

**U.S. Army Corps of Engineers  
New York District**

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# **HASHAMOMUCK COVE, SOUTHOLD, NEW YORK COASTAL STORM RISK MANAGEMENT FEASIBILITY STUDY**

## **APPENDIX "F"**

### **REAL ESTATE PLAN**

**July 2019**

**HASHAMOMUCK COVE, SOUTHOLD, NEW YORK  
COASTAL STORM RISK MANAGEMENT FEASIBILITY STUDY**

**REAL ESTATE PLAN**

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Exhibits and Attachments

Exhibit “A”- Real Estate Maps

Exhibit “B”- Required LER

Exhibit “C”- Standard Estates

Exhibit “D”- Baseline Cost Estimate for Real Estate

Exhibit “E”- Non-Federal Sponsor Capability Assessment Checklist

## 1. **Preamble**

**Project Authorization:** The Hashamomuck Cove, Southold, New York Coastal Storm Risk Management Feasibility Study, or the “Project”, is authorized by House of Representatives, Committee on Transportation and Infrastructure, Resolution, Docket Number 2773 (May 2007) which reads as follows:

*“Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, that the Secretary of the Army is requested to review the reports of the Chief of Engineers on the North Shore of Long Island, Suffolk County, New York, published as House Document 198, 92nd Congress, 2nd Session, as well as other related reports with a view to determine whether the modifications of the recommendations therein are advisable at the present time in the interest of navigation, stream bank stabilization, flood damage reduction, floodplain management, water quality, sediment control, environmental preservation and restoration, and other related purposes in Hashamomuck Cove and tributaries.”*

**Additional Study Guidelines.** The Hashamomuck Cove Feasibility Study is being completed with funds authorized by the Disaster Relief Appropriation Act of 2013 (Public Law 113-2). Projects authorized by this Act are subject to USACE Headquarters and North Atlantic Division Hurricane Sandy-related guidance.

**Official Project Designation:** Hashamomuck Cove, Southold, New York Coastal Storm Risk Management Feasibility Study.

**Project Location:** The Project is located within the Suffolk County, New York along the north shore of Long Island within the Town of Southold, New York.

**Non-Federal Sponsor:** The Non-Federal Sponsor for this Project is the State of New York through its Department of Environmental Conservation (the “Sponsor” or “NYSDEC”) and the local sponsor is the Town of Southold, New York.

## **2. Statement of Purpose**

This Real Estate Plan (“REP”) is prepared in support of the Hashamomuck Cove, Southold, New York Coastal Storm Risk Management Feasibility Study.

## **3. Project Purpose and Features**

a. **Project Purpose:** The purpose of the study is to determine if there is an economically justified and environmentally compliant recommendation for Federal participation in coastal storm risk management for the Hashamomuck Cove Study Area in Southold, NY. The study is needed as existing properties and County Road 48 are at risk. Homeowners have implemented individual solutions but the area continues to experience storm damage due to erosion, wave effects, and inundation.

The study area is affected by both nor'easters and tropical storms. Storm driven surge and waves cause beach and bluff erosion and flooding. Erosion during storms results in loss of land, damages to homes, businesses, and roads. The erosion is most pronounced within the concave portions of the three coves. The beaches within the study area typically lose material each year during storm events. The town beach has been periodically restored with fill on an ad-hoc basis. In December 2010, a winter storm cut into the cliff along the Sound View Road and eroded much of the parking area at the Southold Town Beach. In October 2012, Hurricane Sandy impacted the Town of Southold with storm surge of about 6 feet and flooding of low-lying areas. County Road (CR) 48, which runs along the shoreline, is in danger of being undermined in several locations. The closure or loss of CR-48 would result in traffic delays, loss of an evacuation route, and hamper emergency rescue operations.

b. **Plan of Improvement:** The proposed project is beach nourishment. The coastal storm risk management project at Hashamomuck Cove would decrease damages to shore front development properties, the Town Beach, and County Road 48.

The Recommended Plan, which is also the National Economic Development Plan, consists of a 25-foot berm in the West Cove, a 25-foot berm in the Central), and a 25 foot berm in the East Cove.

### **Recommended Plan Project Feature:**

Overall Length	8,500 linear feet (ft.)
Berm width:	25 ft. Initial Volume of Beach
Fill:	216,000 cubic yards (cy)
Renourishment Quantity	64,200 cy (9 x over 50-yr period of analysis)
Sand Source:	Transported by truck from upland location

Beach nourishment (sand placement) represents a near natural, reversible soft solution for reducing damages on the open coast. After initial placement of sand, periodic renourishment is required to counteract long term and storm-induced erosion, and erosion from sea level change.

a. Project Phases

The Project will be constructed in a single phase.

b. Required Lands, Easements, and Rights-of-Way (LER):

This report will detail the real estate needs for the construction of the new proposed elements for the Project. As beach fill is the primary means of providing Coastal Storm Risk Management in the Project, lands necessary for construction of the Project will be secured through acquisition of Perpetual Beach Storm Damage Reduction Easements.

I. Perpetual Beach Storm Damage Reduction Easement (Standard Estate No. 26)

– Perpetual Beach Storm Damage Reduction Easements must be acquired over approximately

**14.96** acres of land, impacting **80 parcels**, and **79 private owners** and **1 public** owner. The location of the Permanent Easements is identified in Exhibit B.

II. Temporary Work Area Easement (Standard Estate No. 15) - Temporary work areas may be necessary for this project, but have not yet been identified. The need for temporary work areas will be identified during the Plans and Specs phase. The temporary work areas are typically located adjacent to land to be acquired for Project construction.

III. Borrow Area – The Project proposes to nourish the beach using sand from upland sources to be identified by the contractor. Consequently, no borrow area real estate is required to construct the Project.

IV. LER Summary - The impacted parcels and LER to be acquired are provided in Exhibit B and the recommended standard estate language in Exhibit C herein. The following chart summarizes the required LER for the Project:

Required Interest	Required Acres	Acres Below the MHWL	Total	Number of Parcels		Acquisition Cost
				Private	Public	
<b>Perpetual Beach Storm Damage Reduction Easement*</b>	±14.96	±0.45	±15.41	79	1	<b>\$1, 112,422</b>

c. Appraisal Information:

Consistent with USACE Real Estate Policy Guidance Letter No. 31 – Real Estate Support to Civil Works Planning Paradigm (3x3x3), the New York District as valued the real estate requirements through a cost estimate as the real estate costs will total less

than 10% of the total project costs. A 20% contingency is added to the incidental costs of the project to account for uncertainty in progress of the real estate acquisition, and the need for condemnation may arise.

Appraised of the required LER.....\$1, 112,422  
Date of Value.....11 July 2019

**4. LER Owned by the Non-Federal Sponsor**

The Non-Federal Sponsor, The State of New York owns all coastal lands located below the Mean High Water Line within the Project area. This includes an estimated 0.45 acres of submerged lands.

**5. Non-Standard Estates**

No non-standard estates are proposed for use in real estate acquisition for the Project.

**6. Existing Federal Projects**

No existing Federal projects are located within the Project area.

**7. Federally-Owned Land**

No Federally-owned land is located within the Project area.

**8. Navigational Servitude**

Approximately **0.45** acres of land required for the Perpetual Beach Storm Damage Reduction Easement lie below the MHWL. Although it is the general policy of the Corps to utilize the navigational servitude in all situations where available, whether or not the Project is cost-shared, this Project does not directly serve a purpose which is in the aid of commerce. Therefore, rights in the Federal navigational servitude will not be exercised for the Project consistent with CECC- R memorandum dated 19 March 2014, subject: Availability of the Navigational Servitude for Coastal Storm Damage Reduction Projects.

**9. Maps**

The Project real estate maps are provided in Exhibits "A" herein.

**10. Induced Flooding**

Construction, operation or maintenance of the Project is not anticipated to induce any significant flooding.

# **11. Baseline Cost Estimate for Real Estate (“BCERE”)**

An itemized BCERE is provided in Exhibit “D” in Micro-Computer Aided Cost Estimating System (“MCACES”) format with estimated real estate costs. The following is a summary of the costs for the Lands, Easements, Rights-of-Way, Relocations, and Disposals (“LERRD”) required for new elements of the Project:

<u>Cost Type</u>	<u>Total</u>
LER	\$1,112,422
Non-Federal Incidental Expenses	\$1,332,435
Federal Incidental Expenses	\$ 184,020
<b>Total 01-Land &amp; Damages</b>	<b>\$ 2,628,877</b>

A 20% contingency was included to the overall real estate costs excluding the Land Payments amount \$1,012,422 shown in line item 01B1 the Project’s BCERE, because a contingency for Land Payments is already provided in the cost estimate. The Sponsor will be entitled to crediting of the value of the LEERD toward the non-Federal Share of the project costs.

## **Non-Federal Sponsor Costs**

<u>Incidental Cost</u>	<u>Cost</u>	<u>Total</u>
Non-Federal-----		\$1,093,696
	Subtotal:	<b><u>\$1,093,696</u></b>
<u>Acquisition Cost</u>		
Non-Federal-----	\$1,112,422	
	Subtotal:	<b><u>\$1,112,422</u></b>
20 % Contingency (less Land Payments)-----		<b><u>\$238,739</u></b>
<b>Total Lands and Damages-----</b>		<b><u>\$2,444,857</u></b>

# **12. Public Law 91-646, Uniform Relocation Assistance**

The USACE does not anticipate the Project resulting in the displacement of any persons under Public Law 91-646, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (hereinafter “P.L. 91-646”); therefore, no persons would qualify for relocation benefits under the P.L. 91-646.

### **13. Minerals and Timber Activity**

No known present or anticipated mineral activities or timber harvesting in the vicinity of the Project.

### **14. Land Acquisition Experience and Capability of the Non-Federal Sponsor**

The Sponsor maintains the legal and professional capability and experience to acquire the LER in support of the Project. They have condemnation authority and other applicable authorities that may apply if necessary to support acquisition measures. They have successfully acquired the real estate for the Downtown Montauk Stabilization Project and the Coney Island FCCE Project and is currently the non-Federal Sponsor for the Fire Island Inlet to Moriches Inlet Stabilization Project and the Asharoken Coastal Storm Risk Management Feasibility Study, among others.

The Sponsor has also been advised of P.L. 91-646 requirements and the requirement to document expenses for credit purposes.

The Non-Federal Sponsor Capability Assessment Checklist is provided in Exhibit “E”. The assessment checklist has been coordinated with the Sponsor. It has been completed based on the Sponsor’s past and current performance on other Corps of Engineers cost-shared civil works projects.

### **15. Zoning**

The Project will not require enactment of land use ordinances prior to construction.

### **16. Schedule of Acquisition**

The current feasibility study schedule indicates project approval in 2019. The schedule below reflects an approximate timeframe to complete the acquisition of real estate for the project. The estimated schedule is outlined below.

<u>Milestone</u>	<u>Estimated Date</u>
PPA Execution-----	2020 TBD
Sponsor’s Notice to Proceed with Acquisition-----	2020
Contract 1 Certification of Real Estate *-----	2021
Contract 1 Ready to Advertise for Construction-----	2021
Contract 1 Construction Complete-----	2022
Contract 1 Fiscal Close Out-----	2022

\*Assumes Sponsor is able to complete acquisition of real estate in 12-18 months but additional time may be required.



### **17. Facility / Utility Relocations**

No facility or utility relocations are included within the Project.

### **18. Hazardous, Toxic, and Radioactive Waste (“HTRW”)**

There are no known contaminants or HTRW concerns in, on, under or adjacent to the LER required for the Project.

### **19. Project Support**

Generally, impacted landowners support construction of the Project. Opposition to the Project comes from a minority of landowners whose privacy is impacted by public access to the Project.

### **Notification to Non-Federal Sponsor**

By letter dated April 20, 2016, the non-Federal Sponsor, NYSDEC, has been notified in writing of the risks associated with acquiring land prior to the execution of the Project Partnership Agreement, and the Government’s formal notice to proceed with acquisition.

### **20. Other Issues**

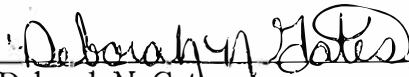
- a. Access Agreements - The laws of the State of New York restrict the alienation of public land, limiting NYSDEC’s ability to acquire easements over publicly owned lands within the Project. Required access to the public parcels will be acquired through an Access Agreement executed between the Sponsor and the relevant governing entity. These Access Agreements will incorporate the full body of text from the Perpetual Beach Storm Damage Reduction Easement. The Access Agreements will authorize sand placement over public lands.
- b. There are no known historical sites within and or adjacent to the LER required for the project.
- c. There are no known existing encumbrances (i.e. easements, rights-of-way, etc.) that would impact Project construction.

### **21. Points of Contact**

The points of contact for this Real Estate Plan (“REP”) is the Real Estate Project Delivery Team member Ms. Mary Rixey at (917) 790-8443 (email: Mary.V.Rixey@usace.army.mil).

## **22. Recommendations**

This REP has been prepared in accordance with Chapter 12, ER 405-1-12, Real Estate Handbook, 20-November 1985, as amended. It is recommended that this report be approved.

  
Deborah N. Gates  
Acting Chief, Real Estate Division  
New York District





**EXHIBIT “A”**

**REAL ESTATE MAPS**





\* AREA OF PARCEL TAKEN FROM GIS PARCEL LINES. ASSESSORS CARD NOT AVAILABLE.

LEGEND	
	RIGHT OF WAY PROPERTY
	IMPACTED PROPERTY OWNER
	AREA OF REQUIRED EASEMENT
	EXISTING PROPERTY LINE
1000-S1-5-1	MAP AND PARCEL NUMBER



LONG ISLAND SOUND  
CENTRAL COVE

## REAL ESTATE PLAN

SCALE: 1" = 200'

GRAPHIC SCALE:

[illegible]

U. S. ARMY CORPS OF ENGINEERS NEW ENGLAND DISTRICT CONCORD, MASSACHUSETTS		DESIGNED BY: OWN BY: LT		CHKD BY: MET		SOLICITATION NO. JPRLE 1016	
		SUBMITTED BY:				CONTRACT NO.:	
		PLOT SCALE 1" = 200'		PLOT DATE:		DRAWING CODE:	
		SIZE		FILE NAME HASHA RE101 TSP.gn			

# HASHAMOMUCK COVE COASTAL STORM DAMAGE RISK REDUCTION FEASIBILITY STUDY

## REAL ESTATE PLAN

SHEET  
IDENTIFICATION  
RE-101

SHEET 1 OF 2

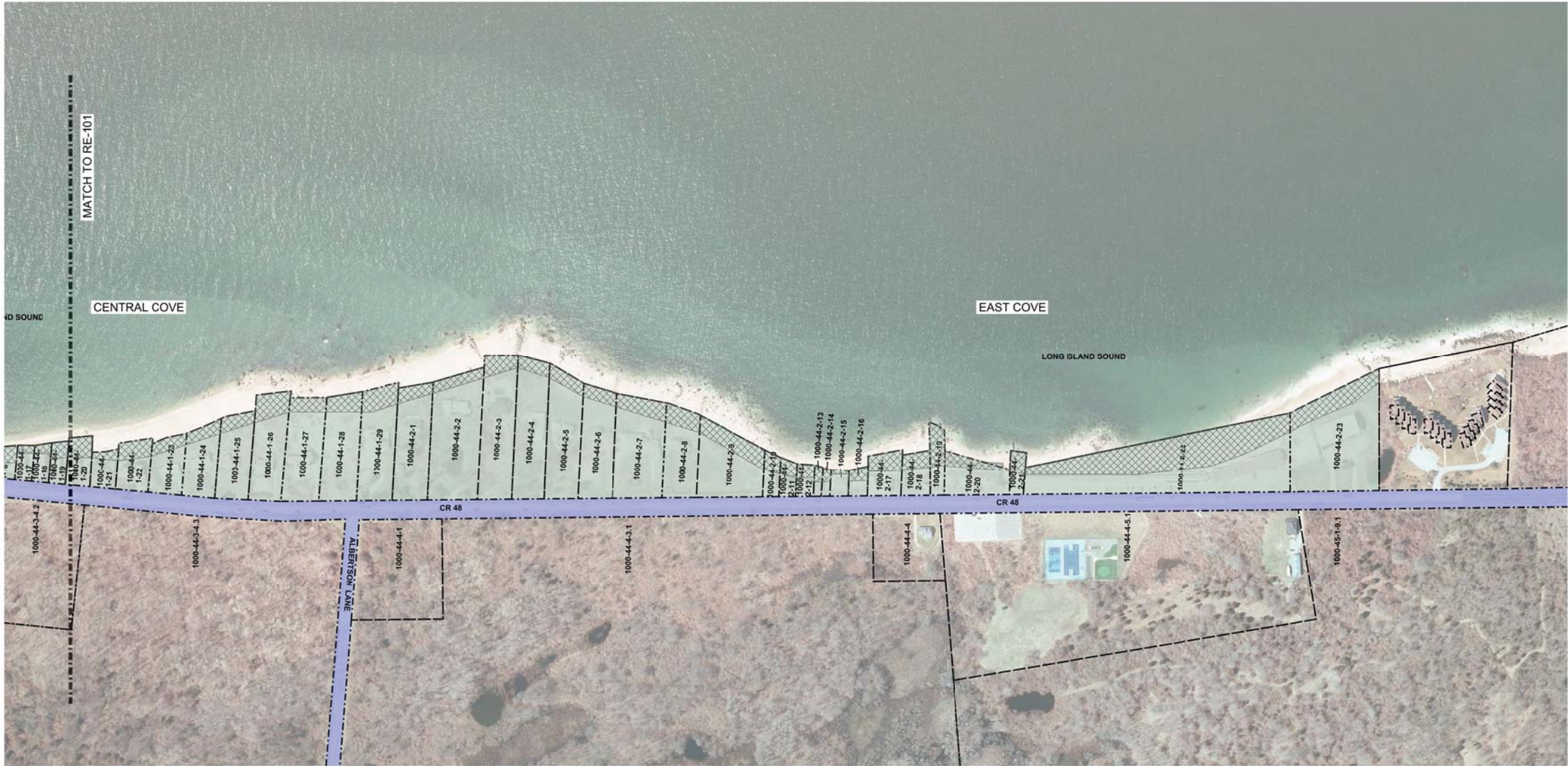




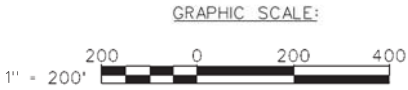
PARCELS REQUIRING PERMANENT EASEMENTS			
PARCEL ID	PARCEL ADDRESS	TOTAL ACREAGE OF PARCEL	AREA OF EASEMENT REQUIRED (ACRES)
1000-44-1-24	56425 CR 48	0.50	0.089
1000-44-1-25	56525 CR 48	0.67	0.095
1000-44-1-26	56655 CR 48	0.66	0.172
1000-44-1-27	56765 CR 48	0.79	0.106
1000-44-1-28	56875 CR 48	0.80	0.126
1000-44-1-29	56985 CR 48	0.80	0.166
1000-44-2-1	57095 CR 48	1.0	0.095
1000-44-2-2	57185 CR 48	1.5	0.113
1000-44-2-3	57305 CR 48	1.0	0.123
1000-44-2-4	57425 CR 48	1.0	0.089
1000-44-2-5	57475 CR 48	0.85	0.010
1000-44-2-6	57605 CR 48	1.0	0.093
1000-44-2-7	57765 CR 48	1.0	0.167
1000-44-2-8	57875 CR 48	0.61	0.130

PARCELS REQUIRING PERMANENT EASEMENTS			
PARCEL ID	PARCEL ADDRESS	TOTAL ACREAGE OF PARCEL	AREA OF EASEMENT REQUIRED (ACRES)
1000-44-2-9	58105 CR 48	0.875	0.253
1000-44-2-10	58165 CR 48	0.125	0.060
1000-44-2-11	58235 CR 48	0.125	0.052
1000-44-2-12	58315 CR 48	0.125	0.048
1000-44-2-13	58365 CR 48	0.05	0.027
1000-44-2-14	58405 CR 48	0.05	0.022
1000-44-2-15	58425 CR 48	0.135	0.015
1000-44-2-16	58455 CR 48	0.125	0.048
1000-44-2-17	58525 CR 48	0.125	0.128
1000-44-2-18	58625 CR 48	0.234	0.090
1000-44-2-19	58865 CR 48	0.19	0.128
1000-44-2-20	58775 CR 48	0.37	0.105
1000-44-2-21	58785 CR 48	0.115	0.073
1000-44-2-22	58855 CR 48	3.2	1.58
1000-44-2-23	59725 CR 48	1.75	0.364

LEGEND	
	RIGHT OF WAY PROPERTY
	IMPACTED PROPERTY OWNER
	AREA OF REQUIRED EASEMENT
	EXISTING PROPERTY LINE
1000-51-5-1	MAP AND PARCEL NUMBER



REAL ESTATE PLAN  
SCALE: 1" = 200'



US Army Corps of Engineers  
New England District

DATE: APRIL 2016	SOLICITATION NO.:	CONTRACT NO.:
DESIGNED BY: DWN BY: LT	OWN BY: MET	SUBMITTED BY:
U. S. ARMY CORPS OF ENGINEERS NEW ENGLAND DISTRICT CONCORD, MASSACHUSETTS	PLOT SCALE: 1" = 200'	FILE NAME: HASH_RE102_TSP.dgn

HASHAWLUCK COVE COASTAL STORM DAMAGE RISK REDUCTION FEASIBILITY STUDY

REAL ESTATE PLAN

SHEET IDENTIFICATION

RE-102

SHEET 3 OF 2

**EXHIBIT “B”**  
**REQUIRED LER**

## LER SUMMARY TABLE

Number of Parcels	Privately-Owned	79
	Publicly-Owned (Non-Fed)	1
	Federally-Owned	0
	Total Impacted Parcels	80
Fee	Fee Acquisitions	0
Permanent Easements	Perpetual Beach Storm Damage Reduction Easement (or on public property, an Access Agreement)	14.96
	Total Project Acres	14.96
LERRD Costs	LER	\$1,112,422
	Disposals	\$0.00

## PARCEL LIST

Town	Section	Block	Lot	Municipality	Owner Type	Approx. Lot Size (AC)	Approx. Easement Size (AC)
1000	135	1	8	Southold	Private	0.342	0.1780
1000	135	1	9	Southold	Private	0.260	0.1600
1000	135	1	10	Southold	Private	0.149	0.1900
1000	135	1	11	Southold	Private	0.170	0.0850
1000	135	1	13.1	Southold	Private	0.165	0.081
1000	135	1	15.1	Southold	Private	0.360	0.337
1000	135	1	16	Southold	Private	0.041	0.037
1000	135	1	17	Southold	Private	0.045	0.041
1000	135	1	18	Southold	Private	0.041	0.037
1000	135	1	19	Southold	Private	0.041	0.037
1000	135	1	20	Southold	Private	0.178	0.179
1000	135	1	22.1	Southold	Private	0.213	0.191
1000	135	1	23	Southold	Private	0.150	0.126
1000	135	1	24.1	Southold	Private	0.430	0.347
1000	135	1	25.1	Southold	Private	0.300	0.195
1000	135	1	26	Southold	Private	0.800	0.329
1000	135	1	27	Southold	Private	0.330	0.171
1000	51	5	1	Southold	Government	5.900	2.9
1000	52	1	1	Southold	Private	0.730	0.384
1000	52	1	2	Southold	Private	0.430	0.173
1000	52	1	3	Southold	Private	0.440	0.171
1000	52	1	4	Southold	Private	0.480	0.245
1000	52	1	5	Southold	Private	0.150	0.057
1000	52	1	6	Southold	Private	0.250	0.098
1000	52	1	7	Southold	Private	0.333	0.12
1000	52	1	8	Southold	Private	0.669	0.232
1000	52	1	9	Southold	Private	0.727	0.215
1000	52	1	10	Southold	Private	0.784	0.199
1000	44	1	1	Southold	Private	0.841	0.154
1000	44	1	2	Southold	Private	0.870	0.107
1000	44	1	3	Southold	Private	0.700	0.102
1000	44	1	4	Southold	Private	1.482	0.197
1000	44	1	5	Southold	Private	0.718	0.105
1000	44	1	6	Southold	Private	0.653	0.129
1000	44	1	7	Southold	Private	0.750	0.193
1000	44	1	8	Southold	Private	0.750	0.253
1000	44	1	9	Southold	Private	0.860	0.302
1000	44	1	10	Southold	Private	0.333	0.084



Town	Section	Block	Lot	Municipality	Owner Type	Approx. Lot Size (AC)	Approx. Easement Size (AC)
1000	44	1	11	Southold	Private	0.200	0.087
1000	44	1	12	Southold	Private	0.125	0.12
1000	44	1	13	Southold	Private	0.333	0.288
1000	44	1	14	Southold	Private	0.125	0.026
1000	44	1	15	Southold	Private	0.125	0.014
1000	44	1	16	Southold	Private	0.166	0.111
1000	44	1	17	Southold	Private	0.125	0.028
1000	44	1	18	Southold	Private	0.125	0.035
1000	44	1	19	Southold	Private	0.125	0.055
1000	44	1	20	Southold	Private	0.250	0.1
1000	44	1	21	Southold	Private	0.190	0.043
1000	44	1	22	Southold	Private	0.320	0.122
1000	44	1	23	Southold	Private	0.500	0.09
1000	44	1	24	Southold	Private	0.500	0.089
1000	44	1	25	Southold	Private	0.670	0.095
1000	44	1	26	Southold	Private	0.660	0.172
1000	44	1	27	Southold	Private	0.790	0.106
1000	44	1	28	Southold	Private	0.800	0.126
1000	44	1	29	Southold	Private	0.800	0.166
1000	44	2	1	Southold	Private	1.000	0.095
1000	44	2	2	Southold	Private	1.500	0.113
1000	44	2	3	Southold	Private	1.000	0.123
1000	44	2	4	Southold	Private	1.000	0.089
1000	44	2	5	Southold	Private	0.850	0.01
1000	44	2	6	Southold	Private	1.000	0.093
1000	44	2	7	Southold	Private	1.000	0.167
1000	44	2	8	Southold	Private	0.610	0.13
1000	44	2	9	Southold	Private	0.875	0.253
1000	44	2	10	Southold	Private	0.125	0.06
1000	44	2	11	Southold	Private	0.125	0.052
1000	44	2	12	Southold	Private	0.125	0.048
1000	44	2	13	Southold	Private	0.050	0.027
1000	44	2	14	Southold	Private	0.050	0.022
1000	44	2	15	Southold	Private	0.135	0.15
1000	44	2	16	Southold	Private	0.125	0.048
1000	44	2	17	Southold	Private	0.125	0.126
1000	44	2	18	Southold	Private	0.234	0.09
1000	44	2	19	Southold	Private	0.190	0.126
1000	44	2	20	Southold	Private	0.370	0.105
1000	44	2	21	Southold	Private	0.115	0.073

Town	Section	Block	Lot	Municipality	Owner Type	Approx. Lot Size (AC)	Approx. Easement Size (AC)
1000	44	2	22	Southold	Private	3.200	1.58
1000	44	2	23	Southold	Private	1.750	0.364

**EXHIBIT “C”**  
**STANDARD ESTATES**

## **TEMPORARY WORK AREA EASEMENT (Standard Estate No. 15)**

A temporary easement and right-of-way in, on, over and across (the land described in Schedule A) (Tracts Nos. \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_), for a period not to exceed \_\_\_\_\_, beginning with date possession of the land is granted to the United States, for use by the United States, its representatives, agents, and contractors as a (borrow area) (work area), including the right to (borrow and/or deposit fill, spoil and waste material thereon) (move, store and remove equipment and supplies, and erect and remove temporary structures on the land and to perform any other work necessary and incident to the construction of the \_\_\_\_\_ Project, together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the right-of-way; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

## **PERPETUAL BEACH STORM DAMAGE REDUCTION EASEMENT (Standard Estate No. 26)**

A perpetual and assignable easement and right-of-way in, on, over and across (the land described in Schedule A) (Tract No. \_\_) for use by the (Project Sponsor), its representatives, agents, contractors, and assigns, to construct; preserve; patrol; operate; maintain; repair; rehabilitate; and replace; a public beach [a dune system] and other erosion control and storm damage reduction measures together with appurtenances thereto, including the right to deposit sand; to accomplish any alterations of contours on said land; to construct berms [and dunes]; to nourish and renourish periodically; to move, store and remove equipment and supplies; to erect and remove temporary structures; and to perform any other work necessary and incident to the construction, periodic renourishment and maintenance of the (Project Name), together with the right of public use and access; [to plant vegetation on said dunes and berms; to erect, maintain and remove silt screens and sand fences; to facilitate preservation of dunes and vegetation through the limitation of access to dune areas;] to trim, cut, fell, and remove from said land all trees, underbrush, debris, obstructions, and any other vegetation, structures and obstacles within the limits of the easement (except \_\_\_\_\_); [reserving, however, to the grantor(s), (his) (her) (its) (their)

(heirs), successors and assigns, the right to construct dune overwalk structures in accordance with any applicable Federal, State or local laws or regulations, provided that such structures shall not violate the integrity of the dune in shape, dimension or function, and that prior approval of the plans and specifications for such structures is obtained from the (designated representative of the Project Sponsor) and provided further that such structures are subordinate to the construction, operation, maintenance, repair, rehabilitation and replacement of the project; and further] reserving to the grantor(s), (his) (her) (its) (their) (heirs), successors and assigns all such rights and privileges as may be used and enjoyed without interfering with or abridging the rights and easements hereby acquired; subject however to existing easements for public roads and highways, public utilities, railroads and pipelines.

**EXHIBIT “D”**

**BASELINE COST ESTIMATE FOR REAL ESTATE**

	<b>TOTAL PROJECT REAL ESTATE COSTS</b>	<b>Non-Federal</b>	<b>Federal</b>	<b>Project Cost</b>
	NORTH SHORE OF LONG ISLAND, HASHAMOMUCK COVE			
	Baseline Cost Estimate for Real Estate			
	<b>Cost Summary:</b>			
	Incidental Costs (01A)	\$1,093,696	\$153,350	\$1,247,046
	Real Estate Acquisition Costs (01B)	\$1,112,422		\$1,112,422
	Subtotal:	\$2,206,118	\$153,350	\$2,359,468
	20% Contingency, Less Land Payments (01B1 )	\$238,739	\$30,670	\$269,409
<b>01</b>	<b>LANDS AND DAMAGES</b>	\$2,444,857	\$184,020	<b>\$2,628,877</b>
	<b>Cost Breakdown:</b>			
<b>01A</b>	<b>INCIDENTAL COSTS</b>	<b>\$1,093,696</b>	<b>\$153,350</b>	<b>\$1,247,046</b>
01A1	<b>Acquisition (Admin Costs)</b>	<b>\$304,000</b>	<b>\$9,500</b>	\$313,500
01A1A	By Government (Gov't)			
01A1B	By Non-Federal Sponsor (NFS)	\$304,000		
01A1C	By Gov't on behalf of NFS		\$9,500	
01A2	<b>Survey</b>	<b>\$38,000</b>	<b>\$9,500</b>	\$47,500
01A2A	By Gov't (In-house)			
01A2B	By Gov't (Contract)			
01A2C	By NFS	\$38,000		
01A2D	By Gov't on behalf of NFS			
01A2E	Review of NFS		\$9,500	
01A3	<b>Appraisal</b>	<b>\$316,000</b>	<b>\$105,850</b>	\$421,850
01A3A	By Gov't (In-house)			
01A3B	By Gov't (Contract)			
01A3C	By NFS	\$316,000		
01A3D	By Gov't on behalf of NFS		\$105,850	
01A3E	Review of NFS			
01A4	<b>Title Services</b>	<b>\$304,000</b>	<b>\$4,750</b>	\$308,750
01A4A	By Gov't (Contract)			
01A4B	By NFS	\$304,000		

01A4C	By Gov't on behalf of NFS			
01A4D	Review of NFS		\$4,750	
01A5	<b>Other Professional Services</b>	<b>\$91,200</b>	<b>\$4,750</b>	<b>\$95,950</b>
01A5A	By the Gov't			
01A5B	By the NFS	\$91,200		
01A5C	By Gov't on behalf of NFS			
01A5D	Review of NFS		\$4,750	
01A6	<b>Closing Cost (4% of Land Payments-01C1)</b>	<b>\$40,496</b>	<b>\$0</b>	<b>\$40,496</b>
01A6A	By Gov't			
01A6B	By NFS	\$40,496		
01A6C	By Gov't on behalf of NFS			
01A8	<b>Audit</b>	<b>\$0</b>	<b>\$19,000</b>	<b>\$19,000</b>
01A8A	By Gov't		\$19,000	
01A9B	By NFS			
01B	<b>REAL ESTATE ACQUISITION COSTS</b>	<b>\$1,112,422</b>	<b>\$0</b>	<b>\$1,112,422</b>
01B1	<b>Land Payments</b>	<b>\$1,012,422</b>	<b>\$0</b>	<b>\$1,012,422</b>
01B1A	By Government			
01B1B	By NFS	\$1,012,422		
01B1C	By Gov't on behalf of NFS			
01B4	<b>Condemnation</b>	<b>\$100,000</b>	<b>\$0</b>	<b>\$100,000</b>
01B4A	By NFS	\$100,000		

**EXHIBIT “E”**

**NON FEDERAL SPONSOR CAPABILITY ASSESSMENT CHECKLIST**



**ASSESSMENT OF NON-FEDERAL SPONSOR'S  
REAL ESTATE ACQUISITION CAPABILITY  
HASHAMOMUCK COVE, SOUTHBOLD, NEW YORK  
COASTAL STORM RISK MANAGEMENT FEASIBILITY STUDY**

**I. Legal Authority.**

- a. Does the sponsor have legal authority to acquire and hold title to real property for project purposes? Yes.
- b. Does the sponsor have the power of eminent domain for this project? Yes
- c. Does the sponsor have "quick-take" authority for this project? Yes, pursuant to the New York State Eminent Domain Procedure Law.
- d. Are any of the lands/interests in land required for the project located outside the sponsor's political boundary? No
- e. Are any of the lands/interests in land required for the project owned by an entity whose property the sponsor cannot condemn? No.

**II. Human Resource Requirements.**

- a. Will the sponsor's in-house staff require training to become familiar with the real estate requirements of Federal projects including P.L. 91-646, as amended? No
- b. If the answer to II.a is "yes," has a reasonable plan been developed to provide such training?
- c. Does the sponsor's in-house staff have sufficient real estate acquisition experience to meet its responsibilities for the project? Yes
- d. Is the sponsor's projected in-house staffing level sufficient considering its other workload, if any, and the project schedule? Yes
- e. Can the sponsor obtain contractor support, if required in a timely fashion? Yes
- f. Will the sponsor likely request USACE assistance in acquiring real estate? No

**III. Other Project Variables.**

- a. Will the sponsor's staff be located within reasonable proximity to the project site? Yes, the NFS has regional offices located in Stony Brook, New York.
- b. Has the sponsor approved the project/real estate schedule/milestones? Yes


**IV. Overall Assessment.**

- a. Has the sponsor performed satisfactorily on other USACE projects? Yes
- b. With regard to this project, the sponsor is anticipated to be: highly capable/fully capable/moderately capable/marginally capable/insufficiently capable. If sponsor is believed to be "insufficiently capable," provide explanation. Highly capable

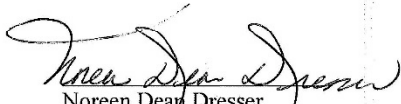
**V. Coordination.**

- a. Has this assessment been coordinated with the sponsor? Yes
- b. Does the sponsor concur with this assessment? Yes

Concur:

  
Susan D. McCormick, P.E.  
Chief, Coastal Erosion Management Program  
New York State Department of Environmental Conservation

Reviewed and approved by:

  
Noreen Dean Dresser  
Chief of Real Estate Division  
Real Estate Contracting Officer  
New York District Corps of Engineers