



May 22, 2023

The Honorable Marcia Fudge, Secretary  
U.S. Department of Housing and Urban Development  
Regulations Division, Office of General Counsel  
451 7th Street SW, Room 10276  
Washington, DC 20410

***RE: HUD's Proposed Rule on Floodplain Management and Protection of Wetlands; Minimum Property Standards for Flood Hazard Exposure; and Building to the Federal Flood Risk Management Standard [Docket No. FR-6272-P-01]***

Dear Secretary Fudge,

The American Institute of Architects (AIA) is committed to protecting the health, safety, and welfare of the public. Since 1857, this concern has been central to all that we do. As a key component of this goal, AIA works to support federal initiatives that promote equitable and resilient housing opportunities for Americans in need. This includes low-income and historically disadvantaged communities.

AIA writes to you today to provide our recommendations regarding the Department of Housing and Urban Development (HUD)'s Proposed Federal Flood Risk Management Standard (FFRMS) Rule. We also write to thank HUD and the Biden-Harris Administration for elevating the need for more resilient housing for affordable housing occupants, especially as natural disasters are increasing in terms of property damage and loss of life.<sup>i</sup>

AIA supports HUD's intent to implement agency obligations as established by Executive Order (E.O.) 13690, *Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input*, to improve the resilience of affordable housing in flood-prone areas. AIA has been a consistent advocate for federal policies that improve the resilience of affordable housing. We also welcome additional and equitable opportunities for further stakeholder input to ensure the people impacted by HUD's policies have an opportunity to share feedback with you.

#### **AIA Feedback and Recommendations to HUD:**

##### ***Ensuring Preservation and Considering Cost-Prohibitive Properties***

As HUD considers implementing the FFRMS Proposed Rule, AIA strongly recommends particular attention to the preservation of existing affordable housing units and the buildings in which they reside. AIA often paraphrases a former President whose advice to colleagues that "the most efficient building is the building that already exists." AIA also recognizes the need for climate and equity lenses when reviewing housing policy changes. AIA strongly believes that housing preservation and sustainability are complementary.

However, we recognize that preserving – and building – affordable housing properties to a more resilient standard within floodplains can be an expensive endeavor. Considering HUD's proposed rule to expand the geographic range, both vertically and horizontally, for HUD-assisted housing, AIA

recommends providing greater financial flexibility for design and construction firms. Designers often struggle to garner the financial resources necessary for substantive affordable housing development, particularly within rural communities without access to resources available to urban areas.

HUD could consider issuing a final rule that quantifies design/construction-related costs to achieve the FFRMS as *deferred maintenance* instead of *substantial improvements*. Doing so would provide greater financial flexibility for design and construction firms uniformly across the country, as opposed to varying policies regulated at the state and/or local level that designate construction and rehabilitation costs.

### ***Considering Cost-Prohibitive Properties***

Building upon the need to preserve existing buildings, AIA recommends that HUD consider scenarios where development (within floodplains) leads to cost-prohibitive situations. Designing, retrofitting, and building to a more resilient standard require substantial costs. For example, raising a home above a flood zone typically costs \$20,000 to \$80,000.<sup>ii</sup> However, building to the latest codes and standards has been proven to improve building resilience, resulting in as much as \$11 saved for every \$1 invested to achieving the latest code.<sup>iii</sup>

For many low-income and historically disadvantaged communities, additional financial and technical assistance is needed to achieve their resilience goals. AIA recommends proactively targeting HUD financial and technical assistance to support such communities. New opportunities recently codified by the Community Disaster Resilience Zones Act [Public Law No: 117-225] could be instrumental in this regard.

### ***Forward-Looking Data***

AIA applauds HUD for its approach to utilizing and acting upon forward-looking data to best improve the resilience needs of HUD-assisted properties and the families and individuals they serve.

Thank you for this opportunity to provide formal comments and please do not hesitate to contact me if you have any questions or would like more information from AIA.

Sincerely,



Sarah Dodge  
Senior Vice President of Advocacy and Relationships  
American Institute of Architects

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<sup>i</sup> <https://www.climate.gov/news-features/blogs/beyond-data/2021-us-billion-dollar-weather-and-climate-disasters-historical>

<sup>ii</sup> <https://www.forbes.com/home-improvement/foundation/cost-to-raise-house/>

<sup>iii</sup> NIBS, Natural Hazard Mitigation Saves, 2019 Report.,  
[https://www.nibs.org/files/pdfs/NIBS\\_MMC\\_MitigationSaves\\_2019.pdf](https://www.nibs.org/files/pdfs/NIBS_MMC_MitigationSaves_2019.pdf)