



**US Army Corps
of Engineers**®
Pacific Ocean Division

REAL ESTATE PLAN

APPENDIX D



Alaska District

NAVIGATIONAL IMPROVEMENTS

ALASKA DEEP-DRAFT ARCTIC PORT SYSTEM STUDY

**Real Estate Division
Alaska District
U.S. Army Corps of Engineers**

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NAVIGATION IMPROVEMENTS

ALASKA DEEP-DRAFT ARCTIC PORT SYSTEM STUDY

REAL ESTATE PLAN

PURPOSE

This Real Estate Plan (REP) will be consolidated into the decision document Feasibility Report for Navigation Improvements for the Alaska Deep-Draft Arctic Port System Feasibility Study. The purpose of the feasibility study is to evaluate potential navigation improvements. The REP identifies and describes the real estate requirements for the lands, easements, right-of-way, relocation and disposal areas (LERRD) that will be required.

PROJECT TYPE AND APPLICABILITY

The Study Authority is the House Public Works Committee Resolution for Rivers and Harbors in Alaska, adopted 2 December, 1970. The resolution states:

Resolved by the Committee on Public Works of the House of Representatives, United States, that the Board of Engineers for Rivers and Harbors is hereby requested to review the reports of the Chief of Engineers on Rivers and Harbors in Alaska, published as House Document Numbered 414,83rd Congress, 2nd Session....and pertinent reports with a view to determine whether any modifications of the recommendations contained therein are advisable at the present time.

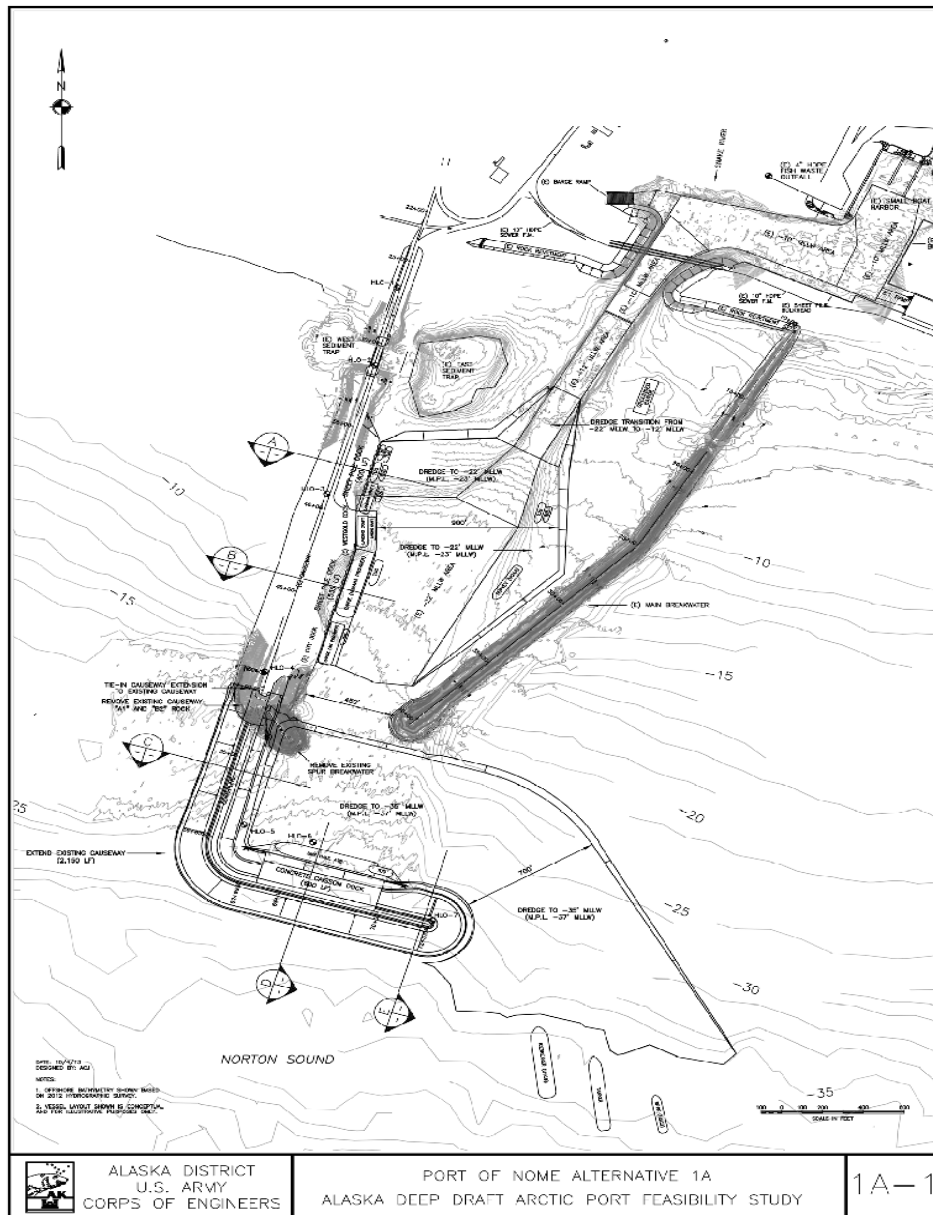
Nonfederal Sponsor for the project is the State of Alaska, ADOT&PF.

PROJECT SCOPE AND CONTENT

1. The purpose of this study is to identify real estate and tideland interests, identify types of permits that will be needed for this project and identify easements. This navigational improvement project proposes to support multiple maritime missions in the Arctic (e.g. SAR, Oil and Gas, Security, Cargo, Resource Export, Tourism, and oil spill and emergency response). The Three Port Locations being considered are:
 - A. **Nome:** Section 35, Township 11S, Range 34W, of the Kateel River Meridian.
 - B. **Point Spencer:** Sections 33&34 Township 02S, Range 40W and Sections 3&4, 9 &10 Township 03S, Range 40W of the Kateel River Meridian.
 - C. **Cape Riley:** Section 16, Township 03S, Range 38W, of the Kateel River Meridian.
2. There are three (3) Nome alternatives: 1A, 1B and 1C.

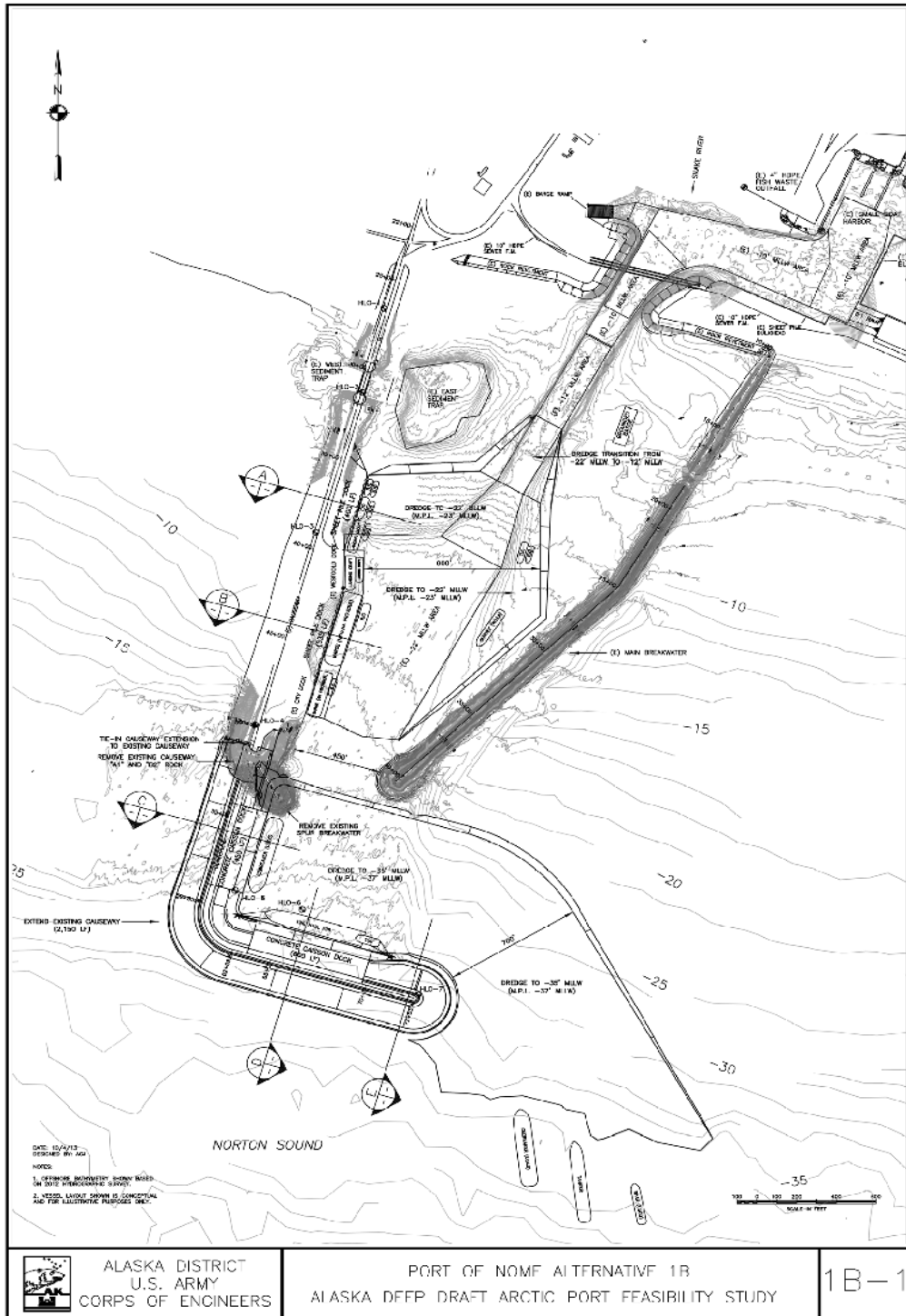
- A. Alternative 1A incorporates a 2,150-foot-long rubblemound causeway extension located south of the existing causeway, a 600-foot-long concrete caisson dock, a 400-foot-long steel sheet pile modified diaphragm dock, a 535-foot-long steel sheet pile modified diaphragm dock, a new outer entrance channel and maneuvering area dredged to -35 feet MLLW with maximum depth of -37 feet MLLW, and an expanded inner maneuvering area dredged to -22 feet MLLW.

Alternative 1A



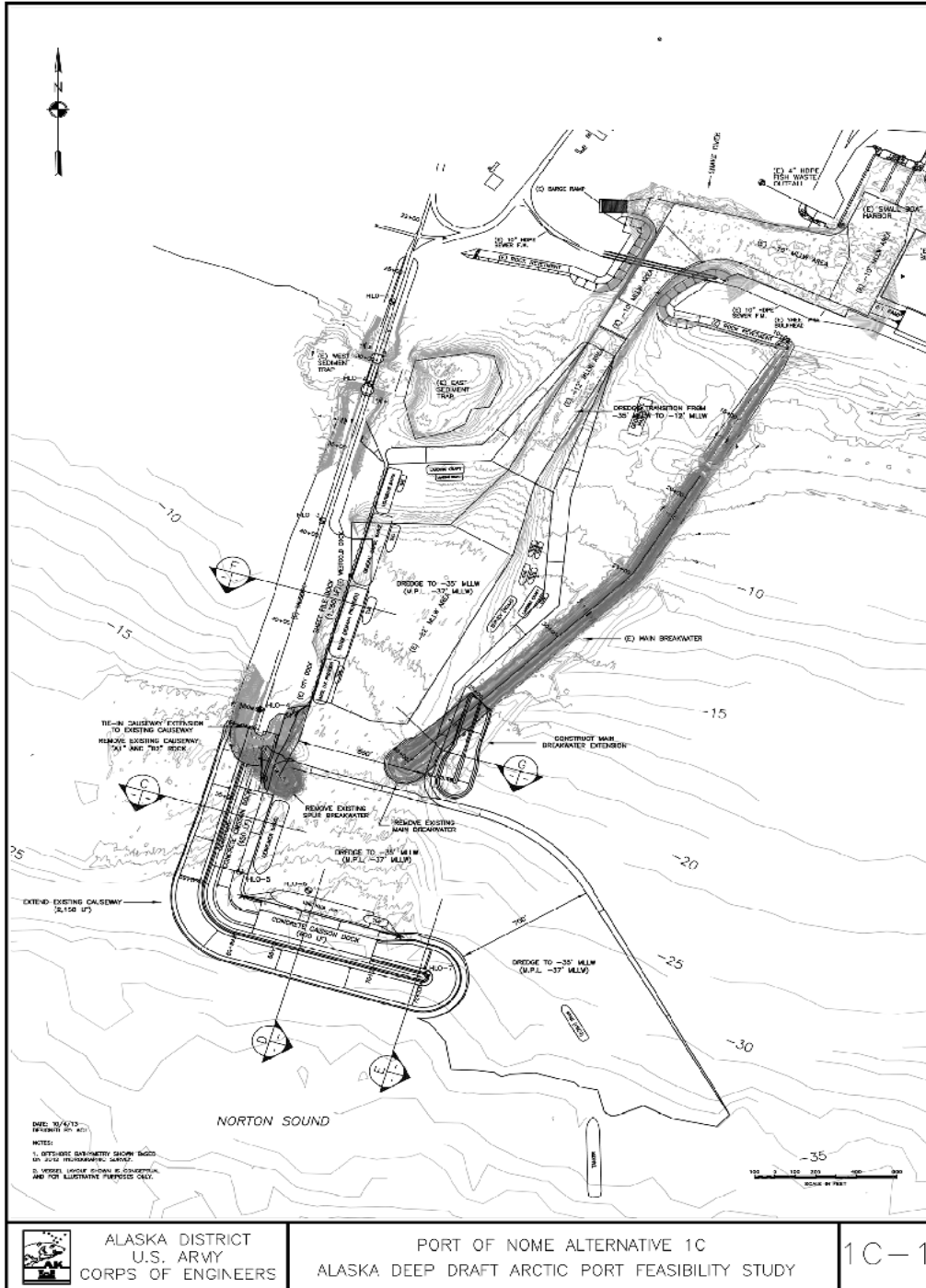
- B. Alternative 1B includes the same features as Alternative 1A and includes a second concrete caisson dock (400 feet long) located on the inside north-south perimeter of the causeway extension. Alternative


Alternative 1B



- C. Alternative 1C includes the same features as Alternatives 1A and 1B, but replaces the existing sheet pile docks in the inner maneuvering area with a new continuous sheet pile dock, an expanded inner maneuvering area dredged to -35 feet MLLW, and a realigned main breakwater head.

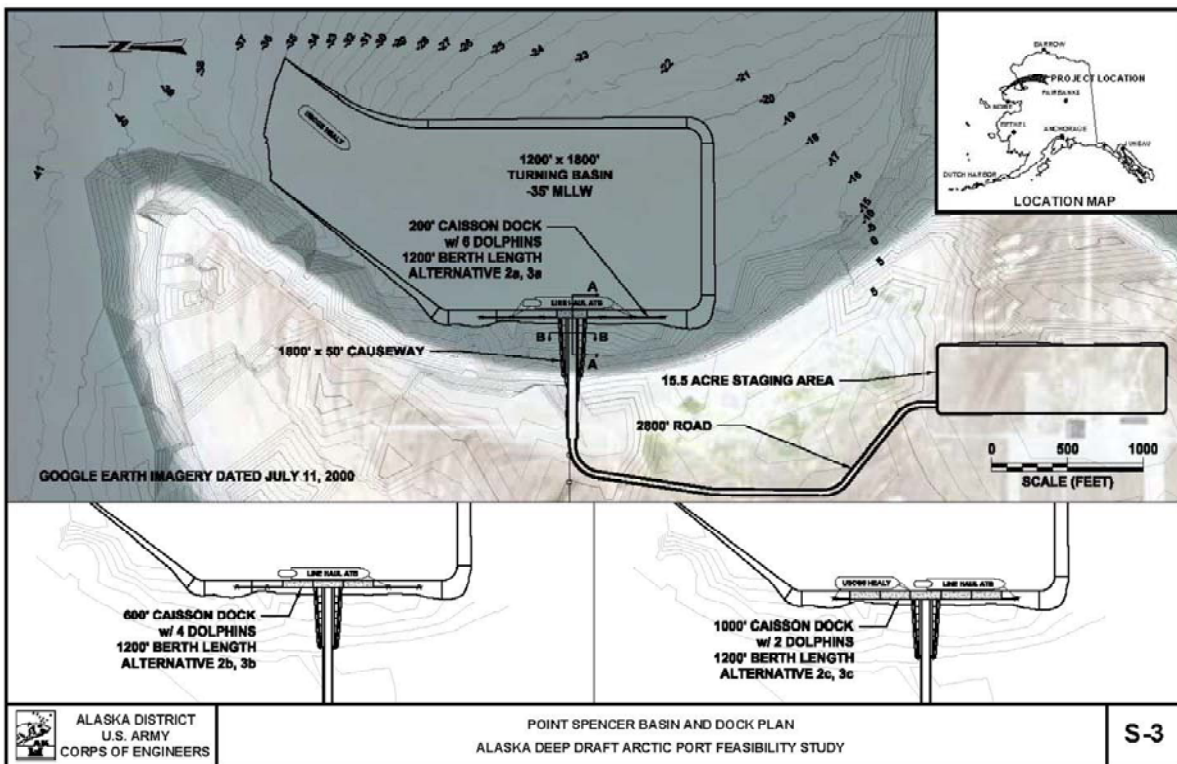
Alternative 1C



| | | |
|---|--|-------------|
|  <p>ALASKA DISTRICT U.S. ARMY CORPS OF ENGINEERS</p> | <p>PORT OF NOME ALTERNATIVE 1C ALASKA DEEP DRAFT ARCTIC PORT FEASIBILITY STUDY</p> | <p>1C-1</p> |
|---|--|-------------|

3. There are six (6) Point Spencer alternatives, 2A, 2B, 2C, 3A, 3B, and 3C. All plans incorporate an entrance channel and turning basin dredged to -35 feet MLLW with maximum depth of -37 feet MLLW. Uplands infrastructure associated with this project would include a 15.5-acre storage area adjacent to the airport apron and a 2,800-foot road connecting the storage area to the causeway. Power would be extended from the existing LORAN-C station powerhouse to the dock. Fuel pipelines would be constructed to connect the dock with the fuel storage area located in the new staging area. Other common extended facilities include a water treatment plant, replacement of the diesel generators at the existing powerhouse, a bunkhouse and dining facility, and bulk fuel storage. Alternatives 2A, 2B, and 2C are associated with upland infrastructure upgrades to accommodate jet aircraft and additional fuel storage. Alternatives 3A, 3B, and 3C are associated with upland infrastructure upgrades to accommodate turbo prop aircraft.

Point Spencer Alternatives

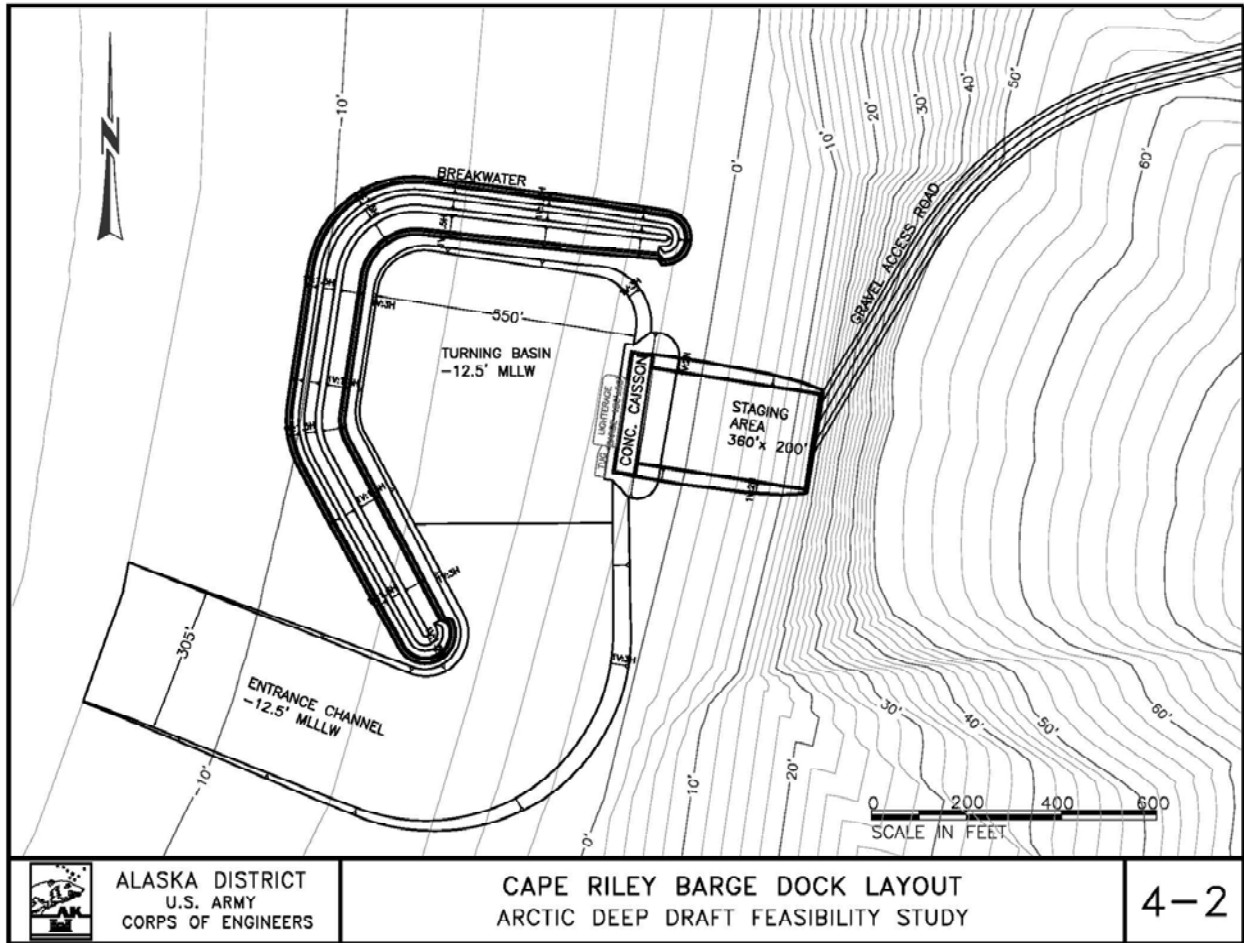


- A. Alternatives **2 & 3** option **A** incorporate a 200-foot Caisson dock w/6 dolphins.
- B. Alternatives **2 & 3** option **B** incorporate a 600-foot Caisson dock w/4 dolphins.
- C. Alternatives **2 & 3** option **C** incorporate a 1000-foot Caisson dock w/2 dolphins.

Note: Alternative 2 variants require substantial airfield, road, and fuel storage upgrades.

4. The Cape Riley alternative is based on providing a shallow draft dock face with a depth of -12.5 feet MLLW to support lightering operations and for mineral extraction in the area. The design is based on a short navigation channel providing the design vessel with access to a protected loading dock and turning basin. Land access to the dock would be via gravel access road from the Nome-Teller Highway.

Cape Riley Alternative



- A. The Cape Riley alternative incorporates a 305-foot-wide entrance channel joining a 550-foot-wide turning basin, a 250-foot-long concrete caisson dock with an attached 1.5-acre staging area. The entrance channel alignment includes a 90 degree turn around the breakwater head to line up the dock approach.

DESCRIPTION OF LANDS, EASEMENTS, RIGHTS-OF-WAY, RELOCATION and DISPOSAL (LERRD)

The project areas are located on the western edge of the Seward Peninsula along the shoreline of the Bering Sea. The State of Alaska owns all tidelands and submerged lands in Port Clarence and the City of Nome owns all tidelands and submerged lands at the Nome site required to construct an Arctic Deep-Draft port. All uplands described are not part of the General Navigation

Feature and therefore acquisition of any of the uplands in conjunction with the Arctic Deep-Draft Port project is the sole responsibility of the Non-Federal Sponsor.

LERRD necessary to implement this project includes Non-Federal Sponsor (NFS), State of Alaska and City of Nome lands. Staging and disposal areas or perpetual easements have been identified within the scope of the project. The State of Alaska and the City of Nome own the tidelands and submerged lands. The State of Alaska, the City of Nome, Teller Native Corporation, Bering Straits Native Corporation (BSNC) and the Federal Government own the uplands lying within these project areas. Real estate requirements are as follows:

TABLE 1- LERRD REQUIREMENTS

| FEATURES | OWNERS | ACRES | INTEREST | GNF* LOCAL |
|---|-----------------|--------------|-----------------|-----------------------|
| Nome - Entrance Channel, Breakwater, Causeway and Dock (BMHW) | City of Nome | 112.0 | Nav Serv | GNF |
| Nome - Breakwater, Causeway and Dock (AMHW) | City of Nome | 1.6 | Nav Serv | GNF |
| Nome - Mooring Basin (BMHW) | City of Nome | 7.1 | Nav Serv | LOCAL |
| Nome - Dredged Material Disposal Site | City of Nome | 20.0 | Nav Serv | GNF |
| Pt Spencer - Entrance Channel, Turning Basin (BMHW) | State of Alaska | 78.0 | Nav Serv | GNF |
| Pt Spencer - Causeway and Dock (AMHW) | State of Alaska | 0.8 | Nav Serv | LOCAL |
| Pt Spencer - Mooring Basin, Causeway and Dock (BMHW) | State of Alaska | 6.3 | Nav Serv | LOCAL |
| Pt Spencer - Dredged Material Disposal Site | State of Alaska | 310.0 | Nav Serv | GNF |
| Cape Riley - Entrance Channel, Breakwater, Causeway and Dock (BMHW) | State of Alaska | 22.5 | Nav Serv | GNF |
| Cape Riley - Dock (AMHW) | State of Alaska | 1.2 | Nav Serv | LOCAL |
| Cape Riley - Dock (BMHW) | State of Alaska | 1.2 | Nav Serv | LOCAL |
| TOTAL PROJECT BOUNARY | | | | |

AMHW – Above Mean High Waterline
BMHW – Below Mean High Waterline

PROJECT COMPONENTS:

See Baseline Cost Estimate Section.

STANDARD ESTATES:

The required standard approved estates for this project may include Navigational Servitude, Fee, Road Easement, Temporary Work Area Easement and Restrictive Easement.

NON-STANDARD ESTATES:

Non-standard estates will not be utilized for the purposes of implementing the proposed project.

FEDERAL LANDS

Federally owned land will not be utilized for the purposes of implementing the proposed project. There is no overlap of LERRD from previous projects in the area.

NEAREST OTHER EXISTING FEDERAL PROJECT

There are no other existing Federal Projects that will be affected by the project footprint.

NAVIGATION SERVITUDE

Per 33 CFR § 329.4, navigable waters of the United States are those waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. The Alaska District Office of Counsel has determined the application of Navigational Servitude is appropriate for construction of the breakwaters. Navigational servitude will apply laterally over the entire surface of the water-body, and is not extinguished by later actions or events which impede or destroy navigable capacity.

INDUCED FLOODING

Flooding is not expected as a result of the project.

BASELINE COST ESTIMATE FOR REAL ESTATE

The NFS will negotiate to secure and acquire all necessary real estate interest in the lands for the project. Land values are expected to be nominal based on land acquisition by navigational servitude for this project. See Table 2.

Table 2: Baseline Cost Estimates for Land, Easements, Rights-of-Way, Relocation and Disposal Area

| ITEM | FEDERAL | LOCAL | TOTAL |
|----------------------------|----------------|-----------------|-----------------|
| Admin Costs | \$8,000 | \$12,000 | \$20,000 |
| Land Acquisition Costs | 0* | \$0* | \$0* |
| Subtotal | \$8,000 | \$12,000 | \$20,000 |
| 20% Contingency -Crediting | \$1,600 | 2,400 | \$4,000 |
| PROJECT TOTALS | \$9,600 | \$14,400 | \$24,000 |

*Lands identified will be acquired via Navigational Servitude for submerged lands. Values in the Baseline Cost Estimate are estimates and not a final LERRD value for crediting purposes.

UTILITIES & FACILITIES RELOCATIONS

No known utilities or facilities are located in this area and no relocations are required.

RELOCATION ASSISTANCE BENEFITS

There are no P.L. 91-646 businesses or residential relocation assistance benefits required for this project.

HTRW IMPACTS

No known information pertaining to hazardous, toxic and radioactive wastes or materials, within the project footprint was provided.

MINERAL/TIMBER ACTIVITY

There are no current or anticipated mineral or timber activities within the vicinity of the proposed project that will affect construction, operation, or maintenance of the proposed project. Nor will any subsurface minerals or timber harvesting take place within the project.

REAL ESTATE MAP

The Real Estate Map will be produced by POA, in collaboration with the City of Nome and the State of Alaska.

SPONSORSHIP CAPABILITY

The State of Alaska is a fully capable sponsor for acquiring the required lands, easements, and rights-of-way (See Exhibit "A" - Sponsor Real Estate Acquisition Capability Assessment). The Sponsor has professional experienced staff and legal capability to provide all lands, easements, and rights-of-way required for project purposes. The State has been advised of P.L. 91-646 requirements; and they have been advised of the requirements for documenting expenses for LERRD crediting purposes.

The Sponsor's point of contact information is:

ADOT&PF Commissioner
P. O. Box 112500
Juneau AK 99811-2500

NOTIFICATION OF SPONSOR AS TO PRE-PCA LAND ACQUISITION

The non-Federal sponsor has been notified in writing about the risks associated with acquiring land before the execution of the Project Cooperation Agreement (PCA) and the Government’s formal notice to proceed with acquisition.

ZONING ORDINANCES ENACTED

No zoning ordinances will be enacted to facilitate the proposed project activities. Therefore, no takings are anticipated as a result of zoning ordinance changes. No zoning ordinances are proposed in lieu of, or to facilitate acquisition in connection with the project.

SCHEDULE

The anticipated project schedule, unless revised after coordination with NFS, is as follows:

| NAVIGATION IMPROVEMENTS ALASKA DEEP-DRAFT ARCTIC PORT | COE START |
|---|---------------------------------------|
| RECEIPT OF FINAL PROJECT DRAWINGS FROM ENGINEERING | 2-4 weeks after PCA execution |
| FORMAL TRANSMISSION OF PROJECT DRAWINGS & INSTRUCTIONS TO ACQUIRE LERRD | 4-6 weeks after PCA execution |
| CERTIFY ALL NECESSARY LERRD AVAILABLE FOR CONSTRUCTION | 6-9 Months after PCA execution |
| PREPARE & SUBMIT CREDIT REQUESTS | 6-8 Months upon completion of Project |
| REVIEW/APPROVE OR DENY CREDIT REQUESTS | 6 Month after Sponsor submission |

VIEWS OF FEDERAL, STATE, AND REGIONAL AGENCIES

This project is supported by Federal, State, and Regional agencies. The Corps has met with representatives of the NFS, State of Alaska, and other pertinent parties to discuss aspects of the proposed action. Further coordination will be ongoing. In compliance with NEPA rules/regulations, letters will be sent to resource agencies and residents in the area; public notices will transpire within the project vicinity.

VIEWS OF LOCAL RESIDENTS

The Alaska District Corps of Engineers has conducted public meetings concerning this project. Local residents are in favor of the project with funding remaining an issue to be

resolved. Further coordination will be ongoing between the State of Alaska, US Army Corps of Engineers, Federal resource agencies, and residents in the area.

ANY OTHER RELEVANT REAL ESTATE ISSUES

The Point Spencer uplands are currently held by the US Coast Guard (USCG) under a Public Land Order (PLO) for a LORAN station. This station has been closed and the USCG has filed a Notice of Intent (NOI) to relinquish the PLO. The USCG is considering a change to the NOI to retain a portion of the PLO where the Point Spencer infrastructure currently exists. The Bureau of Land Management will adjudicate all land claims by Native Corporations and the State of Alaska for all lands relinquished. This presents a possible change in ownership of the uplands located at Point Spencer in the future.

PREPARED BY:

REVIEWED AND APPROVED BY:

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Realty Specialist

MICHAEL D COY
Chief, Real Estate

EXHIBIT A

NAVIGATIONAL IMPROVEMENTS
ALASKA DEEP-DRAFT ARCTIC PORT SYSTEM STUDY
ASSESSMENT OF NON-FEDERAL SPONSOR'S

REAL ESTATE ACQUISITION CAPABILITY

1. **LEGAL AUTHORITY:**

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

2. **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?
YES _____ NO X
- b. If the answer to 2a is "YES" has a reasonable plan been developed to provide such training? YES _____ NO _____
- c. Does the sponsor's in-house staff have sufficient real estate acquisition experience to meet its responsibilities for the project? YES X NO _____
- d. Is the sponsor's projected in-house staffing level sufficient considering its other work load, if any, and the project schedule? YES X NO _____
- e. Can the sponsor obtain contractor support, if required in a timely fashion? YES X NO _____
- f. Will the sponsor likely request USACE assistance in acquiring real estate? YES _____ NO X

3. **OTHER PROJECT VAIABLES:**

- a. Will the sponsor's staff be located within reasonable proximity to the project site? YES X NO _____
- b. Has the sponsor approved the project/real estate schedule/milestones? YES X NO _____

4. **OVERALL ASSESSMENT:**

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

YES X NO _____

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

HIGHLY CAPABLE _____
MODERATELY CAPABLE _____
INSUFFICIENTLY CAPABLE _____

FULLY CAPABLE X
MARGINALLY CAPABLE _____

Justification for Insufficient Capability:

5. **COORDINATION:**

a. Has this assessment been coordinated with the sponsor?

YES _____ NO _____

b. Does the sponsor concur with this assessment?

YES _____ NO _____

Justification for Sponsor Non-concurrence:

SPONSOR:

Name
Title

PREPARED BY:

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Acquisition Team Lead

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MICHAEL D. COY
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