



# Water Resources Reform and Development Act of 2014

National Levee Safety Program Act  
Reauthorization of the National Dam Safety Act  
October 2014 MADCS conference

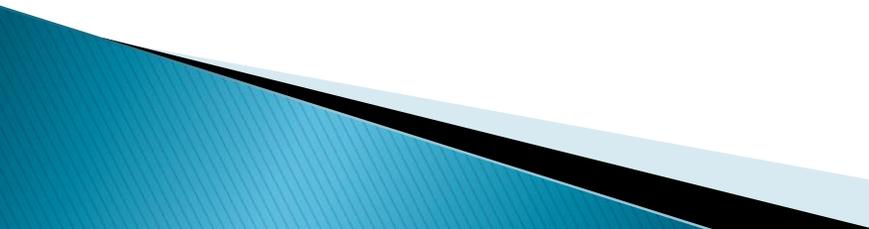


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# National Levee Safety Program Act

- ▶ National Levee Safety Act provisions
  - ▶ Definitions of Interest
    - Canal Structures
    - Levees--includes/excludes
  - ▶ National Levee Rehabilitation Program
  - ▶ State or Tribal Levee Safety Program  
minimum federal standards
  - ▶ Question to ponder???
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# National Levee Safety Program Act

- ▶ Directive to establish a National Levee Safety Program:
    - Secretary of the Army(COE) and
    - Administrator of the Federal Emergency Management Agency(FEMA)
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# NATIONAL LEVEE SAFETY PROGRAM

- ▶ A national levee inventory.
  - ▶ Inspection of levees.
  - ▶ Operation and maintenance guidelines.
  - ▶ Grants to qualifying state and tribal levee safety programs.
  - ▶ Grants for Non-federal levee rehabilitation.
  - ▶ Coordination of levee safety, floodplain management and environmental protection.
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# Other provisions of the National Levee Safety Program Act

- ▶ **Corps of Engineers Responsibilities:**
  - **Levee safety guidelines** for state or tribal levee safety programs.
  - **Grants** to states and tribes for flood mitigation activities
  - **National Levee Safety Advisory Board.**
  - **National Levee Safety Inventory Database.**
  - **Reports to Congress** on effectiveness, status and progress of levee safety.

# Does the National Act affect all levees or canal structures?

## Definitions of interest!

- ▶ **Canal Structure** is a embankment, wall, or structure along a canal or man made water course that includes all of the following:
  - Constrains water flows;
  - Subject to frequent water loading; and
  - An integral part of a flood risk reduction system.

## Definitions( cont)

- ▶ **Levee** means a manmade barrier that provides flood protection that includes all of the following:
  - Constrains water;
  - Subject to frequent water loading;
  - Not a barrier across a water course; and
  - **Integral to performance of a flood damage reduction system.**

# Definitions(cont)

- ▶ **Levee** means a manmade barrier that provides flood protection that **excludes**:
  - Structures including roadway and railroad embankments that are **not** integral to performance of a flood damage reduction system;
  - Canal constructed within natural ground and no retaining wall or embankment;
  - Canal regulated by a federal or state agency;
  - Not greater than 3 feet high;
  - Protects less than 50 individuals; and
  - Protects an area of less than 1 000 acres; or
  - A shoreline protection or river bank protection.

# Levee Rehabilitation Program

- ▶ 65% and \$10 million per project maximum federal cost share provided:
  - Qualified state or tribal levee safety program
  - National Flood Insurance Program community participation;
  - Hazard Mitigation Plan and community implementation.
- ▶ Congressional appropriations pending.

# State or tribal levee safety minimum program components:

- ▶ State levee safety laws that meet the minimum national levee safety guidelines;
  - ▶ Carry out public education and outreach;
  - ▶ Levee inventory.
  - ▶ Ability to receive federal grant funds for administering a state or tribal levee safety program.
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# Questions to consider.

- ▶ Will there be an **appropriation** by Congress for the federal Levee Safety Program under the authorizations in WRDA-2014?
  - ▶ How many **levees** are there in Montana?
  - ▶ Is there a **willingness or need** for a state or tribal levee safety program?
  - ▶ Will there be federal funding for **levee rehabilitation** in Montana if there is no Montana Levee Safety Program?
  - ▶ Do existing non-federal levees meet **levee safety standards**?
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# A few more Questions?

- ▶ Are levee owners conducting reasonable **operation and maintenance measures or inspections**?
  - ▶ Are there funding sources for repair or rehabilitation of **non-federal levees**?
  - ▶ Are those receiving **benefits from a levee** either paying or able to pay for the flood protection provided.
  - ▶ What is the responsibility of the levee owner for **damages** if a levee fails?
  - ▶ What is **MADCS** to do?
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