From: martin becker [martin_becker@prodigy.net]
Sent: Tuesday, March 02, 2004 12:08 PM
To: 'Genovese, Linda C HQ02'
Cc: marlindah@aol.com; Jery Stedinger; Margo_Schwab@omb.eop.gov; 'Douglas Hamilton'
Subject: revised 2/23/04 transmittal of RFC

Ms. Genovese:

We respectfully submit in accordance with the National Data Quality Act (NDQA), the ATTACHMENT (in two parts) as a Request for Correction (RFC), of the 100-year flow computation for Day Creek in San Bernardino County, California. The computation appears in the U.S. Army Corps of Engineers (Corps) report entitled "Review of Debris Production and Level-of-Protection Deer Creek Debris Basin" prepared by the Los Angeles District U.S. Army Corps of Engineers in November 29, 1999. We request that the Corps correct the 100-year flow computation (that is still being disseminated and relied upon by the Corps subsequent to October 1, 2002) in the report in order that the computation will be correct in accordance with the representation that the Corps made in its report that the federally adopted Bulletin 17B Guidelines for such computation by federal agencies were followed. The correct computation generates a 100-year value of 6,664 cfs rather than 3,396 cfs.

The basis of the request is that the Corps' computation used a skew coefficient whose computation is not in accord with *Guidelines for Determining Flood Flow Frequency*, Bulletin 17B (Bulletin 17B) although the Corps represented as having done so in the report. Bulletin 17B contains the guidelines that were adopted by federal agencies for determination of 100-year flow frequencies for hazard determinations, first in 1976 as Bulletin 17 and with revisions in 1982 as Bulletin 17B. The Corps of Engineers was represented by Roy Huffman in the development of Bulletin 17B which it subsequently adopted for use on its water resources projects.

During the last two months, we have had discussions with the Corps' District personnel involved in the 100-year flow computation for Day Creek included in the November 29, 1999 report and also with Dave Wingerd at Corps' Headquarters relating to our basis for a proposed NDQA RFC. As described in the RFC of the ATTACHMENT, the Corps made two errors in its computation of the 100-year flow in its 1999 report. In contradiction to Bulletin 17B guidelines: (1) the Corps adopted a regional skew coefficient instead of station skew coefficient weighted by a regional skew coefficient and (2) the Corps employed a regional skew coefficient that did not conform to Bulletin 17B nor the Bulletin 17B criteria for computing alternative regional skew coefficients. On January 16, 2004, Dave Wingerd e-mailed me an explanation from Joe Evelyn of the Los Angeles District basis for its determination of the skew coefficient used to compute the 100-year flow for Day Creek in its 1999 report (#6 of the ATTACHMENT to this e-mail). The description in the second paragraph of the e-mail from Joe Evelyn dated February 26, 2001 confirms that the Corps did not weight the station skew coefficient with the regional skew in its computation and that the determination of the alternative regional skew

coefficient was not in conformance with Bulletin 17B (or, even reasonable statistical practice). The ATTACHMENT to this e-mail includes documents that were a part of the discussion.

Our request includes the computation that conforms to the Bulletin 17B guidelines as represented in the Corps' report for determining a skew coefficient and 100-year peak flow. The corrected computation that uses the same flow data as was used by the Corps in their November 29, 1999 report, but uses the correct Bulletin 17B skew coefficient ("Attachment 3" of #2 of the ATTACHMENT to this e-mail) results in a 100-year flow at Day Creek of 6,664 cfs rather than the 3,396 cfs that was computed by the Corps. Therefore, the use of a computation by the Corps that uses an incorrect skew coefficient is a significant decision. The Corps did not provide any documentation during our discussion that challenged the validity of our request or our corrected computation.

Since the Corps would not agree to correct its computation of the 100-year flow for Day Creek in its 1999 report, we are filing the RFC under the NDQA. We respectfully request that the Corps issue a correction to the 1999 report without further delay. In considering our request for an expedited resolution, please be aware that Southern California is subject to extreme flooding that should be properly mitigated - step one is the correct computation of the predicted events. The error in the 1999 report and the appropriate computation are now clear. Therefore, if the Corps is not yet prepared to proceed to make the requested correction to the 1999 report, we request a meeting with the Corps and OMB to discuss the proper implementation of the National Data Quality Act as it relates to this request.

This RFC is being submitted on behalf of Mrs. Marylinda McKeith who lives in San Bernardino County, California below Deer Creek, Dr. Jery Stedinger and myself. Mrs. McKeith is adversely affected by the Corps' 100-year flow computation because the understatement of the 100-year flow causes her to be provided a reduced level of protection and mitigation from potential flooding of Deer Creek. Dr. Stedinger and I are adversely affected by the Corps' 100-year flow computation because we rely on this study and other studies being in accord with Bulletin 17B. If there are any questions or comments regarding this submittal, please contact me at 404-876-3900 or by e-mail.

Please confirm receipt of this RFC, and that you can open the ATTACHMENTS by reply e-mail.

Thanks,

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