



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NORTH ATLANTIC DIVISION
FORT HAMILTON MILITARY COMMUNITY
302 JOHN WARREN AVENUE
BROOKLYN, NY 11252-6700

CENAD-PD-P (1105-2-10c)

OCT - 3 2024

MEMORANDUM FOR Commander, U.S. Army Corps of Engineers, New York District,
26 Federal Plaza New York, NY 10278-0090

SUBJECT: Review Plan for the New York and New Jersey Harbor Interim Dredged Material
Management Plan

1. Reference Memorandum, CENAN-DE, dated 6 September 2024, subject as above.
2. The North Atlantic Division (NAD) is the lead office to execute the referenced Review Plan. The Review Plan does not include Independent External Peer Review, as it is not required.
3. The enclosed Review Plan is approved for execution and is subject to change as study circumstances require, consistent with study development under the Project Delivery Business Process. Subsequent revisions to this Review Plan or its execution require new written approval from NAD.
4. The point of contact is Mr. Larry Cocchieri, NAD Planning Program Manager at 347-370-4571 or Lawrence.J.Cocchieri@usace.army.mil.

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JOHN P. LLOYD
Brigadier General, USA
Commanding



DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT
JACOB K. JAVITS FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10278-0090

CENAN-DE

6 September 2024

MEMORANDUM FOR Commander (Brig. Gen. Lloyd), U.S. Army Corps of Engineers,
301 Warren Avenue, Fort Hamilton Community, Brooklyn, NY 11252

SUBJECT: Transmittal of the Review Plan for the New York and New Jersey Harbor
Interim Dredged Material Management Plan – Update

1. References:

- a. Engineer Regulation (ER) 1165-2-217, Civil Works Review Policy, 1 MAY 2021.
2. The New York District (NAN) is requesting review and approval of the enclosed Review Plan (enclosure 1) for the New York and New Jersey Harbor Interim Dredged Material Management Plan.
3. The Review Plan has been coordinated with the North Atlantic Division (NAD) as the review management organization.
4. Please direct any questions or requests for information to Andrew Seaman, Project Planner, at (917) 790-6203.

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ALEXANDER L. YOUNG
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REVIEW PLAN

August 2024

1. Project Summary

Project Name: New York and New Jersey Harbor Interim Dredged Material Management Plan – Update

Location: New York and New Jersey

P2 Number: N/A

Decision and Environmental Compliance Document Type: Dredged Material Management Plan (DMMP) Update

Congressional Authorization Required: No

Project Purpose(s): The Port of New York and New Jersey is the largest port on the east coast and second largest in the nation. Ensuring uninterrupted flow of shipping vessels into and out of the port is vital to both regional and National Economic Development. Additionally, pursuant to 33 USC 2326g, it is USACE policy to maximize the beneficial use of dredge material, the benefits of which must be considered when determining the federal standard placement site for dredge material. While building upon data published in previous New York District DMMPs, the Interim DMMP Update will update the 2008 DMMP and develop a regionally supported plan to meet the dredged material placement capacity requirement expected from dredging within the Port of New York and New Jersey through 2029.

Non-Federal Sponsor: *N/A*

Points of Public Contact for Questions/Comments on Review Plan:

District: New York District

District Contacts:

Project Manager (917) 790-8084

Lead Planner (917) 790-6203

Support Planner (917) 790-8031

Major Subordinate Command (MSC): North Atlantic Division

MSC Contact: Deputy Chief, Planning and Policy Division (718) 207-8685

Review Management Organization (RMO): North Atlantic Division

RMO Contact: Deputy Director for National Operations, USACE National Planning Center for Coastal Storm Risk Management

Key Review Plan Dates

Date of RMO Endorsement of Review Plan	10/3/2024
Date of MSC Approval of Review Plan	10/3/2024
Date of IEPR Exclusion Approval	10/3/2024
Has the Review Plan changed since RMO Endorsement?	No
Date of Last Review Plan Revision	N/A
Date of Review Plan Web Posting	10/3/2024

Milestone Schedule and Other Dates

	Scheduled	Actual
Phase I PMP Report Approval	11/01/2023	01/30/2024
Phase II Launch	11/02/2023	02/01/2024
Pre-Submittal Alignment IPR	12/02/2024	-
DQC	12/02/2024	-
Release Draft Report to Public, Concurrent Review (PLC Review/Public Comment)	01/13/2025	-
Post Submittal IPR	02/17/2025	-
Final Report Approval	03/14/2025	-

2. References

Engineer Regulation 1165-2-217 – Water Resources Policies and Authorities – Civil Works Review Policy, 1 May 2021.

Engineer Circular 1105-2-412 – Planning – Assuring Quality of Planning Models, 31 March 2011.

Planning Bulletin 2013-02, Subject: Assuring Quality of Planning Models (EC 1105-2-412), 31 March 2013.

Office of Management and Budget, Final Information Quality Bulletin for Peer Review, Federal Register Vol. 70, No. 10, January 14, 2005, pp 2664-267

The online USACE Planning Community Toolbox provides more review reference information at: <https://planning.erdc.dren.mil/toolbox/current.cfm?Title=Peer%20Review&ThisPage=Peer&Side=No>.

3. Review Execution Plan

The general plan for executing all required independent reviews is outlined in the following two tables.

Table 1 lists each study product to be reviewed. The table provides the schedules and costs for the anticipated reviews. Teams also determine whether a site visit will be needed to support each review.

The decisions about site visits are documented in the table. As the review plan is updated the team will note each review that has been completed.

Table 2 identifies the specific expertise and role required for the members of each review team. The table identifies the technical disciplines and expertise required for members of review teams. In most cases the team members will be senior professionals in their respective fields. The table is set up to concisely identify common types of expertise that may be applicable to one or more of the reviews needed for a study.

Table 1: Levels of Review

Product(s) to undergo Review	Review Level	Start Date	End Date	Cost	Complete
Draft Dredged Material Management Plan	District Quality Control	12/02/24	01/03/25	\$20,000	No
Draft Dredged Material Management Plan	Policy and Legal Review	01/13/25	02/14/25	N/A	No

NOTE: This table may also be used to identify future review work in follow-on phases of a project. This may include products prepared during the pre-construction engineering and design phase or products prepared as part of planning for the Operations and Maintenance phase of a project.

Table 2: Review Teams - Disciplines and Expertise

Discipline / Role	Expertise	DQC	ATR	IEPR
DQC Team Lead	A senior professional with extensive experience preparing Civil Works decision documents and conducting DQC. The lead may also serve as a reviewer for a specific discipline (such as planning, economics, environmental resources, etc).	Yes	No	No
Planning	A senior water resources planner with experience in leading a team through a deep draft navigation channel improvements study and analysis of dredged material placement requirements and alternatives.	Yes	No	No
Economics	The economics reviewer should be a deep draft navigation economist with experience in dredged material management related evaluation (including beneficial use assessments).	Yes	No	No
Environmental Resources	The environmental reviewer should have expertise in evaluating the impacts associated with dredged material management (including beneficial use assessments). The reviewer should also be experienced with environmental coordination and NEPA requirements for DMMPs.	Yes	No	No
Cultural Resources	The cultural resources reviewer should have expertise in evaluating the impacts associated with dredged material management. The reviewer should also be familiar with the environmental coordination and NEPA/National Historic Preservation Act requirements for DMMPs.	Yes	No	No
Cost Engineering	The cost engineering reviewer will have experience evaluating cost requirements for deep draft navigation dredging (maintenance dredging, placement site construction, beneficial use, etc.).	Yes	No	No
Operations	The operations reviewer should have experience in the operation and maintenance of navigation projects to include channel maintenance dredging and beneficial use placement.	Yes	No	No
Real Estate	The real estate reviewer should have expertise in the real estate requirements of dredged material management.	Yes	No	No

4. Documentation of Reviews

Documentation of DQC. Quality Control will be performed continuously. A specific certification of DQC completion will be prepared at the base conditions (existing and future), draft and final report stages. Documentation of DQC will follow the District Quality Manual and the MSC Quality Management Plan. DrChecks will be used for documentation of DQC comments. An example DQC Certification statement is provided in ER 1165-2-217, Appendix D. Documentation of completed DQC, to include the DQC checklist, will be provided to the MSC and RMO.

Documentation of Model Review. Planning models require compliance with EC 1105-2-412. Models developed by the Corps of Engineers are certified and models developed by others are approved. Certifications or approvals may be specific to a single study, a regional application or for nationwide application. Completion of a model review is documented in a memorandum from the Director of a Planning Center of Expertise and should accompany reporting packages for study decisions.

5. Supporting Information

Study or Project Background

Study Authority

Corps planning policy (ER 1105-2-100) requires each Corps District to prepare a DMMP for maintaining Federal navigation channels when it is demonstrated there is insufficient dredged material placement capacity to accommodate 20 years of maintenance and Section E-15.a(2)(c) extends this requirement to new work construction as well as areas outside of federally maintained channels that require Federal permits. ER 1105-2-100 further directs the Districts to conduct a management plan study that results in a management plan report that recommends implementable solutions to identified management problems. Given that Federal channels and ports must be dredged periodically for maintenance, the DMMP update will identify how dredged material will be managed in an economically and environmentally sound manner. The update will also consider non-Federal, permitted dredging within the related geographic area, as placement of material from these sources will affect the size and capacity of placement areas required.

It is the policy of the Corps of Engineers (ER 1105-2-100) that all dredged material management studies include an assessment of potential beneficial uses for environmental purposes that include but are not limited to fish and wildlife habitat creation and restoration and storm damage reduction. In addition, Beneficial Use of Dredged Material Command Philosophy Notice (25 January 2023) increased the Beneficial Use of Dredged Material (BUDM) goal from 30-40% to 70% by the year 2030.

Project Area

The study area for the DMMP update is the entirety of the Port of New York and New Jersey. This encompasses all projects within the Navigation Business Line (navigation channels, waterways, navigational features). In addition to the deep draft navigation channels in New York and New Jersey that are responsible for the majority of commercial navigation in the port region, there are a

number of shallow draft navigation channels throughout the port region. This DMMP update will consider the placement of dredge material from maintenance dredging of Federal navigation channels in the Port, as well as that of new work dredging from the deepening of Gravesend Anchorages, widening of a portion of Arthur Kill channel and the initial constructable elements of the Harbor Channel Deepening and Improvements (HDCI) project. Additionally, the DMMP update will also consider private and local/state dredging projects, insofar as they constrain the available placement capacity at identified placement locations. The project area also includes current and potential future dredge material placement locations, including current and potential future beneficial use placement sites. This includes beaches that require periodic renourishment and ecosystem restoration projects within the region.

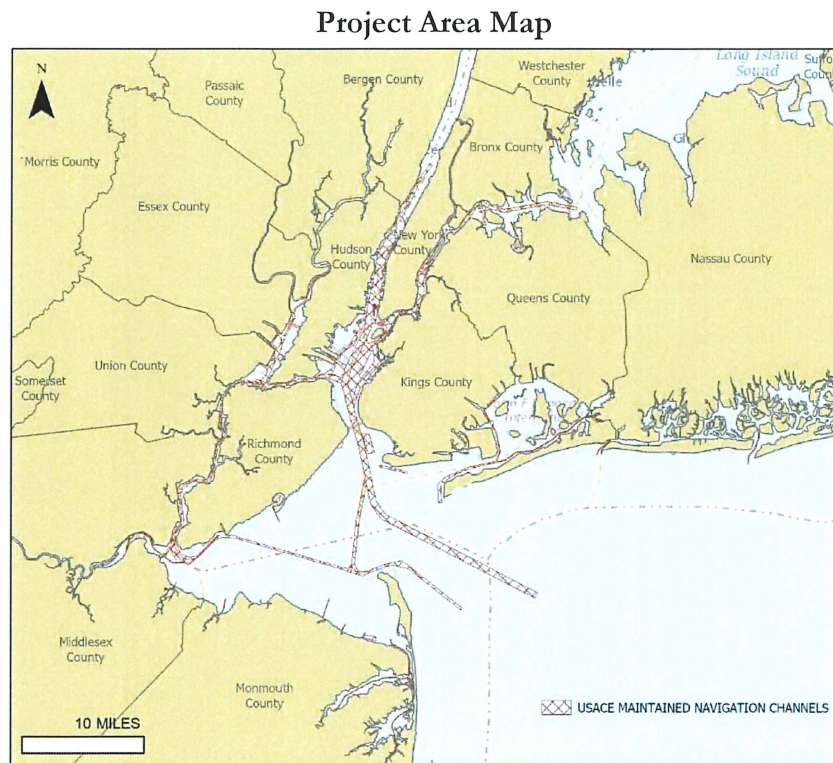


Figure 1. Federal navigation channels maintained by USACE within the Port of New York and New Jersey.

Problem Statement

The Historic Area Remediation Site (HARS) is nearing capacity, with approximately 7 MCY of capacity remaining until remediation is deemed complete (anticipated to occur by 2029). The HARS is the current federal standard placement location for uncontaminated material dredged from the harbor; as such, it is the default placement location for planned O&M and new start dredge work. While NAN is working with EPA Region 2 to site and permit a successor ocean placement site, it is unlikely that any such placement site will be fully permitted in the next 5 years. Consequently, there is a need to ensure sufficient near-term placement capacity exists such that planned O&M and new start dredge work can proceed.

Goals and Objectives

Goal - Ensure adequate placement capacity exists for current and anticipated near-term dredged material placement needs for the remainder of the decade (up to 2030).

Objective - The Interim DMMP Update will give full objective consideration of all dredging and dredged material management alternatives, or combinations of alternatives, and provide a menu of placement options for dredged material in the harbor

Future Without Project Conditions

Current maintenance dredging and placement activities at existing placement sites will continue without modification. While the current federal standard placement location (HARS) qualifies as a beneficial use of dredged material, under the Future Without Project Conditions, no new or potential beneficial use placement locations would be considered for dredged material placement.

Types of Measures/Alternatives Being Considered

The Interim DMMP Update will identify and characterize alternative placement sites over the next five years. Placement sites and processing methods considered as part of the Interim DMMP Update include the following placement categories: Benthic Remediation, Artificial reefs (rock only), Ocean Disposal, Borrow areas, Beach nourishment, Wetland restoration, Concrete aggregate, Non-structural fill, Landfill top cover, Mine reclamation, Confined Aquatic Disposal, Processing Facility Recycling, Upland placement, and Land Reclamation (Made Land).

The quantitative and qualitative assessment outputs will be used to inform placement alternative development.

Estimated Cost/Range of Costs

Costs of placement alternatives are unknown at this time. This plan will not result in construction and costs will be determined on an individual project by project basis.

6. Models to be Used in the Study

EC 1105-2-412 mandates the use of certified or approved 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. Planning models are any models and analytical tools used 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.

No planning models will be used as part of this effort.

EC 1105-2-412 does not cover engineering models used in planning. The responsible use of well-known and proven USACE developed and commercial engineering software will continue. The professional practice of documenting the application of the software and modeling results will be followed. The USACE Scientific and Engineering Technology Initiative has identified many engineering models as preferred or acceptable for use in studies. These models should be used when appropriate. For example, HH&C models need to comply with the requirements of HH&C CoP Enterprise Standard 08101.

Table 4: Engineering Models.

Model Name and Version	Brief Model Description and How It Will Be Used in the Study	Approval Status
Corps of Engineers Dredge Estimating Program (CEDEP) (Cost Engineering)	CEDEP is the required software program that will be used for dredging estimates using floating plants. CEDEP contains a narrative documenting reasons for decisions and selections made by the cost engineer.	Civil Works Cost Engineering MCX certified.

7. FACTORS AFFECTING THE LEVELS OF REVIEW

All planning products are subject to the conduct and completion of District Quality Control. Most planning products are subject to Agency Technical Review and a smaller sub-set of products may be subject to Independent External Peer Review and/or Safety Assurance Review. Information in this section helps in the scoping of reviews through the considerations of various potential risks.

Objectives of the Reviews

DQC Review

DQC reviews are rigorous independent Quality Checks and peer reviews that occur during the work product development process and are carried out seamlessly as a routine management practice. The DQC review will include a complete reading of any reports and accompanying appendices. All DQC Review Team members will be knowledgeable about the critical project requirements of all DQC counterparts, understand how their own particular project elements and work relates to and affects those requirements, and conduct their reviews to ensure consistency and effective coordination across all project disciplines. The DQC review must include a comprehensive evaluation of correct application of methods, validity of assumptions, adequacy of basic data, correctness of calculations (error-free), completeness of documentation, compliance with guidance and standards, and BCOES considerations.

DQC review objectives include:

- Did the PDT consider available placement sites and upcoming placement sites?
- Does the report document defensible remaining dredged material capacity and demand assumptions?
- Did the PDT consider the costs of placement sites?

P&LC Review

Each work product prepared will be legally sufficient and compliant with existing laws, federal regulations, and USACE policies.

Assessing the Need for IEPR

Mandatory IEPR Triggers

- Has the Chief of Engineers determined the project is controversial? **No**
- Has the Governor of an affected state requested an IEPR? **No**
- Is the cost of the project more than \$200 million? **No**

Discretionary IEPR

- Has the head of another Federal agency requested an IEPR? **No**

Potential IEPR Exclusion

- Is the project cost greater than \$200 million? **No**
- Does the project have an Environmental Impact Statement (EIS)? **No**
- Does the study include an EIS? **No**
- Is the project controversial? **No**
- Does the project have more than negligible adverse impacts on scarce or unique tribal, cultural, or historic resources?

The Interim DMMP Update is a management plan; therefore, it will not result in construction. The plan update will recommend an array of dredged material management alternatives that could be implemented by various Federal, state, local, and private dredging projects. Cultural resources will be considered in the screening of management measures. As alternatives selected for implementation are determined to be Federal actions, the requisite site-specific environmental studies under the National Environmental Policy Act of 1969 (NEPA) will be undertaken. At that time, cultural resources studies for these alternatives will be conducted to satisfy the Corps compliance with Section 106 of the National Historic Preservation Act of 8 1966, as amended. Cultural resource issues associated with a number of other management options that make up the DMMP will not be addressed by the Corps for these options will be implemented by private or State concerns.

- Does the project have substantial adverse impacts on fish and wildlife species and their habitat prior to the implementation of mitigation measures;

The Interim DMMP Update is a management plan; therefore, it will not result in construction. The plan update will recommend an array of dredged material management alternatives that could be implemented by various Federal, state, local, and private dredging projects. Any recommendations made will be environmentally acceptable. Project proponents will be responsible for ensuring that their dredging projects (including placement/disposal) comply with the applicable environmental laws and regulations. For these reasons, the Interim DMMP Update (the plan itself) will have no impact to fish and wildlife species and their habitat. Additional analysis will be done by project proponents when individual placement actions move forward.

- Does the project, before implementation of mitigation measures, have more than a negligible adverse impact on a species listed as endangered or threatened species under the Endangered

Species Act of 1973 (16 U.S.C. § 1531 et seq.) or the critical habitat of such species designated under such Act.

The Interim DMMP Update is a management plan; therefore, it will not result in construction. The plan update will recommend an array of dredged material management alternatives that could be implemented by various Federal, state, local, and private dredging projects. Any recommendations made will be environmentally acceptable. Project proponents will be responsible for ensuring that their dredging projects (including placement/disposal) comply with the applicable environmental laws and regulations. For these reasons, the Interim DMMP Update (the plan itself) will have no impact to threatened and endangered species and their designated critical habitats. Additional analysis will be done by project proponents when individual placement actions move forward.

- Does the study include an EIS? **No**; and
- Does the project involve only the rehabilitation or replacement of existing hydropower turbines, lock structures, or flood control gates within the same footprint and for the same purpose as an existing water resources project; **No** or
- Is for an activity for which there is ample experience within USACE and the industry to treat the activity as being routine; **Yes** and
- Does the project have minimal life safety risk? **Yes**
- Does the study include an EIS? **No**; and
- Is the study being conducted under the general continuing authorities of the CAP? **No**

Assessing Other Risk Considerations

Conditions now or in the future pertaining to or arising from the interim DMMP update and its study area relating to dredged material management do not pose a significant 5 threat to human life or the environment. The risk of additional environmental impacts is limited. The interim DMMP update is not anticipated to recommend near-term placement alternatives at new locations. Existing placement locations already comply with federal, state, and local environmental requirements. Any modifications to existing placement practices will be coordinated with appropriate resource agencies.

- Will the study likely be challenging? If so, describe how?

Given that the product is an interim update to the existing DMMP, the PDT does not anticipate significant challenges during this update. Though the size of the study area may pose a challenge, there is substantial information readily available for the purposes of this update. Updates to 33 USC 2326g made via Section 125A of WRDA 2020, the identification of the Federal Standard may pose some implementation challenges, as no implementation guidance or assessment tools have been provided.

- Provide a preliminary assessment of where the project risks are likely to occur and assess the magnitude of those risks.

HARS Capacity: Based on preliminary assessments of available information, there is a possibility that the HARS may reach full remediation within the 5-year period of analysis (2025-2029) specified

interim DMMP update. Consequently, there is a risk that there will be insufficient capacity for fine-grained material within the harbor.

- Is the project likely to be justified by life safety or is the study or project likely to involve significant life safety issues? Briefly describe the life risk, including the District Chief of Engineering's assessment as to whether there is a significant threat to human life associated with aspects of the study or failure of the project or proposed projects.

The Interim DMMP Update will not be recommending Federal action but is instead a management plan. The Interim DMMP Update will not result in construction and does not involve life safety concerns, nor is the study likely to involve significant life safety issues. The study pertains to the movement and placement of dredged material, a practice which is routinely conducted within regulated safety standards.

- Is the information in the decision document or anticipated project design likely to be based on novel methods, involve 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? If so, how?

No, the information in the interim DMMP update is not anticipated to contain influential scientific information or assessments. The interim DMMP update is anticipated to rely upon analysis techniques and methods that are standard for similar USACE projects.

- Does the project design require redundancy, resiliency, and/or robustness, unique construction sequencing, or a reduced or overlapping design/construction schedule? If so, how?

No, the study does not require any redundancy, resiliency, or robustness related to construction sequencing or schedule.

- Is the project expected to have more than negligible adverse impacts on scarce or unique tribal, cultural, or historic resources? If so, what are the anticipated impacts?

The Interim DMMP Update is a management plan; therefore, it will not result in construction. The plan update will recommend an array of dredged material management alternatives that could be implemented by various Federal, state, local, and private dredging projects. Cultural resources will be considered in the screening of management measures. As alternatives selected for implementation are determined to be Federal actions, the requisite site-specific environmental studies under the National Environmental Policy Act of 1969 (NEPA) will be undertaken. At that time, cultural resources studies for these alternatives will be conducted to satisfy the Corps compliance with Section 106 of the National Historic Preservation Act of 8 1966, as amended. Cultural resource issues associated with a number of other management options that make up the DMMP will not be addressed by the Corps for these options will be implemented by private or State concerns.

At this time, the Interim DMMP Update is not expected to have more than negligible adverse impacts, as numerous existing studies have been undertaken, to date, for many DMMP options and, where available, will form the basis for the recommendation of any additional cultural resource

surveys and evaluations of resources for the National Register of Historic Places (NRHP). Cultural resource surveys will be programmed as required for locations that have not been surveyed. Significant resources, if identified within the area of potential effect of an option, will be avoided, if practicable. If avoidance by project plans is not feasible, mitigation plans may be developed and Memorandum of Agreement (MOA) for individual alternatives will be developed in coordination with the New York and/or New Jersey State Historic Preservation Office(s), the Advisory Council on Historic Preservation, Tribal Nations and interested parties.

- Is the project expected to have substantial adverse impacts on fish and wildlife species and their habitat prior to the implementation of mitigation measures? If so, describe the impacts?

The Interim DMMP Update is a management plan; therefore, it will not result in construction. The plan update will recommend an array of dredged material management alternatives that could be implemented by various Federal, state, local, and private dredging projects. Any recommendations made will be environmentally acceptable. Project proponents will be responsible for ensuring that their dredging projects (including placement/disposal) comply with the applicable environmental laws and regulations. For these reasons, the Interim DMMP Update (the plan itself) will have no impact to fish and wildlife species and their habitat. Additional analysis will be done by project proponents when individual placement actions move forward.

- Is the project expected to have, before mitigation measures, more than a negligible adverse impact on an endangered or threatened species or their designated critical habitat? If so, what are the anticipated impacts?

The Interim DMMP Update is a management plan; therefore, it will not result in construction. The plan update will recommend an array of dredged material management alternatives that could be implemented by various Federal, state, local, and private dredging projects. Any recommendations made will be environmentally acceptable. Project proponents will be responsible for ensuring that their dredging projects (including placement/disposal) comply with the applicable environmental laws and regulations. For these reasons, the Interim DMMP Update (the plan itself) will have no impact to threatened and endangered species and their designated critical habitats. Additional analysis will be done by project proponents when individual placement actions move forward.

8. Risk Informed Decisions on Level and Scope of Review

Targeted ATR. Will a targeted ATR be conducted for the study? No. An RMO manages ATR and it has been determined that ATR is not required for the Interim DMMP Update.

IEPR Decision. The Interim DMMP Update is a management plan and is not recommending Federal action. Therefore, it does not meet the triggers in EC 1165-2-217.

Safety Assurance Review. Safety Assurance Reviews are managed outside of the USACE and are conducted on design and construction products for hurricane, storm and flood risk management projects, or other projects where existing and potential hazards pose a significant threat to human life. In some cases, significant life safety considerations may be relevant to planning decisions. These cases may warrant the development of relevant charge questions for consideration during reviews such as ATR or IEPR. In addition, if the characteristics of the recommended plan warrant a Safety Assurance

Review, a panel will be convened to review the design and construction activities on a regular schedule before construction begins and until construction activities are completed.

Decision on Safety Assurance Review. The Interim DMMP Update is a management plan; therefore, it will not result in construction. A Safety Assurance Review will not be performed.

9. Policy and Legal Compliance Review

Policy and legal compliance review of draft and final planning decision documents is delegated to the MSC (see Director’s Policy Memorandum 2019-01). However, the Interim DMMP Update is not a decision document and the approval authority will remain at the District.

(i) Policy Review.

The policy review team is identified through the collaboration of the MSC Chief of Planning and Policy and the HQUSACE Chief of the Office of Water Project Review. The makeup of the Policy Review team will be drawn from Headquarters (HQUSACE), the MSC, the Planning Centers of Expertise, and other review resources as needed.

- The Policy Review Team will be invited to participate in key meetings during the development of decision documents as well as SMART Planning Milestone meetings. These engagements may include In-Progress Reviews, Issue Resolution Conferences or other vertical team meetings plus the milestone events.
- The input from the Policy Review team should be documented in a Memorandum for the Record (MFR) produced for each engagement with the team. The MFR should be distributed to all meeting participants.
- Teams may choose to capture some of the policy review input in a risk register if appropriate. These items should be highlighted at future meetings until the issues are resolved. Any key decisions on how to address risk or other considerations should be documented in an MFR.

(ii) Legal Review.

Representatives from the Office of Counsel will be assigned to participate in reviews. Members may participate from the District, MSC and HQUSACE.

- In some cases, legal review input may be captured in the MFR for the particular meeting or milestone. In other cases, a separate legal memorandum may be used to document the input from the Office of Counsel.

Each participating Office of Counsel will determine how to document legal review input.

10. Public Comment

This Review Plan will be posted on the District’s website. Public comments on the scope of reviews, technical disciplines involved, schedules and other considerations may be submitted to the District

for consideration. If the comments result in a change to the Review Plan, an updated plan will be posted on the District's website.

11. Documents Distributed Outside the Government

For information distributed for review to non-governmental organizations, the following disclaimer shall be placed on documents:

“This information is distributed solely for the purpose of pre-dissemination review under applicable information quality guidelines. It has not been formally disseminated by USACE. It does not represent and should not be construed to represent any agency determination or policy.”

Appendix A - Brief Description of Each Type of Review

This section describes each level of review to be conducted. Based upon the factors discussed in Section 1, this study will undergo the following types of reviews:

District Quality Control. All decision documents and accompanying components will undergo DQC. This internal review covers basic science and engineering work products. It fulfills the project quality requirements of the Project Management Plan. The DQC team will read all reports and appendices. The review must evaluate the correct application of methods, validity of assumptions, adequacy of basic data, correctness of calculations (error-free), completeness of documentation, and compliance with guidance and standards. Districts are required to check all computations and graphics by having the reviewer place a highlight (e.g., place a “red dot”) on each annotation and/or number indicating concurrence with the correctness of the information shown.

Independent External Peer Review. IEPR may be required for decision documents under certain circumstances. This is the most independent level of review and is applied in cases that meet criteria where the risk and magnitude of the project are such that a critical examination by a qualified team outside of USACE is warranted. A risk-informed decision is made as to whether IEPR is appropriate.

Cost Engineering Review. All decision documents will be coordinated with the Cost Engineering Mandatory Center of Expertise (MCX). The MCX assisted in determining the expertise needed on the ATR and IEPR teams. The MCX will provide the Cost Engineering certification. The RMO is responsible for coordinating with the MCX for the reviews. These reviews occur as part of ATR.

Policy and Legal Compliance Review. These reviews culminate in determinations that report recommendations 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.

Public Review. The District will post the Review Plan and approval memo on the District’s internet site. Public comment on the adequacy of the Review Plans will be accepted and considered. Additional public review will occur when the report and environmental compliance document(s) are released for public and agency comment.