

**DECISION DOCUMENT REVIEW PLAN
USING THE PROGRAMMATIC REVIEW PLAN MODEL
for
Continuing Authorities Program
Section 14, 107, 111, 204, 206, 208 and 1135 Projects**

Smokes Creek
LACKAWANNA, ERIE COUNTY, NEW YORK
CG CAP SECTION 1135

Project No: 124654

Buffalo District

MSC Approval Date: 21 February 2013
Last Revision Date: 12 February 2013



**US Army Corps
of Engineers** ®

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1. PURPOSE AND REQUIREMENTS

a. Purpose. This Review Plan defines the scope and level of peer review for the Construction General – Continuing Authorities Program Section 1135 Smokes Creek, Lackawanna, New York, project decision document.

Section 1135 of the Water Resources Development Act of 1986, as amended, authorizes the U.S. Army Corps of Engineers (USACE) to modify structures and operations of water resources projects constructed by the Corps for the purpose of improving the quality of the environment when it is determined such are feasible, consistent with the authorized project purposes and will improve the quality of the environment consistent with the public interest (ER 1105-2-100, Appendix F). The total Federal cost for individual projects is limited to [REDACTED]

Cost sharing for Section 1135 projects have two phases: Feasibility (study phase) and Design and Implementation Phase (detailed project design and construction). This particular project is grandfathered. The cost of the Feasibility Phase is 100% Federal, however, that cost will be applied later to the cost share amounts in the construction phase. If the project advances to the Implementation Phase all costs are shared 75% Federal and 25% non-Federal.

Section 1135, as amended, provides authority for the U.S. Army Corps of Engineers to plan, design, and construct projects that make modifications to operations or structures of civil works projects previously constructed by the Corps of Engineers, for the purpose of improving the quality of the environment.

b. Applicability. This review plan is based on the model Programmatic Review Plan for Section 14, 107, 111, 204, 206, 208 and 1135 project decision documents, which is applicable to projects that do not require Independent External Peer Review (IEPR), as defined in ER 1165-2-214 Civil Works Review, dated 15 Dec 2012. A Section 14, 107, 111, 204, 206, 208 and 1135 project does not require IEPR if ALL of the following specific criteria are met:

- The project does not involve a significant threat to human life/safety assurance; [REDACTED]
- The total project cost is less than [REDACTED]
- There is no request by the Governor of an affected state for a peer review by independent experts;
- The project does not require an Environmental Impact Statement (EIS),
- The project/study is not likely to involve significant public dispute as to the size, nature, or effects of the project;
- The project/study is not likely to involve significant public dispute as to the economic or environmental cost or benefit of the project;
- The information in the decision document or anticipated project design is not likely to be based on novel methods, involve the use of innovative materials or techniques, present complex challenges for interpretation, contain precedent-setting methods or models, or present conclusions that are likely to change prevailing practices;

- The project design is not anticipated to require redundancy, resiliency, and/or robustness, unique construction sequencing, or a reduced or overlapping design construction schedule; and
- There are no other circumstances where the Chief of Engineers or Director of Civil Works determines Type I IEPR is warranted.

If any of the above criteria are not met, the model Programmatic Review Plan is not applicable and a study specific review plan must be prepared by the home district, coordinated with the appropriate Planning Center of Expertise (PCX) and approved by the home Major Subordinate Command (MSC) in accordance with EC 1165-2-214, Civil Works Review, dated 15 December 2012.

Applicability of the model Programmatic Review Plan for a specific project is determined by the home MSC. If the MSC determines that the model plan is applicable for a specific study, the MSC Commander may approve the plan (including exclusion from IEPR) without additional coordination with a PCX or Headquarters, USACE. The initial decision as to the applicability of the model plan should be made no later than the Federal Interest Determination (FID) milestone (as defined in Appendix F of ER 1105-2-100, F-10.e.1) during the feasibility phase of the project. A review plan for the project will subsequently be developed and approved prior to execution of the Feasibility Cost Sharing Agreement (FCSA) for the study. In addition, per EC 1165-2-214, Civil Works Review, dated 15 Dec 2012, the home district and MSC should assess at the Alternatives Formulation Briefing (AFB) whether the initial decision on Type I IEPR is still valid based on new information. If the decision on Type I IEPR has changed, the District and MSC should begin coordination with the appropriate PCX immediately.

This review plan does not cover implementation products. This review plan will be modified after completion of the feasibility phase to incorporate information for the review of the design and implementation phases of the project.

c. References

- (1) Engineering Circular (EC) 1165-2-214, Civil Works Review, dated 15 Dec 2012
- (2) Director of Civil Works' Policy Memorandum #1, Jan 19, 2011
- (3) EC 1105-2-412, Assuring Quality of Planning Models, 31 Mar 2010
- (4) Engineering Regulation (ER) 1110-1-12, Quality Management, 30 Sep 2006
- (5) ER 1105-2-100, Planning Guidance Notebook, Appendix F, Continuing Authorities Program, Amendment #2, 31 Jan 2007
- (6) ER 1105-2-100, Planning Guidance Notebook, Appendix H, Policy Compliance Review and Approval of Decision Documents, Amendment #1, 20 Nov 2007

d. **Requirements.** This programmatic review plan was developed in accordance with EC 1165-2-214, Civil Works Review, dated 15 Dec 2012, which establishes an accountable, comprehensive, life-cycle review strategy for Civil Works products by providing a seamless process for review of all Civil Works projects from initial planning through design, construction, and operation, maintenance, repair, replacement and rehabilitation (OMRR&R). The EC

outlines four general levels of review: District Quality Control/Quality Assurance (DQC), Agency Technical Review (ATR), Independent External Peer Review (IEPR), and Policy and Legal Compliance Review. In addition to these levels of review, decision documents are subject to cost engineering review and certification (per EC 1165-2-214, Civil Works Review, dated 15 Dec 2012) and ensuring that planning models and analysis are compliant with Corps policy, theoretically sound, computationally accurate, transparent, described to address any limitations of the model or its use, and documented in study reports (per EC 1105-2-412).

2. REVIEW MANAGEMENT ORGANIZATION (RMO) COORDINATION

The RMO is responsible for managing the overall peer review effort described in this review plan. The RMO for Section 1135 decision documents is the home MSC. The MSC will coordinate and approve the review plan and manage the ATR. The home District will post the approved review plan on its public website.

3. STUDY INFORMATION

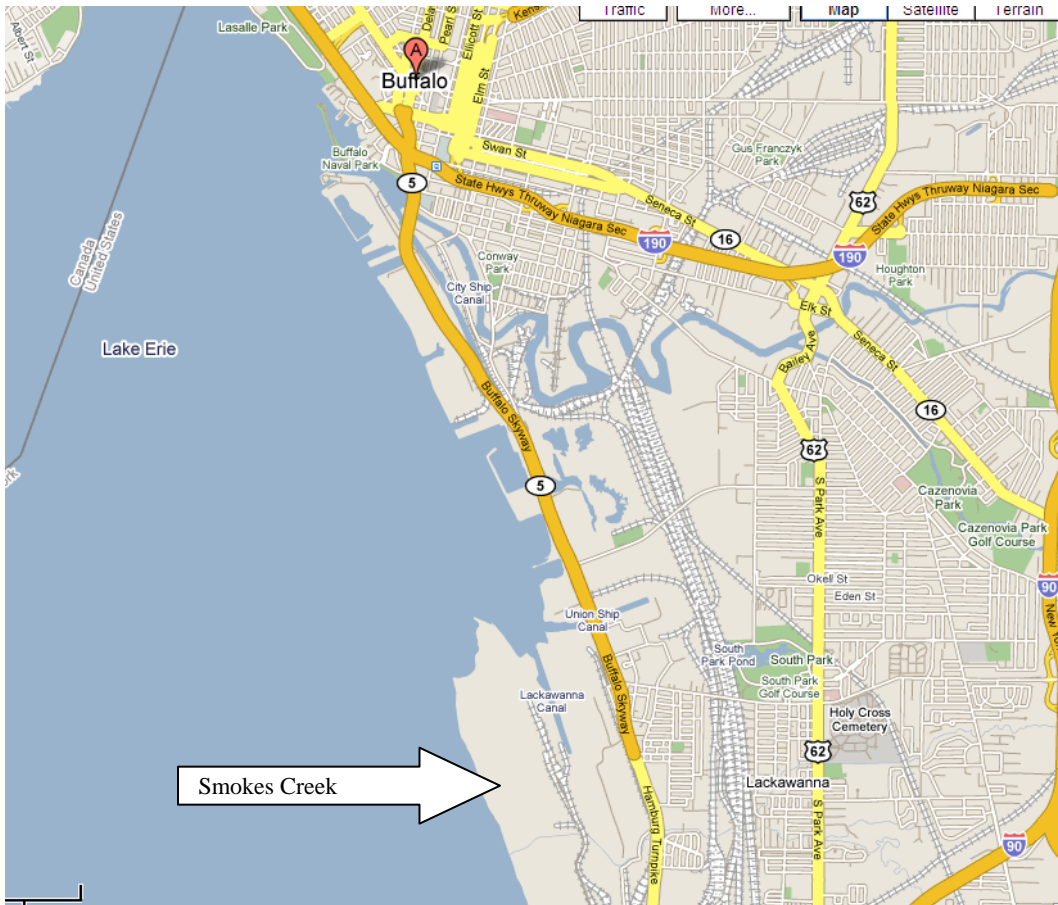
a. Decision Document. The Section 1135 Smokes Creek, Lackawanna, NY decision document will be prepared in accordance with ER 1105-2-100, Appendix F. The approval level of the decision document (if policy compliant) is the home MSC. An Environmental Assessment (EA) will be prepared along with the decision document.

b. Study/Project Description. Smokes Creek lies within the Lake Erie watershed and is located approximately two miles southeast of the City of Lackawanna, Erie County, New York. A flood control project was constructed in 1970 by the USACE, Buffalo District to provide protection to the residents in the city of Lackawanna.

Smokes Creek is a natural water body that traverses from east to west prior to discharging into Lake Erie. Smokes Creek originates as two branches: the North branch, which drains a portion of West Seneca, Lackawanna and Orchard Park and the South Branch which drains areas in Lackawanna and Orchard Park. The North and South Branches of the Creek join in Lackawanna upstream of Route 5. Smokes Creek is classified by the New York State Department of Environmental Conservation (NYSDEC) as a Class C stream, which is defined as suitable for fish propagation and survival with water quality expected to be suitable for primary and secondary contact recreation, although other factors, such as property ownership and access, may limit the use for these purposes.

The City of Lackawanna is located along the eastern shore of Lake Erie, directly south of the city of Buffalo in Erie County, New York. The city of Lackawanna was originally part of the Buffalo Creek Indian Reservation, then the Town of West Seneca. During the 1870's several railroads were built through what would become the City of Lackawanna; including the Buffalo, Rochester, and Pittsburgh Railroad, the Erie Railroad, the Lake Short Railroad, and the Nickel Plate Railroad. As freight transport by rail became established, the rail companies built rail yards near Lackawanna to ease congestion on rail lines. The location on the lakeshore and proximity to the railroad made Lackawanna a prime spot for industrial development at the end of the 19th century.

Map of Project Area



The flood control characteristics of the lower reach of Smokes Creek, along with urbanization, have adversely affected attributes necessary for successful spawning of walleye and other fish species. Limiting characteristics include lack of suitable substrate, unsuitable temperature regime, low velocity and low flow. Unsuitable substrate, temperature and velocity are a consequence of the enlarged and channelized bed of the flood control project. Changes in the area(s) near the flood control project are necessary in order to support successful fish spawning in the lower reach of Smokes Creek.

During the feasibility study, alternative plans identified will be evaluated as well as any new alternatives developed in conjunction with the sponsor to enhance aquatic habitat. The cost and benefits for alternative plans considered will also be economically evaluated. For the recommended alternative, a detailed project cost estimate and construction schedule will be prepared once the Feasibility Study has been approved at the Division level. The DPR will include preparation of an appropriate environmental document as required by the National Environmental Policy Act (NEPA).

The Detailed Project Report/Environmental Assessment (DPR/EA) will present the findings of the feasibility study. The feasibility study will document the plan formulation process and potential environmental effects associated with the implementation of restoration alternatives for the proposed site. This DPR/EA summarizes baseline existing conditions in the study area. It also develops and discusses potential solutions as a guide to potential Federal and non-Federal involvement in the project and serves as a resource to assist in the decision-making of local government and others. This report provides a description and discussion of the likely array of alternative plans, including their benefits, costs, and environmental effects and outputs. This report also identifies, evaluates, and recommends a solution (the Preferred Action Alternative) that best meets the planning objectives. There are no existing or anticipated policy waiver requests (pursued per paragraph F-10.f.(4) of ER 1105-2-100, Appendix F).

c. Factors Affecting the Scope and Level of Review.

Challenges: Portions of Smokes Creek are located on the old Bethlehem Steel property, which is presently owned by Tecumseh. This property formerly housed a large steel production facility making the area somewhat contaminated. This contamination in and around the creek has a detrimental effect on the floral and faunal diversity of Smokes Creek. This could limit the type of repair/rehabilitation that is proposed for this project.

- *Federal funding limitation for the Section 1135 program is capped at* [REDACTED]

- *The recommended solution should consider the financial limitations of the non-Federal sponsor.*
- *The recommended solution must be a modification of the structure and/or operation of a Corps project.*
- *The recommended solution cannot change or modify the purpose of the existing flood control project.*
- The recommended solution must take into consideration the probability of contaminated soils and water.

Project Risks: If a project is not pursued, the mouth of Smokes Creek, a tributary to the Great Lakes, will be devoid of suitable critical spawning habitat. Since portions of Smokes Creek are located on the old Bethlehem Steel property, sediment sampling was completed by the Environmental Protection Agency (EPA) in 2011. The results show that the overall sediment quality is not likely to cause chronic toxicity to sediment dwelling organisms although some metals and organic substances were found to be present at elevated levels. Tecumseh, the present owner of the property, is also moving forward with cleaning up the area under the Resource Conservation and Recovery Act (RCRA) and a Corrective Measures Study. If a Federal project is completed in Smokes Creek, the Corps would need to work closely with the ongoing environmental remediation at various stages of completion being conducted under various federal and state programs. A federal project with the goal of improving environmental conditions through this corridor would be most appropriate following completion of remediation/corrective actions at the site (under RCRA as well as the state brown field program).

Life Safety: The project will neither be justified by life safety or will involve significant threat to human life/safety assurance. There is no reason to believe that any measures involved in the project are associated with a significant threat to human life.

Governor Request for Peer Review: The Governor **has not** requested peer review by independent experts.

Public Dispute: The project/study is not anticipated to be controversial nor result in significant public dispute as to the size, nature, or effects of the project or to the economic or environmental costs or benefits of the project.

Project Design/Construction: The anticipated project design will take advantage of prevailing practices and methodologies. It is not expected to be based on novel methods or involve the use of innovative techniques, or present complex challenges for interpretation. It also not anticipated that the project will require unique construction sequencing or redundancy.

d. In-Kind Contributions. Products and analyses provided by non-Federal sponsors as in-kind services are subject to DQC and ATR, similar to any products developed by USACE. It is anticipated that the non-Federal could possibly provide in-kind services towards the project with dredging that might be necessary for the project completion or possible clearing and grubbing in the area.

4. DISTRICT QUALITY CONTROL (DQC)

All decision documents (including supporting data, analyses, environmental compliance documents, etc.) shall undergo DQC. DQC is an internal review process of basic science and engineering work products focused on fulfilling the project quality requirements defined in the Project Management Plan (PMP). The home district shall manage DQC. Documentation of DQC activities is required and should be in accordance with the Quality Manual of the District and the home MSC.

Documentation of DQC. District Quality Control will be completed following the guidelines set forth in Section 7.2 District Quality Control (DQC) and Agency Technical Review (ATR) of the 14 February 2011 CELRD Quality Management System (QMS) Document ID: 4921: QC / QA Procedures for Civil Works.

Following the completion of the DQC review by the PDT members and their respective counterparts as necessary, the PDT will sign a certification sheet documenting DQC. The Chief of Planning will also sign a certification sheet documenting that District Quality Control has been completed.

a. Products to Undergo DQC.

- (1) Review Plan
- (2) Alternative Formulation Briefing Documentation
- (3) Draft Feasibility Study Report and Draft Environmental Assessment Documentation
- (4) Final Feasibility Study Report and Final Environmental Assessment Documentation

b. Required DQC Expertise. Additional DQC of all products will be accomplished by senior (GS-12 or above) staff not directly involved in preparation of the products from the following disciplines:

- (1) Planning
- (2) Economics
- (3) Programs and Project Management
- (4) Cost Engineering
- (5) Coastal Engineering
- (6) Design
- (7) Hydraulics & Hydrology
- (8) Environmental
- (9) Office of Counsel
- (10) Real Estate

5. AGENCY TECHNICAL REVIEW (ATR)

ATR is mandatory for all decision documents (including supporting data, analyses, environmental compliance documents, etc.). The objective of ATR is to ensure consistency with established criteria, guidance, procedures, and policy. The ATR will assess whether the analyses presented are technically correct and comply with published USACE guidance, and that the document explains the analyses and results in a reasonably clear manner for the public and

decision makers. ATR is managed within USACE by the designated RMO and is conducted by a qualified team from outside the home district that is not involved in the day-to-day production of the project/product. ATR teams will be comprised of senior USACE personnel and may be supplemented by outside experts as appropriate. The ATR team lead will be from outside the home MSC as indicated in the Director of Civil Works' Policy Memorandum #1, Jan 19, 2011, "the ATR lead is to be outside the home MSC unless the CAP review plan justifies an exception and is explicitly approved by the MSC Commander".

a. Products to Undergo ATR.

Supporting analysis and documents, including but not limited to the following will also be subject to Agency Technical Review:

- (1) Detailed Project Report and appendices
- (2) Cost estimates
- (3) Geotechnical analysis
- (4) Supporting environmental analysis (cultural resources, resource inventories, etc.)

Supporting Analysis and Documents provided as work in-kind will also be subject to Agency Technical Review.

b. Required ATR Team Expertise. The expertise/disciplines represented on the ATR team should reflect the significant disciplines involved in the planning effort. The PDT has determined that the expertise needed for review shall include Environmental Planning and Analysis, Inland Navigation & Economics, Coastal Engineering, Geotechnical Engineering, and Real Estate. The roster of the ATR and the expertise required is outline in the table that follows.

Name	Organization	Discipline	Expertise Required
[REDACTED]	[REDACTED]	ATR Lead	The ATR lead should be a senior professional with extensive experience in preparing Civil Works decision documents and have the necessary skills and experience to lead a virtual team through the ATR process. The ATR lead may also serve as reviewer for a specific discipline (such as planning, economics, environmental resources, etc.)
[REDACTED]	[REDACTED]	Planning	The Planning reviewer should be a senior planner with experience in CAP projects or ecosystem restoration.
[REDACTED]	[REDACTED]	Environmental Resources	Team member will be experienced in the NEPA process and analysis, and have a biological or environmental background that is familiar with the project area and ecosystem restoration. Team member should be familiar with cultural/historic resource and planning requirements involved in the CAP and ecosystem restoration projects.
[REDACTED]	[REDACTED]	Economics	Technical specialist for economic evaluation. Should be familiar with ecosystem restoration projects.
[REDACTED]	[REDACTED]	Civil Design Engineer	Team member will be experienced in the design and construction of jetties and ecosystem restoration projects.
[REDACTED]	[REDACTED]	Cost Engineering DX	Team member will be experienced in design and construction of ecosystem restoration projects. In addition the team member will be familiar with cost estimating for similar civil works projects using MCACES.
[REDACTED]	[REDACTED]	Real Estate	Team member will be an expert in ecosystem restoration planning outside the Buffalo District, and selected from the Real Estate ATR roster.

c. **Documentation of ATR.** DrChecks review software will be used to document all ATR comments, responses and associated resolutions accomplished throughout the review process. Comments should be limited to those that are required to ensure adequacy of the product. The four key parts of a quality review comment will normally include:

- (1) The review concern – identify the product’s information deficiency or incorrect application of policy, guidance, or procedures;
- (2) The basis for the concern – cite the appropriate law, policy, guidance, or procedure that has not be properly followed;
- (3) The significance of the concern – indicate the importance of the concern with regard to its potential impact on the plan selection, recommended plan components, efficiency (cost), effectiveness (function/outputs), implementation responsibilities, safety, Federal interest, or public acceptability; and
- (4) The probable specific action needed to resolve the concern – identify the action(s) that the reporting officers must take to resolve the concern.

In some situations, especially addressing incomplete or unclear information, comments may seek clarification in order to then assess whether further specific concerns may exist.

The ATR documentation in DrChecks will include the text of each ATR concern, the PDT response, a brief summary of the pertinent points in any discussion, including any vertical team coordination (the vertical team includes the district, RMO, MSC, and HQUSACE), and the agreed upon resolution. If an ATR concern cannot be satisfactorily resolved between the ATR team and the PDT, it will be elevated to the vertical team for further resolution in accordance with the policy issue resolution process described in either ER 1110-1-12 or ER 1105-2-100, Appendix H, as appropriate. Unresolved concerns can be closed in DrChecks with a notation that the concern has been elevated to the vertical team for resolution.

At the conclusion of each ATR effort, the ATR team will prepare a Review Report summarizing the review. Review Reports will be considered an integral part of the ATR documentation and shall:

- Identify the document(s) reviewed and the purpose of the review;
- Disclose the names of the reviewers, their organizational affiliations, and include a short paragraph on both the credentials and relevant experiences of each reviewer;
- Include the charge to the reviewers;
- Describe the nature of their review and their findings and conclusions;
- Identify and summarize each unresolved issue (if any); and
- Include a verbatim copy of each reviewer's comments (either with or without specific attributions), or represent the views of the group as a whole, including any disparate and dissenting views.

ATR may be certified when all ATR concerns are either resolved or referred to the vertical team for resolution and the ATR documentation is complete. The ATR Lead will prepare a Statement of Technical Review certifying that the issues raised by the ATR team have been resolved (or elevated to the vertical team). A Statement of Technical Review should be completed, based on work reviewed to date, for the AFB, draft report, and final report. A sample Statement of Technical Review is included in Attachment 2.

6. INDEPENDENT EXTERNAL PEER REVIEW (IEPR)

IEPR may be required for decision documents under certain circumstances. IEPR is the most independent level of review, and is applied in cases that meet certain criteria where the risk and magnitude of the proposed project are such that a critical examination by a qualified team outside of USACE is warranted. A risk-informed decision, as described in EC 1165-2-214, Civil Works Review, dated 15 Dec 2012, is made as to whether IEPR is appropriate. IEPR panels will consist of independent, recognized experts from outside of the USACE in the appropriate disciplines, representing a balance of areas of expertise suitable for the review being conducted. There are two types of IEPR:

- **Type I IEPR.** Type I IEPR reviews are managed outside the USACE and are conducted on project studies. Type I IEPR panels assess the adequacy and acceptability of the economic and environmental assumptions and projections, project evaluation data, economic analysis, environmental analyses, engineering analyses, formulation of alternative plans, methods for integrating risk and uncertainty, models used in the evaluation of environmental impacts of proposed projects, and biological opinions of the project study. Type I IEPR will cover the entire decision document or action and will address all underlying engineering, economics, and environmental work, not just one aspect of the study. For decision documents where a Type II IEPR (Safety Assurance Review) is anticipated during project implementation, safety assurance shall also be addressed during the Type I IEPR per EC 1165-2-214, Civil Works Review, dated 15 Dec 2012.

For Section 14, 107, 111, 204, 206, 208 and 1135 decision documents prepared under the model Programmatic Review Plan, Type I IEPR is not required.

- **Type II IEPR.** Type II IEPR, or Safety Assurance Review (SAR), are managed outside the USACE and are conducted on design and construction activities for hurricane, storm, and flood risk management projects or other projects where existing and potential hazards pose a significant threat to human life. Type II IEPR panels will conduct reviews of the design and construction activities prior to initiation of physical construction and, until construction activities are completed, periodically thereafter on a regular schedule. The reviews shall consider the adequacy, appropriateness, and acceptability of the design and construction activities in assuring public health safety and welfare.

For Section 14, 107, 111, 204, 206, 208 and 1135 decision documents prepared under the model Programmatic Review Plan, Type II IEPR is not anticipated to be required in the design and implementation phase, but this will need to be verified and documented in the review plan prepared for the design and implementation phase of the project.

- a. Decision on IEPR.** Based on the information and analysis provided in the preceding paragraphs of this review plan, the project covered under this plan is excluded from IEPR because it does not meet the mandatory IEPR triggers and does not warrant IEPR based on a risk-informed analysis. If any of the criteria outlined in paragraph 1(b) are not met, this model Programmatic Review Plan is not applicable and a study specific review plan must be

prepared by the home district, coordinated with the appropriate PCX and approved by the home MSC in accordance with EC 1165-2-214, Civil Works Review, dated 15 Dec 2012.

- b. Products to Undergo Type I IEPR.** Not applicable.
- c. Required Type I IEPR Panel Expertise.** Not Applicable.
- d. Documentation of Type I IEPR.** Not Applicable.

7. POLICY AND LEGAL COMPLIANCE REVIEW

All decision documents will be reviewed throughout the study process for their compliance with law and policy. Guidance for policy and legal compliance reviews is addressed in Appendix H, ER 1105-2-100. These reviews culminate in determinations that the recommendations in the reports and the supporting analyses and coordination comply with law and policy, and warrant approval or further recommendation to higher authority by the home MSC Commander. DQC and ATR augment and complement the policy review processes by addressing compliance with pertinent published Army policies, particularly policies on analytical methods and the presentation of findings in decision documents.

8. COST ENGINEERING DIRECTORY OF EXPERTISE (DX) REVIEW AND CERTIFICATION

All decision documents shall be coordinated with the Cost Engineering DX, located in the Walla Walla District. For decision documents prepared under the model Programmatic Review Plan, Regional cost personnel that are pre-certified by the DX will conduct the cost engineering ATR. The DX will provide the Cost Engineering DX certification. The RMO will coordinate with the Cost Engineering DX on the selection of the cost engineering ATR team member.

9. MODEL CERTIFICATION AND APPROVAL

The approval of planning models under EC 1105-2-412 is not required for CAP projects. MSC Commanders are responsible for assuring models for all planning activities to ensure the models are technically and theoretically sound, compliant with USACE policy, computationally accurate, and based on reasonable assumptions. Therefore, the use of a certified/approved planning model is highly recommended should be used whenever appropriate. Planning models are defined as any models and analytical tools that planners use to define water resources management problems and opportunities, to formulate potential alternatives to address the problems and take advantage of the opportunities, to evaluate potential effects of alternatives and to support decision making. The selection and application of the model and the input and output data is still the responsibility of the users and is subject to DQC and ATR.

The responsible use of well-known and proven USACE developed and commercial engineering software will continue and the professional practice of documenting the application of the software and modeling results will be followed. As part of the USACE Scientific and Engineering Technology (SET) Initiative, many engineering models have been identified as

preferred or acceptable for use on Corps studies and these models should be used whenever appropriate. The selection and application of the model and the input and output data is still the responsibility of the users and is subject to DQC and ATR.

- a. **Planning Models.** No planning models are anticipated to be used in the development of the decision document:

Model Name and Version	Brief Description of the Model and How It Will Be Applied in the Study	Approval Status
IWR Planning Suite 1.1.11.0 and 2.0.6	IWR Planning Suite assists with plan formulation by combining user-defined solutions to planning problems and calculating the effects of each combination, or "plan." The program can assist with plan comparison by conducting cost effectiveness and incremental cost analyses, identifying the plans which are best financial investments and displaying the effects of each on a range of decision variables.	Both IWR Planning Suite versions are certified models

- Engineering Models.** The following engineering models are anticipated to be used in the development of the decision document:

Model Name and Version	Brief Description of the Model and How It Will Be Applied in the Study	Approval Status
HEC-HMS 3.5	The Hydrologic Modeling System (HEC-HMS) is designed to simulate the precipitation-runoff processes of dendritic watershed systems. It is designed to be applicable in a wide range of geographic areas for solving the widest possible range of problems. This includes large river basin water supply and flood hydrology, and small urban or natural watershed runoff.	Certified
HEC-RAS 4.0	HEC-RAS enables the Engineer to perform one-dimensional steady flow, unsteady flow, sediment transport/mobile bed computations, and water temperature modeling.	Certified

10. REVIEW SCHEDULES AND COSTS

b. ATR Schedule and Cost.

Item to Undergo ATR	Schedule	Estimated Cost (by PDT) for ATR
Draft DPR and Appendices	60 days for review of 75% DPR, 60 days for response to ATR comments and ATR certification	[REDACTED]

c. Type I IEPR Schedule and Cost. Not applicable.

d. Model Review Schedule and Cost. For decision documents prepared under the model Programmatic Review Plan, use of existing certified or approved planning models is encouraged. Where uncertified or unapproved model are used, review of the model for use will be accomplished through the ATR process. The ATR team should apply the principles of EC 1105-2-412 during the ATR to ensure the model is theoretically and computationally sound, consistent with USACE policies, and adequately documented. If specific uncertified models are identified for repetitive use within a specific district or region, the appropriate PCX, MSC(s), and home District(s) will identify a unified approach to seek certification of these models.

11. PUBLIC PARTICIPATION

State and Federal resource agencies may be invited to participate in the study covered by this review plan as partner agencies or as technical members of the PDT, as appropriate. Agencies with regulatory review responsibilities will be contacted for coordination as required by applicable laws and procedures. The ATR team will be provided copies of public and agency comments. It is anticipated that coordination with the United States Fish and Wildlife Service (USFWS) and the New York State Department of Environmental Conservation (NYSDEC) would be necessary in accordance with the Fish and Wildlife Coordination Act and the Endangered Species Act.

The public involvement process will include public meetings throughout the study period, and study briefings for interested and affected parties and agencies. There will be multiple opportunities for public review and comment during the NEPA process. Several agency coordination meetings are also anticipated. Detailed information on the study will be posted on the public webpage. This information will include public meeting presentation, technical information and reports, study schedule, and other pertinent information about the study.

Additional project information will be posted to an internal project webpage (Sharepoint) for USACE use. Outreach will be coordinated with individuals and groups concerned.

12. REVIEW PLAN APPROVAL AND UPDATES

The home MSC Commander is responsible for approving this review plan and ensuring that use of the Model Programmatic Review Plan is appropriate for the specific project covered by the plan. The review plan is a living document and may change as the study progresses. The home district is responsible for keeping the review plan up to date. Minor changes to the review plan since the last MSC Commander approval are documented in Attachment 3. Significant changes to the review plan (such as changes to the scope and/or level of review) should be re-approved by the MSC Commander following the process used for initially approving the plan. Significant changes may result in the MSC Commander determining that use of the Model Programmatic Review Plan is no longer appropriate. In these cases, a project specific review plan will be prepared and approved in accordance with EC 1165-2-214, Civil Works Review, dated 15 Dec 2012, and Director of Civil Works' Policy Memorandum #1. The latest version of the review plan, along with the Commanders' approval memorandum, will be posted on the home district's webpage.

13. REVIEW PLAN POINTS OF CONTACT

Public questions and/or comments on this review plan can be directed to the following:

USACE Buffalo District (LRB) Points of Contact

[REDACTED]

Great Lakes and Ohio River Division Points of Contact

[REDACTED]

Ecosystem Restoration Point of Contact

[REDACTED]

**ATTACHMENT 2: SAMPLE STATEMENT OF TECHNICAL REVIEW FOR
DECISION DOCUMENTS**

COMPLETION OF AGENCY TECHNICAL REVIEW

The Agency Technical Review (ATR) has been completed for the <type of product> for <project name and location>. The ATR was conducted as defined in the project's Review Plan to comply with the requirements of EC 1165-2-214, Civil Works Review, dated 15 Dec 2012. During the ATR, compliance with established policy principles and procedures, utilizing justified and valid assumptions, was verified. This included review of: assumptions, methods, procedures, and material used in analyses, alternatives evaluated, the appropriateness of data used and level obtained, and reasonableness of the results, including whether the product meets the customer's needs consistent with law and existing US Army Corps of Engineers policy. The ATR also assessed the District Quality Control (DQC) documentation and made the determination that the DQC activities employed appear to be appropriate and effective. All comments resulting from the ATR have been resolved and the comments have been closed in DrCheckssm.

SIGNATURE

Name

ATR Team Leader

Office Symbol/Company

Date

SIGNATURE

Name

Project Manager (home district)

Office Symbol

Date

SIGNATURE

Name

Architect Engineer Project Manager¹

Company, location

Date

SIGNATURE

Name

Review Management Office Representative

Office Symbol

Date

CERTIFICATION OF AGENCY TECHNICAL REVIEW

Significant concerns and the explanation of the resolution are as follows: Describe the major technical concerns and their resolution.

As noted above, all concerns resulting from the ATR of the project have been fully resolved.

SIGNATURE

Name

Chief, Engineering Division (home district)

Office Symbol

Date

SIGNATURE

Name

Chief, Planning Division (home district)

Office Symbol

Date

¹ Only needed if some portion of the ATR was contracted

ATTACHMENT 3: REVIEW PLAN REVISIONS

Revision Date	Description of Change	Page / Paragraph Number
12 Feb 2013	Changes to document were made according to comments received below.	

CELRD-PDS-G 5 Feb 2013
 Smokes Creek, Lackawanna NY, CAP Section 1135, Decision Document Review Plan, LRD
 Planning and Policy Compliance Review Comments

PLANNING

1. Section 3. Study Information b. Study/Project Description. A typo can be found in 3rd paragraph, 4th sentence “freight” is misspelled. Please revise **(typo revised)**
2. Section 5. Agency Technical Review (ATR) b. Required ATR Team Expertise. This table is one of the most comprehensive and best I have seen. Good job!!! **(Thank you)**
3. Section 9. Model Certification and Approval. a. Planning Models and b. Engineering Models. Please provide model status as being either “certified” or “approved for use by.....”. If the model is approved for use please indicate the approving party so it can be shown that the individual, PCX, or CoP has the qualifications to make an appropriate recommendation. Please revise. **(All models used for this project are certified. Status of models have been changed)**
4. Section 13. Review Plan Points of Contact [REDACTED], RIT planner is not an appropriate point of contact unless this project is found not to be policy compliant and consequently require HQ review and approval. Please remove [REDACTED] name from the list [REDACTED]
 [REDACTED]

BUSINESS TECHNICAL DIVISION

[REDACTED]
 Reviewed the subject review plan and has no comments.

REAL ESTATE

[REDACTED] is not on the ATR roster and is an employee of LRE, which serves LRB.
(RE ATR reviewer has been changed to [REDACTED])

ATTACHMENT 4: ACRONYMS AND ABBREVIATIONS

<u>Term</u>	<u>Definition</u>	<u>Term</u>	<u>Definition</u>
AFB	Alternative Formulation Briefing	NED	National Economic Development
ASA(CW)	Assistant Secretary of the Army for Civil Works	NER	National Ecosystem Restoration
ATR	Agency Technical Review	NEPA	National Environmental Policy Act
CAP	Continuing Authorities Program	O&M	Operation and maintenance
CSDR	Coastal Storm Damage Reduction	OMB	Office and Management and Budget
DPR	Detailed Project Report	OMRR&R	Operation, Maintenance, Repair, Replacement and Rehabilitation
DQC	District Quality Control/Quality Assurance	OEO	Outside Eligible Organization
DX	Directory of Expertise	OSE	Other Social Effects
EA	Environmental Assessment	PCX	Planning Center of Expertise
EC	Engineer Circular	PDT	Project Delivery Team
EIS	Environmental Impact Statement	PAC	Post Authorization Change
EO	Executive Order	PMP	Project Management Plan
ER	Ecosystem Restoration	PL	Public Law
FDR	Flood Damage Reduction	QMP	Quality Management Plan
FEMA	Federal Emergency Management Agency	QA	Quality Assurance
FRM	Flood Risk Management	QC	Quality Control
FSM	Feasibility Scoping Meeting	RED	Regional Economic Development
GRR	General Reevaluation Report	RMC	Risk Management Center
HQUSACE	Headquarters, U.S. Army Corps of Engineers	RMO	Review Management Organization
IEPR	Independent External Peer Review	RTS	Regional Technical Specialist
ITR	Independent Technical Review	SAR	Safety Assurance Review
LRR	Limited Reevaluation Report	USACE	U.S. Army Corps of Engineers
MSC	Major Subordinate Command	WRDA	Water Resources Development Act