



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

FEB 17 2011

Mr. James Fiedler
President
National Association of Flood and Stormwater Management Agencies
1333 H Street, NW
10th Floor West Tower
Washington, DC 20005

Dear Mr. Fiedler:

I am responding to your February 2, 2011 letter expressing concerns raised by your members about the U.S. Army Corps of Engineers vegetation management guidelines for levees.

The Corps has had vegetation management standards for new and existing levees, floodwalls, and dams for several decades, the most recent being *Guidelines for Landscape Planting and Vegetation Management at Levees, Floodwalls, Embankment Dams, and Appurtenant Structures* (Engineering Technical Letter (ETL) No. 1110-2-571, April 10, 2009). Supplemental to these standards, the Corps has a process to review requests from non-federal sponsors to allow non-compliant vegetation to remain on levees if it is determined that the vegetation does not jeopardize levee integrity. It is this process that is currently being updated through the draft Policy Guidance Letter (PGL), *Variance from Vegetation Standards for Levees and Floodwalls* (February 9, 2010). No changes are being proposed to ETL 1110-2-571 or its implementation.

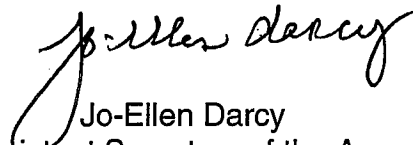
The purposes of the variance process are to ensure public safety is not compromised; there is a well-defined vegetation management plan in place; and all environmental compliance requirements have been met. The draft PGL is an update of a vegetation variance request process issued in 1997 as a result of Section 202(g) of the Water Resources Development Act of 1996. This required the Corps to review its vegetation management requirements for levee systems and incorporate revisions to recognize that there may be some instances where vegetation may preserve, protect or enhance natural resources and/or protect the rights of Native Americans.

Currently, the Corps has postponed release of the final PGL to enable it to conduct a thorough review and consider the public comments received on the draft policy. This includes comments from the National Association of Flood and Stormwater Management Agencies and its member agencies. This postponement will also allow for further coordination with the resource agencies at the national level, as well as consideration of levee vegetation research performed by the Corps Engineer Research and Development Center. The Corps will publish a revised draft of the PGL in the Federal Register for a 30-day comment period before issuing the final version this

summer. However, up-to-date and consistent policies and procedures, such as the PGL, provide necessary guidance in reducing risk, and it is important that the guidance, with due consideration given to the comments by stakeholders across the nation, be issued.

A long-term solution to the nation's water resources challenges will require an extensive collaborative effort nationally and at the federal, state and local level. Regional roundtables as initiated by the Corps' non-federal partners or use of the Corps Silver Jackets program are proving to be beneficial processes to address these challenges at the regional level. The Corps remains committed to this effort. Thank you for your interest in the Army Civil Works program.

Very truly yours,

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

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