

Draft Final Integrated Interim Response  
Feasibility Report and Environmental  
Assessment

**NEW YORK-NEW JERSEY  
HARBOR AND TRIBUTARIES  
COASTAL STORM RISK MANAGEMENT  
FEASIBILITY STUDY**

**APPENDIX E  
REAL ESTATE PLAN**

March 2026

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# **1 STATEMENT OF PURPOSE**

## **1.1 PURPOSE**

This Real Estate Plan (REP) has been prepared in accordance with ER 405-1-12, Chapter 12, to support the Final Integrated Interim Response Feasibility Report and Environmental Assessment for the New York – New Jersey Harbor and Tributaries Coastal Storm Risk Management Feasibility Study. This decision document is intended to support a request for Congressional authorization under a potential Water Resources Development Act (WRDA) 2026 for East Riser (Meadowlands, NJ). This report has been prepared for planning purposes only and all information contained within is subject to change as the project design is advanced.

## **1.2 STUDY AUTHORIZATION**

The study authority is provided by Public Law 84-71, approved June 15, 1955 (69 Stat. 132). Legislative language associated with this authority is cited in the main report, Section 1.6.2, “Study Authority.”

### **1.2.1 Non-Federal Sponsor**

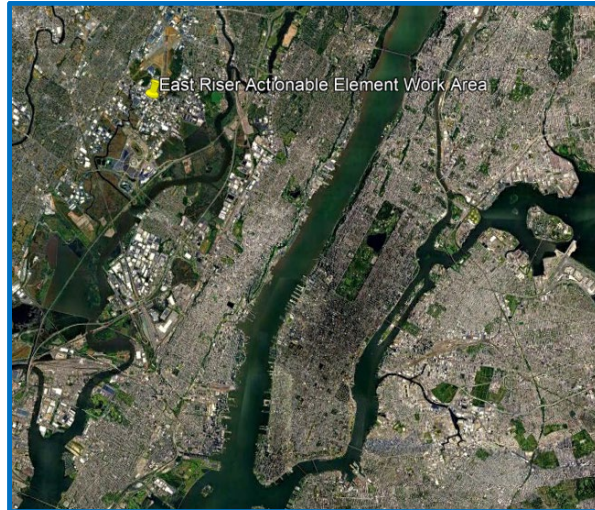
The Non-Federal Sponsor for the project is the New Jersey Department of Environmental Protection (NJDEP). The NJDEP will serve as the non-federal sponsor through all project phases: feasibility, Pre-construction Engineering and Design (PED), and construction. Real Estate’s main point of contact within NJDEP is the Division of Resilience Engineering and Construction, Office of Dam Safety and Flood Engineering.

## 2 REAL ESTATE REQUIREMENTS

### 2.1 RECOMMENDED PLAN

The Recommended Plan consists of the East Riser Actionable Element in Bergen County, New Jersey. The project's impact area requires the acquisition of 9.69 acres for construction and restoration purposes.

The map below is for reference of approximate work location, detailed project mapping is available in Exhibit B.



#### 2.1.1 Structural Plan

The Recommended Plan is Alternative B, which consists of the East Riser Actionable Element. Features are proposed in New Jersey, between the boroughs of Carlstadt and Moonachie. The Recommended Plan consists of channel modifications, three culvert replacements, and a railroad bridge replacement on East Riser Channel, in Carlstadt and Moonachie, New Jersey. Channel modifications, more specifically, include widening and deepening of the East Riser Channel, bank stabilization, and replanting of vegetation are also proposed.

- 4,150 LF of channel improvements, which consists of excavation and dredging to make the channel deeper and wider, from the downstream face of the Moonachie Avenue bridge and to the existing East Riser tide gate. As a result of excavation done to modify the channel, 61,600 CY of material will be removed and disposed of offsite at a state licensed and approved location, as identified in the USACE Regulatory Division 404(b) permit which can be found in SubAppendix A-3b. The channel width will be increased by an average of 10 feet along the profile.
- Commercial Avenue Bridge opening modification to a rectangular culvert opening with 40 feet width and 8 foot height.
- Railroad Bridge replacement with a 44 feet width and 8 foot height rectangular culvert replacement.
- Amor Avenue Bridge opening modification to a rectangular culvert opening of 30 feet wide and 8 foot height

### 2.2 REQUIRED LANDS, EASEMENTS, AND RIGHTS-OF-WAY

The Recommended Plan requires land interests across 27 parcels in Moonachie Borough, Bergen County, New Jersey. The total real estate requirement is 9.69 acres, which will be secured through various estates. The required interests are for the following project features:

- Channel Modifications: A perpetual channel improvement easement over 4.72 acres.
- West Commercial Avenue Culvert: A perpetual channel improvement easement over 0.015 acres for culvert replacement.
- Amor Avenue Culvert: A perpetual channel improvement easement over 0.026 acres for culvert replacement.
- Construction Staging: A temporary work area easement over 4.15 will also be required for construction activities.
- Road Easement: A perpetual, non-exclusive road easement to be used as the operation and maintenance (O&M) corridor over 0.8 acres.

Approximately 61,600 cubic yards of material will be removed and disposed of offsite at a state-owned location, which will be identified in the Section 404 permit. A Temporary Work Area Easement would typically be required for dredged material disposal; however, because the disposal facility will be owned by the state, the sponsor will provide the necessary lands for material placement; therefore, no temporary easement acquisition is required.

No additional real estate acquisition is required for environmental mitigation. All mitigation requirements for unavoidable impacts to tidal salt marsh and maritime forest, as outlined in the Main Report, will be satisfied through the non-federal sponsor's purchase of credits from a USACE-approved mitigation bank.

Although the railroad bridge falls within the channel modification easement, a nonstandard estate will likely be needed for the area which intersects with the railroad bridge.

*Table 1: Number of Acres by Estate Type*

Standard Estate Type	Private	Total Acreage
#8 - Channel Improvement Easement	4.72	4.72
#11 - Road Easement	0.82	0.82
#16 - Temporary Work Area Easement	4.15	4.15
Grand Total	9.69	9.69

*Table 2: Number of Parcels by Ownership Type*

Ownership Type	Parcels
Private	27
Public	0
Federal	0
Sponsor	1
Total Parcels	28

### **2.2.1 Summary of Land Value Estimate**

In accordance with USACE Real Estate Policy Guidance Letter No. 31, CEMP-CR, 11 Jan 19, subject: Real Estate Policy Guidance Letter No. 31-Real Estate Support to Civil Works Planning (hereinafter referred to as “PGL 31”), since the value of the required real estate for the Final Interim Response (\$15,117,500) is not expected to exceed fifteen percent (15%) of the total project cost (\$195,390,000), a planning cost estimate cost estimate was completed. A cost estimate is not a gross planning cost estimate and should not be interpreted as such. To establish a more accurate land valuation, a gross planning cost estimate of the Final Interim Response’s final design plans is necessary.

The planning cost estimate represents the estimated market value of the Final Interim Response’s required real estate. It does not include the incidental costs (e.g. planning cost estimates, surveys, title, attorney fees, etc.) that will be incurred in facilitating the acquisition of the required real estate, nor does it represent the Final Interim Response’s total real estate cost. The planning cost estimate represents the estimated compensation paid to property owners for the acquisition of easement interests in their land.

A planning cost estimate cost estimate for the Final Interim Response was completed in January 2026 by a licensed USACE staff appraiser who concluded the approximate market value for all required real estate is \$15,117,500 (rounded).

### **3 REAL ESTATE OWNED BY THE NON-FEDERAL SPONSOR**

The only real estate requirement involving land currently owned by the Non-Federal Sponsor pertains to the final placement of dredged material. The disposal site will be a state-owned landfill.

## **4 NONSTANDARD ESTATES**

While no nonstandard estates are currently proposed, one will likely be required for the channel improvement easement across railroad property. The tracks are owned by NJ Transit but are also used by Norfolk Southern for freight operations.

This project was originally initiated by the New Jersey Department of Environmental Protection (NJDEP) before USACE involvement, and NJDEP has already established a working relationship with the railroad. This existing coordination is expected to facilitate more efficient negotiations.

Despite this positive starting point, a nonstandard estate remains the probable outcome. Railroads typically operate under their own legal requirements and mandate the use of proprietary agreements.

## **5 EXISTING FEDERAL PROJECTS**

There are no existing federal projects with LER within the Recommended Plan project area.

## **6 FEDERALLY OWNED LAND**

There are no federally owned lands included within the LER required for the project at the East Riser element.

## **7 FEDERAL NAVIGATION SERVITUDE**

The Federal Navigation Servitude is not being exercised for this project. The servitude is a right derived from the Commerce Clause of the U.S. Constitution, which allows the government to take actions primarily to improve or maintain navigation on the nation's waterways. As this project's sole purpose is Coastal Storm Risk Management (CSRМ) and not the improvement of commercial navigation, the exercise of the servitude is not applicable.

## 8 REAL ESTATE MAPPING

The GIS tax parcel data depicted on the maps in exhibit A were obtained in August 2025 from the New Jersey Office of Information Technology, Office of GIS

The parcel data sets are not intended for use as tax maps. The lot boundaries delineated in the real estate maps do not represent legal boundaries and should not be used to provide a legal determination of land ownership. The parcel's boundaries are not survey data and should not be interpreted as such. There may be boundary discrepancies between what is shown on the real estate maps and that of the parcel's actual boundary as determined by a deed. The GIS tax parcel data in this Real Estate Plan is utilized for planning purposes to provide a reasonable representation of parcel boundaries and the features of the Final Interim Response.

A complete GIS inventory showing the precise location of all utilities within the project area has not been provided to the Real Estate team as of the date of this report. This lack of comprehensive data presents a risk to both the project cost and schedule. Without a definitive utility map, there is a risk of discovering unforeseen conflicts during construction. Such discoveries would likely require costly redesigns, emergency utility relocation agreements, and could lead to significant construction delays. This data gap will be a primary focus to resolve during the Pre-construction Engineering and Design (PED) phase.

## **9 INDUCED FLOODING**

There is no induced flooding anticipated as a result of the Final Interim Response. Since no induced flooding is expected, a preliminary takings analysis is not required, and no associated LERRD acquisition by the Sponsor is expected.

## 10 BASELINE COST ESTIMATE FOR REAL ESTATE

Table 3: Baseline Cost Summary by Account

Project Cost Category	Federal	Non-Federal	Contingency	Total
Total 01-Lands and Damages	\$0	\$15,365,000	\$7,682,500	\$23,047,500
Total 02-Relocations (Utility/Facility)	\$0	\$14,808,243	\$3,998,226	\$18,806,469
Total 30 – Planning, Engineering & Design	\$216,000	\$0	\$108,000	\$324,000
Total Project BCERE	\$216,000	\$30,173,243	\$11,788,726	\$42,177,969

The 'Total 30' value in this table specifically reflects only real estate's direct contribution to the 30 account.

The specific disposal site for dredged material has not yet been identified and will be finalized during a later project phase; however, since it is anticipated that a state-owned landfill owned by the Non-Federal Sponsor will be utilized, any direct real estate costs are expected to be negligible and can be absorbed by project contingency funds.

## **11 UNIFORM RELOCATION ASSISTANCE (PL-91646)**

There are no anticipated relocation assistance payments under Public Law 91-646 for this project.

The affected parcels consist of private industrial/commercial entities and railroad properties. While residences (manufactured homes) are located adjacent to the channel modification work, the required easements do not impact any structures. Therefore, no relocations of displaced persons are required.

## **12 MINERALS AND TIMBER ACTIVITY**

There are no known present or anticipated mineral extraction or timber harvesting activities within the vicinity of the proposed project that would affect construction, operation, or maintenance of the project.

### **13 NON-FEDERAL SPONSOR CAPABILITY ASSESSMENT**

The Non-Federal Sponsor Capability Assessment Checklist is attached as Exhibit “B.” The assessment considered past real estate acquisition capabilities and performance of the Sponsors on other USACE Civil Works projects. The Sponsor possesses sufficient legal authority to acquire all real estate interests required for implementation of the Final Interim Response.

The Sponsor maintains staff resources capable of supporting real estate acquisition activities and can also utilize contractors as needed to supplement capacity. The Sponsor has successfully completed real estate acquisition for other USACE Civil Works projects, demonstrating their ability to meet project requirements. A signed capability assessment will be provided in exhibit B of this Real Estate Plan.

## **14 LAND USE ZONING**

No application or enactment of local zoning ordinances is anticipated in lieu of, or to facilitate, the acquisition of the Final Interim Response's required real estate.

## 15 REAL ESTATE ACQUISITION SCHEDULE

Summary of the projected real estate acquisition schedule. This schedule has been developed in coordination with the USACE New York District Project Manager and Planning Division and has been provided to the Sponsor for their review.

*Table 4: Real Estate Acquisition Schedule*

<b>Milestone</b>	<b>Forecasted Date</b>
PPA Execution	April 2029
Notice to Proceed with Acquisition to Sponsor	May 2029
USACE's Certification of Real Estate	November 2032
USACE's Solicitation for Construction Contracts	November 2032
Sponsor's Authorization for Entry for Construction	December 2032
USACE's Award of Construction Contracts	May 2033

## 16 FACILITY AND UTILITY RELOCATIONS

There are existing public utilities within the project area that require relocation. These include underground water and gas lines, and aboveground electrical, lighting, and telecommunication lines. The cost to perform these relocations is captured in the 02-Relocations account within the total project cost estimate. Detailed utility survey data for the project area will be obtained and investigated further during the Pre-construction Engineering and Design (PED) phase to identify any additional utility relocation requirements.

The above-referenced facilities are generally of the type eligible for compensation under the substitute facilities doctrine. The substitute facilities doctrine provides an alternate means of just compensation to property owners affected by an acquisition of property in order to place them in as good a position as if their property had not been taken. The measurement of just compensation as it relates to the substitute facilities doctrine has been required only when fair market value has been too difficult to establish or when its application would result in manifest injustice. In such cases, the cost of constructing a substitute facility may be used as the measure of just compensation. This doctrine is the foundation for the concept of “relocation” as applied to USACE water resources projects. Engineering Regulation 405-1-12, Real Estate Handbook, defines the term “relocation” as generally meaning:

*To provide a functionally equivalent facility to the owner of an existing utility, cemetery, highway, or other eligible public facility and railroad when such action is authorized in accordance with applicable legal principles of just compensation. Providing a functionally equivalent facility may take the form of alteration, lowering, raising, or replacement (and attendant removal) of the affected facility or part thereof.*

As a result of the impact the Recommended Plan has on the utilities described below, there is a requirement to perform relocations and provide functionally equivalent substitute facilities as just compensation. As directed by Policy Guidance Letter (PGL) No. 31, a Real Estate Assessment was performed in lieu of a Preliminary Attorney’s Opinion of Compensability because the total estimated cost to relocate these facilities is less than 30% of the overall cost of the Recommended Plan. This assessment has been used for the purpose of completing this study, but a Final Attorney’s Opinion of Compensability will be completed for each relocation during PED and prior to the execution of the Project Partnership Agreement (PPA).

At this time, it is not anticipated that additional real estate will need to be acquired to perform these relocations, as the work is expected to be completed within existing rights-of-way. Any conclusion or categorization contained in this Real Estate Plan that an item is a utility or facility relocation to be performed by the Sponsor as part of its LERRD responsibilities is preliminary only. USACE will make a final determination of the relocations necessary for the project after further analysis and after the completion and approval of a Final Attorney’s Opinion of Compensability for each impacted utility.

### 16.1 PSEG (ELECTRIC AND GAS)

- Purpose of Facility: PSEG provides electric and gas services to the area.
- Identity of Owner: Public Service Enterprise Group (PSEG).
- Nature of Impact: Construction will interfere with existing infrastructure, requiring both temporary and permanent relocations of buried gas mains and overhead electrical and lighting wires. Some of these wires are mounted on PSEG-owned poles that will also be moved.

## **16.2 VIOLIA WATER, NEW JERSEY (WATER)**

- Purpose of Facility: Veolia Water supplies potable water to the region.
- Identity of Owner: Veolia Water New Jersey.
- Nature of Impact: The project will impact buried water mains and water lines mounted on existing bridges. This will necessitate temporary relocations to maintain service during construction and permanent relocations to fit the final project design.

## **16.3 CARLSTADT SEWAGE AUTHORITY (SEWER)**

- Purpose of Facility: This authority manages the local sanitary sewer system.
- Identity of Owner: Carlstadt Sewerage Authority.
- Nature of Impact: Based on current designs, no conflicts with the sewer system are anticipated, and no relocations are expected to be required.

## **16.4 VERIZON AND COMCAST/CROWN CASTLE (TELECOMMUNICATIONS)**

- Purpose of Facility: These companies provide telephone, internet, and cable services.
- Identity of Owners: Verizon, Comcast, and Crown Castle.
- Nature of Impact: These providers have overhead wires attached to PSEG utility poles. When the PSEG poles are relocated, corresponding adjustments to the telecommunication lines will be necessary to ensure service continuity.

## **16.5 COMMERCIAL AVE (ROAD CULVERT)**

- Purpose of Facility: This culvert is a drainage structure designed to channel water under Commercial Avenue, preventing flooding and ensuring the stability of the road.
- Identity of Owner: The owner is likely the local municipal authority responsible for road maintenance, such as the Borough of Carlstadt or Bergen County.
- Nature of Impact: The construction project will require a temporary bypass and then a permanent extension of the culvert to accommodate the new design and prevent future erosion.

## **16.6 ARMOR AVE (ROAD CULVERT)**

- Purpose of Facility: This culvert is a drainage structure designed to channel water under Commercial Avenue, preventing flooding and ensuring the stability of the road.
- Identity of Owner: The owner is likely the local municipal authority responsible for road maintenance, such as the Borough of Carlstadt or Bergen County.
- Nature of Impact: The construction project will require a temporary bypass and then a permanent extension of the culvert to accommodate the new design and prevent future erosion.

## **17 ENVIRONMENTAL CONTAMINATION**

The HTRW Report documented several collocated or nearby environmental listings and concerns that are typical of the New York Metropolitan area. These included documented sediment contamination in 2020 within the channel including mercury, methyl mercury, polychlorinated biphenols (PCBs) and other analytes within sediments proposed to be dredged or excavated. Further subsurface investigations will be conducted during the PED phase to understand the nature of these elevated contaminants and determine if they represent an HTRW impact to the project. As the need for and scope of potential remediation is not yet defined, the current LER value estimate does not include costs for HTRW remediation.

## **18 PROJECT PUBLIC SUPPORT**

Public and stakeholder feedback specific to the East Riser element has been supportive. During the public comment period ending in August 2025, several environmental and regional coalitions expressed direct support for the project.

Notably, the Rise to Resilience Coalition, a group representing over 100 organizations, stated its support for the East Riser element because it "addresses comprehensive flood risks from both coastal and riverine drivers." Similarly, NY/NJ Baykeeper also expressed support, noting that the project "appears to greatly improve the water conveyance of the existing structure" and will be a "benefit to the community" that is regularly faced with flooding. Other comments received were technical or logistical in nature, such as a concern raised by NY/NJ Baykeeper regarding the need for a clear plan for long-term maintenance funding. Crucially, no comments were received from the public or landowners expressing opposition to the project's implementation or indicating issues that would adversely impact the real estate acquisition process. The general support and lack of opposition suggest that previous outreach efforts by the New Jersey Department of Environmental Protection (NJDEP) for related work in the area have successfully addressed major community concerns.

## 19 NON-FEDERAL SPONSOR RISK NOTIFICATION

If the Sponsor chooses to acquire real estate before full execution of the PPA and prior to receiving the Notice to Proceed (NTP) with real estate acquisition from USACE, the Sponsor will assume full and sole responsibility for any and all costs and/or liabilities arising out of their acquisition effort. The risks include, but are not limited to, the following:

- a. Congress may not appropriate funds to construct the proposed Project.
- b. The Final Interim Response may otherwise not be funded or approved for construction.
- c. A PPA mutually agreeable to the Sponsor and the Federal Government may not be executed and implemented.
- d. The Sponsor may incur liability and expense by virtue of its ownership of contaminated lands, or interests, whether such liability should arise out of local, state, or Federal laws or regulations, including liability arising out of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended.
- e. The Sponsor may acquire interests or estates that are later determined by the Federal Government to be inappropriate, insufficient, or otherwise not required for the Project.
- f. The Sponsor may initially acquire insufficient or excessive real property acreage, which may result in additional negotiations and/or benefit payments under Public Law 91-646, as well as the payment of additional fair market value to the affected landowners which could have been avoided by delaying acquisition until after PPA execution and the Federal Government's notice to commence acquisition.
- g. The Sponsor may incur costs or expenses in connection with its decision to acquire the LER in advance of the executed PPA and the Federal Government's notice to proceed with LER acquisition, which may not be creditable under the provisions of Public Law 99-662 or the PPA.

Although the probability of any of the above events occurring is low, USACE is required to notify the non-Federal partner, in writing, of such possibilities. USACE will provide the Sponsor with formal notice to proceed with the acquisition of the required LER after the PPA has been fully executed and after Project design plans has reach a level of confidence of no changes expecting to occur with the Project's LER requirements.

By letter dated November 10, 2025, a formal written notice was provided to the Sponsor outlining the above stated risks.

## 20 ADDITIONAL INFORMATION

A comprehensive analysis has identified several significant risks to the project's cost and schedule.

Ditch Pumping Station (ERDP) project, as the HATS drainage system requires the new ERDP infrastructure to be fully operational upon its completion. To mitigate this shared risk, the project team will maintain formal communication with NJDEP, incorporate a schedule contingency, and regularly monitor the external project's progress.


A second significant external risk involves securing a facility replacement agreement with the railroad. Given the complexities of coordinating with railroad companies, which often require proprietary agreements and protracted negotiations, there is a substantial risk of delays that could necessitate a nonstandard estate. This will be mitigated through early and dedicated engagement with the railroad during the PED phase.

Further risks are associated with incomplete site data and unforeseen conditions. A complete GIS inventory detailing the precise location of all utilities has not yet been finalized. This data gap presents a notable risk of discovering unforeseen conflicts during construction, which could require additional acquisition and cause significant delays. This will be mitigated by making comprehensive utility mapping and subsurface investigations a priority during the PED phase.

Similarly, the project's dredged material presents a dual-sided risk. While the material is slated for a state-approved landfill, delays in finalizing the specific location could impact the timeline. More significantly, the material's known contamination with mercury and PCBs presents a considerable risk of increased costs and schedule delays due to specialized handling and disposal requirements. Mitigation will involve finalizing all disposal agreements in advance and performing further investigations during PED to fully characterize the contamination for accurate planning.

Finally, while the current plan utilizes public roads for access, a potential risk exists for needing additional temporary or permanent access points in this congested urban environment. This will be mitigated by continuously monitoring construction sequencing and logistics to proactively identify and secure any required access easements before they can impact the schedule.


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Helen Luke  
Chief, Real Estate Division,  
Real Estate Contracting Officer

**Exhibit A**  
**Real Estate Maps**



**Legend**

- █ Channel Improvement Easement
- █ Temporary Work Area Easement
- █ Road Easement
- █ Facility Replacement
- Parcels

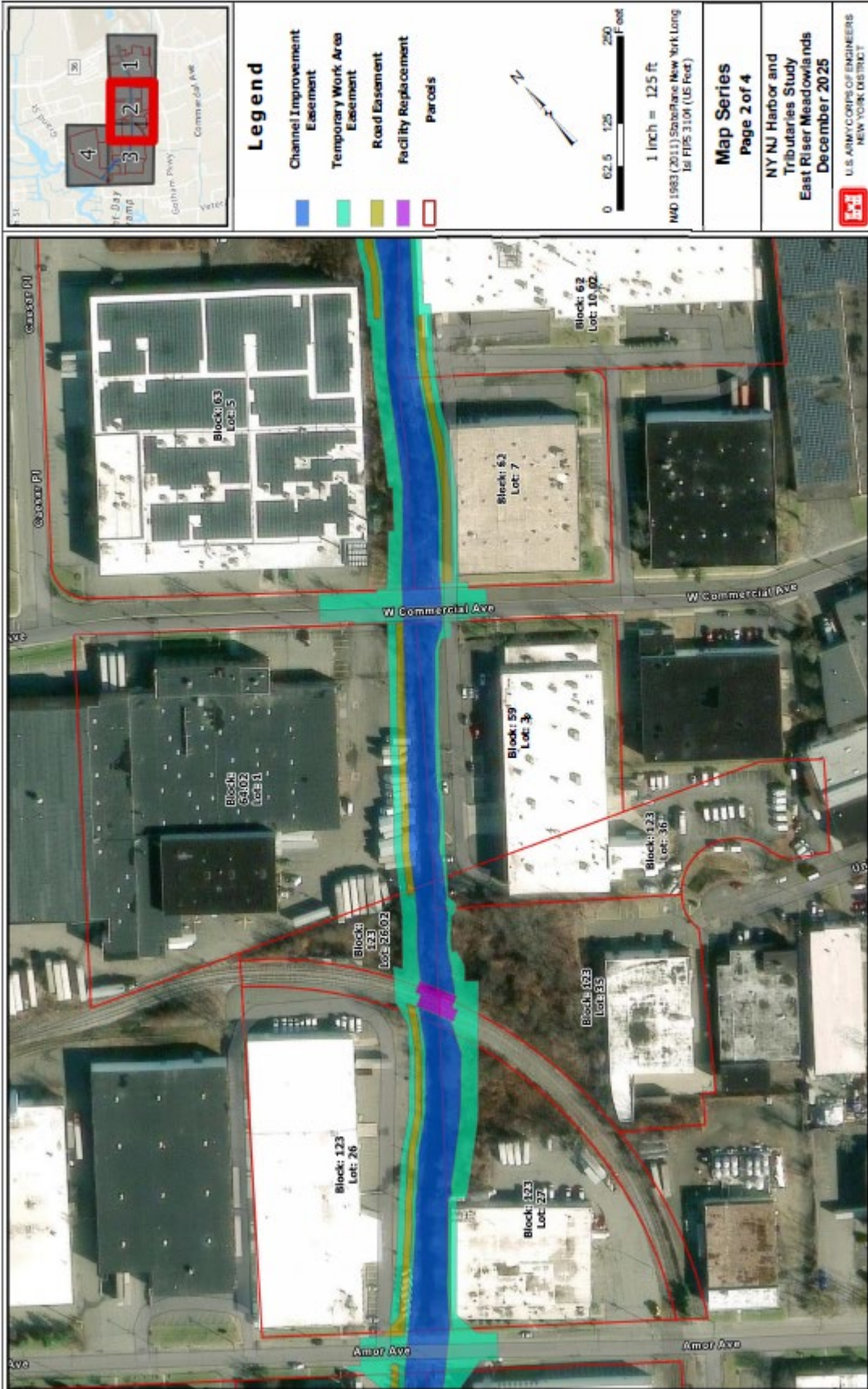


1 inch = 125 ft  
 NAD 1983 (2011) StatePlane New York Long  
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**Map Series**  
 Page 1 of 4

**NY NJ Harbor and  
 Tributaries Study  
 East Riser Meadowlands  
 December 2025**









**Exhibit B**  
**Non-Federal Sponsor Real Estate Acquisition**  
**Capability Assessment Form**

**ASSESSMENT OF NON-FEDERAL SPONSOR'S REAL  
ESTATE ACQUISITION CAPABILITY**

**NEW YORK-NEW JERSEY  
HARBOR AND TRIBUTARIES  
COASTAL STORM RISK MANAGEMENT FEASIBILITY STUDY**

**EAST RISER ACTIONABLE ELEMENT  
MOONACHIE AND CARLSTADT BOROUGHS  
BERGEN COUNTY, NEW JERSEY**

Non-Federal Sponsor: New Jersey Department of Environmental Protection

I. Legal Authority:

- a. Does the Sponsor have legal authority to acquire and hold title to real property for project purposes?

Yes. N.J.S.A. § 58:16A-5 gives the State of New Jersey, as the non-Federal Partner for a Federal Civil Works project, the legal authority to acquire and hold title to real property for project purposes.

- b. Does the Sponsor have the power of eminent domain for this project?

Yes. The Sponsor has the power of eminent domain under the authority of the New Jersey Eminent Domain Act, N.J.S.A. § 20:3-1 et seq.

- c. Does the Sponsor have "quick-take" authority for this project?

Yes. The Sponsor has quick-take authority under authority of the New Jersey Eminent Domain Act, N.J.S.A. § 20:3-1 et seq. This authorizes the Sponsor to take property immediately after filing a condemnation complaint.

- d. Are any of the lands/interests in land required for the project located outside the Sponsor's political boundary?

No. All real estate requirements for the project are within the Sponsor's political boundary.

- e. Are any of the lands/interests in land required for the project owned by an entity whose property the Sponsor cannot condemn?

## Exhibit B – Non-Federal Sponsor Capability Assessment Form

Currently, there are no real estate requirements that the Sponsor cannot acquire via condemnation.

### 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 Public Law 91- 646, as amended?

Yes – While the project does not anticipate relocation assistance to be paid under PL 91-646, the Sponsor may request USACE to provide training opportunities for its recently-hired staff members. Training from USACE would increase knowledge of process and procedure for Federally Funded projects including Public Law 91-646, increasing compliance and reducing errors regarding property acquisition. The District will coordinate with the Sponsor for the appropriate training if deemed necessary.

- b. If the answer to II .a. is "yes," has a reasonable plan been developed to provide such training?

No, a plan has not been developed at this time. USACE will coordinate with the Sponsor to provide training, if appropriate.

- c. Does the Sponsor's in-house staff have sufficient real estate acquisition experience to meet its responsibilities for the project?

Yes. The Sponsor's in-house staff has real estate acquisition experience for Federal and non-Federal construction projects and can meet its responsibilities for the Project.

- d. Is the Sponsor's projected in-house staffing level sufficient considering its other workload, if any, and the project schedule?

Yes. The Sponsor does have staff to work on real estate support for this project. The Sponsor has the ability to hire specialized staff for the acquisitions to avoid project delays.

- e. Can the Sponsor obtain contractor support, if required, in a timely fashion?

Yes. The NJDEP is pursuing a non-emergency contract to support the real-estate acquisition. This is expected in 2026.

- f. Will the Sponsor likely request USACE assistance in acquiring real estate?

As of this assessment, the Sponsor is unlikely to require assistance from USACE in acquiring real estate. No written request has been received by USACE at this time. However, since the standard project partnership agreement offers the

Exhibit B – Non-Federal Sponsor Capability Assessment Form

Sponsor the opportunity to request USACE assistance with real estate acquisition, the option remains open to the Sponsor.

III. Other Project Variables

- a. Will the Sponsor's staff be located within reasonable proximity to the project site?

Yes. The Sponsor's staff is located within a reasonable proximity to the project site.

- b. Has the Sponsor approved the project/real estate schedule/milestones?

Yes. It should be noted that the current project real estate schedule is subject to change. USACE will keep the Sponsor informed of any changes that may be made to the project schedule that may have an impact on real estate acquisition.

IV. Overall Assessment

- a. Has the Sponsor performed satisfactorily on other USACE projects?

Yes, the Sponsor has performed satisfactorily on other USACE projects, including, but not limited to, civil works projects located at Newark (Minish), Sandy Hook to Barnegat Inlet, Union Beach, and Port Monmouth.

- b. With regard to this project, the Sponsor is anticipated to be:

With regards to this project, the Sponsor is considered fully capable.

V. Coordination.

- a. Has this assessment been coordinated with the Sponsor?

Yes, this assessment has been coordinated with the Sponsor.

- b. Does the Sponsor concur with this assessment?

Yes, the Sponsor concurs with this assessment.

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Helen Luke  
Chief, Real Estate Division,  
Real Estate Contracting Officer

Exhibit B – Non-Federal Sponsor Capability Assessment Form



Kunal P. Patel, Ph.D., P.E.,  
CFM State NFIP Coordinator  
Office of Dam Safety and  
Flood Engineering