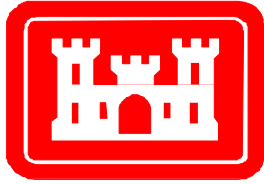


**North Shore of Long Island
Bayville, New York
Coastal Storm Risk Management
Feasibility Study**

**Appendix E: Real Estate Plan
February 2016**



U.S. Army Corps of Engineers
New York District Real Estate Division

**NORTH SHORE OF LONG ISLAND, BAYVILLE, NEW YORK
COASTAL STORM RISK MANAGEMENT
DRAFT INTEGRATED FEASIBILITY STUDY AND
ENVIRONMENTAL ASSESSMENT**

**APPENDIX E
REAL ESTATE PLAN**

FEBRUARY 2016

**NORTH SHORE OF LONG ISLAND, BAYVILLE, NEW YORK
COASTAL STORM RISK MANAGEMENT DRAFT INTERGRATED FEASIBILITY
STUDY AND ENVIRONMENTAL ASSESSMENT**

FEBRUARY 2016 REAL ESTATE PLAN

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Exhibit “B”- Parcel Data

Exhibit “C”- Required Estates

Exhibit “D”- Baseline Cost Estimate for Real Estate

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



1. Preamble

a) Authorization: The North Shore of Long Island, New York Bayville Study was authorized by a Resolution of the Committee on Public Works and Transportation, U. S. House 21, 2001 of Representatives, adopted 13 May 1993.

The Disaster Relief Appropriations Act of 2013, Public Law 113-2 (P.L. 113-2), directed the U.S. Army Corps of Engineers (USACE) to address damages caused by Hurricane Sandy and to reduce future flood risk in ways that will support the long-term sustainability of communities such as Bayville. The study will be completed with funds authorized by P.L. 113-2 at full Federal expense.

b) Designation (Official Name): North Shore of Long Island, Bayville, New York Coastal Storm Risk Management Draft Integrated Feasibility Study and Environmental Assessment (hereinafter the “Project”).

c) Location: Bayville is a village located in the Town of Oyster Bay in Nassau County, New York. It is bounded by bodies of water on two sides, with the Long Island Sound to its north and the Oyster Bay and Mill Neck Bay to its south.

d) Non-Federal Sponsor: The Non-Federal Sponsor is the State of New York thru its Department of Environmental Conservation (the “Sponsor” or “NYSDEC”). The Sponsor has partnered with the Village of Bayville (“Bayville”) as its local partner. If approved, the Project will be cost-shared with the Sponsor 65% Federal – 35% non-Federal.

2. Statement of Purpose

The purpose of this Real Estate Plan (REP) is to present the overall selected plan describing the minimum real estate requirements for the construction, operation, maintenance, repair, replacement, and rehabilitation of the Project. This report is an appendix to the Project’s Draft Integrated Feasibility Report and Environmental Assessment and is the first REP prepared for the Project.

3. Project Purpose and Features

a. Project Purpose: Bayville is a mostly private community bounded by two bodies of water, the Long Island Sound to the north and Oyster Bay/Mill Neck Bay to the south. The areas located between Bayville Avenue and the southern bay front is generally a low-lying residential area with a recreational beach area and a small boat launch along Oyster Bay. The community experiences flooding due to coastal storm events and high tides that pose a threat to life and property. During periods of storm events, water levels of the sound and the bays rise to exceptional heights due to the combination of high astronomical tide and storm surge. Waters of the Sound overtops low or damaged seawalls, flowing onto low-lying land toward the bays. Overflow and storm water collected at low elevation areas causes severe damage and erosion, especially along Bayville Avenue which is located at the lowest elevation in Bayville. Bayville Avenue is the only major road connecting to Centre Island, which is located to the east of the



village. The Project is designed to manage and reduce the risk of loss of life and damages to existing structures caused by storm-induced flooding, wave attack, and erosion caused by storms and high tides.

b. Plan of Improvement: The structural alternative comprises of raised floodwalls, buried floodwalls, pump stations, interior drainage improvements, and raised ground surfaces. For each segment of the Project, floodwall features were chosen to match the existing surroundings, i.e. floodwalls where the shoreline is already bulkheaded and reinforced dunes consisting of sand-covered floodwalls adjacent to existing dunes. The tentatively selected plan for the study area includes the following features:

(1) *Floodwalls & Buried Floodwalls*- Floodwalls spans approximately 14,890 linear feet along the coastline of Bayville, providing a line of protection that will tie into high ground at each end.

I. At the Long Island Sound (north) side of Bayville, approximately 3,850 linear feet of I-wall type concrete floodwall combined with 2,940 linear feet of buried floodwalls will be constructed at an elevation of 14 ft. National Geodetic Vertical Datum of 1988 (NAVD 88). Access to the Bayville Beach on Long Island Sound 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 will be allowed continued access and will receive damage compensation if their existing access needs to be removed for construction.

II. At the Oyster Bay (south) side of Bayville, approximately 2,800 linear feet of I-wall type concrete floodwall will be constructed. Additionally, a 5,300 linear-foot set-back floodwall will be built down the center median of West Harbor Drive. West Harbor Drive is a two-way municipally-owned street. Turnaround points and access to side streets will be provided where appropriate. The floodwall will be constructed to an elevation of +13 ft. NAVD 88.

(2) *Storm water Drainage System*- Since the construction of the proposed floodwall would prevent natural drainage of storm water to the bays, three pump stations, four outfalls, and a drainage system consisting of ditches and pipelines are proposed to handle interior drainage. Three pump stations and outfalls will be located: 1) at the end of Jefferson Avenue at the bay side; 2) between the end of 14th Street and June Avenue at West Harbor Drive; and 3) near the east end of 1st Ave at West Harbor Drive. A fourth gravity-led outfall will be constructed near the intersection of Shore Road and Saltaire Land. A series of drainage ditches and pipelines will be constructed to direct storm water to the pump stations and through the line of protection to prevent greater interior drainage problems.

(3) *Ground Surface Raisings*- Approximately 5,300 ft. of roadway will be raised to +13 ft. NAVD88, above storm surge elevation to protect landward properties from inundation. See paragraph 17 herein for a further discussion on the proposed road raisings.

c. Required Lands, Easements, and Rights-of-Way (LER): The total LER required for the Project is approximately 29.080 acres, including LER required on streets and beach areas.



The Project impacts 123 total parcels¹ (113 private, 10 public). Of the nine public parcels, two are Federally-owned (see paragraph 7). In some instances more than one estate is required on a lot.

Table-1

Permanent Easements.....	26.007 ac
Temporary Easements.....	2.743 ac
Special Use Permit.....	0.330 ac

Total: 29.080 ac

A large portion of the real estate required for the Project is privately owned by local residents or a Home Owner's Association (HOA). Other than a small "public" beach (near the vicinity of Block 13 Lot 29) that is for Town residents only, the majority of the beach along the Long Island Sound ("Bayville Beach") is privately owned (see paragraph 21b regarding a Public Access Plan). There are only three public roads within the study area: 1) Bayville Avenue, 2) West Harbor Drive; and 3) Ludlam Avenue. All other roads are private.

I. Flood Protection Levee Easement (Standard Estate No. 9): Approximately 15.214 acres are required for the construction, operation, and maintenance, repair, replacement, and rehabilitation of I-wall-type and buried floodwalls. In general, the floodwall will require a 30 ft. to 60 ft.-wide easement. This easement impacts 120 parcels (112 private and 8 public), roadways, and beach areas. There are instances where acquiring a levee easement would have an adverse impact to a property owner, causing a significant encumbrance or potentially creating an uneconomic remnant. This is particularly true for privately-owned lots along Bayville Beach. Normally, a fee acquisition would be recommended under such circumstances. However, the Village of Bayville and its residents have expressed a desire to not allow general public access to the beach. Consequently, there is a preference for the community to retain its fee interest estate to ensure the beach remains exclusive.

II. Drainage Ditch Easement (Standard Estate No. 10): Approximately 2.742 acres are required on private roadways to construct, operation, and maintain drainage ditches. This easement will cover the width of the respective road ranging from 20 ft. to 40 ft.

III. Pipeline Easement (Standard Estate No. 13): Approximately 4.090 acres are required to construct, operate, and maintain underground storm water drainage pipelines. Two publicly-owned parcels are impacted by this easement (0.931 ac). The remaining lands required consists of private roadways. The easement will cover the width of the respective road ranging from 20 ft. to 40 ft.

¹ For the purpose of this report, a "parcel" will refer to a property having been designated a Tax Parcel ID Number from the appropriate municipality in the form of Section, Block, and Lot. This report also identifies "Areas" and roadways where a real estate interest is required for the Project, which are not included as part of a parcel count.



IV. Temporary Work Area Easement (Standard Estate No. 15): Approximately 2.743 acres are required for staging purposes for a period of 2 years to facilitate Project construction. Two publicly-owned parcels are impacted (2.547 ac). The remaining lands required consists of one private roadway located at the southern endpoint of Adams Avenue. The real estate maps (Sheet 8) shows a temporary easement area that would block the driveway of two homes located on both sides of Adams Avenue. However, this is not the case. The maps will be revised to show a reduced Temporary Work Area Easement footprint that does not extend to the driveways and will be provided as an updated to this report.

V. Non-Standard Pump station Easement: Approximately 0.758 of an acre is required, in perpetuity, to construct, operate, and maintain three underground pump stations. Each pump station will be accompanied with an aboveground backup power generator. This easement impacts two publicly-owned parcels (0.582 ac). The remaining lands required consists of a private street (Jefferson Avenue) located at its southern endpoint. The real estate maps (Sheet 8) shows a pump station easement area that would block the driveway of two homes located on both sides of Jefferson Avenue. However, this is not the case. The maps will be revised to show a reduced Non-Standard Pump station Easement footprint that does not extend to the driveways and will be provided as an update to this report. See paragraph 5 for additional information on non-standard estates.

VI. Non-Standard Outfall Drainage Easement: Approximately 2.097 acres are required, in perpetuity, to construct, operate, and maintain four outfalls. This easement impacts three publicly-owned parcels and a section of the Mill Neck Creek Shore (Area H). No private parcels or roadways are impacted by this easement. See paragraph 5 for additional information on non-standard estates.

VII. Non-Standard Access Easement: Approximately 1.106 acres are required on private roadways for the perpetual ingress and egress to storm water drainage features or floodwalls. One private parcel, one public parcel, and four private streets are impacted by this easement. An access easement will secure the right to use private and public property to access project areas for operation and maintenance for the life of the Project. See paragraph 5 for additional information on non-standard estates.

VIII. Special Use Permit: Approximately 0.33 acres of permanent impacts to vegetated salt marsh will occur as a result of the construction of four outfalls and their associated outfall channels on the Oyster Bay side of the Project area. The wetlands impacted are part of the Federal Oyster Bay National Wildlife Refuge (“Oyster Bay Refuge”) (see paragraph 6). A portion of the impacted wetlands are Federally-owned and managed by the U.S. Fish and Wildlife Service (USFWS) (see paragraph 7). In coordination with the USFWS, 0.33 acres have been identified as mitigation requirements to offset the unavoidable impacts the Project has on wetlands. Mitigation will occur at a site located in the Hamlet of Locust Valley situated approximately 1.5 miles west of the Project area at the Frost Creek unit of the Oyster Bay Refuge. Mitigation involves the removal of phragmites, with a three to five-year monitoring period. The Tax ID Parcel Number for the site is unknown; therefore, for the purposes of this report the lot has been identified as “Area I” on the real estate maps.



The Project proposes no conveyance of a real estate interest to perform mitigation. Rather, a Special Use permit accompanied with a Memorandum of Understanding will be utilized to fulfill the mitigation requirements. Special Use Permits have been typical when obtaining rights in and upon Federally-owned lands managed by Federal agencies in support of other civil works projects. Most recent, a Special Use Permit, granted by National Parks Service, was used for the construction of a beach berm on Fire Island National Sea Shore in support of the Fire Island to Moriches Inlet Project.

IX. LER Summary: The size of the real estate interests required for the Project as identified in this REP are estimates based on available Geographic Information System (GIS) data. The precise easement sizes required in respective areas to support the Project will be known upon the completion of appropriate surveys completed in the Project's Preconstruction, Engineering and Design (PED) stage. The Sponsor will be advised to obtain a land survey and legal description for the LER acquired to identify the precise easement sizes and boundary limits. The Sponsor is also advised to obtain title insurance on all acquired property to protect against "defects" in title and to identify potential encumbrances. The Sponsor will be required to record all easements with the county prior to the USACE's certification of real estate.

Exhibit "B" provides parcel data with estates and acres required therein. Table-2 below provides a LER summary. There are no disposal requirements for the Project.

Table-2

Required LER		Required Acres	No. of Parcels			Roadways Impacted	
			Private	Public	Total	Private	Public
Permanent Easements	• Flood Protection Levee Easement	15.214	112	8	120	Yes	Yes
	• Drainage Ditch Easement	2.742	0	0	0	Yes	Yes
	• Pipeline Easement	4.090	0	2	2	Yes	Yes
	• Non-Standard Pump Station Easement	0.758	0	2	2	Yes	No
	• Non-Standard Outfall Drainage Easement	2.097	0	3	3	No	Yes
	• Non-Standard Access Easement	1.106	1	1	2	Yes	No
• Temporary Work Area Easement		2.743	0	2	2	Yes	No
• Special Use Permit		0.330	0	1	1	N/A	N/A
Total:		29.080	113	19	132	-	-



d. Appraisal Information: An appraisal cost estimate was completed in January 2015. The estimated value of the LER required for the Project is \$4,100,000. The valuation was completed based upon a hypothetical condition. The subject properties may become encumbered by easements required for the proposed Project creating an easement estate for flood control purposes. The easements did not exist as of the date of the cost estimate. Therefore, an assumption was made that the easements will be executed within a reasonable time not to exceed one year from the effective date of the cost estimate. Furthermore, due to the lapse in time and slight changes to the Project's required LER, an updated cost estimate is in progress and this report will be updated upon its completion. Any increase to the real estate cost is not expected to affect the selected plan. A full land valuation would be required to establish a more accurate estimation of the LER value.

4. Non-Federal Sponsor Owned Lands

The Sponsor owns no required LER for the Project.

5. Non-Standard Estates

As discussed in paragraph 3c, there are three non-standard permanent easements proposed for the Project:

Table-3

<u>Non-Standard Estate</u>	<u>Required</u>
Pump Station Easement.....	0.758 ac
Outfall Drainage Easement.....	2.097 ac
Access Easement.....	2.743 ac

The Pump Station and Outfall Drainage Easements are required for the construction, operation, and maintenance of those features. There is no standard estate available for those purposes. The Pump Station and Outfall Drainage Easements was modelled off of the standard Utility/Pipeline Easements. Language pertaining to a pump station and outfall was inserted in lieu of overhead/underground utility/pipeline.

The Access Easment is required to secure access to certain proposed drainage pipelines and outfall features. Bayville is a mostly private community consisting of private streets that are maintained by an HOA. Not only will the proposed drainage pipelines and outfalls be constructed on private streets, but they are also enclosed by them. The only public roads in the Project area are Bayville and Ludlam Avenues and W. Harbor Drive. The Access Easement will secure the right for ingress and egress to the drainage features since you will have to travel on private streets to access them. There is also an Access Agreement over Block 13 Lot 29 that is owned by Bayville that will secure the right to access the proposed floodwall. The standard Road Easement was determined inadequate for these purposes since it provides language relative to constructing, operating, and mainating a road, which the Project does not propose.



The non-standard estates have been reviewed by Project Delivery Team members for consistency with project requirements and by the District Office of Counsel for legal sufficiency. Additionally, it was concluded that the LER required for the construction of said project features over their respective parcels would not have an adverse impact to the property owner's land use. As a result, an easement estate, oppose to fee, was identified as the minimum real estate interest necessary for the Project. By CENAN-RE memorandum dated 2 Feb 15, subject: Request Approval of non-Standard Estates for the North Shore of Long Island, Bayville, New York Coastal Storm Risk Management Feasibility Study, the District requested approval from HQUSACE for the use of the proposed non-standard easements for the Project. As of this report, a decision is still pending. However, HQs approval of the feasibility report will also provide the necessary HQ-approval of the proposed non-standard easement estates.

6. Existing Federal Projects

The Oyster Bay National Wildlife Refuge ("Oyster Bay Refuge") is a Federal project that lies partially within the LER required for the Project. It is located south of the Project area and consists of high quality marine habitats that support a variety of aquatic-dependent wildlife. It is the largest refuge in the Long Island National Wildlife Refuge Complex. The Project requires real estate interests therein for the construction of outfalls, drainage pipelines, and pump stations. Fee title to the lands consisting of the Oyster Bay Refuge is held with the Village of Bayville or United States of America (managed by the USFWS). In coordination with the USFWS and Bayville, the lands of the Oyster Bay Refuge are available for project purposes.

7. Federally-Owned Lands

The following is the LER required on Federally-owned lands:

Table-4

	Flood Protection Levee Easement	Outfall Drainage Easement	Special Use Permit	Total
Block 104 Lot 9	0.299 ac	-	-	0.299 ac
Block G Lot 1001	0.099 ac	0.367 ac	-	0.397 ac
Area I (Mitigation)	-	-	0.330	0.330 ac
Total:				0.764 ac

This above lands are part of the Oyster Bay Refuge managed by the USFWS. The USFWS is supportive of the Project and will provide the necessary authorization for construction therein. Coordination with USFWS is ongoing.

8. Navigational Servitude

Navigational servitude does not apply to the Project.



9. Maps

Draft real estate maps are provided in Exhibit “A”. As discussed in paragraphs 3c (IV) & (V), the real estate maps will be updated to show a reduced footprints for referenced easements. The map’s Legend will also be updated to consolidate the two symbols identifying the Pump Station Easement areas.

10. Induced Flooding

The Project does not induce flooding.

11. Baseline Cost Estimate for Real Estate

An estimated itemized BCERE is provided in Exhibit “D” in Micro-Computer Aided Cost Estimating System (MCACES) format. The Project’s total estimated real estate cost is \$6,268,556, which includes Federal and non-Federal expenses. The Sponsor’s estimated credible Lands, Easements, Rights-of-Way, Relocations, and Disposals (LERRD) expenses is \$5,665,700.

Table-5

<u>Cost Account</u>	<u>Total</u>
01-Lands & Damages.....	\$6,218,556
02-Relocations.....	<u>\$50,000</u>
Total Project Real Estate Cost:	\$6,268,556

Table-6

<u>LERRD</u>	<u>Costs</u>
LER.....	\$5,615,700
Relocations.....	\$50,000
Disposals.....	<u>\$0</u>
Total LERRD:	\$5,665,700

If approved, the Project will be cost-shared (65% Federal and 35% Non-Federal). The Sponsor will be entitled LERRD credit toward the final Project cost at the cost-shared amount. The Sponsor is not entitled to special crediting.

12. Public Law 91-646 Relocation Assistance

No persons or businesses is proposed to be displaced as a result of the Project. Therefore, Public Law 91-646, as amended, is not applicable to the Project.



13. Minerals and Timber Activity

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

14. Non-Federal Sponsor Capability Assessment

The Sponsor maintains the legal and professional capability and experience to acquire and provide the LER for the construction, operation, maintenance, repair, replacement, and rehabilitation of the Project. They have condemnation authority and other applicable authorities that may apply, if necessary, to support acquisition measures. There is no anticipation, nor has the Sponsor request assistance from USACE to acquire the LER on behalf of the Sponsor. Although not anticipated to be required for the Project, the Sponsor is aware of Public Law 91-646 requirements and to document acquisition and incidental expenses for crediting purposes. Recently, the Sponsor has successfully acquired the real estate for the for the Atlantic Coast of New York City Rockaway Inlet to Norton Point (Sea Gate Area of Coney Island) Coastal Storm Risk Management Project and is currently in the process of acquiring the real estate for the Fire Island Inlet to Moriches Inlet Interim Coastal Storm Risk Management Project. The Non-Federal Sponsor's Capability Assessment Checklist is provided in Exhibit "E".

15. Zoning

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

16. Schedule of Acquisition

	<u>Date</u>
Project Partnership Agreement.....	May 2018
Notice to Proceed with Acquisition.....	May 2018
Real Estate Certification.....	Dec 2018
Ready to Advertise for Construction.....	Jan 2019

17. Facility / Utility Relocations

a. Project requires the relocation of a perdition/vehicle crossover at the vicinity of Block 13 Lot 29, owned and maintained by Bayville. The cost to construct the crossover is approximately \$50,000.

b. Approximately 5,300 ft. of roadway along the intersection of West Harbor Drive and Ludlam Avenue, would be raised to +13 ft. NAVD88 from the existing average +10.5 ft. elevation NAVD88. The purpose of elevating the road is to serve as a levee that will tie into the floodwall at each end of the road. The entire cost of raising the road, including resurfacing, is considered a construction cost and is not included as part of the Project's real estate costs.



There are currently no other facilities or known utility relocations required for the Project. The extent of any potential utility relocation that may be required due to construction activities will be known upon completion of surveys conducted during PED. If utilities are identified for relocation, this REP will be updated accordingly.

In accordance with CEMP-CR memorandum, dated 10 Jan 13, subject: Real Estate Policy Guidance Letter No. 31-Real Estate Support to Civil Works Planning Paradigm, a preliminary attorney's opinion of compensability was not prepared since the estimated total cost to perform the crossover relocation does not exceed 30% of the estimated total project costs.

Any conclusion or categorization contained in this report 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 relocation necessary for the construction, operation, or maintenance of the Project after further analysis and completion and approval of the Final Attorney's Opinion of Compensability for each of the impacted utilities and facilities.

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

There are no known or potential HTRW concerns within the LER required for the Project.

19. Project Support

Local officials support the Project; however, some reservations toward project construction have been conveyed by the community. Waterfront and beach access is important to residents and concerns over the Project's impact on beach view and beach access have been raised. The Sponsor and Bayville continue to assess community sentiment on the proposed Project.

20. Notification to Non-Federal Sponsor

The Sponsor is aware of the risks associated with acquiring the LER for the Project prior to the signing of the Project Partnership Agreement (PPA). In accordance with Chapter 12 of Engineer Regulation 405-1-12, *Real Estate Handbook*, Change 31, 1 May 98 ("Real Estate Handbook"), a formal written notification identifying the risks of acquiring the LER for the Project in advance of a fully executed PPA has been forwarded to the Sponsor by letter dated 2 Feb 16. Currently, there are no intentions by the Sponsor to acquire the LER ahead of the execution of a PPA.

21. Additional Information

a. Other than a small "public" beach at the vicinity of Block 13 Lot 29 that is for Town residents only, the entire Bayville Beach is private. Since there is a structural solution that consists of levee and floodwalls and no requirement to create or enhance the beach, there is no requirement to provide public access other than maintaining the access that currently exists.



Timber walk-overs at strategic locations will be provided to maintain adequate beach access for community residents. Beachfront residents who currently have direct access to the beach would be awarded damages compensation with the purchase of their easement for impacts to their beach access.

b. There are no known sites within the LER required for the Project listed with the National Register of Historical Places.

22. Point of Contacts

The point of contact for this real estate plan is the Real Estate Project Delivery Team member Realty Specialist Carlos E. Gonzalez at (917) 790-8008 (email: carlos.e.gonzalez@usace.army.mil) or the undersigned at (917) 790-8430 (email: noreen.d.dresser@usace.army.mil).

23. Recommendation

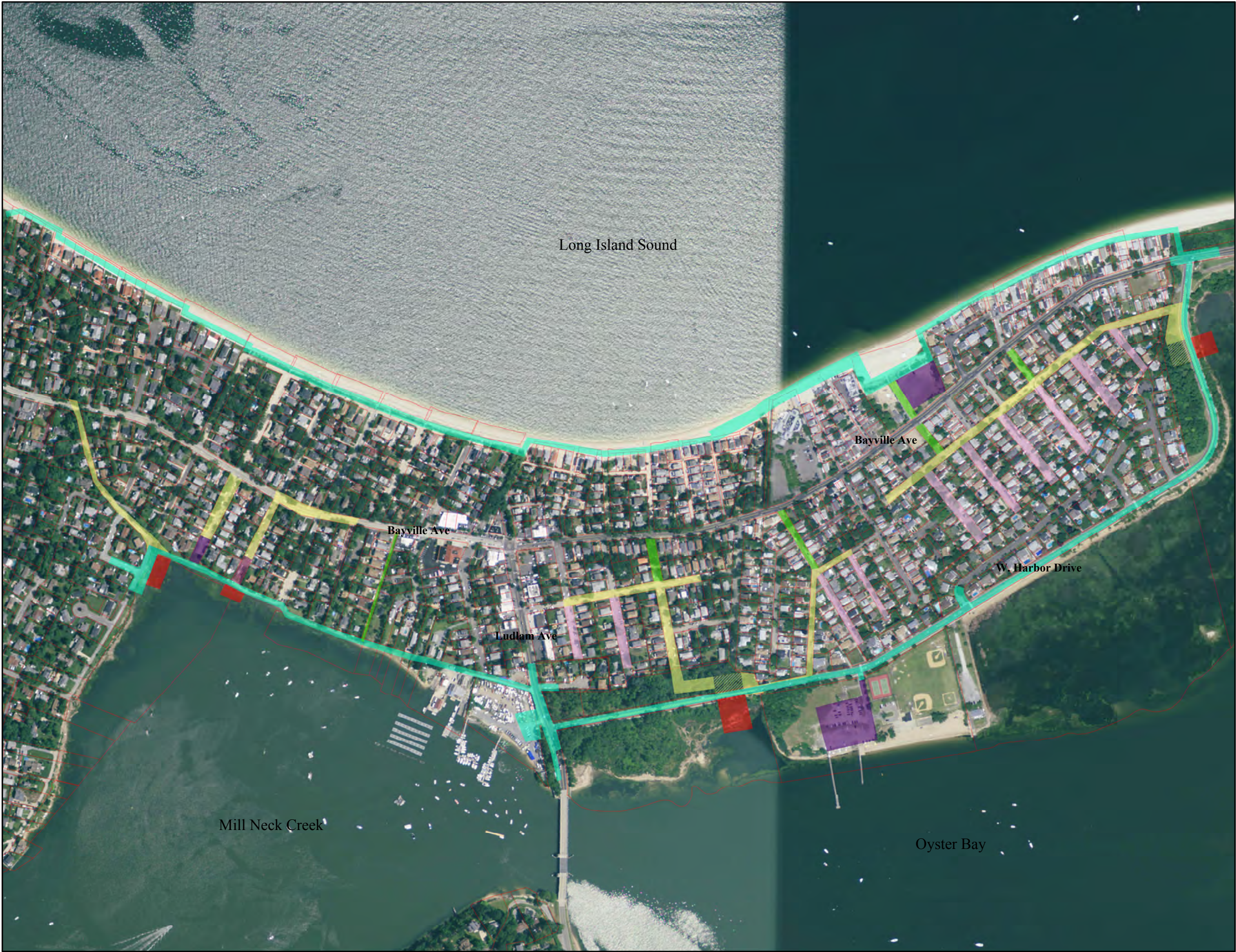
This report has been prepared in accordance with the Real Estate Handbook. It is recommended that this REP be approved.

NOREEN D. DRESSER
Chief, Real Estate Division
Real Estate Contracting Officer



EXHIBIT “A”

REAL ESTATE MAPS



LEGEND	
	Pump Station Easement
	Flood Protection Levee Easement
	Drainage Ditch Easement
	Pipeline Easement
	Pump Station Easement
	Outfall Easement
	Access Easement
	Temporary Work Area Easement
	Property Boundary



NOTES & SOURCES

TITLE
North Shore of Long Island Bayville, NY Feasibility Study Real Estate Easements





LEGEND

Pump Station Easement

Flood Protection Levee Easement

Drainage Ditch Easement

Pipeline Easement

Pump Station Easement

Outfall Easement

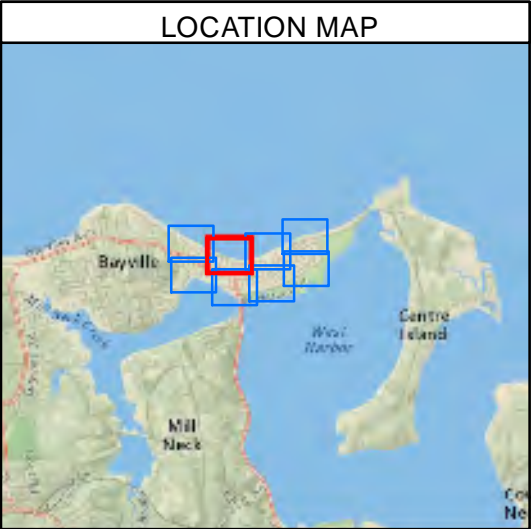
Access Easement

Temporary Work Area Easement

Property Boundary

Match Line

"Area" Boundary



NOTES & SOURCES

TITLE

North Shore of Long Island
Bayville, NY
Feasibility Study Real Estate Maps





LEGEND

Pump Station Easement

Flood Protection Levee Easement

Drainage Ditch Easement

Pipeline Easement

Pump Station Easement

Outfall Easement

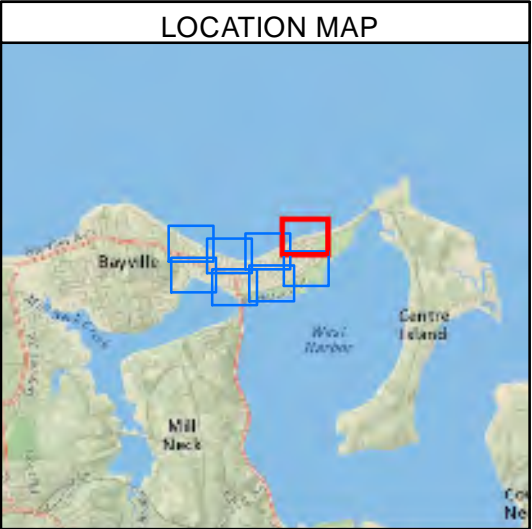
Access Easement

Temporary Work Area Easement

Property Boundary

Match Line

"Area" Boundary





NOTES & SOURCES

TITLE

North Shore of Long Island
Bayville, NY
Feasibility Study Real Estate Maps

0150Feet



SHEET
4



LEGEND

Pump Station Easement

Flood Protection Levee Easement

Drainage Ditch Easement

Pipeline Easement

Pump Station Easement

Outfall Easement

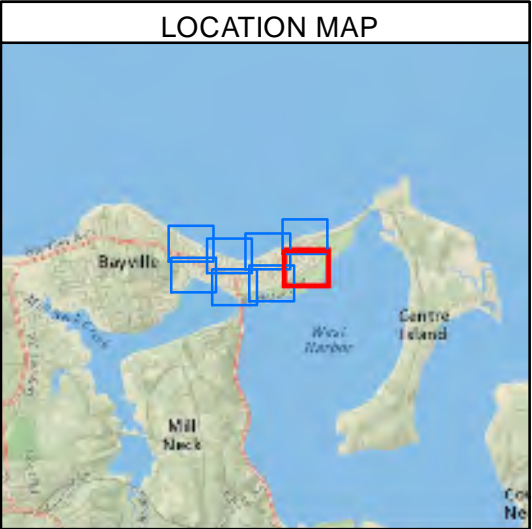
Access Easement

Temporary Work Area Easement

Property Boundary

Match Line

"Area" Boundary



NOTES & SOURCES

TITLE

North Shore of Long Island
Bayville, NY
Feasibility Study Real Estate Maps





LEGEND

Pump Station Easement

Flood Protection Levee Easement

Drainage Ditch Easement

Pipeline Easement

Pump Station Easement

Outfall Easement

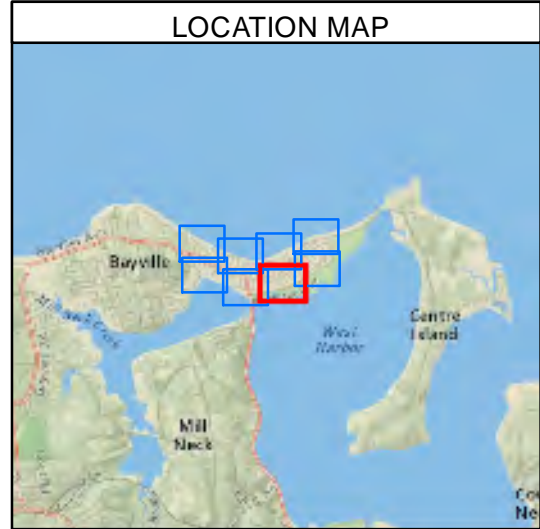
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Temporary Work Area Easement

Property Boundary

Match Line

"Area" Boundary



NOTES & SOURCES

TITLE

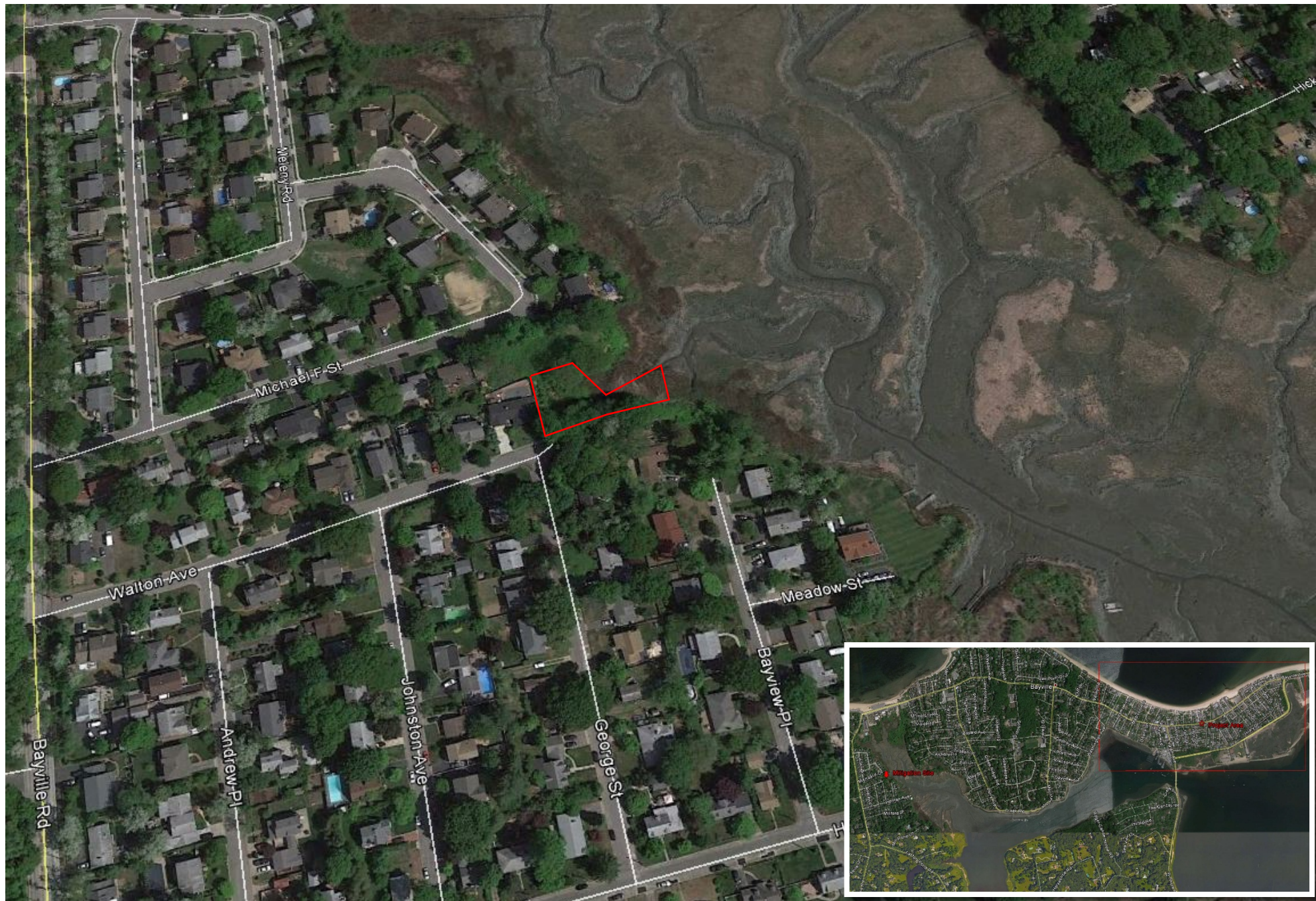
North Shore of Long Island
Bayville, NY
Feasibility Study Real Estate Maps

0150
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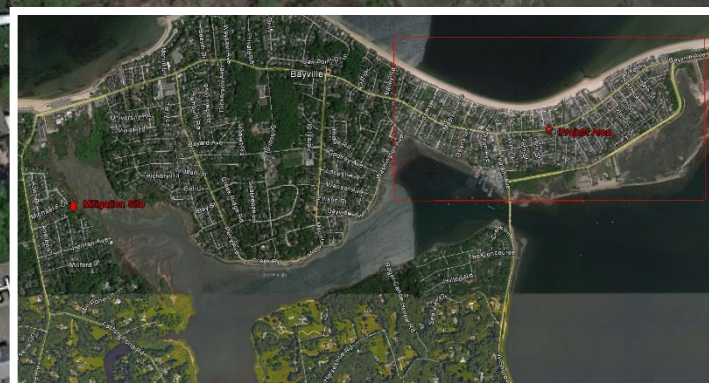
US Army Corps
of Engineers
New England District

N

SHEET
6



NORTH SHORE OF LONG ISLAND, BAYVILLE, NEW YORK
FEASIBILITY STUDY REAL ESATE MAPS
MITIGATION SITE



LEGEND

Mitigation Site (Area I)



EXHIBIT “B”
PARCEL DATA

EXHIBIT “B”
PARCEL DATA

Owner's Name	Address / Location	Sec_Blk_Lot ²	Lot Size	Fee	FPLE ³	Drainage Easement	Pipeline Easement	Pump Station Easement	Outfall Easement	Access Easement	TWAE ⁴	SUP ⁵
Eshelman Vivian A	Sound Beach Rd	28_002_2	0.094	-	0.086	-	-	-	-	-	-	-
Nadler Lois	1 Howard Rd	28_002_67	0.083	-	0.001	-	-	-	-	-	-	-
Zicari Michael & Elizabeth	3 Howard Rd	28_002_68	0.092	-	0.001	-	-	-	-	-	-	-
Boccia Mark & Ljubicich Liana	5 Howard Rd	28_002_70	0.092	-	0.001	-	-	-	-	-	-	-
Jespergard Ronald & Steell Gwendolyn C	16 Revillo Rd	28_003_165	0.078	-	0.005	-	-	-	-	-	-	-
Unknown	Beach at Pine Park Ave	28_003_83	0.088	-	0.068	-	-	-	-	-	-	-
Unknown	Beach at Revilo Rd	28_003_84	0.012	-	0.012	-	-	-	-	-	-	-
Unknown	Beach at Revilo Rd	28_006_1	0.061	-	0.058	-	-	-	-	-	-	-
Franco John L	Breezy Ln	28_006_67	0.092	-	0.015	-	-	-	-	-	-	-
Franco Joan & John L	3 Breezy Ln	28_006_69	0.092	-	0.014	-	-	-	-	-	-	-
Santomauro Josephine Trust	5 Breezy Ln	28_006_71	0.092	-	0.012	-	-	-	-	-	-	-
Santomauro Josephine Trust	Breezy Ln	28_006_73	0.093	-	0.011	-	-	-	-	-	-	-
Pagano Anthony	16 Nova Rd	28_006_75	0.096	-	0.009	-	-	-	-	-	-	-
Unknown	Beach at Nova Ave	28_007_100	0.130	-	0.094	-	-	-	-	-	-	-
Madsen Joseph & Eleanor	1 E Shore Dr	28_007_137	0.061	-	0.007	-	-	-	-	-	-	-
Krauss P F Tucker & P A	3 Shore Ave	28_007_139	0.061	-	0.006	-	-	-	-	-	-	-
Corey Kristin P	17 Nova Rd	28_007_77	0.092	-	0.007	-	-	-	-	-	-	-
Caputo Jack	15 Nova Rd	28_007_79	0.108	-	0.002	-	-	-	-	-	-	-
Alessi George S & Rita Charney	18 Warren Ave	28_008_141	0.061	-	0.005	-	-	-	-	-	-	-
Kraupner Trust	11 East Shore Dr	28_008_39	0.061	-	0.005	-	-	-	-	-	-	-
Soltani Einollah	19 Shore Ave	28_008_41	0.072	-	0.014	-	-	-	-	-	-	-
Trunz Christina Trust	7 East Shore Dr	28_008_43	0.070	-	0.014	-	-	-	-	-	-	-
Unknown	Beach at Shore Ave	28_008_50	0.073	-	0.073	-	-	-	-	-	-	-

² Section_Block_Lot

³ Flood Protection Levee Easement

⁴ Temporary Work Area Easement

⁵ Special Use Permit

Note 1: The size of real estate interest(s) required on respective parcels are represented in acres.

Note 2: The acreage required over respective parcels for the Project are estimations only and are subject to change based upon the completion of construction surveys.

EXHIBIT “B”
PARCEL DATA

Owner's Name	Address / Location	Sec_Blk_Lot ²	Lot Size	Fee	FPLE ³	Drainage Easement	Pipeline Easement	Pump Station Easement	Outfall Easement	Access Easement	TWAE ⁴	SUP ⁵
Crescent Beach Club LLC	33 Bayville Ave	28_009_4	2.918	-	0.122	-	-	-	-	-	-	-
Kveton Richard	17 Warren Ave	28_009_43	0.060	-	0.005	-	-	-	-	-	-	-
Lee Barry S	17 Shore Dr	28_009_45	0.063	-	0.001	-	-	-	-	-	-	-
Unknown	Beach at Warren	28_009_53	0.052	-	0.027	-	-	-	-	-	-	-
Baymans Beach Club Inc	Bayville Ave	28_009_6	0.230	-	0.024	-	-	-	-	-	-	-
Connecticut Watch LLC	18 Greenwich Ave	28_013_22	0.377	-	0.003	-	-	-	-	-	-	-
Village of Bayville	359 Bayville Ave	28_013_29	3.709	-	0.888	-	-	-	-	0.209	0.881	-
Aloisio Robert & Tara	9 Pleasant View Dr	28_013_35	0.118	-	0.004	-	-	-	-	-	-	-
Ney David & Norman	11 Pleasant View Dr	28_013_36	0.129	-	0.005	-	-	-	-	-	-	-
Raging Bull Realty LLC	13 Pleasant View Dr	28_013_37	0.122	-	0.006	-	-	-	-	-	-	-
Maffia Richard & Beatrice	15 Pleasant View Dr	28_013_38	0.115	-	0.009	-	-	-	-	-	-	-
Pucillo Arthur & Francine	17 Pleasant View Dr	28_013_39	0.115	-	0.012	-	-	-	-	-	-	-
Varveris Manuel	19 Pleasant View Dr	28_013_40	0.144	-	0.021	-	-	-	-	-	-	-
Joan Roper	Pine Ln	28_013_41	0.041	-	0.007	-	-	-	-	-	-	-
Abbatiello Tr Vincent	27 Pine Ln	28_015_25	0.089	-	0.003	-	-	-	-	-	-	-
Germana Thomas & Mary	25 Pine Ln	28_015_27	0.092	-	0.004	-	-	-	-	-	-	-
Jasani Bharat	23 Pine Ln	28_015_28	0.062	-	0.003	-	-	-	-	-	-	-
Oconnor Francis & Doris	21 Pine Ln	28_015_29	0.063	-	0.004	-	-	-	-	-	-	-
Roper Alvin Bruce & Joan	19 Pine Ln	28_015_30	0.065	-	0.004	-	-	-	-	-	-	-
Henn Edwin F & Darlene	15 Pine Ln	28_015_31	0.131	-	0.007	-	-	-	-	-	-	-
Parente Marjorie	11 Pine Ln	28_015_33	0.098	-	0.003	-	-	-	-	-	-	-
Perez Samildre	9 Pine Ln	28_015_35	0.065	-	0.003	-	-	-	-	-	-	-
Furthner Ludwig	5 Pine Ln	28_015_36	0.131	-	0.004	-	-	-	-	-	-	-
Durante Leo	3 Pine Ln	28_015_38	0.131	-	0.001	-	-	-	-	-	-	-
Smith George F Trust	1 Pine Ln	28_015_40	0.069	-	0.008	-	-	-	-	-	-	-
Fontanez Judith E&Fontanez Joseph Trust	Pine Ln	28_015_44	0.034	-	0.003	-	-	-	-	-	-	-
Pine Lane Association Inc	Fifth St	28_015_48	0.551	-	0.258	-	-	-	-	-	-	-
Unknown	Beach at 3rd St	28_017_1	0.439	-	0.232	-	-	-	-	-	-	-
Veber David & Lorraine	421 Bayville Ave	28_017_13	0.086	-	0.001	-	-	-	-	-	-	-

EXHIBIT “B”
PARCEL DATA

Owner's Name	Address / Location	Sec_Blk_Lot ²	Lot Size	Fee	FPLE ³	Drainage Easement	Pipeline Easement	Pump Station Easement	Outfall Easement	Access Easement	TWAE ⁴	SUP ⁵
Acerra Gaetano & Concetta	419 Bayville Ave	28_017_14	0.086	-	0.001	-	-	-	-	-	-	-
Genovese Estates Corp	417 Bayville Ave	28_017_15	0.172	-	0.001	-	-	-	-	-	-	-
Gomez Roman A	415 Bayville Ave	28_017_17	0.258	-	0.002	-	-	-	-	-	-	-
Antman-Gleicher Sally	413 Bayville Ave	28_017_20	0.176	-	0.002	-	-	-	-	-	-	-
Fazio Trust	First St	28_017_312	0.086	-	0.002	-	-	-	-	-	-	-
Town Of Oyster Bay	Bayville Ave	28_018_111	1.646	-	0.058	-	-	-	-	-	-	-
Effman Paul & Kathryn	433 Bayville Ave	28_018_4	0.075	-	0.001	-	-	-	-	-	-	-
Riccardi Dominick	431 Bayville Ave	28_018_5	0.155	-	0.001	-	-	-	-	-	-	-
Bourke Nicholas & M	429 Bayville Ave	28_018_7	0.122	-	0.001	-	-	-	-	-	-	-
Muzio John	427 Bayville Ave	28_018_9	0.125	-	0.001	-	-	-	-	-	-	-
County of Nassau	Vivona Ct	28_075_1	0.025	-	0.014	-	-	-	-	-	-	-
Vivona Estates Inc	Vivona Ct	28_075_2	0.368	-	0.083	-	-	-	-	-	-	-
Village of Bayville	West Harbor Dr	28_G_16	12.809	-	0.011	-	-	-	-	-	1.666	-
Village of Bayville	Ludlam Ave	28_G_32	12.051	-	-	-	-	-	0.634	-	-	-
Town of Oyster Bay	Bayville Ave	28_G_33	45.540	-	0.917	-	0.402	0.292	0.964	-	-	-
Village of Bayville	West Harbor Dr	28_G_34	0.700	-	0.021	-	-	-	-	-	-	-
Village of Bayville	West Harbor Dr	28_G_35	-	-	-	-	0.529	0.290	-	-	-	-
Wallin Colleen Logan, John	8 Lauren Ln	29_G_1006	0.256	-	0.006	-	-	-	-	-	-	-
Flower Franklin B & H B	Ludlam Ave	29_G_114	-	-	0.040	-	-	-	-	-	-	-
Boyd Jacob L	35 Quincy Ave	29_G_117	-	-	0.035	-	-	-	-	-	-	-
Reisiger Gregg & Catherine	34 Quincey Ave	29_G_118	-	-	0.047	-	-	-	-	-	-	-
Velsor Jr Curtis & Kathleen	37 Quincy Ave	29_G_14	0.179	-	0.006	-	-	-	-	-	-	-
Kirschner Edith	Deans Lane	29_G_22	-	-	-	-	-	-	-	0.218	-	-
Emmi John A & Vivian	34 Jackson Ave	29_G_323	0.599	-	0.019	-	-	-	-	-	-	-
Creekview Aquaculture LLC	Ludlam Ave	29_G_353	0.219	-	0.039	-	-	-	-	-	-	-
Creekview Aquaculture LLC	34 Ludlam Ave	29_G_454	2.180	-	0.154	-	-	-	-	-	-	-
West Robert & Noreen	30 Quincy Ave	29_G_614	0.169	-	0.030	-	-	-	-	-	-	-
West Robert & Noreen	Quincy Ave	29_G_615	0.188	-	0.031	-	-	-	-	-	-	-
Pellicane Charles & Susnjara Mary Angela	30 Quincy Ave	29_G_616	0.351	-	0.062	-	-	-	-	-	-	-

EXHIBIT “B”
PARCEL DATA

Owner's Name	Address / Location	Sec_Blk_Lot ²	Lot Size	Fee	FPLE ³	Drainage Easement	Pipeline Easement	Pump Station Easement	Outfall Easement	Access Easement	TWAE ⁴	SUP ⁵
Creekview Aquaculture LLC	33 Ludlam Ave	29_G_624	0.215	-	0.027	-	-	-	-	-	-	-
Bush Frank J Trust	35 Madison Ave	29_G_641	0.277	-	0.039	-	-	-	-	-	-	-
Relyea Christa & Dwight	44 Jackson Ave	29_G_646	0.287	-	0.047	-	-	-	-	-	-	-
Valderrama Robert F & Amanda J	43 Jackson Ave	29_G_648	0.149	-	0.007	-	-	-	-	-	-	-
Laurino Louis D & Rose	20 Valley Rd	29_011_133	0.240	-	0.062	-	-	-	-	-	-	-
Tsimoyianis Peter & Pamela	9 Shorewood Dr	29_011_137	0.209	-	0.053	-	-	-	-	-	-	-
Deenatale Pamela & Farnell Patricia	7 Shorewood Dr	29_011_141	0.149	-	0.037	-	-	-	-	-	-	-
Giordano Peter R	5 Shorewood Dr	29_011_143	0.179	-	0.045	-	-	-	-	-	-	-
Blum Eric & Debra	3 Shorewood Dr	29_011_146	0.179	-	0.046	-	-	-	-	-	-	-
Barricelli Florence & Nicosia Thomas	1 Shore Wood Dr	29_011_149	0.182	-	0.047	-	-	-	-	-	-	-
Viccari Robert J	Cedar Ln	29_011_153	0.023	-	0.003	-	-	-	-	-	-	-
Miller Fred & Mary	1 Cedar Ln	29_011_62	0.081	-	0.020	-	-	-	-	-	-	-
De Natale Robert E & Pamela J	3 Cedar Ln	29_011_64	0.159	-	0.027	-	-	-	-	-	-	-
Molinski Diane Le	5 Cedar Ln	29_011_68	0.130	-	0.014	-	-	-	-	-	-	-
Cedar Cliff Estates Property Owners Assoc.	Cedar La Shorewood Dr	29_011_71	0.030	-	0.002	-	-	-	-	-	-	-
Cedar Cliff Estates Property Owners Assoc.	Cliff Dr	29_011_72	0.143	-	0.053	-	-	-	-	-	-	-
Mantinan Mary Lopez & M	15 Shorewood Dr	29_013_127	0.179	-	0.042	-	-	-	-	-	-	-
Leone Angelo & Lynda	17 Valley Rd	29_013_130	0.179	-	0.047	-	-	-	-	-	-	-
Galak Robert & Rosanne	13 Oak Shore Dr	29_013_138	0.179	-	0.004	-	-	-	-	-	-	-
Finn Timothy & Barone Vivian	Oak Shore Dr	29_013_139	0.179	-	0.005	-	-	-	-	-	-	-
Sound Vista Corp	Beachfront	29_013_140	0.812	-	0.263	-	-	-	-	-	-	-
Riso Richard & Donna	12 Sea Wall Ln	29_013_251	0.274	-	0.005	-	-	-	-	-	-	-
Milbett Const Corp	Seawall Ln	29_013_252	0.022	-	0.001	-	-	-	-	-	-	-
Sea Wall Lane Property Owners Assoc.	Seawall Ln	29_013_253	0.234	-	0.146	-	-	-	-	-	-	-
Gottardi Claudio & Gioconda	16 Sea Wall Ln	29_013_254	0.157	-	0.007	-	-	-	-	-	-	-
Cassano Lawrence F	11 Seawall Ln	29_013_255	0.160	-	0.008	-	-	-	-	-	-	-
Erazo Etal Joseph	17 Oak Shore Dr	29_013_342	0.205	-	0.007	-	-	-	-	-	-	-
Angelletta Domenick & Mairanne	19 Oak Shore Dr	29_013_343	0.163	-	0.007	-	-	-	-	-	-	-
21 Oak Shore Drive LLC	21 Oak Shore Dr	29_013_344	0.163	-	0.007	-	-	-	-	-	-	-

EXHIBIT “B”
PARCEL DATA

Owner's Name	Address / Location	Sec_Blk_Lot ²	Lot Size	Fee	FPLE ³	Drainage Easement	Pipeline Easement	Pump Station Easement	Outfall Easement	Access Easement	TWAE ⁴	SUP ⁵
Lewis Stuart & Patricia	23 Oak Shore Dr	29_013_345	0.208	-	0.012	-	-	-	-	-	-	-
Gull Laura	1 Washington Ave	29_016_1	0.449	-	0.132	-	-	-	-	-	-	-
Pine Island Park Assoc Inc	Beachfront	29_017_1	0.430	-	0.062	-	-	-	-	-	-	-
De Natale Peter & Mary	Beachfront	29_018_1	0.445	-	0.062	-	-	-	-	-	-	-
Genzale John & Mary	28 The Boulevard	29_019_1	0.444	-	0.070	-	-	-	-	-	-	-
Unknown	Beach at Monroe Ave	29_020_1	0.464	-	0.015	-	-	-	-	-	-	-
Unknown	Beach at Quincy Ave	29_021_10	0.436	-	0.001	-	-	-	-	-	-	-
Attlfellner Helmut & Heidi	8 Oak Point Dr	29_071_11	5.915	-	0.021	-	-	-	-	-	-	-
28 Cliff Drive LLC	28 Cliff Dr	29_071_29	0.189	-	0.022	-	-	-	-	-	-	-
Pierce Winslow S	Cliff Dr	29_071_30	0.026	-	0.026	-	-	-	-	-	-	-
United States of America	Shore Rd	29_104_19	8.382	-	0.099	-	-	-	0.367	-	-	-
United States of America	Madison Ave	29_G_1001	-	-	0.299	-	-	-	-	-	-	-
Village of Bayville	33 Ludlam Ave	29_G_354	3.093	-	0.447	-	-	-	-	-	-	-
Village of Bayville	Area A	Beach	-	-	0.023	-	-	-	-	-	-	-
Village of Bayville	Area B	Beach	-	-	0.095	-	-	-	-	-	-	-
Village of Bayville	Area C	Beach	-	-	0.087	-	-	-	-	-	-	-
Village of Bayville	Area D	Beach	-	-	1.013	-	-	-	-	-	-	-
Village of Bayville	Area E	Beach	-	-	0.272	-	-	-	-	-	-	-
Village of Bayville	Area F	Beach	-	-	0.007	-	-	-	-	-	-	-
Village of Bayville	Area G	Beach	-	-	0.226	-	-	-	-	-	-	-
United States of America	Area I	Refuge	-	-	-	-	-	-	-	-	-	0.330
Village of Bayville	Area H	Shore	-	-	0.534	-	0.018	-	0.132	-	-	-
Home Owner’s Association	Adams Ave	Street	-	-	-	-	0.262	-	-	-	0.196	-
Home Owner’s Association	Arlington Ln	Street	-	-	-	-	0.527	-	-	-	-	-
Home Owner’s Association	August Ave	Street	-	-	-	0.258	-	-	-	-	-	-
Home Owner’s Association	Bay Beach Ave	Street	-	-	-	0.3	0.014	-	-	0.248	-	-
Village of Bayville	Bayville Ave	Street	-	-	0.388	-	0.356	-	-	-	-	-
Home Owner’s Association	Boulevard	Street	-	-	0.723	-	-	-	-	-	-	-
Home Owner’s Association	Jefferson Ave	Street	-	0.176	-	-	0.241	-	-	-	-	-

EXHIBIT “B”
PARCEL DATA

Owner's Name	Address / Location	Sec_Blк_Lot ²	Lot Size	Fee	FPLE ³	Drainage Easement	Pipeline Easement	Pump Station Easement	Outfall Easement	Access Easement	TWAE ⁴	SUP ⁵
Home Owner’s Association	July Ave	Street	-	-	-	-	0.342	-	-	-	-	-
Village of Bayville	Ludlam Ave	Street	-	-	0.669	-	-	-	-	-	-	-
Home Owner’s Association	Revilo Rd	Street	-	-	0.024	-	-	-	-	-	-	-
Home Owner’s Association	Saltaire Ln	Street	-	-	0.121	-	-	-	-	-	-	-
Home Owner’s Association	Shore Rd	Street	-	-	0.284	-	-	-	-	-	-	-
Home Owners Association	Vivona Ct	Street	-	-	0.065	-	-	-	-	-	-	-
Village of Bayville	West Harbor Dr	Street	-	-	4.562	-	-	-	-	-	-	-
Home Owner’s Association	Whitney Rd	Street	-	-	-	0.193	-	-	-	-	-	-
Home Owner’s Association	1st Ave	Street	-	-	-	-	1.201	-	-	-	-	-
Home Owner’s Association	4th St	Street	-	-	-	0.259	-	-	-	-	-	-
Home Owner’s Association	5th St	Street	-	-	-	0.306	-	-	-	0.138	-	-
Home Owner’s Association	6th St	Street	-	-	-	0.317	-	-	-	-	-	-
Home Owner’s Association	7th St	Street	-	-	-	0.317	-	-	-	-	-	-
Home Owner’s Association	8th St	Street	-	-	-	0.317	-	-	-	0.131	-	-
Home Owner’s Association	15th St	Street	-	-	-	-	0.197	-	-	0.162	-	-
Home Owner’s Association	16th St	Street	-	-	-	0.275	-	-	-	-	-	-
Home Owner’s Association	17th St	Street	-	-	-	0.200	-	-	-	-	-	-

EXHIBIT “C”
REQUIRED ESTATES

EXHIBIT "C"

1) Flood Protection Levee Easement (Standard Estate No. 9)

A perpetual and assignable right and easement the land described in Schedule A and depicted as Tract No(s). _____ in Schedule B, to construct, maintain, repair, operate, patrol and replace a flood protection 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.

2) Drainage Ditch Easement (Standard Estate No. 10)

A perpetual and assignable easement and right-of-way in, over and across the land described in Schedule A and depicted as Tract No(s). _____ in Schedule B, to construct, maintain, repair, operate, patrol and replace a drainage ditch, 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.

3) Pipeline Easement (Standard Estate No. 13)

A perpetual and assignable easement and right-of-way in, on, over and across the land described in Schedule A and depicted as Tract No(s). _____ in Schedule B, for the location, construction, operation, maintenance, alteration; repair and patrol of an underground stormwater drainage pipeline 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.

4) Temporary Work Area Easement (Standard Estate No. 15)

A temporary easement and right-of-way in, on, over and across the land described in Schedule A and depicted as Tract No(s). _____ in Schedule B for a period not to exceed 2 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 Bayville Storm Risk Assessment Project, Bayville, New York, 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 “C”

5) Draft Non-Standard Outfall Drainage Easement⁶

A perpetual and assignable easement and right-of-way in, over and across the land described in Schedule A and depicted as Tract No(s). _____ in Schedule B for the construction, operation, maintenance, alteration, repair, and patrol an outfall drainage system, including all appurtenances thereto; 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.

6) Draft Non-Standard Pump Station Easement⁷

A perpetual and assignable right and easement in the land described in Schedule A and depicted as Tracts No(s). _____, for the construction, operation, maintenance, alteration; repair and patrol of a pump station; 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 easement area; 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.

7) Draft Non-Standard Access Easement⁸

A perpetual and assignable easement and right-of-way in, on, over and across the land described in Schedule A and depicted as Tracts No(s). _____ in Schedule B, for the right to ingress and egress to, from, upon, and over the lands identified in Schedule C; 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.

⁶⁻⁸ Draft non-standard easements are pending review and approval from HQUSACE, and are subject to revisions.

EXHIBIT “D”

BASELINE COST ESTIMATE FOR REAL ESTATE

EXHIBIT “D”

BASELINE COST ESTIMATE FOR REAL ESTATE NORTH SHORE OF LONG ISLAND, BAYVILLE, NEW YORK COASTAL STORM RISK MANAGEMENT FEASIBILITY STUDY				
	PROJECT REAL ESTATE COSTS	NON-FEDERAL	FEDERAL	TOTAL COST
01	LANDS & DAMAGES			
01A	Incidental Costs	\$579,750	\$502,380	\$1,082,130
01A1	Acquisition (Admin Costs)	\$150,000	\$76,800	
01A1A	By Non-Federal Sponsor (NFS)	\$150,000		
01A1B	By Government (Gov't) on behalf of NFS			
01A1C	By Gov't		\$76,800	
01A2	Survey	\$92,250	\$61,500	
01A2A	By NFS	\$92,250		
01A2B	By Gov't on behalf of NFS			
01A2C	Review of NFS		\$61,500	
01A3	Appraisal	\$246,000	\$184,500	
01A3A	By NFS	\$246,000		
01A3B	By Gov't on behalf of NFS			
01A3C	Review of NFS		\$184,500	
01A4	Title Services / Closings	\$91,500	\$61,500	
01A4A	By NFS	\$91,500		
01A4B	By Gov't on behalf of NFS			
01A4C	Review of NFS		\$61,500	
01A5	Other Professional Services	\$0	\$0	
01A5A	By NFS			
01A5B	By Gov't on behalf of NFS			
01A5C	Review of NFS			
01A6	PL 91-646 Assistance	\$0	\$0	
01A6A	By NFS			
01A6B	By Gov't on behalf of NFS			
01A6C	Review of NFS			
01A7	Audit	\$0	\$118,080	
01A7A	By NFS			
01A7B	By Gov't		\$118,080	

EXHIBIT “D”

01B	Acquisition Costs	\$4,100,000	\$0	\$4,100,000
01B1	Land Payments	\$4,100,000	\$0	
01B1A	By NFS	\$4,100,000		
01B1B	By Gov't on behalf of NFS			
01B2	Damage Payments	\$0	\$0	
01B2A	By NFS			
01B2B	By Gov't on behalf of NFS			
01B3	PL 91-646 Payment	\$0	\$0	
01B3A	By NFS			
01B3B	By Gov't on behalf of NFS			
01B4	Condemnation	\$0	\$0	
01B4A	By NFS			
01B4B	By Gov't of behalf of NFS			
01B5	Disposals	\$0	\$0	
01B5A	By NFS			
01B5B	By Gov't on behalf of NFS			
02	RELOCATIONS (FACILITY / UTILITIES)	\$0	\$0	
02A	By NFS			
02B	By Gov't on behalf of NFS			
	Lands & Damages (01A & 01B)	\$4,679,750	\$502,380	
	Contingency (20%)	\$935,950	\$100,476	
01	TOTAL LANDS & DAMAGES	\$5,615,700	\$602,856	\$6,218,556
02	RELOCATIONS	\$50,000	\$0	\$50,000
	TOTAL PROJECT REAL ESTATE COSTS (01 & 02)	\$5,665,700	\$602,856	\$6,268,556
	TOTAL LERRD EXPENSE	\$5,665,700	-	-

EXHIBIT “E”

NON-FEDERAL SPONSOR’S CAPABILITY ASSESSMENT CHECKLIST

EXHIBIT "E"

NON-FEDERAL SPONSOR'S CAPABILITY ASSESSMENT CHECKLIST

**BAYVILLE STORM RISK ASSESSMENT PROJECT,
BAYVILLE, NEW YORK**

I. Legal Authority.

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

Yes. The Oyster Bay National Wildlife Refuge is a Federal project managed by the U.S. Fish and Wildlife Service that lies partially within the LER required for the Project. It is located at the southern portion of the Bayville Project area and consists of high quality marine habitats that support a variety of aquatic-dependent wildlife. It is the largest refuge in the Long Island National Wildlife Refuge Complex. The Bayville Project requires approximately one acre in permanent real estate interests therein.

II. Human Resource Requirements.

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

III. Other Project Variables.

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

Yes. The Sponsor will enter into a partnering agreement with the local municipality, who will be responsible for acquiring all the required real estate for the Bayville Project.

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

IV. Overall Assessment.

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

b. With regard to this project, the sponsor is anticipated to be: highly capable/fully capable/moderately capable/marginally capable/insufficiently capable. If sponsor is believed to be "insufficiently capable," provide explanation. Highly capable.

V. Coordination.

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

- b. Does the sponsor concur with this assessment? Yes.

Reviewed by:



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