for shellfish and fish. They also serve as habitat for birds, amphibians, and other wildlife and provide scarce natural areas in urban and suburban environments.

Attention to these functions is essential to governance of the community's land uses, public health, safety, and welfare. But these functions cannot be sustained without care for the uplands adjacent to wetlands—wetland buffers.

Well-designed buffers protect and maintain wetland functions by removing sediments and associated pollutants from surface water runoff, removing, detaining, or detoxifying nutrients and contaminants from upland sources, influencing the temperature and microclimate of a water body, and providing organic matter to the wetland. Buffers also maintain habitat for aquatic, semi-aquatic, and terrestrial wildlife, and can serve as corridors among local habitat patches, facilitating movement of wildlife through the landscape.

Wetland buffers in urban areas are particularly important in helping to moderate the impacts of altered hydrologic regimes and flooding.

—City of Boulder, 2007

Local government interests in wetland buffer lands often include concern for management of stormwater, avoidance of hazards from flooding, protection of water supplies, and protection of property from future hazards that may be associated with global climate change. Protection of vegetated buffers may reduce the severity of water fluctuations and flooding due to storms (FIFMTF 1996) as buffers may increase

the flood storage capacity of wetlands by better attenuating storm runoff before it reaches the wetland (Wenger 1999).

As many as 5,000 local governments have taken some actions to protect at least some wetlands within their borders (Kusler 2003). Some local governments regulate activities in wetlands, and all local governments have clear jurisdiction over actions on the buffer lands that surround wetlands. In many important ways, local governments are better situated than state and federal environmental authorities to control activities on the lands that surround wetland resource areas, because they are not just concerned with wetland functions, but also with surrounding land uses and the benefits wetlands provide for their communities.

Federal regulations require developers and others to obtain permits from the U.S. Army Corps of Engineers to dredge or fill many wetlands. But many activities that affect small acreages, or that involve particular kinds of construction or development activities, are authorized under generic “general permits” or “nationwide permits” with minimal scrutiny and standard conditions. Further, some wetlands that are isolated or that lack sufficient connection to navigable waters and tributaries may be totally unregulated federally under recent Supreme Court decisions (*SWANCC v. U.S. Army Corps of Engineers* (2001) and *Rapanos v. United States* (2006)). And while about a third of the states have regulatory programs affecting one or more types of wetland, coverage varies substantially by wetland type, acreage, activity, and potential impact.

Where federal and state regulatory programs do not apply, local governments remain the sole source of protective authority. And even where federal or state programs provide for review and permitting of activities in wetlands, local governments still have an interest in ensuring the compatibility of the land use that occurs on and around these lands in order to maintain control of their patterns of development, community character, tax base, demand for services, and response to hazards (McElfish 2004).

The functions and services that wetlands provide may diminish if wetlands are surrounded by parking lots, buildings, and pollution-generating or other incompatible land uses that reduce their hydrologic functions, alter vegetation, and degrade habitat values. Relying on regulations and conservation mea-

sures that deal only with the wetland is like trying to operate a municipal swimming pool without any attention to the pipes, the deck, the lifeguard stations, and the condition of areas draining into the water. Such an approach is like operating a roadway with no shoulders, no sidewalks, no signals, no management of the right-of-way, and no provision for the water sheeting onto the road surface.

Wetland Buffers and Climate Change

Wetland buffers will enable local communities to protect themselves from known hazards associated with global climate change. In some regions, climate change will produce more extreme storm events, increase the number and intensity of floods, and alter the infiltration and conveyance capacity of stormwater and natural wetland systems. Sea level rise will threaten coastal communities, which depend upon the storm-buffering effects of coastal wetlands. Climate change will also change the volume and timing of snowmelt, alter groundwater supplies, and produce drought effects, making healthy wetland function even more critical for water supply and watershed resilience. An ordinance that protects wetland buffers will moderate the effects of drought and protect private and public property.

The upland area surrounding the wetland is essential to its survival and functionality. If a wetland area cannot absorb the stormwater it normally absorbs, the chances of flooding will increase further downstream; if the wetland cannot serve as home for wetland species and vegetation, community values and quality of life will be impaired. Local governments that have wetlands within their boundaries have the opportunity to conserve these resource lands and to control or compensate for activities and development that might impair their benefits to the community and the environment.

Elements of Wetland Buffer Ordinances

Local governments should address the following elements when drafting a wetland buffer ordinance or bylaw:

- ☐ Purpose of the Ordinance
- ☐ Wetlands Covered
- ☐ Definition of Buffer
- ☐ Activities Prohibited/Permitted
- ☐ Procedures for Review

- ☐ Affirmative Requirements
- ☐ Monitoring, Reporting, and Enforcement

Within each of these elements, local governments have used many approaches to achieve wetland buffer protection. Alternative approaches allow governments to address particular environmental concerns, property development issues, differing land uses, and practical and political constraints. Each element is discussed below, together with examples from local governments that have employed the alternatives. (All citations are to the relevant section numbers of the local ordinances referenced.)

☐ Purpose of the Ordinance

The ordinance should have an explicit statement of the purposes for which it is enacted. First, such a statement makes the scope of the ordinance clear. It informs the elected decision maker's choice about the type of regulatory approach that will accomplish the desired outcome, and it avoids both regulatory overreach and under reach (failure to include sufficient protection measures to achieve objectives). The purpose definition is particularly important in determining the size of a wetland buffer and defining the activities that will be prohibited, conditionally permitted, exempted, or authorized by right under the ordinance. It will define the extent to which the ordinance regulates the wetland area and the buffer, or whether it is primarily aimed at the buffer while leaving wetland regulation to federal or state oversight alone.

Second, the statement of purpose aids in the interpretation of the ordinance by those charged with carrying it out, such as zoning administrators and permitting authorities, inspectors, and code enforcement officers. It also assists landowners, developers, and citizens in understanding the ordinance and in conforming their proposals and activities to its provisions. This is particularly useful where the ordinance includes provisions that require application of performance standards, mitigation of authorized impacts on the buffer, and use of alternative design solutions.

Third, the statement of purpose defines the legal authority upon which the ordinance rests and so helps courts and administrative bodies sustain both its legality and its application to specific actions. The ordinance may draw on explicit state authorizations, such

as in those states that authorize local governments to adopt wetland regulations or critical area protections; or it may draw on a broader array of public health, safety, and welfare justifications supported by the local government's police power. The ordinance may aim at a specific subset of issues within the local government's authority, such as prevention and control of flooding, prevention of water pollution, or protection of habitat, open space, recreation, and other issues. Where applicable, the ordinance may draw on "home rule" authority to supplement other legal authorizations.

Type of Ordinance

Defining the purpose of the ordinance will help the local government and its legal advisors determine the type of ordinance that will be most useful. Most local wetland buffer ordinances are part of the zoning code or land development regulations. In some cases they are contained in a separate natural resources code, or they implement state-enacted wetlands or critical areas laws. A few are included in subdivision regulations together with setback and dimension requirements. Some wetland buffers are part of local erosion control or stormwater management regulations. The local government may include buffer protection as part of an ordinance that specifies protections for the wetland itself, or it may adopt an ordinance regulating the buffer area while relying on federal or state provisions to address activities within the wetland.

Purposes for wetland buffer ordinances include natural resource protection, hazard avoidance, and public health and safety, among others. Commerce City, Colorado, specifies that its ordinance, which covers a number of resource concerns, is designed "to protect significant natural, historical, and agricultural resource features on the development site." (§21-43(b)(1)) Bay County, Florida's, ordinance declares that "wetlands are a valuable natural resource worthy of protection," and that its ordinance establishing a setback distance from wetlands is intended:

to provide a buffer between wetlands and development, preserve water quality, limit sediment discharges, erosion, and uncontrolled stormwater discharges, and provide wildlife habitat. (§1909)

Some ordinances specify concern for mitigation

of hazards and protection of property. The purpose of Schaumburg, Illinois' wetlands, streams, and aquatic resources protection ordinance:

shall be to protect persons and property within and adjacent to wetlands from potentially hazardous geological and hydrological conditions; prevent environmental degradation of the land and water; and ensure that development enhances rather than detracts from or ignores the natural topography, resources, amenities, and fragile environment of wetlands within the village. (§154.196)

Belle Isle, Florida, finds that “the preservation and protection of property rights of the people of the city require that mechanisms be established which will provide for the orderly regulation and preservation of environmentally significant and productive wetlands.” (§48-62(a)(3))

Very comprehensive statements of purposes are found in the LaPorte, Indiana, ordinance, “to require planning to avoid or minimize damage to wetlands and lakes; to require that activities not dependent upon a wetland or shoreline be located at other sites;...to make certain that activities affecting wetlands and lakes must not threaten public safety or cause nuisances by: blocking flood flows, destroying flood storage areas, or destroying storm barriers, thereby raising flood heights or velocities on other land and increasing flood damages; causing water pollution through any means [including application of pesticides, increasing erosion, or increasing runoff of sediment and surface water]; and that activities in or affecting wetlands do not destroy natural wetland functions important to the general welfare [listing habitat, groundwater recharge, education and research, public rights in waters and recreation, and aesthetic and property values.]” (§82-563 to -565)

A model ordinance prepared by the Northeast Ohio Areawide Coordinating Agency provides a significant list of purposes that can be used by local governments considering their own ordinances:

Establish consistent, technically feasible and operationally practical standards to achieve a level of storm water quantity and quality control that will minimize damage to public

and private property and degradation of water resources, and will promote and maintain the health, safety, and welfare of the residents of the Community. Preserve to the maximum extent practicable the natural drainage characteristics of the community and building sites and minimize the need to construct, repair, and replace enclosed storm drain systems. Preserve to the maximum extent practicable natural infiltration and ground water recharge, and maintain subsurface flow that replenishes water resources, wetlands, and wells. Prevent unnecessary stripping of vegetation and loss of soil, especially adjacent to water resources and wetlands. Reduce the need for costly maintenance and repairs to roads, embankments, sewage systems, ditches, water resources, wetlands, and storm water management practices that are the result of inadequate storm water control due to the loss of riparian areas and wetlands. Reduce the long-term expense of remedial projects needed to address problems caused by inadequate storm water control.

The specific purpose and intent of this part of these regulations is to regulate uses and developments within wetland setbacks that would impair the ability of wetland areas to: Reduce flood impacts by absorbing peak flows, slowing the velocity of floodwaters, and regulating base flow. Assist in stabilizing the banks of watercourses to reduce bank erosion and the downstream transport of sediments eroded from watercourse banks. Reduce pollutants in watercourses during periods of high flows by filtering, settling, and transforming pollutants already present in watercourses. Reduce pollutants in watercourses by filtering, settling, transforming and absorbing pollutants in runoff before they enter watercourses. Provide watercourse habitats with shade and food. Provide habitat to a wide array of aquatic organisms, wildlife, many of which are on Ohio's Endangered and/or Threatened Species listings, by maintaining diverse and connected riparian and wetland vegetation. Benefit the Community economically by minimizing encroach-

ment on wetlands and watercourse channels and the need for costly engineering solutions such as dams, retention basins, and rip rap to protect structures and reduce property damage and threats to the safety of residents; and by contributing to the scenic beauty and environment of the Community, and thereby preserving the character of the Community, the quality of life of the residents of the Community, and corresponding property values.

Nashua, New Hampshire's, purpose statement is:

in the interest of public health, safety and general welfare, to: Insure the protection of valuable wetland resources; prevent the harmful filling, draining, sedimentation, or alteration of wetlands; Prevent the destruction or significant degradation of wetlands which provide flood and storm control by the hydrologic absorption and storage capacity of the wetland; Protect fish and wildlife habitats by providing breeding, nesting, and feeding grounds for many forms of plant and animal life including rare, threatened, or endangered species; Protect subsurface water resources and provide for the recharging of ground water supplies; Provide pollution treatment to maintain water quality; Prevent expenditures of municipal funds for the purpose of providing and/maintaining essential services and utilities which might be required as a result of misuse or abuse of wetlands; Provide for those compatible land uses in and adjacent to wetland or surface waters which serve to enhance, preserve, and protect wetland areas as natural resources. (§16-571)

□ Wetlands Covered

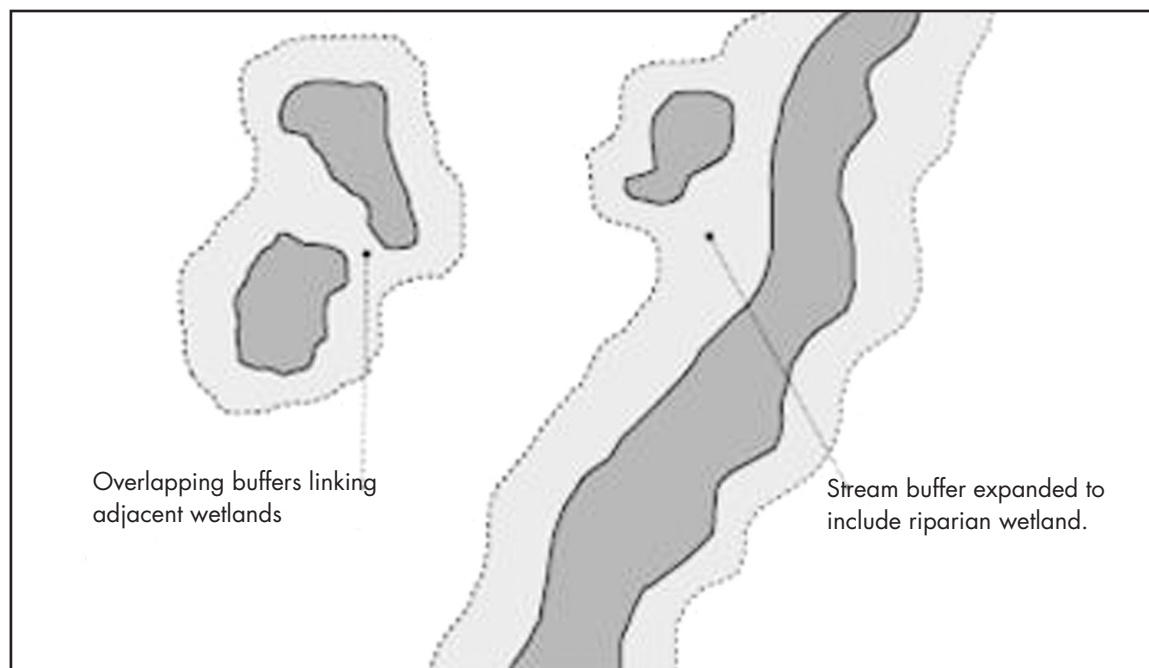
Local governments must determine which wetlands and waters to include within their buffer ordinances. Ordinances tend to exhibit *four* approaches to defining the wetlands to which local buffer requirements will be applied:

(1) The ordinance may cover *all wetlands and waters*, as broadly defined in the ordinance, or it may reference the definitions of “waters of the state” or defi-

nitions of wetlands found in state laws or federal regulations. For example, the buffer ordinance may specify “wetlands,” as in Chipley, Florida (§14.5-21), or “wetlands as defined by state law,” as in Woodbury, Minnesota (§27-1).

(2) The ordinance may define *specific wetland types or classes of wetlands* that are protected under the ordinance. This approach may provide certain protections for tidal wetlands and different protections for nontidal wetlands. It may provide for protection of wetlands over a particular size (such as wetlands over one-half acre in area, as in Charlotte County, Florida, or wetlands over one-quarter acre in area, as in Lake County, Illinois). The ordinance may determine that buffer protections should be afforded to all wetlands over which federal jurisdiction exists under the Clean Water Act or under state wetlands laws, or it may specifically extend coverage to wetlands that *do not* receive protection under state and federal regulations. For example, Summit County, Colorado, protects wetlands as defined in the County ordinance, “notwithstanding any contrary determination by the U.S. Army Corps of Engineers.” (§7105.1(A)) Some towns in New York offer protections for wetlands under 12.4 acres, the lower limit of the state’s wetland program jurisdiction. Some of the ordinances we reviewed (although less than a quarter) provide different buffer protections for different classes of wetlands, using either state or local wetland quality or vulnerability ranking schemes. For example, Nashua, New Hampshire, prescribes a 75-foot nondisturbance buffer for “primary wetlands” as defined under state law, 40 feet for “critical wetlands,” and 20 feet for other wetlands over one acre. (§16-575).

(3) The ordinance may be primarily aimed at the protection of *stream and river corridors and floodways* (riparian corridors), but provide for the inclusion and protection of wetlands where they are found within or adjacent to these areas. Most such ordinances provide for the expansion of the riparian buffer distance to a greater extent than would be required were such wetlands not present. For example, Summit County, Ohio’s, riparian buffer ordinance provides that whenever wetlands protected under federal or state law are identified within the riparian setback (which is itself 30-300 feet depending on the size of the drainage



After *Cappiella et al. 2005*

area), “the riparian setback shall consist of the full extent of the wetlands plus the following *additional* setback widths” from the outer boundary of the wetland—50 feet, 30 feet, or zero additional feet, depending upon the type of wetland. (§937.05(e3))

(4) Some local government wetland ordinances protect ***specifically identified, mapped wetlands*** within the jurisdiction, rather than relying on definitions. Schaumburg, Illinois’, wetlands, streams, and aquatic resources overlay district applies to areas designated on the town’s zoning map. (§154.196) Pickens County, Georgia’s, ordinance applies to developments within 50 feet of a defined “wetlands protection district” boundary, as defined by the County’s Health Department. This district specifically includes all land mapped as wetlands by the federal government’s National Wetlands Inventory Maps. (§§12-26-124, 12-26-125) Oregon City, Oregon, applies wetland buffer protection to “Title 3 wetlands,” defined as those wetlands of metropolitan concern as shown on the water quality and flood management area map and other wetlands added to city or county-adopted water quality and flood management area maps. (§17.49.040) Lewiston, Maine, applies its 250-foot regulatory review buffer (and 75 foot minimum setback) to “ten

(10) acre or greater wetlands, located in the City of Lewiston, as shown” on a specifically-referenced set of Maine Department of Environmental Protection maps dated 1989, and identified by specific identification numbers on those maps. (§34.2(B)(2)) Strommen et al. (2007) advise using an adopted local wetland map.

□ Definition of Buffer

Local governments use numerous approaches when defining wetland buffers. Ordinances may define a regulated area where scrutiny will be exercised over activities near wetlands, or define a non-disturbance area where natural vegetation must be maintained. Sometimes these are the same—so that there will be no disturbance, with limited exceptions by permit, throughout the entire defined regulatory buffer. In other instances, the ordinance will define a larger area of regulatory scrutiny, with limited uses by permit, and then define a smaller non-disturbance area nearest the wetland margins. Some ordinances prescribe a non-disturbance buffer area, but then establish an additional setback distance for buildings from the outer edge of the buffer. Because of these variations, simply comparing the number of feet prescribed in various buffer ordinances is not informative by itself. What matters

is how the buffer ordinance defines what activities are allowed and not allowed in the defined areas.

The Science of Buffers for Wetlands

In adopting a buffer and defining its dimensions, the local government must rely on good science, both to achieve effective results and to meet any legal challenges. A large scientific literature examines effective buffer sizes for water quality and wildlife habitat. In general, wide and densely vegetated buffers are better than narrow and sparsely vegetated buffers. However, the buffer size necessary to provide a particular level of function depends on the functions of the wetland, the wetland's relative sensitivity (as influenced by water retention time and other factors), the characteristics of the buffer, the intensity of adjacent land use, and watershed characteristics. A multi-function buffer should be sized to meet all of the functions identified as being locally important.

Water Quality & Buffers

Wetland buffers protect the water quality of wetlands by preventing the buffer area itself from serving as a source of pollution, as well as by processing pollutants that flow from upland areas. Water quality benefits vary not just with the size of the buffer, but also with the flow pattern, vegetation type, percent slope, soil type, surrounding land use, pollutant type and dose, and precipitation patterns (Adamus 2007, Wenger 1999, Sheldon et al. 2005). Both the type and intensity of surrounding land uses are key factors determining the effectiveness of wetland buffers in protecting water quality. Variations in water quality have been correlated over extended distances with quantity of intense urban land use in the contributing area, forest cover, and proximity of road crossings (Houlahan and Findlay 2004, Wilson and Dorcas 2003). Intense urbanization, agriculture, and concentrated timber harvests can increase the amount of sediments and contaminants in surface runoff, cause changes in hydrology, and increase the severity of water fluctuations in a wetland during storm events. Vegetation and deep permeable soils in the buffer slow down surface flow, allow for infiltration before runoff reaches valuable wetlands, and inhibit the formation of channelized flow, improving removal of sediments and nutrients. Buffers that include both forested and grassy vegetation may be most effective at

removing both sediments and nutrients, especially in agricultural areas. Buffer effectiveness, however, can be reduced over the long term by activities that destroy vegetation or compact or erode soils, causing rills and gullies. Effectiveness in the short term may diminish if sediment and nutrients are added too quickly or in chronically high concentrations.

Depending on site conditions, much of the sediment and nutrient removal may occur within the first 15-30 feet of the buffer, but buffers of 30-100 feet or more will remove pollutants more consistently. Buffer distances should be greater in areas of steep slope and high intensity land use. Larger buffers will be more effective over the long run because buffers can become saturated with sediments and nutrients, gradually reducing their effectiveness, and because it is much harder to maintain the long term integrity of small buffers. In an assessment of 21 established buffers in two Washington counties, Cooke (1992) found that 76% of the buffers were negatively altered over time. Buffers of less than 50 feet were more susceptible to degradation by human disturbance. In fact, no buffers of 25 feet or less were functioning to reduce disturbance to the adjacent wetland. The buffers greater than 50 feet showed fewer signs of human disturbance. Cooke concluded that the effectiveness of buffers to protect adjacent wetlands is increased when fewer lots are present, buffers are larger and vegetated, and buffers are owned by landowners who understand the purpose of the buffer. Tougher monitoring and enforcement of buffer requirements should also help.

Wildlife Habitat & Buffers

Wetland buffers maintain or serve directly as habitat for aquatic and wetland-dependent species that rely on complementary upland habitat for critical stages of their life-history (Chase et al. 1997). Buffers also screen adjacent human disturbance and serve as habitat corridors through the landscape. The appropriate buffer size for habitat functions will depend on the resident species, the life-history characteristics of the species, the condition of the wetland and the wetland buffer, the intensity of the surrounding land use, and the function the buffer is to provide. Adamus (2007) suggests that the buffer size determination consider

continued on page 10

Science of Water Quality Buffers

A considerable amount of research addresses the size of buffers needed to remove sediments, phosphorous, nitrogen, and other pollutants.

Sediments

Buffers remove sediments and attached nutrients, toxics, and pesticides by reducing the velocity of surface flow, allowing the suspended solids to settle out on the surface and/or filter through the soil. A significant percent of the sediment in surface flows may be removed in a 15-30 foot buffer, but sediments may be more consistently removed by buffers of 30-100 feet (Dillaha et al. 1988, 1989, Magette et al. 1989, Schoonover et al. 2006). Progressively larger buffers may be required to filter out incrementally greater amounts of sediments (Wong and McCuen 1982, as cited in Wenger 1999, EOR 2001). From their review of the literature, Sheldon et al. (2005) suggest that coarse sediments are likely removed efficiently in the first 16-66 feet of a buffer, and removal of finer particles may require buffers of at least 66 feet. Locations with high sediment loads and steep slope may also require wider buffers, as sediment removal efficiency decreases as slope increases (Wenger 1999, Sheldon et al. 2005). Wider buffers also may be necessary to maintain sediment removal efficiencies over time as buffers become saturated with sediments (Wenger 1999). The ability of a buffer to remove sediment is highly dependent on sediment-laden water entering the buffer surface via sheet flow rather than via highly focused flows (Wigington et al. 2003, and references in Sheldon et al. 2005). Water confined mainly in ditches, incised channels, subsurface pipes, and other types of highly focused flows does not allow much contact with buffer vegetation and often is not sufficiently slowed to allow sediment removal, reducing the pollution-filtering capability of the buffer. Riparian vegetation, litter, and woody debris on the surface can reduce the velocity of surface flow, allowing more contact with vegetation and soils and inhibiting the formation of incised channels and gullies (Lowrance and Sheridan 2005, Sheldon et al. 2005). In addition, buffers with low gradient slope are more effective for the same reasons. The use of level spreaders, grass filter strips, or other structural techniques also can encourage sheet flow through buffers (Wenger 1999). If stormwater pipes cross a buffer entirely underground before emptying into a wetland, the runoff purification purpose of the buffer will obviously be defeated.

Phosphorous

Much of the phosphorous entering a buffer is attached to sediments, which can be removed as suspended solids are filtered by the buffer (Wenger 1999). Much of the phosphorous may be removed within the first 15-30 feet of the buffer, but phosphorous may be more consistently removed by buffers of 30-100 feet (Dillaha et al. 1988, 1989, EOR 2001, Kuusemets and Mander 1999, Lowrance and Sheridan 2005, Syverson 2005). Buffers can become saturated with phosphorous and generally cannot provide long term storage of phosphorous, but they can help to regulate the flow of phosphorous and prevent large pulses of the nutrient from reaching the wetland (Wenger 1999). Vegetation management (haying, grazing) may help to permanently remove some phosphorus from the system (Wenger 1999).

Nitrogen

Subsurface flow is the dominant water flow route through many buffers and wetlands. Nitrogen is removed primarily through conversion of nitrate to nitrogen gas by denitrifying bacteria and by vegetative uptake. This occurs primarily in the upper few feet of a buffer's soil or a wetland's sediment. Removal efficiencies are generally high (see Table 1 in Mayer et al. 2005). However, nitrogen removed via vegetative uptake can be released back to the system as plants die and decompose. Nitrogen also enters a buffer as particulate nitrogen attached to sediments, which can be removed as suspended solids are filtered by the buffer. Mayer and colleagues (2005) recently completed a comprehensive review and synthesis of the literature pertaining to the nitrogen removal function of riparian buffers. From their interpretation of that literature, they suggested that narrow buffers, 3.3 – 49.2 feet, can be effective at removing nitrogen, but wider buffers, >164 feet, more consistently remove significant amounts of nitrogen. They suggest 50%, 75%, and 90% nitrogen removal efficiencies (through both surface and subsurface flow) would occur in buffers of approximately 10 feet, 92 feet, and 367 feet wide, respectively, depending on buffer characteristics and nitrate loading rates. Based on a review of some of the same literature, Wenger (1999) suggested that a minimum of 50 feet is necessary for effective nitrogen removal, and depending on the soils (wet organic soils being the best), 100 feet or more would include more areas of denitrification activity and provide more nitrogen removal. Buffers of various vegetation types may be temporarily effective in retaining nitrogen being carried in the *subsurface* flow. High levels of organic carbon in the soil, saturated soil, anoxic or low oxygen conditions, and extended contact of the groundwater with the root zone of riparian vegetation are necessary for effective microbial denitrification and plant uptake of nitrogen. Removal of subsurface nitrate is highest when these soil conditions are maintained (Correll 1997, Wenger 1999), and these criteria may be more important than width in determining the effectiveness of the buffer (Mayer et al. 2005). For example, Vidon and Hill (2004) found that a 50 foot buffer was effective at removing 90% of the nitrate at locations with loamy soils, but at locations with sand and cobble sediments (soils with less organic matter), the buffer width required for 90% nitrate removal ranged from 82 ft to 577 feet. In order to maintain the nitrogen removal effectiveness of buffers, soil compaction, gullying, increases in impervious surfaces in the buffer, and exces-

sive removal of leaf litter or ground cover should be minimized (Mayer et al. 2005).

Other Pollution

A few studies have shed some light on effective buffer widths for removing fecal coliform and other pathogenic microorganisms. In one study, a 30 foot buffer that had been treated with poultry manure was able to remove 34-74 % of the fecal coliform. However, the resulting runoff still exceed the primary contact standard (Coyne et al. 1995). Toxics (pesticides and metals) may also be partially removed through filtration of sediments by the buffer (Sheldon et al. 2005), and temporarily, through vegetative uptake (Gallagher and Kibby 1980). Urban buffers are thought to be generally good at removing hydrocarbons and metals from surface runoff (Herson-Jones et al. 1995, as cited in Wenger 1999).

Limitations

There are many limitations to the conclusions about buffer widths that can be drawn from the scientific literature on buffers. More studies focus on buffers to protect stream and river functions than on wetlands. Also, many buffer studies are not conducted year-round, although water quality effects vary across seasons. Further, much of the science examining the effectiveness of buffers to remove pollutants describes the percentage of pollutant reduced by the buffer, but more rarely whether the buffer enabled the receiving water body to meet water quality standards. Finally, most studies tend to evaluate effects of specific buffer sizes rather than to derive buffer distances from conditions. Nevertheless, the scientific literature, if interpreted cautiously by experts in biogeochemistry and wildlife, can help municipalities determine the dimensions and characteristics of an effective wetland buffer (Sheldon et al. 2005).

Science of Wetland Habitat Buffers

Many of the buffer studies in the scientific literature make conclusions on appropriate buffer sizes for wildlife habitat based on how far individuals range from the wetland or water body for breeding or other life-cycle needs. The Environmental Law Institute's (2003) review of the science found that effective buffer sizes for wildlife protection may range from 33 to more than 5000 feet, depending on the species. Specific information on ranges for birds, mammals, reptiles, and amphibians has been developed:

Birds: from 49 to over 5000 feet (ELI 2003, Fischer 2000).

Mammals: between 98 and 600 feet (ELI 2003).

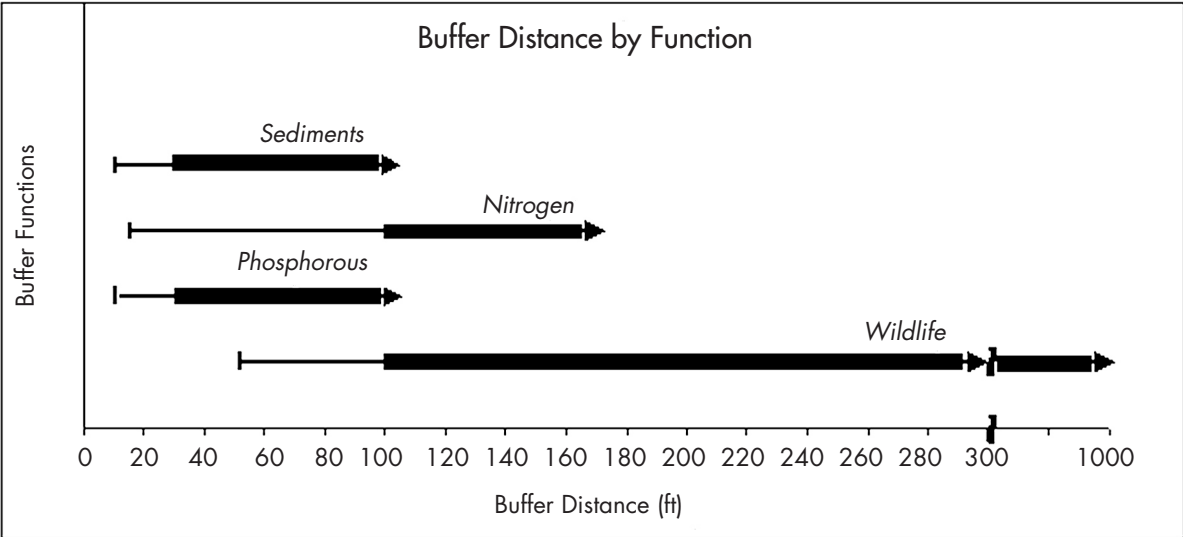
Reptiles & Amphibians: In a review of the literature, Semlitsch and Bodie (2003) found that core terrestrial habitat for reptiles associated with wetlands ranged between 417 and 948 feet, and for amphibians 521 and 951 feet. They suggest preserving core habitat plus an additional 164 foot (50 meter) buffer to minimize edge effects. However, little guidance is given concerning what type and density of buffer vegetation is acceptable for protecting particular species.

The type and intensity of surrounding land uses will affect the wildlife habitat function of a buffer. For example, studies have shown that amphibian species richness declines with increasing urban land use and road density (Rubbo and Kiesecker 2005, Houlahan and Findlay 2003). Marsh bird community integrity has been shown to decline significantly when the amount of urban/suburban development within 500 m and 1000 m of the marsh exceeds 14% and 25%, respectively (DeLuca et al. 2004). Well designed buffers must be employed in combination with comprehensive land use planning that maintains a landscape containing relatively large, intact habitat areas in order to further habitat conservation goals.

Buffers can screen light, noise, domestic pets, and human presence from wetland wildlife (Castelle et al. 1992). The level of human disturbance in a buffer will likely depend on the intensity of adjacent land uses (Cooke 1992), thus buffer sizes should be increased with increasing intensity of land use. Buffers of at least 50 feet are likely necessary to maintain buffer effectiveness over time (Cooke 1992).

In general, forested buffers will be best around forested and scrub-shrub wetlands for forest species, but grassy and herbaceous vegetation may be most effective in other locations and for other species (Adamus 2007). Buffers with greater structural complexity will usually support more species (Shirley 2004), although buffers with less complexity can be more favorable to particular species that may be locally rare. Native vegetation is more likely to be effective at conserving native wildlife (Wenger 1999). Parkyn et al. (2000, as cited in Parkyn 2004) suggest that a buffer of 33–66 feet is necessary for sustaining native vegetation in some wetlands.

continued from page 7



Effective buffer distance for water quality and wildlife protection functions. The thin arrow represents the range of potentially effective buffer distances for each function as suggested in the science literature. The thick bar represents the buffer distances that may **most** effectively accomplish each function (30 - > 100 feet for sediment and phosphorous removal; 100 - > 160 feet for nitrogen removal; and 100 - > 300 feet for wildlife protection. Depending on the species and the habitat characteristics, effective buffer distances for wildlife protection may be either small or large.

all of the buffer functions relevant to habitat including removing pollutants, limiting disturbance by humans, limiting the spread of non-native species into wetlands, helping maintain microclimatic conditions, and providing habitat for native wetland-dependent species that require both wetland and upland habitats. The Environmental Law Institute’s (2003) review of the science found that effective buffer sizes for wildlife protection may range from 33 to more than 5000 feet, depending on the species. The State Wildlife Action Plans (www.teaming.com), developed by fish and wildlife agencies in all fifty states, are good sources of relevant information on native species, species of conservation concern, and their habitat requirements. These data can be supplemented by consulting local biologists to tailor buffer sizes to specific habitat types, species, and landscapes.

Approaches to Setting Buffer Distances

There are a number of alternative approaches to setting the buffer distance—usually defined in feet measured horizontally from the edge of the defined wetland. Many ordinances simply prescribe a fixed buffer

distance for all wetlands subject to the ordinance (e.g., 75 feet or 100 feet). Others vary the prescribed distance depending upon the type of wetland or the quality of wetland from which the buffer is extended (e.g., 75 feet from least vulnerable wetland type; 100 feet from most vulnerable). Others further vary the buffer distance to account for slope toward the wetland—requiring wider buffers where slopes are steeper because negative impacts from land-disturbing activities, including concentrated water flows, are likely to increase with increasing slope. Some ordinances vary the buffer distances based on the type or intensity of land use—requiring larger buffers for more intensive land uses potentially affecting the wetland area. In contrast, some ordinances require or allow the zoning administrator to establish or vary buffers on a case-by-case basis. These ordinances usually prescribe the factors that must be taken into account and the information to be supplied by an applicant, but then rely on performance standards in the ordinance to drive the buffer distance decision. In another approach, Strommen et al. (2007) suggest an ordinance that regulates the entire drainage area contributing surface or subsurface

flow to sensitive wetlands, with defined buffer protections within this area.

Enacted local government buffer ordinances show a wide range of wetland buffer dimensions. The lowest we found was 15 feet measured horizontally from the border of the wetland, with the highest approximately 350 feet. Several ordinances set 500 feet as a distance for greater regulatory review of proposed activities, but do not require nondisturbance at this distance. Often the ordinances provide a range of protections, with nondisturbance requirements nearest the wetland and various prohibitions and limitations as the distance from the wetland increases. Among the ordinances we examined, the largest number of ordinances clustered around nondisturbance or minimal disturbance buffers of 50 feet or 100 feet, with variations (usually upward variations) beyond these based on particular wetland characteristics, species of concern, and to account for areas with steeper slopes. The largest ordinance-prescribed buffer distances (350 feet or more) tended to be for tidal wetlands and vernal pool wetlands.

Local governments, in general, use five approaches in defining buffer distances.

(1) Fixed Nondisturbance Buffer. Some local ordinances provide for a fixed buffer distance within which disturbance activities are prohibited (or strictly limited). For example, Casselberry, Florida, requires wetland buffers of 50 feet. (§3-11) Virginia cities and counties subject to the state's Chesapeake Bay Preservation Act establish "resource protection areas" of a 100-foot vegetated buffer landward of tidal and certain nontidal wetlands, as in Petersburg, Virginia (§122-76) and Henrico County, Virginia (§24-106.3). Some local buffer ordinances are "set-back" ordinances. For example, Bay County, Florida, prohibits construction of any building or structure within 30 feet of any wetland. (§1909) The North-eastern Ohio Model Ordinance provides for a 120-foot or 75-foot "setback" from Ohio EPA Category 3 and 2 wetlands, respectively. Summit County, Colorado, and LaPorte, Indiana, each provide that soil disturbances and structures are prohibited within 25 feet of a wetland. (§7105.1(A); §82-561)

(2) Nondisturbance Buffer plus Additional Set-back. Some ordinances prescribe a fixed nondistur-

bance wetland buffer, and then prescribe an *additional* setback distance for structures from the edge of the wetland buffer. The idea is that the prescribed nondisturbance buffer protects the wetland, and that buildings should not be constructed on the buffer's edge if a functional buffer is to be maintained. Baltimore County, Maryland, provides for a nondisturbance buffer of 25 feet from nontidal wetlands in accordance with the state nontidal wetlands law (75-100 foot buffers apply if associated with a stream, and 100-300 feet if a tidal wetland), but then further provides that residential buildings must be set back an *additional* 35 feet and commercial buildings an additional 25 feet *from the edge of the buffer*. (§§33-2-303, 33-2-401, 33-2-204(c), 33-3-111(d)) Charleston, South Carolina, defines "critical line" wetland buffers of a minimum of 25 to 40 feet based on zoning districts, but then further provides that all buildings must be set back a minimum of ten feet from the edge of the required buffer. (§54-347.1a3)

(3) Regulated Buffer Area with Minimum Nondisturbance Area. Another approach defines the buffer in terms of the area within which *regulatory scrutiny* will be applied to limit uses by permit or other review. Monroe County, New York, regulates a 100-foot "adjacent area" to freshwater wetlands. (§377-1 *et seq.*) Permits are required for activities within this area. Many jurisdictions supplement this regulated area with a prescribed minimum nondisturbance zone immediately adjacent to the wetland. Polk County, Wisconsin, provides for regulation of shorelands within 1000 feet of the ordinary high water mark of any navigable lake or pond or flowage, and within 300 feet of any navigable river or stream or floodplain including wetlands. It then provides *within* these fairly substantial regulated areas for a 75-foot minimum setback with a 35-foot vegetated protective area immediately adjacent to the wetlands or waters. (Art.7, 11(C)) New Lenox, Illinois, provides for the regulation of all lots lying wholly or in part within 100 feet of the edge of a wetland, while requiring a minimum nondisturbance set-back of 75 feet from the edge of the wetland (with only very minimal activities allowed by permit) and a minimum natural vegetation strip of 25 feet from the edge of the wetland. (§§38-131 to -133) Lewiston, Maine,

regulates all areas within 250 feet of the upland edge of all ten-acre or larger wetlands, and requires that all structures must be set back at least 75 feet from the wetland edge with no variances, and that a “natural vegetative state” must be maintained for the first 50 feet. (§34.2) Croton-on-Hudson, New York, does this in reverse by first specifying a mandatory non-disturbance area of 20 feet adjacent to the wetland, and then the regulatory “minimum activity setback” extending an additional 100 feet from the edge of the non-disturbance buffer. (§227-3).

Massachusetts’ state wetlands protection act, which is locally administered by municipal conservation commissions, provides for a 100-foot regulated buffer area, and a permit process that applies to both the buffer and the wetland. (110 Mass. Gen. L. 131 §40) Many municipalities have adopted variations on this regulatory approach. Barnstable, Massachusetts, using home rule authority as well as the state wetlands law, has added a provision that requires an undisturbed area of 50 feet adjacent to the wetland, and further provides that any structures permitted within the 100 foot regulated buffer must be located within the 20 feet of the landward margin of the buffer (viz. 80 feet from the wetland). (§704-1) Sturbridge, Massachusetts, specifies various regulatory buffer areas greater than the state-required 100 feet (e.g. 200 feet for freshwater wetlands), and prescribes minimum

nondisturbance areas ranging from 25 feet to 200 feet, depending upon the wetland resource. (§1.4)

(4) Matrix Based on Listed Factors. Some ordinances include a matrix of wetland types, slopes, habitats, and land use intensities, which are then used to define the extent of the buffer. For example, Sammamish, Washington, prescribes a set of buffers based on four distinct categories of wetlands initially defined by their wetland functions, and further modified by the habitat scores for each of these wetlands (see Table below).

Under the ordinance, Sammamish’s development department may further increase the required buffer distance by the greater of 50 feet or a distance necessary to protect the functions and values of the wetland as well as to provide connectivity whenever a Category I or II wetland with a habitat score of 20 or greater is located within 300 feet of another Category I or II wetland, a fish and wildlife conservation area, or a stream supporting anadromous fish. Required buffers may be reduced if the impacts are mitigated and result in equal or better protection of wetland functions. (§21A.50.290)

Since 1984, Island County, Washington, has had an ordinance that takes into account wetland type, wetland size, and land use zones. The County has recently revised the ordinance for new development proposals

Wetland Category		Standard Buffer Width (ft)
Category I:	Natural Heritage or bog wetlands	215
	Habitat score 29-36	200
	Habitat score 20-28	150
	Not meeting above criteria	125
Category II:	Habitat score 29-36	150
	Habitat score 20-28	100
	Not meeting above criteria	75
Category III:	Habitat score 20-28	75
	Not meeting above criteria	50
Category IV:		50

Sammamish, Washington, ordinance: Wetlands rated according to the Washington State Wetland Rating System for Western Washington (Washington Department of Ecology, 2004, or as revised).

to base buffer distance which can range from 15 to 300 feet in width, primarily on intensity of surrounding land uses, habitat structure within and around a wetland (as scored with a simple checklist that landowners may use), and wetland sensitivity. The ordinance considers depressional “isolated” wetlands that lack outlets to be more sensitive to degradation due to accumulating sediment and bioaccumulation of contaminants and requires these wetlands to have wider buffers. Some wetlands surrounded by steep slopes or highly erodible soils are also required to have wider buffers. Island County also requires wider buffers for several carefully-defined wetland types, due to their high ecological value or sensitivity: (A) bogs, coastal lagoon wetlands, delta estuary wetlands, mature forested wetlands, (B) large non-estuarine ponded wetlands, anadromous fish stream wetlands, wetlands associated with a bog, coastal lagoon or delta estuary, (C) other estuarine wetlands, resident salmonid stream wetlands, mosaic wetlands, and (D) native plant wetlands and small ponded wetlands. The County prepared a series of tables that show buffer widths required for various combinations of these factors (e.g., intensity of surrounding land use, wetland structure, and slope). (§17.02B.090). See Appendix II.

Another example is Bensalem, Pennsylvania, which prescribes varying wetland buffer distances within natural resource protection overlay districts based on the underlying land use zoning. The buffer distance ranges from 20 feet in agricultural zones, to 100 feet in general industrial zones. (§ 232-57) The ordinance’s standards require the buffer to be maintained in 80 percent natural vegetative cover.

(5) Case by Case Buffer Determinations. A number of wetland buffer ordinances do not specify a numerical distance, but require the applicant to submit information sufficient to allow the local government to specify the buffer distance based on performance standards. For example, Commerce City, Colorado, requires that the buffer must be sized to ensure that the natural area is “preserved” and expressly provides that the director of community development may increase or decrease the buffer to meet the goals of the ordinance; however, it further provides that the buffer for wetlands will in no case be less than 25 feet. Woodbury, Minnesota, provides for a minimum na-

tive vegetated buffer of 15 feet, but further provides that the city reserves the right to require up to a 75-foot undisturbed buffer where “in the opinion of the city” the area contains “significant natural vegetation in good condition,” or up to a 25-foot buffer where “useful for water quality improvement, wildlife habitat, a greenway connection, or any other wetland function or value.” (§27-4(b))

Alachua County, Florida, provides for a case-by-case performance standard buffer, but also provides for a numerical default value when sufficient information is not available to support a case-by-case determination. The buffer:

shall be determined on a case-by-case basis after site inspection by the county, depending upon what is demonstrated to be scientifically necessary to protect natural ecosystems from significant adverse impact. (§406.43)

The county requires the following factors to be considered in making the case-by-case determination: 1) Type of activity and associated potential for adverse site-specific impacts; 2) Type of activity and associated potential for adverse offsite or downstream impacts; 3) Surface water or wetland type and associated hydrological requirements; 4) Buffer area characteristics, such as vegetation, soils, and topography; 5) Required buffer area function (e.g., water quality protection, wildlife habitat requirements, flood control); 6) Presence or absence of listed species of plants and animals; and 7) Natural community type and associated management requirements of the buffer. (§406.43) Where sufficient scientific information is not available, the ordinance prescribes default values with an average buffer distance of 50 feet, and minimum of 35 feet for wetlands less than or equal to a half acre; 75/50 feet for wetlands greater than half acre; 150/75 feet where listed species are documented; and 150/100 feet where the wetland is an outstanding resource water. (§406.43(c))

Crestview, Florida’s, ordinance provides:

The size of the buffer shall be the minimum necessary to prevent significant adverse effects on the protected environmentally sensitive area. §102-202(e)(1).

Fife, Washington's, ordinance specifies buffer distances, but further provides that:

The community development director shall require increased standard buffer zone widths on a case by case basis when a larger buffer is necessary to protect wetlands functions and values based on local conditions. This determination shall be supported by appropriate documentation showing that it is reasonably related to protection of the functions and values of the regulated wetland. Such determination shall be attached as a permit condition and shall demonstrate that: A. A larger buffer is necessary to maintain viable populations of existing species; or B. The wetland is used by species proposed or listed by the federal government or the state as endangered, threatened, rare, sensitive or monitor, critical or outstanding potential habitat for those species or has unusual nesting or resting sites such as heron rookeries or raptor nesting trees; or C. The adjacent land is susceptible to severe erosion and erosion control measures will not effectively prevent adverse wetland impacts; or D. The adjacent land has minimal vegetative cover or slopes greater than 15 percent. (§17.17.260)

This approach requires more information at the application stage and also requires the administrator to have sufficient technical capacity to make a legally sufficient and sustainable choice.

Transitional Provisions

Some buffer ordinances have imposed more stringent requirements on new development than on existing development or subdivisions previously recorded. This may, in some cases, recognize "vested rights" in development conditions, but more often it represents a way of avoiding potential legal contests over the applicability of newer environmental regulations while still asserting some controls over prior and pending developments. Casselberry, Florida, for example, requires a 50 foot buffer; but provides that "buffers shall be 25 feet on lots less than five acres created prior to February 17, 1992." (§3-11.1(C)) Summit County, Colorado, exempts single family and duplex residential construc-

Buffer Averaging and Minimum Distances

Some buffer ordinances that set specific and minimum buffer dimensions allow the local government to accept buffer averaging in order to accommodate variability in terrain or to accommodate development plans. For example, a wetland normally entitled by ordinance to a 75-foot minimum buffer may be able to tolerate a 50-foot buffer over part of its margin if a wider buffer is provided along another part. This may depend upon such issues as water flow, topography, habitat and species needs, and other factors that can best be assessed on a case-by-case basis. Port Townsend, Washington allows buffer averaging if the applicant demonstrates that the averaging will not adversely affect wetland functions and values, that the aggregate area within the buffer is not reduced, and that the buffer is not reduced in any location by more than 50 percent or to less than 25 feet. Woodbury, Minnesota allows buffer averaging where averaging will provide additional protection to the wetland resource or to environmentally valuable adjacent uplands, provided that the total amount of buffer remains the same.

tion (but not other construction) on lots platted before the 1996 adoption of the county's first wetland regulations. (§7105.1(A))

□ Activities Prohibited/Permitted

Many ordinances simply prohibit all disturbance, excavation, or building within the buffer, and then provide a separate list of activities that may be authorized by permit, or that are exempt from the ordinance. Massachusetts local ordinances typically provide that except as permitted by the local conservation commission or as provided in the local ordinance, "no person shall commence to remove, fill, dredge, build upon, degrade, discharge into, or otherwise alter" the protected wetland and buffer area.

Many wetland buffer ordinances also include outright prohibitions of particular activities, such as solid waste facilities, dams, and septic systems. LaPorte, Indiana, provides that "no building, structure, street, alley, driveway, or parking area shall be placed within a wetland district;" and further prohibits placement of any development that will allow "surface water runoff" to be "directed or flow into a wetland district," except by permit allowing such flow, and excepting a single-family dwelling that may result in such flow. (§82-606)

Many ordinances prohibit the use of wetland buffers for stormwater retention ponds, requiring that

such structures be located outside the buffer. Oregon City, Oregon, allows new stormwater quantity and quality control structures to encroach “a maximum of 25 feet” upon a required buffer, but requires the area of encroachment to be replaced by an equal area of buffer on the property, requires good water quality at the outfall, and requires a determination of no significant negative impact as a result of the changes. (§17.40.050(H)(6))

Some buffer ordinances do not list prohibited activities (or all prohibited activities), but state that buffer conditions must remain sufficient to protect the wetland or its functions. This requires the administrator of the ordinance to make findings supported by information on the anticipated impacts. For example, the Cape Cod Commission’s Model Wetlands and Wildlife Bylaw provides that “No project shall be permitted which will have an adverse effect on a vernal pool or any naturally vegetated land area within 350 feet of a vernal pool by altering topography, soil structure, plant community composition, hydrologic regime and/or water quality in such a way as will result in any short-term or long-term adverse effect upon the vernal pool. No diversion of any new stormwater runoff into the vernal pool shall be permitted.” (§IB2)

New Lenox, Illinois, allows only the following activities, by permit, within the 75 foot buffer: 1) limited filling and excavating necessary for the development of public boat launching ramps, swimming beaches, park shelters or similar structures, 2) land surface modification for the development of stormwater drainage swales between the developed area of the site (including a stormwater detention facility on the site) and a stream, lake or pond, or wetland, 3) installing piers for the limited development of walkways and observation decks, subject to mitigation by an equal area of wetland habitat improvement, and 4) modification of degraded wetlands for purposes of stormwater management where the quality of the wetland is improved and total wetland acreage is preserved. The ordinance requires that where such modification is permitted, wetlands shall be protected from the effects of increased stormwater runoff by measures such as detention or sedimentation basins, vegetated swales and buffer strips, and sediment and erosion control measures on adjacent developments, and that

the direct entry of storm sewers into wetlands shall be avoided. (§38-132) [See Appendix for full text.]

Many buffer ordinances identify a limited number of essential or water-dependent uses that are allowed as conditional uses by permit. For example, Charlotte County, Florida, provides that wetland buffers shall be maintained in a completely natural state except for the minimum disturbance necessary to provide: shoreline access to riparian property owners; the construction of utility crossings and shoreline stabilization structures permitted by federal and state regulatory agencies; the construction of bridges, drainage conveyances, and fences; and the removal of exotic vegetation. (§3-5-348(b)) Polk County, Wisconsin, allows limited uses within the buffer by permit; these include roads essential for agriculture or silviculture where no alternative alignment is practicable, water dependent uses, recreation, utility crossings, and aquatic uses compatible with wetland preservation. (Art.7(D)(4))

Many ordinances also identify a set of limited-impact activities that are allowed within the buffer without review or permit. Pickens County, Georgia’s, ordinance exempts conservation activities, outdoor passive recreation, forestry or agriculture conducted under state-approved Best Management Practices, education, science research, and nature trails. (§26-126) The Cape Cod Commission’s model ordinance authorizes planting of native vegetation and habitat management to enhance the wetland values, unpaved pedestrian access paths no wider than 4 feet, maintenance of existing utility crossings and stormwater structures, new utility lines where the proposed route has been determined to be the best environmental alternative, and accessory structures for existing houses where there is no feasible alternative and placement is as far from the wetland as possible, subject to review and approval by the Commission. (§IIB2)

□ Procedures for Review

A wetland buffer ordinance should not just define the buffer and prohibited and authorized activities, but should also provide for procedures that trigger the applicability of the ordinance and allow for necessary determinations, specify standards for review, define mitigation of authorized impacts, and specify whether and under what circumstances variances can be granted.

Administration of Ordinance

Responsibility for applying the ordinance to landowners and land development activities must be clearly assigned to a local government unit or body. If the ordinance is part of the zoning code, this will ordinarily be the zoning administrator. Alternatively, responsibility may be assigned to a specialized board or commission, such as a wetland commission (as in Massachusetts). Baltimore County, Maryland, assigns these responsibilities to its Department of Environmental Protection and Resource Management. If the ordinance is a wetland protection ordinance including regulation of activities in the wetland itself as well as in the buffer, it may be desirable to adopt a review process that is congruent with federal and state review procedures for wetlands. If the ordinance requires site-specific findings, such as variable buffer distances based on listed factors, it is desirable to have a technically trained professional staff or consultants available to the administrator charged with carrying out the ordinance.

Green Development Standards

In 2007, the U.S. Green Building Council finalized pilot rating standards for the new Leadership in Energy and Environmental Design – Neighborhood Development (LEED – ND) certification program, which set standards for environmentally superior development practices. Among the credits towards certification that may be earned for neighborhood location and design and green construction, developers can earn credit for preserving in perpetuity a buffer around all wetlands and water bodies located on site. Buffer distances, minimum of 100 feet, are to be calculated based on the functions provided by the wetland or water body, contiguous soils and slopes, and contiguous land uses. Local governments that adopt buffer ordinances encourage LEED-ND developments.

Submittals

Nashua, New Hampshire, specifies what triggers review under the ordinance:

A review process and procedure for applicability to this article shall be caused by the following proposed land use applications or required approvals: Building permit applications; zoning board of adjustment applications; planning board applications; board of health application; any other land use requiring a permit or

approval as required by and within the Nashua Revised Ordinances. The initial review of any of the above-mentioned items shall cause a determination as to whether the land area in which the proposed use or activity is or is not within or abutting a wetland. (§16-574(a))

Many ordinances that allow some regulated activities or conditional uses within the wetland buffer, or that authorize variable buffer distances based on site-specific conditions and proposed land uses, provide that the applicant must submit detailed information concerning the site. Summit County, Colorado, requires submission of a detailed “wetlands disturbance plan” including mitigation improvements, revegetation plan, grading and erosion control measures, “and a narrative explaining how a proposed activity in the wetland setback or a wetland area will meet the criteria” set forth in the ordinance. (§7105.04) Schaumburg, Illinois, requires an applicant seeking to conduct an activity by special use permit within the 100-foot wetland buffer to supply a report of geological and soil characteristics, site grading and excavation plan, vegetation and revegetation description and plan, wetland delineation report, and stormwater management plan. (§154.196(d)) Many local jurisdictions in the State of Washington require applicants to submit a wetland’s function scores as estimated using the Department of Ecology’s Rating System or an acceptable alternative.

Casselberry, Florida, requires an applicant seeking an alternative buffer methodology to submit information addressing: erodibility of soils upland of the wetland line; depth of the water table below the soil surface in the zone immediately upland of the wetland line; and habitat requirements of aquatic and wetland-dependent wildlife based on habitat suitability, spatial requirements, access to upland habitat, and noise impacts. (§3-11.1(C)(2))

Standards

Nashua, New Hampshire’s, ordinance provides that in addition to enforcing the use and activity prohibitions and limitations for which a permit is required: “Any use or activity proposed within one hundred (100) feet of a wetland shall be reviewed administratively by the zoning administrator for compliance with the following performance standards:

- (1) That no significant impact on the aquatic habitat of rare or endangered species, as listed by the State of New Hampshire or the Federal government, will result.
- (2) That the filtration of stormwater runoff is adequately provided for and controlled both during and after construction.
- (3) That the topography and required regrading of the subject property accounts for and adequately reflects the proximity of a nearby wetland area.
- (4) All landscaping requirements and maintenance regiments for a project will ensure that fertilizer and chemical run-off shall not enter the wetland.
- (5) Any wetland area utilized for water run-off shall demonstrate that excess flow on wetlands shall not cause excessive ponding and retention, thereby causing environmental damage to existing flora.
- (6) Where land is proposed to be subdivided, the applicant shall demonstrate that there is adequate non-wetland area to contain all proposed uses, structures, and utilities in accordance with these regulations.
- (7) No more than fifty (50) percent of the open space required by the underlying zone shall be classifiable as wetlands under the provisions of this article.
- (8) No part of a wetland may be counted in minimum lot area requirements. (§16-575(d)).

Mitigation

Virtually all buffer ordinances that provide for permitted uses or conditional uses within the buffer also require compensatory mitigation to offset unavoidable impacts to the buffer area. Compensatory mitigation involves the replacement of wetland acreage and wetland functions through restoration, creation, enhancement, or (in some cases) preservation of other wetlands, onsite or offsite. Mitigation may be required both for the wetland itself and for impacts to wetland buffers protected by local ordinance. For example, the Port Townsend, Washington, critical areas ordinance requires compensatory mitigation for any development proposal within a critical area or

required buffer, and specifies mitigation replacement ratios. (§19.05.110(F1-F9)) Oregon City, Oregon, requires a mitigation plan and feasibility assessment. (§17.49.050(G)) Kusler (2007) identifies factors that a local ordinance providing for compensatory mitigation should include.

Variances

Some wetland buffer ordinances include provisions for hardship variances, while others that are part of the zoning or land development codes rely on the jurisdiction's normal variance standards and procedures. Because of the health and safety aspects of wetlands buffer protections, variances are disfavored. Bay County, Florida, has a fairly typical provision, allowing a hardship variance in those situations where, "due to the size, shape, topography, location(s) of wetlands, or similar factors, application of the wetland buffer would preclude reasonable use of the property involved." (§1909(3)(d),(e)) The ordinance, however, limits variances for "accessory uses" to no more than 20 percent of the buffer.

□ Affirmative Requirements

Buffer ordinances are not limited to prohibiting disturbances and encroachments. Many also set standards for the establishment and maintenance of buffer conditions. Belleaire, Florida, provides that natural buffers must be retained or "if a natural buffer does not exist an equivalent buffer shall be created." (§74-414(b)(3)(c)) Woodbury, Minnesota's buffer ordinance provides:

Buffer areas must be established in appropriate vegetation such as native grasses, forbs, shrubs, and trees. The buffer area cannot consist primarily of common or noxious weeds. After becoming established, the vegetation in wetland buffer areas must be left undisturbed...The requirement to leave the buffer area undisturbed does not prohibit the removal of dead, diseased, or dying vegetation, or the control of noxious or common weeds. (§27-4(b)(5),(6))

The Northeastern Ohio Model Ordinance prohibits mowing, allows planting consistent with the buffer's functions, but also limits landowner affirmative obligations:

There shall be no disturbance, including mowing, of the natural vegetation, except for such conservation maintenance that the landowner deems necessary to control noxious weeds; for such plantings as are consistent with this regulation; for such disturbances as are approved under the “Uses Permitted...” section of these regulations; and for the passive enjoyment, access, and maintenance of landscaping or lawns existing at the time of passage of this regulation. Nothing in this regulation shall be construed as requiring a landowner to plant or undertake any other activities in riparian and wetland setbacks.

The Commerce City, Colorado, ordinance includes performance standards relating to the buffer’s function on the landscape and its potential connection to other natural areas:

If the development site contains existing natural areas including floodplains that connect to other off-site natural areas with natural areas, to the maximum extent feasible the development shall preserve the natural area connections. Such connections shall be designed and constructed to allow for the continuance of existing wildlife movement along the natural areas. (§ 21-43 (b)(3)(c))

□ Monitoring, Reporting, and Enforcement

Even the most comprehensive and scientific ordinance will not protect community interests if it is not enforced. Enforcement requires information, so local jurisdictions that have adopted buffer ordinances must allocate sufficient personnel to monitor approved buffers to identify possible violations. Some types of violations not visible from roadsides can be identified during flyovers or from existing high-resolution aerial photographs from different points in time. To help maintain public support, the disposition of all investigated potential violations, as well as all approved or denied permits and variances, should be documented in a regularly updated database or report available to all citizens.

Many wetland buffer ordinances do not specify their own enforcement provisions because they are

part of the zoning code or subdivision regulations and are enforced by the usual array of enforcement tools provided in those ordinances—including authority to enter, stop work orders, notices to correct, cease-and-desist orders, injunctions, criminal prosecution, nuisance abatement, and penalties. It may be worthwhile to consider adding particular provisions for wetland buffer enforcement that address the vulnerabilities of these landscape features. For example, the ability of the local government to enter and monitor wetland and buffer condition, or to conduct restoration activities, may be important. This can prevent loss of the habitat and hydrological functions if a violator does not promptly take corrective action; similarly, provision for daily accrual of penalties may provide an important incentive to act promptly.

Another issue is how the ordinance deals with encroachments or degradation affecting the wetland buffer that is not caused by the developer at the time of a permitting decision, but later. Ordinances that are expressed solely in terms of setbacks or land development permit reviews may not sufficiently address affirmative obligations to maintain the buffer in a functional condition and prevent encroachments by homeowners or third parties.

Where establishment and maintenance of the buffer requires affirmative action by a landowner or developer, the ordinance may require the posting of a performance bond or similar financial guarantee. Summit County, Colorado, provides that a financial guarantee must be posted to ensure compliance with its wetlands regulations, and that the term of the guarantee must extend for at least three years in order to ensure the success of vegetation plantings. (§7105.06)

Sturbridge, Massachusetts, provides that the town may require recordation of a restrictive covenant to ensure that long term recognition and function of the buffer are protected. (§3.10) Similarly, the Northeastern Ohio model ordinance provides:

Upon completion of an approved property subdivision/property/parcel split, commercial development or other land development or improvement, riparian and wetland setbacks shall be permanently recorded on the plat records for the Community and shall be maintained as open space thereafter through a per-

manent conservation easement. A third party, not the landowner or permittee or the Community, which is allowed by state law, shall be given the conservation easement. If no third party will accept the conservation easement, the Community shall accept it and protect it in perpetuity.

Whenever possible it is desirable to monitor not just compliance with buffer requirements, but also changes in the condition of the wetlands. A few local governments, such as Island County, Washington, have enacted and funded a long term water monitoring program that will help evaluate buffer performance and allow for adaptive management to address any water quality issues related to buffer underperformance or other changes in the surrounding environment.

Conclusion: Adopt a Local Wetland Buffer Ordinance

Wetland buffers protect communities from foreseeable hazards and enhance community values. As such, wetland buffers reinforce many of the Smart Growth Principles, including compact design, distinctive communities with a strong sense of place, critical environmental and natural areas, and predictability in development decisions.

A community considering a wetland buffer ordinance should be clear about its objectives. Spending time on developing the purpose statement will help clarify what the ordinance is intended to do, and will

guide the process of defining what wetlands are to be protected, the appropriate buffer dimensions, allowable activities, review procedures, affirmative obligations, and enforcement provisions.

Science should serve as the foundation for buffer protection. But this does not mean that communities need to commission an elaborate scientific study. A great deal of information is available from state environmental protection agencies, state natural heritage programs, and from other communities that have adopted wetland ordinances. The key lessons from wetland science are summarized in this publication and the sources cited in the References section. Two simple wetland buffer ordinances adopted by local governments, and an example of a more detailed matrix approach to buffer size, are reproduced in the Appendix.

The steps for adopting a local wetland buffer protection ordinance are:

- data gathering,
- planning to connect the wetland buffer protection to other community plans and goals,
- drafting the regulation or ordinance,
- notice of public hearings,
- adoption of the regulation or ordinance,
- provision for administration of the requirements, and
- enforcement. (Kusler & Opheim 1996).

Buffer ordinances may be simple or complex, but they serve a critical role in maintaining community quality of life, management of stormwater and flooding, protection of water quality and quantity, habitat conservation, and resilience to the future effects of global climate change on local communities.

Smart Growth Principles

1. Mix land uses.
2. Take advantage of compact building design.
3. Create a range of housing opportunities and choices.
4. Create walkable neighborhoods.
5. Foster distinctive, attractive communities with a strong sense of place.
6. Preserve open space, farmland, natural beauty and critical environmental areas.
7. Strengthen and direct development towards existing communities.
8. Provide a variety of transportation choices.
9. Make development decisions predictable, fair and cost effective.
10. Encourage community and stakeholder collaboration in development decisions.

Smart Growth Network: www.smartgrowth.org

Appendix I. Simple Buffer Ordinances

Chipley, Florida:

“§14.5-21. Buffer required. A thirty-foot buffer of native vegetation, subject to site plan approval, shall be required around and along all wetlands. Such buffer shall be measured from the [Department of Environmental Resources] wetlands jurisdictional line. The property owner may create a pathway through the buffer for visual or authorized pedestrian access to the wetland provided that the pathway is limited to a five-foot wide swath.”

Village of New Lenox, Illinois:

“Sec. 38-131. Intent. This article applies to development in or near streams, lakes, ponds, and wetlands within the Village of New Lenox. Streams, lakes, and ponds (including intermittent streams) are those which are shown on the United States Department of the Interior Geological Survey (USGS) 7.5 minute quadrangle maps and those additional streams, delineated on the village’s comprehensive plan. Those maps are hereby made a part of this article, and two copies thereof shall remain on file in the office of the village administrator for public inspection. Within the jurisdiction of the Village of New Lenox, those waterbodies and watercourses that are named and are subject to the provisions of this article are Jackson Creek, Jackson Branch Creek, Sugar Run Creek, Hickory Creek, Marley Creek, and Spring Creek. Wetlands are those designated in the U.S Fish and Wildlife Service/Illinois Department of Conservation wetland inventory.

The procedures, standards and requirements contained in this article shall apply to all lots within wetlands and streams, and all lots lying wholly or in part:

(1) Within the special flood hazard area (SFHA) designated by the federal emergency management agency (FEMA); (2) Within 100 feet of the ordinary high water mark (OHWM) of a perennial stream or intermittent stream, the ordinary high water mark of a lake or pond, or the edge of a wetland; or (3) Within depressional areas serving as floodplain or stormwater storage areas.

Sec. 38-132. Minimum setback of development activity from streams, lakes, ponds, and wetlands. Absolutely no development activity (except as provided below) may occur within the minimum setback which is defined as 75 feet from the ordinary high water mark of streams, lakes, and ponds, or the edge of wetlands, or within a designated depressional area. In no case shall the setback be less than the boundary of the 100-year floodway as defined by FEMA. These setback requirements do not apply to a stream in a culvert unless the stream is taken out of a culvert as part of development activity. If a culvert functions as a low-flow culvert, where water is intended to periodically flow over it, the setback requirements apply. Review waiver of this article for proposed development activity within the minimum setback area will consider the following:

(1) Only limited filling and excavating necessary for the development of public boat launching ramps, swimming beaches, or

the development of park shelters or similar structures is allowed. The development and maintenance of roads, parking lots and other impervious surfaces necessary for permitted uses are allowed only on a very limited basis, and where no alternate location outside of the setback area is available.

(2) Land surface modification within the minimum setback shall be permitted for the development of stormwater drainage swales between the developed area of the site (including a stormwater detention facility on the site) and a stream, lake or pond, or wetland. Detention basins within the setback are generally discouraged, unless it can be shown that resultant modifications will not impair water quality, habitat, or flood storage functions.

(3) No filling or excavating within wetlands is permitted except to install piers for the limited development of walkways and observation decks. Walkways and observation decks should avoid high quality wetland areas, and should not adversely affect natural areas designated in the Illinois Natural Areas Inventory or the habitat of rare or endangered species.

(4) Wetland area occupied by the development of decks and walkways must be mitigated by an equal area of wetland habitat improvement.

(5) Modification of degraded wetlands for purposes of stormwater management is permitted where the quality of the wetland is improved and total wetland acreage is preserved. Where such modification is permitted, wetlands shall be protected from the effects of increased stormwater runoff by measures such as detention or sedimentation basins, vegetated swales and buffer strips, and sediment and erosion control measures on adjacent developments. The direct entry of storm sewers into wetlands shall be avoided.

The applicant shall present evidence, prepared by a qualified professional, that demonstrates that the proposed development activity will not endanger health and safety, including danger from the obstruction or diversion of flood flow. The developer shall also show, by submitting appropriate calculations and resource inventories, that the proposed development activity will not substantially reduce natural floodwater storage capacity, destroy valuable habitat for aquatic or other flora and fauna, adversely affect water quality or ground water resources, increase stormwater runoff velocity so that water levels on other lands are substantially raised or the danger from flooding increased, or adversely impact any other natural stream, floodplain, or wetland functions, and is otherwise consistent with the intent of this article.

In addition to locating all site improvements on the subject property to minimize adverse impacts on the stream, lake, pond, or wetland, the applicant shall install a berm, curb or other physical barrier during construction, and following completion of the project, where necessary, to prevent direct runoff and erosion from any modified land surface into a stream, lake, pond, or wetland. All parking and vehicle circulation areas should be located as far as possible from a stream, lake, pond or wetland. The Village of New

Lenox may limit development activity in or near a stream, lake, pond, or wetland to specific months, and to a maximum number of continuous days or hours, in order to minimize adverse impacts. Also, the Village of New Lenox may require that equipment be operated from only one side of a stream, lake, or pond in order to minimize bank disruption. Other development techniques, conditions, and restrictions may be required in order to minimize adverse impacts on streams, lakes, ponds, or wetlands, and on any related areas not subject to development activity.

Sec. 38-133. Natural vegetation buffer strip required. To minimize erosion, stabilize the stream bank, protect water quality, maintain water temperature at natural levels, preserve fish and wildlife habitat, to screen manmade structures, and also to preserve aesthetic values of the natural watercourse and wetland areas, a natural vegetation strip shall be maintained along the edge of the stream, lake, pond or wetland. The natural vegetation strip shall extend landward a minimum of 25 feet from the ordinary high water mark of a perennial or intermittent stream, lake, or pond and the edge of a wetland. These guidelines are outlined in the publication "Native Plant Guide for Streams and Stormwater Facilities in Northeastern Illinois" jointly published by the Fish & Wildlife Service, NRCS, IEPA, and Army Corps of Engineers.

Within the natural vegetation strip, trees and shrubs may be selectively pruned or removed for harvest of merchantable timber, to achieve a filtered view of the waterbody from the principal structure, to control the spread of undesirable invasive species such as buckthorn or box elder, to restore a balanced community of native plant species, and for reasonable private access to the stream, lake, pond or wetland. Said pruning and removal activities shall ensure that a live root system stays intact to provide for stream bank stabilization and erosion control. The vegetation must be planned in such a way that access for stream maintenance purposes shall not be prevented."

Appendix II. Matrix Approach to Buffer Distance

Island County, Washington:

This excerpt is based on Island County’s *draft ordinance* from November 2007, which reflects a sophisticated use of the matrix approach to buffer distance. The ordinance first prescribes buffers for a few types of particularly sensitive wetlands (especially bogs, coastal lagoons and estuarine wetlands), with wider buffers for more intensive land uses. Then it establishes matrices to calculate buffers for *other* wetlands based on land use intensity, habitat condition, and wetland sensitivity (as predicted by slope and presence or absence of a surface water outlet). Wetlands that lack outlets and are adjoined by steep slopes are presumed to be more sensitive to accumulation of sediment and contaminants, so receive larger buffers. For most wetlands both habitat and water quality buffers are calculated separately and the *larger* buffer (usually habitat) is applied. (The numbers below should be taken as illustrative). The habitat calculation is:

Habitat Buffers					
Land use Intensity	Habitat Functions Score				
	50 or higher	42-48	39-41	32-38	Less than 32
Low	150 ft	125 ft	100 ft	75 ft	Use Water Quality & Slope Tables
Moderate	225 ft	175 ft	150 ft	110 ft	
High	300 ft	200 ft	175 ft	150 ft	

The water quality calculation includes differing buffers based on wetland type (A-E) and whether there is a surface water outlet from the wetland.

Water Quality Buffers						
Land Use Intensity	Wetland Category					
	Wetland Outlet	A	B	C	D	E
Low	Yes	40 ft	35 ft	30 ft	25 ft	20 ft
	No	75 ft	50 ft	40 ft	35 ft	25 ft
Moderate	Yes	90 ft	65 ft	55 ft	45 ft	30 ft
	No	105 ft	90 ft	75 ft	60 ft	40 ft
High	Yes	125 ft	110 ft	90 ft	65 ft	40 ft
	No	175 ft	150 ft	125 ft	90 ft	50 ft

The water quality value is then adjusted for slope:

Slope Adjustment	
Slope Gradient	Additional Buffer Multiplier
5-14%	1.3
15-40%	1.4
>40%	1.5

This matrix approach is more complex than a single number, but can better reflect scientific understanding, particularly with diverse wetland types and land use conditions in a locality. With appropriate public outreach and technical support, a matrix-driven buffer can gain public support and achieve good results.

Ordinances Chiefly Consulted

Ordinances: Boulder, CO, Commerce City, CO, Summit County, CO, New Castle County, DE, Alachua County Land Development Regulations, FL, Bay County Development Code, FL, Belleaire Land Use Regulations, FL, Belle Isle Land Development Code, FL, Bunnell Land Development Code, FL, Casselberry Preservation of Wetlands Ordinance, FL, Charlotte County Surface water and wetland protection ordinance, FL, Chipley Wetlands Resource Protection Ordinance, FL, Crestview Environmentally Sensitive Lands Ordinance, FL, Forsyth County Soil Erosion and Sediment Control ordinance, GA, Lumpkin County Soil Erosion and Sediment Control ordinance, GA, Pickens County Wetlands Protection Ordinance, GA, Lake County Uniform Development Ordinance, IL, New Lenox Wetland Protection Ordinance, IL, Schaumburg Biodiversity Zoning Overlay, IL, LaPorte, Indiana, Lexington-Fayette Riparian Buffer Ordinance, KY, Biddeford Shoreline Zoning Ordinance, ME, Eliot Shoreline Zoning Ordinance, ME, Lewiston Shoreline ordinance, ME, Baltimore County Environmental Protection and Resource Management Ordinance, MD, Barnstable Wetlands Protection Ordinance, MA, Holyoke Wetland Protection Code, MA, Sturbridge Wetland Bylaw, MA, Woodbury Preservation of Waterbodies and Wetlands Ordinance, MN, Nashua Wetlands Ordinance, NH, Croton-on-Hudson Wetlands and Watercourses Ordinance, NY, Monroe County Freshwater Wetlands Protection Law, NY, Summit County, OH, Oregon City Water Quality Resources Overlay District, OR, Bensalem Natural Resources Preservation Districts Overlay, PA, Charleston Zoning Ordinance, SC, Mount Pleasant Critical Line Buffer Ordinance, SC, Henrico County Chesapeake Bay Preservation Overlay, VA, Petersburg Chesapeake Bay Overlay, VA, Fife Wetlands protection ordinance, WA, Island County Critical Areas Ordinance, WA, King County Shoreline Management ordinance, WA, Port Townsend Critical Areas Ordinance, WA, San Juan County Shoreline Management Ordinance, WA, Polk County Shoreland Protection Zoning Ordinance, WI.

Model Ordinances: Association of State Wetlands Managers Inc. Model Ordinances for Regulating Wetlands and Riparian/Stream Buffers (http://www.aswm.org/propub/jon_kusler/model_ordinance_051407.pdf), Cape Cod Commission Model Wetlands Bylaw (<http://www.capecodcommission.org/bylaws/wetlandwild.html>), Center for Watershed Protection : A Local Ordinance to Protect Wetland Functions (<http://www.cwp.org/wetlands/articles/WetlandsArticle4.pdf>), MACC Model Wetlands Protection Bylaw/Ordinance (http://www.maccweb.org/documents/MACC_Model_Bylaw.doc), New Jersey Model Riparian Buffer Ordinance (<http://www.state.nj.us/dep/watershedmgt/DOCS/pdfs/Stream-BufferOrdinance.pdf>), Northeast Ohio Areawide Coordinating Agency Ordinance Controlling Riparian Setbacks and Wetland Setbacks (<http://www.noaca.org/reglmodord.html>), Stormwater Center Model Forest Buffer Ordinance (http://www.longislandsoundstudy.net/riparian/Buffer_Model_Ordinance_Rhode_Island.pdf), U.S. Environmental Protection Agency Aquatic Buffer Model Ordinance (<http://www.epa.gov/nps/ordinance/mol1.htm>), Westchester County Model Wetland Protection Ordinance (http://www.longislandsoundstudy.net/riparian/Wetland_Ordinance_Westchester.pdf).

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InterimTown Manager

Alexis Stanfield, NCCCC
Town Clerk

MEETING DATE: Aug 13, 2026

TO: Planning Board
FROM: Deborah J. Hill MPA AICP CFM
DEPARTMENT: Planning Department
SUBJECT: Floodplain Management

SUMMARY:

On July 9, 2026, Board members agreed to:

- Review of the federal emergency management and FEMA reform report.
- Consider recommendations related to disaster preparedness and recovery.
- Explore potential environmental and floodplain higher standards.
- Return at a future meeting with observations and possible recommendations for the Board of Aldermen.

ATTACHMENTS:

1. *Final Report: The President's Council to Assess the Federal Emergency Management Agency.* May 7, 2026.

SPECIFIC ACTION REQUESTED:

Consider recommendations related to disaster preparedness and recovery.



Final Report

The President's Council to Assess the Federal Emergency Management Agency

May 7, 2026

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Table of Contents for Executive Summary

Listening to the Nation: Stakeholder and Public Feedback..... 5

Guiding Principles and Key Recommendations..... 5

1. Equip States, Local governments, Tribes, and Territories to lead disaster response with the federal government in a supporting role 7

2. Enhance Critical Federal Programs & Resources to Support Communities..... 8

3. Realign the Criteria for Federal Disaster Assistance 8

4. Replace the Hazard Mitigation Grant Program with a Two-Phase Funding Structure 8

5. Streamline the Individual Assistance Program into a Single Direct Payment Program 9

6.Reform the Public Assistance Program to Provide Direct Funding..... 10

7. Reform the FEMA National Flood Insurance Program (NFIP) for Financial Stability and Risk Resilience..... 11

8. Maximize every dollar spent by Reducing Administrative Costs..... 12

9. Revitalize A Unified National Network for Partnership 13

10. A Transformed Agency 13

Appendix A: Detailed Charts..... 16

Appendix B: RAPID Direct Funding Flow Chart 18

Appendix C: Looking Back - A History of Emergency Management and FEMA..... 19

Appendix D: FEMA Disaster Response (2021-2024) 20

About the FEMA Review Council 21

FEMA Review Council Members 22

Acknowledgements 22

Listening to the Nation: Stakeholder and Public Feedback

In order to meet the mandate established by the President, for over a year the Council was deliberate in its actions, devoting significant time to engage across jurisdictional levels and with various entities to hear about their experiences with FEMA during and after disasters. The Council solicited input from a broad range of stakeholders, including Americans affected by natural and man-made disasters; the research community; private sector; state, local, tribal, and territorial (SLTT) governments; foundations; faith-based and nonprofit organizations. In total, the Council received and reviewed (1) 11,708 public submissions, (2) a nationwide survey of SLTT agencies and non-government partners yielding 1,387 responses, (3) direct engagement with 50 states and territories, (4) listening sessions in 13 cities across the nation, and (5) four listening sessions with tribal nations.

The feedback received underscores widespread support for FEMA reform aimed at addressing inefficiencies, reducing bureaucratic barriers, and enhancing support for disaster survivors and local governments. Stakeholders consistently identified key priorities, including the need to streamline processes, decentralize decision-making, improve the access to mitigation and preparedness initiatives, and ensure fairness in disaster response and recovery efforts. Participants emphasized the importance of implementing reforms gradually, allowing for a phased approach that strengthens partnerships among federal, state, tribal, and local entities while minimizing disruptions.

This robust engagement process has provided the Council with invaluable insights into the challenges and opportunities facing FEMA's operations. The feedback serves as a cornerstone for shaping the Council's recommendations, ensuring that potential reforms are informed by the lived experiences of those directly impacted by disasters and those responsible for managing emergency response and recovery efforts. By integrating this input into its recommendations, the Council aims to create a more efficient and responsive FEMA that is better equipped to meet the needs of communities nationwide. The inclusion of public feedback reflects the Council's commitment to fostering collaboration and transparency in the pursuit of meaningful reform.

Guiding Principles and Key Recommendations

At the direction of President Donald J. Trump, the FEMA Review Council (the Council) conducted a full-scale agency review in accordance with Executive Order 14180 and developed a comprehensive set of recommendations for overhauling the federal government's approach before, during, and after disasters. This executive summary provides the President with the Council's summarized recommendations, to include guiding principles for reform, recommendations for improvements, and proposed structural changes to promote the national interest and enable national resilience. After the Council fully evaluated the country's history of disaster response, reviewed feedback from more than 13,000 individuals impacted by disasters, and met with stakeholders involved in emergency management, the Council agreed on this key doctrine to guide the Council's recommendations: *Disaster response should be locally executed, state or tribally managed, and federally supported.*

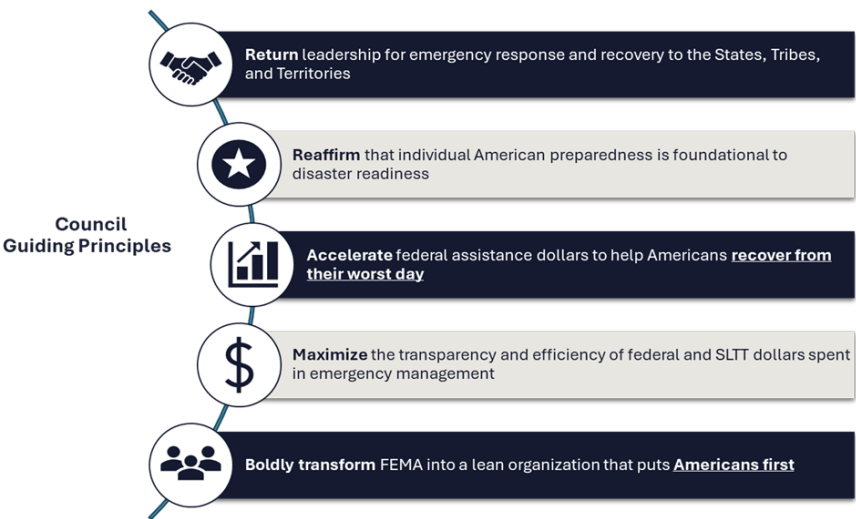
Disaster response is complicated and increasingly expensive. With taxpayers bearing the burden of funding emergency management in the United States, it is the responsibility of every

American to embrace their individual responsibility to lessen this burden by being prepared for disasters. Prudent preparation through planning, mitigation, insurance, capabilities, and seeking a fundamental understanding of their role in a disaster is vital to contributing to national preparedness. Active preparation and knowledge directly contribute to the effectiveness of local execution in any emergency or disaster. As our nation returns ownership of emergency management back to local communities and their states, tribes, and territories, we encourage every American to review their insurance policies and personal disaster plans as well as engaging with their local community leaders to be better prepared when disaster strikes.

States and local governments are the foundation of a successful emergency management system. As the immediate first responders, local public safety, infrastructure, and human service personnel require adequate training and equipment to manage all incidents effectively. States and local governments are on the frontline of recovery efforts following a disaster incident, working with states to reopen critical public and economic infrastructure. Beyond immediate response, local governments are essential for proactive community safety through proper land-use planning and by enforcing building codes to harden critical infrastructure against identified local risks. During a crisis, the visible leadership of state and local officials—demonstrated through decisive action and transparent public communication before, during, and after a disaster—is paramount for public trust and effective coordination. It is imperative that the Council’s reforms are implemented in a phased approach manner over two to three years. This phased approach ensures States, Locals, Tribes, and Territories are able to prepare their fiscal and physical capabilities for the new transformed agency.

When local resources are overwhelmed, a robust system of state-coordinated mutual aid compacts becomes critical to ensuring communities receive necessary support and do not fail. This tiered support system, which can scale up to federal assistance, when necessary, guarantees a resilient national response. Ultimately, strengthening state and local government capability in disaster preparedness, response, recovery, and mitigation is a direct and essential investment in national safety and community resilience.

After an exhaustive national review of the nation’s ability to prepare for, respond to, and recover from natural disasters, the Council developed five guiding principles for reform:



The Council leveraged these five guiding principles to develop the following ten key recommendations.

1. Equip States, Local governments, Tribes, and Territories to Lead Disaster Response with the Federal Government in a Supporting Role

The National Preparedness Goal aims to create a secure and resilient nation that can handle various threats and hazards.¹ As it stands today, most of the public's first instinct during a major natural disaster is to rely on or expect the federal government to complete a whole-of-government national response irrespective of whether that incident necessitates *any* federal response. However, contrary to that misconception, it is the SLTT governments that have always had the primary response role during a disaster. Reorienting the National Preparedness System to empower SLTT governments to manage the mitigation, response, and recovery of disasters effectively returns the federal role from *leading* to *supporting*.

To achieve this, the Council recommends addressing both the lack of a national standard for initial response and recovery as well as addressing the limited ability to share and coordinate resources. The transformed agency must reinvigorate a national system to ensure SLTT, private, and non-profit capabilities can better integrate during disasters. Additionally, the Council recognizes the importance of Non-Disaster Grants, such as the Emergency Management Performance Grant (EMPG), that ensure our nation's security and recommends these programs be retained within the future agency. The Council encourages exploring how to leverage federal savings from other efficiencies gained to create a potential one-time EMPG increase to better facilitate the return of responsibilities to States, Tribes and Territories.

To address a lack of a national standard for incident response and recovery:

1. Encourage adoption of national capability standards at SLTT level
2. Incentivize building scalable training resources at SLTT level
3. Professionalize emergency management to promote professional development
4. Focus on catastrophic planning and promote a common approach to exercise standards

To address the limited ability to share and coordinate resources:

1. Revitalize and promote the use of the Unified Resource Catalog of all Federal and SLTT-typed capabilities and resources
2. Refocus SLTT grant investment on mission-ready teams, capabilities, and infrastructure that meet national standards (i.e. State Search and Rescue, Swift Water Rescue, and other teams as identified in National Resource Hub) in lieu of funding specialty equipment
3. Enhance and improve upon the existing credentialing framework under the National Incident Management System (NIMS) and National Qualification System (NQS)
4. Promote the integration of additional partners, to include volunteer and faith-based organizations

¹ Federal Emergency Management Agency, "National Preparedness Goal," <https://www.fema.gov/emergency-managers/national-preparedness/goal>

5. Incentivize investments in interoperable systems for communication and data sharing to improve real-time coordination

2. Enhance Critical Federal Programs & Resources to Support Communities

The federal government must maintain the ability to provide federal support resources through a single federal entity, so that state and local officials can quickly and efficiently leverage the full force of the federal government when required. Although state and local authorities have the primary responsibility for responding to a wide range of hazards and protecting their citizens, the federal government should retain the responsibility to support these efforts when required.

FEMA's current mission exists at the intersection of emergency management and national security. An essential component of this is FEMA's authority to coordinate other federal agencies in support of SLTT partners. These include federal capabilities and programs such as Urban Search and Rescue Task Forces, National Disaster Medical System, Radiological Emergency Preparedness, and public communication tools like the Integrated Public Alert and Warning System and the National Alert and Warning System.

Additionally, the agency maintains an arsenal of dual-use capabilities, regional offices, incident management teams, prepositioned logistic systems or programs, and the Disaster Relief Fund to ensure the American people are resilient in the face of any threat, whether natural or man-made. Therefore, sustaining and resourcing this mission in the transformed agency is vital to public safety, economic stability, and national resilience.

3. Realign the Criteria for Federal Disaster Assistance

Federal assistance should only be reserved for truly significant events that exceed SLTT capacity and capability. Therefore, common criteria should be established on how to evaluate when this occurs. The current disaster declarations process for federal assistance does not adequately account for SLTT capacity and, therefore, is inconsistent with legislative intent and disincentivizes SLTT investment in disaster preparedness. In addition, the complexity and subjectivity within the existing process for granting federal assistance to individual citizens also creates frustration and tension between federal and state partners that distract from a common desire to assist survivors efficiently and fairly.

The transformed agency should implement common-sense approaches to update federal disaster declaration thresholds, thus rebalancing federal and state responsibilities. This includes a reset of the Per Capita Indicator threshold, using the Consumer Price Index to account for historical inflation. The Council recommends that disasters be evaluated for federal assistance based on the level of severity for public assistance and individual assistance funding. Additionally, an annual calendar year minimum expenditure should be established for small, medium, and large states prior to them being able to request a federal declaration (*see Appendix A for detailed guidance*).

4. Replace the Hazard Mitigation Grant Program with a Two-Phase Funding Structure

FEMA's current Hazard Mitigation Grant Program is hampered by administrative burdens that delay funding distribution until well after rebuilding begins, thus missing opportunities for cost-effective mitigation. Reviews indicate lengthy project approval times, inconsistent oversight, and a narrow focus on certain risk while neglecting others. The Council proposes a state-managed

program, notionally titled “Refined Risk Reduction” Program (R3P), where project priorities are nationally set and environmental reviews are handled locally, with two phases of funding:

- **Rapid Mitigation Advance** (Within the first 30 days provide up to 5% of the federal government contribution for the disaster to facilitate immediate residential mitigation to primary residences and communities impacted by the event or in other high-risk zones)
- **Strategic Mitigation Allocation** (Within the first six months provide up to the remaining 10% of the federal government contribution to improve the performance of the NFIP by mitigating properties and critical infrastructure based on Federal Administration priorities)

For mitigation to work, the Council recommends states take on greater program management responsibility and continue to develop an improved and comprehensive state hazard mitigation process that identifies projects that are immediately implementable. The program would be structured with up to a 75% cost share based on performance metric (*see Appendix A*) with a 50% minimum. The program would focus on expediting funding for states and territories with approved hazard mitigation plans and a history of successful HMGP performance, encouraging identification and sharing of best practices, inventorying high risk properties and building sound funds management systems. All projects should be completed as soon as practicable and must be completed within eight years, including completion of all required federal permits and any other federal closeout actions. Finally, winding down the legacy open disaster declarations by converting them to the new model would reduce the backlog and break the cycle of repetitive loss, improve fiscal sustainability, and enhance community resilience.

5. Streamline the Individual Assistance Program into a Single Direct Payment Program

The current FEMA Individual Assistance (IA) Program,² which provides direct assistance to disaster survivors, is overly slow, confusing, and inefficient. It leaves many Americans frustrated by complex rules, inconsistent decisions, and long wait times for aid when they are most vulnerable. With at least 15 categories of assistance, the system bewilders and sidelines recipients and private-sector partners who are best positioned to help survivors. Furthermore, the program is not well integrated with other federal housing programs. It does not give Americans the quick certainty they need to drive their own recoveries, and instead centralizes control in Washington, D.C. The process spends taxpayer dollars inefficiently and with little accountability for outcomes. To address these challenges that survivors experience in receiving assistance, the Council proposes the *Framework for Accessible Individual Relief* (FAIR) Program:

- Consolidate existing programs into one direct payment to survivors whose homes are uninhabitable after a disaster.
- Transfer evacuation and temporary emergency sheltering responsibilities to state, tribal, and territorial (STT) governments.

² FEMA’s Individual Assistance program is designed to help disaster survivors with basic critical needs such as a safe, sanitary, and functional place to live during recovery from a disaster. It is not designed to make survivors whole and is not a substitute for insurance coverage. <https://www.fema.gov/fact-sheet/questions-and-answers-about-individual-assistance#:~:text=FEMA%E2%80%99s%20Individual%20Assistance%20program%20is%20designed%20to%20help,and%20is%20not%20a%20substitute%20for%20insurance%20coverage.>

- Focus the transformed agency's role on emergency and temporary housing (mass care/sheltering and temporary housing/rental assistance) instead of long-term housing, and only for Americans whose homes are uninhabitable (not those who experience minor damage).
- Affirm private insurance companies remain responsible for permanent housing, with the U.S. Department of Housing and Urban Development and Small Business Administration in lead federal roles.

Instead of bureaucratic, delayed payments that eventually provide only a few thousand dollars to the average American, swift support for emergency sheltering with a faster amount of monetary assistance would directly and positively impact affected Americans. Consolidating assistance into a single payment would provide all Americans clear, specific information on what assistance they would receive from the federal government in the event of a catastrophic loss.

- **Homeowner Assistance**

- For homeowners, the payment package would be based on their level of need and no more than 15% of the local government's assessed value, capped at a \$1 million valuation (i.e. maximum payment not to exceed \$150,000).
- Allowable use would include repairs, replacement, rental and other needs assistance (i.e. personal property loss, transportation, medical, funeral expenses).

- **Renter Assistance**

- For renters, the payment package would be based on level of need and cover 3 months of rent (first, last, and current month) at the HUD Fair Market Rate (FMR) for the appropriate household size. Individuals with greater need could have the option for 3 additional months of rental assistance for 6 months total.
- This covers rent and Other Needs Assistance.

These reforms provide quick, cost-effective, and transparent support to disaster survivors, within the limits of federal funding, as well as reduce administrative overhead and clarify federal agency responsibilities. Further, there should be an option for this to be a state-managed program if individual states wish to do so.

6. Reform the Public Assistance Program to Provide Direct Funding

The current disaster recovery process under FEMA's Public Assistance (PA) program,³ which provides funding to communities after a federally declared disaster, is burdened by bureaucracy, leading to significant delays and frustration from states and communities. To address this, the Council proposes the *Reformed and Partnered Initiative for Disasters* (RAPID) program, a modern and agile framework that converts the existing PA program into a direct funding model that leverages pre-defined objective event criteria and cost estimates to accelerate and streamline

³ Public Assistance is FEMA's largest grant program providing funds to assist communities responding to and recovering from major disasters or emergencies declared by the President. The program provides funding for emergency assistance to save lives and protect property and assists with funding for permanently restoring community infrastructure affected by a federally declared incident. -FEMA Public Assistance Fact Sheet October 2019.

recovery. Utilizing a parametric trigger,⁴ funding would be released to states within 30 days of a major federal disaster declaration. This eliminates the need for time-consuming loss assessments and quickly provides a financial backstop and cashflow for rapid response and recovery. When paired with traditional insurance of public facilities, this can enable communities to *quickly recover* with manageable financial risk and burden to local taxpayers.

The Council recommends the future agency convene a group of STT and private sector representatives to collectively establish a parametric funding model that is based on existing data from the authoritative federal agency or organization over each type of eligible event (i.e. earthquake, hurricane, flood, etc.). The federal funding should be set with a minimum of 50% and increase up to 75% of the established parametric amount based on state performance (*see Appendix A for details*). STTs, in turn, would gain the autonomy to manage the funding, to include determination of project eligibility, and look for duplications of effort as referenced in the Council's first key recommendation.⁵ Determination of eligibility would be simplified and limited to eligible applicants, eligible facilities, eligible work, and eligible costs.

Accountability would be maintained through a two-phase audit process: a one-time validation of costs within one year and a final program closeout. All federal funding provided under RAPID must be expended or returned within eight years. The transformed agency should pursue the ability to convert historic disasters to the new RAPID Direct Funding program, making a onetime payout and immediately transitioning to the two-phase reconciliation approach described above. This significantly reduces the administrative burden on all stakeholders and prevents added confusion from overlapping approaches. *See Appendix B for an example flow chart of how RAPID would function in a natural disaster.*

7. Reform the FEMA National Flood Insurance Program (NFIP) for Financial Stability and Risk Resilience

The National Flood Insurance Program (NFIP), administered by FEMA, faces significant challenges that threaten its long-term viability. The program is financially unsustainable, burdened by over \$20 billion in debt,⁶ and relies on outdated risk information.⁷ This leads to a disconnect between the price of insurance, the public's perception of risk, and actions to mitigate or transfer it. A comprehensive reform plan centered on a strategic shift toward a primary role for the private market, with the goal of fostering a more resilient and financially stable flood risk management system. The Council recommends:

- Empowering communities with stronger land-use policies

⁴ Parametric, or index-based, is a concept where if an event reaches a pre-defined threshold, it automatically sets the payment amount based on the magnitude of the event. This is different than traditional payment based on the magnitude of assessed loss. The main benefit of a parametric model is the speed and certainty of payouts, which are triggered automatically *after* a federal disaster declaration is made, when pre-defined, objective event criteria are met, like wind speed or earthquake magnitude.

⁵ This would be accomplished through congressional authorization for eligible, certified STT programs.

⁶ Federal Emergency Management Agency, NFIP Debt, <https://www.fema.gov/case-study/nfip-debt>

⁷ *Underwater: How FEMA's outdated flood maps incentivize property owners to take risks.* <https://www.nbcnews.com/science/environment/water-femas-outdated-flood-maps-incentivize-system-risk-negotiable-rcna220529>

- Modernizing risk data with continued implementation of Risk Rating 2.0 and revising flood maps to inform the American people about their true risk
- Implement risk-based pricing and actual costs
- Revising “Write Your Own” compensation to reduce overall administrative costs
- Incentivizing the launch of a "take-out" program to transfer policies to the private market and focus Hazard Mitigation funds on repetitive loss properties
- Engaging state insurance commissioners to facilitate this transfer, including exploring the establishment of a centralized flood insurance marketplace to serve as a clearinghouse for admitted insurers

These changes are expected to accelerate disaster recovery, reduce the federal government's financial burden, send clear financial signals, and provide predictable financial outcomes for homeowners, ultimately leading to a more prepared nation.

8. Maximize Every Dollar Spent by Reducing Administrative Costs

A central issue with the current disaster management system is the amount of taxpayer money used for administrative costs. In fact, a substantial part of grant funding is spent on administrative and management expenses at both the federal and state/local levels. In total, almost 25 cents on every dollar can be provided for administrative expenses. As an example, since 2018 in Florida, the cost of a recovery consultant contract rate has increased from \$100 to nearly \$300 per hour. Most of these costs are expended during the grant development phase, which hinders the pace of recovery. The complexity of existing grant programs has resulted in a shift from using government staff to private contractors in exorbitantly high numbers. A FEMA official in Puerto Rico highlights this phenomenon stating, “I have 500 contracted employees that would not be needed if FEMA’s grant process was not so complex.”⁸ The above recommendations offer efficient, streamlined programs that reduce overall administrative cost burdens by replacing grant programs with direct funding that does not require administrative management.

Any sense of urgency emphasized in this report for providing assistance to SLTTs should be carefully balanced with a robust financial review and compliance. It is critically important that states should be required to utilize their state auditor and/or comptroller to complete timely audits of income and expenditure of all federal funds. Consideration of utilizing private, Certified Public Accountants, or accounting firms to assist in this critical process of accountability would be prudent as many state auditors of public accounts may be overburdened by current statutory responsibilities. Localities and Tribal Governments should be required to submit a standardized audit either from their public auditor or licensed accounting firm. By eliminating and simplifying programs, capping administrative costs, strengthening ethics rules, and increasing direct government support, policymakers would improve how disaster relief funds are used to build a more resilient nation.

⁸ FEMA Review Council Listening Session, 24 September 2025, San Juan, Puerto Rico.

9. Revitalize A Unified National Network for Partnership

The current emergency management landscape lacks a comprehensive framework that effectively integrates the efforts of federal, state, and local governments with those of private industry, faith based, and non-profit partners. The current system of laws, executive orders, and policies causes confusion by using the following terms interchangeably: frameworks, incident command systems, lifelines, core capabilities, and emergency support functions. This gap prevents the building of shared capabilities and national-level capacity, directly impacting the readiness and effectiveness of local first responders.

The transformed agency should promote a "Whole Community" approach to national preparedness. To do this, the agency must address the existing gap in the emergency management landscape by returning to a network that enables government, private industry, faith based, and non-profit partners to build toward shared capabilities and integrated resources. This formalizes and streamlines coordination between government agencies, critical private-sector partners, and non-profit organizations.

10. A Transformed Agency

It is time to close the chapter on FEMA. "FEMA" as a brand and as an agency was irreparably damaged by the previous Administration's proclivity to mission creep and endemic program failures. A transformed agency should be established that retains the core missions of FEMA, while highlighting the renewed emphasis on locally executed, state or tribally managed, and federally supported emergency management.

Beyond boldly transforming the agency, it should refocus on its core mission *to reduce the loss of life and property and protect the Nation from all hazards*⁹ by reducing bureaucracy, improving efficiency, and building stronger partnerships with SLTT governments. Therefore, the agency should shift from a District of Columbia-centric bureaucracy and regulatory bottleneck to a new, lean coordination-focused workforce that empowers SLTT officials to provide relief for their citizens. The transformed agency should conduct a strategic review of requirements to determine appropriate staffing levels and address a recent surge in headquarters-based personnel by rebalancing their headquarters vs. field personnel ratio to reduce the agency's bureaucratic bloat. This assessment and determination should occur over a two-to-three-year period and would be dependent on the Council's recommendations being implemented. The transformed agency should deliver any cost savings achieved through staffing efficiencies back to the States, Tribes, and Territories. As the agency transforms, there remains a need for partnerships between states and federal stakeholders, and this can be best facilitated by active regions.

To empower these partners, the transformed agency should shift training execution to states, expand and leverage existing successful partnerships, continue support of Emergency

⁹ *The primary mission of the Agency is to reduce the loss of life and property and protect the Nation from all hazards, including natural disasters, acts of terrorism, and other man-made disasters, by leading and supporting the Nation in a risk-based, comprehensive emergency management system of preparedness, protection, response, recovery, and mitigation.* – Post-Katrina Emergency Management Reform Act of 2006

Management Assistance Compact agreements, empower states with expedited funding, and limit federal on-the-ground response to only incidents that exceed the capabilities and capacities of SLTT stakeholders.

The Council recommends reviewing all existing FEMA programs and maintaining those that are critical to our nation’s security. Further, rather than replacing successful programs, the future agency should double down on those with a proven track record of effective federal-state-local partnership such as the Emergency Management Assistance Compact, National Urban Search and Rescue Program, Centers for Domestic Preparedness, and U.S. Fire Administration among others.

The transformed agency must look for opportunities to remove duplications of effort such as environmental and historical reviews, audits, and inspections that should be conducted by states. Further, the agency should endeavor to expedite the closeout of historical open disasters. Doing so will address and reduce lingering administrative costs as well as legacy information technology systems that are maintained solely to facilitate open disaster declarations. Both directly benefit Americans by accelerating ongoing recovery efforts and reducing taxpayer costs. Finally, as FEMA is transformed, the recommendations below must be made with a comprehensive effort to streamline and modernize the agency’s technology to support its refocus on the core mission.

Benefits of the Ten Recommendations

These recommendations lead to a more resilient *AMERICA*:

- *Accelerate* disaster response and recovery
- *Modernize* systems and technology for greater efficiency
- *Empower* local and state governments with better resources and tools
- *Reduce* administrative costs and federal burden
- *Improve* coordination across government, private sector, and nonprofits
- *Cultivate* public trust through transparency and accountability
- *Amplify* resilience for rural communities and critical infrastructure

These reforms aim to create a more resilient and prepared nation by ensuring that disaster response and recovery efforts are efficient, cost-effective, and locally executed. Such reforms also ensure that federal support is available when catastrophic events occur that overwhelm local systems.

Implementation Requirements by Recommendation

Based on the Council’s interpretation of existing policy, legislation, and regulation, the following actions are required to achieve the full intent of each recommendation. The table below shows the minimum action required to implement each of the Council’s recommendations. It is important to note that all recommendations requiring legislative action will also need to be accompanied by regulations, but since they cannot be accomplished through regulation alone that

action is not checked. While Executive Orders may be used to make some of the proposed changes, the Council advocates for legislative action to ensure a systemic and sustained transformation of the current approach to disaster management.

Recommendation	Minimum Action Required to Implement			
	Policy 	Legislation 	Regulation 	Executive Order 
#1 Equip SLTT to Lead	✓			
#2 Enhance Critical Programs	✓		✓	
#3 Realign Criteria for Assistance			✓	
#4 Replace HMGP		✓		
#5 Streamline IA		✓		
#6 Reform PA		✓		
#7 Reform NFIP		✓		
#8 Reduce Admin Costs				✓
#9 Network for Partnership	✓			
#10 Transform FEMA		✓		✓

Appendix A: Detailed Charts

Cost Comparison of Current and Proposed Programs

Current Program	Activity	Current Federal Cost Share	Proposed Program	Activity	Proposed Federal Cost Share
Public Assistance	Emergency Declarations	Not Less than 75% POTUS can increase <i>Section 503(a)</i>	RAPID Direct Funding		Up to 75% based on performance metric; 50% minimum POTUS can increase
	Category A: Debris Removal	Not less than 75% POTUS can increase <i>Section 407(d)</i>			
	Category B: Emergency Protective Measures	Not less than 75% POTUS can increase <i>Section 403(b)</i>			
	Categories C-G: Permanent Work	Not less than 75% POTUS can increase <i>Section 406(b)(1)</i>			
Individual Assistance	Temporary Housing Assistance (homeowners and renters)	100% <i>Section 408(g)(1)</i>	FAIR	Temporary Housing Assistance (homeowners and renters)	75%
	Other Needs Assistance	75% <i>Section 408(g)(2)</i>		Other Needs Assistance	
Hazard Mitigation Grant		Up to 75% <i>Section 404(a)</i>	Refined Risk Reduction (R3P)	- Rapid Mitigation Advance - Strategic Mitigation Allocation	- Up to 75% based on performance metric; 50% minimum - Rapid Mitigation Advance (up to 5% of overall federal contribution) - Strategic Mitigation Allocation (up to 10% of overall federal contribution)

Proposed Cost Share Increase Criteria for States, Tribes, and Territories

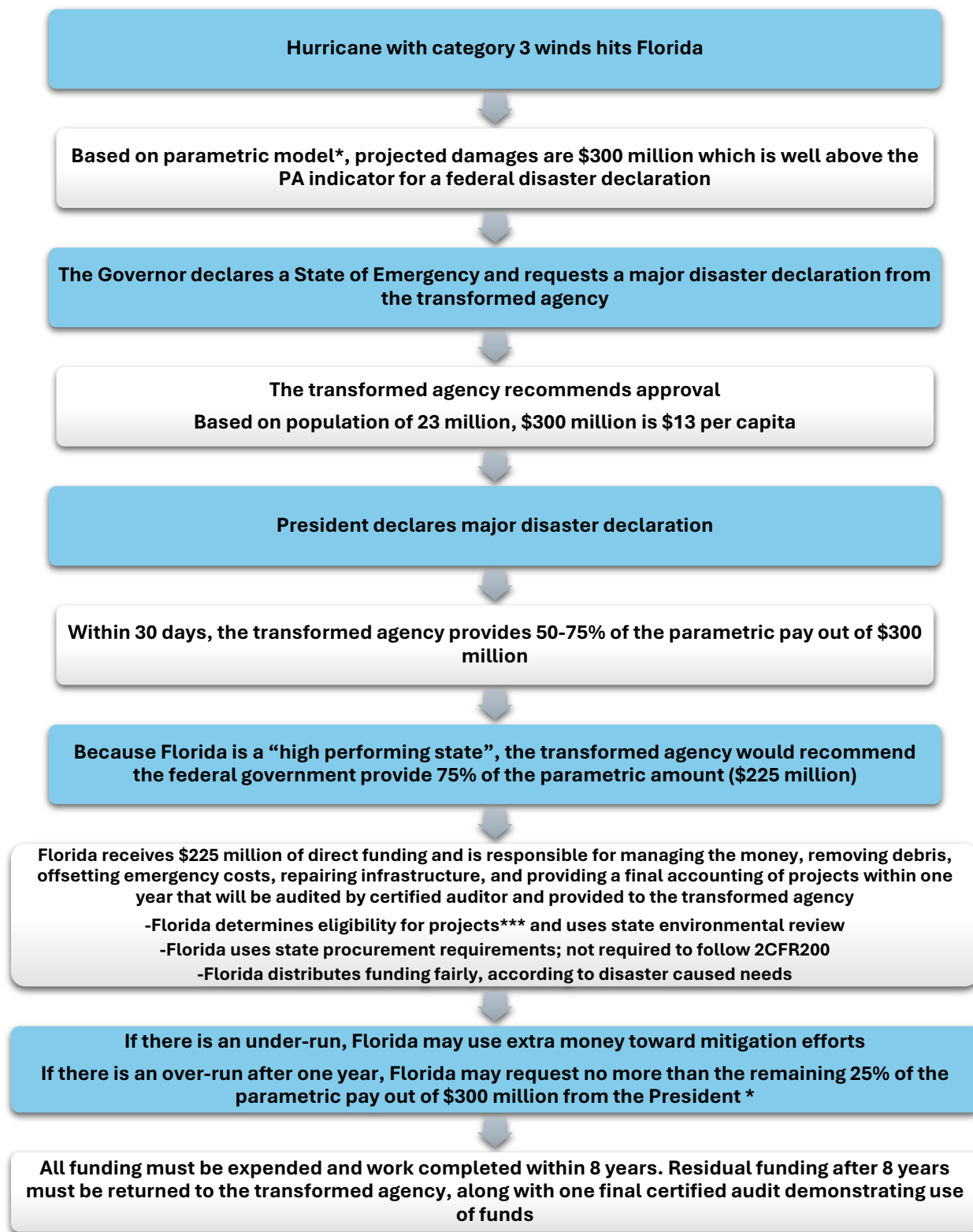
**A quantitative index should incorporate these criteria to determine cost share increase(s).*

	Preparedness	Financial Investment	Response	Recovery	Mitigation
Required	STT entity has implemented a statewide citizen preparedness campaign. ¹⁰	STT entity certifies they have and are maintaining insurance on 100% past permanent work projects.	STT entity annually updates a resources list that includes their resources, typed and cost mapped for deployment outside of the STT (<i>tying costs to resources</i>)	The SLTT has the ability to collect, validate, and report preliminary damage assessment data for an affected jurisdiction within the first 30 days post-disaster, enabling timely activation of state and federal assistance mechanisms.	STT entity actively identifies risk through annual THIRA and SPR review and updates to track progress on building national preparedness capabilities.
Recommended	<i>STT entity should have a statewide emergency management program that addresses the five national preparedness areas.¹¹</i>	STT entity has a minimum of 5% of their state budget in cash reserve	STT entity has an annually reviewed emergency operations plan and requires all localities to have an emergency operation plans and the STT reviews the plan at a minimum every three years	STT has an individual assistance program that includes: 1. Temporary housing assistance 2. Individual and family grant program that includes crisis counseling 3. Disaster unemployment assistance 4. Disaster case management for use during federal disaster.	STT entity manages a mitigation program with a state or local match that provides STT funding to localities to harden infrastructure.
	STT entity adopted consensus standard building codes	STT entity has a disaster reserve or relief fund that support state and local recovery costs; used for FEMA match and non-declared events.	STT entity has participated in EMAC (<i>outbound/inbound</i>) deployment in the past 5 years	STT entity must be an IPAWS participant and 75% of the state's localities have a local alert and warning system or participate in IPAWS.	
		STT entity has 50% of their buildings and infrastructure covered by all hazard insurance (including floods)			

¹⁰ The program must include 2 of the following topics areas to qualify: 1) Preparedness education for their citizens; 2) Coordination with the private and non-profit sectors in planning and communication; 3) Public education related to the importance of personal insurance

¹¹ Demonstrate this through 1) Maintain current statewide plans for each mission area; 2) Use HSEEP-compliant exercises and implement corrective actions; 3) Integrate THIRA/SPR findings into budgets and strategy; 4) Provide annual preparedness or performance findings

Appendix B: RAPID Direct Funding Flow Chart



Appendix C: Looking Back - A History of Emergency Management and FEMA

The history of disaster and emergency management in the United States reflects the evolution of federal responses to crises, beginning with the first legislative act of disaster relief following the Portsmouth, New Hampshire fire in 1802. Early efforts were reactive, addressing individual emergencies through separate laws until the Federal Disaster Relief Act of 1950 established a comprehensive framework. During the mid-20th century, emergency management expanded to include wartime civil defense and preparation for nuclear attacks, while flooding emerged as a major challenge, prompting the creation of the National Flood Insurance Program (NFIP) in 1968.

The 1970s marked a shift toward a more coordinated approach to disaster management, spurred by large-scale disasters like Hurricane Agnes in 1972. The Disaster Relief Act of 1974 introduced planning and mitigation measures, professionalizing emergency management. This period also saw the establishment of FEMA in 1979 through Executive Order 12127, consolidating federal disaster-related functions under one agency. The Stafford Act of 1988 further defined FEMA's role in disaster response and recovery, emphasizing a systemic approach to preparedness and mitigation.

Major disasters such as Hurricane Katrina in 2005 and Hurricane Sandy in 2012 highlighted gaps in federal response and recovery efforts, leading to legislative reforms. The Post-Katrina Emergency Management Reform Act of 2006 clarified FEMA's authorities and responsibilities, while the Sandy Recovery Improvement Act of 2013 streamlined recovery processes and expanded disaster assistance. The Disaster Recovery Reform Act of 2018 introduced significant reforms, including dedicated funding for pre-disaster mitigation through the Building Resilient Infrastructure and Communities program.

The COVID-19 pandemic in 2020 required an unprecedented federal response, with FEMA coordinating efforts to distribute medical supplies, personal protective equipment, and vaccines, while supporting state and local governments. Lessons learned from the pandemic led to improvements in public health coordination and emergency preparedness. Legislative measures such as the American Rescue Plan Act of 2021 and the Infrastructure Investment and Jobs Act of 2021 provided substantial funding to enhance the Disaster Relief Fund and then subsequently attempt to legislate a solution of how to adjudicate the billions in unobligated funds leftover from the pandemic response.

Overall, the U.S. approach to disaster and emergency management has evolved from reactive measures to a comprehensive system that emphasizes preparedness, mitigation, response and recovery, reflecting the growing complexity and frequency of disasters over time. However, the cumulative effect of reactive legislation saddled FEMA with additional roles, responsibilities, and benefits has ultimately pulled FEMA away from its core mission.

Appendix D: FEMA Disaster Response (2021-2024)

Over the previous four years, FEMA encountered one of the busiest disaster periods in recent history, responding to numerous complex and concurrent disasters while grappling with significant workforce and administrative challenges. This assessment highlights FEMA's operational shortcomings, particularly in staffing sufficiency, disaster response delays, and grant oversight failures, which collectively contributed to inadequate disaster response outcomes against an ever-growing mission portfolio. In February 2025, the Government Accountability Office added federal disaster assistance to its "High-Risk List," underscoring systemic issues within FEMA.

The bureaucracy and mission creep that has pulled FEMA away from its core mission combined with a persistent shortage of experienced staff to address these additional missions was a major factor affecting FEMA's performance. At the start of FY2022, FEMA had approximately 11,400 disaster employees, falling short of its staffing goal of 17,670 by roughly 35%. This gap hindered FEMA's ability to deploy surge capacity, retain institutional knowledge, and effectively manage complex operations. Although personnel gaps were routinely highlighted as a challenge, it was left unspoken that the root problem was the expanding mission portfolio, not simply personnel.

The impact of overreliance on the federal government and lack of personnel to conduct manual administrative tasks was evident in delayed disaster assistance, politicization allegations, and administrative inefficiencies. For example, following the cumulative impacts of Hurricanes Helene and Milton, FEMA faced a backlog of 500,000 assistance applications by December 2024, delaying aid delivery to survivors. FEMA's response to the Lahaina wildfires in 2023 also revealed weaknesses in housing logistics and survivor case management, with delays in constructing temporary housing and confusion over rent policies. Similarly, during Hurricane Ida in 2021 and the Eastern Kentucky floods in 2022, survivors reported long delays in receiving aid due to rigid verification rules and insufficient field staffing.

FEMA's administrative capacity was further strained by delays in disaster closeouts and grant oversight failures. The U.S. Department of Homeland Security's Office of Inspector General found that FEMA's oversight deficiencies prolonged disaster closeouts, complicating audits and grant reconciliation. Additionally, FEMA's insufficient oversight of COVID-19 emergency protective measures grants resulted in over \$8.1 billion in questioned costs and improper payments, highlighting vulnerabilities in monitoring high-volume grant programs.

Where FEMA had pre-positioned capacity and adequate local partnerships, the agency delivered lifesaving functions and early recovery support. Where pre-existing local capacity was weak (notably some rural and underserved areas) or where multiple disasters clustered, FEMA's limited surge and administrative backstops produced slower assessments, longer grant processing, and protracted closeouts—outcomes that prolong community recovery and increase fiscal exposure. The combination of staffing shortfalls and administrative weaknesses therefore had an uneven but material effect on recovery speed and completeness. Meanwhile, state, local, and private stakeholders routinely delivered faster and effective responses to disasters.

The rising frequency and complexity of disasters have outpaced FEMA's static capacity, creating a strategic mismatch between demand and capability. This mismatch combined with increased responsibilities has constrained FEMA's ability to manage simultaneous large-scale incidents without sacrificing speed or oversight.

About the FEMA Review Council

On January 24, 2025, President Donald J. Trump signed Executive Order (EO) 14180, “Council to Assess the Federal Emergency Management Agency (FEMA),” establishing a FEMA Review Council to recommend improvements or structural changes to the agency, promote the national interest, and enable national resilience. The Secretary of Homeland Security established the Council consistent with the Federal Advisory Committee Act on February 21, 2025.

The FEMA Review Council consists of two co-chairs and ten council members, who were all appointed by President Trump on April 28, 2025. After the appointment of the members, the Council created three subcommittees to address federal and state coordination, disaster response and recovery assessments, and the compilation of the final report.

The Council also coordinated requests from the President, through the Assistant to the President for National Security Affairs, the Assistant to the President for Homeland Security Affairs, and the Director of the Office of Management and Budget.

For additional information regarding the Council, visit:

<https://www.dhs.gov/federal-emergency-management-agency-review-council>

Work Performed

The Council’s work was conducted from approximately February 2025 through November 2025, during which time the following critical efforts were completed. In total, the Council engaged with representatives from all 50 states and territories, as well as numerous tribal leaders and representatives.

- **Council Public Meetings.** Council members met routinely, both virtually and in-person, for internal proceedings and public meetings.
- **DHS/FEMA Briefings.** The Council received multiple briefings from FEMA and other related DHS offices.
- **Stakeholder Listening Sessions.** The Council and its subcommittees conducted 17 listening sessions to hear from federal, state, local, and tribal partners, as well as relevant private sector entities and non-profit institutions, such as faith-based organizations. The Council traveled extensively throughout the nation to conduct meetings with key stakeholders to capture their concerns, ideas, and solutions.
- **Public Comment and National Survey.** In addition to the above efforts, the Council collected and assessed over 11,000 public responses received via Federal Register Notice solicitation for comment, as well as conducted a national survey of state, local, tribal, and territorial emergency managers.

FEMA Review Council Members

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Michael Whatley
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Glenn Youngkin
Former Governor, Commonwealth of
Virginia

Acknowledgements

The Council would like to acknowledge and express its gratitude toward:

- The outside experts who offered their time and insights,
- The members of state and local emergency management and homeland security entities and governments,
- Governors from many states and their chiefs of staff, and
- The current and former FEMA employees who offered their time and experience.

The Designated Federal Officer, Mr. Patrick Powers, for his exemplary leadership and effort to ensure the Council’s work was coordinated, transparent, and effective to ensure a comprehensive effort to meet President Trump’s directives – and the many incredible staff members directly supporting the Council, among countless others who made this report possible.

The Council also dedicates this report to the tens of thousands of hardworking emergency management professionals who have dedicated their careers to the preparation, response, recovery, and mitigation of natural and manmade disasters – notably, those who continue to recover from ongoing disasters.



Report Addendum for Implementation Considerations

The President's Council to Assess the Federal Emergency Management Agency

May 7, 2026

Table of Contents – Report Addendum for Implementation Considerations

1. Equip States, Local governments, Tribes, and Territories to Lead Disaster Response with the Federal Government in a Supporting Role.....25

2. Enhance Critical Federal Programs & Resources to Support Communities.....29

3. Realign the Criteria for Federal Disaster Assistance31

4. Replace the Existing Hazard Mitigation Grant Program with a Two-Phase Funding Structure33

5. Streamline the Individual Assistance Program into a Single Direct Payment Program ..36

6. Reform the Public Assistance Program to Provide Direct Funding.....40

7. Reform the National Flood Insurance Program (NFIP) for Financial Stability and Risk Resilience47

8. Maximize Every Dollar Spent by Reducing Administrative Costs51

9. Revitalize A Unified National Network for Partnership53

10. A Transformed Agency54

Soliciting Input from Stakeholders Across the Nation 57

 Incorporating Public Feedback into FEMA Review Council Efforts 57

 Methodology 58

 Analysis of Public Feedback Received 60

 Tribal Engagements 62

Areas for Further Exploration / Engagement 63

Public Meeting Minutes..... 64

Engaged Subject Matter Experts and Stakeholders..... 64

Detailed Public Comments and Survey Inputs – An Analysis 67

Key Recommendations

1. Equip States, Local governments, Tribes, and Territories to Lead Disaster Response with the Federal Government in a Supporting Role

Disasters demand unified action across government, private industry, and with non-profit partners, leveraging the strengths of these sectors to optimize national resilience. The national emergency management landscape lacks a framework that helps everyone involved in responding to emergencies build toward a shared capability and integrated resources to raise national-level capacity. This gap directly impacts the readiness of local responders.

Problem 1: Lack of a National Standard for Incident Response and Recovery

Standards that define the capabilities jurisdictions should have, how they are measured, and how personnel are qualified have not been adopted nationally, and the overall approach requires significant improvement. While there have been attempts over time to develop national standards and systems, such as the National Preparedness System and core capabilities, these efforts have been fragmented and lack cohesive implementation. Without uniform standards, training varies, equipment is purchased without common specifications, and response teams cannot reliably integrate across jurisdictions. These inconsistencies make it harder to field mission-ready teams, match resources to needs, and deliver timely assistance to survivors.

"FEMA sets the tone and guides systems down to local jurisdictions through the provision of guidance, frameworks, and training." -Anonymous Stakeholder Feedback

Recommendations:

1. **Encourage National Capability Standards Adoption:** The transformed agency should establish a formal governing board of federal, state, local, tribal, and territorial (FSLTT) stakeholders to codify national minimum standards for incident response and recovery capabilities. These standards would build upon existing frameworks like the National Incident Management System (NIMS) Resource Typing and National Qualification System (NQS) and be published through a Resources Typing Library Tool or a similar platform. The goal is to define, in plain terms, the personnel, equipment, training, and performance criteria for common mission sets like mass care, communications, incident management, and logistics.
2. **Build Scalable Training Resources:** State, locals, and tribal nations should take responsibility for training delivery, with the federal role primarily shifting to developing curriculum and setting outcome-based standards. In addition to curriculum development, the transformed agency should expand its "train-the-trainer" programs to scale instruction, certifying SLTT instructors from across the nation to provide the curriculum. This would expand the number of trainings delivered locally to emergency managers and allow for consistency in training for emergency management best practices. The transformed agency's schoolhouses would primarily be focused on hands on training not

available elsewhere, to include existing live-agent training at the Center for Domestic Preparedness.

3. **Professionalization of Emergency Management:** To address the unique professional development needs of senior leaders in emergency management, the transformed agency should establish advanced education pathways focused on crisis leadership, interagency coordination, and strategic decision-making. These pathways should include specialized training programs, executive-level workshops, and mentorship opportunities designed to equip leaders with the skills required to navigate complex emergencies and coordinate effectively across agencies and jurisdictions. Such an initiative would strengthen the leadership pipeline by fostering a cadre of well-prepared professionals who can consistently apply national doctrine and make informed strategic decisions during crises. By investing in the professionalization of emergency management, the transformed agency should promote a unified approach to leadership and decision-making, ensuring greater consistency and effectiveness in emergency response and recovery efforts nationwide.
4. **Catastrophic Planning and Exercise Standards:** The transformed agency should focus national plans and federally funded exercises on truly catastrophic scenarios, such as large-scale natural disasters, nation-wide cyberattacks, or coordinated terrorist events, to ensure preparedness for the most severe threats. The transformed agency should also develop and implement standardized approaches for SLTT exercise and planning practitioners through shared training, doctrine, and evaluation criteria. By leveraging established frameworks such as the Homeland Security Exercise and Evaluation Program (HSEEP) and Community Planning Guidance, the transformed agency should promote a common approach to how SLTT jurisdictions plan and prepare for incidents within their communities. This will be critical in fostering national resilience as an integrated network, enabling jurisdictions to identify resource gaps in relation to a national inventory and prioritize investments accordingly. This will enhance the ability of SLTT jurisdictions to respond effectively to catastrophic events and integrate seamlessly into broader national response efforts.

Problem 2: Limited Ability to Share and Coordinate Resources

National readiness is constrained by an inconsistent application of a single, standards-driven effort that provides real-time visibility into capabilities and resources across jurisdictions and sectors. Without this, resource sharing depends on uneven mutual aid processes, variable recognition of responder qualifications, and fragmented, non-interoperable data systems — conditions that slow decisions and erode trust in deployments. At the same time, non-disaster grant funding is not aligned to build and sustain typed, mission-ready capabilities that are discoverable and rapidly deployable nationwide. Significant private, nonprofit, and volunteer capacity remains outside formal operational workflows. The result is duplicated requests, delayed missions, and avoidable reliance on federal surge assets, while local investments fail to aggregate into a coherent, interoperable national capability.

Recommendations:

1. **Revitalize and promote the use of the Unified Resource Catalog:** FSLTT stakeholders should be required to identify and catalog their typed capabilities and resources within a

defined period for implementation and updated routinely. Pre-vetted private sector resources and nonprofit capabilities should also be cataloged to present a complete national picture. The transformed agency should determine whether its Resource Inventory System or a new cloud-based platform is needed to establish a national inventory, creating a single, searchable online marketplace for all stakeholders to find available resources within budget. Standardized resource typing and federal policies would formalize mutual aid frameworks to enable rapid, coordinated sharing of personnel, equipment, and resources during large-scale incidents.

2. **Credentialing:** To enhance the sharing of personnel nationally and improve upon the existing credentialing framework under the National Incident Management System (NIMS), the system must be modernized to ensure uniform standards, interoperability, and recognition of responder qualifications across jurisdictions. This includes expanding the National Qualification System (NQS) to cover emerging roles, integrating credentialing into a centralized national database for real-time visibility, streamlining verification processes using advanced technology, and incorporating volunteer, faith-based, and private sector responders into the credentialing framework. Federal policies should mandate compliance with updated credentialing standards for jurisdictions receiving non-disaster grant funding, while training and technical assistance should be provided to support adoption. These enhancements would ensure rapid deployment of qualified personnel, reduce delays, and strengthen national preparedness and resilience during large-scale incidents.
3. **Prioritize Investment for Mission-Ready Teams, Capabilities, and Infrastructure:** We are a nation of local governments with resources residing at the local level. With this in mind, we must invest via grants to build and standardize this national coalition. The transformed agency should update program guidance and regulations to prioritize investments in Mission Ready Teams (MRTs) for non-disaster grants. Funded capabilities should meet national standards, be typed according to NIMS definitions, and be entered into the national inventory system. Federal non-disaster grant programs (NGDP) should be updated to prioritize investments in mission-ready capabilities and infrastructure that meet national standards and integrate into the national inventory system. These investments must directly support national preparedness objectives and ensure rapid deployment during emergencies. Further, these investments must emphasize building capabilities and capacities with a shift away from sustaining SLTT capabilities and capacities with federal grant dollars. The NDGP should be limited to a maximum of 3 years for personnel-related projects with the local jurisdiction funding that person(s) in perpetuity on SLTT funds. NDGP should be limited to building a new capability or capacity through capital outlay equipment once, then SLTT should pick up the cost for maintaining that new capability or capacity through SLTT funds in perpetuity. Additionally, the Council recognizes the importance of Non-Disaster Grants, such as the Emergency Management Performance Grant within the suite of FEMA's preparedness grants, in ensuring our nation's security and recommends these programs be retained within the transformed agency. The Council encourages exploring how to leverage federal savings from other efficiencies gained to create a potential one-time EMPG increase to better facilitate the return of responsibilities to States, Tribes and Territories. Linking federal funding to compliance with uniform standards for deployable capabilities

would streamline mutual aid processes, enhance resource interoperability, and strengthen national preparedness by focusing on readily deployable resources.

4. **Promote the Integration of Additional Partners, to include Volunteer and Faith-Based Organizations:** *To enhance the effectiveness and inclusivity of emergency management efforts, the transformed agency **should prioritize** the integration of volunteer, faith-based, and nonprofit organizations into national preparedness, response, and recovery frameworks.* The transformed agency should establish and maintain a national inventory of volunteer, faith-based, and 501(c)(3) organizations, and integrate pre-vetted private sector resources to create a comprehensive national capability picture. Federal policy should require the integration of these entities into planning, coordination, and operational frameworks to leverage community networks, local knowledge, and additional workforce capacity. This integration would expand the reach and effectiveness of national response and recovery operations while strengthening community resilience.
5. **Fund and Promote Interoperable Systems:** Federal policy should promote and incentivize shared investments in interoperable communications, data-sharing platforms, and information systems that enable real-time coordination across all levels of government and partner organizations. Open data standards should be established and promoted by federal policy to ensure interoperability, consistency, and reliability of information exchange during incident response and recovery.

Benefits:

- **Speed:** Rapid pre-deployment of anticipated resources would ensure local readiness for impending peril
- **Consistent Expectations:** All local emergency managers know exactly the capabilities they would receive
- **Cost Transparency:** Allows local emergency managers to make better informed cost-benefit decisions to optimize their response
- **Predictability:** Helps jurisdictions plan and budget more effectively for disaster response
- **Capability-focused:** Creation of a national inventory connected to funding eligibility would create incentives for SLTT stakeholders to focus on core capabilities
- **Faster, Coordinated Response:** Joint planning and integrated frameworks reduce gaps and overlaps during disasters
- **Efficient Resource Use:** Shared investments in interoperable systems cut costs and eliminate duplicative infrastructure
- **Seamless Recovery:** Aligned federal programs simplify assistance for survivors and speed community rebuilding
- **Broader Capabilities:** Leveraging private sector innovation and nonprofit expertise expands surge capacity and specialized skills
- **Stronger Public Trust:** Clear roles and unified communication enhance transparency and confidence during crises

- **Nationwide Readiness:** Cross-sector partnerships create a more adaptable, scalable system for complex or cascading disasters
- **Faster Response Times:** Well-trained SLTT teams and regional hubs enable immediate action without waiting for federal assets to arrive
- **Stronger Self-Sufficiency:** Local governments gain the skills, equipment, and partnerships to manage crises, reducing dependency on federal surge capacity
- **Scalable Support:** Regional hubs provide shared resources that can expand, or contract based on event size, optimizing efficiency
- **Improved Coordination:** Formalized mutual aid agreements streamline resource sharing across jurisdictions, minimizing gaps or duplication
- **Cost Efficiency:** Local capability and mutual aid reduce expensive federal deployments and allow resources to be used where most needed
- **Enhanced Resilience:** Communities build long-term readiness and confidence, ensuring sustained operations during back-to-back or prolonged disasters
- **Tailored Solutions:** Training and equipment investments reflect local hazards and demographics, improving effectiveness in diverse environments

Savings and Efficiencies Gained:

To be determined through detailed analysis. Expected areas of savings include reduced reliance on costly federal surge deployments when SLTT and private resources are available; lower duplication of resource requests and overlapping contracts; more targeted grant spending on standardized MRPs; and productivity gains from interoperable communications and data systems. A formal cost-benefit framework should measure baseline response times, deployment costs, and coordination overhead before and after implementation to quantify savings.

Conclusion:

A truly resilient nation depends on seamless collaboration across government, private industry, and nonprofit partners. Empowering SLTT governments to take the lead in managing disasters is essential for a resilient national preparedness strategy. Further, implementation of a mandatory national inventory system achieves the goal of ensuring disasters are locally executed, state managed, and federally supported. Leveraging modern technology solutions to establish such a national inventory system that provides transparency to the availability of SLTT resources, alignment to national standards and the typing of those same resources, as well as the upfront costs of those resources would increase the national preparedness of the country.

2. Enhance Critical Federal Programs & Resources to Support Communities

Problem:

State and local governments are primarily responsible for responding to threats to life and property but may lack the full scope and scale of resources required to respond. Consistent standards, effective coordination, and robust and timely federal support capabilities are required to save American lives when threatened by a range of hazards. Man-made hazards and nation-state threats will challenge the national response capability in ways it has not been tested before.

The federal government must continue to build its capability to support these efforts even if state and local governments assume greater responsibilities.

Recommendation:

Preserve and modernize the federal government’s capability to support state and local partners in lifesaving and life-sustaining efforts. Ensure robust national capability is available for the full range of hazards including natural hazards, cybers attacks, and nation-state threats. This capability must be able to evolve with an ever-changing threat environment. Regardless of the incident type or requirement, ensure integrated, timely, and efficient federal support is available when needed.

Protect and Improve National Support Capability

1. Sustain Core Standards to support effective and interoperable teams:

- Maintain national training and certification programs, including NIMS/ICS/NQS (continued further development) and resource typing

2. Improve Federal Coordination:

- Maintain a central and coordinated response capability to support state and local requirements
- Ensure a federal government-wide inventory of all available response assets to include type, costs, and available response times

3. Build Capability for Emerging Threats

- Nation-state threats and cyber-attacks challenge national resilience in ways the United States has not seen in a generation
- Capability for consequence management and national resilience to these hazards must be driven from the federal government as a core function of our national security

4. Integrate Emerging Technology:

- Leverage advanced analytics, AI, and communications platforms to enhance operational capability, predict requirements in advance, and reduce costs

5. Leverage Supply Chains for National Security

- Ensure the federal government can support national preparedness, supply chain resilience, and consequence management during emergencies

6. Continuity of Government

- FEMA leads federal efforts to develop and implement federal continuity programs by directly assigning responsibility for continuity of operations, continuity of government, and continuity of plans
- These programs ensure important federal missions, and state and local governments, continue to function amidst any threat

Benefits:

- **Faster Response Times:** Well-trained and interoperable SLTT teams enable immediate action without waiting for federal assets to arrive

- **Guaranteed National Backbone:** Maintains critical capabilities (NIMS/ICS, US&R, REP, NDMS, IPAWS, DFA) that cannot be replicated at the state or local level
- **Faster, Unified Response:** Consistent standards and trained teams enable seamless coordination across jurisdictions during complex, multi-state disasters
- **Adaptation to Emerging Threats:** Expanding readiness for cyber-attacks, pandemics, and climate-driven disasters ensures relevance to evolving risks
- **Enhanced Public Safety:** Reliable federal assets safeguard lives when catastrophic events exceed local capacity
- **Technology-Driven Efficiency:** Advanced analytics, AI, and next-generation communications improve situational awareness and operational speed
- **Cost-Effective Preparedness:** Sustaining national programs avoids duplicative investments by localities while providing surge capabilities when needed

Conclusion:

FEMA's current mission exists at the intersection of emergency management and national security. An essential component of this is FEMA's authority to coordinate other federal agencies in support of SLTT partners. Additionally, the agency maintains an arsenal of dual-use capabilities, regional offices, incident management teams, and prepositioned logistic systems or programs, and the Disaster Relief Fund to ensure the American people are resilient in the face of any threat, whether natural or man-made. Therefore, sustaining and resourcing this mission in the transformed agency is vital to public safety, economic stability, and national resilience.

3. Realign the Criteria for Federal Disaster Assistance

Federal regulations describe the process required for a governor to request Federal disaster assistance, including factors FEMA considers when making a recommendation to the President to approve or deny a major disaster declaration request. The Stafford Act currently prohibits the sole use of "an arithmetic formula or sliding scale based on income or population" when considering declaration requests.¹² Consequently, FEMA uses a set of factors to make recommendations to the President. The existing disaster declarations process for Public Assistance (PA) under accounts for state, local, tribal, and territory (SLTT) capacity and, therefore, is inconsistent with legislative intent and disincentivizes SLTT investment in disaster preparedness. The complexity and subjectivity within the existing disaster declarations process for Individual Assistance (IA) creates frustration and tension between federal and state partners that distract from a common desire to assist survivors. Realigning the criteria for federal disaster assistance could help rebalance responsibilities between the federal government and SLTT governments.

Problem:

Public Assistance (PA): FEMA initially set a per capita indicator of \$1 in 1986, which represented 0.008% of national per capita personal income and correlated closely to 0.1% of state general fund expenditures. Because of this, FEMA assumed \$1 per person was a reasonable amount of assistance a state could contribute towards the cost of a disaster. FEMA did not

¹² Stafford Act, Section 320.

increase the per capita indicator until 1999 when the Agency began adjusting the indicator for inflation.¹³ For FY26, the per capita indicator is \$1.94.

Individual Assistance (IA): FEMA has considered two principal factors since 2019: uninsured home and personal property losses. FEMA assesses these factors using a "cost-to-capacity" ratio to measure the severity and magnitude of a disaster relative to the state's fiscal capacity. To do this, FEMA uses the state's Total Taxable Resources (TTR)—or an estimate of the state's total *potential* tax base—divided by 1 million.¹⁴ The complexity within the existing process for evaluating assistance to individuals and households creates frustration and tension between federal and state partners. Further, the IA declarations process also risks supplanting assistance within the fiscal capacity of a state because it has a disproportionate emphasis on total estimated cost of assistance over those costs in the context of state capacity.

Recommendation:

- **PA Solution:**

- *Explore alternative methods for PA declarations. One option is to adjust the national per capita indicator for inflation from 1986-1999.* The transformed agency would update the current Public Assistance per capita indicator to account for historic inflation from 1986 to 1999, realigning the current per capita indicator of \$1.94 to \$2.99 to account for inflation between 1986 and 1999.

- **IA Solution:**

- *Eliminate the cost-to-capacity ratio and replace it with a simplified evaluation of damage to the impacted state.* The transformed agency would revert to factors like those prior to the 2019 regulatory change. Under this approach, the transformed agency would consider the number of primary residences that are destroyed or sustain major damage, along with other factors such as community impacts.

Benefits:

Public Assistance: *Fewer federal disaster declarations, leading to a rebalancing of state and federal responsibilities.* If the per capita indicator had been adjusted for inflation during the years it was not, analysis found that 29% of disasters declared between 2012 and 2025 would not have met the indicator, representing \$1.5 billion or 0.69% of the total federal share of funding. Annually, this would have led to 16 fewer major disaster declarations and about \$113 million less in funding per year.

Individual Assistance: *Simplified Individual Assistance declaration factors.* FEMA and its partners have experienced several challenges with the current approach. Many stakeholders find the cost-to-capacity approach overly complex and struggle to understand how FEMA makes recommendations based on it. Additionally, the current approach may also rely too heavily on total estimated costs of assistance, which favors larger states that more readily experience \$7.5 million in damages for a given disaster.

¹³ Disaster Assistance; Subpart C, the Declaration Process and State Commitments, 51 Fed. Reg. 13332, Apr. 18, 1986.

¹⁴ Based on annual estimates published by the Department of Treasury.

Implementation Requirements: Updating both the IA and PA declaration thresholds would require regulatory changes. In the interim, the President could direct through executive action that generally only requests above higher thresholds may be considered.

Minimum Expenditures: An annual calendar year minimum expenditure should be established for small, medium, and large states prior to them being able to request a federal declaration (*see Appendix A for detailed guidance*). This further incentivizes states to take the lead with their local partners for disaster mitigation.

Conclusion: Congress intended some executive discretionary authority within the disaster declarations process. Nevertheless, the law also stipulates federal assistance is provided only when a disaster is beyond the capabilities of SLTT partners and, therefore, necessitates common criteria for how to evaluate when those capabilities are overwhelmed. As described above, the existing disaster declarations process for Public Assistance under accounts for SLTT capacity and, therefore, is inconsistent with legislative intent and disincentivizes SLTT investment in disaster preparedness. The transformed agency should implement common sense approaches to realign the criteria for federal assistance and rebalance federal and state responsibilities.

4. Replace the Existing Hazard Mitigation Grant Program with a Two-Phase Funding Structure

Problem:

FEMA's current Hazard Mitigation Grant Program is conceptually effective but constrained in execution. Although authorized to provide funding for mitigation, most funding is distributed well after the rebuilding process begins. This delay limits opportunities to integrate mitigation into reconstruction, when it is most cost-effective and impactful.

State and local partners consistently report that HMGP application processes are complex and administratively burdensome. GAO reviews found that delays in project approval and funding distribution frequently exceed 12 months, hindering early risk reduction. FEMA's mitigation analyses have also been concentrated on flooding, hurricanes, and tornadoes—leaving gaps in wildfire, drought, and earthquake mitigation.

OIG audits similarly noted that oversight of HMGP property acquisitions lacks consistency across FEMA regions and that opportunities to integrate mitigation during the initial recovery phase are often missed. These findings reflect a need for more agile, outcome-driven funding mechanisms that reduce administrative friction and better align mitigation with broader national resilience goals.

Without reform, the transformed agency risks perpetuating a reactive recovery cycle—rebuilding to pre-disaster conditions and increasing future federal liabilities under the NFIP and Stafford Act disaster assistance programs.

Recommendations:

1. Establish a Two-Phase Funding Model

The transformed agency should eliminate the current HMGP and establish a two-phase funding structure of up to 15% of the disaster estimate in two allocations. This proposed state-managed program, notionally titled “Refined Risk Reduction” Program (R3P), would be structured with

up to a 75% federal cost share with performance metric and a 50% minimum (*See Appendix A in the Executive Summary*):

A. Rapid Mitigation Advance (up to the first 5% of the federal government contribution for the disaster to facilitate immediate residential mitigation)

- **Initial Allocation:** Within 30 days of a federal disaster declaration, provide up to 5% of the estimated mitigation allocation to states for immediate mitigation actions integrated into rebuilding disaster-impacted primary residences and communities. Alternatively, funds could be used to harden high risk residences and neighborhoods.
 - Some examples include elevation, seismic and wind retrofits, defensible space creation, and floodproofing.

B. Strategic Mitigation Allocation (up to the remaining 10% of the federal government contribution for the disaster for repetitive loss properties and critical infrastructure)

- **Remaining Allocation:** Allocate up to 10% based on Federal Administration priorities that:
 - Mitigate repetitive or severe repetitive loss properties to improve NFIP performance; or
 - Reduce risks to critical infrastructure with the intent of improving the performance of the NFIP as applicable (power, water, transportation, communications systems).

2. Strengthen State Management

For mitigation to work, states must take on greater program management responsibility and continue to develop an improved and comprehensive state hazard mitigation process that identifies projects that are immediately implementable.

Under this proposal, standardized oversight requirements for R3P-funded property acquisitions and mitigation projects should be managed at the state level.

- States and territories must provide and maintain an inventory of properties in high-risk areas not built to modern building codes or not in compliance with current NFIP requirements.
- Funds management systems/processes should be established and validated annually.
- The state should coordinate with Federal, State, Tribal, Local, and Private organizations to ensure implementation of hazard mitigation strategies and effective use of funds.
- Encourage greater proactive coordination at state/territorial level with other agencies to expand use of pre-negotiated exemptions/exclusions that streamline environmental review processes that align with prioritized project types.
- Strategic Mitigation Allocation-eligible projects must be prioritized and meet following criteria.
 - All projects must be approved and funded within one year.

- Construction completion timelines should be consistent with PA project close-out deadlines of eight years; time extensions may not be offered.

3. Prioritize States with Demonstrated Capacity

- Expedite funding for states and territories with approved hazard mitigation plans and a history of successful HMGP performance.
 - Leverage state and territorial mitigation plans as a repository for program performance (demonstrate and track metrics for funds management and oversight, program coordination, etc.).
- Encourage states/territories to assess performance of FEMA-funded projects (not just R3P-funded) and prioritize future investments.
- Support best practice sharing between states/territories at the regional level where hazards are often shared.

4. Winding Down Current Program

- **Reduce backlog by prioritizing high-risk projects:** Identify high risk unliquidated obligations that could either be drawn down by recipients or recovered by the transformed agency within set timeframes, ensuring all stakeholders are accountable for the effective management of existing funds.
- **Convert historic disasters to the two-phase R3P model:** The transformed agency should pursue the ability to convert historic disasters to the two-phase funding model described above.

Conclusion:

Eliminating HMGP and delivering funding via a rapid mitigation advance and strategic mitigation allocation could enable the transformed agency to act faster and more strategically in reducing disaster risk. The R3P model incentivizes state programs to establish program management capacities while aligning directly to GAO and OIG recommendations for timelier and more flexible mitigation investments.

By providing early funding for residential mitigation and directing remaining resources to protect critical infrastructure and reduce NFIP exposure, the transformed agency could:

- Break the cycle of repetitive loss.
- Improve fiscal sustainability.
- Strengthen community resilience; and
- Reinforce the transformed agency's mission to help people before, during, and after disasters.

This policy change represents a practical, evidence-based step toward building a mitigation framework that delivers measurable results and national benefit.

5. Streamline the Individual Assistance Program into a Single Direct Payment Program

Problem:

Unnecessary Complexity: FEMA's current IA program is unnecessarily difficult for recipients and stakeholders to navigate and often results in delayed assistance to survivors. It has drifted from its core objective of providing immediate relief for temporary housing and other individual needs, instead centering on extensive documentation and verification that can feel adversarial to people in crisis. FEMA and the Federal government have received this feedback directly from the American people through customer surveys provided to the Council. As one survivor put it, “I was really frustrated with all the paperwork and having to prove I needed help. I told the case worker, ‘I’ve already lost everything; haven’t I shown you enough to show you I’m deserving? Do you not trust what I’m saying?’” Another recalled, “I just sort of remember sitting down and filling out a bunch of forms. [It was] confusing because we weren’t sure what the point of it was, we didn’t know what we were getting, but they told us to sign up for this stuff, so we did.” As shown in figure 1, the program offers at least 15 types of assistance that are at best overlapping but at worst, extremely confusing for Americans to navigate as they work to recover. The process itself compounds the trauma, leaving people to make rushed, painful decisions under stress.

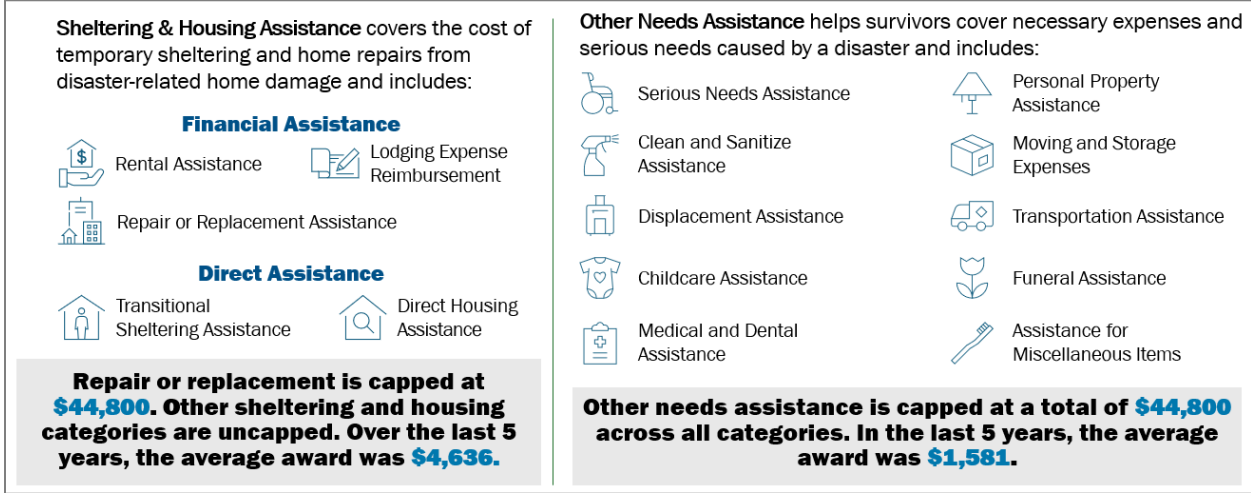


Figure 1. Categories of assistance provided to individuals, maximum and average award amounts.

Duplication & Inefficiency: Compounding these challenges, the program is siloed and duplicative, forcing survivors to repeatedly provide the same information to multiple entities. “What was confusing during the middle of the chaos was trying to figure out what everyone’s role was,” said a survivor. A local emergency manager observed, “Over 80% of the information for FEMA, SBA, HUD, and state or local agencies is the same. Yet, the burden of providing the information is all on the survivor.” This fragmentation drives inefficiency and cost. Staff encounter layers of administrative hurdles— “We will spend thousands not to pay [the citizen] \$500,” a FEMA employee remarked—and expensive delivery models can be misaligned with outcomes: “FEMA will pay 500 thousand dollars to put a trailer in your yard for a few months when we could have bought the house next door for half that,” remarked a government official. As shown in Figure 2, FEMA incurs huge administrative expenses—over \$3.6 billion over the last five years—even though most disaster survivors have very basic questions they cannot answer because FEMA’s program is too complex and hard to understand. Together, bureaucracy, siloed processes, and costly implementation slow aid, increase expense, and move the program away from timely, practical relief for individuals.

Recommendation:

30-Day Damage Assessments

- To shorten recovery timelines, the transformed agency should leverage private sector best practices and work with STT stakeholders to ensure initial damage assessments can be completed within the first 30 days post-disaster.

Direct Payments to Individuals

- The transformed agency should streamline the IA process by providing a direct payment package to individuals. This funding would focus solely on temporary assistance for individuals with destroyed or uninhabitable homes, excluding secondary homes.
 - Homeowner Assistance
 - For homeowners, the payment package would be based on their level of need and no more than 15% of the local government's assessed value, capped at a \$1 million valuation (i.e. maximum payment not to exceed \$150,000).

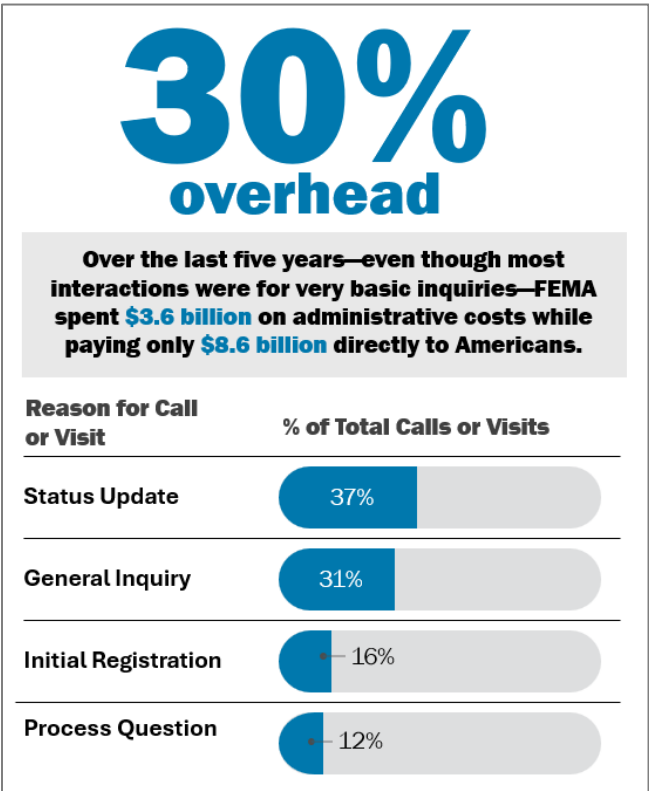


Figure 2. Overhead and expenditures of FEMA's Individual Assistance program compared to reasons survivors call or visit FEMA recovery centers.

- This covers repairs, replacement, rental and other needs assistance (i.e. personal property loss, transportation, medical, funeral expenses).
- The federal government would cover three-quarters of the assistance and the state, local, tribe or territorial government would cover the remainder.
- Renter Assistance
 - For renters, the payment package would be based on level of need and cover 3 months of rent (first, last, and current month) at the HUD Fair Market Rate (FMR) for the appropriate household size. Individuals with greater need could have the option for 3 additional months of rental assistance for 6 months total.
 - This covers rent and Other Needs Assistance.
 - The Federal government would cover three-quarters of the assistance and the state, local, tribe or territorial government would cover the remainder.
 - Local governments are responsible for creating market conditions that ensure affordable rental properties are available and accessible to survivors.

Shared Responsibility for Emergency Housing

The transformed agency should share responsibility with STT governments for the initial phases of emergency housing (mass care/sheltering and temporary housing/rental assistance). Private insurance companies should continue to take primary responsibility for permanent housing with HUD and SBA in supporting roles.

1. Mass Care/Sheltering (congregate and non-congregate):

- STT responsibility
 - Can be funded through RAPID Direct Funding Program/parametric amount

2. Temporary Housing/Rental Assistance

- Information sharing agreements between FEMA and STT stakeholders must be established to enable comprehensive recovery
- The transformed agency could make direct payments to survivors
 - STTs can take on this responsibility as desired if a pre-existing payment system is in place
- STTs can employ various types of assistance such as emergency home repairs or temporary housing units
 - STTs can utilize their own funding or request a one-time funding allotment, provided within 30 days of the date of the disaster declaration. All federally provided funds must be used within one year.

3. Permanent Housing

- Responsibility of private insurance companies with HUD and SBA in key federal role
 - Can also be funded through CDBG-DR or other federal housing programs

4. Community Services Programs

- **Disaster Unemployment** – No change to current program
- **Disaster Legal Services** – Combine with Disaster Case Management and provide direct grant by the transformed agency to STT.
- **Crisis Counseling** – Direct funding provided by the transformed agency to STT based on per capita cost and an estimate of those impacted and utilizing mass care or sheltering services. Limited to 6 months.
- **Disaster Case Management** - Direct funding provided by the transformed agency to STT based on a per capita cost and an estimate of those impacted that will need temporary housing.

Benefits of IA Program Reform

Speed: Rapid distribution of funds directly to STTs should ensure affected citizens receive monetary relief quickly.

Improved Information Sharing: Establishing agreements between STT stakeholders and the transformed agency for information sharing could accelerate the delivery of assistance to survivors.

Clear Expectations for Survivors: Individuals would know the exact amount of financial assistance and support they may receive after a disaster and can plan accordingly. This cost transparency creates an incentive for individuals to consider private insurance prior to a disaster occurring to optimize their personal recovery.

Predictability: Helps individuals and jurisdictions plan and budget more effectively for disaster recovery.

Cost Savings: Reduces administrative costs by an estimated \$154 million per year.

Shared Responsibilities: Funding, authorities, and activities are shared and clearly articulated across the transformed agency, STTs, HUD, SBA, and private insurance companies to ensure each can provide efficient and effective support to the American public within their appropriate portfolio.

Conclusion:

Refocusing the transformed agency on emergency and temporary housing relief and streamlining individual assistance into flat-rate reimbursements would provide transparent and immediate support to local communities and individual citizens in their hour of need. This effort should reduce burdensome administrative requirements, eliminate costly overhead with limited impact, and accelerate local recoveries.

6. Reform the Public Assistance Program to Provide Direct Funding

Problem:

The current FEMA Public Assistance (PA) program is a reactive reimbursement model that often fails to meet the immediate needs of disaster-struck communities. An excruciatingly slow process, consisting of seven phases and involvement from multiple parties (as evidenced in Figure 3 below) prevents meaningful steps towards recovery.

- **Administrative Delays:** The project-by-project approval process under the current system is notoriously slow, with reimbursement often taking years or even decades. The existing model is rooted in an exact dollar assessment of estimated damages, which is a tedious process. The focus is on accounting for damage rather than addressing the urgent needs of the affected community, and it is a fundamental flaw that hinders the speed and effectiveness of recovery. This forces States, Local, Tribes, or Territories (SLTTs) to rely on limited reserves or expensive credit to begin recovery efforts.
- **Compliance Overload:** Federal regulations, particularly those under the National Environmental Policy Act (NEPA), create additional layers of review and red tape. While important for environmental protection, applying a one-size-fits-all federal standard to urgent recovery work can create unnecessary and costly delays.
- **High Administrative Costs:** In the last five years, FEMA has provided approximately \$180 billion in Public Assistance grants to states and local governments; \$21 billion of this was used to manage these grants and pay project management costs incurred during project construction. FEMA has expended approximately \$11 billion more to administer the \$180 billion in grant funding. This model has created a disaster industrial complex that dilutes the impact of federal funding through multiple layers of administrative and contracting costs.
- **Unpredictable Cash Flow:** The reimbursement model provides no certainty for SLTTs, who must front costs with no guarantee of when, or how much, federal aid will arrive. This hinders effective financial planning, increases financing and debt costs, and slows the pace of recovery.
- **Centralized Decision-Making:** The top-down federal approach can disregard the unique needs and local expertise of individual SLTTs, leading to less efficient and less targeted recovery efforts.
- **Federal Overreach:** The threshold for authorizing the PA Program has become artificially low. This has resulted in increased federal involvement in several small events, many of which should be within the capabilities of the SLTTs.
- **Administrative Backlog:** FEMA is currently managing more than 300,000 projects (i.e., subgrants) on more than 600 open and active disasters. There are approximately 25,000 open projects that have exceeded their regulatory or administrative timelines, representing more than \$54.8 billion in unliquidated obligations.

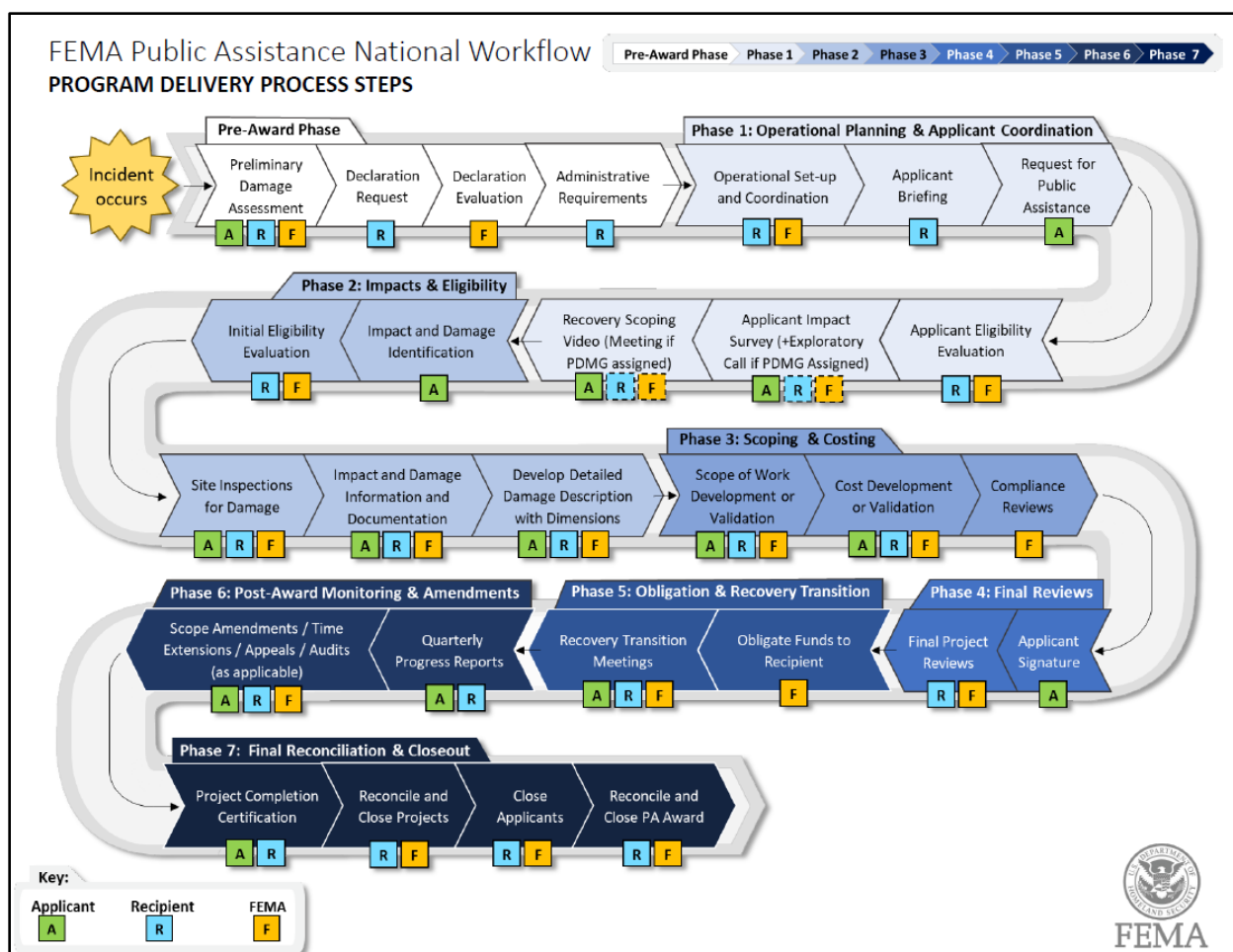


Figure 1. Current FEMA Public Assistance bureaucratic process, with multiple parties engaged in multiple steps in multiple phases that can take decades to complete.

Recommendation:

The RAPID Program fundamentally restructures the disaster funding model, shifting control and responsibility to the SLTT level while maintaining practical, limited federal oversight.

- Fast Direct Funding:** Following a presidential major disaster declaration, federal funds would be directly transferred to the STT's treasury within 30 days. This moves away from a traditional grant and instead provides funding directly to the STT for use in adherence with its own procedures. An immediate injection of capital, like the Coronavirus Relief Fund model, provides STTs with the liquidity required to initiate rapid response and recovery.

- **Parametric Funding Mechanism:** The transformed agency's funding would be determined by a parametric formula based on objective, independently verifiable metrics like population impacted, wind speed, flood depth, or earthquake magnitude. Funding could be used for debris removal, first responder costs, permanent infrastructure repair and replacement, and mass care/sheltering. The federal funding would be up to 75% based on performance metric with a minimum of 50% of the parametric amount. This eliminates the need for detailed, time-consuming initial damage assessments and provides a predictable, reliable funding amount.
 - The transformed agency should convene a group of STT representatives to collectively establish a parametric funding model that is based on existing data from the authoritative federal agency or organization over each type of eligible event (i.e. earthquake, hurricane, flood, etc.)
- **RAPID Direct Funding Authorization Criteria:** While the requirements of the existing federal disaster declaration process would remain in place, the factors used to authorize FEMA Public Assistance funding via RAPID Direct Funding would be replaced with the following:
 - Evidence the parametric trigger occurred; and
 - Evidence that response demands exceed the resources and capacity of local and state government.
 - The per capita threshold has historically not provided an accurate depiction of when the SLTT and affected local governments are truly overwhelmed during an event. As a result, federal assistance has often erroneously been provided when the STT and local governments had adequate resources to respond.
- **Compliance Requirements:** To expedite recovery, the Program would grant STTs authorization to use their own certified environmental, construction, audit and inspection review processes for projects funded by the program, in lieu of federal NEPA and other environmental and historic preservation requirements. This differs from the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant-Disaster Recovery (CDBG-DR) program, which requires STTs to perform environmental and historic preservation (EHP) reviews on behalf of HUD, rather than substituting their own

Benefits of a Parametric Approach

The main benefit of a parametric model is the **speed** and **certainty** of payouts, which are triggered automatically when pre-defined, **objective** event criteria are met, like wind speed or earthquake magnitude. This eliminates the need for time consuming loss assessments and quickly provides a financial backstop and cashflow for rapid response and recovery. When paired with traditional insurance of public facilities, this can enable communities to **quickly recover** with manageable financial risk and burden to local taxpayers.

What is a Parametric trigger?

Parametric, or index-based, is a concept where if an event reaches a pre-defined threshold, it automatically triggers a set payment amount based on the magnitude of the event. This is different than traditional payment based on the magnitude of assessed loss.

environmental process. Furthermore, STTs would no longer be required to adhere to federal procurement requirements and could use their own procurement standards and processes instead.

- **Certified Local Programs:** STTs would apply to the transformed agency for pre-disaster certification of their existing environmental review processes.
- **Limited Waiver:** The waiver for federal EHP requirements would be exclusively for projects funded by RAPID Direct Funding.
- **Consistency and Oversight:** This approach leverages existing STT-level expertise and procedures, creating a faster, more agile recovery without sacrificing environmental protection. The transformed agency would retain oversight to ensure environmental reviews are appropriate and, if not, revoke certification.
- **Simplified and Broadened Eligibility:** Unlike the current PA program, which categorizes work in a rigid and complex manner, the RAPID Direct Funding program would offer a more simplified approach. This approach bolsters insurance requirements and transfers risks from American taxpayers to the private insurance market.
 - **State/Tribe/Territory Determination:** STTs would have the flexibility to fund projects that are necessary for timely response and recovery and should distribute funding in a fair manner based on disaster-caused need. To ensure project eligibility, the STT must certify projects meet the following criteria:
 - **Eligible applicant.** The applicant must be a state, tribal, territorial, local government, or an eligible PNP organization.
 - **Eligible facility.** The damage must have occurred at an eligible facility, which can include:
 - Buildings (owned or leased)
 - Public works systems
 - Equipment
 - Improved and maintained natural features, such as beaches or levees
 - **Eligible work:** Work must fall into one of two categories:
 - **Emergency Work:** Short-term activities to save lives, protect public health and safety, and protect property. This includes debris removal and emergency protective measures.
 - **Permanent Work:** Long-term work to restore a damaged public or PNP facility.
 - **Eligible cost:** The costs for eligible work must be necessary, reasonable, and adequately documented. Eligible costs can include labor, equipment, materials, and administrative costs.
 - **Emphasis on Outcome:** Eligibility and costs would be based on the outcome (restoring public function and safety) rather than on specific work types or detailed facility classifications.

- **Private Non-Profit (PNP) Eligibility:** The program would streamline the funding process for PNPs while retaining the existing distinction between "critical" and "non-critical" PNPs and the requirement for non-critical PNPs to first apply for an SBA loan.
 - **Expedited Verification of Non-profit Status:** STTs would be encouraged to establish a program to pre-certify PNPs eligibility, creating a verified database that eliminates the need for re-verification after a disaster.
- **Mandatory Two-Phase Reconciliation with Incentives:**
 - **Phase 1: One-Year Reconciliation:** Within one year of receiving initial funding, STTs must submit a certified public accounting (CPA)-conducted audit that provides a full accounting of all projects and costs and their plan to obtain and maintain insurance. Any funds not associated with an eligible project must be classified as underruns. STTs may either return underruns or request reallocation towards mitigation or insurance measures. Additional federal funding is not available for overruns.
 - **Reconciliation Incentives:** STTs that consistently submit timely, accurate, and transparent reconciliations in both audit phases could receive a "High-Performance Designation." For these high-performing STTs, the President may approve more than 75% of the parametric amount as a federal contribution for the current event.
 - **Phase 2: Program Closeout Audit:** Upon the conclusion of all projects, a final, comprehensive audit should be performed by the STT and submitted to the transformed agency to close out the program. All federal funding provided under the RAPID Direct Funding Program must be expended or returned within eight years from the date of the initial award. This change eliminates the federal audit.
- **Insurance Requirements with Incentives:**
 - To ensure responsible risk management and reduce federal outlays, the RAPID Direct Funding Program would build upon the existing "obtain and maintain" insurance requirement by incorporating powerful incentives for STTs to prioritize insurance and self-insurance.
 - **Encouraging Self-Insurance and Risk Pools:**
 - **Swift State/Local/Tribe/Territory Approval:** The program provides a streamlined process and template for the transformed agency's approval of SLTT-level self-insurance plans and risk pools, reducing administrative burden and encouraging SLTTs to create more affordable and stable insurance mechanisms. Although insurance would be required for damaged public facilities, the parametric based funding provided would not be reduced by insurance proceeds, incentivizing SLTTs to maximize insurance coverage. Every SLTT should declare their self-insured dollar amount.
 - **Funding for Program Establishment:** A portion of the unused funds can be used by the STT to establish a new self-insurance program or risk pool, demonstrating a direct federal investment in STT-led risk management.

- **Tax Incentive(s):** To increase participation, create tax credits to mitigate the financial burden of flood insurance. Individuals doing the right thing by carrying insurance policies should be rewarded for their investment and effort to protect against disaster.
 - **State/Tribe/Territory Verification and Compliance:**
 - **Centralized Asset Registry:** STTs may be required to maintain and publicly publish a centralized, digitized registry of all public and PNP facilities receiving permanent repair funding. This registry should be retroactive and could include insurance details, ensuring a transparent record for audit and enforcement.
 - **Verification Through Audit:** Compliance with requirements to obtain and maintain insurance may be verified through the two-phase state audit process rather than on a project-by-project basis by the transformed agency.
 - **Linking Insurance to Mitigation:** The program further incentivizes risk reduction by linking insurance to mitigation measures.
 - **Premium Offset for Mitigation:** SLTTs may use the funds to support public entities and PNPs in implementing mitigation measures, potentially leading to lower insurance premiums and a stronger financial incentive for resilience.
 - **Consequences of Non-compliance:** Failure to comply with insurance requirements, as identified in the reconciliation audits, could result in penalties for the STT, such as an automatic reduction in future federal share of the parametric payout.
- **Winding Down Current Program:** While the RAPID Direct Funding program could streamline future funding, the transformed agency must also aggressively pursue closeout and reconciliation of existing disasters.
 - **Convert Historic Disasters to RAPID Direct Funding:** The transformed agency should pursue the ability to convert historic disasters to the new RAPID Direct Funding program, making a one-time payout and immediately transitioning to the two-phase reconciliation approach described above. This would significantly reduce the administrative burden on all stakeholders and prevent added confusion from overlapping approaches.
 - **Reduce backlog through prioritizing high-risk projects:** Identify high risk unliquidated obligations that could either be drawn down by recipients or recovered by the transformed agency within set timeframes, ensuring all stakeholders are accountable for the effective management of existing funds.

Precedent and Justification:

The RAPID Program is built upon proven concepts that prioritize speed, efficiency, and accountability:

- **The Coronavirus Relief Fund:** The Coronavirus Relief Fund demonstrated the effectiveness of distributing flexible, direct aid to STTs in an emergency.

- **Existing Block Grants:** Other federal block grants, like the Community Development Block Grant (CDBG) program, show the effectiveness of giving STTs autonomy in managing specific programs.
- **Parametric Triggers:** Used globally by risk insurers and governments, parametric triggers have a proven track record of providing rapid, predetermined payments following a triggering event.

Benefits:

The implementation of the RAPID Program would offer significant advantages for disaster-prone communities:

- **Accelerated Recovery:** Reduces funding delays from months or years to weeks, speeding up the rebuilding of vital public infrastructure and essential community services.
- **Empowered Local Leadership:** Allows SLTTs to leverage their local expertise and direct resources where they are most needed, fostering a more effective and agile recovery.
- **Increased Fiscal Discipline:** Replaces uncertain federal reimbursement with a predictable, rules-based funding model, while certified audits ensure transparency and accountability. The incentive-based reconciliation encourages performance and responsible stewardship of funds, with the potential for additional federal contributions for the current event based on merit. The eight-year expenditure deadline ensures funds are used efficiently.
- **Reduced Bureaucracy:** Significantly cuts down on the administrative burden for STT and local officials and PNPs, freeing up valuable time and resources.
- **Enhanced Public Trust:** Combines the speed of immediate aid and transparent adjudication with the robust oversight of a multi-phased audit process and incentive structure, assuring the public that funds are being used responsibly and effectively.
- **Improved Risk Management:** By linking insurance coverage to financial incentives, the program encourages STTs to take a proactive role in managing disaster risk for public and non-profit facilities.
- **Reduced Administrative Costs:** The RAPID Program is designed to drastically reduce superfluous administrative costs present in the disaster industrial complex and achieves efficiencies in the transformed agency's staffing model by eliminating a variety of currently necessary roles in PA program(s). The Program does so by limiting administrative costs to two audits and A&E for project construction. Furthermore, the use of a capped parametric amount for the federal contribution should inherently incentivize STTs to keep administrative costs as low as possible. This ensures that the intent of the federal funding is realized, and taxpayer dollars are stewarded appropriately.

Conclusion:

The RAPID Program offers a modern solution to the challenges of post-disaster recovery. By moving beyond the slow and reactive traditional PA program, it leverages STT autonomy, parametric funding, and transparent auditing to create a faster, more effective, and more accountable system for all Americans affected by disaster.

7. Reform the National Flood Insurance Program (NFIP) for Financial Stability and Risk Resilience

Problem:

The NFIP is financially unsustainable and operates with conflicting policy goals, which hinder its effectiveness.

- Financial Instability:** The NFIP has previously accrued over \$40 billion in debt (\$16 billion of debt was canceled by Congress in 2017), primarily due to large-scale, catastrophic flooding events that the program's premiums were not designed to cover. The NFIP historically underpriced flood risk, leaving it unable to cover major losses without borrowing from the U.S. Treasury. This financial unsustainability and underpriced insurance has led to an increasing debt burden with no ability to repay. Current interest payments on the debt are \$700 million annually.
- Outdated Risk Information:** The program's current mapping methodology dates to the 1970's and does not fully capture current or emerging flood hazards, leading to an underestimation of risk. This outdated information does not support the pricing of insurance, leads to misunderstanding of flood risk, and has resulted in communities rebuilding and developing in flood prone areas. The NFIP also utilizes this outdated risk information to set standards for communities to regulate their flood risk. FEMA has not evolved its standards or science to support intuitive land use choices that result in predictable post-flood outcomes. This results in a one size fits all solution that limits local ownership of their flood risk. State and locally tailored standards would better reflect local flood risk choices and ideally decrease community, state, and federal cost.
- Conflicting Goals:** Congress has instructed the NFIP to be affordable, financially sound, available to all, and risk informed. These goals often pull in opposite directions, and political pressures have frequently blocked meaningful reform, leading to dozens of short-term program reauthorizations. For example, maintaining affordable rates through subsidies directly conflicts with the goal of financial sustainability, and risk-informed pricing is politically unpopular in the most flood prone areas.
- Duplicative Endangered Species Act (ESA) Requirements:** FEMA has been sued numerous times over its implementation of the NFIP for noncompliance with the Endangered Species Act (ESA). Although the influence of the NFIP on species is insignificant, ESA requirements result in FEMA being forced to impose duplicative and burdensome requirements at the local level, impacting property owners, developers, and local officials. FEMA needs to be able to implement the NFIP without having to engage in complicated, costly, and time-consuming Section 7(a)(2) consultations.

Why do I need Flood Insurance?

Floods can happen anywhere – just one inch of water can cause thousands of dollars' worth of damage. Most homeowners' insurance does not cover flood damage. Flood insurance is a separate policy that can cover buildings, the contents of buildings, or both.

Recommendations:

To address these critical shortcomings, the solution involves a strategic shift to a private market framework combined with strengthened federal oversight and community-level action.

Implementing these proposals may require both federal administrative changes and Congressional action to align with current federal statutes, state-based insurance regulatory authorities, and privacy protection laws. FEMA in coordination with the Department of Treasury, state insurance commissioners, and the private insurance industry, should explore strategies for effectively operationalizing these proposals.

- Empower Communities (Better Land-Use Policies):** Enhance NFIP participation standards administratively to support intuitive land use choices that result in predictable post-flood outcomes for communities. FEMA could explore ways to modernize the Community Rating System incentives to reward integration of property-level resilience activities; align floodplain standards with this proposal's modernization of mapping data; and provide support to states to promote risk communication with local land-use planning. FEMA should ensure any updates promote local decision making and state primacy in land use choices for flood prone areas. These changes place flood risk management squarely in the hands of those most capable of regulating it—state and local governments.
- Modernize Risk Assessment (Update Risk Rating 2.0 & Improve Maps):** The NFIP's updated pricing methodology, Risk Rating 2.0, leveraged advanced technology and data sources to deliver fairer, more individualized rates, must continue to be implemented and updated based on better information and science. Risk Rating 2.0 was the first step in moving away from the use of mapped flood zones which are used for local floodplain management and to tell homeowners they are either "in or out". The new flood insurance rating methodology now uses a more comprehensive approach based on factors like distance to water, flood types, and the cost to rebuild. The program must also improve the accessibility, transparency, and quality of flood risk data and communication tools for all stakeholders. In addition to updating the mapping methodology to show property-level risk, FEMA should explore ways to expand the availability of anonymized flood loss and exposure data consistent with privacy and trade secret protections under federal law. Enhancing access to risk data would bridge the gap between insurance pricing and the outdated regulatory mapping methodology. Further, the NFIP must adopt an efficient model to identify and maintain flood risk information that connects land use choices and pricing.
- Implement Risk-Based Pricing & Actual Costs:** A key to enabling the private market shift is to charge policyholders the actual costs of their policies. FEMA should continue to refine Risk Rating 2.0 implementation. The Council recommends exploring existing subsidies and working with Congress to address affordability challenges for select homeowners. FEMA can also evaluate opportunities to better align the Community Rating System Program eligible activities and discounts with measurable physical risk reduction actions communities and policyholders can take to ensure premium prices are reflective of property-level risk. These refinements could improve consistency between mitigation outcomes, pricing, and private market participation.
- Revise 'Write Your Own' Compensation:** FEMA provides an expense allowance to Write Your Own (WYO) private insurance companies of roughly \$1 billion annually to sell, write, and service standard flood insurance policies under the National Flood Insurance Program.

WYO companies do not underwrite the flood risk but serve as intermediaries. In FY25, the expense allowance was 29.1% of total written premium volume by company and projected at 28.4% for FY26. The compensation methodology is dated and doesn't reflect improvements in FEMA's systems, automated premium pricing methodology, or the expanded use of the direct-to-customer servicing platform. Compensation should be updated to ensure FEMA is not over-compensating Write Your Own insurance companies. FEMA should evaluate options through ongoing rulemaking to update the compensation framework that reflect administrative costs and new operational efficiencies, which was Congressionally directed in the Biggert-Waters Flood Insurance Reform Act of 2012. Completing this rulemaking has the potential to save hundreds of millions of dollars and promote more private flood offerings.

- **Shift to Private Market through Depopulation of Existing NFIP Policies:** A core component of the solution is a gradual, structured transition of certain existing NFIP policies to the private market in areas where private capacity exists and are consistent with state regulatory frameworks. This would be accomplished by pursuing a voluntary "take-out" program, which would allow FEMA to assess the feasibility of transferring eligible policies to qualified private insurers under existing statutory authority. Depopulation programs have historically been state-based so applying this approach at the federal level will require careful evaluation of operational, regulatory, and consumer protections. This approach, modeled on successful state depopulation programs for other perils, could reduce the NFIP's policy count. States could regulate the market to ensure consumer protection, with the direct involvement of state insurance commissioners.
- **Evaluate Development of Flood Insurance Marketplace:** To modernize and enhance the capacity of the national flood insurance system, it is recommended that FEMA evaluate the development of a flood insurance marketplace designed to provide consumers with access to both NFIP and qualified private insurance options when purchasing a new flood policy. The marketplace could leverage private sector capacity through a centralized clearinghouse model, allowing private participating insurers opportunity to offer coverage prior to placement with NFIP. This collaboration would serve as a clearinghouse opportunity for private flood insurers who could offer coverage prior to submission to the NFIP. FEMA should evaluate potential options with qualified insurance wholesalers or a consortium of insurers to assess the feasibility of administering a clearinghouse under their current authorities. A model of this kind would address the critical needs of market capacity, consumer protection, and improve administrative efficiency while offering consumers a choice between private coverage or the NFIP.
 - **Centralized Clearinghouse:** FEMA should evaluate models in which a wholesaler or consortium could manage a national market exchange that operates as a clearinghouse for consumers seeking private insurer and NFIP flood policies. This would standardize the policy origination processes, thereby reducing the administrative friction that currently limits private carrier participation.
 - **Pricing Alignment:** The marketplace's pricing mechanism could reference FEMA's Risk Rating 2.0 framework as an actuarial benchmark. In addition, the marketplace could encourage depopulation by requiring the insured to select a private flood insurance policy from a marketplace approved insurer that is priced at no more than 10 percent above the NFIP Risk Rating 2.0 actuarial rate for comparable coverage for the same property. This approach aids in depopulation and helps ensure that while private market competition is

encouraged, pricing remains tethered to actuarial science, state rate setting, and avoids significant market volatility.

- **Rigorous Carrier Standards:** To protect consumers and ensure market resilience, FEMA, through its partnership with the wholesaler or consortium, would ensure all private carriers writing flood insurance through the marketplace meet eligibility requirements, in coordination with State Insurance Commissioners that is consistent with the McCarran Ferguson Act. These requirements would include robust financial stability metrics to prevent carrier failure during catastrophic events.
- **Strategic Alignment with the NFIP:** This marketplace would operate in concert with the NFIP, providing a viable and standardized private option that helps offload risk from the federal program. This would ultimately contribute to the NFIP's long-term financial stability and reduce the taxpayer burden.
- **Address Repetitive Loss Properties:** Manage repetitive loss properties through targeted mitigation planning and accountability measures, such as those proposed in the "Repeatedly Flooded Communities Preparation Act" (S.1545). This legislation provides a structured plan to address the highest-risk properties and ensures mitigation is a priority in these areas, thereby reducing the financial burden of repeated claims.
- **Reduce Duplicative ESA Burden on the NFIP:** The Council recommends that National Marine Fisheries Service (NMFS) be directed to 1) rescind all Biological Opinions (BiOps) relating to FEMA's implementation of the NFIP and 2) statutorily exempt the NFIP from the ESA. FEMA should focus on a national ESA solution for the NFIP through a renewed partnership with NMFS.

Benefits:

Implementing these changes would produce several key benefits for the public and the government.

- **Accelerated Recovery:** Broader insurance access and diversified coverage through a more competitive market, which could better sustain the overall market and ensure faster payments and more predictable recovery for local communities after a disaster.
- **Reduced Government Burden:** A more robust private market and stronger community-level, state owned land use management could reduce the financial burden on federal, state, and local governments by empowering individuals to understand and manage their own risk.
- **Predictable Financial Outcomes:** Homeowners will be better able to anticipate post-disaster compensation through knowledge of their personal policies, rather than relying on the uncertain nature of federal disaster aid.
- **Increased Resilience:** By aligning insurance rates with granular flood risk, improving publicly available flood risk information, and promoting local decision making and state primacy in land use choices, property owners and local governments have a greater incentive to invest in mitigation measures, making communities safer and more resilient to the growing threat of flooding.

Potential Next Steps:

The Council recommends that FEMA coordinate with the U.S. Department of Treasury, other relevant federal agencies, state insurance commissioners, and insurance industry stakeholders to further evaluate the NFIP solutions discussed in this section.

Additionally, FEMA, in coordination with the Department of Treasury, should convene a roundtable of state insurance commissioners, federal lending regulators, consumer representatives and relevant insurance industry stakeholders, including insurers, reinsurers, and brokers to analyze the potential reforms outlined in the Council's proposal. These stakeholders can also assess how data, underwriting, and price information can be shared responsibly and maintain consumer protections consistent with statutory authorities and privacy requirements. Further, federal agencies should continue stakeholder engagement on increasing consumer engagement and understanding of flood risk and insurance options.

In relation to a shift to private market and a potential depopulation program, FEMA, the U.S. Department of Treasury, federal lending regulators, Government Sponsored Enterprises, and the state insurance commissioners should collaborate on developing a potential implementation strategy that would be compliant with the express authorities of the McCarran-Ferguson Act as well as the Flood Disaster Protection Act of 1973 mandatory purchase provisions.

Conclusion:

The National Flood Insurance Program is at a critical juncture. The current model is unsustainable and has not evolved since the 1970s—it cannot meet conflicting expectations of providing affordable insurance, mitigating flood risk, and maintaining financial solvency. By embracing a new strategy that encourages greater private market participation, modernizes risk assessment, and modifies the NFIP's role in state and community-level land use choices, the nation can move toward a more resilient and financially stable flood risk management system. This shift would reduce the federal government's financial burden, promote accurate risk pricing, and incentivize property owners and communities to invest in mitigation, ultimately leading to a more prepared nation in the face of flood-related disasters. While this proposal seeks to address NFIP's financial problems going forward, the existing debt would have to be addressed by Congress or other revenue sources.

8. Maximize Every Dollar Spent by Reducing Administrative Costs

Problem:

A portion of U.S. federal disaster relief funds is used for administrative costs and contractor fees rather than directly for community recovery. This is due to a system with rising program complexity, significant administrative costs, and a trend of personnel moving between FEMA and private firms. This structure has prompted calls for reforms to simplify grant processes, manage administrative costs, and address the influence of private interests on public policy.

The management system has shifted from one primarily using federal and local government staff to one relying on private contractors. A key factor in this change is the increased complexity of FEMA's grant programs, such as the Public Assistance (PA) and Hazard Mitigation Grant Programs (HMGP). A FEMA official in Puerto Rico highlights this phenomenon: "I have 500 contracted employees that would not be needed if FEMA's grant process was not so complex."

The detailed requirements of these programs have created challenges for state and local governments, especially smaller municipalities with limited resources, as noted in GAO reports.

This complexity has fostered a specialized industry of consultants and contractors who assist communities in navigating the grant application and compliance procedures. This industry's growth has been influenced by:

- **Personnel Transitions:** Former FEMA and state political appointees and career employees have joined or established private companies that now serve as major contractors in the disaster management space. This raises questions about whether former officials leverage insider knowledge and connections for private gain.
- **Financial Incentives:** The current system provides private sector financial incentives for state and local governments to hire them. Since administrative costs are largely reimbursable by FEMA, jurisdictions can pass these consultant fees on to the federal government. As one former FEMA official noted, this can lead to "a lot of money getting spent on process... and you end up with a lot of billable hours" without necessarily improving outcomes.

A central issue with the current system is the amount of taxpayer money used for administrative costs. A substantial part of grant funding is spent on administrative and management expenses at

In total, almost 25 cents on every dollar can be provided for administrative expenses

both the federal and state/local levels. In total, almost 25 cents on every dollar can be provided for administrative expenses. Most of these costs are expended during the grant development phase, which hinders the pace of recovery.

- **Overhead spending:** The administrative allowance for state and local governments has been increasing. For instance, DHS OIG audits have identified concerns regarding FEMA's oversight of grant funds and instances of over-obligated funds.
- **Incentive structure:** The reimbursement model may encourage state and local governments to keep disasters "open" longer than necessary to maximize management costs, which can delay project completion. The primary incentive for contractors is to maximize billable hours, not to expedite recovery.
- **Program complexity:** As grant programs become more complex, the demand for specialized consultants increases, which in turn raises administrative costs. The system's intricate nature can make it difficult for citizens and local officials to understand, creating a dependency on the private firms that benefit from this complexity.

Recommendations:

To address these challenges, the following recommendations, informed by GAO and OIG findings, have been suggested:

- **Simplify and streamline grant programs:** FEMA could review its grant programs to reduce unnecessary bureaucratic requirements. Simpler applications and standardized documentation could decrease the need for consultants, especially for smaller communities.

- **Establish caps on administrative overhead:** To ensure more funds reach affected communities, FEMA could implement strict, federally mandated caps on the percentage of grant funds that can be used for administrative costs. A more transparent reporting system could also be established to track overhead spending.
- **Strengthen post-employment rules:** Ethics rules for employees transitioning from FEMA to the private sector could be reinforced. This could involve extending "cooling-off" periods and increasing transparency requirements for former employees who become consultants, which would help to mitigate potential conflicts of interest.
- **Increase direct technical assistance:** Instead of increasing administrative reimbursement percentages, FEMA could provide direct, in-house technical assistance to local governments. By offering pre-packaged support and training, FEMA could reduce the reliance on third-party contractors and empower local officials to manage recovery efforts.

In conclusion, the current U.S. disaster management system, with its reliance on private contractors and complex processes, directs a significant amount of money away from community needs. By eliminating and simplifying programs, capping administrative costs, strengthening ethics rules, and increasing direct government support, policymakers could improve how disaster relief funds are used to build a more resilient nation.

9. Revitalize A Unified National Network for Partnership

Problem:

The current emergency management landscape lacks a comprehensive framework that effectively integrates the efforts of federal, state, and local governments with those of private industry, faith based, and non-profit partners. The current system of laws, executive orders, and policies causes confusion by using the following terms interchangeably: frameworks, incident command systems, lifelines, core capabilities, and emergency support functions. This gap prevents the building of shared capabilities and national-level capacity, directly impacting the readiness and effectiveness of local first responders.

Recommendations:

- **Return to an Integrated Network:** Disasters demand a unified national effort that leverages the strengths of all sectors. The transformed agency would address the existing gap in the emergency management landscape by returning to a network that enables government, private industry, faith-based, and non-profit partners to build toward a shared capability and integrated resources. This network would provide a common understanding of roles and responsibilities, promoting a "Whole Community" approach to national resilience.
- **Enhance Public-Private Coordination:** The new framework would formalize and streamline coordination between government agencies, critical private-sector partners, and non-profit organizations. Because the private sector owns and operates most of the nation's critical infrastructure, and non-profits deliver essential services during emergencies, integrating these partners is essential to strengthening national capacity and improving readiness at the local level. This effort includes revitalizing the National Business Emergency Operations Center (BEOC) and relocating it to the Agency's operational directorate to re-establish its role as a central hub for communication, problem-solving, and resource coordination among businesses and non-profit partners during disasters. Additionally, the

framework would support the development of Regional BEOCs that are aligned with the National by leveraging existing regional resources—particularly the FEMA Regions' private-sector liaison—to ensure closer alignment with state and local operations. As part of this effort, Regional BEOCs should convene key stakeholders—including major retailers, small business leaders, logistics providers, and non-profit response partners—to assess current models, close coordination gaps, and identify priority needs for restoring services, stabilizing supply chains, and bringing communities back online following major disasters.

- **Leverage Technology for Shared Awareness:** The framework would also include a plan to develop and implement modern technology and communication protocols that ensure shared situational awareness and data sharing among all partners before, during, and after a disaster.

10. A Transformed Agency

FEMA needs to be fundamentally transformed from how it exists today and must be remade into a new, supportive agency. “FEMA” as a brand and as an agency has been irreparably damaged by the last four years of mission creep and programmatic failures as noted later in this report. The time is now to transform FEMA into an agency that retains the core missions of FEMA, while highlighting the renewed emphasis on locally executed, state or tribally managed, and federally *supported* emergency management.

The core objective is to realign the agency's mission to prioritize immediate, effective, and impartial disaster response and recovery for American citizens by shifting greater responsibility and direct funding to SLTTs. The current structure is criticized for mission creep, being too centralized, and for administrative bloat that diverts critical resources. Key recommendations include conducting a strategic review of personnel requirements to determine appropriate staffing levels, primarily targeting the disaster workforce through program efficiencies and increased accountability, exploring the relocation of physical headquarters, shifting certain missions, like training, to state authorities, and redefining FEMA's role as a “payer of last resort” to eliminate duplicative federal funding. A crucial element of this reform is to build upon and expand successful federal-state partnership programs to leverage demonstrated value and expertise in the first-response community while establishing a cohesive framework that integrates government, private, and non-profit sectors for unified national resilience. These reforms are designed to create a lean, deployable disaster force that empowers state and local officials, reduces costs, and improves resilience against increasingly complex threats. The internal workforce adjustments should be conducted over a 2-3 year phased approach that allows the agency to realize the efficiencies while reducing staff. Further, these reforms are best achieved via the same timeline that allows for States, Locals, Tribes, and Territories to make corresponding fiscal, capability, and workforce adjustments to ensure a successful transition for all affected stakeholders.

Problem:

FEMA currently suffers from multiple systemic issues that hamper its effectiveness and accountability.

- **Lost Mission Focus:** The agency's resources are diverted to missions outside its core disaster response and recovery responsibilities. This includes a significant financial outlay on issues unrelated to its primary mandate. The resulting mission creep saps limited staff and resources, compromising its ability to respond to actual disasters.

- **Inefficient Use of Federal Funds:** There is excessive overlap in federal benefits programs, with FEMA often providing duplicative funding. This bureaucratic redundancy leads to administrative bloat, delays in delivering aid, and unnecessary costs for taxpayers.
- **Centralized and Bloated Headquarters:** Compared to mission-focused federal agencies with comparable field operations, such as the U.S. Army Corps of Engineers (USACE) and the U.S. Forest Service (USFS), FEMA is significantly top-heavy. The concentration of personnel in a District of Columbia-centric headquarters creates bureaucratic inertia and slows down critical decision-making during emergencies.

Recommendations:

To address these problems, the following recommendations are proposed for the transformed agency:

1. Transfer Training Responsibility and Empower States through Proven Programs

- **Shift Training Execution to States:** While the future agency must establish and maintain national standards for disaster response, the direct execution of training should be shifted to the state level. This would eliminate current personnel requirements within the transformed agency and empower states to build robust, tailored training programs.
- **Expand and Leverage Successful Partnerships:** Rather than replacing successful programs, the future agency doubles down on those with a proven track record of effective federal-state-local partnership.
 - **National Urban Search and Rescue (US&R) Program:** This program, with its network of 28 task forces, has a decades-long history of successfully integrating federal, state, and local emergency response teams. The future agency enhances funding and expands capabilities for these task forces, ensuring they remain a cornerstone of specialized, on-the-ground support. Leverage this successful program as a model to expand the State Urban Search and Rescue (SUSAR) programs.
 - **Centers for Domestic Preparedness (CDP):** The CDP provides invaluable, federally funded training for state, local, tribal, and territorial emergency responders in areas such as incident management and mass casualty response. A transformed agency expands access to and funding for this training, ensuring first responders across the country are equipped for a wide array of threats, including complex disasters and terrorist acts.
 - **U.S. Fire Administration (USFA):** The USFA already works with local fire departments to reduce fire-related injuries and fatalities through training and resource provision. The transformed agency builds on this relationship by better integrating USFA support into overall disaster preparedness and response strategies, particularly for incidents involving complex hazards like wildfires.

2. Empower States with Direct Funding and Limited Federal Coordination

- **Empower States to Take the Lead:** States should assume a greater role in managing disasters from preparedness to recovery, utilizing direct federal funding mechanisms.

This empowers state and local officials who have a more direct understanding of their citizens' needs.

- **Formalize Federal Role as a Coordinated Supporter:** The federal government should limit its on-the-ground response to incidents that exceed the capabilities of state and local resources. In these cases, the transformed agency acts as the central coordinator, aligning resources from across the federal government, such as the Department of War, to provide supplemental support.
- **Closeout of Historical Open Disasters:** The transformed agency should endeavor to expedite the closeout of historical open disasters. Doing so reduces the lingering administrative costs as well as legacy information technology systems that are maintained solely to facilitate open disaster declarations. Both directly benefit Americans by accelerating ongoing recovery efforts and reducing taxpayer costs.
- **Eliminate Duplicative Funding:** This approach, which establishes the future agency as the payer of last resort, would require other federal agencies to provide assistance through their existing benefit programs first, thereby eliminating redundant funding mechanisms and associated administrative burdens. To achieve this, the Administration should work with the U.S. Congress to ensure other existing benefit programs are funded in a timely and responsive manner. Further, the future agency must look for opportunities to remove duplications of effort such as environmental and historical reviews, audits, and inspections that should be conducted by states.

3. Rebalance FEMA workforce and provide clarity across Headquarters, Regions and Field

- **Clarity of roles and responsibilities:** Headquarters should focus on policy, procedures, guidance, oversight, administrative functions, and coordination for national response. The head of the transformed agency is responsible to ensure a national system of emergency management that is locally led, state managed, and federally supported. The regions should focus on preparing and responding to incidents through forward embedded staff at State offices. Incidents should be led by Federal Coordinating Officers who report to Regional Administrators and are empowered to coordinate federal resources and support to States. In partnership with states, tribes, and territories, Regional Administrators should ensure the coordination, training, exercises and plans are in place for the most significant incidents across the United States.
- **Align Personnel with Requirements:** Appropriate staffing levels will need to be assessed and determined as the policy, legislative, and administrative changes called for in this report are implemented. The transformed agency can align personnel with future requirements that are rooted in program efficiency, enhanced effectiveness, and greater accountability. This strategic review should be conducted over a 2-3 year timeline and would be dependent on the Report's recommendations being implemented. The aim is to create a more deliberate approach to FEMA staffing, reserving federal intervention for the largest and most complex events, and ensuring that when needed, FEMA is equipped to succeed in accomplishing its mission.
- **Transfer Logistics Operations:** Explore moving the transformed agency's logistics team to co-locate with the U.S. Transportation Command (USTRANSCOM). This would

create efficiencies through direct collaboration with their Department of War counterparts.

- **Review Executive Structure:** Conduct a review of the Senior Executive Service (SES) billets to realign or reduce them in accordance with the proposed staffing efficiencies and mission refocusing.

Conclusion

This transformation is an imperative step toward restoring the agency's effectiveness, accountability, and public trust. By implementing a bold restructuring plan—centered on staffing alignment, streamlining operations, eliminating redundancies, and empowering state partners—the federal government can ensure a more immediate, effective, and efficient response to disasters. This framework shifts the agency's focus from bureaucracy to boots-on-the-ground action, better positioning the United States to meet the complex disaster challenges of the future. The ultimate outcome would be a streamlined, responsive, and resilient organization that delivers timely relief and recovery to American citizens when they need it most.

Soliciting Input from Stakeholders Across the Nation

Incorporating Public Feedback into FEMA Review Council Efforts

The Council undertook extraordinary measures to ensure that public feedback was solicited from a broad range of stakeholders as part of its comprehensive review of FEMA's programs and operations. Recognizing the critical importance of stakeholder engagement, the Council employed multiple avenues to gather input, including public meetings, Federal Register Notices, in-person listening sessions, electronic and regular mail submissions, and virtual forums. These efforts were designed to ensure transparency and accessibility, enabling voices from across the nation to contribute to the reform process.

The feedback received underscores widespread support for FEMA reform aimed at addressing inefficiencies, reducing bureaucratic barriers, and enhancing support for disaster survivors and local governments. Stakeholders consistently identified key priorities, including the need to streamline processes, decentralize decision-making, increase funding for mitigation and preparedness initiatives, and ensure fairness in disaster response and recovery efforts. Participants emphasized the importance of implementing reforms gradually, allowing for a phased approach that strengthens partnerships among federal, state, tribal, and local entities while minimizing disruptions.

This robust engagement process has provided the Council with invaluable insights into the challenges and opportunities facing FEMA's operations. The feedback serves as a cornerstone for shaping the future of FEMA's programs, ensuring that reforms are informed by the lived experiences of those directly impacted by disasters and those responsible for managing emergency response and recovery efforts. By integrating this input into its recommendations, the Council aims to create a more efficient and responsive FEMA that is better equipped to meet the needs of communities nationwide. The inclusion of public feedback reflects the Council's commitment to fostering collaboration and transparency in the pursuit of meaningful reform.

Methodology

We are a nation built upon local communities, thus the Council immediately recognized that they must canvas the country to capture the widest possible feedback from the American people for a reform effort that tragically may affect nearly every American at some point in their lifetime.

To achieve this objective, the Council leveraged the following tools. Of note, the views expressed from the survey are not endorsed by the Council but were taken into consideration during deliberations on its recommendations.

- National Survey
- Listening Sessions (in-person and virtual)
- Federal Register Notice Comments
- Public Meetings

National Survey

The Council's State-Federal Coordination Subcommittee surveyed 1,387 stakeholders spanning state, local, tribal, and territorial (SLTT) agencies as well as non-governmental partners. The results revealed critical insights into the current state of national preparedness and response. The Council conducted surveys focused on mitigation, recovery, preparedness, and response, which collectively assessed key emergency management tasks. These surveys evaluated capabilities ranging from community resilience and long-term vulnerability reduction to infrastructure systems, cybersecurity, and mass care services.

With a total of 1,387 responses, the individual totals for the surveys were:

- Mitigation: 354 responses
- Recovery: 271 responses
- Preparedness: 479 responses
- Response: 283 responses

Most of the responses were from SLTT emergency management services, with some responses from non-governmental agencies such as universities, hospitals, and non-profits. Local agencies provided more than 75 percent of the responses. Geographically, the responses cover the entire United States, with a higher concentration of local agency responses coming from populations on the east and west coasts. Figure 1 shows the distribution of responses for the Response survey.

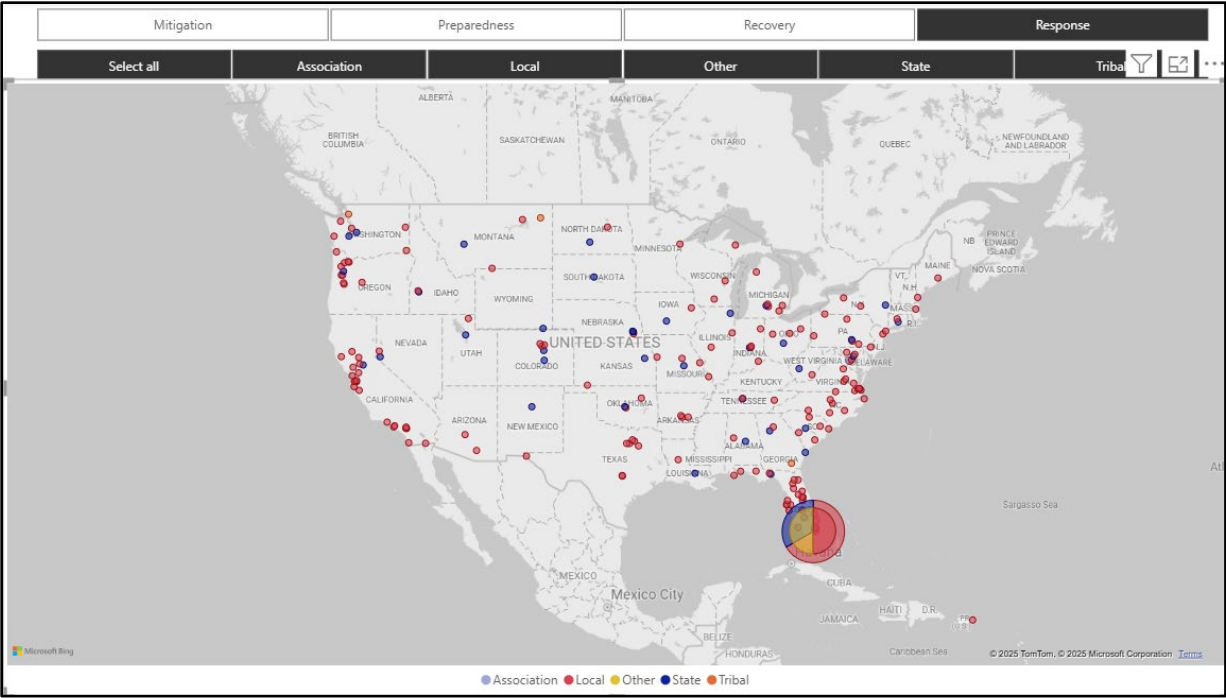


Figure 1: The geographic distribution of inputs from the Response Survey.

Listening Sessions

Subcommittee listening sessions were facilitated to hear from state and local emergency managers throughout the country to hear their thoughts on disaster response, recovery, mitigation, and reforming FEMA’s policies and operations. The listening sessions were attended and facilitated by Council members.

The locations for subcommittee listening sessions were strategically selected throughout the United States based on significant disasters that occurred in those areas, and the ability to meet with a bipartisan selection of state and local emergency managers across the regions.

The locations included: Asheville, North Carolina; Oklahoma City, Oklahoma; New Orleans, Louisiana; Los Angeles, California; Lincoln, Nebraska; Cheyenne, Wyoming; Minneapolis, Minnesota; Cape Coral, Florida; Washington, District of Columbia; Colorado Springs, Colorado; San Francisco, California; Waterbury, Vermont; San Juan, Puerto Rico; and virtually.

Additionally, the subcommittees held listening sessions in Los Angeles, California to discuss the recovery efforts of the 2025 Southern California wildfires; San Juan, Puerto Rico to discuss the ongoing impacts of Hurricane Maria in 2017; and Asheville, North Carolina to honor the one-year anniversary of Hurricane Helene.

In addition to these, the Council held an in-person listening session with over 20 Tribal Nations in Oklahoma City, Oklahoma as well as hosting three virtual listening sessions that cumulatively had over 100 Tribal Nations registrants.

Federal Register Notice Public Comments

The FEMA Review Council published Federal Register Notice DHS-2025-0013 to solicit public feedback on the agency’s reform. The 11,708 public comments received reflect a strong

consensus on the importance of FEMA's role in disaster response and recovery, while also capturing a broad spectrum of perspectives, experiences, and recommendations.

Public Meetings

The Council held public meetings in three locations: New Orleans, Louisiana; Oklahoma City, Oklahoma; and Washington, District of Columbia. The aim of these public meetings was to ensure the Council operated in a **transparent manner** while also leveraging the anniversaries of significant national disasters to further emphasize President Donald J. Trump's laser-focus on putting Americans first as part of FEMA's reform.

- **New Orleans, Louisiana.** In recognition of the 20-year anniversary of Hurricane Katrina.
- **Oklahoma City, Oklahoma.** To highlight that not every disaster is a natural one, such as the Alfred P. Murray Federal Building bombing in 1995, and to further acknowledge natural disasters are not just flooding events, given the number of catastrophic tornadoes in this state.
- **Washington, District of Columbia.** By conducting two public meetings in the nation's capital, the Council ensured in-person opportunities for senior leaders of the Administration to engage and participate with the Council.

Analysis of Public Feedback Received

The FEMA Review Council's listening sessions, public comments, public meetings, and survey analysis revealed key themes, challenges, and recommendations for improving FEMA's disaster response, recovery, and mitigation efforts. Details of the below summary can be found in Appendix *Detailed Public Comments*.

List of Common Issues and Challenges:

- **Bureaucratic complexity:** FEMA's processes are overly complex, slow, and resource-intensive, creating barriers for smaller jurisdictions and tribal nations.
- **Delays in funding and reimbursements:** Cash flow challenges and slow FEMA reimbursements hinder recovery efforts, especially for smaller entities.
- **Workforce and capacity constraints:** There is high turnover among FEMA staff and limited capacity at the local level impact disaster response and recovery effectiveness.
- **Environmental and historic preservation reviews:** EHP reviews are major bottlenecks, delaying critical recovery projects.
- **Insurance and risk management:** Rising insurance costs, underinsurance, and concerns about FEMA's Risk Rating 2.0 system impact recovery efforts.
- **Disparities in aid:** Systemic inequities affect small, rural, and underserved communities, as well as vulnerable populations like renters, low-income families, and tribal nations.
- **Staffing gaps:** SLTT agencies face shortages in mass care, operational communications, and specialized disaster response capabilities.
- **Communication challenges:** Insufficient clarity and timeliness in FEMA's communication with local jurisdictions hinder coordination.

- **Dependence on FEMA funding:** SLTT agencies rely heavily on FEMA funding for critical disaster response and recovery activities, with reduced funding threatening capabilities.

List of Common / Core Recommendations:

1. Bureaucratic complexity

- Simplify FEMA processes by streamlining disaster declarations, grant applications, and project reviews.
- Decentralize decision-making to regional offices and implement a single federal family individual assistance application for all federal assistance.

2. Delays in funding and reimbursements

- Enhance funding mechanisms by increasing funding for Emergency Management Performance Grant (EMPG), Hazard Mitigation Grant Program (HMGP), and Building Resilient Infrastructure and Communities (BRIC) programs.
- Transition to block grants for disaster recovery funding with safeguards for fair distribution to expedite aid delivery.

3. Workforce and capacity constraints

- Build local capacity by investing in training, technical assistance, and staffing for local emergency management agencies.
- Expand FEMA training programs and workforce development initiatives to address staffing shortages.

4. Environmental and Historic Preservation (EHP) reviews

- Streamline EHP reviews to reduce delays in recovery projects and empower local governments to conduct them.

5. Insurance and risk management

- Invest in mitigation and resilience by prioritizing pre-disaster mitigation funding, resilient infrastructure, and incentivizing stronger building codes and forward-looking plans.

6. Disparities in aid

- Address systemic disparities by tailoring FEMA programs to meet the needs of small, rural, underserved communities, tribal nations, and vulnerable populations.

7. Staffing gaps

- Build local capacity by expanding FEMA training programs and workforce development to address gaps in mass care, operational communications, and specialized disaster response capabilities.

8. Communication challenges

- Leverage technology to adopt modern tools like AI, geospatial systems, and real-time data sharing platforms to improve situational awareness and communication clarity.

9. Dependence on FEMA funding

- Maintain and strengthen FEMA’s capabilities to ensure reforms prioritize disaster survivors’ needs, improve aid delivery efficiency, and address increasing disaster frequency and severity.
- Enhance public-private partnerships by integrating private sector and nonprofit organizations into disaster planning and operations to supplement FEMA’s efforts.

Tribal Engagements

The Council recognizes the distinct sovereignty of each individual Tribal Nation and Alaska Native Village and their respective government-to-government relationship with the federal government as outlined in the U.S. Constitution, treaties, statutes, and court decisions. The Council also recognizes the unique position Tribal Nations and Alaska Native Villages are in to be considered both states and locals when applied to the traditional levels of government. While the Council could not directly engage one-on-one with each of the 574 federally recognized tribes, the Council provided numerous opportunities for engagement comments from Tribal Nations as directed in the Executive Order. The Council held an in-person listening session with over 20 Tribal Nations in Oklahoma City, Oklahoma. Additionally, the Council hosted three virtual listening sessions that cumulatively had over 100 Tribal Nations registrants. These sessions aimed to gather input on improving FEMA's programs, services, and disaster response capabilities, with the Council committed to synthesizing feedback into recommendations for the President and Congress.

Findings:

Tribal leaders emphasized the need for FEMA to respect tribal sovereignty by maintaining direct government-to-government relationships and avoiding state or county intermediaries. They highlighted unique challenges faced by tribes, such as geographical isolation, cultural impacts, and infrastructure limitations, and called for tailored solutions like vertical evacuation structures for coastal tribes. Tribes offered the below key concerns and key proposals:

Tribal Concerns:

1. **Tribal Sovereignty and Direct Engagement:** Tribal leaders emphasized the importance of maintaining government-to-government relationships with FEMA, advocating against routing assistance through states or counties. They stressed the need for FEMA to respect tribal sovereignty and directly engage with tribal governments.
2. **Unique Tribal Challenges:** Tribes face distinct challenges, including geographical isolation, cultural impacts of disasters, and limited infrastructure. Alaska Native tribes highlighted erosion, flooding, and permafrost loss, while coastal tribes emphasized the need for vertical evacuation structures to mitigate tsunami risks.
3. **Funding and Grant Accessibility:** Tribes expressed concerns about limited access to FEMA grants, restrictive eligibility criteria, and the cancellation of the Building Resilient Infrastructure and Communities (BRIC) program. They called for streamlined grant processes and equitable funding opportunities.
4. **Disaster Thresholds and Cost Sharing:** FEMA's disaster declaration thresholds often exclude smaller tribes. Tribal leaders advocated for lowering thresholds and increasing cost-sharing flexibility to ensure equitable access to disaster relief.

5. **Emergency Management Capacity:** Many tribes operate with limited Emergency Management staff and infrastructure. Tribes requested increased technical assistance, training programs, and resources to enhance their capacity.
6. **Collaboration and Mutual Aid:** Tribes proposed the creation of a Tribal Emergency Management Assistance Compact (T-MAC) to facilitate mutual aid and resource sharing among tribal nations during disasters.

Proposed Recommendations from the Tribes:

- **Adopt a Tribal Disaster Act:** Establish a standalone act to address tribal-specific needs and organizational structures.
- **Revise the Stafford Act:** Amend the act to better reflect tribal realities, particularly for Alaska Native communities.
- **Restore BRIC and Expand Mitigation Funding:** Reinstate the BRIC program or similar initiatives to support hazard mitigation plans and infrastructure projects.
- **Improve Grant Processes:** Streamline application procedures and broaden eligibility criteria for FEMA grants.
- **Create a Tribal EMAC:** Establish a compact to facilitate mutual aid among tribes.
- **Enhance Technical Assistance:** Provide training, resources, and direct support to build tribal Emergency Management capacity.
- **Recognize Cultural Impacts:** Develop metrics to account for cultural losses in disaster declarations.

Areas for Further Exploration / Engagement

The scope and scale of interconnected topics and challenges when investigating the nation's state of emergency management is impressively complex. During this journey, the Council identified a series of areas that would benefit from thoughtful exploration from other formal groups or experts that may be best positioned to offer cogent solutions to the President and the Nation.

1. Review and streamline disparate disaster grant programs across federal agencies to improve consistency and accessibility for states and localities
2. Additional analysis on opportunities within the National Flood Insurance Program
3. Assess viability and opportunities for a potential FEMA Headquarters location change
4. Explore how to better integrate emerging technologies including advanced analytics, AI, and communications platforms to enhance operational capability, predict requirements in advance, and reduce costs
5. National Disaster Medical System: How to evolve program to better mirror USAR
6. Qualifications and cultivation of the administrative, state directors, T&T, and major urban core directors
7. National Structure – Optimal/Desired Number of Personnel. Due to anticipating staffing efficiencies, recommend further exploration on staffing as well as Region structure

- 8. Explore the National Core Competencies of all FEMA-related programs
- 9. Explore EMPG eligibility for Tribes
- 10. Explore how to best leverage existing advisory councils for FEMA:
 - a. FEMA National Advisory Council
 - b. FEMA Technical Mapping Advisory Council
 - c. Board of Visitors for the National Fire Academy

Public Meeting Minutes

The Council held four public meetings during its operations, the first being an inaugural gathering of the presidentially appointed members, the second and third meetings acting as updates to progress and actions taken during the operations of the Council, and the last being the formal presentation and voting of this report and recommendations. Full public meeting minutes can be found on the [Council's website](#).

- Inaugural FEMA Review Council Meeting on May 20, 2025, located at the Eisenhower Executive Office Building in Washington, DC.
- Second FEMA Review Council Meeting on July 9, 2025, located at the DHS Customs and Border Protection's Customs House in New Orleans, Louisiana.
- Third Public FEMA Review Council Meeting on August 28, 2025, located at the Oklahoma State Capitol Building in Oklahoma City, Oklahoma.
- Final Public FEMA Review Council Meeting on May 7, 2026, located at the Eisenhower Executive Office Building in Washington, DC.

Engaged Subject Matter Experts and Stakeholders

The FEMA Review Council would like to thank the more than 13,000 individuals and respondents who have participated and engaged with the Council to share their input and insight. A full listing of individuals and organizations who have submitted formal testimony can be found at: [Regulations.gov](#)

The Council would like to note the extensive participation from the organizations and entities listed below. This list is not exhaustive or granular as the Council has engaged with numerous subject matter experts that have met in closed subcommittee sessions. The following list has been provided as is to respect the integrity of the feedback provided in those sessions.

Federal Agencies

Office of Management and Budget	Department of Homeland Security
Department of War	Federal Emergency Management Agency
Department of Treasury	

National Organizations

Council of Governors	International Association of Emergency Managers
International Association of Fire Chiefs	National Association of Counties
National Association of Mutual Insurance Companies	National Emergency Management Association
National Governors Association Public Health and Disaster Reform Task Force	National League of Cities
National Volunteer Fire Council	U.S. Conference of Mayors
Reinsurance Association of America	National Association of Insurance Commissioners
American Flood Coalition	...and many additional organizations

Tribal Nations

Agua Caliente Band of Cahuilla Indians	Inter-Tribal Council of Arizona	Ponca Tribe of Nebraska
Ak-Chin Indian Community	Iñupiat Community of the Arctic Slope	Port Gamble S'Klallam Tribe
Alakanuk Tribe	Iowa Tribe of Oklahoma	Potawatomi Nation
Bear River Band of the Rohnerville Rancheria	Jena Band of Choctaw Indians	Prairie Island
Blue Lake Rancheria	Jicarilla Apache Nation	Prairie Island Indian Community
Brownfields Tribal Response Program Coordinator	Kaibab Band of Paiute Indians	Pueblo of Nambe
Burns Paiute Tribe	Karuk Tribe	Pueblo of Zia
Cabazon Band of Cahuilla Indians	Kickapoo Tribe of Oklahoma	Puyallup Tribe
Caddo Nation of Oklahoma	Kiowa Tribe	Quapaw Nation
Cahuilla Band of Indians	Lac Courte Oreilles Nation	Quinault Indian Nation
Catawba Nation	Leech Lake Ojibwe	Red Cliff Band
Cherokee Nation	Lummi Nation	Rincon Band of Luiseño Indians
Chickaloon	Makah Tribal Organization	Saint Regis Mohawk Tribe
Chickasaw Nation	Match-E-Be-Nash-She-Wish-Band of Pottawatomi (aka Gun Lake Tribe)	Salt River Pima - Maricopa Indian Community
Choctaw Nation	Miccosukee	Santo Domingo Pueblo
Coeur d'Alene Tribe	Middletown Rancheria	Seldovia Village Tribe

Comanche Nation	Mille Lacs Band of Ojibwe	Seminole Tribe of Florida
Confederated Tribes of the Umatilla Indian Reservation	Morongo Band of Mission Indians	Shakopee Mdewakanton Sioux Community
Confederated Tribes of Warm Springs	Native Village of Atka	Shinnecock Indian Nation
Cow Creek Band of Umpqua Tribe of Indians	Native Village of Eklutna	Sisseton Wahpeton Oyate of Lake Traverse Reservation
Cowlitz Indian Tribe	Native Village of Kipnuk	Skagit River System Cooperative
Crow Creek Sioux	Native Village of Ouzinkie	Sokaogon Chippewa Community
Dry Creek Band of Pomo Indians	Native Village of Point Hope	Spokane Tribal Business Council
Eastern Band of Cherokee Indians	Native Village of Umkumiut	Summit Lake Paiute Tribe
Eastern Shawnee Tribe of Oklahoma	Navajo Nation	Suquamish Tribe
Federated Indians of Graton Rancheria	Nez Perce Tribe	The Native Village of Dot Lake
Flandreau Santee Sioux Tribe	North Fork Rancheria	Three Affiliated Tribes
Fond du Lac Band of Lake Superior Chippewa	Nottawaseppi Huron Band of the Potawatomi	Tlingit & Haida
Forest County Potawatomi	Oneida Nation	Trinidad Rancheria
Fort Sill Apache Tribe	Organized Village of Kwethluk	Tulalip Tribes
Gila River Indian Community	Pawnee Nation	Twenty-Nine Palms Band of Mission Indian
Grand Portage Band of Lake Superior Chippewa	Pinoleville Pomo Nation	Upper Sioux Community
Great Lakes Inter-Tribal Council, INC.	Pokagon Band of Potawatomi	Wampanoag Tribe of Gay Head Aquinnah
Hannahville Indian Community, Potawatomi Tribe	Pokagon band of Potawatomi Indians of Michigan and Indiana	Wichita and Affiliated Tribes
Ho-Chunk Nation	Pokagon Potawatomi	Winnebago Tribe
Hoh Tribal Business Committee	Pokégnek Bodéwadmik	Yakama Nation
Hoopa Valley Tribe	Ponca Tribe of NE	Ysleta Del Sur Pueblo

States/Territories

Alabama

Alaska

Arizona

Arkansas

California	Colorado	Connecticut	Delaware
Florida	Georgia	Hawaii	Idaho
Illinois	Indiana	Iowa	Kansas
Kentucky	Louisiana	Maine	Maryland
Massachusetts	Michigan	Minnesota	Mississippi
Missouri	Montana	Nebraska	Nevada
New Hampshire	New Jersey	New Mexico	New York
North Carolina	North Dakota	Ohio	Oklahoma
Oregon	Pennsylvania	Rhode Island	South Carolina
South Dakota	Tennessee	Texas	Utah
Vermont	Virginia	Washington	West Virginia
Wisconsin	Wyoming	Puerto Rico	

Private Industry and Faith-Based Organizations

Artanis Capital	BuildSOS Inc	Rule One Consulting
Mennonite Disaster Service	Samaritan’s Purse	Convoy of Hope
Mercy Chefs	The Salvation Army	International Emergency Management

Detailed Public Comments and Survey Inputs – An Analysis

Feedback Mechanism #1 FEMA Review Council Survey Overview

The FEMA Review Council’s State-Federal Coordination (FSC) Subcommittee conducted a comprehensive survey of 1,387 stakeholders spanning state, local, tribal, and territorial (SLTT) agencies as well as non-governmental partners. This survey revealed critical insights into the current state of national preparedness and response. Findings highlight both the indispensable value of FEMA’s resources and the urgent need for modernization, targeted capacity-building, and sustained partnerships. A recurring theme across responses was the need to streamline the bureaucracy and reduce red tape in administering federal funding. The survey findings outlined high-level strategic priorities to guide FEMA’s transformation, ensuring the agency remains a catalyst for resilience in an evolving risk environment.

Survey responses confirm that FEMA plays a vital role in delivering funding, training, specialized assets, and nationally standardized systems. However, administrative inefficiencies, capability gaps among SLTT partners, and uneven resource distribution threaten the speed and effectiveness of disaster response.

At the same time, FEMA’s unique capabilities, such as the nationwide Integrated Public Alert and Warning System (IPAWS), Urban Search and Rescue (USAR), National Incident Management System (NIMS) standards, financial support during catastrophic disasters remain

irreplaceable assets that underpin the nation's emergency management framework and should be focused on reducing impacts of future disasters.

Current State

Agencies responding to the survey indicated that FEMA support most commonly includes funding, training, technical assistance, and specialized assistance.

The most cited funding programs were the **Emergency Management Performance Grant (EMPG)**, the **State Homeland Security Grant (SHSP)**, and **Individual Assistance**. Survey responses cited **delays and bureaucracy** as a frequent problem. Funding delays were cited over 60 times in the Response survey. The following comment from Oklahoma Emergency Management describes the importance of Federal funding, while acknowledging that the process is burdensome and slow:

Question: If FEMA no longer supported this capability, how would your organization/jurisdiction accomplish this task? If this task would no longer be accomplished without FEMA, why or why not?

Response: *If FEMA were no longer involved in disaster recovery, our primary concern would not be the loss of personnel or technical assistance, it would be the loss of critical funding. FEMA's financial support is essential to helping states and communities recover from disasters. However, the current model is weighed down by excessive administrative burden, slow processes, and layers of compliance that often delay recovery efforts and divert resources away from survivors.*

Rather than deploying large numbers of federal staff to manage relatively small disasters or requiring states to navigate a complex and rigid grants system, FEMA should consider shifting to a block grant model. Providing states with flexible, upfront funding would allow us to tailor disaster recovery efforts to our unique needs and capabilities. This approach would reduce bureaucracy, increase efficiency, and expedite the delivery of aid where it's most needed.

States like ours have built strong local response and recovery systems. What we need from FEMA is not manpower, but streamlined, predictable financial support. A block grant system, paired with accountability measures, would empower states to lead recovery more effectively while still maintaining transparency and federal oversight.

Source: Recovery Survey response from Oklahoma Emergency Management

According to the survey results, FEMA relies heavily on SLTT partners for **on-site security and law enforcement** (153 mentions), **mass care services** (176 mentions) and **operational communications** (120 mentions). FEMA partly relies on SLTT partners for these activities due to **staffing gaps**. 87 survey responses mentioned staffing gaps in mass care and 92 responses citing gaps in communications staffing. Lack of proper communication staffing results in **insufficient direct communications with local jurisdictions** (40 mentions) along with **unsatisfactory clarity and timeliness** (30 mentions).

Based on the survey results, FEMA provides more value in specialized areas, where SLTT partners sometimes lack resources or expertise. Respondents mentioned the FEMA **Incident Command System (ICS)** and **National Incident Management System (NIMS)** courses over 100 times, the deployment of specialized teams such as **Urban Search and Rescue (USAR)** and

Disaster Mortuary Operational Response Teams (DMORT) over 50 times, and the **Integrated Public Alert and Warning System (IPAWS)** over 20 times. The Snohomish County Department of Emergency Management in Washington state provides the following insight:

Question: What training support does FEMA provide? This could include specific courses or other training support.

Response: *All the ICS and NIMS courses. The entire NIMS Training Program which outlines standards processes to support mutual aid. Without nationally standardized training, it will not be long before each state has slightly different response structures or terminology, and state-to-state mutual aid becomes that much harder. We NEED national guidance to ensure we are all able to work together.*

I feel slightly less passionately about the basic Professional Development Series and Advanced Development Series and other independent study courses. In theory these could be replicated at the state level, but at 50x the effort as just having single courses provided by the federal government, which allow locals and states to build curriculum without having to each create the same content from scratch.

Source: Preparedness Survey response from Snohomish County Department of Emergency Management

Impact of Potential Changes

Organizations highlighted **mass care services, operational communications, mass search and rescue, and preparedness** as areas where reduced funding could impact capabilities. Over 80 responses cited dependencies on FEMA funding for shelter, food, and housing. Potential impacts on operational communications include **insufficient funding for equipment upgrades** and **reduced interoperability** and over 40 SLTT teams stated that they lacked the ability to replace USAR capabilities. According to the survey results, reduced funding would impact jurisdictions, rural jurisdictions and jurisdictions without specialized resources the most. Portsmouth, VA Emergency Management responded with the following:

Question: If FEMA no longer supported this capability, how would your organization/jurisdiction accomplish this task? If this task would no longer be accomplished without FEMA, why or why not?

Response: *In Portsmouth, Virginia, our Emergency Management team consists of only two full-time professionals working alongside the traditional city services like Social Services, Behavioral Health, Police, and the countless non-profit volunteer organizations that help the community daily with unmet mass care needs. Without FEMA's coordination, technical assistance, and resource alignment, we simply do not have the capacity to meet the wide-ranging and escalating demands of sheltering, feeding, hydration, reunification, and accessible services during a major incident.*

Source: Response Survey response from Portsmouth (VA) Emergency Management

Additionally, survey results indicate that SLTT agencies could perform operations such as on-site security. However, reduced funding would limit the ability to scale operations for complex disasters. The St. Lucie County Emergency Management Division in Florida notes potential impacts to long-term or large-scale operations.

Question: If FEMA no longer supported this capability, how would your organization/jurisdiction accomplish this task? If this task would no longer be accomplished without FEMA, why or why not?

Response: *Local law enforcement and mutual aid partners would continue to manage security and protective operations with support from state resources. However, the ability to sustain long-term or large-scale security operations would be limited without FEMA funding and technical assistance.*

Source: Response Survey response from St Lucie County Emergency Management Division

Respondents cited **public information and warning** and **economic recovery** as areas where reduced funding would have less impact. Since FEMA manages systems such as IPAWS independently, reduced funding would not directly impact SLTT operations. However, responses such as this one from the Maryland Department of Emergency Management suggest that replicating FEMA systems such as IPAWS would be expensive.

Question: If FEMA no longer supported this capability, how would your organization/jurisdiction accomplish this task? If this task would no longer be accomplished without FEMA, why or why not?

Response: *The State could not replicate the IPAWS system, and to do so would be highly inefficient and expensive compared with common, distributed use of a nationally maintained system.*

Source: Response Survey from Maryland Department of Emergency Management

Additionally, partnerships with other agencies such as the Small Business Administration (SBA) and the U.S. Department of Agriculture (USDA) mitigate the impact of reduced funding on economic recovery.

Feedback Mechanism #2 Listening Sessions Overview:

The FEMA Review Council conducted extensive listening sessions, public comment analysis, and stakeholder surveys in 2025 to evaluate disaster response, recovery, mitigation, and FEMA’s policies and operations. Feedback from state, local, tribal, and territorial (SLTT) agencies, nonprofit organizations, private sector representatives, and community groups highlighted critical flaws in FEMA’s processes, funding mechanisms, communication strategies, and operational efficiency. Stakeholders repeatedly identified bureaucratic inefficiencies, delays in funding, inconsistent program administration, workforce constraints, and insufficient engagement with local governments as major barriers to effective disaster management.

The following is a comprehensive summary of the listening sessions held by the FEMA Review Council in 2025, focusing on disaster response, recovery, mitigation, and reforming FEMA’s policies and operations.

This captures feedback from a wide range of stakeholders, including state and local emergency management officials, tribal leaders, nonprofit organizations, private sector representatives, and community groups. The views expressed during the listening sessions are not endorsed by the Council but were taken into consideration during deliberations on recommendations.

Below is an analysis of the themes, challenges, and recommendations from the sessions:

Themes Across Sessions

- **FEMA Reform and Streamlining Processes:** Across all sessions, participants emphasized the need to simplify FEMA’s processes, including grant applications, disaster declarations, and recovery programs. The Public Assistance flow chart, often referred to as “The Snake,” and Environmental and Historic Preservation (EHP) reviews were repeatedly criticized for causing delays. Recommendations included decentralizing decision-making to FEMA regional offices, allowing parallel processing of project steps, and adopting technology to modernize operations.
- **Federal, State, and Local Roles:** There was strong support for empowering SLTT governments to lead disaster response and recovery efforts, with FEMA providing strategic oversight and technical assistance. Many participants advocated for a shift from FEMA’s operational role to one of support and funding.
- **Funding and Grant Programs:** Emergency Management Performance Grants (EMPG), Hazard Mitigation Grant Program (HMGP), and Building Resilient Infrastructure and Communities (BRIC) were identified as critical funding mechanisms. Participants called for increased funding, streamlined application processes, and greater flexibility in how funds are used. Block grants and/or direct funding were proposed as a potential solution to reduce bureaucracy, but concerns about implementation challenges were noted.
- **Mitigation and Resilience:** Investment in pre-disaster mitigation and resilient infrastructure was emphasized as a cost-effective way to reduce disaster impacts. Participants highlighted the importance of incentivizing communities to adopt stronger building codes and forward-looking plans.
- **Fairness and Vulnerable Populations:** Fairness was a recurring theme, with calls to address systemic disparities faced by small, rural, and underserved communities. Vulnerable populations, including renters, low-income families, and tribal nations, were identified as needing tailored support.
- **Technology and Innovation:** Leveraging technology, such as AI, drones, databases, and geospatial tools, was recommended to improve damage assessments, streamline grant processes, and enhance situational awareness. Real-time data sharing and modernized systems were seen as critical to improving efficiency.
- **Tribal Sovereignty and Representation:** Tribal leaders emphasized the importance of respecting tribal sovereignty and maintaining direct government-to-government relationships. Unique challenges faced by tribal nations, such as geographic isolation and cultural impacts, were highlighted as areas requiring tailored solutions.
- **Public-Private and Private Nonprofit Partnerships:** Participants advocated for greater collaboration with private sector and nonprofit organizations, which were recognized as critical partners in disaster response and recovery. Pre-positioning contracts and integrating these entities into disaster plans were recommended.

Challenges Identified

- **Bureaucratic Complexity:** FEMA’s processes were repeatedly described as overly complex, slow, and resource-intensive, creating barriers for smaller jurisdictions and tribal nations with limited capacity.

- **Delays in Funding and Reimbursements:** Cash flow challenges and delays in FEMA reimbursements were identified as major obstacles for local governments and tribes, particularly smaller entities.
- **Workforce and Capacity Constraints:** High turnover among FEMA staff and limited capacity at the local level hindered effective disaster response and recovery.
- **Insurance and Risk Management:** Rising insurance costs and underinsurance were noted as significant barriers to recovery. Concerns about FEMA's Risk Rating 2.0 system and its impact on flood insurance premiums were highlighted.
- **Environmental and Historic Preservation (EHP) Reviews:** EHP reviews were identified as a major bottleneck, delaying critical recovery projects. Participants called for streamlining these reviews and allowing local governments to conduct them.

Recommendations

- **Streamlining FEMA Processes:** (1) Simplify disaster declarations, grant applications, and project reviews. (2) Decentralize decision-making to FEMA regional offices and empower local governments to lead recovery efforts. (3) Have a single federal family individual assistance application.
- **Enhancing Funding Mechanisms:** (1) Increase funding for EMPG, HMGP, and BRIC programs. (2) Transition to block grants for disaster recovery funding, with safeguards to ensure fair distribution.
- **Investing in Mitigation and Resilience:** (1) Prioritize funding for pre-disaster mitigation and resilient infrastructure. (2) Incentivize communities to adopt stronger building codes and forward-looking plans.
- **Addressing Fairness:** (1) Tailor FEMA programs to address the unique needs of small, rural, and underserved communities. (2) Ensure fair access to resources for tribal nations and vulnerable populations.
- **Leveraging Technology:** (1) Adopt modern technology to improve damage assessments, streamline grant processes, and enhance situational awareness. (2) Invest in real-time data sharing and coordination platforms.
- **Strengthening Tribal Engagement:** (1) Respect tribal sovereignty and maintain direct government-to-government relationships. (2) Provide predictable, formula-driven funding allocations directly to tribes.
- **Building Local Capacity:** (1) Invest in training, technical assistance, and staffing for local emergency management agencies through federal standards delivered by states. (2) Expand FEMA's training programs and support workforce development.
- **Public-Private and Private Nonprofit Partnerships:** (1) Integrate private sector and nonprofit organizations into disaster planning and operations. (2) Pre-position contracts and leverage private sector expertise in recovery efforts.

Feedback Mechanism #3 Analysis of Public Comments Submitted (11,708 Responses):

On March 26, 2025, the FEMA Review Council published Federal Register Notice DHS-2025-0013 to provide the general public an opportunity to provide input on how to reform FEMA as it

stands today. The Council received 11,708 responses to this notice, underscoring the critical role FEMA plays in disaster management. The public comments submitted in response to the FEMA Review Council's request for feedback under Federal Register Notice DHS-2025-0013 reflect a broad spectrum of perspectives, experiences, and recommendations. These comments underscore the critical role FEMA plays in disaster response and recovery and provide actionable insights for reforming and strengthening the agency's operations. The views expressed in the public comments are not endorsed by the Council but were taken into consideration during deliberations on recommendations. Below is a thematic analysis of the feedback:

FEMA's Role and Structure

- **Insights:** FEMA is widely recognized as an essential agency in disaster response and recovery, particularly in coordinating multi-state disasters and providing resources to communities. Respondents emphasized the need for FEMA to focus on preparedness, soft skills training, and fostering strong relationships with local communities. Federal coordination and clear communication about FEMA's capabilities and limitations are seen as critical to its success. In addition, there was lack of clarity regarding which Individual Assistance or Public Assistance programs will be available.
- **Recommendations:** (1) Improve internal feedback mechanisms to ensure continuous improvement. (2) Invest in training programs that emphasize diplomacy, cultural competence, and community engagement.

State and Federal Coordination

- **Insights:** The Council of Governors submitted a detailed letter advocating for FEMA reforms, emphasizing that states cannot manage catastrophic disasters alone. Governors highlighted the importance of federal support in disaster response and recovery, particularly in standardizing and expanding Individual Assistance programs and improving interagency coordination.
- **Recommendations:** (1) Create a unified federal disaster assistance application to streamline survivor access to aid. (2) Ensure consistent funding for FEMA programs to support state and local recovery efforts. (3) Leverage state and local expertise to expedite recovery and improve efficiency.

Strengthening FEMA's Capabilities

- **Insights:** Respondents overwhelmingly opposed dismantling or downsizing FEMA, citing the increasing frequency and severity of disasters. FEMA's support was viewed as indispensable for states and communities, which lack the capacity to handle large-scale disasters independently. The public also said timely aid and resources provided by FEMA are critical to helping disaster survivors rebuild their communities and mitigate future risks.
- **Recommendations:** (1) Maintain and enhance FEMA's capabilities to better serve communities nationwide. (2) Focus on improving the speed and efficiency of aid delivery to ensure disaster survivors receive timely support.

Community Feedback and Support

- **Insights:** Community members, particularly in disaster-prone areas like Houston, Texas, shared both positive and negative experiences with FEMA. While FEMA's support was appreciated, concerns were raised about inconsistencies in assistance, lengthy wait times, and

communication challenges. Issues such as disparities in aid distribution, language barriers, and difficulties with the application process were frequently noted.

- **Recommendations:** (1) Standardize assistance programs to ensure fair and consistent distribution of aid. (2) Enhance training for FEMA staff to improve communication skills and cultural awareness. (3) Increase transparency in FEMA's processes to foster trust and confidence among disaster survivors.

Diverse Regional and Stakeholder Perspectives

- **Insights:** Feedback from various regions and stakeholders highlighted unique challenges and recommendations. Puerto Rico called for mobile outreach, alternative proof of ownership, and improved communication. Tribal Nations praised FEMA's support but criticized some disaster reservists' behavior. Gulf Coast areas urged restoration of FEMA funding and staffing. Nevada emphasized the importance of the National Flood Insurance Program and called for reforms. Florida highlighted positive experiences with FEMA during Hurricane Wilma but stressed the need for continued funding.
- **Recommendations:** (1) Tailor FEMA's programs to address regional and stakeholder-specific needs. (2) Streamline grant processes and ensure equitable resource allocation. (3) Invest in better training for FEMA personnel to improve efficiency and professionalism (soft skill development).

Protecting FEMA's Mission

- **Insights:** Respondents overwhelmingly emphasized the need to protect and strengthen FEMA rather than dismantle or weaken it. Shifting the burden of disaster response to states was viewed as less effective and potentially harmful to local communities. Respondents also stressed that FEMA reforms should be guided by science, equity, and the experiences of disaster survivors, rather than political ideology.
- **Recommendations:** (1) Oppose efforts to weaken FEMA and ensure reforms prioritize the needs of disaster survivors. (2) Strengthen FEMA's capacity to respond to increasingly frequent and severe disasters. (3) Ensure reforms are informed by data, best practices, and input from affected communities.

The 11,708 public comments received reflect a strong consensus on the importance of FEMA's role in disaster response and recovery. While respondents identified areas for improvement, including streamlining processes, enhancing communication, and addressing equity, there was widespread support for maintaining and strengthening FEMA's capabilities. The feedback highlighted the need for FEMA to remain a robust and responsive agency that can effectively support communities during their most vulnerable times.

