



# San Gabriel Valley Council of Governments

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February 22<sup>nd</sup>, 2011

Douglas J. Wade, CECW-CE  
U.S. Army Corps of Engineers  
441 G Street, NW  
Washington, DC 20314-1000

Dear Mr. Wade:

On behalf of the San Gabriel Valley Council of Governments (SGVCOG), I would like to express our concern regarding the U.S. Army Corps of Engineers' (USACE) Vegetation Standards for Levees and Floodwalls. As currently written, this policy requires a Minimum Vegetation Free Zone which extends 15 feet on either side from the toe of the levee and includes everything in between. While we understand the need to allow for inspection of levees and appreciate that this policy is intended to reduce any potential weakening of the levees through root growth, we believe this policy is problematic for our region. For that reason, we request that USACE delay implementation of this policy.

This policy would be applicable to a number of levees within the San Gabriel Valley including those along the San Gabriel River between the Santa Fe Dam and confluence with San Jose Creek, and along the Rio Hondo above Whittier Narrows Dam. This policy would negatively affect local projects including the Emerald Necklace greenway, Watershed Conservation Authority's Duck Farm Regional Park, and river-side trail projects, such as along San Jose Creek.

The Los Angeles County Flood Control District (LACFCD), along with several other local flood control districts throughout California, has expressed concern over this policy, believing that it does not take into account regional differences. In Southern California, these differences include that the majority of levees have already been improved and that water is not flowing through the levees year-round. Additional concerns are as follows:

- **Conflicts with Endangered Species and Environmental Regulations:** For many local sponsors, the policy is in direct conflict with federal and/or state regulations which require trees and other plants to provide habitat for endangered or threatened species.
- **Reduces Water Quality:** Vegetation on levees, with limited exception, helps reduce the amount of sediment that enters waterways. Local water quality regulators are likely to oppose attempts by local agencies to remove vegetation in order to comply with this policy.
- **Creates Financial Risks for Communities:** Currently, local sponsors receive USACE assistance in rebuilding levees that have failed or are in eminent danger of failure. Local sponsors who do not comply with the vegetation policy are at risk of losing this financial support. This places communities at tremendous financial risk.

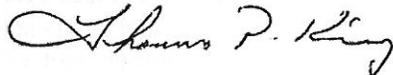
EXECUTIVE DIRECTOR  
Nicholas J. Conway

- **Variance is Problematic** – The proposed vegetation variance does not reflect regional differences in hydrology; it does not take into account research currently underway regarding the impacts of woody vegetation on levees; it could lead to environmentally inferior levees; and it requires local agencies to be responsible for environmental compliance (an impossible task since the variance requirements conflict with other state and federal regulations). Additionally, the SGVCOG believes that the variance process is cost prohibitive. In order to apply for a variance, localities are required to conduct an in depth engineering analysis to show existing vegetation will not impact functionality of levee. Currently, one variance application has been processed in California, which took 4 months and over \$350,000 to complete.

Because of these concerns, the SGVCOG is requesting that USACE delay implementation and work with local flood control districts, including LAFCD, to evaluate the impacts of the policy and determine next steps.

Thank your consideration of this important matter. Should you have any questions or wish to discuss this further, please contact the SGVCOG offices at (626) 457-1800.

Sincerely,



Thomas P. King  
President

Cc: Jo-Ellen Darcy, Assistant Secretary of the Army (Civil Works)  
Brigadier General Rock Donahue, Division Commander, South Pacific Division, USACE  
Colonel R. Mark Toy, District Engineer, Los Angeles District, USACE  
William Fujioka, County Chief Executive Officer, County of Los Angeles  
Gail Farber, Director of Los Angeles County Department of Public Works