

Civil Works Review Board (CWRB) - Tips and Techniques

- 1. CWRB Purpose.** As outlined in EC 1105-2-406, dated 31 March 2005, for all projects that require authorization by Congress, MSC and District Commanders are now required to present their final reports and recommendations to the CWRB. The CWRB briefing will serve as the corporate checkpoint to determine if the final report and NEPA document are ready for State and Agency review. This is not a final approval of the report, HQUSACE concurrence with the District and MSC recommendations will occur with the signing of the Chief of Engineers Report. Modifications to the recommendations may be made at that point.
- 2. Board Makeup.** The CWRB consists of 5 members: the Deputy Commanding General (Chair), the Director of Civil Works, the Civil Works Planning Community of Practice (COP) Leader, a Regional Integration Team Leader (not from presenting MSC), and a COP Leader from Engineering, Operations or Real Estate.
- 3. Attendance at the CWRB.** Key MSC and district staff should attend the CWRB. Sponsors are encouraged to participate and should be invited by the District Commander. It is expected that representatives from the HQUSACE Office of Water Project Review (OWPR), HQUSACE Regional Integration Team (RIT) members, and individuals from other HQUSACE offices will also participate, as appropriate. Further, the Assistant Secretary of the Army for Civil Works (ASA(CW)) office and the Office of Management and Budget (OMB) will be invited to attend at their discretion. We recognized that it may be difficult for MSC Commanders, as well as project sponsors, to appear in person due to other important schedule commitments. As a result, both video and telephone conference capabilities will be used to facilitate MSC Commander and sponsor presentations if required. District Commanders are expected to brief the CWRB in person.
- 4. Report Submittals.** In order for the CWRB to review a project, it will be necessary for MSC and District Commanders to submit their final decision documents and associated materials, including the Division Engineer's Transmittal Letter and Report Summary to their HQUSACE RIT, hard copy, no later than two weeks prior to the scheduled CWRB meeting. EC 1105-2-405, Appendix A and ER 1105-2-100 (PGN), Appendix H, paragraphs H-4.f. and g. discuss the required materials and number of each which should be submitted to HQ.

Some changes resulting from the new EC's include:

- The Division Engineer's Submittal replaces the Division Engineer's Endorsement and Division Engineer's Public Notice previously required by the PGN.
- The Project Fact Sheet required as supporting information by the PGN (Paragraph h-4.g.(1) and outlined in Exhibit G-9 is replaced by the Project Summary as outlined in EC 1105-2-405, Appendix B.
- The Project Slides required as supporting information by the PGN (Paragraph h-4.g.(2) should be incorporated within the District Commanders briefing discussed in EC 1105-2-

406. Two slide presentations are not required, but the information outlined in the PGN should be readily available within the District Commander's presentation. This information will be pulled out and used later in the processing of the documents through the Chief of Engineers, ASA(CW), and OMB.

Areas of duplication between the two references include:

- District Engineers Report,
- Documentation and Certification of ITR,
- Documentation and Certification of Policy and Legal Review, and
- PGM Compliance Memorandum.

The PGN should be followed with respect to the number of copies of each item submitted.

5. **CWRB Read Ahead Package.** The RIT will prepare a read-ahead package for the CWRB members, with the assistance of the MSC and District team members. The package will include the following materials:

- Agenda
- List of Expected Attendees
- PowerPoint Presentation
- Project Map
- Report Summary
- ITR and Legal Certification

Most of these materials will come from the report submittal from the MSC and District. The following are some notes based on the CWRB meetings so far.

a. **Agenda.** Appendix A of 1105-2-406 provides a sample agenda for the CWRB meeting. This has been modified in practice as we gained experience with the CWRP. The following is an annotated basic agenda which reflects some of these previous CWRB experiences. The agenda will recognize each of the participants who will be speaking during the key sections of the meeting. These should be closely coordinated with the RIT up to the day of the Board meeting.

Project Title
Report Type (Feasibility/GRR)
Civil Works Review Board Presentation

(date)

Agenda

- _____ Welcome – *(DCG or his Representative)*
The DCG will open the meeting and set the goals. He may or may not perform introductions.
- _____ Project Briefing – *(District Commander)*
If not done during the DCG welcome, the District Commander should introduce the sponsor and his PDT. S(he) will present the bulk of the presentation that covers the basics of the plan formulation and report recommendations. This section of the presentation should also cover the 4 of the 6 points specified in Appendix A of EC 1105-2-406, including substantive ITR comments and responses, the Districts understanding of the substantive policy review comments and responses, a description of how the plan is integrated with other watershed purposes, and a description of how the recommendation supports our Environmental Operating Principles. (Lessons learned comes after vote.) The District Commander should introduce the sponsor at the conclusion of this part of the presentation.
- _____ Sponsor Support – non-Federal Sponsor – *(Name)*
The sponsor is next afforded the opportunity to make any comments they wish in support of the project. The name(s) of all speakers should be provided to the RIT ahead of time for inclusion in the final agenda. The sponsor has the option of speaking, or not, and use of slides. Sponsors may participate by VTC.
- _____ MSC Commander Briefing – *(Division Engineer)*
After the sponsor finishes the MSC Commander provides his portion of the presentation including the rationale for project support (Transmittal Letter and other pertinent documentation), expected response to draft Report of Chief of Engineers, other observations, and MSC views on certification of legal and policy compliance (including discussion of ITR, Planning Center of Expertise involvement, etc.) Note MSC Commanders are permitted to make their presentations by VTC.
- _____ Policy Review Assessment – *(Review Manager, OWPR)*
The OWPR review manager will next present a briefing on the larger policy compliance issues wrestled with to date, and any remaining issues that remain to be resolved during the processing of the final decision document. Their last slide will be a recommendation to the CWRB on the project.
- _____ Action: *(Director of Civil Works)*
At this point the DCW will take the lead in discussing the presentations. The CWRB members will ask any additional questions that have not been asked during the presentation and quite possibly make individual statements. When finished the CWRB Chair will call for a vote on the OWPR recommendation as it may be amended by discussion.
- _____ Lessons Learned / After Action Report – *(District Commander)*
The District Commander will lead off in the lessons learned session. Items for discussion include: what was supposed to happen, what did happen, why it happened that way, and how we will improve the process next time (Anywhere in the process). This is can include a general assessment of PDT and vertical team performance.
- _____ Lessons Learned (MSC Commander and others, as applicable)
Views of lessons learned from other viewpoints.
- _____ Summary of Project Briefing – *(District Commander)*
(The District Commander should be prepared to summarize the overall project briefing. Although, often the DCG may do this, or the meeting may have wound down to a point where this is not done.)
- _____ Close: *(CWRB Chair)*
The DCG will make some closing remarks, probably provide the opportunity for last minute comments and closed the meeting.

b. **List of Expected Attendees.** This list includes the principal participants from each office. Close coordination should be maintained with the RIT to keep this updated. An initial version will be included in the read-ahead package and an updated one provided as a hand out at the CWRB meeting. There will likely not be a complete sign in sheet for the meeting.

c. **PowerPoint Presentation.** The read ahead material will include a single package that contains all of the PowerPoint slides prepared for the CWRB in the order they are expected to be presented. The RIT will take the lead in coordinating the slides and will consolidate them into a single electronic file to be placed on the PC used in the briefing room. Every effort should be made to have the presentations completed not less than two weeks ahead of the meeting so they can be shared and coordinated between the three offices to ensure consistency and eliminate surprises. Note that the projection facilities in the conference room are not the most cutting edge. The District will need to provide a volunteer to change slides for the speakers. This had been done by the RIT (me) in the past but since we are changing the note taking responsibilities, a replacement is required. Since the District Commander will have the most "air time" it seems logical to have a District rep undertake this responsibility as they can be the most familiar with that part of the presentation.

The suggested content of MSC and District Commander presentations are outlined in EC 1105-2-406. Additional guidance was provided in the Agenda discussion above. In order to facilitate dialogue of participants and the CWRB, the OWPR Review Leader and the MSC and District Commanders are reminded to keep their presentations concise. Please note that the "Lessons Learned/AAR" and "six points" at the bottom of the Appendix A of EC 1105-2-506 are of direct interest to MG Riley, so he will expect them to be specifically addressed. Other suggestions that have been made on prior presentations include:

- Clearly explain the without project conditions. In the case of navigation projects, explain historical and future traffic, the types of commodities, and the amounts of traffic that would benefit from (deepening) the project. For a FDR project, presentation of historic floods and probabilities and future damages would be appreciated for the with and without project conditions. For NER projects, the lost habitat and its significance, along with the nature and amount of restoration.
- Also consider that simple graphics and tables may be necessary to ensure that the CWRB, ASA(CW), and OMB and others who may be in the audience can quickly understand the material being presented.
- Summarize key technical issues that arose from ITR and how they were resolved.
- Summarize key policy issues that arose during review and what the District has done in the finale report to address them.

In reviewing the 1105-2-406 EC, you will note that the District is supposed to present a summary of both policy compliance and ITR issues. Some of these issues will be addressed as well by OWPR. That is one of the reasons, close coordination is essential. Each office will present their respective views, but we should, although not always, reach similar conclusions. So it is hoped

that the presentations would be consistent (for the most part) in terms of what are the larger issues affecting plan formulation and project selection.

d. **Project Map.** To be taken from the District submittal.

e. **Report Summary.** The summary is also taken at this point from the District submittal. Note that the summary will be modified later, to reflect the results of the State and Agency Review and other coordination during the review process. EC 1105-2-405, Appendix provides the basic outline and direction for preparing the Report Summary. All of the paragraphs in the Report Summary are required. The tables are illustrative only, but suggest the type of format appropriate to convey the information. The Project Summary is expected to be clear and concise - 10 pages or less. There is a high level of interest at OMB, ASA, NAS, and on the Hill for the usefulness of these summaries, so please assign a skilled writer to prepare the summary, and conduct pre-submittal reviews by people not associated with the project for honest critiques. This cannot be treated as a boilerplate exercise or a cut and paste routine. The summaries will be published on the web, ultimately.

f. **ITR and Legal Certification.** Also to be taken from the District submittal.

6. **General Schedule.** In general the process for getting through the CWRB and S&A process is as follows.

- Final Feasibility Report Submitted to HQ - NLT 2 Weeks Prior to CWRB
- CWRB Briefings - (31 March 2006)
- State and Agency letters transmitted - 1 Week (letters signed at CWRB)
- Notice to EPA for Federal Register - District files EIS when letter go out, Federal Register Notice appears following week.
- State and Agency review period - 30 Days from Fed Reg Notice
- Signed Chiefs Report - Dependent upon schedule of HQ participants.

7. The Key Points of this process have been summarized into a separate document by the OWPR based on prior CWRB actions in preparation for the WRDA 2005 Contingent Authorizations.