Application No. 18920 Agenda Item No. 5A

Meeting of the Central Valley Flood Protection Board July 25, 2014

Staff Report

Capital Station LLC, American River, Sacramento County

<u>1.0 – ITEM</u>

Consider approval of Draft Permit No. 18820. (Attachments B)

2.0 - APPLICANT

Capital Station LLC

3.0 - LOCATION

The project is located on the landward slope of the south, left bank levee of the American River from Levee Mile 0.82 to Levee Mile 1.40, Unit No. 4, American River Flood Control District in the City of Sacramento (American River, Sacramento County, see Attachment(s) A).

4.0 - PROJECT DESCRIPTION

The applicant has applied to the Central Valley Flood Protection Board (Board) for a permit to plant vegetation, perform landscaping, install an irrigation system and construct park features on the landside slope of the levee.

5.0 - AUTHORITY OF THE BOARD

California Water Code § 8534, 8590 – 8610.5, and 8700 - 8710

California Code of Regulations, Title 23 (Title 23)

• § 6, Need for a Permit

- § 7, Endorsement by Local Maintaining Agency
- § 13.2 Consent Calendar
- § 112, Streams Regulated and Non-permissible Work Periods
- § 120, Levees
- § 131, Vegetation

6.0 - BACKGROUND

In 2007 Capital Station LLC applied for a Board Permit (18305) to place approximately 1500 linear feet of fill and plant native vegetation, install an irrigation system and park features along the landside slope of the left (south) bank levee of the American River. The United States Army Corps of Engineers (USACE) had concerns regarding the proposed planting of vegetation, construction of landscaping, installation of an irrigation system and installation of park features. To facilitate the issuance of Board Permit 18305, the applicant modified their request to only include the placement of 1500 linear feet of fill. In the meantime the applicant waited for updated landscaping standards that have now been issued by the U.S. Army Corps of Engineers (USACE) in Technical Letter, "Guidelines for Landscape Plantings and Vegetation Management at Floodwalls, Levees, Embankment Dams, and Appurtenant Structures" (ETL No. 1110-2-571).

This permit (18920) is to allow landscaping to be placed in accordance with the USACE updated standards.

The levee at the location of the proposed encroachments is now an oversized levee and the proposed encroachments are well outside the levee prism, and the proposed encroachments do not conflict with the California Code of Regulations Title 23 (23 C.C.R.) Section 131.

7.0 - PROJECT ANALYSIS

The project as proposed will not compromise the functionality and/or maintenance of the American River Flood Control Project Works.

7.1 - Hydraulic Analysis

The scope of the work for this project does not require a hydraulic analysis.

7.2 - Geotechnical Analysis

All earthwork/grading at the site of the proposed planting of vegetation, construction of landscaping, installation of an irrigation system and installation of park features was performed under Board Permit 18305.

8.0 - AGENCY COMMENTS AND ENDORSEMENTS

The comments and endorsements associated with this project, from all pertinent agencies are shown below:

- The U.S. Army Corps of Engineers 208.10 comment letter has not been received for this application. Staff anticipates receipt of a letter indicating that the USACE District Engineer has no objection to the project, subject to conditions. Upon receipt of the letter, staff will review to ensure conformity with the permit language and incorporate it into the permit as Exhibit A.
- American River Flood Control District has endorsed the project with conditions;
 the conditions will be incorporated into the permit as Exhibit B.

9.0 - CEQA ANALYSIS

Board staff has prepared the following California Environmental Quality Act (CEQA) determination:

The Board, acting as a responsible agency under CEQA, has independently reviewed the Draft Environmental Impact Report (DEIR, SCH No. 2006072077, February 2007), the Final Environmental Impact Report (FEIR, SCH No. 2006072077, July 2007) and the Mitigation Monitoring and Reporting Plan (MMRP) on the Township 9 Project. These documents, including project design, may be viewed or downloaded from the Central Valley Flood Protection Board website at http://www.cvfpb.ca.gov/meetings/2014/07-25-2014.cfm under a link for this agenda item. These documents are also available for review in hard copy at the Board and the City offices.

The City of Sacramento, as the lead agency, determined that the project would have a significant effect on the environment on August 28, 2007 and adopted Resolution 2007-641 (including Statement of Facts, Findings, Impacts and Mitigation Measures, Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program). The Notice of Determination was filed with State Clearinghouse on August 29, 2007. The documents are also available for review in hard copy at the Board and City of Sacramento offices.

The significant impacts and the mitigation measures to reduce them to less than significant were adopted by the Sacramento City Council on August 28, 2007 (which includes a Statement of Facts, Findings, Impacts and Mitigation Measures, Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program). Based on its independent review of the FEIR, the Board finds that for each of the significant impacts described, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the FEIR. Moreover, such changes or alterations are within the responsibility and jurisdictions of another public agency, City of Sacramento, and such changes have been adopted by that agency.

Significant Unavoidable Adverse Impacts of the Project

The following impacts of the proposed project remain significant following adoption and implementation of the mitigation measures described in the FEIR:

Project-Specific Significant and Unavoidable Impacts

- 6.2-3 Operation of the proposed project would contribute to emissions of ozone precursors.
- 6.4-1 The proposed project could cause a substantial change in the significance of an historical resource as defined in CEQA Guidelines Section 15064.5.
- 6.8-1 Construction of the proposed project would temporarily expose existing receptors to increased noise levels.
- 6.8-2 Ground-borne vibration from construction activity could cause structural damage to nearby buildings.
- 6.11-1 The proposed project would add traffic to study intersections under both Scenario A and Scenario B and cause the level of service to deteriorate.
- 6.11-2 The proposed project would add traffic to the study roadway segments that result in substandard levels of service.

- 6.11-3 The proposed project would add traffic to the study freeway mainline segments and cause the level of service to degrade below Level of Service (LOS) E.
- 6.11-4 The proposed project would add traffic to the study freeway interchanges and cause the level of service to degrade below those of the freeway mainline.
- 6.11-5 The proposed project would add traffic to the study freeway off-ramps where queues would exceed available storage capacity with or without the proposed project under both Scenario A and Scenario B.

Cumulative Significant and Unavoidable Impacts

- 6.2-7 Operation of the proposed project would increase cumulative levels of ozone precursors.
- 6.2-9 Operational activities associated with the proposed project would contribute to cumulative levels of particulate matter in the vicinity of the project site.
- The proposed project, in combination with other development in the City of Sacramento, could cause a substantial change in the significance of an historical resource as defined in CEQA Guidelines Section 15064.5.
- 6.11-12 The proposed project would add traffic to study intersections under both Scenario A and Scenario B and cause the level of service to deteriorate.
- 6.11-13 The proposed project would add traffic to the study roadway segments.
- 6.11-14 The proposed project would add traffic to the study freeway mainline segments and cause the level of service to degrade below LOS E under near term conditions.
- 6.11-15 The proposed project would add traffic to the study freeway interchanges and cause the level of service to degrade below those of the freeway mainline under both Scenario A and Scenario B.
- 6.11-16 The proposed project would add traffic to the study freeway off-ramps where queues would exceed available storage capacity with or without the proposed project under both Scenario A and Scenario B.
- 6.11-18 The proposed project would add traffic to study intersections under both Scenario A and Scenario B and cause the level of service to deteriorate.
- 6.11-19 The proposed project would add traffic to the study roadway s that results in substandard levels of service.
- 6.11-20 The proposed project would add traffic to the study freeway mainline segments and cause the level of service to degrade below LOS E under near term conditions.

- 6.11-21 The proposed project would add traffic to the study freeway interchanges and cause the level of service to degrade below those of the freeway mainline under both Scenario A and Scenario B.
- 6.11-22 The proposed project would add traffic to the study freeway off-ramps where queues would exceed available storage capacity with or without the proposed project under both Scenario A and Scenario B.

The Board further finds that none of the significant unavoidable adverse impacts of the project are within the Board's jurisdiction. The Board also finds that the specific economic, legal, social, technological or other benefits of the project, as listed below, outweigh the unavoidable adverse environmental effects, which are considered to be "acceptable."

Statement of Overriding Considerations

The Board has independently considered the significant and unavoidable environmental impacts of the proposed project. The Board further finds that none of the significant unavoidable impacts of the project are within the Board's jurisdiction, and that the benefits listed below outweigh the unavoidable project impacts.

Primary Project Benefits

- The project will help fund Phase 1 of the Planned Regional Transit Downtown-Natomas-Airport Line.
- The project provides high density residential and office development within 1/4 mile of a proposed light rail station.
- The project will dedicate land for purposes of constructing a light rail station.
- The project is consistent with and supportive of Sacramento Area Council of Government's Blueprint Plan.
- The project is a logical extension of the City's downtown urban area.
- The project will provide revenue to the City.
- The project will provide diverse housing opportunities in close proximity to an employment base.
- The project will provide neighborhood and community retail near residential development to shorten or reduce the number of vehicle trips.
- The project will activate the riverfront and provide open space.
- The project incorporates the historic character of the Cannery Site into the project design.
- The project realizes an infill development opportunity within a redevelopment area.

 The project will provide all necessary on-site infrastructure and contribute fair share funding to upgrade the City's infrastructure system.

- The project will utilize energy conservation measures in design of project buildings.
- The project provides urban parks, plazas and open spaces to provide community connectivity.
- The project's park spaces will be designed and implemented to facilitate open space locations and linkages that create a vibrant, enjoyable community.

The Board finds that economic, legal, social, technological, or other benefits of the proposed project outweigh the unavoidable adverse environmental effects of the project, and the adverse environmental effects are considered acceptable when these benefits of the project are considered.

The documents and other materials which constitute the record of the Central Valley Flood Board's proceedings in this matter are in the custody of Leslie Gallagher, Acting Executive Officer, Central Valley Flood Protection Board, 3310 El Camino Ave., Rm. 151, Sacramento, California 95821.

10.0 - SECTION 8610.5 CONSIDERATIONS

- 1. Evidence that the Board admits into its record from any party, State or local public agency, or nongovernmental organization with expertise in flood or flood plain management:
 - The Board will make its decision based on the evidence in the permit application and attachments, this staff report, and any other evidence presented by any individual or group.
- 2. The best available science that related to the scientific issues presented by the executive officer, legal counsel, the Department or other parties that raise credible scientific issues.
 - The accepted industry standards for the work proposed under this permit as regulated by Title 23 have been applied to the review of this permit.
- 3. Effects of the decision on the entire State Plan of Flood Control, and consistency of the proposed project with the Central Valley Flood Protection Plan as adopted by Board Resolution 2012-25 on June 29, 2012:

Application No. 18920 Agenda Item No. 5A

There will be no adverse effect to the entire State Plan of Flood Control. The project site will be managed and maintained to all applicable standards by Capital Station LLC.

4. Effects of reasonable projected future events, including, but not limited to, changes in hydrology, climate, and development within the applicable watershed:

There will be no impacts to the proposed project from reasonable projected future events.

11.0 – STAFF RECOMMENDATION

Staff recommends that the Board:

- 1. Approve Draft Permit No. 18920, and
- 2. Direct the Executive Officer to take the necessary actions to execute the permit and file a Notice of Determination pursuant to CEQA with the State Clearinghouse.

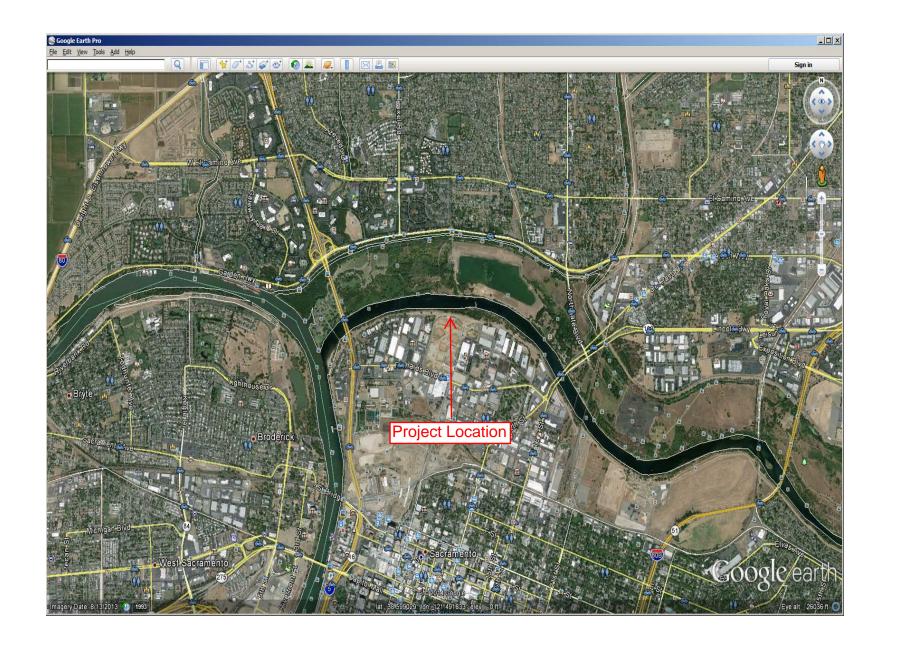
12.0 - LIST OF ATTACHMENTS

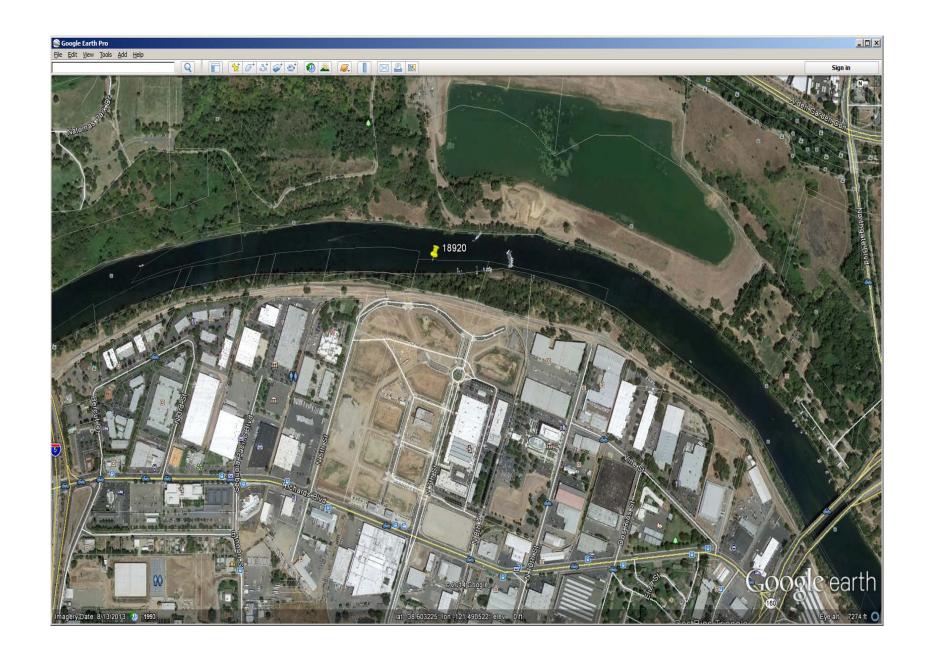
- A. Location Maps and Photos
- B. Draft Permit No. 18920 with Exhibit B
- C. Plans
- D. Corps ETL 1110-2-571

Design Review: Sterling Sorenson WREA

Environmental Review: Andrea Buckley

Document Review: Mitra Emami P.E., Len Marino P.E.





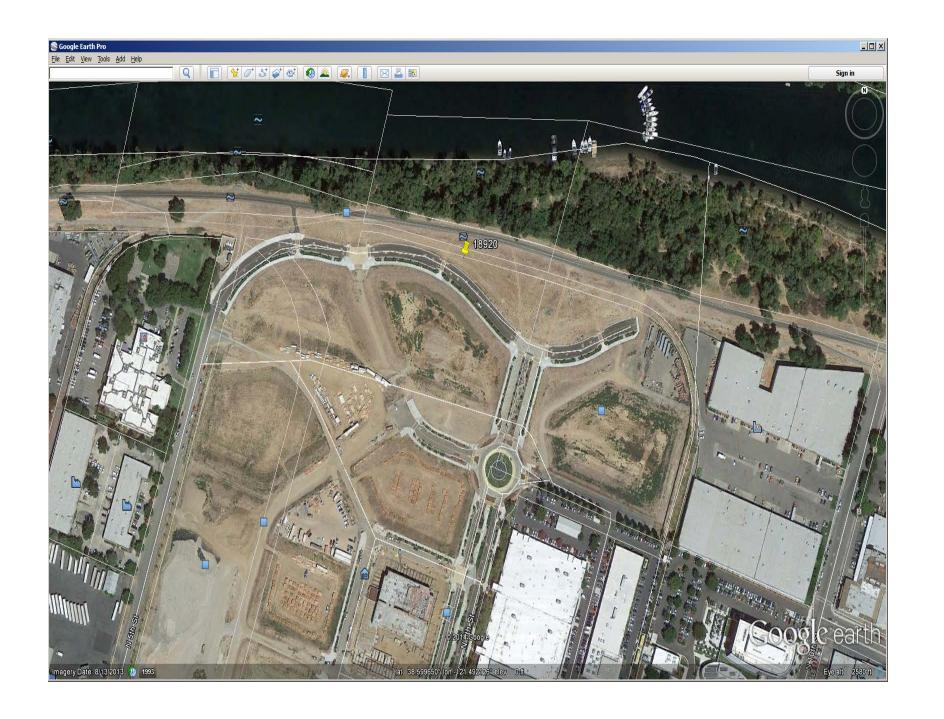






Photo #1 – Top of levee at east end of proposed Township Nine Park, looking west



Photo #2 – Top of levee at middle of proposed Township Nine Park, looking west



Photo #3 – Top of levee at middle of proposed Township Nine Park, looking west



Photo #4 – Looking west at proposed Township Nine Park from Riverine Way



Photo #5 – Middle of proposed Township Nine Park, looking east



Photo #6 – Top of levee at middle of proposed Township Nine Park, looking east

DRAFT

STATE OF CALIFORNIA THE RESOURCES AGENCY

THE CENTRAL VALLEY FLOOD PROTECTION BOARD

PERMIT NO. 18920 BD

This Permit is issued to:

Capitol Station, LLC. 640 Bercut Drive, Suite C Sacramento, California 95811

To install vegetation, landscaping, and park features on the landside slope of the levee. The project is located on the landside slope of the levee, north of North 5th Street, in Sacramento, CA. (Section 25, 36, T9N, R4E, MDB&M, American River Flood Control District, American River, Sacramento County).

NOTE:

Special Conditions have been incorporated herein which may place limitations on and/or require modification of your proposed project as described above.

(SEAL)

Dated:		
	Executive Officer	

GENERAL CONDITIONS:

ONE: This permit is issued under the provisions of Sections 8700 - 8723 of the Water Code.

TWO: Only work described in the subject application is authorized hereby.

THREE: This permit does not grant a right to use or construct works on land owned by the Sacramento and San Joaquin Drainage District or on any other land.

FOUR: The approved work shall be accomplished under the direction and supervision of the State Department of Water Resources, and the permittee shall conform to all requirements of the Department and The Central Valley Flood Protection Board.

FIVE: Unless the work herein contemplated shall have been commenced within one year after issuance of this permit, the Board reserves the right to change any conditions in this permit as may be consistent with current flood control standards and policies of The Central Valley Flood Protection Board.

SIX: This permit shall remain in effect until revoked. In the event any conditions in this permit are not complied with, it may be revoked on 15 days' notice.

Page 1 of 3

Attachment B

SEVEN: It is understood and agreed to by the permittee that the start of any work under this permit shall constitute an acceptance of the conditions in this permit and an agreement to perform work in accordance therewith.

EIGHT: This permit does not establish any precedent with respect to any other application received by The Central Valley Flood Protection Board.

NINE: The permittee shall, when required by law, secure the written order or consent from all other public agencies having jurisdiction.

TEN: The permittee is responsible for all personal liability and property damage which may arise out of failure on the permittee's part to perform the obligations under this permit. If any claim of liability is made against the State of California, or any departments thereof, the United States of America, a local district or other maintaining agencies and the officers, agents or employees thereof, the permittee shall defend and shall hold each of them harmless from each claim.

ELEVEN: The permittee shall exercise reasonable care to operate and maintain any work authorized herein to preclude injury to or damage to any works necessary to any plan of flood control adopted by the Board or the Legislature, or interfere with the successful execution, functioning or operation of any plan of flood control adopted by the Board or the Legislature.

TWELVE: Should any of the work not conform to the conditions of this permit, the permittee, upon order of The Central Valley Flood Protection Board, shall in the manner prescribed by the Board be responsible for the cost and expense to remove, alter, relocate, or reconstruct all or any part of the work herein approved.

SPECIAL CONDITIONS FOR PERMIT NO. 18920 BD

THIRTEEN: All work approved by this permit shall be in accordance with the submitted drawings and specifications except as modified by special permit conditions herein. No further work, other than that approved by this permit, shall be done in the area without prior approval of the Central Valley Flood Protection Board.

FOURTEEN: The Central Valley Flood Protection Board, Department of Water Resources, and American River Flood Control District shall not be held liable for any damages to the permitted encroachment(s) resulting from release(s) of water from reservoirs, flood fight, operation, maintenance, inspection, or emergency repair.

FIFTEEN: The permittee is responsible for all liability associated with construction, operation, and maintenance of the permitted facilities and shall defend, indemnify, and hold the Central Valley Flood Protection Board and the State of California; including its agencies, departments, boards, commissions, and their respective officers, agents, employees, successors and assigns (collectively, the "State"), safe and harmless, of and from all claims and damages arising from the project undertaken pursuant to this permit, all to the extent allowed by law. The State expressly reserves the right to supplement or take over its defense, in its sole discretion.

SIXTEEN: The permittee shall defend, indemnify, and hold the Central Valley Flood Protection Board and the State of California, including its agencies, departments, boards, commissions, and their respective officers, agents, employees, successors and assigns (collectively, the "State"), safe and harmless, of and from all claims and damages related to the Central Valley Flood Protection Board's approval of this permit, including but not limited to claims filed pursuant to the California Environmental Quality Act. The State expressly reserves the right to supplement or take over its defense, in its sole discretion.

SEVENTEEN: No construction work of any kind shall be done during the flood season from November 1st to April 15th without prior written approval of the Central Valley Flood Protection Board.

Attachment B

EIGHTEEN: The permittee shall contact the Department of Water Resources by telephone, (916) 574-0609, and submit the enclosed postcard to schedule a conference concerning the issuance of this permit and its conditions. Failure to do so within 10 working days of receipt of this permit may result in adverse action by the Board.

NINETEEN: The permittee shall maintain the permitted encroachment(s) and the project works within the utilized area in the manner required and as requested by the authorized representative of the California Department of Water Resources, the American River Flood Control District or any other agency responsible for maintenance.

TWENTY: The permittee shall be responsible for repair of any damages to the project levee and other flood control facilities due to construction, operation, or maintenance of the proposed project.

TWENTY-ONE: The permittee may be required, at permittee's cost and expense, to remove, alter, relocate, or reconstruct all or any part of the permitted encroachment(s) if removal, alteration, relocation, or reconstruction is necessary as part of or in conjunction with any present or future flood control plan or project or if damaged by any cause. If the permittee does not comply, the Central Valley Flood Protection Board may remove the encroachment(s) at the permittee's expense.

TWENTY-TWO: The permittee shall comply with all conditions set forth in the letter from the Department of the Army (U.S. Army Corps of Engineers, Sacramento District) dated ______, which is attached to this permit as Exhibit B and is incorporated by reference.

TWENTY-THREE: The permittee shall comply with all conditions set forth in the letter from American River Flood Control District which is attached to this permit as Exhibit B and is incorporated by reference.



165 Commerce Circle, Suite D Sacramento, CA 95815

vaice (916) 929-4006 fax (916) 929-4160 www.arfcd.org Heard of Trustees Karolyn W. Simon Brian F. Holloway William J. Paväo Cyril A. Shah Bettina C. Redway General Manager Timothy R Kerr, P.E.

Permit Conditions

Permit Application No.: (to be designated by the Central Valley Flood Protection Board)

Location: Township 9 Development, Richards Boulevard, Sacramento, CA

Applicant: Al Esquivel / Capitol Station, LLC

Description: The applicant requests permission to install vegetation, landscaping and

park features at the location of a previously permitted project.

CONDITIONS:

- 1. Permittee shall obtain all necessary permits and regulatory approvals for the proposed work.
- 2. Maintenance of all encroaching facilities under this permit shall remain the responsibility of permittee.
- 3. Permittee may be required, at permittee's sole cost and expense, to remove, alter, relocate, or reconstruct all or any part of the permitted work if removal, alteration, relocation, or reconstruction is necessary as part of or in conjunction with any present or future flood control plan or project or if encroaching facilities are damaged by any cause.
- 4. Ownership and responsibilities of the permit shall transfer to the City of Sacramento upon completion of the Project.



TOWNSHIP NINE PARK 75% SUBMITTAL - NOT FOR CONSTRUCTION

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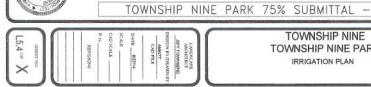
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TOWNSHIP NINE TOWNSHIP NINE PARK LAYOUT PLAN

CITY OF SACRAMENTO

PARKS AND RECREATION DEPARTMENT
PARK PLANNING & DEVELOPMENT SERVICES
LANDSCAPE ARCHITECTURE SECTION
915 I STREET, 3RD FLOOR, SACRAMENTO, CA 95814





TOWNSHIP NINE TOWNSHIP NINE PARK IRRIGATION PLAN

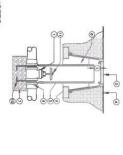
CITY OF SACRAMENTO

NOT FOR CONSTRUCTION

PARKS AND RECREATION DEPARTMENT
PARK PLANNING & DEVELOPMENT SERVICES
LANDSCAPE ARCHITECTURE SECTION
915 I STREET, 3RD FLOOR, SACRAMENTO, CA 95814



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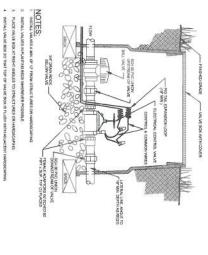
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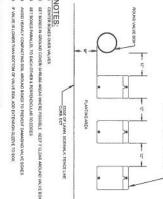
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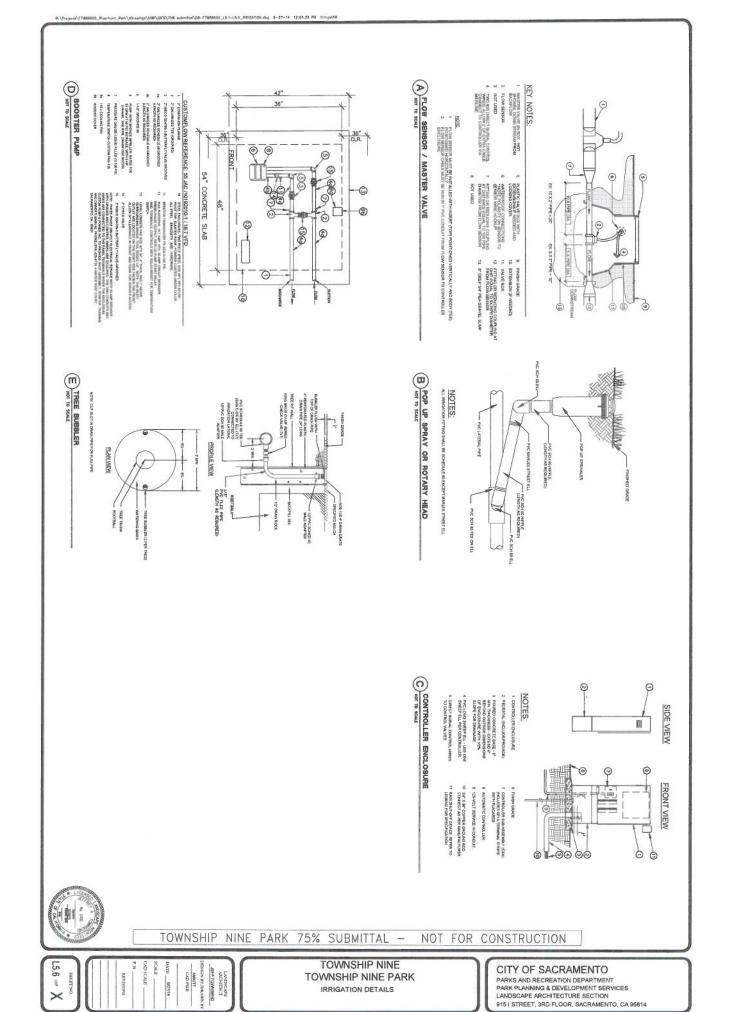
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TOWNSHIP NINE TOWNSHIP NINE PARK IRRIGATION DETAILS

CITY OF SACRAMENTO

PARKS AND RECREATION DEPARTMENT
PARK PLANNING & DEVELOPMENT SERVICES
LANDSCAPE ARCHITECTURE SECTION
915 I STREET, 3RD FLOOR, SACRAMENTO, CA 95814



TOWNSHIP NINE

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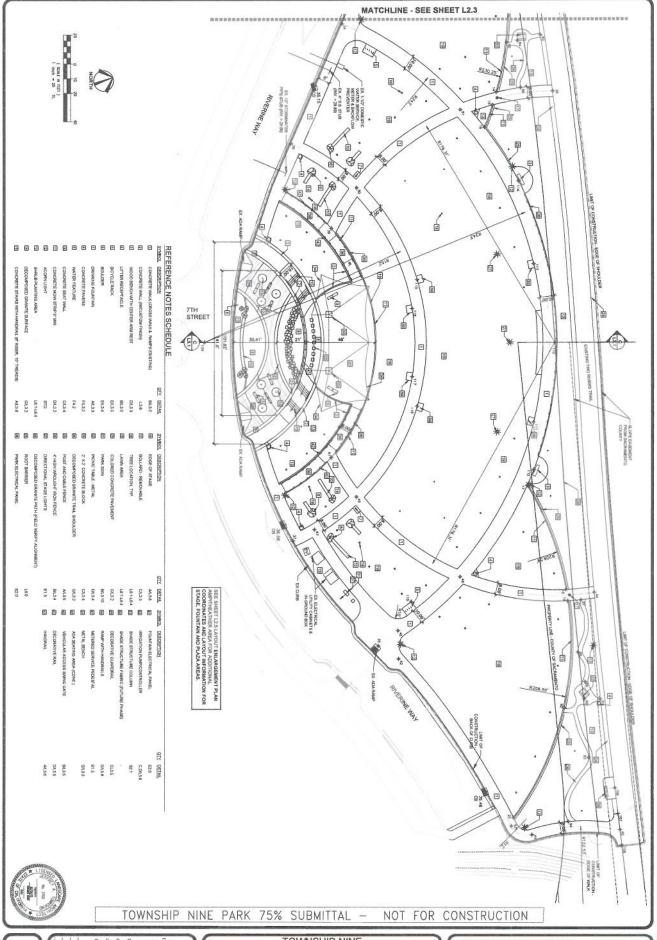
TOWNSHIP NINE PARK
LAYOUT PLAN

CITY OF SACRAMENTO
PARKS AND RECREATION DEPARTMENT
PARK PLANNING & DEVELOPMENT SERVICES
LANDSCAPE ARCHITECTURE SECTION
915 I STREET, 3RD FLOOR, SACRAMENTO, CA 95814

Attachment C-1

TOWNSHIP NINE TOWNSHIP NINE PARK LAYOUT PLAN

CITY OF SACRAMENTO
PARKS AND RECREATION DEPARTMENT
PARK PLANNING & DEVELOPMENT SERVICES
LANDSCAPE ARCHITECTURE SECTION
915 I STREET, 3RD FLOOR, SACRAMENTO, CA 95814



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RAIN BIRD 44LRC 1" DUICK COUPLER VALVE, TWO PIECE BOOY, LOCKING COVER	21				
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TOWNSHIP NINE

CONSTRUCTION

CITY OF SACRAMENTO PARKS AND RECREATION DEPARTMENT
PARK PLANNING & DEVELOPMENT SERVICES
LANDSCAPE ARCHITECTURE SECTION
915 I STREET, 3RD FLOOR, SACRAMENTO, CA 95814

TOWNSHIP NINE PARK IRRIGATION PLAN LEGEND & NOTES



TOWNSHIP NINE TOWNSHIP NINE PARK IRRIGATION PLAN

CITY OF SACRAMENTO
PARKS AND RECREATION DEPARTMENT
PARK PLANNING & DEVELOPMENT SERVICES
LANDSCAPE ARCHITECTURE SECTION
915 I STREET, 3RD FLOOR, SACRAMENTO, CA 95814

Attachment C-9

TOWNSHIP NINE TOWNSHIP NINE PARK IRRIGATION PLAN

CITY OF SACRAMENTO

PARKS AND RECREATION DEPARTMENT
PARK PLANNING & DEVELOPMENT SERVICES
LANDSCAPE ARCHITECTURE SECTION
915 I STREET, 3RD FLOOR, SACRAMENTO, CA 95814

DEPARTMENT OF THE ARMY U.S. Army Corps Engineers Washington, DC 20314-1000

ETL 1110-2-571

CECW-CE

Technical Letter No. 1110-2-571

10 April 2009

EXPIRES 10 April 2014 Engineering and Design GUIDELINES FOR LANDSCAPE PLANTING AND VEGETATION MANAGEMENT AT LEVEES, FLOODWALLS, EMBANKMENT DAMS, AND APPURTENANT STRUCTURES

- 1. Purpose. This ETL provides guidelines to assure that landscape planting and vegetation management provide aesthetic and environmental benefits without compromising the reliability of levees, floodwalls, embankment dams, and appurtenant structures. It is important to note that all minimum guidelines presented herein are just that—minimums. The dimensions of the vegetation-free and root-free zones defined in this document provide the minimum acceptable buffer between vegetation and flood damage reduction structures. For each individual project, the design team must consider whether or not these minimums are adequate to the specific needs and conditions of the project.
- 2. Applicability. This ETL applies to all USACE Commands having Civil Works responsibilities and to all flood damage reduction projects for which USACE has responsibility for design, operation, maintenance, inspection, or certification. Applicability to non-federal projects is as follows: under the Rehabilitation and Inspection Program (RIP), the USACE performs inspections of non-federal projects (i.e. projects built by local communities then incorporated into the RIP) under ER 500-1-1 and the provisions of Public Law 84-99.
- 3. Distribution. Approved for public release, distribution is unlimited.
- 4. General. Levees, floodwalls, embankment dams, and their appurtenant structures serve a common purpose in that they are designed to contain water and prevent flooding for varying lengths of time. They must also be readily accessible by equipment and personnel essential to reliable operation and maintenance. The possibility for long-term saturation of levee materials or levee and floodwall foundations, together with their specific operation and maintenance requirements, makes it necessary to exercise caution in the design of landscape planting and

This ETL supersedes:

EM 1110-2-301, Guidelines for Landscape Planting and Vegetation Management at Floodwalls, Levees, and Embankment Dams, 1 January 2000.

Memorandum, Headquarters, United States Army Corps of Engineers (HQUSACE) (CECW-HS), MG Don T. Riley, Subject: Interim Vegetation Guidance for Control of Vegetation on Levees, 12 June 2007.

ETL 1110-2-571 10 Apr 09

vegetation management at these structures. This ETL describes important characteristics of levees, floodwalls, embankment dams, and their appurtenant structures.

5. Future Guidance. Planned research is intended to complement this guidance: future editions will include field studies of vegetation impacts to flood damage reduction structures and helpful information on the root system characteristics of various plant species.

FOR THE COMMANDER:

JAMES C. DALTON, P.E.

Chief, Engineering and Construction

Directorate of Civil Works

DEPARTMENT OF THE ARMY

ETL 1110-2-571

CECW-CE

U.S. Army Corps Engineers Washington, DC 20314-1000

Technical Letter No. 1110-2-571

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GUIDELINES FOR LANDSCAPE PLANTING AND VEGETATION MANAGEMENT AT FLOODWALLS, LEVEES, EMBANKMENT DAMS, AND APPURTENANT STRUCTURES

TABLE OF CONTENTS

Subject	Paragraph	Page
Chapter 1		
Introduction		
Purpose	1-1	1-1
References	1-2	1-1
Policy		1-3
Environmental Quality and Aesthetics	1-4	1-3
Chapter 2		
Landscape Planting: Objectives and Engineering Requirements		
Background	2-1	2-1
Vegetation-Free Zone		2-1
Vegetation-Management Zone	2-3	2-2
Root Impacts		2-2
Root-Free Zone	2-5	2-3
Water-Current and Wave-Action Barrier	2-6	2-3
Chapter 3		
Treatment of Levees, Floodwalls, Embankment Dams, and Appurten	ant Structures	
General	3-1	3-1
Levees		3-1
Floodwalls	3-3	3-2
Embankment Dams and Appurtenant Structures	3-4	3-3
Chapter 4		
Design Considerations		
Feasibility Analysis	4-1	4-1
Planting Berms		4-1
Planters	4-3	4-2
Irrigation Systems	4-4	4-2

ETL 1110-2-571 10 Apr 09

Subject Paragra	aph	Page
Flood-Fighting and Structure Maintenance		4-2
Maintenance of Plantings4-6		4-3
Selection of Plant Material		4-3
Appropriate Ground Cover in the Vegetation-Free Zone		4-3
Borrow Sites and Spoil Sites		4-3
Chapter 5		
Vegetation-Related Maintenance and Repair		
Maintenance of Ground Cover5-1		5-1
Operations and Maintenance Manual5-2		5-1
Removal of Non-Compliant Vegetation5-3		5-1
Repair of Animal Burrows		5-2
Chapter 6		
Illustrations		
General6-1		6-1
Figures 1 through 256-2		6-1
Glossary	Glos	ssary-1

CHAPTER 1 INTRODUCTION

1-1. Purpose. This ETL provides guidelines to assure that landscape planting and vegetation management provide aesthetic and environmental benefits without compromising the reliability of levees, floodwalls, embankment dams, and appurtenant structures. It is intended as a guide for safe design and not as a restriction to the initiative of designers. These guidelines should be used with reasonable judgment and practicality, tailored to the specific requirements and conditions of each individual project. The integrated design of landscape plantings and vegetation management at flood damage reduction systems requires a coordinated, interdisciplinary effort involving the local sponsor and the following disciplines: civil engineer, landscape architect, levee and/or dam safety engineer, environmental engineer, geologist, biologist, and additional related disciplines, as appropriate.

1-2. References.

a. USACE publications

EC 1110-2-6061

Engineering and Design, Safety of Dams – Policy and Procedures, 30 April 2004 (Transmits Draft ER 1110-2-1156, Engineering and Design, Safety of Dams – Policy and Procedures, 30 April 2004).

EM 1110-2-38

Environmental Quality in Design of Civil Works Projects, 3 May 1971.

EM 1110-2-1205

Environmental Engineering and Local Flood Control Channels, 15 Nov 1989 (Sections 4-8.d (4) and 5-1).

EM 1110-2-1601

Hydraulic Design of Flood Control Channels, 1 July 1991, with Change 1, 30 June 1994 (Sections 3-3 and 3-5).

EM 1110-2-1913

Design and Construction of Levees, 30 Apr 2000 (Sections 4-4 and 8-17).

EM 1110-2-2300

General Design and Construction Considerations for Earth and Rock Fill Dams, 30 July 2004.

EM 1110-2-2502

Retaining Walls and Floodwalls, 29 Sept 1989 (Section 7-16).

EP 500-1-1

Emergency Employment of Army and Other Resources. Civil Emergency Management Program – Procedures, 30 Sep 2001 (Section 5.8.k and Appendix E).

ER 200-1-5

Policy for Integrated Application of U.S. Army Corps of Engineers (USACE) Environmental Operating Principles (EOP) and Doctrine, 30 Oct 2003.

ER 500-1-1

Emergency Employment of Army Resources, Civil Emergency Management Program, Chapter 5, Rehabilitation and Inspection Program, 30 Sept 2001

ER 1110-1-12

Quality Management, Change 1, 30 Sept 2006.

ER 1110-2-1150

Engineering and Design for Civil Works Projects, 31 August 1999.

ER 1130-2-530

Project Operations - Flood Control Operations and Maintenance Policies, 30 October 1996.

ETL 1110-2-570

Certification of Levee Systems for the National Flood Insurance Program (NFIP), draft.

U.S. Army Corps of Engineers

Levee Owner's Manual for Non-Federal Flood Control Works, March 2006.

U.S. Army Corps of Engineers

Policy and Procedural Guidance for the Approval of Modification and Alteration of Corps of Engineers Projects, CECW-PB Memorandum, 23 Oct 2006.

b. FEMA publications

FEMA 473

FEMA (2005a) Technical Manual for Dam Owners, Impacts of Animals on Earthen Dams, FEMA 473, Sept 2005. http://www.fema.gov/plan/prevent/damfailure/publications.shtm

FEMA 534

FEMA (2005b) Technical Manual for Dam Owners, Impacts of Plants on Earthen Dams, FEMA 534, Sept 2005. http://www.fema.gov/plan/prevent/damfailure/publications.shtm

44 CFR Chapter 65.10, 1 Oct 2006

Mapping of Areas Protected by Levee Systems

c. Other publications

Association of State Dam Safety Officials (2002)

Association of State Dam Safety Officials (ASDSO) (2002) A Technical Manual on the Effects of Tree and Woody Vegetation Root Penetrations on the Safety of Earthen Dams, December 2002.

1-3. Policy.

- a. Where the safety of the structure is not compromised, and effective surveillance, monitoring, inspection, maintenance, and flood-fighting of the facility are not adversely impacted, appropriate landscape planting (trees, shrubs, vines, forbs, and grasses) may be incorporated into the design of all flood damage reduction projects, subject to the limitations set forth in this document. Because landscape plantings enhance the environment, with respect to both natural systems and human use, they are to be considered in all flood damage reduction project planning and design studies and will be fully presented in design documentation reports. For projects in which the maintenance of the completed facility will be the responsibility of the local sponsor, the landscape planting will be fully coordinated with the local sponsor during planning and design to determine the sponsor's desires and to obtain assurances that the sponsor is capable of, and committed to, the proper maintenance of the vegetation.
- b. In certain instances, to further enhance environmental values or to meet state or federal laws and/or regulations, the local sponsor may request a variance from the standard vegetation guidelines set forth in this ETL. Vegetation variances for either federal or non-federal flood damage reduction systems may be permitted. The vegetation variance must meet the following two criteria:
- (1) The variance must be shown to be necessary, and the only feasible means, to (a) preserve, protect, and enhance natural resources and/or (b) protect the rights of Native Americans, pursuant to treaty and statute.
- (2) With regard to flood damage reduction systems, the variance must assure that (a) safety, structural integrity, and functionality are retained, and (b) accessibility for maintenance, inspection, monitoring, and flood-fighting are retained. Note that, as used here, the term "retained" assumes a pre-variance condition that is fully consistent with the requirements set forth in this ETL, and any other applicable criteria.

Periodic clearing of some types of vegetation, both woody (trees, shrubs, and vines) and non-woody (grasses and forbs), will be performed, as needed, to maintain the conditions described in the second criterion. The variance will not be a substitute for poor maintenance practices. See the following references regarding variances to levee vegetation standards: ER 500-1-1, for policy; EP 500-1-1, for the request and approval process; and, any other applicable guidance issued subsequent to this document.

- c. Any addition of landscape plantings to existing flood damage reduction systems must comply with the project's O&M manual. New plantings may not be approved without an appropriately detailed and documented engineering evaluation to ensure that design intent and safety criteria are maintained as originally authorized.
- 1-4. Environmental Quality and Aesthetics. Environmental quality and aesthetics are of special concern. The design and maintenance of flood damage reduction systems must fully consider the environmental implications of the proposed actions and ensure that they are

consistent with the doctrine outlined in the Corps' Environmental Operating Principles. Project design should respond appropriately to the visual character of the project context with respect to the characteristics of both the natural and built landscapes. Landscape planting design should consider both human use and the environmental processes and characteristics of the entire area influenced by the project. While it is seldom feasible to preserve the natural setting intact, design techniques and careful construction methods can protect and perhaps enhance local environmental and aesthetic values.

CHAPTER 2 LANDSCAPE PLANTING: OBJECTIVES AND ENGINEERING REQUIREMENTS

2-1. Background. In flood damage reduction projects, the goal of landscape planting is to minimize and/or mitigate negative impacts to aesthetic, environmental, and ecological conditions, such that post-project conditions are equal to, or better than, pre-project conditions. Landscape planting objectives include the following: provide cover to prevent dust and erosion; provide ecological benefits, such as improved water quality and wildlife habitat; integrate the flood damage reduction system with the surrounding natural and human environment; separate activities; define zones of use; provide privacy; screen undesirable features or views; accentuate positive features or views; and create a pleasant environment for human use and recreation. These and any other project-specific landscape planting objectives must be consistent with both the policy set forth in Paragraph 1-3 and the engineering requirements detailed in this chapter.

2-2. Vegetation-Free Zone.

- a. The vegetation-free zone is a three-dimensional corridor surrounding all levees, floodwalls, embankment dams, and critical appurtenant structures in all flood damage reduction systems. The vegetation-free zone applies to all vegetation except grass. Grass species are permitted, as described in Paragraph 4-8, for the purpose of erosion control.
- b. The primary purpose of the vegetation-free zone is to provide a reliable corridor of access to, and along, levees, floodwalls, embankment dams, and appurtenant structures. This corridor must be free of obstructions to assure adequate access by personnel and equipment for surveillance, inspection, maintenance, monitoring, and flood-fighting. In the case of flood-fighting, this access corridor must also provide the unobstructed space needed for the construction of temporary flood-control structures. Access is typically by four-wheel-drive vehicle, but for some purposes, such as maintenance and flood-fighting, access is required for larger equipment, such as tractors, bulldozers, dump trucks, and helicopters. Accessibility is essential to the reliability of flood damage reduction systems.
- c. The vegetation-free zone must be wide enough, and tall enough, to accommodate all likely access requirements. The minimum allowable vegetation-free zone dimensions are based on lessons learned from flood-fighting experience and are illustrated in Chapter 6, for a variety of flood damage reduction system configurations. The general rule is as follows:
- (1) The minimum height of the corridor shall be 8 feet, measured vertically from any point on the ground.
- (2) The minimum width of the corridor shall be the width of the levee, floodwall, or embankment dam, including all critical appurtenant structures, plus 15 feet on each side, measured from the outer edge of the outermost critical structure. In the case of a planting berm (Figures 13, 14, and 15), the 15 feet is measured from the point at which the top surface of the planting berm meets the levee section.

- (3) No vegetation, other than approved grasses, may penetrate the vegetation-free zone, with two exceptions, as illustrated in Figure 2:
- (a) Tree trunks are measured to their centerline, so one half of the tree trunk may be within the vegetation-free zone.
- (b) Newly planted trees, whose crowns can be expected to grow, or be pruned, clear of the vegetation-free zone within 10 years.
- d. The minimum vegetation-free zone dimensions may not be diminished without a formal variance (see Paragraph 1-3b). Due to specific site conditions and project requirements, many levees, floodwalls, embankment dams, and appurtenant structures will be determined, by the project design team, to require a vegetation-free zone larger than the minimum described here.
- e. Paragraph 2-2 has established the minimum acceptable width of the vegetation-free zone at 15 feet. Other than by variance, as described above, the single exception to this 15-foot minimum requirement arises in the case of an existing project where the width of the existing real estate interest for the project is less than 15 feet. In such a case, the vegetation-free zone width shall be the maximum attainable within the existing real estate interest.
- **2-3. Vegetation-Management Zone.** A recommended alternative to enlarging the vegetation-free zone is the addition of an adjacent *vegetation-management zone* (see Figure 22). A vegetation-management zone provides greater opportunity to include vegetation by reserving the option to manage it selectively, as needed. Two of many possible scenarios are presented below.
- a. Several trees, just outside the vegetation-free zone, are inhibiting grass growth, through light deprivation and/or the production of their own natural herbicides that limit competition for moisture and nutrients. These trees should be either removed or modified, as appropriate, to assure that grasses thrive and continue to provide effective erosion control.
- b. A large tree, outside the vegetation-free zone, becomes a *hazard tree* when its root system is severely damaged by construction activity, thereby increasing its susceptibility to windthrow and the associated risk of damage to a floodwall. This tree should be removed.
- **2-4.** Root Impacts. As stated in Paragraph 2-2, the primary purpose of the vegetation-free zone is access. However, it also serves a secondary purpose: it provides distance between root systems and levees, floodwalls, embankment dams, and appurtenant structures, thereby moderating reliability risks associated with the following two situations: potential piping and seepage due to root penetration; and structural damage (a hole in the ground, surrounded by an area of disturbed earth) resulting from a wind-driven tree overturning. Though not adequate for all situations, this 15-foot zone does provide a measure of risk reduction, as follows:
 - a. Root size and numbers diminish with distance from the tree trunk.
- b. The hole and its surrounding area of disturbed earth, created by a tree overturning, typically has a radius ranging from 6 to 12 feet. This secondary effect of the vegetation-free

zone is important to the reliability of flood damage reduction systems; it is not a root-free zone but it is a zone of reduced root impact.

- 2-5. Root-Free Zone. Planting design must consider the possible implications to foundation strength and performance. The integrity of the foundation could be compromised if potential seepage paths were created by root penetration and/or root decay. The root-free zone provides a margin of safety between the greatest expected extent of plant roots and the beginning face of any structure that is critical to the performance and reliability of the flood damage reduction system. The list of such structures includes levees, floodwalls, embankment dams, seepage berms, seepage drains, toe drains, pressure relief wells, and cut-off trenches. These critical structures must be root-free, as illustrated in Figures 13, 14, 15, 17, and 19. The rooting habit of each plant selected for use near a root-free zone must be predictably understood with respect to its potential to invade the root-free zone and compromise the reliability of the flood damage reduction system. Landscape planting plans will reflect full recognition of the importance of selecting appropriate plant species and varieties. Root barriers may be used to provide an added measure of assurance, but they should not be a substitute for adequate distance between plantings and root-free zones. Root barriers shall not retard groundwater or seepage flow. Some root barriers include herbicides to enhance effectiveness; in every case, these shall be evaluated prior to use to assure against negative environmental impacts.
- **2-6.** Water-Current and Wave-Action Barrier. The use of suitable vegetation, such as shrub forms of *Salix* (willow), riverward of the vegetation-free zone is encouraged as an environmentally beneficial means to moderate the erosive potential of water currents and wave action.

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CHAPTER 3 TREATMENT OF LEVEES, FLOODWALLS, EMBANKMENT DAMS, AND APPURTENANT STRUCTURES

3-1. General.

- a. The integrity of levees, floodwalls, embankment dams, and appurtenant structures is paramount to the public health, safety, and welfare. The presence of undesirable vegetation can undermine that integrity and lead to failure if not corrected.
- b. Trees and other woody vegetation, such as shrubs and vines, can create both structural and seepage instabilities, prevent adequate inspection, and create obstacles to maintenance and flood-fighting/flood-control activities. Vegetation must be controlled for the following reasons:
- (1) To allow proper inspection, surveillance, and monitoring of all structures and adjacent areas for seepage, cracking, sinkholes, settlement, displacement, and other signs of distress.
 - (2) To allow access for normal and emergency Operations and Maintenance activities.
- (3) To prevent root-related damage to structures, such as shortened seepage paths through embankments and/or foundations; voids in embankments and/or foundations due to decayed roots or fallen trees; clogged seepage collector systems; and expansion of cracks or joints in concrete walls, spillway floors, and canal linings.
 - (4) To limit those habitat characteristics that encourage the creation of animal burrows.
- (5) To allow full design-discharge capability of waterways, spillway inlet and outlet channels, outlet-works discharge channels, and other open conveyance channels.
- (6) To avoid any incidental growth and subsequent presence of endangered species that might prohibit activities necessary for operations, maintenance, or access.
- c. This document establishes minimum dimensions for both vegetation-free zones and root-free zones; however, for any specific project, those minimum dimensions may be increased by levee and/or dam-safety engineering personnel due to site-specific considerations such as topography, phreatic surfaces within the structure and abutments, geological features, historical embankment and/or foundation seepage or issues, stability issues, and foundation characteristics.

3-2. Levees.

a. Levees are usually constructed of compacted earth fill. In some cases, internal drainage or under-seepage treatment is incorporated into the levee. When a planting berm is used to allow vegetation nearer to the levee centerline, the internal blanket drain and/or toe drain must be extended, as shown in Figures 14 and 15. Any such extension must be assessed by the design team for impact to the seepage control system.

- b. All levees must have effective and reliable erosion protection; the appropriate use of grasses is described in Paragraph 4-8. Where opportunities exist, environmental improvements should be considered. Project design shall address the following criteria:
- (1) Urban levees. Because levee projects have the potential to dominate these high-visibility landscapes, planting is often desirable, particularly in high-visibility locations, such as at and along major thoroughfares, parks, and waterfront developments.
- (2) Rural or agricultural levees. Although these are typically not high-visibility areas, both human use and environmental needs should be considered during design. Plantings are particularly appropriate for the following areas, provided they are consistent with site-specific engineering requirements: high-visibility pumping installations, public road crossings, near residences, and at other project locations where landscape plantings could protect or restore valued environmental characteristics.
- c. Minimum vegetation-free and minimum root-free zones are established for levees, as illustrated in Chapter 6.

3-3. Floodwalls.

- a. Floodwalls are most often used in urban areas, where land or access is constrained. These walls are subject to hydraulic forces on one side, which may be resisted by little or no earth-loading forces on the other side. Landscape planting should be addressed in floodwall design, particularly where walls encroach on, or change, existing scenic values, e.g., where the wall becomes a visual barrier along a street or near dwellings, parks, and existing or anticipated commercial developments.
- b. The minimum vegetation-free zone provides for access, but there are two additional areas of concern with respect to floodwalls.
- (1) Large trees can be a threat to project reliability. Planting design and maintenance must take into account the potential for overturning trees to damage floodwalls. The following factors can be used, alone or in combination, to limit potential for such damage:
 - (a) Distance between a tree and the wall.
 - (b) Tree species selection, favoring trees with a low potential for breaking and overturning.
 - (c) Tree monitoring and maintenance to address hazard trees.
- (d) Intervening obstacles, such as other trees, that would reliably restrain a falling tree. Where other factors are unreliable, the distance between a tree and the wall must be adequate: e.g. a minimum distance of one-half of the mature tree height.
- (2) Planting design and maintenance must also take into account the three potential means by which tree roots may damage floodwalls:

- (a) Large tree roots can damage concrete structures by jacking (lifting) them, which can cause cracking and separation at joints. Further, if a floodwall is lifted, a seepage path could form along the structure/foundation contact. Smaller (lighter) floodwalls are more susceptible than larger (heavier) structures.
- (b) Roots may also grow into and through wall joints, loosening and eroding wall-joint seals, thus damaging the water-proof characteristics.
- (c) A floodwall may have a toe drainage system to check and control piping and boils; to control seepage that may result from roofing, where piles are used; and to control uplift pressures. These drainage systems must be protected from invasion by roots, which could clog them.
- c. Although there are several types of floodwalls, the two most common are the inverted-T type reinforced concrete wall and the cantilever-I type sheet piling wall. The vegetation impact concerns are similar for both types. For all the reasons cited above, minimum vegetation-free and minimum root-free zones are established for floodwalls, as illustrated in Figures 16–19.

3-4. Embankment Dams and Appurtenant Structures.

- a. Purpose. "Tree and woody-vegetation penetrations of earthen dams and their appurtenances have been demonstrated to cause serious structural deterioration and distress that can result in failure of earthen dams" (Association of State Dam Safety Officials 2002). Proper establishment and control of vegetation is critical to dam safety. This Paragraph establishes minimum requirements for landscape planting and vegetation management at embankment dams (earth fill, rock fill, or earth and rock fill), including multipurpose projects with both concrete and embankment dam structures (wing dams) and perimeter saddle dams (dikes); abutments; and appurtenances, such as spillways, outlet works, and inlet and/or outlet channels.
 - b. Policy. The following five areas are vegetation-free zones:
 - (1) The dam or the dam-toe area.
- (2) In or around seepage monitoring systems or critical downstream areas where seepage observation must be vigilant and continuous.
 - (3) Groin abutments and areas immediately adjacent.
- (4) Spillways and spillway channels, including spillway slopes and approaches to spillways where vegetation could, in any way, impede the efficient operation of the spillway.
 - (5) The outlet-works discharge channel.
- c. Vegetation-Free Zones. Vegetation-free zones shall, when dry, be mowed to a height of 3-6 inches at any time the grass reaches a height of 12 inches. Mowing shall be triggered by grass heights of less than 12 inches if important to the health maintenance of the particular grass

species. The maximum height of grasses shall be 12 inches. The minimum vegetation-free zone requirements for specific structures are described below.

- (1) Embankment Dams. At a minimum, for "dry" reservoirs, the entire dam embankment surface, including upstream impervious blankets and the upstream and downstream areas within 50 feet of the embankment toe, shall be a vegetation-free zone (see Figure 20). For "normal pool" conditions, the entire embankment surface from the upstream toe of the dam or from the upstream limit of the impervious blanket, as applicable, to a minimum distance of 50 feet from the downstream toe shall be a vegetation-free zone (see Figure 21).
- (2) Dam Abutments. The dam abutment is defined as the part of a natural valley side-wall against which a dam is constructed. At a minimum, the vegetation-free zone shall extend for a horizontal distance of 15 feet beyond the embankment/abutment contact line (i.e. groin).
- (3) Spillways. The safety of embankment dams requires the unobstructed operation of spillways. The minimum vegetation-free zone shall include the spillways and spillway channels, including spillway slopes and approaches.
- (4) Outlet-Works Discharge Channels. The minimum vegetation-free zone shall include the entire outlet channel, outlet structure headwalls and wingwalls, and surrounding areas to a distance of 50 feet from the top of the bank of the outlet channel.

CHAPTER 4 DESIGN CONSIDERATIONS

- 4-1. Feasibility Analysis. During design, an analysis shall be made of the flood damage reduction system to determine if and where landscape planting can be permitted. Not all projects will have a satisfactory combination of conditions to permit planting of trees, shrubs, vines, forbs, and grasses. In some cases, only shrub planting may be feasible, while in other cases planting may be limited to grasses. Site conditions, engineering design criteria, and operation and maintenance requirements should determine the appropriate planting scheme. However, environmental objectives shall be considered in all projects, and the engineering design should seek to accommodate appropriate plantings. Some important site considerations are described below.
- a. Types of Construction Material. The type of construction material is an important factor in determining suitability for landscape planting. Rock, sand, and many types of compacted clay embankments are examples of poor plant-growing media. The roots of some plant species, under some conditions, may penetrate a great distance into a sand levee, potentially providing a path for piping through the structure. Plants must be selected very carefully with regard to the type of construction materials used to ensure survival of the plant and prevent damage to the structure.
- b. Project Alignment. Project alignment can be a complex exercise involving multiple, often conflicting criteria and requiring a coordinated effort by the project delivery team. The role of the landscape architect is to identify opportunities and constraints to human use relative to project alignment. For example, in an urban area, a relatively minor adjustment to a proposed alignment might allow for plant screening between residences and the structure or provide space for a park or other community green space. Often, those segments of the alignment that are otherwise arbitrary may be turned to advantage with respect to human use.
- c. Environmental Factors. The types of vegetation suited to a site are a function of a number of environmental factors. Local climate (precipitation, temperature, dates of earliest and last frost, etc.) can limit the types of vegetation that survive in a particular region. Soil type, pH, nutrient character, exposure to sunlight, flood and drought duration, and depth to groundwater are additional conditions that can influence the potential for a site to support vegetation. Because one important functional characteristic of vegetative groundcovers is the ability to provide erosion control, it is necessary to confirm that the proposed cover can withstand the energy environment under flood conditions. This may require an assessment of local velocities and shear stresses and comparison of predicted values under flood conditions against thresholds for various types of vegetation.

4-2. Planting Berms.

a. Beyond the minimum section needed to satisfy stability requirements, it is sometimes desirable to add additional earth fill to a levee or embankment dam to create a planting berm, in order to better accommodate differing types of public use and related landscape planting approaches (see Figures 13, 14, and 15). The appropriate dimensions of the planting berm

should be determined by the landscape architect in consultation with the design team. Additional rights-of-way may be necessary to accommodate the additional fill material and flatter slopes. Except in approved planters, vegetation is not permitted on any overbuild that has a system-reliability function. Planting berms may be considered for use on the land side only.

- b. Planting layout and plant material characteristics shall be coordinated with the design team to assure adequate access between the levee crown and the toe for two purposes: visual access is required for inspection of the toe area; and physical access is required for flood-fighting activities involving personnel and heavy equipment. In all cases, the planting berm must be of sufficient depth to accommodate any proposed vegetation while precluding root penetration into any root-free zone. Design must include adequate consideration of any internal drainage or seepage control system (see Figures 14 and 15).
- c. Additional design requirements for planting berms include the following. For new projects, engineering and design shall be in accordance with ER 1110-2-1150, Engineering and Design for Civil Works Projects, and all related guidance. For existing projects, engineering and design shall be in accordance with CECW-PB memorandum dated 23 Oct 2006, Policy and Procedural Guidance for the Approval of Modification and Alteration of Corps of Engineers Projects.

4-3. Planters.

- a. In overbuild areas, permanent plant containers, such as concrete planters, may be considered. Planters must not impact the designed dam or levee section, or appurtenant structures, such as berms, drains, ditches and wells. Planter design and layout must allow for adequate access up and down the embankment as required for inspection and flood-fighting activities and must be approved by the Dam or Levee Safety Officer.
- b. Planters and containerized plants should be used selectively and should be considered only when normal planting is not practical. The initial cost and the ability of the sponsor to maintain this type of planting should be considered during design. Plants selected for use in planters should have mature heights of not more than approximately 20 feet.
- **4-4. Irrigation Systems.** Irrigation systems within the vegetation-free zone pose two potential threats to system reliability: pressurized waterlines may fail, resulting in damage to the engineered embankment section; and irrigation water may impair visual inspection by obscuring wet areas that are actually due to seepage. Any irrigation system that targets the vegetation-free zone shall be engineered so as to address these issues and meet the approval of the District dam or levee safety officer. Designs may include features such as double-walled piping and leakage detection systems.
- **4-5. Flood-Fighting and Structure Maintenance.** Flood-fighting and maintenance operations for levees, floodwalls, embankment dams, and appurtenant structures can be complex. These operations must not be impacted by the layout and physical characteristics of landscape plantings. Landscape plantings will be designed to permit inspection of structures from moving vehicles. Access requirements for emergency repair and replacement associated with flood-fighting efforts shall also be considered.

- **4-6. Maintenance of Plantings.** Planting designs must be consistent with the capacity of the project sponsor to maintain them. Maintenance shall include the control and/or removal of invasive species. Low-maintenance plant materials are often the most appropriate choice.
- 4-7. Selection of Plant Material. Plants will be selected from approved plant lists prepared jointly by Division and District landscape architects in conjunction with the local sponsor or resource agencies. The list will include trees, shrubs, vines, forbs, sedges, and grasses that are native to the region and well adapted to the climactic, soil, and hydrologic conditions of the site. Plant lists should be appropriate to the specific structural conditions and requirements of each project. As the project site experiences fluctuations in various environmental conditions over time, such as water level, precipitation, and herbivory, some plants or species will not survive but others may thrive. A diverse array of plant species is essential to a riparian system's resiliency and its ability to provide and sustain a number of functions. A botanist familiar with local flora should be enlisted to select those species from the approved list most likely to meet project objectives.

4-8. Appropriate Ground Cover in the Vegetation-Free Zone.

- a. The only acceptable vegetative ground cover in the vegetation-free zone shall be perennial grasses. Their primary function shall be to reliably protect against erosion. They shall be maintained as necessary to ensure the health and vigor of the primary species providing erosion protection. The species selected for each project shall be appropriate to the local climate, conditions, and surrounding or adjacent land uses. Preference should be given to the use of native species. Invasive or weed species shall not be acceptable. The species selected must be able to tolerate mowing to heights as low as 3 inches, as follows: at least once each year for inspection; and in anticipation of flood conditions and associated monitoring and flood-fighting activities.
- b. If the local climate, hydraulic and hydrologic environment, soils, or other conditions will not support such grass species, then non-vegetative means of erosion control shall be employed, e.g. riprap, pavement, articulating concrete mats, or other engineered surface.
- c. A maximum grass height is specified for embankment dams and their appurtenant structures (see Paragraph 3-4c, Vegetation-Free Zones).
- **4-9. Borrow Sites and Spoil Sites.** Borrow sites and spoil sites shall be restored through proper regrading and revegetation.

CHAPTER 5 VEGETATION-RELATED MAINTENANCE AND REPAIR

- **5-1. Maintenance of Ground Cover.** As ground cover in a flood damage reduction system, the primary purpose of grasses is the effective prevention of erosion; therefore, maintenance must assure a healthy, vigorous stand that is substantially free of weeds and bare spots. It will generally be necessary to periodically mow, graze, or burn grasses to permit proper inspection, manage pests, inhibit weed growth, or otherwise maintain the health and vigor of the plant stand. The appropriate time of year in which to conduct these maintenance activities will be a function of the species utilized as well as the motivating factor for the maintenance activity. For example, mowing to prohibit weed establishment may best be undertaken before the weed seeds become viable each year. The annual inspection may be scheduled to coincide with this period.
- **5-2.** Operations and Maintenance Manual. For each project, it is important that the operations and maintenance manual include an annual maintenance program to control animal burrows and vegetative growth. It is also important that vegetation be managed in such a manner as to avoid the need for mechanized removal and associated embankment repair, and avoid any incidental growth and subsequent presence of endangered species that might prohibit access and activities necessary for operations or maintenance.

5-3. Removal of Non-Compliant Vegetation.

- a. All vegetation not in compliance with this ETL shall be removed. A detailed removal plan shall be submitted to the local USACE District Levee Safety Officer for review and comment prior to removal of vegetation. The removal plan shall expand on the following basic requirements.
- (1) By excavation, remove the trunk (or stem), stump, rootball and all roots greater than 1/2 inch in diameter all such roots in, or within 15 feet of, the flood damage reduction structure shall be completely removed.
 - (2) Assure that the resulting void is free of organic debris.
- (3) Fill and compact the void according to the original soil and compaction specifications: or, if no specifications exist, match adjacent soil and compaction.
- b. Removal of non-compliant vegetation can create significant issues for the owner/operator, as maintenance may require environmental permits. The local sponsor must coordinate with the Corps and other appropriate agencies and obtain all the required environmental permits (including Corps of Engineers 404 permits) before conducting work within the levees. Mechanized land clearing below the plane of the "Ordinary High Water Mark" (defined at 33 CFR Part 328.3(e); in this document, see Figure 23 in Chapter 6 and the glossary in Chapter 7) will normally require Clean Water Act permits before work can commence. In regions with endangered or threatened species, and/or their critical habitat, vegetation removal of any kind may require clearance through the U.S. Fish and Wildlife Service or the National Marine Fisheries Service under the Endangered Species Act.

5-4. Repair of Animal Burrows. For proper procedures for the repair of animal burrows, refer to the latest edition of FEMA publication 473, *Technical Manual for Dam Owners, Impacts of Animals on Earthen Dams*.

CHAPTER 6 ILLUSTRATIONS

6-1. General.

- a. The figures presented here are cross-sections and are organized as follows. Figure 1 illustrates the minimum vegetation-free zone required for a basic levee section and serves as an introductory example for use in Figure 2. Figure 2 illustrates the proper application of the vegetation-free zone with regard to various vegetation types and stages of development. Figures 3 through 23 provide additional examples, illustrating the minimum vegetation-free zone required for each of various flood damage reduction system configurations. Root-free zones are indicated in Figures 13, 14, 15, 17, and 19. Vegetation-free zone requirements for embankment dams and their appurtenant structures are illustrated in Figures 20 and 21 and are presented in greater detail in Paragraph 3-4. Figure 22 illustrates the vegetation-management zone. Figure 23 illustrates a levee section with the ordinary high water mark above the riverside toe.
- b. For clarity, Figures 1 through 23 are not drawn to scale; however, Figures 24 and 25 are drawn to scale, using trees in the medium to large size range. The purpose of these two proportionally correct figures is to clearly illustrate realistic spatial relationships between trees (and their root systems) and levees.
- c. Note that the minimum vegetation-free zone is not influenced by the type of erosion protection used, so figures are not specific in that regard, e.g., riprap is not shown.

6-2. Figures 1 through 25

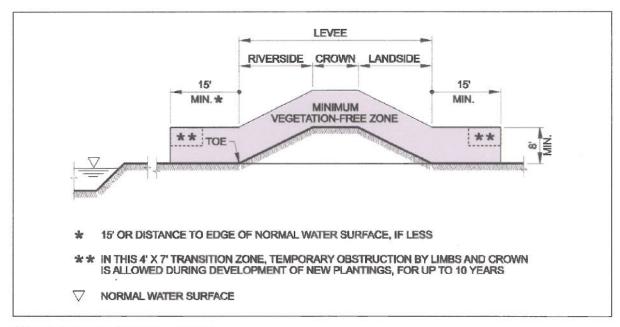


Figure 1: Levee Section - Basic.

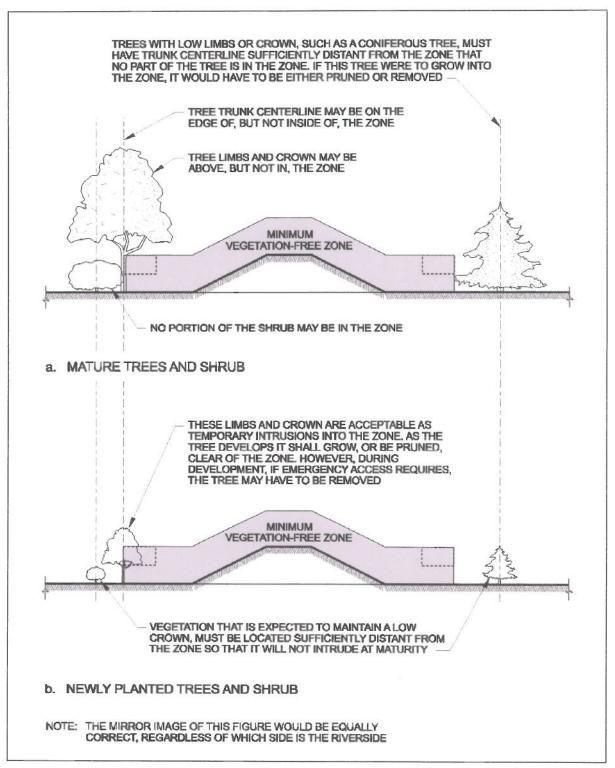


Figure 2: Proper Application of the Vegetation-Free Zone.

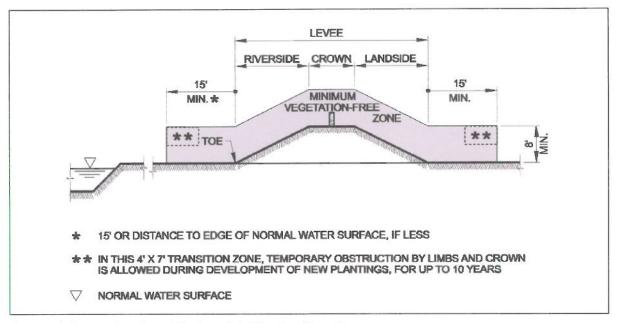


Figure 3: Levee Section – Basic, with Floodwall on Crown.

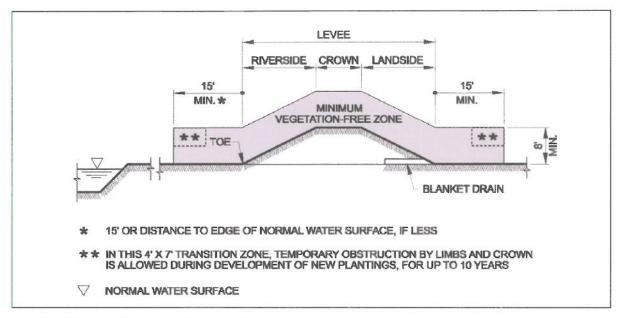


Figure 4: Levee Section with Blanket Drain.

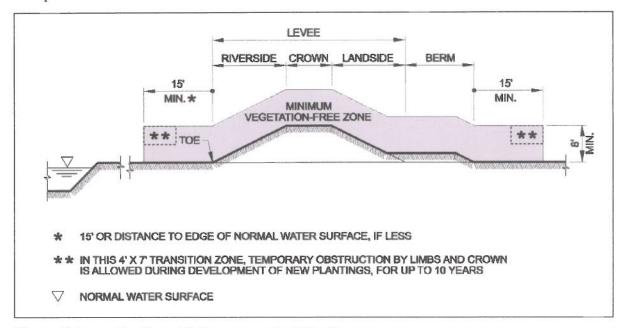


Figure 5: Levee Section with Seepage or Stability Berm.

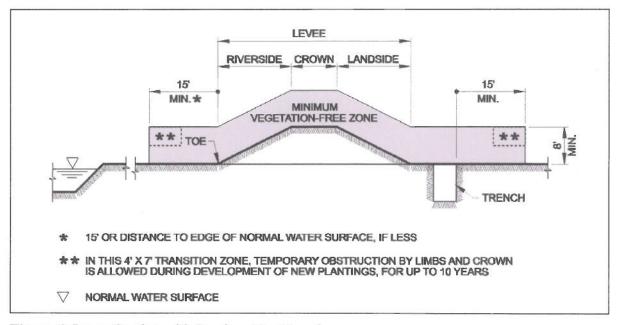


Figure 6: Levee Section with Pervious Toe Trench.

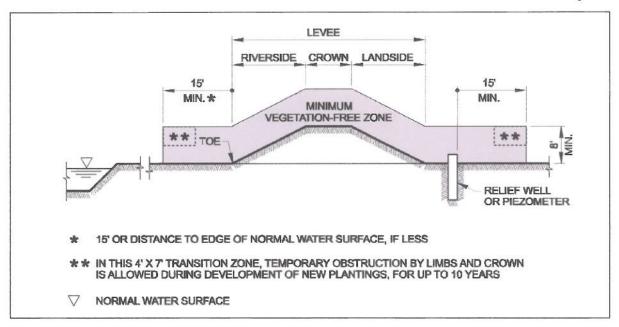


Figure 7: Levee Section with Relief Well or Piezometer.

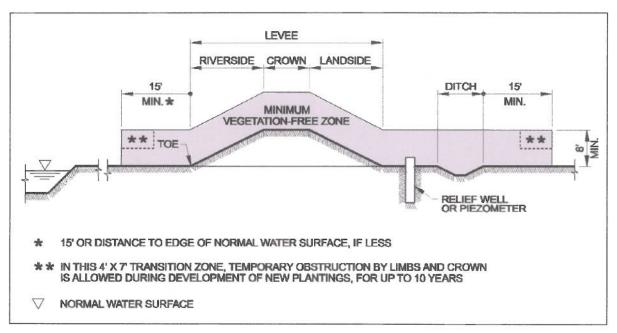


Figure 8: Levee Section with Relief Well or Piezometer and Seepage Collector Ditch.

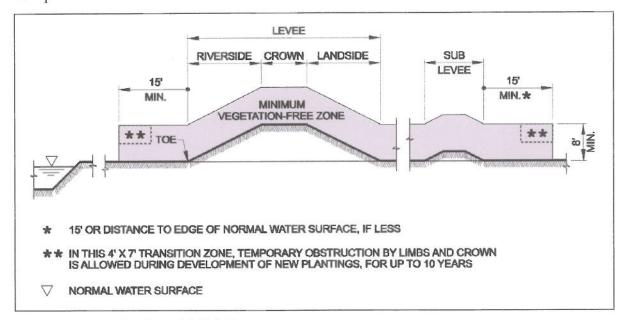


Figure 9: Levee Section with Sub-Levee.

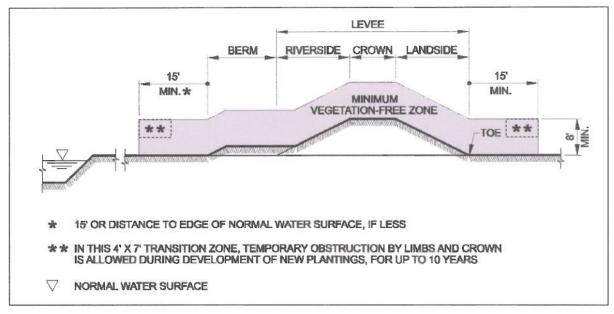


Figure 10: Levee Section with Stability Berm.

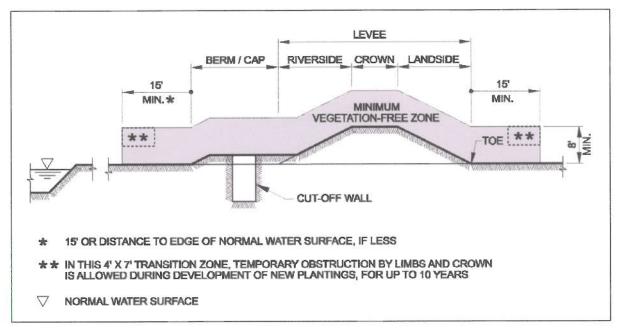


Figure 11: Levee Section with Cut-Off Wall and Impervious Berm.

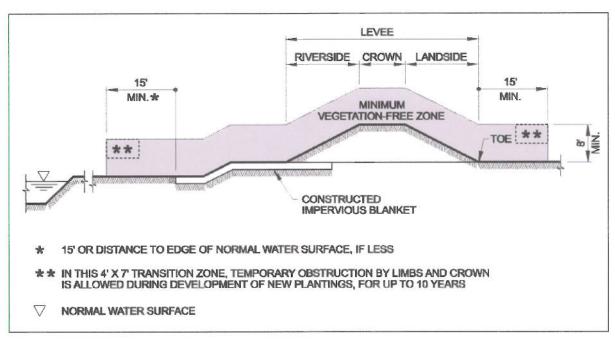


Figure 12: Levee Section with Constructed Impervious Blanket.

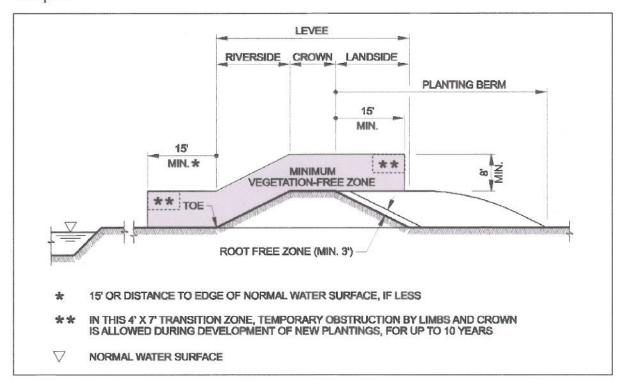


Figure 13: Levee Section with Planting Berm.

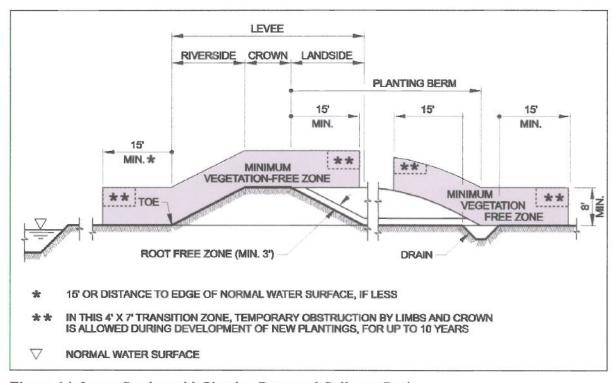


Figure 14: Levee Section with Planting Berm and Collector Drain.

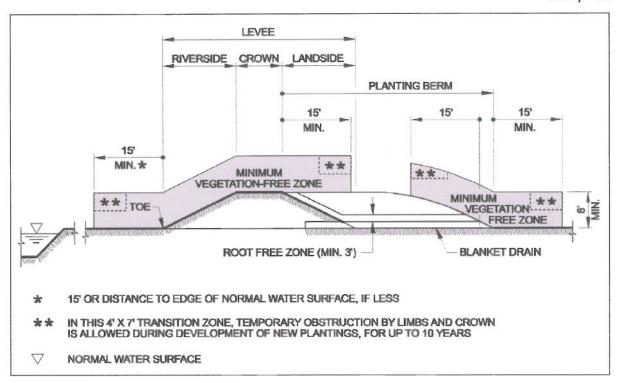


Figure 15: Levee Section with Planting Berm and Blanket Drain.

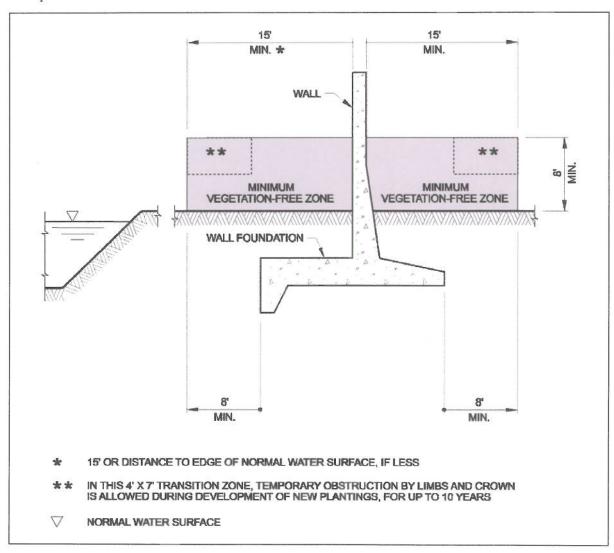


Figure 16: Inverted-T Type Floodwall.

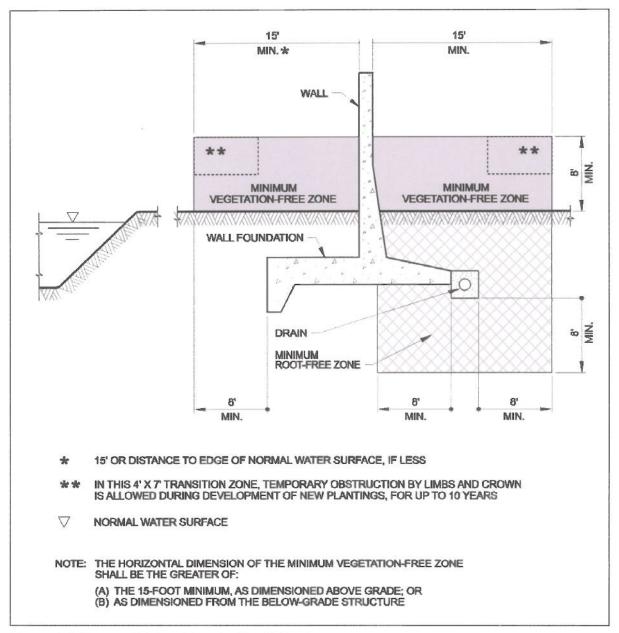


Figure 17: Inverted-T Type Floodwall with Drain.

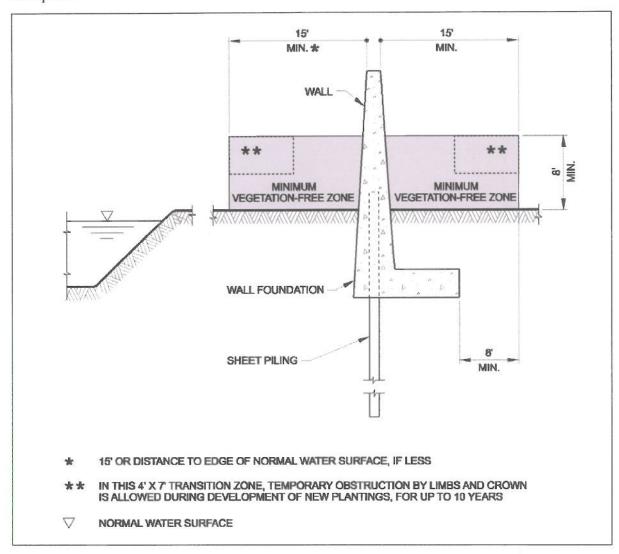


Figure 18: Cantilever-I Type Sheet-Piling Floodwall.

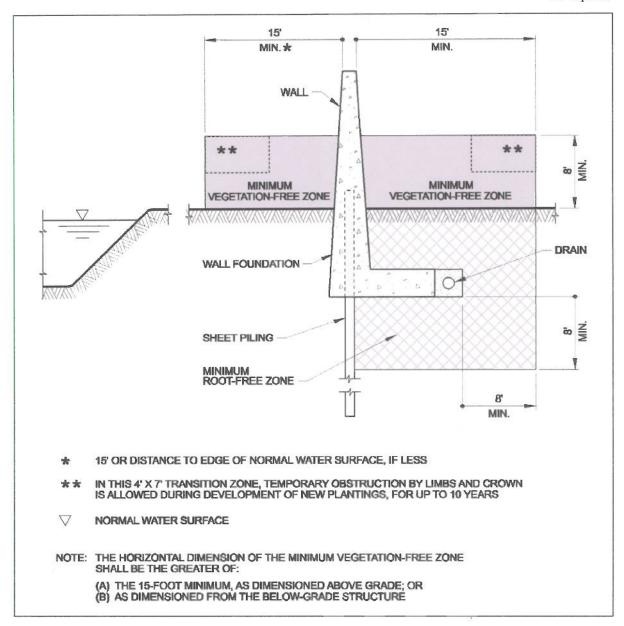


Figure 19: Cantilever-I Type Sheet-Piling Floodwall with Drain.

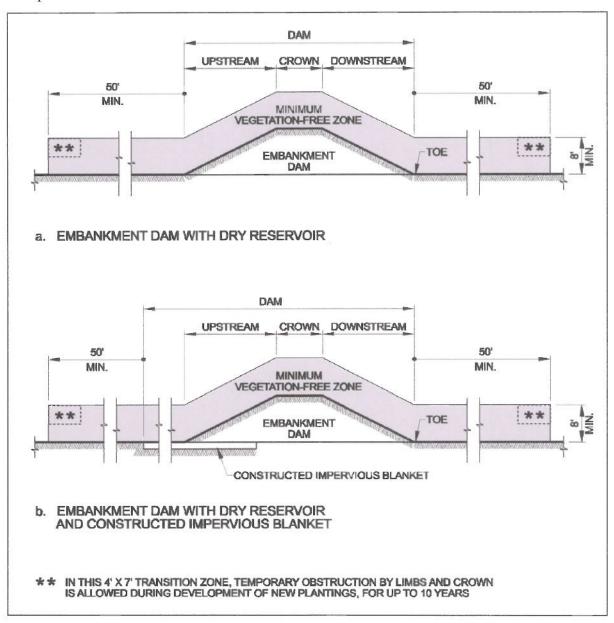


Figure 20: Embankment Dam (Earth Fill, Rock Fill, or Earth and Rock Fill).

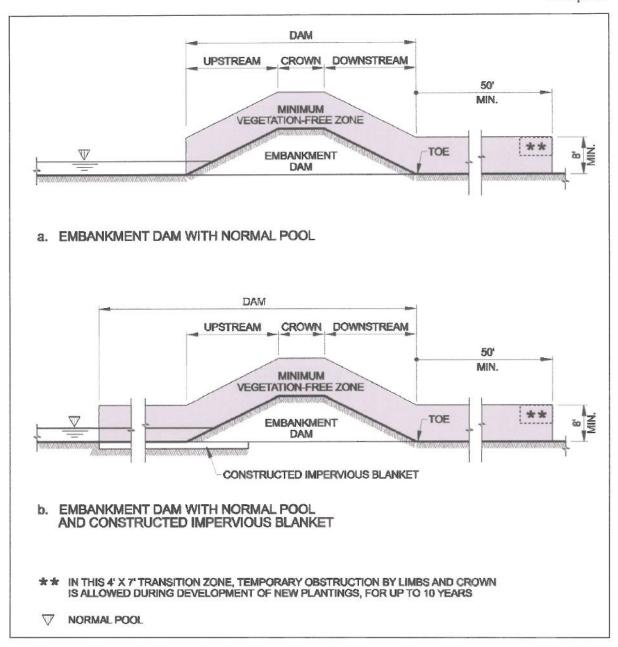
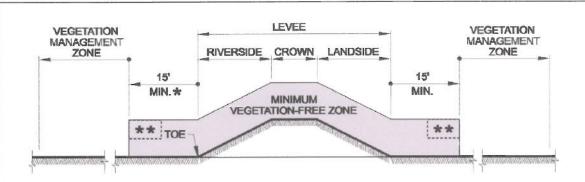


Figure 21: Embankment Dam (Earth Fill, Rock Fill, or Earth and Rock Fill).



- * 15' OR DISTANCE TO EDGE OF NORMAL WATER SURFACE, IF LESS
- ** IN THIS 4' X 7' TRANSITION ZONE, TEMPORARY OBSTRUCTION BY LIMBS AND CROWN IS ALLOWED DURING DEVELOPMENT OF NEW PLANTINGS, FOR UP TO 10 YEARS
- ∇ NORMAL WATER SURFACE

NOTES:

- THE VEGETATION-MANAGEMENT ZONE ALLOWS FOR ACCESS, FOR THE PURPOSE OF INSPECTION, AND MODIFICATION OR REMOVAL OF ANY PLANT WHOSE LIMB, FOILAGE, OR ROOT BEHAVIORS BECOME A THREAT TO PROJECT RELIABILITY.
- THE APPROPRIATE WIDTH OF THE VEGETATION-MANAGEMENT ZONE SHALL BE DETERMINED BY THE DESIGN TEAM: 35 FEET WILL BE SUFFICIENT IN MOST CASES.
- 3. THE VEGETATION-MANAGEMENT ZONE MAY BE ESTABLISHED BY EASEMENT.
- 4. THIS FIGURE SHOWS THE VEGETATION-MANAGEMENT ZONE IN THE CASE OF A LEVEE; HOWEVER, IT IS EQUALLY APPROPRIATE IN THE CASE OF ANY OTHER FLOOD DAMAGE REDUCTION STRUCTURE OR APPURTENANCE: IT'S USUAL RELATIONSHIP IS TO THE VEGETATION-FREE ZONE.

Figure 22: Vegetation-Management Zone.

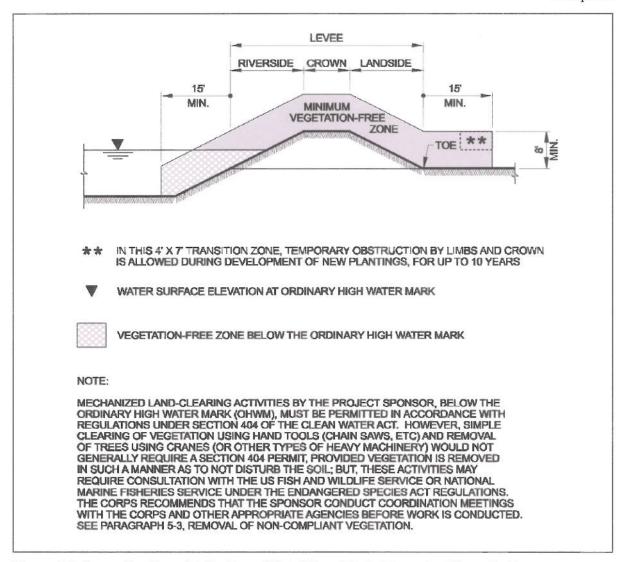


Figure 23: Levee Section with Ordinary High Water Mark Above the Riverside Toe.

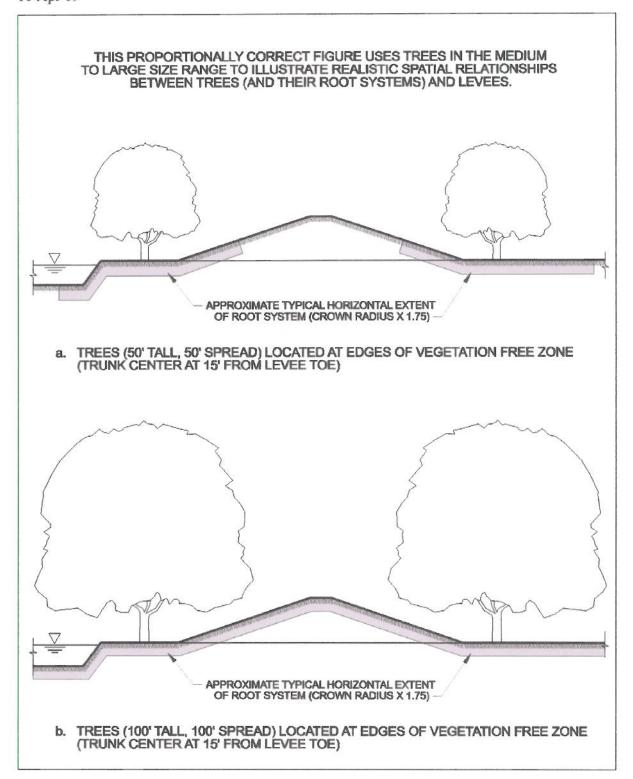


Figure 24: Levee (20 feet tall, 3:1 side slopes) with Trees, as Noted Above.

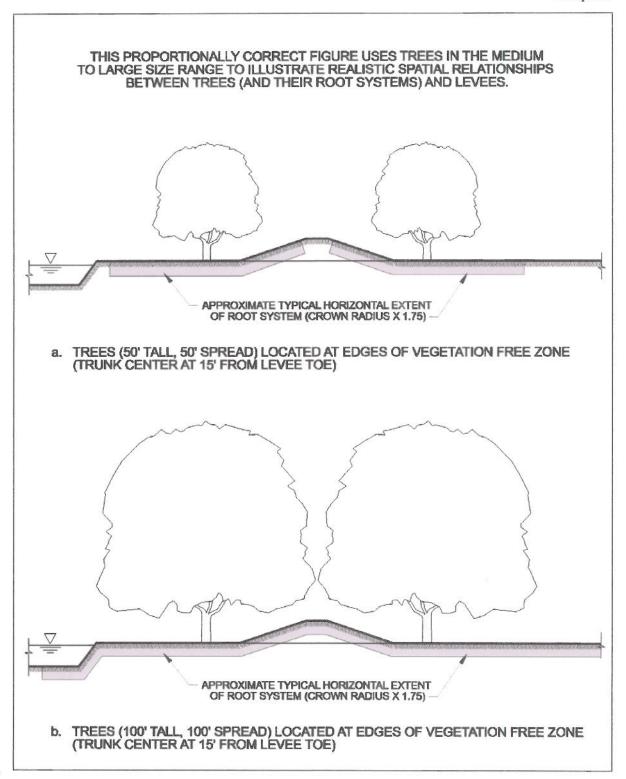


Figure 25: Levee (10 feet tall, 3:1 side slopes) with Trees, as Noted Above.

GLOSSARY

Critical Structure

A critical structure is any component of a flood damage reduction system that contributes to system reliability.

Flood Damage Reduction (FDR) System

A flood damage reduction system is made up of one or more flood damage reduction segments that collectively provide flood damage reduction to a defined area. Failure of one segment within a system constitutes failure of the entire system. Failure of one system does not affect another system.

Forb

A forb is an herbaceous (non-woody) annual, biennial, or perennial plant, other than grass, sedges, and rushes (e.g. alfalfa, clover, vetch).

Herbivory

Herbivory is the consumption of vegetation by animals.

Ordinary High Water Mark (OHWM)

The Regulatory definition of the OHWM is provided at 33 CFR Part 328.3(e) and states: "The term 'ordinary high water mark' means that line on the shore established by the fluctuations of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas." The OHWM determines the lateral extent of the jurisdiction of the Corps within Waters of the United States (see Figure 23).

Overbuild

Beyond the normal engineered cross-section of a levee, dam or appurtenant soil structure, overbuild is additional soil mass, fulfilling flood-damage-reduction design criteria and therefore subject to vegetation-free and root-free requirements.

Variance

A variance is a Corps-approved exemption from compliance with specific standards.