

DECISION DOCUMENT REVIEW PLAN

Northern Kentucky Riverfront Commons

Continuing Authorities Program 1135

Louisville District

LRD Commander Approval Date:

15 May 2019



**US Army Corps
of Engineers®**

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I. PURPOSE AND REQUIREMENTS

A. Purpose

This Review Plan defines the scope and level of peer review for the Northern Kentucky Riverfront Commons Feasibility Report with integrated Environmental Assessment for the Section 1135 of the Continuing Authority Program project decision document.

Section 1135 of the Water Resources Development Act of 1986, Public Law 99-662, provides the authority to modify existing Corps projects to restore the environment and construct new projects to restore areas degraded by Corps projects with the objective of restoring degraded ecosystem structure, function, and dynamic processes to a less degraded, more natural condition considering the ecosystem's natural integrity, productivity, stability and biological diversity. This authority is primarily used for manipulation of the hydrology in and along bodies of water, including wetlands and riparian areas. It is a Continuing Authorities Program (CAP) which focuses on water resource related projects of relatively smaller scope, cost and complexity. Traditional USACE civil works projects are of wider scope and complexity and are specifically authorized by Congress. The CAP is a delegated authority to plan, design, and construct certain types of water resource and environmental restoration projects without specific Congressional authorization.

B. References

- (1) Engineering Circular (EC) 1165-2-217, Civil Works Review, 20 Feb 2018
- (2) EC 1105-2-412, Assuring Quality of Planning Models, 31 Mar 2010
- (3) Engineering Regulation (ER) 1110-1-12, Quality Management, 30 Sep 2006
- (4) EP 1105-2-58, Continuing Authorities Program, 1 March 2019
- (5) ER 1105-2-100, Planning Guidance Notebook, Appendix H, Policy Compliance Review and Approval of Decision Documents, Amendment #1, 20 Nov 2007
- (6) LRD Continuing Authority Program Management Plan and Standard Operation Procedures, 1 Oct 2015
- (7) Interim Guidance on Streamlining Independent External Peer Review (IEPR) for Improved Civil Works Product Delivery memo, dated 5 Apr 2019
- (8) District Quality Management Plan

C. Requirements

This review plan was developed in accordance with EC 1165-2-217, 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, and construction. 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, Independent External Peer Review, Policy and Legal Review, and a Biddability, Constructability, Operability, Environmental, and Sustainability Review.

II. REVIEW MANAGEMENT ORGANIZATION (RMO)

The Review Management Organization (RMO) is responsible for managing the overall peer review effort described in this review plan. The RMO for this CAP Section 1135 decision documents is the Great Lakes and Ohio River Division LRD.

III. STUDY INFORMATION

A. Project History

At the January 2018 Tentatively Selected Plan (TSP) Milestone Meeting the Louisville District recommended that the study be converted to a Section 1135 study under the Continuing Authorities Program (CAP) based on the estimated cost of implementation and non-complex nature of the project. During the TSP Milestone Meeting the Vertical Team concurred with the selection of the TSP, as well as the recommendation to convert to a Section 1135 study. The study formally passed the TSP milestone under the GI authority, as documented by the MFR signed 14 February 2018. In coordination with Division and Headquarters, the District determined that termination of the study under the General Investigation program will occur following the completion of the Agency Technical Review (ATR). Agency Technical Review was completed in November 2018. Prior reviews were conducted pursuant to an ECO-PCX endorsed review plan; the designed RMO during the GI study. The termination and conversion of the project was completed in March 2019. A new CAP 1135 FCSA with the Northern Kentucky Port Authority was signed in April 2019.

B. Decision Document

The Northern Kentucky Riverfront Commons, CAP 1135 decision document will be prepared in accordance with EP 1105-2-58. The preferred decision document format is contained in the Detailed Project Report (DPR) template in the LRD CAP Program Management Plan/Standard Operating Procedures, which integrates the environmental documentation required under NEPA and other relevant environmental statutes into the project decision document. The purpose of a DPR is to document the basis for a recommendation to invest Federal and non-

Federal resources to address a local water resource problem or opportunity of significance to the Nation. The approval level of the decision document is the LRD Commander.

C. Study/Project Description.

The study area is located along the south shore of the Ohio River, including the confluence of the Licking River, from the eastern limit of the City of Fort Thomas, Kentucky (Ohio River mile 461.9), downstream to the western limit of the City of Ludlow, Kentucky (Ohio River mile 473.9). This is approximately a 12-mile corridor directly across the Ohio River from Cincinnati, Ohio. Figure 1 shows the study area. The six cities in the study area, from upstream to downstream, are Ft. Thomas, Dayton, Bellevue, Newport, Covington, and Ludlow. The Licking River flows into the Ohio River at the boundary between Newport in Campbell County and Covington in Kenton County. The study area is located in Kentucky’s Fourth Congressional District. The Northern Kentucky Port Authority is the non-federal sponsor.

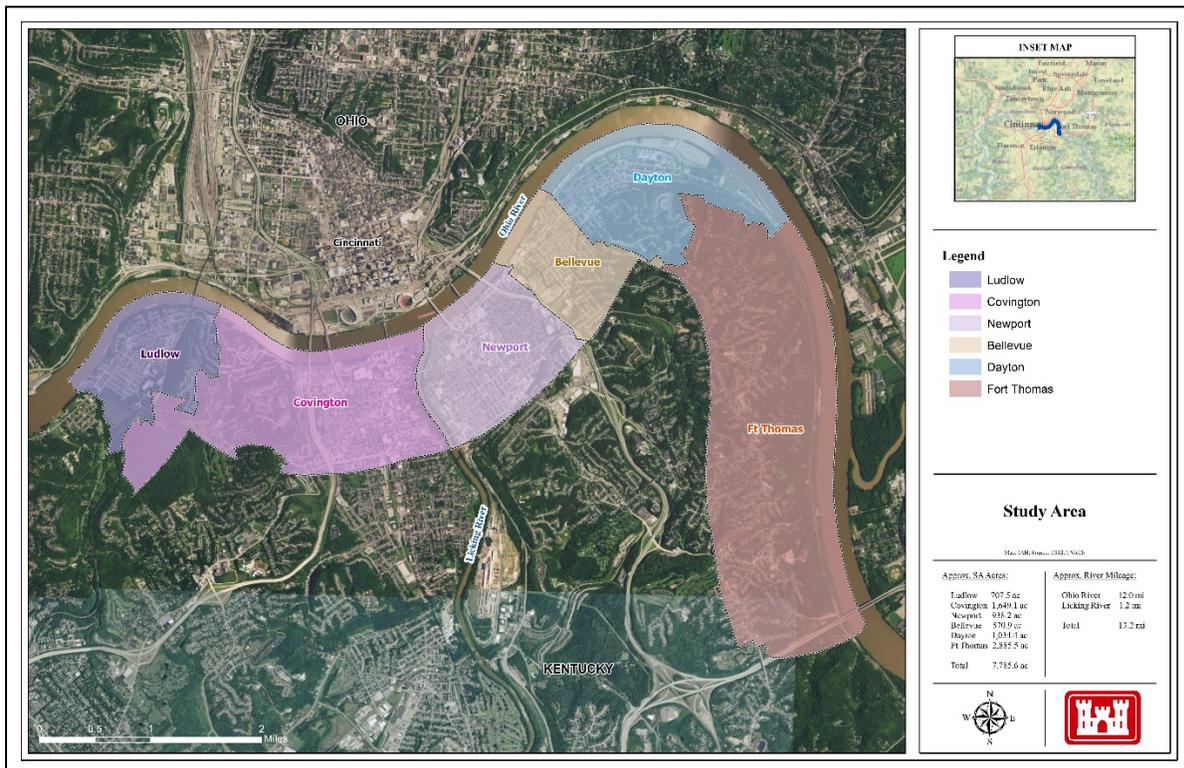


Figure 1: Northern Kentucky Riverfront Commons Study Area

The opportunity exists to plan, design and construct a Federal project(s) to restore the riparian corridor of this portion of the Ohio River and the mouth of the Licking River while avoiding negative impacts to the existing flood risk management (FRM) infrastructure previously described in the March 2007 reconnaissance report, which includes the Dayton, KY Local Flood

Protection Project (LFPP); the Newport, KY LFPP; and the Covington, KY LFPP. The potential exists to restore, three to five miles of riparian corridor, mostly in the Cities of Ludlow, Covington, Newport, and Bellevue. The improved riparian corridor would result in over 30 acres of habitat, at a cost of \$40,000 to \$60,000 per acre for a total cost of \$1.2 to \$1.8 million dollars. The amount of habitat and costs vary depending on the exact amount of land available and the amount of soil that must be reworked for the improvements.

Opportunities exist to restore bottomland forest, wetlands and/or aquatic beds along the margins of the Ohio River and the Licking River, while also providing stabilization. At least 100 acres and as much as 150 acres of bottomland forest and wetlands could be restored in the vicinity of the confluence of the Ohio and Licking Rivers and the Cities of Dayton and Fort Thomas. Cost per acre would be similar to costs referenced above and would total \$3.0 to \$4.5 million dollars. Similar variables included for the riparian forest would be expected for wetlands and bottomland forest as well.

In concert with addressing the above, it is also intended that the study/project will address bank erosion and subsidence along the south shore of the Ohio River, including the confluence with the Licking River, from the eastern limit of the City of Fort Thomas, downstream to the western limit of the City of Ludlow, Kentucky. This bank erosion impacts the riparian corridor and threatens public infrastructure.

Dependent upon the location and types of ecosystem restoration features, it may be possible to provide access paths and associated educational opportunities in the study area. Ultimately, values will be assigned to the habitats. However, the intrinsic value of the referenced riparian corridor, bottomland forest, and wetlands should be considered high because of the scarcity of these habitats within an urban environment. Further, the US Fish and Wildlife Service has targeted the above habitats as Habitats of Special Concern within the Ohio River Basin and more specifically in the vicinity of the Licking River Basin. Finally, where it is compatible with ecosystem restoration and/or the existing FRM infrastructure, public access would provide other beneficial social effects.

D. Factors Affecting the Scope and Level of Review.

This Review Plan, in accordance with EC 1165-2-217, defines the scope and level of peer review for the decision document of an ecosystem restoration project in northern Kentucky on the Ohio and Licking rivers. The primary factors affecting the scope of this review are outlined below:

Challenges: The measures involved in restoring and protecting the river are not expected to generate significant technical, institutional, or social challenges. The district has expertise in evaluating, designing and constructing measures which will be considered for this project.

Project Risks: The major risk is that environmental outputs may not be achieved to the extent desired. Following construction, areas disturbed by construction activities are at an elevated risk of invasive species establishment. In addition, unfavorable weather or physical conditions may cause plant mortality to be greater than expected, thus limiting the establishment of native cover types. An adaptive management plan will be developed and implemented as a method to mitigate invasive species establishment, plant mortality, and other unforeseen ecological challenges.

Life Safety: The project will neither be justified by life safety nor will involve significant threat to human life/safety assurance. There is no reason to believe that any measures involved in the project are associated with a significant threat to human life.

Governor Request for Peer Review: The Governor has not requested independent peer review.

Public Dispute: The project/study is not anticipated to be controversial nor result in significant public dispute as to the size, nature, or effects of the project or to the economic or environmental costs or benefits of the project.

Project Design/Construction: The anticipated project design will take advantage of prevailing practices and methodologies. It is not expected to be based on novel methods or involve the use of innovative techniques, or present complex challenges for interpretation. It is also not anticipated that the project will require unique construction sequencing or redundancy.

E. In-Kind Contributions.

No in-kind products are anticipated.

IV. REVIEW EXECUTION PLAN

This section describes each level of review to be conducted. Based upon the factors discussed in Section C above, this study will undergo the following types of reviews:

District Quality Control. All decision documents (including data, analyses, environmental compliance documents, etc.) undergo DQC. This internal review process covers basic science and engineering work products. It fulfills the project quality requirements of the Project Management

Plan (PMP). The Louisville District manages the DQC. Documentation of DQC activities is required and will be in accordance with the Louisville District and LRD QMS procedures.

Agency Technical Review. ATR is performed by a qualified team from outside the home district that is not involved in the day-to-day production of the project/product. These teams will be comprised of certified USACE personnel. The ATR team lead will be from outside the home MSC. No significant life safety issues are involved in this study or project and a safety assurance review will not be conducted during ATR.

Cost Engineering Review. All decision documents shall be coordinated with the Cost Engineering Mandatory of Expertise (MCX). The MCX will assist in determining the expertise needed on the ATR and IEPR teams. The MCX will provide the Cost Engineering certification. The RMO is responsible for coordinating with the MCX for the reviews. These reviews typically occur as part of ATR.

Policy and Legal Review. All decision documents will be reviewed for compliance with law and policy. ER 1105-2-100, Appendix H provides guidance on policy and legal compliance reviews. These reviews culminate in determinations that report recommendations and the supporting analyses and coordination comply with law and policy, and warrant approval or further recommendation to higher authority by the home MSC Commander. These reviews are not further detailed in this section of the Review Plan.

The table below provides the schedules and completion status for reviews. The specific expertise required for the teams are identified in later subsections covering each review. These subsections also identify requirements, special reporting provisions, and sources of more information.

Product(s) to undergo Review	Review Level	Start Date	End Date	Complete & Est. Cost	Study Authority
Draft DPR with Integrated EA	District Quality Control	1-Jun-18	15-Jun-18	Yes \$6,000	GI
Draft DPR with Integrated EA	Agency Technical Review	25-Jun-18	2-Nov-18	Yes \$30,000	GI
Draft DPR with Integrated EA	LRL Policy and Legal Review	6-May-2019	3-Jun-19	No \$2,500	CAP 1135
Draft DPR with Integrated EA	MSC Review	7-Jun-19	8-Jul-19	No \$7,500	CAP 1135
Draft DPR with Integrated EA	Public Review	7-Jun-19	8-Jul-19	No \$7,500	CAP 1135
Final Draft DPR with Integrated EA	Abbreviated Agency Technical Review	29-Jul-19	12-Aug-19	No \$7,500	CAP 1135
Final Draft DPR with Integrated EA	LRL Policy and Legal Review	12-Aug-19	26-Aug-19	No \$2,500	CAP 1135
Final DPR with Integrated EA	MSC Review	26-Aug-19	9-Sep-19	No \$5,000	CAP 1135

V. DISTRICT QUALITY CONTROL (DQC)

The home district shall manage DQC and will appoint a DQC Lead to manage the local review (see EC 1165-2-217, section 8.a.1). The DQC Lead should prepare a DQC Charge and provide it to the MSC prior to starting DQC reviews. Attachment 1 lists the DQC team members according to each significant area of expertise needed to accomplish the feasibility study objectives.

A. Documentation of DQC.

Quality Control should be performed continuously throughout the study. A specific certification of DQC completion is required at the draft and final report stages. Documentation of DQC comments and responses will be tracked in DrChecks. An example DQC Certification statement is provided in EC 1165-2-217, on page 19 (see Figure F).

Documentation of completed DQC from DrChecks should be provided to the MSC, RMO and ATR Team leader prior to initiating an ATR. The ATR team will examine DQC records and

comment in the ATR report on the adequacy of the DQC effort. Missing or inadequate DQC documentation can result in delays to the start of other reviews (see EC 1165-2-217, section 9).

VI. AGENCY TECHNICAL REVIEW (ATR)

The ATR will examine the materials submitted to ensure the adequacy of the presented methods, assumptions, criteria, decision factors, applications, and explanations. Additionally, policy compliance is explicitly within the scope of ATR. The intent is for ATR to identify and, through participation of the vertical team, resolve common policy concerns early. The review is conducted by an ATR Team whose members are certified to perform reviews. Lists of certified reviewers are maintained by the various technical Communities of Practice (see EC 1165-2-217, section 9(h)(1)). Table 3 identifies the disciplines and required expertise for this ATR Team.

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 have substantial experience with National Ecosystem Restoration (NER) feasibility studies, both in conducting and in reviewing them. The lead should also be familiar with the SMART Planning processes. The lead should have the necessary skills and experience to lead a virtual team through the ATR process. The ATR lead will also serve as a reviewer for a Plan Formulation and CE / ICA
Plan Formulation and Cost Effectiveness and Incremental Cost Analysis (CE/ICA)	The Plan Formulation reviewer should be a senior water resources planner with knowledge of the ER 1105-2-100 Planning Guidance Notebook and applicable laws, regulations and policies, including experience conducting and reviewing ecosystem restoration studies and SMART Planning. The reviewer should have experience with the IWR Planning Suite and conducting cost effectiveness/ incremental cost analysis to determine best buy plans.

Real Estate	This reviewer should be a senior real estate specialist with extensive knowledge of real property acquisition related to Civil Works projects and Planning documents.
Cost Engineering	A reviewer with extensive experience in creating and evaluating cost estimates, contingencies, and construction schedules. This team member will be designated by the Cost MCX.
Environmental and Cultural Resources	This reviewer will have an extensive background in evaluating environmental quality and cultural and historic resource issues related to ecosystem restoration projects, including HTRW and NEPA experience. This role may be covered by one of the other team-members if one of them has this expertise (biologist, planner, landscape architect are likely candidates).
Hydraulic Engineering	Team member will be experienced in the design and construction of ecosystem restoration projects
Climate Change	At least one member of the ATR Team must be certified by the Climate Preparedness and Resilience CoP in the Corps of Engineers Review Certification and Access Program. This may be a specific individual to review the climate change analysis, or this role may be covered by one of the other members, if they holds this certification (see ECB No. 2016-25).

A. Documentation of ATR.

DrChecks will be used to document all ATR comments, responses and resolutions. Comments should be limited to those needed to ensure product adequacy. If a concern cannot be resolved by the ATR team and PDT, it will be elevated to the vertical team for resolution using the EC 1165-2-217 issue resolution process. Concerns can be closed in DrChecks by noting the concern has been elevated for resolution.

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 been 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.

The ATR Lead will prepare a Statement of Technical Review (see EC 1165-2-217, Section 9), for the draft and final reports, certifying that review issues have been resolved or elevated. ATR may be certified when all concerns are resolved or referred to the vertical team and the ATR documentation is complete. The ATR Summary Report 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.

VII. Independent External Peer Review

This project does not meet any of the three conditions to require an IEPR provided in the Interim Guidance on Streamlining Independent External Peer Review (IEPR) for Improved Civil Works Product Delivery memo, dated 5 April 2019. These conditions can be found in Section 4 (a-c):

1. “The requirement for a Type I IEPR is based upon Section 2034 of WRDA 2007 and Section 1044 of the Water Resources Reform and Development Act of 2014, Section 1141 of WRDA 2018, the Office of Management and Budget Peer Review Bulletin, and other USACE policy considerations. The current guidance in EC 1165-2-217 regarding mandatory triggers for Type I IEPR includes conditions beyond the statutory requirements. This memorandum streamlines the mandatory triggers to reflect only the statutory requirements for Type I IEPR. Effective immediately, the three mandatory conditions determining whether Type I IEPR is undertaken are as follows:
 - a. When the estimated total cost of the project, including mitigation costs, is greater than \$200 million.
 - b. When the Governor of an affected state requests a peer review by independent experts.
 - c. When the Chief of Engineers determines the project study is controversial due to significant public dispute over the size, nature, or effects of the project or the economic or environmental costs or benefits of the project (including but not limited to projects requiring an environmental impact statement (EIS)).

VIII. MODEL CERTIFICATION AND APPROVAL

The approval of planning models under EC 1105-2-412 is not required for CAP projects. EC 1105-2-412 mandates the use of certified or approved models for all planning activities to ensure the models are technically and theoretically sound, compliant with USACE policy, computationally accurate, and based on reasonable assumptions. Planning models are any models and analytical tools used to define water resources management problems and opportunities, to formulate potential alternatives to address the problems and take advantage of the opportunities, to evaluate potential effects of alternatives and to support decision making. The use of a certified/approved planning model does not constitute technical review of a planning product. The selection and application of the model and the input and output data is the responsibility of the users and is subject to DQC, ATR, and IEPR.

A. Planning Models.

The following planning models are anticipated to be used in the development of the decision document:

Model Name and Version	Brief Description of the Model and How It Will Be Applied in the Study	Certification / Approval Status
IWR Planning Suite II	The CE/ICA provides analysis for formulating and evaluating ecosystem restoration plans with incremental cost analysis methods. This program may be used to aid in identifying the most cost effective ecosystem restoration project.	Certified
USFWS Eastern Gray Squirrel Habitat Suitability Index (HSI)	HSI will be used to determine potential of habitat conditions to support specific species and to quantitatively compare alternative management practices for shoreline habitat and floodplain forest. Selection of the Eastern Gray Squirrel was coordinated with the ECO-PCX.	Approved for use
USFWS Smallmouth Bass Habitat Suitability Index	HSI may be used to determine potential of habitat conditions to support specific species and to quantitatively compare alternative management practices for nearshore river restoration. Selection of the Smallmouth Bass was coordinated with the ECO-PCX.	Approved for use
Qualitative Habitat Evaluation Index (QHEI)	The QHEI is an index of macrohabitat quality for streams. It provides a measure of habitat quality that corresponds to physical factors that affect fish communities and which are generally important to other aquatic life (e.g . invertebrates). QHEI has six metrics which take in account variables such as bottom substrate, channel morphology, riparian cover, and other modifications to the stretch. A QHEI measurement can have a maximum score of 100 with scores less than 30 identifying a very poor quality stream and scores of 70 or higher characterizing excellent quality streams. This index will be one of the metrics used to characterize existing conditions and evaluate ecosystem restoration on the main stem of the Ohio River.	Certified

B. Engineering Models.

EC 1105-2-412 does not cover engineering models used in planning. The responsible use of well-known and proven USACE developed and commercial engineering software will continue. The professional practice of documenting the application of the software and modeling results will be followed. The USACE Scientific and Engineering Technology Initiative has identified many engineering models as preferred or acceptable for use in studies. These models should be used when appropriate. The selection and application of the model and the input and output data is still the responsibility of the users and is subject to DQC, ATR, and IEPR. The following engineering models are anticipated to be used in the development of the decision document:

Software Name and Version	Brief Description of the Model and How It Will Be Applied in the Study	Approval Status
Micro-Computer Aided Cost Estimating System (MCACES), Second Generation (MII), Version 4.1	MII provides an integrated costs estimating system that meets the USACE requirements for preparing cost estimates. MCACES may be used to produce estimates and may be reported by using Microsoft Excel.	Required per ETL 1110-2-573

IX. Policy AND LEGAL REVIEW

Policy and legal compliance reviews for draft and final planning decision documents are delegated to the MSC (see Director’s Policy Memorandum 2018-05, paragraph 9).

A. Policy Review.

The policy review team is identified through the MSC Chief of Planning and Policy. The makeup of the Policy Review team will be drawn from the MSC, the Planning Centers of Expertise, and other review resources as needed.

- The Policy Review Team will be invited to participate in key meetings during the development of decision documents as well as SMART Planning Milestone meetings. These engagements may include In-Progress Reviews, Issue Resolution Conferences or other vertical team meetings plus the milestone events.

- The input from the Policy Review team should be documented in a Memorandum for the Record (MFR) produced for each engagement with the team. The MFR should be distributed to all meeting participants.

In addition, teams may choose to capture some of the policy review input in a risk register if appropriate. These items should be highlighted at future meetings until the issues are resolved. Any key decisions on how to address risk or other considerations should be documented in an MFR.

B. Legal Review.

Representatives from the Office of Counsel will be assigned to participate in reviews. Members may participate from the District and MSC. The MSC Chief of Planning and Policy will coordinate membership and participation with the office chiefs.

- In some cases legal review input may be captured in the MFR for the particular meeting or milestone. In other cases, a separate legal memorandum may be used to document the input from the Office of Counsel.
- Each participating Office of Counsel will determine how to document legal review input.

X. REVIEW SCHEDULES AND COSTS

A. ATR Schedule and Cost.

The ATR will be performed on the draft and final feasibility report with integrated EA and other supporting documents. The estimated ATR cost to review the draft report is \$30,000 (including only ATR team time).

ATR Schedule

Activity	Duration (Days)	Start Date	Finish Date
Kickoff meeting	1	25-Jun-18	25-Jun-18
ATR Read /Review	7	25-Jun-18	2-Jul-18
ATRT Comments due in DrChecks	7	2-Jul-18	9-Jul-18
PDT Evaluations Due	7	9-Jul-18	16-Jul-18
ATRT Back check	66	6-Aug-18	12-Oct-18
ATR Review Report Complete	7	12-Oct-18	19-Oct-18
ATR Review - Final	15	19-Oct-18	2-Nov-18

B. Type I IEPR Schedule and Cost.

Not applicable.

C. Model Review Schedule and Cost.

For decision documents prepared under the LRD CAP Programmatic Review Plan Model, use of existing certified or approved planning models is encouraged. Where uncertified or unapproved models are used, review of the model for use will be accomplished through the ATR process. The ATR team should apply the principles of EC 1105-2-412 during the ATR to ensure the model is theoretically and computationally sound, consistent with USACE policies, and adequately documented. If specific uncertified models are identified for repetitive use within a specific district or region, the appropriate PCX, MSC(s), and home District(s) will identify a unified approach to seek certification of these models.

XI. PUBLIC PARTICIPATION

State and Federal resource agencies may be invited to participate in the study covered by this review plan as partner agencies or as technical members of the PDT, as appropriate. Agencies with regulatory review responsibilities will be contacted for coordination as required by applicable laws and procedures. The ATR team will be provided copies of public and agency

comments. Several public scoping meetings have already occurred, and the direction of the study has been refined based on what was learned. Additionally, the public will be given the opportunity to review the Draft Report during the NEPA process. These comments will be reviewed and addressed by the District, and if significant and relevant public comments are submitted, the comments will be provided to reviewers as well.

XII. REVIEW PLAN APPROVAL AND UPDATES

The LRD Commander is responsible for approving this review plan and ensuring that use of the LRD CAP Programmatic Review Plan Model is appropriate for the specific project covered by the plan. 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 LRD Commander approval are documented in Attachment 3. Significant changes to the review plan (such as changes to the scope and/or level of review) should be re-approved by the LRD Commander following the process used for initially approving the plan. Significant changes may result in the MSC Commander determining that use of the LRD CAP Programmatic Review Plan Model is no longer appropriate. In these cases, a project specific review plan will be prepared and approved in accordance with EC 1165-2-217 and Director of Civil Works' Policy Memorandum #1. The Commander Approved Review Plan, along with the Commanders' approval memorandum, will be posted on the home district's webpage.

XIII. REVIEW PLAN POINTS OF CONTACT

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

USACE – LRL



USACE - LRD



ATTACHMENT 1: TEAM ROSTERS.

Project Delivery Team

Technical Discipline	Team Member	District
Project Management	[REDACTED]	LRL
Plan Formulation	[REDACTED]	ERDC
Biology	[REDACTED]	LRL
Archaeology	[REDACTED]	LRL
Cost Engineering	[REDACTED]	LRL
Real Estate	[REDACTED]	LRL
Legal	[REDACTED]	LRL

Agency Technical Review Team

Technical Discipline	Team Member	District
ATR Team Lead	[REDACTED]	Sacramento
Plan Formulator	[REDACTED]	Sacramento
Cost Engineering	[REDACTED]	Saint Paul
Environmental Resources	[REDACTED]	Sacramento
Hydrology & Hydraulics	[REDACTED]	Sacramento
Climate Change	[REDACTED]	Saint Paul
Real Estate	[REDACTED]	San Francisco

District Quality Control Team

Technical Discipline	Team Member	Organization
DQC Team Lead	[REDACTED]	LRL
Cost Engineering	[REDACTED]	LRL
Environmental Resources	[REDACTED]	LRL
Hydrology & Hydraulics	[REDACTED]	LRL
Climate Change	[REDACTED]	LRL
Real Estate	[REDACTED]	LRL

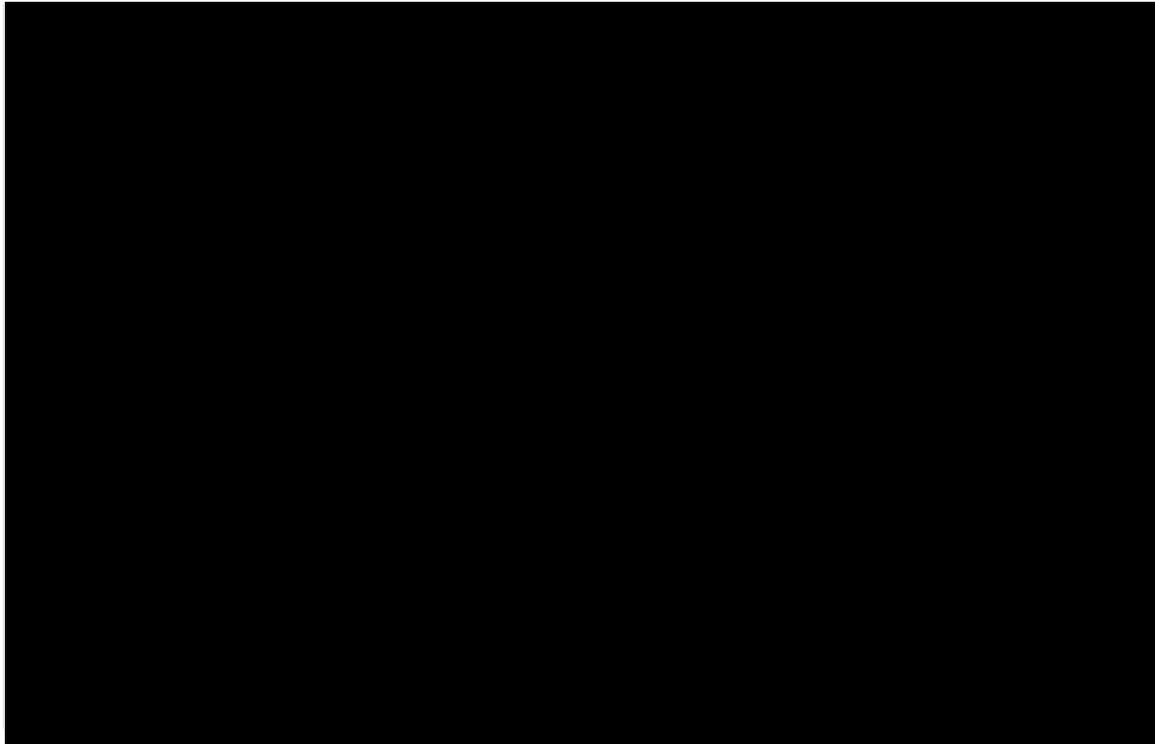
ATTACHMENT 2: STATEMENT OF TECHNICAL REVIEW FOR DECISION DOCUMENTS

COMPLETION OF AGENCY TECHNICAL REVIEW

Northern Kentucky Riverfront
Draft Detailed Project Report and Environmental Assessment

COMPLETION OF AGENCY TECHNICAL REVIEW

This Statement of Technical Review has been completed by the ATR Team for the Draft Detailed Project Report and Environmental Assessment for Northern Kentucky Riverfront, Kentucky, see attached summary of unresolved issues and future commitments, the Charge questions, a brief resume of ATR reviewers, and a printout of all DrCheckssm comments with resolution. The ATR was conducted as defined in the project's RP to comply with the requirements of EC 1165-2-217. 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 USACE 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 either been resolved or have been elevated and are attached. All comments in DrCheckssm are closed.



CERTIFICATION OF AGENCY TECHNICAL REVIEW

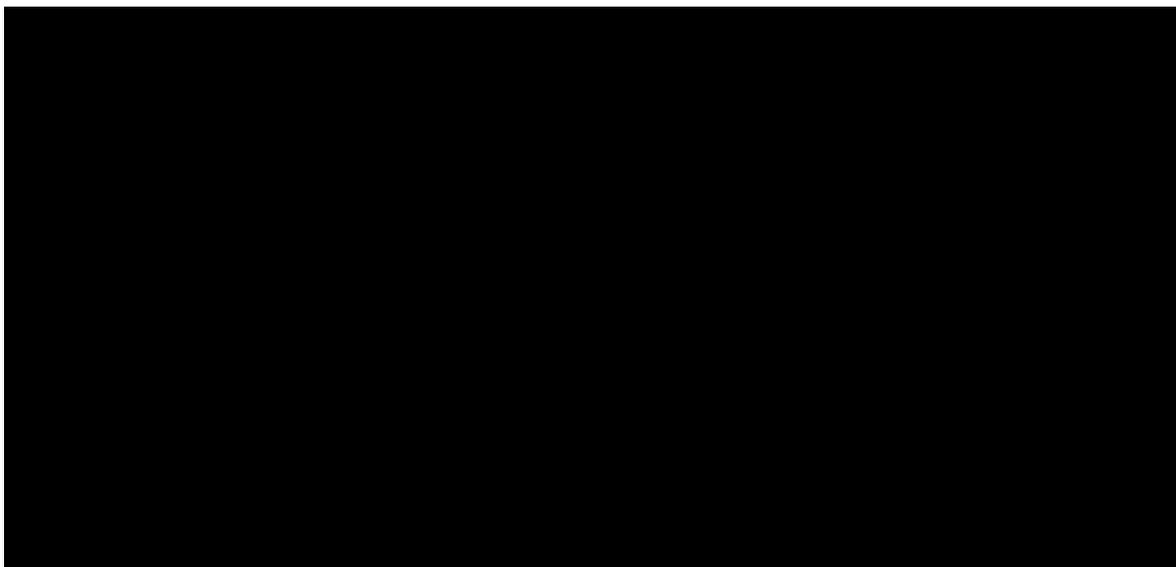
**Northern Kentucky Riverfront
Draft Detailed Project Report and Environmental Assessment**

CERTIFICATION OF AGENCY TECHNICAL REVIEW

Significant concerns and the explanation of the resolution are as follows:

Application of Section 1161 of WRDA 2016. The Implementation Guidance for Section 1161 of WRDA 2016 (CECW-P memo dated Oct 19, 2017) specifies that the responsibility of a non-federal interest for O&M of the nonstructural and nonmechanical elements of a restoration project (including CAP) shall cease 10 years after the ecological success criteria for the project are met. The ATR Team and PDT disagreed regarding the application of Section 1161 to the recommended plan. The ATR Team believes that some features of the plan should be identified as nonstructural, while the PDT believes that the entire project should be identified as structural. Considering the lack of precedents or detailed guidance for applying Section 1161, and the fact that the draft DPR was not concurrently reviewed by the MSC, the PDT and ATR Team have agreed that this issue should be elevated to the MSC for resolution. The ATR Summary Report includes the full comment and response.

As noted above, all concerns resulting from the ATR of the project have been fully resolved or have been elevated and documented with this certification.



ATTACHMENT 3: REVIEW PLAN REVISIONS LOG

Revision Date	Description of Change	Page / Paragraph Number

ATTACHMENT 4: ACRONYMS AND ABBREVIATIONS

<u>Term</u>	<u>Definition</u>	<u>Term</u>	<u>Definition</u>
ASA(CW)	Assistant Secretary of the Army for Civil Works	NED	National Economic Development
ATR	Agency Technical Review	NER	National Ecosystem Restoration
CAP	Continuing Authorities Program	NEPA	National Environmental Policy Act
CSDR	Coastal Storm Damage Reduction	O&M	Operation and maintenance
DPR	Detailed Project Report	OMB	Office and 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	QMS	Quality Management System
FRM	Flood Risk Management	QA	Quality Assurance
FSM	Feasibility Scoping Meeting	QC	Quality Control
HQUSACE	Headquarters, U.S. Army Corps of Engineers	RED	Regional Economic Development
IEPR	Independent External Peer Review	RMC	Risk Management Center
		RMO	Review Management Organization
LERRDs	Lands, Easements, Rights-of-Way, Relocations, Disposal/borrow areas	RTS	Regional Technical Specialist
MCX	Mandatory Center of Expertise	SAR	Safety Assurance Review
MDM	MSC Decision Meeting	USACE	U.S. Army Corps of Engineers
MSC	Major Subordinate Command	WRDA	Water Resources Development Act