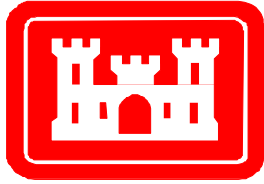


**Raritan Bay and Sandy Hook Bay
Highlands, New Jersey
Coastal Storm Risk Management
Feasibility Study**

**Appendix E
Real Estate Plan
July 2015**

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U.S. Army Corps of Engineers
New York District

**Raritan Bay & Sandy Hook Bay
Highlands, New Jersey
Coastal Storm Risk Management
Feasibility Report and Environmental Assessment**

APPENDIX E

REAL ESTATE PLAN

July 2015

**Coastal Storm Risk Management Feasibility Study
Raritan Bay and Sandy Hook Bay
Highlands, New Jersey**

July 2015 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 Flood Control Act of 1962 (Public Law [P.L.] 87-874) authorized the Raritan Bay and Sandy Hook Bay, Highland, New Jersey project as part of a dual purpose beach erosion control and hurricane and storm risk reduction project. The current Highlands study in process is authorized by a resolution of the Committee on Public Works and Transportation, U.S. House of Representatives, adopted August 1, 1990.

Official Project Designation: Raritan Bay and Sandy Hook Bay, Highlands, New Jersey, Coastal Storm Risk Management Feasibility Study.

Project Location: The Highlands project is located at the eastern limit of the overall Raritan Bay and Sandy Hook Bay and is bordered to the north by Sandy Hook Bay, NJ, to the west by the corporate limits of Atlantic Highlands, NJ, and to the east by the Shrewsbury River and Route 36 Bridge. The Borough of Highlands is located in Monmouth County, New Jersey.

Non-Federal Sponsor: The non-Federal cost sharing partner is the New Jersey Department of Environmental Protection (NJDEP). In October 2001, the USACE and the NJDEP executed a Feasibility Cost Sharing Agreement (FCSA) for the project. Though not the study sponsor, the Borough of Highlands government is an active participant in the study. If approved, the Project will be cost-shared 65% Federal – 35% Non-Federal with the Sponsor.

This product is being released early in the planning process. Feasibility level details will be identified during project optimization, which is after public and agency technical review of the draft report.

2. Statement of Purpose

The purpose of this Real Estate Plan (the "Plan") is to present the overall plan describing the minimum real estate requirements for the construction, operation, maintenance, repair and rehabilitation of the proposed project. This Real Estate Plan is an appendix to the current Highlands study in process authorized by a resolution of the Committee on Public Works and Transportation, U.S. House of Representatives, adopted August 1, 1990 which was followed by the Raritan Bay and Sandy Hook Bay, New Jersey Combined Flood Control and Shore Protection Reconnaissance Study Report (1993) and the pre-feasibility study for Highlands (2000) which resulted in The Feasibility Cost Sharing Agreement (FCSA) with NJDEP in 2001.

3. Project Purpose and Features

a. Project Purpose: An existing Federal project, Raritan Bay and Sandy Hook Bay, New Jersey, was authorized by the Flood Control Act of 12 October 1962, in accordance with House Document No. 464, 87th Congress, Second Session. While this project resulted in construction of shore protection improvements within certain municipalities, improvements in Highlands were not considered economically feasible and therefore not recommended. It was noted in the 1962 study that Highlands is subject to severe damage from tidal flooding and that the problem would be further considered for development of an economically justified plan. The need for action has only increased due to Highland's continued severe damage from tidal flooding. The flat topography of the waterfront fill and low existing bulkhead elevations allow tidal inundation during periods of major storm events.

b. Plan of Improvements: To address the damages from flooding due to hurricane and storm surges, the study focuses on establishing goals to manage coastal storm risk to residents, property, and infrastructure and reduce storm-induced shoreline erosion. Planning objectives have been established for the intended purpose and projected outcome of the project. In support of the goal, the planning objectives are to manage the risk of damages from hurricane and storm surge flooding, along with reducing the storm-induced shoreline erosion in the Borough of Highlands through 2071.

Applying this overall strategy has developed into the alternatives (1-5):

Alternative 1 - Hard Structural Plan: Alternative 1 consists of hard structural measures along the 8,000 ft of shorefront including vinyl coated, steel sheet pile floodwall driven in front of the existing bulkhead, tie-ins, closure gates, stone scour protection, interior storm water diversion pipes, gated interior outlets, and three pump stations with a total capacity of 180 cubic feet per second (cfs).

Alternative 2 - Nonstructural Plan: This strategy consists of raising or relocating structures prone to flooding; using ring walls around vulnerable structures and streets; and utilizing wet and dry flood proofing of structures.

Alternative 3 - Offshore Closure Plan: This strategy combines structural measures raised bulkheads and ground surfaces with an offshore breakwater that extends across Sandy Hook Bay.

Alternative 4 - Beach and Dune Fill Plan: This strategy consists of structural measures and beach and dune fill in a portion of the project area where ever possible, in contrast to the hard structural measures in Alternative 1.

Alternative 5 - Hybrid Plan: This strategy consists of structural measures formulated to be consistent with the land type that currently exists. It raises or caps existing bulkheads, calls for

reinforced dunes where there are currently beaches, and includes raising of ground surfaces and streets where there is open, publicly owned space.

Annual Costs and Benefits were calculated for the five alternatives (Table 1).

Table 1 – Highlands Alternatives Annual Costs and Benefits				
Net Benefit and Benefit to Cost Ratio (October 2010 P.L.)				
Alternative	Cost	Benefit	Net Benefit	B/C ratio
1	\$2,679,355	\$3,142,600	\$463,200	1.2
2	\$6,475,535	\$4,791,770	-\$1,683,765	0.7
3	\$7,185,426	\$3,123,530	-\$4,061,426	0.4
4	\$2,441,555	\$3,121,230	\$679,675	1.3
5	\$2,080,378	\$3,121,230	\$1,040,492	1.5

Of the five alternatives, Alternative 5 had the highest net benefits and greatest BCR. In the second round of plan formulation, variants of Alternative 5 were developed to find the best combination of elevated bulkhead, removable floodwalls, buoyant swing gates, and nonstructural treatments (5A to 5E). Some components, such as removable floodwalls and buoyant swing gates may be attractive because their upfront cost is less and they allow for area residents to maintain their water access by being removed or opened. The drawback is that these components, which can be characterized as moving parts, require higher maintenance costs and carry some risk of not installed or operated in time to prevent flood damages. The variants 5A to 5E are listed below:

- 5A: Alt. 5 without the buoyant swing gate (*ie, focus on removable floodwalls*)
- 5B: Alt. 5 without the removable flood walls and the addition of nonstructural measures, target elevation of +11' NAVD88
- 5C: Alt. 5B to a target elevation of +12.1' NAVD88
- 5D: Alt.5 without the removable flood walls, target elevation of +12.4' NAVD88
- 5E: Alt. 5 without buoyant swing gate, without removable flood walls, target elevation +12.4' NAVD88 (*ie., no moving parts*)

To evaluate alternatives 5A to 5E, it is important to note that they were all designed to provide the same level of performance. Accordingly, the plan with the lowest annual equivalent cost will provide the greatest net benefit, making it the Tentatively Selected Plan (Table 2).

Table 2. Highlands Alternatives 5A to 5E				
(Oct. 2014 P.L.)				
Alternative	Cost	Benefit	Net Benefit	B/C ratio
5A	\$3,705,000	\$9,376,000	\$5,671,000	2.5
5B	\$3,859,000	\$9,376,000	\$5,517,000	2.4
5C	\$3,740,000	\$9,376,000	\$5,636,000	2.5
5D	\$3,677,000	\$9,376,000	\$5,699,000	2.5
5E	\$3,489,000	\$9,376,000	\$5,887,000	2.7

Based on having the lowest annual equivalent cost for providing the expected level of performance, Alternative 5E is the TSP for Highlands.

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

The total LER required in support of the Project is approximately **32.705** acres; approximately 9.309 acres required in permanent easements (Flood Protection Levee Easement (Standard Estate No. 9), and approximately 18.396 acres required in temporary easements (Temporary Work Area Easement (Standard Estate No. 15)). The Project impacts approximately **107 parcels**, affecting approximately **92 private owners** and **2 public owners (15 parcels)**. In some instances, more than one estate is required to be obtained over the lands of an owner.

It is estimated that there will be a need to mitigate approximately 5 acres of wetlands. Therefore an acquisition, in fee, of approximately 5 acres of land to either restore or create 5 acres of wetlands will be necessary. Such land may be current low value wetland to restore or upland to create. The value of these mitigation sites have been estimated using generalities and assumptions, without actual sites being identified during the time of this REP. The REP may need to be adjusted to account for the exact values of the mitigation sites once they have been identified.

Access to Sandy Hook Bay will be provided as a project feature on publicly-owned land either in the form of an earthen ramp or timber stair walkover. Private property owners, having any established titled private rights of access, will be compensated accordingly, as may be determined by individual property appraisals of the private interests held, for any necessary acquisitions in support of the project. Nevertheless, a general cost estimate has been provided (with contingencies) in the attachments to this Real Estate Plan, estimating the costs of all private property to be acquired.

It is to be noted that during the time of the writing of this REP it is assumed that some property owners may have riparian rights. We have incorporated this unknown into the cost estimate's contingency. The REP may need to be adjusted to account for the exact number of riparian rights identified in the project. This will be done during optimization of the plan.

The following chart summarizes the required LER for the Project:

Temporary Easements	18.396 acres
Permanent Easements	9.309 acres
Fee (for mitigation of wetlands)	5.000 acres

Total:	32.705 acres
--------	--------------

Private Owners	92
Public Owners	2 (15 parcels)

The recommended minimum real estate interests and standard estates to be acquired are as follows:

Flood Protection Levee Easement (Standard Estate No. 9) - Approximately 9.309 acres (impacting 105 parcels; 90 private and 15 publicly-owned) are required for the construction,

operation and maintenance of the levee/floodwall system, and the storm surge barrier system including the floodgate, pump station and gravity drain.

Temporary Work Area Easement (Standard Estate No. 15) - Approximately 18.396 acres (impacting 107 parcels; 92 private and 15 publicly-owned) are required for staging/work area purposes. The proposed temporary work areas are typically adjacent to land to be acquired for Project construction. The duration required for temporary work area easements is five years.

Appraisal Information:

The appraisal cost estimate was completed by the New York District Corps of Engineers in March 2015. The total estimated cost for the required LER is **\$5,693,116** (including a 10% contingency). In accordance with memorandum dated 16 October 2013, subject: NAD Regional Real Estate Policy Guidance – Hurricane Sandy Coastal Restoration Program Easement Valuation, within Section 5.a., the publicly owned lands within the project impact area are not valued or acquisition costs are nominal and not considered in this Reconnaissance/Cost Estimate. Therefore, it has not been further discussed, or included in the Baseline Cost Estimate for Real Estate.

4. LER Owned by the Non-Federal Sponsor

The Non-Federal Sponsor, through its Local Partner, owns the public lands required for the construction, operation or maintenance of the Project.

5. Non-Standard Estates

There are no proposed non-standard estates for the Project.

6. Existing Federal Projects

There are no existing USACE coastal storm risk management projects within the Highlands study area. The closest USACE project is the navigation channel on the Shrewsbury and Navesink Rivers. Other nearby navigation projects include the Federal navigation channels at Atlantic Highlands, Leonardo, and Belford Harbor.

Nearby coastal storm risk management projects to the west of the study include Union Beach; Keansburg, North Middletown and Laurence Harbor (Keansburg); and Port Monmouth. To the east of Highlands is the Sea Bright to Manasquan, NJ Coastal Storm Risk Management and Erosion Control Project.

Proposed coastal storm risk management actions for Highlands would not affect or be affected, due to the lack of geographical contiguity, by the existing USACE projects at Union Beach, Keansburg, North Middletown, Laurence Harbor, Port Monmouth, Belford, Leonardo, Atlantic Highlands, the Shrewsbury and Navesink Rivers, or along the Atlantic coast of New Jersey from Sea Bright to Manasquan.

7. Federally-Owned Lands

There are no known Federally-owned lands within the project study area.

8. Navigational Servitude

The Project is not in the aid of commerce; therefore the Federal navigational servitude will not be exercised.

9. Project Maps

The Project Real Estate Maps are provided in Exhibit "A".

10. Induced Flooding

No induced flooding is anticipated as a result of this Project.

11. Baseline Cost Estimate

A baseline cost estimate, in M/CACES format, is attached in Exhibit "D".

<u>Real Estate Cost</u>	<u>Total</u>
Incidental Costs-----	\$778,500
Acquisition Costs-----	\$5,693,116
20 % Contingency (less Land Payments)-----	<u>\$155,700</u>
Total 01-Lands and Damages-----	<u>\$6,627,316</u>

The 20% contingency was included to the overall real estate costs excluding the Land Payments amount of \$5,693,116, because a contingency for Land Payments is already provided in the appraisal cost estimate. If approved, the Project will be cost-shared (65% Federal and 35% Non-Federal) utilizing funds provided by P.L. 113-2. The Sponsor will be entitled to LERRD credit toward the final cost of the Project at the cost-shared amount. As of this report, no reimbursable LERRD related expenses have been incurred by the Sponsor. Any future documented real estate acquisition related expenses incurred by the Sponsor will be fully reimbursed at the cost-shared amount.

12. Compliance with Public Law 91-646

This project does not anticipate any persons, farms or businesses will be displaced by the Project. Therefore, relocation assistance pursuant to Title II of Public Law 91-646, as amended, is not anticipated to be required.

13. Mineral and Timber Activities

There are no present or anticipated mineral extraction or timber harvesting activities in the Project area and vicinity.

14. Non-Federal Sponsor's Land Acquisition Experience and Ability

The non-Federal Sponsor is aware of the requirements of Public Law 91-646 and of the requirement to maintain records of expenses in order to document its requests for credit for LERRD provided. The Sponsor has the legal and professional capability and experience to acquire and provide the LER required for the Project. The Sponsor has condemnation authority and other applicable authorities that may apply, if necessary, to support acquisition measures. The Sponsor has successfully acquired LER for other Corps civil works projects of comparable magnitude. The Assessment of the Non-Federal Sponsor's Land Acquisition Experience and Capability is attached as Exhibit "E".

15. Zoning

Application or enactment of zoning ordinances is not anticipated for the Project.

16. Acquisition Schedule

<u>Milestone</u>	<u>Date</u>
PPA Execution-----	July 26, 2016
Sponsor's NTP with Acquisition-----	January 1, 2017
Authorization for Entry for Construction—	September 26, 2017
Certification of Real Estate-----	June 1, 2017
Ready to Advertise for Construction-----	July 5, 2017

17. Facility/Utility Relocations

Identification of future utility relocations will need to be determined. It is not anticipated that many conflicts with utilities will be encountered since the majority of the proposed design features will be installed on the seaward side of the existing protection. However, as the design of the raised bulkhead feature is further refined during the course of the study, areas of potential conflict with existing utilities will need to be identified. In addition, recommendations resulting from the interior drainage analysis to be conducted after the TSP milestone may also require new infrastructure or modifications to existing infrastructure that could potentially conflict with existing utilities."

Future detailed designs may require more robust solutions that result in more conflicts with utilities (e.g. raised bulkhead features designed to handle boat impact loads that require more extensive landside dead man and anchoring systems). In addition, the concrete splash pad for the setback wall along the east leg of Captains Cove is very close to a 2" gas main that runs parallels to the wall under the street. Without depths on the gas main, it is unknown if this will be a conflict. Also, the interior drainage analysis could identify additional improvements that could increase utility conflicts.

18. Hazardous, Toxic or Radiological Waste ("HTRW")

There are no known contaminants or HTRW concerns associated with the LER required for the construction, operation and maintenance of the Project.

19. Project Support

Local officials, landowners and other residents in the Project area are supportive of the Project.

20. Notification to Non-Federal Sponsor

Based on its past sponsorship of other Corps water resource (Civil Works) projects and ongoing discussions during the Project's Feasibility phase, the non-Federal Sponsor is aware of the risks of acquiring LERRD required for the Project prior to the signing of the Project Partnership Agreement ("PPA"). Formal written notification on the risks of such acquisition, in accordance with paragraph 12-31 of Chapter 5 of the Corps of Engineers Real Estate Handbook, ER 405-1-12, has been forwarded to the non-Federal Sponsor.

21. Other Issues

- a. There are no known buildings, structures or artifacts listed with the National Register of Historical Places in the Project area.
- b. Mitigation is required for this project; however, the required acreage is unknown and is currently estimated at 5 acres. The required mitigation acreage will be based on a new evaluation of project impacts and permitting requirements from New Jersey Department of Environmental Protection.

- c. There are no other known encumbrances or rights-of-way that would impact the project construction.

22. Points of Contact

The points of contact for this real estate plan are the Real Estate Project Delivery Team member Realty Specialist, Erica Labeste at (917) 790-80461 (email:Erica.A.Labeste@usace.army.mil) or the undersigned at (917) 790-8430(email:Noreen.D.Dresser@usace.army.mil).

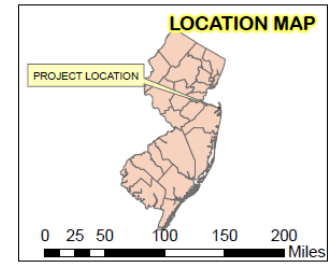
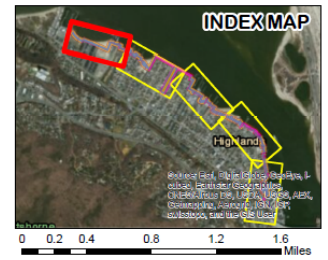
23. Recommendations

This report has been prepared in accordance with the Corps of Engineers Regulation ER 405-1-12. It is recommended that this report be approved.

Noreen D. Dresser
Chief, Real Estate Division
Real Estate Contracting Officer
USACE, New York District

EXHIBIT "A"

REAL ESTATE MAPS



Legend

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World Boundaries and Places

World Imagery



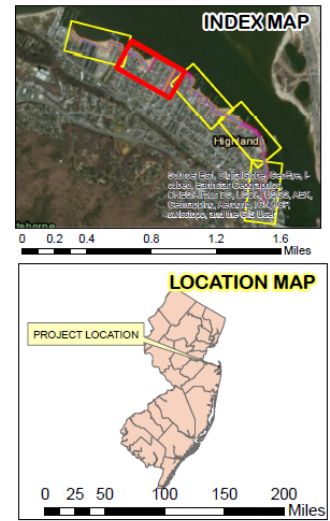
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U.S. ARMY CORPS OF ENGINEERS, N. Y. DISTRICT REAL ESTATE PLAN OF EASEMENTS FOR HIGHLANDS LEVEE AND FLOOD CONTROL PROJECT, MONMOUTH COUNTY, NEW JERSEY

Habib Soltani: Real Estate Division/Civil Engineer/GIS



Page 1 of 5



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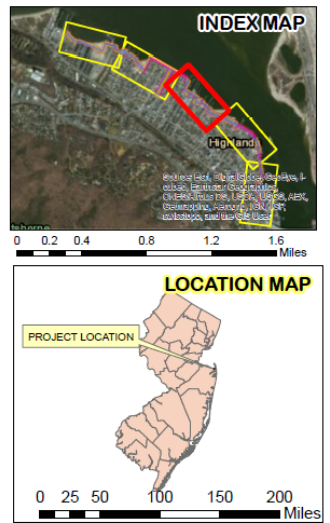
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 **U.S. ARMY CORPS OF ENGINEERS, N. Y. DISTRICT**
REAL ESTATE PLAN OF EASEMENTS FOR
HIGHLANDS LEVEE AND FLOOD CONTROL PROJECT,
MONMOUTH COUNTY, NEW JERSEY

Habib Soltani: Real Estate Division/Civil Engineer/GIS

Date: 1/15/2015

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 Page 2 of 5



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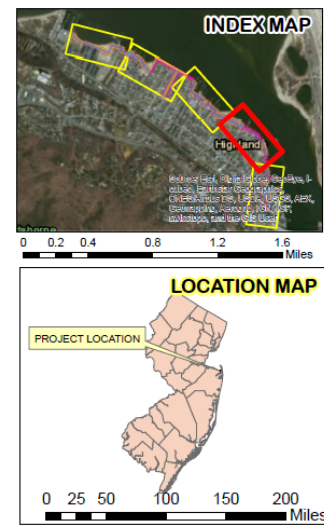
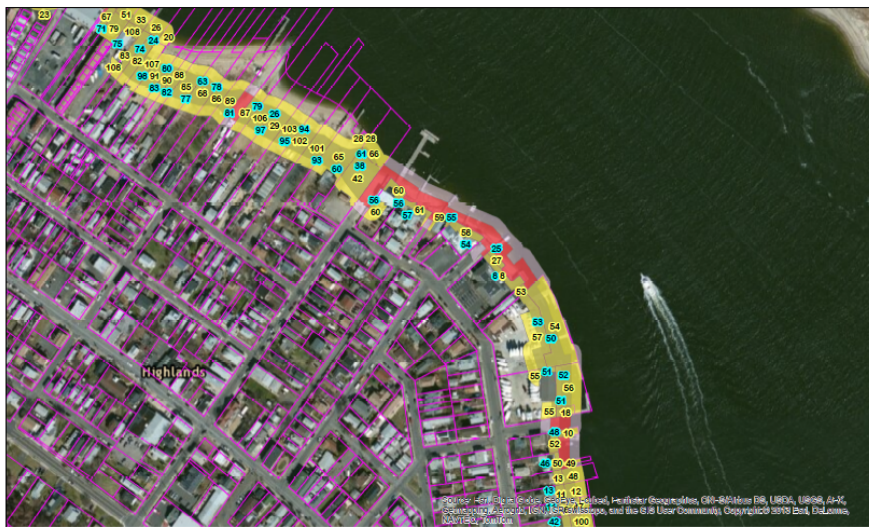
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REAL ESTATE PLAN OF EASEMENTS FOR
HIGHLANDS LEVEE AND FLOOD CONTROL PROJECT,
MONMOUTH COUNTY, NEW JERSEY

Habib Soltani: Real Estate Division/Civil Engineer/GIS

Date: 1/15/2015

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 Page 3 of 5



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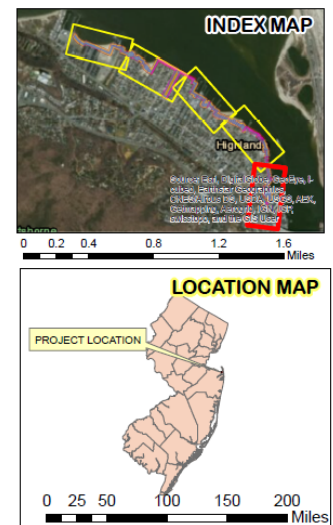
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 **U.S. ARMY CORPS OF ENGINEERS, N. Y. DISTRICT**
REAL ESTATE PLAN OF EASEMENTS FOR
HIGHLANDS LEVEE AND FLOOD CONTROL PROJECT,
MONMOUTH COUNTY, NEW JERSEY

Date: 1/15/2015 Habib Soltani: Real Estate Division/Civil Engineer/GIS

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World Boundaries and Places World Imagery

 **U.S. ARMY CORPS OF ENGINEERS, N. Y. DISTRICT**
REAL ESTATE PLAN OF EASEMENTS FOR
HIGHLANDS LEVEE AND FLOOD CONTROL PROJECT,
MONMOUTH COUNTY, NEW JERSEY

Date: 1/15/2015 Habib Soltani: Real Estate Division/Civil Engineer/GIS

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 Page 5 of 5

EXHIBIT “B”

REQUIRED LER

SEC/BLOCK/LOT	GOV/PRIVATE	MUNICIPALITY	P/Perm	P/TEMP WK	G/PERM	G/TEMP WK
1319_100_27	P	Highlands	0.926	1.91		
5 1319_100.12_1	P	Highlands	0.006	0.005		
5 1319_100.12_1	P	Highlands	0.008	0.006		
4 1319_100_27.0	P	Highlands	0.099	0.224		
1319_39_7.01	p	Highlands	0.005	0.16		
1319_50_4	P	Highlands	0.077	0.056		
1319_72_38	P	Highlands	0.008	0.006		
1319_43_11.03	P	Highlands	0.016	0.033		
1319_43_8	P	Highlands	0.029	0.022		
1319_43_8.01	P	Highlands	0.035	0.081		
1319_43_9	P	Highlands	0.027	0.021		
1319_86_2	P	Highlands	0.021	0.015		
1319_50_1.01	P	Highlands	0.025	0.029		
1319_38.01_16	P	Highlands	0.083	0.298		
1319_66_10.01	P	Highlands	0.001	0.069		
1319_87_1	P	Highlands	0.002	0.02		
1319_69_14	P	Highlands	0.126	0.14		
1319_66_12.01	P	Highlands	0.028	0.082		
1319_56_16	P	Highlands	0.107	0.197		
1319_72_35	P	Highlands	0.006	0.005		
1319_86_1	P	Highlands	0.006	0.004		
1319_72_37	P	Highlands	0.009	0.007		
1319_66_13.01	P	Highlands	0.027	0.078		
1 1319_101_12.0	P	Highlands	0.29	0.728		
1319_4_7	P	Highlands	0	0.144		
1319_72_41.01	P	Highlands	0.134	0.217		
1319_67_1.01	G	Highlands			0.1	0.212
1319_98_1	P	Highlands	0.29	0.449		
1319_101_3	G	Highlands			0.14	0.357
1319_39_1.01	G	Highlands			1.219	1.767
1319_56_10	G	Highlands			0.201	0.231
1319_97_1	G	Highlands			0.227	0.491
1319_72_39	P	Highlands	0.007	0.005		
1319_39_1.02	G	Highlands			0.049	0.037
1319_43_7	P	Highlands	0.029	0.021		
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1319_43_9.01	P	Highlands	0.034	0.081		
1319_43_10.01	P	Highlands	0.008	0.018		
1319_43_10	P	Highlands	0.024	0.018		
1319_43_11.02	P	Highlands	0.037	0.027		
1319_50_3	P	Highlands	0.016	0.012		
1319_50_2.01	P	Highlands	0.231	0.472		
1319_50_1	P	Highlands	0.033	0.134		
1319_50_1.02	P	Highlands	0.134	0.259		
1319_50_2	P	Highlands	0.161	0.345		
1319_51_2	P	Highlands	0.058	0.043		

	1319_51_4	P	Highlands	0.017	0.025		
	1319_55_4.01	P	Highlands	0.051	0.124		
	1319_55_1	P	Highlands	0.037	0.037		
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	1319_72_36	P	Highlands	0.003	0.002		
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	1319_66_11	P	Highlands	0.095	0.102		
	1319_66_12	P	Highlands	0.072	0.086		
	1319_43_1	P	Highlands	0.136	0.297		
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	1319_66_2	P	Highlands	0.054	0.137		
	1319_56_18	P	Highlands	0.059	0.117		
	1319_66_7	P	Highlands	0.05	0.095		
	1319_66_1	P	Highlands	0.069	0.151		
	1319_66_8	P	Highlands	0.054	0.103		
	1319_66_9	P	Highlands	0.083	0.167		
	1319_43_2	P	Highlands	0.034	0.023		
	1319_43_3	P	Highlands	0.031	0.021		
	1319_43_3.01	P	Highlands	0.035	0.083		
	1319_43_4	P	Highlands	0.027	0.019		
	1319_43_4.01	P	Highlands	0.036	0.082		
	1319_43_5	p	Highlands	0.043	0.031		
	1319_43_5.01	P	Highlands	0.041	0.104		
	1319_43_6	P	Highlands	0.03	0.022		
	1319_43_6.01	P	Highlands	0.043	0.098		
	1319_56_13	G	Highlands			0.09	0.185
	1319_56_14	P	Highlands	0.09	0.183		
	1319_56_15	p	Highlands	0.088	0.172		
	1319_85_1.02	P	Highlands	0.026	0.019		
	1319_56_17	P	Highlands	0.088	0.17		
	1319_66_10	P	Highlands	0.067	0.144		
	1319_66_13	P	Highlands	0.042	0.063		
	1319_85_1.01	P	Highlands	0.022	0.016		
	1319_85_6.01	P	Highlands	0.06	0.046		
	1319_84_2.01	P	Highlands	0.717	1.891		
	1319_98_2	P	Highlands	0.052	0.071		
	1319_98_3	P	Highlands	0.028	0.07		
	1319_98_6.12	P	Highlands		0.002		
	1319_98_5.01	P	Highlands	0.035	0.088		
4	1319_100_26.7	P	Highlands	0.006	0.004		
	1319_98_6.03	P	Highlands	0.214	0.355		
5	1319_100_26.7	P	Highlands	0.007	0.005		
	1319_98_10	P	Highlands	0.035	0.066		
	1319_98_11	P	Highlands	0.035	0.069		

	1319_97_1.01	G	Highlands		0.057	0.247
	1319_98_14	G	Highlands		0.015	0.133
	1319_98_12	G	Highlands		0.145	0.365
	1319_98_13	G	Highlands		<u>0.08</u>	<u>0.162</u>
5	1319_100_26.0	P	Highlands	0.021	0.124	
2	1319_100_27.0	P	Highlands	0.142	0.321	
5	1319_100_27.0	P	Highlands	<u>0.082</u>	<u>0.236</u>	
Appx. Total Acres				6.863	13.970	2.446 4.426

EXHIBIT "C"

STANDARD ESTATES

Flood Protection Levee Easement (Standard estate No. 9)

A perpetual and assignable right and easement in Block ____ Lot ____ to construct, maintain, repair, operate, patrol and replace a flood protection (levee or floodwall) including all appurtenances thereto; reserving, however, to the owners, their heirs and assigns, all such rights and privileges in the land 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.

Temporary Work Area Easement (Standard Estate No. 15)

A temporary easement and right-of-way in, on, over and across Block ____ Lot ____ for a period not to exceed three (3) years, 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 work area, including the right to 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 Mamaroneck and Sheldrake River Flood Damage Reduction Project Mamaroneck, New York, together with the right to trim, cut, fell and remove there from 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.

EXHIBIT “D”

BASELINE COST ESTIMATE FOR REAL ESTATE

BASELINE COST ESTIMATE FOR REAL ESTATE			
RARITAN BAY & SANDY HOOK BAY, HIGHLANDS, NEW JERSEY			
COASTAL STORM RISK MANAGEMENT PROJECT			
TOTAL PROJECT REAL ESTATE COSTS (Cost-Shared 65% Federal – 35% Non-Federal)	Non-Federal	Federal	Project Cost
Cost Summary:			
Incidental Costs (01A)	\$ 650,700	\$ 127,800	\$ 778,500
Real Estate Acquisition Costs (01B)	\$ 5,693,116	\$ -	\$ 5,693,116
Subtotal:	\$ 6,343,816	\$ 127,800	\$ 6,471,616
20% Contingency, Less Land Payments (01B1)	\$ 130,140	\$ 25,560	\$ 155,700
LANDS AND DAMAGES (01)	\$ 6,473,956	\$ 153,360	\$ 6,627,316
INCIDENTAL COSTS (01A)	\$ 650,700	\$ 127,800	\$ 778,500
Acquisition (Admin Costs)	\$ 93,000	\$ 46,500	\$ 139,500
By Government (Gov't)	\$ -	\$ 46,500	\$ 46,500
By Non-Federal Sponsor (NFS)	\$ 93,000	\$ -	\$ 93,000
By Gov't on behalf of NFS	\$ -	\$ -	\$ -
Survey	\$ 46,500	\$ 9,300	\$ 55,800
By Gov't (In-house)	\$ -	\$ -	\$ -
By Gov't (Contract)	\$ 46,500	\$ -	\$ 46,500
By NFS	\$ -	\$ -	\$ -
By Gov't on behalf of NFS	\$ -	\$ -	\$ -
Review of NFS	\$ -	\$ 9,300	\$ 9,300
Appraisal	\$ 96,000	\$ 40,000	\$ 136,000
By Gov't (In-house)	\$ -	\$ -	\$ -
By Gov't (Contract)	\$ -	\$ -	\$ -
By NFS	\$ 96,000	\$ -	\$ 96,000
By Gov't on behalf of NFS	\$ -	\$ -	\$ -
Review of NFS	\$ -	\$ 40,000	\$ 40,000

Title Services	\$ 120,000	\$ 6,000	\$ 126,000
By Gov't (Contract)	\$ -	\$ -	\$ -
By NFS	\$ 120,000	\$ -	\$ 120,000
By Gov't on behalf of NFS	\$ -	\$ -	\$ -
Review of NFS	\$ -	\$ 6,000	\$ 6,000
Other Professional Services	\$ -	\$ -	\$ -
By the Gov't	\$ -	\$ -	\$ -
By the NFS	\$ -	\$ -	\$ -
By Gov't on behalf of NFS	\$ -	\$ -	\$ -
Review of NFS	\$ -	\$ -	\$ -
Closing Cost (4% of Land Payments-01C1)	\$ 295,200	\$ -	\$ 295,200
By Gov't	\$ -	\$ -	\$ -
By NFS	\$ 295,200	\$ -	\$ 295,200
By Gov't on behalf of NFS	\$ -	\$ -	\$ -
PL 91-646 Assistance	\$ -	\$ -	\$ -
By Government	\$ -	\$ -	\$ -
By NFS	\$ -	\$ -	\$ -
By Gov't on behalf of NFS	\$ -	\$ -	\$ -
Review of NFS	\$ -	\$ -	\$ -
Audit	\$ -	\$ 26,000	\$ 26,000
By Gov't	\$ -	\$ 26,000	\$ 26,000
By NFS	\$ -	\$ -	\$ -
REAL ESTATE ACQUISITION COSTS (01B)	\$ 5,693,116	\$ -	\$ 5,693,116
Land Payments	\$ 5,693,116	\$ -	\$ 5,693,116
By Government	\$ -	\$ -	\$ -
By NFS	\$ 5,693,116	\$ -	\$ 5,693,116
By Gov't on behalf of NFS	\$ -	\$ -	\$ -
Damage Payments	\$ -	\$ -	\$ -
By Government	\$ -	\$ -	\$ -
By NFS	\$ -	\$ -	\$ -

By Gov't on behalf of NFS	\$ -	\$ -	\$ -
PL 91-646 Payment	\$ -	\$ -	\$ -
By Government	\$ -	\$ -	\$ -
By NFS	\$ -	\$ -	\$ -
By Gov't on behalf of NFS	\$ -	\$ -	\$ -
Condemnation	\$ -	\$ -	\$ -
By NFS	\$ -	\$ -	\$ -
Facility / Utility Relocations	\$ -	\$ -	\$ -
By NFS	\$ -	\$ -	\$ -
Disposals	\$ -	\$ -	\$ -
By Government	\$ -	\$ -	\$ -
By NFS	\$ -	\$ -	\$ -
By Gov't on behalf of NFS	\$ -	\$ -	\$ -

EXHIBIT “E”

NON-FEDERAL SPONSOR CAPABILITY ASSESSMENT CHECKLIST

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

HIGHLANDS

I. Legal Authority.

- a. Does the sponsor have 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?
- c. Does the sponsor have “quick-take” authority for this project?
- d. Are any of the lands/interests in land required for the project located outside 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?

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?
- 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?
- d. Is the sponsor's projected in-house staffing level sufficient considering its other workload, if any, and the project schedule?
- e. Can the sponsor obtain contractor support, if required in a timely fashion?
- f. Will the sponsor likely request USACE assistance in acquiring real estate?

III. Other Project Variables.

- a. Will the sponsor's staff be located within reasonable proximity to the project site?
- b. Has the sponsor approved the project/real estate schedule/milestones?

IV. Overall Assessment.

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

V. Coordination.

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

Concur:

[SPONSOR REPRESENTATIVE NAME]
[SPONSOR REPRESENTATIVE TITLE]
[SPONSOR ORGANIZATION]

Reviewed and approved by:

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