



Sacramento  
Area Flood  
Control  
Agency

May 18, 2007

Major General Ronald L. Johnson  
Acting Chief of Engineers and  
Commander of the Army Corps of Engineers  
United States Army Corps of Engineers  
441 G Street, Northwest  
Washington, DC 20314-1000

RE: Comments on Draft Final White Paper – Treatment of Vegetation within Local  
Flood Damage Reduction Systems - 20 April 2007

Dear Major General Johnson:

Thank you for the opportunity to comment on the Corps' Draft Final White Paper regarding the treatment of vegetation within local flood damage reduction systems. We applaud and support Corps efforts to identify the best possible management strategies and policies to improve public safety for Californians and for citizens nationally. We also support the Corps' willingness to have a collaborative and informative dialogue on this important and timely matter and offer our support as this process moves forward.

The white paper provides recommendations for maintaining the integrity of flood damage reduction systems, including guidance that would require the removal of all woody vegetation greater than 2 inches in diameter on levee slopes and the creation of 15-foot wide vegetation free zones on the waterside and landward side of levee structures.

For SAFCA, as with the Corps, public safety of floodways is a paramount concern. The Corps' white paper raises legitimate questions about potential negative impacts of vegetation on levees, such as roots compromising levee structural integrity, difficulty of inspecting and flood fighting vegetated levees, and the potential for levee failure caused by windthrow of trees with root systems embedded in levee structures.

However, the white paper also raises some significant concerns for local flood agencies responsible for partnering with the Corps on capital improvements and for maintaining flood facilities because the proposed policy guidance could result in unintended consequences, destabilize river banks, harm levee integrity and adversely affect the environment. For example:

- There does not appear to be an adequate technical basis for the proposed policy guidance with respect to vegetation and how it could harm levee

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integrity and reduce public safety. We ask the Corps to identify the best available science on this subject and be guided accordingly;

- Proposed vegetation standards assume incorrectly that only negative effects of vegetation on levee stability are of concern. However, many engineers, physical scientists, and flood system managers also recognize important benefits of vegetation to levee reliability such as attenuation of boat wakes and wind waves, root cohesion of otherwise weak alluvial soils, and reduction of near-bank flow velocity. In addition, oversized levees might safely harbor substantial vegetation without risking structural integrity. A balanced view of both risks and benefits of levee vegetation to levee reliability should be employed on a case-by-case basis, based on facts on the ground rather than a singular removal standard;
- The policy guidance will need to be implemented in compliance with existing federal laws and regulations, including the National Environmental Policy Act, the Endangered Species Act, Wildlife Coordination Act, and the Clean Water Act. There is a need for thoughtful resolution of the long-standing conflicts between the Corps levee maintenance guidance and resource protection laws. Such resolution requires the active cooperation of all the involved agencies, rather than being the sole responsibility of the local agencies, as suggested on page 17 and 18. The paper seems to underestimate the potentially substantial negative environmental consequences of the proposed effective change in federal policy, with severe impacts on critically important shaded riparian aquatic habitat, anadromous fish runs, Swainson's hawk nesting trees, valley elderberry longhorn beetle, heritage oak trees, and other biological resources;
- The Corps-proposed compliance transition periods suggested in the paper are not adequate to allow local flood maintaining agencies to comply with the new guidance. On page 15 the paper indicates that with an "unacceptable" rating, exclusion from the PL-84-99 program would be immediate, and with a "minimally acceptable" rating, local agencies would have up to two years to comply. Local agencies will require more time to gather the appropriate resources, to thoroughly evaluate local levee risks, and to comply with federal, state and local environmental laws in advance of implementing the new guidance;
- There will be extensive costs associated with the proposed policy guidance implementation including environmental planning and mitigation, land easement acquisition, initial vegetation removal, extensive repairs of levees and banks disturbed by vegetation and soil removal, and ongoing operations and maintenance to maintain levees per the new vegetation standards; and
- No cost sharing mechanism has been identified in the final draft white paper to offset the local cost burden to meet the new standards even though many levees were designed with vegetation as part of the project. We are concerned that these new costs will overextend the ability of local agencies

to finance implementation of the proposed measures in addition to significant investments in flood system upgrades planned and committed to already.

We recognize the need to develop appropriate flood system maintenance policies during this period of major flood control project implementation in the Sacramento Metropolitan area. At the same time, we recognize that the relationship between vegetation and levees is an important policy issue requiring resolution and that implementation of the white paper should be based upon the most current scientific information available. This will ensure, as the flood partnership moves forward with its plan of implementation, that flood benefits for the region are maximized consistent with providing for the highest level of public safety.

The white paper describes a 4-5 month schedule for interagency review and dialogue before vegetation standards are implemented and used as a basis for local levee certifications nationwide. We encourage the Corps to anticipate the possibility that this important dialogue outlined in the Corps' schedule, and a more thorough review of technical information, may result in positive and meaningful changes and refinements to the vegetation standards.

Thank you for this opportunity to comment on the Draft Final White Paper regarding the treatment of vegetation within local flood damage reduction systems. We look forward to continuing our productive working partnership and are available to meet with you and other Corps staff to discuss this issue further. If you have any questions, please feel free to contact me at 916-874-7606.

Sincerely,



Stein M. Buer,  
Executive Director

cc:

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BG John McMahon, Commander, South Pacific Division, USACE  
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