

## **Intent of ER Program**

The ER program provides for repair and restoration of highway facilities to pre-disaster conditions. Restoration in kind is therefore the predominate type of repair expected to be accomplished with ER funds. ER funds are not intended to replace other Federal-aid, State, or local funds for new construction to increase capacity, correct non-disaster related deficiencies, or otherwise improve highway facilities.

Added protective features, such as the relocation or rebuilding of roadways at higher elevation or lengthening or raising bridges, and added facilities not existing prior to the natural disaster or catastrophic failure, such as additional lanes, upgraded surfacing, or structures are commonly referred to as betterment. Betterments are not generally eligible for ER funding unless justified.

### **Betterment**

Betterments, for the purposes of the ER program, are defined as (i) added protective features, such as the rebuilding of roadways at a higher elevation or the lengthening of bridges, or (ii) changes which modify the function or character of a highway facility from what existed prior to the disaster or catastrophic failure, such as additional lanes or added access control.

#### **(1) Betterments Involving Added Protective Features:**

This category of betterments involves adding features to highway facilities that help protect these facilities from possible future damage from ER-eligible disasters or catastrophic failures.

Examples include:

- Raising roadway grades
- Relocating roadways to higher ground or away from slide prone areas
- Stabilizing slide areas
- Stabilizing slopes
- Installing riprap
- Lengthening or raising bridges to increase waterway openings
- Deepening channels
- Increasing the size or number of drainage structures
- Replacing culverts with bridges
- Installing seismic retrofits on bridges
- Adding scour protection at bridges
- Adding spur dikes

If a betterment involving an added protective feature is included in an ER repair project, the betterment may be considered eligible for ER funding if it can be economically justified based on an analysis of its cost versus projected savings in costs to the ER program should future ER-eligible disasters occur within the normal design year for the basic repair work. This cost/benefit analysis focuses solely on benefits resulting from estimated savings in future recurring repair costs under the ER program. The analysis does not include other factors

typically included in highway benefit/cost evaluations, such as traffic delays costs, added user costs, motorist safety, economic impacts, etc.

(2) Betterments Involving Changes to the Function or Character of the Highway:

This category of betterments involves making changes to the function or character of the facility from what existed prior to the disaster or catastrophic failure. Examples include:

- Adding lanes
- Upgrading surfaces, such as from gravel to paved
- Improving access control
- Adding grade separations
- Changing from rural to urban cross-section

In general, betterments that change the function or character of a facility do not qualify for ER funding. One exception established under 23 U.S.C. 120(e) allows ER funding participation in replacement bridge facilities to accommodate traffic volumes over the design life of the bridge, thus potentially allowing ER funding for added lanes on bridges.