



Highlights of [GAO-06-322T](#), a statement for the record to the Committee on Homeland Security and Governmental Affairs, U.S. Senate

Why GAO Did This Study

The greatest natural threat posed to the New Orleans area is from hurricane-induced storm surges, waves, and rainfalls. To protect the area from this threat, the U.S. Army Corps of Engineers (Corps) was authorized by Congress in 1965 to design and construct a system of levees as part of the Lake Pontchartrain and Vicinity, Louisiana Hurricane Protection Project. Although federally authorized, the project was a joint federal, state, and local effort. For the levees in the project, the Corps was responsible for design and construction, with the federal government paying 70 percent of the costs and state and local interests paying 30 percent.

As requested, GAO is providing information on the (1) level of protection authorized by Congress for the Lake Pontchartrain project; (2) authorities, roles, and responsibilities of the Corps and local sponsors with respect to the operation, maintenance, repair, replacement, and rehabilitation of the levees; (3) procedures in place to ensure that responsible parties maintain the levees in accordance with the authorized protection level; (4) authorities, roles, and responsibilities of the Corps and local parties when levees fail or are damaged; and (5) plans, capabilities, and activities that have been developed by the Corps to ensure an adequate emergency response when levees fail.

GAO is not making any recommendations at this time.

www.gao.gov/cgi-bin/getrpt?GAO-06-322T.

To view the full product, including the scope and methodology, click on the link above. For more information, contact Anu K. Mittal at (202) 512-3841 or mittala@gao.gov.

HURRICANE PROTECTION

Statutory and Regulatory Framework for Levee Maintenance and Emergency Response for the Lake Pontchartrain Project

What GAO Found

Congress authorized the Lake Pontchartrain project to protect the New Orleans area from flooding caused by storm surge or rainfall associated with a hurricane that had the chance of occurring once in 200 years. This was termed as the “standard project hurricane” and represented the most severe combination of meteorological conditions considered reasonable for the region. As hurricanes are currently characterized, the Corps’ standard project hurricane approximately equals a fast-moving category 3 hurricane, according to the Corps.

Agreements between the Corps and four New Orleans levee districts—the local sponsors for the Lake Pontchartrain project—specify that the local sponsors are responsible for operation, maintenance, repair, replacement, and rehabilitation of the levees after construction of the project, or a project unit, is complete. Pre-Katrina, according to the Corps, most of the levees included in the Lake Pontchartrain project had been completed and turned over to the local sponsors for operations and maintenance. The Corps has authority to repair or rehabilitate completed flood control projects if (1) deficiencies are related to the original construction or (2) damage is caused by a flood and the project is active in the Corps’ Rehabilitation Inspection Program. According to internal Corps regulations, federal funds cannot be used for regular operations and maintenance activities.

Both local sponsors and the Corps are required to conduct regular inspections to ensure that levees are properly maintained. If the Corps finds that local sponsors are not properly maintaining the levees, internal Corps regulations outline a series of steps, such as notifying the governor or taking legal action, that the Corps can take to bring the local sponsor in to compliance. Corps inspection reports for 2001-2004 indicate that the completed portions of the Lake Pontchartrain project were maintained at an acceptable level.

When levees fail or are damaged, the Corps has authority to provide a variety of emergency response actions. Specifically, the Corps is authorized to undertake emergency operations and rehabilitation activities and, if tasked by the Federal Emergency Management Agency, to provide disaster response, recovery, and mitigation assistance to state and local governments, as needed. In addition, a Department of Defense manual assigns responsibilities, prescribes procedures, and provides guidance for responding to hazards. State and local roles and responsibilities when levees fail are similar to the Corps’ responsibilities and are described in federal regulations.

The Corps is authorized to prepare for emergency response when levees fail by undertaking disaster preparedness, advance measures, and hazard mitigation activities. The Corps’ New Orleans district has developed an all hazards emergency response plan for the New Orleans area.