

117TH CONGRESS
1ST SESSION

H. R. 3161

To establish a pilot program to enhance the mapping of urban flooding and associated property damage and the availability of such mapped data to homeowners, businesses, and localities to help understand and mitigate the risk of such flooding, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 12, 2021

Mr. QUIGLEY introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish a pilot program to enhance the mapping of urban flooding and associated property damage and the availability of such mapped data to homeowners, businesses, and localities to help understand and mitigate the risk of such flooding, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Flood Mapping Mod-
5 ernization and Homeowner Empowerment Pilot Program
6 Act of 2021”.

1 **SEC. 2. FLOOD MAPPING MODERNIZATION AND HOME-**
2 **OWNER EMPOWERMENT PILOT PROGRAM.**

3 (a) IN GENERAL.—The Administrator of the Federal
4 Emergency Management Agency shall carry out a pilot
5 program to make grants to units of local government to
6 enhance the mapping of urban flooding and associated
7 property damage and the availability of such mapped data
8 to homeowners, businesses, and units of local government
9 to enable them to minimize the risk of such flooding.

10 (b) OBJECTIVES.—Amounts from grants made under
11 the pilot program under this section may be used only to
12 carry out activities to meet the following objectives:

13 (1) To develop a methodology for assessing
14 urban flood risk through the deployment of tech-
15 nology-based mapping tools that are easily under-
16 standable by the public and effectively convey infor-
17 mation regarding the level of flood risk.

18 (2) To provide structure-specific projections of
19 annual chance flood frequency.

20 (3) To provide structure-based flood-risk assess-
21 ments.

22 (4) To provide urban flood-risk mitigation pro-
23 gram design.

24 (5) To incorporate information regarding cli-
25 mate trends into urban flooding risk assessments.

1 (6) To make the information described in this
2 subsection publicly available on the internet through
3 a web-based portal so as to increase transparency re-
4 garding homeowner flood risks.

5 (c) ELIGIBLE RECIPIENTS.—

6 (1) IN GENERAL.—Grants under the pilot pro-
7 gram under this section may be made only to units
8 of general local government located in a urbanized
9 areas, as such term is used by the Bureau of the
10 Census of the Department of Commerce, having
11 populations exceeding 50,000 or to stormwater man-
12 agement authorities of such units of general local
13 government.

14 (2) ONE-TIME GRANTS.—A grant under the
15 pilot program under this section may not be made
16 to—

17 (A) any unit of general local governmental,
18 or stormwater management authority of a unit
19 of general government, that has previously re-
20 ceived a grant under the pilot program;

21 (B) any unit of general local government if
22 the stormwater management agency for such
23 unit has previously received a grant under the
24 pilot program; or

1 (C) any stormwater management agency of
2 a unit of general local government if such unit
3 has previously received a grant under the pilot
4 program.

5 (3) TREATMENT OF STORMWATER MANAGE-
6 MENT AUTHORITIES.—In the case of a stormwater
7 management authority that operates with respect to
8 more than one unit of general local government, the
9 application of such authority shall be considered for
10 purposes of paragraph (2) of this subsection and
11 subsections (e), (f), and (g)(1) to be made for the
12 largest unit of general local government for which
13 such authority operates. The preceding sentence
14 shall not limit the ability of such authority to carry
15 out activities under the demonstration project in any
16 other jurisdictions or unit of local government with
17 respect to which the authority operates.

18 (d) APPLICATIONS.—To be eligible for a grant under
19 this section a unit of general local government or stormwa-
20 ter management agency shall submit to the Administrator
21 an application in such form and containing such informa-
22 tion as the Administrator shall require.

23 (e) SELECTION OF RECIPIENTS.—

24 (1) ANNUAL SELECTION.—Subject to para-
25 graph (2) and to the submission of approvable appli-

1 cations, in each fiscal year for which amounts are
2 made available for grants under the pilot program
3 under this section the Administrator shall select,
4 from among applications submitted under subsection
5 (d) for such fiscal year, 3 units of general govern-
6 ment or stormwater management authorities to re-
7 ceive grants under the pilot program under this sec-
8 tion.

9 (2) AGGREGATE LIMIT.—Subject only to the
10 submission of approvable applications, the Adminis-
11 trator shall select, in the aggregate over the entire
12 duration of the pilot program under this section, 12
13 units of general government or stormwater manage-
14 ment authorities to receive grants under the pilot
15 program, as follows:

16 (A) TIER 1.—Three of the applicants se-
17 lected shall be units of general local govern-
18 ment, or stormwater management authorities
19 for such units, having a population exceeding
20 800,000, as follows:

21 (i) PELAGIC COASTAL CITY.—One
22 shall be a unit of general local government,
23 or stormwater authority for such a unit,
24 that is a pelagic unit.

1 (ii) NON-PELAGIC COASTAL CITY.—

2 One shall be unit of general local govern-
3 ment, or stormwater authority for such a
4 unit, that is a coastal unit, but not a pe-
5 lagic unit.

6 (iii) NON-COASTAL CITY.—One shall
7 be unit of general local government, or
8 stormwater authority for such a unit, that
9 is not a coastal unit.

10 (B) TIER 2.—Six of the applicants selected
11 shall be units of general local government, or
12 stormwater management authorities for such
13 units, having a population exceeding 200,000
14 but not exceeding 800,000, as follows:

15 (i) COASTAL CITIES.—Three shall be
16 units of general local government, or
17 stormwater management authorities for
18 such units, that are coastal units.

19 (ii) NON-COASTAL CITIES.—Three
20 shall be units of general local government,
21 or stormwater management authorities for
22 such units, that are not coastal units.

23 (C) TIER 3.—Three of the applicants se-
24 lected shall be units of general local govern-
25 ment, or stormwater management authorities

1 for such units, having a population exceeding
2 50,000 but not exceeding 200,000.

3 (f) PRIORITY.—

4 (1) IN GENERAL.—The Administrator shall se-
5 lect applicants for grants under the pilot program
6 under this section based on the extent to which their
7 applications will achieve the objectives set forth in
8 subsection (b).

9 (2) TIERS 2 AND 3.—In selecting applicants to
10 receive grants under the pilot program under this
11 section pursuant to subparagraphs (B) and (C) of
12 subsection (e)(2), the Administrator shall give pri-
13 ority to applicants—

14 (A) that are highly vulnerable to sea level
15 rise;

16 (B) within which are located a military in-
17 stallation or other facility relating to national
18 security concerns; or

19 (C) that have a population that is highly
20 vulnerable to urban flooding and have an un-
21 even capacity for flood mitigation and response
22 efforts resulting from socioeconomic factors.

23 (g) AMOUNT.—

24 (1) CONSIDERATIONS.—In determining the
25 amount of grant under the pilot program under this

1 section, the Administrator shall consider the popu-
2 lation of the grant recipient, which may be consid-
3 ered in terms of the tier under subsection (e)(2) of
4 the recipient.

5 (2) FEDERAL SHARE.—The amount of a grant
6 under the pilot program under this section may not
7 exceed 75 percent of the total cost of the activities
8 under subsection (b) to be carried out using the
9 grant amounts.

10 (h) DURATION.—The Administrator shall require
11 each recipient of a grant under the pilot program under
12 this section to complete the activities under subsection (b)
13 to be carried out using the grant amounts before the expi-
14 ration of the 18-month period beginning upon the initial
15 receipt of grant amounts under the pilot program.

16 (i) USE OF CENSUS DATA.—The Administrator shall
17 make all determinations under the pilot program regard-
18 ing population using the most recent available data from
19 the decennial census.

20 (j) GRANTEE REPORTS TO FEMA.—Each recipient
21 of a grant under the pilot program under this section
22 shall, not later than the expiration of the 30-month period
23 beginning upon the initial receipt of any such grant
24 amounts, submit to the Administrator a report that de-
25 scribes—

1 (1) the activities carried out with amounts from
2 the grant;

3 (2) how the activities carried out with such
4 grant amounts have met the objectives described in
5 subsection (b); and

6 (3) any lessons learned in carrying out such ac-
7 tivities and any recommendations for future map-
8 ping modernization efforts by the Federal Emer-
9 gency Management Agency.

10 (k) BIENNIAL REPORTS BY FEMA.—Not later than
11 the expiration of the 24-month period beginning on the
12 date of the enactment of this Act, and not later than the
13 expiration of each successive 24-month period thereafter
14 until the completion of all activities carried out with
15 amounts from grants under the pilot program under this
16 section, the Administrator shall submit to the Congress
17 and make available to the public on an internet website
18 a report that—

19 (1) describes—

20 (A) the progress of the activities carried
21 out with amounts from such grants; and

22 (B) the effectiveness of technology-based
23 mapping tools used in carrying out the activi-
24 ties described in subparagraph (A); and

1 (2) with respect to the final report that the Ad-
2 ministrator is required to submit under this sub-
3 section, includes recommendations to the Congress
4 and the executive branch of the Federal Government
5 for implementing strategies, practices, and tech-
6 nologies to mitigate the effects of urban flooding.

7 (1) SENSE OF CONGRESS.—It is the sense of Congress
8 that, because the pilot program is limited with respect to
9 scope and resources, communities that participate in the
10 pilot program should acknowledge that the most successful
11 efforts to mitigate the effects of urban flooding—

12 (1) take a structural-based mitigation approach
13 with respect to construction, which includes—

14 (A) recognizing any post-storm damage
15 that may occur; and

16 (B) pursuing designs that proactively mini-
17 mize future flood damage;

18 (2) make individuals in the community aware,
19 through any cost-effective and available means of
20 education, of the best approaches regarding the con-
21 struction of properties that are able to survive
22 floods, which reduces the cost of future repairs; and

23 (3) encourage home and property owners to
24 consider the measures described in paragraphs (1)
25 and (2), which are the most cost-effective and pru-

1 dent ways to reduce the impact of flooding, when
2 constructing or renovating building components.

3 (m) DEFINITIONS.—For purposes of this section, the
4 following definitions shall apply:

5 (1) ADMINISTRATOR.—The term “Adminis-
6 trator” means the Administrator of the Federal
7 Emergency Management Agency.

8 (2) COASTAL.—The term “coastal” means, with
9 respect to a unit of general local government, that
10 the unit borders a body of water that—

11 (A) exceeds 2,000 square miles in size; and

12 (B) is not a river.

13 (3) PELAGIC.—The term “pelagic” means, with
14 respect to a unit of general local government, that
15 the unit is a coastal unit and the body of water that
16 the unit borders is an ocean or other large, open
17 body of water (including bays and gulfs) that
18 empties into an ocean.

19 (4) URBAN FLOODING.—

20 (A) IN GENERAL.—The term “urban flood-
21 ing” means the inundation of property in a
22 built environment, particularly in more densely
23 populated areas, caused either by falling rain
24 collecting on impervious surfaces or increasing
25 the levels of nearby water bodies and over-

1 whelming the capacity of drainage systems,
2 such as storm sewers, including—

3 (i) situations in which stormwater en-
4 ters buildings through windows, doors, or
5 other openings;

6 (ii) water backup through sewer pipes,
7 showers, toilets, sinks, and floor drains;

8 (iii) seepage through walls and floors;

9 (iv) the accumulation of water on
10 property or public rights-of-way; and

11 (v) the overflow from water bodies,
12 such as rivers, lakes, and oceans.

13 (B) EXCLUSION.—Such term does not in-
14 clude flooding in undeveloped or agricultural
15 areas.

16 (n) FUNDING.—There is authorized to be appro-
17 priated for grants under the pilot program under this sec-
18 tion—

19 (1) \$1,200,000 for fiscal year 2022; and

20 (2) \$4,300,000 for fiscal year 2023, to remain
21 available through 2025.

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