

U.S. Army Corps of Engineers
New York District

PECKMAN RIVER BASIN, NEW JERSEY FLOOD RISK MANAGEMENT FEASIBILITY STUDY

APPENDIX E DRAFT REAL ESTATE PLAN

MAY 2018

PECKMAN RIVER BASIN, NEW JERSEY
FLOOD RISK MANAGEMENT FEASIBILITY STUDY

MAY 2018 DRAFT REAL ESTATE PLAN

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1. Preamble

- a) Project Authorization: The Peckman River Basin, New Jersey Flood Risk Management Feasibility Study was authorized by a resolution of the U.S. House of Representatives, Committee on Transportation and Infrastructure Resolution Docket 2644 adopted on June 21, 2000.
- b) Official Project Designation: Peckman River Basin, New Jersey Flood Risk Management Feasibility Study (hereinafter the “Project” or “study area.”).
- c) Project Location: The study area is located in the Counties of Passaic and Essex, spanning an area from West Orange to Woodland Park, New Jersey. It lies within the 8th Congressional District and is in a densely developed area of residential and commercial buildings.

The Peckman River Basin is one of the sub-watersheds of the Passaic River, with a drainage area of approximately 9.8 square miles. The river originates in the Town of West Orange and flows northeast through the towns of Verona, Cedar Grove, Little Falls, and Woodland Park where it discharges into the Passaic River.

- d) Non-Federal Partner: The non-Federal partner is the New Jersey Department of Environmental Protection (NJDEP) (the “Sponsor”) who will be responsible for acquiring the Lands, Easements, Rights-of-Ways and Relocations (LERR) for the Project.

2. Statement of Purpose

The purpose of this Real Estate Plan (the “REP”) is to describe the minimum Lands, Easements, Right-of-Ways, Relocations and Disposals (LERRD) required for the construction, operation and maintenance of the Tentatively Selected Plan (TSP) for the Project. This REP is the first prepared for the Project and is an appendix to the Project’s Draft Integrated Feasibility Report & Environmental Assessment (hereinafter the “Feasibility Report”).

3. Project Purpose and Features

- a) Project Purpose: The purpose of the Project is to manage the risk of flooding from the Peckman River. A range of nonstructural and structural measures were considered that could potentially manage flood damages in Woodland Park and Little Falls, the basin’s most frequently flooded and densely populated areas. Through an iterative plan formulation process, potential fluvial flooding risk management measures were identified, evaluated, and compared. A Tentatively Selected Plan (TSP) was identified that will provide flood risk management and address damages from fluvial flooding in Woodland Park and Little Falls.

The primary water resources problem in the Peckman River Basin is flooding resulting mainly from two sources: (1) flash flooding from rapid runoff in the Peckman River watershed; and (2) backwater flooding from the Passaic River. The basin experiences frequent flash flooding from



intense thunderstorms and heavy rainfalls. These storms can deposit large amounts of precipitation in the watershed, producing significant runoff, which quickly exceeds the capacity of the river channel, bridge and culvert openings to carry it. The Project is designed to address flooding from the Peckman River, not backwater flooding from the Passaic River as there is an ongoing U.S. Army Corps of Engineers (“USACE” or the “Corps”) study addressing flooding on the Passaic River.

b) Plan of Improvement: In total, 11 flood risk management alternatives to address flooding in Little Falls and Woodland Park were formulated and screened to compare reduced damages and benefits-to-costs. The alternative that maximizes net benefits consists of a combination of structural and non-structural features located within the 10% annual chance exceedance floodplain within Little Falls.

I. *Structural Measures* consists of the following:

- A 1,500-foot long underground diversion culvert that would divert floodwaters from the Peckman River to the Passaic River during and after storms. The diversion culvert inlet at the Peckman River would consist of a weir that would manage water flow.
- Channel modifications in the Peckman River near the diversion culvert opening.
- Levees and/or floodwalls downstream of the weir to the Route 46 Bridge and approximately 3,000 feet of levees and/or floodwalls in the lower reach of Great Notch Brook to its confluence with the Peckman River.

II. *Non Structural Measures* include 118 structures to be treated within the 10% annual chance exceedance floodplain to provide flood risk management to the 1% annual chance exceedance flood event. Non-structural measures include raisings and wet and dry flood-proofing. Also included as an element of the Project’s proposed non-structural measures are permanent ringwalls, which will be offered to eligible property owners. The main objective for most of the non-structural measures is to help reduce flood damages of the existing structures. Non-structural measures will be offered to owners on a voluntary basis and implemented only with the owner’s consent.

III. *Mitigation* is required due to unavoidable temporary or permanent impacts to open water, wetland, riparian zone and or upland forest areas. Since the proposed Project has not yet undergone optimization, impacts to environmental and cultural resources and corresponding real estate acquisition requirements for mitigation are preliminary and subject to change. Environmental impacts will be further refined for better accuracy and precision during optimization and will be presented in the final report.

c) Required Lands, Easements, and Rights-of-Way (LER): The Sponsor is responsible for acquiring the LER required for the construction, operation and maintenance of the Project. They will obtain the required LER containing the necessary standard estate language and covenants to



run with the land therein. All deeds/easements will be recorded with the county prior the Corps' certification of real estate. The following is the Project's LER summary:

Fee:	±12.229 ac
Permanent Easements:	±5.220 ac
Temporary Easements:	±7.222 ac
Total Acres:	±24.671 ac

No. of Public Parcels:	9
No. of Private Parcels:	17
Total Impacted Parcels:	26

For owners who elect to receive the non-structural flood-proofing measures on their property, a Rights-of-Entry (ROE) will be obtained for access and implementation. Since the non-structural element of the Project is on a voluntary basis, obtaining ROEs for such work is not considered a Project real estate requirement and was not included in the above LER summary table.

However, this report assumes 100% participation from owners for planning and budgeting purposes, which equates to 129 parcels requiring ROEs (five public and 124 private).

Regarding the proposed ringwalls, since construction is on a voluntary basis and will only be completed with the property owner's consent, coordination is ongoing with the Sponsor to identify the party responsible for the ringwall's long-term maintenance, i.e. the Sponsor or the property owner. If the Sponsor assumes responsibility, this report will be revised to include the additional acres required in permanent easements for its long-term operation and maintenance. If the property owner assumes responsibility, then a Right-of-Entry for Construction (and Flood-proofing Agreement) will be acquired for construction purposes.

In some instances, more than one estate (and or ROE) is required to be obtained over the lands of the same owner. The following details the Project's real estate requirements:

I. Fee (Standard Estate No): Approximately 12.229 acres are required in fee for the construction of a weir (±0.729 ac) (one public parcel and two private parcels) and for mitigation (±11.5 ac).

While the real estate maps (Sheet 1) show a fee taking that extends into the parking lot at Block 200 Lot 2, suggesting a permanent loss of parking spaces to the business, the Project neither intends to require a fee taking over parking spaces nor cause for a permanent loss of parking spaces for the construction, operation and maintenance of the weir. The Project will be refined



to make the necessary adjustments during Project's Pre-construction, Engineering and Design (PED) phase to avoid permanent impacts to parking.

Approximately 11.5 acres are required for mitigation. Specifics locations where mitigation may occur is currently unknown. Location and ownership information for the Project's mitigation requirements will be known after optimization and presented in the final report.

II. *Channel Improvement Easement (Standard Estate No. 8)*: Approximately 1.083 acres are required for channel deepening, widening and erosion control measures. There are six parcels impacted by this easement – three publicly-owned, and three privately-owned (two parcels have unknown owners who are assumed private for this purpose of this report).

While the real estate maps (Sheet 1) show an easement area that extends into the parking lot at Block 200 Lot 2, suggesting a permanent loss of parking spaces to the business, the Project does not intend to cause for a permanent loss of parking spaces for channel improvements. The Project will be refined to make the necessary adjustments during PED to avoid permanent impacts to parking.

III. *Flood Protection Levee Easement (Standard Estate No. 9)*: Approximately 2.410 acres are required for the construction of floodwalls and gate closure. There are 17 parcels impacted by this easement – four publicly-owned, 13 privately-owned (three parcels have unknown owners who are assumed private for this purpose of this report).

IV. *Pipeline Easement (Standard Estate No. 13)*: Approximately 1.727 acres are required for the construction of an undergone culvert. There are eight parcels impacted by this easement – three publicly-owned, five privately-owned (two parcels have unknown owners who are assumed private for the purpose of this report).

V. *Temporary Work Area Easement (Standard Estate No. 15)*: Approximately 7.222 acres are required for staging and work area purposes for an approximate two year duration. There are 26 parcels impacted by this easement – nine publicly-owned, 17 privately-owned (five parcels have unknown owners who are assumed private for the purpose of this report).

VI. *Right-of-Entry (ROE)*: ROEs are required only if owners voluntarily elect to receive the proposed non-structural flood-proofing measures on their properties. The Project would require a Right-of-Entry for Construction to access up to 129 parcels (five public and 129 private). The ROE is needed for legal access to a property to perform the flood-proofing measures. The 129 potential properties that would require an ROE occupy approximately 54.768 acres of land. Along with the ROE, a Flood-proofing Agreement will be executed between the property owner and the Sponsor, which will outline the flood-proofing work and provide the mechanism for such work to occur, as well identify any restrictive covenant that may limit development of the property below a determined elevation.



Since the Project is at a feasibility level study as of the date of this REP, the size of the real estate interests required for the Project as identified in this report are preliminary estimates based on available Geographic Information System (GIS) data. The precise size and location of the required real estate interests will be identified during PED when Plans and Specifications, and detailed drawings, are prepared. As a result, the required acreage and impacts to properties identified in this REP are subject to change with project refinements.

Once the real estate requirements are finalized during PED, prior to LER acquisition, the Sponsor is advised to obtain property line surveys with a corresponding legal description for each different estate acquired for the Project to mitigate against potential boundary disputes. This Sponsor is also advised to obtain a chain of title and title insurance on all acquired property to identify potential encumbrances and to protect against “defects” in title.

Exhibit “B” provides a detailed list of impacted parcels as well as the total approximate acres required therein. Language to the recommended estates are provided in Exhibit “C” herein, which are required to be included, as written, within the body of the respective easement or deed agreement between the Sponsor and land owner.

d) Appraisal Information: In accordance with Corps Real Estate Policy Guidance Letter No. 31-Real Estate Support to Civil Works Planning Paradigm (3x3x3), dated January 10, 2013 (PGL 31), an appraisal cost estimate (or “rough order of magnitude”) was completed for the Project since the value of real estate (land, improvements and severance damages) were not expected to exceed ten percent of the total project costs. To establish a more accurate land valuation, a full appraisal based on surveyed boundaries of the Project’s final plans is required. This cost estimate does not include the incidental costs that would be incurred to acquire the real estate and should not be interpreted as the Project’s total real estate costs. See paragraph 11 for the Project’s overall estimated real estate costs.

The total estimated land value for the Project’s preliminary real estate requirements is \$3,020,000, effective March 6, 2018. The date of the Cost Estimate Report is April 2, 2018. The cost estimate was completed with the following Assignment Conditions:

Assignment Condition #1 – A title report was not obtained for any of the parcels impacted by the Project. The cost estimate is predicated on the extraordinary assumptions that, as of the effective date of the cost estimate, the parcels impacted by the Project: (1) have not begun condemnation proceedings; and (2) have marketable title without restrictions or encumbrances impacting cost.

Assignment Condition #2 – The Cost Estimate invoked the Jurisdictional Exception of Uniform Standards of Professional Appraisal Practice (USPAP), “if any part of these standards is contrary to the law or public policy of any jurisdiction, only that part shall be void and of no force or effect in that jurisdiction.”



A Cost Estimate is not an appraisal as defined by USPAP, but does conform to USACE regulations. An appraisal is the process of developing an opinion of value. Since USACE operates under the Jurisdictional Exception provision of USPAP, the cost estimate report prepared for the Project is not required to be in compliance with USPAP.

Assignment Condition #3 – Preliminary Project real estate maps and parcel data was provided for the Cost Estimate. This cost estimate is predicated on the extraordinary assumption that, as of the effective date of the cost estimate, the Preliminary Project real estate maps and parcel data accurately portray the area and location of the defined estates in land based upon the land use planning and engineering designs. Project maps and real estate requirements are frequently amended due to project planning reasons. Cost Estimates change as project planning analysis changes the planning parameters.

Assignment Condition #4 – Preliminary Project real estate maps and parcel data for the Cost Estimate indicated areas for the permanent and temporary easements. The data provided has been applied in the Cost Estimate. This cost estimate is predicated on the extraordinary assumption that, as of the effective date of the cost estimate, the Project parcels areas are consistent with the Project parameters.

Assignment Condition #5 – The Temporary Work Area Easements are assumed to encumber the real property areas for a period of 2 years. This cost estimate is predicated on the extraordinary assumption that, as of the effective date of the cost estimate, the two year encumbrances are consistent with the Project parameters.

Assignment Condition #6 – The Cost Estimate is predicated on the extraordinary assumption that, as of the effective date of the cost estimate, there are: (1) no zoning bulk area requirement violations on any of the project properties; (2) all properties are conforming uses; and (3) all properties are permitted uses under the zoning code. It is assumed that the existing land uses comply with current zoning requirements and do not impact the Cost Estimate conclusion.

Assignment Condition #7 – The Cost Estimate is based upon a superficial level of detail. The data provided to the analyst was based upon a preliminary design and did not provide specifics on each parcel. Superficial in the context of this analysis is defined as “the property data is concerned only with what is obvious or apparent, not thorough or complete at this point in the land planning process”. As directed by the USACE Memorandum dated 10 January 2013, “Real Estate Policy Guidance Letter No. 31- Real Estate Support to Civil Works Planning Paradigm (3x3x3).” If the design parameters change, the cost estimate may change.

For the ROEs and Flood-proofing Agreement that may be needed to implement the voluntary non-structural measures, since they do not represent an interest in land and have no market value, a cost estimate is not required.

4. LER Owned by the Non-Federal Sponsor



The State of New Jersey, under the custody and accountability of its Department of Transportation (NJ DOT), maintains fee ownership of ± 0.511 acres of the real estate required for permanent easements and ± 0.254 required in temporary easements for the voluntary non-structural measures.

Table 1. Easements data.

Block_Lot	Location	Flood Protection Levee Easement	Temporary Work Area Easement (Non-Structural)
194_3	1255 Route 46 E	± 0.4595	± 0.2235
200_5	Route 46	± 0.0514	± 0.0303

The estate and interested owned by the State of New Jersey is sufficient and available for the Project. As an item of cooperation within state agencies, the land required for the Flood Projection Levee Easement is expected to be made available as a donation to the Project. Coordination with NJDOT is ongoing to identify their desire to accept the proposed non-structural improvements.

5. Non-Standard Estates

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

6. Existing Federal Projects

There are no known existing or proposed Federal projects that lie either partially or fully within the LER required for the Project.

7. Federally-Owned Land

The Project includes no Federally-owned lands included as part of its LER requirements.

8. Navigational Servitude

Navigational servitude is not applicable to the Project.

9. Maps

Real estate maps are provided in Exhibit A.

10. Induced Flooding



The Project does not induce flooding.

11. Baseline Cost Estimate for Real Estate (BCERE)

a) The BCERE provides an itemized cost outlining the Project's land acquisition and incidental costs incurred by the Federal Government and non-Federal Sponsor, where applicable, for the construction, operation and maintenance of the Project. The BCERE is provided in Exhibit "D".

Project's total real estate cost is captured in the Project's 01-Lands and Damage cost account, which amounts to approximately **\$6,782,750**.

b) The Sponsor is responsible for all upfront LERRD costs and is required to perform its LERRD responsibilities (in accordance with the PPA) prior to Project construction. Supporting documents on all costs incurred by the Sponsor to fulfill its LERRD responsibilities will be submitted to USACE as part of its claim for credit. The Sponsor will receive credit for the actual associated direct and indirect costs of acquiring the interests in real estate necessary for the Project that are found to be reasonable, allowable and allocable. If approved, the Project will be cost-shared (65% Federal and 35% Non-Federal), with the LERRD cost included as part of the Sponsor's share of total Project cost. The following is the Sponsor's estimated creditable *LERRD* costs:

Table 2. LERRD costs.

LER	±\$5,640,050
Relocations	\$1,923,808
Disposals	\$0
Total LERRD:	±\$7,563,858

See Paragraph 17 for Relocations.

12. Public Law 91-646, Uniform Relocation Assistance

No persons or business are expected to require relocation benefits under Public Law 91-646.

13. Minerals and Timber Activity

There are no present or anticipated mineral extraction or timber harvesting activities within the proposed Project.

14. Land Acquisition Experience and Capability of the Non-Federal Partner



The Sponsor possesses sufficient general and legal acquisition authority to acquire all the real estate required for the project. They maintain the professional capability for land acquisitions and can reasonably obtain contract services, if needed. The Sponsor has successfully completed real estate acquisition for similar cost-shared Corps projects at Elberon to Loch Arbor, Newark (Minish), Greenbrook, and Port Monmouth, New Jersey, among others. The Sponsor is aware of Public Law 91-646 requirements as well as the requirement to document all LERRD expenses for the claim of credit. It is unlikely for the Sponsor to require the assistance from the US Army Corps of Engineers (USACE) for real estate acquisition.

A draft Non-Federal Sponsor's Capability Assessment Checklist is provided in Exhibit "E". A final assessment checklist will be provided with an updated REP once coordination with the Sponsor on the assessment is complete.

15. Zoning

No application or enactment of local zoning ordinances is anticipated in lieu of, or to facilitate, the acquisition of the Project LER.

16. Schedule of Acquisition

Milestone

PPA Execution.....	Aug 2022
Sponsor's Notice to Proceed with Acquisition.....	Sep 2022
Authorization for Entry for Construction.....	Aug 2024
Certification of Real Estate.....	Aug 2024
Ready to Advertise for Construction.....	Sep 2024

17. Relocation of Facilities or Public Utilities

There are suspected existing sanitary sewer, water pipelines and other utilities and facilities that may require relocation to construct the Project. The precise location of the utilities and facilities, and whether the owners have a compensable real property interest, is currently under evaluation as of the date of this REP. The relocation cost contingency considers these unknown costs.

The total O2-Relocation costs for the project is approximately \$1,923,808, which is included as part of the NFS' LERRD responsibilities.

18. Hazardous, Toxic, and Radioactive Waste (HTRW)

Based on the review of the relevant databases, there are no known HTRW or contaminated sites within the project area. Based on the geotechnical survey and associated testing, several samples contain contaminants, including semi-volatile organics (SVOA). These contaminants were below or at thresholds. Samples with arsenic and lead at or below thresholds came from the



Department of Public Works yard and a commercial building parking lot, likely related to the activities in the yard and the presence of fill. Many of the structures in the Township of Little Falls are fifty years or older and are likely to have lead-based paint (LBP) and/or asbestos-containing materials (ACM).

The proposed project's structural measures should be constructed with minimal additional protocols for excavation and the movement of either lead- or SVOA-impacted soils. In accordance with ER 1165-2-132 "HTRW Guidance for Civil Works Projects," if additional soil borings indicate the existence of any materials regulated by CERCLA within the project area that would be affected by construction, any necessary actions to remove these materials would be the responsibility of the non-Federal sponsor and are a full non-federal cost. The non-Federal sponsor would be required to remove these materials prior to any construction activities being undertaken within the area of the identified contaminated area.

According to USACE policy, no elevation or floodproofing can occur to structures with asbestos, ACM, or LBP if the proposed actions may affect these contaminants. Prior to any actions being conducted, the asbestos, ACM, or LBP that may be disturbed by the elevation or floodproofing activity must be removed. For all structures proposed for nonstructural activities, an asbestos investigation will be conducted to confirm the presence/absence of damaged or friable asbestos, ACM, or LBP. If damaged or friable asbestos, ACM, or exposed LBP are confirmed on a property and will be impacted by the implementation of nonstructural measures, the property owner and/or non-Federal sponsor will be obligated, at their sole expense, to conduct all necessary response and remedial activities in compliance with all applicable local, state, and federal laws and regulations. Asbestos, ACM, and LBP that would not be affected by construction of the recommended nonstructural element(s) would not need to be removed prior to construction.

19. Other Issues

As currently proposed, the Little Falls Laundry, a property eligible for the National Register of Historic Places, and its associated weir and headrace, may be affected by the proposed non-structural measures, which may include the construction of a ringwall. As part of the pre-construction, engineering and design, the nature of the proposed non-structural measures will be developed and continued coordination with the NJHPO will be conducted to avoid, minimize and/or mitigate potential adverse effects to the historic property (see Appendix A.5). Construction of ringwalls, which are small floodwalls or levees, have the potential to affect archaeological sites. As project plans are further developed and the location of ringwalls are identified, additional archaeological investigations and coordination with the NJHPO will be required (see Appendix A.5).



Based on the Phase I cultural resources survey, the houses and commercial structures included in the survey, with the exception of the Little Falls Laundry, are not eligible for the National Register of Historic Places. It is assumed that the survey, which focused on the Township of Little Falls, surveyed the buildings and structures proposed for non-structural measures. If any buildings and/or structures identified for non-structural measures were not included in the Phase I survey, an additional survey will be conducted to determine the affected buildings' eligibility and the effect, in coordination with the NJHPO, the proposed measure would have on any historic properties if identified (see Appendix A.5).

The undeveloped area just upstream of the Route 46 Bridge, adjacent to the shopping mall on the right bank of the Peckman River was not included in the APE for the Phase I survey. As currently proposed, a levee/floodwall would be constructed in this area. Prior to any construction, a Phase I survey will be conducted in this area. If any potentially eligible archaeological sites are identified, a subsequent Phase II would be completed. Coordination with the NJHPO would be conducted to determine if any identified sites could be avoided or if avoidance was not possible, to minimize or mitigate any adverse effect (see Appendix A.5).

20. Project Support

While the NFS and local stakeholders supports the Project, a public meeting held in November 2017 drew both skepticism and support from local residents. Concerns surfaced on impacts the Project could have on local businesses, aesthetics of the community and property values. However, there is a general consensus on the need to address erosion and flooding of the Peckman River to reduce the risk of property damage and loss of life during intense storm events. There are no known or anticipated landowner concerns that could impact the real estate acquisition process.

21. Notification to Non-Federal Partner

Based on its past sponsorship of other Corps water resource (Civil Works) projects and ongoing discussions during the Project's feasibility phase, the Sponsor is aware of the risks when acquiring a Project's LER in advance of signing the PPA. However, by letter dated October 6, 2017, a formal written notice was provided to the Sponsor.

22. Point of Contact

The point of contacts for this real estate plan is the Real Estate Project Delivery Team member Carlos E. Gonzalez at (917)790-8465 (Email: Carlos.E.Gonzalez@usace.army.mil) or the undersigned at (917)790-8430 (email: Noreen.D.Dresser@usace.army.mil).



NOREEN DEAN DRESSER
Chief, Real Estate Division
Real Estate Contracting Officer



Peckman River Basin, New Jersey
May 2018 Draft REP

EXHIBIT “A”
REAL ESTATE MAPS



Peckman River,
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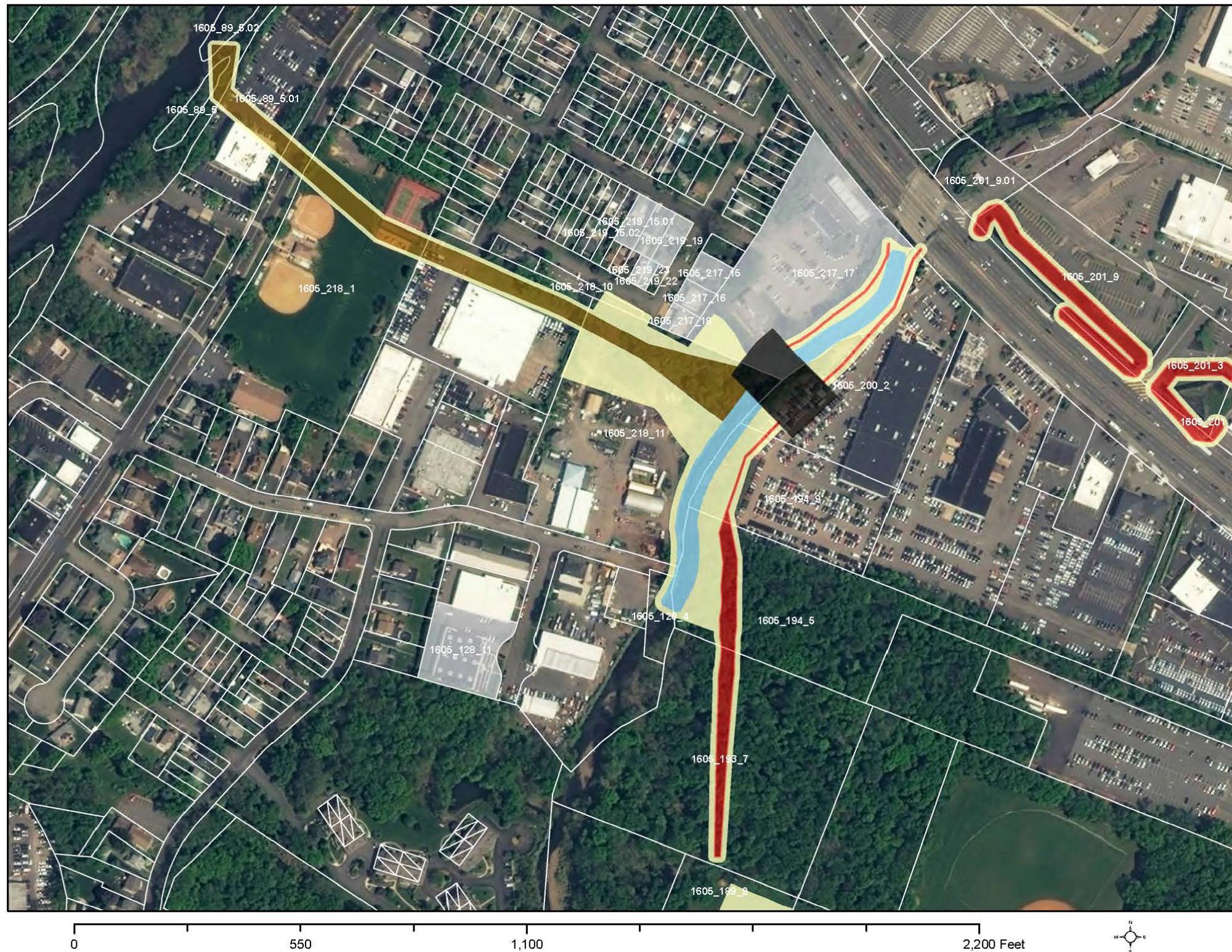
Location Map



A map showing the Little Falls River flowing through the town of Little Falls, New York. The river is highlighted in blue. Major roads shown include Main St., E. Lindsey Rd., E. 7th St., Franklin Ave., Livingston Ave., and North Broad St. A bridge is visible crossing the river. The town of Little Falls is labeled at the top center. Other labels include "North Caldwell" on the left, "West Seneca Mall" on the top left, and "Kings Creek Rd" on the right.

Legend

- Fee
 - Flood Protection Levee Easement
 - Channel Improvement Easement
 - Pipeline Easement
 - Temporary Work Area Easement
 - Right-of-Entry (Non-Structural)
 - Tax Parcel Boundaries





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Project Location



Legend

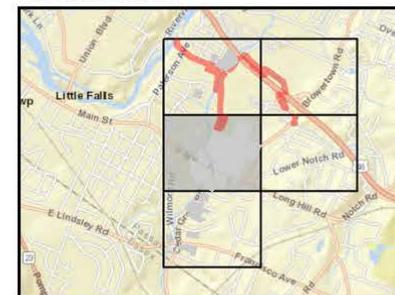
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Location Map



A map of Little Falls, New Jersey, showing the location of the North Caldwell Transfer Station. The station is located near the intersection of Main St. and E. Lindsey Rd. The map also shows the Little Falls River flowing through the town, and various streets like Mountain Ave, E. Long St., and E. Franklin Ave. A state highway route 23 is also visible.

Legend

- A legend box containing eight entries, each with a colored square and text: Fee (dark gray), Flood Protection Levee Easement (red), Channel Improvement Easement (light blue), Pipeline Easement (brown), Temporary Work Area Easement (yellow), Right-of-Entry (Non-Structural) (light gray), and Tax Parcel Boundaries (white).



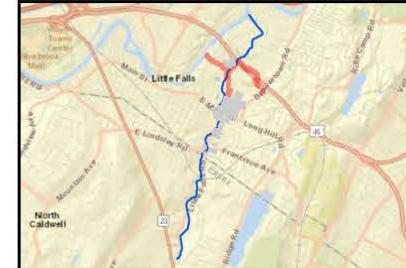
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EXHIBIT “B”
PARCEL DATA

EXHIBIT "B"
PARCEL DATA

BLOCK_LOT	PROPERTY LOCATION	PROPERTY OWNER	FEE (± acres)	FLOOD PROTECTION LEVEE EASEMENT (± acres)	CHANNEL IMPROVEMENT EASEMENT (± acres)	Pipeline EASEMENT (± acres)	TEMP WORK AREA EASEMENT (± acres)	RIGHT-OF- ENTRY
122_20	101 E Main St	Unknown	-	-	-	-	-	✓
122_21	1 Cedar Grove Rd	Buzzelli, Pasquale & Orapello, Ann	-	-	-	-	-	✓
122_38	71 Cedar Grove Rd	Randazzo, D & J & Longo A & L	-	-	-	-	-	✓
122_39	75 Cedar Grove Rd	Ortiz, Ramon & Carmen E	-	-	-	-	-	✓
122_54	79 Cedar Grove Rd	Mieses, Enrique	-	-	-	-	-	✓
123_1	106 E Main St	Township of Little Falls	-	-	-	-	-	✓
123_15.10	59 Turnberry Rd	Kribs, Kenneth & Diana	-	-	-	-	-	✓
123_15.11	67 Turnberry Rd	Navarro, Ramon Jr & Michele	-	-	-	-	-	✓
124_1	9 Hopson Ave	Ermolowich, Wm C & Kelly A	-	-	-	-	-	✓
124_10	110 E Main St	Saentz, Stuart & Karen	-	-	-	-	-	✓
124_4	1 Hopson Ave	Unknown	-	-	-	-	-	✓
124_5	122 E Main St	J M & M Paterno C/O J Paterno III	-	-	-	-	-	✓
124_6	118 E Main St	Saliero, John & Peggy	-	-	-	-	-	✓
124_7	114 E Main St	Biondello, Angelina Et Al	-	-	-	-	-	✓
124_9	7 Hopson Ave	Unknown	-	-	-	-	-	✓
125_1	11 Hopson Ave	Di Zenzo, Eugene & Susan	-	-	-	-	-	✓
125_1.01	1 Smalley St	Cannataro, Richard	-	-	-	-	-	✓
125_10	33 Hopson Ave	Calello, Maureen J	-	-	-	-	-	✓
125_11	13 Hopson Ave	Politz, John & Nicolina	-	-	-	-	-	✓
125_12	15 Hopson Ave	Smith, William & Nicole	-	-	-	-	-	✓
125_13	17 Hopson Ave	Sloane, Joseph & Elizabeth	-	-	-	-	-	✓
125_3	19 Hopson Ave	Ciarlo, Krista	-	-	-	-	-	✓
125_4	21 Hopson Ave	Altonjy, Louis	-	-	-	-	-	✓
125_5	23 Hopson Ave	Bolchune, Michael	-	-	-	-	-	✓

EXHIBIT "B"
PARCEL DATA

BLOCK_LOT	PROPERTY LOCATION	PROPERTY OWNER	FEE (± acres)	FLOOD PROTECTION LEVEE EASEMENT (± acres)	CHANNEL IMPROVEMENT EASEMENT (± acres)	Pipeline EASEMENT (± acres)	TEMP WORK AREA EASEMENT (± acres)	RIGHT-OF- ENTRY
125_6	25 Hopson Ave	Najjar, Gregory E & Dianne E	-	-	-	-	-	✓
125_7	27 Hopson Ave	Roveillo, Evelyn	-	-	-	-	-	✓
125_8	29 Hopson Ave	Vancheri, Christopher A & Sonia M	-	-	-	-	-	✓
125_9	31 Hopson Ave	Szott, Anthony & Barbara	-	-	-	-	-	✓
128_11	6 Peckman Rd	Hilaire, Armand C	-	-	-	-	-	✓
128_4	Van Ness Ave	Township of Little Falls	-	-	0.0277	-	0.0430	-
148_37	229 Wilmore Rd	Waltsak, Robert A & Kathleen E	-	-	-	-	-	✓
148_40	221 Wilmore Rd	221 Wilmore Road Associates LLC	-	-	-	-	-	✓
155_7	241 Cedar Grove Rd	Carrig, Shaun	-	-	-	-	-	✓
156_1	2 Francisco Ave	Robles, Joel & Gloria	-	-	-	-	-	✓
156_18	18 Francisco Ave	Wilberton, David R & Brenda	-	-	-	-	-	✓
156_2	6 Francisco Ave	Tobin, James	-	-	-	-	-	✓
156_20	10 Francisco Ave	Mingione, Valerie	-	-	-	-	-	✓
156_20.01	12 Francisco Ave	Leon, Daphne	-	-	-	-	-	✓
156_3	16 Francisco Ave	Wilberton, David & Brenda	-	-	-	-	-	✓
157_42	16 Reiners Rd	Montgomery, Randy & Marianne	-	-	-	-	-	✓
157_43	20 Reiners Rd	Anevski, Nikola	-	-	-	-	-	✓
157_60	10 Reiners Rd	Johnston, Ronald & Lenore	-	-	-	-	-	✓
164_13	76 Cedar Grove Rd	Mastromarino, Marion R	-	-	-	-	-	✓
164_15	86 Cedar Grove Rd	Duva, Kathryn P & Family Trust	-	-	-	-	-	✓
164_2	72 Cedar Grove Rd	Summers, Peter B & Winifred A	-	-	-	-	-	✓
164_3	3 Charles St	Barone, Robert & Folsom, Nancy	-	-	-	-	-	✓
164_8	1 Martin Pl	Grzejka, Theodore G & Laura A	-	-	-	-	-	✓
165_1.01	38 Cedar Grove Rd	White, Raymond & Paula	-	-	-	-	-	✓

EXHIBIT "B"
PARCEL DATA

BLOCK_LOT	PROPERTY LOCATION	PROPERTY OWNER	FEE (± acres)	FLOOD PROTECTION LEVEE EASEMENT (± acres)	CHANNEL IMPROVEMENT EASEMENT (± acres)	Pipeline EASEMENT (± acres)	TEMP WORK AREA EASEMENT (± acres)	RIGHT-OF- ENTRY
165_11	54 Cedar Grove Rd	Alqam, Wijdan	-	-	-	-	-	✓
165_11.01	5 Camp Bal Pl	Alboher, Adam & Susan	-	-	-	-	-	✓
165_12	58 Cedar Grove Rd	Kleiser, Branden & Jessica	-	-	-	-	-	✓
165_12.01	60 Cedar Grove Rd	Santalla, Marijane	-	-	-	-	-	✓
165_13	62 Cedar Grove Rd	Turner, Darlene & Clayton	-	-	-	-	-	✓
165_2	4 Hudson St	Yacyniak, Scott	-	-	-	-	-	✓
165_4	6 Hudson St	Boccanfuso, James M & Marla	-	-	-	-	-	✓
165_5	8 Hudson St	Unknown	-	-	-	-	-	✓
165_7	10 Hudson St	Bartscherer, Barbara	-	-	-	-	-	✓
166_1	32 Cedar Grove Rd	Mcneill, Roger & Wendy	-	-	-	-	-	✓
166_10	5 Hudson St	Galorenzo, Marie	-	-	-	-	-	✓
166_11	5 Hudson St	Unknown	-	-	-	-	-	✓
166_12	7 Hudson St	Hernandez, Armi Aura D	-	-	-	-	-	✓
166_13	7 Hudson St	Unknown	-	-	-	-	-	✓
166_14	11 Randolph Pl	Guadarrama, Danielle M & Lidia M	-	-	-	-	-	✓
166_15	11 Randolph Pl	Genise, Serafino & Rosina	-	-	-	-	-	✓
166_16	7 Randolph Pl	Unknown	-	-	-	-	-	✓
166_17	7 Randolph Pl	Altonjy, Jeffrey & Dina	-	-	-	-	-	✓
166_18	3 Randolph Pl	Unknown	-	-	-	-	-	✓
166_20	3 Randolph Pl	Colucci, Ellen & Frank A	-	-	-	-	-	✓
166_21	157 E Main St	Alpine Holdings of NJ, LLC	-	-	-	-	-	✓
166_22	157 E Main St	Eopecchino, Corey	-	-	-	-	-	✓
166_23	151 E Main St	Seugling, Theodore H & Catherine V	-	-	-	-	-	✓
166_24	145 E Main St	Seugling, Judith Pauline	-	-	-	-	-	✓

EXHIBIT "B"
PARCEL DATA

BLOCK_LOT	PROPERTY LOCATION	PROPERTY OWNER	FEE (± acres)	FLOOD PROTECTION LEVEE EASEMENT (± acres)	CHANNEL IMPROVEMENT EASEMENT (± acres)	Pipeline EASEMENT (± acres)	TEMP WORK AREA EASEMENT (± acres)	RIGHT-OF- ENTRY
166_3	28 Cedar Grove Rd	Cedar Grove Road LLC	-	-	-	-	-	✓
166_4	20 Cedar Grove Rd	Agnoli, Nicholas & Africa, Michelle	-	-	-	-	-	✓
166_5	20 Cedar Grove Rd	Unknown	-	-	-	-	-	✓
166_6	14 Cedar Grove Rd	Morano, Marc & Mc Laughlin, Melisa	-	-	-	-	-	✓
166_6.01	10 Cedar Grove Rd	Myers, David & Rohr, Maryellen	-	-	-	-	-	✓
166_7	6 Cedar Grove Rd	Jaluza, LLC	-	-	-	-	-	✓
166_8	2 Cedar Grove Rd	Biondello, Salvatore R Et Al	-	-	-	-	-	✓
167_1	100 E Main Street	Township of Little Falls	-	-	-	-	-	✓
167_10	16 Hopson Ave	Lohrey, Jason C & Karen J	-	-	-	-	-	✓
167_11	18 Hopson Ave	Tompkins, Paula S.	-	-	-	-	-	✓
167_12	20 Hopson Ave	Schutz, Marianne	-	-	-	-	-	✓
167_13	22 Hopson Ave	Testa, Anthony J & Gina Marie	-	-	-	-	-	✓
167_14	24 Hopson Ave	Rosenbaum, Andrew Marc	-	-	-	-	-	✓
167_15	26 Hopson Ave	Kennelly, Jodi L	-	-	-	-	-	✓
167_16	28 Hopson Ave	Werner, Ashley M	-	-	-	-	-	✓
167_17	30 Hopson Ave	Facciolio, Anthony & Danielle	-	-	-	-	-	✓
167_18	32 Hopson Ave	Karnaoukh, Vassili & Maria	-	-	-	-	-	✓
167_19	34 Hopson Ave	Ganz, Matthew G & Elliott, Linda	-	-	-	-	-	✓
167_2	136 E Main St	Seugling, Edward John	-	-	-	-	-	✓
167_20	6 Hopson Ave	Kapitula, Andrzej & Irena	-	-	-	-	-	✓
167_3	136 E Main St	Unknown	-	-	-	-	-	✓
167_3.01	134 E Main St	Seugling, Edward J & Jacqueline R	-	-	-	-	-	✓
167_5	4 Hopson Ave	Wisnowski, Patricia & Donald	-	-	-	-	-	✓
167_6	8 Hopson Ave	Pelonero, S & I Phillippi I	-	-	-	-	-	✓

EXHIBIT "B"
PARCEL DATA

BLOCK_LOT	PROPERTY LOCATION	PROPERTY OWNER	FEE (± acres)	FLOOD PROTECTION LEVEE EASEMENT (± acres)	CHANNEL IMPROVEMENT EASEMENT (± acres)	Pipeline EASEMENT (± acres)	TEMP WORK AREA EASEMENT (± acres)	RIGHT-OF- ENTRY
167_7	10 Hopson Ave	Minella, James & Calello Rose Marie	-	-	-	-	-	✓
167_8	12 Hopson Ave	Marafino, Louis J	-	-	-	-	-	✓
167_9	14 Hopson Ave	Bifalco, Mark J & Caroline	-	-	-	-	-	✓
168_1	22 Randolph Pl	Zelinsky, Michael & Lori	-	-	-	-	-	✓
168_10	2 Randolph Pl	Unknown	-	-	-	-	-	✓
168_11	159 E Main St	Kolatac, John J	-	-	-	-	-	✓
168_12	159 E Main St	Unknown	-	-	-	-	-	✓
168_13	159 E Main St	Unknown	-	-	-	-	-	✓
168_2	16 Randolph Pl	Unknown	-	-	-	-	-	✓
168_3	10 Randolph Pl	Unknown	-	-	-	-	-	✓
168_5	10 Randolph Pl	Liszner, Lawrence	-	-	-	-	-	✓
168_6	2 Randolph Pl	Unknown	-	-	-	-	-	✓
168_62	177 E Main St	Crocco, Salvatore & Gencarelli G	-	-	-	-	-	✓
168_63	177 E Main St	Unknown	-	-	-	-	-	✓
168_71	175 E Main St	Unknown	-	-	-	-	-	✓
168_8	16 Randolph Pl	Unknown	-	-	-	-	-	✓
168_9	2 Randolph Pl	Unknown	-	-	-	-	-	✓
186_10	1055 Route 46 East	Chilli's/Brinker Inter/M.Poer & Co	-	-	-	-	0.0419	-
188_1	100 East Main Street	Township of Little Falls	-	-	-	-	-	✓
188_12	100 E Main Street	Township of Little Falls	-	-	-	-	-	✓
188_14	71 Browertown Rd	Kingeter, Thomas E & Colleen M	-	-	-	-	-	✓
188_4	67 Browertown Rd	Keegan, Gerald & Anne	-	-	-	-	-	✓
188_5	77 Browertown Rd	Siew, Peng Kwan & Hock Chin	-	-	-	-	-	✓
188_6	81 Browertown Rd	Radel, Richard	-	-	-	-	-	✓

EXHIBIT "B"
PARCEL DATA

BLOCK_LOT	PROPERTY LOCATION	PROPERTY OWNER	FEE (± acres)	FLOOD PROTECTION LEVEE EASEMENT (± acres)	CHANNEL IMPROVEMENT EASEMENT (± acres)	Pipeline EASEMENT (± acres)	TEMP WORK AREA EASEMENT (± acres)	RIGHT-OF- ENTRY
188_7	85 Bowertown Rd	Reynolds, John J & Angela	-	-	-	-	-	✓
189_10	100 East Main Street	Township of Little Falls	-	-	-	-	-	✓
189_9	Hopson Ave	Township of Little Falls	-	-	-	-	1.5348	-
193_1.02	Bowertown Rd	Unknown	-	-	-	0.0137	0.0406	-
193_7	Rose St	Township of Little Falls	-	0.2825	-	-	0.3607	-
194_3	1255 Route 46 East	State of NJ, Dept. of Transportation	-	0.4595	-	-	0.2235	-
194_4	Bowertown Rd	Unknown	-	-	-	0.0094	0.0405	-
194_5	Rose St	Township of Little Falls	-	0.2363	0.2274	-	0.5478	-
194_6.01	Rose Street	Unknown	-	0.0041	-	-	0.0328	-
194_9	Hopson Ave	Unknown	-	0.0155	0.1243	-	0.3756	-
200_2	1655 Route 46 East	Saturn Realty of Little Falls	0.3818	0.0102	0.0246	-	0.3335	-
200_3	1455 Route 46 East	Sisco,R & Geyh W Trustees	-	0.0178	-	-	0.0107	-
200_5	Route 46	State of NJ, Dept. of Transportation	-	0.0514	-	-	0.0303	-
201_1	1500 Route 46 West	Sisco,R & Geyh W\Tr\Lukoil	-	0.0588	-	-	0.0863	-
201_1.01	1400 Route 46 West	Sisco & Geyh T/A Park West Diner	-	0.0818	-	-	0.1369	-
201_3	Route 46 West	LEVCO	-	0.6823	-	-	0.5514	-
201_9	1600 Route 46 West	LEVCO	-	0.4874	-	-	0.3627	-
201_9.01	Route 46 West	37 BBNJ LLC C/O Roberts Mgt & Dev 46W	-	0.0044	-	-	0.0256	-
217_15	8 Cedar St	Unknown	-	-	-	-	-	✓
217_16	39 Cedar St	Gutschmidt, Justin & Dana	-	-	-	-	-	✓
217_17	1755 Route 46	Unknown	0.2169	0.0184	0.3667	-	0.5685	✓
217_18	41 Cedar St	Kapllani, Barjam	-	-	-	-	-	✓
218_1	Paterson Ave	Township of Little Falls	-	-	-	0.3727	0.1617	-
218_10	Willow Ave	Cestone Associates LLC	-	-	-	-	0.0497	-

EXHIBIT "B"
PARCEL DATA

BLOCK_LOT	PROPERTY LOCATION	PROPERTY OWNER	FEE (± acres)	FLOOD PROTECTION LEVEE EASEMENT (± acres)	CHANNEL IMPROVEMENT EASEMENT (± acres)	Pipeline EASEMENT (± acres)	TEMP WORK AREA EASEMENT (± acres)	RIGHT-OF- ENTRY
218_11	70 Sindle Ave	Township of Little Falls	0.1304	-	0.3120	0.6646	1.3324	-
218_8	75 Harrison St	Karpovski, Boris & Haya & Eliezer	-	-	-	0.4212	0.2020	-
219_15.01	58 Jackson Ave	Gallo, Joseph	-	-	-	-	-	✓
219_15.02	60 Jackson Ave	Shah, Sunil & Anjana	-	-	-	-	-	✓
219_19	23 Willow Ave	Cestone, Vincent S & James Jr	-	-	-	-	-	✓
219_22	68 Jackson Ave	Unknown	-	-	-	-	-	✓
219_23	25 Willow Ave	Unknown	-	-	-	-	-	✓
89_5	Paterson Ave	Township of Little Falls	-	-	-	0.0330	0.0130	-
89_5.01	245 Paterson Ave	Local 464 Welfare & Pension Bldgs	-	-	-	0.2024	0.0993	-
89_5.02	151 Paterson Ave	RDL, LLC	-	-	-	0.0095	0.0166	-

EXHIBIT "C"

ESTATES

EXHIBIT "C"
ESTATES

1) FEE

The fee simple title to the land described in Schedule A. Subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

[Where an outstanding interest in the subsurface mineral estate is part of a block ownership which is to be excluded from the taking in accordance with paragraph 5-289 (2), the following clause will be added:

"excepting and excluding from the taking all interests in the (coal) (oil and gas) which are outstanding in parties other than the surface owners and all appurtenant rights for the exploration, development and removal of said (coal) (oil and gas) so excluded."]

2) FLOOD PROTECTION LEVEE EASEMENT

A perpetual and assignable right and easement in the land described in Schedule A to construct, maintain, repair, operate, patrol and replace a flood protection [*floodwall*] [*gate closure*]; including all appurtenances thereto; reserving, however, to the landowners, 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.

3) CHANNEL IMPROVEMENT EASEMENT

A perpetual and assignable right and easement to construct, operate, and maintain channel improvement works on, over and across the land described in Schedule A for the purposes as authorized by the Act of Congress approved _____, including the right to clear, cut, fell, remove and dispose of any and all timber, trees, underbrush, buildings, improvements and/or other obstructions therefrom; to excavate: dredge, cut away, and remove any or all of said land and to place thereon dredge or spoil material; and for such other purposes as may be required in connection with said work of improvement; reserving, however, to the owners, 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.

4) Pipeline Easement

A perpetual and assignable easement and right-of-way in, on, over and across the land described in Schedule A, for the location, construction, operation, maintenance, alteration; repair and patrol of underground culvert together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions and 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 "C"
ESTATES

5) TEMPORARY WORK AREA EASEMENT

A temporary easement and right-of-way in, on, over and across the lands described in Schedule A, for a period not to exceed two 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 Passaic River Tidal Protection Area, New Jersey, Storm Risk Management 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.

EXHIBIT “D”
BASELINE COST ESTATE FOR REAL ESTATE

BASELINE COST ESTIMATE FOR REAL ESTATE

PECKMAN RIVER BASIN FLOOD RISK MANAGEMENT FEASIBILITY STUDY NATIONAL ECONOMIC PLAN

	TOTAL PROJECT REAL ESTATE COSTS	NON-FED	FEDERAL	TOTAL COSTS
01A	INCIDENTAL COSTS	\$1,318,500	\$879,000	\$2,197,500
01A1	Acquisition (Admin Costs)	\$1,162,500	\$387,500	\$1,550,000
01A1A	By the Non-Federal Sponsor	\$1,162,500		
01A1B	By Government (Gov't) on behalf of NFS			
01A1C	By Gov't		\$387,500	
01A2	Land Survey	\$39,000	\$26,000	\$65,000
01A2A	By NFS	\$39,000		
01A2B	By Gov't on behalf of NFS			
01A2C	Review of NFS		\$26,000	
01A3	Appraisal	\$65,000	\$52,000	\$117,000
01A3A	By NFS	\$65,000		
01A3B	By Gov't on behalf of NFS			
01A3C	Review of NFS		\$52,000	
01A4	Title Services & Closing	\$52,000	\$26,000	\$78,000
01A4A	By NFS	\$52,000		
01A4B	By Gov't on behalf of NFS			
01A4C	Review of NFS		\$26,000	
01A5	Other Professional Services	\$0	\$0	\$0
01A5A	By NFS			
01A5B	By Gov't on behzlf of NFS			
01A5C	Review of NFS			
01A6	PL 91-646 Assistance	\$0	\$0	\$0
01A6A	By NFS			
01A6B	By Gov't on behalf of NFS			
01A6C	Review of NFS			
01A7	Audit	\$0	\$387,500	\$387,500
01A7A	BY NFS			
01A7B	By Gov't		\$387,500	
	TOTAL PROJECT REAL ESTATE COSTS	NON-FEDERAL	FEDERAL	TOTAL COSTS
01B	ACQUISITION COSTS	\$3,020,000	\$0	\$3,020,000
01B1	Land Payments	\$3,020,000	\$0	\$3,020,000
01B1A	By NFS	\$3,020,000		
01B1B	By Gov't on behalf of NFS			
01B2	Damage Payments	\$0	\$0	\$0
01B2A	By NFS			
01B2B	By Gov't on behalf of NFS			
01B3	PL 91-646 Payment	\$0	\$0	\$0
01B3A	By NFS			
01B3B	By Gov't on behalf of NFS			
01B4	Condemnation	\$0	\$0	\$0
01B4A	By NFS			
01B4B	By Gov't on behalf of NFS			
01B5	Disposals	\$0	\$0	\$0
01B5A	By Government			
01B5B	By NFS			
01B5C	By Gov't on behalf of NFS			
	Subtotal Lands & Damages (01A & 01B)	\$4,338,500	\$879,000	\$5,217,500
	Contingency (30%)	\$1,301,550	\$263,700	\$1,565,250
01	TOTAL LANDS & DAMAGES	\$5,640,050	\$1,142,700	\$6,782,750
02	TOTAL RELOCATIONS (Facilities & Utilities) (02-Cost Acct.)	\$1,923,808	\$0	\$1,923,808

EXHIBIT “E”

NON-FEDERAL SPONSOR CAPABILITY ASSESSMENT CHECKLIST

EXHIBIT "E"

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

**PECKMAN RIVER BASIN, NEW JERSEY
FLOOD 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. The State of New Jersey, as the non-Federal Sponsor, has the legal authority under...

- 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... and is available, if necessary, for the project.

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

No. The Sponsor does not have quick-take authority.

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

No. All lands required 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?

No. The Sponsor has the legal authority to condemn, if necessary, any of the lands or interest in lands required for the project.

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. The Sponsor's has been the non-Federal partner, and has performed its real estate acquisition responsibilities, for several U.S. Army Corps of Engineers (USACE) constructed

EXHIBIT “E”

projects. The Sponsor does not require training to become familiar with the real estate requirements of Federal projects, including P.L. 91-646.

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. The Sponsor’s in-house has sufficient real estate acquisition experience to meet its responsibilities for the project. It has acquired or overseen the real estate acquisition for the Port Monmouth, NJ; Minish, NJ; Greenbrook, NJ...

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

Yes. The Sponsor’s in-house staff level is sufficient considering its other workload. Additionally, the Sponsor will enter into a partnership agreement with the local municipality to share the real estate acquisition workload and project schedule.

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

Yes. If necessary, the Sponsor can obtain contract support in a timely fashion to assist with real estate acquisition for the project.

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

No. It is unlikely that the Sponsor will request USACE assistance in acquiring the real estate. The Sponsor maintains the professional capability to acquire the real estate required for the project and can reasonably obtain, if needed, contracting services from sources other than the Government. The Sponsor also has sufficient general and legal acquisition authority to acquire all the real estate required for the project. And, while the Sponsor lacks quick-take authority, the current acquisition schedule allots sufficient time for real estate acquisition by the Sponsor.

III. Other Project Variables.

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

EXHIBIT "E"

Yes. The Sponsor is located within a reasonable proximity to the project site. Additionally, the Sponsor has partnered with the local municipality to share and assist with the project's real estate acquisition responsibilities.

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

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, Elberon to Loch Arbor, Newark (Minish), Greenbrook, and Port Monmouth, New Jersey, as constructed or on-going construction projects, and Peckman River, Passaic Tidal, among others, as projects currently in a feasibility level study.

- 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.

Given the Sponsor's past performances on other USACE projects; its legal authority to acquire and hold title; its professional capability to acquire real estate; its ability, if necessary, to obtain contract services from sources other than the Government to facilitate real estate acquisition; and its power of eminent domain; the Sponsor is determined to be highly capable to perform all its real estate responsibilities for the project.

V. Coordination.

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

Yes. The Sponsor has reviewed and signed this assessment.

- b. Does the Sponsor concur with this assessment?

Yes. The Sponsor concurs with this assessment.

NOREEN DEAN DRESSER
Chief, Real Estate Division
Real Estate Contracting Officer

State of New Jersey,
Dept. of Environmental Protection