

22Y - WASHINGTON LEVEL REVIEW

By regulation, five percent of the study cost or \$50,000, whichever is less, must be set aside to cover SJRWMD and USACE, Jacksonville District, expenses during Washington level review of the feasibility report. If the costs for this work item exceed this limit, then a negotiated modification to the FCSA will be required to cost share the additional amount.

SJRWMD will be responsible for responding to comments on that portion of the work provided as in-kind service. In addition, representatives of SJRWMD, along with representatives of the USACE, will attend one meeting at the project site with Headquarters, U.S. Army Corps of Engineers (HQUSACE) staff involved in the Washington level review process. The Washington level review process begins upon the Division Engineer's issuance of the public notice announcing completion of the *Feasibility Report*. The activities performed during the Washington level review process are as follows:

Division Engineer's Public Notice - The Division Engineer issues a public notice announcing the completion of the *Feasibility Report*, based upon the endorsement of the findings and recommendations of the USACE Jacksonville District Engineer, which indicates that the *Feasibility Report* has been submitted for Washington level review. The notice provides a 30-day period for comments on the *Feasibility Report* and indicates that comments are to be submitted to HQUSACE and that the report's final NEPA document is available to the public. SAD will furnish the public notice to all interested parties.

Report Submittal - SAD will submit copies of the *Feasibility Report* concurrently to HQUSACE and the Assistant Secretary of the Army for Civil Works (ASA(CW)). The submittal will include a transmittal letter stating the names and congressional district numbers of the interested congressional delegation, the names and mailing addresses of the State point of contact and non-Federal sponsor, and the names and telephone numbers of the USACE Division and District points of contact for the *Feasibility Report*. SAD will prepare a draft report by the Chief of Engineers, which will concur with the recommendations of the SAD Engineer.

Fact Sheet and Slides Submittal - SAD will submit a project Fact Sheet to HQUSACE which outlines the problems and opportunities identified in the feasibility study, the alternative plans considered, planning principles used, a description of the recommended plan, map of the project, physical data on project features, views of the State, non-Federal interests, and other Federal agencies, status of the NEPA document, and financial data on the recommended plan. The Jacksonville District will provide slides to HQUSACE within 30 days after the Division Engineer's Public Notice has been issued. The Fact Sheet and slides will be used to support testimony before authorization committees of Congress.

HQUSACE Review - HQUSACE will perform a comprehensive review of the

Feasibility Report and perform the detailed review of plan formulation, economic, environmental and social aspects. The staff will also consider the views expressed by interested parties at public meetings and workshops and in written correspondence received in response to the Division Engineer's Public Notice. Upon completion of its initial review, the staff will draft an assessment summarizing its findings on the *Feasibility Report* indicating any additional information needed to address specific concerns. The assessment will be submitted to ASA(CW) to solicit any additional views and comments on the *Feasibility Report*. The draft assessment will also include a tentative target date for a staff field visit.

90-Day State and Federal Agency Review - HQUSACE will initiate the 90-day review within a few days after receipt of the *Feasibility Report* if the document complies with procedural requirements of law and does not indicate significant interagency conflict. SAD will be responsible for filing the NEPA document with the U.S. Environmental Protection Agency. SAD will also be responsible for the local distribution of the NEPA document to parties not included on the HQUSACE mailing list for the normal 30-day review. The 30-day review occurs concurrently with the 90-day State and agency review period.

Washington Level Final Assessment - The final Washington level assessment will be a consolidation of the review comments of all Washington echelons and will identify any aspects which need to be addressed before the *Feasibility Report* is considered by decision makers.

Field Visit and Meeting - Upon receipt of the Washington level final assessment, a field visit/meeting will be scheduled. The field visit is intended to provide an opportunity for the Jacksonville District and non-Federal sponsor to furnish information to the HQUSACE review staff to address review comments and resolve potential issues.

Documentation of Report Review - Based upon information obtained during the field visit, the HQUSACE review staff will prepare written documentation of the results of the *Feasibility Report* review. The documentation will discuss how each comment in the Washington level assessment was resolved; what back-up information is available to support the comment resolution; and indicate any revisions made to the *Feasibility Report*. The documentation will also indicate any concerns that have not been completely resolved.

Washington Level Decision-Making Process - HQUSACE review staff will conduct a briefing for the senior representatives of HQUSACE and the ASA(CW). The purpose of the briefing is to present results of the review and to permit opportunity for participants to discuss the *Feasibility Report*. Facts pertaining to the report will be presented. These include any available comments provided by the State and other Federal agencies during the 90-day review, and identification of those agencies who have not responded and whose comments, if submitted, would need to be considered during later decision making.

Representatives to attend the briefing include the following:

HQUSACE - major Division staff Chiefs;

ASA(CW) - Deputy for Policy, Planning, and Legislative Affairs;

Staff representatives from the USACE Jacksonville District and SAD;

Representatives from the non-Federal sponsor, the SJRWMD.

Chief of Engineers Report - Prior to transmittal of the report to Congress and signing of the Record of Decision by the ASA(CW), the sponsor, the State, interested Federal agencies, and other parties will be advised of any modifications made to the recommendations and will be afforded an opportunity to comment further. In such circumstances, an additional 30-day review period will be provided for further comment before finalizing the recommendations in the final report of the Chief of Engineers.