

U.S. Army Corps of Engineers Great Lakes and Ohio River Division

Regional Procedural Review Plan for Low-Impact Alteration Requests Pursuant to 33 USC 408

ENDORSED
BY:



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7-27-16

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APPROVED
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1. Introduction

a. Purpose

This Regional Procedural Review Plan has been developed in accordance with Engineer Circular (EC) 1165-2-216, "Policy and Procedural Guidance for Processing Requests to Alter U.S. Army Corps of Engineers Civil Works Projects Pursuant to 33 USC 408". EC 1165-2-216 provides policy and procedural guidance for processing requests by private, public, tribal, or other federal entities, to make alterations to, or temporarily or permanently occupy or use, any U.S. Army Corps of Engineers (USACE) federally authorized civil works project.

The Regional Procedural Review Plan shall be used by all seven (7) Districts and other organizational elements which comprise the Great Lakes and Ohio River Division (LRD) to ensure quality reviews.

LRD Districts and organizational elements shall implement all applicable requirements of EC 1165-2-216 in the process of receiving, processing and documenting Section 408 alteration requests. Nothing in the Regional Procedural Review Plan shall be interpreted to supersede those requirements. For requests that are deemed not to be of similar nature, and do not have similar impacts as reflected by the types of alterations listed in Attachment 1, Districts shall prepare an Alteration-specific Review Plan.

Further, this Regional Procedural Review Plan does not in any way create a pre-approval, waiver, exception, etc., by a non-federal sponsor (or independent requester), to make an alteration to a federally authorized project without proper authorization. Nor does the Regional Procedural Review Plan provide any authorization by USACE to alter or modify a federally authorized civil works project.

This Regional Procedural Review Plan has been endorsed by the Risk Management Center (RMC) and approved by the Division Commander. Any significant changes to the Regional Procedural Review Plan (such as changes to the scope and/or level of review) shall be re-endorsed by the RMC and re-approved by the Division Commander. Significant changes to the Regional Procedural Review Plan since the last approval will be documented in Attachment 2.

b. Applicability of this Regional Procedural Review Plan

This Regional Procedural Review Plan applies to "Low-Impact Alteration Requests" that are similar in nature, are typically of small size, are not complex, are not

environmentally sensitive, are not subject to public controversy, and have minimal to no impacts to the USACE civil works project (reference EC 1165-2-216, para 7.c.(4)(a)). Regardless of the alteration type, magnitude, etc., the District shall follow the nine (9) Step-by-Step Procedures for each alteration request (reference EC 1165-2-216, para 7.c), as applicable, to determine whether, or not, an alteration is permissible under 33 USC 408.

This Regional Procedural Review Plan applies to alteration requests related to any federally authorized project such as: dams, levees, channels, locks, harbors, coastal, etc.

This Regional Procedural Review Plan **does not**:

- 1) Supersede, change, void, etc. any other relevant, pertinent and governing USACE policy and/or guidance involving federally authorized projects.
- 2) Apply to any proposed alteration that poses a significant threat to public health and/or life safety associated with the federally authorized project as assessed by the District Chief of Engineering, as the Engineer-In-Responsible-Charge (reference paragraph 7.c.(3)(f) in EC 1165-2-216 and Appendix E paragraph 1.a in EC 1165-2-214).
- 3) Address proposed alterations that require an Alteration-specific Review Plan and/or that require HQUSACE level review(s) and decision(s).
- 4) Apply to Routine Operations and Maintenance Activities that are specified in the O&M manual (reference EC 1165-2-216, para 6.f).
- 5) Apply to USACE Shoreline Management and Master Planning Programs and the activities that are contained in 36 CFR 327 (reference EC 1165-2-216, para 6.g).
- 6) Apply to certain Real Estate Outgrants (reference EC 1165-2-216, para 6.h).

Some possible issues that could trigger using an Alteration-specific Review Plan include whether the proposed alteration (including data, use of models, assumptions, and other scientific and engineering information) has public safety concerns, is novel, is controversial, is precedent setting, has significant interagency interest, or has significant economic, environmental and social effects to the nation.

A listing of Low-Impact Alterations have been developed to help define those alterations that are similar in nature and that have similar impacts (see Attachment 1). Any question as to whether, or not, an alteration request is considered to be covered by this Regional Procedural Review Plan, as reflected by the listing of Low-Impact Alterations in Attachment 1, shall be directed to the Division Section 408 Coordinator who will consult with the RMC as necessary.

c. 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 reviews covered by this Regional Procedural Review Plan is the Great Lakes and Ohio River Division (LRD).

d. Drilling Requests

Drilling requests on or near a federally authorized dam or levee (including drilling for power poles, instrumentation, third party utilities, relief wells, and geotechnical drilling) are required to include a drilling plan prepared in accordance with ER 1110-1-1807 and are subject to approval by the appropriate District approval authority.

If a technical review in accordance with ER 1110-1-1807 determines a review is required by the Geotechnical and Materials Community of Practice (G&M CoP) Standing Committee on Drilling and Instrumentation then, the District will develop an Alteration-specific Review Plan to be approved by the Division Commander.

Although ER 1110-1-1807 is a regulation which establishes USACE policy and requirements for “Drilling in Earth Embankment Dams and Levees”, districts are encouraged to consider this guidance for those alteration requests on other types of federally authorized projects that involve in-house or contracted drilling efforts which might affect existing structures.

e. References

The following is a list of references that will be considered in the review of alteration requests covered by this Regional Procedural Review Plan. Other references that are not listed may be considered if applicable.

- P.L. 84-99, as amended, flood emergencies; extraordinary wind, wave, or water damage to federally authorized hurricane or shore protective structures; emergency supplies of water; drought; well construction and water transportation
- 33 CFR 208.10, Local flood protection works; maintenance and operation of structures and facilities
- 44 CFR 65.10, Mapping of areas protected by levee systems
- EM 1110-1-1005, Control and Topographic Surveying, 1 January 2007
- EM 1110-1-1804, Geotechnical Investigations, 1 January 2001

- EM 1110-1-1904, Settlement Analysis, 30 September 1990
- EM 1110-1-1905, Bearing Capacity of Soils, 30 October 1992
- EM 1110-2-1418, Channel Stability Assessment for Flood Control Projects, 31 October 1994
- EM 1110-2-1601, Hydraulic Design of Flood Control Channels, 1 July 1991
- EM 1110-2-1611, Layout and Design of Shallow-Draft Waterways, 31 Dec 1980
- EM 1110-2-1619, Risk-Based Analysis for Flood Damage Reduction Studies, 1 August 1996
- EM 1110-2-1902, Slope Stability, 31 October 2003
- EM 1110-2-1906, Laboratory Soils Testing, 20 August 1986
- EM 1110-2-1913, Design and Construction of Levees, 30 April 2000
- EM 1110-2-1914, Design, Construction, and Maintenance of Relief Wells, 29 May 1992
- EM 1110-2-2002, Evaluation and Repair of Concrete Structures, 30 June 1995
- EM 1110-2-2007, Structural Design of Concrete-Lined Flood Control Channels, 30 April 1995
- EM 1110-2-2100, Stability Analysis of Concrete Structures, 1 December 2005
- EM 1110-2-2104, Strength Design for Reinforced-Concrete Hydraulic Structures, 20 August 2003
- EM 1110-2-2502, Retaining and Flood Walls, 29 September 1989
- EM 1110-2-2504, Sheet Pile Walls, 31 March 1994
- EM 1110-2-2902, Conduits, Culverts, and Pipes, 31 March 1998
- EC 1110-2-6066, Design of I-Walls, 1 April 2011
- EC 1165-2-214 Civil Works Review, 15 December 2012
- EC 1165-2-216, Policy and Procedural Guidance for Processing Requests to Alter US Army Corps of Engineers CW Projects Pursuant to 33 USC 408, 31 July 2014
- ER 500-1-1, Civil Emergency Management Program, 30 September 2001
- ER 1105-2-101 Risk Analysis for Flood Damage Reduction Studies
- ER 1110-1-1807, Drilling in Earth Embankment Dams and Levees, 31 December 2014
- ER 1110-2-1806, Earthquake Design and Evaluation of Civil Works Projects, 31 July 1995
- ER 1110-2-1942, Inspection, Monitoring, and Maintenance of Relief Wells, 29 February 1988
- ER 1130-2-520, Navigation and Dredging Operations and Maintenance Policies, 29 November 1996
- ER 1105-2-101, Risk Analysis for Flood Damage Reduction Studies, 3 January 2006
- ETL 1110-2-583, Engineering and Design: Guidelines for Landscape Planting and Vegetation Management at Levees, Floodwalls, Embankment Dams, and Appurtenant Structures, 30 April 2014
- ETL 1110-2-575, Evaluation of I-Walls, 1 September 2011

- EP 1130-2-520, Navigation and Dredging Operations and Maintenance Guidance and Procedures, 29 November 1996
- USACE Policy for Development and Implementation of System-Wide Improvement Frameworks (SWIFs), CECW-HS memorandum, 29 November 2011

2. Review Requirements

a. Level of Review Required

The review of each Low-Impact Alteration Request covered by the Regional Procedural Review Plan shall include a District-led Agency Technical Review (ATR), reference paragraph 7.c.(4) in EC 1165-2-216. In accordance with Civil Works Review, EC 1165-2-214, ATR reviews shall be scalable according to the magnitude and complexity of the alteration as determined by the District-led Agency Technical Review.

b. Review Purpose

The review of all work products will be in accordance with the requirements established within this Review Plan. The purpose of this review is to ensure the proper application of established policy, regulations, laws, codes, principles and professional practices. The over-arching responsibility of the District-led ATR team is to ensure that all requirements of EC 1165-2-216 have been met. Key requirements include the following determinations:

- 1) Impair the Usefulness of the Project Determination. The objective of this determination is to ensure that the proposed alteration will not limit the ability of the project to function as authorized and will not compromise or change any federally authorized project conditions, purposes or outputs.
- 2) Injurious to the Public Interest Determination. Proposed alterations will be reviewed to determine how they may, or may not, adversely impact the federally authorized project with particular consideration given to whether or not the proposed alteration has any associated public health and/or life safety concerns. The decision whether to approve an alteration will be determined by the consideration of whether benefits are commensurate with risks.
- 3) Legal and Policy Compliance Determination. A determination will be made as to whether the proposed alteration meets all legal and policy requirements and is consistent with the authorized purposes of the federally authorized project.

3. Quality Control (QC)

Quality Control is the responsibility of the non-federal sponsor or the independent requester. All submitted documents, (including supporting data, analyses, environmental compliance documents, etc.), shall undergo Quality Control (QC). QC is an internal review process of basic science and engineering work products focused on fulfilling the project quality requirements. Basic quality control tools include seamless review, quality checks and reviews, supervisory reviews, Project Delivery Team (PDT) reviews, etc.

4. District-led Agency Technical Review

The District-led Agency Technical Review (ATR) team is comprised of reviewers with the appropriate independence and expertise to conduct a comprehensive review in a manner commensurate with the types of proposed alterations described in Attachment 1. As part of the District-led ATR effort, the team should ensure that an appropriate level of Quality Control (QC) has been performed by the non-federal sponsor or independent requester, and his/her A-E.

ATR reviewers may be from the home district. The District will determine the scope and composition of the ATR team for the reviews in consultation with the District Chiefs of Engineering, Construction, Operations, Regulatory, Real Estate, Planning and Policy, and Counsel. Districts are encouraged to have a pre-established ATR team for Section 408 actions, or a cadre of individuals from which to develop ATR teams. In addition, it is recommended that the appropriate District officials for the type of project involved in the Section 408 alteration request be included in approving the Summary of Findings (SOF). If an Alteration-specific review plan is determined to be appropriate, an ATR Team shall promptly be identified and documented in the project record.

ATR team members shall be chosen based on each individual's qualifications and experience with similar Section 408 requests. If lacking the appropriate expertise, the District shall supplement their staff through appropriate Communities of Practice, Centers of Expertise, or other Districts. In accordance with OPOD 2013-35, effective 01 Oct 2013 (ECB 2013-28), all ATR reviewers in the Engineering and Construction Community of Practice (CoP) shall be Corps of Engineers Reviewer Certification and Access Program (CERCAP) certified. Vertical team coordination is encouraged, as appropriate, to assist in assuring adequate technical resources are employed to evaluate the proposed alteration relative to its potential impairments to the authorized

project purpose and its impacts to the affected public, as well as to assure its legal and policy compliance.

USACE permission to alter a federally authorized civil works project is a federal decision subject to compliance with the National Environmental Policy Act (NEPA), including public involvement prior to rendering a federal decision. Many alterations may fall within the parameters for a Categorical Exclusion to NEPA, but each proposed alteration requires a case-by-case determination by the ATR team. The ATR team shall evaluate the potential impacts of the proposed alteration on the environment, public health and life safety, and the authorized project purpose relative to the original authorization and any subsequent NEPA documents. Based on the comparison, the ATR team shall determine if a new Environmental Assessment or a supplement to the existing NEPA documentation is required. The ATR team will also determine the proper extent of public involvement, if any, required to comply with NEPA and other environmental laws and regulations prior to deciding to grant the non-federal sponsor permission to alter a federally authorized civil works project.

The ATR team Lead shall be a senior professional with extensive experience in reviewing Section 408 alteration requests and conducting ATRs. The ATR Lead shall possess the necessary skills and experience to lead a team through the ATR process. The ATR Lead may also serve as a reviewer for a specific discipline.

For purposes of Section 408 alteration requests that are covered by this Regional Procedural Review Plan, potential areas of expertise of ATR team members may include:

- Technical Disciplines: Civil, Geotechnical, Hydraulics, Hydrology, Structural, Electrical, Mechanical and Coastal
- Real Estate²
- Environmental
- Regulatory¹
- Inland Navigation
- Counsel
- Operations
- Construction
- Flood Risk Management
- Dam Safety
- Emergency Management
- Planning
- Regional Technical Specialists (for a specific discipline or specialized expertise)

- The District Section 408 Coordinator may also be an appropriate ATR Lead and/or team member

¹ Note that Regulatory should be notified of all Section 408 requests as they will need to be part of the team when there is a corresponding Section 10/404/103 permit action in conjunction with the Section 408 alteration request.

² For Navigation Section 408 alteration requests, a real estate contract may need to be processed along with the alteration request.

Real estate (RE) reviews are an important requirement of processing Section 408 Alteration Requests by LRDs Districts. RE reviews shall be included as part of the District-led ATR reviews in accordance with paragraph 7.c.(4) Step 4 of EC 1165-2-216. RE obligations and review requirements pursuant to 33 USC 408, and associated Alteration Requests, are summarized in the following three main categories:

- 1) Civil Works projects that are USACE projects and the land is 100% federally owned. A RE contract will be required between the federal government and the non-federal sponsor (or independent requester). A RE contract will not be issued until a Section 408 Alteration Request has been approved by the District.
- 2) USACE Civil Works projects that are cost shared between the federal government and the non-federal sponsor. District RE review and approval is required for any alteration.
- 3) Other – For Civil Works projects not covered in 1) or 2), above. No RE reviews associated with 408 Alteration Requests are required by the Districts. (e.g., federally regulated waters that do not include any federally owned land, structures or federally funded improvements).

Any questions, or clarifications, with respect to Section 408 Reviews related to RE, shall be directed to LRD Division RE.

5. Reviews

a. Review Procedures

Reviews will be conducted in a fashion which promotes dialogue regarding the quality and adequacy of the required documentation. The ATR team will ensure that the non-federal sponsor (or independent requester) has provided all necessary documentation in accordance with EC 1165-2-216. The ATR team will also review all other pertinent documents related to the alteration request. DrChecks can be used for Section 408 ATRs, but it is not required.

The four key parts of a review comment will normally include:

- 1) The review concern – identify the 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 district’s ability to make a decision as to whether to approve or deny the Section 408 request.
- 4) The probable specific action needed to resolve the concern – identify the action(s) that the non-federal sponsor (or independent requester) must take to resolve the concern.

In some situations, especially addressing incomplete or unclear information, ATR commenters may seek clarification in order to then assess whether further specific concerns may exist. The ATR documentation must include the text of each ATR concern, a brief summary of the pertinent points in any discussion, including any vertical coordination, and the agreed upon resolution. All reviews will be coordinated, accomplished, and documented in a timely manner.

The ATR is complete when the ATR team is satisfied that the proposed alteration will not be injurious to the public, will not impair the usefulness of the project, and is not in conflict with any known laws and/or regulations. If the proposed alteration does not adequately address the above criteria, the ATR team shall recommend that the request be denied. If District leadership is not in agreement with the recommendation made by the ATR team, the District shall consult with Division and HQUSACE by means of the RMO in accordance with EC 1165-2-216, paragraph 9., Vertical Teaming.

For Section 408 documentation purposes, Districts shall execute a “Completion of Agency Technical Review and Certification of Agency Technical Review” by the designated functional representatives listed in the Attachment 3 template, which is to be used for each project specific Low-Impact Alteration Request covered by this Regional Procedural Review Plan. Additional Compliance Certifications for Policy, Real Estate, Legal Sufficiency, Regulatory and Operations are also provided for under Attachment 3. All of the above Compliance Certifications should be signed/dated by the appropriate District functional representatives for Low-Impact Alteration Requests covered by this Review Plan.

When the Section 408 review is complete, the District Section 408 Coordinator will be responsible for filing all documentation related to the Section 408 request (e.g., request

letter, P&S, ATR results, comment/resolution document, notification letters, as-built drawings) by means of a District approved method for filing documentation. For example, for alterations to federally authorized dams, Projectwise/RADSII is generally considered a valid method for filing of documentation.

Because the intent of the Regional Procedural Review Plan is to address Section 408 alterations that have minimal impact and that are similar in nature, Districts are encouraged to create checklists and/or standard templates to streamline and document the review and decision process.

b. Review Schedule

Review timelines should be developed as part of an overall schedule for processing the Section 408 alteration request. Reviews and review timelines should be commensurate with the level and complexity of the alteration request. The District Section 408 Coordinator will work with the ATR team to achieve timely reviews and will maintain contact with the non-federal sponsor to keep them informed about the review timeline.

When an alteration request is required to be submitted for Division and/or HQUSACE review, submissions will be made to the appropriate District Support Program Manager liaison at LRD.

c. Review Costs

Districts shall follow the latest HQUSACE policy and guidance regarding the various categories by which Districts may submit funding requests pursuant to 33 USC 408. If a Section 408 request is approved, costs related to the proposed alteration including, but not limited to, construction oversight, survey, title, fair market value of real estate, and USACE administrative fees may be incurred.

d. Public Involvement

In accordance with EC 1165-2-216, 7.c.(3)(c)vi., "Districts must make diligent efforts to involve the public in the decision-making process, including soliciting appropriate information from the public to inform the environmental analysis and public interest determination."

The extent of public involvement is dependent upon the potential for controversy and the nature and extent of the estimated impacts of the alteration proposed relative to the existing NEPA documentation and environmental regulations associated with operation and maintenance of the current project. The Project Development Team (PDT) is responsible for developing the scope, schedule and budget for public and stakeholder agency involvement on a case-by-case basis. The PDT is also responsible for conducting public involvement in a manner that assures awareness, transparency and receptiveness to comment.

In accordance with Civil Works Review, EC 1165-2-214, this Regional Procedural Review Plan shall be posted on the public internet websites of each District following approval by the Division Commander. There will not be a formal comment period as such and there is no set timeframe for the opportunity for public comment on the contents of this Review Plan. If and when comments are received, the Districts should inform the Division Section 408 Coordinator regarding possible revisions to the Regional Procedural Review Plan.

6. Review Plan Points of Contact

Key Review Plan points of contact are as contained in the following table.

Title	Name	Organization	Email and Phone
Division Section 408 Coordinator	Roger F. Zemba	CELRD-RBT	roger.f.zemba@usace.army.mil 513-684-3018
Risk Management Center	John D. Clarkson	CEIWR-RMC- WD	john.d.clarkson@usace.army.mil 304-399-5217
Louisville District Section 408 Coordinator	Christina M. Neutz	CELRL-ED-T- G	christina.m.neutz@usace.army.mil 502-315-6305
Huntington District Section 408 Coordinator	Stephen M. Porter	CELRH-PM-PP	stephen.m.porter@usace.army.mil 304-399-5062
Buffalo District Section 408 Coordinator	Robert W. Remmers	CELRB-TD-OT	robert.w.remmers@usace.army.mil 716-879-4277
Nashville District Section 408 Coordinator	Bradley N. Bishop	CELRN-OP-N	bradley.n.bishop@usace.army.mil 615-736-5974
Chicago District Section 408 Coordinator	Jeffrey B. Heath	CELRC-PM- PM	jeffrey.b.heath@usace.army.mil 312-846-5452
Detroit District Section 408 Coordinator	Leigh Ann Ryckeghem	CELRE-EC-A	leigh.a.ryckeghem@usace.army.mil 313-226-6371
Pittsburgh District Section 408 Coordinator	Jeffrey M. Benedict	CELRP-PM-EF	jeffrey.m.benedict@usace.army.mil 412-395-7202

Attachment 1 - Low-Impact Alterations

In the context of this Regional Procedural Review Plan, Low-Impact Alteration Requests are those Section 408 requests that are similar in nature and that have similar low-impacts.

It is important to note that if a non-federal sponsor or independent requester requests any of the Low-Impact Alterations listed below, this does not mean *automatic* acceptance, or approval, of the alteration request by an LRD District. All requested and proposed alterations must still be reviewed on a case-by-case basis by the District and follow all EC 1165-2-216 processing procedures. Additionally, the District Chief of Engineering, as the Engineer-In-Responsible-Charge, shall perform an assessment that the proposed alteration to the federally authorized project does not pose a significant threat to public health and life safety. The District's analysis of the alteration request must also include an assessment of drilling requests as described in paragraph 1.d.

In accordance with EC 1165-2-216, Section 9, Vertical Teaming, both the RMC and the Division Section 408 Coordinator should be informed for any of the following reasons:

- 1) Any item listed below that has the possibility of a threat to public health and/or life safety.
- 2) Any alteration request, related to the items below, that is unclear, may need Vertical Team engagement, etc.
- 3) Any item not listed below that a District believes should be considered as a Low-Impact Alteration. Upon receipt of a proposed new Low-Impact Alteration, and after the RMC endorses and the Division Commander approves, the new Low-Impact Alteration will be added to the Attachment 1 listing, and will be reflected as an addition in Attachment 2, Regional Procedural Review Plan Revisions. The Regional Procedural Review Plan will then be updated by means of the Regional Civil Works Processes in Qualtrax.

Other than the above three qualifications and affirmative responses to any of the seven (7) Section 408 Decision Level Questions under paragraph 6.t of EC 1165-2-216, approval authority for Section 408 actions covered by this Regional Procedural Review Plan shall be at the District level in accordance with EC 1165-2-216.

Low-Impact Alterations, as requested by a non-federal sponsor, include installation, addition, modification or removal of the following items that are similar in nature and have similar impacts:

- Benches

- Billboards
- Signage
- Roadway markings
- Fencing
- Driveways
- Pedestrian trails
- Sidewalks and walkways
- Stairways and stairs
- Simple culverts
- Simple discharge pipes
- Simple pipelines
- Simple utility lines
- Boat docks and launch ramps
- Fishing piers
- Overlook features
- Lighting
- Items or features that are considered to be art or decorative
- Parking areas
- Recreational shelters and structures
- Other types of recreational features
- Storm water features (such as catch basins and energy dissipation measures)
- Safety railings (handrails, guardrails, etc.)
- Planting of trees, bushes and other landscaping
- Simple buildings (one story)
- Simple pipe headwalls
- Simple retaining walls
- Dumpster and trash areas
- Instrumentation
- Other Ramps
- Road Crossings
- Simple bridges (traffic and pedestrian)
- Erosion control measures (e.g., install, replace rip-rap on an embankment)
- Manhole relocations
- Simple road raises and modifications
- Communication systems, and related equipment
- Playground equipment
- Lavatories and related items
- Pump station modifications
- Repair/reline discharge pipes
- Minor excavations
- Changes to channel rip-rap
- Installation/repair/replacement/abandonment of third party utilities
- Backflow prevention devices – for example, slide, sluice, and flap gates
- Permanently abandon/seal obsolete closures

- Change a closure from a manual to an automated gate type system
- Access roads and driveways
- Patios and decks
- Boats (encroaching/docking in Federal waters)
- Boat storage
- Metal guard railing (roadway)
- Poles and posts (wood, metal, etc.)
- Small fill areas (soil, stone, etc.)
- Pools, hot tubs and small ponds
- Piles, fenders (i.e., encroaching in Federal waters)
- Aids to navigation (on piers, breakwaters, etc.)
- Green breakwater initiatives (bird nesting features, fish habitat features, etc.)
- Minor dredging
- Minor raising of a flood wall/levee for levee certification purposes in order to meet FEMA accreditation requirements, per 44 CFR Part 65.10, paragraph (b) (1) - (i.e. extra foot of height within 100 feet of bridges or similar structures and, additional height of ½ foot from upstream end and decreasing to 0 feet at the downstream end of project).

Note: Previously approved alterations and unauthorized alterations (including encroachments) shall be managed by the District in accordance with EC 1165-2-216 (reference paragraphs 6.i and 6.j).

Attachment 2 - Regional Procedural Review Plan Revisions

Revisions to the Regional Procedural Review Plan shall be recorded in the table, below. Significant changes (such as changes to the scope and/or level of review) must be re-endorsed by the RMC and re-approved by the Division Commander.

Description of Revision	Section of the Review Plan	Date of Revision

Attachment 3 - Certifications

COMPLETION OF AGENCY TECHNICAL REVIEW

The Agency Technical Review (ATR) has been completed for the <short description of proposed alteration> for <project name and location>. The ATR was conducted as defined in the Regional Procedural Review Plan to comply with the requirements of EC 1165-2-216. During the ATR, compliance with established policy principles and procedures and legal requirements were verified. This included the determination whether, or not, the proposed alteration would impair the usefulness of the federally authorized project, is consistent with the project purpose, and is not injurious to the public interest. All comments resulting from the ATR have been resolved.

SIGNATURE

Name

ATR Team Leader

Office Symbol

Date

SIGNATURE

Name

District Section 408 Coordinator

Office Symbol

Date

SIGNATURE

(Add any additional signatures as appropriate)

Title and Office Symbol

Date

CERTIFICATION OF AGENCY TECHNICAL REVIEW

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

[Describe the major technical concerns identified in the review and their resolution, and specifically list any agreed-upon deferrals to be completed in the next phase of work.]

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

Name

Chief, Engineering & Construction Division

Office Symbol

Date

CERTIFICATION OF POLICY COMPLIANCE

[Description of extent of policy compliance certification associated with the proposed alteration to a completed federally authorized project, with any limitations noted.]

_____	_____
<i>Name</i>	Date
Chief, Planning and Policy	
<i>Office Symbol</i>	

CERTIFICATION OF REAL ESTATE COMPLIANCE

[Description of extent of Real Estate compliance associated with the proposed alteration to a completed federally authorized project, with any limitations noted.]

_____	_____
<i>Name</i>	Date
Chief, Real Estate	
<i>Office Symbol</i>	

CERTIFICATION OF LEGAL SUFFICIENCY

[Description of extent of legal sufficiency certification associated with the proposed alteration to a completed federally authorized project, with any limitations noted.]

_____	_____
<i>Name</i>	Date
Counsel	
<i>Office Symbol</i>	

CERTIFICATION OF REGULATORY COMPLIANCE

[Description of extent of regulatory compliance associated with the proposed alteration to a completed federally authorized project, with any limitations noted. If not applicable, note as such.]

Name

Chief, Regulatory

Office Symbol

Date

CERTIFICATION OF OPERATIONS

[Description of operations and maintenance requirements associated with the proposed alteration to a completed federally authorized project, with any limitations noted. If not applicable, note as such.]

Name

Chief, Operations

Office Symbol

Date