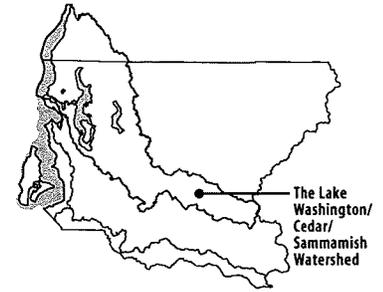


WATER RESOURCE INVENTORY AREA (WRIA 8) SALMON RECOVERY COUNCIL



Beaux Arts Village
Bellevue
Bothell
Clyde Hill
Edmonds
Hunts Point
Issaquah
Kenmore
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King County
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Seattle
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Woodinville
Yarrow Point

The Boeing Company
Cedar River Council
Greater Maple Valley Area Council
Greater Seattle Chamber of Commerce
Mid-Sound Fisheries Enhancement Group
Northwest Marine Trade Association
Save Lake Sammamish
Sustainable Fisheries Foundation
Trout Unlimited

US Army Corps of Engineers
Washington Departments:
Ecology
Fish and Wildlife
Natural Resources
Washington Association of Sewer and Water Districts
King Conservation District

April 22, 2010

United States Army Corps of Engineers
Attn: CECW-CE, Douglas J. Wade
441 G Street NW
Washington, DC 20314-1000

Re: Proposed Revised Policy Regarding Variances from Vegetation Standards for Levees and Floodwalls (Docket No. COE-2010-0007)

Dear Mr. Wade,

Thank you for the opportunity to provide comments in regard to the February 9, 2010 proposal by the Army Corps of Engineers (Corps) to revise its policy regarding variance from the national standard for managing vegetation on levees that are part of the Public Law (PL) 84-99 program.

I'm writing on behalf of the WRIA 8 Salmon Recovery Council which is comprised of 27 local governments, businesses, community groups, and state and federal agencies who have been working together since 2000 to recover Chinook salmon in the Lake Washington/Cedar/Sammamish watershed. Our effort is part of the overall regional effort to recover Puget Sound and Puget Sound Chinook salmon which were listed as threatened under the Endangered Species Act (ESA) in 1999.

Our partners have worked together to protect and restore habitat throughout the Lake Washington/Cedar/Sammamish watershed using local, state and federal funds. Some of this work has been in direct partnership with the U.S. Army Corps of Engineers through the Lake Washington General Investigation Study and efforts to improve fish passage at the Hiram H. Chittenden Locks. Of particular relevance to the vegetation management on levees issue, local governments, community groups and citizen volunteers have partnered to remove non-native plants such as blackberry and replace them with native plants which provide more shade and are sources of food for fish along the Sammamish River. These restoration efforts are often found to be in conflict with U.S. Army Corps of Engineers vegetation standards. The Cedar River also has vegetated levees as well as bioengineered flood protection facilities that incorporate native vegetation as a structural element. Some of these levees are enrolled in the PL 84-99 program. The Cedar River is the highest priority spawning area for Chinook salmon the Lake Washington/Cedar/Sammamish watershed, so retaining healthy riparian buffers is especially important on the Cedar River.

At our March 18, 2010 meeting, we reviewed two letters regarding the Corps proposed revisions. One was from the King County Flood Advisory Committee (dated March 15, 2010). The other was from a very diverse group including tribes, local governments, non-profit organizations and agencies including NOAA- Fisheries and the Washington Department of Fish and Wildlife (dated March 12, 2010). We are writing in support of points raised in these two letters and to express our concern regarding the Corps' proposed revisions regarding variance from the national standard for managing vegetation on levees that are part of the PL 84-99 program.

As proposed the new variance will make it very difficult for local governments in Puget Sound that want to retain their eligibility for federal PL 84-99 funding for critical flood protection projects to retain vegetation on levees. This conflicts with the need to maintain vegetated riparian areas to provide habitat for ESA listed Chinook. Local governments are caught between conflicting federal mandates for flood control and the ESA. The situation sends a very mixed message to the public.

We ask that the Corps reconsider its proposed vegetation policy in light of these concerns and develop a new policy which would increase flexibility for PL 84-99 program participants to retain vegetation on levees where there is no evidence that such vegetation compromises public safety. We respectfully ask that the Corps work with its partners in the Northwest region to resolve the existing legal concerns of program participants stemming from the conflict between the existing vegetation on levee standards and the recovery of ESA listed salmon.

Sincerely,



Dr. Don Davidson
Chair, WRIA 8 Salmon Recovery Council
Mayor, City of Bellevue

cc: WRIA 8 Salmon Recovery Council members
Honorable Patty Murray, United States Senator
Honorable Maria Cantwell, United States Senator
Honorable Jim McDermott, United States Congressman
Honorable Jay Inslee, United States Congressman
Honorable Adam Smith, United States Congressman
Honorable Dave Reichert, United States Congressman
David Dicks, Executive Director, Puget Sound Partnership
Phil Anderson, Director, Washington Dept. of Fish and Wildlife
Isabel Tinoco, Director, Natural Resources Dept., Muckleshoot Tribe