



**DEPARTMENT OF THE ARMY**  
U.S. ARMY ENGINEER DIVISION, GREAT LAKES AND OHIO RIVER  
CORPS OF ENGINEERS  
550 MAIN STREET  
CINCINNATI, OH 45202-3222

CELRD-PD-O

13 SEP 13

MEMORANDUM for Pittsburgh District Commander, CELRP-DE/COL Bernard Lindstrom,  
1000 Liberty Avenue Room 2200, Pittsburgh, PA 15222-4186

SUBJECT: Approval of Review Plan for Section 729 Monongahela River Final Watershed  
Assessment

1. Reference:

- a. Email from Mark Matusiak, CECW-PC/LRD, IEPR from watershed studies w/o construction recommendation dated 15 August 2013 (Enclosure 1).
  - b. IEPR Exclusion Panel approval action of Monongahela River Watershed Assessment IEPR Exclusion request dated 24 August 2013.
  - c. CELRD-PD-O Memorandum: Section 729 Monongahela River Final Watershed Assessment, Request for Exclusion from Requirement for Type I Independent External Peer Review (IEPR) dated 03 April 2013 (Enclosure 2).
  - d. CELRP-PM-E Memorandum: Section 729 Monongahela River Final Watershed Assessment, Request for Exclusion from Requirement for Type I Independent External Peer Review (IEPR) dated 02 April 2013 (Enclosure 3).
  - e. CEMVD-PD-N Memorandum: Monongahela River Final Watershed Assessment, Pennsylvania, West Virginia, and Maryland Section 729 Watershed Analysis, Pittsburgh District, Ecosystem Planning Center of Expertise Recommendation for Approval for Review Plan Approval dated 09 January 2012 (Enclosure 4).
  - f. CELRP Final Watershed Study Review Plan dated 07 March 2013 (Enclosure 5).
2. The attached Review Plan for Section 729 Monongahela River Final Watershed Assessment (enclosure 5) has been prepared in accordance with EC 1165-2-214 "Civil Works Review" dated 15 December 2012.
3. The review plan was previously coordinated with Ecosystem Restoration Planning Center of Expertise and the Flood Risk Management PCX and they have provided their endorsement (enclosure 4).

CELRD-PD-O

SUBJECT: Approval of Review Plan for Section 729 Monongahela River Final Watershed Assessment

4. The District requested exclusion to the TYPE I IEPR (enclosure 3) and was endorsed by CELRD to HQUSACE (enclosure 2). The IEPR Exclusion Panel approved the request for exclusion on 24 April 2013; however, a formal HQ's approval memorandum was never received by the MSC. On 15 August 2013, the Office of Water Project Review sent out an email (enclosure 1) clarifying that if the watershed study would not result in a construction recommendation, then no Type I IEPR was necessary and no Type I IEPR exclusion request was required. The Section 729 Monongahela River Final Watershed Assessment will not result in a construction recommendation.
5. I approve the enclosed Review Plan for Section 729 Monongahela River Final Watershed Assessment dated 07 March 2013. Subsequent revisions to this review plan or its execution will require new written approval from this office and is subject to change as circumstances require, consistent with the Project Management Business Process.
6. The District is requested to post the review plan to its website. Prior to posting, the names of all individuals identified in the review plan should be removed.
7. The point of contact is Mr. Gary Mosteller, P.E., and can be reached at 513-684-3159.

Encls



ROBERT D. PETERSON  
Colonel, EN  
Acting Commander

CF:

CECW-LRD (Prettyman-Beck)  
CEMVD-PD-N (Creswell)

## Mosteller, Gary A LRDOR

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**From:** Mosteller, Gary A LRDOR  
**Sent:** Thursday, August 15, 2013 5:32 PM  
**To:** Mosteller, Gary A LRDOR  
**Subject:** FW: IEPR for watershed studies w/o construction recommendations (UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

-----Original Message-----

From: Matusiak, Mark HQ02  
Sent: Thursday, August 15, 2013 9:46 AM  
To: Warren, Jay E HQ02  
Cc: Ware, Charles L HQ02  
Subject: IEPR for watershed studies w/o construction recommendations (UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

James E,

While there are no specific references in EC 1165-2-214 concerning reviews of watershed studies, paragraph 5.a states in general that review is required for technical, scientific and engineering information that is relied upon to support recommendations in decision documents, or form the basis of designs, specifications, and/or O&M requirements. In this context, decision document refers to a feasibility report that contains a construction recommendation (hence the references to designs, specs and O&M measures). Watershed plans without construction recommendations as you described to Lee and I this morning do not are not required to undergo review pursuant to EC 214. The IEPR discussion in paragraph 10 of the EC only applies if we have a construction recommendation, as defined in paragraph 5.a. Given that the watershed studies you mentioned do not have construction recommendations, IEPR is not required.

Please let me know if you have any questions. Also, Bruce Carlson is one of the primary authors of this EC, and would be a good source of further information.

Mark Matusiak  
Office of Water Project Review  
Planning and Policy Division  
HQUSACE  
[Mark.Matusiak@usace.army.mil](mailto:Mark.Matusiak@usace.army.mil)  
(202) 761-4700

Classification: UNCLASSIFIED  
Caveats: NONE

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Caveats: NONE





DEPARTMENT OF THE ARMY  
U.S ARMY CORPS OF ENGINEERS, GREAT LAKES & OHIO RIVER DIVISION  
CORPS OF ENGINEERS  
550 MAIN STREET  
CINCINNATI, OH 45202

CELRD-PD-O

3 April 2013

MEMORANDUM for Commander, (ATTN: CECW-LRD, Yvonne Prettyman-Beck, LRD RIT Cube 3D94) 441 G Street, NW, Washington, DC 20314

SUBJECT: Section 729 Monongahela River Final Watershed Assessment, Request for Exclusion from Requirement for Type I Independent External Peer Review (IEPR)

1. Reference:

- a. CELRP-PM-E Memorandum: Section 729 Monongahela River Final Watershed Assessment, Request for Exclusion from Requirement for Type I Independent External Peer Review (IEPR) dated 02 April 2013. (Enclosure 1)
- b. CEMVD-PD-N Memorandum: Monongahela River Final Watershed Assessment, Pennsylvania, West Virginia, and Maryland Section 759 Watershed Analysis, Pittsburgh District, Ecosystem Planning Center of Expertise Recommendation for Review Plan Approval dated 09 January 2012. (Enclosure 2)
- c. Review Plan for Final Watershed Study Review Plan, Monongahela River Final Watershed Assessment, Pennsylvania, West Virginia and Maryland Section 729 Watershed Analysis (Last Revision Date 7 March 2013). (Enclosure 3)
- d. EC 1165-2-214, Civil Works Review dated 15 December 2012

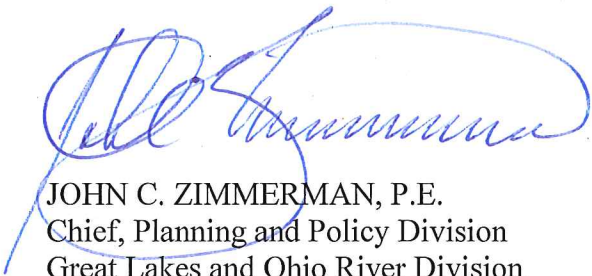
2. The Monongahela River Final Watershed Assessment is to provide a water resource management strategy for the Monongahela River watershed that seeks sustainable water resources management while taking into consideration environmental protection, economic development and social well-being. In accordance with reference d, the Pittsburgh District has prepared a review plan for the subject final assessment and per reference b, has been reviewed and endorsed by the Ecosystem Restoration Planning Center of Expertise (ECO-PCX) and the Flood Risk Management PCX.

3. The Pittsburgh District has requested the subject Section 729 assessment be excluded from a Type I IEPR. The subject assessment does not meet the mandatory triggers required for a Type I IEPR indicated in Section 2034 of the Water Resources Development Act of 2007 (P.L. 110-114) and Section 11 of EC 1165-2-214. There is no threat to human health and safety; no construction; no capital improvement/investment to be made under this study; is not controversial; and has not had a request for an IEPR from the Governors of Pennsylvania, West Virginia and Maryland or the head of a Federal or State agency.

*Encl 2*

4. CELRD has reviewed the subject review plan in accordance with reference d and is prepared to approve the review plan if HQ's approves the exclusion to the requirement for a type I IEPR.

5. CELRD is available for further vertical team meetings and our point of contact is Mr. Gary Mosteller, P.E. (513) 684-3159.



JOHN C. ZIMMERMAN, P.E.  
Chief, Planning and Policy Division  
Great Lakes and Ohio River Division

Enclosures

1. CELRP-PM-E Memorandum
2. ECO-PCX Endorsement Memorandum
3. Section 729 Monongahela River Final Watershed Assessment Review Plan



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
PITTSBURGH DISTRICT, CORPS OF ENGINEERS  
WILLIAM S. MOORHEAD FEDERAL BUILDING  
1000 LIBERTY AVENUE  
PITTSBURGH, PA 15222-4186

CELRP-PM-E

02 April 2013

MEMORANDUM FOR Commander, U.S. Army Corps of Engineers, Great Lakes and Ohio River Division, 550 Main Street Cincinnati, Ohio 45202-3222 (ATTN: Gary Mosteller, CELRD-PDM-M)

SUBJECT: Section 729 Monongahela River Final Watershed Assessment, Request for Exclusion from Requirement for Type I Independent External Peer Review (IEPR)

1. LRP has prepared a Section 729 Initial Watershed Assessment (IWA) for the Monongahela River Basin. The IWA recommended a follow-on Final Watershed Assessments (FWA) be completed in partnership with Greene County, Pennsylvania. The result of the FWA will be a Watershed Plan.
2. EC 1165-2-214, dated 15 December 2012 directs that a Type I IEPR is mandatory if any of the following are true:
  - a. Significant threat to human life;
  - b. Where the estimated total cost of the project is greater than \$45M based on a reasonable estimate at the end of the reconnaissance phase;
  - c. Where the Governor of an affected state requests a peer review by independent experts; or
  - d. Where the DCW or the Chief of Engineers determines that the project study is controversial due to public dispute over the size, nature or effects of the project or the economic or environmental costs or benefits of the project.

The District review of the preparation of this FWA indicates that a District Quality Control/Quality Assurance (DQC) review, along with the Agency Technical Review (ATR) will be sufficient to support the conclusion of the FWA and associated Watershed Plan.

Project Delivery Team (PDT) reviews will be performed to ensure consistency and effective coordination across all project disciplines. The DQC review will be conducted in-house by experienced staff not associated with the production of the FWA. In addition to in-house reviews, the Draft FWA will undergo ATR by a team lead by a subject matter expert from outside LRD.

3. Based on the expectations of the FWA and Watershed Plan, LRP believes that the requirements for a Type I IEPR as expressed in paragraph 2 are not met:

- a. There is no design with this study, and the study does not directly lead to construction.

Encl 3



- b. The study will examine priority risk areas for flooding. There may be current risks to life safety from flooding conditions in the watershed. If a project is proposed from the watershed assessment, residual risk and/or project non-performance will be considered. However, more detailed feasibility analyses will be required on project specific recommendations since this study will not authorize a site specific project.
- c. Recommendations for flows that support ecological health are generated as part of a social process backed by scientific analysis. This social process is conducted as a series of collaborative workshops involving technical experts, stakeholders, and policymakers. These workshops involve the identification of species and ecological groups that are sensitive to flow alterations, identification of societal values and management needs, consensus on acceptable ecological conditions, and finally the development of recommendations for environmental flow standards – based on the other technical work done in the study. Implementation of these recommendations involves further study and the review requirements for those studies would be determined study by study.
- d. There is no formal cost estimate because there are no recommendations for project implementation.
- e. The watershed plan does not require NEPA documentation. If subsequent studies are undertaken in which flow recommendations are implemented through management actions, NEPA documentation will be undertaken during those study processes.
- f. The watershed plan does not impact a structure or feature of a structure whose performance involves potential life safety risks. The watershed plan identifies flows necessary to support ecological health. Study products may inform future feasibility or implementation documents that impact structures whose performance involves potential life safety risks. A determination on necessary review requirements for those studies will be made when their review plans are drafted.
- g. This watershed plan will not lead directly to project implementation. The recommended flow regimes are a recommendation only. If the study is not completed, there is a risk that USACE and other agencies will have an incomplete understanding of the ecological needs of aquatic communities in the Monongahela River Basin. Study products will be based upon the best science and data available, and non-performance within the science process and within the backing data would lead to an incomplete understanding of flows and flow relationships in the Monongahela River Basin. However, as science and data collection advances, the conclusions reached in the study can be revisited and revised.

- h. This watershed plan has a study cost of \$400,000 and no investment of public monies is required beyond the study cost.
- i. This watershed plan will not directly lead to project implementation and therefore does not support a budget request.
- j. This watershed plan will not directly lead to changes in operation at USACE projects. Further study may be necessary, based on the recommendations of the watershed assessment, resulting in operational changes at Corps' dams. A determination on the need for IEPR will be made for individual studies on Corps' dam operational changes.
- k. The watershed plan does not involve activities that trigger regulatory permitting.
- l. The watershed plan does not involve activities that could potentially generate hazardous wastes and/or disposal of hazardous materials.
- m. The watershed plan does not reference the use of or reliance on manufacturers' engineers and specifications.
- n. The watershed plan does not involve utility systems and therefore does not rely on local authorities for inspection/certification.
- o. There is not expected to be any controversy surrounding Federal actions associated with this work product. The watershed plan relies on the best available scientific information, opinion, and consensus to determine flows necessary for ecological health.
- p. No State affected by this Watershed Study has requested a peer review by independent experts.

5. The Review Plan has been developed and endorsed by the ECO-PCX in coordination with the FRM-PCX. The Review Plan states that the FWA would be subjected to DQC and ATR but not a Type 1 IEPR due to the fact the project did not meet any of the "trigger" criteria for a Type I IEPR.

6. I have reviewed the conclusions of the PDT and support their conclusions.

  
JOHN PEUKERT, RPA  
Chief, Planning and Environmental Branch





**DEPARTMENT OF THE ARMY**  
MISSISSIPPI VALLEY DIVISION, CORPS OF ENGINEERS  
P.O. BOX 80  
VICKSBURG, MISSISSIPPI 39181-0080

REPLY TO  
ATTENTION OF:

CEMVD-PD-N

09 January 2012

MEMORANDUM FOR Commander, Great Lakes and Ohio River Division  
ATTN: (John Zimmerman, CELRD-PDS-P)

SUBJECT: Monongahela River Final Watershed Assessment, Pennsylvania, West Virginia, and Maryland Section 729 Watershed Analysis, Pittsburgh District, Ecosystem Planning Center of Expertise Recommendation for Review Plan Approval

1. References:

- a. Engineering Circular (EC) 1165-2-209, Water Resources Policies and Authorities, CIVIL WORKS REVIEW POLICY, 31 Jan 2010
- b. EC 1105-2-412, Assuring Quality of Planning Models, 31 March 2011
- c. Engineering Regulation (ER) 1110-2-12, Quality Management, 30 Sep 2006

2. The enclosed Review Plan (RP) complies with all applicable policy and provides an adequate Agency Technical Review (ATR) of the plan formulation, engineering, and environmental analyses, and other aspects of plan development. The Ecosystem Restoration Planning Center of Expertise (ECO-PCX) and the Flood Risk Management PCX have reviewed the RP.

3. The RP includes a risk informed decision regarding Type I Independent External Peer Review (IEPR) for this study. The study is a Corps-led watershed effort that will not evaluate specific projects for Corps construction. As such, IEPR and an exclusion request are not required. However, the vertical team should discuss if a single IEPR for the watershed effort is more cost effective than potential multiple IEPRs on dam operational change studies that may be undertaken as a result of this study.

4. No planning models will be for used in this study. Study findings will be based on literature review, professional judgment, and expert consultation. It is recommended that the ATR team be specifically charged with evaluating the technical quality of the evaluation and comparison steps in the absence of a planning model.

5. The ECO-PCX concurs with the enclosed RP. Upon approval by the MSC Commander, please provide the approved RP, the MSC Commander's approval memorandum, and the link to the District posting of the RP to Jodi Creswell. When substantive revisions are made to the RP, such as changes in project scope or Corps policy, a revised RP should be provided to the ECO-PCX for review. Non-substantive changes do not require further PCX review.

6. Thank you for the opportunity to assist in the preparation of the Review Plan. We look forward to working with you on ATR.

*Encl 4*

CEMVD-PD-N

09 January 2012

SUBJECT: Monongahela River Final Watershed Assessment, Pennsylvania, West Virginia, and  
Maryland Section 729 Watershed Analysis, Pittsburgh District, Ecosystem Planning Center of Expertise  
Recommendation for Review Plan Approval



Jodi Creswell  
Operational Director,  
National Ecosystem Planning  
Center of Expertise

Enclosures (1)

CF:

CEMVD-PD-N (Wilbanks, Smith, Creswell)

CELRD-PDS-P (Jarboe)

CELRP-BR-EP (Rozzi)

CELRP-BR-P (Logan)

CELRP-BR-E (Petraglia)

CENWS-ER (Scuderi)

CEMVR-PD-F (Knollenberg)

CESPD-PDS-P (Thaut)