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ARMY CORPS OF ENGINEERS LEVEE VEGETATION REMOVAL POLICY

REQUESTED ACTION: Support a delay in the implementation of U.S. Army Corps of Engineers (Corps) policy on levee vegetation management. In addition, seek modifications to the policy that: (1) considers regional variation across the nation; (2) includes a variance and exemption provision where appropriate; (3) conforms to other federal and state laws; and, (4) includes local government in a transparent and collaborative process.

BACKGROUND: The Corps has constructed thousands of miles of levees throughout the United States to help reduce the threat of flooding. In many communities, the local sponsors of these levees are flood control agencies. The Corps began reassessing its levee maintenance policies following extensive flooding in New Orleans from Hurricane Katrina, and, shortly thereafter, started to enforce its vegetation policy more rigorously. In essence, the policy requires all vegetation to be removed from levees in order to allow for easier inspections and to reduce any potential weakening of levees from root growth.

In February 2010, the Corps issued a draft variance procedure regarding trees, brush and other vegetation growing on levees to add some flexibility to the policy. Unfortunately, this draft procedure does not address regional differences in climate, hydrology, and geology throughout the nation and has proven to be unworkable.

It should be noted that the Corps policy is in direct conflict with some federal and/or state regulations that require trees and other plants to provide habitat for endangered or threatened species. Additionally, the California Department of Water Resources (DWR) has not seen evidence that well-managed vegetation that allows access for inspection and flood fighting poses significant risk to levee safety. In fact, in a preliminary review of levee performance records, DWR has found that of 329 documented levee failures in the Central Valley, *none* could be attributed to levee vegetation. Furthermore, out of 5,089 documented levee performance incidents (that did not result in failure), only eight incidents could be associated with vegetation management issues. DWR expects to complete its engineering evaluation of 2,100 miles of levees comprising the Central Valley Flood Control System in December of 2012.

If the Corps vegetation policy is not modified, it will drastically change the scope of the original flood protection project authorized by Congress for most projects maintained by local agencies (3,000 miles of river and creek levees in California are impacted by this policy). If implemented, the policy would force local agencies to strip the valuable ecosystem habitat from levees, as well as force projects to be redesigned at higher costs to taxpayers. DWR estimates that the minimum cost of implementing the vegetation policy is approximately \$7 billion. CSAC and other stakeholders strongly believe that it would be fiscally and environmentally irresponsible to expend such an enormous amount of public funds to remove vegetation features absent a commensurate, demonstrable increase in public safety.

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