

**DEPARTMENT OF WATER RESOURCES**

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FEB 8 2012

Honorable Dianne Feinstein, Chair  
Subcommittee on Energy and Water  
331 Hart Senate Office Building  
Washington, DC 20510

Dear Senator Feinstein,

Thank you for your continuing attention to U.S. Army Corps of Engineers' (USACE) levee vegetation policy and its impacts in California. As discussed in prior correspondence, California needs a regional variance or exemption that recognizes our unique legacy levee vegetation and its importance as riparian habitat for threatened and endangered species. The variance or exemption must not require a commitment to long term compliance with ETL 1110-2-571. We believe compliance would be infeasible, inappropriate, and a misdirection of limited funds to a very low priority potential risk factor. Recent levee evaluations presented in the draft Central Valley Flood Protection Plan have identified:

- Approximately half of about 300 miles of federal levees in urban areas do not meet current engineering criteria.
- Approximately 60 percent of about 1,230 miles of federal levees in nonurban areas have a high potential for failure.

For these federal levees in the Central Valley alone, we need to invest \$14 - \$17 billion over the next few decades to repair and improve the flood system. This amount greatly exceeds available funding and does not include ETL compliance costs, estimated at approximately \$7 billion (if mitigation of the environmental impacts is even feasible).

We request your assistance in convincing USACE to commit to working with the California Department of Water Resources over a specific period of time to develop a workable regional variance or exemption.

Thank you for your continued support on this important issue. Please call me at (916) 653-7007 if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark W. Cowin".

Mark W. Cowin  
Director