How the Levee Safety Program & Public Law 84-99 Rehabilitation Program Work Together Today

The Levee Safety Program inspects levees at least once every 5 years using a standard checklist to monitor levee condition and identify specific items to be fixed during routine maintenance, and shares this information with the PL 84-99 Rehabilitation Program.

Levees that meet specific criteria are eligible through the PL 84-99 Rehabilitation Program for federally funded levee repairs after a flood event. USACE determines if a levee is eligible for the PL 84-99 Rehabilitation Program using a subset of the items evaluated during a Levee Safety Program inspection. These items must receive acceptable or minimally acceptable ratings for the levee to be eligible for the PL 84-99 Rehabilitation Program.

Continuing eligibility for the PL 84-99 Rehabilitation Program will be reviewed any time a Levee Safety Program inspection is completed. Levee sponsors can request a levee be inspected sooner than the normally scheduled inspection.

What if I receive an unacceptable rating for one of the inspection items used by PL 84-99 Rehabilitation Program?
Levee sponsors can remain temporarily eligible for the PL 84-99 Rehabilitation Program while addressing issues with their levee. Levee sponsors will be required to develop a plan to address issues with their levee and demonstrate progress to remain eligible for the PL 84-99 Rehabilitation Program. Levee sponsors should contact their local USACE District for more information on the system-wide improvement framework (SWIF) process.

Proposed Future Changes to the PL 84-99 Rehabilitation Program Eligibility Criteria

USACE plans to change the criteria used to determine a levee’s continued eligibility in the PL 84-99 Rehabilitation Program. The proposed criteria would assess preparedness activities specific to the levee’s performance during a flood event. **No change will be made to eligibility criteria without going through the rulemaking and public input process.**

What does this mean for my levee’s eligibility?
Currently, the only information used to determine a levee’s continued eligibility in the PL 84-99 Rehabilitation Program is a subset of items in the levee inspection checklist that relate to how a levee is maintained. The future criteria are proposed to be able to account, not only for how a levee is maintained, but how it has performed in the past. This allows sponsors to take credit for their hard work in flood fighting and improving levee performance.

**USACE is not working toward eligibility criteria that are out of the control of the sponsor, such as potential consequences in a leveed area.**