



FEMA

February 6, 2008

The Honorable John Williams, Jr.
Mayor
Howard Borough
780 Black Street
Howard, Pennsylvania 16841

Dear Mayor Williams:

This is in regard to the **Howard Levee** shown on the effective Flood Insurance Rate Map (FIRM) and in the effective Flood Insurance Study (FIS) report for the **Borough of Howard, Centre County, Pennsylvania**. As you may know, the Department of Homeland Security, Federal Emergency Management Agency (FEMA), is in the process of producing a countywide FIS report and Digital Flood Insurance Rate Map (DFIRM) for **Centre County, Pennsylvania and incorporated communities**. This effort is being undertaken as part of FEMA's Flood Map Modernization (Map Mod) program. The preliminary map and study for **Centre County, Pennsylvania and incorporated communities** was sent to the communities on January 15, 2008.

As part of FEMA's effort to produce the DFIRM, it was determined that the flood hazard information presented on the effective FIRM and in the FIS report is based, in some areas, on flood protection provided by the **Howard Levee**. Based on the information available and on the mapping standards of the National Flood Insurance Program (NFIP) at the time that the FIS was performed, FEMA accredited the levee with providing protection from the flood that has a 1-percent-chance of being equaled or exceeded in any given year. This 1-percent-annual-chance flood also is referred to as the base flood.

For FEMA to continue to accredit the identified levee with providing protection from the base flood, the levee must meet the requirements of the Code of Federal Regulations, Title 44, Section 65.10 (44 CFR 65.10), entitled "Mapping of Areas Protected by Levee Systems" (copy enclosed). In accordance with 44 CFR 65.10(a), it is the responsibility of the community or other party seeking recognition of a levee system to provide the data defined and outlined within the regulation. Specifically, the design and construction data provided must be certified by a registered professional engineer or by a Federal agency with responsibility for levee design.

FEMA understands that it may take time to acquire and/or assemble the documentation necessary to fully comply with 44 CFR 65.10. Therefore, FEMA has incorporated a process into the aggressive schedule of Map Mod that, if needed, will provide the community or other party seeking recognition of a levee system, with additional time to submit all the necessary documentation. This process can only take place if the levee owner, **US Army Corps of Engineers-Baltimore District**, and a representative of each impacted community sign and return the enclosed agreement within 90 days of the date of this letter (before **May 7, 2008**). Completion and submittal of the enclosed template will serve as your official request that FEMA label the levee as a Provisionally Accredited Levee (PAL) on the DFIRM and will serve as your agreement that, to the best of your knowledge, the levee meets the requirements of 44 CFR 65.10. As stated above, it is the responsibility of the levee owner to submit the data required by

44 CFR 65.10 in order to certify the levee as providing protection from the base flood. The completed agreement must be submitted before **May 7, 2008** for the levee to receive the PAL designation.

By endorsing the agreement, you acknowledge that if all necessary documentation to comply with 44 CFR 65.10 is not provided before **May 7, 2010**, FEMA will initiate a map revision to redesignate certain areas on the landward side of the levee as floodprone. Upon receipt of the 44 CFR 65.10 submittal, we will review the data and determine whether the levee will continue to be accredited with providing protection from the base flood. Please note that affected communities that do not own and/or maintain the levee(s) in question are not responsible for submitting data necessary for 44 CFR 65.10 compliance.

The approved levees will be labeled as PALs during the 24-month period to convey to map users that levee certification verification is underway. FEMA recommends that you and other impacted communities implement outreach efforts to inform affected property owners that an assessment of the levee is underway. FEMA also encourages the purchase of flood insurance, even though coverage is not federally required.

If you have additional questions regarding the specific submittal requirements, please contact **Nikki L. Roberts, P.E., Civil Engineer** of my staff, either by telephone at **(215) 931-5575** or by facsimile at **(215) 931-5501**.

We look forward to working with you and community officials to address this important matter. If there is anything we can do to facilitate the submittal process, please let us know.

Sincerely,



Eugene K. Gruber, P.E.
Director, Mitigation Division
FEMA Region 3

Enclosures

Requirements of 44CFR Section 65.10
Community Levee Certification Checklist
Preliminary FIRM Panel

cc: W. Haas, Chairman of Planning Commission, Howard Borough (w/enclosures)
Daniel Fitzpatrick, State NFIP Coordinator (w/enclosures)
Colonel Peter W. Mueller, USACE-Baltimore District (w/o enclosures)
Christina E. Correale, USACE-Baltimore District (w/o enclosures)
Senator Casey's State Office (w/o enclosures)
Senator Specter's State Office (w/o enclosures)
Representative Peterson's State Office (w/o enclosures)
Raymond P. Zomok, P.E., Pennsylvania DEP (w/enclosures)

**SCENARIO B: LEVEE IN FEDERAL SYSTEM/PAL AGREEMENT
(Non-levee Owner Community)**

**Letter of Agreement to Comply With the Code of Federal Regulations, Title 44, Section 65.10
(44 CFR 65.10) and Request for Provisionally Accredited Levee (PAL) Designation**

We, the undersigned, have received the letter from FEMA dated **February 6, 2008** and the enclosed document entitled "Requirements of 44 CFR 65.10". We understand that FEMA is in the process of providing updated flood maps for the **Borough of Howard, Centre County, Pennsylvania** and that the area behind the levee known as **Howard Levee** will be remapped to reflect that the levee has been designated as a PAL.

We understand that all the necessary information to show that the levee known as **Howard Levee** complies with 44 CFR 65.10 will be required before **May 7, 2010**. In addition, we understand that it is the responsibility of the levee owner to submit the data required by 44 CFR 65.10 before FEMA can accredit the levee as providing protection from the base flood. This information will allow FEMA to move forward with the flood mapping for the **Borough of Howard, Centre County, Pennsylvania**. We fully acknowledge that if complete documentation of compliance with 44 CFR 65.10 is not provided within the designated timeframe of 24 months, FEMA will initiate a map revision to redesignate certain areas on the landward side of the levee as floodprone.

Non-levee Owner Community CEO _____ (signature)
_____ (print)

Date: _____

Other (if applicable) _____ (signature)
_____ (print)

Date: _____