



DEPARTMENT OF THE ARMY
MISSISSIPPI VALLEY DIVISION, CORPS OF ENGINEERS
P.O. BOX 80
VICKSBURG, MISSISSIPPI 39181-0080

REPLY TO
ATTENTION OF:

CEMVD-PD-N

22 September 2008

MEMORANDUM FOR Commander, Mississippi Valley Division
ATTN: (Terry Smith, CEMVD-PD-SP)

SUBJECT: Cultural Stewardship Projects (NESP Project L),
Ecosystem Planning Center of Expertise Recommendation for
Approval of Review Plan

1. References:

a. EC 1105-2-408, Peer Review of Decision Documents,
31 May 2005.

b. CECW-CP Memorandum and attachment, 30 March 2007,
subject: Peer Review Process.

c. EC 1105-2-410, Review of Decision Documents, 22 Aug 2008.

2. The Cultural Stewardship studies will investigate opportunities to protect cultural sites from further erosion. The focus of the NESP Project L are those archeological sites that are listed or eligible for listing on the National Register of Historic Places and that have incurred erosion over the life of the Upper Mississippi River and Illinois Waterway projects and are likely to continue eroding under current operations and maintenance practices and/or to exacerbate the erosion rate as a consequence of NESP project features.

3. The enclosed Review Plan (RP) recommends use of a standard review approach. It has been coordinated with the National Ecosystem Planning Center of Expertise (ECO-PCX) and concurred in by the ECO-PCX. The RP complies with all applicable policy and establishes the appropriate level of agency technical review of the plan formulation, engineering, and environmental analyses, and other aspects of the plan development. The ECO-PCX concurs with the conclusion that Independent External Peer Review of this project is not necessary for the following reasons: (1) no influential scientific information will be produced by the study, (2) the risk was assessed as low, and 3) the estimated implementation costs are below the \$45M requirement for Independent External Peer Review. Non-substantive changes to this RP do not require further approval.

CEMVD-PD-N

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4. The district should post the RP to its web site and provide a link to the ECO-PCX for posting on their web page, as well as providing a copy of the final approved RP to the ECO-PCX for their use. Before posting to the web site the names of Corps/Army employees should be removed in accordance with reference 1.b. above.

5. Conclusion. The ECO-PCX recommends the RP for approval by MVD.



Rayford Wilbanks
Director, National Ecosystem Planning
Center of Expertise

Encl

CF:

CEMVD-RB-T (D. Vigh)
CEMVR-PM-F (C. Knollenberg)
CEMVR-PM-A (J. Ross)
CEMVP-PM (C. Spitzack)
CEMVR-PM-A (K. Barr)
CEMVR-PM-M (S. Whitney)

REVIEW PLAN

**NESP PROJECT L, CULTURAL STEWARDSHIP PROJECTS,
NAVIGATION AND ECOSYSTEM SUSTAINABILITY PROGRAM
SECTION 8004 OF THE WATER RESOURCES DEVELOPMENT ACT OF 2007
PROJECT IMPLEMENTATION REPORT WITH
INTEGRATED ENVIRONMENTAL ASSESSMENT**

REVIEW PLAN

NESP PROJECT L, ARCHEOLOGICAL SITE 11CA10 CULTURAL STEWARDSHIP PROJECT NAVIGATION AND ECOSYSTEM SUSTAINABILITY PROGRAM SECTION 8004 OF THE WATER RESOURCES DEVELOPMENT ACT OF 2007

PROJECT IMPLEMENTATION REPORT WITH INTEGRATED ENVIRONMENTAL ASSESSMENT

I. PURPOSE AND REQUIREMENTS

A. The Document. This document outlines the peer review plan for NESP Project L, Cultural Stewardship Projects Ecosystem Restoration Project Implementation Report (PIR) with integrated environmental assessment and Appendices. NESP Project L is a component of the Navigation and Ecosystem Sustainability Program (NESP). The NESP was authorized for study and design by Section 216 of the Flood Control Act of 1970. Construction authorization was provided in the 2007 Water Resources Development Act 2007. The Chiefs Report for the comprehensive feasibility study recommending the need for further study on several ecosystem restoration projects was approved on 02 December 2004. The PIR for this project builds on the comprehensive feasibility study and provides the site specific planning details necessary for project approval.

EC 1105-2-410 dated 22 Aug 2008 “Review of Decision Documents” 1) establishes procedures to ensure the quality and credibility of Corps decision documents by adjusting and supplementing the review process and 2) requires that documents have a Review Plan (RP). The Circular applies to all feasibility studies; reevaluation studies; reports or project studies requiring a Chiefs Report, authorization by Congress, or an EIS; and large programmatic efforts and their component projects. As a component of NESP, this PIR is covered by the Circular.

B. The Circular. The Circular outlines the requirement of the two review approaches—agency technical review (ATR) and independent external peer review (IEPR)—and provides guidance on Corps Planning Centers of Expertise (PCX) involvement in the approaches. This document addresses review of the decision document as it pertains to both approaches and planning coordination with the appropriate Center.

1. AGENCY TECHNICAL REVIEW (ATR). Districts are responsible for reviewing the technical aspects of the decision documents through the ATR approach. Agency Technical Review 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. To assure independence, the leader of the ATR team shall be from outside the home Division. Agency Technical Review 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. The Circular also requires that DrChecks (<https://www.projnet.org/projnet/>) be used to document all ATR comments, responses, and associated resolution accomplished.

2. INDEPENDENT EXTERNAL PEER REVIEW (IEPR). Independent external peer review was added to the existing Corps review process in May 2005. This approach does not replace the standard ATR process, but rather is an added level of review to supplement ATR. The IEPR approach applies when: (1) the total project cost exceeds \$45 million; (2) there is a significant threat to human life; (3) it is requested by a State Governor of an affected state; (4) it is requested by the head of a Federal or

state agency charged with reviewing the project if he/she determines the project is likely to have a significant adverse impact on resources under the jurisdiction of his/her agency after implementation of proposed mitigation (the Chief has the discretion to add IEPR under this circumstance); (5) there is significant public dispute regarding the size, nature, effects of the project; (6) there is significant public dispute regarding the economic or environmental cost or benefit of the project; (7) cases where information is based on novel methods, presents complex challenges for interpretation, contains precedent-setting methods or models, or presents conclusions that are likely to change prevailing practices; and (8) any other circumstance where the Chief of Engineers determines IEPR is warranted.

3. PCX Coordination. The Circular outlines PCX coordination requirements in conjunction with preparation of the RP. Districts should prepare the plans in coordination with the appropriate PCX. The Corps PCX are responsible for the accomplishment and quality of ATR and IEPR for decision documents covered by the Circular. Centers may conduct the review or manage the review to be conducted by others. Reviews will be assigned to the appropriate Center based on business programs.

4. MSC Approval. Final approval of the RP rests with the MSC Commander. After the RP is approved by the MSC Commander, the district should post the RP to the district website and the MSC, PCX, and HQUSACE should provide links to each RP on their website.

II. PROJECT DESCRIPTION

A. Decision Document. Project L Cultural Stewardship decision documents will present the results of feasibility studies undertaken to protect cultural sites from further erosion. Site 11Ca10, also known as the Bailey Village site, is the first archeological site protection project to be undertaken with NESP Project L and is used as an example in this review plan of the work to be performed.

A total of 78 archeological sites were initially identified as potential shoreline protection projects in the initial EIS. These sites were chosen on the basis of potential archeological significance, shoreline setting with potential for erosion, and federal ownership. Archeological significance is determined through field investigation, formal consultation with relevant State Historic Preservation Officers (SHPOs) and federally recognized Tribes, and through the application of the National Register of Historic Places criteria of significance in accordance with 36 CFR Part 800, the regulations implementing Section 106 of the National Historic Preservation Act of 1966, as amended. Shoreline erosion is documented on archeological sites through a combination of shoreline mapping, comparative assessment with the historically documented shoreline, and periodic monitoring of the current shoreline. Monitoring has been ongoing in MVR for 15 years and has been initiated in MVP over the last three years. The data indicate a wide range in erosion rates over the last 70 years since the construction of the locks and dams and maintenance of the navigation pools. The focus of the NESP Project L team are those archeological sites that are listed or eligible for listing on the NRHP and that have incurred erosion over the life of the UMR and IWW projects and are likely to continue eroding under current O&M practices and/or to exacerbate the erosion rate as a consequence of NESP project features. The table below identifies the sites under evaluation along with their respective NRHP eligibility determinations and documented erosion rates.

The feasibility phase of this project is not cost shared with a project sponsor. This report provides planning, engineering, and implementation details of the recommended protection plan to allow final design and construction to proceed subsequent to the approval of the plan.

PEER REVIEW PLAN

PROJECT L. CULTURAL STEWARDSHIP
PROJECT IMPLEMENTATION REPORT WITH
INTEGRATED ENVIRONMENTAL ASSESSMENT

District	Site Designation	NRHP Status	Ownership	Threat	Erosion Since 1929	Treatment	Location
MVP	47CR451	PE	O	Erosion, Looting	10 m	Eval/protect	UMR Pool 10
MVP	47CR341	PE	O	Erosion, Looting	25 m	Eval/protect	UMR Pool 10
MVP	47CR312	PE	O	Erosion, Looting	9-17 m	Eval/protect	UMR Pool 10
MVP	47CR313	PE	O	Erosion, Looting	7-14 m	Eval/protect	UMR Pool 10
MVP	47CR360	PE	O	Erosion, Looting	20-25 m	Eval/protect	UMR Pool 10
MVP	47CR461	PE	O	Erosion, Looting	10 m	Eval/protect	UMR Pool 10
MVP	47CR634	PE	O	Erosion, Looting	Chute cut	Eval/protect	UMR Pool 10
MVP	47CR356	E	O	Erosion, Looting	16 m	Mitigation/Protection	UMR Pool 10
MVP	47CR357	PE	O	Erosion, Looting	13 m	Eval/protect	UMR Pool 10
MVP	47CR358	E	O	Erosion, Looting	50 m	Mitigation/Protection	UMR Pool 10
MVP	21HU156	PE	O	Erosion, Looting	8 m	Eval/protect	UMR Pool 9
MVP	21GD78/157	PE	C	Erosion	15-25 m	Monitor	UMR Pool 3
MVP	47LC339	PE	C	Erosion	None	Preserve	UMR Pool 7
MVP	47VE526/112	PE	C	Erosion	20-30 m	Eval/protect	UMR Pool 8
MVP	47VE719	PE	C	Erosion	9-11 m	Eval/protect	UMR Pool 8
MVP	47VE(871)818	PE	C	Erosion	20 m (old)	Monitor	UMR Pool 8
MVR	11MC122	E	C	Erosion	25 m	Mitigation/Protection	UMR Pool 18
MVR	13JK79	E	C	Rec Area, Looting	10 m	Preserve	UMR Pool 13
MVR	11JD126	E	C	Erosion	2-4 m	Preserve	UMR Pool 12
MVR	11RI375	E	C	Erosion, Rec Area	10-15 m	Test	UMR Pool 14
MVR	11JD135	PE	C	Cottage Lease		Monitor, Protect	UMR Pool 12
MVR	11JD125	E	C	Erosion	severe	Monitor, Protect	UMR Pool 12
MVR	47GT411	PE	O	Erosion	31 m	Monitor, Protect	UMR Pool 11
MVR	47GT412	PE	O	Erosion	10 m	Monitor, Protect	UMR Pool 11
MVR	13CN55	PE	C	Erosion	31 m	Monitor	UMR Pool 14
MVR	13CN60	PE	C	Erosion	27 m	Monitor	UMR Pool 14
MVR	13CT211	PE	O	Erosion	23 m	Monitor	UMR Pool 11
MVR	11JD36	PE	C	None	none	Monitor	UMR Pool 12
MVR	11JD121	PE	C	None		Monitor	UMR Pool 12
MVR	11JD122	PE	C	None		Monitor	UMR Pool 12
MVR	13JK138	PE	C	(Refuge Management)	60 m	Monitor	UMR Pool 13
MVR	13CT222	PE	C	Erosion	21 m	Monitor	UMR Pool 11
MVR	11JD132	E	C	Erosion	9 m	Monitor, Protect	UMR Pool 12
MVR	11MC102	PE	C	Erosion	5 m	Monitor	UMR Pool 17
MVR	47GT413	PE	O	Erosion	20 m	Monitor	UMR Pool 11
MVR	47GT416	PE	O	Erosion	50 m	Monitor	UMR Pool 11
MVR	47GT270	PE	C	Erosion	15-20 m	Monitor, Protect	UMR Pool 11
MVR	11CA10	E	C	Erosion	30 m	Preserve	UMR Pool 13
MVR	11CA13/11	E	C	Erosion		Monitor	UMR Pool 13
MVR	11CA117	PE	C	Erosion	30 m	Test	UMR Pool 13
MVR	11CA118	PE	C	Erosion	observed	Test	UMR Pool 13
MVR	47GT220	PE	C	Erosion	observed	Test	UMR Pool 11
MVR	47GT419	PE	C	Erosion	33 m	Test	UMR Pool 11
MVR	11C23	E	O	No data		Mitigation/Protection	IWW Alton
MVR	11C10	PE	C	Agriculture		Test	IWW Alton
MVR	11C383	E	C	Vandalism		Mitigation/Protection	IWW Alton
MVR	11C142	E	C	No data		Mitigation/Protection	IWW Alton
MVR	11PK500	E	O	No data		Mitigation/Protection	IWW Alton
MVR	11PK424	E	O	No data		Mitigation/Protection	IWW Alton
MVR	11MG1	E	O	Development, Looting		Mitigation/Protection	IWW Alton
MVR	11F58	L	O	Rec Area, Looting		Mitigation/Protection	IWW Lagrange
MVR	11MN157	E	O	Development, Looting		Mitigation/Protection	IWW Lagrange
MVR	11MN163	E	O	Erosion, Looting		Mitigation/Protection	IWW Lagrange
MVR	11MN1	L	O	Managed Forest		Mitigation/Protection	IWW Lagrange
MVR	11BU96	E	O	Erosion, Looting		Mitigation/Protection	IWW Peoria
MVR	11LS13	E	O	No data		Mitigation/Protection	IWW Starved Rock
MVR	11LS464	E	O	Rec Area, Looting		Mitigation/Protection	IWW Starved Rock
MVR	11LS5	E	O	Rec Area, Looting		Mitigation/Protection	IWW Starved Rock
MVS	11C210	PE	C			Monitor/Evaluate	UMR Pool 25
MVS	23SC779	PE	C			Monitor/Evaluate	UMR Pool 26
MVS	11C154	PE	C			Monitor/Evaluate	UMR Pool 26
MVS	11C190	PE	C			Monitor/Evaluate	UMR Pool 26
MVS	11MS51	PE	C			Monitor/Evaluate	UMR RM 194L
MVS	11JY604	PE	O			Monitor/Evaluate	UMR Pool 26
MVS	23PI59	PE	O			Monitor/Evaluate	UMR Pool 25
MVS	23PI60	PE	O			Monitor/Evaluate	UMR Pool 25
MVS	11JY602	PE	O			Monitor/Evaluate	UMR Pool 26
MVS	11R325	E	O			Monitor/Evaluate	UMR RM 115L
MVS	23CG110	PE	O			Monitor/Evaluate	UMR RM 66R
MVS	23SL223	PE	O			Monitor/Evaluate	UMR RM 171R

C=Corps, O=Other Federal/State Agency

B. General Site Description. Site 11Ca10 is located along the left descending bank of the Mississippi River, north of Thomson, Illinois, in the vicinity of River Mile 528 in Pool 13, Carroll County, Illinois. This site is located entirely on Corps of Engineers (Corps) fee title land, acquired in conjunction with the Mississippi River 9-Foot Navigation Channel Project, April 10, 1942.

C. Project Scope. Site 11Ca10 is the subject of the first project under NESP Project L, Cultural Stewardship. The preliminary estimate for protection of site 11Ca10 is \$1.1 million. The proposed total NESP L Cultural Stewardship project area includes up to 70 archeological sites located on federal and/or state land within UMR and IWW main channel and backwater shoreline settings. During the course of site assessment and monitoring, this list of sites will be reduced on the basis of natural attrition due to either lack of significance (not eligible for the NRHP) or absence of documented erosion. In the event that more sites remain than the Corps has funds to protect, the list will be prioritized according to potential for human remains/sacred objects, ability to address HPMP research objectives, and cost effectiveness. It is anticipated that this list will have to be reduced to the 15 most critical sites. The preliminary estimated total project cost is \$13.265 million.

D. Problems and Opportunities. The NESP Project L Cultural Stewardship Program is assessing both the potential impact of increased commercial navigation resulting from proposed NESP improvements and the ongoing impact of the operation and maintenance of the UMR and IWW projects on significant archeological sites. The list of 70 potential project sites was developed on the basis of cultural resource management priorities established in the District Historic Properties Management Plans (HPMPs) and by the professional judgment of consulting firms and District archeologists. All 70 sites are located on public lands and are either listed, eligible for listing, or considered very likely to be eligible for listing on the National Register of Historic Places (NRHP). The primary threat to these sites is shoreline erosion and is based on a combination of firsthand field observations and GIS analyses of HPMP data, land use data, and erosion models.

The UMR sites in the MVR district have all been mapped with permanent datums established and monitoring initiated. These steps have been taken in order to determine whether they are eroding and, if so, at what rate. Monitoring has been initiated in MVP District on twenty sites. A comparable monitoring approach will be initiated at those sample sites in MVP and MVS where erosion has been identified as a threat. When erosion is documented on NRHP eligible/listed archeological sites, mitigation in the form of protection and/or data recovery will be required.

E. Model Certification. These projects will not use planning models to determine the recommended plan. Plans will be selected solely on cost and constructability. It is anticipated that the most cost effective and feasible alternative will be selected at each site. The number of alternatives that will be considered at each site will be very limited and will only vary based on type of material and access method. No model certification will be needed for this project.

F. Product Delivery Team. The product delivery team (PDT) is comprised of those individuals directly involved in the development of the decision document. There are individual PDTs at each of the three Districts. Contact information and disciplines are listed below.

First	Last	District	Discipline
REMOVE	REMOVE	MVR	Team Leader/Planning
REMOVE	REMOVE	MVR	Environmental engineering
REMOVE	REMOVE	MVR	Biology/NEPA
TBD		MVR	Hydraulics/hydrology

PEER REVIEW PLAN

PROJECT L. CULTURAL STEWARDSHIP
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REMOVE	REMOVE	MVR	Socio-economics
TBD		MVR	Cost engineering
TBD		MVR	Real estate/Lands
REMOVE	REMOVE	MVR	Cultural resources
TBD		MVR	Geotechnical engineering

G. Vertical Team. The Vertical Team includes District management, District Support Team (DST) and Regional Integration Team (RIT) staff as well as members of the Planning of Community of Practice (PCoP). The District project manager is REMOVE, CEMVR-PM-M, at REMOVE. The regional project manager is REMOVE. DST manager for this project is REMOVE, CEMVD-PD-SP at REMOVE. The RIT manager is REMOVE at REMOVE. The PCoP contact is REMOVE, CEMVD-PD-N at REMOVE.

III. AGENCY TECHNICAL REVIEW PLAN

As outlined above in paragraph 1.b. (1), the District is responsible for ensuring adequate technical review of decision documents. The responsible PDT District of this decision document will be one of three Districts (MVP, MVR, or MVS) depending on the location of the project.

A. General. An ATR Manager shall be designated for the ATR process. The proposed ATR Manager for this project will be determined by the PCX. As required by EC 1105-2-410, the manager will be from outside the PDT’s Division. The proposed scope of work for the ATR Process is provided in Appendix A. In general, the ATR Manager is responsible for providing information necessary for setting up the review, communicating with the PDT Leader, providing a summary of critical review comments, collecting grammatical and editorial comments from the ATR team (ATRT), ensuring that the ATRT has adequate funding to perform the review, facilitating the resolution of the comments, and certifying that the ATR has been conducted and resolved in accordance with policy.

B. Team. Through submission of this plan, the team requests that the PCX, in coordination with the Mandatory Center of Expertise for the Curation and Management of Archaeological Collections (MCX-CMAC), nominate a qualified ATR team to review the individual projects within the NESP Cultural Stewardship Program. The team suggests individuals working on similar projects on the Ohio and/or Missouri Rivers. The ATRT will be comprised of individuals that have not been involved in the development of the decision document and will be chosen based on expertise, experience, and/or skills. The members will roughly mirror the composition of the PDT. The ATRT members and their areas of expertise are:

First	Last	Discipline	Phone	Email
Nominated by PCX		ATR Manager/plan formulation		@usace.army.mil
		Civil design		@usace.army.mil
		Biology/NEPA		@usace.army.mil
		Hydraulics/hydrology		@usace.army.mil
		Socio-economics		@usace.army.mil
		Cost engineering ¹		@usace.army.mil
		Real estate/Lands		@usace.army.mil

PEER REVIEW PLAN
 PROJECT L. CULTURAL STEWARDSHIP
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	Cultural resources	@usace.army.mil
	Geotechnical engineering	@usace.army.mil

¹The cost engineering team member nomination will be coordinated with the NWW Cost Estimating Directory of Expertise as required. The Directory will decide if the cost estimate will need to be reviewed by Directory Staff.

C. Timing and Schedule

1. Throughout the development of this document, the team will hold planning reviews to ensure planning quality. Senior staff and subject matter experts from the PDT District and members of the vertical team (DST, Planning CoP, RIT) will attend the reviews and provide comments on the product to date.

2. The ATR process for projects within the NESP Project L Program will follow the process below. Actual dates will be scheduled for each project as they are started. It is estimated that review of the first project will begin in the 4th Quarter of FY 08.

Review Milestone	ATR Team Involvement	Scheduled Date
Planning Milestone Review #1		TBD
Review of Draft Report	X (partial team)	TBD
Planning Milestone Review #2/Feasibility Scoping Meeting*	X (partial team)	TBD
Planning Milestone Review #3		TBD
Review of Draft Report	X	TBD
Alternative Formulation Briefing (AFB)	X (partial team)	TBD
ATR of Draft Report (if needed)	X	TBD
AFB Policy Memo Issued		TBD
Interim ATR Certification	X	TBD
ATR After Action Review	X	TBD
Public Review of Draft Report		TBD
Agency Review of Draft Report		TBD
ATR of Final Report (if needed)	X	TBD
Final Report Submission		TBD
Mississippi Valley Division Headquarters Review		TBD

*Implementation guidance dated 20 Jul 2008 for the WRDA 2007 authorization does not require feasibility scoping meetings for these projects. However, a scaled back review will be held with the vertical team at the typical FSM time in the planning process.

IV. IEPR PLAN

A. This decision document will present the details of a feasibility study undertaken to restore the NESP Project L, Cultural Stewardship, Site 11Ca10 as described in paragraph 2 above. This critical protection project is part of a larger program aimed at restoration of the Upper Mississippi River Basin. This project does not meet the IEPR standards outlined in the Circular.

1. Project Magnitude. The magnitude of this project is determined as low. The cost of the total project will likely not exceed \$13.265 million and the cost of site 11Ca10 protection will likely not exceed \$1.1 million. It is difficult to quantify the benefits accrued through cultural resources

protection; however, these sites represent nonrenewable resources that may have sacred importance to segments of the public. Cost analysis will be applied in order to insure the most cost-effective project. The scale of the individual projects is limited because the project construction footprints will be limited to eroding shoreline adjacent to the specific archeological site. The project is not considered complex and involves shoreline protection through the implementation of standard concepts. The project will have positive long term and cumulative effects.

2. Project Risk. This project is considered low risk overall. The potential for failure is low because shoreline protection is a straight forward concept with numerous successful national applications. The potential for controversy regarding project implementation is low because the recommended plan will take into account tribal concerns regarding protection of human remains and sacred objects. The uncertainty of success of the project is low because the methods used for evaluating the project are standard and the concept of implementing shoreline protection is not innovative. Limited archeological mitigation/data recovery may be necessary at some sites due to unavoidable ground disturbances associated with site preparation and machinery staging and access. The intent, however, is to preserve as much of these significant sites in place as possible. When archeological data recovery is necessary, influential scientific information may be generated from these projects that would contribute to a better understanding of the prehistoric and early historic human habitation along the UMR and IWW.

3. Vertical Team Consensus. The vertical team concurs that the subject matter covered in the decision document is NOT novel, controversial, or precedent-setting, and the project will not have significant interagency interest or significant economic, environmental or social effects.

4. Therefore, a separate IEPR will not be conducted on the decision document and external members will not be part of the ATR team. The ATR, Public, and Agency Review will serve as the main review approaches.

V. PUBLIC AND AGENCY REVIEW

A. Section 304 of the National Historic Preservation Act [16 U.S.C. 470w-3] requires federal agencies, or other public officials receiving grant assistance under the NHPA, to “withhold from disclosure to the public, information about the location, character, or ownership of a historic resource...” if the agency and the Secretary of the Interior agree that its release may (1) cause a significant invasion of privacy, (2) risk harm to the historic resource, or (3) impede the use of a traditional religious site by practitioners. Section 9 of the Archeological Resources Protection Act [ARPA, 16 U.S.C. 470aa-mm] specifically prohibits the release of information concerning the nature and location of archaeological sites excavated or removed under an ARPA permit unless the federal land manager determines that releasing the information furthers the purposes of ARPA and will not create a risk of harm to the resources [16 U.S.C. 470hh].

Therefore, public review of the document will comply with the relevant stipulations of the NHPA and ARPA and will be determined on a case-by-case basis. It is likely that public review will be limited to that public who live adjacent to the federal property and/or will be impacted by construction access and right-of-way. Public review of the document will occur after issuance of the AFB policy guidance memo and concurrence by HQUSACE that the document is ready for public release. As such, public comments other than those provided at any public meetings held during the planning process will not be available to the review team.

B. Public review of the individual documents will begin approximately one month after the completion of the ATR process and issuance of the policy guidance memo. The estimated time frame for the review for the first project will be August, 2008. The period will last 30 days.

- C. The public review of necessary State or Federal permits will also take place during this period.
- D. A formal State and Agency review will occur concurrently with the public review. However, it is anticipated that intensive coordination with these agencies will have occurred concurrent with the planning process. Possible public concern issues are the recovery and disposition of human remains and sacred objects resulting from mitigation/data recovery. Possible State and Agency issues include retaining the confidentiality of archeological site location and Native American Graves Protection and Repatriation Act (NAGPRA) and NHPA compliance.
- E. Upon completion of the review period, comments will be consolidated in a matrix and addressed, if needed. A comment resolution meeting will take place if needed to decide upon the best resolution of comments. A summary of the comments and resolutions will be included in the document.

VI. PCX COORDINATION

This review plan has been submitted through the PDT District Planning Chief, to the PCX Director, REMOVED, for approval. Because it was determined that this project is low magnitude and low risk, an IEPR will not be required. As such, the PCX was requested to review the review plan and facilitate the nomination of the ATR team. The approved review plan will be posted to the PCX website. Any public comments on the review plan will be collected by the Office of Water Project Review (OWPR) and provided to the PDT District for resolution and incorporation if needed.

VII. APPROVAL

The PDT will carry out the review plan as described. The Team Leader will submit the plan to the PDT District Planning Chief for approval. Coordination with PCX will occur through the PDT District Planning Chief. Signatures by the individuals below indicate approval of the plan as proposed.

REMOVED
Team Leader, NESP Project L, Cultural Stewardship
Product Delivery Team
Date

REMOVED
Ecosystem Technical Manager,
Navigation and Ecosystem Sustainability Program
Date

REMOVED
Plan Formulation Technical Manager,
Navigation and Ecosystem Sustainability Program
Date

REMOVED
District Project Manager,
Navigation and Ecosystem Sustainability Program
Date

REMOVED
Chief, Planning and Policy Branch
Rock Island District
Date

PEER REVIEW PLAN

*PROJECT L. CULTURAL STEWARDSHIP
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**REVIEW PLAN
APPENDIX A
ATR SCOPE OF WORK**

**NESP PROJECT L, CULTURAL STEWARDSHIP PROJECTS
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NEPA DOCUMENTATION**

I. GENERAL

An ATR Manager shall be designated for the ATR process. The proposed ATR Manager for this project is [ATR MANAGER NAME]. As required by EC 1105-2-410, the manager is from outside the PDT's Division. In general, the ATR Manager is responsible for providing information necessary for setting up the review, communicating with the PDT Leader, providing a summary of critical review comments, collecting grammatical and editorial comments from the ATR team (ATRT), ensuring that the ATRT has adequate funding to perform the review, facilitating the resolution of the comments, and certifying that the ATR has been conducted and resolved in accordance with policy.

II. TEAM

The ATRT will be comprised of individuals that have not been involved in the development of the decision document and will be chosen based on expertise, experience, and/or skills. The members will roughly mirror the composition of the PDT. The ATRT members and their areas of expertise are:

First	Last	Discipline	Phone	Email
		ATR Manager/plan formulation		@usace.army.mil
		Civil design		@usace.army.mil
		Biology/NEPA		@usace.army.mil
		Hydraulics/hydrology		@usace.army.mil
		Socio-economics		@usace.army.mil
		Cost engineering ¹		@usace.army.mil
		Real estate/Lands		@usace.army.mil
		Cultural resources		@usace.army.mil
		Geotechnical engineering		@usace.army.mil

¹ The cost engineering team member nomination will be coordinated with the NWW Cost Estimating Directory of Expertise as required. The Directory will decide if the cost estimate will need to be reviewed by Directory Staff.

III. COMMUNICATION

The communication plan for the ATR is as follows:

A. The team will use DrChecks to document the ATR process. The PDT Leader will facilitate the creation of a project portfolio in the system to allow access by all PDT and ATRT members. An electronic version of the draft report and appendices in Word format shall be posted at: <ftp://ftp.usace.army.mil/pub/> at least one business day prior to the start of the comment period.

B. The PDT shall send the ATR manager one hard copy (with color pages as applicable) of the draft report and appendices for each ATRT member such that the copies are received at least one business day prior to the start of the comment period.

C. The PDT shall host an ATR kick-off meeting virtually to orient the ATRT during the first week of the comment period. If funds are not available for an on-site meeting, the PDT shall provide a presentation about the project, including photos of the site, for the team.

D. The PDT Leader shall inform the ATR manager when all responses have been entered into DrChecks and conduct an in progress review to summarize comment responses.

E. A revised electronic version of the report and appendices with comments incorporated shall be posted at <ftp://ftp.usace.army.mil/pub/> for use during back checking of the comments.

F. Team members shall contact ATRT members or leader as appropriate to seek clarification of a comment's intent or provide clarification of information in the report. Discussions shall occur outside of DrChecks but a summary of discussions may be provided in the system.

G. Reviewers will be encouraged to contact PDT members directly via email or phone to clarify any confusion. DrChecks shall not be used to post questions needed for clarification.

H. The ATRT, PDT, and vertical team shall conduct an after action review (AAR) no later than two weeks after the policy guidance memo is received.

IV. FUNDING

A. The PDT district shall provide labor funding by cross charge labor codes. Funding for travel, if needed, will be provided through government order. The PDT Leader will work the ATR manager to ensure that adequate funding is available and is commensurate with the level of review needed. The current cost estimate for this review is \$30,000. Any funding shortages will be negotiated on a case by case basis and in advance of a negative charge occurring.

B. The ATR leader shall provide organization codes for each team members and a responsible financial point of contact (CEFMS responsible employee) for creation of labor codes.

C. Reviewers shall monitor individual labor code balances and alert the ATRT Team Leader to any possible funding shortages.

V. TIMING AND SCHEDULE

A. Throughout the development of this document, the team will hold planning charrettes to ensure planning quality. Senior staff and subject matter experts from the PDT District and members of the vertical team (DST, Planning CoP, RIT) will attend the charrettes and provide comments on the product to date.

B. The ATR will begin once a recommended plan has been tentatively selected, the preliminary design is complete, and the environmental assessment has been performed.

C. The PDT will hold a “page-turn” session to review the draft report to ensure consistency across the disciplines and resolve any issues prior to the start of ATR. Writer/editor services will be performed on the draft prior to ATR as well.

D. The ATR process for this document will follow the timeline below. Actual dates will be scheduled once the period draws closer. It is estimated that review of this document will be begin in the 4th Quarter of FY 09.

Task	Date
Comment Period Begin	Week 1
Kickoff Meeting	Week 1
ATR Comments Due	Week 4
PDT Responses Due	Week 6
Responses Backcheck	Week 8
Certification	Week 10
Alternative Formulation Briefing (AFB)	Week 14
AFB Policy Memo Issued	Week 18
After Action Review	NLT Week 20

VI. REVIEW

A. ATR Team responsibilities are as follows:

1. Reviewers shall review the draft report to confirm that work was done in accordance with established professional principles, practices, codes, and criteria and for compliance with laws and policy. Comments on the report shall be submitted into DrChecks.
2. Reviewers shall pay particular attention to one’s discipline but may also comment on other aspects as appropriate. Reviewers that do not have any significant comments pertaining to their assigned discipline shall provide a comment stating this.
3. Grammatical and editorial comments shall not be submitted into DrChecks. Comments should be submitted to ATR manager via electronic mail using tracked changes feature in the Word document or as a hard copy mark-up. The ATR manager shall provide these comments to the PDT Leader.
4. Review comments shall contain these principal elements:
 - A clear statement of the concern
 - The basis for the concern, such as law, policy, or guidance
 - Significance for the concern
 - Specific actions needed to resolve the comment
5. The “Critical” comment flag in DrChecks shall not be used unless the comment is discussed with the ATR manager and/or the PDT Leader first.

B. PDT Team responsibilities are as follows:

1. The team shall review comments provided by the ATRT in DrChecks and provide responses to each comment using “*Concur*”, “*Non-Concur*”, or “*For Information Only*”. *Concur* responses shall state what action was taken and provide revised text from the report if applicable. *Non-Concur* responses shall state the basis for the disagreement or clarification of the concern and suggest actions to negotiate the closure of the comment.
2. Team members shall contact the PDT and ATRT managers to discuss any “non-concur” responses prior to submission.

VII. RESOLUTION

A. Reviewers shall back check PDT responses to the review comments and either close the comment or attempt to resolve any disagreements. Conference calls shall be used to resolve any conflicting comments and responses.

B. Reviewers may “agree to disagree” with any comment response and close the comment with a detailed explanation. ATRT members shall keep the ATR manager of problematic comments. When resolution is not readily achievable, the ATR team should engage the PCX or MSC SMEs to help with resolution and they, in turn, may choose to engage HQ SMEs. If a specific concern still remains unresolved, the district should pursue resolution through the policy issue resolution process described in ER 1105-2-100, Appendix H. Significant ATR concerns that are documented by the PCX will be forwarded through the MSC to the RIT (including basic research of USACE guidance and an expression of the desired outcome) for further resolution in accordance with the policy issue resolution process described in ER 1105-2-100, Appendix H. The ATR documentation will include the text of each ATR comment, the PDT response, a brief summary of pertinent points in the ensuing discussion including any vertical coordination, the agreed upon resolution, and any significant issues they believe were not satisfactorily resolved. ATR shall be certified in accordance with ER 1110-1-12 when all ATR concerns are resolved or deferred by HQ to a separate process.

VIII. CERTIFICATION

To fully document the ATR process, a statement of technical review will be prepared. Certification by the ATR manager and the PDT Leader will occur once issues raised by the reviewers have been addressed to the review team’s satisfaction. Indication of this concurrence will be documented by the signing of a certification statement (Appendix 1). A summary report of all comments and responses will follow the statement and accompany the report throughout the report approval process.

IX. ALTERNATIVE FORMULATION BRIEFING (AFB)

The AFB for this project will occur after ATR certification. It is possible that the briefing will result in additional technical or policy comments for resolution. After resolution of significant comments, the ATR will be re-certified, if needed.

APPENDIX 1

STATEMENT OF TECHNICAL REVIEW

**COMPLETION OF AGENCY TECHNICAL REVIEW
NESP PROJECT L, CULTURAL STEWARDSHIP PROJECTS
ECOSYSTEM RESTORATION PROJECT
SECTION 8004 OF THE WATER RESOURCES DEVELOPMENT ACT OF 2007
PROJECT IMPLEMENTATION REPORT
WITH INTEGRATED ENVIRONMENTAL ASSESSMENT
AND APPENDICES**

[DISTRICT] has completed the project implementation report with integrated environmental assessment and appendices of the NESP Project L, Cultural Stewardship Projects, Ecosystem Restoration Project. Notice is hereby given that an agency technical review, that is appropriate to the level of risk and complexity inherent in the project, has been conducted as defined in the Review Plan. During the agency technical review, compliance with established policy principles and procedures and utilization of 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 result, including whether the product meets the customer's needs consistent with law and existing Corps policy. The agency technical review was accomplished by an independent team composed of [ATR DISTRICT] staff. All comments resulting from ATR have been resolved.

[ATR MANAGER NAME] Date
Team Leader, NESP Project L, Cultural Stewardship Projects Project
Agency Technical Review Team

REMOVE Date
PDT Leader, NESP Project L, Cultural Stewardship Projects

CERTIFICATION OF AGENCY TECHNICAL REVIEW

A summary of all comments and responses are attached. Significant concerns and the explanation of the resolution are as follows:

(Describe the major technical concerns, possible impact and resolution)

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

[District Deputy for Project Management]
Chief, Planning, Programs, and Project Management Division,
[PDT DISTRICT]

Date