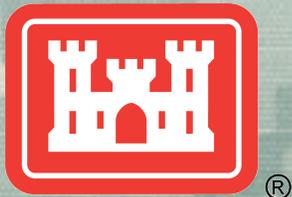


# ***US Army Corps of Engineers***

USACE Responses to IEPR

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# Background - Independent External Peer Review (IEPR)

- Information Quality Act (2002)
  - ▶ Government-wide guidelines for independent review
- WRDA 2007, Section 2034
  - ▶ Studies and Decision Documents
  - ▶ Specific requirements for IEPR panels
  - ▶ Chief of Engineers must respond to all comments
- WRDA 2007, Section 2035
  - ▶ Safety Assurance Review
  - ▶ No requirement for posting responses



# Guidance & Process

- EC 1165-2-214 “Civil Works Review”
  - ▶ Appendix D: Type I IEPR;
  - ▶ Appendix F: Roles & Responsibilities
- Processing Agency response is through HQ RITs
  - ▶ SOP developed by PCX’s – see reference at end
  - ▶ Expect refinements to response based on HQ review
  - ▶ Best to get early vertical team involvement
- Signature level for Agency response is usually DCW or CG



# Approach for developing Agency responses to IEPR comments

- **BASIC PHILOSOPHY:**
- Responses should be clear to lay readers
- Responses should be concise but not generic – must demonstrate specific response to specific comment
- Each response should be self contained since readers may pick and choose which responses they read (do not carry explanations from previous responses, etc., where practical)
- Goal of relative consistency across the CW Program



# Response Categories

- **EACH RESPONSE SHOULD BE DIRECT IN:**
- Stating whether comment was Adopted or Not Adopted
- **ADOPTED**
  - ▶ Action Taken
  - ▶ Action To Be Taken
- **NOT ADOPTED**
  - ▶ Must explain why



# Comments Adopted

- **ADOPTED:** Identifies the USACE action to respond to the comment, where it is documented, and how it affected the conclusions or recommendations
- If adopted, clearly identify what was done in response, such as:
  - More data was collected
  - New alternatives were formulated
  - Further analysis was completed
  - Different model was used
  - Text was revised
  - AND, addressing what was the outcome or implication of the action
- Cite where USACE response is described in document
- “Action to be taken” must explain what and when (PED, etc.)



# Comments Not Adopted

- **NOT ADOPTED:** Explains the reasoning of the Chief of Engineers for not adopting the comment, and the implication of not doing recommended action
  - ▶ Address the implications of not adopting the recommendation
  - ▶ Did we employ alternate approaches to address the point?
  - ▶ Senior Leaders expect strong explanations
    - Be sure you have vertical team agreement
    - Schedule and budget are not reasons
    - Stating “what we’ve done is adequate” is not sufficient
    - Don’t hide behind regulations



# Response Categories - Special

- There are instances where some of the recommendations have been adopted while others have not been adopted
  - ▶ Ex: “This comment had five recommendations, four of which were adopted and one of which was not adopted, as described below.”
    - ADOPTED
      - ▷ Action Taken
      - ▷ Action To Be Taken
    - NOT ADOPTED
      - ▷ Must explain why



# More tips

- Responses should be cross-checked point by point with “Recommendations for Resolution” from IEPR report
  - ▶ assure that USACE response makes it clear how each point was addressed
- Audience will likely include Hill Staff, stakeholders, etc. who will have strong interest in USACE responsiveness to comments
- USACE Senior Leaders read these responses and recognize them as important



# Additional thoughts on drafting responses:

- Remember that the reader may be seeing only the IEPR comments and the USACE response
- Include the “short form” of the comment (verbatim, not paraphrased) to introduce each response, but answer to all aspects of the “long form” of the comment
- Don’t “bulk up” by repeating too much text
- Avoid “concur / non-concur” and focus on action taken
- “Voice” of the response needs to reflect the Chief of Engineers, not the perspective from the PDT level



# Additional thoughts on drafting responses (continued):

- Avoid “diary” accounts that detail all of the steps in the organizational “sausage making”
- Avoid recounting various iterations of Corps deliberations – express the final agency position taken
- Having one primary writer in the District seems to be better than having each SME attempt to rework and refine the responses from DRChecks
- Don’t provide commentary on the recommendation or the panel
- We do not have to satisfy the panel, but we must give satisfactory explanation of the coordinated Agency response



# Online Resources

- Good examples

- ▶ Sabine-Neches Waterway Channel Improvement Project, TX (2011)
- ▶ Fargo-Moorhead Metropolitan Flood Risk Management Feasibility Study Report (2011)
- ▶ Available on HQ Peer Review site:
  - <http://www.usace.army.mil/Missions/CivilWorks/ProjectPlanning/CompletedPeerReviewReports.aspx>

- SOP for Type I IEPR

- ▶ Process for conducting, completing, and documenting Type I IEPR
  - <http://planning.usace.army.mil/toolbox/library/Misc/Type%20I%20IEPR%20SOP%20Final.pdf>



# Additional notes for Dam Safety

- After MSC and RMO's endorsement, MSC will send the proposed Final Response to the IEPR to their respective RIT by June 1 BY-2
- The RIT coordinates HQ review and any refinements/disposition of HQ comments with the District
- RIT drafts memo for Mr. Stockton's signature
- The Final Agency Response to the IEPR must be signed by Mr. Stockton before Mr. Dalton can sign off on the DSMR.
- Mr. Dalton's signature must be obtained, AND the DSMR must be submitted to ASA prior to August 1 in order to get into the BY+2 budget.
  - ▶ (FYSA - this applies to Addicks/Barker and Pine Creek DSMRs as goal is to get into FY 15 budget).



# QUESTIONS?



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