Guidelines for Identifying Provisionally Accredited Levees (PALs)

Introduction

The Federal Emergency Management Agency (FEMA) issued Procedure Memorandum No. 34 (PM 34) on August 22, 2005, to provide interim guidance for processing studies/mapping projects for communities with levees and to define the roles of all FEMA contractors and mapping partners in meeting the regulatory requirements of the National Flood Insurance Program (NFIP) as cited at Title 44, Chapter 1, Section 65.10, of the Code of Federal Regulations, Section 65.10 (44 CFR Section 65.10). PM 34 reiterates that the community or other parties seeking recognition of a levee or levee system are responsible for providing information to demonstrate that the levee provides protection from the base (1-percent-annual-chance) flood. Therefore, when a study/mapping project is initiated under the Flood Map Modernization (Map Mod) program, FEMA will request that the community, levee owner, and/or local project sponsor to provide the data described in 44 CFR Section 65.10.

The requirement for complying with 44 CFR Section 65.10 is the responsibility of the community, levee owner, and/or local project sponsor, and they often find it difficult to provide the full documentation promptly. The lack of readily available data to comply with 44 CFR Section 65.10 has, in some cases, caused studies/ mapping projects to be delayed or placed on hold until the required information can be compiled and provided to FEMA.

Providing communities with up-to-date, accurate, and reliable flood hazard information on Digital Flood Insurance Rate Maps (DFIRMs) is one of the primary goals of Map Mod. Because levees are shown on the currently effective Flood Insurance Rate Maps (FIRMs) for over one-quarter of the counties being mapped under Map Mod, the issue of whether the levee provides 1-percent-annual-chance flood protection must be addressed. While 44 CFR Section 65.10 documentation is being compiled, the existing FIRMs remain in effect, showing the area behind the levee as protected from the 1-percent-annual-chance flood and potentially delaying the release of more up-to-date information for other parts of the community. As a result, communities would potentially be using outdated flood hazard information to regulate floodplain development. In addition, because the existing FIRMs are in effect, there may be no requirements for the purchase of flood insurance in areas that actually are floodprone.

This guidelines document outlines five scenarios that will allow the mapping for selected studies/mapping projects for communities with levees to move forward before the full documentation required in 44 CFR Section 65.10 is available. With this process, the FEMA Regional Offices, FEMA contractors, and mapping partners can issue preliminary and effective DFIRMs while providing the communities and levee owners a specified timeframe for the submittal of the documentation necessary to show compliance with 44 CFR Section 65.10. In addition, for specific situations, the Regional Offices, contractors, and mapping partners can move forward with the study/mapping project until the point where the Letters of Final Determination would be issued, while communities and/or

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levee owners are given a specified timeframe to address maintenance deficiencies identified by the U.S. Army Corps of Engineers (USACE).

The USACE has initiated a national levee inventory and assessment program to identify the condition, location, level of protection, and maintenance activities for all levees within its jurisdiction. This inventory will assist in the assessment of the risk to public safety associated with levees and levee systems across the Nation. The USACE and FEMA are working together throughout the inventory and assessment phase to coordinate this effort with Map Mod activities. The inventory data collected to date will be used by FEMA and the USACE to categorize levees for which the full documentation required by 44 CFR Section 65.10 is NOT readily available into the five scenarios described below.

Definitions

A levee is defined as a manmade structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding. The term does not include structures that are otherwise defined as dams in the *Federal Guidelines for Dam Safety*.

For the purpose of this guidelines document, levees are identified as being USACE or non-USACE levees. Levees within the USACE program include:

- Levees built by the USACE that were authorized for construction by the U.S. Congress or by USACE continuing authorities (e.g., Section 205);
- Levee projects constructed by non-Federal interests or other (non-USACE) Federal agencies and incorporated into the USACE Federal system by specific congressional action;
- Federal projects that are either operated and maintained by the USACE or turned over to a local sponsor for operation and maintenance; and
- Non-Federal projects within the Rehabilitation and Inspection Program (RIP), Public Law 84-99.

Non-USACE levees are defined to include:

- Levees not authorized by the U.S. Congress or other Federal agency authority;
- Levees built by other Federal agencies and not incorporated into the USACE Federal system;
- Locally built and maintained levees built by a local community; and
- Privately built by a nonpublic organization or individuals and maintained by a local community.

A “levee owner” can be a Federal or State agency, a water management or flood control district, a local community, a levee district, a nonpublic organization, or an individual. The “party responsible for operating and maintaining the levee” must be a Federal or

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State agency, an agency created by Federal or State law, or an agency of a community participating in the NFIP.

This document summarizes an approach for identifying a Provisionally Accredited Levee (PAL) and for provisionally mapping the area behind (landward of) such a levee as Zone X (shaded), pending FEMA's receipt of all data and documentation required to show compliance with 44 CFR Section 65.10. FEMA established this approach to allow the mapping process to move forward when levees meet the criteria for an applicable scenario identified below, and to give communities and levee owners a specified timeframe to submit all the documentation necessary to show compliance with 44 CFR Section 65.10. The PAL requirements are provided below.

Scenario A – Levees not in the USACE program that are shown as providing base flood protection

Communication with levee owner and/or community:

The FEMA Regional Office will send a letter (template letter for Scenario A) to the appropriate levee owner or community to identify the levees for which 44 CFR Section 65.10 documentation is needed and will provide a copy of this letter to the appropriate USACE district office. The FEMA letter will describe the PAL option and an opportunity for a one-time-only, 1-year "maintenance deficiency correction period" associated with maintenance-deficient levees. This letter will also request that the community/levee owner submit, within 90 days, one of the following:

- A signed agreement stating that, to the best of the community's/levee owner's knowledge, the levee in question meets 44 CFR Section 65.10 requirements and all requirements for a PAL application package. See criteria for PAL Scenario A1 below.
- A signed letter stating that the community/levee owner has been notified of the one-time-only, 1-year "maintenance deficiency correction period" and agrees to proceed according to the associated process and requirements. See criteria for PAL Scenario A2 below. This one-time-only "maintenance deficiency correction period" will expire 1 year from the 91st day following the date of the initial notification letter. For the purposes this document, this signed letter will be identified as the "maintenance deficiency letter."

Procedures for processing PAL Scenario A1 and A2 levees are described in detail below. To help FEMA contractors and mapping partners properly assess how to handle levee mapping issues, a flowchart has been generated that depicts the possible steps for Scenario A levees. This flowchart is presented as Figure 2 at the end of this guidelines document.

Scenario A1: Once the FEMA Regional Office sends the initial notification letter for Scenario A, the community/levee owner will have 90 days to return either the PAL

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application package or the maintenance deficiency letter. If the community/levee owner believes that the levee meets 44 CFR Section 65.10 requirements at that time, then they may qualify for Scenario A1.

If the full documentation required to show compliance with 44 CFR Section 65.10 are readily available when the initial notification letter is sent, FEMA will request that the community/levee owner provide these documents within 30 days. If additional time is required to gather the proper documentation, the community/levee owner will choose to submit the PAL application package. For any community/levee owner that chooses the PAL option, the requirements for 44 CFR Section 65.10 must be submitted within 24 months of the 91st day following the date of the initial notification letter. Certification by a Registered Professional Engineer must accompany the submitted 44 CFR Section 65.10 data in compliance with Paragraph 65.10(e). In addition, the community/levee owner must submit a progress report to FEMA after 12 months to document progress toward obtaining 44 CFR Section 65.10 data and documentation.

Several conditions exist that may require FEMA to take immediate action to rescind the PAL designation and revise the DFIRM for the area landward of the levee. If any of the following conditions apply, FEMA will direct the contractor or mapping partner to remap the area landward of the levee as Zone AE or Zone A, depending on the type of study performed for the area:

- Neither the signed PAL agreement nor a request for a maintenance deficiency correction period is returned to FEMA before the 91st day following the date of the notification letter;
- The full documentation required for compliance with 44 CFR Section 65.10 is not provided within 24 months of the 91st day following the date of the initial notification letter; or
- The 12-month progress report is not provided to FEMA, and the FEMA Regional Office believes the PAL agreement should be rescinded.

When the FEMA Regional Office sends the initial notification letter, the following attachments must be included:

- A description of the requirements to meet 44 CFR Section 65.10, entitled "Mapping of Areas Protected by Levee Systems"; and
- An agreement to accept the PAL option (agreement for Scenario A1), for the community/levee owner to sign and return to FEMA before the 91st day following the date of the initial notification letter.

The PAL application package requirements for Scenario A1, to be submitted by levee owner or community, are:

- An agreement signed by the community/levee owner stating that the PAL designation is warranted because the levee now meets the requirements of 44 CFR Section 65.10;

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- A copy of the adopted operation and maintenance plan for the levee; and
- Records of levee maintenance and operation, as well as tests of the mechanized interior drainage systems, if applicable.

Scenario A2: Once the FEMA Regional Office sends the initial notification letter for Scenario A, the community and/or levee owner will be given 90 days to return either the PAL application package or the maintenance deficiency letter. If the community/levee owner believes that the levee meets 44 CFR Section 65.10 requirements with the exception of maintenance deficiencies, then they may qualify for Scenario A2.

Once the community/levee owner determines that maintenance deficiencies exist, the community/levee owner will have 90 days from the date of the initial notification letter to submit a signed letter requesting the maintenance deficiency correction period. At a minimum, this letter must clearly state:

- The only grounds for the levee in question not currently meeting the 44 CFR Section 65.10 requirements or PAL requirements are maintenance issues; and
- Within the 1-year "maintenance deficiency correction period," the community/ levee owner can remedy the maintenance deficiencies and submit one of the following:
    - All documentation necessary to comply with the requirements listed in 44 CFR Section 65.10; or
    - A request for a PAL designation and the entire PAL application package (PAL application requirements listed below).

If the community/levee owner submits a response before the 91st day following the date of the initial notification letter, the FEMA Regional Office will notify the community/ levee owner that the current study/mapping project will move forward and that the area landward of the levee will be remapped and shown as Zone AE or Zone A, depending on the type of study performed for the area. The notification will state that the Letter of Final Determination (LFD) and effective DFIRM will be delayed until the 1-year correction period has elapsed. For FEMA to remove the Special Flood Hazard Area (SFHA) designation landward of the levee, the community and/or levee owner must submit the following within the 1-year correction period:

- All the requirements listed in 44 CFR Section 65.10; or
- A request for a PAL designation and the entire PAL application package (PAL application package requirements listed below).

If all the data and documents required to comply with 44 CFR Section 65.10 are submitted before the 1-year correction period has elapsed, FEMA will issue the LFD and show the levee on the effective DFIRM as accredited. However, if a request for a PAL designation and a PAL application package are submitted and approved before the 1-year correction period has elapsed, then FEMA will issue the LFD and show the levee on the effective DFIRM as provisionally accredited. In addition, for the PAL option, the

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community/levee owner must provide a progress report to the FEMA Regional Office after 12 months to document progress toward obtaining 44 CFR Section 65.10 data
If any of the following alternatives occur, FEMA will issue the LFD and an effective DFIRM that shows the areas landward of the levee will be remapped and shown as Zone AE or Zone A, depending on the type of study performed for the area:

- The community/levee owner does not submit a signed response letter before the 91st day following the date of the initial notification letter.
- The community/levee owner is granted the 1-year correction period, but does not submit the required data within the 1-year correction period.
- The submitted deficiency correction data are determined to be inadequate.
- A request for a PAL designation and the entire PAL application package is not submitted and approved before the 1-year correction period has elapsed.
- The 12-month PAL progress report is not provided to FEMA, and the FEMA Regional Office believes the PAL designation should be rescinded.
- The full documentation necessary to comply with 44 CFR Section 65.10 is not provided within 24 months of the final day of the correction period.
- The data and documentation submitted to meet the requirements of 44 CFR Section 65.10 or the PAL application is determined to be inadequate.

When the FEMA Regional Office sends the initial notification letter, the following attachments must be included:

- A description of the requirements to meet 44 CFR Section 65.10, entitled "Mapping of Areas Protected by Levee Systems;" and
- An agreement to accept the PAL option (agreement for Scenario A2), for the community/levee owner to sign and return to FEMA.

In response to the initial notification letter, the community/levee owner is to submit the following to FEMA to meet the PAL application package requirements for Scenario A2:

- An agreement signed by the community/levee owner stating that the PAL designation is warranted because the levee now meets the requirements of 44 CFR Section 65.10;
- A copy of the adopted operation and maintenance plan for the levee; and
- Records of levee maintenance and operation, as well as tests of the mechanized interior drainage systems, if applicable.

Scenario B – Levees in the USACE program that are eligible for PAL

Levees in the USACE program that meet the following criteria are eligible for the PAL designation.

<u>Criteria to meet Scenario B:</u>

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- The effective FIRM shows the levee as providing protection from the base flood;
- No available information indicates the levee does not provide base flood protection; and
- The project inspection rating is within an acceptable range (as defined by the USACE).

Communication with levee owner, community, and/or local project sponsor:

The FEMA Regional Office will send a letter (template letter for Scenario B) to the appropriate community/levee owner/local project sponsor identifying the levees that meet the above criteria and qualify for the PAL option. This letter will describe the PAL option and request that the community/levee owner/local project sponsor sign an agreement stating that, to the best of their knowledge, the levees in question meet 44 CFR Section 65.10 requirements.

If full documentation to comply with the requirements of 44 CFR Section 65.10 is readily available when the initial notification letter is sent, the FEMA Regional Office will request that the community/levee owner/local project sponsor provide these documents within 30 days. If the community/levee owner/local project sponsor requires time to gather the proper documentation, they will choose to submit the PAL application package. For any community/levee owner/local project sponsor that chooses the PAL, the documentation required to comply with 44 CFR Section 65.10 requirements must be submitted within 24 months of the 91st day following the date of the initial notification letter. Certification by a Registered Professional Engineer must accompany the submitted 44 CFR Section 65.10 data in compliance with Paragraph 65.10(e). As an alternative, USACE may also certify that the levee has been adequately designed and constructed to provide protection against the base flood. In addition, the community/levee owner/local project sponsor must submit a progress report to FEMA after 12 months to document progress toward obtaining data and documentation to comply with 44 CFR Section 65.10

Several conditions could occur that may result in the PAL designation being rescinded and FEMA taking immediate action to revise the DFIRM in the area landward of the levee. If any of the following conditions apply, FEMA will remap the area landward of the levee will be remapped and shown as Zone AE or Zone A, depending on the type of study performed for the area:

- The signed PAL agreement is not returned to FEMA within 90 days of the initial notification letter.
- The full documentation for 44 CFR Section 65.10 is not provided within 24 months of the final day of the 90-day agreement period.
- The 12-month PAL progress report is not provided to FEMA, and the FEMA Regional Office believes rescission is necessary.
- The data submitted to meet the requirements of 44 CFR Section 65.10 or the PAL application are determined to be inadequate.

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When the FEMA Regional Office sends the initial notification letter, the following attachments must be included:

- A description of the requirements to meet 44 CFR Section 65.10, entitled "Mapping of Areas Protected by Levee Systems"; and
- An agreement to accept the PAL option (agreement for Scenario B), for the community/levee owner/local project sponsor to sign and send back to FEMA before the 91st day following the date of the initial notification letter

In response to the initial notification letter, the community/levee owner/local project sponsor is to submit the following to FEMA to meet the PAL application package requirements for Scenario B:

- An agreement signed by the community/levee owner/local project sponsor stating that the PAL designation is warranted because the levee now meets the requirements of 44 CFR Section 65.10;

Scenario C – Levees in the USACE program with known deficiencies that are shown as providing base flood protection

For levees in the USACE program that are shown on the effective FIRM as providing 1-percent-annual-chance flood protection but have known deficiencies, the criteria below are to be followed. Two scenarios are possible. To help FEMA contractors and mapping partners properly assess how to handle levee mapping issues, a flowchart has been generated that depicts the possible steps for Scenario C levees. This flowchart is presented as Figure 3 at the end of this guidelines document.

Scenario C1:

Criteria to meet Scenario C1:

- The USACE has determined that the levee's recent inspection ratings are listed as fair, poor, or unacceptable;
- The USACE has determined that the project status in the RIP has been switched from active to inactive; and
- The USACE has not provided a 1-year maintenance deficiency correction period for the levee.

Communication with levee owner, community, and/or local project sponsor:

The FEMA Regional Office will coordinate with the appropriate USACE District office regarding levee projects in the USACE inventory that have received an inspection rating of fair, poor, or unacceptable and have been placed in inactive status in the USACE Rehabilitation and Inspection Program (RIP). Once these projects have been identified, the USACE will send a notification letter to the community/levee owner/local project

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sponsor to inform them that the levee status has been switched from active to inactive in the RIP and is no longer eligible for PL 84-99 rehabilitation assistance because of maintenance deficiencies. These deficiencies will not allow the levee to meet the minimum requirements of the 44 CFR Section 65.10; thus, the levee does not provide 1-percent-annual-chance flood protection. The deficiencies will be identified in the USACE letter. The USACE District office will provide a copy of this letter to the FEMA Regional Office. These levee systems will not be eligible for the PAL option.

The FEMA Regional Office then will send a letter (template letter for Scenario C) to the community/levee owner/local project sponsor stating that this is a follow-up to the notification they received from the USACE. The FEMA letter will clearly state that the deficiencies in the levee have been determined in coordination with the USACE, and FEMA will remap the area landward of the levee to show it as Zone AE or Zone A, depending on the type of study performed for the area, if the levee does not provide 1-percent-annual-chance flood protection. The USACE letter will be attached to the FEMA letter as background information.

Scenario C2:

Criteria to meet Scenario C2:

- The levee has received an unacceptable, fair, or poor inspection rating;
- The levee was in an active status in the USACE RIP prior to September 30, 2005 (FY06); and
- The USACE has offered a one-time-only, 1-year "maintenance deficiency correction period" to remedy the maintenance deficiencies of the levee.

Communication with levee owner, community, and/or local project sponsor:

Once these projects have been identified, the USACE will send a notification letter to the community/levee owner/local project sponsor to inform them of the levee's specific maintenance deficiencies. This letter will also inform the community/levee owner/local project sponsor that they are eligible for the one-time-only, 1-year "maintenance deficiency correction period," which provides them 1 year to resolve any levee maintenance deficiencies. The USACE District office will provide a copy of this letter to the FEMA Regional Office.

The FEMA Regional Office then will send a letter (template letter for Scenario C2) to the community/levee owner/local project sponsor stating that this is a follow-up to the notification they received from the USACE. The letter will explain the PAL option (Scenario C2) and that FEMA will move forward with the current study/mapping project and will remap the area landward of the levee that will be inundated by the 1-percent-annual-chance flood as Zone AE or Zone A, depending on the type of study performed for the area. The letter also will state that even though FEMA is moving forward with the mapping, the LFD and effective DFIRM will be delayed until the 1-year correction

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period has elapsed. For FEMA to remove the SFHA designation landward of the levee, the following requirements must be met within the 1-year correction period:

- Evidence has been provided to show that the maintenance deficiencies have been remedied. This evidence will be provided to the FEMA Regional Office by the appropriate USACE District office.
- All of the requirements listed in 44 CFR Section 65.10 have been addressed, or a request for a PAL designation and the entire PAL application package has been submitted.

The FEMA Regional Office will coordinate with the appropriate USACE District regarding levee projects to evaluate and determine the adequacy of any data submitted within the 1-year period.

If all the data and documentation required to comply with 44 CFR Section 65.10 are submitted before the 1-year correction period has elapsed, FEMA will issue the LFD and show the levee on the effective DFIRM as accredited. Alternatively, if a request for a PAL designation and a PAL application package are submitted and approved before the 1-year correction period has elapsed, then FEMA will issue the LFD and show the levee on the effective DFIRM as provisionally accredited. In addition, to the community/levee owner/local project sponsor must submit a progress report to FEMA after 12 months to document progress toward obtaining documentation and data to comply with 44 CFR Section 65.10.

If any of the following alternatives occur, FEMA will issue the LFD and an effective DFIRM that shows the areas landward of the levee will be remapped and shown as Zone AE or Zone A, depending on the type of study performed for the area:

- The community/levee owner/local project sponsor is granted the 1-year correction period, but does not submit the required data within the 1-year correction period.
- The submitted deficiency correction data is determined to be inadequate.
- The 12-month PAL progress report is not provided to FEMA, and the FEMA Regional Office believes the PAL designation should be rescinded.
- A request for a PAL designation and the entire PAL application package is not submitted and approved before the 1-year correction period has elapsed.
- The full documentation necessary to comply with 44 CFR Section 65.10 is not provided within 24 months of the final day of the correction period.
- The data submitted to meet the requirements of 44 CFR Section 65.10 or the PAL application is determined to be inadequate.

When the FEMA Regional Office sends the initial notification letter, the following attachments must be included:

- A description of the requirements to meet 44 CFR Section 65.10, entitled "Mapping of Areas Protected by Levee Systems;" and

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- An agreement to accept the PAL option (agreement for Scenario C2), for the community/levee owner/local project sponsor to sign and return to FEMA.

The PAL application package requirements for Scenario C2, to be submitted by levee owner, community, and/or local project sponsor, are:

- An agreement signed by the community/levee owner/local project sponsor stating that the PAL designation is warranted because the levee now meets the requirements of 44 CFR Section 65.10;

Scenario D – Levees in the USACE program that are shown as not providing base flood protection

Communication with levee owner, community, and/or local project sponsor:

For levees in the USACE program that are not currently shown as providing 1-percent-annual flood protection, no letter will be sent. In this case, there is no issue with how to map the area behind the levee, because it already has been determined that the levee does not provide 1-percent-annual flood protection or the levee has not gone through the certification process.. The DFIRM will continue to show the levee as not providing 1-percent-annual flood protection unless it is determined that the levee actually does provide this level of protection.

Scenario E – Levees in the USACE program that do not meet an adequate level of protection, as determined by the USACE in coordination with FEMA, but are shown as providing base flood protection

For levees in the USACE program that are shown as providing base flood protection but do not meet an adequate level of protection as determined by the USACE in coordination with FEMA, the following criteria will be followed.

Criteria to meet Scenario E:

- The levee is shown as providing protection but does not provide an adequate level (1-percent-annual-chance or greater) of flood protection, as indicated by the USACE levee inventory data and validated through coordination between the USACE district office and the FEMA Regional Office; and
- The levee inspection rating is NOT listed as fair, poor, or unacceptable, but the levee may have failed or experienced overtopping by a flood event less than the 1-percent-annual-chance flood.

The FEMA Regional Office will verify the engineering and mapping data used to produce the effective FIRM and determine whether it is the most up-to-date information, based on the best available data. However, the FEMA Regional Office will also

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determine if better data are available than the data used to produce the effective FIRM. The FEMA Regional Office will coordinate with the USACE district office to either verify the current flood data are the best available or provide the more recent and accurate data. The USACE district office will use the best available data, as identified by the FEMA Regional Office, to determine whether the levee provides an adequate level of protection.

Communication with levee owner, community, and/or local project sponsor:

When the USACE district office in coordination with the FEMA Regional Office, determines that a levee in the USACE program does not provide an adequate level of protection, the community/levee owner/local project sponsor will be notified by letter (template letter for Scenario E) from the FEMA Regional Office that "in coordination with the USACE, it has been determined that your levee no longer provides protection from the base flood." The reasons the levee no longer provides 1-percent-annual-chance flood protection will be identified in this letter. The community/levee owner/local project sponsor will be instructed to contact the FEMA Regional Office if they have any questions or if they can provide the documentation and data necessary to show compliance with 44 CFR Section 65.10. If the community/levee owner/local project sponsor does not provide the required documentation and data, the area landward of the levee will be mapped as Zone AE or Zone A, depending on the type of study performed for the area.

Mapping of the areas with and without the PAL designation

Levees and levee systems that meet the 44 CFR Section 65.10 criteria will continue to be mapped as providing protection from the 1-percent-annual-chance flood, and the PAL designation is not applicable. The area landward of the levee will be mapped as a Zone X (shaded) with the following note:

> WARNING! This area is shown as being protected from the 1-percent-annual-chance flood hazard by levee, dike, or other structure. Overtopping or failure of this structure is possible, which could result in destructive flood elevations and high-velocity floodwaters. There is a chance that large floods will occur that are greater than the level of protection provided by the levee. Communities should issue evacuation plans and encourage property owners behind these structures to purchase flood insurance, even if the structure is currently shown as providing protection for the 1-percent-annual-chance flood.

For levees and levee systems that are eligible for the PAL designation, the area landward of levees can still be mapped as Zone X (shaded), with the following note applied at several locations in or near the zone:

WARNING: Provisionally Accredited Levee. For explanation, see the Notes to Users.

The following accompanying note in the Notes to Users should only be applied to DFIRM panels that depict a levee or levee system with a PAL designation:

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> WARNING: This levee, dike, or other structure has been provisionally accredited and mapped as providing protection from the 1-percent–annual-chance flood. To maintain accreditation, the levee owner or community is required to submit documentation necessary to comply with 44 CFR Section 65.10 by (_____, ____). Because of the risk of overtopping or failure of the structure, communities should take proper precautions to protect lives and minimize damages in these areas, such as issuing an evacuation plan and encouraging property owners to purchase flood insurance.

The DFIRM in Figure 1 shows a levee on the east side of the river and Zone X (shaded) landward of the levee, with the warning note pointing to the levee. If a Zone X (shaded) area is already depicted on the effective FIRM/DFIRM, then the revised levee note can be added to the existing Zone X (shaded) area, as shown in Figure 1. If no Zone X (shaded) area exists on the effective FIRM/DFIRM, then the mapping partner should define the provisional Zone X (shaded) area using the best available data.

Flood Insurance Study Report Requirements

The Flood Insurance Study report should not be revised to identify those levees and levee systems that are eligible for the PAL designation.

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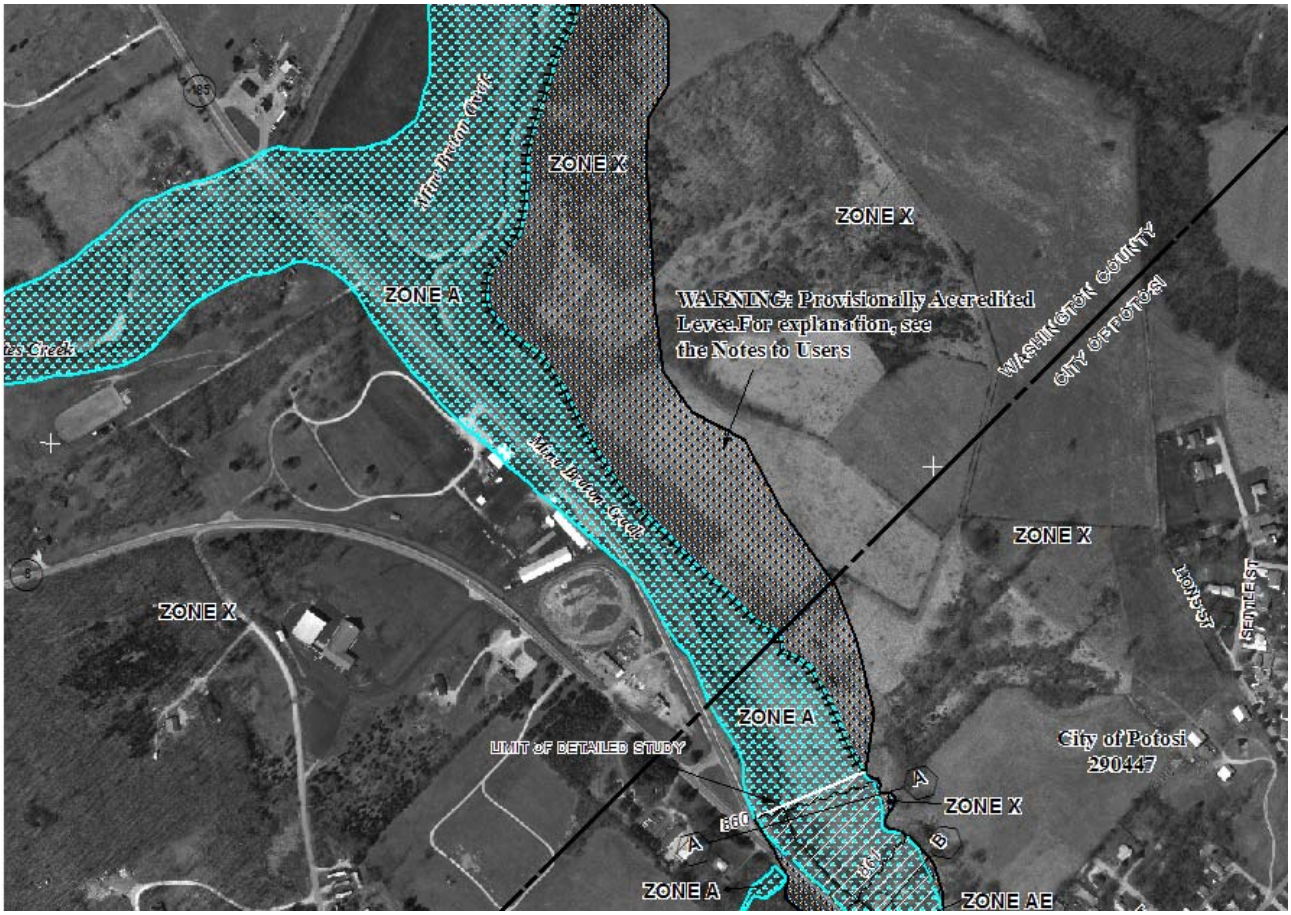

Figure 1. Example of Zone X (Shaded) for the PAL Option

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