

U.S. ARMY CORPS OF ENGINEERS
National Planning Centers of Expertise

Type I

Independent External

Peer Review

Standard Operating Procedure



Product of the PCX Guild
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Purpose and Need

The Planning Centers of Expertise (PCX) produced this Standard Operating Procedure (SOP) for Districts to use in the conduct of Type I Independent External Peer Review (IEPR). The SOP clearly outlines and describes the steps for successfully completing a Type I IEPR from the point that a study review plan is initiated, through the Agency response which is posted on the Headquarters U.S. Army Corps of Engineers (HQ or HQUSACE)) website, and to inclusion of the Final IEPR Report in the final decision document. The SOP includes the process for seeking an exclusion if it is determined that Type I IEPR is not necessary for a specific project.

Background

Type I IEPR Timing

This SOP supports USACE modernized planning, in which project studies use a risk-informed assessment to determine the amount of information needed for each alternative evaluated. The SOP incorporates recent policy and process changes delegating decision-making authority, the use of risk-informed decision making, and the general state of the practice for performing IEPR. The IEPR must be conducted within the context of the risk-informed decision-making process. Figure 1 depicts the modernized (SMART) planning process flow. IEPR is conducted concurrently with USACE policy, public, and technical review of the decision document, which occurs between the Tentatively Selected Plan (TSP) Milestone meeting and the Agency Decision Milestone (ADM) meeting

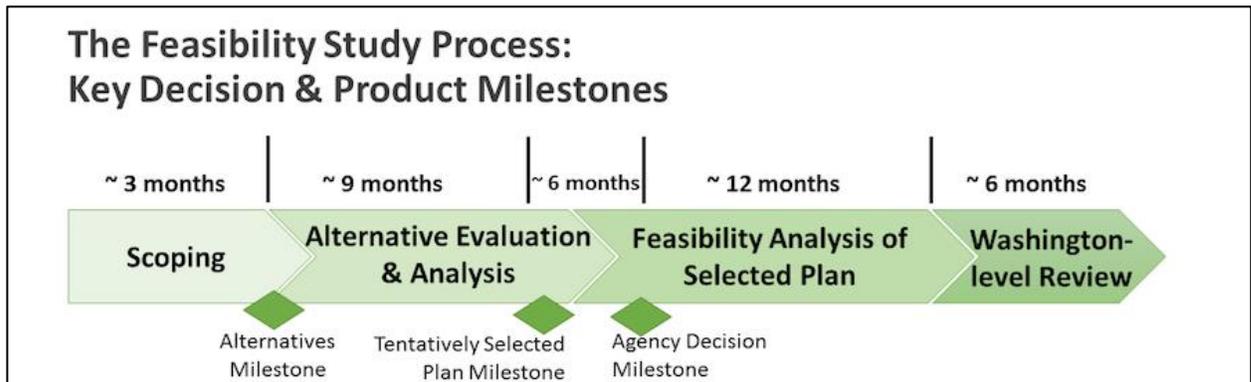


Figure 1. SMART Feasibility Study Process Diagram

Type I and Type II IEPR

IEPR is the most independent level of review. The USACE Review Policy for Civil Works (Engineer Circular [EC] 1165-2-217) notes "...IEPR is divided into two types, Type I is generally for decision documents^[1] and Type II is generally for implementation documents." Type I and Type II IEPR, also called Safety Assurance Review (SAR), are described fully in EC 1165-2-217. Some studies have project components where a significant threat to human life is possible. The decision document phase is the initial concept design phase of a project. Therefore, when life safety issues exist a Type I IEPR that includes SAR on the

¹ As defined in EC 1165-2-217, Glossary, "a 'decision document' is any product that provides analysis and recommendations for an Agency decision to obtain project authorization to commit Federal funds for project implementation or project modification. A decision document is the basis for approval to send/receive funds as a result of entering into agreements with other agencies or organizations including those to obtain Congressional authorization."

decision document is required. This is accomplished through coordination with the Risk Management Center (RMC) to define the Review Charge to account for the potential life safety issues.

Documents that Require Type I IEPR

This SOP addresses only Type I IEPR. It assumes that the Type I IEPR will be performed on the draft decision document; however, it is possible to perform Type I IEPR on interim written products leading to a decision document or even earlier in the planning process. For the purposes of this SOP, Type I IEPR is conducted on project study decision documents. It is critically important for decision documents (and supporting work products) that have public safety concerns, significant controversy, a high level of complexity, or significant economic, environmental, and social effects to the nation. However, it is not limited to only those cases and most studies should undergo Type I IEPR.

Potential for Type I IEPR Exclusion

IEPR should be scalable to the work product being reviewed. There may be cases that warrant excluding a project study or decision from undergoing a Type I IEPR. Table 4 lists the tasks for seeking such exclusion, and the process is fully described in Appendix C. The Vertical Team [district, major subordinate command (MSC), PCX, RMC, and HQUSACE] can advise the MSC Commander whether Type I IEPR is appropriate or if there is sufficient rationale to support an exclusion request. While the decision to not perform Type I IEPR is approved by the MSC Commander as outlined in this SOP; certain situations such as significant public controversy or a request by the head of another state/federal agency to conduct IEPR may require the Chief of Engineers to make the final decision-.

Applicability

This SOP applies to decision documents, regardless if developed by HQUSACE, MSCs, districts, laboratories, or field operating activities having civil works planning, engineering, design, construction, or operations & maintenance (O&M) responsibilities.

Cost of IEPR Contract

Type I IEPR is managed outside of the USACE. An OEO selects the Review Panel members. The IEPR process requires significant coordination across the USACE including the Project Delivery Team (PDT), appropriate PCX, MSC, Regional Integration Team (RIT), RMC, and HQUSACE staff. Type I IEPR Review Panel costs are a Federal expense and will not exceed \$500,000 unless the Chief of Engineers determines a higher cost may be appropriate in a specific case. Costs for contracting Type I IEPR Review Panels are at Federal expense and count towards the 3x3x3 study cost. Type I IEPR coordination costs (i.e. for the PCX IEPR Lead or for the PDT to respond to Panel comments are cost shared). For studies conducted by non-Federal interests, Type I IEPR costs will initially be borne by the non-Federal sponsor and, if the project is implemented, these costs may be eligible for credit, subject to the IEPR cost limit.

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Check for Updated Guidance Supporting this SOP

While every attempt has been made to ensure the accuracy of this SOP, personnel involved in the Type I IEPR process should also refer to regulations and supporting documentation outlined in Section 2 and check periodically for updates to these sources.

1. TYPE I IEPR PROCESS OVERVIEW

A Type I IEPR can be viewed as a three phase process: Planning and Acquisition, Review Execution, and Closeout. This diagram provides an overview that shows the primary activities in each phase.

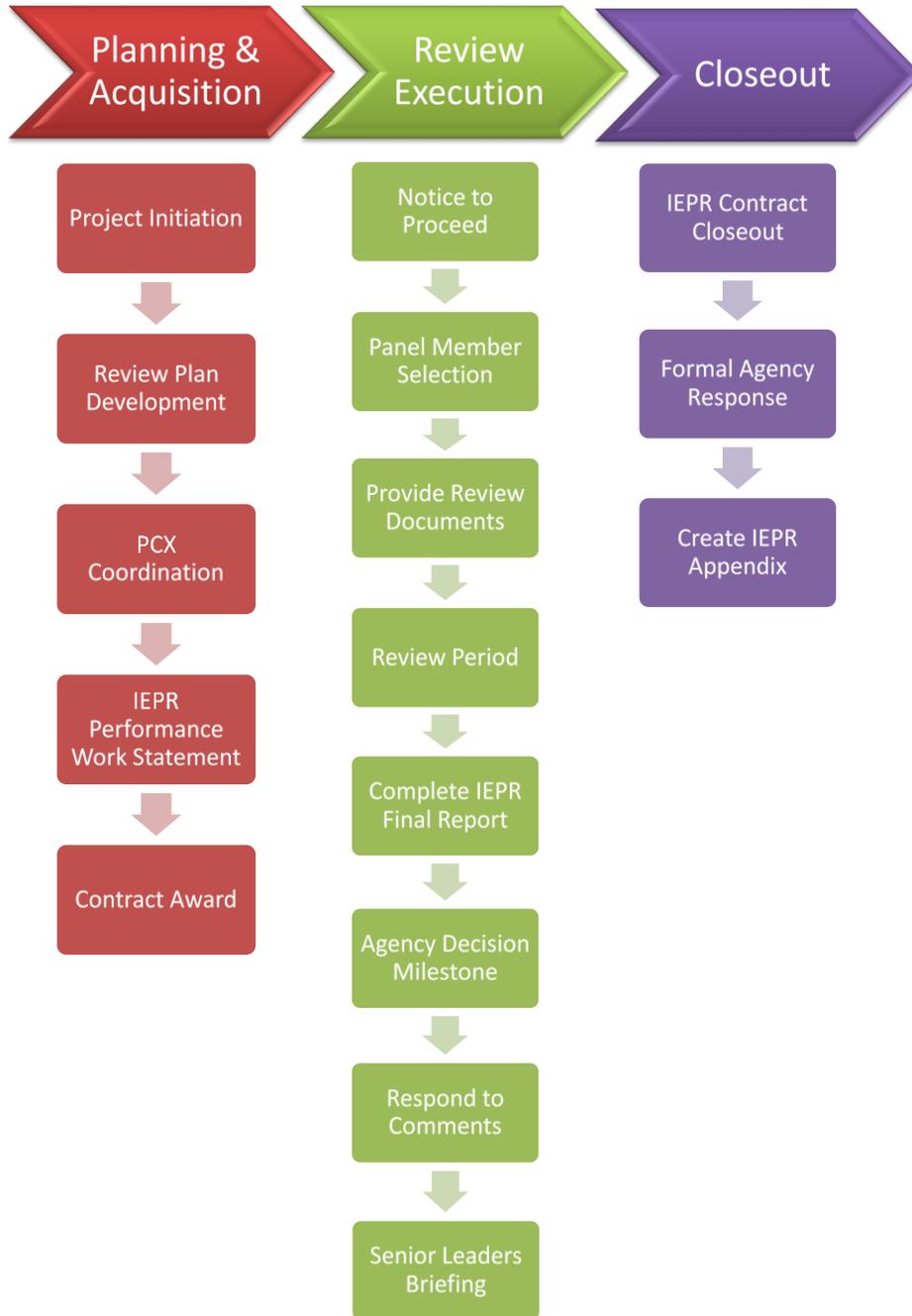


Figure 2. Type I IEPR Process Diagram

Tables 1 through 3 (one per phase) list the tasks to complete a Type I IEPR starting when a project is first identified and ending with project delivery team inclusion of IEPR information in the final decision document. For each task, additional information including detailed description, estimated duration, associated work assignments, and estimated cost is provided in Section 2 of this document.

Table 4 presents the list of tasks to obtain an exclusion from the Type I IEPR requirement, and these tasks are detailed in Appendix C.

Specific tasks shown in bold in Tables 1 – 4 are highly variable in cost and duration depending on the scope and complexity of the project, size and availability of the PDT and vertical team, and complexity of the IEPR comments. Therefore, time required and associated costs shown in these tables are estimated and should not be accepted as firm. These estimated durations and costs are based on a study of medium complexity and will vary along with a number of other factors that affect the duration and cost of Type I IEPR.

As a general guide, the cost of Type I IEPR contracts ranges from \$90,000 to \$200,000 or more. Associated costs are assumed to be costs to the District. For example, PDT time is a District cost. Associated District costs to support a Type I IEPR may range from \$30,000 to \$50,000. Costs for the PCX IEPR Lead generally range from \$26,000 to \$30,000.

As noted, duration will vary considerably, but as a general guide, Type I IEPR has typically been taking 90-120 days from the notice to proceed (NTP) to the Final IEPR Report.

TABLE 1. List of Type I IEPR Tasks — Planning and Acquisition Phase

Task	Task Description	Duration* (work days)	Effort** (hours)	Cost*** (\$)	Lead		
PLANNING AND ACQUISITION	1	Project Identified — Start Review Plan (RP) with Project Management Plan (PMP)	—	—	—	District	
	2	Type I IEPR Risk Informed Recommendation	5	15-20	\$1,500-\$2,000	Multiple	
	3	RP Prepared for Submission	5	8	\$800	District	
	4	RP Submitted to PCX	1	1	\$100	District	
	5	PCX Reviews/Endorses RP and Recommendation to Conduct IEPR	28	30	\$3,000	PCX	
	6	District Submits PCX-Endorsed RP to MSC	1	1	\$100	District	
	7a	MSC Approves RP and Recommendation to Conduct IEPR and Transmits to RIT	21	8	\$200	MSC	
	7b	RIT Transmits Letter of Decision to Conduct Type I IEPR to Congress and District Posts Approved RP to Public Website	1	2	\$200	RIT/ District	
	8	District Notifies PCX of IEPR Needs	1	1	\$100	District	
	9	PCX Assigns a PCX IEPR Lead/Contracting Officer Representative (COR), IWR, and potential Subject Matter Expert (SME) and Initial Coordination (PCX/Dist.) Efforts Commence (costs vary based on PCX IEPR Lead coordination with PDT, OEO, IWR, etc.)	7	200-250	\$26,000-\$30,000	PCX	
	10	District Provides Labor Funding to PCX IEPR Lead	2	2	\$200	District	
	11	District Reaffirms RP Documentation for IEPR Requirements	7	8	\$800	District	
	12	District Provides Information about Draft Review Documents to PCX IEPR Lead	7	8	\$800	District	
	13	PCX IEPR Lead Coordinates PWS ² and Review Charge with District	28	40	—	PCX	
	14	PCX IEPR Lead Coordinates with Contract Vehicle Organization (CVO)	7	16	—	PCX	
	15	PCX IEPR Lead Coordinates with CVO	1	4	—	PCX	
	16	PCX IEPR Lead Finalizes PWS, Review Charge, and IGE ³	1	8	—	PCX	
	17	District Provides MIPR ⁴ for IEPR Contract	5	4	\$400	District	
	17a	MIPR - Contract Funding for OEO @ IGE amount ****	IEPR Ranges from ~\$90K - \$200K****				
	18	PCX IEPR Lead Provides PWS, Review Charge, and IGE to CVO			—		
19	CVO Awards IEPR Contract	40	0	—	CVO		
20	Notify Congress and Public of Contract Award, IEPR Timeline, Panel, etc.	1	2	\$200	RIT/MSC		
PLANNING AND ACQUISITION PHASE TOTAL		169	413	\$38,900 (Contract not included)			

*May be Non-Continuous **Effort by Corps Personnel ***Cost to Project ****100% Federally Funded

Abbreviations:

- (1) DST — District Support Team
- (2) PWS — Performance Work Statement
- (3) IGE — Independent Government Estimate
- (4) MIPR — Military Interdepartmental Purchase Request (a Resource Management mechanism that can be used to move labor funds between Districts; not limited to military construction projects)

TABLE 2. List of Type I IEPR Tasks — Review Execution Phase

	Task	Task Description	Duration* (work days)	Effort** (hours)	Cost*** (\$)	Lead
REVIEW/EXECUTION PHASE	21	Provide Draft Review Documents to OEO	5	4	\$400	District
	22	Kickoff Meeting #1 with PDT/OEO/PCX IEPR Lead	5	2	\$800	OEO
	23	OEO Requests Input from USACE on Conflict of Interest (COI) Form	5	0	—	OEO
	24	PDT Provides Comments on COI Questionnaire	2	2	\$200	District
	25	OEO Submits Draft Work Plan	10	0	—	OEO
	26	PDT Provides Comments on Draft Work Plan	2	40	\$4,000	District
	27	Teleconference to Discuss Draft Work Plan and Review Charge (if necessary)	1	8	\$800	OEO
	28	OEO Submits Final Work Plan	3	0	—	OEO
	29	OEO Submits List of Selected Panel Members	15	0	—	OEO
	30	USACE Reviews Selected Panel Members for Potential COI	3	8	\$800	District
	31	OEO Completes Subcontracts with Panel Members	10	0	—	OEO
	32	PCX Provides Final Review Documents to OEO	1	2	\$200	District
	33	OEO Sends Review Documents to IEPR Panel – Panel Initiates Review	1	0	—	OEO
	34	Kickoff Meeting #2 with Review Panel and OEO/PCX IEPR Lead/PDT	2	14	\$1,400	OEO
	35	OEO Convenes a Mid-Review Teleconference with Panel and PDT	10	14	\$1,400	OEO
	36	Panel Members Complete Individual Reviews	20	0	—	OEO
	37	PDT Provides Public Comments to OEO	5	8	\$800	OEO
	38	Panel Members Provide Draft Final Panel Comments to OEO	6	0	—	OEO
	39	OEO Submits Final IEPR Report to USACE	20	0	—	OEO
	40	Type I IEPR Discussion During ADM				
	41	HQ and Congressional Coordination (IMPORTANT! – see Appendix D)	10	See 41a-e	Multiple	
	41a	PCX IEPR Lead Provides Final IEPR Report to HQ and District		1	—	PCX
	41b	PCX IEPR Lead asks District to post Final IEPR Report on its Website		1		
	41c	IEPR Report Posted on District Website	—	2	—	
	41d	Transmittal of Final IEPR Report to Congress		1	—	RIT
	41e	RIT Planner Coordinates Posting Final IEPR Report on USACE HQ Website		1	—	RIT
	42	OEO Inputs Final Panel Comments into DrChecks	2	0	\$200	OEO
	43	OEO Provides Final Panel Comment Response Template to USACE	10	0	—	OEO
	44	PDT Provides Draft Evaluator Responses & Clarifying Questions to PCX IEPR	10	60	\$6,000	District
	45	PCX IEPR Lead Conducts QC of Draft Eval. Responses & Clarifying Questions	2	10	—	PCX
	46	PDT Revises Draft Evaluator Responses and Clarifying Questions	3	15	\$1,500	District
	47	PCX IEPR Lead Provides Updated Draft Eval. Responses & Clarifying Qs to OEO	2	2	—	PCX
	48	Teleconference Between OEO, Panel, and USACE to Discuss Final Panel Cmts.	5	4	\$400	OEO
	49	USACE Inputs Final Evaluator Responses into DrChecks	5	4	\$400	District
50	OEO Inputs Panel Backcheck Responses into DrChecks	8	0	—	OEO	
51	OEO Submits PDF of DrChecks Project File	1	0	—	OEO	
52	PCX IEPR Lead Transmits Panel Backcheck of PDT Responses to the District	2	1	—	PCX	
53	End of Active Review Period	1	0	—	OEO	
54	OEO Contract Closeout	45	0	—	CVO	
REVIEW EXECUTION PHASE TOTAL			232	200	\$19,350	

*May be Non-Continuous

**Effort by Corps Personnel

***Cost to Project

TABLE 3. List of Type I IEPR Tasks — Closeout Phase

	Task	Task Description	Duration* (work days)	Effort** (hours)	Cost*** (\$)	Lead
CLOSEOUT PHASE	55	Draft Agency Response Preparation (IMPORTANT! – see Appendix E)	10	40	\$4,000	District
	56	Draft Agency Response Submitted to RIT	1	2	\$200	District
	57	Comments Provided by RIT on Draft Agency Response	20	0	—	RIT
	58	Final Draft Agency Response Submitted to RIT	5	20	\$2,000	District
	59	RIT Prepares and Routes Final Agency Response along with Chief’s Report for Approval	10	0	—	RIT
	60	RIT Planner Coordinates Posting Agency Response on USACE Website	5	0	—	RIT
	61	RIT Planner prepares Agency Response Transmittal to Senate Environment and Public Works (EPW) and House Transportation and Infrastructure (TI) Committees	2	0	—	RIT
	62	Transmittal of Agency Response to Congress	1	0	—	RIT
	63	RIT Planner Sends Agency Response to PCX, MSC, and District	1	0	—	RIT
	64	MSC and District Post Agency Response on Websites	10	2	\$200	District
	65	Add Type I IEPR Information in the Final Decision Document	1	8	\$800	District
CLOSEOUT PHASE TOTAL			665	72	\$7,200	

*May be Non-Continuous

**Effort by Corps personnel

***Cost to Project

TABLE 4. Tasks to Obtain a Type I IEPR Exclusion

	Task No.	Task Description	Duration (work days)	Effort** (hours)	Cost*** (dollars)	Lead	
TYPE I IEPR EXCLUSION	(2)	(Complete Tasks 1 and 2. If the PDT recommends excluding Type I IEPR from the study, complete the following tasks. IMPORTANT! See Appendix C for details of exclusion process, Tasks EXC a – EXC h.)	See subtasks				
	EXC a	Draft RP submitted to PCX	1	2	\$200	District	
	EXC b	PCX Reviews Exclusion Request, Consults with District	10	50	\$5,000	PCX	
	EXC c	Revisions to RP/Exclusion Request (if needed)	5	20	\$2,000	District	
	EXC d	PCX Endorses RP and Exclusion Request	5	10	\$1,000	PCX	
	EXC e	District Submits Exclusion Request and RP to MSC	5	10	\$1,000	District	
	EXC f	MSC Approves Recommendation and Transmits Exclusion to HQ	15	0	—	DST	
	EXC g	RIT Processing of Memorandum for Record (MFR)	10	0	—	RIT	
	EXC h	Notify Congress and Public of IEPR Exclusion Approval	10	0	—	RIT	
TYPE I IEPR EXCLUSION TOTAL			61	92	\$9,200		

* May be Non-Continuous

**Effort by Corps personnel

***Cost to Project

2. STANDARD OPERATING PROCEDURE

The SOP for the Type I IEPR process is outlined in detail below, divided into its three phases: Planning and Acquisition, Review Execution, and Closeout. Each phase is broken down into a series of tasks. A simple listing of tasks, in the form of four tables, is provided at the end of Section 1 above. Below is a detailed description for each task, including the responsible party who has the lead for the task and, when possible, typical duration, typical level of effort, and typical costs.

2.1. Tasks in the Planning and Acquisition Phase

Tasks 1 through 20 represent the Planning and Acquisition phase of a Type I IEPR. This phase includes the efforts required from project identification through award of a contract for a Type I IEPR to the OEO and notification to Congress of the details of the IEPR.

Task 1 – Project Identified

DESCRIPTION: This task is the starting point for the process. As soon as a project is identified for study, work should begin to determine the level of review that will be needed. This task initiates Review Plan (RP) development, which typically begins along with Project Management Plan (PMP) development.

RESPONSIBLE PARTY: District

DURATION: Not applicable

ASSOCIATED EFFORT: Not applicable

APPROXIMATE COSTS: Not applicable

Task 2 –Type I IEPR Recommendation

DESCRIPTION: Type I IEPR is conducted on project studies. Type I IEPR is critically important for decision documents and supporting work products that have public safety concerns, significant controversy, a high level of complexity, or significant economic, environmental, and social effects to the nation. However, the determination is not limited to only those criteria and many studies should undergo Type I IEPR. Any work product, report, evaluation, or assessment that undergoes District Quality Control (DQC) review and Agency Technical Review (ATR) also MAY be required to undergo Type I IEPR under certain circumstances. A deliberate, risk informed recommendation whether to undertake Type I IEPR shall be made and documented by the PDT.

Based on the criteria in the DCW Memorandum (dated 5 April 2019) titled: Interim Guidance on Streamlining Independent External Peer Review (IEPR) for

Improved Civil Works Product Delivery, the PDT will consider relevant risks and determine whether to:

- recommend Type I IEPR be conducted, or
- recommend Type I IEPR be excluded from the project study.

Risk-informed recommendation process

This process shall explicitly consider the consequences of non-performance on project economics, the environment, and social well-being (public safety and social justice), as well as indicate whether the project is likely to contain influential scientific information or be a highly influential scientific assessment or involve any other issues that provide a rationale for determining the appropriate level of review. Furthermore, if exclusion is recommended, the recommendation must make a case that the study is so limited in scope or impact that it would not significantly benefit from Type I IEPR.

Is Type I IEPR mandatory?

The PDT assesses whether Type I IEPR is mandatory for their project study. Type I IEPR is mandatory in cases that meet certain criteria that indicate the risk and magnitude of the proposed project are such that a critical examination by a qualified team outside of USACE is warranted. See DCW Memorandum (dated 5 April 2019) titled: Interim Guidance on Streamlining Independent External Peer Review (IEPR) for Improved Civil Works Product Delivery for more information on mandatory criteria.

Rationale for exclusion

Meeting the specific conditions identified for possible exclusions is not, in and of itself, sufficient grounds for recommending an exclusion, per the DCW Memo dated 5 April 2019.

Type II IEPR

Note that if the PDT determines there could be a life-safety component to the study, Type II IEPR should be initiated during the study phase and coordination with the RMC should occur to make this determination. Type II IEPR is fully described in EC 1165-2-217 and is not further discussed in this SOP.

RESPONSIBLE PARTY: PDT (and Vertical Team if necessary)

DURATION: 5 days for PDT

ASSOCIATED EFFORT: 15-20 hours for PDT

APPROXIMATE COSTS: \$1,500-\$2,000

Task 3 – RP Prepared for Submission

DESCRIPTION: The risk informed process by which the PDT reached its recommendation to either conduct or exclude Type I IEPR, as well as the recommendation itself,

should be presented and discussed in the RP. This incorporation of the recommendation process into the RP will serve as formal documentation of the process as required by EC 1165-2-217 Paragraph 15.c. Additionally, an execution plan for the Type I IEPR should be included in the RP per EC 1165-2-217 Paragraph 7.e.(b)(11). The RP should include the review schedules, cost estimates for reviews, specialized review disciplines needed, and the need for Type I IEPR and for model review.

If the PDT's risk-informed recommendation is that a Type I IEPR exclusion should be pursued, skip to Tasks EXC a – EXC h, listed in Table 4 and detailed in Appendix C of this SOP. If IEPR is recommended, continue to Task 4.

RESPONSIBLE PARTY: PDT
DURATION: 5 days
ASSOCIATED EFFORT: 8 hours for PDT
APPROXIMATE COSTS: \$800

Task 4 – RP Submitted to PCX

DESCRIPTION: This task describes the submission of a draft RP to the relevant PCX(s) for review and endorsement. The RP should be complete and consistent with requirements outlined in EC 1165-2-217 and following the RP template.

RESPONSIBLE PARTY: PDT
DURATION: 1 day
ASSOCIATED EFFORT: 1 hour for preparing the email transmission
APPROXIMATE COSTS: \$100

Task 5 – PCX Reviews/Endorses RP and Recommendation to Conduct Type I IEPR

DESCRIPTION: This task encompasses the PCX review process for the RP submitted by the District. This task begins at the submission of the RP by the District and concludes with the Endorsement Memorandum prepared by the PCX and submitted to the District and the MSC, including explicit PCX concurrence with the recommendation to perform Type I IEPR. This task generally involves some coordination between the District and the PCX during the review for edits and revisions to the RP prior to endorsement.

RESPONSIBLE PARTY: PCX
DURATION: 4 weeks
ASSOCIATED EFFORT: 30 hours

APPROXIMATE COSTS: \$3,000. The PDT will need to provide this funding as a cross charge labor code for the PCX as instructed. The funding is used by the RP reviewer assigned by the PCX. It is not for the PCX IEPR Lead.

Task 6 – District Submits PCX-Endorsed RP to MSC

DESCRIPTION: This task covers the submittal of the endorsed RP to the appropriate MSC. The District will formally submit the PCX-endorsed RP to their MSC to obtain MSC approval of the RP.

RESPONSIBLE PARTY: PDT

DURATION: 1 day

ASSOCIATED EFFORT: 1 hour for generation of an email transmitting the information to the MSC.

APPROXIMATE COSTS: \$100

Task 7a – MSC Approves Endorsed RP and Recommendation to Conduct Type I IEPR and Transmits Approval to Regional Integration Team

DESCRIPTION: This task encompasses the MSC review process for the RP. This task begins at the submission of the endorsed RP to the MSC by the District and concludes with the Approval Memo prepared by the MSC and sent to the District and RIT. This task generally involves some coordination and exchange of information between the District and the MSC during the review prior to approval. Upon completion of the MSC RP approval, the MSC must immediately transmit the RP and transmittal memo to the District and to the responsible RIT.

RESPONSIBLE PARTY: MSC District Support Team (DST)

DURATION: 14-21 days

ASSOCIATED EFFORT: 8 hours

APPROXIMATE COSTS: \$200 – for any coordination or information gathering the MSC might require of the District prior to approval.

Task 7b – Regional Integration Team Transmits Letter of Decision to Conduct Type I IEPR to Congress and District Posts Approved RP to Public Website

DESCRIPTION: Upon receipt of the MSC approved RP and transmittal memo, the RIT will prepare and transmit a letter, signed by the HQ Chief of Planning to the Senate EPW Committee and the House TI Committee with a copy provided to the Assistant Secretary of the Army for Civil Works [ASA(CW)]. The letter will notify Congress of the intent to conduct or not conduct Type I IEPR. The decision will be made available to the public by the District posting of the RP on its public

website within 7 days of MSC approval. Any change in the decision to conduct or not conduct IEPR, for example due to public controversy or the request by the head of a Federal or State agency shall also require public, congressional, and ASA(CW) notification.

RESPONSIBLE PARTY: RIT/District
DURATION: RIT letter to Congress and District posting of approved RP within 7 days of MSC RP approval.
ASSOCIATED EFFORT: 3 days for drafting/routing of memo; 2 hours for District website posting
APPROXIMATE COSTS: \$200

Task 8 – PDT Notifies PCX of Type I IEPR Needs

DESCRIPTION: *District notification to PCX*
In this task the District provides a formal, direct notification to the PCX(s) that Type I IEPR will need to be initiated. It is imperative that the District provide the PCX(s) with ample time to begin the formal Type I IEPR acquisition process. Schedules often change after the PCX has endorsed the RP and it is difficult for the PCXs to continuously track the status of individual projects.

PCX acknowledgement of notification

The PCX should acknowledge receipt of the District’s notification of the need for Type I IEPR; if such acknowledgement is not promptly received, the District should follow up and ensure the PCX is aware of the need. This task should occur approximately 4 months prior to need for IEPR review to commence.

RESPONSIBLE PARTY: PDT
DURATION: 1 day
ASSOCIATED EFFORT: 1 hour for generation of email notification and a follow-on phone call
APPROXIMATE COSTS: \$100

Task 9 – PCX Assigns a PCX IEPR Lead and Initial Coordination (PCX/District) Efforts

Commence

DESCRIPTION: *Qualities and skills needed in a PCX IEPR Lead*
A PCX IEPR Lead will be assigned by the PCX to manage the coordination of the IEPR. This PCX IEPR Lead will be the PCX Primary Point of Contact (POC) for the Type I IEPR of the specific project study. The PCX IEPR Lead should have the following skills/qualities: self-directed, schedule-disciplined, assertive, diplomatic, critical thinking, awareness of contracting procedures/contracting officer’s representative (COR) roles and responsibilities, facilitation, conflict management, and awareness of when issues need to be elevated.

NOTE: A PCX Subject Matter Expert (SME) and/or a PCX COR may also be assigned, in addition to the PCX IEPR Lead, to ensure the qualities and skills described above are adequately covered.

PCX IEPR Lead initiates communication with District

The PCX IEPR Lead will initiate communication with the study lead to obtain information to develop the PWS, Review Charge, IGE, and PCX cost estimate for the review. Information requested should include: critical schedule dates, status/documentation of draft decision documents, and existing study documents such as maps, report synopsis, and/or other background information to aid in development of the PWS, Review Charge, and IGE.

The PCX IEPR Lead will also address funding needs, which shall be provided via cross charge labor code(s). Funds for this task cover all PCX IEPR Lead efforts, and PCX SME and COR efforts as appropriate, from this point forward to completion of IEPR.

RESPONSIBLE PARTY: PCX
DURATION: Within 1 week of notification from the District of a need for Type I IEPR
ASSOCIATED EFFORT: From 200 to 250 hours, depending on SME and COR needs
APPROXIMATE COSTS: ~\$26,000 - \$30,000, to cover all PCX IEPR Lead, COR, Institute for Water Resources (IWR), and potential SME efforts, through IEPR completion.

- Costs for the PCX IEPR Lead are approximately \$18,000.
- Costs for the COR are approximately \$3,000.
- Costs for IWR administrative tasks are approximately \$5,000.
- Costs for SME involvement (if necessary) are approximately \$3,000.

Note: many times the same person can fulfill Lead, COR, IWR, and SME roles. PDT's should be aware of all costs and the potential need to allocate funds accordingly.

Costs for this task can vary widely depending on project complexity and PCX IEPR Lead coordination with IWR, OEO, PDT, etc. When applicable, approximately \$3k should be allocated for SME involvement and \$3k should be allocated for COR involvement (if the COR is different from the PCX IEPR Lead); otherwise all funds should be provided to the PCX IEPR Lead.

Task 10 – PDT Provides Labor Funding to PCX IEPR Lead

DESCRIPTION: The PCX IEPR Lead must receive labor funds (cross charge labor code) from the District before initiating their efforts.

RESPONSIBLE PARTY: PDT

DURATION: 2 days
ASSOCIATED EFFORT: 2 hours
APPROXIMATE COSTS: \$200

Task 11 – PDT Reaffirms RP Documentation for Type I IEPR Requirements

DESCRIPTION: The review documents (decision documents to be reviewed, along with appendices and any additional supporting documents), level of effort, funding requirements, and review schedule should be updated at this point. The purpose of this task is to ensure that the Type I IEPR approach as outlined in the approved RP is still consistent with review needs of the study (i.e., number of reviewers, items for reviews, disciplines, etc.). This can prevent the possibility of setting up reviewers who are not needed and must be released inconveniently late in the process or, conversely, scrambling to add reviewers when it has become far more difficult to do.

RESPONSIBLE PARTY: PDT
DURATION: 1 week
ASSOCIATED EFFORT: 8 hours
APPROXIMATE COSTS: \$800

Task 12 – PDT Provides Project Related Information to PCX IEPR Lead

DESCRIPTION: The District should provide information related to report documents (which are in draft form at this point), appendices, and supporting information to the PCX IEPR Lead prior to development of the PWS, Review Charge, and IGE, all of which are addressed in the Type I IEPR Kick-off Call Agenda Template (see templates for PWS, Review Charge, and IGE). It is imperative that the District complete this task as soon as possible. At a minimum the District should provide a list of the documents and the estimated number of pages in each to allow the PCX IEPR Lead to begin working on the PWS, Review Charge, and IGE.

RESPONSIBLE PARTY: PDT
DURATION: 1 week
ASSOCIATED EFFORT: 8 hours
APPROXIMATE COSTS: \$800

Task 13 – PCX IEPR Lead Develops/Coordinates PWS, Review Charge, and IGE

DESCRIPTION: The PWS and Review Charge will be developed by the PCX IEPR Lead and coordinated with the District, based on information exchanged in Task 9 (see templates for PWS and Review Charge). Additionally, the PCX IEPR Lead will

coordinate and facilitate development of the Review Charge with the PDT, PCX, and, when appropriate, the RMC. The Review Charge will include standard charge questions (see Review Charge template) as well as project specific questions that should be primarily generated by the PDT due to their familiarity with the study and its potential issues/concerns.

RESPONSIBLE PARTY: PCX IEPR Lead

DURATION: 4 weeks

ASSOCIATED EFFORT: 40 hours

APPROXIMATE COSTS: PCX costs are included in funds provided for the PCX IEPR Lead via a cross charge labor code (see Task 9).

Task 14 – PCX IEPR Lead Coordinates with Contract Vehicle Office with PCX and District

DESCRIPTION: The Type I IEPR Review Panel will be established by the PCX through contract with an independent scientific and technical advisory organization that must be either a 501(c)(3) organization or the National Academy of Sciences (EC 1165-2-217, paragraph 11(g)(1)(b)). Following coordination with the District, the PCX IEPR Lead shall coordinate with the Contract Vehicle Office (CVO), which, for IEPR actions described in this SOP is IWR, to acquire the services of the OEO to conduct the Type I IEPR.

RESPONSIBLE PARTY: PCX IEPR Lead

DURATION: 1 week

ASSOCIATED EFFORT: 16 hours

APPROXIMATE COSTS: PCX costs are included in funds provided for the PCX IEPR Lead via a cross charge labor code (see Task 9).

Task 15 – PCX IEPR Lead Coordinates with CVO

DESCRIPTION: The PCX IEPR Lead makes initial contact with CVO to begin planning for contract award.

RESPONSIBLE PARTY: PCX IEPR Lead

DURATION: 1 day

ASSOCIATED EFFORT: 4 hours

APPROXIMATE COSTS: PCX costs are included in funds provided for the PCX IEPR Lead via a cross charge labor code (see Task 9).

Task 16 – PCX IEPR Lead Finalizes PWS, Review Charge, and IGE

DESCRIPTION:	Following the District’s review of the PWS and Review Charge (during coordination in Task 13), the PCX IEPR Lead, with coordination from the PDT, shall finalize the PWS and Review Charge, and the accompanying IGE (generally the District does not review the IGE). The PCX IEPR Lead should coordinate finalization of the PWS, Review Charge, and IGE with the appropriate PCX SME (when assigned). The appropriate PCX Operating/Technical Director may choose to review the PWS, Review Charge, and IGE prior to transmittal to the CVO.
RESPONSIBLE PARTY:	PCX
DURATION:	1 day
ASSOCIATED EFFORT:	8 hours
APPROXIMATE COSTS:	PCX costs are included in funds provided for the PCX IEPR Lead via a cross charge labor code (see Task 9).

Task 17 – District Provides MIPR for IEPR Contract

DESCRIPTION:	<p>The PCX IEPR Lead requests a Military Interdepartmental Purchase Request (MIPR) to be prepared by the District to fund the contract action with the OEO conducting the Type I IEPR.</p> <p><i>Contract MIPR</i></p> <ul style="list-style-type: none">• The CVO requires MIPR funds in-hand to award a contract, and will not put out a Request for Proposal (RFP) without a MIPR to award.• MIPR shall be prepared as Reimbursable.• Funding for the Type I IEPR contract award MIPR MUST be 100% Federal funding. These costs are NOT cost-shared. The MIPR to fund the contract with the OEO conducting the Type I IEPR shall be resourced in P2 as ADV&ASTSVC, assuming the proposal to conduct the Type I IEPR is acceptable and the decision to award over the IGE is documented in a Proposal Evaluation Memo prepared by the PCX IEPR Lead.• The District should provide a PDF copy of the MIPR to the CVO and the PCX IEPR Lead.• Any funds included in the MIPR greater than the actual contract award or fee amount shall be returned to the District after contract completion.
RESPONSIBLE PARTY:	District
DURATION:	5 days
ASSOCIATED EFFORT:	4 hours

APPROXIMATE COSTS: \$400 for District labor. IGE amount usually ranges from \$90,000 to \$200,000.

Task 18 – PCX IEPR Lead Provides PWS, Review Charge, and IGE to CVO

DESCRIPTION: The PCX IEPR Lead shall submit the PWS and accompanying IGE, along with the Review Charge, to the appropriate CVO. The CVO will then initiate the contracting action and issue an RFP from one or more OEOs, depending on the contract vehicle.

RESPONSIBLE PARTY: PCX IEPR Lead

DURATION: 1 day

ASSOCIATED EFFORT: 2 hours

APPROXIMATE COSTS: PCX costs are included in funds provided for the PCX IEPR Lead via a cross charge labor code (see Task 9).

Task 19 – CVO Awards Type I IEPR Contract

DESCRIPTION: Following the PCX IEPR Lead proposal evaluation, contract negotiations, and revisions to the PWS and/or IGE (as necessary), the CVO shall award the OEO a contract to conduct the Type I IEPR. The PCX IEPR Lead should be aware of contracting actions necessary for award of contract.

RESPONSIBLE PARTY: CVO

DURATION: Depending on the proposal evaluation and any negotiation process, the time to award the contract varies. For planning purposes, allow for ~40 business days between submittal of the contract package to the CVO and Notice to Proceed (NTP). An additional 2 weeks may be necessary if contract negotiations are required. The CVO contracting action is essentially complete once the contract is awarded, though future contract modifications would require CVO action, such as cost modifications or no-cost period of performance adjustments.

ASSOCIATED EFFORT: The efforts associated with the Type I IEPR contract award are covered by cross charge labor code for the CVO's contract administration fee. APPROXIMATE COSTS: Costs for CVO/IWR administrative tasks are approximately \$5,000 and are cost-shared.

Task 20 – Notify Congress and Public of Contract Award, IEPR Timeline, Panel Members and their Qualifications, etc.

DESCRIPTION: The Review Management Organization (RMO), which is the PCX as described in this SOP, and PDT should notify the MSC and RIT that an IEPR contract has been awarded immediately after contract award. Prior to initiation of review by the Panel and based on the RP recommendation to conduct IEPR, the RIT provides notice that an IEPR will be conducted by posting information about the Type I IEPR on the HQUSACE public website. Type I IEPR information must contain the

beginning and ending dates of the IEPR (i.e., the anticipated date when the Panel officially initiates the review and the anticipated date of OEO submittal of the Type I Final IEPR Report to USACE) and the entity that has the contract for review. This notification will be made available to the public not later than 7 days after the task order is awarded. When the OEO completes subcontracts with the Panel, the RMO must also provide the names and qualifications of the Panel of experts to the RIT. The RIT will post the names and qualifications of the Panel of experts on the HQUSACE website not later than 7 days after Panel subcontracts are completed.

RESPONSIBLE PARTY: RIT

DURATION: Not later than 7 days after the Type I IEPR contract is awarded. Posting of Panel names and qualifications will be no later than 7 days after Panel subcontracts are in place.

ASSOCIATED EFFORT: 2 hours

APPROXIMATE COSTS: \$200 - PCX costs are included in funds provided for the PCX IEPR Lead via cross charge labor code (see Task 10)

2.2. Tasks in the Review Execution Phase

The Review Execution phase of a Type I IEPR effort, Tasks 21 through 54, represents the efforts required from the point following award of a contract for Type I IEPR to the OEO through closeout of the OEO contract. This phase has the most tasks, highlighting the significant effort required both before and after the actual review (note that the actual review occurs during Tasks 33-36). It's also important to note the time-sensitive nature of the steps to coordinate with USACE HQ and Congress (Task 41, and Appendix D). These steps must be performed quickly once the review is completed — it is essential to prepare for this coordination well in advance and not miss any deadlines.

Task 21 – PDT/PCX IEPR Lead Provides Draft Report Review Documents (if available) to OEO

DESCRIPTION: Ideally, the review documents (specified in the PWS) are available when NTP is issued, including all necessary updates/revisions. Providing the review documents as soon as NTP is issued allows for a very efficient Panel review. Any review documents that are not ready at this time will be provided to the OEO as part of Task 32 (separate reference material may also be provided and must be clearly identified as *reference only* and not included in the review).

Transmitting review documents to the OEO

USACE review documents can be provided to the OEO (and any external users) as electronic files via the Safe Access File Exchange (SAFE) website operated by the U.S. Army's Aviation and Missile Research, Development, and Engineering Center (AMRDEC). It is a good practice to advise the OEO recipient that they will receive an email from AMRDEC, not from a USACE person/name. AMRDEC SAFE is accessible through each District intranet site (Applications and Tools tab on the home page) and is user friendly for both parties. Alternately, the OEO may have file exchange servers that allow USACE to electronically transfer review/supporting documents quickly and securely.

OEO confirmation that review documents have been received

Upon receipt, the OEO should conduct an inventory to ensure that all documents are received, provide USACE the list of the documents received, and confirm that there are no missing sections or appendices.

RESPONSIBLE PARTY: District/PCX IEPR Lead

DURATION: 5 days

It is assumed that the District has provided at least an estimated page count of the review documents, or preferably early drafts of the documents themselves, during the pre-OEO phase to be used by the PCX IEPR Lead. At this task, the District should plan to provide the OEO with documents that have since been

updated/revised and are ready for concurrent review at the same time as the NTP, but no later than 5 days after the NTP is issued.

ASSOCIATED EFFORT: The task of providing review documents to the OEO is simple, assuming the PDT has completed their development of material for concurrent review by this time. The actual transmittal of documents and confirmation of OEO receipt of the documents can be completed in 4 hours or less.

APPROXIMATE COSTS: \$400

Task 22 – OEO Hosts Kickoff Meeting #1 with PDT and PCX IEPR Lead

DESCRIPTION: The first official activity after the OEO receives the Type I IEPR NTP is a kick-off meeting between the PDT, the OEO, and the PCX IEPR Lead. The purpose of the meeting is to review the suggested schedule, discuss the Type I IEPR process, and address any questions regarding the scope (e.g., clarify expertise areas needed for Panel members). The project teams for both USACE and the OEO are introduced, the process is described in detail, the availability of the review documents is discussed, the Panel requirements and level of effort are reviewed, and the schedule is discussed in detail. This allows the OEO to ask questions about the project prior to developing the Work Plan. This meeting is critical to USACE and the OEO for developing a mutual understanding of the process, deadlines that must be met, and project details.

RESPONSIBLE PARTY: District, PCX IEPR Lead, and OEO

DURATION: NTP + 5 days

ASSOCIATED EFFORT: The actual meeting typically takes 1 to 2 hours depending on the complexity of the project.

APPROXIMATE COSTS: \$200 - \$800 depending on PDT involvement and duration of the meeting. PDT involvement at this meeting is at the discretion of the District, but participation of the PM and/or Lead Planner is critical. Costs to the OEO are covered under contract. PCX IEPR Lead costs are included in the cross charge labor code.

Task 23 – OEO Requests Input from PDT on the Conflict of Interest (COI)

Questionnaire

DESCRIPTION: To ensure integrity of the Type I IEPR results it is critical that both the OEO conducting the peer review and the Panel members participating in the peer review be free from conflicts of interest (COI) to ensure the objectivity of reviewers. Panel members should be screened for COI based on relevant policy and guidance from the National Academy of Sciences (May 2003) and Office of Management and Budget (OMB) (December 2004). As an unbiased Panel is essential to successful completion of the Type I IEPR process, the OEO should

be meticulous in recruiting the peer review panel. The first step in the process is the preparation of a COI screening questionnaire, which initially includes a list of potential COI issues common to all Type I IEPR reviews. At a minimum, the OEO should then use the review documents and pertinent supplemental information to identify potential COI issues specific to each project. In addition the USACE should provide the OEO with information on any other project-specific COI issues that they have identified.

RESPONSIBLE PARTY: OEO
DURATION: NTP + 5 days
ASSOCIATED EFFORT: Effort based on OEO contract
APPROXIMATE COSTS: Included in OEO contract

Task 24 – PDT Provides Comments on COI Questionnaire

DESCRIPTION: The PDT will review the COI Questionnaire and provide comments or feedback on questions to be asked of the Review Panel members (once they are selected in Task 29).

Panel reviewers and OEO staff involved in the Type I IEPR will be required to demonstrate that they (1) have no known existing or potential conflicts of interest associated with the task, and (2) have identified and disclosed in writing all known existing or potential conflicts of interest associated with the task. Evaluation for COI must be in accordance with EC 1165-2-217 Review Policy for Civil Works, OMB guidelines (2004), and National Academies guidance from its Policy on Committee Composition and Balance and Conflicts of Interest for Committees Used in the Development of Reports (2003).

RESPONSIBLE PARTY: PDT
DURATION: NTP + 7 days
ASSOCIATED EFFORT: 1-2 hours for District reviewer
APPROXIMATE COSTS: \$100-\$200

Task 25 – OEO Submits Draft Work Plan

DESCRIPTION: Based on the tasks defined in the PWS the OEO prepares a detailed Work Plan that defines the steps of the individual review process by task, level of effort, and schedule to ensure timely review. Work Plans ensure that the project is executed according to the scope, within budget, and on schedule. The Work Plan contains the number and required skills of the peer review panel and lines of responsibility of the OEO staff and panel members. It includes the Review

Charge to the Type I IEPR Panel, which defines the objective of the Type I IEPR and provides instructions regarding the specific input sought.

RESPONSIBLE PARTY: OEO
DURATION: NTP + 10 days
ASSOCIATED EFFORT: Effort based on OEO contract
APPROXIMATE COSTS: Included in OEO contract

Task 26 – PDT/PCX IEPR Lead Provide Comments on Draft Work Plan

DESCRIPTION: USACE provides comments on the draft Work Plan submitted by the OEO. The PCX IEPR Lead serves as coordinator/facilitator of the draft Work Plan with the PDT and the OEO.

RESPONSIBLE PARTY: PDT/PCX IEPR Lead

DURATION: NTP +12 days

ASSOCIATED EFFORT: PDT members should anticipate spending 1 to 2 hours each reviewing the draft Work Plan.

APPROXIMATE COSTS: \$1,500 - \$3,000 depending on the size of the PDT. PCX costs included in cross charge labor code provided.

Task 27 – OEO Hosts Teleconference to Discuss Draft Work Plan and Review Charge (if necessary)

DESCRIPTION: If there are lingering or unresolved questions about the draft Work Plan and Review Charge, a teleconference call between the OEO, PDT, and PCX IEPR Lead should be arranged to quickly clarify any outstanding issues.

RESPONSIBLE PARTY: OEO

DURATION: 1-2 hours per PDT member participating

ASSOCIATED EFFORT: The host should: first, set up a conference call line and possibly a web meeting and, second, send a meeting request through MS Outlook to all team members. It is a best practice to provide the teleconference (and webmeeting, if any) phone/meeting number and access/security codes in the meeting request.

APPROXIMATE COSTS: \$100-\$200 per PDT member

Task 28 – OEO Submits Final Work Plan

DESCRIPTION: Once all outstanding questions are resolved, the OEO will submit the final version of the Work Plan for acceptance by the PCX IEPR Lead and PDT.

RESPONSIBLE PARTY: OEO

DURATION: NTP + 15 days
ASSOCIATED EFFORT: The Final Work Plan may be disseminated via email and/or SharePoint site.
APPROXIMATE COSTS: Included in OEO contract

Task 29 – OEO Submits Initial List of Recommended Panel Members

DESCRIPTION: For each Type I IEPR, the OEO recruits a panel of experts who meet the technical and professional requirements described in the PWS. The OEO must adhere to procedures described in EC 1165-2-217 and OMB guidelines (2004) when selecting panel reviewers. Additionally, the National Academy of Sciences (2003) Policy on Committee Composition and Balance and COI for Committees Used in the Development of Reports guidance should be used to determine the recommended list of reviewers in accordance with COI protocols. The OEO will make initial selections of panel reviewers.

RESPONSIBLE PARTY: OEO

DURATION: NTP + 17 days

ASSOCIATED EFFORT: Included in OEO contract

APPROXIMATE COSTS: Included in OEO contract

Task 30 – USACE Reviews Selected Panel Members for Potential COI

DESCRIPTION: The USACE shall review the credentials, technical expertise relative to the project, and biographies of the recommended reviewers. The PDT should inform the OEO of any recognized COI issues a recommended reviewer may have such as a reviewer’s firm having an existing contract with the USACE. This input should be used to determine if any real or perceived COI exists for a potential reviewer. This is not an “approval” by USACE of selected Panel members; rather, it is a statement that USACE either is or is not aware of any COI in relation to the project.

RESPONSIBLE PARTY: PDT/PCX IEPR Lead

DURATION: NTP + 19 days

ASSOCIATED EFFORT: 4-8 hours for full review of potential COI for recommended reviewers.

APPROXIMATE COSTS: \$400 - \$800 for PDT. PCX costs included in cross charge labor code provided.

Task 31 – OEO Completes Subcontracts with Panel Members

DESCRIPTION: *USACE completes review of Review Panel members*
USACE review of panel members is required before OEO can complete subcontracts with individual reviewers. First, USACE must complete: (1) COI-related review of OEO-selected panel members (Task 30) and (2) PCX IEPR Lead

approval, in coordination with the PCX, of the Review Panel members initially selected by the OEO.

OEO obtains services of Review Panel members

The OEO will begin the process to obtain the panel members' services under subcontract of the USACE Type I IEPR contract with the OEO. The OEO will submit to each selected Panel member an RFP to participate in the Type I IEPR. As part of the RFP package, the OEO will include a PWS that describes the Panel member's activities associated with the Type I IEPR. Upon receipt of the Panel member's written quotation and willingness and ability to participate, the OEO executes a contract with each Panel member at agreed upon rates and hours to secure participation.

- RESPONSIBLE PARTY: OEO
- DURATION: NTP + 23 days
- ASSOCIATED EFFORT: Included in OEO contract
- APPROXIMATE COSTS: Included in OEO contract

Task 32 – PCX IEPR Lead Provides Review Documents to OEO

DESCRIPTION: The PCX IEPR Lead, in coordination with the District, shall submit electronically any remaining review documents (or newer revisions) to the OEO, if the full set of complete documents has not already been provided (Task 21). The review documents will be those documents, appendices, and other supporting documentation for which review is required as described in the PWS (separate material clearly identified as reference only may also be provided if it was not already provided during Task 21).

As in Task 21, the OEO should provide confirmation of documents received, and the PCX IEPR Lead should ensure the OEO has received the complete package of review documents.

See Task 21 for methods to securely transfer electronic files.

- RESPONSIBLE PARTY: District/PCX IEPR Lead
- DURATION: Within 1 day after OEO completes subcontracts with Review Panel members (Task 31) or submission of the Final Work Plan (Task 28), whichever is later.
- ASSOCIATED EFFORT: 2 hours
- APPROXIMATE COSTS: \$200 for PDT. PCX costs included in cross charge labor code provided.

Task 33 – OEO Submits Review Documents to Type I IEPR Panel Members and Initiates the Review

DESCRIPTION: The OEO electronically submits the review documents and Review Charge to the Panel members. Upon receipt of review documents and Review Charge, the Panel members shall begin review.

RESPONSIBLE PARTY: OEO/Panel

DURATION: Within 1 day of Task 32

ASSOCIATED EFFORT: Included in OEO contract

APPROXIMATE COSTS: Included in OEO contract

Task 34 – Kickoff Meeting #2 with Review Panel and OEO/PCX IEPR Lead/PDT

DESCRIPTION: The OEO convenes a kickoff meeting between the OEO, PCX IEPR Lead, PDT, and Review Panel. The purpose of the kickoff meeting is for the PDT to provide the Panel with a briefing of the project. This briefing shall consist of a background description of the project, site photos, a summary of alternatives considered, the Tentatively Selected Plan (TSP) if applicable, and any other relevant information that the Panel should be aware of to conduct their review. This meeting is held via webmeeting and/or conference call.

RESPONSIBLE PARTY: PDT/PCX IEPR Lead/OEO/Panel

DURATION: Within 1 day of Task 33

ASSOCIATED EFFORT: 2 hours for meeting participation and 4 hours for the PDT to prepare the kickoff presentation (five PDT members are assumed for the meeting and one to prepare the presentation).

APPROXIMATE COSTS: \$1,000-\$1,400 for PDT. PCX costs included in cross charge labor code provided.

Task 35 – OEO Convenes a Mid-Review Meeting with Panel and PDT

DESCRIPTION: The OEO convenes a mid-review meeting between the OEO, PDT, PCX IEPR Lead, and Panel. The purpose of the mid-review meeting is to have the Panel ask any clarifying questions of the PDT, which are intended to assist the Review Panel in its preparation of Final Panel Comments as well as to potentially reduce the number of final panel comments. The Panel is directed by the OEO not to provide any comments or make any suggestions to the PDT related to the review documents during this meeting. This meeting is held via webmeeting and/or conference call.

RESPONSIBLE PARTY: PDT/PCX IEPR Lead/OEO/Panel

DURATION: By approximately day 10 of Task 33

ASSOCIATED EFFORT: 2 hours

APPROXIMATE COSTS: \$200-\$300 per PDT participant. PCX costs included in cross charge labor code provided.

Task 36 – Panel Members Complete Initial Reviews

DESCRIPTION: This task is the completion of review of documents by Type I IEPR Panel members. Members review the documents individually, addressing the Review Charge questions, and provide their individual review comments to the OEO.

RESPONSIBLE PARTY: OEO

DURATION: By day 20 of Task 33

ASSOCIATED EFFORT: Included in OEO contract

APPROXIMATE COSTS: Included in OEO contract

Task 37 – PDT Provides Public Comments to OEO

DESCRIPTION: Per the 2007 Water Resources Development Act (WRDA) Section 2034(d)(3) the PDT will collect all public comments received during the public review period and submit them to the OEO for dissemination to the Panel. The Panel is required to review public comments as part of their charge. Reviewing public comments can help bring awareness to issues or concerns the public or stakeholders may have about a study recommendation that may not have been clear or understood through a review of the report documents alone.

The Panel's review of public comments will occur prior to finalization of Panel comments and prior to delivery of the Final IEPR Report. The PDT will electronically deliver combined public comments to the OEO generally within five days of the close of the public comment period. Any organization of public comments (i.e. stakeholder letters combined, form letters grouped, etc.) can help the Panel complete their review more quickly.

RESPONSIBLE PARTY: PDT

DURATION: Within 5 days of the close of public review

ASSOCIATED EFFORT: 8 hours

APPROXIMATE COSTS: \$800

Task 38 – Panel Members Provide Draft Final Panel Comments to OEO

DESCRIPTION: This step is not complete until Panel members have had a chance to look at all public comments submitted on the review documents. In concert with this task, Panel review on all provided documents aside from public comments should be complete within 20 days of review initiation (Task 33). However,

Final Panel Comments should not be provided to the OEO until the Panel has had a chance to look at public comments which are provided to the OEO by the PDT generally within five days of the end of the concurrent review period. This means Final Panel Comments are generally provided to the OEO within seven days of the end of the concurrent review period, in accordance with the PWS schedule. After completing their review and discussing key issues with the OEO, Panel members assemble their Final Panel Comments and submit them to the OEO for incorporation into the Final Type I IEPR Report.

RESPONSIBLE PARTY: Review Panel
DURATION: Within 5 days of Task 37
ASSOCIATED EFFORT: Included in OEO contract
APPROXIMATE COSTS: Included in OEO contract

Task 39 – OEO Submits Final Type I IEPR Report to USACE

DESCRIPTION: The Final IEPR Report is submitted as final because the Panel’s opinions on the project are final; the report is not subject to review, comments, or revisions. The format of the report is standard and includes a bibliography to document the references provided in the scope of work and those cited by the Panel in the Final Panel Comments. The Final IEPR Report contains a list of the Panel members and a summary of their qualifications, the methodology used to conduct the Type I IEPR, a discussion of the Panel members’ findings, the Final Panel Comments (included as an appendix), and an overall comment statement from the Panel presenting its opinion of the assessment of the adequacy and acceptability of the economic, engineering, and environmental methods, models, and analyses used. While the USACE peer review policy (EC 1165-2-217) requires the Final IEPR Report to be delivered no later than 60 days following the close of the public comment period, the PDT, RMO, RIT, and OEO should coordinate to have the Final IEPR Report delivered within 45 days (as defined in the PWS) of the end of the public comment period to allow for a contractual completeness review by the PCX IEPR Lead.

RESPONSIBLE PARTY: OEO
DURATION: Within 20 days of Task 38
ASSOCIATED EFFORT: Included in OEO contract
APPROXIMATE COSTS: Included in OEO contract

Task 40 – Type I IEPR Discussion During ADM

DESCRIPTION: The Final IEPR Report is a required deliverable before the the ADM meeting can be held. Generally, lead OEO staff will attend the ADM via teleconference

though sometimes a lead Panel member is also asked to participate (see the PWS for attendance requirements). This task requires coordination between the PDT, OEO, MSC, RIT, and OWPR staff. The PCX IEPR Lead helps coordinate OEO involvement.

RESPONSIBLE PARTY: OEO and Review Panel (as defined in the PWS)/PCX IEPR Lead

DURATION: 2-4 hours to attend the teleconference and webmeeting

ASSOCIATED EFFORT: Included in OEO contract.

APPROXIMATE COSTS: Included in OEO contract

DO NOT OMIT THE FOLLOWING STEP! – SEE APPENDIX D FOR DETAILED INFORMATION

Task 41 – HQ and Congressional Coordination (IMPORTANT!)

DESCRIPTION: There are extremely important and time sensitive steps that must quickly be completed once the OEO submits the Final IEPR Report to the USACE. A step-by-step guide to completing activities such as posting the Final IEPR Report on various websites and transmitting the report through the RIT to Congress (subtasks 41a – 41e) is provided in Appendix D. Please refer to that Appendix for more detailed information. Coordination amongst all involved personnel is essential to completing this task.

RESPONSIBLE PARTY: PCX IEPR Lead/RIT

DURATION: Within 7 days of receipt of the Final IEPR Report from the OEO (Task 39)

ASSOCIATED EFFORT: 8-10 hours per assigned employee

APPROXIMATE COSTS: \$800-\$1,000

Task 42 – PDT Establishes Review In DrChecks and OEO Inputs Final Panel

Comments

DESCRIPTION: The comment/response process is conducted after the Final IEPR Report is submitted to ensure that the Panel’s opinion and objectivity is not influenced by USACE.

The PDT establishes the review in DrChecks and assigns a member of the OEO as a reviewer. Prior to entering the Panel’s comments into DrChecks the OEO will screen and consolidate the comments to remove redundant or inappropriate comments. The Panel will then be convened to review the final comments for consistency and comprehensiveness. Once the Panel agrees with the package of comments, the OEO enters the Panel members’ Final Panel Comment statements into DrChecks (each with a unique DrChecks comment

number) and adds the full four-part comment (see Task 37) as an attachment to each final comment statement.

RESPONSIBLE PARTY: PDT/OEO
DURATION: Within 2 days of Task 39
ASSOCIATED EFFORT: \$200 for PDT
APPROXIMATE COSTS: Included in OEO contract

Task 43 – OEO Provides Final Panel Comment Response Template to USACE

DESCRIPTION: The OEO will provide a template to USACE in MS Word that includes Final Panel Comments and space for Draft Evaluator Responses to facilitate a productive comment/response process. This task includes a conference call between the PDT, the PCX IEPR Lead, and the OEO to clearly outline the process for evaluating Final Panel Comments.

RESPONSIBLE PARTY: OEO
DURATION: Within 5 days of Task 42
ASSOCIATED EFFORT: Included in OEO contract
APPROXIMATE COSTS: Included in OEO contract

Task 44 – PDT Provides Draft Evaluator Responses and Clarifying Questions to PCX IEPR Lead

DESCRIPTION: The PDT prepares Draft Evaluator Responses outside of DrChecks and provides them to the PCX IEPR Lead for review. The PDT shall enter responses in the MS Word document provided by the OEO. For estimating the level of PDT effort, note that the OEO will often try to condense Panel comments into a maximum of 25 comments; however, each comment could have multiple recommendations (e.g., parts a-e), which can easily equal 80-100 items the PDT will need to respond to.

Before responding to comments
Before the PDT develops responses, the PDT should become familiar with the process for Agency Response to IEPR Comments (see Appendix E), as the PDT can save some level of effort in that step if responses are made in a manner that is easily transferable.

Requirements for USACE responses
DrChecks requires a response of “concur” or “non-concur” for each of the Final Panel Comments, along with a short explanation of why the PDT does or does not concur. This response is directed to the issue presented in the Final Panel Comment, and whether USACE agrees the issue needs to be addressed (concur)

or not (non-concur). In addition, the PDT is required to respond to each recommendation separately. In response to numbered Recommendations for Resolution, USACE must respond with “adopt” or “not adopt.” For each “adopt” response, the PDT should also indicate the corresponding “action taken” or “action to be taken.” Note that it is possible to concur with a Final Panel Comment but not adopt one or more of the recommendations because of USACE policy, budget constraints, or other reasons.

In addition, if there are clarifying questions the PDT needs to ask the Panel based on Final Panel Comments, they should be provided to the OEO through the PCX IEPR Lead to allow the Panel to be prepared to discuss on the conference call (Task 48).

RESPONSIBLE PARTY: PDT/PCX IEPR Lead
DURATION: Within 10 days of Task 43
ASSOCIATED EFFORT: 60 hours
APPROXIMATE COSTS: \$6,000

Task 45 – PCX IEPR Lead Conducts Quality Control of Draft Evaluator Responses and Clarifying Questions

DESCRIPTION: The PCX IEPR Lead shall review the Draft Evaluator Responses for quality control and to ensure proper application of concur/non-concur and adopt/not adopt. The PCX IEPR Lead shall identify any false concurs, incomplete concurs, incomplete non-concurs, and failure to follow the established response process. The PCX IEPR Lead shall also identify any potential inappropriate tone of response. The PCX IEPR Lead shall direct the PDT, by email and teleconference, to make any necessary revisions. If it is apparent that the PDT has not adequately considered the technical merit of a comment, the PCX IEPR Lead will notify the RMO Technical/Operating Director.

RESPONSIBLE PARTY: PCX IEPR Lead
DURATION: Within 5 days of Task 44
ASSOCIATED EFFORT: 10 hours
APPROXIMATE COSTS: \$1,000

Task 46 – PDT Revises Draft Evaluator Responses and Clarifying Questions and Submits Revision to PCX IEPR Lead

DESCRIPTION: The PDT members revise their Draft Evaluator Responses based on quality control comments from the PCX IEPR Lead. The PDT submits the revised Draft Evaluator Responses to PCX IEPR Lead.

RESPONSIBLE PARTY: PDT

DURATION: Within 3 days of Task 45

ASSOCIATED EFFORT: 15 hours

APPROXIMATE COSTS: \$1,500

Task 47 – PCX IEPR Lead Provides Updated Draft Evaluator Responses and Clarifying Questions to OEO

DESCRIPTION: The PCX IEPR Lead provides updated Draft Evaluator Responses to the OEO for distribution to Panel members prior to the conference call.

Preparation for teleconference to discuss responses

Responses should be consistent with discussion to be presented during the teleconference with the OEO and the Panel Members to allow for successful closeout of comments. The PDT should be prepared to spend a majority of the conference call discussing the Final Panel Comments with which they disagree.

RESPONSIBLE PARTY: PCX IEPR Lead

DURATION: Within 2 days of Task 46

ASSOCIATED EFFORT: 2 hours

APPROXIMATE COSTS: \$200

Task 48 – OEO Hosts Teleconference Between Panel and USACE to Discuss Final Panel Comments

DESCRIPTION: This teleconference serves as the point at which the PDT, PCX IEPR Lead, the Panel, and the OEO can discuss Final Panel Comments, clarifying questions, and proposed Evaluator Responses. This meeting provides an opportunity to understand the comments and responses in an effort to reach agreement on what will ultimately be the USACE Evaluator Responses entered into DrChecks.

RESPONSIBLE PARTY: OEO

DURATION: Within 15 days of Task 47

ASSOCIATED EFFORT: 2-4 hours per participant

APPROXIMATE COSTS: \$200 - \$400 per District participant. PCX costs included in cross charge labor code provided.

Task 49 – PDT Inputs Final Evaluator Responses into DrChecks

DESCRIPTION: Within 5 days of the Comment Response teleconference the PDT will post the Evaluator Responses into DrChecks. The PDT must indicate “Concur” or “Non-Concur” with all Final Panel Comments, and “Adopt” or “Not Adopt” each Panel recommendation.

RESPONSIBLE PARTY: PDT

DURATION: Within 5 days of Task 48

ASSOCIATED EFFORT: 2-4 hours per participant

APPROXIMATE COSTS: \$200 -\$400 per District participant

Task 50 – OEO Inputs Panel Backcheck Responses into DrChecks

DESCRIPTION: Within 8 days of the OEO being notified that the PDT evaluator responses are posted in DrChecks, the OEO will post the Panel’s final BackCheck of the evaluations in DrChecks.

RESPONSIBLE PARTY: OEO

DURATION: Within 8 days of Task 49

ASSOCIATED EFFORT: Included in OEO contract

APPROXIMATE COSTS: Included in OEO contract

Task 51 – OEO Submits PDF Printout of DrChecks Project File

DESCRIPTION: A PDF of the DrChecks project file will be submitted to the PCX IEPR Lead by the OEO. The OEO will also provide an MS Word file of the entire set of comments, evaluator responses, and backchecks to the PCX IEPR Lead for incorporation by the PDT into their Senior Leaders’ Briefing (SLB) documentation/final decision document package.

RESPONSIBLE PARTY: OEO

DURATION: Within 1 day of Task 50

ASSOCIATED EFFORT: Included in OEO contract

APPROXIMATE COSTS: Included in OEO contract

Task 52 – PCX IEPR Lead Transmits Panel Backcheck of PDT Responses to the District

DESCRIPTION: The PCX IEPR Lead will email a signed transmittal memo (see template) and electronic copy of the Panel Backcheck of PDT Responses to the Final Panel Comments to the PDT POC (Project Manager) upon receiving it from the OEO. The following individuals and offices should be copy furnished:

HQUSACE

- CECW-P (Deputy for Policy and Planning)
- CECW-PC (Chief of Office of Water Project Review [OWPR] and OWPR Team Leads [Plan Formulation, Environmental, and Economics])
- CECW-CP (Planning Community of Practice IEPR Liaison)
- CECW-(RIT, RIT Planner)

MSC

- Planning Chief
- Plan Formulation Lead
- Environmental Lead
- Economic Lead
- District Support Team Lead

District

- Planning Chief
- Plan Formulation Lead
- PM Lead
- other relevant PDT members

PCX

- Director, Operating or Technical Director, Lead, Account or Program Manager
- CEIWR-RM (Risk Management Center) for projects with life safety component
- Any coordinating PCX (Director, Lead)

The transmittal memo should include the following (also see template):

- A clear statement that the IEPR process is not complete until the Agency Response is signed by the Director of Civil Works or the Chief of Engineers
- A clear statement that the PDT response is not the Final Agency Response
- Full name of the Final Type I IEPR Report as it appears on the report submitted by the OEO
- Full date of the Final IEPR Report as listed on the front cover
- Contracting firm managing the IEPR
- Number and expertise of Panel members
- Number of Final Panel Comments with break-out by significance
- Number of concur and number of non-concur responses by PDT
- Number of recommendations adopted and number not adopted by PDT

- Number of concur and non-concur backchecks by the Review Panel and indication whether clarifying statements were provided by the Review Panel
- Summary of next steps

RESPONSIBLE PARTY: PCX IEPR Lead

DURATION: 2 days

ASSOCIATED EFFORT: 2 hours hour

APPROXIMATE COSTS: Costs to PCX are included in PCX IEPR Lead’s cross charge labor code

Task 53 – End of Active Review Period

DESCRIPTION: The active review period with the OEO is completed upon OEO submission of the DrChecks printout to the PCX IEPR Lead (Task 51).

RESPONSIBLE PARTY: OEO/CVO/PCX IEPR Lead

DURATION: Within 1 day of Task 51

ASSOCIATED EFFORT: Included in OEO contract

APPROXIMATE COSTS: Included in OEO contract

Task 54 – OEO Contract Closeout

DESCRIPTION: This task is to complete final auditing and invoicing to close the OEO contract. The final phase of the Type I IEPR process is the Contract Closeout, which is a series of activities that must be completed by the OEO and the Panel Members to document the Type I IEPR prior to the end of the period of performance. The PCX IEPR Lead will review closeout documents and confirm all deliverables have been provided and tasks completed.

RESPONSIBLE PARTY: OEO/PCX IEPR Lead/CVO

DURATION: Maximum 45 days after Task 53

ASSOCIATED EFFORT: Included in OEO contract

APPROXIMATE COSTS: Included in OEO contract

2.3. Tasks in the Review Closeout Phase

The Review Closeout phase includes Tasks 55 through 65. This phase represents the efforts required from the end of the active review period (Task 54) through PDT inclusion of IEPR documentation in the final decision document.

Task 55 – Draft Agency Response Preparation

DESCRIPTION: Prior to the Chief’s Report being signed, an official Agency Response to the Final Type I IEPR Report must be developed. The Agency Response is prescribed in the WRDA 2007, Section 2034 and WRRDA, Section 1044. The America’s Water Infrastructure Act of 2018 Section 1141 extended the requirement for Type I IEPR on feasibility studies through the year 2024. Typically, the Evaluator Responses developed by the District entered into DrChecks as part of the Type I IEPR process are the foundation for the Agency Response. The District will generate a draft Agency Response prior to the SLB meeting. If the project will not result in a decision document and/or there is no SLB, an Agency Response should be drafted after the Type I IEPR active review period is concluded. See Appendix E for more detailed information on preparing the Agency Response.

RESPONSIBLE PARTY: PDT

DURATION: 10 days and must be completed 60 days prior to a SLB meeting

ASSOCIATED EFFORT: 40 hours

APPROXIMATE COSTS: \$4,000

Task 56 – Draft Agency Response Submitted to RIT

DESCRIPTION: The District will submit the draft Agency Response to the RIT, typically at the same time as the final decision document package is submitted to either the MSC or HQUSACE for approval, when applicable.

RESPONSIBLE PARTY: PDT

DURATION: 1 day

ASSOCIATED EFFORT: 2 hours

APPROXIMATE COSTS: \$200

Task 57 – Comments Provided on Draft Agency Response

DESCRIPTION: The RIT and OWPR will review the Draft Agency Response provided by the District and will provide comments to the District on suggested edits and revisions. See Appendix E for more information.

RESPONSIBLE PARTY: RIT

DURATION: 20 days
ASSOCIATED EFFORT: 8 hours for RIT; No District effort
APPROXIMATE COSTS: RIT is General Expenditure (GE) funded.

Task 58 – Final Draft Agency Response Submitted to RIT

DESCRIPTION: The District will revise the draft Agency Response based on comments from the RIT and provide a final draft Agency Response to the RIT for processing.
RESPONSIBLE PARTY: PDT
DURATION: 5 days
ASSOCIATED EFFORT: 20 hours
APPROXIMATE COSTS: \$2,000

Task 59 – RIT Prepares and Routes Final Agency Response for Approval

DESCRIPTION: The final draft Agency Response will be part of the Chief's Report/final decision document package and routed to the Director of Civil Works (DCW) office for approval. The DCW or the Chief of Engineers will approve and sign the Agency Response. The signed Agency Response will accompany the Chief's Report/final decision document package.
RESPONSIBLE PARTY: RIT
DURATION: 10 days (when the Chief's Report/final decision document package is routed through the DCW by the RIT)
ASSOCIATED EFFORT: 1 hour
APPROXIMATE COSTS: RIT is GE funded.

Task 60 – RIT Planner Coordinates Agency Response Posting on USACE Website

DESCRIPTION: The RIT planner will ensure the final Agency Response is in the required format for posting to the USACE website and will coordinate with the appropriate IT office to have the Agency Response posted on the proper USACE website when the Chief's Report is signed.
RESPONSIBLE PARTY: RIT
DURATION: 5 days
ASSOCIATED EFFORT: 1 hour for RIT; No District effort
APPROXIMATE COSTS: RIT is GE funded.

Task 61 – RIT Planner Prepares Agency Response Transmittal to House and Senate Committees

DESCRIPTION: Once the Chief’s Report is signed, the RIT Planner will prepare the transmittal package for electronic copies of the Agency Response to be submitted to the Senate EPW Committee and the House TI Committee with a copy to the ASA(CW) and Commanding General. Transmittal will be routed through appropriate offices at HQUSACE for approval and signature. The transmittal memo will be signed by the DCW.

RESPONSIBLE PARTY: RIT

DURATION: 2 days

ASSOCIATED EFFORT: 4 hours for RIT; No District effort

APPROXIMATE COSTS: RIT is GE funded.

Task 62 – Transmittal of Agency Response to Congress

DESCRIPTION: No more than 3 days after the Chief’s Report is signed (or Agency Response is approved by HQ if no Chief’s Report), electronic copies of the Agency Response will be submitted to the Senate EPW Committee and the House TI Committee with copies to the ASA(CW) and the Commanding General.

RESPONSIBLE PARTY: RIT

DURATION: 1 day

ASSOCIATED EFFORT: 1 hour for RIT; No District effort

APPROXIMATE COSTS: RIT is GE funded.

Task 63 – RIT Planner sends Agency Response to PCX, MSC, and District

DESCRIPTION: Concurrent with transmittal of Agency Response to Congressional committees (Task 62), the RIT Planner will provide the Agency Response electronically to the PCX, MSC, and District.

RESPONSIBLE PARTY: RIT

DURATION: 1 day

ASSOCIATED EFFORT: 1 hour for RIT; No District effort

APPROXIMATE COSTS: RIT is GE funded.

Task 64 –District post Agency Response on Websites

DESCRIPTION: Upon receiving the approved Agency Response from the RIT Planner, the District shall post the response on the District website along with the original Final Type I IEPR Report.

RESPONSIBLE PARTY: District/MSC

DURATION: The Agency Response will be posted to the USACE public website within 3 days of its completion.

ASSOCIATED EFFORT: 2 hours

APPROXIMATE COSTS: \$200

Task 65 – PDT Includes Type I IEPR Information in the Final Decision Document

DESCRIPTION: The Final IEPR Report and Agency Response shall be included as an appendix to the final Decision Document. For project studies that are excluded from Type I IEPR, the exclusion decision and rationale shall be included in the Decision Document for the project study.

RESPONSIBLE PARTY: PDT

DURATION: 1 day, as part of the final Decision Document submittal

ASSOCIATED EFFORT: 8 hours

APPROXIMATE COSTS: \$800

3. REFERENCES

- I. 2019-04-05: CECW Memorandum
 - a. SUBJECT: Interim Guidance on Streamlining Independent External Peer Review (IEPR) for Improved Civil Works Product Delivery
- II. 2018-10-23: America's Water Infrastructure Act of 2018
 - a. Section 1141: Project studies subject to independent peer review
- III. 2018-06-07: Revised Delegation of Authority in Section 2034(a)(5)(A) of the Water Resources Development Act of 2007 (WRDA 2007), as amended (33 U.S.C. 2343)
- IV. 2018-05-23: Revised Delegation of Authority in Section 2034(a)(5)(A) of the Water Resources Development Act of 2007 (WRDA 2007), as amended (33 U.S.C. 2343)
- V. 2018-05-03: Director's Policy Memorandum (DPM 2018-05)
 - a. Improving Efficiency and Effectiveness in USACE Civil Works Project Delivery (Planning Phase and Planning Activities)
- VI. 2018-02-20: U.S. Army Corps of Engineers
 - a. Engineer Circular: EC 1165-2-217 (Review Policy for Civil Works)
- VII. 2018-01-08: DAEN-ZA Memorandum
 - a. Delegation of Authority in Section 2034(a)(5)(A) of the Water Resources Development Act of 2007 (WRDA 2007), as amended (33 U.S.C. 2343)
- VIII. 2017-06-21: CECW-ZB Memorandum
 - a. Further Advancing Project Delivery Efficiency and Effectiveness of USACE Civil Works
- IX. 2016-06-29: WRRDA Implementation Guidance for Section 1044: Independent Peer Review
- X. 2014-06-10: Water Resources Reform and Development Act (WRRDA) of 2014
 - a. Section 1044: Independent Peer Review
- XI. 2011-01-31: CECW-P Memorandum
 - a. Accelerated reporting requirements for Type I IEPR, Independent Peer Review (Unsigned draft)
- XII. 2007-11-08: Water Resources Development Act (WRDA) of 2007
 - a. Section 2034: Independent Peer Review
 - b. Section 7009: Independent Review (for the Louisiana Water Resources Council)
- XIII. 2004-12-16: Office of Management and Budget
 - a. Final Information Quality Bulletin for Peer Review

- XIV. 2003-05-12: National Academy of Sciences
 - a. Policy and Procedures on Committee Composition and Balance and Conflicts of Interest for Committees Used in the Development of Reports

APPENDIX A

List of Acronyms

ADM	Agency Decision Milestone
AMRDEC	Army Aviation and Missile Research, Development, and Engineering Center
ASA(CW)	Assistant Secretary of the Army (Civil Works)
ATR	Agency Technical Review
COI	Conflict of Interest
COR	Contracting Officer's Representative
CVO	Contracting Vehicle Organization
DCW	Director of Civil Works
DQC	District Quality Control
DST	District Support Team
EC	Engineer Circular
EPW	Environment and Public Works
ER	Engineer Regulation
FTP	File Transfer Protocol
HQ	Headquarters, U. S. Army Corps of Engineers
HQUSACE	Headquarters, U. S. Army Corps of Engineers
IGE	Independent Government Estimate
IEPR	Independent External Peer Review
MIPR	Military Interdepartmental Purchase Request
MFR	Memorandum for Record
MSC	Major Subordinate Command
NAS	National Academy of Sciences
NEPA	National Environmental Policy Act
NTP	Notice to Proceed
OEO	Outside Eligible Organization
O&M	Operations and Maintenance
OMB	Office of Management and Budget
OMRR&R	Operations, Maintenance, Repair, Rehabilitation, and Replacement
OWPR	Office of Water Project Review
PCoP	Planning Community of Practice
POC	Point of Contact
PCX	Planning Center of Expertise
PDT	Project Delivery Team
PMP	Project Management Plan
PWS	Performance Work Statement
QC	Quality Control
RFP	Request for Proposal
RIT	Regional Integration Team (HQUSACE)

RMC	Risk Management Center
RMO	Review Management Organization
RP	Review Plan
SAFE	Safe Access File Exchange
SAS	Staff Action Summary
SLB	Senior Leaders Briefing
SMART	Specific, Measurable, Attainable, Risk-Informed, Timely
SME	Subject Matter Expert
SOP	Standard Operating Procedure
SOW	Scope of Work
TI	Transportation and Infrastructure
TSP	Tentatively Selected Plan
URL	Universal Resource Locator
USACE	U.S. Army Corps of Engineers
WRDA	Water Resources Development Act
WRRDA	Water Resources Reform and Development Act of 2014

APPENDIX B

Roles and Responsibilities

The following roles and responsibilities were identified for the various USACE organizations and staff members involved in the execution of Type I IEPR on feasibility studies and other decision documents such as NEPA environmental assessments or environmental impact statements.

1. CVO – The contract vehicle organization executes a contract under which capacity is then available to hire an OEO to conduct Type I IEPR. The CVO also receives funds (via MIPR) from the District to cover their contract processing costs and to pay for OEO management of the IEPR.
2. District – The District shall prepare the RP as part of the Project Management Plan to include scope of review, data, and models, etc. The RP will be posted on the District’s website with the MSC Approval Memo (see Task 7). The District shall coordinate with the appropriate RMO or PCX related to the feasibility study or decision document to determine whether Type I IEPR is required. If appropriate, the District shall coordinate with the RMO or PCX, the MSC, and HQUSACE to obtain a Type I IEPR exclusion. The District is responsible for coordinating with the RMO or PCX to identify a PCX IEPR Lead to assist with the completion of the Type I IEPR, which assures independence between the District and the Type I IEPR Panel. During a Type I IEPR process, the District is responsible for providing review documents, responding to the Type I IEPR Review Panel comments, and revising the report documents as necessary. The District will also draft and coordinate the Chief of Engineers’ Agency Response to the Review Panel’s Final Type I IEPR Report, which will be included in the Chief’s Report package for that document. However, in some special cases a Chief’s Report will not be prepared, but a USACE response to the Type I IEPR Panel is still required.
3. District PDT – The District PDT consists of the team of scientists, engineers, and other staff members participating in the preparation of the study undergoing Type I IEPR. A subset of the District PDT will prepare responses to the Type I IEPR Panel’s comments, and revise the report documents as necessary. Generally, the PDT Project Manager and/or Plan Formulator will coordinate heavily with the PCX IEPR Lead to keep the IEPR moving forward according to schedule.
4. HQUSACE – HQUSACE is responsible for coordinating with the District on the final report transmittal documents to be submitted ahead of the Senior Leaders Briefing. HQUSACE will review and approve the District’s draft Agency Response to the Final Type I IEPR Report.
5. PCX IEPR Lead – The PCX IEPR Lead is the staff member assigned by the PCX to manage the OEO contract to conduct Type I IEPR. The PCX IEPR Lead serves as the POC for both the District and OEO for the Type I IEPR effort. The PCX IEPR Lead writes the contract PWS, facilitates the

development of the Review Charge questions with the PDT and the MSC, and creates the IGE for the IEPR effort.

6. Type I IEPR Review Panel – The Type I IEPR Review Panel is the team of Type I IEPR Reviewers selected by the OEO to conduct Type I IEPR on the USACE review documents.
7. Type I IEPR Panel Reviewer – The Type I IEPR Panel Reviewer is a person who is considered an expert within his/her discipline and is recruited to serve on the Type I IEPR Panel to review the study report documents. The Type I IEPR Panel Reviewer is expected to review USACE report documents to determine whether the interpretation of analysis and conclusions based on analysis are reasonable.
8. MSC – The MSC is responsible for approving RPs, and assuring RMO/PCX coordination and vertical team participation. The MSC also makes the determination whether Type I IEPR is necessary or an exclusion will be granted.
9. OEO – The OEO is the science-based organization independent of USACE that selects from a pool of experts to form the Type I IEPR Review Panel to conduct the independent review of decision documents. The OEO is responsible for selecting reviewers that are free of conflicts of interest, all of whom should be independent of USACE. In addition, the OEO is responsible for preparing the Final Type I IEPR Report.
10. PCX – The PCX is an organization within USACE that coordinates all RPs, ATRs, and Type I IEPRs. The PCX is responsible for identifying the PCX IEPR Lead, a staff member to manage the OEO contract to conduct Type I IEPR.
11. RIT – The RIT serves as the HQUSACE POC for the MSC and District. The RIT is responsible for transmitting the Final Type I IEPR Report to Congress (the two specified Congressional committees), and coordinating posting of the Final Type I IEPR Report on the USACE website. Additionally, the RIT is responsible for routing the Agency Response to the Final Type I IEPR Report to the DCW or Chief of Engineers for approval and for having the final response posted on the proper USACE website.

APPENDIX C

Type I IEPR Exclusion Request Process

Task EXC a – Draft Review Plan is Submitted to PCX

DESCRIPTION:	This task describes the submission of a draft RP to the relevant PCX(s) for review and endorsement. The draft RP should be complete and consistent with requirements outlined in the USACE Review Policy for Civil Works (EC 1165-2-217). It should include the timing of reviews, the cost estimate for reviews, specialized technical disciplines needed for reviews, and an identification of requirements for Type I IEPR and for model review.
RESPONSIBLE PARTY:	PDT
DURATION:	1 day
ASSOCIATED EFFORT:	2 hours for preparing the email transmission
APPROXIMATE COSTS:	\$200

Task EXC b – PCX Reviews Draft RP/Exclusion Request and Consults with District

DESCRIPTION:	<p>The PDT Lead will work with the PCX to coordinate the study’s framing and relevance to the exclusion standards. Once the analysis of how the project justifies exclusion from Type I IEPR is completed and captured in the draft RP, the draft RP will be submitted to the RMO for final review and endorsement. Additional dialogue between the RMO and the PDT Lead about clarifying the exclusion request justification could be necessary if there are project questions or guidance interpretation matters..</p> <p>The exclusion request justification will be contained within the RP and must meet specific criteria as outlined in the DCW Memorandum (dated 5 April 2019) titled: Interim Guidance on Streamlining Independent External Peer Review (IEPR) for Improved Civil Works Product Delivery.</p> <p>Adherence of the RP to the minimum requirements outlined in the DCW Memorandum does not necessarily exclude a study from Type I IEPR. Documentation of risk informed decision making that would occur without Type I IEPR must be stated and discussed. This analysis will inform higher level reviewers of potential drawbacks to excluding Type I IEPR from the study process.</p>
RESPONSIBLE PARTY:	PCX
DURATION:	10 days
ASSOCIATED EFFORT:	50 hours

APPROXIMATE COSTS: \$5,000 (based on duration estimate)

Task EXC c – Revisions to RP/Exclusion Request, if needed

DESCRIPTION: After review of the RP/exclusion request by the RMO, changes to the draft RP/exclusion request may be required to further justify and explain why Type I IEPR is not warranted for the particular project/study.

RESPONSIBLE PARTY: PDT

DURATION: 5 days

ASSOCIATED EFFORT: 20 hours

APPROXIMATE COSTS: ~ \$2,000 (dependent on complexity of revisions)

Task EXC d – PCX Endorses RP/Exclusion Request

DESCRIPTION: The PCX Operating/Technical Director will conduct a final review of the exclusion rationale in the RP for the PCX. The PCX will provide a RP approval recommendation and Type I IEPR exclusion request endorsement memo to the District and the MSC. This endorsement will include explicit concurrence with the recommendation not to perform Type I IEPR.

RESPONSIBLE PARTY: PCX

DURATION: 5 days

ASSOCIATED EFFORT: 10 hours

APPROXIMATE COSTS: ~ \$1,000 (dependent on amount of District changes to RP)

Task EXC e – District Submits RP/Exclusion Request to MSC

DESCRIPTION: The District will transmit a memo to the MSC seeking approval of the RP and requesting Exclusion from conducting Type I IEPR. The memo should include the analysis supporting the risk-informed decision related to Type I IEPR. If the MSC does not approve the Type I IEPR Exclusion Request (Task EXC f), the RP must be modified to reflect inclusion of Type I IEPR or the risk informed recommendation process should be revisited.

RESPONSIBLE PARTY: PDT

DURATION: 5 days

ASSOCIATED EFFORT: 10 hours for preparation of memo and transmittal package

APPROXIMATE COSTS: \$1,000

Task EXC f – MSC Approves RP Recommendation and Transmits RP/Exclusion to HQ

DESCRIPTION: The MSC Commander signs a memo approving the RP/exclusion request. The exclusion approval is based on the justification and documentation in the RP and the District’s memo requesting the IEPR exclusion. With MSC approval, the MSC DST sends the RP/exclusion approval to the RIT for preparation and transmittal of letters to inform the Senate EPW Committee and the House TI Committee (see Task EXC h).

RESPONSIBLE PARTY: MSC/MSC DST

DURATION: 15 days

ASSOCIATED EFFORT: 1 hour

APPROXIMATE COSTS: MSC team members are GE funded.

Task EXC g – RIT Processing of Memorandum for Record

DESCRIPTION: The RIT processes the exclusion decision in accordance with the USACE peer review policy (EC 1165-2-217) and subsequent guidance and prepares a Memorandum for Record (MFR) documenting the rationale for the MSC decision.

RESPONSIBLE PARTY: RIT

DURATION: 10 days

ASSOCIATED EFFORT: 0 hours

APPROXIMATE COSTS: RIT is GE funded.

Task EXC h – RIT Notifies Congress and Public of IEPR Exclusion Approval

DESCRIPTION: *Notify Congress* - Upon receipt of the MSC approved RP and transmittal memo, the RIT will prepare and transmit a letter, signed by the HQ Chief of Planning to the Senate EPW Committee and the House TI Committee with a copy provided to the Assistant Secretary of the Army for Civil Works [ASA(CW)]. The letter will notify Congress of the intent to conduct or not conduct Type I IEPR. The decision will be made available to the public by the District posting of the RP on its public website within 7 days of MSC approval. Any change in the decision to conduct or not conduct IEPR, for example due to public controversy or the request by the head of a Federal or State agency shall also require public, congressional, and ASA(CW) notification.

RESPONSIBLE PARTY: RIT

DURATION: Within 7 days after the MSC Commander approves a Type I IEPR exclusion

ASSOCIATED EFFORT: 2 hours

APPROXIMATE COSTS: RIT is GE funded.

APPENDIX D

Final Type I IEPR Report - HQUSACE and Congressional Coordination

The Water Resources Reform and Development Act of 2014 prescribes several steps that require public and congressional and ASA(CW) notifications after certain IEPR decision events. These events include the decision to conduct or exclude IEPR (Task 7b), a change in either of those decisions (Task 7b), the Outside Eligible Organization (OEO) name and start/end of review dates (Task 20), Panel identification (Task 20), after receiving a Final Type I IEPR Report (Task 41), and completion of the Agency Response (Task 61). The Chief of Engineers shall make all of these documents available to the public via the USACE public website. Certain documents require transmittal to the Senate EPW Committee and the House TI Committee with a copy to the ASA(CW) and sometimes the Commanding General (CG). Subtasks 41a – 41e describe the steps to complete transmittal of the Final Type I IEPR Report.

Task 41a – PCX IEPR Lead Transmits the Final Type I IEPR Report to HQ and District

DESCRIPTION:

Electronic transmittal

The PCX IEPR Lead sends an electronic copy of the Final Type I IEPR Report to HQ and the District when received from the OEO.

The transmittal memo should be scanned and provided by email to the HQ RIT Deputy and the District Planning Chief, with copy furnished to the following individuals and offices (these are the same individuals and offices who will be copy furnished on the transmittal of the Panel Backcheck to the District; see Task 52): CECW-P (Deputy for Policy and Planning), CECW-PC (Chief of Office of Water Project Review [OWPR] and OWPR Team Leads [Plan Formulation, Environmental, and Economics]), CECW-CP (Planning Community of Practice IEPR Liaison), CECW-(RIT , RIT Planner), MSC (Planning Chief, Plan Formulation Lead, Environmental Lead, Economic Lead, District Support Team Lead), District (Planning Chief , Plan Formulation Lead, PM Lead, other relevant PDT members), RMO-PCX (Director, Lead, Account or Program Manager), CEIWR-RM for projects with life safety component, and any coordinating PCX (Director, Lead).

Transmittal memo contents

The transmittal memo should include the information listed below (see template):

- Full name of the IEPR Report as it appears on the report submitted by the contractor
- Full date of the IEPR Report as listed on the front cover of report
- Contracting firm managing the IEPR

- Number and expertise of Review Panel members
- Number of Final Panel Comments with break-out by significance
- Brief listing of high significance comments
- Request to post Final IEPR Report on HQ Peer Review website
- Summary of next steps

RESPONSIBLE PARTY: PCX IEPR Lead

DURATION: Immediately after receipt of the Type I IEPR Report.

ASSOCIATED EFFORT: 1 hour

APPROXIMATE COSTS: Costs covered in labor code provided

Task 41b – PCX IEPR Lead Asks District to Post Final Type I IEPR Report to District Website

DESCRIPTION: The PCX IEPR Lead should send an informal email to District POC(s) requesting that the District post the Final Type I IEPR Report on the District website within 3 days of receipt and provide the URL to the PCX IEPR Lead immediately following the posting.

RESPONSIBLE PARTY: PCX IEPR Lead

DURATION: Immediately after receipt

ASSOCIATED EFFORT: 1 hour

APPROXIMATE COSTS: Cost covered in cross charge labor code provided

Task 41c – Type I IEPR Report Posted on District Websites

DESCRIPTION: The District posts the Final Type I IEPR Report to the District project-specific website so it is viewable to the public. Postings will include this statement: “The Chief of Engineer’s response to the independent Panel’s peer review report is currently under development, and will be posted and distributed within 10 days of completion and signature.” Once the web posting is established, the District will provide the URL to the PCX IEPR lead and the RIT for verification. HQ also posts the Final Report on its website (see Task 41e).

RESPONSIBLE PARTY: District

DURATION: Within 3 days of receipt of the Final Type I IEPR Report from the PCX IEPR Lead

ASSOCIATED EFFORT: 1 hour

APPROXIMATE COSTS: \$100

Task 41d – Transmit the Type I IEPR Report to Senate EPW and House TI Committees

DESCRIPTION: The Final IEPR Report is transmitted by memorandum to the Committee Chairs of the Senate EPW Committee and the House TI Committee with a copy to the ASA(CW) and the USACE Commanding General. The memos are signed by the DCW. The report is provided by the OEO through the PCX IEPR Lead (see Task 41a) as per contract.

RESPONSIBLE PARTY: RIT

DURATION: Within 7 days of receipt of the Final Type I IEPR Report from the PCX IEPR Lead.

ASSOCIATED EFFORT: 1 hour

APPROXIMATE COSTS: RIT is GE funded.

Task 41e – RIT Planner Posts Final Type I IEPR Report on USACE HQ Website

DESCRIPTION: The RIT Planner posts the transmittal memo which includes the Final Type I IEPR Report on the HQ website, a site that is viewable to the public, at: <http://www.usace.army.mil/Missions/CivilWorks/ProjectPlanning/CompletedPeerReviewReports.aspx>.

RESPONSIBLE PARTY: RIT Planner

DURATION: Within 7 days of receipt of the Final Type I IEPR Report from the PCX IEPR Lead

ASSOCIATED EFFORT: 1 hour

APPROXIMATE COSTS: RIT is GE funded.

APPENDIX E

Type I IEPR Agency Response Process

This Appendix was developed as part of the IEPR SOP to provide guidance for District PDTs who must prepare the Agency Response to a Final IEPR Report. Following this SOP should help to reduce the comments and concerns from Vertical Team (VT) review and ultimately will improve consistency across the Civil Works program. This Appendix specifically focuses on the procedures and requirements for preparing the Agency Response, Task 56, described in the main body of the SOP.

Purpose of Agency Response

The purpose of the Agency Response is to provide clear, concise documentation of USACE responses to IEPR Final Panel Comments. It summarizes the IEPR Review Panel's comments and recommendations and the USACE response to those recommendations and actions that result from the IEPR.

Audience

The audience for the Agency Response document is primarily congressional staffers, project stakeholders, and the public, many of whom are not technical professionals. Therefore, the document must be written so that lay persons can read and understand both the issue and how USACE is addressing the issue. The responses must convey the message concisely. USACE senior leaders will also read the Agency Response to IEPR document for a summary of the IEPR Panel's concerns and consider the Agency Response as an important upward reporting document. Therefore, the responses must adequately and accurately convey the Review Panel's comments and recommendations and USACE responses. Responses should focus on the USACE position as opposed to the District position.

General Agency Response Document Format

Using a standard format for the Agency Response document fosters consistency across the Civil Works program. The Agency Response begins with a brief introduction that includes reference to Section 2034 of the Water Resources Development Act of 2007; the USACE peer review policy (EC 1165-2-217); the Office of Management and Budget's *Final Information Quality Bulletin for Peer Review (2004)*; and any subsequent law or policy passed related to IEPR. The opening section of the Agency Response is essentially the same every time with the details of the project name, date(s) of IEPR, final IEPR report title, make-up of the Review Panel, and number of comments from the panel.

The following basic approach should be adopted when drafting the Agency Response to IEPR document.

- Responses should be clear to lay readers, not overly technical
- Responses should be written from one voice (USACE, not District)
- Responses should be concise but not generic — must demonstrate specific responses to specific comments
- Each response should be self contained since readers may pick and choose which responses they read (do not carry explanations from previous responses, etc., where practical)
- Responses should clearly identify the actions taken or actions to be taken (what USACE did do or will do as a result of the IEPR comment)

- The goal is to have relative consistency across the Civil Works Program

Agency Responses must summarize the longer technical PDT responses to the Final Panel Comments (see Task 46). Each comment should be listed and the final agency response, including actions taken, should be summarized for the Agency Response document.

1. Comments must be numbered as they are in the Final IEPR Report, but ordered in the Agency Response with comments of highest significance addressed first, followed by those of medium significance and then low. Each comment should be stated verbatim. The recommendations can be summarized from the Final IEPR Report, but must capture the concern of the Panel clearly and succinctly.
2. Directly below the comment it must be stated whether the recommendations were “Adopt” or “Not Adopted” by USACE. If multiple recommendations were made, but only some were adopted, then in a separate paragraph just below the comment list how many recommendations the panel offered and how many of those recommendations were adopted and how many were not adopted.
3. The next section will begin with those recommendations adopted by USACE. Under the heading of “Action Taken,” summarize each recommendation followed by the USACE action taken for that recommendation, before moving on to the next adopted recommendation.
 - a. When all adopted recommendations for that comment have been addressed, either move to the next comment or begin a new section headed “Not Adopted.”
 - b. Under the Not Adopted section, again summarize each recommendation followed by the explicit reason why the team felt it was inappropriate or unnecessary to adopt that recommendation.
4. To ensure consistency with the latest format of the Agency Response, PDTs should reference the latest Agency Response examples at the HQUSACE Completed Peer Review Reports website:
<http://www.usace.army.mil/Missions/Civil-Works/Project-Planning/Completed-Peer-Review-Reports/>

Agency Response Process (HQUSACE and RIT)

1. According to Task 41e of the IEPR SOP (and as detailed in Appendix D) the RIT should have posted the Final IEPR Report on the HQUSACE Civil Works Project Planning website:
<http://www.usace.army.mil/Missions/CivilWorks/ProjectPlanning/CompletedPeerReviewReports.aspx>

At this point, the RIT should begin working with the District and MSC on the Agency Response document.

2. In cases where a Senior Leaders Briefing (SLB) is to be held, the Agency Response document should come as part of the final decision document package from the District. When a SLB will not be held, the Agency Response document should be accompanied by the decision document and sent to the RIT for processing BEFORE the decision document is signed by the appropriate party. Regardless of whether there is a SLB, the RIT is responsible for reviewing the document and ensuring it follows the SOP in regards to the appropriateness of the responses (technical level, length, tone) and format. The

RIT will make any changes necessary to conform to the SOP including ensuring correct grammar and consistent writing style.

3. In addition, regardless of whether a SLB will be held, the RIT must verify that the Agency Response document responses align with the version of the decision document with which it was submitted. The RIT can address any comments received from the review team to the extent they are able, including comments concerning updating incorrect references to pages, sections, paragraphs, etc. or grammatical, style, or format issues. It is highly suggested that the RIT send technical comments back to the MSC or District so that the PDT can address the comments. The RIT must verify that a back check of the report and supporting documents was accomplished that ensured all responses are incorporated as stated. Specifically that the Agency Response document:
 - a. Lists all comments and recommendations that were in the Final IEPR report.
 - b. Contains responses to all comments and recommendations.
 - c. Points to the reader to the correct sections of the report and or appendices;
 - d. Includes actual revisions consistent with any text revisions indicated in a response; and
 - e. Each such revision addresses the concern, by incorporating the IEPR Panel recommendation or otherwise clarifying the issue raised in the IEPR Panel comment. This step must be repeated if significant revisions to the report occur after the policy review is completed (especially to check page and section numbers).
4. After the RIT has verified that a back check of the Agency Response document was completed, the RIT will log it in for OWPR review. In cases where a SLB will be held, the document will already be logged in as part of the final decision document package. In this case the RIT would send the Agency Response document out to the policy review team assigned to the report for their comments. In cases where a SLB will not be held, suggestions regarding the review disciplines needed should accompany the request to OWPR for review (e.g. engineering, Dam or Levee Safety experts, etc.).
5. Once all of the comments from the policy review team have been adequately addressed, the Agency Response document is ready for the SLB or, in cases without a SLB, for final processing (note – in cases with a SLB, some comments may be addressed during the period of State and Agency review).
6. Process the Agency Response document as follows – depending on whether a SLB is being held:
 - a. In cases where no SLB is to be held, the RIT should draft an approval memo to accompany the Agency Response document (see Figure E-1) and begin routing.
 - b. In cases where a SLB is to be held, the Agency Response document is included in the SLB read-ahead materials. Some further editing of the Agency Response may occur during and immediately following State and Agency Review. The RIT should draft an approval memo to accompany the Agency Response document (see Figure E-1) and route both with the Chief's Report/final decision document package.
 - c. In both cases the memo and response are routed as part of the Chief's Report to:
 - RIT Deputy (and any other RIT signoff required by the RIT)
 - OWPR Review Manager (other HQ reviewers as needed)

- Chief, OWPR
 - Deputy Chief, Planning and Policy Division.
- d. Revisions may be needed before the document is approved as finalized. Once the above have all approved, it will need to be routed through the following so that the Agency Response can be sent to the Chief of Engineers for signature (either with or without the Chief’s Report)
- Chief, Planning and Policy Division
 - For Dam or Levee Safety projects – Chief, Engineering Division
 - Civil Works front office (follow their current routing procedure) – The document will stop here for cases where there is NOT a SLB and will be signed by the Director of Civil Works
 - Chief’s office (follow their current routing procedure)
7. Continue with process in the IEPR SOP (Task 64). This is accomplished by the RIT planner sending the signed agency response to the HQ point of contact who arranges for posting on:
<http://www.usace.army.mil/Missions/CivilWorks/ProjectPlanning/CompletedPeerReviewReports.aspx>

Common Errors in the Agency Response

The following is a list of common mistakes made by PDTs when writing the Agency Responses. Examples of how these mistakes can be revised are provided for each item in the following section.

Mistake	Example
Too many authors – needs to be written in one voice, by one author	8
Too lengthy, too short, or too technical	1, 2
Actions not specifically identified	2
Inconsistent referencing of the report and appendices	8
“Hiding behind” guidance or vertical direction (stating that we did this because HQ said so or because policy says so)	4, 8
Stating the recommendation was not adopted when the Agency can and should adopt it	3, 4
Inconsistency in statements and format	8
Defensive tone or tone of re-educating reviewers	5, 6
Citing “District” or “PDT” efforts (incorrect) instead of “USACE” efforts (correct)	8
Not answering the Question	4, 6
Not providing clarity	6
Using the phrase “partial adopt” – be explicit about which recommendations have been adopted and which have not been adopted	7

EXAMPLE 1. Technical Response Rewritten for Lay Audience

The following example illustrates how a technical response appropriate for the IEPR report can be rewritten for a lay audience.

Recommendation: Quantify or qualify the risk and uncertainty associated with the discrepancy between observed residential values and the values predicted by the regression model (R² values) associated with estimating the factors to be used in the 2007 structure value update.

Draft

While the CSVr's for Industrial-Distribution warehouses are believed to be appropriately high for this study area, the Economic Appendix could include more detail about why that is and the risk and uncertainty associated with it. Content values for the industrial warehouses have been found to be higher for the Truckee Meadows area than on most studies due to the nature and type of distribution along I-80 in the Sparks area. This proximity to I-80 and the benefit of no inventory tax within the state of Nevada make this a very unique industrial sector regionally and nationally. Many of the warehouses are very large (up to 1.6 million square feet) and serve as regional distribution centers for the western United States. The contents range broadly from consumer items (such as the K-Mart Distribution Center) to casino machines (Bally, IGT) and much more. In the 1988 Feasibility Study, the distribution centers were estimated to have an average combined fixture and inventory value of 360% of structure value. The content percentages for casinos, public, general inventory, and commercial use in the current report came from the 1988 feasibility study. However, after the 1997 flood event, surveys were conducted with some individual tenants and with six large multi-parcel property owners in the industrial areas with over 200 tenants. Based on these actual 1997 flood losses, contents (product and equipment) exceeded structure loss by nearly 18 to 1. The 1997 flood indicated that industrial content losses were the greatest potential dollar risk and of great concern to the local community. In 2001, additional surveys (10 representative owners) were completed and the average of 558% CSVr for distribution warehouses was determined and used in the economic analysis. For light and heavy manufacturing industrial categories, a CSVr of 180% was used. In 2009, field work was conducted essentially to verify that land use for industrial distribution had not changed substantially since the 1997 flood and subsequent 2001 survey. Tours were taken inside 4 large industrial centers and windshield surveys were conducted throughout industrial Sparks. This field work verified that land use had not changed and that the value of contents had most likely increased since 2001. This area was and still is a regional distribution hub for the western United States.

Final

USACE Response: Adopted.

Action Taken: The 2007 structure value update was validated by the high R² values found in the more recent 2011 update and show that there is limited risk associated with the resulting updated structure values. The 2011 update is summarized in Enclosure 2 of the Final Economic Appendix. A standard deviation of 12% (as summarized in section 3.2 of the Final Economic Appendix) was still used within HEC-FDA for residential structure values to appropriately incorporate the uncertain nature of field data collection and sampling in general.

- ✓ Reduced technical explanation
- ✓ More appropriate for audience

EXAMPLE 2. The Right Amount of Detail, the Right Tense, Consistent Naming

The following example illustrates a few common mistakes and how those can be managed. 1. The original response was too short and was revised to include the appropriate amount of information. 2. Part of providing the appropriate level of detail in this example was to add an Action to be Taken statement for a future task. 3. The draft response used an incorrect tense “will be”; in the Agency Responses, these actions are already completed so the action is past tense “has been.” 4. The name of the appendix was modified for the final response from “final Geotechnical appendix” to Final Geotechnical Summary.” (PDTs can reduce the effort expended on Agency Response to IEPR if a common naming convention is identified early and used consistently.)

Recommendation: In the GRR, discuss the potential consequences of liquefaction and associated post-earthquake emergency response and remediation plans.

Draft

Action Taken: Information about potential consequence of liquefaction and associated post-earthquake emergency response and remediation plans will be added to the final Geotechnical appendix.

Final

USACE Response: Adopted.

Action Taken/Action To Be Taken: There is a potential for liquefaction in the study area and this has been taken into consideration. Information regarding the potential consequence of liquefaction has been added to the Final Geotechnical Summary. An emergency response plan will be developed during design of the project and documentation regarding development of this emergency response plan has been added to the Final Geotechnical Summary.

- ✓ Added information
- ✓ Added Action to be taken
- ✓ Changed tense
- ✓ Revised name of appendix

EXAMPLE 3. Adopt It!

Recommendations are often not adopted when they can and should be adopted. A comment can be adopted even if USACE does not agree with all the review states. Action can be taken to satisfy the reviewer and tell a better story just by modifying the report. If the reviewer makes a comment, it may be because they do not understand the material, method, or approach. Clear this up by modifying the report.

Recommendation: Adjust the Total Project Cost for the Sacramento District’s recommended contingency rate and change the project reports to eliminate any ambiguity.

Draft

USACE Response: Not Adopted

Assurance has no effect on Cost Contingencies or Total Project Cost. Assurance does not mean the same as cost confidence. There is no correlation between the two. Assurance means that the recommended plan will perform as design during a certain event. In this case, during the 2% annual chance of exceedance, we are 90% assured that the project will perform as designed. Cost Confidence means that the Total Project Cost will not be exceeded for a certain percentage of identified risks occur. In this case, the Total Project Cost will not be exceeded if 80% of the identified risks occur during the life of the project.

Final

USACE Response: Adopted.

Action Taken: The Final General Reevaluation Report has been modified to eliminate ambiguity regarding the recommended contingency rate. No change to the Total Project Cost was required.

- ✓ Changed Not Adopt to Adopt
- ✓ Take credit for what has been done (modified to eliminate ambiguity)
- ✓ Don't have to agree with everything the reviewer states

EXAMPLE 4: Answer the Question, Don't Hide Behind Guidance, Adopt it and Take Credit for Work Completed

This example shows how a recommendation can be adopted based on work already completed, professional judgement and the need to fully answer the question.

Recommendation: Evaluate the probability of failure given that the probability of poor performance has been accurately extrapolated by expert elicitation to relatively rare events such as the design flood so that the probability of failure is consistent with geotechnical theory and observed performance.

Draft

USACE Response: Not adopted

Action Taken: Fragility curves were developed following the current USACE state of practice as defined in ER 11105-2-101 and ETL 1110-2-556. Further evaluation of the uncertainty in the geotechnical performance uncertainty is beyond the requirements of a feasibility study level of analysis. Even if this uncertainty in the uncertainty could be quantified, it is unlikely that it would impact the alternative selection and tentative recommended plan.

Final

USACE Response: Adopted.

Action Taken: The fragility curves shown in the analyses were evaluated and did consider probability of failure from a water surface about 3 feet above the levee toe to the top of the levee, which is higher than the design water elevation. Therefore, the probability of failure is accurately extrapolated by the analyses to high rare flood events. Also, the fragility curves developed are consistent with the past historical performances of the levee embankment. The major floods for which accurate records are available (1955, 1986, and 1997) had an Annual Chance Exceedance (ACE) of around 0.01 (1/100 year). Those events resulted in breaches and near breaches that were prevented by heroic floodfighting. The design water surface for the study levees is about 2.5 feet higher than the 0.01 ACE event. The probability of failure at the design water surface is high since there have been failures and near failures at lower events.

- ✓ Answer the question
- ✓ Adopt it
- ✓ Not hiding behind guidance
- ✓ Take credit for work that's been done

EXAMPLE 5: Do Not Try to Educate the Reviewer

This example shows how a draft response that might sound defensive or educational to the reviewer can be rewritten. It also has an example of changing the verb to past tense.

Recommendation: Review the Revised GRR and eliminate language that no longer applies to the current NED plan.

Draft

Action Taken: The paragraph cited by the review panel is in reference to the 1988 authorized plan; however, since the information in the paragraph is extraneous, USACE will delete it to minimize future confusion. The remainder of the GRR has also been reviewed in light of this comment.

Final

USACE Response: Adopted.

Action Taken: USACE reviewed the Final General Reevaluation Report and removed language that no longer applies to the current National Economic Development plan.

- ✓ No need to point out that the review panel misunderstood
- ✓ Use appropriate tone

EXAMPLE 6: Provide Clarity

This example shows how a draft response assumes a level of detail or clarity is adequate. If the commentor is requesting greater clarity, chances are the document may benefit from this additional effort.

Recommendation: Revise Appendix F by adding text to clarify how bank protection measures were assumed to affect the habitat variables, and present additional information on the data and regression and other estimation methods used to derive the values of the habitat variables

Draft

Action Taken: A discussion of the relationship between bank protection measures and habitat variables would be informative in better understanding the functioning of the SAM model; however, it would be beyond the immediate purpose of the SAM analysis.

The purpose of the SAM is to estimate the response of focus fish species to the project action. The project action is incorporated into the SAM by predicting the effect of bank protection measures on habitat variables. Appendix F adequately documents the source and assumptions regarding existing and with-project habitat variables.

Final

USACE Response: Adopted.

Action Taken: The process by which SAM habitat variables are derived for with-project conditions has been described for each habitat variable separately as was done for habitat variables under existing conditions. Although the processes are very similar, new language has been added Section 3 of Appendix F to help clarify how bank design features (presented in Table F-10) are interpreted and incorporated into the SAM.

- ✓ Clarifying text added to report
- ✓ Removed defensive tone

EXAMPLE 7: Either Adopt or Not Adopt

Do not use the phrase “partial adopt” – be explicit about which recommendations have been adopted and which have not been adopted.

Recommendation: The LRR should clearly indicate why seepage through the levee is acceptable, or provide alternative correction measures that would be effective for this case.

Draft

Final

USACE Response: Adopted in Part

Action Taken: The “through seepage” discussed by the panel is actually underseepage giving the appearance of through seepage. For this reason, the LRR was not revised to indicate why through seepage was acceptable or identify other measures to address through seepage. However, the Geotechnical appendix (Section D.6) was revised to more thoroughly describe and clarify the situation.

USACE Response: Adopted.

Action Taken: The Geotechnical appendix (Section D.6) was revised to more thoroughly describe and clarify the situation that the “through seepage” discussed by the panel is actually underseepage giving the appearance of through seepage.

✓ Eliminated partial adopt

EXAMPLE 8. Don't hide behind guidance, be concise, focus on what's important and be consistent.

The following example illustrates how a response can be edited for consistency, length and conciseness.

Recommendation: Determine and discuss whether more advanced methods have been developed since ETL556 was issued that might improve confidence in the development of fragility curves.

Draft

First, a clarification: The Expert Elicitation was solely to develop a consistent, realistic procedure for developing ONLY the judgment portion of geotechnical fragility curves because there is no guidance on that in ETL 556. The Expert Elicitation did not cover developing fragility curves in their entirety. This is stated in section 5.5 of the Geotechnical Design Appendix (“...an expert elicitation was conducted for the purpose of developing the judgment portion of the curves.....”). The PDT does not believe it is possible to do a statistical comparison of the Feather River levees to the fragility curves due to the low number of levee breaches in the area. Breaches that occurred (or may have occurred) prior to 1955 are not documented well (typically only in stories told from one generation to the next), and prior to Corps upgrades constructed in the 1940’s-1950’s, the levees in the area were little more than piles of dirt pushed up by local farmers or hydraulic fills from dredging operations. There have been two breaches on the Feather River east levee (i.e. across the river) and one breach on the Yuba River south levee (the Yuba River is a tributary of the Feather River on the east side; the confluence is across from the south end of Yuba City) since 1955. What can be said with absolute certainty is the characteristics of the individual performance mode fragility curves (i.e. underseepage, stability, and judgment) agree very well with the historical performance of the levees within the Feasibility Study. The documented performance history since 1955 is heavily skewed towards underseepage distress, with only one instance of slope stability distress and some short sections of slope erosion, none of which reached the levee crest. The agreement between the characteristics of individual performance mode fragility curves and historical performance is stated in the Geotechnical Report.

Final

USACE Response: Adopted.

Action Taken: Calibration was assessed and the curves are in qualitative agreement with the actual levee performance. There has been one breach on the FRWL since 1955. There have been two breaches on the Feather River east levee (i.e. across the river) since 1955. Other potential breaches were prevented by heroic floodfighting. The characteristics of the individual performance mode fragility curves (i.e. underseepage, stability, and judgment) agree very well with the historical performance of the levees within the Feasibility Study. The documented levee performance history since 1955 is heavily skewed towards underseepage distress as are the fragility curves. Due to the observed qualitative agreement between the fragility curves and the actual levee performance, USACE believes performance of a robust statistical analysis between the two will not change the overall study conclusions or the Recommended Plan.

- ✓ Not hiding behind guidance
- ✓ Used consistent references
- ✓ Speaking from one voice (USACE)
- ✓ Focus on what's important

Strategy for Streamlining Agency Response (begin this during Task 44 of the IEPR process)

Begin with the end in mind. PDTs should consider the following before drafting initial responses to IEPR comments (Task 44 of the IEPR SOP). This will help to reduce the effort of rewriting responses for the Agency Response to IEPR.



- Summarize. When drafting the initial IEPR responses the PDT members should begin EACH response with a concise and complete summary that meets the requirements for the final Agency Responses. If a more detailed technical explanation is needed to satisfy the IEPR review, this detail can be added after the summary.
- Consistency is key. Conduct a PDT meeting prior to any responses being drafted and decide on a consistent format for referencing the report and the appendices within responses. For example: “the revised text can be found in section 4.2.5 of the Final Feasibility Report.”
- One person in charge. Early on, assign one PDT member to be responsible for preparing the Agency Response to IEPR document to ensure consistency. It makes most sense for this person to be someone who has a good overall understanding of the study and most technical disciplines. Good examples would be the Lead Planner, the Engineering Technical Lead, the Economist or the Project Manager.
- Adopt if at all possible. When evaluating a recommendation read it carefully and always ask, “Is there any way that we can adopt this?” Many times, the reviewer will only ask for something to be considered, but not require it. Recommendations for consideration should always be adopted. Comments that are not concurred with and recommendations that are not adopted will continue to receive further scrutiny throughout the rest of the approval process. To the extent possible, always state what action has been taken or will be taken as a result of the IEPR Panel’s comment. This can and should be done whether a comment is adopted or not. Remember the action can be adding a reference, rewording a paragraph, or adding text to the document to tell the story in a way that readers can understand. After all, if the reviewer had the question, others will too. Identifying the action is critical in the Agency Response to IEPR comments, if written during the initial responses to the IEPR panel, it will save the team from having to identify or document actions later.



DEPARTMENT OF THE ARMY
CHIEF OF ENGINEERS
2600 ARMY PENTAGON
WASHINGTON, D.C. 20310-2600

SEP 25 2013

DAEN

MEMORANDUM FOR ASSISTANT SECRETARY OF THE ARMY (CIVIL WORKS)
108 ARMY PENTAGON, WASHINGTON, DC 20310-0108

SUBJECT: Orestimba Creek Flood Risk Management Study, West Stanislaus County,
California – Final USACE Response to Independent External Peer Review

1. Independent External Peer Review (IEPR) was conducted for the subject project in accordance with Section 2034 of the Water Resources Development Act of 2007, EC 1165-2-214, and the Office of Management and Budget's Final Information Quality Bulletin for Peer Review (2004).
2. The IEPR was conducted by Battelle Memorial Institute. The IEPR panel consisted of four members with technical expertise in Civil Works planning/economics, biology/ecology, geotechnical engineering, and hydrologic and hydraulic engineering.
3. The final written responses to the IEPR are hereby approved. The enclosed document contains the final written responses of the Chief of Engineers to the issues raised and the recommendations contained in the IEPR report. The IEPR Report and the USACE responses have been coordinated with the vertical team and will be posted on the Internet, as required in EC 1165-2-214.
4. If you have any questions on this matter, please contact me or have a member of your staff contact Mr. Bradd Schwichtenberg, Deputy Chief, South Pacific Division Regional Integration Team, at 202-761-1367.

Encl

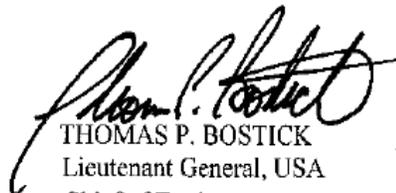

THOMAS P. BOSTICK
Lieutenant General, USA
Chief of Engineers

Figure E-1: Memo signed by Chief of Engineers transmitting the report to the ASA(CW)