



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, NORTHWESTERN DIVISION
PO BOX 2870
PORTLAND OR 97208-2870

CENWD-PDD

13 DEC 2012

MEMORANDUM FOR Commander, Portland District (CENWP-PM-PF)

SUBJECT: Approval of the Review Plan for the Dairy Creek Ecosystem Restoration Section 1135 Project, Portland District

1. References:

a. EC 1165-2-209, Water Resources Policies and Authorities, Civil Works Review Policy, Change 1, 31 January 2012.

b. Continuing Authority Program Planning Process Improvements, Director of Civil Works' Policy Memorandum #1, 19 January 2011.

c. NWD Review Procedures for the Continuing Authorities Program (CAP) and Projects Directed by Guidance to Use CAP Procedures, including the NWD Model Review Plan templates, Memorandum, 10 March 2011.

2. The enclosed Review Plan (RP) for the Dairy Creek Ecosystem Restoration Section 1135 Project has been prepared in accordance with the referenced Civil Works Review Policy. The RP used the model template endorsed by Northwestern Division (NWD) for the CAP, Section 1135 procedures.

3. The RP has been reviewed by appropriate NWD staff and all comments have been addressed.

4. I hereby approve this RP, which is subject to change as circumstances require, consistent with study development under the Project Management Business Process. Subsequent revisions to the RP or its execution will require review and approval CENWD-PDD.

5. The RP should be posted on the District internet site and available for public comment.

6. Please contact Rebecca Weiss at 503-808-3728 if you have further questions regarding this matter.

Encl

ANTHONY C. FUNKHOUSER, P.E.
COL, EN
Commanding

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REVIEW PLAN
USING THE NWD MODEL REVIEW PLAN
for
Continuing Authorities Program
Section 14, 107, 111, 204, 206, 208, 1135 and projects directed by guidance to
use CAP procedures

Dairy Creek Ecosystem Restoration Section 1135 Project

Portland District

MSC Approval Date: Pending

Last Revision Date: None



**US Army Corps
of Engineers ®**

**REVIEW PLAN
USING THE NWD MODEL REVIEW PLAN**

**Dairy Creek Ecosystem Restoration, Multnomah and Columbia Counties, Oregon
Section 1135 Project**

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1. PURPOSE AND REQUIREMENTS

- a. **Purpose.** This Review Plan defines the scope and level of peer review for the Dairy Creek Ecosystem Restoration, Multnomah County, Oregon Section 1135 project.

Section 1135 of the Water Resources Development Act of 1986, Public Law 99-662, provides the authority to modify existing Corps projects to restore the environment and construct new projects to restore areas degraded by Corps projects with the objective of restoring degraded ecosystem structure, function, and dynamic processes to a less degraded, more natural condition considering the ecosystem's natural integrity, productivity, stability and biological diversity. This authority is primarily used for manipulation of the hydrology in and along bodies of water, including wetlands and riparian areas. It is a Continuing Authorities Program (CAP) which focuses on water resource related projects of relatively smaller scope, cost and complexity. Traditional USACE civil works projects are of wider scope and complexity and are specifically authorized by Congress. The Continuing Authorities Program is a delegated authority to plan, design, and construct certain types of water resource and environmental restoration projects without specific Congressional authorization.

Additional Information on this program can be found in Engineering Regulation 1105-2-100, Planning Guidance Notebook, Appendix F Amendment #2.

- b. **Applicability.** This review plan is based on the NWD Model Review Plan for Section 14, 107, 111, 204, 206, 208, 1135 and authorities directed by guidance to follow CAP procedures, which is applicable to projects that do not require Independent External Peer Review (IEPR), as defined in EC 1165-2-209 Civil Works Review Policy.

c. References

- (1) Engineering Circular (EC) 1165-2-209, Civil Works Review Policy, 31 Jan 2010
- (2) EC 1105-2-412, Model Certification, 31 May 2005
- (3) Engineering Regulation (ER) 1110-1-12, Quality Management, 30 Sep 2006
- (4) ER 1105-2-100, Planning Guidance Notebook, Appendix F, Continuing Authorities Program, Amendment #2, 31 Jan 2007
- (5) ER 1105-2-100, Planning Guidance Notebook, Appendix H, Policy Compliance Review and Approval of Decision Documents, Amendment #1, 20 Nov 2007
- (6) Continuing Authority Program Planning Process Improvements, Director of Civil Works' Policy Memorandum #1, 19 Jan 2011

2. REVIEW MANAGEMENT ORGANIZATION (RMO) COORDINATION

The RMO is responsible for managing the overall peer review effort described in this review plan. The RMO for Section 1135 projects is the home MSC. The MSC will coordinate and approve the review plan and manage the Agency Technical Review (ATR). The home District will post the approved review plan on its public website and provide the appropriate NWD District Support Planner with the link. A copy of the approved review plan (and any updates) will be provided to the ECO-PCX to keep the PCX apprised of requirements and review schedules.

3. PROJECT INFORMATION

- a. **Decision Document.** The Dairy Creek Ecosystem Restoration, Multnomah County, Oregon decision document will be prepared in accordance with ER 1105-2-100, Appendix F. The approval level of the decision document (if policy compliant) is the home MSC. An Environmental Assessment (EA) will be prepared along with the decision document.
- b. **Study/Project Description.** The U.S. Army Corps of Engineers (USACE), along with local partner West Multnomah Soil and Water Conservation District (WMSWCD) are currently evaluating restoration opportunities for Dairy Creek (on Sauvie Island) to improve hydrologic connectivity between Sturgeon Lake and the Columbia River to improve aquatic habitat conditions. The problems at Sturgeon Lake are a result of impacts due to the construction of the Sauvie Island levee which has modified the hydrology of the lake. Before construction of the Federally authorized levee surrounding the southern half of Sauvie Island, the Gilbert River flowed north through the lake into the Multnomah Channel. Since the truncation of the watershed, the Gilbert River no longer flows through the lake, resulting in an altered lake hydrology. One result of this altered hydrology is a trend of lake infilling with silts, sands, and debris.

A previous attempt to increase connectivity between Sturgeon Lake and the Columbia River was performed in the late 1980's by constructing a bypass channel of the previously existing Dairy Creek Channel. However, this bypass channel was constructed with undersized culverts under Reeder Road, and the lower portion of the channel filled in with sand and debris during the 1996 flood. The culverts are currently failing with an actively eroding road prism above the culverts. Native salmonids (e.g. juvenile Chinook) have limited access to Sturgeon Lake because of the levees and reduced river flooding.

The goal of the project is to improve long-term, sustaining, aquatic habitat function and increase aquatic areas and habitat value for fish and wildlife in the SIWA, within the Lower Columbia River estuary. Project objectives are as follows,

- Alter sediment flux to increase the depth and area of Sturgeon Lake
- Increase the habitat area and quality available to juvenile salmonids
- Increase open water areas that support wintering waterfowl
- Minimize long-term operation and maintenance costs
- Increase access points for juvenile salmon with an emphasis on Columbia River locations and Columbia River stocks

These objectives are intended to be achieved following construction, and over the 50-year planning horizon after construction is complete.

The Study has developed a list of potential restoration measures with input from multiple stakeholders. These measures are currently undergoing screening for fatal flaws and technical feasibility. Although they have not been formulated into formal alternatives yet, the following themes have emerged.

A concept is to restore the connectivity of Sturgeon Lake through Dairy Creek and/or create new surface water channels between the Columbia River and Sturgeon Lake. The Dairy Creek bypass channel could be restored by removing the sediment and debris deposited during the 1996 flood,

and replacing the undersized and failing culverts at Reeder Road with a larger and more sustainable culvert(s) or bridge. Restoration of this bypass channel would restore fish access and circulation to the southern end of the lake. An engineered solution at the mouth of Dairy Creek could improve the sustainability of the Dairy Creek bypass channel and lower O&M costs. Additional channels could be created in the vicinity of Dairy Creek (i.e., between the existing levees) in order to enhance the overall circulation in this part of the lake. For example, the historic channel that branches off the bypass channel is perched at a high elevation and rarely conveys water to Sturgeon Lake. This channel could be excavated to be more functional in terms of providing lake circulation and fish access. New and more direct channels in the vicinity of Dairy Creek will be considered if they could accomplish a similar function but in a more cost-effective and sustainable manner.

Increasing circulation in other areas of the lake with new channels is also being considered. A channel that connects the Columbia River to Sturgeon Lake via McNary and Aaron's Lake would create access to these currently isolated lakes, provide new access to Sturgeon Lake, and improve circulation in the northern part of Sturgeon Lake. In addition, a new channel from the Multnomah Channel to Sturgeon Lake via Steelman Lake is currently under consideration (Figure 9). While this channel would not provide new access to Sturgeon Lake for Columbia River juvenile salmonids, it may be combined with other measures that do provide new Columbia River fish access, if its inclusion would improve the overall sediment dynamics in the lake.

Finally, measures that re-direct hydrologic inputs from the southern end of Sauvie Island (i.e., from within the SIDIC levee) into the southern end of Sturgeon Lake are being considered. Water from within the SIDIC levee is currently being pumped into the Multnomah Channel. While this measure would not create new access for Columbia River fish to the lake, it may be considered in conjunction with other measures that do provide new Columbia River fish access, if its inclusion would improve the overall sediment dynamics in the lake.

The Federal limit for projects under this authority is \$5 million. Initially evaluated alternatives have project implementation costs approximately ranging from \$4 to \$6 million. With a cost-share of 75% Federal/25% Local Sponsor, Federal costs are estimated to approximately range from \$3 to 4.5 million.

- c. **In-Kind Contributions.** Products and analyses provided by non-Federal sponsors as in-kind services are subject to District Quality Control (DQC) and ATR, similar to any products developed by USACE. There is no anticipated in-kind work to be provided by the sponsor.

4. DISTRICT QUALITY CONTROL (DQC)

All decision documents (including supporting data, analyses, environmental compliance documents, etc.) shall undergo DQC prior to ATR. The home district shall manage DQC.

5. AGENCY TECHNICAL REVIEW (ATR)

One ATR is mandatory for all decision documents (including supporting data, analyses, environmental compliance documents, etc.), however additional ATRs may be performed if deemed warranted. ATR is managed within USACE by the designated RMO and is conducted by a qualified team from outside the home district that is not involved in the day-to-day production of the project/product. ATR teams will be comprised of senior USACE personnel. The ATR team lead will be from within the home MSC.

- a. **Required ATR Team Expertise.** It is anticipated that the following areas of expertise will need to be represented on the ATR Team. One of the members could also perform the ATR Lead function.

ATR Team Members/Disciplines	Expertise Required
ATR Lead	The ATR Lead should be a senior professional preferably with experience in preparing Section 1135 documents and conducting ATR. The Lead should also have the necessary skills and experience to lead a virtual team through the ATR process. Typically, the ATR Lead will also serve as a reviewer for a specific discipline (such as planning, economics, environmental resources, etc.). The ATR Lead MUST be from outside the home district.
Planning and Economics	The Planning/Economics reviewer should be a senior water resources planner with experience in ecosystem restoration projects, , and have extensive knowledge of alternatives formulation, cost effectiveness analysis, incremental cost analysis, etc.
Environmental Resources	The Environmental Resources reviewer should be an expert in the field of Environmental Compliance/Biology with extensive civil works experience in ecosystem restoration projects and with NEPA and environmental compliance experience including letters, BA's, consultation documentation, 404(b)(1) analysis, Section 106, and other documents supporting environmental coordination and consultation. Also, the Environmental Resources reviewer should be able to evaluate habitat models used and comment on their suitability.
Hydraulics and Hydrology	The Hydraulics and Hydrology reviewer should be an expert in the field of hydraulics and hydrology with a thorough understanding of channel stability, open channel dynamics, application of levees, sedimentation processes (geomorphology) and hydraulic modeling techniques that will be used such as HEC-RAS, FLO-2D, UNET, TABS, etc.
Geotechnical Engineering/Civil Design	The Geotechnical/Civil Design reviewer should be a senior professional in civil design and geotechnical engineering as they relate to civil works projects, especially in connection with levee design and modification, stream channel modification, and other features that are

	modified in ecosystem restoration projects.
Cost Engineering	The Cost Engineering reviewer should be a Cost DX Pre-Certified professional with experience in preparing cost estimates for levees, ecosystem restoration projects, tide gate installations, pumping systems, and bridge construction.
Real Estate	The Real Estate reviewer should be an expert in the field of Real Estate, including the preparation of Real Estate Plans, acquisition, appraisal and crediting.

- b. Charge Document.** The district will prepare the charge document which clearly identifies the review requirements. This document must be completed prior to requesting an ATR team.
- c. Documentation of ATR.** *DrChecks* review software will be used to document all ATR comments, responses and associated resolutions accomplished throughout the review process. Comments should be limited to those that are required to ensure adequacy of the product. *If an ATR concern cannot be satisfactorily resolved between the ATR team and the PDT, it will be elevated to the vertical team for further resolution in accordance with the policy issue resolution process described in either ER 1110-2-12 or ER 1105-2-100, Appendix H, as appropriate. Unresolved concerns can be closed in DrChecks with a notation that the concern has been elevated to the vertical team for resolution.*

6. INDEPENDENT EXTERNAL PEER REVIEW (IEPR)

a. Type I IEPR

- (1) **Decision on Type I IEPR.** EC 1165-2-209, Civil Works Review Policy, 31 January 2010, exempts all CAP projects from Type I IEPR (except Section 205 and Section 103) unless the project includes an EIS or meets other mandatory triggers. No EIS is contemplated and no other triggers are likely to be met, therefore Type I IEPR is not required.
- (2) **Required Type I IEPR Panel Expertise.** Not Applicable.
- (3) **Documentation of Type I IEPR.** Not Applicable.

b. Type II IEPR

A risk-based determination has been made that a Type II IEPR is not required for this project; the following was considered in the determination,

- The project is an ecosystem restoration project, and is not related to hurricane and storm risk management or flood risk management.
- The project does not affect any other Federal action justified by life safety.
- The project does not involve the use of innovative materials or techniques, present complex challenges for interpretation, contain precedent-setting methods or models, or present conclusions that are likely to change prevailing practices.
- The project does not require redundancy and robustness as part of the design.

- The project does not involve unique construction sequencing or a reduced or overlapping design and construction schedule.

Decision on Type II IEPR. Based on the information and analysis provided in paragraph 6b, this project is not required to perform a Type II IEPR. However, if during the feasibility stage of this project, if the design assumptions stated in 6b change, then the need for a Type II IEPR will be re-evaluated. If the determination is made to conduct a Type II IEPR, then the review will be commensurate with the scale of the project and the associated risk to life and property.

7. POLICY AND LEGAL COMPLIANCE REVIEW

All decision documents will be reviewed throughout the study process for their compliance with law and policy. Guidance for policy and legal compliance reviews is addressed in Appendix H, ER 1105-2-100. These reviews culminate in determinations that the recommendations in the reports and the supporting analyses and coordination comply with law and policy, and warrant approval or further recommendation to higher authority by the home MSC Commander. DQC and ATR augment and complement the policy review processes by addressing compliance with pertinent published Army policies, particularly policies on analytical methods and the presentation of findings in decision documents.

8. COST ENGINEERING DIRECTORY OF EXPERTISE (DX) REVIEW AND CERTIFICATION

For CAP projects, ATR of the costs may be conducted by pre-certified district cost personnel within the region or by the Walla Walla Cost DX. The pre-certified list of cost personnel has been established and is maintained by the Cost DX. The cost ATR member will coordinate with the Cost DX for execution of cost ATR and cost certification. The Cost DX will be responsible for final cost certification and may be delegated at the discretion of the Cost DX.

9. MODEL CERTIFICATION AND APPROVAL

Approval of planning models under EC 1105-2-412 is not required for CAP projects. MSC commanders remain responsible for assuring the quality of the analyses used in these projects. ATR will be used to ensure that models and analyses are compliant with Corps policy, theoretically sound, computationally accurate, transparent, described to address any limitations of the model or its use, and documented in study reports.

- a. EC 1105-2-412.** This EC does not cover engineering models used in planning. The responsible use of well-known and proven USACE developed and commercial engineering software will continue and the professional practice of documenting the application of the software and modeling results will be followed. As part of the USACE Scientific and Engineering Technology (SET) Initiative, many engineering models have been identified as preferred or acceptable for use on Corps studies and these models should be used whenever appropriate. The selection and application of the model and the input and output data is still the responsibility of the users and is subject to DQC and ATR.

As part of the Continuing Authorities Program Planning Process Improvements, the Director of Civil Works' Policy Memorandum #1 dated January 19, 2011 states that "Approval of planning models under EC 1105-2-412 is not required for CAP projects. MSC commanders remain responsible for

assuring the quality of the analysis used in these projects. ATR will be used to ensure that models and analysis are compliant with Corps policy, theoretically sound, computationally accurate, transparent, described to address any limitation of the model or its use, and documented in study reports.

b. Planning and Engineering Models. The following models are anticipated to be used in the development of the decision document:

<ul style="list-style-type: none"> • Model Name and Version 	<ul style="list-style-type: none"> • Brief Description of the Model and How It Will Be Applied in the Study 	
<ul style="list-style-type: none"> • HEC-RAS (1-Dimensional Hydraulic Modeling) 	<ul style="list-style-type: none"> • The Hydrologic Engineering Center's River Analysis System (HEC-RAS) program will be used for this study. A steady-state flow analysis will be performed to evaluate the future without- and with-project conditions in the Sturgeon Lake/Dairy Creek wetland area and the stream course between the wetlands area and the confluence with the Columbia River. 	
<ul style="list-style-type: none"> • ADH (2-Dimensional Hydraulic Modeling) 	<ul style="list-style-type: none"> • ADH is a state-of-the-art Adaptive Hydraulics Modeling system. It is capable of handling both saturated and unsaturated groundwater, overland flow, three-dimensional Navier-Stokes flow, and two- or three-dimensional shallow water problems. It will be used to simulate lake circulation and the effect of the restored connection channel on flow patterns in the lake. 	
<ul style="list-style-type: none"> • M2 	<ul style="list-style-type: none"> • MII is the second generation of the Micro-Computer Aided Cost Estimating System (MCACES). MII is one of several modules of an integrated suite of cost engineering tools called Tri-Service Automated Cost Engineering Systems (TRACES). It interfaces with other PC based support modules and databases used by the Tri-Service Cost Engineering community. MII provides an integrated cost estimating system (software and databases) that meets the U.S. Army Corps of Engineers (USACE) requirements for preparing cost estimates. 	
<ul style="list-style-type: none"> • Modified Habitat Evaluation Procedure (HEP) 	<ul style="list-style-type: none"> • This model has been developed to assess the existing condition and potential future benefits of proposed restoration measures in Dairy Creek and Sturgeon Lake, near Portland, OR. Suitability indices (SI) for the following species or groups of species will be used for this HEP: 1) anadromous salmon, including Chinook and coho; and 2) waterfowl, including the northern pintail and lesser scaup. The SIs are derived and modified primarily from existing models developed by the U.S. Fish and Wildlife Service (see references). The 	

	<p>selected HSIs reflect the project objectives to restore habitat for both fish and wildlife species. It is assumed that restoration efforts intended to restore natural habitat function for the salmon species and waterfowl will also enhance habitat for amphibians, reptiles and mammals.</p> <p>Habitat units are calculated for each species by multiplying its respective HSI value by the project area. For Chinook and coho, the project area is weighted by fish access. Fish access is characterized in terms of frequency and duration. The overall estimate of habitat units for each alternative is calculated according to the following equation:</p> $HU_{\text{alternative}} = \sum_{i=1}^{50} [{}^iHU_{\text{Pintail}} + {}^iHU_{\text{scaup}} + ({}^iHU_{\text{Chinook}} * 1.8) + ({}^iHU_{\text{Coho}} * 0.2)] * 1/50$ <p>This HEP model is expected to be suitable for use in wetland, stream and riparian habitats in the Sturgeon Lake/Dairy Creek watershed.</p>	
<ul style="list-style-type: none"> • SBU (Survival Benefit Unit) Model 	<ul style="list-style-type: none"> • The SBU Calculator is used to assign Survival Benefit Units (SBU's) based on values in the 2010 Estuary Model. This model was developed by the Expert Regional Technical Team (ERTG) and is comprised of a committee of scientists with established scientific credibility in habitat restoration, estuarine ecology, and fisheries biology. 	

10. REVIEW SCHEDULES AND COSTS

ATR Schedule and Cost.

Feasibility Report ATR Schedule and Cost.

(1) ATR Schedule:

- a. Completion of Detailed Project Report: 5 July 2013
- b. Start of ATR Review: 8 July 2013
- c. ATR Review Conference: 10 July 2013
- d. ATR Review Comment Response/Resolution Complete: 6 August 2013
- e. Completion of the ATR Statement of Technical Review: 9 August 2013

(2) ATR Cost:

Reviewer Type	Hours	Labor Rate	Total
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ATR Team Lead	24	\$120/hr	\$2,880
ATR Team Members (7)	15	\$120/hr	\$12,600
Total:	---	---	\$15,480

11. PUBLIC PARTICIPATION

and Federal resource agencies may be invited to participate in the study covered by this review plan as partner agencies or as technical members of the PDT, as appropriate. Agencies with regulatory review responsibilities will be contacted for coordination as required by applicable laws and procedures. The ATR team will be provided copies of public and agency comments.

Public participation will be initiated early in the planning process. Open houses, public meetings, press releases, posting on the District website are examples of methods to encourage public participation. Early involvement will help inform the project development, identify opportunities, resources and management measures. The EA will be published for a minimum of 30 days and comments will be addressed. Public meetings will be held, if determined to be needed (based on comments received).

12. REVIEW PLAN APPROVAL AND UPDATES

The NWD Commander has the responsibility for approving this review plan and ensuring that use of the NWD Model Review Plan is appropriate for the specific project covered by the plan. The review plan is a living document and may change as the study progresses. The home district is responsible for keeping the review plan up to date. Minor changes to the review plan since the last NWDCOMMANDER approval are documented in Attachment 2. Significant changes to the review plan (such as changes to the scope and/or level of review) should be re-approved by the NWDCOMMANDER following the process used for initially approving the plan. Significant changes may result in the NWD Commander determining that use of the NWD Model Review Plan is no longer appropriate. In these cases, a project specific review plan will be prepared and approved in accordance with EC 1165-2-209. The latest version of the review plan, along with the Commander’s approval memorandum, will be posted on the home district’s webpage.

13. REVIEW PLAN POINTS OF CONTACT

Public questions and/or comments on this review plan can be directed to the following points of contact:

- James Adams, (503) 808-4742, Project Manager, Portland District.
- Rebecca Weiss, (503) 808-3728, Environmental Specialist, Northwestern Division

ATTACHMENT 1: TEAM ROSTERS

NAME	DISCIPLINE	ORGANIZATION	PHONE	E-MAIL
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ATTACHMENT 2: REVIEW PLAN REVISIONS

Revision Date	Description of Change	Page / Paragraph Number

