

April 23, 2010

Mr. Douglas J. Wade  
U.S. Army Corps of Engineers  
Attn: CECW-CE  
441 G Street, N.W.  
Washington, DC 20314-1000

**Subject: Comments on Federal Register Notice - Process for Requesting a Variance from Vegetation Standards for Levees and Floodwalls (Docket No. COE-2010-0007)**

Dear Mr. Wade:

This letter is in response to the February 9, 2010 Notice in the Federal Register (COE-2010-0007) regarding the subject variance process. The County of Orange expresses appreciation for the opportunity to provide comments on the proposed variance process. We are concerned about the impacts from the new requirements for requesting a variance from vegetation standards. The proposed process is burdensome for both Army Corps of Engineers (Corps) and County of Orange (County). The County requests that the Corps simplify the approval process for the variance by:

1. Removing all approval requirements above the district level outlined in section 6c. thru section 6e. Having the District Commander serve as the final approving official will render this process less onerous than in its current form while allowing the Corps to retain adequate oversight.
2. Should local agencies be directed to adhere to the proposed vegetation standard, the economic impact to said agency will be significant. We request variance be made available due to economic infeasibility, in addition to the two criteria for variance outlined in section 6a (preserve, protect, and enhance natural resources, and/or protect the rights of Native Americans, pursuant to treaty, statute, or Executive Order).

The County will remain an attentive observer of the status of the proposed variance process. We hope the Corps is amenable to the comments and suggestions put forth by County and other local agencies throughout the nation.

Sincerely,



Nadeem Majaj P.E, Assistant Chief Engineer  
OC Public Works/OC Engineering  
Orange County, CA