



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**March 8, 2010**

**FCD Resolution**

**Proposed No. FCD2010-29.1**

**Sponsors**

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A RESOLUTION to oppose proposed revisions to the United States Army  
Corps of Engineers' policy regarding variances from the national standard  
for managing vegetation on levees, floodwalls, embankment dams, and  
appurtenant structures and providing King County Flood Control Zone  
District comments in response to the February 9, 2010 federal register  
notice on docket number COE-2010-0007.

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WHEREAS, in 2007, the King County Council created a Flood Control Zone  
District ("District") to oversee flood control efforts in the most populated county in the  
state of Washington; and

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WHEREAS, beginning in January 2008, the District began assessing property  
taxes to fund countywide flood control efforts; and

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WHEREAS, the District has effectively partnered with the Army Corp of  
Engineers ("Corps") Seattle District to leverage federal and local funding used to  
construct flood risk reduction projects; and

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WHEREAS, the interests of the District and the people of King County are best  
served when flood risk reduction efforts are implemented in an efficient and timely  
manner; and

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20 WHEREAS, the District must align flood safety and environmental rules; and

21 WHEREAS, the current national levee vegetation standards in the Corps ER 500-  
22 1-1 engineering manual were developed decades ago and were based primarily on the  
23 needs of river systems in regions other than Puget Sound; and

24 WHEREAS, the National Marine Fisheries Service's ("NMFS") 2003 review of  
25 the Corps' Programmatic Biological Assessment of the Flood Control Projects  
26 Maintenance Inspection Program concluded that removal of riparian vegetation is an  
27 action that is "likely to adversely affect" listed fish species; and

28 WHEREAS, the federal government has conflicting policies regarding vegetation  
29 management between the Corps' proposed policy and the NMFS Biological Opinion to  
30 the Federal Emergency Management Agency, issued in September 2008, which describes  
31 the serious adverse affects to Endangered Species Act("ESA")-listed salmon and  
32 steelhead in Puget Sound resulting from the removal of levee vegetation; and

33 WHEREAS, the continued removal of trees presents a direct conflict with the  
34 need documented in the federally-adopted *Puget Sound Salmon Recovery Plan* to protect  
35 existing riparian habitat and recover lost riparian habitat for endangered fish species; and

36 WHEREAS, removing existing riparian vegetation and precluding the growth of  
37 additional riparian vegetation would exacerbate existing water temperature problems for  
38 rivers listed as impaired under Section 303(d) of the Clean Water Act;

39 NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS  
40 OF THE KING COUNTY FLOOD CONTROL ZONE DISTRICT:

41 A. The District requests that the Corps withdraw its current proposal and base  
42 any future policy changes regarding vegetation management on scientific research, which

43 the Corps committed to at the Corps-sponsored symposium, "An Examination of Levee  
44 Vegetation Policy," held in February 2009 in Renton, Washington.

45 B. The District requests that the Corps allow the current Seattle District regional  
46 variance to remain in place until collaborative scientific research on the effects of levee  
47 vegetation in the Pacific Northwest is complete.

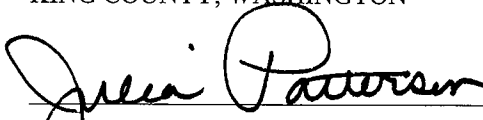
48 C. The District requests that the Corps consider local conditions and  
49 opportunities in its vegetation management policies.

50 D. The District requests the Corps to consult with the NMFS and the United  
51 States Fisheries and Wildlife Service regarding the impacts of the Corps' levee vegetation  
52 requirements on species listed under the federal ESA.

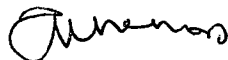
FCD Resolution was introduced on and passed by the King County Flood Control District on 3/8/2010, by the following vote:

Yes: 9 - Ms. Drago, Mr. Phillips, Mr. von Reichbauer, Mr. Gossett,  
Ms. Hague, Ms. Patterson, Ms. Lambert, Mr. Ferguson and Mr. Dunn  
No: 0  
Excused: 0

KING COUNTY FLOOD DISTRICT  
KING COUNTY, WASHINGTON

  
Julia Patterson, Chair

ATTEST:

  
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Anne Noris, Clerk of the District

Attachments: None

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