



DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
CIVIL WORKS
108 ARMY PENTAGON
WASHINGTON DC 20310-0108

MAR 08 2010

Mr. Lester A. Snow
Secretary for Natural Resources
State of California
1416 Ninth Street
Sacramento, CA 94236-0001

Dear Mr. Snow:

I am responding to your letter dated January 13, 2010 that requested improved partnering with the U.S. Army Corps of Engineers as they revise guidance on the process for requesting variances from vegetation standards for levees and floodwalls; and expressing concern about potential effects of the revised guidance on *California's Central Valley Flood System Improvement Framework, February 2009* (Framework), and the *Interim Federal Action Plan for the California Bay-Delta, December 22, 2009*. I note that after your letter, the Corps released a notice in the Federal Register on February 9, 2010 that invites public comments on a proposed *Policy Guidance Letter—Variance From Vegetation Standards for Levees and Floodwalls*. The release requests written comments by March 11, 2010.

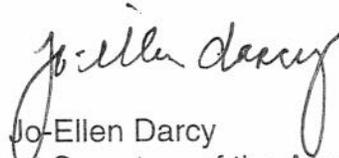
It is my sincere hope that the release of the draft guidance has enabled you to assess its implications for your levee systems and to advise the Corps accordingly. Your input as well as that from other key stakeholders and interested parties will be used to help finalize the guidance. The Corps is committed to collaborating with the State of California and other stakeholders in flood risk management and reduction efforts in a systematic and holistic manner. The implementation of system-wide flood risk management strategies such as the Framework is one of the Corps' top seven priorities for water resources actions nationwide.

The Corps has advised me that the draft vegetation variance process would apply to many ongoing activities such as the Sacramento River Bank Protection Project and the Corps' Rehabilitation and Inspection Program. Due to these complexities, they have decided to extend the comment period 45 days. The Corps has also advised that your long-term plan to resolve legacy vegetation issues will be included in the Central Valley Flood Protection Plan and that these efforts will be completed in July 2012. The Framework Agreement will remain in effect during this time frame.

I appreciate your interest in these important levee issues and continued collaboration as we seek to develop sustainable solutions to manage and reduce the Nation's flood risks. If you have any further questions or needs, please feel free to contact me or Mr. Edward Hecker, Director of Contingency Operations, Corps headquarters. Mr. Hecker can be reached at (202) 761-4601. I am furnishing copies of

this letter to the Honorable David Hayes, Deputy Secretary, U.S. Department of the Interior; Mr. David Nawi, U.S. Department of the Interior; Mr. Ren Lohofener, Regional Director, U.S. Fish and Wildlife Service; Mr. Donald Glaser, Regional Director, U.S. Bureau of Reclamation; Mr. John McCamman, Director, California Department of Fish and Game; Mr. Rod McInnis, Regional Administrator, National Marine Fisheries Service; and several Corps offices.

Very truly yours,

A handwritten signature in cursive script that reads "Jo-Ellen Darcy". The signature is written in dark ink and is positioned above the printed name.

Jo-Ellen Darcy
Assistant Secretary of the Army
(Civil Works)