

REAL ESTATE  
Navigation Improvement Project  
Valdez, Alaska

1. PURPOSE OF REPORT

Valdez Small Boat Harbor is located at Valdez, Alaska. The local sponsor is the City of Valdez. The purpose of this report is to identify and describe lands, easements and right of way (LER) required for the construction, operation and maintenance of the Small Boat Harbor Project including those required for relocations, borrow material, and dredged or excavated material disposal. The project is authorized by Section 4012 of the Water Resources Development Act of 2007, PL 110-114.

2. PROJECT DESCRIPTION

The Valdez Harbor Expansion will be located south of the current Valdez Harbor. Although more than one alternative has been considered, the East Harbor Site located just east of the SERVS Dock, (Figure 1) is the preferred project site and will be the focus of this report. The project involves construction of a breakwater, entrance channel, maneuvering channel (federal), and a mooring basin (sponsor) (Figure 2).

3. REAL ESTATE REQUIREMENTS

Access to the project site is currently available by water. A public access road will need to be constructed from South Harbor Drive to the project site. The sponsor will provide all lands necessary for the Federal portion of the project. These will involve all uplands required for the staging and disposal areas.

The City of Valdez owns the majority of the uplands at the East Harbor Site. Two parcels are needed: one temporary construction/work area easement (section G, City owned) totaling 0.20 acres, and one permanent access easement (section F, privately owned) totaling .83 acres.

There has been a discrepancy as to the mean high water line (MHW). There is an original and a new MHW. The new MHW line places the project sites above MHW (upland); it is not the State approved mean high water line. Therefore, for the purpose of this project the new MHW line will be used, placing a portion of this project on upland. Therefore, the Government exercises its rights and to the extent of such rights, will not acquire any real property interest in the land to which the navigation servitude applies. An intertidal site has been identified for the disposal of 67,600 cubic meters (m<sup>3</sup>) of Federal General Navigation Features (GNF) dredge material for the purpose of ecosystem restoration. This site is located about 30 miles South East of Valdez, and is known as Two Moon Bay. (Figure 3) This site is about 11.4 acres, and is below MHW; therefore, no known land or permit acquisition required. Additionally, 72,280 m<sup>3</sup> of the Local Service Facilities (LSF) dredge material will be used to create the project staging area. The remaining 52,120 m<sup>3</sup> of LSF material will be sent to the Two Moon Bay restoration site to complete the restoration and avoid impacts related to a deepwater disposal.

This project is adjacent to an existing project; however, there is no Federal/Government owned land included in the project. There is little to no potential for flooding induced by construction, operation or maintenance of the project.

General title information is based primarily on city assessor records and preliminary title search of the recording office. The City of Valdez and the Alyeska SERVS Facility own the lands for the East Site Project. The City of Valdez has the legal authority to condemn lands for public use. The Sponsor's experience and ability to acquire real estate has been evaluated and rated as fully capable (Exhibit 2). The following (table 1) is a matrix of the current land ownership for the project.

**Table 1**  
***Land interests required for essential portions of project***

<b>Feature</b>	<b>Acres</b>	<b>Owners</b>	<b>Interest</b>	<b>GNF*/Local</b>
Entrance Channel, Manuevering Channel, Turning Basin, Breakwater, Disposal Area (Below Mean High Water)	27.69	City of Valdez	Navigational Serv.	GNF
Road Access	0.83	Alyeska SERVS	Perm easement	Local
Temporary Construction	0.2	City of Valdez	Temp easement	Local
Mooring Basin		City of Valdez	Fee	Local

\*GNF = General Navigation Features (Federal portions of project).

A temporary work area easement for construction of the breakwater tie-ins is recommended. (Standard Estate #15) A permanent easement for project and public access is also recommended. (Standard Estate #11). Both identified as real estate required from the Sponsor and where no crediting will be provided.

#### 4. BASELINE COST ESTIMATE

The Real Estate costs are based on the appraisal done on this project dated 27 January 2009. The administrative costs reflect 2007 costs plus contingency, and are estimates only. Administrative costs are for mapping, title work, survey, appraisal, and final crediting process. A contingency of 33% is considered appropriate to account for price changes over time, considering the slow pace of the project overall. There is one anticipated relocation cost on the East Site.

**East Site Rubble Mound 320 Real Estate Costs:**

Federal Projects Portion

<b>ITEM</b>	<b>FEDERAL</b>	<b>LOCAL</b>	<b>TOTAL</b>
Administration	\$28,302	\$5,000	\$33,302
Payments for Lands	\$0.00	\$0.00	\$0.00

Non-Federal Projects Portion

<b>ITEM</b>	<b>FEDERAL</b>	<b>LOCAL</b>	<b>TOTAL</b>
Administration	\$17,689	\$56,604	\$74,293
Payments for Lands	\$0.00	\$236,620	\$236,620

**Relocation Costs:**

<b>ITEM</b>	<b>FEDERAL</b>	<b>LOCAL</b>	<b>TOTAL</b>
GCI Fiber Optics Cable		\$702,000	\$702,000

**5. RELOCATION ASSISTANCE BENEFITS**

No persons, farms, or businesses will be affected by this project.

**6. MINERAL ACTIVITY**

There is no known mineral activity occurring in the area.

**7. RELOCATION OF ROADS AND UTILITIES**

A fiber optics cable owned by GCI runs through the middle of the project area and may need to be relocated. The cost for relocation will depend on the depth of the cable. An Attorney's Opinion of Compensability will be required, if relocation is needed.

Any conclusion or categorization contained in this report that an item is a utility or a facility relocation to be performed by the non-Federal Sponsor as part of its LER responsibilities is preliminary only. The Government will make a final determination of the relocations necessary for the construction, and operation or maintenance of the project after further analysis and completion and approval of final Attorney's Opinions of Compensability for each of the impacted utilities and facilities.

**8. OTHER RELEVANT REAL ESTATE ISSUES**

There are no known real estate issues at this time.

**9. OTHER RELEVANT ISSUES**

Are there any cemeteries in the area? No

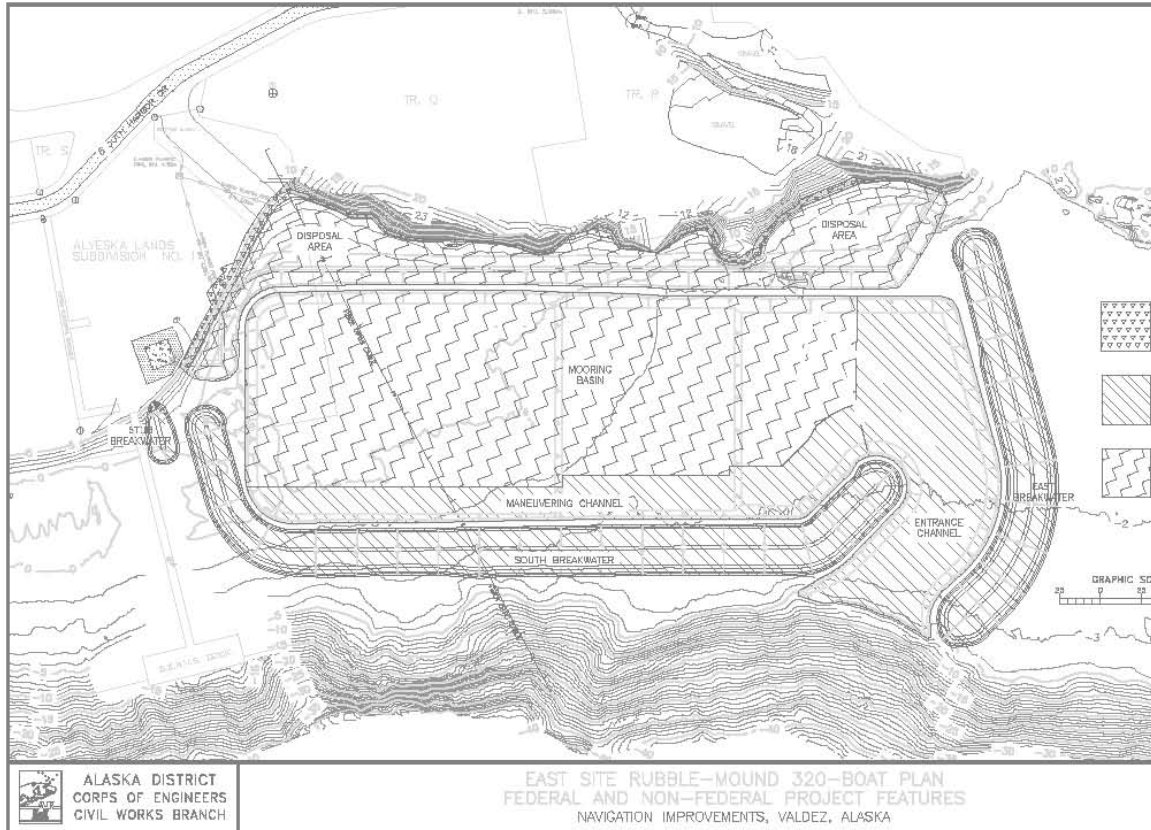
Are there any environment concerns? No

Is there support or opposition for this project? No

Are there any historical sites in the project area? No

Are there any known risks or issues regarding the real estate or the acquisition of it for the project? No

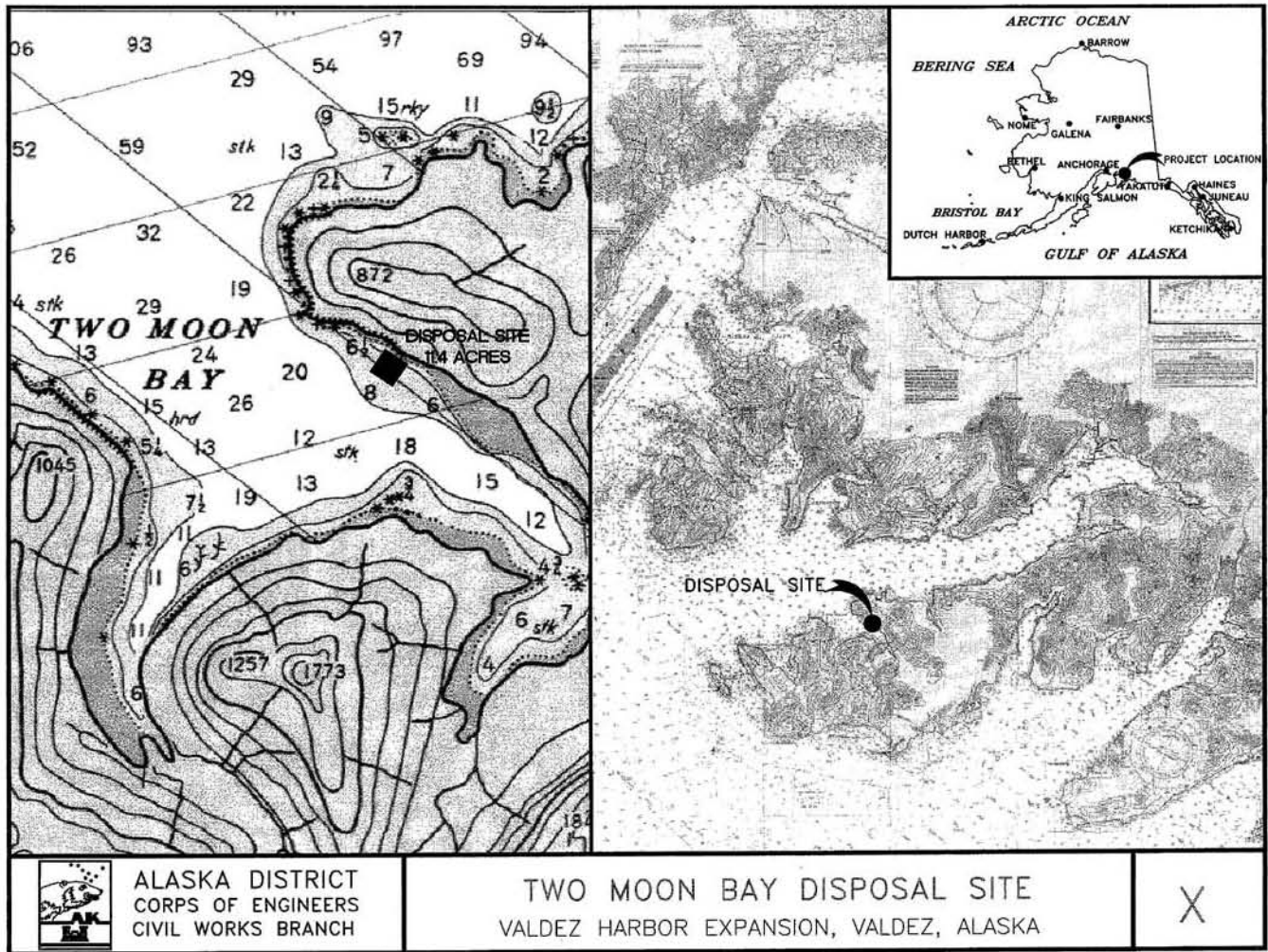
Figure 1



**Figure 2**



Figure 3



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

**NEW VALDEZ HARBOR  
CITY OF VALDEZ**

**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 a "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? NO

**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? NA
- 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 work load 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
- b. Has the sponsor approved the project/real estate schedule/milestones? NA
- c.

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.


V. Coordination:

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

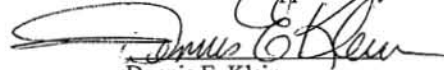
SOURCE:

Prepared By:

  
\_\_\_\_\_  
Signature  
Name David Dengel  
Title: City Manager  
:City of Valdez  
907/835-4313  
Date 9/26/01

  
\_\_\_\_\_  
Name: Ann P. Hardinge  
Title: RE Appraiser  
Date: 10-19-2001

Reviewed and approved by:

  
\_\_\_\_\_  
Dennis E. Klein  
Chief, Real Estate Division