

The National Committee on Levee Safety (Committee) has released its report calling for a National Levee Safety Program in response to the levee failures experienced during the devastating 2005 hurricane season and last year's Midwest Floods. The report includes recommendations to Congress for legislation, national engineering standards, and alignment of federal programs from the US Army Corps of Engineers to the Federal Emergency Management Agency and others.

ASFPM participated on the Committee along with other public policy experts with experience working for cities, states, professional associations, regional organizations, environmental groups, and academia. Members considered wide range of policy & regulatory strategies, weighing issues such as economic & environmental impacts, with public safety guiding all decisions. Although ASFPM supports much of the report and many recommendations, we identified important gaps through the review process that will need to be addressed for the National Levee Safety Program to be sustainable and effective.

The Committee's recommendations are prefaced by recognition of a need for a broader national flood risk management approach, and for leveraging levee safety as a critical first step in a national infrastructure investment. However, the report deals with levees as an entity unto themselves with inadequate connection between land use decisions, flood risk management and existing or proposed levees. This essentially is the problem with dam safety and as such has led to inadequate integration of dam safety as a risk management strategy. Although land use planning is a local and state function, the federal government plays an important role in helping communities guide development safely from harm, through conditions on the availability of federal dollars and through policy and regulatory guidance. The report is nearly silent and makes no specific recommendations for requiring appropriate land use decisions to accompany federal investment in building new levees, or rehabilitating existing levees. Until states and local governments are required to demonstrate their commitment and ability to care properly for such a significant federal investment, and to prevent inappropriate reliance on potentially hazardous structures, they should not be allowed to access the federal taxpayers' wallet.

Since the intent of the program is to improve public safety, and levees have proven to fail with catastrophic consequences, one of the cornerstones of an effective program for the nation must include a requirement for investigations into alternatives before levees are built or identified for rehabilitation or improvement. Additionally, the lack of mitigation alternatives or incentives is a major deficiency of the report. Flood insurance and public education alone are not sufficient to mitigate fully the devastating effects of levee failure. Effective mitigation can take many forms, but the most sustainable and successful mitigation actions entail local and state initiatives to achieve the following:

- Manage resources and plan on a watershed basis;
- Integrate plans and activities to reflect all hazards, to identify actions with multiple benefit;
- Permanently restore and preserve flood-prone areas as open space, through land acquisition, buyout and relocation, adoption of open space plans; and
- Anticipate future development and site critical facilities out of harm's way.

As Congress considers the report and its recommendations, ASFPM stands ready to provide assistance to assure protection and sound management of the federal investment, and sustainability of the National Levee Safety Program.

For more information, and to download the Draft Report, please visit the Committee's website at <http://www.iwr.usace.army.mil/ncls/>.