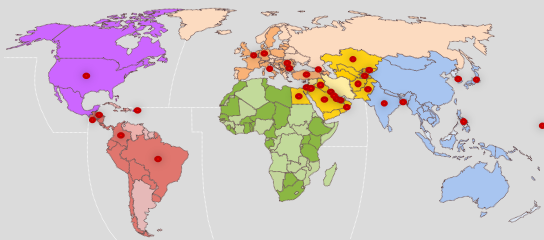


Waterways Council, Inc.

Civil Works Update

Major General Scott A. Spellmon
Deputy Commanding General for Civil and Emergency
Operations

U.S. Army Corps of Engineers
February 12, 2020



Achieve Our Vision

Anticipate challenges and opportunities of an unknowable future; take prudent, bold, and decisive steps, today, to always be ready come what may.

USACE Vision

Engineering solutions for the Nation's toughest challenges.

Deliver the Program

We earn our credibility, reputation, and value by delivering desired results on time and within budget.

Strengthen the Foundation

Having the discipline to do the routine things to a high standard, routinely, enables everything else. A strong foundation allows leaders to think strategically.

USACE Mission

Deliver vital engineering solutions, in collaboration with our partners, to secure our Nation, energize our economy, and reduce risk from disaster.

Mission Areas:

- Military Programs
- Civil Works
- Geospatial Engineering
- Contingency Operations
- Research and Development



US Army Corps of Engineers
BUILDING STRONG®

Directorate of Civil Works



Deputy Commanding General, Civil and Emergency Operations

MG Scott Spellmon



Interim Director of Civil Works

Mr. Alvin Lee



Mr. Thomas Smith, P.E.
Chief of

**Operations and
Regulatory Division**

**Great Lakes and Ohio
River Div. RIT (CECW-
LRD)**

**North Atlantic Div. RIT
(CECW-NAD)**



Ms. Stacey Brown
Chief of

**Planning and Policy
Division**

**Mississippi Valley Div.
RIT
(CECW-MVD)**

**Southwestern Div. RIT
(CECW-SWD)**



Mr. Ray Alexander, P.E.
Chief of

**Office of Homeland
Security**

**Director of
Contingency
Operations**

**Northwestern Div. &
Pacific Ocean Div. RIT
(CECW-NWD/POD)**



Dr. Christine Altendorf, P.E.
Chief of

**Engineering and
Construction Division**

**South Atlantic Div. RIT
(CECW-SAD)**

**South Pacific Div. RIT
(CECW-SPD)**



Mr. Edward Belk, P.E.
Chief of

**Programs Integration
Division**

**Program & Project
Management CoP**



Dr. Joe Manous, P.E.
Director of

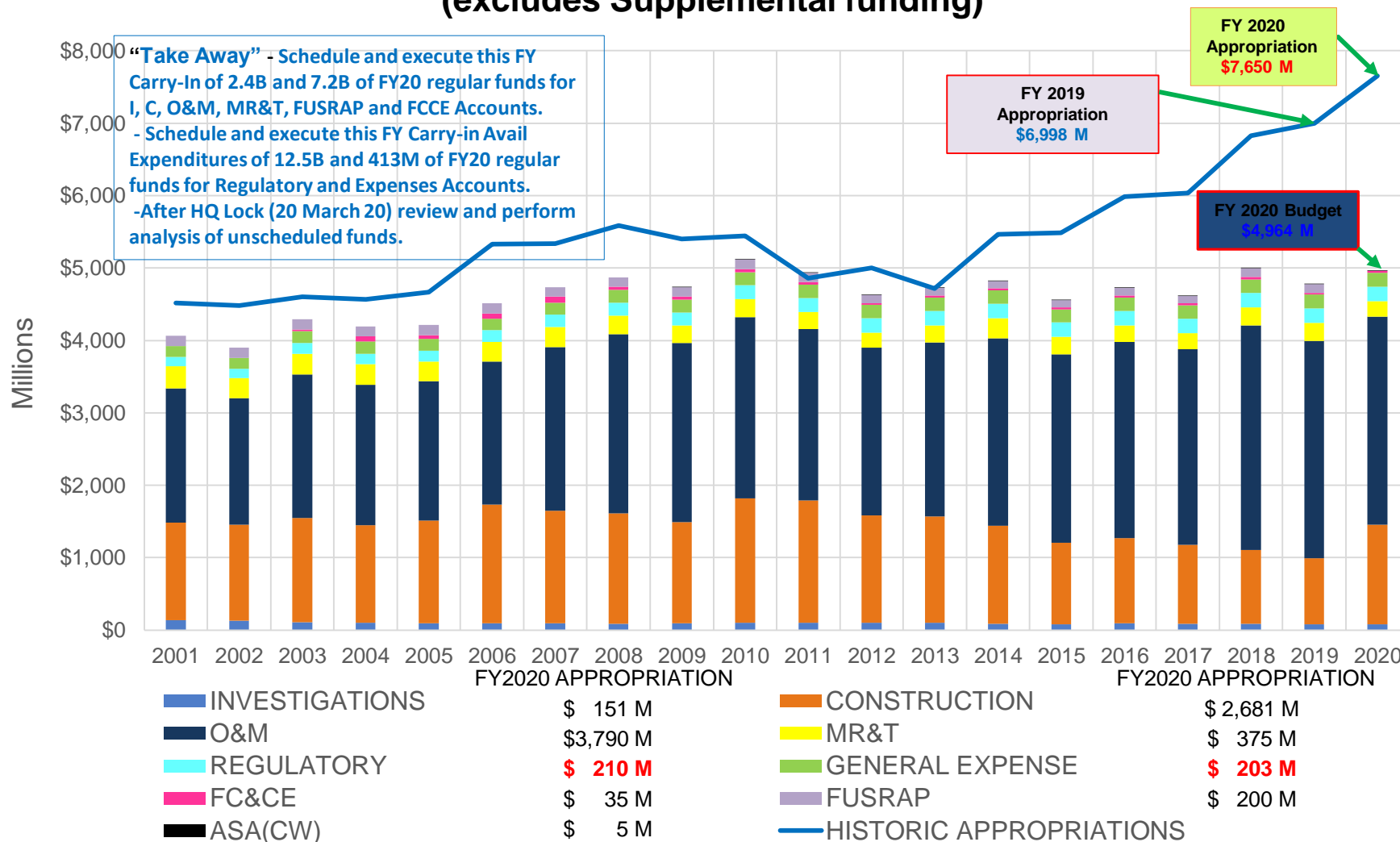
**Institute for Water
Resources**

Transition- March 2020

Transition- February 2020



Civil Works Investment Trends (excludes Supplemental funding)



FY19 Work Plan is ~46% increase above FY19 Budget

FY20 Budget is ~6.4% nominal* increase above the FY19 Budget

FY20 Work Plan is ~54% increase above the FY20 Budget

FY20 Work Plan is ~9.3% increase above FY19 Work Plan

(*FY20 Budget does not include FUSRAP funding. Therefore, the comparison is made by reducing the FY19 Budget (\$120M) for FUSRAP.)



Revolutionize Civil Works

1 Accelerate Project Delivery:

- Enterprise delivery strategy and PDBP standards
- Streamlined acquisition processes
- Knowledge management
- Risk informed decision making and delegation of authorities
- Human Resources flexibilities

2 Transform Project Financing and Budgeting:

- Implement alternative financing tools
- Revolutionize civil works budgeting
- Increase funding flexibility

3 Improve Permitting and Regulatory Reform:

- Environmental reviews and permits
- Mitigation
- Regulatory Reform



Revolutionize Civil Works - Delegating



COMPLETED Delegations of Authority

COMPLETED DELEGATIONS BY HQ USACE:

- 1) **Section 408 actions** for alterations or use of Corps Civil Works projects (substantial streamlining and delegation of decision-making in 2017-2018 through various interim guidance memos)
- 2) **Regional Programmatic VE Studies** allows delegation from MSC Commander to MSC Directors (Directors Policy Memo issued 13 April 2018)
- 3) **Design and Construction deficiencies** <\$500K delegated to MSC Commanders (Directors Policy memo issued 13 April 2018)
- 4) **Type II IEPR decisions** delegated to districts (EC 1165-2-217 issued 20 February 2018)
- 5) **Review Plan approval** allows delegation from MSC Commander to MSC Directors (Directors Policy Memo issued 13 April 2018)
- 6) **Type I IEPR exclusion decisions** delegated to MSC Commanders (Directors Policy Memo issued 7 June 2018)
- 7) **Model Certifications** delegated to Planning Centers of Expertise (4 Dec 19 and 11 May 18 memos).
- 8) **Feasibility Milestones** delegated approval authority to MSCs when certain criteria are met (Directors Policy Memo dated 3 May 2018)
- 9) **Policy compliance reviews** for planning decision documents delegated to MSCs (Directors Policy Memo dated 3 May 2018)
- 10) **Hopper Dredge Reserve Fleet Activation** delegated to MVD Commander authority to activate the Reserve Fleet pursuant to the Red Flag process (Directors Policy Memo dated 18 May 2018).
- 11) **Funding Agreements under WRDA Section 214** (reaffirmed authority of District Commanders to enter into agreements with designated federal and non-federal applicants to evaluate permit applications in support of USACE regulatory program and Sec 408 evaluations).
- 12) **Firearms at USACE Projects** (May 2018 guidance clarified District Commander authority to approve the possession of firearms at USACE projects pursuant to conditions specified)
- 13) **Policy & Legal Compliance Review**. Single team of policy & legal experts from HQ, MSC, & PCX for all planning studies or budget decisions, or that require action by Chief of Engineers, ASA(CW), or Congress. (Directors Policy Memo 2019-01 issued 9 January 2019)
- 14) **Employing MSC and District Technical Expertise and Professional Judgment** to empower delivery of the 2018 Emergency Supplemental Program by allowing MSC/District teams to make and document authoritative decisions regarding USACE policy and guidance. (Directors Policy Memo 2019-02 issued 24 January 2019)

COMPLETED DELEGATIONS BY ASA(CW):

- 15) **NEPA EIS Record of Decision (ROD)**: ASA(CW) modified procedures to execute NEPA decision documents requiring ASA(CW) approval at same time as ASA(CW) determines that Corps recommended plan is feasible. (COMPLETED. ASA(CW) MEMO TO USACE DATED 19 MAR 2019)
- 16) **The World Association for Waterborne Transport Infrastructure (PIANC)**: The ASA(CW) serves as Chair and the DCG-DCO as President of PIANC USA, respectively. IAW Public Law 112-74, participation in an activity such as PIANC is reserved to the Secretary of the Army unless delegated in writing. (COMPLETED. ASA(CW) DELEGATED TO USACE ON 25 OCT 2018)
- 17) **Federal Civil Penalties Inflation Adjustment Act of 1990** as amended (REGULATORY DELEGATION COMPLETED ON 31 OCT 2018)

COMPLETED DELEGATIONS BY DASA-P, ASA(ALT), ASA(M&RA) or SECARMY:

- 18) **Contracting Class deviations** allowing for increasing Simplified Acquisition Threshold and Micro Purchase Government Purchase Card Thresholds for Civil Works funded acquisitions.
- 19) **Contracting Peer Review delegations** valued less than \$100M (Directorate of Contracting Policy Alert 18-012 issued on 22 May 2018)
- 20) **Contract consolidations** Determination & Findings (D&F) delegated to district contracting chief for consolidations <\$25M in FY or <\$50M in multiple FY 29 August 2018 revision to UDG Attachment 1)
- 21) **Class Deviation from requirement for Consolidation Determination & Findings (D&F) for Dredging**. delegated to district contracting chief for consolidations <\$25M in FY or <\$50M in multiple FY 29 August 2018 revision to UDG Attachment 1
- 22) **Class Deviation to increase Consolidation D&F threshold to \$4M on 8(a) acquisitions**. delegated to district contracting chief for consolidations <\$25M in FY or <\$50M in multiple FY 29 August 2018 revision to UDG Attachment 1
- 23) **Use of NWD-1 Aircraft for Columbia River Treaty Negotiations**: Secretary of Army delegated use of aircraft to DCG-CEO for a two-year period (MEMO FROM SECARMY)

ONGOING - Delegations of Authority

CURRENTLY BEING WORKED FOR HQ USACE APPROVAL:

- 24) **Deviation to Service Contract Approval Request**. Requesting increase threshold from \$100K to \$10M for O6 approval and/or allow for increased use of Programmatic Approvals. USACE POC: Betty Corbitt
- 25) **Real Estate determination of availability**. Details of proposed RE action currently being developed by RE team
- 26) **Counting Authorities Program (CAP)**. The Continuing Authorities Program (CAP) is a group of nine delegated authorities. The CAP delegations and streamlining recommendations could save up to 12 months on a typical project. The process improvement package is complete and working implementation plan. Of the 12 recommendations, 8 are within HQ USACE authority and 4 may need ASA(CW) approvals/higher level coordination. POC: Michael Voich.
- 27) **Project Partnership Agreements (PPA)**. The PPA delegation and streamlining recommendations are being revised based on review comments. The recommendations are based on input from districts and NAPA November 2018 report. Recommendations may be within HQ USACE authority. POC: Michael Tarpey

CURRENTLY BEING WORKED FOR ASA(CW) APPROVAL:

- 28) **Water Supply Reallocation Report Approval**: Proposal is to request ASA(CW) delegate to HQ USACE for reallocations/reports that do not require further congressional action, provided no serious effects. Target completion is May 2020. USACE POC: Amy Frantz
- 29) **Power Marketing Administration hydropower funding agreements**. Requesting delegation from ASA(CW) to HQ for approval of new hydropower MOAs. USACE POC: Daniel Rabon. 2018 DELEGATION.
- 30) **Water Supply Agreements with a reallocation over 500 ac-ft**: Proposal to request ASA(CW) delegate to HQ if no serious effects to other purposes and the model agreement is used. Target completion is May 2020. USACE POC: Amy Frantz
- 31) **Surplus Agreements over 1000 ac-ft**: Proposal to request ASA(CW) delegate to HQ if no serious effects to other purposes and the model agreement is used. Target completion is May 2020. USACE POC: Amy Frantz
- 32) **Water Supply Agreement that is the first at a reservoir**: Proposal to request ASA(CW) delegate to HQ if no serious effects to other purposes and the model agreement is used. Target completion is May 2020. USACE POC: Amy Frantz
- 33) **Surplus Water Agreements for Withdrawal of Water from the Missouri River Main-stem Reservoirs**: Proposal to request ASA(CW) delegate to HQ if no serious effects to other purposes and the model agreement is used. Target completion is May 2020. USACE POC: Amy Frantz
- 34) **Continuing Contracts**: Reinstate usage of continuing contract authority and delegation of authority to approve from ASA(CW) to HQ/MSC. CONCURRED, AFTER MEETING WITH OMB. USACE sent request memo 2 NOV 2018. ASA(CW) has action, schedule unknown. USACE POC: Andrea Bias-Streat / ASA(CW) POC: Mr. Vance.
- 35) **Standard funding request letters from non-federal sponsors and congressional members**: consider answering at ASA(CW) without HQ/MSC/District draft response. CONCURRED. ASA(CW) has action, schedule unknown. USACE POC: Andrea Bias-Streat / ASA(CW) POC: Johnny Jones.
- 36) **Corps Water Infrastructure Financing Program (CWIFP) authorized by Water Infrastructure Finance and Innovation Act (WIFIA)**: request for delegation of authority from ASA(CW) to Director of Civil Works for loans and loans guarantees along with general program administration

CURRENTLY BEING WORKED FOR DASA-P, ASA(ALT), ASA(M&RA) or SECARMY APPROVAL:

- 37) **Support to Other Federal agencies, international organizations, or foreign governments to address problems of national significance IAW WRDA Sec. 234**. Requires delegation from SECARMY to ASA(CW) to HQUSACE. USACE requested delegation by memo on 5 Mar 2018. ASA(CW) has action, schedule unknown. USACE POC: Chris Gatz MP-IIS / ASA(CW) POC: Mr. Vance



CLOSING THOUGHTS



- ✓ This is a time of great opportunity, and failure is not an option.
- ✓ USACE is committed to participating fully in all Administration initiatives to streamline process and more efficiently and effectively deliver water resource solutions for the Nation.
- ✓ Effective reform requires legislative, policy, regulation, process, and culture change. USACE will continue to identify legislative, policy, and regulation reforms, to Congress and the Administration, that will assist in project delivery.
- ✓ We are working to address internal organizational process and cultural impediments necessary to remain relevant in the future. We must think differently about our role and responsibilities.
- ✓ Our ability to deliver rests on great leadership (we have), a streamlined environmental review process (in the works), National priorities and reliable funding (we do not have).
- ✓ Addressing the Nation's Infrastructure Investment Gap must be a shared Federal, State and Local Responsibility.
- ✓ The Corps does not deliver anything by itself... critical that we do not lose focus on our partners, stakeholders, and our commitments.

Thank You!!

