



**US Army Corps
of Engineers®**

**Buffalo District
Great Lakes and Ohio River Division**

Golden Hill State Park, Somerset, New York Continuing Authority Program Section 14

P2/Project Number: 468466

Review Plan – Decision Document

PREPARED BY: [Redacted]
Plan Formulator / Project Manager
USACE, Buffalo District

RECOMMENDED BY: [Redacted]

Chief, Planning Management Team
USACE, Buffalo District (LRB)

ENDORSED BY: [Redacted]
Chief, Planning Branch
USACE, Buffalo District (LRB)
Review Management Organization (RMO)

APPROVED BY:

[Redacted]
Acting District Commander
USACE, Buffalo District (LRB)

DOCUMENT HISTORY:

Document	Description & location of Revision	Date Approved
Original RP	Original RP. saved to District Internet page	10 JUN 2022
Revision #		

APPROVAL DATE: 10 JUN 2022

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1. PURPOSE, AUTHORITY, STUDY DESCRIPTION, AND PRODUCTS

1. Purpose. This review plan defines levels and scopes of review required for the feasibility phase products (i.e., Detailed Project Report/Environmental Assessment (DPR/EA)). This review plan is a component of the Project Management Plan (PMP) for the Golden Hill State Park CAP 14 Feasibility Study. Under “Delegated Authority” approved by the U.S. Army Corps of Engineers (USACE), Great Lakes and Ohio River Division (LRD), the Risk Management Organization (RMO) for this review plan is Buffalo District (LRB).

b. Authority. Continuing Authorities Program (CAP), Section 14 of the 1946 Flood Control Act (P.L. 79-526), as amended. This authority authorizes the U.S. Army Corps of Engineers (USACE) to develop and construct streambank and shoreline protection projects to protect endangered highways, highway bridge approaches, public works facilities such as water and sewer lines, churches, and public and private nonprofit public facilities. Each project is limited to a federal cost of \$5,000,000, and must be economically justified, environmentally sound, and technically feasible.

c. Study Description. This study was initiated to determine feasibility and the possible construction of emergency bank shoreline protection/stabilization to prevent flood damage to public buildings at Golden Hill State Park (GHSP) in the town of Somerset, New York. GHSP is located on the south shore of Lake Ontario in Niagara County, approximately 30 miles east of the Niagara River. Significant erosion created by wind driven waves on Lake Ontario is threatening the historic Thirty Mile Point Lighthouse along the park’s shoreline (Figure 1). The lighthouse building structure is a historic structure listed on the National Register of Historic Places. The Thirty Mile Point Lighthouse and associated buildings are being undermined by the continuous wind driven waves due to insufficient protection from an existing stone revetment. The non-federal sponsor (NFS) for this project is New York State Office of Parks, Recreation and Historical Preservation (NYSOPRHP). The primary objectives of this feasibility study include: (1) evaluating project alternatives for reducing erosion at GHSP to prevent bluff failure and destruction of the Thirty Mile Point Light House and other public works and (2) to identify a Tentatively Selected Plan (TSP) in the project’s feasibility study for the purpose of utilizing measures for construction of nature-based features that can improve bluff stability, riparian habitat, and coastal processes where practicable along the structure’s shoreline.

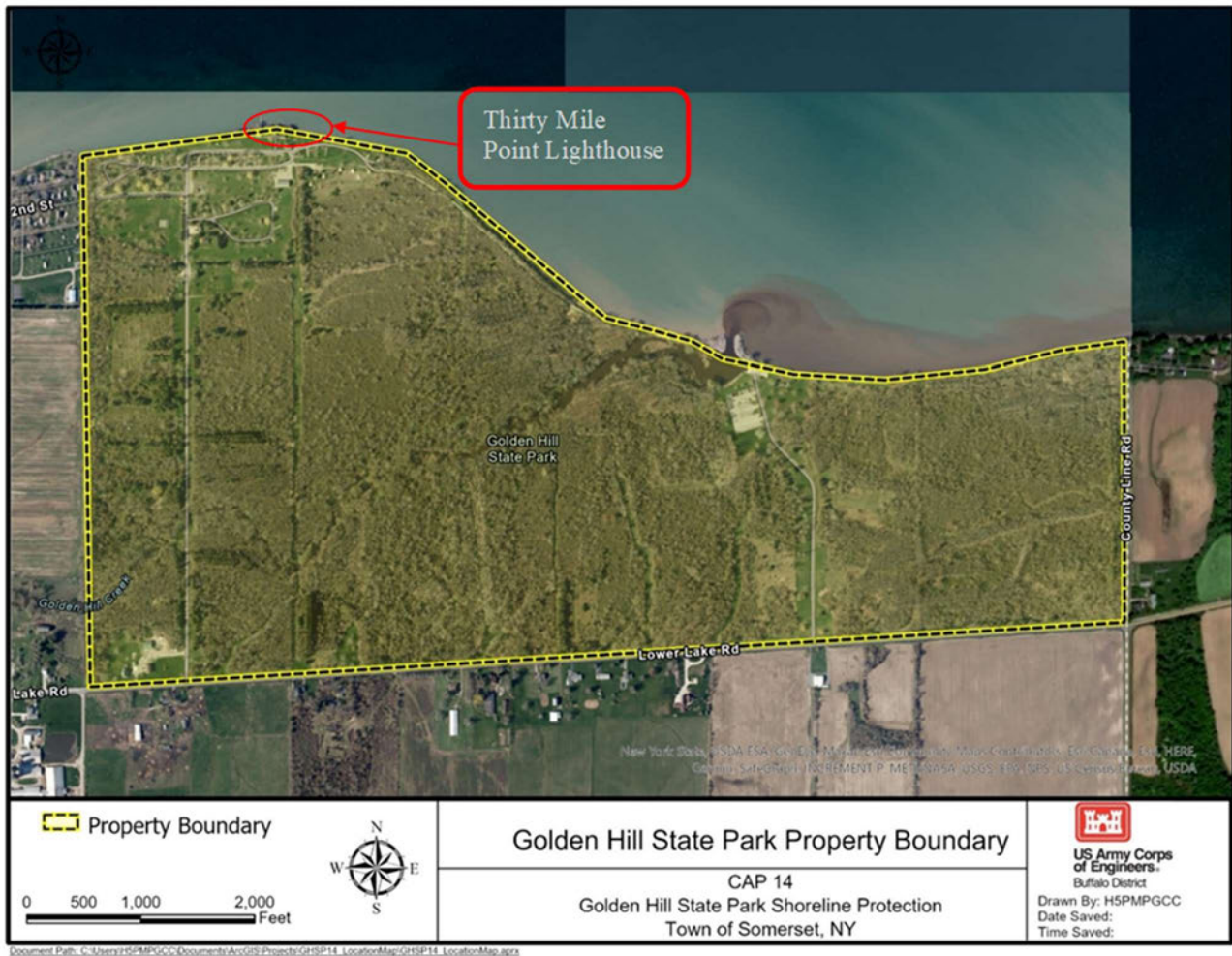


Figure 1. Project Location – Thirty Mile Point Lighthouse (Source: USACE, 2021).

Based on the investigations conducted to support the Federal Interest Determination (FID) Report, approved by LRD on 3 May 2021, as well as coordination with the NYSOPRHP as the NFS, the feasibility study currently includes several conceptual alternatives that will be evaluated in the project DPR/EA. The alternatives include a No Action Alternative (NAA), which expects that no construction activities under the CAP Section 14 Program will occur and none of the project related benefits will accrue. The with-project alternatives involve various levels of measures that would stabilize the bluff fronting the lighthouse structure (including other public works) from further shoreline erosion. The NYSOPRHP has expressed interest to complete a cost-shared CAP 14 Feasibility Study project with USACE through submittal of a formal letter of intent (LOI), dated 14 May 2021.

Risks for this project range from low to high. Current identified risks include:

RISK EVENT	RISK DESCRIPTION
1. Sponsor cost share viability	Risk is Medium. Sponsor is unwilling or unable to cost share complete desired project. USACE to continue frequent communication to mitigate this risk.
2. Project alternatives exceed federal authority limit	Risk is Low. Cost of the proposed measures could be greater than the \$5 million Federal Cost Limit, resulting in project being stopped. Continue to update working cost estimates to

	ensure that the selected alternative can be implemented at a total cost (including FS) of less than \$5 million federal cost to mitigate this risk.
3. Historic resource concerns	Risk is Medium. Completion of Section 106 National Historic Preservation Act Process to address/mitigate adverse effect(s) to historic resources that may delay schedule. Early coordination with SHPO and other stakeholders will continue to address concerns to mitigate this risk.
4. Site is listed in National Register of Historic Places. Project may result in direct or indirect adverse impacts to historic resources	Risk is Medium. Determination of adverse effect(s) to historic resources could result in one or more project alternatives requiring modification or being considered not feasible. The overall intent of the project is to help preserve the historic site; however, the project may directly or indirectly result in adverse effects to historic features. Avoidance or mitigation of effects to historic resources could result in project delay or modification if the Section 106 National Historic Preservation Act consultation process is unable to proceed quickly enough for project timeline. Early coordination with SHPO and other stakeholders will continue to address concerns to mitigate this risk.

On-going communication and coordination with NYSOPRHP is intended to continue in order to mitigate these risks.

d. Products.

Table 1. List of Products to Be Prepared and Reviewed					
Product / Document	Prepared By	Type of Review to be Performed			
		DQC	ATR	Type I IEPR	Policy / Legal
Detailed Project Report (DPR) and Environmental Assessment (Main Report / Integrated DPR/EA)	In-house Resources	X	X		X
Real Estate Plan Appendix	In-house Resources	X			X
Coastal/Geotechnical Engineering Appendix	In-house Resources	X	X		X
Civil/Structural Engineering Appendix	In-house Resources	X			X
Archaeologic Study Appendix	In-house Resources	X	X		X

Cost Appendix	In-house Resources	X	X		X
HTRW Assessment (Phase 1 ESA)	In-house resources	X			X
NEPA Environmental Coordination Appendix Including: <ul style="list-style-type: none"> • Summary of Comments & Responses from Public and Agency Review • FONSI • Cultural Resources Report 	In-house Resources	X	X		X

2. REVIEW REQUIREMENTS

a. Types of Review. The feasibility phase activities and documents are required to be reviewed in accordance with ER 1110-1-12 and ER 1165-2-217. With LRB as RMO, this review plan proposes the deviation from standard review format: perform ATR and LRD Policy and Legal Compliance Review concurrent with NEPA Public Review on the Draft TSP DPR/EA document. By performing these reviews concurrently, Buffalo District seeks to reduce the overall duration of reviews to better meet the goal of a two-year feasibility study. This request does not seek to impact final LRD review and determination of approval of Final DPR/EA as required by the USACE NEPA regulations. The District has noted that another Public Review may be required if significant changes result from the ATR or legal/policy compliance reviews. Based upon the factors under each heading, this study will undergo the reviews identified and described below.

(1) District Quality Control (DQC): DQC procedures will be performed and formally documented for all study products, including supporting documents.

- The District will perform and manage DQC procedures in accordance with the District DQC process.
- DQC will be documented with a summary report / certification.
- Supervisors within each area of responsibility will assign appropriate, qualified staff to perform QC on their respective products. Personnel performing QC shall have the necessary expertise to address compliance with Corps policy.
- The following disciplines will be playing a critical role in the DQC for this Section 14 Emergency Streambank and Shoreline Protection study:

Table 2a. DQC Team Technical Disciplines and Expertise		
Technical Discipline	Peer DQC Reviewer	Chief Level DQC Reviewer
Plan Formulation		CELRB-PML-P Chief
Environmental Analysis/Cultural Resources		CELRB-PML-E Chief
Ecosystem Restoration		
Climate Preparedness and Resiliency (CPR)		
Cost Engineering		CELRB-TDD-T Chief
Economist		CELRB-PML-P

Real Estate Specialist		CELRE-RET
Geotechnical/Coastal Engineer		CELRB-TDD-C Chief
HTRW/Environmental Engineering		CELRB-TDE-H Chief
Civil/Structural Engineering		CELRB-TDD-S Lead
Archaeologic		CELRE-PLE
GIS		CELRB-TDE-S

(2) Agency Technical Review (ATR): ATR will be scaled to a level commensurate with the risk and complexity of the products to be reviewed. The ATR will assess whether the analyses presented are technically correct and comply with published USACE guidance, and that the document explains the analyses and results in a reasonably clear manner for the public and decision makers. ATR is mandatory for all decision documents (including supporting data, analyses, environmental compliance documents, etc.).

- 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
- ATR reviewers in the Plan Formulation, Environmental, Economic, and Cultural Resources must be certified by their respective Planning sub-CoP
- ATR reviewers in the Engineering & Construction discipline must be certified by the Certification and Access Program (CERCAP).
- The team lead will be from outside LRD.
- The ATR review will be documented using DrChecks, and an ATR Summary Report and certification will be completed.

Table 2b. ATR Technical Disciplines and Expertise Required

ATR Disciplines	Expertise Required	Justification / Rationale
ATR Lead – Plan Formulation	The ATR lead should be a senior water resources professional preferably with experience in preparing CAP Section 14 decision documents and conducting ATR. This reviewer will be responsible for reviewing all plan formulation components of the feasibility study. The lead must be familiar with shoreline protection. The lead should also have the necessary skills and experience to lead a virtual team through the ATR process. The ATR lead may also serve as a reviewer for a specific discipline.	Coordinate all ATR activities. This project is anticipated to be primarily justified based on NED benefits
Cost Engineering Reviewer	Cost MCX Staff or Cost MCX Pre-Certified Professional as assigned by the Walla Walla Cost Engineering Mandatory Center of Expertise with experience preparing cost estimates for Section 14 cost estimates. Must be Certification and Access Program (CERCAP) certified.	Required by ER 1165-2-17
Coastal/Geotechnical Engineering Reviewer/Climate Preparedness and Resiliency	The reviewer should have experience in costal shoreline erosion and climate preparedness and resiliency guidance. The reviewer should have experience in evaluating the potential effects of climate on project alternatives, ideally with emphasis on coastal areas.	Required by ER 1165-2-17; alternatives can be affected by future climate conditions; a climate analysis will be used to determine resiliency.

NEPA Environmental Compliance/ Archaeological & Cultural	At least one member of the ATR Team must have expertise in environmental analysis and NEPA Policy including 404b1. This member must also be certified by the Climate Preparedness and Resilience CoP in CERCAP. The reviewer should have experience in archaeological and cultural resources evaluation and compliance.	Discipline involved in project. Required by ER 1165-2-17. The Environmental Evaluation is anticipated to result in a FONSI.
Disciplines not anticipated to be needed on ATR team		
HTRW	HTRW not anticipated to be needed on ATR team.	Risks of HTRW impact to project low. HTRW not anticipated.
Real Estate Reviewer	Expertise not anticipated to be required on ATR Team	Low risk and complexity may be more appropriately accomplished in-house via DQC) Great Lakes Real Estate.

(3) Type I Independent External Peer Review (IEPR): A Type I IEPR is not required based on the mandatory triggers outlined in the Memorandum for Major Subordinate Command (MSC) and District Commanders dated April 05, 2019; the memorandum provides interim guidance on streamlining IEPR for improved civil works product delivery. Paragraph 4 states a project study may be excluded from Type I IEPR if the project does not meet any of the three mandatory IEPR triggers.

All CAP projects are excluded from Type I IEPR except those conducted under Section 205 and Section 103, or those projects that include an EIS or meet the mandatory triggers for Type I IEPR.

This feasibility study does not meet any of the three mandatory IEPR triggers for the following reasons:

- The estimated total cost of the project, including mitigation costs, is not greater than \$200 million.
- The Governor of New York has not requested a peer review by independent experts.
- The study is not controversial due to significant public dispute over size, nature, or effects of the project or the economic or environmental costs or benefits of the project.

When none of the three mandatory triggers for IEPR are met, MSC Commanders have the discretion to conduct IEPR on a risk-informed assessment of the expected contribution of IEPR to the project. An IEPR would not provide additional benefit to the study for the following reasons:

- a. This study does not include the development or use of any novel methods.
- b. This project does not pose likely threats to health and public safety.
- c. There is no anticipated inter-agency interest.
- d. Buffalo District has not received a request from the head of any federal or state agency for an IEPR.
- e. The proposed project is not anticipated to have unique construction sequencing or a reduced or overlapping design construction schedule.

(4) Safety Assurance Review (SAR): Safety Assurance Review (SAR): In accordance with ER 1165-2-217, Section 7.3, SAR is conducted on PED and construction activities for

projects where potential hazards pose a significant threat to human life (public safety). Since this review plan pertains to the feasibility phase of this project, an SAR is not applicable.

(5) Policy and Legal Review: All decision documents will be reviewed for compliance with law and policy. Guidance for policy and legal compliance reviews is addressed in Appendix H, ER 1105-2-100.

(6) Public Participation.

- a. A public involvement program will be included to satisfy NEPA requirements and solicit public and government agency input.
- b. The District shall contact agencies with regulatory review for coordination as required by applicable laws and procedures.
- c. The District will review comments resulting from public and agency review and will provide the ATR team copies of public and agency comments and responses.

3. MODEL CERTIFICATION OR APPROVAL. The following models may be used to develop the decision documents:

EP 1105-2-58 specifies that approval of planning models is NOT required for CAP projects, but planners should utilize certified models if they are available. The ATR certification package will include an explicit statement that says that the models and analysis are used appropriately and in a manner that is compliant with Corps policy, and they are theoretically sound, computationally accurate, and transparent. The ATR certification package will address any limitations of the model or its use documented in study reports.

The following models may be used to develop the decision document:

Table 3a. Planning Models		
Model Name and Version	Model Description and How It Will Be Used	Certification / Approval Status & Date
IWR Planning Suite Version 2.0.9	<p>Cost Effectiveness, Incremental Cost Analysis.</p> <p>The Institute for Water Resources Planning Suite (IWR-PLAN) is a decision support software package that is designed to assist with the formulation and comparison of alternative plans. While IWR-PLAN was initially developed to assist with environmental restoration and watershed planning studies, the program can be useful in planning studies addressing a wide variety of problems. IWR-PLAN can assist with plan formulation by combining solutions to planning problems and calculating the additive effects of each combination, or "plan." IWR-PLAN can assist with plan comparison by conducting cost effectiveness and incremental cost analyses, identifying the plans which are the best financial investments and displaying the effects of each on a range of decision variables. The ecological habitat units calculated using the Habitat Evaluation Process will be used as</p>	Certified

	inputs in IWR-PLAN to evaluate the benefits associated with each project alternative.	
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Table 3b. Engineering Models		
Model Name and Version	Model Description and How It Will Be Used	Approval Status
MII	MII is the second generation of the Micro-Computer Aided Cost Estimating System (MCACES). It is a detailed cost estimating software application that was developed generate detailed cost estimates for each alternative.	Approved

4. REVIEW SCHEDULE AND BUDGET. The schedule and budgets for reviews are shown in below table.

Table 4. Product and Review Schedule				
Product(s) to undergo Review	Review Level	Start Date	Finish Date	Budget (\$)
Draft Detailed Project Report and Integrated Environmental Assessment (DPR & EA)	District Quality Control	29 NOV 22	20 DEC 22	■
Draft DPR & EA	Agency Technical Review	21 DEC 22	13 FEB 23	■
Draft DPR & EA	LRB Policy and Legal Review	01 MAR 23	14 MAR 23	■
Draft DPR & EA	Public and Agency Review	15 MAR 23	13 APR 23	■
Final DPR & EA	Final District Quality Control & Agency Technical Review	14 APR 23	22 APR 23	■
Final DPR & EA	Final LRB Policy and Legal Review	27 APR 23	10 MAY 23	■

ATTACHMENT 1 – Contacts

REVIEW MANAGEMENT ORGANIZATION (RMO) - LRB			
Function	Name (Last, First)	Phone	Office
RMO Lead			CELRB-PML

PROJECT DELIVERY TEAM			
Function/Discipline	Name (Last, First)	Phone	Office
Project Manager (Lead)			CELRB-PMP-M
Plan Formulator			CELRB-PML-P
Environmental Analysis			CELRB-PML-E
Economist	J		CELRB-PML-P
Coastal Engineer			CELRB-TDD-C
Geotechnical Engineer			CELRB-TDD-C
Civil/Structural Engineer			CELRB-TDD-S
Legal Counsel			CELRB-OC
Archaeologic			CELRB-PLE
Archaeologic			CELRB-PLE
Cost Engineer			CELRB-TDD-T
Project Management Specialist			CELRB-PM-PO
Real Estate			CELRB-REP
* LRB can support basic cultural resources coordination tasks. If significant cultural resources concerns are identified during the feasibility phase, LRB will coordinate with an Archeologist from another District to support the study.			

DISTRICT QUALITY CONTRAL (DQC) TEAM			
Function/Discipline	Name (Last, First)	Phone	Office
DQC Lead, Plan Formulation			CELRB-PML-P
Env. Analysis & Cult. Resources*			CELRB-PML-E
Geotechnical/Coastal Engineer			CELRB-TDD-C
Project Management			CELRB-PMP-M
Cost Engineer			CELRB-TDD-T
Civil/Structural Engineer			CELRB-TDD-S
Environmental Engineer			CELRB-TDE-E
Archaeologic			CELRB-PLE
Legal Counsel			CELRB-OC
Economics			CELRB-PML-P
Real Estate			CELRB-REP

AGENCY TECHNICAL REVIEW (ATR) TEAM*			
Function/Discipline	Name (Last, First)	Phone	Office
ATR Lead/Plan Formulation/Ecosystem Restoration			CENAE-PDP
Coastal/Geotechnical Engineering Reviewer/Climate Preparedness and Resiliency	TBD	TBD	TBD
NEPA Environmental Compliance/ Archaeological & Cultural	TBD	TBD	TBD
Cost Engineering	TBD	TBD	TBD

POLICY AND LEGAL COMPLIANCE REVIEW TEAM			
Function	Name (Last, First)	Phone	Office
P3M CAP Program Advocate, Planning and Policy Review	██████████	██████████	CELRB-PML
TSD CAP Program Advocate Review:	██████████	██████████	CELRB-TDD
Legal Compliance	██████████	██████████	CELRB-OC
MSC / HQ Policy and Legal Compliance Review Team			
Function/Discipline	Name (Last, First)	Phone	Office
Review Manager	TBD		
Planning Reviewer	TBD		
Economics Reviewer	TBD		
Technical Design Reviewer	TBD		
Environmental Reviewer	TBD		
Hydrology and Hydraulic Engineering/Climate Reviewer	TBD		
Cost Engineering Reviewer	TBD		
Real Estate Reviewer	TBD		