

EC 1165-2-209

Civil Works Review Policy

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US Army Corps of Engineers
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Why The Corps Does Review

- An extra set of eyes is good.
- To ensure consistent application of policy, guidance, design criteria, etc across the nation.
- USACE Goal is to always provide the most scientifically sound, sustainable water resource solutions for the U.S.
- There are numerous statutory and Administration requirements for various reviews.



- Required by Federal Law
- Under congressional pressure to implement
- Institutional and Public Inertia



Examples of Statutory and Administration Requirements

- Section 2034 of PL 110-114 – WRDA 2007
- Section 2035 of PL 110-114 – WRDA 2007
- Section 515 of PL 106-554 – Information Quality Act
- Final Information Quality Bulletin for Peer Review – AKA the OMB Peer Review Bulletin



WRDA 07

- Sec 2034 requires feasibility studies, reevaluation studies, and studies associated with a modification to a water resources project *shall be subject to a peer review by an independent panel of experts.*
- Sec 2035 requires that *the design and construction activities for hurricane and storm damage reduction and flood damage reduction projects are reviewed by independent experts*



Legislative History from Conference Report

“Section 2034 permits the Chief of Engineers to exclude a very limited number of project studies from independent peer review. The managers expect that project studies that could be excluded from independent peer review are so limited in scope or impact that they would not significantly benefit from an independent peer review.”



EC 1165-2-209 Applicability

- Applies to all USACE elements having civil works responsibilities.
- Covers all levels of review from basic quality control to independent external peer review.
- All feasibility, reevaluation, major rehabilitation, project modification, post-authorization change studies.
- All Continuing Authority Program projects.
- All design performed for new projects, modifications to existing projects, and/or on a reimbursable basis.
- All O&M plans, reports, manuals, evaluations, and assessments.



Review Plans (RP)

- Stand alone document but component of the Quality Management Plan (QMP) in the Project Management Plan (PMP).
- Describes the scope and execution of anticipated review for the current and/or upcoming phase of work.
- For Type I IEPR, PCX facilitates RP.
- Division Commander approves the RP to assure that the plan is in compliance with guidance and the Division's quality management plan.
- RP anticipates and defines the appropriate level of review.
- PMP identifies all review requirements, processes, costs and schedules as integrated features of the overall project execution.
- To the maximum extent practicable, reviews shall be scheduled and conducted so as not to cause delays in study or project completion.



Review Types

- District Quality Control (DQC)
- Agency Technical Review (ATR)
- Independent External Peer Review (IEPR)
 - ▶ Type 1 – on decision documents
 - ▶ Type 2 – on design and construction activities
- Policy Review
 - ▶ Office of Water Project Review
 - ▶ OASA(CW) Review
 - ▶ OMB Review
- Legal Compliance Reviews



Type I IEPR

Mandatory Triggers:

- (1) Significant threat to human life
 - (2) Total Project Cost > \$45M
 - (3) Request by State Governor of an affected state
 - (4) Any other circumstances the Chief warrants.
 - Significant public dispute (size, nature, effects, economics, environmental)
 - Novel methods, complex challenges, precedent-setting methods
- IEPR Administered by the PCX's or Risk Mgmt Center
 - Managed by Outside Eligible Organizations
 - Federally Funded up to \$500K
 - Requests for Exclusions – Approval level Chief of Engr



Type II IEPR

Safety Assurance Review

- **Applicability:**
 - ▶ Flood and Storm Damage Reduction Projects.
 - ▶ Any failure poses significant threat to human life.
 - ▶ Safety assurance factors must be considered during studies.
- **Factors to Consider:**
 - ▶ Where failure leads to significant threat to human life.
 - ▶ Novel methods\complexity\ precedent-setting models\policy changing conclusions.
 - ▶ Additional Engineering considerations.
 - ▶ Chief of Engineers directs.
- **Administered by Risk Management Center (To be Established by Corps HQ)**
- **Project Funded**
- **Approval level for Safety Assurance Review is**
Division Commander



Challenges

- Insuring Project Managers and Planner are knowledgeable of new review EC
- Planning ahead
- Managing project schedules
- Review delays
- Review issues/findings
- Funding (must be budgeted)



Opportunities

- Develop Quality Projects
- Reduce Risk
- Avoid future project changes and cost increases
- Reduce unknowns

We can make this work



Questions?

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