

## **Public Law (PL) 84-99 Fact Sheet for Flood Response**

### **PURPOSE:**

This fact sheet explains flood-response assistance that can be provided from the U.S. Army Corps of Engineers under Public Law 84-99 and the correct process that must be followed to request assistance.

### **BACKGROUND:**

USACE emergency assistance under PL 84-99 during flood events will be of a temporary nature to meet the immediate threat and will be undertaken only to supplement State and Local efforts. State, tribal, and local interests must commit all available resources, i.e. work force, supplies, equipment, funds, National Guard assets, etc., as a general condition of USACE assistance. USACE emergency efforts are not intended to provide permanent solutions to flood problems and are provided strictly for the protection of public facilities and infrastructure.

### **PL 84-99 TECHNICAL ASSISTANCE**

This authority is initiated during a flood event and rivers are either forecast, at, or above flood stage. Emergency Operations technical assistance consists of providing review and recommendations in support of State and Local efforts, and helping determine feasible solutions to uncommon situations.

- Guidance on flood fight techniques and emergency construction methods from experienced personnel
- Provide experienced personnel to inspect existing flood protection projects to identify problem areas and recommend corrective measures
- Provide hydraulic or hydrologic analysis, geotechnical evaluations, and stream data, maps, and historic flood or storm information

USACE is authorized to provide more in-depth technical assistance to communities threatened with imminent flooding potential under the Advance Measures program. Unlike Emergency Operations technical assistance, Advance Measures technical assistance must be requested in writing by the State Emergency Management Agency or Tribal Official, and requires HQUSACE approval.

- Evaluate flood threat to area
- Supplement data collection efforts
- Inspect existing Flood Control Works and identify problems
- Provide engineering technical services
- Provide information for local contingency/flood fight plans

### **PL 84-99 DIRECT ASSISTANCE:**

This authority is initiated during a flood event, when river are forecast, at, or above flood stage as predicted by the National Weather Service. Emergency Operations direct assistance may include:

- Assisting with flood fight efforts
- Conducting field investigations/data collection
- Providing emergency flood fight supplies
- Initiating emergency contracting for construction of protective measures (e.g. temporary levees)

### **Requirements for Direct Assistance:**

- Supplemental to state/tribal/local government flood fight efforts
- Impacts to urban areas or critical public infrastructure only
- Temporary in nature and directed to the immediate threat
- Request from local/counties must be made to the State Emergency Management Office for their review and processing
- USACE must receive request from the State/Tribe to provide assistance
- Request must include a detailed assessment of the resources committed, the current actions of the locals/County/State/Tribe, what type of assistance is requested, point of contact and specific details on exactly what the community is looking for in assistance.
- Loaned supplies and equipment (pumps, sandbags, and innovative flood barriers) must be returned in the same condition as it was when lent, replaced in kind, or reimbursement made to USACE
- Project economically feasible, reasonable, prudent and constructible before flood
- Project Cooperation Agreement required
- Applicants/Locals are physically and fiscally responsible for removal of all temporary flood protection features at the end of the event
- Applicants must furnish all borrow, lands, rights, easements, and rights-of-way
- Applicants must make necessary relocations
- Hold harmless the U.S. Federal Government free from damages
- Applicants must provide traffic control during construction
- Applicants must provide monitoring for levees and pumping operations

USACE is also authorized to provide supplemental direct assistance prior to the event for communities threatened with imminent flooding potential under the Advance Measures program. In addition to the requirements stated above, the following are also required:

- If a State is requesting assistance, the written request must be signed by the Governor.
- A Project Information Report must be prepared by the local USACE district, and approved by HQUSACE
- A benefit-cost ratio greater than 1.0 must exist