DEPARTMENT OF THE ARMY
NORTH ATLANTIC DIVISION, US ARMY CORPS OF ENGINEERS
FORT HAMILTON MILITARY COMMUNITY
BROOKLYN, NEW YORK 11252-6700

REPLY TO
ATTENTION OF

CENAD-PSD-PP

MAY 29 2009

MEMORANDUM FOR Commander, New England District, ATTN: CENAE-PP-P

SUBJECT: Review Plan Approval for Bridgeport Harbor Dredged Material Management Plan, Bridgeport, Connecticut

1. Reference is made to EC 1105-2-410, entitled "Review of Decision Documents" dated 22 Aug 2008.

2. The attached Review Plan for the subject study has been prepared in accordance with EC 1105-2-410.

3. The Review Plan has been made available for public comment, and any comments received have been incorporated. It has been coordinated with the Deep Draft Navigation Planning Center of Expertise of South Atlantic Division which is the lead office to execute this Plan. The Review Plan currently does not include independent external peer review.

4. I hereby approve this Review Plan, which is subject to change as study circumstances require, consistent with study development under the Project Management Business Process. Subsequent revisions to this Review Plan or its execution will require new written approval from this office.

Encl

Joseph R. Vietri
for Chief, Planning & Policy Community of Practice
Program Support Division
Programs Directorate

REVIEW PLAN
FOR
BRIDGEPORT HARBOR
DREDEGED MATERIAL MANAGEMENT PLAN
BRIDGEPORT, CONNECTICUT

12 May 2009

For questions or comments regarding this Review Plan, please contact:

Title	POC	Telephone	Email
Project Manager	Michael Keegan	978-318-8087	**michael.f.keegan@usace.army.mil**
Plan Formulation	Barbara Blumeris	978-318-8737	**barbara.r.blumeris@usace.army.mil**
Deep Draft Navigation-PCX, Deputy Director	Bernard Moseby	251-694-3884	**bernard.e.moseby@usace.army.mil**

The information contained in this Review Plan is distributed solely for the purpose of pre-dissemination review under applicable information quality guidelines. The review plan has not been approved for release outside of the Corps.

U.S. Army Corps of Engineers
New England District
Concord, Mass.

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1. Guidance on Corps Independent Review Process

Recent Corps guidance, EC 1105-2-410, "Review of Decision Documents", dated 22 August 2008, outlines revised procedures for conducting the independent review process. The independent review process outlined in the EC complies with Section 515 of Public Law 106-554 (referred to as the "Information Quality Act"); and the Final Information Quality Bulletin for Peer Review by the Office of Management and Budget (referred to as the "OMB Peer Review Bulletin"). It also provides guidance for the implementation of Section 2034 of the Water Resources Development Act (WRDA) of 2007 (P.L. 110-114). In addition, draft EC 1165-2-209 "Civil Works Review Policy" dated 6 January 2009 includes further guidance on the review process,.

The subject guidance includes the requirement for preparation of a stand alone Review Plan (RP) and describes procedures for conducting District Quality Control (DQC), Agency Technical Review (ATR) and Independent External Peer Review (IEPR) when appropriate.

Levels of Review

District Quality Control. DQC is the review of basic science and engineering work products focused on fulfilling the project quality requirements defined in the Project Management Plan (PMP). It is managed at the home district (NAE) and may be conducted by staff in the home district as long as they are not doing the work involved in the study, including contracted work that is being reviewed. DQC is required for all decision documents.

Agency Technical Review. The relevant National Planning Center of Expertise (PCX) has ultimate responsibility for accomplishing ATR. ATR is a critical examination by a qualified person or team that was not involved in the day-to-day technical work that supports the decision document. The Relevant PCX for this document is the Deep Draft Navigation PCX, at the Corps South Atlantic Division, as managed by the Mobile Alabama District. ATR is intended to confirm that such work was done in accordance with clearly established professional principles, practices, codes, and criteria. In addition to technical review, documents should also be reviewed for their compliance with laws and policy. EC 410 also requires that DRCHECKS be used to document ATR comments, responses, and associated resolution accomplished. ATR is required for all decision documents.

Independent External Peer Review. EC 410 emphasizes independent external peer review within the existing Corps review process when appropriate. This approach does not replace the ATR process. The IEPR approach applies in special cases where the magnitude and risk of the project are such that a critical examination by a qualified person outside the Corps is necessary. IEPR will be used in cases where there are public safety concerns, a high level of complexity, novel or precedent-setting approaches; where the project is controversial, has significant interagency interest, has a total project cost greater than $45 million, or has significant economic, environmental and social effects to the nation, or where requested by the Governor of an affected state. The degree of independence required for technical review increases as the project magnitude and project risk increase.

Legal Review and Certification. Legal review is separate from ATR, but related legal review will be performed by the home District's Office of Council (OC) separate from the ATR.

Division Review and Policy Compliance. MSC Commanders are responsible for ensuring policy and legal compliance, and documenting technical, policy and legal compliance for decision documents that have been delegated to MSCs for review and approval.

2. Review Plan

This document presents a Review Plan (RP) for the Bridgeport Harbor Dredged Material Management Plan (DMMP) for maintenance dredging and disposal of dredged material. The purpose of the DMMP to: 1) describe the existing conditions of the Bridgeport Harbor Federal Navigation Project and document the project features warranted for continued maintenance, 2) evaluate disposal alternatives for both clean and contaminated material, 3) describe and document the base and any recommended dredged material management plans, and 3) document any proposed cost-sharing for the project in support of the Project Partnership Agreement (PPA).

The purpose of this Review Plan is to describe the scope and execution of anticipated review for all levels of review (DQC, ATR, and IEPR). This RP is part of the Project Management Plan (PMP) for the DMMP.

3. Project Background, Authorization, and Need

Bridgeport Harbor is located in southern Connecticut on the north shore of Long Island Sound in Fairfield County. The primary region served by the harbor is southwestern Connecticut; however, portions of western Massachusetts, southeastern New York and southern Vermont are also serviced by Bridgeport Harbor for various items of waterborne commerce.

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The Federal navigation project at Bridgeport Harbor was first adopted in 1836 and modified by subsequent authorizations by Congress to improve navigation. Authorized project features include entrance, main and branch tributary channels, anchorages, a turning basin, and two stone breakwaters at the entrance to the harbor. Current channel depths and navigation features were authorized in the River & Harbor Act of 1958. Since 1958 only two partial deauthorizations have been made. These were to deauthorize a portion of the Johnson Creek anchorage areas and to deauthorize a short strip along the eastern edge of the Yellow Mill Creek Channel. (WRDA 1997 and WRDA 2000, respectively.)

Construction of the channel to -35 feet Mean Lower, Low Water (MLLW) was completed in 1963. Since project completion the channel has shoaled to the extent that the controlling depth in the Main Channel is currently about -30 feet MLLW. Maintenance dredging of the project has been minimal since construction in the 1960's. However, it is now necessary to perform dredging of the project to return the channels and other project features to their authorized depth to allow for continued deep draft navigation.

Shippers utilizing the Bridgeport Harbor channels currently experience navigation problems due to controlling depths reduced by shoaling. Terminals located around the harbor have been forced to operate inefficiently to cope with the reduction in channel depth. Channel users have adopted techniques to deal with the problem. Techniques utilized include tidal assistance, light-loading vessels, and employing smaller vessels. These problems have been documented through conversations and correspondence with channel users.

4. Alternatives and Selected Plan for Dredged Material Management

In order to determine the Federal base plan for dredged material disposal from Bridgeport Harbor a full range of measures were considered including beneficial use alternatives. Measures considered in the DMMP included:

- Confined Aquatic Disposal (CAD) and Confined Disposal Facility (CDF)
- Open Water Disposal
- Beneficial Uses
  - Beach Nourishment
  - Construction/Industrial Development
  - Habitat Creation
  - Borrow Pit Restoration
  - Use as cap material for CAD cells
  - Strip-Mine or Brownfield Reclamation
- Landfill Disposal
- Innovative Treatment

These measures were considered for general construction feasibility, expected cost, and environmental acceptability to determine the viability of the measures.

The outcome of the evaluation was the development of the Federal base plan that includes:

- disposal of dredged material suitable for open water disposal at the EPA designated Central Long Island Sound disposal site,
- the construction of a confined aquatic disposal (CAD) cell in Bridgeport Harbor, Connecticut for disposal of material unsuitable for open water disposal, and
- the filling of the Morris Cove Borrow Pit in New Haven with unsuitable and suitable dredged material to restore the site.

Approximately 1,774,000 cubic yards (cy) of dredged material (including two-foot of overdepth dredging) would be removed to maintain the current authorized depths in the Federal navigation channels, anchorages and turning basin in Bridgeport Harbor. The material would be dredged with a mechanical dredge and placed into scows for disposal. Of that amount, approximately 666,000 cy of material is suitable for unconfined ocean

placement and the other 1,108,000 cubic yards is not suitable for unconfined ocean placement.

The Federal base plan would dispose of the unsuitable material into a Confined Aquatic Disposal (CAD) cell to be constructed in Bridgeport Harbor and in the Morris Cove borrow pit located in New Haven Harbor. The suitable material would be placed at the open water Central Long Island Sound Disposal Site (CLIS), in the Morris Cove borrow pit, and used to cap the CAD cell(s).

Placement of material into the Morris Cove Borrow Pit is a beneficial use alternative as filling the pit will eliminate anoxic water quality conditions that occur in the pit and provide 22 acres of restored benthic habitat in Morris Cove. In order for scows to efficiently access the pit it will necessary to dredge a small access channel which will require the removal of about 38,000 cy .

The SE CAD cell will be located inside Bridgeport Harbor. It would be about 90 feet deep and have top area of about 16.3 acres. After unsuitable material from the maintenance dredging is placed in the CAD cell, it would be capped with clean material from the harbor entrance channel. Creating the CAD cell requires dredging about 1,200,000 cy of material, most of which is parent material. This material will be disposed at Morris Cove and at CLIS.

5. Study Level of Risk, Challenge, Interagency Interest

The DMMP is evaluating dredged material management options for material to be dredged from Bridgeport Harbor in Connecticut. The New England District, has significant experience in maintenance dredging that includes CAD cell construction for disposal of unsuitable material. Neither the maintenance dredging and the construction of the CAD cells will have any unusual or complex challenges. As this is a typical maintenance dredging project, it is not anticipated that this project will generate significant interagency interest and that interest will be at a low to moderate level normally associated with this type of maintenance dredging project. The cost of the recommended CAD cell plan is $21 million; significantly under the threshold of $45 million cited in Section 2034 of WRDA 2007.

6. Environmental Assessment

An Environmental Assessment (EA) has been prepared for the project and a Draft Finding of No Significant impact prepared. An EIS will not be needed.

Impacts on public health or safety: The project is expected to have no effect on public health and safety.

Unique characteristics: There are no unique characteristics associated with this project.

Controversy: The proposed project is not controversial. State and Federal resource agencies agree with the Corps impact assessment.

Uncertain impacts: The impacts of the proposed project are not uncertain, they are readily understood based on past experiences the Corps has had with similar projects, such as the Norwalk Harbor and Boston Harbor dredging projects.

Historic resources: The project will have no known impacts on any pre-contact, contact, or post-contact archaeological sites recorded by the State of Connecticut.

Endangered species: No Federally threatened or endangered species listed by NOAA Fisheries Service are known to occur in Bridgeport Harbor or Morris Cove (letter dated July 9, 2008). There are no known occurrences of Federally threatened or endangered species listed by the U.S. Fish and Wildlife Service in the project area (email dated October 2, 2008). The project will have no known positive or negative impacts on any State or Federal threatened or endangered species.

7. Project Delivery Team

The Project Delivery Team (PDT) includes those individuals involved in the performance of the work to prepare the DMMP/EA including project management, environmental, engineering and planning staff at New England District. The project delivery team is presented in Appendix A. The non-Federal sponsor for this project, the Bridgeport Port Authority, is also included in the PDT.

8. Planning Center of Expertise for Deep Draft Navigation

RP are coordinated with the appropriate Planning Center of Expertise. This is a single purpose deep draft navigation maintenance project. Thus the appropriate PCX is the Deep Draft Navigation PCX. The PCX assists in selecting team members for the independent reviews as discussed in Section 11 below and identifying the ATR lead. Mr. Moseby is the Deputy Director of the Deep Draft Navigation PCX.

Title	POC	Telephone	Email
PCX-Deep Draft Navigation	Bernard Moseby	251-694-3884	**bernard.e.moseby@usace.army.mil**

9. District Quality Control

Quality Control (QC) review was handled within the Section and Branches at New England District performing the work, and by contractors submitting the results of specific field investigations and reports. District level internal checks of engineering, technical, and scientific methodology applied, computations, and assessment was conducted by the appropriate Section Chiefs and Team Leaders. Additional QC will be performed by the Project Manager and the Project Delivery Team (PDT) during the course of the study.

10. Previous ITR

An ITR (Independent Technical Review)---a prior name for ATR---was already conducted for the DMMP/EA with staff from the New England District (home district). However as staff were primarily from within the preparing District, the determination was made that an ATR will be conducted with staff from outside the District in order to comply with the developing review guidance for Corps Decision Documents. An ATR differs from an ITR in the requirement that a qualified team outside the home district conduct the review and that the ATR lead be from outside the home Division. (See below.)

11. Agency Technical Review (ATR)

Agency Technical Review (ATR). ATR (which replaces the level of review formerly known as Independent Technical Review [ITR]) is an in-depth review, managed within USACE, and conducted by a qualified team outside of the home district that is not involved in the day-to-day production of a project/product. . ATR teams will be comprised of senior USACE personnel and may be supplemented by outside experts as appropriate. To assure independence, the leader of the ATR team shall be from outside the home Davison.

.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 and coherent manner for the public and decision makers. Products will be reviewed against published guidance, including Engineering Regulations,

Circulars, Manuals, Engineering Technical letters and Bulletins. Policy compliance is explicitly within the scope of the ATR as such Policy Guidance Letters, Policy Issue Checklist, issue papers, implementation guidance, project guidance memoranda and any approved waivers are part of the review process.

ATR Reviewers

The Agency Technical Review Team will be selected on the basis of having the proper knowledge, skills, and experience necessary to perform the task and their lack of affiliation with the development of the DMMP/ EA and associated appendixes. The ATR team will be from New York District and the ATR leader will be selected by the PCX and be from outside NAD. As the ATR is being accomplished after the ITR was completed, ATR team members will be limited to those disciplines necessary to review the most significant components of the Study. The ATR team will include six reviewers, five from New York District, plus the ATR lead. See Appendix A for names and disciplines.

Funding for ATR

Once the review plan is approved the ATR leader will provide the NAE Project Manager a budget estimate for the ATR members. The budget estimate will identify the reviewers, names, organizations and all resources needs so that the proper funds may be resourced in the P2 system.

Review Criteria for ATR

The DMMP will be reviewed against published guidance, including Engineering Regulations, Engineering Circulars, Engineering Manuals, Engineering Technical Letters, Engineering Construction Bulletins, Policy Guidance Letters, implementation guidance, project guidance memoranda, and other formal guidance memoranda issued by HQUSACE. Any justified and approved waivers should have been obtained from HQUSACE for any deviations from USACE guidance. (No waivers are required for the Bridgeport DMMP.)

ATR Review Report and DRCHECKS

ATR leader will prepare a Review Report. The Review Report will disclose the names of the reviewers, their organizational affiliations, include a short paragraph on both the credentials and relevant experiences of reviewers, and include the charge given to the

reviewer team. The Review Report will describe the nature of their review conducted and present the reviewers findings and conclusions. The review report may include a verbatim copy of each reviewer's comments (either with or without specific attributions), or may represent the views of the group as a whole, including any disparate and dissenting views.

The ATR comment and resolution process will be conducted and documented through DRCHECKS. The Agency Technical Review team will identify significant issues that they believe are not satisfactorily resolved and will note these concerns in the Technical Review Certification documentation. At completion of the ATR process the ATR will be certified by the ATR reviewers.

12. Independent External Peer Review.

It has been determined that an IEPR is not required for DMMP. This DMMP is a straightforward plan for disposal of dredged material from continued maintenance of an existing Federal navigation project. The DMMP recommendation for the CAD cell construction, the most common means of addressing unsuitable material disposal needs in New England deep-draft ports, is not novel or precedent setting, and does not have significant economic, environmental or social impacts. The risk associated with the study assessments and predictions is low. The cost of the recommended CAD cell plan is $21 million and significantly under the threshold of $45 million cited in Section 2034 of WRDA 2007 as requiring peer review.

13. Legal Review

NAE Office of Counsel is responsible for the legal review of the DMMP/EA and has signed a certification of legal sufficiency

14. Model Certification

Model certification is not required as models were not used for the DMMP or EA.

15. Sponsor In-kind Contributions to Peer Review

The DMMP is not a cost-shared effort and therefore no sponsor agreement or effort is required.

16. Public Review Opportunities

The public will have an opportunity to review the EA for the project once the DMMP has been approved by NAD. The ATR is scheduled to be completed prior to the EA public review, thus public comments from the public EA review will not be available to the ATR team. This review plan will not require public review. Once finalized and approved this RP will be posted on the NAE web page.

17. Draft Review Schedule

The draft review schedule is presented below:

REVIEW SCHEDULE

Task	Estimated Finish	Status
Complete Draft DMMP	January 2009	completed
NAD Review Plan Approval	May 2009	
Start ATR	May 2009	
Complete ATR	May 2009	
ATR Comments Incorporated; Draft Decision Document Complete	May/June 2009	
NAD approves DMMP	June 2009	

18. Project Review Plan Approval

NAD is responsible for approving the RP. NAD approval memo for this Review Plan is included as Appendix B.

APPENDIX A - PDT AND ATR TEAMS

PROJECT DELIVERY TEAM

Discipline	Name	DISTRICT/DIVISION
Project Manager	Mike Keegan	CENAE/NAD
Plan Formulation	Barbara Blumeris	CENAE/NAD
Environmental Resources	Cathy Rogers	CENAE/NAD
Cultural Resources	Kate Atwood	CENAE/NAD
Economics	Ed O'Leary	CENAE/NAD
Civil Engineer	Bob Meader	CENAE/NAD
Engineering/Cost	Bill McIntyre	CENAE/NAD
Geotechnical Engineer	George Claflin/Erik Matthews	CENAE/NAD

AGENCY TECHNICAL REVIEW TEAM

Discipline	Name	DISTRICT/DIVISION	Years of Relevant Experience	Qualifications (bios available from Project Manager)
ATR Team Leader	To be assigned by PCX	TBD		
Plan Formulation	Thomas Hodson	NAN/NAD	14	
Economist	Caroline McCabe	NAN/NAD	15	
Environmental	Rena Weichenberg	NAN/NAD	17	
Geotechnical Engineer	Ben Baker	NAN/NAD	Over 20	
Civil Engineer	Steven Weinberg	NAN/NAD	18	
Cost Engineer	John Chew	NAN/NAD	Over 20	