MEMORANDUM FOR Commander, Fort Worth District

SUBJECT: Continuing Authorities Program Section 206, San Marcos River Aquatic Ecosystem Restoration, San Marcos, TX (PWI #101394) – Report Approval.

1. References:
   a. Memorandum, CESWD-PDP, 28 May 2013, subject: Southwestern Division (SWD) comments on Alternative Formulation Briefing Read Ahead Material.

2. SWD has completed the review of the subject report and environmental assessment and certifies that the recommended plan is technically sound, economically justified, environmentally and socially acceptable, and is policy and legally compliant. I concur with these findings. Accordingly, I accept and approve the San Marcos River, Texas, Aquatic Ecosystem Restoration Final Feasibility Report and Environmental Assessment, April 2014.

3. The review of the Design and Implementation (D&I) Review Plan by my staff indicates that the project poses minimal risk and no safety hazards. Accordingly, I accept and approve the San Marcos River, Texas, Aquatic Ecosystem Restoration Review Plan. The Review Plan must be posted to the district website and the direct electronic link submitted to the action officer identified below.

4. FY14 funding in the amount of $400,000 has been received for FY14 D&I activities. No more than $100,000 may be expended toward the D&I phase prior to execution of the Project Partnership Agreement (PPA). The district will submit the draft PPA within 45 days of the initiation of the Design and Implementation phase of the project for SWD review for conformance to the model.
CESWD-PDP
SUBJECT: Continuing Authorities Program Section 206, San Marcos River Aquatic Ecosystem Restoration, San Marcos, TX (PWI #101394) – Report Approval.

5. My point of contact for further information regarding these matters is Ms. Lanora Wright at 469-487-7032 or Lanora.Wright@usace.army.mil.

RICHARD J. MURASKI, JR.
Colonel, EN
Commanding

CF:
CESWF-PM-C (Mr. Eckhardt)
REVIEW PLAN

San Marcos River, San Marcos, TX
(Program Code #171462; P2 #101394)
Continuing Authorities Program
Section 206 Project

Plans and Specifications

Fort Worth District

MSC Approval Date: May 13, 2014
Last Revision Date: April 15, 2014
# REVIEW PLAN

San Marcos River, San Marcos, TX  
Plans and Specifications

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1. PURPOSE AND REQUIREMENTS

a. Purpose. This Review Plan defines the scope and level of peer review for the San Marcos River, San Marcos, TX, plans and specifications package. Currently, work is underway on the design.

This Review Plan does not cover project construction. Prior to the start of construction of the project, a construction management plan will be developed covering all aspects of construction including quality controls, quality assurance, contractor submittals, inspections, and all other associated documentation construction requirements. The construction management plan is developed, approved, and managed through Contracting.

b. References

(2) EC 1105-2-412, Assuring Quality of Planning Models, 31 Mar 2011
(3) Engineering Regulation (ER) 1110-1-12, Quality Management, 30 Sep 2006
(4) ER 1105-2-100, Planning Guidance Notebook, Appendix H, Policy Compliance Review and Approval of Decision Documents, Amendment #1, 20 Nov 2007
(6) SWD and Fort Worth District’s Quality Management Plans

c. Requirements. This review plan was developed in accordance with EC 1165-2-214, 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, implementation documents are subject to Value Engineering Certification, and Biddability, Constructibility, Operability, Environmental, and Sustainability (BCOES) review and certification.

2. REVIEW MANAGEMENT ORGANIZATION (RMO) COORDINATION

The RMO manages the overall peer review effort as per Engineering Circular (EC) 1165-2-214. Civil Works Review Policy, Appendix G, Section 2.a.(5) specifies that the RMO for ATR for CAP projects may be the home MSC in lieu of a PCX. The Southwestern Division CAP Manager serves as the RMO for this and all Continuing Authority Projects, unless otherwise noted.
3. PROJECT INFORMATION

Background. The study area is located in south central Texas in Hays County, approximately 30 miles southwest of Austin, Texas. The study area footprint is located along and within the San Marcos River, within the City limits of San Marcos, Texas and is bounded on the upstream by the Spring Lake Dam and at the downstream by Cummings Dam, which is just downstream of the confluence of the San Marcos and Blanco Rivers. This portion of the San Marcos River is fed by the second largest spring/aquifer system in Texas and supports a unique and nationally significant ecosystem. The San Marcos ecosystem has been affected by an altered hydrology, urbanization of the watershed, establishment and spread of exotic plants and animals, and recreational use.

Project Description. The study has identified problems and opportunities and will present implementable alternatives to address the adverse impacts of urbanization and invasive species, while keeping the following objectives in mind: increase habitat quality of the riparian corridor, improve the functionality of the riparian corridor as a buffer against sediment and pollutants, increase aquatic habitat quality, reduce recreational impacts on habitat quality and on endemic species, and improve habitats for endemic species.

The total project cost is estimated at $4,400,000. The total federal share will be limited to the amount named, or $5,000,000. The total non-federal share was estimated at $1,880,000, including LERRDs.

a. Factors Affecting the Scope and Level of Review.

A risk informed decision was made that ATR is necessary for all major deliverable for this project. Additionally, it was determined that neither Type I nor Type II IEPR is needed for any products associated with the plans and specifications for the project. ATR requirements are described in Section 5 and IEPR in Section 6.

The specific factors to be considered by the reviewers include:

- The reviews of the Plans and Specifications should be commensurate with the scope and complexity of the small-scale construction project;
- The use of professional judgement tailored appropriately to minimize burdening the small project with requirements of limited value.
- The construction of the project is projected to be approximately $6.8 million, with a federal financial risk level strictly limited to $5 million maximum;
- The construction for the project is primarily a aquatic ecosystem restoration;
- Project design is for a routine construction activity.

b. In-Kind Contributions. No in-kind services are part of the project
4. DISTRICT QUALITY CONTROL (DQC)

The Plans and Specifications (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 District and MSC Quality Manual.

**Documentation of DQC.** DQC is the review of basic science and engineering work products focused on fulfilling the project quality requirements defined in the PMP (to which this Review Plan is an attachment). It is managed in the District and may be conducted by in-house staff as long as the reviewers are not doing the work involved in the project, including contracted work that is being reviewed. Basic quality control tools include a Quality Management Plan (QMP) providing for seamless review, quality checks and reviews, supervisory reviews, Project Delivery Team (PDT) review, etc. The PDT, including the non-federal sponsor, is responsible for a complete reading of the report to assure the overall integrity of the report, technical appendices and the recommendations before the approval by the District Commander. In addition, non-PDT members and/or supervisory staff will conduct a review for major draft and final products, including products provided by the non-Federal sponsor as in-kind services following review of those products by the PDT (listed in Attachment 1). Written DQC documentation will be provided to the ATR team.

5. AGENCY TECHNICAL REVIEW (ATR)

ATR is mandatory for the plans and specifications phase. 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. 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.

**a. Products to Undergo ATR.** Products subject to ATR include the plans and specifications, and real estate requirements. An ATR will be conducted on the plans and specifications package at the following completion levels: 65% and 95%. In addition, an ATR final back-check will be conducted concurrent with or integral to the Bidability, Constructibility, Operability, Environmental, and Sustainability (BCOES) Review. All ATR comments will be adequately addressed/resolved/closed out prior to the BCOES certification.

**b. Required ATR Team Expertise.** Since this is for design, the ATR team should be minimal considering the factors affecting the scope and level of review in Section 3, with the required disciplines and expertise as outlined below:
<table>
<thead>
<tr>
<th>ATR Team Members/Disciplines</th>
<th>Expertise Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>ATR Lead</td>
<td>The ATR lead should be a senior professional preferably with experience in preparing Section 206/CAP decision documents and conducting ATR. The lead should also have the necessary skills and experience to assemble and lead a virtual team through the ATR process. Typically, the ATR lead will also serve as a reviewer for a specific discipline (such as planning, economics, environmental resources, etc). The ATR Lead MUST be from outside Fort Worth District and MAY be from within the SWD Region.</td>
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<tr>
<td>Planning</td>
<td>The Planning reviewer should be a senior water resources planner with experience in design as it pertains to Section 206 projects.</td>
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<tr>
<td>Environmental &amp; Cultural Resources</td>
<td>Team members should be familiar with the NEPA and HTRW process for similar studies and projects. Experience should include knowledge of streambank protection, HTRW, Cultural Resources and Ecosystem Restoration. The team member should be a subject matter expert on application and documentation of the NEPA process.</td>
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<tr>
<td>Civil Design</td>
<td>The ATR Reviewer should have experience in ecosystem restoration as it relates to civil design.</td>
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<tr>
<td>Cost Engineering</td>
<td>ATR of cost estimates is not required for Plans and Specifications phase. A Government Estimate is developed and approved through a separate process from this Review Plan.</td>
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<tr>
<td>Specifications</td>
<td>The ATR Reviewer should have experience in developing specifications packages for ecosystem restoration projects.</td>
</tr>
<tr>
<td>Real Estate</td>
<td>Team member should be experienced in Federal civil works real estate laws, policies and guidance as they pertain to Section 206/Ecosystem Restoration Projects. The RE ATR reviewer will be a senior RE professional selected from the Nationally approved RE ATR list.</td>
</tr>
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</table>

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 project implementation or implementation responsibilities; 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 appropriate issue resolution process described in ER1110-2-12. 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. A sample Statement of Technical Review is included in Attachment 2.

6. INDEPENDENT EXTERNAL PEER REVIEW (IEPR)

IEPR may be required 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 necessary.
warranted. A risk-informed decision, as described in EC 1165-2-214, 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.

EC 1165-2-214, Appendix G, Section 2.a(1) specifies “All CAP projects are excluded from Type I Independent External Peer Review (IEPR) except Section 205 and Section 103, or those projects that include and EIS or meet the mandatory triggers for Type I IEPR as stated in Appendix D”. None of these are applicable for this project. Further, Type I IEPR is required for decision documents, but plans and specifications is an implementation document. Therefore, Type I IEPR is not applicable to this project.

- **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.

EC 1165-2-214, Appendix G Section 2.a(3) specifies “Type II IEPR is still required for those CAP projects where life safety risk is significant as documented in the approved Review Plan” . San Marcos River is a small aquatic ecosystem restoration project, is in the design and implementation phase, and there are no known hazards that might pose a significant threat to human life. Therefore, Type II IEPR is not necessary for this project. The District Chief of Engineering will provide certification that the project poses no significant life safety issues associated with the project design and performance.

**Decision on IEPR.** Plans and specifications are not a decision document and do not meet the criteria for a Type I IEPR. The project does not involve life safety issues. Consequently, the
determination of the PDT and the District, with Major Subordinate Command (MSC) concurrence, is that the level of review be ATR. Type I and Type II IEPR is not required.

7. POLICY AND LEGAL COMPLIANCE REVIEW

The plans and specifications will be reviewed throughout the design process for compliance with law and policy. For the Plans and Specifications for this project, the Policy and Legal Compliance approval level will be the MSC unless issues arise requiring higher level approval. Policy and Legal Compliance Reviews will be concurrent with ATR. All Policy and Legal Compliance comments will be adequately addressed/resolved prior to the BCOES certification. The Policy and Legal Compliance reviews should include an assessment of whether the project design is generally consistent in scope, function, and purpose with the project described in the approved feasibility report, whether the project remains economically justified, and that the project to be constructed substantially conforms to the requirements for NEPA compliance as embodied through the previous lawsuit and associated Corps NEPA documentation.

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

For Plans and Specifications, the Government Estimate is reviewed and approved through a separate process from this Review Plan. Accordingly, Cost Engineering DX review Certification is not required.

9. MODEL CERTIFICATION AND APPROVAL

No model certifications or approvals are required for the design effort. Standard engineering models commonly in use by the Corps will be utilized per normal Corps engineering design practice.

10. REVIEW SCHEDULES AND COSTS

a. ATR Schedule and Cost. The estimated cost for the ATR is $35,000. The final (95%) ATR for the plans and specs is currently scheduled for December 2014. Milestone CW330 Plans and Specs Approved is scheduled for March 2015.

   35% ATR: 21 July 2014  
   65% ATR: October 7, 2014  
   95% ATR: 5 December, 2014  
   ATR final back-check: 13 February, 2015  
   BCOES: 2 March 2015(CW330)

b. Real Estate review of Plans and Specifications at 35% completion. This review should be performed by the ATR Real Estate team member to verify the project footprint and coordinate with the local sponsor to facilitate the acquisition process.
c. **Real Estate review of Plans and Specifications at 65% completion.** This review should be performed by the ATR Real Estate team member as part of the 65% ATR to verify the project footprint and coordinate with the local sponsor to facilitate the acquisition process and avoid unnecessary actions or delays. Real estate requirements must be fulfilled prior to advertisement of the project for construction bids.

d. **VE Certification:** This project meets the minimum Value Engineering (VE) studies requirement (> $2 Mil). PM should resource, plan and schedule a VE workshop as early as possible during the Plans and Specifications phase. All VE milestones (CW285 and CW290 Schedule and Actual Finish) shall be entered in the P2 for tracking and reporting by HQ for DMR. VE waiver request is for unusual cases only and the waiver request must have good justification. A VE waiver request shall be routed through the District Commander to the SWD VE manager for review and recommendation for approval to the SWD Commander. VE Certification (or approved waiver) shall accompany the final BCOES documents. See ER 11-1-321, Change 1, dated 01 Jan 2011 for standard format and information.

**11. PUBLIC PARTICIPATION**

As required by EC 1165-2-214, the approved Review Plan will be posted on the District public website for public comment. While there is not a formal comment period, the public will have an opportunity to comment on the types of reviews to be performed. The PDT will consider any comments received and and decide if revisions to the review plan are necessary.

**12. REVIEW PLAN APPROVAL AND UPDATES**

The Southwestern Division Commander is responsible for approving this Review Plan. The Commander’s approval reflects vertical team input as to the appropriate scope and level of review. The Review Plan is a living document and may change as the need arises. 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. The latest version of the Review Plan, along with the Commanders’ approval memorandum, should be posted on the Home District’s webpage and provide a copy to the MSC.

**13. REVIEW PLAN POINTS OF CONTACT**

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

- Project Manager, Fort Worth District, 817-886-1378
- CAP Program Manager, Southwestern Division, 469-487-7032
ATTACHMENT 1: TEAM ROSTERS

Project Delivery Team (PDT)

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
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<tbody>
<tr>
<td>Sam Arrowood</td>
<td>Project Manager</td>
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<tr>
<td>Marcia Hackett</td>
<td>Biologist</td>
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<tr>
<td>Mandy McGuire</td>
<td>Environmental Lead</td>
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<td>Thurman Schweitzer</td>
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<tr>
<td>Brant Jensen</td>
<td>Civil Design Engineer</td>
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<tr>
<td>Karen Wright</td>
<td>Landscape Architect</td>
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<tr>
<td>Ninfa Taggart</td>
<td>Cost Engineer</td>
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<tr>
<td>Brett Alexander</td>
<td>Specifications</td>
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<td>/Joshua Price</td>
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<tr>
<td>Kendra Laffe</td>
<td>Legal</td>
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<tr>
<td>June Wolbach or</td>
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<td>designee</td>
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<tr>
<td>Norm Lewis</td>
<td>Economist</td>
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<tr>
<td>Melani Howard</td>
<td>City of San Marcos, TX</td>
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**Vertical Team**: The Vertical Team consists of members of the MSC and CESWF Offices. The Vertical Team plays a key role in facilitating execution of the project in accordance with the PMP. The Vertical Team provides Issue Resolution support and guidance as required. The Vertical Team will remain engaged seamlessly throughout the project via monthly teleconferences, In Progress Reviews, and other key decision briefings.

Agency Technical Review (ATR)

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<thead>
<tr>
<th>Name</th>
<th>Discipline</th>
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<tbody>
<tr>
<td>Marc Masnor</td>
<td>Planning/ATR Team Lead</td>
<td>CESWT-PEC-PF</td>
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<tr>
<td>TBD</td>
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<td>CESWF-PM-C</td>
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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 Plans and Specifications for the San Marcos River, San Marcos, TX. The ATR was conducted as defined in the project’s Review Plan to comply with the requirements of EC 1165-2-214. 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 DrChecks™.

SIGNATURE
Marc Masnor
ATR Team Leader
CESWF-PEC-PF

SIGNATURE
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Environmental
OFFICE SYMBOL

SIGNATURE
TBD
Civil Design
OFFICE SYMBOL

SIGNATURE
TBD
Cost/Specs
OFFICE SYMBOL

SIGNATURE
TBD
Cost/Specs
OFFICE SYMBOL

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TBD
Real Estate
OFFICE SYMBOL

Date

Date

Date

Date

Date

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**

TBD
Chief, TBD
*OFFICE SYMBOL*

**SIGNATURE**

Chief, TBD
*OFFICE SYMBOL*

OTHER SIGNATURES AS DETERMINED BY ATR LEAD
## ATTACHMENT 3: REVIEW PLAN REVISIONS

<table>
<thead>
<tr>
<th>Revision Date</th>
<th>Description of Change</th>
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**ATTACHMENT 4: ACRONYMS AND ABBREVIATIONS**

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<th>Term</th>
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<td>AFB</td>
<td>Alternative Formulation Briefing</td>
<td>NED</td>
<td>National Economic Development</td>
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<tr>
<td>ASA(CW)</td>
<td>Assistant Secretary of the Army for Civil Works</td>
<td>NER</td>
<td>National Ecosystem Restoration</td>
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<tr>
<td>ATR</td>
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<td>National Environmental Policy Act</td>
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<td>Coastal Storm Damage Reduction</td>
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<td>Operation and maintenance</td>
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<td>DPR</td>
<td>Detailed Project Report</td>
<td>OMB</td>
<td>Office and Management and Budget</td>
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<td>DQC</td>
<td>District Quality Control/Quality Assurance</td>
<td>OMRR&amp;R</td>
<td>Operation, Maintenance, Repair, Replacement and Rehabilitation</td>
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