

Draft National Mitigation Investment Strategy for Public Comment

ICC comments submitted to “Mitigation Investment for the Nation”

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The International Code Council (ICC) is an American member-focused association dedicated to helping the building community and the construction industry provide safe and sustainable construction through the development and use of model codes and standards used in the design, build, and compliance process. Most U.S. states and communities, Federal agencies, and many global markets choose the International Codes to set the standards for regulating construction, plumbing and sanitation, fire prevention, and energy conservation in the built environment.

In 2016 as part of its commitment to resilience, ICC created the Alliance for National & Community Resilience (ANCR) as a 501(C)(3) subsidiary. ANCR’s goal is to create the nation’s first voluntary whole-community resilience benchmarking system. ANCR has submitted separate comments on the National Mitigation Investment Strategy.

ICC supports FEMA’s objective to improve the coordination and effectiveness of mitigation investments in the U.S. Increasing national and community resilience is crucial to improving disaster mitigation in the future. Resilience needs to begin with the pre-requisite that every jurisdiction must adopt and enforce the current model building codes. The model codes form the foundation for all resilience efforts. Provisions in the International Codes (I-Codes), primarily the International Residential Code and the International Building Code, address disaster preparedness and recovery – from how and where to build in flood plains to constructing buildings that can better withstand natural and manmade disasters.

The benefits as outlined in the draft strategy include reducing loss of life and injuries, damage to property, negative impacts on the economy and the environment. We believe as well that resilience improves human health and well-being. Provisions in the I-Codes address these concerns through data driven requirements addressing sanitation and pest control as well as building design that considers the latest science on mood and mental health and improving building life cycles.

Communities change and so do the buildings they use. Updated codes allow communities to adapt and keep a sense of continuity while reducing blight from outdated and unused buildings. Finally, resilience means creating sustainable communities. Provisions in the I-Codes include sustainability measures for the construction project and its site- making buildings more efficient and less economically and environmentally wasteful. Building sustainably has effects that go beyond the walls and into the

community. For example, car charging stations make it easier to own eco-friendly vehicles and smart grid demand response systems lower energy prices for the consumer and increase grid stability for the surrounding area. ICC's family of codes affects all substantive areas of resilience in the built environment.

In recent years, the cost of Federal post-disaster assistance has risen dramatically as a result of increased catastrophic events that are beyond the ability of state and local governments to adequately respond. Pre-disaster mitigation efforts make communities more resilient to disasters and substantially reduces recovery and restoration costs. Independent research confirms that pre-disaster mitigation reduces the cost of disaster recovery by a factor of approximately 6 times the mitigation expenditures. Given this research data, if states increased their overall mitigation spending by just \$50 million, the reduction in Federal public assistance mitigation spending would be in the area of \$300 million. In addition to the reduction in Federal expenditures, the real benefit is to the public: for every dollar of mitigation spending, at least \$6 dollars is saved in post disaster cleanup. Most importantly, human injury and death are avoided. These results are clearly reasons to implement a strong national mitigation strategy.

ICC supports investment in pre-disaster mitigation, and strongly recommends FEMA support the following work being done by ICC to address the Strategy's recommendations.

ICC Response to Strategy Recommendations:

- **Recommendation 1.1: Public, private, and non-profit sector entities should, in a coordinated manner, develop and use a shared understanding of mitigation-related terms.**
- **Recommendation 1.5: Public, private, and non-profit sector entities should improve coordination between mitigation and other national preparedness mission areas, to allow community-based adaptations to strengthen all aspects of affected communities and mitigate future natural hazards during the recovery period.**

One initial step that could be taken to assure a shared understanding of mitigation related terms, is a fairly simple one. Instead of referring to "hazard mitigation plans" that SLTT's are required to adopt to be eligible for Pre Disaster Mitigation Grants, FEMA should clarify that a specific process to consider and adopt current building codes will qualify as a hazard mitigation plan. While it might seem obvious that adopting current building codes is a critical element of any mitigation effort, the Pre Disaster Mitigation Grant program, in online information, should make it clear that creation of a process to adopt and enforce building codes is, in fact, a mitigation plan, and will be recognized by FEMA as such. At a minimum, the program materials should list adoption of current building codes as an example of one element of effective mitigation planning. It should be clarified that each jurisdiction does not have to re-invent the wheel, but can adopt and enforce current building codes as a best practice to assure minimum construction standards are met to assure life safety and resilient construction.

ICC is an original signatory to the National Institute of Building Sciences' Industry Statement on Resilience. The Statement defines resilience as, "the ability to prepare and plan for, absorb, recover from, and more successfully adapt to adverse events." We endorse the definition in the strategy document, which builds on that earlier definition. ICC also believes in the "whole-community resilience" approach articulated by ICC partner, the Community and Regional Resilience Institute (CARRI). We would suggest incorporating the language of CARRI in the definition: "A community's resilience is a reflection of the entire community, not just government. Rapid recovery from disruption must rely on mobilization of resources across the entire community. Rapid recovery also requires a unity of purpose

across the entire community, which in turn implies that the entire community is in general agreement with the actions being taken.”

To be truly resilient, a community must be able to promptly and positively respond to any major natural or man-made disaster.

- **Recommendation 6.1: Federal departments and agencies should ensure up-to-date building standards are used for federal building projects and could incentivize SLTTs receiving federal aid for building projects to adopt and enforce, at a minimum, the most current version of model building codes.**

The model building codes are the foundation for resilience. Building codes, while readily available, are not required for construction unless adopted in the jurisdiction where buildings are to be built. SLTT’s should be incentivized to adopt current building codes for all construction in their jurisdiction, in order to be eligible for federal aid, or as a prerequisite for siting a federal building project within the jurisdiction. Why should taxpayers subsidize construction of a federal building built to current codes, if the jurisdiction does not assure that other buildings in the community are built to the same codes to assure that the community is resilient?

Therefore, incentivizing adoption of the most current I-Codes must be an element of any successful mitigation effort. Keeping current and uniform building and fire safety codes across the states provides consistency for businesses, design professionals, and contractors and provides uniformity through one set of regulations and code provisions. Regularly adopted and updated building codes assure that the latest building technology requirements, energy efficiency provisions, and safety considerations were used during the time of construction. This uniformity not only protects the lives of residents and first responders, but also appeals to contractors, developers, manufacturers, and other businesses that value predictability and consistency.

ICC strongly support Executive Branch policies like those requiring states to rebuild to current code in order to receive Stafford Act funds and requiring certain federal structures to be built to current code are crucial to better building stock in the future and should be implemented, supported, and promoted before and after catastrophic events.

We are also very supportive of language included in recently passed legislation, HR1892, that requires FEMA to adopt specific criteria to incentivize SLTT to adopt mitigation measures, such as use of the latest building codes, and participation in the ISO Community Rating System, in order to potentially increase the Federal share of Stafford Act funds available for disaster clean-up and reconstruction. Adoption and enforcement of current building codes is an essential element of any such criteria, and should be included as a baseline criteria to achieve any increased Federal share.

- **Recommendation 3.1: Public, private, and non-profit sector entities should coordinate to identify community-based mitigation and resilience training needs in order to develop and deliver more targeted training for communities and/or regions.**

ICC offers many courses on the technical requirements and proper administration of the latest model building codes. ICC also offers courses dealing with disaster mitigation. ICC’s extensive code-related training and certification offerings, combined with its Preferred Provider Program offering training on hundreds of construction related topics, combine to create an unmatched national resource for building safety and disaster mitigation training and certification.

Natural disasters, such as severe storms, earthquakes, tornadoes, and floods, can cause severe property damage and cripple affected communities. The International Code Council's "When Disaster Strikes Institute" provides hands-on instruction on assessing damage in the form of activities, case studies and interactive simulations that walk participants through the disaster scenarios; encourage discussion and describe how paperwork should be completed.

Often, after a disaster, an affected community struggles with assessing its damage and determining whether structures can be re-inhabited. When assessments are not conducted quickly, a community's residents could reoccupy potentially unsafe structures or abandon the community altogether. Participants learn techniques on how to become a properly trained second responder and, on completion, can be relied on to assist with performing post-disaster building assessments. Each participant receives all necessary reference materials.

ICC values providing our members, and members of the public, with crucial disaster assessment training so that home and business owners can return to their buildings quickly and safely.

Conclusion:

In summary, ICC commends FEMA for its work on the Draft National Mitigation Investment Strategy and encourages the Agency to support and promote the efforts detailed in this comment. ICC invites all resilience and disaster mitigation experts and advocates to get involved with the I-Code Development Process to increase resiliency in the I-Codes. ICC develops construction and public safety codes through the open, transparent governmental consensus process. This system of code development has provided the citizens of the U.S. the highest level of safety in the world for more than 90 years. The ICC governmental consensus process meets the principles defined by the National Standards Strategy of 2000; OMB Circular A-119, Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities (1998). It complies with Public Law 104-113 National Technology Transfer and Advancement Act of 1995. Anyone can participate in the I-Code development process. The International Codes are innovative and coordinated, efficient and effective, and are developed through the efforts of public safety officials. Updated every three years, they are up to date, state of the art, and economically efficient.