



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
SOUTH ATLANTIC DIVISION
60 FORSYTH STREET SW, ROOM 10M15
ATLANTA, GA 30303-8801

03 APR 2015

CESAD-RBT

MEMORANDUM FOR COMMANDER, JACKSONVILLE DISTRICT

SUBJECT: Approval of the Review Plan for the Engineering Documentation Report for Big Cypress Seminole Indian Reservation Water Conservation Plan Critical Restoration Project, Basin 3, Hendry County, Florida

1. References:

a. Memorandum, CESAJ-EN-Q, 6 March 2015, subject: Approval of the Review Plan for Engineering Documentation Report for Big Cypress Seminole Indian Reservation Water Conservation Plan Critical Restoration Project, Basin 3, Hendry County, Florida (Encl 1).

b. EC 1165-2-214, Civil Works Review, 15 December 2012.

2. The enclosed subject Review Plan (RP) submitted by the Jacksonville District via reference 1.a has been reviewed by this office and is hereby approved in accordance with reference 1.b above.

3. We concur with the conclusion of the District Chief of Engineering that a Type II IEPR is not required for the Engineering Documentation Report associated with this effort. The primary basis for this concurrence is that failure or loss of this feature would not pose a significant threat to human life.

4. The District should post the approved RP to its web site and provide a link to CESAD-RBT. Before posting the RP to the web site, the names of Corps/Army employees should be removed. Subsequent significant changes, such as scope or level of review changes, to this RP, should they become necessary, will require new written approval from this office.

5. The SAD point of contact is [REDACTED].

Encl

C. DAVID TURNER
Brigadier General, USA
Commanding

CF:
[REDACTED]



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P.O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

REPLY TO
ATTENTION OF

CESAJ-EN-Q

6 March 2015

MEMORANDUM FOR Commander, South Atlantic Division (CESAD-RBT)

SUBJECT: Approval of Review Plan for Engineering Documentation Report for Big Cypress Seminole Indian Reservation Water Conservation Plan Critical Restoration Project, Basin 3, Hendry County, Florida

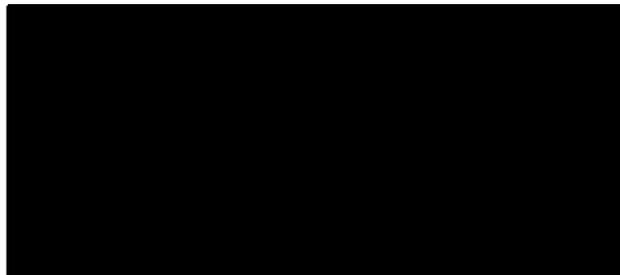
1. References.

- a. EC 1165-2-214, Civil Works Review, 15 December 2012
- b. WRDA 1996; PL 104-303 dated 12 October 1996 (Project Authorization)

2. I hereby request approval of the enclosed Review Plan and concurrence with the conclusion that a Type II Independent External Peer Review (IEPR) of the subject project is not required. The recommendation to exclude Type II IEPR is based on the EC 1165-2-214 Risk Informed Decision Process as presented in the Review Plan. The Review Plan defines the scope and level of review activities for the Engineering Documentation Report (EDR), provides Agency Technical Review, complies with applicable policy, and has been coordinated with the CESAD. It is my understanding that non-substantive changes to this Review Plan, should they become necessary, are authorized by CESAD.

3. The district will post the CESAD approved Review Plan to its website and provide a link to the CESAD for its use. Names of Corps/Army employees will be withheld from the posted version, in accordance with guidance.

FOR THE COMMANDER:



Encl

PROJECT REVIEW PLAN

For

Engineering Documentation Report

For

Big Cypress Seminole Indian Reservation Water Conservation Plan Critical Restoration Project Basin 3 Hendry County, Florida

Project P2 number: 114794

Jacksonville District

March 2015

THE INFORMATION CONTAINED IN THIS REVIEW PLAN IS DISTRIBUTED SOLELY FOR THE PURPOSE OF PREDISSEMINATION PEER REVIEW UNDER APPLICABLE INFORMATION QUALITY GUIDELINES. IT HAS NOT BEEN FORMALLY DISSEMINATED BY THE U.S. ARMY CORPS OF ENGINEERS, JACKSONVILLE DISTRICT. IT DOES NOT REPRESENT AND SHOULD NOT BE CONSTRUED TO REPRESENT ANY AGENCY DETERMINATION OR POLICY.



**US Army Corps
of Engineers®**

TABLE OF CONTENTS

1. PURPOSE AND REQUIREMENTS	1
a. Purpose	1
b. References	1
c. Requirements.....	1
d. Review Plan Approval and Updates	1
e. Review Management Organization	2
2. PROJECT INFORMATION	2
a. Project Location and Name	2
b. Project Authorization	2
c. Project Background.....	2
d. Public Participation	3
e. In-Kind-Contributions by Project Sponsor.....	4
3. DISTRICT QUALITY CONTROL	4
4. AGENCY TECHNICAL REVIEW	4
a. Risk Informed Decision on Appropriate Level of Review	4
b. Agency Technical Review Scope	4
c. ATR Disciplines.....	4
5. INDEPENDENT EXTERNAL PEER REVIEW	5
a. General	5
b. Type I Independent External Peer Review (IEPR) Determination.....	5
c. Type II Independent External Peer Review (IEPR) Determination (Section 2035).....	5
6. MODEL CERTIFICATION AND APPROVAL	6
7. PROJECT DELIVERY TEAM DISCIPLINES.....	6
8. BUDGET AND SCHEDULE.....	6
a. Schedule.....	6
b. ATR Cost.....	6

ATTACHMENT A - Approved Review Plan Revisions

ATTACHMENT B - Partial List of Acronyms and Abbreviations

ATTACHMENT C - ATR Report Outline and Completion of Agency Technical Review Form

1. PURPOSE AND REQUIREMENTS

a. Purpose

This Review Plan defines the scope and level of review activities for the Engineering Documentation Report (EDR) of the Big Cypress Seminole Indian Reservation Water Conservation Plan Critical Restoration Project, Basin 3, Hendry County, Florida. The purpose of the EDR is to document the justification of removing features to be constructed in Basin 3 from the project and generally describing how project benefits and costs identified in the original Letter Report, which was the basis for the Seminole Tribe Big Cypress Reservation Water Conservation Plan Critical Restoration Project approval, are expected to be affected. The EDR is classified as an implementation document. As discussed below, the recommended review activities will consist of a District Quality Control (DQC) effort and an Agency Technical Review (ATR). Also as discussed below, an Independent External Peer Review (IEPR) is not recommended due to the scope of the EDR.

b. References

- (1). ER 1110-2-1150, "Engineering and Design for Civil Works Projects", 31 August 1999
- (2). ER 1110-1-12, "Engineering and Design Quality Management", 31 March 2011
- (3). EC 1165-2-214, "Civil Works Review", 15 December 2012
- (4). SAJ EN QMS 02611, "SAJ Quality Control of In-House Products: Civil Works PED", 21 November 2011
- (5). Enterprise Standard (ES) 08025, "Government Construction Quality Assurance Plan and Project/Contract Supplements"
- (6). Enterprise Standard (ES) 08026, "Three Phase Quality Control System"
- (7). Final General Revaluation Report II and Supplemental Environmental Impact Statement Big Cypress Seminole Indian Reservation Water Conservation Plan Critical Restoration Project – Basin 3, Hendry County, Florida
- (8). Critical Letter Report, Big Cypress Seminole Indian Reservation Water Conservation Plan Critical Restoration Project – Basin 3, Hendry County, Florida.

c. Requirements

This review plan was developed in accordance with EC 1165-2-214, which establishes an accountable, comprehensive, life-cycle review strategy for Civil Works products by providing a seamless process for review of all Civil Works projects from initial planning through design, construction, and Operation, Maintenance, Repair, Replacement and Rehabilitation (OMRR&R). The EC provides the procedures for ensuring the quality and credibility of U.S. Army Corps of Engineers (USACE) decision, implementation, and operations and maintenance documents and other work products. The EC outlines five levels of review: District Quality Control (DQC), Agency Technical Review (ATR), and an Independent External Peer Review (IEPR), Policy and Legal Review and a Biddability, Constructability, Operability, Environmental, and Sustainability (BCOES) Review. Review Plan Approval and Updates

The South Atlantic Division Commander is responsible for approving this Review Plan. The Commander's approval reflects vertical team input (involving district, MSC, RMO, and HQUSACE members) as to the appropriate scope and level of review. Like the PMP, the

Review Plan is a living document and may change as the project progresses. The Jacksonville District is responsible for keeping the Review Plan up to date. Minor changes to the review plan since the last MSC Commander approval are documented in Attachment A. Significant changes to the Review Plan (such as changes to the scope and/or level of review) should be re-approved by the MSC Commander following the process used for initially approving the plan. The latest version of the Review Plan, along with the Commanders' approval memorandum, will be posted on the Jacksonville District's webpage. The latest Review Plan will be provided to the RMO and home MSC.

d. Review Management Organization

The South Atlantic Division (SAD) is designated as the Review Management Organization (RMO). The RMO, in cooperation of the vertical team, will approve the ATR team members selected by the Jacksonville District US Army Corps of Engineers (CESAJ). CESAJ will assist SAD with management of the ATR and will develop the charge to reviewers.

2. PROJECT INFORMATION

a. Project Location and Name

The project is located in central Florida in Hendry County on the Seminole Tribe of Florida Big Cypress Reservation south of Lake Okeechobee and west of Fort Lauderdale (Figure 1).

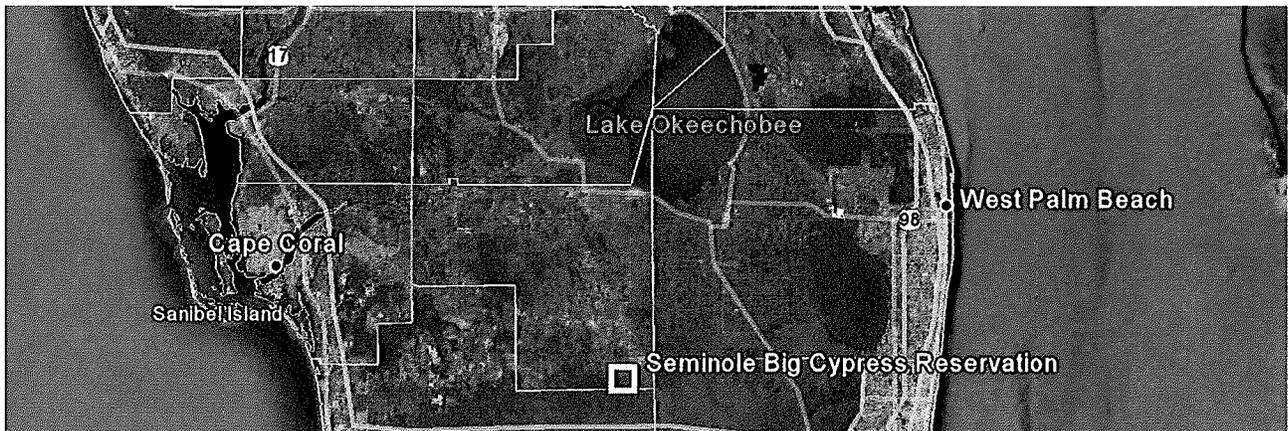


Figure 1: Project Location

b. Project Authorization

The Seminole Tribe Big Cypress Reservation Water Conservation Plan was authorized in Section 528 of the Water Resources Development Act of 1996 as a Central and Southern Florida Critical Restoration Project.

c. Project Background

The project accommodates the Seminole Tribe of Florida's water entitlement, supports sustainable agriculture, and contributes to the restoration of the western Everglades ecosystem. The project is cost shared 50-50 with the Seminole Tribe of Florida with a \$30 million federal funding cap. The Seminole Tribe of Florida is responsible for 50 percent of the cost of operation, maintenance, repair, replacement, and rehabilitation activities for the Big Cypress Reservation Water Conservation Plan Project.

The features on the eastern portion of the Reservation have been constructed and were completed in July 2003. The first features in the western portion of the Reservation, Basin 1, were completed in July 2008 and transferred to the Seminole Tribe of Florida in 2010. Basin 4 was completed in January 2013 and was transferred in July 2013. Basin 2 is currently under construction and is scheduled for completion in summer 2015.

In summer 2014, the US Army Corps of Engineers reached its federal cost share limit of \$30 million dollars on the Critical Restoration Project. As a result of this, the Seminole Tribe of Florida would be responsible for providing all remaining funds required to complete the Basin 2 construction effort.

In a letter dated April 7, 2014, from the Chairman of the Seminole Tribe of Florida to the Jacksonville District Commander, it was stated that the Seminole Tribe is committed to the Critical Restoration Project and understands that it will be solely responsible for any construction dollars that exceed the project cap in order to complete Basin 2. However, the Tribe will not be doing so for Basin 3, which has not yet been contracted or constructed. It was also stated the Seminole Tribe believed that a number of project related documents will need to be updated to provide for the removal of Basin 3. For instance, CESAJ will need to amend the Project Cooperation Agreement to reflect the change, update the cost share documentation for the Project and other related documents. It is the Tribe's understanding that CESAJ will need to work together with them to accomplish a series of changes and that a letter from the Seminole Tribe starting the process is necessary.

In response to the April 7, 2014, letter regarding the removal of Basin 3 from the Critical Restoration Project, CESAJ sent a follow-up letter to the Chairman's attention identifying the estimated cost and schedule for completing the aforementioned actions. The Jacksonville District consulted with the Seminole Tribe of Florida on any additional actions deemed appropriate by the US Army Corps of Engineer Vertical Team Leadership. The Jacksonville District also sent a letter to SAD dated June 13, 2014 requesting concurrence with the proposed path forward.

On August 28, 2014, the US Army Corps of Engineers Vertical Team Leadership conferenced to discuss the status of the Critical Restoration Project and the proposed path forward. It was decided the Jacksonville District would prepare a Letter Report with a NEPA analysis to remove Basin 3 from the Critical Restoration Project. An Amendment to the Project Cooperation Agreement would also be required for the Project.

In a memorandum dated November 13, 2014, SAD clarified the Jacksonville District's path forward by requesting that an Engineering Documentation Report (EDR) be prepared in accordance with ER 1110-2-1150 which will serve as a second addendum to the approved Critical Project Letter Report. It was further stipulated that prior to preparation of said EDR, a Review Plan will need to be prepared and submitted to SAD for approval.

d. Public Participation

The Jacksonville District Corporate Communications Office continually keeps the affected public informed on Jacksonville District projects and activities. There are no planned activities, public participation meetings or workshops that could generate issues needing provision to review teams. The approved review plan will be posted on the Jacksonville District Internet.

Any comments or questions regarding the review plan will be addressed by the Jacksonville District.

e. In-Kind-Contributions by Project Sponsor

There are no in-kind sponsor contributions related to the EDR that will affect this review plan or related reviews.

3. DISTRICT QUALITY CONTROL

All reports, evaluations, and assessments shall undergo the necessary and appropriate level of DQC. The subject project EDR will be prepared by the Jacksonville District using ER 1110-1-12 procedures and will undergo DQC. Documentation of the DQC activities is required and will be in accordance with SAJ EN QMS 02611. All DQC comments will be formally answered in a normal comment/response format and compiled. The DQC certification will be provided to the ATR team and will become a permanent part of the project's documentation.

4. AGENCY TECHNICAL REVIEW

a. Risk Informed Decision on Appropriate Level of Review

The project includes construction of water control, management, and treatment facilities in areas identified as Basins 1, 2, 3, and 4. However, the features to be constructed in Basin 3 are not currently expected to be constructed. An ATR of the EDR will be executed to evaluate the justification of the removal of the Basin 3 features from the project and generally describing how project benefits and costs identified in the original Letter Report, which was the basis for the Seminole Tribe Big Cypress Reservation Water Conservation Plan Critical Restoration Project approval, are expected to be affected.

b. Agency Technical Review Scope.

ATR is undertaken to "ensure the quality and credibility of the government's scientific information" in accordance with EC 1165-2-214 and ER 1110-1-12. Per EC 1165-2-241, ATR is mandatory for all implementation documents. The ATR of the EDR will be conducted by individuals and organizations that are external to the Jacksonville District. The ATR Team Leader will be a Corps of Engineers employee outside the South Atlantic Division. The required disciplines and experience are described below.

ATR comments are documented in the DrCheckssm model review documentation database. DrCheckssm is a module in the ProjNetsm suite of tools developed and operated at ERDC-CERL (www.projnet.org). At the conclusion of ATR, the ATR Team Leader will prepare an ATR Review Report that summarizes the review. An outline for an ATR Review Report is in Attachment C. The report will include at a minimum the Charge to Reviewers, ATR Certification Form from EC 1165-2-214, and the DrCheckssm printout of the comments.

c. ATR Disciplines.

As stipulated ER 1110-1-12, ATR members will be sought from the following sources: regional technical specialists (RTS); subject matter experts (SME) certified in CERCAP; senior level experts from other districts; Center of Expertise staff; experts from other USACE commands; contractors; academic or other technical experts; or a combination of the above. The ATR Team will be comprised of the following disciplines; knowledge, skills and abilities; and experience levels.

ATR Team Leader. The ATR Team Leader will be from outside SAD and should have a minimum of 10 years of experience and have performed ATR Team Leader duties. ATR Team Leader can also serve as a co-duty to one of the review disciplines.

Hydraulic Engineer. The team reviewer should be a registered professional with 10 years of experience in earth channel design and levee design.

Environmental Resources/Biologist. The Environmentalist should have 10 years of experience and understand the requirements for and have experience with NEPA documentation to include EIS evaluations for environmental/ecological projects.

5. INDEPENDENT EXTERNAL PEER REVIEW

a. General.

EC 1165-2-214 provides implementation guidance for both Sections 2034 and 2035 of the Water Resources Development Act (WRDA) of 2007 (Public Law (P.L.) 110-114). The EC addresses review procedures for both the Planning and the Design and Construction Phases (also referred to in USACE guidance as the Feasibility and the Pre-construction, Engineering and Design Phases). The EC defines Section 2035 Safety Assurance Review (SAR), Type II Independent External Peer Review (IEPR). The EC also requires Type II IEPR be managed and conducted outside the Corps of Engineers.

b. Type I Independent External Peer Review (IEPR) Determination.

A Type I IEPR is primarily associated with decision documents. A Type I IEPR is not applicable to the implementation documents covered by this Review Plan.

c. Type II Independent External Peer Review (IEPR) Determination (Section 2035).

This project does not trigger WRDA 2007 Section 2035 factors for Safety Assurance Review (termed Type II IEPR in EC 1165-2-214) and therefore, a review under Section 2035 is not required. The factors in determining whether a review of design and construction activities of a project are necessary as stated under Section 2035 along with this review plans applicability statements follow.

- (1) The failure of the project would pose a significant threat to human life.

This project consists of low level levees and failure of the levees will not pose a significant threat to human life.

- (2) The project involves the use of innovative materials or techniques.

This project utilized methods and procedures used by the Corps of Engineers on other similar works.

- (3) The project design lacks redundancy.

The concept of redundancy does not apply to this project.

- (4) The project has unique construction sequencing or a reduced or overlapping design construction schedule.

Construction schedules utilized for the constructed features of this project have not had unique sequencing and activities were not reduced or overlapped.

The removing of features to be constructed in Basin 3 from the project, the purpose of the evaluation to be documented in this EDR, will not decrease and/or adversely affect any safety factors associated with this project.

Based on the discussion above, the District Chief of Engineering, as the Engineer-In-Responsible-Charge, does not recommend a Type II IEPR Safety Assurance Review of the EDR.

6. MODEL CERTIFICATION AND APPROVAL

No engineering models are being used to prepare the documents covered by this review plan.

7. PROJECT DELIVERY TEAM DISCIPLINES

Discipline/Expertise
Civil Site Design
Geotechnical Engineering
Environmental Engineering
Hydraulic & Hydrologic Engineering

8. BUDGET AND SCHEDULE

a. Schedule.

Task	Start Date	End Date
EDR complete	26 Feb 2015	26 Feb 2015
DQC	27 Feb 2015	27 Feb 2015
ATR Review	16 March 2015	3 April 2015
ATR Review Certification	22 April 2015	22 April 2015

b. ATR Cost.

Funds will be budgeted to execute ATR and schedule as outlined above. It is envisioned that each reviewer will be afforded 20 hours review plus 8 hours for coordination. The estimated cost range is \$8,000 - \$10,000.

ATTACHMENT A: APPROVED REVIEW PLAN REVISIONS

Revision Date	Description of Change	Page / Paragraph Number

ATTACHMENT B: PARTIAL LIST OF ACRONYMS AND ABBREVIATIONS

<u>Acronyms</u>	<u>Defined</u>
AFB	Alternatives Formulation Briefing
ATR	Agency Technical Review
BCOES	Biddability, Constructability, Operability, Environmental, and Sustainability Review
CAP	Continuing Authorities Program
CERCAP	Corps of Engineers Reviewer Certification and Access Program
CY	Cubic Yards
DDR	Design Documentation Report
DQC	District Quality Control
DQCR	Discipline Quality Control Review
EC	Engineering Circular
EA	Environmental Assessment
ER	Engineering Regulation
EA	Environmental Assessment
ERDC-CERL	Engineer Research and Development Center – Construction Engineering Research Laboratory
ESA	Endangered Species Act
ETL	Engineering Technical Lead
FDEP	Florida Department of Environmental Protection
FONSI	Findings of No Significant Impacts
FSCA	Feasibility and Cost Sharing Agreement
FY	Fiscal Year
GRR	General Reevaluation Report
IEPR	Independent External Peer Review
LPP	Locally Preferred Plan
MCX	Mandatory Center of Expertise
MLLW	Mean Low Low Water
MSC	Major Subordinate Command
NAS	National Academy of Sciences
NEPA	National Environmental Policy Act
ODMDS	Ocean Dredged Material Disposal Site
OMB	Office of Management and Budget
OMRR&R	Operation, Maintenance, Repair, Replacement and Rehabilitation
P&S	Plans and Specifications
PED	Preconstruction Engineering and Design
PDT	Project Delivery Team
PM	Project Manager

<u>Acronyms</u>	<u>Defined</u>
PMP	Project Management Plan
PPA	Project Partnering Agreement
PQCR	Product Quality Control Review
QA	Quality Assurance
QCP	Quality Control Plan
QMP	Quality Management Plan
QMS	Quality Management System
RMC	Risk Management Center
RMO	Review Management Organization
RP	Review Plan
RTS	Regional Technical Specialist
SAJ	South Atlantic Jacksonville District Office
SAD	South Atlantic Division Office
SAR	Safety Assurance Review (also referred as Type II IEPR)
SME	Subject Matter Expert
USACE	U.S. Army Corps of Engineers
WRDA	Water Resources and Development Act

Attachment C

ATR Report Outline and COMPLETION OF AGENCY TECHNICAL REVIEW

Big Cypress Seminole Indian Reservation Water Conservation Plan Critical Restoration Project Basin 3 Hendry County, Florida

Review of Engineering Documentation Report (EDR)

ATR REPORT OUTLINE (Unneeded items, such as ATR Team Member Disciplines that are not identified as needed in the Review Plan, shall be deleted from the ATR Report.)

- 1. Introduction:**
- 2. Project Description:**
- 3. ATR Team Members:**
 - ATR Team Leader.**
 - Hydraulic Engineer.**
 - Environmental Resources/Biologist.**
- 4. ATR Objective:**
- 5. Documents Reviewed:**
- 6. Findings and Conclusions:**
- 7. Unresolved Issues:**

Enclosures:

- 1. ATR Statement of Technical Review**
- 2. ATR Comments (DrChecks)**
- 3. Project Review Plan**
- 4. Charge to Reviewers**
- 5. Certification of District Quality Control Review**

COMPLETION OF AGENCY TECHNICAL REVIEW

The Agency Technical Review (ATR) has been completed for the Engineering Documentation Report for the Big Cypress Seminole Indian Reservation Water Conservation Plan Critical Restoration Project, Basin 3, Hendry County, Florida. ATR was conducted as defined in the project's Review Plan to comply with the requirements of EC 1165-2-214 and ER 1110-1-12. During the ATR, compliance with established policy principles and procedures, utilizing justified and valid assumptions, was verified. This included review of: assumptions, methods, procedures, and material used in analyses, alternatives evaluated, the appropriateness of data used and level obtained, and reasonableness of the results, including whether the product meets the customer's needs consistent with law and existing US Army Corps of Engineers policy. The ATR also assessed the District Quality Control (DQC) documentation and made the determination that the DQC activities employed appear to be appropriate and effective. All comments resulting from the ATR have been resolved and the comments have been closed in DrChecks.

NAME
ATR Team Leader

Date

NAME
Project Manager

Date

NAME
Review Management Office Representative

Date

CERTIFICATION OF AGENCY TECHNICAL REVIEW

Significant concerns and the explanation of the resolution are as follows: Describe the major technical concerns and their resolution.

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

NAME
Chief, Engineering Division
SAJ-EN

Date