

CHAPTER 5 REHABILITATION AND INSPECTION PROGRAM

Section I - General

5-1. Rehabilitation and Inspection Program (RIP) - Overview. The RIP is the USACE program that provides for the inspection and rehabilitation of Federal and non-Federal flood control projects, and the inspection and rehabilitation of Federally authorized and constructed Hurricane/Shore Protection Projects (HSPP's). Districts will implement the RIP in accordance with ER 500-1-1, this pamphlet, and ER 1130-2-530 (for Federal projects). The RIP includes:

a. FCW Database. The maintenance of the FCW Database for all FCW's (including HSPP's). (See paragraph 5-3.)

b. Initial Eligibility Inspections. The performance of Initial Eligibility Inspections (IEI's) for non-Federal FCW's. (See paragraph 5-5.)

c. Continuing Eligibility Inspections. The performance of Continuing Eligibility Inspections (CEI's) for Federal and non-Federal FCW's. (See paragraph 5-6.)

d. Rehabilitation Assistance. The rehabilitation of damaged FCW (Section III of this chapter) and nonstructural alternative projects (NSAP's) (Section IV of this chapter).

e. HSPP's. For clarity and simplicity, procedures for HSPP's are separately addressed in Section V of this chapter.

5-2. RIP Philosophy. The Corps of Engineers has a long tradition of, in an unbiased manner, conducting operations and administering programs that balance the competing goals of many interests. The RIP is this process in a microcosm. The principal reason the RIP exists is to ensure continuation of reliable protection - flood damage reduction - for people's lives, communities, and improved property. This protection is provided within the legal parameters of PL 84-99, other applicable Corps authorities, and the need to provide proper stewardship of the taxpayers' dollars with which the Corps is entrusted. The Corps must balance local interests and concerns, stewardship of funds, environmental sensitivity, and sound engineering judgment. The Corps must continue, and improve upon, this tradition, ensuring the integrity of the mission accomplishment process.

5-3. FCW Database. Districts have had a longstanding requirement to maintain an FCW database. This database must include all known FCW's, Federal and non-Federal, as well as all Corps owned and operated FCW's. Corps operated dams need not be included in the Database. Funding for database maintenance will be provided through the annual

FCCE budget submission in Class 380. The database should include the information listed in Figure 5-1 for all Active projects, and as much information as is available for Inactive projects. Until the Corps-wide FCW database is developed in ENGLink, districts will determine their own methods for maintaining their databases. Supporting documentation and pertinent correspondence concerning FCW's will be appropriately maintained in district files.

<u>FCW DATABASE</u>		
Part I. <u>GENERAL</u>		
1.	Project Name	The legal name of the FCW.
2.	State	Self explanatory.
3.	County	Self explanatory.
4.	City	Self explanatory.
5.	CWIS Number	The Civil Works Information System number (if one is assigned.) <i>(Mandatory for all Federal projects.)</i>
6.	River	The name of the river which the FCW is on.
7.	River Basin	The name of the river basin.
8.	Type of FCW	Indicate levee, dam, channel, floodway, etc., or combination thereof.
9.	Other Purpose	Indicate if the project has another purpose other than flood control and protection.
Part II. <u>PUBLIC SPONSOR INFORMATION</u>		
10.	Public Sponsor	The name of the FCW's Public Sponsor.
11.	Point of Contact	The principal point of contact for the Public Sponsor.
12.	Public Sponsor's Address/Phone No.	Self explanatory.
13.	Owners/ Percentage of Ownership	Individuals and entities (e.g., corporations) that own the protected land. Indicate the percentage of land owned by each individual/entity. If there are eight or fewer owners, list all. If there are more than eight owners, list all owners owning more than 15% of the protected land.
Part III. <u>TECHNICAL DATA</u>		
14.	Dimensions	Describe the physical features of the FCW. For example, if the FCW is a levee, provide the dimensions for the height, crown width, side slopes, length, etc. In place of a narrative description, a sketch of the FCW may be made as an attachment to the Data Sheet.
15.	Material	Describe the material (e.g., type of soil, gradation of riprap) used in the construction of the FCW.
16.	Drainage Area	The total drainage area of the FCW at the downstream end of the project. (Estimate if the information is not readily available.)

Figure 5-1. Flood Control Works Database

17.	Level of Protection	Estimate the level of protection in terms of exceedance frequency in percent chance.
18.	Freeboard	Self explanatory. (Also includes risk and uncertainty data, if applicable.)
19.	Geotechnical	Statement describing the geotechnical aspects of the FCW.
20.	Hydraulic Design	Statement describing the hydraulic features of the FCW.
21.	Gage Locations	List the locations of gages in the vicinity of the flood control work.
Part IV. <u>ECONOMIC INFORMATION</u>		
22.	Area Protected	The total area protected by the FCW in terms of square miles.
23.	Land Use/Value	List all the different land usage, the area of the land usage in terms of percentage of total area protected, and value of the land usage, such as:
	Agricultural	50% \$20,000
	Residential	10% \$450,000
	Undeveloped land	10% \$10,000
	Public recreation	10% \$25,000
	Commercial retail	10% \$650,000
	Industrial	10% \$950,000
Part V. <u>HISTORY</u>		
24.	Historic Floods	List all past historic flood events that caused considerable damages to the FCW.
25.	Previous Repairs	List all dates, expenses, and sources of funds spent on previous repairs due to flood damages. Do not include routine maintenance costs.
Part VI. <u>CURRENT STATUS</u>		
26.	Active/Inactive	Self explanatory.
Part VII. <u>RESULTS OF INITIAL ELIGIBILITY INSPECTION</u>		
27.	1st Inspection	The date the first Initial Eligibility Inspection was performed.
28.	Project Condition	The project condition code for the first inspection.
29.	Dates of Later Inspections	The dates of later inspections performed, if the project failed to receive an "A" or "M" project condition code on the first IEI.
30.	Last IEI	The date of the IEI in which the project gained active status.
31.	Deficiencies	List all the deficiencies noted during the inspection(s).
32.	Inspectors	Name, Title or position, Grade, and office of the inspector(s).
Part VIII. <u>CONTINUING ELIGIBILITY INSPECTIONS</u>		
33.	Inspections	Results and ratings. Each Continuing Eligibility Inspection conducted will be listed separately. Deficiencies will be noted. The latest rating will also be entered in Item 26.

Figure 5-1. Flood Control Works Database (Continued)

5-4. The Inspection of Completed Works (ICW) Program. The ICW Program is the O&M, General-funded program within the RIP that addresses Federally-constructed flood damage reduction projects turned over to non-Federal sponsors for operations and maintenance. The ICW Program's critical function in the RIP is the funding responsibility for CEI's of Federal projects. ICW funds are also used for technical review and approval of activities when a public sponsor seeks USACE approval for activities that may affect the integrity and/or reliability of its project. ICW funds at HQUSACE are managed by CECW-OE, and are budgeted on an annual basis. Refer to ER 1130-2-530 for additional ICW Program information. Conflicts between ER 1130-2-530 and ER 500-1-1 will be referred to HQUSACE (CECW-OE) for resolution.

Section II - Inspections

5-5. Overview of Inspections. A sound, consistent, comprehensive system of inspecting flood control works is the foundation of the RIP. Such a system encourages public sponsors to properly maintain their projects, allowing citizens and communities protected by the projects to be confident that their safety is provided for. The RIP includes two types of inspections, IEI's and CEI's. An inspection results in a project status of either Active or Inactive. Refer to ER 500-1-1, paragraphs 5-6. and 5-8. for additional information.

a. The Inspection Guide. IEI's and CEI's use the same form (the "Inspection Guide") to record inspection results. The Inspection Guide is in Appendix A.

b. Inspection Methodology.

(1) Individual items of each component of a project are *rated*, using the Inspection Guide (Appendix A), and the rating codes and criteria shown in Table 5-1, below.

RATING CODES FOR INDIVIDUAL RATED ITEMS		
SYMBOL	RATING CODE	DEFINITION
S	Satisfactory	The rated item is in satisfactory condition, and will function as designed and intended during the next flood event.
M	Marginally Satisfactory	The rated item has a minor deficiency that needs to be corrected. The minor deficiency will not seriously impair the functioning of the item during the next flood event. The overall reliability of the project will be lowered because of the minor deficiency.
U	Unsatisfactory	The rated item is unsatisfactory. The deficiency is so serious that the item will not adequately function in the next flood event, compromising the project's ability to provide reliable flood protection.

TABLE 5-1. Rating Codes for Individual Rated Items

(2) The lowest rating code for any rated item will determine the overall *condition* of the project. Project condition codes are shown in Table 5-2, below.

(a) If all rated items are rated as Satisfactory, the project condition is Acceptable. An Acceptable condition means that the FCW will function as designed and intended, with a high degree of reliability, during a flood event, and that necessary cyclic maintenance is being adequately performed.

(b) If one or more rated items are rated as Marginally Satisfactory, with no rated items rated as Unsatisfactory, then the project condition is Minimally Acceptable. The project will function as designed and intended, but with a lesser degree of reliability than what the project should provide.

(c) One or more rated items with a rating of Unsatisfactory will result in a project condition of Unacceptable. An Unacceptable condition means that one or more deficient conditions exist that are so serious that the FCW does not provide reliable protection against the threat of a flood. These deficiencies can reasonably be foreseen to prevent the project from functioning as designed, intended, or required.

PROJECT CONDITION CODES		
SYMBOL	CONDITION	DEFINITION
A	Acceptable	No immediate work required, other than routine maintenance. The flood control project will function as designed and intended, with a high degree of reliability, and necessary cyclic maintenance is being adequately performed.
M	Minimally Acceptable	One or more deficient conditions exist in the flood control project that need to be improved/corrected. However, the project will essentially function as designed and intended, but with a lesser degree of reliability than what the project should provide. Specific items of the project must be improved/corrected.
U	Unacceptable	One or more deficient conditions that can reasonably be foreseen to prevent the project from functioning as designed, intended, or required.

TABLE 5-2. Project Condition Codes

(3) The project condition determines the project's *status* in the RIP, as shown in Table 5-3, below. If the project condition is Acceptable, the project is in Active status in the RIP. If the project condition is Minimally Acceptable, the project is in Active status in the RIP. If the project condition is Unacceptable, then the project is in Inactive status in the RIP.

PROJECT STATUS		
<i>IF THE LOWEST RATING FOR A RATED ITEM IS:</i>	<i>THEN THE PROJECT CONDITION IS:</i>	<i>AND THE PROJECT STATUS IS:</i>
Satisfactory	Acceptable	Active
Marginally Satisfactory	Minimally Acceptable	Active
Unsatisfactory	Unacceptable	Inactive
Table 5-3. Project Status		

5-6. Initial Eligibility Inspections (IEI's). Initial Eligibility Inspections are conducted only on non-Federal flood control works. The intent of the IEI is to assess the project's design, construction, and maintenance. This assessment allows the Corps to make a rational determination of potential eligibility for Rehabilitation Assistance in the event a future flood damages the project. The IEI consists of two parts, an engineering assessment and a maintenance assessment, and uses the Inspection Guide in Appendix A. (Pump stations, if present, are also assessed for both maintenance and engineering criteria. There are separate engineering and maintenance sections in the Inspection Guide for pump stations.) The engineering assessment reviews the hydraulic/hydrologic aspects and the geotechnical situation of the project. The maintenance assessment determines the level and adequacy of routine and periodic maintenance being performed by the project sponsor.

a. Level of Detail. The IEI will be performed using on site inspections, and technical analyses of available data. The IEI will determine the general functional and structural integrity of the project, and thus the project's ability to provide reliable protection against floods. The IEI will also determine an estimated level of protection.

b. Engineering Assessment. The engineering assessment answers the question "will this project provide an acceptable level of protection against flooding, given the physical characteristics of the project itself, and the hydraulic and hydrologic conditions with which the project must contend?"

(1) Hydrologic and Hydraulic Analysis.

(a) Investigation procedures may include noting stream characteristics such as meandering, braiding, and excessive depositions. Observation should also include things that may affect future stream changes, such as debris on bridge structures, and historical changes, as related by local interests or news accounts of flooding events.

(b) Collection of data such as high water marks, location of bench marks, bridge cross-sections, flooding, and gage information may be available through searching in-house files or contacting the local Department of Highways, County Engineer, and/or state water agencies. Agencies with the US Department of Interior, such as the U.S. Geological Survey (USGS) and Bureau of Indian Affairs (BIA), and the Natural Resources Conservation Service (NRCS) or Forest Service of the U.S. Department of Agriculture may be a good source of information on flooding. Another valuable source of information may be to obtain photographs of impacted areas through contacts with local residents and the news media. Generally, the public sponsor should provide most of this information in conjunction with the request to conduct the IEI.

(c) Gauge data and/or regional equations are generally the first choice for estimating peak flood flow probability, where applicable. The USGS has published information on estimating the probability of floods in a location without any gauges. These documents are available to provide a simple means of obtaining flood probabilities that are essentially unaffected by changes in the watershed, conveyance, storage, or runoff characteristics for natural sites without gauges. The USGS also has flood probability data for various gauged locations. Regional equations and other types of relations, rather than the USGS information may be used. Watershed modeling may be done, if necessary, on a limited basis, if the watershed characteristics have been altered.

(d) Available data and/or profiles based on known water surface and flow information are generally the first choice for water surface profiles. However, when water surface profiles are not available and simple procedures, such as end area slope, are not applicable, the profiles can be computed with cross-sections, roughness values, and computer programs such as HEC-2. Roughness values can be estimated from field inspection and photographs of the channel and over bank areas. Cross-sections can usually be developed using recent aerial photos, topographic maps, and from over bank and channel cross section surveys gathered by inspectors. Other information (e.g., levee location, distances, floodways, and historical high water marks) may also be needed for hydrologic study.

(e) The inspection will document the effectiveness of existing erosion control features, and/or the need for protection against erosion in areas being threatened by wave action or surface flows, including erosion around appurtenant structures. Inspector(s) knowledgeable in bank protection, sediment transport, and river morphology and generally familiar with the region should perform the inspection.

(2) Geotechnical Analyses.

(a) The geotechnical assessment will be based primarily on a detailed visual inspection using the parameters provided in Section I of the Inspection Guide in Appendix A. Soil

samples should be taken as deemed necessary by the geotechnical evaluator, who will then decide how extensive the analysis should be. Soil samples will only be taken and analyzed if all other portions of the IEI indicate that the project is likely to gain an Active status.

(b) The IEI should identify critical areas where slope stability appears weakest and document the location, reach, and cross-section at these points. Appropriate monitoring and evaluations should be recommended to document changes at these locations. Table 5-4 is provided as a guide for the initial visual inspection and evaluation of slope stability. Significant deviations from the table values, i.e., a steeper slope, are generally sufficient to cause the rating to be Unsatisfactory and the project condition to be Unacceptable, absent major mitigating circumstances that would lead to a different assessment.

Cross Section Template Data				
Levee Material	Maximum Riverward Side-Slope	Maximum Landward Side Slope	Maximum Height	Minimum Top Width
Clay	1V on 2 1/2H	1V on 2 1/2H	12 Ft	10 Ft
Sand	1V on 3H	1V on 4H	15 Ft	10 Ft

TABLE 5-4. Levee Cross Section Template Data

(c) IEI's should generally be conducted coincident with low or normal river stages, to allow maximum access to all portions of the project. However, observations during high river stages to assess seepage problems or related concerns may also be necessary, at the district's discretion.

c. Funding. IEI's will be funded under Class 350. Funding for IEI's will be requested from HQUSACE on an as needed basis, in accordance with ER 11-1-320.

5-7. Continuing Eligibility Inspections (CEI's). The purpose of a CEI is to verify that an Active FCW continues to meet minimum acceptable performance levels for the RIP. CEI's are intended to detect significant changes to project conditions from the conditions that existed during the IEI or the previous CEI (if one has been conducted) which affect the integrity of the FCW, or which may affect the integrity of the FCW in the future.

a. CEI's for Non-Federal FCW's. Item evaluations and overall project conditions are the same as those used for IEI's. (See paragraphs 5-4 and 5-5 above.) Districts will conduct CEI's using the Inspection Guide (Appendix A).

(1) Cycle. CEI's for non-Federal FCW will normally be conducted on a biennial cycle. Those projects that historically have been well maintained may be extended to a triennial inspection cycle.

(2) Funding. CEI's for Non-Federal FCW's are conducted using FCCE funds, Class 360, budgeted for and requested on an annual basis.

b. CEI's for Federal FCW's. CEI's for Federal FCW's will be conducted in accordance with ER 1130-2-530. Alternatively, the Inspection Guide at Appendix A may be used.

(1) Cycle. CEI's for Federal FCW will normally be conducted on a biennial cycle. Those projects that historically have been well maintained may be extended to a three-year or four-year inspection cycle, in accordance with ER 1130-2-530.

(2) Funding. Federal FCW's are inspected using Inspection of Completed Works (ICW) funds from the Operations and Maintenance, General appropriation, Class 60223. ICW funds at HQUSACE are managed by the Civil Emergency Management Branch, CECW-OE, and are budgeted for on an annual basis in accordance with the annual budget Engineer Circular.

5-8. Reporting and Processing Results of Inspections, and General Information.

a. IEI's. Results of IEI's will be provided to the sponsor and maintained at districts, and pertinent data recorded in the FCW Database. A copy of the inspection report will be sent to the public sponsor within 30 days of the completed inspection. If any items of an IEI are rated as Marginally Satisfactory, the sponsor's notification of Active status will include a statement that the Marginally Satisfactory item(s) must be upgraded to Satisfactory within three years, or any shorter period of time deemed reasonable by the district.

b. CEI's. Results of CEI's will be provided to the sponsor and maintained at districts, and pertinent data recorded in the FCW Database. A copy of the inspection report will be sent to the public sponsor within 30 days of the completed inspection. For an FCW with a project condition of Unacceptable, a copy of the inspection report will be sent via registered or certified mail to the public sponsor within 15 business days of completion of the inspection. If any rated items on a CEI are rated as Marginally Satisfactory, the public sponsor's notification will include a statement that the Marginally Satisfactory item(s) must be upgraded to Satisfactory within one year, or any shorter period of time deemed reasonable by the district. FCW's that have undergone a CEI and received a project condition code of Acceptable or Minimally Acceptable will retain an Active status in the RIP.

c. Unacceptable Condition. An FCW that has an overall project condition of Unacceptable is immediately placed in an Inactive status, and the FCW Database appropriately updated.

d. Notification Requirements. For notification requirements for the FEMA region, and for state and local level emergency management agencies, refer to ER 500-1-1, paragraph 5-5.c.

e. Maintenance of Records. The district will maintain records of all inspection reports for a minimum of ten fiscal years, or longer if warranted or needed for historical purposes.

f. Eligibility Disagreements. If a public sponsor disagrees with an Unacceptable condition given by USACE for an IEI or CEI, the district will inform the sponsor of its right to submit a reclama. Refer to paragraph 5-5.d., ER 500-1-1, for applicable policy.

g. Funding.

(1) Inspections of non-Federal FCW's will be funded under Class 350 (IEI's) and Class 360 (CEI's). District annual budgets will include funds for CEI's only. Funding for IEI's will be requested from HQUSACE on an as needed basis.

(2) Funding for CEI's of Federal FCW's will be from the Inspection of Completed Works program. This funding is provided from O&M, General, 96x3123.

h. Provision of Information to Sponsors of Inactive FCW. Districts will maintain an active outreach effort to provide sponsors of Inactive FCW with information and Levee Owners Manuals concerning upgrading their projects in order to become eligible for the RIP. Refer to ER 500-1-1, paragraph 5-21, for additional information.

i. Multiple Sponsors. In accordance with ER 500-1-1, paragraph 5-2.s., if a flood control project (or separable element of the project) falls under the jurisdiction of more than one public sponsor, the entire project (or separable element) will be reported as a single entity, not as separate reaches. The inspection and rating determination will be done without regard to the particular reach operated and maintained by an individual sponsor. The entire FCW will receive a single project condition code. The project condition code will be shared by the multiple sponsors, and will determine Active/Inactive status for the entire project.

j. Interrelationship with the Natural Resources Conservation Service. The existing Memorandum of Agreement between the Natural Resources Conservation Service (NRCS) and USACE divides responsibility between the two agencies regarding general eligibility for rehabilitation assistance. For flood control projects located in watersheds of less than 400 square miles, the NRCS lead responsibility for rehabilitation assistance. For flood control projects located in watersheds of greater than 400 square miles, USACE is responsible for Rehabilitation Assistance.

k. Regional Variances for Vegetation Standards. Policy for regional variances is provided in ER 500-1-1, paragraph 5-22. Procedures for addressing and processing regional variations for vegetation standards are covered in Appendix D.

5-9. (Reserved.)

Section III - Providing Rehabilitation Assistance

5-10. Procedures After Occurrence of a Flood Event.

a. Notice to Public Sponsors.

(1) District commanders will issue a Notice to Public Sponsors immediately after significant flood events to alert public sponsors of Active projects that a submittal deadline is in effect for USACE assistance to repair damaged FCW under PL 84-99. The notice format is provided at Figure 5-2. Issuance of a Notice to Public Sponsors will be noted in the next SITREP submitted.

(2) The notice will be provided directly to all public sponsors of Active FCW within the flood event area, and to the state emergency management agency.

(3) The submittal deadline for public sponsors to apply for Rehabilitation Assistance will be 30 calendar days from the date the flood waters recede to bankfull. This date will be prominently noted in the Notice to Public Sponsors.

(4) Under special or unusual circumstances, MSC commanders may approve extension of the deadline for an additional 30 days.

(5) When the notice period ends, the district will summarize the data regarding rehabilitation requests, to include known dispositions and funding data, via SITREP.

b. Request for Rehabilitation Assistance. The public sponsor must provide a written request for Rehabilitation Assistance within the 30-day time frame (or 60-day if extended). Districts will verify the status (Active or Inactive) of all requests for assistance on non-Federal FCW, and then proceed accordingly. No investigations will be accomplished or PIR's prepared for Inactive FCW. PIR preparation and processing procedures are addressed in paragraph 5-10, below.

c. PIR Funding. See ER 11-1-320, Chapter 3, for general information and procedures for funding actions regarding PIR's.

(1) For relatively small flood events, Class 340 funds should be separately requested for each individual project requiring preparation of a PIR.

(2) For large scale events, bulk funding may be requested by the district. A separate CWIS number (issued by CECW-OE) will be used for bulk funding for a given flood event. If the flood event within the district encompasses more than one state, then a separate CWIS number will be issued for each state.

(3) PIR activities (Class 340 funds) will be closed out within 90 days from the date the project is approved or disapproved. If a PIR was not prepared, the closeout will be within 90 days from the date of the determination of ineligibility for Rehabilitation Assistance.

d. Interagency Levee Task Force. See paragraph 5-15 below.

5-11. PIR Preparation and Processing.

a. Sponsor Request for Rehabilitation. Upon receipt of a public sponsor's request for Rehabilitation Assistance, the district will first check to ensure that the FCW is Active. If Active, the district will request funds to perform a field investigation to determine the extent of damages. (Refer to paragraph 5-16 for requests for a Nonstructural Alternative Project in lieu of structural Rehabilitation Assistance.) If merited, the District will then prepare a Project Information Report (PIR).

(1) The BCR must be greater than 1.0 for the PIR to be approved. If the district determines during the PIR preparation that the BCR will be less than 1.0, it will cease further work on the PIR and notify the public sponsor appropriately.

(2) If estimated repair costs for damages to an FCW total less than \$15,000, USACE mandatorily considers the damage to be the sponsor's O&M responsibility to repair. Districts may use a higher threshold than the \$15,000 specified to define the sponsor's O&M responsibility.

(3) The PIR will be prepared in accordance with the format in Figure 5-3. The PIR Review Checklist, Appendix Z of the PIR, is provided at Figure 5-4.

(a) The PIR Review Checklist must be completed and signed by the Emergency Manager or project officer for the Rehabilitation Assistance.

(b) References in the Checklist refer to both ER 500-1-1, designated with "ER" followed by the paragraph number, and this pamphlet, designated with "EP" followed by the paragraph number.

b. District Time Frame. The district will transmit the PIR to the MSC no later than 40 calendar days from the date the sponsor's request is received at the district or termination of the flood event, whichever is later. In cases where significant numbers of PIR's must be prepared, or when weather conditions or other circumstances limit ability to complete the PIR's, the district commander may, with concurrence of the MSC, extend the 40 day period.

c. Approval Process. The MSC will act on the PIR within 10 business days after receipt.

d. Approval Authority. Approval of PIR's is delegated to the MSC Commander, or a Deputy Division Engineer. Further delegation of approval authority is not permitted.

(1) When necessary, a division may broker the PIR review process to another district within the division. However, approval authority for the PIR's will remain at the MSC level. The Pacific Ocean Division may broker PIR review process work to the South Pacific Division or its subordinate districts.

(2) PIR's that involve highly complicated or unusual circumstances may be forwarded, at the MSC's discretion, to HQUSACE (CECW-OE) for action.

e. Funding - Approved PIR's.

(1) Upon notification by the MSC that a PIR has been approved, the district will request funds for engineering and design in accordance with ER 11-1-320. HQUSACE will normally provide funds within 5 days of the funding request.

(2) When the project is ready for contract award, the district will request funds for construction and supervision and administration. HQUSACE will normally provide funds within 3 days of the request. When warranted, districts will note the need for a faster provision of funds.

(3) Funding necessary to review and process the PIR's at MSC level (or at the brokered district) will normally be provided by the district submitting the PIR.

5-12. Approved Rehabilitation Projects. The district should obtain a signed CA within 30 days of PIR approval. The actual construction for the rehabilitation project will commence within 60 calendar days following PIR approval or execution of the CA, whichever is later. "Actual construction" is defined as the issuance of the Notice to Proceed to the prime contractor for the initial phase of the contract. When unable to meet this requirement, the district will report the circumstances via SITREP.

a. Contingency Contracting. Expedient contracting procedures (see Chapter 11) will be used to ensure rapid accomplishment of the required rehabilitation work. District contracting offices will document procedures for all pertinent unusual and compelling circumstances.

b. Notification of Completed Rehabilitation Projects. District Emergency Management personnel will ensure that the public sponsor is notified when the USACE work is completed.

c. Fiscal Close Out. The district Emergency Management office will ensure that actions for fiscally closing out FCCE activities are completed in a timely manner. Close out activities will be in accordance with ER 11-1-320. Districts will fiscally close each project, and offer unobligated funds for revocation, within 60 days of the physical completion date of the project. When a contractor claim or a similar need to retain project funds is anticipated, sufficient funds to meet the claim may be retained by the district, but all other remaining funds must be offered for revocation. If the funds retained for anticipated claims/costs are insufficient, additional funding may be requested.

5-13. Cooperation Agreements - Rehabilitation Assistance.

a. Non-Federal Projects. Prior to USACE providing Rehabilitation Assistance for non-Federal FCW's, a CA must be executed between the public sponsor and USACE. The format for CA's for rehabilitation of non-Federal FCW's is in Appendix B, Figure B-1.

b. Federal Projects. For rehabilitation of Federal FCW's (excluding HSPP's), a CA is occasionally not needed, because of the existence of the Project Cooperation Agreement (PCA) from the original construction of the project. In lieu of a CA, the district will notify the public sponsor in writing of the public sponsor's requirements, citing the original PCA. If no record of a PCA can be found, or the existing PCA is inadequate, then a CA is required as for a non-Federal FCW. The format for CA's for rehabilitation of Federal projects is in Appendix B, Figure B-2.

c. Local Responsibilities. Before or during the preparation of the supporting documents for a PIR, the district will ensure the public sponsor is aware of required contributions and commitments.

d. Deviation from Approved CA Language. Refer to ER 500-1-1, paragraph 2-4.a.

e. Signature of CA's. Refer to ER 500-1-1, paragraph 2-4.b.

5-14. Initial Repairs - Breached Levees.

a. Policy. For policy regarding Initial Repairs, refer to ER 500-1-1, paragraph 5-14.

b. Justification for Initial Repairs. When a levee breach merits consideration of Initial Repairs, the district will submit a written memorandum through command channels to HQUSACE (CECW-OE). The memorandum will address the justification for Initial Repairs (paragraph 5-14.a., ER 500-1-1), provide rough cost estimates, and provide a schedule for completion of each breached levee. The schedule will include events through completion of permanent repairs for each project. Enclosed with the memorandum will be Class 340 funding requests for each project for which Initial Repairs are requested.

c. PIR's for Initial Repairs. HQUSACE (CECW-OE) will approve/disapprove all requests for consideration of Initial Repairs. Class 340 funds will be provided for approved requests. The district will conduct a field investigation and prepare an abbreviated PIR (see d., below) for projects with approved requests. An approved request to prepare the PIR does not presuppose approval of either the Initial Repairs or final repairs for the levee project.

d. PIR Preparation. The PIR for an Initial Repair will use the format in Figure 5-3. Information will be provided for each paragraph at a level of detail sufficient to justify undertaking the Initial Repair. Initial Repairs tend to be relatively costly, so as the District prepares the Initial Repair PIR, it must be cognizant of the requirement that the BCR of the final repair must be greater than 1.0 for the final repair to be approved.

(1) Paragraph 9 must address the existence of any blow holes or scour areas that will impact the cost of returning the levee to its original footprint and alignment.

(2) Paragraph 11 and Appendix F of the PIR must justify both the Initial Repair and the final repair, since initial repair costs must be included in the costs during the overall economic analysis for final repairs. (Refer to ER 500-1-1, paragraph 5-14.e.)

(3) Paragraph 12 must indicate the results of initial coordination with the appropriate resource agencies.

(4) Paragraph 14 must address the proposed contracting strategy for completing the Initial Repair.

e. Initial Repair PIR Approval.

(1) Approval authority for Initial Repair PIR's is delegated to Division Commanders, unless the level of protection the Initial Repair provides exceeds a 25-year level of protection. In such cases, the Division Commander will forward the Initial Repair PIR to HQUSACE (CECW-O) for approval. Division commanders may further delegate approval authority only to permanently assigned Deputy Division Engineers or members of the Senior Executive Service on the division staff.

(2) Approval of an Initial Repair PIR indicates that the Initial Repair is necessary, and can be completed either during the current flood season, or prior to the next flood season, and that there is strong support in the local community for undertaking the Initial Repair.

(3) Approval of an Initial Repair PIR will include the following statements:

(a) "Approval of this Initial Repair is in accordance with current USACE policy."

(b) "This initial Repair provides a ____ (*fill in the blank*) year level of protection."

(c) "Based on all available evidence, the final repair of this flood control project will have a benefit to cost ratio greater than 1.0, including the costs of the Initial Repair and the benefits lost to the final repair because of the protection provided by the Initial Repair."

(d) A statement directing that the most expedient contracting procedures available will be used to ensure rapid accomplishment of the required rehabilitation work.

NOTICE TO PUBLIC SPONSORS

**US ARMY CORPS
OF ENGINEERS**

REPLY TO:
CORPS OF ENGINEERS, _____ DISTRICT
Emergency Management Division
Street Address
City, State, Zip

DATE: 1 June 20__

APPLICATION PERIOD EXPIRES 1 JULY 20__

REHABILITATION ASSISTANCE FOR FLOOD-DAMAGED FLOOD CONTROL PROJECTS

Public Sponsors of flood control projects that sustained damages due to flooding during the period 17 May 20__ to 31 May 20__, have until 1 July 20__ to apply for Public Law 84-99 Rehabilitation Assistance from the US Army Corps of Engineers, _____ District.

The Corps of Engineers has authority under Public Law 84-99 to supplement local efforts in the repair of both Federal (Corps-constructed, locally operated and maintained) and non-Federal (constructed by non-Federal interests or by the Work Projects Administration (WPA)) flood control projects damaged by flood.

a. For a non-Federal flood control project to be eligible for Rehabilitation Assistance, it must have been inspected, evaluated, and accepted into the Corps Rehabilitation and Inspection Program (i.e., granted Active status) *prior to* the onset of the flood, and still be Active (based on the latest Continuing Eligibility Inspection) at the time of the flood.

b. For a Federal flood control project to be eligible for Rehabilitation Assistance, it must be in an Active status by having passed its last Inspection of Completed Works inspection.

c. Rehabilitation Assistance will be provided by the Corps only when the work is economically justifiable, the damage was sustained during the recent flood event, and the cost of repairs is more than \$15,000.

d. Rehabilitation Assistance for a non-Federal project is cost shared between the Public Sponsor and the Corps of Engineers. The Public Sponsor must provide 20 percent of the cost of the Rehabilitation Assistance.

All requests for assistance made to the Corps will be coordinated with the Federal Emergency Management Agency (FEMA) and the Natural Resources Conservation Service (NRCS) to prevent duplication of benefits.

If the Public Sponsor believes that its project may qualify for Rehabilitation Assistance, a written request must be submitted to the Corps of Engineers at the address above. The request must be signed by an officer or responsible official of the Public Sponsor, and must include:

- Name and telephone number of the Public Sponsor's point of contact;
- Legal name of the flood control project;
- Date and results of the last inspection by the Corps of Engineers;
- Location of the flood control project by township, section, range, city, and county;
- Location(s) of the damaged section(s), and extent of the damage at each location; and
- Waterway causing the flood.

Upon receipt of the Public Sponsor's request, the Corps of Engineers will schedule an inspection with the Public Sponsor. If you have any questions, contact the Corps of Engineers at *phone number* for assistance.

[SIGNATURE BLOCK OF DISTRICT ENGINEER]

Figure 5-2. Format for Notice to Public Sponsors

**PROJECT INFORMATION REPORT
REHABILITATION OF DAMAGED FLOOD CONTROL WORKS**

GENERAL ORGANIZATION OF THE PIR

Part I. Executive Summary. *(A one to two page overview of the rehabilitation project, similar in content to a fact sheet or an information paper. All pertinent information regarding the project, the repair plan, costs, and the benefit cost ratio are presented.)*

Part II. Basic Report

1. Project Identification
 - a. Project Name *(Include both the formal name, and any popularly used or former names.)*
 - b. Project's Funding Class *Class 310 for Federal FCW, Class 320 for non-Federal FCW*
 - c. Project's CWIS Number (if none exists, so state)
2. Project Authority
 - a. Classification *(Federal or non-Federal.)*
 - b. Authority *(If a Federal project, provide the authority under which it was originally constructed. If a non-Federal project, provide known information.)*
 - c. Estimated original cost of project.
 - d. Construction completion date of original project.
 - e. Provide additional information regarding major modifications/improvements/betterments, to include those done by the Corps.
3. Public Sponsor(s)
 - a. Sponsor Identification. *(Include name, address, phone number, etc.)*
 - b. Application for Assistance.
 - (1) Date of Issuance of District's public notice.
 - (2) Date of public sponsor's written request. *(Include at Appendix A.)*
4. Project Location *(Provide location and project maps, drawings, photos of the undamaged project, and other supporting information at Appendix B, Tab 1.)*
 - a. City, County, State, Basin, River on which project is located, River Mile, River Bank (left/right).
 - b. Narrative providing a general description of the project, including special features such as stoplog closures, ripped areas, etc.

Figure 5-3. PIR Format, Rehabilitation of Damaged Flood Control Works

Part II. Basic Report (continued)

5. Project Design (Provide a narrative of the project design. Indicate whether the project is an Urban FCW; an Agricultural FCW with urban/developed areas; or an Agricultural FCW. Indicate if the project is a multipurpose project. Include drawings, photos, etc. in Appendix B, Tab 2.)

6. Disaster Incident (General, brief, description of the disaster. Include start date and end date. Place voluminous or extensive information in Appendix C.)

7. Project Damages (Provide a detailed description of damages incurred by the project in the flood event. Tabular data, photos of damaged areas, etc., will be placed in Appendix D.)

8. Project Performance Data

a. Inspection results

(1) Date of last inspection

(2) Type of last inspection (IEI, CEI, or other - with explanation)

(3) Project Condition Code of last inspection. Provide narrative of any special or unusual situations, as needed.)

b. Sponsor's annual O&M cost. (Also include any other significant work undertaken.)

c. Estimated cost to repair maintenance deficiencies. (Include descriptions of and cost estimates for deferred and/or deficient sponsor maintenance.)

9. Project Repair Alternatives Considered (In a narrative, with tabular data and/or drawings included as needed, summarize the repair alternatives considered. The final paragraph will indicate the recommended alternative, and the rationale for the recommendation. Explanation must be detailed if an other than lowest cost to the Federal government alternative is recommended. If applicable, indicate public sponsor's preference for any alternative other than the lowest cost to the Federal government, to include cost data. If the sponsor has requested an NSAP, include narrative of structural repair alternative as well as NSAP data. Detailed cost data calculations and other voluminous information will be placed in Appendix E.)

10. Recommended Alternative. (Provide detailed narrative of repair alternative (or NSAP alternative) recommended. Include drawings, maps, etc., as needed, or refer to their location in Appendix E.)

11. Economics (Refer to Appendix C of EP 500-1-1 for format. Provide a detailed narrative for the recommended alternative. Provide a brief narrative of the economics for each other alternative, using the same order as used in paragraph 9, above, if needed. Include tabular and supporting data in Appendix F.)

**Figure 5-3. PIR Format, Rehabilitation of Damaged Flood Control Works
(Continued)**

Part II. Basic Report (continued)

12. Environmental *(Provide a general summary of environmental considerations, to include any potential "show stoppers". Specific statements will be provided in Appendix G as separate tabs. Required statements include:
Tab G-1. A statement on the effect of proposed work on the environment.
Tab G-2. Environmental Assessment.
Tab G-3. Considerations under Section 7 of the Endangered Species Act of 1973 (PL 93-205).
Tab G-4. Archeological Investigations and Salvage Activities considerations.
Tab G-5. Section 404(b) evaluations.
Tab G-6. A statement on the applicability of EO 11988.
Tab G-7 to G-x. As needed.)*
13. Interagency Levee Task Force *(Provide information concerning the establishment of an Interagency Levee Task Force.)*
14. Project Management.
 - a. Funding Authority
 - (1) Program and Appropriation: FCCE, 96x3125
 - (2) Class: 310 or 320.
 - (3) CWIS Number:
 - b. Project Funds
 - (1) Total estimated cost for recommended repair option, including S&A and contingency amount. (Include Federal share and non-Federal share separately.)
 - (2) Other non-Federal costs (e.g., LERRD's, betterments, deferred/ deficient maintenance
 - (3) E&D costs
 - c. Project Repair Schedule
 - (1) Expected project approval date
 - (2) Complete construction plans and specs
 - (3) Contract advertisement
 - (4) Contract bid opening
 - (5) Contract award
 - (6) Notice to proceed issuance
 - (7) Construction start
 - (8) Construction completion
 - (9) Construction final inspection
 - (10) Fiscal closeout completed

**Figure 5-3. PIR Format, Rehabilitation of Damaged Flood Control Works
(Continued)**

PIR Review Checklist for FCW Rehabilitation Projects				
	<u>YES</u>	<u>NO</u>	<u>N/A</u>	
1.	_____	_____		The project is active in the RIP. [ER, 5-2.a.]
2.	_____	_____		The project was damaged by flood(s) or coastal storm(s). [ER, 5-2.]
3.	_____	_____		The Public Sponsor has requested Rehabilitation Assistance in writing. [EP, 5-10.b.]
4.	_____	_____		The Public Sponsor has agreed to sign the Cooperation Agreement, which will occur before USACE begins rehabilitation work. [ER, 5-10.]
5.	_____	_____		The estimated construction cost of the rehabilitation is greater than \$15,000, and is not considered sponsor maintenance. [ER, 5-2.q.]
6.	_____	_____		The repair option selected is the option that is the least cost to the Federal government, or, the sponsor's preferred alternative is selected with all increases in cost paid by the public sponsor. PIR includes justification for non-select of the least cost alternative. [ER, 5-2.h. and 5-11.e.(3)]
7.	_____	_____		The public sponsor is aware of the opportunity to seek a nonstructural alternative project, and has decided to proceed with a structural rehabilitation. [ER, 5-16]
8.	_____	_____	_____	The cost estimate in the PIR itemized the work to identify the Public Sponsor's cost share. [ER, 5-11]
9.	_____	_____		The rehabilitation project has a favorable benefit cost ratio of greater than 1.0:1. [ER, 5-2.r.]
10.	_____	_____		The proposed work will not modify the FCW to increase the degree of protection or capacity, or to provide protection to a larger area. [ER, 5-2.n.]
11.	_____	_____	_____	Betterments are paid 100 percent by the Public Sponsor. [5-2.o.]
12.	_____	_____	_____	The CA contains a provision for 80% Federal and 20% local cost share for non-Federal projects. [ER, 5-11.a.]
13.	_____	_____	_____	Cost for any betterments are identified separately in the cost estimate. [ER, 5-2.o.]

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FIGURE 5-4. PIR Review Checklist (Appendix Z) for FCW Rehabilitation Projects

PIR Review Checklist for FCW Rehabilitation Projects (Continued)				
	<u>YES</u>	<u>NO</u>	<u>N/A</u>	
14.	_____	_____	_____	Repair of deliberate levee cuts is the responsibility of the public sponsor, except as provided for in ER 500-1-1, paragraphs 5-2.j. and 4-3.h. [ER, 5-2.j. and 4-3.h.]
15.	_____	_____		All deficient and deferred maintenance will be paid for or accomplished by the Public Sponsor, without receiving credit toward any sponsor's cost share. [ER, 5-2.g.]
16.	_____	_____	_____	Any relocation of levees is adequately justified. [ER, 5-2.h.]
17.	_____	_____		USACE assistance does not correct design or construction deficiencies. [ER, 5-12.a.]
18.	_____	_____		An assessment of environmental requirements was completed. [ER, 5-13., and EP, Figure 5-3, paragraph 12.]
19.	_____	_____		The project complies with NEPA, and required documentation was completed and placed in Appendix G of the PIR. [ER, 2-3.k.; ER, 5-13.; and EP, Figure 5-3, paragraph 12.]
20.	_____	_____		The Endangered Species Act was appropriately considered. [ER, 5-13.g., and EP, Figure 5-3., paragraph 12.]
21.	_____	_____		EO 11988 requirements were considered in the process of evaluating the proposed project for rehabilitation. [ER, 5-13.f., and EP, Figure 5-3, paragraph 12.]
22.	_____	_____		The completed PIR has been reviewed and the PIR Checklist has been reviewed and signed by the Emergency Management Office. [EP, 5-11.a.(3)(a)]
23.	_____	_____	_____	The completed PIR meets all policy, procedural, content, and formatting requirements of ER 500-1-1 and EP 500-1-1. [ER, 2-3.b.]
EM REVIEWING OFFICIAL'S SIGNATURE				

NAME				
TITLE				
TELEPHONE NUMBER				

FIGURE 5-4. PIR Review Checklist (Appendix Z) for FCW Rehabilitation Projects (Continued)

PIR Review Checklist for Initial Repair of FCW Rehabilitation Project			
	<u>YES</u>	<u>NO</u>	<u>N/A</u>
1.	_____	_____	
The project is active in the RIP. [ER, 5-2.a., and 5-6.]			
2.	_____	_____	
The project was damaged by flood(s) or coastal storm(s). [ER, 5-2.a.]			
3.	_____	_____	
The Public Sponsor has requested Rehabilitation Assistance in writing. [ER, 5-10.b.]			
4.	_____	_____	
The public sponsor has agreed to sign the Cooperation Agreement, and is cognizant that undertaking an initial repair may preclude a permanent repair, if the BCR of the permanent repair is not met [ER, 5-10., and ER, 5-14.e.]			
5.	_____	_____	
The cost of initial and final repairs must meet the BCR criteria and meets the criteria in ER 500-1-1, paragraph 5-14.a.(4). [ER, 5-2.r., and ER, 5-14.d.]			
6.	_____	_____	
The repair option selected is the option that is the least cost to the Federal government, or, the sponsor's preferred alternative is selected with all increases in cost paid by the public sponsor. [ER, 5-2.h. and 5-11.e.(3)]. [ER, 5-2. h.]			
7.	_____	_____	
The public sponsor is aware of the opportunity to seek a nonstructural alternative project, and has decided to proceed with a structural rehabilitation. [ER, 5-16.]			
8.	_____	_____	_____
The cost estimate in the PIR itemized the work to identify the Public Sponsor's cost share. [ER, 5-11.]			
9.	_____	_____	
The rehabilitation project has a favorable benefit cost ratio of greater than 1.0:1. [ER, 5-2.r.]			
10.	_____	_____	
The proposed work will not modify FCW to increase the degree of protection or capacity, or to provide protection to a larger area. [ER, 5-2.n.]			
<i>Page Z-1</i>			

FIGURE 5-5. PIR Review Checklist (Appendix Z) for Initial Repair, FCW Rehabilitation Projects

PIR Review Checklist for Initial Repair FCW Rehabilitation Projects (Continued)

	<u>YES</u>	<u>NO</u>	<u>N/A</u>	
11.	_____	_____	_____	The CA contains a provision for 80% Federal and 20% local cost share for non-Federal projects. [ER, 5-11a]
12.	_____	_____		An assessment of environmental requirements was completed. [ER 5-13., and EP, Figure 5-3, paragraph 12.]
13.	_____	_____		The project complies with NEPA, and required documentation was completed and placed in Appendix G of the PIR. [ER, 2-3.k.; ER, 5-13.; and EP, Figure 5-3, paragraph 12.]
14.	_____	_____		The PIR states that the consultation for Section 7 (50 CFR 402) has been accomplished or will be accomplished as soon after repairs have started as possible. [ER, 5-13.g.]
15.	_____	_____		EO 11988 requirements were considered in the process of evaluating the proposed project for rehabilitation. [ER, 5-13.f., and EP, Figure 5-3, paragraph 12.]
16.	_____	_____	_____	Any relocation of levees is adequately justified. [ER, 5-2.h.]
17.	_____	_____		The completed PIR has been reviewed and the PIR Checklist has been reviewed and signed by the Emergency Management Office. [EP, 5-11.a.(3)(a)]
18.	_____	_____	_____	The completed PIR meets all policy, procedural, content, and formatting requirements of ER 500-1-1 and EP 500-1-1. [ER, 2-3.b.]

REVIEWING OFFICIAL'S SIGNATURE

 NAME
 TITLE
 TELEPHONE NUMBER

FIGURE 5-5. PIR Review Checklist (Appendix Z) for Initial Repair, FCW Rehabilitation Projects (Continued)

Section IV - Interagency Levee Task Forces and Nonstructural Alternatives to Structural Levee Rehabilitation

5-15. Interagency Levee Task Forces.

a. Policy. Policy concerning Interagency Levee Task Force operations is in ER 500-1-1, paragraph 5-24. Reference should also be made to ER 500-1-1, Chapter 5, Section IV, regarding nonstructural alternative projects.

b. Funding and Eligible Costs. ILTF costs eligible for FCCE funding will be provided under Class 370. (See ER 11-1-320 for procedures and descriptions of Class 370 funds.) Under no circumstances may Class 370 funds be used to fund personnel, per diem, or related costs for personnel of other Federal agencies, or state, tribal, or local agencies.

c. Basic Charter. Figure 5-6 provides the Basic Charter for operating the ILTF. Each ILTF will operate under the guidelines of the Basic Charter until such time as a revised charter is agreed upon and signed by the participating agencies. Significant changes to the revised charter from the Basic Charter will be coordinated with HQUSACE (CECW-OE) prior to distribution of the revised charter for signature by the participating agencies.

d. Preplanning. Divisions (and lead districts as designated by the division) are encouraged to preplan ILTF organization and planning efforts with other Federal agencies and state counterparts. Preparation and signature of memoranda of understanding (MOU's) to supplant the Basic Charter are permitted. The general procedures, signature authorities, and leadership responsibility in an MOU will follow the spirit and intent of the Basic Charter. Should it be necessary, exceptions to policy may be requested from HQUSACE (CECW-OE) concerning MOU provisions. No additional commitment of USACE funding responsibility (paragraph 9 of the Charter) is allowed.

**Organizational Charter
Interagency Levee Task Force
(Levee and Environmental Restoration Projects)**

1. Authority: This Charter is established under the authority of the Office of Management and Budget (OMB)/Council on Environmental Quality (CEQ) memorandum dated February 18, 1997; Subject: Floodplain Management and Procedures for Evaluation and Review of Levee and Associated Restoration Projects, and Engineer Regulation 500-1-1. This charter will remain in effect until revised by mutual agreement of the participating agencies, but shall terminate (absent any revisions or agreed upon extensions) one year from the date set forth below.

2. Purpose: The purpose of this Charter is to establish the Interagency Levee Task Force (ILTF) for _____ (*enter common name of disaster/flood event, and FEMA disaster declaration number*) to enable the joint Federal-State (*add tribal, if applicable*) partnership team to assist in the rapid and effective recovery of the communities and areas affected by the aforementioned disaster event. The recovery effort, encompassing Federal, state, (*tribal*), and local programs and authorities, will strive to minimize risk to life and improved property, while ensuring a reasonable, cost effective approach to flood damage mitigation efforts, flood plain management, and the protection of important environmental and natural resources.

3. Goals: To achieve its purpose, the ILTF will:

a. Ensure continued coordination and collaboration with all agencies regarding applicable authorities and programs. All alternatives for reducing vulnerability to flood damages, including permanent evacuation of floodprone areas, installation or upgrading of flood warning systems, creation of additional natural and artificial storage, adequately sized and maintained levees, and environmental restoration and ecosystem management alternatives will be considered.

b. Ensure that nontraditional (alternative) approaches to flood damage reduction are considered and implemented, to the extent feasible.

c. Not deny any party access to existing programs for levee repair and associated restoration, so long as such rehabilitation work is in accord with sound financial and environmental practices, nor create unnecessary or avoidable delays to such rehabilitation work.

d. Pursue potential funding mechanisms from any source in order to address comprehensive study efforts within (and upstream of) the flood affected area.

e. Develop, implement, and maintain an effective Public Outreach Program.

Figure 5-6. Interagency Levee Task Force Basic Charter Format

4. Agency Applicability: This Charter is applicable to those agencies self-identified as active partners in this effort to effect the Purpose of this Charter.

5. Direction and Control: In accordance with the OMB/CEQ guidance referenced in Paragraph 1, this ILTF works under the leadership of the U.S. Army Corps of Engineers, specifically, the Commander _____ Division.

6. Membership:

a. The ILTF will include senior member representatives from each involved Federal agency. The ILTF will include the participation of appropriate State, *tribal*, and local agencies.

b. The Commander, _____ Division, U.S. Army Corps of Engineers, or his/her designated representative, is the Chairman of the ILTF and the designated Lead Corps Official (LCO). The LCO will designate the ILTF Chief of Staff, who will report directly to the LCO, and be responsible for the day to day operation of the ILTF. Other Federal member representatives include representatives of:

- the Federal Emergency Management Agency;
- the Department of Interior (U.S. Fish and Wildlife Service, Bureau of Reclamation, Bureau of Land Management and U.S. Geological Survey)
- Environmental Protection Agency
- Department of Agriculture (Natural Resources Conservation Service)
- Department of Commerce (National Marine Fisheries Service and the Economic Development Administration)
- Department of Housing and Urban Development
- Department of Transportation
- U.S. Small Business Administration

c. Representatives from Native American Tribes, as appropriate to location of proposed projects.

d. State member representatives for *state* will include the _____, _____, and other agencies as appropriate.

9. Funding: Federal agencies will fund participation for their representatives. The Federal Emergency Management agency will provide space requirements, communications, and automation needs, administrative support, etc., for the ILTF staff until the Disaster Field Office for *FEMA disaster number* closes. Funding provisions for activities after the DFO closes will be provided through the U.S. Army Corps of Engineers or through other funding as may be available. State, tribal, and local agencies will fund participation of their own representatives.

Figure 5-6. Interagency Levee Task Force Basic Charter Format (Continued)

10. Administration and Procedures:

a. The ILTF Chairman or ILTF Chief of Staff is responsible for announcing meetings and preparation of a summary of each meeting.

b. Paragraph 9 provides details for funding administrative support. Should the DFO close prior to completion of administrative activities under the ILTF, the U.S. Army Corps of Engineers will assume responsibility.

c. Proposed agency structural rehabilitation projects will be staffed to other ILTF agencies expeditiously. This staffing will be done directly from the submitting agency to all other agencies, electronically, or through the ILTF. The ILTF staff will facilitate this process as needed. Agencies will have two working days to provide comments and suggestions to the submitting agency. The ILTF will meet as requested, by any agency, to review proposals for repair, and restoration of flood damaged levees and associated systems for a decision on applicability of non-traditional alternatives. Periodic meetings to discuss procedural activities and/or processes will convene as necessary. These meetings may include activities related to short and long term flood plain management issues. The use of electronic reporting and commenting will expedite the review process.

d. The ILTF Chairman or Chief of Staff will facilitate each meeting in a manner designed to promote active participation of all members.

e. Resolution of issues that impact National floodplain management policy or cut across agency lines may be identified by the ILTF addressed through the Headquarters, US Army Corps of Engineers, to OMB/CEQ.

f. Monthly reports will be prepared by the ILTF. The report will be submitted through Headquarters, US Army Corps of Engineers, to OMB. Each member agency will receive copies of the monthly report for its use, and may include it in any agency reports. The monthly reports will include but are not be limited to, information on applications received, comments received, actions taken, and dollars spent. Further, the report will address activities relative to any comprehensive long-term studies.

12. This Charter is adopted by the undersigned:

[Insert agencies as appropriate.]

Figure 5-6. Interagency Levee Task Force Basic Charter Format (Continued)

5-16. Nonstructural Alternative Projects.

a. Policy. Refer to ER 500-1-1, Chapter 5, Section IV for policy regarding NSAP's.

b. Procedures, Processing, and Approval. Procedures for processing and approving NSAP's will be in accordance with paragraphs 5-10 and 5-11 above. The public sponsor must request the NSAP in writing, even if a structural rehabilitation has previously been requested in writing.

c. PIR Format and PIR Review Checklist. The PIR format in Figure 5-3 will be used for NSAP's. The PIR Review Checklist for NSAP's is provided at Figure 5-7. The Checklist must be completed and signed by the Emergency Manager or the Project Officer for the NSAP.

d. Non-qualifying Structural Rehabilitation. In some cases, a public sponsor will want a structural rehabilitation of a project, but the PIR process will reveal some impediment (typically a BCR less than 1.0) that precludes undertaking the structural rehabilitation. In such cases, if the public sponsor then opts for an NSAP, the following procedures will apply:

(1) If the PIR for the structural rehabilitation has been completed or substantially completed, the district will prepare an addendum to the PIR, addressing those portions of the PIR that have changed significantly.

(2) If the PIR for the structural rehabilitation has not been substantially completed, then the district will determine the NSAP cost cap (ER 500-1-1, paragraph 5-17.b.) and complete the PIR for the NSAP only option.

e. Cooperation Agreement. A Cooperation Agreement is required for an NSAP. Guidance will be requested from HQUSACE (CECW-OE) regarding the CA format to be used for NSAP's.

PIR REVIEW CHECKLIST FOR NONSTRUCTURAL ALTERNATIVE PROJECTS		
<u>YES</u>	<u>NO</u>	
1.	<input type="checkbox"/>	<input type="checkbox"/> The NSAP has been requested in writing by the public sponsor. [ER, 5-16.]
2.	<input type="checkbox"/>	<input type="checkbox"/> The principal purpose(s) of the NSAP is/are (1) floodplain restoration, (2) provision or restoration of floodways; and/or (3) reduction of future flood damages and associated FCW repair costs. [ER, 5-16.a.]
3.	<input type="checkbox"/>	<input type="checkbox"/> A sponsor, either a public sponsor or another Federal agency, has been identified to sponsor the NSAP. [ER, 5-16.b.]
4.	<input type="checkbox"/>	<input type="checkbox"/> USACE is not responsible for any operation, maintenance, or management of the NSAP. [ER, 5-16.c.]
5.	<input type="checkbox"/>	<input type="checkbox"/> The NSAP public sponsor has indicated it has the financial capability and willingness to implement, operate, and maintain the NSAP. [ER, 5-16.e.]
6.	<input type="checkbox"/>	<input type="checkbox"/> The district has complied with all environmental considerations. [ER, 5-13. and 5-16.k., and EP, Figure 5-3, paragraph 12.]
7.	<input type="checkbox"/>	<input type="checkbox"/> USACE costs for implementing the NSAP are in accordance with policy. [ER, 5-17.c.]
8.	<input type="checkbox"/>	<input type="checkbox"/> Other (non-USACE) costs to implement the NSAP are adequately addressed. [ER, 5-18.b.]
9.	<input type="checkbox"/>	<input type="checkbox"/> The NSAP sponsor understands, and is willing to have in the CA, the restrictions of further USACE PL 84-99 assistance. [ER, 5-16.j. and 5-18.e.]
10.	<input type="checkbox"/>	<input type="checkbox"/> The CA will include a statement of legal restrictions placed on the formerly protected land. [5-18.g.] (<u>Agency</u>) is responsible for obtaining the legal restrictions.
11.	<input type="checkbox"/>	<input type="checkbox"/> The public sponsor has agreed to sign a Cooperation Agreement. [ER, 5-18.]
12.	<input type="checkbox"/>	<input type="checkbox"/> The completed PIR has been reviewed and the PIR Checklist has been reviewed and signed by the Emergency Management Office. [EP, 5-16.c.]
13.	<input type="checkbox"/>	<input type="checkbox"/> The completed PIR meets all policy, procedural, content, and formatting requirements of ER 500-1-1 and EP 500-1-1. [ER, 2-3.b.]
REVIEWING OFFICIAL'S SIGNATURE:		
NAME:		
TITLE:		
TELEPHONE NUMBER:		

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Figure 5-7. PIR Review Checklist (Appendix Z), Nonstructural Alternative Project

Section V - Inspections and Rehabilitation Assistance for Hurricane/Shore Protection Projects

5-17. Inspections of HSPP's.

a. Guidance. The guidance provided in this section supplements and amplifies policies and guidance contained in ER 1130-2-530, ER 500-1-1, and Operations and Maintenance Manuals for HSPP's.

b. Initial Eligibility Inspection. As with any other Federal FCW project, no Initial Eligibility Inspection is performed on an HSPP. HSPP's (to include separable elements thereof) are granted Active status in the RIP upon transfer of Operation and Maintenance responsibility to the public sponsor. Any separable (or creditable) element constructed by the public sponsor that is part of the Federal project (i.e., accorded that status either through statutory language or through the Project Cooperation Agreement for the project), after it has been inspected and approved by the District, is considered part of the HSPP, with Active status.

c. Continuing Eligibility Inspections.

(1) CEI's for HSPP's are normally conducted on an annual basis, shortly before the onset of the most probable storm season (e.g., prior to the 1 June start of the Atlantic hurricane season.) For those HSPP's located in areas that are not subject to an annual storm season, the CEI will be scheduled based on district work load while being cognizant of annual funding cycles, prior inspection history, and sponsor preference. Project inspections will include periodic beach profiles, surveys, data collection, and other activities sufficient to document current beach sand volumes.

(2) Districts will use either inspection criteria specified by the HSPP's O&M Manual, or district-developed inspection criteria. In either case, the results of the CEI must be ultimately summarized in the project condition code of Acceptable, Minimally Acceptable, or Unacceptable, which is then entered into the FCW Database. (Refer to Table 5-2 for definitions of the project condition codes.)

(3) CEI results, to include the project condition code and other pertinent data, will be entered in the district's FCW database.

(4) Copies of each CEI will be provided to the public sponsor and forwarded to the MSC Emergency Management Office within one week of finalization of the CEI by the district.

d. Funding. HSPP inspections are funded by the Inspection of Completed Works program, from the Operations and Maintenance, General appropriation, Class 60223.

5-18. Procedures for HSPP Rehabilitation Assistance.

a. Notice to Public Sponsors. After any storm, hurricane, tsunami, typhoon, or similar event that could damage HSPP's, the district will telephonically contact the public sponsors of potentially affected HSPP's. If there is any indication that any HSPP has sustained damage, the district will prepare a Notice to Public Sponsors substantially similar to the format at Figure 5-2. The Notice to Public Sponsors will be mailed to all HSPP public sponsors in the potentially affected area.

b. Public Sponsor's Request. The public sponsor must submit a written request for assistance within 30 days of issuance of the Notice to Public Sponsors. Upon receipt of a public sponsor's written request for HSPP Rehabilitation Assistance, the district will check to ensure that the HSPP is Active. Next, the district will review information submitted by the public sponsor, district records on the project (to include the last and next scheduled renourishment effort), weather/storm records and data, and any other current information available. This review is a check for reasonableness of damages incurred by the project (as identified by the public sponsor in its request for assistance) that could be eligible for HSPP Rehabilitation Assistance. If the HSPP is Active and there is reasonable evidence that the storm event can meet the definition of an extraordinary storm (refer to ER 500-1-1, paragraph 5 -20.d.), the district will request funds to perform a field investigation (Class 340) to determine the extent of damages.

(1) If the field investigation provides sufficient evidence that major damages have occurred (for either hardened features of the project, or loss of significant quantities of sand), the district will prepare a complete PIR. See paragraph c., below.

(2) The district will notify the public sponsor in writing that the PIR preparation is ongoing. This reminder will include renourishment cost share arrangements of the HSPP, and emphasize that the local cost share percentage must be received in a timely fashion so as to allow the Rehabilitation Assistance effort to be completed before the next storm season, or within one year, whichever is less.

(3) If the field investigation provides insufficient evidence that major damages have occurred, the district will notify the public sponsor by certified mail (return receipt requested) that the project is ineligible for HSPP Rehabilitation Assistance. The notification will include a summarization of the reason(s) why the HSPP is ineligible for HSPP Rehabilitation Assistance. A copy of the notification, the return receipt, and supporting documentation (e.g., site visit MFR, storm records, photographs, etc.) will be filed (hard copy or electronically) and maintained by the district for a minimum of five years. In addition, the FCW Database will be annotated regarding the ineligibility determination, and the location of supporting documentation. A complete PIR will not be prepared.

c. PIR Preparation. A PIR for HSPP Rehabilitation Assistance will be prepared using the format and directions at Figure 5-8.

(1) The policy of ER 500-1-1, paragraph 5-20, will be adhered to in the completion of the PIR.

(2) The PIR (paragraph 10) will contain detailed justification to substantiate a finding that the storm meets the criteria of "extraordinary storm", as defined by ER 500-1-1, paragraph 5-20.d.

(3) The PIR (paragraph 12) will provide detailed justification of the need for HSPP Rehabilitation Assistance. This justification includes substantiating that restoration to a pre-storm condition is necessary to allow for adequate functioning of the project (ER 500-1-1, paragraph 5-20.a.) This justification also includes meeting the criterion for "significant amounts of damage" (ER 500-1-1, paragraph 5-20.d.)

(4) For the economics portion of the PIR, refer to Appendix C for the format. Recreation benefits cannot be used in determining benefits for HSPP Rehabilitation Assistance.

d. Determining Cost Share Allocation - Renourishment. It will be rare that any FCCE-funded rehabilitation effort involving sand renourishment will not include cost sharing for periodic renourishment in accordance with the project PCA. Cost sharing is addressed in paragraph 14 of the PIR. To determine the cost sharing formula for renourishment, the total volume of sand for the complete renourishment effort (which is generally defined as that volume of sand necessary to restore the project to its design profile) will be determined. The portion eligible for HSPP Rehabilitation Assistance will be that amount necessary to restore the project to the pre-storm level/condition of the project, or the amount needed for adequate functioning of the project, whichever is less. The cost for that volume of sand not eligible for FCCE-funded HSPP Rehabilitation Assistance but necessary to restore the design profile will be cost shared based on the renourishment formula of the project PCA between USACE (CG funds) and the public sponsor. The cost of dredge mobilization/demobilization will be borne proportionally between FCCE, CG, and public sponsor contributions.

e. Other Costs. Damages to hard features of the HSPP, e.g., seawalls, groins, or jetties, caused by an extraordinary storm will be rehabilitated at 100% Federal cost. These costs will be addressed separately in paragraph 14 of the PIR. Public sponsor costs for deferred and deficient maintenance (which specifically excludes all renourishment costs) will also be provided in paragraph 14.

f. PIR Completion. The PIR will be completed as expeditiously as possible, but no later than 40 days after receipt of the public sponsor's request for assistance.

(1) The PIR Review Checklist for HSPP Rehabilitation Assistance, Appendix Z of the PIR, is at Figure 5-9. The Checklist must be completed and signed by the Emergency Manager or the project officer for the HSPP Rehabilitation Assistance. References in the Checklist refer to both ER 500-1-1, designated with "ER" followed by the paragraph number, and this pamphlet, designated with "EP" followed by the paragraph number.

(2) Upon completion of the PIR, if all requirements for eligibility for HSPP Rehabilitation Assistance are met, the PIR, and a request for Class 330 Engineering and Design funds (see ER 11-1-320, Chapter 3) will be forwarded by cover letter to the MSC. The cover letter must be signed by the District Engineer, Acting District Engineer, or Deputy District Engineer. The cover letter will contain a summary of the schedule to carry out the HSPP Rehabilitation Assistance.

(3) If the district determines that the HSPP is ineligible for HSPP Rehabilitation Assistance, the district will notify the public sponsor by certified mail (return receipt requested) of the determination. The notification will include a summarization of the reason(s) why the HSPP is ineligible for HSPP Rehabilitation Assistance, and a copy of the PIR. A copy of the notification, the PIR, the return receipt, and other supporting documentation (e.g., storm records, photographs, etc. not included in the PIR) will be filed (hard copy or electronically) and maintained by the district for a minimum of five years. In addition, the FCW Database will be annotated regarding the ineligibility determination, and the location of supporting documentation.

g. District Time Limit. The district will transmit the cover letter, PIR, and funding request to the MSC no later than 45 calendar days from the date the sponsor's request is received at the district. In cases where significant numbers of PIR's must be prepared, or when weather conditions or other circumstances limit ability to complete the PIR's, the district commander may, with written concurrence of the MSC, extend the 45-day period. However, the district will employ all possible measures, to include overtime, weekend work, available ID/IQ contracts and other contracting strategies, and TDY of personnel from other districts to attempt to meet the 45-day period.

h. Coordination for Cost Share Requirements. No later than the date of submission of the PIR, and based on renourishment cost sharing arrangements in the project's PCA, the district will begin coordination (through the MSC) with HQUSACE (CECW-B) for necessary CG funds. In addition, coordination with the public sponsor regarding local cost share requirements will be begun. Inability of the public sponsor to meet its cost share requirement in a timely manner may jeopardize the availability of FCCE funds to provide HSPP Rehabilitation Assistance.

i. MSC Action. The MSC will act on the PIR within 10 business days after receipt. If the PIR is disapproved, it will be returned to the district with instructions to notify the public sponsor in accordance with paragraph f.(3) above. Otherwise, the MSC will endorse the cover letter, with the MSC disposition recommendation to HQUSACE, ATTN: CECW-OE. The MSC Commander, Acting Commander, or a Deputy Division Engineer must endorse the cover letter.

(1) The MSC will verify that the proposed HSPP Rehabilitation Assistance complies with the policy set forth in ER 500-1-1, Chapter 5, Section V, and the procedures set forth above.

(2) If the MSC determines a technical review is necessary, then it will telephonically contact HQUSACE (CECW-OE) for guidance.

j. HQUSACE Action. The Civil Emergency Management Branch will review the submitted PIR and prepare the appropriate decision document for action by the Director of Civil Works. PIR's that are disapproved will be returned through command channels to the submitting district, which will notify the public sponsor in accordance with paragraph f.(3) above.

k. E&D Funding for Approved HSPP PIR's. Upon HQUSACE approval of the HSPP PIR, Engineering and Design funds will be provided by HQUSACE based on the district's funding request.

l. Cooperation Agreement for HSPP Rehabilitation Assistance. A Cooperation Agreement for HSPP Rehabilitation Assistance is required. The CA must be signed before rehabilitation work may begin. The CA is provided at Appendix B, Figure B-3.

(1) Signature of CA's. The district engineer or deputy district engineer may sign the Cooperation Agreement.

(2) Deviation from Approved CA Language. Significant deviation from the specified CA format at Figure 5-10 requires prior coordination with HQUSACE. Under no circumstances will any deviation cause USACE to incur, or be obligated to provide in the future, additional costs, except as specifically approved by HQUSACE.

m. Construction Funding. When the Cooperation Agreement for HSPP Rehabilitation Assistance has been signed, and the project is ready for contract award, FCCE funds for construction, supervision and administration, and contingency amounts will be requested by the district. HQUSACE will normally provide funds within 3 days of the request. CG

funds will also be requested in accordance with standard procedures, if the request has not already been submitted.

(1) Contingency amounts for the FCCE-funded portions of dredge mobilization/demobilization costs and sand renourishment (dredging) costs are limited to 15 percent of the construction cost estimates of those items.

(2) Contingency amounts for all other allowable FCCE-funded costs are limited to 10 percent.

5-19. Construction, Reporting, and Closeout of Approved HSPR Rehabilitation Assistance Projects.

a. Construction Commencement. The actual construction (defined as the issuance of the Notice to Proceed) for HSPR Rehabilitation Assistance will commence within 60 calendar days following PIR approval or execution of the CA, whichever is later. When unable to meet this requirement, the district will report the circumstances via a Disaster Recovery SITREP, to include the revised schedule for work.

b. Reporting. Reporting of HSPR Rehabilitation Assistance progress will be by Disaster Recovery SITREP's. Refer to Chapter 4, Section V for procedures and formats.

c. Notification of Completed Rehabilitation Projects. When the FCCE-funded contract work (to include any force labor efforts) for HSPR Rehabilitation Assistance is completed, the district will notify the public sponsor in writing that the USACE work is completed. The notification will remind the public sponsor of its continued requirements for local cooperation (from the PCA) and any additional requirements specified in the CA.

d. Fiscal Close Out. The district Emergency Management office will ensure that actions for fiscally closing out FCCE-funded HSPR Rehabilitation Assistance activities are completed in a timely manner. Close out activities will be in accordance with ER 11-1-320. Districts will fiscally close each project, and offer unobligated FCCE funds for revocation, within 60 days of the physical completion date of the project. When a contractor claim or a similar need to retain project funds is anticipated, sufficient funds to meet the claim may be retained by the district, but all other remaining FCCE funds must be offered for revocation. If the funds retained for anticipated claims/costs are insufficient, additional FCCE funding may be requested.

**PROJECT INFORMATION REPORT
REHABILITATION EFFORT FOR THE
(insert name)
HURRICANE/SHORE PROTECTION PROJECT**

Part I. Executive Summary. Provide a one page executive summary of the PIR, to include the estimated cost, BCR, and the need to undertake the rehabilitation effort using FCCE funds.

Part II. Basic Report. Use the following paragraph numbers.

1. NAME AND LOCATION - *Project name; city, county, and state where project is located.*
2. PUBLIC SPONSOR - *Name, address, telephone number, and email address for the public sponsor of the Hurricane/Shore Protection Project.*
3. POC FOR PUBLIC SPONSOR - *Name, address, telephone number, and email address for the individual who will serve as the public sponsor's single point of contact for the rehabilitation effort.*
4. PROJECT AUTHORIZATION - *Cite the authorization for construction of the HSPP, e.g., "Section 301 of PL 89-298, passed on 27 October 1965 in accordance with the report of the Chief of Engineers as described in House Document 91, 89th Congress, dated 15 June 1964." Cite any pertinent amendments to the law or modifications to the project (to include funding changes) in a similar fashion. Place a copy of the project entry from the District's project notebook or Digital Project Notebook in Appendix C.*
5. PROJECT CLASSIFICATION - *Provide a statement similar to "This project was Federally designed and constructed to protect against hurricane wave action from a 50-year storm."*
6. DESIGN DATA OF PROJECT - *Provide a brief description/overview of the project design data. Place extensive documentation, records, or data in Appendix D.*
7. MAINTENANCE. *Provide a brief statement regarding the scope, extent, and average annual costs for the public sponsor's OMR&R responsibilities. Do not include any periodic nourishment efforts cost shared with USACE. Place supporting or extensive documentation, tables, survey reports, etc., in Appendix E.*

Figure 5-8. PIR Format, HSPP Rehabilitation Assistance

8. PERIODIC NOURISHMENT. *Provide a brief statement regarding the project's historical nourishment efforts, and the next scheduled or anticipated renourishment effort, with volumetric estimate. Include Federal and public sponsor cost share percentages from the project PCA. Cite GDM estimates or other documentation as needed if there is insufficient historical data available. Place supporting or extensive documentation, tables, survey reports, etc., in Appendix F.*
9. PREVIOUS PL 84-99 ASSISTANCE. *Provide a brief statement regarding previous PL 84-99 Rehabilitation Assistance, or assistance provided by any other Federal agency such as FEMA or FDAA. If no previous Federal assistance has been provided, so state. Place extensive documentation, records, or data in Appendix G.*
10. DISASTER INCIDENT. *Provide a brief description of weather system or event that caused the damage to the HSPP. Provide a brief, supportable statement that summarizes why the weather system or event meets the definition of extraordinary storm provided in ER 500-1-1, paragraph x-x. Place supporting documentation, tables, maps, weather reports, hurricane tracking charts, etc., in Appendix H.*
11. DAMAGE DESCRIPTION. *Provide a brief description of the damage incurred by the project. Address shoreline changes, volumetric changes, damages to hard features (e.g., groins, seawalls), etc. Address the level and extent of the project's remaining protection. Place supporting documentation, beach profile data, photos, etc., in Appendix I.*
12. NEED FOR PL 84-99 REHABILITATION. *Based on the policy contained in ER 500-1-1, paragraph 5-20, state why it is necessary to undertake the proposed rehabilitation effort under authority of PL 84-99. Specifically address the immediate threat to life and property, and the need for immediate action. Include an estimate of the project's remaining protection. Address when the next storm season will occur.*
13. PROPOSED WORK. *Describe the work proposed to be undertaken by this rehabilitation effort. Include extensive tabular data, supporting documentation, and alternatives considered but not selected in Appendix J.*
14. COST ESTIMATE. *Summarize (in narrative and tabular form) the total cost of the proposed work, to include FCCE/CG/local cost shares. Place supporting figures, calculations, historical or reference cost data, dredge mobilization/demobilization costs, determination of cost share percentages, etc., in Appendix K.*

Figure 5-8. PIR Format, HSPP Rehabilitation Assistance (Continued)

15. **ECONOMICS.** *Refer to Appendix C of EP 500-1-1 for format. Provide the benefit to cost ratio, and a narrative summary of the major components/efforts that affect benefits and costs. Place the economic justification, interest rates used, period of analysis used, damages prevented charts, price data, etc. in Appendix L.*
16. **ENVIRONMENTAL CONSIDERATIONS.** *Provide a general summary of environmental considerations, to include any potential "show stoppers". Specific statements will be provided in Appendix M as separate tabs. Required statements include:
Tab M-1. A statement on the effect of proposed work on the environment.
Tab M-2. Environmental Assessment.
Tab M-3. Considerations under Section 7 of the Endangered Species Act of 1973 (PL 93-205).
Tab M-4. Archeological Investigations and Salvage Activities considerations.
Tab M-5. Section 404(b) evaluations.
Tab M-6. A statement on the applicability of EO 11988.
Tab M-7 to M-x. As needed.*
17. **PERMITS.** *List the need for any permits (Federal, state or local) and indicate potential problems with obtaining these permits.*

Part III. Appendices

- Appendix A. Public sponsor's request for assistance.
- Appendix B. Project map(s).
- Appendix C. Project Overview (from District project notebook/Digital Project Notebook).
- Appendix D. Project Design Data
- Appendix E. Project Maintenance Data
- Appendix F. Periodic Renourishment Data
- Appendix G. Previous PL 84-99 or Other Federal Agency Assistance.
- Appendix H. Disaster Incident.
- Appendix I. Damage Description.
- Appendix J. Proposed Work.
- Appendix K. Cost Estimate Data.
- Appendix L. BCR Data.
- Appendix M. Environmental Considerations.
- Appendix N. - Y. (As needed.)
- Appendix Z. PIR Review Checklist.

Figure 5-8. PIR Format, HSPP Rehabilitation Assistance (Continued)

PIR Review Checklist for HSPP Rehabilitation Assistance			
<u>YES</u>	<u>NO</u>	<u>N/A</u>	
1.	_____	_____	The project is a Federally authorized and constructed hurricane or shore protection project. [ER, 5-20.a.]
2.	_____	_____	The project is Active in the RIP. [ER, 5-2.a.] Last inspection date: _____
3.	_____	_____	The Public Sponsor has requested HSPP Rehabilitation Assistance in writing. [EP, 5-18.b.]
4.	_____	_____	The FCCE-funded HSPP Rehabilitation Assistance is necessary (a) to allow for adequate functioning of the project; (b) to reduce the immediate threat to life and improved property; and (c) is to a level no more than the pre-storm condition. [ER, 5-20.a., c., and d.]
5.	_____	_____	There is sufficient evidence in the PIR to support a finding that the HSPP was damaged by an extraordinary storm. [ER, 5-20.e.]
6.	_____	_____	There are "significant amounts of damage" to the HSPP. [ER, 5-20.e.(2)] The criterion used to make this determination is: _____ the cost of the construction effort to effect repair of the HSPP (<i>exclusive of dredge mob/demob costs</i>) (a) exceeds \$1 million and (b) is greater than 2 percent of the original project construction costs (expressed in current day dollars.); or, _____ the cost of the construction effort to effect repair of the HSPP (<i>exclusive of dredge mob/demob costs</i>) exceeds \$6 million; or, _____ more than one-third of the planned or historically placed sand for renourishment was lost. _____ only hard features are involved.
7.	_____	_____	The public sponsor has agreed to sign the Cooperation Agreement, which will occur before USACE begins rehabilitation work. [EP, 5-18.l.]
8.	_____	_____	The rehabilitation project has a favorable benefit cost ratio of greater than 1.0:1. [ER, 5-20.a.]
9.	_____	_____	The Public Sponsor has access to sufficient funds to meet its required cost contributions. [EP, 5-18.h.]

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Figure 5-9. PIR Review Checklist (Appendix Z), HSPP Rehabilitation Assistance

PIR Review Checklist for HSPR Rehabilitation Assistance				
	<u>YES</u>	<u>NO</u>	<u>N/A</u>	
10.	_____	_____	_____	The cost estimate in the PIR itemizes the work and identifies the Public Sponsor's cost responsibility for items such as deferred and deficient maintenance. [ER, 5-2.g.]
11.	_____	_____		The cost estimate in the PIR allocates costs between what may be paid for under PL 84-99 Rehabilitation Assistance, and what is cost shared between the Corps (using CG funds) and the public sponsor under periodic renourishment terms of the project PCA. [EP, 5-18.d.]]
12.	_____	_____		Dredge mobilization/demobilization costs are borne proportionally among contributing sources of funds for sand renourishment. [ER, 5-20.i.]
13.	_____	_____		Contingency funds for the FCCE-funded portion of the project are limited to 15 percent for dredging-related costs, and 10 percent for all other costs. [ER, 5-2.v.]
14.	_____	_____		The repair option selected is the option that is the least cost to the Federal government. [ER, 5-2.h.]
15.	_____	_____		The benefit cost ratio calculation excludes all recreation benefits. [ER, 5-20.a.]
16.	_____	_____	_____	Betterments are paid by the Public Sponsor. [ER, 5-2.o.]
17.	_____	_____	_____	Cost for any betterments are identified separately in the cost estimate. [ER, 5-2.o.]
18.	_____	_____		Based on the projected schedule, project history, anticipated degree of contention of undertaking the project, and similar items, the Rehabilitation Assistance will be finished prior to the onset of the next storm season, or within one year of the date of occurrence of the damage, whichever is less. [ER, 5-20.j.]
19.	_____	_____		The proposed work will not modify the HSPR to increase the degree of protection or capacity, or provide protection to a larger area. [ER, 5-2.n.]

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Figure 5-9. PIR Review Checklist (Appendix Z), HSPR Rehabilitation Assistance (Continued)

PIR Review Checklist for HSPP Rehabilitation Assistance			
<u>YES</u>	<u>NO</u>	<u>N/A</u>	
20.	_____	_____	An assessment of environmental requirements was completed. [ER, 5-13.e.]
21.	_____	_____	The Endangered Species Act was appropriately considered. Dredging will not be adversely impacted. [ER, 5-13.e.]
22.	_____	_____	The Archeological and Historical Preservation Act was appropriately considered. [ER, 5-13.h.]
23.	_____	_____	EO 11988 was appropriately considered. [ER, 5-13.f.]
24.	_____	_____	Other permitting and evaluations were appropriately considered, and result in no impediment to the Rehabilitation Assistance effort. [ER, 5-13.a.]
25.	_____	_____	The cover letter forwarding the PIR to the MSC will contain the projected schedule for completing the Rehabilitation Assistance. [EP, 5-18.f.(2)]
26.	_____	_____	The completed PIR has been reviewed and the PIR Checklist has been reviewed and signed by the Emergency Management Office. [EP, 5-18.f.(1)]
27.	_____	_____	The completed PIR meets all policy, procedural, content, and formatting requirements of ER 500-1-1 and EP 500-1-1. [ER, 2-3.b.]
REVIEWING OFFICIAL'S SIGNATURE			

NAME:			
TITLE:			
TELEPHONE NUMBER:			
<i>Page Z-3</i>			

Figure 5-9. PIR Review Checklist (Appendix Z), HSPP Rehabilitation Assistance (Continued)

Section VI - Dams

5-20. Dams.

a. Federal Dam Projects.

(1) Inspections. There is no IEI for a Federal dam. CEI's will be conducted in accordance with the schedule provided in the O&M manual, and funded by the Inspection of Completed Works program.

(2) Rehabilitation Assistance. In the event that a Federal dam is damaged in a flood or coastal storm, the rehabilitation effort will procedurally be handled the same as a Federal FCW, except that approval level for the PIR is HQUSACE (CECW-O). Refer to Section III of this chapter for procedures. Class 310 funds are used for Rehabilitation Assistance for Federal dams.

b. Non-Federal Dam Projects. A non-Federal dam can gain an Active status in the RIP. To do so, it must have flood control as its principal function, and be able to contain a 200-year storm before use of the spillway in its normal flood control pool.

(1) Inspections.

(a) Initial Eligibility Inspection. Due to the unique aspects of dams and dam construction, it will be a non-Federal expense to compile the necessary data (e.g., ground borings, seismic considerations, design specifications, as-builts of the structure, etc.) and provide it to the Corps. This Corps "office review" will occur prior to any on-site IEI. The inspection criteria for a dam IEI will be provided by HQUSACE concurrently with Class 350 funds.

(b) Continuing Eligibility Inspections. The inspection criteria for a dam CEI will be provided by HQUSACE concurrently with the provision of requested Class 350 funds.

(2) Rehabilitation Assistance. In the event that a non-Federal dam is damaged in a flood or coastal storm, the rehabilitation effort will procedurally be handled the same as a Federal FCW, except that approval level for the PIR is HQUSACE (CECW-O). Refer to Section III of this chapter for procedures. Class 320 funds are used for Rehabilitation Assistance for non-Federal dams.