# Table of Contents

Acronym Table .................................................................................................................. 2

Executive Summary ........................................................................................................... 3

Introduction ........................................................................................................................ 5

(A) Assessment of the Current Conditions of Arkansas Levees ...................................... 7  
   Levee Inventory ............................................................................................................ 7 
   Record Flood System Performance ............................................................................ 9 
   Improved Communications .......................................................................................... 10 
   Ownership Analysis in the Leved Areas .................................................................... 11

(B) Identification of Sources and Requirements for Funding ......................................... 12

(C) Report of Prospective Monitoring and Reporting Systems for the Maintenance ........ 17

(D) Review of Current Laws and Organizational Structures of the Arkansas Levee System .... 18  
   Current Law .............................................................................................................. 18 
   2009- Act 386 ............................................................................................................. 21 
   2011- Act 210 ............................................................................................................. 21 
   2016- Act 7 ................................................................................................................ 22 
   2017- Act 623 ............................................................................................................. 23 
   Adequacy of Current Law and the Organizational Structure of Districts .................... 23

Conclusion .......................................................................................................................... 25

Appendices: ....................................................................................................................... 26

1. Executive Order 19-10 and Meeting Agendas .............................................................. 27
2. (33 USC 3301) Title XI WRDA 2007 ......................................................................... 35
3. USACE National Levee Database: Task Force Identified Levees ............................... 36
4. USACE Running Water Levee District ....................................................................... 39
5. Title 33 Part 203: Subpart D RIP .............................................................................. 66
6. USACE Levee Owner’s Manual ................................................................................ 72
7. Summary of Rehabilitation Costs for Inactive Levee Districts .................................... 73
9. Sample Levee Reporting Template .......................................................................... 77
## Acronym Table

- ACA – Arkansas Code Annotated
- ADEM - Arkansas Department of Emergency Management
- ANRC - Arkansas Natural Resource Commission
- CFR - Code of Federal Regulations
- EPA - Environmental Protection Agency
- FEMA - Federal Emergency Management Agency
- GIS - Arkansas Geographical Information System
- GO Bond - Water, Waste Disposal and Pollution Abatement Facilities General Obligation Bond
- MKARNS- McClelland-Kerr Arkansas Navigation System
- MR&T - Mississippi River and Tributaries
- MVFCA - Mississippi Valley Flood Control Association
- ROM- Rough Order of Magnitude
- RIP - Rehabilitation and Inspection Program
- USACE - United States Army Corps Engineers
- WIFIA- Water Infrastructure Finance and Innovation Act
- WFD - Water Development Fund
Executive Summary

This report represents a summary of Arkansas Levee Task Force’s findings and recommendations for improved monitoring and maintenance of the state’s levee system. The work developed for this report has been done in a collaborative effort with multiple Arkansas stakeholder groups. Therefore, this report serves a guide for ongoing efforts to provide improved levee systems throughout the State of Arkansas.

The strategies provided in this report involve a variety of recommendations identified by the levee task force. Specifically, this report focuses on the following:

(A) Analyzing the current conditions of the levees within the State of Arkansas

- Recommendation: The Task Force recommends that the administration explore extending the in-depth research and analysis to all remaining rivers.
- Recommendation: The Task Force recommends that the USACE re-implement their required video surveys as an in-house service, which was previously the policy and practice of the Vicksburg and Memphis districts.
- Recommendation: The Task Force recommends that the operation of reservoirs continue to emphasize the priority of flood control with respect to the navigation purpose at lock and dam facilities.
- Recommendation: The Task Force recommends all stakeholders be aware of the importance of fostering closer relationships.
- Recommendation: The Task Force recommends that USACE communicate more clearly with the local stakeholders the step-by-step procedures that outline the purpose and process for an inspection, including but not limited to specific locations at each structure that will need to be viewed, discuss possible obstructions and how access will be facilitated.
- Recommendation: The Task Force recommends that the Arkansas GIS Office continue providing County Officials and any Levee District Board with assistance in mapping and publishing the administrative boundaries of the levee districts.

(B) Identifying sources and requirements needed for funding the construction, repair, and maintenance of levees within the State of Arkansas.

- Recommendation: The Task Force members determined that if financial assistance were provided by the state, it should be used to incentivize districts to enter the RIP and maintain long-term active status.
- Recommendation: The Task Force recommends benefited areas be assessed correctly.
- Recommendation: The Task Force recommends all board positions be filled and boards perform their duties as statutorily required.
- Recommendation: The Task Force recommends that districts have an adequate operation and maintenance schedule.
• Recommendation: *The Task Force recommends assessments be sufficient to cover all operations and maintenance requirements and capitalize a reserve fund for emergencies.*

• Recommendation: *The Task Force recommends that decisions for consolidation of independent districts should be made at the local level and that the state should not attempt to force consolidation.*

• Recommendation: *The Task Force recommends that districts be consolidated if they are dependent on each other in a system, especially if there is a combination of active and inactive districts.*

(C) Studying the prospective monitoring and reporting of systems for the maintenance of levees within the State of Arkansas.

• Recommendation: *The Task Force recommends to utilize a standardized levee report template that meets all legislative requirements as well as provides additional information beneficial to monitoring the levees such as the USACE inspections.*

• Recommendation: *The Task Force recommends the General Assembly to work with the county officials to determine the most efficient time frame for submitting reports.*

• Recommendation: *The Task Force recommends that once levee reports are completed by the levee boards, the county emergency manager and/or the county floodplain manager, and county judge will sign off on report indicating that they have reviewed the report and are aware of any levee structural issues. The local emergency manager and/or floodplain manager should work with those residents that have the potential to be impacted by a levee breach to ensure they are aware of any deficiencies. After the report is file marked by County Clerk’s Office, the Clerk will forward a copy of the report to ANRC and ADEM. ANRC will utilize the report to better understand assessments of districts, specifically when funding is requested. ADEM will review the report and compile an annual executive summary of the threat vulnerabilities. The identified vulnerabilities will be used for situational awareness and response priorities during a flood event.*

(D) Reviewing the adequacy of current laws and the organizational structure of the levee system and levee district boards within the State of Arkansas.

• Recommendation: *The Task Force recommends that they work with county officials and other stakeholders to propose any needed legislation regarding annual levee reports, dates of report submission, levee assessments, dissolutions, and consolidation processes.*
Introduction

The 2019 Arkansas River Flood was the largest Arkansas River flood experienced since the McClelland-Kerr Arkansas Navigation System (MKARNS) began operating. Heavy rains in northeast Oklahoma and southeast Kansas were 400 to 600 percent above normal. The resulting runoff was 4 times greater than the capacity of the reservoirs in Oklahoma that provided all of the flood risk management protection for the lower Arkansas River in Oklahoma and Arkansas. On June 27, 2019, Governor Asa Hutchinson issued Executive Order 19-10 to create the 26-member Arkansas Levee Task Force. The Following individuals were named to the task force:

- Commissioner Tommy Land, Arkansas Commissioner of State Lands
- Secretary Jami Cook, Department of Public Safety
- Secretary Wes Ward, Department of Agriculture
- Secretary Larry Walther, Department of Finance and Administration
- Senator Jason Rapert, State of Arkansas
- Senator Gary Stubblefield, State of Arkansas
- Representative Mary Bentley, State of Arkansas
- Representative David Hillman, State of Arkansas
- Director, Bruce Holland, Arkansas Natural Resources Commission
- Director, A.J. Gary, Arkansas Division of Emergency Management
- Director, Shelby Johnson, Geographic Information Office
- Director, Deidre Smith, Arkansas Waterways Commission
- Judge, Mark Thone, Yell County
- Judge, Jeff Phillips, Jackson County
- Judge, Mack Ball, Chicot County
- County Clerk, Pam Ennis, Pope County
- Mayor, Jimmy Witt, Dardanelle
- Mayor, Shirley Washington, Pine Bluff
- CEO, Rob Rash, St. Francis Levee Board
- Community Representative, Mike Lowe, Miller County
- Community Representative, Tim Ralston, Pope and Conway County
- Community Representative, Marty Shell, Sebastian and Crawford County
- Engineer, Evan Teague, Arkansas Farm Bureau Federation
- Engineer, Tommy Bond, Pulaski County
- Attorney, Hal Kemp, Pulaski County
- Office of Emergency Management Director, Brad Thomas, Crawford County

Governor Hutchinson appointed Secretary Jami Cook and Director A.J Gary to serve respectively as Chair and Vice-Chair. The task force held its organizational meeting on July 12th, 2019 and formed four subcommittees/teams, each of which would assume responsibility for the four areas of focus that the Governor outlined. The members elected St. Francis Levee Board CEO Rob Rash as Chair of Team One (A), Arkansas National Resource Commission Director
Executive Order 19-10 required the Task Force to address each of the following objectives:

(A) Analyzing the current conditions of the levees within the State of Arkansas (Team One)

(B) Identifying sources and requirements needed for funding the construction, repair, and maintenance of levees within the State of Arkansas (Team Two)

(C) Studying the prospective monitoring and reporting of systems for the maintenance of levees within the State of Arkansas (Team Three)

(D) Reviewing the adequacy of current laws and the organizational structure of the levee system and levee district boards within the State of Arkansas (Team Four)

For each item above, the Task Force was required to provide a report of its findings and make recommendations to the Governor for improved monitoring and maintenance of Arkansas levees.

The Task Force’s overarching goal was to review the current conditions and vulnerabilities of levees produced by recent floods in Arkansas in an effort to explore best practices and procedures for ensuring a secure system of levees on Arkansas’s waterways. While the task force focused primarily on the Arkansas River it should be noted that the recommendations identified in this report are applicable to all levee systems within the State of Arkansas.

The Task Force met monthly between July 2019 and December 2019 and covered each of the topics required by the Executive Order 19-10 (Appendix 1). Executive Order 19-10 required the Task Force to prepare a final report by December 31st, 2019. This document serves as the final report developed by the Task Force. The Task Force is proud of both the work done and being done to better secure levees within the State of Arkansas. The Task Force members are committed to continuing work with established partnerships to help ensure adequate levee conditions throughout the state and hope this report will serve as a resource to members of the levee districts, flood plain managers, and city, county, and state government.
(A) Assessment of the Current Conditions of Arkansas Levees

The first objective tasked by Governor Hutchinson focused on a statewide assessment of the current conditions of the levees within the State of Arkansas. This assessment was conducted by the subcommittee designated as Team One. As mentioned previously, the group narrowed the inventory scope to the Arkansas River in order to increase the quality of the analysis. *The Task Force recommends that the administration explore extending the in-depth research and analysis to all remaining rivers.* One option for doing this would be to partner with the St Francis Levee District over a 12- to 18-month period.

While all levees are important to somebody, a private farm levee provides a different level of protection than a system of levees spanning 50 miles or more. However, other factors are also important to keep in mind. For instance, the North Little Rock to Gillett System is comprised of three structures extending over 63 miles in length. The up-river section has been demolished in many areas making way for roads that cut through the former flood-control barrier. Due to the topography of the area, the record flood of 2019 did not reach this segment. However, a precondition to a federal investment may require a non-compliant segment to fulfill its obligations to the system.

The Task Force discussed benefits for districts in the systems to consolidate. While this may be attractive in some instances, for others, especially where flooding has been absent for an extended period, the local community may be less inclined to have a functioning district that raises adequate revenue to maintain protection.

The Task Force reported the current conditions of levees along the Arkansas River in four categories:

- Levee Inventory
- Record Flood System Performance
- Improved Communications
- Arkansas Geographical Information System (GIS)

**Levee Inventory**

The Task Force found identifying levees challenging, not because there are structures of importance that are unknown, but because the United States Army Corps of Engineers’ National Levee Database seeks to catalog every levee that ever existed. The Mississippi Valley Division has a team in place today cataloging all historic levees, even the remnants of those that have long been abandoned.

The USACE provided the task force with a flow chart on how to define a levee in accordance with (33 USC 3301) Title IX WRDA 2007 (Appendix 2). For the purposes of this report, the
task force has narrowly defined a levee as a structure that temporally protects people, land and assets from flooding at a 25-year protection level; is operated by a federal, state, or local governmental body (to include all levee districts); and has not been abandoned. The latter stipulation does involve subjective analysis, but the task force decided that it would include most levees that were in poor condition with no functioning board if the structure is or could be material. For instance, the Baucum levee has for all practical purposes been abandoned but the task force included it in its inventory.

In Appendix 3, the task force has compiled the following tables based on the USACE National Levee Database: Task Force Identified Levees, Abandoned Levees, and Individually Owned Private Levees. Categorization parameters were followed according to the definition adopted by the committee with the exceptions discussed above.

The Task Force identified 40 levees using this criterion, which is comprised of 12 levees that are inactive in RIP and 28 structures that are either active in RIP (18), federal levees (3), or part of the on-going federal Mississippi River and Tributaries (MR&T) project (7). Below are some key highlights of the 12 flood-control structures that are inactive in RIP.

- **Dardanelle Levee** – For RIP eligibility, this structure will need to be returned to its ‘as built’ state. To return to ‘as built’ the structure would need to be returned to its original design height.
- **East of Morrilton System** – According to USACE, the system had been declared inactive because of refusal for inspections. The Conway County judge indicated that this issue has been addressed, the levee has been repaired, and should be ready for inspection.
- **North Little Rock to Gillett System** – While the Baucum segment requires major work and prevents the other two segments from entering RIP, Baucum appears to provide protection up to about a 200-year event due to natural topography. However, major rehabilitation of the Baucum levee, as well as addressing deficiencies at Old River and Plum Bayou levees, is required for the system to become eligible for RIP.
- **Arkansas River North Bank MR&T System** – Overseen by the Vicksburg District, the 56.2-mile system is rated as unacceptable because four pipes have not been surveyed with video. This task had been performed for many years by USACE, but the agency recently halted federal inspections and began requiring that local sponsors pay for video examinations.
- **Arkansas River South Bank MR&T System** – Of the three segments in Arkansas, Pine Bluff (top segment) and Southeast Arkansas (bottom segment) are rated minimally acceptable. However, Frenchtown-Auburn Levee District (middle segment) lacks inspection video of four pipes, which renders the entire system unacceptable. This segment is also overseen by the Vicksburg District, which, as noted above, previously provided the video surveys as an in-house service.

_The Task Force recommends that the USACE re-implement their required video surveys as an in-house service, which was previously the policy and practice of the Vicksburg and Memphis districts._
Record Flood System Performance

As stated in the introduction, the 2019 Arkansas River Flood was the largest Arkansas River flood experienced since the McClelland-Kerr Arkansas Navigation System (MKARNS) began operating. Heavy rains in northeast Oklahoma and southeast Kansas were 400 to 600 percent above normal. The resulting runoff was 4 times greater than the capacity of the reservoirs in Oklahoma that provided all of the flood risk management protection for the lower Arkansas River in Oklahoma and Arkansas. There were no levee breaches due to structural deficiencies, the failures were the result of overtops. A levee blowout becomes rapidly unavoidable during a major flood event when the river is rising above the top of a structure. While people responding to the emergency situations generally categorized the water gushing past a levee as a breach (overtop breach is a more accurate description), this condition will most always cause rapid erosion to the back side and catastrophic failure unless the water is lowered below the top of the levee in very short order.

The overtop of the Dardanelle embankment, however, had a unique characteristic because the protection level in the vicinity of State Highway 155 is about 4 to 5 feet lower than the documented “as built” elevation drawing. According to USACE, this was first discovered during a survey in 2010. It is also documented in a report dated October 31, 2018, on the National Levee Database (access to reports is restricted to governmental entities).

Although there were no breaches due to structural deficiencies, several locations did require emergency operations to avert disaster. Stephen Gambrell, vice president of the Mississippi Valley Flood Control Association (MVFCA) and former executive director to the esteemed Mississippi River Commission, told the task force during its September meeting that this is not unusual for a flood fight during an historic event. He added that high water performs an unmatched inspection that reveals weak and deficient areas and those deficiencies should be given top priority immediately to help avoid a costly disaster in the next high-water event. Mr. Gambrell said the river at high water is the most reliable model.

During several task force meetings, members discussed the higher base elevations of the Arkansas River (i.e. the river’s minimum level), which diminishes flood protection and can also lead to an increased frequency of emergency events. While raising levee heights along the entirety of the Arkansas River may be the most logical solution, it is cost prohibitive. Therefore, the State of Arkansas is reliant upon the USACE Water Control Plan. According to the USACE, the Water Control Plan has not changed, and flood control is the only purpose that dictates gate operations, while the reservoirs are in their respective flood pools. Reservoirs were originally constructed primarily for flood control and hydropower purposes. Over the decades, Congress added other authorized purposes (such as navigation, M&I Water Supply, Environmental Stewardship, and Recreation) that could have significant negative impacts if prioritized over flood control. The Task Force recommends that the operation of reservoirs continue to emphasize the priority of flood control with respect to the navigation purpose at lock and dam facilities.
With respect to structural integrity issues, the Task Force extends the discussion below to provide context for how local people and stakeholders should think about priorities.

- As Mr. Gambrell advised, immediate consideration should be given to weak areas revealed by a flood event. Devoting financial resources quickly to the identified deficiencies must be job number one. Focusing on solutions and fixing and strengthening the most vulnerable areas provides the most value for the local people and their contribution to the community and the state’s economy.
- Repairing below grade crossings and reductions in levee heights is critical. While this can be expensive, when flood waters rise rapidly, it is too late to restore an embankment that has had several feet of compacted clay removed from its crown.
- Addressing stability issues related to slides and seepage should also be considered a priority, as should repairing malfunctioning gate closures and culverts that are in poor condition.
- Removing tree growth on the levee or within 15 feet of the tow is a longer-term goal districts should work toward.

Failure to maintain levees properly is common throughout the country. Before USACE initiates a construction project, the agency requires a non-federal sponsor to agree to certain conditions, one of which is to operate and maintain the project in perpetuity. The Task Force heard testimony that there are instances in which non-federal sponsors that benefited from a levee project did not follow through on their requirement to provide adequate financial support to maintain the infrastructure.

In several cases, levee districts that collected taxes and performed duties for a period of time eventually ceased doing so. While records do not document what happened in each situation, it is likely that local landowners simply decided they do not want to continue paying taxes for flood protection. During lengthy periods where rivers do not reach higher flood stages, it is not uncommon for people to question the need for a levee.

This can be true especially in valley areas where small protection areas result in smaller assessment areas (i.e. less revenue to operate and maintain a structure). It will always be difficult for locations with limited assessment bases to generate sufficient revenue to operate and maintain their levees, especially if the structures are lengthy and large.

**Improved Communications**

The Task Force found that communication issues were not uncommon and recommends all stakeholders be aware of the importance of fostering closer relationships. Below are two common scenarios that played a role in impeding progress toward repairing levees or enrolling
them in RIP and recommendations that the Task Force hopes will mitigate these issues going forward. While the Task Force is not in a position to verify grievances, it does feel that providing transparency to the simmering issue may facilitate dialogue that is helpful.

- If USACE is unable to access either a stand-alone or system structure for evaluation, the agency categorizes it as unacceptable. From the standpoint of several local officials, they desire more dialogue with USACE and the formation of a partnership to collaboratively address problems before the agency applies an unacceptable rating. However, communication is a bilateral affair. If a levee district or local leader is advised of an inspection, efforts to mobilize for an efficient process may eliminate many problems. The Task Force recommends that USACE communicate more clearly with the local stakeholders the step-by-step procedures that outline the purpose and process for an inspection, including but not limited to specific locations at each structure that will need to be viewed, discuss possible obstructions and how access will be facilitated. In some cases, the agency may consider several additional follow-up outreach efforts that include the county judge and appropriate state leaders to seek assistance in opening the lines of communication.

- Several MR&T levees south of Little Rock are rated unacceptable, many because video inspection of culverts is a USACE mandate and those surveys remain outstanding. According to the agency, video inspections of MR&T project culverts and pipes had been performed at full federal expense until recently, at which point the local sponsors were required to contract and pay for this costly examination.

Ownership Analysis in the Leveed Areas

As the Task Force began developing a comprehensive inventory of levees along the Arkansas River, it became clear that there was a need for GIS data to assist districts with updating assessments and, for those defunct, access to ownership overlays for benefited areas.

The Arkansas GIS Office took the lead in developing a series of county-specific reports for each county along the Arkansas River corridor. Absent the jurisdictional boundary of the levee districts, the GIS Office hypothesized that it would be valuable for the Task Force, as well as other state and local decision makers, to have access to maps that depict the actual levees and the leveed areas overlaid on the county assessor tax parcel information. This overlay would provide an improved view of all areas that may need to be included as part of a levee district. Additionally, the 2019 Flood Inundation Forecast was also applied. This layer, derived from hydrologic modeling of the Arkansas River gauge levels and terrain, represents the June 2019 Arkansas River flood areas that were forecasted by the USACE to be under flood water.

The maps and reports in this series represent an analysis of the real estate tax parcels within the leveed areas of each county. The state GIS office prepared a report that quantifies the parcel owner, owner address, the type of parcel, the acreage of record, the acreage estimated from GIS mapping, and the acreage of each parcel estimated to be covered by the leveed area. It should be noted that jurisdictional boundaries for the levee districts were not readily available for the entire study area. However, for those areas where the state GIS office was able to obtain a legal
The Task Force drew some basic conclusions after examining the map-based research and analysis conducted by the GIS Office. Arkansas’ levee infrastructure might be characterized as, “out of sight, out of mind.” The average levee system along the Arkansas River is almost 70 years old. Despite their age, these systems perform a lifesaving function. Based on the testimony gathered by the Task Force, the lack of activity on some of these systems partly stems from lack of attention. Even with all of the information in the National Levee Database, the state, as well as many local jurisdictions, did not have a complete picture of the administrative boundaries of the levee districts. Understanding these district boundaries is vital in maintaining and improving these systems into the future. The boundaries govern the ministerial functions of levee boards; specifically, assessing value on the properties that benefit from levee protection. These assessments in turn create much needed revenue for the levee systems to operate. If the levee boards are not aware of their district boundaries, it is virtually impossible for them to correctly assess the real estate that benefits from their protection. Attention should be given toward a more comprehensive picture of the districts.

The Task Force recommends that the Arkansas GIS Office continue providing County Officials and any Levee District Board with assistance in mapping and publishing the administrative boundaries of the levee districts. The GIS Office should also share any levee district boundaries with the Corps of Engineers and the public.

(B) Identification of Sources and Requirements for Funding the Construction, Repair, and Maintenance of the Levees

The second objective tasked by Governor Hutchinson focused on identifying sources and requirements for funding in an effort to address the construction, repair, and maintenance of levees throughout Arkansas. The following assessment was reported by the subcommittee designated as Team Two.

The Task Force addressed the overall question: “Should our goal as a state be to get all levees into the RIP?” RIP, in brief, is a federal program that may provide federal funding for some levee repairs if damaged by a flood event. Flood-control structures built by the federal government are eligible to receive 100 percent federal assistance for qualified restorations (local sponsors must provide right-of-way construction easements, borrow material, etc.). Levees built by local interest are eligible for aide covering 80 percent of qualified repairs with the same stipulations. It should be noted, however, that USACE specifies that renovations must be major, have a positive benefit/cost ratio, and compete against other projects when supplemental funding is limited.

Damage assistance applications in 2019 among RIP levees were as follow:

- Six have been accepted pending adequate funding from Congress
• Four were denied
  o Three because the work was deemed minor
  o One failed to have a positive benefit/cost ratio

Subsequent to the 2015 flood, the Riverdale levee was approved for funding but USACE stated that there were insufficient funds available to actually award a contract. The agency is optimistic that Congressional appropriations for Fiscal Year 2020 will be sufficient. An example of a RIP success story can be found in Appendix 4, USACE Running Water Levee District Presentation.

The Code of Federal Regulations (CFR Title 33 Part 203: Subpart D) for the RIP is included as Appendix 5 and links to the USACE Levee Owner’s Manual can be found in Appendix 6.

Factors that levee districts should evaluate when considering the RIP include (1) the likelihood that future repair work caused by flooding would have a positive benefit/cost ratio, (2) that the ratio would be competitive if the overall flood-control budget is inadequate to cover all projects, and (3) work performed under onerous USACE regulations can be significantly more expensive, adversely affecting the benefit/cost ratio. These factors will have greater impact on areas where the benefited area is small and/or the value of the collective assets does not sum to a significant figure. The Riverdale Levee Improvement District is an example of a small protected area (285 acres) relative to its 2.86 miles of levee; however, the assets protected by the Riverdale Levee exceed $200 million. The USACE did note that there are instances in which a repair does not meet the agency’s benefit/cost requirement leaving the levee district bearing the full cost of repair work. If the work is not completed, the district would eventually become inactive in the RIP.

The USACE provided a Rough Order of Magnitude (ROM) cost analysis of the levees along the Arkansas River, not currently in the RIP. This analysis included costs of approximately $90 million to rehabilitate federal inactive levee and drainage districts and approximately $15 million to rehabilitate non-federal inactive levee and drainage districts for the RIP (Appendix 7).

The Task Force members determined that if financial assistance were provided by the state, it should be used to incentivize districts to enter the RIP and maintain long-term active status. At a minimum, best practices for a properly functioning levee district dictate that:

1. Benefited areas be assessed correctly;
2. All board positions be filled and boards perform their duties as statutorily required;
3. Districts have an adequate operation and maintenance schedule; and
4. Assessments be sufficient to cover all operations and maintenance requirements and capitalize a reserve fund for emergencies.

The Task Force found in some cases that levee districts that historically collected taxes and performed duties eventually ceased doing so. Records do not document what happened in these situations. During lengthy periods where rivers do not reach higher flood stages, it is not uncommon for people to question the need for a levee. This can be the case in valley areas where small protection areas result in smaller assessment areas (i.e. less revenue to operate and maintain a structure). It is difficult for locations with limited assessment bases to generate
sufficient revenue to operate and maintain levees, especially if the structures are lengthy and large.

Overall, *the Task Force recommends that decisions for consolidation of independent districts should be made at the local level and that the state should not attempt to force consolidation.* For instance, in some areas, levee districts may find that consolidation would be beneficial. Duplicative administrative, maintenance, and other overhead expenses could be reduced allowing districts to allocate resources more efficiently.

However, there are cases where levee systems are broken up into multiple districts. Systems are made up of levees that depend on each other’s protection, if one part of the system fails, they all fail. The USACE will not certify parts of a system; therefore, all levees within a system must be functional and viable to get in the RIP. There are instances in which functional districts and dysfunctional districts exist in the same system. Since the historic 2019 flood, work is already being done to consolidate some systems.

For example, Conway and Pope County Levee District #1 was formed by consolidating the former Conway County Levee Districts #3(est. 1916) and #7(est. 1927) and Pope County Levee District #2(est. 1944). This newly consolidated district has submitted an application to receive financial assistance from the Levee Disaster Assistance Grant Funding released by Governor Hutchinson to ensure that the district is prepared for future flood events.

This consolidation came about through a cooperative and coordinated effort to combine a contiguous portion of the Arkansas River Levee system that stretches from Lake Atkins in Pope County to Point Remove Creek in Conway County.

This contiguous portion of the levee system serves as protection to both counties without regard to where the flood event originates. For example, in the 2019 flood, many Pope County acres were flooded by waters that originate from Arkansas River water backing up into Point Remove Creek in Conway County. Proper upkeep and maintenance of this levee is beneficial to both counties.

The board members of all three levee districts voted unanimously to approve the merger. Pope County Judge Ben Cross and Conway County Judge Jimmy Hart were supportive and assisted in the legalities necessary to enact the consolidation. The legal team at the Association of Arkansas Counties provided assistance at no cost to the levee districts. The USACE gave their approval and support along with providing maps and documents as needed.

Pope County Judge Ben Cross provided the following status report on consolidating districts in Pope and Conway Counties, “In a cooperative and coordinated effort between levee districts, which are contiguous along the Arkansas River throughout Pope and Conway counties, the three levee districts comprising that length of levee system involved, voluntarily sought out one another for consolidation. The actions were simple, unified, and will serve the best interests of all persons in the levee protected areas in regards to maintenance, upkeep, and the fair assessment of levee taxes. Furthermore, it should be noted all contiguous levees are ultimately the responsibility of all entities along the length of such protected areas, regardless of a county
Another example of consolidation of districts is Yell County. Yell County Judge Mark Thone stated that, “The levee districts in Yell County both recognize the fact that trying to operate separately places an undue burden on both districts, causes duplication of work reporting activities, increasing cost of construction, operation, and maintenance of the levee system. A public meeting was held on November 26, 2019 at the Dardanelle Courthouse to hear public comment on the consolidation of districts. The members listened to public comment and passed the resolution, both districts have petitioned the Circuit Court to proceed with the Consolidation. The new district will be named Dardanelle-Carden Bottom Levee District #1.”

The Task Force recommends that districts be consolidated if they are dependent on each other in a system, especially if there is a combination of active and inactive districts. Otherwise, the levee system will never be approved to be in the RIP. The Association of Arkansas Counties has researched consolidation processes extensively and has provided guidance to county officials (Step-by-Step Consolidation Guide, see Appendix 8).

Non-functioning district should determine whether they can be sustained by the following:

1. Determine cost to repair levee to a condition suitable for inclusion in RIP.
2. Develop a long-term operations and maintenance plan.
3. Determine if assessments can be established to satisfy a loan to repair.
4. Determine if other special interests exist. Does the levee protect anything beyond the levee floodplain? City, county, or state may support if the levee protects a critical interest.

The Task Force acknowledges that there are districts that will be identified as not viable. Specifically, there will be districts that do not protect enough area, as well as private levees that may not want to be in the RIP.

Some levee districts may choose to bring their levees up to the FEMA certification. FEMA Certification is an owner-funded program that allows levee protected owners to retain National Flood Insurance Program (NFIP) for coverage in return for paying for the certification in accordance with 44 CFR 65.10. For levees to be recognized by FEMA, all of the design, structural, geometric, operational, and procedural systems must be provided and remain in place to ensure protection from the 100-year storm event as described.

Currently, the Arkansas Natural Resources Commission (ANRC) has two options of loan funding available for Levee projects. These include the Water, Waste Disposal and Pollution Abatement Facilities General Obligation Bond Program (GO Bond) and the Water Development Fund (WDF).

In the GO Bond program, the proceeds from the sale of General Obligation Bonds will provide an opportunity for entities to borrow much needed capital funds with reduced finance costs. The
State, through the ANRC, can obtain funds at interest rates lower than those entities could obtain on their own. The entities save a significant amount in interest costs over the life of their loan.

In the WDF program, Act 217 was enacted by the 1969 Arkansas Legislature to create “a comprehensive water and related land resources program for the State of Arkansas.” The Act enables the ANRC to assist local and regional entities in the development of urgently needed water projects. The WDF is funded through payments of existing loans. No state general revenue is used. This fund is available for projects less than $500,000, projects needing more funding are directed to the GO Bond Program.

While the GO Bond Program interest rates may vary based on general obligation bond issuance(s), the current interest rates for both the GO Bond and the WDF programs are:

- 2.10% for a ten (10) year repayment period
- 2.55% for a twenty (20) year repayment period
- 2.85% for a thirty (30) year repayment period

Additionally, the USACE operates a water infrastructure loan program which is potentially available to levee districts. The Corps Water Infrastructure Financing Program enables local investment in projects that enhance community resilience to flooding, promote economic prosperity, and improve environmental quality. The Corps Water Infrastructure Financing Program is authorized by the Water Infrastructure Finance and Innovation Act (WIFIA) which was signed into law by the President on June 10, 2014 as part of the Water Resources Reform and Development Act of 2014. The Act established a federal credit program to be administered by the USACE and Environmental Protection Agency (EPA) for eligible water and wastewater infrastructure projects. USACE is pursuing development of the Corps Water Infrastructure Financing Program to accelerate non-federal investments in water resources infrastructure by providing long-term, low-cost loans to creditworthy borrowers. USACE has signed a memorandum of understanding with the EPA to leverage lessons learned and relevant information from the EPA’s WIFIA program (United States Environmental Protection Agency, 2019).

It should be noted that the existence of a well-maintained levee in the USACE or FEMA Program does not eliminate the possibility of the levee being overtopped or breached during a flooding event. Homeowners, business owners, and infrastructure facilities should also maintain proper and adequate insurance coverage. Adequate flood insurance is important in the recovery of a flooding event. State and Federal assistance after a flooding event will not make a homeowner whole.
(C) Report of Prospective Monitoring and Reporting Systems for Maintenance

The third objective tasked by Governor Hutchinson focused on developing a report on the prospective monitoring and reporting systems for the maintenance of levees throughout Arkansas. Since the 2009 Legislative Joint Auditing Committee report, the General Assembly has made tremendous strides in providing a balance to oversight by empowering the local people to address issues such as transparency, financial misconduct, and defunct boards.

Arkansas law has several reporting requirements. An Annual Report, due by Dec. 31, is required from levee, drainage, irrigation, watershed or river improvement districts under Ark. Code Ann. § 14-86-103 (Act 386 of 2009). There is another Annual Report due by March 1st of each year if an improvement district uses or intends to use the county collector for collection of improvement district assessments under Ark. Code Ann. § 14-86-2102 (Act 210 of 2011). Section 14-86-2102 also requires a third report that must be filed by Dec. 31 each year for those improvement districts that use or intend to use the county collector for collecting assessments, if there are any special assessments.

The Task Force evaluated how these changes to reporting practices are working today. The Task Force then sought feedback about how reporting could be improved. Throughout the process, the task force learned about the value of allowing the local jurisdictions to deal with local problems, while also balancing the need to communicate effectively with other stakeholders. At the conclusion of the process, the Task Force recommends the following:

- Utilize a standardized levee report template that meets all legislative requirements as well as provides additional information beneficial to monitoring the levees such as the USACE inspections. The Task Force has created an example of a reporting template (Appendix 9).

- The General Assembly to work with the county officials to determine the most efficient time frame for submitting reports.

- Once levee reports are completed by the levee boards, the county emergency manager and/or the county floodplain manager, and county judge will sign off on report indicating that they have reviewed the report and are aware of any levee structural issues. The local emergency manager and/or floodplain manager should work with those residents that have the potential to be impacted by a levee breach to ensure they are aware of any deficiencies. After the report is file marked by County Clerk’s Office, the Clerk will forward a copy of the report to ANRC and ADEM. ANRC will utilize the report to better understand assessments of districts, specifically when funding is requested. ADEM will review the report and compile an annual executive summary of the threat vulnerabilities. The identified vulnerabilities will be used for situational awareness and response priorities during a flood event.

The local, county, and state’s primary interest in quality reporting and monitoring is to have reliable information that helps in the preparation, mitigation, and response in flooding events.
Levee districts should actively operate and maintain the flood-control project for which it was created. Notwithstanding, as noted in previous sections, there may be instances in which the protected area is insufficient to support long-term operation and maintenance of a structure.

(D) Review of Current Laws and Organizational Structures of the Arkansas Levee System and District Boards

The final objective tasked by Governor Hutchinson was a review of current laws and organizational structures of levee systems through Arkansas, as well as their district boards. The findings below were reported by the Task Force.

Current Law:
While there are several different legislative enactments speaking to improvement districts, each having specific applications, two chapters of the Arkansas statutes likely govern many of the existing levee and drainage districts. They are ACA §14-121-101 - 1109 and ACA §14-123-101 – 507.

Chapter 123 Districts:
Act 78 of 1879 and Act 163 of 1891 (now codified as ACA §14-123-101 – 507 and commonly referred to as “Chapter 123 Districts”) authorizes a County Court, to establish into improvement districts, lands in that county if those lands are subject to overflows from the same direction and can be protected by the same levee system.

A. The County Court must first set a date for an election of 3 directors and 3 assessors and the County Court appoints 3 election judges who actually conduct the election.
B. Only landowners owning lands within the area of the proposed district, mortgagees in possession and non-resident bondholders are entitled to vote in these elections and the statutes set forth in detail the election procedures.
C. Directors and Assessors once elected serve for three-year terms and must stand for re-election.
D. Vacancy on the Board of Directors or Board of Assessors are filled by election.
E. The Board of Directors of each district is required to conduct an annual meeting on the first Monday in May of each year and at that meeting the Directors are required under oath to present a financial report on the revenues and expenditures of the district for the previous year which financial report the directors are required to publish in a newspaper with circulation in the county.
F. Under these Acts, where lands in two or more counties are subject to overflows from the same direction and can be protected by the same levee system, the directors of several levee districts in two or more counties may consolidate the several districts into a single district and the Directors of the several districts shall serve as the Directors of the new consolidated district. It should be noted that such consolidation requires the consent of the county courts involved.
G. Importantly these Acts authorize the County Court to change the boundaries of the District and take into the district new territory (NOTE: this is an important feature as it is not uncommon that lands actually benefitted by the District’s improvements are not fully ascertained until completion and operation of the improvement.)

H. The Board of Directors is required to determine the scope of the work required to be done and the approximate cost thereof and once that is done the Board of Assessors is required to assess the value of the lands in the District based upon the value of the lands before and after the work and publish those valuations in an assessment book.

I. Once the assessment is completed then the Board of Directors must call a meeting of all landowners in the District and, if a majority of the landowners present at the meeting vote in favor of the work, then the Directors are required to cause the levee to be constructed, may sell bonds and other debt instruments to pay for the construction work and may pledge the property and revenues of the District to secure those debt instruments. The Act provides a procedure for landowners who disagree with the assessment of their lands to appear and seek relief as well as procedures for how the assessment for each parcel is to be collected and the procedure to enforce the tax levy by foreclosure and sale of delinquent lands.

J. The Act describes how the work can be let and it provides that if lands are erroneously omitted from the initial assessment they may be added by act of the Board of Directors.

K. In addition to the initial assessment to pay for the initial construction of the work, this Act also authorizes the Directors to levy an additional tax, not exceeding 5 mills on the dollar value of the lands as assessed for state and county purposes, to be collected to pay for certain recurring expenses, including repair expenses and incidental and contingent expenses of the District.

L. This Act also addresses districts which have lands in 4 or more counties.

Chapter 121 Districts:

Act 279 of 1909 (now codified as ACA §14-121-101 – 1109 commonly referred to as “Chapter 121 Districts”) applies to any district the main object of which is the construction of levees, though it also allows Drainage Districts to be formed under this Act.

A. This Act provides that three or more owners of land within a proposed district may petition the County Court to establish a district to construct and maintain levee and drainage improvements in conjunction with the Federal Government or maintain drainage and levee improvements constructed in whole or in part by the Federal Government and upon the County Clerk publishing notice calling all persons owning lands within the proposed district of a hearing date, the County Judge, setting as the County Court, shall determine whether it is in the best interest of the landowners in the district that the district be established and if so, the County Court shall enter an order establishing the district. If the lands of the proposed district are situated in more than one county, the petition must be filed in Circuit Court and a Circuit Judge must make the decision about the formation of the district.
B. This Act also provides that if a petition signed by a majority, either in number, acreage or value of landowners within the proposed district and requesting that the improvement be made, the County Court or Circuit Court, as the case may be, is directed to establish the district without a hearing.

C. Even where neither of the aforesaid petitions are filed, this Act empowers the County Court to investigate and to establish a district if it is the opinion of the County Court, establishment of the district will be to the advantage of the Landowners in the District.

D. Once the Court establishes a district any aggrieved landowner must appeal that decision within 20 days or be bound by it.

E. The Act authorizes other districts formed under other enactments to elect to be governed by this Act and it declares that all drainage districts created by special legislative acts are now governed by this Act.

F. The Act provides that there shall be three commissioners that will govern the District and under certain situations the number of commissioners can be increased to 5. The Act authorizes the District to engage with the Federal Government, to sell bonds and to pledge the revenues of the district to the bonds.

G. The Act requires that the Commissioners keep and maintain financial reports of the revenues and expenditures of the District, that these financial reports must be prepared by CPAs when the District’s revenue exceeds $5000.00, and that these financial reports must be filed on or before January 1, of each year with the County Clerk of the county where the District is located.

H. The Act declares that Commissioners are immune from liability for any damages sustained by anyone in the prosecution of the Work unless the Commissioner acts with corrupt or malicious intent.

I. The Act contemplates that the Commissioners working through engineers will develop a Plan of Improvement and mandates that the Commissioners assess the value of the benefits from the improvements to each parcel of land in the district as well as an assessment of damages to any tract caused by the improvements of the district and after notice of a hearing any landowner has the right to appear and contest his assessment of benefit or assessment of damages.

J. Importantly, the Act authorizes the Commissioners to annex lands not originally embraced in the district but which the Commissioners later determine are in fact affected by the improvements into the district and assessed and after receiving notice of this action the landowners have a right to appear and contest the assessment before the County Court and to appeal any decision by the County Court within 20 days or thereafter to be bound.

K. This Act also allows the District to levy taxes on drainage districts that drain their lands by way of improvements made by this district.

L. This Act authorizes the Commissioners to levy a flat per acre tax for maintenance and repair of constructed improvements and any aggrieved landowner can contest this assessment before the County Court.

M. The Act establishes the maximum amount of the annual tax to be collected as well as the manner for the collection and enforcement of the tax, including the procedure for
foreclosing the tax lien and selling the delinquent lands and it authorizes the sale of bonds and the pledging of the revenue to secure the repayment thereof.

Recent Legislative Action:
The Acts listed below were passed subsequent to the Legislative Joint Audit on levees.

2009 - Act 386
Established several new requirements for various districts, including levee, drainage, irrigation and others. An initial report must include:
   A. The name of the district;
   B. The date on which the district was formed;
   C. The statutory or other legal authority under which the district was formed;
   D. A description of the district’s boundaries and a map of the district;
   E. The names and addresses of the district’s directors and its officers and their respective terms of office;
   F. An identification of any vacancy on the district board or district commission;
   G. A map of the parcels of property located in the district; and
   H. The time, date, and location of the district board or district commission’s next annual meeting or, if the annual meeting is unscheduled, the time, date, and location of the district board or district commission’s next meeting.

Subsequently, the district must file an abbreviated report by December 31st, which includes the following information: the names and addresses of the members of the district board or district commission and its officers; vacancies on the district board or the district commission; and provides the time, date, and location of the district board’s or district commission’s next annual meeting, if scheduled, and its next regularly-scheduled meeting.

A district that fails to perform any of the requirements commits a violation punishable by a fine of between $100 and $1,000 payable to the county clerk’s cost fund and is prohibited from receiving financial assistance from a state agency for a period of two years.

The legislation also required the county clerk to report board vacancies to the district board, county court and prosecuting attorney. It further directed the prosecuting attorney to investigate the vacancy and take the appropriate action to fill the position.

2011 – Act 210
This law applies to all improvement districts or protection districts organized under Arkansas law that use the county collector for collection of improvement district assessments or protection district assessments unless otherwise noted. The key features of Act 210 are as follows:
   A. Districts must file an annual report with the county clerk in any county in which a portion of the improvement district or protection district is located;
   B. The annual report shall be available for inspection and copying by assessed landowners in the district;
C. The county clerk shall not charge any costs or fees for filing the annual report;
D. The improvement district or protection district shall deliver a filed copy of the annual report to the county collector within five (5) days of filing;
E. The annual report shall contain the following information as of December 31 of the current calendar year:
   a. Identification of the primary statute under which the improvement district or protection district was formed;
   b. A general statement of the purpose of the improvement district or protection district;
   c. A list of contracts, identity of the parties to the contracts, and obligations of the improvement district or protection district;
   d. Any indebtedness, including bonded indebtedness, and the reason for the indebtedness.
      i. The stated payout or maturity date of the indebtedness, if any, shall be included.
      ii. The total existing delinquent assessments and the party responsible for the collection;
   e. Identification of the improvement district or protection district commissioners and contact information;
   f. The date, time, and location for any scheduled meeting of the improvement district or protection district for the following year;
   g. The contact information for the improvement district or protection district assessor;
   h. Information concerning to whom the county treasurer is to pay improvement district or protection district assessments;
   i. An explanation of the statutory penalties, interest, and costs;
   j. The method used to compute improvement district or protection district assessments; and
   k. A statement itemizing the income and expenditures of the improvement district or protection district, including a statement of fund and account activity for the improvement district or protection district.

A district that fails to perform any of the requirements commits a violation punishable by a fine of between $100 and $1,000 payable to the county clerk’s cost fund. The act further stipulated that improvement districts would be added to the list of agencies that are subject to the Freedom of Information Act.

2016 – Act 7
This legislation updated and modified several provisions from Act 386 dealing with levee, drainage, irrigation and other districts. It directed county clerks to forward reports to the ANRC and publish vacancies in the local newspaper and on the county’s website. Act 7 also struck language with respect to prosecuting attorneys and inserted provisions that empowered a county judge to fill vacancies. The new authority prescribed is as follows:
A. A county judge who receives notice under §16-20-401(d) of a continuing vacancy on a district board or district commission shall investigate the alleged vacancy, and after conducting a hearing under §16-20-401(d), enter a county order reflecting the majority vote of the landowners of the district in attendance at the hearing to fill any continuing vacancies in the district board or district commission.

   a. The county judge's order may assess the district fines for violations as well as the costs of the required publications of notices.
   
   b. A fine under subdivision (b)(1) of this section shall be not less than one hundred dollars ($100) and not more than one thousand dollars ($1,000) for each offense.
   
   c. A fine recovered under subdivision (b)(2) of this section shall be deposited into the county clerk's cost fund.

2017 – Act 623
This law provided additional authority to mayors and county judges so that the local people would have the tools needed to make improvement districts, including levee districts and others, function and/or function properly.

Under Act 623, if an individual has requested financial information from an improvement district and the documentation provided was inadequate, then 10 percent or more of the property owners may petition the county judge or the mayor, at which point the judge or mayor shall request the financial information. If within thirty (30) days of the request the improvement district does not provide the financial information, or state that the financial information does not exist, the county judge or the mayor, with the city council's approval, may order an independent audit to be conducted of the improvement district at the improvement district's expense.

The law further provided that in cases where an improvement board has the power to appoint a replacement board member, the county judge or mayor may appoint a replacement “by his or her own accord.” Another option is for the mayor or judge to do so after 10 percent or more of the property owners have petitioned.

The practice of having board meetings at the end of a long dirt road, or any “inconvenient location” was also addressed. The act requires that all meetings of the board shall be held in a central and convenient location in the county or the municipality in which the improvement district lies. It further allows the county judge or mayor to determine the location for improvement district board meetings after 10 percent or more of the property owners petition.

One of the most consequential provisions empowers the county judge or mayor to resurrect defunct districts. Specifically, Act 623 states that the county judge or mayor “shall appoint an administrator of the improvement district to act as the board of commissioners if all positions on a board of commissioners of the improvement district are vacant and no interested property owner within the improvement district boundaries is willing to serve as a commissioner.”

Adequacy of Current Law and the Organizational Structure of Districts:
Following a review of laws pertaining to the overall levee system and district boards, it has been concluded that current law is mostly adequate when addressing the pressing problems facing Arkansas levee districts. Additionally, it was found that the current structure of districts is mostly adequate when addressing district governance.

However, the Task Force recognizes that the General Assembly will not reconvene until 2021 and that as the recommendations of the task force are implemented, additional legislative changes may be identified. Specifically, the Task Force recommends that they work with county officials and other stakeholders to propose any needed legislation regarding annual levee reports, dates of report submission, levee assessments, dissolutions, and consolidation processes.
Conclusion

In response to the historic flooding along the rivers in the Natural State, understanding how to best approach Arkansas Levee Districts remains a priority. Levee Districts across the state are becoming aware of the responsibilities and best approaches to this pressing issue. This remains an ongoing process.

The Arkansas Levee Task Force acknowledges this report as a usable guide to aid in the process of assessing and monitoring the future of levee districts in Arkansas to inform how to best prepare for potential natural disasters. Understanding the current law, levee inventory, and best practices towards maintenance and monitoring of the levees remains important when addressing future threats to loss of property and human life. The work produced from the Task Force will continue to evolve, as will preparations for best approaches for levee maintenance. As such, the efforts of the Task Force represent a first step toward evaluating the current state of levees, as well as methods that may assist in best practices for future natural disasters.

The recommendations developed in this report come as a result of the extensive work and collaboration amongst stakeholders, specifically members of levee districts, flood plain managers, the USACE, MVFCA, and city, county, and state officials. The Task Force sought to produce recommendations that would be simple to implement. Applicability may be based on the current condition of the levee and state of the levee district. All are intended to bring knowledge, improvement, and guidance in future levee maintenance and operations throughout the State of Arkansas.

The Task Force recognizes that collecting and analyzing current data is vital to monitoring the future of levee districts throughout the state and may need improvement as part of on-going inventory assessments. Moreover, the State of Arkansas will continue to regularly communicate with the USACE to maintain situational awareness of upstream lake levels and the down range effect they have on Arkansas. This will ensure Arkansas has as much notice as possible of impending flooding.

Finally, the members would like to acknowledge Governor Hutchinson on appointing this task force due to the appropriateness of the issue and providing disaster funding to rebuild and address the deficiencies of our levees. We appreciate that the state has taken an interest in assisting our levees for long term sustainability.
Appendix 1: Executive Order 19-10 and Meeting Agendas
AGENDA

Arkansas Levee Task Force Meeting

July 12, 2019 1:30 p.m.
ASP Headquarters, Little Rock, AR

To join via Conference Call: Dial 1-866-939-8416, it will prompt you to enter the conference ID #, you will enter – 4034497 and then press #. You then will be connected with the conference.

Welcome and Charge of the Task Force………Governor Asa Hutchinson

Introductions.................................................................Jami Cook

National Levee Database Overview...............................Shelby D Johnson, Geographic Information Officer, Elmo Webb, Corps of Engineer, AJ Gary, ADEM Director

Strategic Planning Session..............................................Jami Cook

1. Studying and analyzing the current conditions of the state’s levees;
2. Identifying sources and requirements for funding the construction, repair, and maintenance of the levees;
3. Studying prospective monitoring and reporting systems for the maintenance of the levees;
4. Reviewing the adequacy of current laws and organizational structure of the levee system and levee district boards.

Set next meeting and Adjourn.........................................Jami Cook
AGENDA

Arkansas Levee Task Force Meeting

August 1, 2019 2:00 p.m.
ASP Headquarters, Little Rock, AR

To join via Conference Call: Dial 1-866-939-8416, it will prompt you to enter the conference ID #, you will enter – 4034497 and then press #. You then will be connected with the conference.

Welcome ................................................................. Jami Cook

ARNC Overview of Levees and Programs…………………..Bruce Holland

USACE Inventory and Review Program……………………Cathi Sanders

Public Comments

- Mr. Edwards, Jefferson County
- Judge Tindall, Desha County

Team Updates…………………………………………………………….Chairs

1. Studying and analyzing the current conditions of the state’s levees (Chair Rob Rash);
2. Identifying sources and requirements for funding the construction, repair, and maintenance of the levees (Chair Bruce Holland);
3. Studying prospective monitoring and reporting systems for the maintenance of the levees (Chair Jeff Phillips);
4. Reviewing the adequacy of current laws and organizational structure of the levee system and levee district boards (Chair, Senator Stubblefield).

Set next meeting and Adjourn......................................................Jami Cook
AGENDA

Arkansas Levee Task Force Meeting

August 26, 2019 1:00 p.m.
Arkansas Natural Resources Commission Offices
101 E. Capitol, Suite 350, Little Rock, AR 72201

Web Conferencing or Call-in Information can be found below.

Welcome …………………………………………………………………………... Jami Cook

Presentations

White River Basin Study…………………………………………….USACE and ASU
Shane Broadway

Improvement Districts…………………………………………………………Alan King

Public Comments

Mr. Brad Wingfield

Team Updates……………………………………………………………………………Chairs

1. Studying and analyzing the current conditions of the state’s levees (Chair Rob Rash);
2. Identifying sources and requirements for funding the construction, repair, and maintenance of the levees (Chair Bruce Holland);
3. Studying prospective monitoring and reporting systems for the maintenance of the levees (Chair Jeff Phillips);
4. Reviewing the adequacy of current laws and organizational structure of the levee system and levee district boards (Chair, Senator Stubblefield).

Set next meeting and Adjourn……………………………………………Jami Cook

WEB EX ADDRESS
https://anrc.webex.com/anrc/j.php?MTID=m9df4d1893b2a524146f3e97d968be46c

Meeting number (access code): 808 469 691     Meeting password: Water

Join by phone  +1-415-655-0001 US Toll
AGENDA

Arkansas Levee Task Force Meeting

Wednesday, September 25, 2019, 11:00 a.m.
Benton Convention Center
17322 I-30 North, Benton, AR 72019

Welcome ................................................................. Jami Cook

Presentations

UA Engineering and Center for Advanced Spatial Technologies……... Randy Massanelli

Funding Mechanisms for Levee Districts........................................... Bruce Holland

AAC Overview.............................................................. Arik Cruz
Mark Whitmore
Conway County Judge Jimmy Hart

1. Having the area of land protected by the levee match the levy of the assessment of betterment
2. Expanding some levee districts to encompass areas of other districts to be dissolved

Open Forum with County Judges

Public Comments

Team Updates.............................................................................. Chairs

• Studying and analyzing the current conditions of the state’s levees (Chair Rob Rash);
  Next meeting: Tuesday, October 8, 2019 @ 10:00am at the ANRC
• Identifying sources and requirements for funding the construction, repair, and maintenance of the levees (Chair Bruce Holland);
• Studying prospective monitoring and reporting systems for the maintenance of the levees (Chair Jeff Phillips);
• Reviewing the adequacy of current laws and organizational structure of the levee system and levee district boards (Chair, Senator Stubblefield).

Next meeting logistics and Adjourn............................................. Jami Cook

St. Francis Levee District of Arkansas, Thursday, October 24, 2019
AGENDA

Arkansas Levee Task Force Meeting

Thursday, October 24, 2019, 10:00 a.m.
St. Francis District of Arkansas
1103 N. Ingram Blvd
West Memphis, Arkansas 72301

Welcome ................................................................. AJ Gary

Presentations

Tour of Levee (10:00-11:15) ............................................ Rob Rash

Working Lunch (11:30-12:30)................................................ Rob Rash

  • Presentation of Levee District
  • Presentation of MS Valley Flood Control Association

Public Comments

Team Updates (12:30-1:30)..............................................AJ Gary, Chairs

  1. Studying and analyzing the current conditions of the state’s levees (Chair Rob Rash)
  2. Identifying sources and requirements for funding the construction, repair, and maintenance of the levees (Chair Bruce Holland);
  3. Studying prospective monitoring and reporting systems for the maintenance of the levees (Chair Jeff Phillips);
  4. Reviewing the adequacy of current laws and organizational structure of the levee system and levee district boards (Chair, Senator Stubblefield).

Next meeting logistics and Adjourn (1:30) ....................... AJ Gary

      November 18, 2019 10:00 am - ANRC
      Final Meeting: December 16, 10:00- ANRC
AGENDA

Arkansas Levee Task Force Meeting

November 18, 2019 1:00 p.m.
Arkansas Natural Resources Commission Offices
101 E. Capitol, Suite 350, Little Rock, AR 72201

Welcome………………………………………………………………………………………..Jami Cook

Public Comments

Team Updates and Report……………………………………………………………….. Chairs

1. Studying and analyzing the current conditions of the state’s levees (Chair Rob Rash)
2. Identifying sources and requirements for funding the construction, repair, and maintenance of the levees (Chair Bruce Holland);
3. Studying prospective monitoring and reporting systems for the maintenance of the levees (Chair Jeff Phillips);
4. Reviewing the adequacy of current laws and organizational structure of the levee system and levee district boards (Chair, Senator Stubblefield).

Next meeting logistics and Adjourn……………………………………………………..Jami Cook

December 16, 10:00- ANRC

Web Conferencing or Call-in Information:
When it's time, join your Webex meeting here.

Meeting number (access code): 802 951 821
Meeting password: Emp4eH4Q

https://anrc.webex.com/anrc/j.php?MTID=m1c3335415a6e0db77cc2b6a75ced649e

Join by phone
Tap to call in from a mobile device (attendees only)
+1-415-655-0001 US Toll

Join from a video system or application
Dial 802951821@anrc.webex.com
You can also dial 173.243.2.68 and enter your meeting number.
AGENDA

Arkansas Levee Task Force Meeting

December 16, 2019 10:00am
Arkansas State Police Headquarters,
1 State Police Plaza Drive Little Rock, AR

To join via Conference Call: Dial 1-866-939-8416, it will prompt you to enter the conference ID #, you will enter – 4034497 and then press #. You then will be connected with the conference.

Welcome .................................................................Jami Cook

Public Comments

Review and Discussion of Draft Report..................Jami Cook and Chairs
Appendix 2: (33 USC 3301) Title IX WRDA 2007

*For the barrier to be considered ‘IT IS NOT A LEVEE or IT IS A LEVEE’ - the answers would have to follow the complete flow chart, not just one question determines the status of the barrier.
Appendix 3: USACE National Levee Database: Task Force Identified Levees, Abandoned Levees, and Individually Owned Private Levees

<table>
<thead>
<tr>
<th>Sequence</th>
<th>All Task Force Defined Levee Districts</th>
<th>Discussion</th>
<th>Federal Aid Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Fort Smith Levee District #1</td>
<td>Minimally Acceptable</td>
<td>Active in RIP</td>
</tr>
<tr>
<td>2</td>
<td>Southern Enterprise Levee</td>
<td>Minimally Acceptable</td>
<td>Active in RIP</td>
</tr>
<tr>
<td>3</td>
<td>Van Buren Levee District #1</td>
<td>Minimally Acceptable</td>
<td>Active in RIP</td>
</tr>
<tr>
<td>4</td>
<td>Crawford County Levee District</td>
<td>Minimally Acceptable</td>
<td>Active in RIP</td>
</tr>
<tr>
<td>5</td>
<td>Honeysuckle White Levee</td>
<td>Minimally Acceptable</td>
<td>Active in RIP</td>
</tr>
<tr>
<td>6</td>
<td>Six Mile Diversion Levee</td>
<td>Major overtop. Repair at full federal expense subject to funding</td>
<td>Federal</td>
</tr>
<tr>
<td>7</td>
<td>McLean Bottom Levee District #3</td>
<td>Two major overtops. Cost-share repairs subject to funding</td>
<td>Active in RIP</td>
</tr>
<tr>
<td>8</td>
<td>McLean Bottom Levee and Pumping Station</td>
<td>Major overtop. Repair at full federal expense subject to funding</td>
<td>Federal</td>
</tr>
<tr>
<td>9</td>
<td>Lower Hartman Bottom Levee</td>
<td>Minimally Acceptable</td>
<td>Federal</td>
</tr>
<tr>
<td>10</td>
<td>Clarksville Levee and Floodwall</td>
<td>Minimally Acceptable</td>
<td>Active in RIP</td>
</tr>
<tr>
<td>11</td>
<td>Conway and Pope County Levee District #1</td>
<td>Pope/Conway County Consolidation</td>
<td>Active in RIP</td>
</tr>
<tr>
<td>12</td>
<td>Dardanelle Drainage District</td>
<td>Major overtop. Yell County Consolidation</td>
<td>Inactive in RIP</td>
</tr>
<tr>
<td>13</td>
<td>Carden Bottom Drainage District #2</td>
<td>Yell County Consolidation</td>
<td>Inactive in RIP</td>
</tr>
<tr>
<td>14</td>
<td>Conway County Levee District #3</td>
<td>Pope/Conway County Consolidation</td>
<td>Active in RIP</td>
</tr>
<tr>
<td>15</td>
<td>Conway County Levee District #7</td>
<td>Pope/Conway County Consolidation</td>
<td>Active in RIP</td>
</tr>
<tr>
<td>16</td>
<td>Point Remove Creek Drainage and Levee District</td>
<td>Non-mainline</td>
<td>Inactive in RIP</td>
</tr>
<tr>
<td>17</td>
<td>Conway County Drainage and Levee District #1</td>
<td>Minimally Acceptable</td>
<td>Active in RIP</td>
</tr>
<tr>
<td>18</td>
<td>Conway County Levee District #6</td>
<td>Minimally Acceptable</td>
<td>Active in RIP</td>
</tr>
<tr>
<td>19</td>
<td>Conway County Levee District #10</td>
<td>East of Morrilton, 1st segment - Minimally Acceptable</td>
<td>Inactive in RIP</td>
</tr>
<tr>
<td>20</td>
<td>Conway County Levee District #16</td>
<td>East of Morrilton, 2nd segment - Minimally Acceptable</td>
<td>Inactive in RIP</td>
</tr>
<tr>
<td>21</td>
<td>Conway County Levee District #8</td>
<td>East of Morrilton, 3rd segment - To be re-inspected</td>
<td>Inactive in RIP</td>
</tr>
<tr>
<td>22</td>
<td>Perry County Levee District #1</td>
<td>Major Overtop. Minimally Acceptable</td>
<td>Active in RIP</td>
</tr>
<tr>
<td>23</td>
<td>Faulkner County Levee District #1</td>
<td>Minimally Acceptable</td>
<td>Active in RIP</td>
</tr>
<tr>
<td></td>
<td>District Name</td>
<td>Rating or Note</td>
<td>Status</td>
</tr>
<tr>
<td>---</td>
<td>--------------------------------------</td>
<td>-------------------------------------------------------------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>24</td>
<td>Roland Drainage District</td>
<td>Reestablishing assessment</td>
<td>Inactive in RIP</td>
</tr>
<tr>
<td>25</td>
<td>Riverdale Private Levee</td>
<td>Minimally Acceptable</td>
<td>Active in RIP</td>
</tr>
<tr>
<td>26</td>
<td>North Little Rock Levee &amp; Floodwall</td>
<td>Minimally Acceptable</td>
<td>Active in RIP</td>
</tr>
<tr>
<td>27</td>
<td>Little Rock-Pulaski Drainage District No. 2</td>
<td>Minimally Acceptable</td>
<td>Active in RIP</td>
</tr>
<tr>
<td>28</td>
<td>Baucum Levee District</td>
<td>System is Unacceptable. No water on levee during record flood</td>
<td>Inactive in RIP</td>
</tr>
<tr>
<td>29</td>
<td>Old River Drainage District</td>
<td>Active board but unacceptable rating</td>
<td>Inactive in RIP</td>
</tr>
<tr>
<td>30</td>
<td>Plum Bayou Levee District</td>
<td>Active board but unacceptable rating</td>
<td>Inactive in RIP</td>
</tr>
<tr>
<td>31</td>
<td>Plum Bayou Levee District</td>
<td>Unacceptable rating - USACE not allowed inspection access for one culvert</td>
<td>MR&amp;T</td>
</tr>
<tr>
<td>32</td>
<td>New Gascony Levee No. 1</td>
<td>System is Unacceptable due to Plum Bayou and Farelly Lake</td>
<td>MR&amp;T</td>
</tr>
<tr>
<td>33</td>
<td>Jefferson County Levee District No. 3</td>
<td>System is Unacceptable due to Plum Bayou and Farelly Lake</td>
<td>MR&amp;T</td>
</tr>
<tr>
<td>34</td>
<td>Farelly Lake Levee District</td>
<td>System is Unacceptable because pipe video has not been completed</td>
<td>MR&amp;T</td>
</tr>
<tr>
<td>35</td>
<td>Fourche Island Drainage District No. 2</td>
<td>Future rating may be affected by Woodson</td>
<td>Active in RIP</td>
</tr>
<tr>
<td>36</td>
<td>Woodson Levee District</td>
<td>No active board, below grade crossings, culvert issues</td>
<td>Inactive in RIP</td>
</tr>
<tr>
<td>37</td>
<td>Tucker Lake Levee &amp; Drainage District</td>
<td>In process of reestablishing board</td>
<td>Inactive in RIP</td>
</tr>
<tr>
<td>38</td>
<td>City of Pine Bluff</td>
<td>Minimally Acceptable; Flood Ins required due to Frenchtown-Auburn</td>
<td>MR&amp;T</td>
</tr>
<tr>
<td>39</td>
<td>Frenchtown-Auburn Levee District</td>
<td>Unacceptable due to vegetation and four pipe videos</td>
<td>MR&amp;T</td>
</tr>
<tr>
<td>40</td>
<td>Southeast Arkansas Levee District</td>
<td>Minimally Acceptable; Flood Ins required due to Frenchtown-Auburn</td>
<td>MR&amp;T</td>
</tr>
<tr>
<td>Sequence</td>
<td>Abandoned Levee Districts</td>
<td>Description</td>
<td>Status</td>
</tr>
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<td>----------</td>
<td>---------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>1</td>
<td>Holla Bend Levee and Drainage District #2</td>
<td>Locally constructed; defunct Board; no interest/need to reconstitute</td>
<td>Abandoned</td>
</tr>
<tr>
<td>2</td>
<td>Holly Bend Levee District #1</td>
<td>Locally constructed; now a national wildlife refuge</td>
<td>Abandoned</td>
</tr>
<tr>
<td>3</td>
<td>East Point Remove System</td>
<td>Locally constructed; defunct Board; no interest/need to reconstitute</td>
<td>Abandoned</td>
</tr>
<tr>
<td>4</td>
<td>Pulaski County Farm Private Levee</td>
<td>Locally constructed; now Two Rivers Park</td>
<td>Abandoned</td>
</tr>
<tr>
<td>5</td>
<td>Southeast Arkansas Levee District</td>
<td>Locally constructed; defunct Board; no interest/need to reconstitute</td>
<td>Abandoned</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sequence</th>
<th>Private Levees</th>
<th>Description</th>
<th>Status</th>
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<tbody>
<tr>
<td>1</td>
<td>Ormand Peters Private Levee</td>
<td>Private levee protecting owner's property</td>
<td>Inactive</td>
</tr>
<tr>
<td>2</td>
<td>Sloan Private Levee</td>
<td>Private levee protecting owner's property</td>
<td>Inactive</td>
</tr>
<tr>
<td>3</td>
<td>Stalling Private Levee</td>
<td>Private levee protecting owner's property</td>
<td>Inactive</td>
</tr>
<tr>
<td>4</td>
<td>Sandtown-Portland Bottoms System</td>
<td>Private levee protecting owner's property</td>
<td>Inactive</td>
</tr>
<tr>
<td>5</td>
<td>Little Private Levee</td>
<td>Private levee protecting owner's property</td>
<td>Inactive</td>
</tr>
<tr>
<td>6</td>
<td>Faulkner County Levee District #2</td>
<td>Private levee protecting owner's property; Owner may consider RIP</td>
<td>Inactive</td>
</tr>
<tr>
<td>7</td>
<td>T.A. Gibson Private Levee</td>
<td>Private levee protecting owner's property</td>
<td>Inactive</td>
</tr>
</tbody>
</table>
Appendix 4: USACE Running Water Levee District

The USACE conducted a presentation on October 23, 2019, to provide context to Levee Districts within the State of Arkansas. The following presentation discussed the Running Water Levee District in Pocahontas, Arkansas, as well as how community members and the USACE approached maintenance and operations when working to repair the Running Water Levee District. Thus, the presentation below illustrates an Arkansas specific example of a Levee District success story.

The Running Water Levee District is located on the left descending bank of the Black River and serves as flood damage reduction for approximately 65,000 acres of primarily agricultural land within Randolph and Lawrence Counties. In 1976, the members of the Running Water Levee board resigned as a result of unmanageable deficiencies and reduced funds, making repairs unfeasible. Additionally, when trying to replace the Running Water Levee District board, many community members were reluctant to do so due to a raise in taxes and a lack of perceived importance of the levee. This perception of unimportance stemmed from the county facing no significant flood events within the area, leading to a neglect of the levee system. In 2008, the Black River in the area of Pocahontas, Arkansas was faced with near record flows and flood stages resulting in a levee breach. Specifically, the levee was breached in three locations, each location was determined as an area that was intentionally degraded. As a result of this levee breach, Judge Jansen held a meeting with the USACE to discuss the possibility of re-organizing the Running Water Levee District.

By 2009, the Levee Board had been re-installed and repairs began, allowing for the three breaches caused by the 2008 flood to be repaired in a pursuit to rehabilitate the levee. Following the repair process, in the spring of 2011, Black River was faced with significant rainfall, resulting in damages to the two year on-going repairs and 13 new levee breaches. With the levee district being inactive in the USACE RIP program, the levee was not eligible for Federal Assistance from the USACE. To address the lack of funding, both Judge Jensen and Judge Freeman increased property taxes in an effort to raise 1.1 million dollars for repairs over a six year period. As a result of this effort, all 13 breaches were repaired and the Running Water Levee District System Rehabilitation was successful. In March of 2013, the Running Water Levee District was re-inspected to determine its status within the USACE. As a result of rehabilitation efforts the Levee District was deemed as “minimally acceptable” and returned to an active status within the USACE RIP. Due to the new status in the USACE RIP, the Running Water Levee District received both funding and assistance for damages that were sustained during the most recent 2017 flood event. Thus, this presentation helps to show in detail the efforts demonstrated by the Running Water Levee District, as well as display an Arkansas specific success story. The presentation below by Elmo Webb and USACE provides additional information of the efforts of the Running Water Levee District, as well as demonstrates the importance of partnerships with the USACE and maintaining a working maintenance and operation plan for levee systems.
LITTLE ROCK DISTRICT
LEVEE SAFETY PROGRAM

INFORMATIONAL BRIEFING
FARM BUREAU'S ENVIRONMENTAL ISSUES
COMMITTEE MEETING

Elmo J. Webb
Levee Safety Program
23 October 2019
Those words stressing the importance of properly maintaining a flood control system were found in the Forward of the Running Water Levee, (aka Skaggs Ferry Levee) Operation and Maintenance (O&M) Manual and similar words are probably found in O&M manuals of nearly every levee system constructed. In many instances these words are overlooked and the system is neglected, as was the case of the Running Water Levee.
Case Study: Running Water Levee District, Pocahontas, AR
Levee System Timeline

- FCA 1936 and 1944: Authorized Construction of New Levees in AR
- PL 84-99 (1941): Authorized USACE Provide Emergency Response and Rehabilitation Assistance
- Great Flood of 1927
- Pre-1936: Privately Built Levees with Minimal Protection
- 1936: Multiple Levees Constructed in SWL 1936 - 1960
- 1941
- 1944
- 1960
- 2007
- 2016
- 2019

- WRDA 2007: Established National Levee Safety Program
- 2016 Arkansas State Legislation: Act to Enhance and Streamline the Process of Identifying and Filling Board Vacancies
- 2019 Arkansas Task Force on Levee Safety
- 2019 Arkansas Task Force on Levee Safety
- 2019 Arkansas Task Force on Levee Safety
- 2019 Arkansas Task Force on Levee Safety

Case Study: Running Water Levee District, Pocahontas, AR
Levee System Timeline
History/Timeline

- This slide is intended to give you a snapshot of how we got to where we are as it relates to levees. I am going to spend just a little time here.
- Prior to 1936 there was minimal protection offered except with some crudely constructed private levees.
- The Flood Control Acts of 1936 and 1944 gave authorization for many levees to be re-built/constructed and to be "Federalized".
- The big driver for this legislation was the Great Flood of 1927.
- For those of you who haven't read the book "Rising Tide" I would highly recommend it. It chronicles the story of the 1927 flood and the levee debate.
- Initially the levees were completed and handed over to local levee boards that entered into an agreement to maintain the levee.
- These landowners making up the levee boards historically did not want state or federal government oversight. It worked for a while.
- Over time the levee board members died, land changed hands, and the interest in taking care of the levee diminished greatly. Many levees fell into a state of disrepair.
- The term I used earlier of "Federal Program" is basically tied to PL 84-99 which was created in the early 40s to establish a way for the federal government to assist during disasters.
- This program allows the Federal government to pay full cost for an acceptably maintained Federal levee if it is damaged by a flood.
- It provides similar assurances to Non-Federal levees so long as they have been acceptably maintained.
- WRDA 2007 was passed in the aftermath of Katrina because the nation saw the need to make changes.
- There are a lot of great recommendations that came from the National Levee Safety Committee. Unfortunately most of the recommendations have still not received appropriations.
- One last thing to point out on the timeline is the recent legislation in the State of Arkansas which was passed in 2016.
- After the high water of 2015 legislation was passed to try and re-establish active levee boards through the various County judges.
- While we are still in the early stages of implementation, I do believe this will gradually help to improve the quality of the state's levees.
Label state, river, region, major cities
The Running Water Levee District is located on the left descending bank of the Black River and serves as flood damage reduction for about 65,000 acres of primarily agricultural land within the Randolph and Lawrence Counties. Construction of the Running Water Levee District began on April 5, 1938 and was completed on October 6, 1938.
Running Water Case Study (2017 Event)

- This is my last flooding picture showing the damage in Pocahontas from last month.
- In the chart to the left you can see that this event was the largest recorded stage reading on the Black River in this area.
Case Study: Running Water Levee District, Pocahontas, AR
1976 – Running Water Levee Board Resigns

Construction of the Running Water Levee District began on April 5, 1938 and was completed on October 6, 1938. In 1976, all members of the Running Water Levee board resigned because of the large number of deficiencies and lack of funds to make the necessary repairs. Attempts to replace the board members failed "...because the people do not feel that the levee is of any importance and Randolph County residents do not want the levee tax imposed." (Memorandum dated 9 Jun 77 and 17 Mar 77)

Looking through the history of the levee inspections and required maintenances, there were reports notifying the sponsors/county officials of the condition of the levee, but because the people did not see the importance of the levee system and because there had not been a significant flood event in the area, the maintenance of the levee was neglected. The highlighted statement summed up the thought process of the community as it relate to the need for a levee.
Running Water Case Study (Bad Maintenance)

- This slide shows a few examples of what I mean when I talk about something falling into disrepair and lacking proper maintenance.
- Trees are allowed to grow on the levee. The root system endangers a levee.
- Cuts are made through the levee for access reasons and there is no means to close them.
- The levee lacks animal control. Levees are great homes for a variety of burrowing animals.
- Gate systems must be maintained to control the movement of water.
"The necessity for proper maintenance is imperative in view of the fact that extensive damage or even the loss of life may be incurred through failure of a critical element of the system at flood time, cause by deterioration or damage that could have been avoided by proper maintenance."

The insightfulness of this statement was brought to full view during the spring of 2008. In March 2008 near record flows and flood stages (water surface approximate elevation 268.4) were recorded on the Black River in the area Pocahontas, Arkansas. The levee was breached in at least three locations; each location was in areas that were intentionally degraded.
Running Water Case Study (2008 Event)

- Here are a few pictures from the 2008 high water event that I mentioned earlier.
- Unfortunately much of this damage was self-inflicted as a portion of the levee was removed in the building of this retirement community.
Case Study: Running Water Levee District, Pocahontas, AR
District Reorganizes

On April 2, 2008, Judge David Jansen (Randolph County Judge) held a meeting with the Corps of Engineers and members of the community to discuss the reorganization of the Running Water Levee District, at the meeting interim board members were designated.

-- Memo dated 5 May 2008

One thing I have learned since I held the position of LSPM is that a tragedy gets people talking – it may be in anger, but a dialogue is started – and that is good! This meeting initiated a dialogue with the levee Corps which has been hurtful (in words) and helpful (in action). In January 2009 the Running Water Levee District was officially re-organized and the following board members were installed: Mr. Andrew Jones, Chairman; Mr. Don Cox and Mr. Danny Ellis. The board hired DeClerk-Throesch Engineering and Land Surveying to design repairs and administer any construction contracts.
The three breaches caused by the spring 2008 floods were repaired and the re-organized levee district continued their pursuit to rehabilitate the entire levee. Property taxes were assessed and grants were obtained, with this revenue the district began the process of removing the vegetation and preparing plans to rebuild their flood protection system. The Corps work with the newly formed board and the AE to rebuild/repair the levee. Although there were improvements being made, the levee was still rated as unacceptable and not eligible for PL 84-99 assistance.
The Black River experienced significant flooding from heavy rainfall that began on 21 April. The rainfall amounts were 5 to 14 inches above normal for April and 3 to 5 inches above normal for May. *These rainfalls resulted in record flows on the Black River, cresting almost two feet above those experienced in 2008* (elevation 268.4 in 2008 vs 270.3 in 2011).
I tried to be nice to them," Jansen said of previous meetings with the government agencies to seek funding. "I got plumb mean with them.

"I don't see how we can't afford to protect the levee," added Doug Cox, who owns 2,500 acres along the levee in Randolph County. "For several years, we took the levee for granted. I don't think we realized how much damage would happen. It was a sea of water here on south. Hopefully it was a once-in-a-lifetime event."

The meetings with the sponsor and the County Judge was one of the hardest thing I had to do in the job. We had to tell them that although they have done significant work there levee was still unacceptable and was still not eligible for federal assistance. The meeting/conversation that followed were not very friendly, but during these meeting there was a realization that the community had to shoulder the responsibility of maintaining the levee and they did not do that even when they were warned not to degrade the levee and were encouraged to re-establish the levee district before the 2008 flood event. This goes back to the O&M manual - Proper maintenance and correct operation of flood protection system require that responsible local persons have a thorough understanding of the functions of the various units of the system and the best methods of maintaining and operating the system.

Frustrated, but undaunted by what was described as being “caught up in a bureaucratic triangle”, County Judges David Jansen and Dale Freeman (Lawrence County) increased the property taxes of the landowner within the leveed area by $3.40 in September 2011. The tax will be collected for six years and will raise the $1.1 million needed to repair the 13 breaches. (Arkansas Democrat Gazette, September 11, 2011).
The SWIF was not part of the Corps program during the Spring 2011 flood – Guidance came out in the Fall of 2011. We worked with the Sponsor to write LOI, but the County Judges (Randolph and Lawrence) and the levee board were determined to move forward to ensure that the levee was rebuilt before another high water event.
Running Water Case Study (2011 Event)

- Here are a few photos of the 2011 event.
- Remember, this is the one where the levee was being repaired and got hit with high flows before those repairs could be completed.
- You can see the water flowing through three separate breaches.
Running Water Case Study (2011 Event)

- Here you see some "before and after" photos after the levee had been finally repaired.
- Repairing these breaches is not an insignificant thing and the cost can be very high. The holes they create can be as much as 30 feet deep.
The gentleman in the middle is David Jansen, County Judge for Randolph County and the person responsible for the rehabilitation of the Running Water Levee District. He initiated the first meeting in April 2008, he appointed board members to serve on the levee district, he did the unthinkable and raised taxes on those protected by the levee and led the effort to rebuild the levee for the protection of the community. When a story need to be told about the trials and tribulations of re-organizing a levee I point to him and he is happy to impart his wisdom on the subject. In August 2014 I asked him along with the other two gentlemen shown here to share their stories and experience with their levees to Mississippi River Commission.
These rainfalls resulted in record flows on the Black River in Pocahontas; overtopping the Running Water Levee and breaching the north levee in eight locations.

The Black and Current River basins experienced significant flooding from heavy rainfall that began on 21 April 17. Between 28 Apr and 30 Apr up to 10-inches of rain fell in the area.

Running Water Case Study (2017 Event)
- In these photos you can see this most recent event that occurred in early May.
- Note the on-going overtopping that is happening in this photo.
- These levees cannot withstand extended overtopping and it will almost always lead to a breach.
- Communities must assess their protection level to determine its appropriateness.
Case Study: Running Water Levee District, Pocahontas, AR
2017 - Repairs

May 2017

June 2018

August 2018

December 2018
Case Study: Running Water Levee District, Pocahontas, AR
2017 - Repairs

May 2017

June 2018

September 2018

October 2018
Case Study: Running Water Levee District, Pocahontas, AR
2017 - Repairs

May 2017
June 2018
August 2018
December 2018
LEVEE! WE DON'T NEED NO STINKING LEVEE! WELL... MAYBE WE DO NEED THE LEVEE

THANK GOD FOR THE LEVEE... HALLELUJAH, HALLELUJAH.. THANK YA, THANK YA, THANK YA!

Case Study: Running Water Levee District, Pocahontas, AR
2017 - Repairs

QUESTIONS
Appendix 5: Title 33 Part 203 → Subpart D Rehabilitation & Inspection Program (RIP)

§ 203.41 General.

(a) Authority. Public Law 84-99 authorizes repair and restoration of the following types of projects to ensure their continued function:

(1) Flood control projects.

(2) Federally authorized and constructed hurricane/shore protection projects.

(b) Implementation of authority. The Rehabilitation and Inspection Program (RIP) implements Public Law 84-99 authority to repair and rehabilitate flood control projects damaged by floods and coastal storm events. The RIP consists of a process to inspect flood control work; a status determination, i.e., an inspection-based determination of qualification for future Rehabilitation Assistance; and the provision of Rehabilitation Assistance to those projects with Active status that are damaged in a flood or coastal storm event.

(c) Active status. In order for a flood control work to be eligible for Rehabilitation Assistance, it must be in an Active status at the time of damage from a flood or coastal storm event. To gain an Active status, a non-Federal flood control work must meet certain engineering, maintenance, and qualification criteria, as determined by the Corps during an Initial Eligibility Inspection (IEI). To retain an Active status, Federal and non-Federal flood control works must continue to meet inspection criteria set by the Corps, as determined by the Corps during a Continuing Eligibility Inspection (CEI). All flood control works not in an Active status are considered to be Inactive, regardless of whether or not they have previously received a Corps inspection, or Corps assistance.

(d) Modification of flood control projects. Modification of a flood control project to increase the level of protection, or to provide protection to a larger area, is beyond the scope of Public Law 84-99 assistance. Such modifications to Federal projects are normally accomplished under congressional authorization and appropriation, or under Continuing Authorities Programs of the Corps. Such modifications to non- Federal projects are normally accomplished by the non-Federal sponsor and local interests. Modifications necessary to preserve the structural integrity of an existing non-Federal flood control project may be funded by the RIP, but such work must meet the criteria established in § 203.47 to be eligible for funding under Public Law 84-99.

§ 203.42 Inspection of non-Federal flood control works.

(a) Required inspections. The Corps will conduct inspections of non-Federal flood control works. These inspections are IEI's and CEI's. Conduct of IEI's and CEI's will be as provided for in § 203.48.

(1) Corps involvement with any non-Federal flood control work normally begins when the sponsor requests an IEI. The Corps will conduct an IEI to determine if the flood control work meets minimum engineering and maintenance standards and is capable of providing the intended degree of flood protection. An Acceptable or Minimally Acceptable rating (see § 203.48) on the IEI is required to allow the project to gain an Active status in the RIP.
(2) CEI's are conducted periodically to ensure that projects Active in the RIP continue to meet Corps standards, and to determine if the sponsor's maintenance program is adequate. A rating of Acceptable or Minimally Acceptable (see § 203.48) on a CEI is required in order to retain an Active status in the RIP.

(b) Advice and reporting. Information on the results of IEI and CEI inspections will be furnished in writing to non-Federal sponsors, and will be maintained in Corps district offices.

1. Non-Federal sponsors will be informed that an IEI rating of Unacceptable will cause the flood control work to remain in an Inactive status, and ineligible for Rehabilitation Assistance.

2. Non-Federal sponsors will be informed that a CEI rating of Unacceptable will cause the flood control work to be placed in an Inactive status, and ineligible for Rehabilitation Assistance.

3. Non-Federal sponsors will be informed that maintenance deficiencies found during CEI's may negatively impact on eligibility of future Rehabilitation Assistance, and the degree of local cost-sharing participation in any proposed work. Follow-up inspections can be made by the Corps to monitor progress in correcting deficiencies when warranted.

§ 203.43 Inspection of Federal flood control works.

(a) Required inspections. A completed Federal flood control project, or completed functional portions thereof, is granted Active status in the RIP upon transfer of the operation and maintenance of the project (or functional portion thereof) to the non-Federal sponsor. Federal flood control works will be periodically inspected in accordance with 33 CFR 208.10 and Engineer Regulation (ER) 1130-2-530, Flood Control Operations and Maintenance Policies. These periodic inspections of Federal flood control works are also, for simplicity, known as CEI's. If a Federal project is found to be inadequately maintained on a CEI, then it will be placed in an Inactive status in the RIP. [NOTE: This is a separate and distinct action from project deauthorization, which is not within the scope of PL 84-99 activities.] A Federal project will remain in an Inactive status until such time as an adequate maintenance program is restored, and the project is determined by the Corps to be adequately maintained.

(b) Advice and reporting. Information on the results of CEI inspections will be furnished in writing to non-Federal sponsors, and will be maintained in Corps district offices. Non-Federal sponsors will be informed that a CEI rating of Unacceptable will cause the flood control work to be placed in an Inactive status, and not eligible for Rehabilitation Assistance. Non-Federal sponsors will be informed that maintenance deficiencies found during CEI's may negatively impact on eligibility of future Rehabilitation Assistance, and the degree of local cost-sharing participation in any proposed work. Follow-up inspections can be made by the Corps to monitor progress in correcting deficiencies when warranted.

§ 203.44 Rehabilitation of non-Federal flood control works.

(a) Scope of work. The Corps will provide assistance in the rehabilitation of non-Federal projects only when repairs are clearly beyond the normal physical and financial capabilities of the project sponsor. The urgency of the work required will be considered in determining the sponsor's capability.
(b) **Eligibility for Rehabilitation Assistance.** A flood control project is eligible for Rehabilitation Assistance provided that the project is in an Active status at the time of the flood event, the damage was caused by the flood event, the work can be economically justified, and the work is not otherwise prohibited by this subpart D.

(c) **Work at non-Federal expense.** At the earliest opportunity prior to commencement of or during authorized rehabilitation work, the Corps will inform the project sponsor of any work that must be accomplished at non-Federal cost. This includes costs to correct maintenance deficiencies, and any modifications that are necessary to preserve the integrity of the project.

(d) **Nonconforming works.** Any non-Federal project or modified without the appropriate local, State, tribal, and/or Federal permits, or waivers thereof, will not be rehabilitated under Public Law 84-99.

(e) **Cooperation Agreements.** A Cooperation Agreement is required in accordance with subpart G of this part.

**203.45 Rehabilitation of Federal flood control works.** Rehabilitation of Federal flood control projects will be identical to rehabilitation of non-Federal projects (§ 203.44), except for those conditions contained in subpart G of this part concerning cooperation agreements, when the original PCA for the Federal project is sufficient. Additional requirements for Hurricane/Shore Protection Projects are covered in § 203.49.

§ 203.46 Restrictions.

(a) **Restrictions to flood control works.** Flood control works are designed and constructed to have appreciable and dependable protection in preventing damage from irregular and unusual rises in water levels. Structures built primarily for the purposes of channel alignment, navigation, recreation, fish and wildlife enhancement, land reclamation, habitat restoration, drainage, bank protection, or erosion protection are generally ineligible for Public Law 84-99 Rehabilitation Assistance.

(b) **Non-flood related rehabilitation.** Rehabilitation of flood control structures damaged by occurrences other than floods, hurricanes, or coastal storms will generally not be provided under Public Law 84-99.

(c) **Maintenance and deterioration deficiencies.** Rehabilitation under Public Law 84-99 will not be provided for either Federal or non-Federal flood control projects that, as a result of poor maintenance or deterioration, require substantial reconstruction. All deficient or deferred maintenance existing when flood damage occurs will be accomplished by, or at the expense of, the non-Federal sponsor, either prior to or concurrently with authorized rehabilitation work. When work accomplished by the Corps corrects deferred or deficient maintenance, the estimated deferred or deficient maintenance cost will not be included as contributed non-Federal funds, and will be in addition to cost-sharing requirements addressed in § 203.82. Failure of project sponsors to correct deficiencies noted during Continuing Eligibility Inspections may result in ineligibility to receive Rehabilitation Assistance under Public Law 84-99.

(d) **Economic justification.** No flood control work will be rehabilitated unless the work required satisfies Corps criteria for a favorable benefit-to-cost ratio, and the construction cost of the work required exceeds $15,000. Construction costs greater than $15,000 do not preclude the Corps
from making a determination that the required work is a maintenance responsibility of the non-
Federal sponsor, and not eligible for Corps Rehabilitation Assistance.

§ 203.47 Modifications to non-Federal flood control works.
Modifications necessary to preserve the structural integrity of existing non-Federal projects may be constructed at additional Federal and non-Federal expense in conjunction with approved rehabilitation work. The additional Federal cost will be limited to not more than one-third of the estimated Federal construction cost of rehabilitation to preflood level of protection, or $100,000, whichever is less. The modification work must be economically justified. Non-Federal interests are required to contribute a minimum of 25% of the total construction costs of the modification, LERRD's, and any additional funds necessary to support the remaining cost of the modification beyond what the Corps can provide. Engineering and design costs will be at Corps cost.

(a) Cash contributions. Non-Federal contributions will be only in cash. In-kind services are not permitted for modification work.

(b) Protection of additional areas. Modifications designed to provide protection to additional area are not authorized.

§ 203.48 Inspection guidelines for non-Federal flood control works.

(a) Intent. The intent of these guidelines is to facilitate inspections of the design, construction, and maintenance of non-Federal flood control works. The guidelines are not intended to establish design standards for non-Federal flood control works, but to provide uniform procedures within the Corps for conducting required inspections. The results of these inspections determine Active status in the RIP, and thus determine eligibility for Rehabilitation Assistance. The contents of this section are applicable to both IEI's and CEI's.

(b) Level of detail. Evaluations of non-Federal flood control works will be made through on site inspections and technical analyses by Corps technical personnel. The level of detail required in an inspection will be commensurate with the complexity of the inspected project, the potential for catastrophic failure to cause significant loss of life, the economic benefits of the area protected, and other special circumstances that may occur. Technical evaluation procedures are intended to establish the general capability of a non-Federal flood control work to provide reliable flood protection.

(c) Purposes. The IEI assesses the integrity and reliability of the flood control work. In addition, other essential information required to help determine the Federal interest in future repairs/rehabilitation to the flood control work will be obtained. The IEI will establish the estimated level of protection and structural reliability of the existing flood control work. Subsequent CEI's will seek to detect changed project conditions that may have an impact on the reliability of the flood protection provided by the flood control work, to include the level of maintenance being performed on the flood control work.

(d) Inspection components -

(1) Hydrologic/hydraulic analyses. The level of protection provided by a non-Federal flood control work will be evaluated and expressed in terms of exceedence frequency (e.g., a 20% chance of a levee being overtopped in any given year). These analyses also include an
evaluation of existing or needed erosion control features for portions of a project that may be threatened by stream flows, overland flows, or wind generated waves.

(2) Geotechnical analyses. The Geotechnical evaluation will be based primarily on a detailed visual inspection. As a minimum, for levees, the IEI will identify critical sections where levee stability appears weakest and will document the location, reach, and cross-section at these points.

(3) Maintenance. Project maintenance analysis will evaluate the maintenance performance of the non-Federal sponsor, and deficiencies of the project. This evaluation should reflect the level of maintenance needed to assure the intended degree of flood protection, and assess the performance of recent maintenance on the project. The effects of structures on, over, or under the flood control work, such as buried fiber optic cables, gas pipelines, etc., will be evaluated for impact on the stability of the structure.

(4) Other structural features. Other features that may be present, such as pump stations, culverts, closure structures, etc., will be evaluated.

(e) Ratings. Inspected flood control works will receive a rating in accordance with the table below. The table below provides the general assessment parameters used in assigning a rating to the inspected flood control work.

<table>
<thead>
<tr>
<th>Rating</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>A - Acceptable</td>
<td>No immediate work required, other than routine maintenance. The flood control project will function as designed and intended, and necessary cyclic maintenance is being adequately performed.</td>
</tr>
<tr>
<td>M - Minimally Acceptable</td>
<td>One or more deficient conditions exist in the flood control project that need to be improved/corrected. However, the project will essentially function as designed and intended.</td>
</tr>
<tr>
<td>U - Unacceptable</td>
<td>One or more deficient conditions exist which can reasonably be foreseen to prevent the project from functioning as designed, intended, or required.</td>
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</tbody>
</table>

(f) Sponsor reclama. If the results of a Corps evaluation are not acceptable to the project sponsor, the sponsor may choose, at its own expense, to provide a detailed engineering study, preferably certified by a qualified Professional Engineer, as a reclama to attempt to change the Corps evaluation.

§ 203.51 Levee owner's manual.
(a) Authority. In accordance with section 202(f) of Public Law 104-303, the Corps will provide a levee owner's manual to the non-Federal sponsor of all flood control works in an Active status in the RIP.

(b) Policies -

(1) Active non-Federal projects. A levee owner's manual developed and distributed by the Corps will be provided to all sponsors of Active non-Federal projects. The levee owner's manual will include the standards that must be met to maintain an Active status in the Rehabilitation and Inspection Program. Levee owner's manuals will also be provided, upon request, to sponsors of Inactive non-Federal projects so that the sponsors may evaluate their projects and prepare for an IEI to gain an Active status in the RIP.

(2) Federal projects. The Operation and Maintenance Manual specified by 33 CFR 208.10(a)(10) will fulfill the requirement of providing a levee owner's manual if the Corps has not provided a separate levee owner's manual to the sponsor of a Federal project.

(c) Procedural requirements. Levee Owner’s Manuals will be initially provided to non-Federal sponsors of Active flood control works during scheduled CEI's and IEI's. Sponsors of Inactive projects and private levee owners will be provided manuals upon written request to the responsible Corps district.
Appendix 6: USACE Levee Owner’s Manual for Non-Federal Flood Control Works

In March of 2006, the USACE developed a levee owner’s manual for non-federal flood control works to explain the RIP program. The manual was written for local, state, and tribal governments that have been deemed as primarily responsible for operating and maintaining flood works. The manual contains a detailed guide of how to best operate and maintain levee systems, flood walls, and other flood structures. Specifically, the manual details how to prepare for high water and provides a step-by-step guide to utilize when faced with threats of flooding. Moreover, the document helps to inform local, state, and tribal governments of the USACA RIP program and its main components. Recommendations on the development of effective flood control programs are also included as guide to understanding types of assistance provided by the USACE.

For more information and the manual, please see links:


Arkansas GIS

Pope County, Arkansas
Appendix 7: Rough Order of Magnitude (ROM) Cost Analysis

Federal Inactive Levee and Drainage Districts - Summary of Costs to Rehabilitate

<table>
<thead>
<tr>
<th>Type</th>
<th>Name</th>
<th>County</th>
<th>No</th>
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<th>ADJ Estimate</th>
<th>Vol/CY Estimate</th>
<th>Cost/CY Estimate</th>
<th>Prep</th>
<th>估算</th>
<th>Cost/CY Estimate</th>
<th>Unit Cost</th>
<th>Total</th>
<th>P/E</th>
<th>P/E</th>
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73
Non- Federal Inactive Levee and Drainage Districts - Summary of Costs to Rehabilitate

<table>
<thead>
<tr>
<th>Type</th>
<th>Name</th>
<th>County</th>
<th>No.</th>
<th>Estimate</th>
<th>Rebuild after C&amp;G</th>
<th>Sed Cover</th>
<th>Silt Repair</th>
<th>Road Closures</th>
<th>Rebuild Deposition Lines</th>
<th>Pump Station</th>
<th>Total</th>
<th>PRSP</th>
<th>PRSP Value (ESC)</th>
<th>Structures</th>
<th>ACIR</th>
<th>Located Road (Any)</th>
<th>Levee (B)</th>
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</table>

Highlighted: These leves added a system.  
ACE = Annual Chance of Flooding  
*The levee has below grade outlet that reduces the ACE  
*Other Levees Doy - Walsburg Levee
Appendix 8: Step-by-Step Consolidation Framework Guide
(Provided by the Association of Arkansas Counties)

I. Consolidation of Districts Encompassing Land within Only One County: A.
Possible Statutory Method for Districts Holding Agreements with the United States (A.C.A. § 14-120-301 et seq.):

- **Step 1:** Each district seeking consolidation must adopt a resolution by two-thirds of its members agreeing that consolidation is in the best interest of the district and its landowners.
- **Step 2:** Each district seeking consolidation must hold a special meeting of landowners and bondholders at which the question of consolidation is presented for the purpose of hearing objections to the consolidation.
- **Step 3:** Notice of the hearing shall be given by the secretary of each district by publication of a notice for at least two consecutive weekly insertions in a newspaper published and having a bona fide circulation in each county within the district.
- **Step 4:** At the special meeting and after consideration of all objections, if any, each board of directors, by proper resolution duly adopted by two-thirds of the members of each board of directors, shall declare its decision regarding consolidation of the district.
- **Step 5:** File a petition with the proper circuit court to request that the consolidation be granted.

B. Chapter 121 Districts (A.C.A. § 14-121-101 et seq.):

- **Step 1:** Each district seeking consolidation must adopt a resolution by two-thirds of its members agreeing that consolidation is in the best interest of the district and its landowners.
- **Step 2:** Each district seeking consolidation must hold a special meeting of landowners and bondholders at which the question of consolidation is presented for the purpose of hearing objections to the consolidation.
- **Step 3:** Notice of the hearing shall be given by the secretary of each district by publication of a notice for at least two consecutive weekly insertions in a newspaper published and having a bona fide circulation in each county within the district.
- **Step 4:** At the special meeting and after consideration of all objections, if any, each board of directors, by proper resolution duly adopted by two-thirds of the members of each board of directors, shall declare its decision regarding consolidation of the district.
- **Step 5:** File a petition with the proper court to request that the consolidation be granted.
C. Expand and Dissolve Method:

- **Step 1:** Based on extant economic, logistic, and practical factors (e.g., operational costs, geographical factors, assessment figures, states of repair, etc.), determine which district is most viable going forward.
- **Step 2:** Petition or otherwise request the proper court to expand, alter, or change the boundaries of the surviving district. The process of boundary alteration will likely be dependent upon the statutory provisions under which a district was formed and operates. ○ Under A.C.A. § 14-123-205, the county court may lay off levee districts or change or alter the boundaries of existing levee districts at any regular term. A notice requirement is not required.
  ○ Under A.C.A. § 14-121-403, districts may annex lands not originally embraced in the district but which are later determined to be affected by the improvements into the district.

- **Step 3:** Petition or otherwise request the proper court to dissolve the district(s) not chosen to survive. The exact process of dissolution will be dependent upon the statutory provisions under which a district was formed and operates.
- **Step 4:** Obtain consent to expand the surviving district and dissolve the former districts by a decree from the proper court.

II. Consolidation of Districts Encompassing Land within Two or More Counties (A.C.A. § 14-123-204)

- **Step 1(a):** Hold a joint meeting of the boards of directors of each affected levee district, along with the county judges of the counties in which those districts lie.
- **Step 1(b):** At said meeting, the board of directors of each affected levee district may vote to approve the consolidation of the districts.
- **Step 2:** Record the minutes of the joint meeting with the county clerk’s office of each affected county.
- **Step 3 (if necessary):** Provide notice.
- **Step 4 (if necessary):** Hold a special meeting of the landowners and bondholders of each district at which the question of consolidation shall be presented and for the purpose of hearing objections to the consolidation.
- **Step 5:** Obtain consent by decree of the county courts of the counties entered of record. A.C.A. § 14-123-204.
- **Step 6 (if necessary):** The county court may lay off levee districts or change or alter the boundaries of existing levee districts at any regular term. A.C.A. § 14-123-205.
Appendix 9: Sample Levee Reporting Template  
(EXAMPLE LEVEE REPORT)  

LEVEE STATUS REPORT  

Date of the report: _______________________________________________________

Name of Levee/Improvement District: _______________________________________

Location (County): _______________________________________________________

How and when was the district created? ______________________________________

_____________________________________________________________________

General statement of the purpose of the district: ______________________________

_____________________________________________________________________

List of contracts, employees, or obligations of current district: _________________

_____________________________________________________________________

Any current debt with description: ________________________________

_____________________________________________________________________

Payout and maturity date for debt: __________________________________________

_____________________________________________________________________

What assessments (taxes) are currently being collected and by who? _____________

_____________________________________________________________________

Total amount of existing delinquent assessments and party responsible for collection: __

_____________________________________________________________________

Contact information for the district assessor: _________________________________

_____________________________________________________________________

Information concerning to whom the county treasurer is to pay assessments: ________

_____________________________________________________________________

Explanation of statutory penalties, interest, costs: _____________________________

_____________________________________________________________________

Method used to compute district assessments: ________________________________
List of each parcel with an assessment levied against it within the improvement district or protection district: 

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<th>CONTACT</th>
<th>ADDRESS</th>
<th>PHONE</th>
<th>EXPIRES</th>
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Does the district maintain a bank account and who is authorized to approve payments?

Time, date, location for next annual meeting (if scheduled): 

Time, data, location for the next regularly-scheduled meeting: 

Does the district have annual audits? 

Who collects delinquent taxes? 

Current vacancies on the district boards or commission:

Identify district commissioners, contact information, and term expiration:

Who is the contact person for the district? 

Area of district in acres: 

Tax base (Annual Income): 

Itemize income and expenses for the last year: 

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Does the district do an annual inspection of levee? _____________________________

Does the Corps of Engineers (COE) inspect your levee? __________________________

Rating by COE: __________________________________________________________

Is levee in Rehabilitation and Inspection Program (RIP)? _________________________

How would the commissioners/levee board rate the levee? _________________________

What is the single biggest problem with the levee? ______________________________

______________________________________________________________________

______________________________________________________________________

______________________________________________________________________

Sign and Date the following:

Submitted by: __________________________________________________________

Reviewed by Local Emergency Management Coordinator: ____________________

Reviewed by Local Floodplain Manager: ________________________________

Reviewed by County Judge: ________________________________

Copy provided to ANRC: ________________________________

Copy provided to ADEM: ________________________________