



DEPARTMENT OF THE ARMY  
US ARMY CORPS OF ENGINEERS  
SOUTH ATLANTIC DIVISION  
60 FORSYTH ST, SW, ROOM 10M15  
ATLANTA, GEORGIA 30303-3490

REPLY TO  
ATTENTION OF:

CESAD-PDP

30 November 2011

MEMORANDUM FOR Commander, Jacksonville District (CESAJ-PD /Stuart Appelbaum)

SUBJECT: Review Plan Approval for Tampa Harbor, Florida, Dredged Material Management Plan (DMMP) 2010 Update

1. References:

- a. Memorandum, CESAJ-PD, 15 August 2011.
- b. Memorandum, CESAM-PD-FE, 13 June 2011.
- c. EC 1165-2-209, Civil Works Review Policy, 31 January 2010.

2. The attached Review Plan for Tampa Harbor, FL, DMMP 2010 Update (enclosure) has been prepared in accordance with EC 1165-2-209.

3. The Review Plan has been coordinated with the Deep Draft Navigation Planning Center of Expertise (DDNPCX) of the South Atlantic Division (SAD), which is the lead office to execute this plan. For further information, please contact the DDNPCX at (251) 694-3884. SAD concurs with the District's decision, based on the risk informed analysis provided in the Review Plan, that Independent External Peer Review (IEPR) is not required.

4. I hereby approve this Review Plan, which is subject to change as circumstances require, consistent with study development under the Project Management Business Process. Subsequent revisions to this Review Plan or its execution will require new written approval from this office.

5. The District should take steps to post the approved Review Plan and a copy of this approval memorandum to the SAJ District public internet website and provide a link to the DDNPCX for their use. Before posting to the website, the names of Corps/Army employees should be removed.

6. The SAD point of contact for this action is Ms. Karen Dove-Jackson, CESAD-PDP, (404) 562-5225.

FOR THE COMMANDER:

Encl

WILBERT V. PAYNES  
Chief, Planning and Policy  
Community of Practice

Rec'd 8/18/11  
W.S.P.



REPLY TO  
ATTENTION OF

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

AUG 15 2011

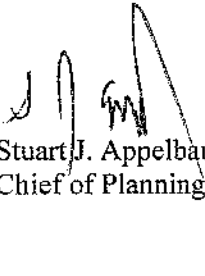
CESAJ-PD

MEMORANDUM FOR Chief, Planning and Policy (CESAD-PDS)

SUBJECT: Request for MSC Approval- Review Plan of Tampa Harbor, Florida, Dredged Material Management Plan (DMMP) 2010 Update

1. Reference: EC 1165-2-209, Civil Works Review Policy, 31 January 2010.
2. SAJ hereby requests two actions, as follows:
  - a. Approval of the enclosed subject Review Plan, consistent with the intent of Reference 1.a.
  - b. Support for an exclusion from Independent External Peer Review, consistent with the intent of Reference 1.a.
3. The Deep Draft Navigation Planning Center of Expertise (DDNPCX) has reviewed the Review Plan (RP) and concurs that the RP satisfies peer review policy requirements outlined in reference 1.a and supports the IEPR Exclusion request.
2. The RP complies with all applicable policies and provides an adequate agency technical review of the plan formulation, engineering, environmental analyses, and other aspects of the plan development. It is our understanding that non-substantive changes to this RP, should they become necessary, are authorized by CESAD. The Review Plan, Review Plan Checklist and PCX endorsement are enclosed.
3. The IEPR Exclusion request is based upon the premise that the Tampa Harbor DMMP Update will not change the authorized 2002 recommended and implemented plan. The Update will provide the factual basis for entering into a Project Partnership Agreement (PPA). In that context, it is a decision document. However, it is limited in scope and impact and therefore would not significantly benefit from an independent external peer review.
4. The District will post the MSC-approved Final RP to its web site and provide a link to the PCX.
5. The SAJ point of contact is Stephanie Groleau, Planning Technical Lead, (904) 232- 1979, or Jim Baker, CESAJ Review Coordinator, Planning and Policy Division, (904) 232-2698.

Encls

  
Stuart J. Appelbaum  
Chief of Planning and Policy Division



DEPARTMENT OF THE ARMY  
MOBILE DISTRICT, CORPS OF ENGINEERS  
P.O. BOX 2288  
MOBILE, ALABAMA 36628-0001

REPLY TO  
ATTENTION OF:

CESAM-PD-FE (1105-2-40a)


13 June 2011

MEMORANDUM FOR Mr. James M. Baker, Project Manager, 701 San Marco Boulevard, U.S. Army Corps of Engineers, Jacksonville District, Jacksonville, Florida

SUBJECT: Review Plan Approval, Tampa Harbor, Florida, Final 2002 Dredged Material Management Plan (DMMP) Update, Jacksonville District

1. The Deep Draft Navigation Planning Center of Expertise (DDNPCX) has reviewed the Review Plan (RP) for the subject study and concurs that the RP satisfies peer review policy requirements outlined in Engineering Circular (EC) 1165-2-209 Civil Works Review Policy, dated 31 January 2010.
2. The review was performed by Mr. Bernard E. Moseby, Technical Director, DDNPCX. The center supports the district's Independent External Peer Review exclusion request. The RP checklist that documents the review is enclosed.
3. The DDNPCX recommends the RP for approval by the MSC Commander. Upon approval of the RP, please provide a copy of the approved RP, a copy of the MSC Commander Approval memorandum, and the link to where the RP is posted on the District website.
4. Thank you for the opportunity to assist in the preparation of the RP. Please coordinate any Agency Technical Review (ATR), Independent External Peer Review (IEPR), and Model Certification efforts outlined in the RP with the Deputy Director, DDNPCX at (251) 694-3884.

Encl

  
BERNARD E. MOSEBY  
Deputy Director  
Deep Draft Navigation PCX

CF:  
CESAD-PDS

# **REVIEW PLAN**

**Tampa Harbor, Florida, Dredged Material Management Plan (DMMP)  
2010-2030 Update**

**Jacksonville District**

November 2011

**MSC Approval Date:** 30 November 2011

**Last Revision Date:** November 2011



**US Army Corps  
of Engineers®**

## REVIEW PLAN

### Tampa Harbor Dredged Material Management Plan (DMMP) Update

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## 1. PURPOSE AND REQUIREMENTS

a. **Purpose.** This Review Plan defines the scope and level of peer review for the Tampa Harbor, FL Dredged Material Management Plan (DMMP) 2010-2030 Update. This Review Plan is being developed concurrently to DMMP review.

### b. References

- (1) Engineering Circular (EC) 1165-2-209, Civil Works Review Policy, 31 Jan 2010
- (2) EC 1105-2-412, Assuring Quality of Planning Models, 31 Mar 2011
- (3) Engineering Regulation (ER) 1110-1-12, Quality Management, 21 Jul 2006
- (4) ER 1105-2-100, Planning Guidance Notebook, Appendix H, Policy Compliance Review and Approval of Decision Documents, Amendment #1, 20 Nov 2007
- (5) South Atlantic Division and Jacksonville District Quality Management Plans

c. **Requirements.** This review plan was developed in accordance with EC 1165-2-209, which establishes an accountable, comprehensive, life-cycle review strategy for Civil Works products by providing a seamless process for review of all Civil Works projects from initial planning through design, construction, and operation, maintenance, repair, replacement and rehabilitation (OMRR&R). The EC outlines four general levels of review: District Quality Control/Quality Assurance (DQC), Agency Technical Review (ATR), Independent External Peer Review (IEPR), and Policy and Legal Compliance Review. The MSC, South Atlantic Division, and District, Jacksonville District, have determined through a risked informed decision process that the DMMP is a continuation of a prior implementation document for efficient operational practices and methods for the maintenance of Tampa Harbor. This DMMP is not a decision document, as defined in EC 1165-2-209, as it does not change the recommendation for O&M practices, nor does it require any authorization for implementation. USACE guidance calls this type of document an “**other work product**” or “**other report**.”

### d. Types of Review

- (1) District Quality Control/Quality Assurance (DQC). All **work products** and reports, evaluations, and assessments shall undergo necessary and appropriate District Quality Control/Quality Assurance (DQC). DQC is an internal review process of basic science and engineering work products focused on fulfilling the project quality requirements defined in the Project Management Plan (PMP). The home district shall manage DQC. Documentation of DQC activities is required and should be in accordance with the Quality Manual of the District and the home Major Subordinate Command (MSC).
- (2) Agency Technical Review (ATR). ATR is mandatory for all decision and implementation documents. For **other work products**, a case specific risk-informed decision, as described in EC 1165-2-209, shall be made as to whether ATR is appropriate. The objective of ATR is to ensure consistency with established criteria, guidance, procedures, and policy. The ATR will assess whether the analyses presented are technically correct and comply with published US Army Corps of Engineers (USACE) guidance, and that the document explains the analyses and results in a reasonably clear manner for the public and decision makers. ATR for **other work products** is managed within USACE by a designated Risk Management Organization (RMO) and is conducted by a qualified team from outside the home district that is not involved in the day-to-day production of the project/product. The RMO for this effort in the

Deep Draft Planning Center of Expertise, DDNPCX. ATR teams will be comprised of senior USACE personnel and may be supplemented by outside experts as appropriate. To assure independence, the leader of the ATR team shall be from outside the home MSC.

- (3) Independent External Peer Review (IEPR). IEPR is the most independent level of review, and is applied in cases that meet certain criteria where the risk and magnitude of the proposed project are such that a critical examination by a qualified team outside of USACE is warranted. Any **work product**, report, evaluation, or assessment that undergoes DQC and ATR also MAY be required to undergo IEPR under certain circumstances. A risk-informed decision, as described in EC 1165-2-209, is made as to whether IEPR is appropriate. IEPR panels will consist of independent, recognized experts from outside of the USACE in the appropriate disciplines, representing a balance of areas of expertise suitable for the review being conducted. There are two types of IEPR: Type I is generally for decision documents and Type II is generally for implementation products.
  - (a) Type I IEPR. Type I IEPR reviews are managed outside USACE. Type I IEPR panels assess the adequacy and acceptability of the economic and environmental assumptions and projections, project evaluation data, economic analysis, environmental analyses, engineering analyses, formulation of alternative plans, methods for integrating risk and uncertainty, models used in the evaluation of environmental impacts of proposed projects, and an biological opinions of the project study. Type I IEPR will cover the entire decision document or action and will address all the underlying engineering, economics, and environmental work, not just one aspect of the study. For decision documents where a Type II IEPR (Safety Assurance Review) is anticipated during project implementation, safety assurance shall also be addressed during the Type I IEPR per EC 1165-2-209.
  - (b) Type II IEPR. Type II IEPR, or Safety Assurance Review (SAR), are managed outside the USACE and are conducted on design and construction activities for hurricane, storm, and flood risk management projects or other projects where existing and potential hazards pose a significant threat to human life. Type II IEPR panels will conduct reviews of the design and construction activities prior to initiation of physical construction and, until construction activities are completed, periodically thereafter on a regular schedule. The reviews shall consider the adequacy, appropriateness, and acceptability of the design and construction activities in assuring public health safety and welfare.
- (4) Policy and Legal Compliance Review. All **“other reports”** supporting budget decisions will be reviewed throughout the study process for their compliance with law and policy. Guidance for policy and legal compliance reviews is addressed in Appendix H, ER 1105-2-100. These reviews culminate in determinations that the recommendations in the reports and the supporting analyses and coordination comply with law and policy, and warrant approval or further recommendation to higher authority by the Chief of Engineers. DQC and ATR augment and complement the policy review processes by addressing compliance with pertinent published Army policies, particularly policies on analytical methods and the presentation of findings in decision documents.
- (5) Cost Engineering Review and Certification. The Cost Engineering Appendix will undergo ATR with the DMMP main report. The Cost Reviewer, a representative of the Cost DX located in

the Walla Walla District, will serve as an ATR team member. The Cost DX will provide certification of the total project cost.

## **2. REVIEW MANAGEMENT ORGANIZATION (RMO) COORDINATION**

The RMO is responsible for managing the overall peer review effort described in this Review Plan. The RMO for decision documents is typically either a Planning Center of Expertise (PCX) or the Risk Management Center (RMC), depending on the primary purpose of the decision document. The RMO for the peer review effort described in this Review Plan is the National Deep Draft Navigation Planning Center of Expertise (DDNPCX).

The RMO will coordinate with the Cost Engineering Directory of Expertise (Cost DX) to conduct ATR of cost estimates, construction schedules and contingencies.

## **3. STUDY INFORMATION**

**a. Other Work Product.** The objective of the 2010 DMMP Update is to update the Final 2002 Tampa Harbor Dredged Material Management Plan (DMMP) to ensure that there are sufficient disposal areas to support a 20-year “planning horizon.” An accompanying Environmental Assessment (EA) for all operation and maintenance activities within the federally authorized channel in accordance with NEPA has been completed. The Finding of No Significant Impact (FONSI) was signed at Jacksonville District on 07 October 2011; usually, the FONSI is not signed before a Final DMMP is complete, but permission by higher authority was given to complete the harbor wide EA in order to continue the necessary channel maintenance. The DMMP Update is consistent with the EA. The Tampa Harbor DMMP Update, together with the 1969 Survey Report on Tampa Harbor, will provide the factual basis for entering into a Project Partnership Agreement (PPA). A PPA is a legally binding agreement between the Federal government and the non-Federal sponsor, The Tampa Port Authority (TPA), for construction of a water resources project. It describes the project and describes the responsibilities of the Government and sponsor in cost-sharing and execution of project work. In addition to detailing a 20 year plan for managing dredge material, the Tampa DMMP outlines the cost-sharing for raising the dikes on DMMA 3-D. SAD and SAJ have determined through risk based decision process, that the DMMP is a continuation of a prior implementation document for efficient operational practices and methods for the maintenance of Tampa Harbor. This DMMP is not a decision document as it does not change the recommendation for O&M practices, nor does it require any authorization for implementation. USACE guidance calls this type of document an “other work product” or “other report.” After the DMMP Update is approved at SAD, these items will be transmitted for higher authority to approve a new Project Partnership Agreement (PPA) with the sponsor for Tampa Harbor, the Tampa Port Authority (TPA).

### **b. Study/Project Description.**

A Dredged Material Management Plan Preliminary Assessment (DDMP PA) was completed in December of 1994. The Final 2002 Dredged Material Management Plan (DMMP) for Tampa Harbor Project, Florida Tampa, was approved on April 17, 2002. The 2002 Tampa Harbor DMMP determined cost effective and environmentally acceptable ways to manage disposal material during maintenance of the Tampa Harbor Federal Navigation Channel. The 2010 analysis confirms the same methods remain the Best Management Practices for management of disposal material in the harbor.



The DMMP recommended a selected plan, along with eventually raising the dikes of CMDA 2D and 3D:

*“For dredging events that take place from the entrance channel to Cut G, place the material removed in the Ocean Dredged Material Disposal Site (ODMDS) or in another placement area, whichever has the least cost; for dredging events that take place from Cut G to Cut C (Hillsborough Bay), place the material removed in Construction and Maintenance Disposal Area (CMDA) CMDA-3D or in another placement area, whichever has the least cost, and for dredging events north of Cut C (Hillsborough Bay), place the material removed in CMDA-2D, or in another placement area, whichever has the least cost. The alternative placement areas evaluated to determine the least cost placement are to include beneficial use placement sites. Manage upland placement areas to encourage drainage and eliminate ponding.*

*In order to implement the base plan the dikes must be raised on the existing placement areas in order to ensure the necessary capacity.”*

The DMMP has been effectively implemented. To support the execution of a PPA with the TPA for disposal sites 2D and 3D (owned by the Port), the Tampa Harbor DMMP (2002) will be updated to include new information that has occurred since 2002, namely:

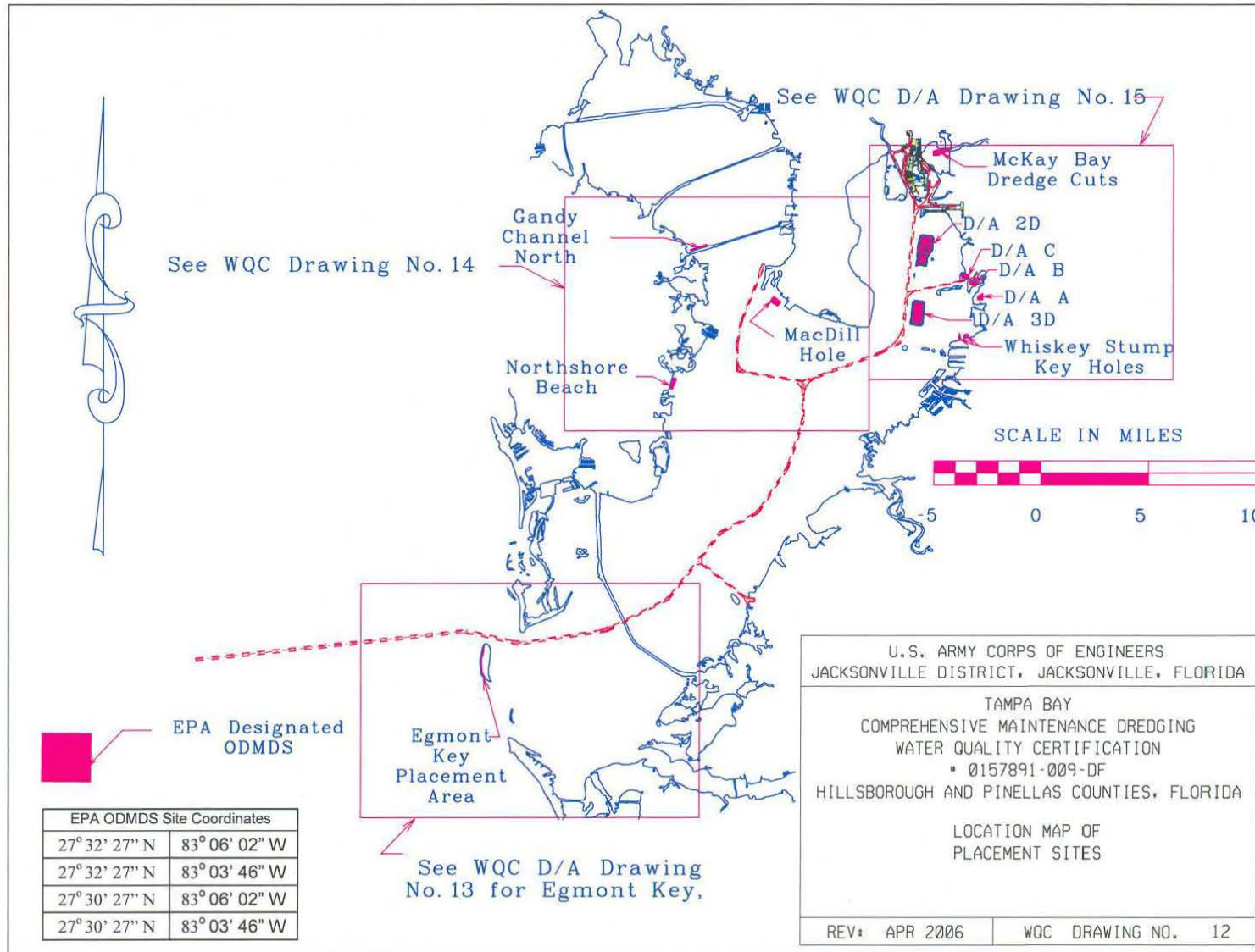
- A. Updated disposal capacities for Disposal Areas 2D and 3D due to the Tampa Port Authority's (TPA) recent dike raising;
- B. Refining shoaling rates based on actual data in the past 10 years, as well as any new project induced shoaling rates, as a result of such projects as Tampa Harbor General Reevaluation Report (GRR) recommended plan or O&M, such as Sparkman Channel or project induced shoaling and O&M from the recent non-Federally constructed Big Bend;
- C. Re-examining beneficial use sites and any new potential sites to ease the capacity burdens on existing disposal sites; and
- D. Resulting changes based on findings in A through C (above) in the 20 year planning horizon (updated to be from 2010 to 2030, instead of from 2000 to 2010).
- E. Cost Sharing tables according to Policy Guidance Letter (PGL) No. 47, Cost Sharing for Dredged Material Disposal Facilities and Dredged Material Disposal Facility Partnerships, 3 April 1998; and Implementation Guidance for Dredged Material Disposal – Section 2005 of the Water Resources Development Act of 2007 (WRDA 2007), 11 Aug 2008, which amends guidance initially presented in Policy Guidance Letter 47

Additionally, a harbor wide EA/FONSI for the Tampa Harbor Federal Channel for all Operation and Maintenance (O&M) events was signed on 07 October 2011. This EA is included by reference in the DMMP and is consistent with the recommended plan. No further review of the NEPA documents for the DMMP is necessary. A harbor wide cultural resource assessment survey (CRAS) will most likely be done if funding becomes available. In the event money does not become available for this harbor wide survey, it will be done on an individual basis as a separate

cultural resource survey for each O&M event, as done for past events. To date, no significant cultural resources have been found in Tampa Harbor.

Figure 1 shows the 70 mile Tampa Federal Navigation Channel, as well as disposal sites: Tampa Offshore Dredged Material Disposal Site (ODMDS); Upland disposal sites: Confined Material Disposal Area (CMDA) 2D, CMDA 3D, Disposal area A, B, and C; and current permitted beneficial use sites: Egmont Key, and dredged holes (Gandy Channel North, Northshore Beach, MacDill , Whiskey Stump Key, McKay Bay, and MacDill). All disposal sites are either already owned by TPA or are covered under Federal Navigation Servitude.

**FIGURE 1 – TAMPA HARBOR FEDERAL CHANNEL & DREDGED DISPOSAL SITES**



**c. Factors Affecting the Scope and Level of Review.**

This section discusses the factors affecting the risk informed decisions on the appropriate scope and level of review. The discussion is intended to be detailed enough to assess the level and focus of review and support the PDT, PCX, and vertical team decisions on the appropriate level of review and types of expertise represented on the various review teams. Factors affecting the risk informed decisions on the appropriate scope and level of review include the following:

- *If parts of the study will likely be challenging (with some discussion as to why or why not and, if so, in what ways – consider technical, institutional, and social challenges, etc.);*  
There are no challenging aspects to this study. This is an update of an approved Dredged Material Management Plan, which has been in effect and been implemented since 2002. The update is mainly being performed to refine the document with new requirements, project data over the past 10 years, and forecast the 20 year horizon beginning in 2010, rather than 2000. The recommended plan involves the standard dredging practices of nearshore placement and raising dikes. The updated document will then serve to support a new PPA by outlining the construction and cost-sharing.
- *A preliminary assessment of where the project risks are likely to occur and what the magnitude of those risks might be (e.g., what are the uncertainties and how might they affect the success of the project);*  
The project has been implemented successfully since 2002 and this update does not add risk. Section 13.4 of the DMMP outlines the minor risks involved with geotechnical investigations, environmental testing for Section 103 compliance, catastrophic weather events, and funding. When these risks are combined, the cumulative risk to the project is still low.
- *If the project is likely to have significant economic, environmental, and/or social effects to the Nation (with some discussion as to why or why not and, if so, in what ways);*  
The DMMP update will not have significant economic, environmental, or social effects to the Nation, and no additional effects will result from the updated document. If the recommended plan is not implemented, there would be significant negative economic effects to the Nation once Tampa Harbor channels are not navigable.
- *If the project likely involves significant threat to human life/safety assurance (with some discussion as to why or why not and, if so, in what ways – consider at minimum the safety assurance factors described in EC 1165-2-209 including, but not necessarily limited to, the consequences of non-performance on project economics, the environmental and social well-being [public safety and social justice; residual risk; uncertainty due to climate variability, etc.];*  
No. This DMMP has already been approved and has been successfully implemented. The approved DMMP outlines best practices for disposing of O&M dredged material and does not add significant threat to human life/safety assurance. Neither would the update of the document.
- *If the project/study is likely to have significant interagency interest (with some discussion as to why or why not and, if so, in what ways);*  
The DMMP update is not likely to have any significant interagency interest. The DMMP update is being coordinated with the appropriate agencies, and there is no objection from any agencies.
- *If the project/study will be highly controversial (with some discussion as to why or why not and, if so, in what ways);*

The DMMP update will not be controversial. All dredging practices discussed in the report are standard in USACE and the dredging industry.

- *If the project report is likely to contain influential scientific information or be a highly influential scientific assessment (with some discussion as to why or why not and, if so, in what ways);*  
The project report does not contain influential scientific information and is not a highly influential scientific assessment.
- *If the information in the decision document or proposed project design will likely be based on novel methods, involve the use of innovative materials or techniques, present complex challenges for interpretation, contain precedent-setting methods or models, or present conclusions that are likely to change prevailing practices (with some discussion as to why or why not and, if so, in what ways);*  
The information in DMMP update document is not based on novel methods, does not use innovative materials or techniques does not present complex challenges ,is not precedent setting, and is not likely to change prevailing practices
- *If the proposed project design will require redundancy, resiliency, and/or robustness (with some discussion as to why or why not and, if so, in what ways – see EC 1165-2-209, Appendix E, Paragraph 2 for more information about redundancy, resiliency, and robustness); and*  
The DMMP update does not require any additional redundancy, resilience, or robustness.
- *If the proposed project has unique construction sequencing or a reduced or overlapping design construction schedule (with some discussion as to why or why not and, if so, in what ways).*  
No, the DMMP update does not have unique construction sequencing or construction schedule. Schedules outline expected maintenance dredging needs over a 20 year planning horizon based on actual and historical shoaling rates.

**d. Risk Informed Decisions on Appropriate Reviews.** The following questions shall be explicitly considered, in accordance to EC 1165-2-209 paragraph 15b:

(1) *Does it include any design (structural, mechanical, hydraulic, etc)?*

No

(2) *Does it evaluate alternatives?*

Yes, to a lesser degree than a full Feasibility Study

(3) *Does it include a recommendation?*

Yes

(4) *Does it have a formal cost estimate?*

Yes; it is certified by the Cost DX

(5) *Does it have or will it require a NEPA document?*

Yes, NEPA compliance is complete; FONSI was signed on 07 October 2011

(6) *Does it impact a structure or feature of a structure whose performance involves potential life safety risks?*

No

(7) *What are the consequences of non-performance?*

If the recommended project is built and fails, no lives are at risk. If the recommended project is not built, no lives will be at risk but there will be negative economic effects

(8) *Does it support a significant investment of public monies?*

Yes

(9) *Does it support a budget request?*

Yes

(10) *Does it change the operation of the project?*

No

*(11) Does it involve ground disturbances?*

The only ground disturbances expected are those from the heavy equipment raising of the dikes. This type of construction is routine for SAJ and has minimal risk.

*(12) Does it affect any special features, such as cultural resources, historic properties, survey markers, etc, that should be protected or avoided?*

Yes, the recommended plan involves using dredged material to protect a cultural resource.

*(13) Does it involve activities that trigger regulatory permitting such as Section 404 or stormwater/NPDES related actions?*

No

*(14) Does it involve activities that could potentially generate hazardous wastes and/or disposal of materials such as lead based paints or asbestos?*

No

*(15) Does it reference use of or reliance on manufacturers' engineers and specifications for items such as prefabricated buildings, playground equipment, etc?*

No

*(16) Does it reference reliance on local authorities for inspection/certification of utility systems like wastewater, stormwater, electrical, etc?*

No

*(17) Is there or is there expected to be any controversy surrounding the Federal action associated with the work product?*

No

- e. **In-Kind Contributions.** Products and analyses provided by non-Federal sponsors as in-kind services are subject to DQC and may be subject to ATR and IEPR. The in-kind products and analyses to be provided by the non-Federal sponsor include: No in-kind products will be provided by the Non-Federal Sponsor.

#### **4. DISTRICT QUALITY CONTROL (DQC)**

- a. **Documentation of DQC.** District Quality Control will be conducted by the SAJ Tampa DMMP PDT team, SAJ independent reviewers, as well as chiefs of relevant key disciplines, where each of the reviewers will review the documents for accuracy. All reviewers are listed in Attachment 1. All DQC comments and responses will be documented by the Planning Technical Lead. The comment and response package, along with the DQC signature sheet, will be part of the report's transmittal package under the "Peer Review" section.
- b. **Products to Undergo DQC.** The DMMP Update and EA will undergo DQC at draft report stage.
- c. **Required DQC Expertise.** The SAJ Tampa DMMP PDT consists of key disciplines relevant to DMMP and EA material: Navigation Operations, Geotechnical, Environmental, Navigation Planning, DMMP specialist, Legal, Cost and Economics. DQC reviewers consist of non-PDT experts and experts in the supervisory chain.

#### **5. AGENCY TECHNICAL REVIEW (ATR)**

- a. **Products to Undergo ATR.** The DMMP Update and EA will undergo ATR at draft and final report stages. The spreadsheet used to calculate O&M costs based on the discount rate will be provided to

the Economics reviewer. The Cost Appendix and all associated materials will be provided to the Cost reviewer. All ATR reviewers are listed in Attachment 1.

- b. Required ATR Team Expertise.** It is expected that the ATR Team would generally reflect the major technical disciplines of the Tampa Harbor DMMP PDT. As such, it is expected that the ATR team would consist of the following disciplines: Navigation Operations, Geotechnical, Environmental, Cost, and Economics. Plan formulation was not revisited in this update and the existing lands for the DMMPAs provide enough capacity beyond the 20 years of this DMMP update. No real estate acquisition is necessary, nor are their complications involving Navigation Servitude. Therefore, Plan Formulation and Real Estate reviewers are not needed.

ATR Team Members/Disciplines	Expertise Required
ATR Lead	The ATR lead should be a senior professional with extensive experience in preparing Civil Works decision documents and conducting ATR. The lead should also have the necessary skills and experience to lead a virtual team through the ATR process. Typically, the ATR lead will also serve as a reviewer for a specific discipline (such as planning, economics, environmental resources, etc). The ATR Lead will be from a district outside the MSC.
Economics	Expertise in economics appropriate for a DMMP level to verify trends and commodities within the affected Ports indicate need for maintenance of channels.
Environmental Resources	Expertise in NEPA compliance.
Geotechnical Engineering	Expertise in geotechnical soils and construction to review upland disposal sites and materials assessment.
Cost Engineering	Expertise in cost engineering and MII to review MCACES costs.
Navigation Construction/Operations	Expertise in shoaling and DMMPs.

- c. Documentation of ATR.** DrChecks review software will be used to document all ATR comments, responses and associated resolutions accomplished throughout the review process. Comments should be limited to those that are required to ensure adequacy of the product. The four key parts of a quality review comment will normally include:

- (1) The review concern – identify the product’s information deficiency or incorrect application of policy, guidance, or procedures;
- (2) The basis for the concern – cite the appropriate law, policy, guidance, or procedure that has not be properly followed;
- (3) The significance of the concern – indicate the importance of the concern with regard to its potential impact on the plan selection, recommended plan components, efficiency (cost), effectiveness (function/outputs), implementation responsibilities, safety, Federal interest, or public acceptability; and
- (4) The probable specific action needed to resolve the concern – identify the action(s) that the reporting officers must take to resolve the concern.

In some situations, especially where there appears to be incomplete or unclear information, comments may seek clarification in order to then assess whether further specific concerns may exist.

The ATR documentation in DrChecks will include the text of each ATR concern, the PDT response, a brief summary of the pertinent points in any discussion, including any vertical team coordination (the vertical team includes the district, RMO, MSC, and HQUSACE), and the agreed upon resolution. If an ATR concern cannot be satisfactorily resolved between the ATR team and the PDT, it will be elevated to the vertical team for further resolution in accordance with the policy issue resolution process described in either ER 1110-1-12 or ER 1105-2-100, Appendix H, as appropriate. Unresolved concerns can be closed in DrChecks with a notation that the concern has been elevated to the vertical team for resolution.

At the conclusion of each ATR effort, the ATR team will prepare a Review Report summarizing the review. Review Reports will be considered an integral part of the ATR documentation and shall:

- Identify the document(s) reviewed and the purpose of the review;
- Disclose the names of the reviewers, their organizational affiliations, and include a short paragraph on both the credentials and relevant experiences of each reviewer;
- Include the charge to the reviewers;
- Describe the nature of their review and their findings and conclusions;
- Identify and summarize each unresolved issue (if any); and
- Include a verbatim copy of each reviewer's comments (either with or without specific attributions), or represent the views of the group as a whole, including any disparate and dissenting views.

ATR may be certified when all ATR concerns are either resolved or referred to the vertical team for resolution and the ATR documentation is complete. The ATR Lead will prepare a Statement of Technical Review certifying that the issues raised by the ATR team have been resolved (or elevated to the vertical team). A Statement of Technical Review should be completed, based on work reviewed to date, for the AFB, draft report, and final report. A sample Statement of Technical Review is included in Attachment 2.

## **6. INDEPENDENT EXTERNAL PEER REVIEW (IEPR)**

### **a. Decision on IEPR.**

SAD and SAJ have determined that the DMMP is a continuation of a prior implementation document for efficient operational practices and methods for the maintenance of Tampa Harbor. This DMMP is not a decision document as envisioned in EC 1165-2-209 as it does not change the recommendation for O&M practices, nor does it require any authorization for implementation. USACE guidance calls this type of document an “**other work product**” or “**other report.**” The DMMP Update is limited in scope and impact so it would not significantly benefit from an independent external peer review. The PDT, based on its risk informed evaluation, determined that neither a Type I IEPR nor a Type II IEPR is warranted on the Tampa Harbor DMMP Update. The risk informed decision for not performing a Type I IEPR or a Type II IEPR explicitly considered the following:

- *If the decision document meets the mandatory triggers for Type I IEPR described in Paragraph 11.d.(1) and Appendix D of EC 1165-2-209; and if it doesn't, then also:*



- *the consequences of non-performance on project economics, the environmental and social well-being (public safety and social justice);*  
The Tampa Harbor DMMP is an “other work” document, not a decision document. The DMMP in place has performed well in the past and the consequences of non-performance are likely to be insignificant. The DMMP Update would increase neither risk of non-performance, nor potential consequences.
- *whether the product is likely to contain influential scientific information or be highly influential scientific assessment; and*  
The DMMP Update and EA do not contain influential scientific information nor are they highly influential scientific assessments.
- *if and how the decision document meets any of the possible exclusions described in Paragraph 11.d.(3) and Appendix D of EC 1165-2-209.*  
The Tampa Harbor DMMP is an “other work” document, not a decision document. Appendix D of Engineering Circular 1165-2-209 dated 31 January 2010 lists the factors that trigger the requirement of Independent External Peer Review (IEPR). The details provided below describe how the subject “other work” document and project address these factors.
  - (1) Significant threat to human life. No. The updates to the Tampa Harbor Dredged Material Management Plan pose no threat to human life.
  - (2) Total Project cost greater than \$45 million. Yes, the cost of the study and the construction and O&M projected for the next 20 years are greater than \$45 million. The objective of this DMMP is to update the Final 2002 Tampa Harbor Dredged Material Management Plan (DMMP) to insure that there is sufficient disposal area to support a 20-year “planning horizon”. The change in the O&M cost from the 2002 Report is less than \$45 million.
  - (3) Request by the State Governor. There has been no request for IEPR by the Governor of Florida.
  - (4) Request by the head of a Federal or state agency. There has been no request for IEPR by any Federal or State Agency.
  - (5) Significant public dispute as to the size, nature or effects of the project. There is no significant public dispute as to the size, nature or effects of the approved 2002 dredged material management plan.
  - (6) Significant public dispute as to the economic or environmental cost or benefit of the project. There is no significant public dispute as to the economic or environmental cost or benefit of the project. The economics portion of the DMMP verifies that there is significant commodity growth to justify federal maintenance of the Tampa Harbor Navigation Channel. Environmental considerations are taken into account through NEPA (EA) and with beneficial use options.
  - (7) Information is based on novel methods, presents complex challenges for interpretation, contains precedent-setting methods or models, or presents conclusions that are likely to change prevailing practices. The proposed DMMP update is minor in scope and is not based on novel methods or models.
  - (8) Any other circumstance where the Chief of Engineers determines Type I IEPR is warranted. The Chief of Engineers has not made a determination that Type I IEPR is warranted. The DMMP update would be approved at the Division level and would only be transmitted to HQUSACE to accompany the new PPA. Conducting an IEPR on the subject documents would add significant costs and time with little added quality to the product.

- *The status of any request to conduct IEPR from a head of a Federal or state agency charged with reviewing the project, if applicable; and*  
There has been no request from a head of any Federal or State agency charged with reviewing the project.
- *If the proposed project meets the criteria for conducting Type II IEPR described in Paragraph 2 of Appendix D of EC 1165-2-209, including:*
  - *if the Federal action is justified by life safety or failure of the project would pose a significant threat to human life;*  
This project is not intended to benefit life safety, nor does it pose a significant threat to human life.
  - *if the project involves the use of innovative materials or techniques where the engineering is based on novel methods, presents complex challenges for interpretations, contains precedent-setting methods or models, or presents conclusions that are likely to change prevailing practices;*  
The information in the other work product and proposed project design are not based on novel methods, do not use innovative materials or techniques, do not present complex challenges, are not precedent setting, and are not likely to change prevailing practices.
  - *if the project design requires redundancy, resiliency, and/or robustness; and/or*  
The proposed project design does not require any additional redundancy, resilience, or robustness.
  - *if the project has unique construction sequencing or a reduced or overlapping design construction schedule.*  
The construction sequencing for this project is not unique.

**b. Products to Undergo Type I IEPR.** Not-Applicable.

**c. Required Type I IEPR Panel Expertise.** Not-Applicable.

**d. Documentation of Type I IEPR.** Not Applicable.

## **7. MODEL CERTIFICATION AND APPROVAL**

**a. Planning Models.** No planning models are being used in the DMMP Update.

**b. Engineering Models.** No engineering models are being used on the DMMP update.

## **8. REVIEW SCHEDULES AND COSTS**

**a. ATR Schedule and Cost.** ATR of the draft document occurred in July 2011, at a cost of approximately \$23,000. ATR of the final document is scheduled for December 2011 at a similar cost.

**b. Type I IEPR Schedule and Cost.** Not Applicable.

**c. Model Certification/Approval Schedule and Cost.** Not Applicable

## **9. PUBLIC PARTICIPATION**

The public has been involved through SAJ attendance and presentations at local Tampa ABM Meetings (Agency on Bay Management). The NEPA scoping letter informed the public that an EA was being generated, and the public was invited to comment on the draft EA during the public review period from July 6 to August 6, 2011. The FONSI was signed on October 7, 2011.

#### **10. REVIEW PLAN APPROVAL AND UPDATES**

The South Atlantic Division Commander is responsible for approving this Review Plan, including by delegation within the MSC. The MSC Commander's approval reflects vertical team input (involving district, MSC, RMO, and HQUSACE members) as to the appropriate scope and level of review for the **other work product**. Like the PMP, the Review Plan is a living document and may change as the study progresses. The home district is responsible for keeping the Review Plan up to date. Minor changes to the review plan since the last MSC Commander approval will be documented in Attachment 3. Significant changes to the Review Plan (such as changes to the scope and/or level of review) must 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 MSC Commander's approval memorandum, should be posted on the Home District's webpage. The latest Review Plan should also be provided to the RMO and home MSC.

#### **11. REVIEW PLAN POINTS OF CONTACT**

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

- Jacksonville District Project Manager, 904-232-3915
- South Atlantic Division Point of Contact, 404-562-5228
- Review Management Organization, DDNPCX, 251-694-3884

**ATTACHMENT 2: SAMPLE STATEMENT OF TECHNICAL REVIEW FOR DECISION DOCUMENTS**

**COMPLETION OF AGENCY TECHNICAL REVIEW**

The Agency Technical Review (ATR) has been completed for the <type of product> for <project name and location>. The ATR was conducted as defined in the project’s Review Plan to comply with the requirements of EC 1165-2-209. 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<sup>sm</sup>.

SIGNATURE \_\_\_\_\_ Date \_\_\_\_\_  
Name  
ATR Team Leader  
Office Symbol/Company

SIGNATURE \_\_\_\_\_ Date \_\_\_\_\_  
Name  
Project Manager  
Office Symbol

SIGNATURE \_\_\_\_\_ Date \_\_\_\_\_  
Name  
Architect Engineer Project Manager<sup>1</sup>  
Company, location

SIGNATURE \_\_\_\_\_ Date \_\_\_\_\_  
Name  
Review Management Office Representative  
Office Symbol

**CERTIFICATION OF AGENCY TECHNICAL REVIEW**

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

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

SIGNATURE \_\_\_\_\_ Date \_\_\_\_\_  
Name  
Chief, Engineering Division  
Office Symbol

SIGNATURE \_\_\_\_\_ Date \_\_\_\_\_  
Name  
Chief, Planning Division  
Office Symbol

<sup>1</sup> Only needed if some portion of the ATR was contracted

**ATTACHMENT 3: REVIEW PLAN REVISIONS**

<b>Revision Date</b>	<b>Description of Change</b>	<b>Page / Paragraph Number</b>

**ATTACHMENT 4: ACRONYMS AND ABBREVIATIONS**

<u>Term</u>	<u>Definition</u>	<u>Term</u>	<u>Definition</u>
AFB	Alternative Formulation Briefing	NED	National Economic Development
ASA(CW)	Assistant Secretary of the Army for Civil Works	NER	National Ecosystem Restoration
ATR	Agency Technical Review	NEPA	National Environmental Policy Act
CSDR	Coastal Storm Damage Reduction	O&M	Operation and Maintenance
DPR	Detailed Project Report	OMB	Office of Management and Budget
DQC	District Quality Control/Quality Assurance	OMRR&R	Operation, Maintenance, Repair, Replacement and Rehabilitation
DX	Directory of Expertise	OEO	Outside Eligible Organization
EA	Environmental Assessment	OSE	Other Social Effects
EC	Engineer Circular	PCX	Planning Center of Expertise
EIS	Environmental Impact Statement	PDT	Project Delivery Team
EO	Executive Order	PAC	Post Authorization Change
ER	Ecosystem Restoration	PMP	Project Management Plan
FDR	Flood Damage Reduction	PL	Public Law
FEMA	Federal Emergency Management Agency	QMP	Quality Management Plan
FRM	Flood Risk Management	QA	Quality Assurance
FSM	Feasibility Scoping Meeting	QC	Quality Control
GRR	General Reevaluation Report	RED	Regional Economic Development
HQUSACE	Headquarters, U.S. Army Corps of Engineers	RMC	Risk Management Center
IEPR	Independent External Peer Review	RMO	Review Management Organization
ITR	Independent Technical Review	RTS	Regional Technical Specialist
LRR	Limited Reevaluation Report	SAR	Safety Assurance Review
MSC	Major Subordinate Command	USACE	U.S. Army Corps of Engineers
		WRDA	Water Resources Development Act