

# Provisionally Accredited Levees

## Mapping Scenarios for Procedure Memorandum No. 43

The Department of Homeland Security, Federal Emergency Management Agency (FEMA) has implemented procedures to verify that levee systems that are currently shown on effective National Flood Insurance Program (NFIP) flood maps as providing protection from the 1-percent-annual-chance flood continue to meet the current NFIP criteria for levee systems. As part of its Flood Map Modernization effort, FEMA has issued three Procedure Memorandums—Procedure Memorandum No. 34 (PM 34), Procedure Memorandum No. 43 (PM 43), and Procedure Memorandum No. 45 (PM 45)—to clarify the evaluation and mapping requirements for levee-impacted areas. You may access these memorandums through the FEMA Web site at [www.fema.gov/plan/prevent/fhm/lv\\_fpm.shtm](http://www.fema.gov/plan/prevent/fhm/lv_fpm.shtm).

- PM 34—*Interim Guidance for Studies Including Levees*— issued on August 22, 2005, helps clarify the responsibility of community officials or other parties seeking recognition of a levee system in providing information on levee systems identified during a study/mapping project. PM 34 clarifies procedures to minimize delays in near-term study/mapping projects and to aid FEMA mapping partners in properly assessing how to handle levee mapping issues.
- PM 43—*Guidelines for Identifying Provisionally Accredited Levees*— issued as revised on March 16, 2007, describes five scenarios for determining whether a previously accredited levee system—that is, a levee system that has been shown on an NFIP map as providing 1-percent-annual-chance flood protection—qualifies for the Provisionally Accredited Levee, or PAL, designation. The PAL designation provides communities or levee owners with additional time to compile and submit the data and documentation required to comply with NFIP regulations.
- PM 45—*Revisions to Accredited Levee and Provisionally Accredited Levee Notations*—issued on May 12, 2008, provides updated information on the map notes that are to appear on Digital Flood Insurance Rate Map (DFIRM) panels that show accredited or provisionally accredited levee systems.

Before FEMA will designate a PAL on a DFIRM, the community or levee owner will need to sign and return an agreement that indicates the data and documentation required to show the levee system's compliance with Title 44, Chapter 1, Section 65.10 of the Code of Federal Regulations (44 CFR Section 65.10) will be provided within a specified timeframe. The timeframe will depend on levee status (i.e., within 24 months of the 91st day following the initial notification letter date or within 24 months of the final day of the correction period for levee systems whose owners have been offered a 1-year maintenance deficiency correction period by the U.S. Army Corps of Engineers (USACE)). If the signed PAL agreement or a letter requesting a 1-year maintenance deficiency correction period is not returned to FEMA within 90 days, levee systems in the community are no longer eligible for the PAL designation. Levee system owners that have been offered the 1-year maintenance deficiency correction period have 12 months to correct the maintenance deficiencies as well as request, and be approved for, the PAL designation. If the levee system does not meet the PAL requirements, the area landward of the levee system will be remapped as a high-risk area, called a Special Flood Hazard Area (SFHA), on the DFIRM. The SFHA will be designated Zone AE or Zone A depending on the type of engineering study performed for the area. Additional information on the various PAL scenarios is provided below.

The FEMA mapping requirements are designed to provide the people living and working in levee-impacted areas with appropriate flood risk information so that they may minimize damage and loss of life. To implement the NFIP regulatory requirements found in 44 CFR Section 65.10, FEMA issued the procedural requirements for the evaluation and mapping of levee systems found in Appendix H of *Guidelines and Specifications for Flood Hazard Mapping Partners*. FEMA issued PMs 34, 43, and 45 as clarifications of the requirements in Appendix H. You may access all of these documents through the FEMA Web site at [www.fema.gov/plan/prevent/fhm/lv\\_intro.shtm](http://www.fema.gov/plan/prevent/fhm/lv_intro.shtm).

Remember...levees systems are designed to provide a *specific level of protection*. They can be overtopped or even fail during larger flood events, with catastrophic results. Everyone should understand the risk to life and property that exists in levee-impacted areas—risk that even the best flood protection system cannot completely eliminate.



*DFIRM with Provisionally Accredited Levee System*

*DFIRM with De-Accredited or Not Accredited Levee System*

The table below summarizes the possible scenarios outlined in PM 43.

Scenario	Criteria	PAL Eligible	USACE Program	FIRM Shows Protection Provided	Maintenance Deficiency Period	Who Notifies Levee Owner/ Community/ Local Project Sponsor
A1	<ul style="list-style-type: none"> <li>Levee system not in USACE Program</li> <li>Levee system shown on effective FIRM as providing 1-percent-annual-chance flood protection</li> <li>Community/levee owner believes levee system meets 44 CFR Section 65.10 requirements</li> </ul>	Yes	No	Yes	No	FEMA Regional Office
A2	<ul style="list-style-type: none"> <li>Levee system not in USACE Program</li> <li>Levee system shown on effective FIRM as providing 1-percent-annual-chance flood protection</li> <li>Community/levee owner believes levee system meets 44 CFR Section 65.10 requirements except for maintenance deficiencies</li> </ul>	Yes	No	Yes	Yes	FEMA Regional Office



Scenario	Criteria	PAL Eligible	USACE Program	FIRM Shows Protection Provided	Maintenance Deficiency Period	Who Notifies Levee Owner/ Community/ Local Project Sponsor
B	<ul style="list-style-type: none"> <li>• Levee system in USACE Program</li> <li>• Levee system shown on effective FIRM as providing 1-percent-annual-chance flood protection</li> <li>• No available information indicates levee system does not provide 1-percent-annual-chance flood protection</li> <li>• Project inspection rating within acceptable range (as defined by USACE)</li> </ul>	Yes	Yes	Yes	No	FEMA Regional Office
C1	<ul style="list-style-type: none"> <li>• Levee system in USACE Program</li> <li>• Levee system shown on effective FIRM as providing 1-percent-annual-chance flood protection</li> <li>• USACE determined that levee system's recent inspection ratings listed as fair, poor, or unacceptable</li> <li>• USACE determined that project status in USACE Program has been switched from <u>active</u> to <u>inactive</u></li> <li>• USACE did <u>not</u> offer 1-year maintenance deficiency correction period</li> </ul>	No	Yes	Yes	No	USACE, FEMA Regional Office



Scenario	Criteria	PAL Eligible	USACE Program	FIRM Shows Protection Provided	Maintenance Deficiency Period	Who Notifies Levee Owner/ Community/ Local Project Sponsor
C2	<ul style="list-style-type: none"> <li>• Levee system in USACE Program</li> <li>• Levee system shown on effective FIRM as providing 1-percent-annual-chance flood protection</li> <li>• USACE determined that levee system's recent inspection ratings listed as fair, poor, or unacceptable</li> <li>• Levee system in active status in USACE Program before 9/30/2005 (FY06)</li> <li>• USACE offered 1-year maintenance deficiency correction period</li> </ul>	Yes	Yes	Yes	Yes	USACE, FEMA Regional Office
D	<ul style="list-style-type: none"> <li>• Levee system in USACE Program</li> <li>• Levee system not shown on effective FIRM as providing 1-percent-annual-chance flood protection</li> </ul>	No	Yes	No	No	—
E	<ul style="list-style-type: none"> <li>• Levee system in USACE Program</li> <li>• Levee system shown as providing protection but does not provide an adequate level (1-percent-annual-chance or greater) of flood protection as determined by USACE in coordination with FEMA</li> <li>• Levee system's inspection rating NOT listed as fair, poor, or unacceptable, but levee system may have failed or experienced overtopping by flood event less than 1-percent-annual-chance flood</li> </ul>	No	Yes	Yes	No	FEMA Regional Office