

 <p>US Army Corps of Engineers® Pacific Ocean Division</p>	<p>DRAFT REAL ESTATE PLAN</p> <p>APPENDIX F</p>	 <p>Alaska District</p>
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Kotzebue Harbor Feasibility Study
Navigation Improvements at Cape Blossom
Kotzebue, Alaska

**KOTZEBUE HARBOR FEASIBILITY STUDY
NAVIGATION IMPROVEMENTS AT CAPE BLOSSOM
KOTZEBUE, ALASKA**

REAL ESTATE PLAN

I. PURPOSE:

This Real Estate Plan (REP) will be consolidated into the decision document Feasibility Report for Navigation Improvements at Cape Blossom, Kotzebue, Alaska. The purpose of the feasibility study is to determine the feasibility of constructing navigation improvements that would increase the efficiency of navigation in at Kotzebue, Alaska. The REP is tentative in nature; it is for planning purposes only and both the final real property acquisition lines and the real estate cost estimates provided are subject to change even after approval of the feasibility study.

II. PROJECT TYPE AND APPLICABILITY:

The study is also using the authority of Section 2006 of WRDA, 2007, Remote and Subsistence Harbors, as modified by Section 2104 of the Water Resources Reform and Development Act of 2014 (WRRDA 2014) and further modified by Section 1105 of WRDA 2016. The authority specifically states that in conducting a study of harbor and navigation improvements the Secretary may recommend a project without demonstrating that the improvements are justified solely by National Economic Development (NED) benefits, if the Secretary determines that the improvements meet specific criteria detailed in the authority. Following are the criteria outlined in the authority along with a description of how this study satisfies them:

1. The community to be served by the improvements is at least 70 miles from the nearest surface accessible commercial port and has no direct rail or highway link to another community served by a surface accessible port or harbor; or the improvements would be located in the State of Hawaii or Alaska, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands; or American Samoa;
2. The harbor is economically critical such that over 80 percent of the goods transported through the harbor would be consumed within the region served by the harbor and navigation improvement as determined by the Secretary, including consideration of information provided by the non-Federal interest; and
3. The long-term viability of the community in which the project is located, or the long-term viability of a community that is located in the region that is served by

the project and that will rely on the project, would be threatened without the harbor and navigation improvement.

While determining whether to recommend a project under the criteria above, the Secretary will consider the benefits of the project to the resources listed below. As indicated in the above narratives and throughout the report, navigation improvements at Kotzebue would benefit the following:

- Public health and safety of the local community and communities that are located in the region to be served by the project and that will rely on the project, including access to facilities designed to protect public health and safety;
- Access to natural resources for subsistence purposes;
- Local and regional economic opportunities;
- Welfare of the local population; and
- Social and cultural value to the local community and communities that are located in the region to be served by the project and that will rely on the project.

Section 105(a) of the WRDA of 1986, Public Law 99-662, as amended (33 U.S.C. 2215(a)), specifies the cost-sharing requirements.

The Non-Federal Sponsors (NFS) for the project are the City of Kotzebue and Native Village of Kotzebue.

III. PROJECT SCOPE AND CONTENT:

The City of Kotzebue is located on the tip of Baldwin Peninsula, approximately 550 miles northwest of Anchorage. The population is 3,200 according to the 2010 Census. Kotzebue serves as a regional hub for 10 other villages and tribes of the Northwest Arctic Borough. Kotzebue and the surrounding villages are accessible only via water and air in the summer, and via air and snowmobile or dogsled in the winter. There is no access to the Alaska road system. The REP identifies and describes the real estate requirements for the lands, easements, rights-of-way, relocations and disposal areas (LERRD) needed to meet the planning objectives:

- To reduce or eliminate lightering from coastal barges.
- To provide for easier transshipment of goods from coastal barges to smaller/riverine barges.
- To provide for more efficient operation of riverine barges.
- To provide benefits to commercial and subsistence fishing vessels, where appropriate and justified.

The study area is shown in Figure 1.

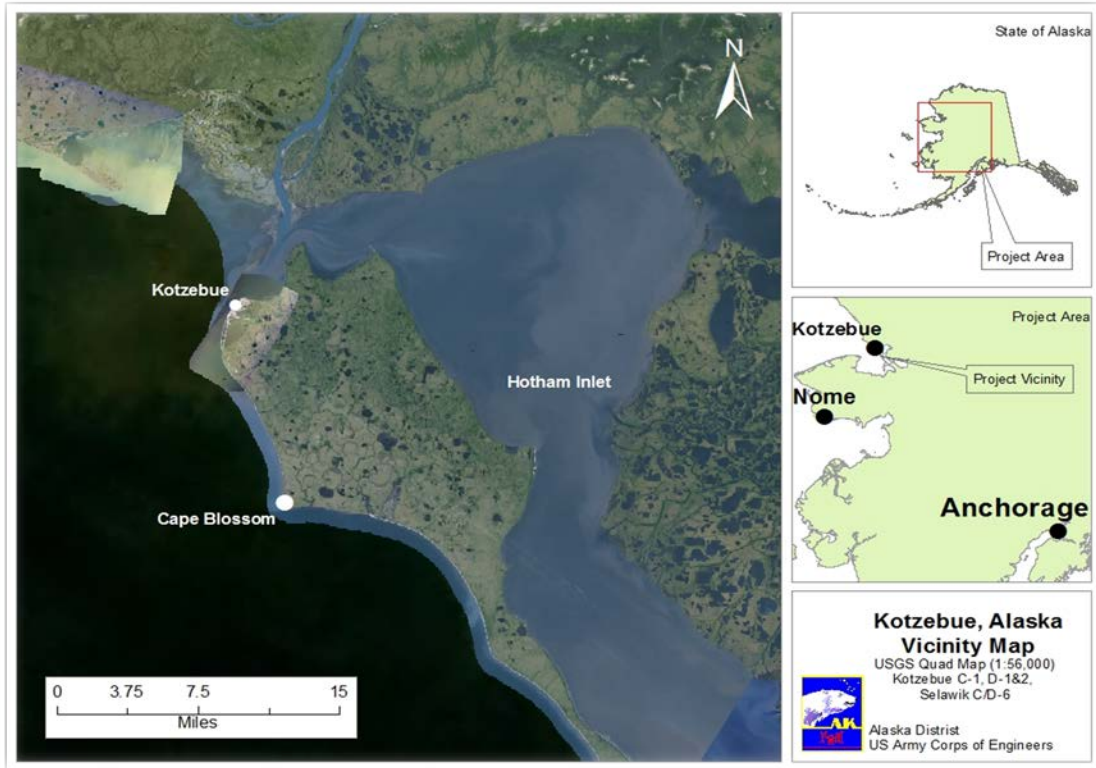


Figure 1: Study Area, Kotzebue, Alaska:

IV. Alternatives:

There are currently seven alternatives including the no action plan being considered in selection of the ultimate Tentatively Selected Plan (TSP). The different alternatives are summarized below. (See Figure 2).

Alternative 1: No Action

Alternative 2: Dredge to shore

Alternative 3: Lightering with detached breakwater and mooring dolphins – Removed from consideration.

Alternative 4: Trestle with gravity-filled support structures to dock

Alternative 5: Causeway to dock

Alternative 6: Trestle and Causeway combination to dock

Alternative 7: Dredged channel with trestle and/or causeway to dock

There are proposed upland Local Service Facilities (LSF) located in Section 6, Township 15 North, Range 17 West, Kateel River Meridian (KRM), Alaska, these lands

are owned by the federal government as displayed in Figure 2 and Figure 3. The upland LSF includes: Trestle and Causeway, Bulk fuel storage facility with truck fueling rack, Boat ramp for increased subsistence/recreation and marine safety, Gravel pad area for future LSF's that may include lay-down yard for incoming and outgoing cargo, parking areas, warehouses, and maintenance shops. Trestle and Causeway within the tideland, a permit from the State of Alaska is needed.

Except for the no action alternative, each alternative and LSF have a structural element or group of structural elements requiring acquisition of federal lands within AKFF 044408.

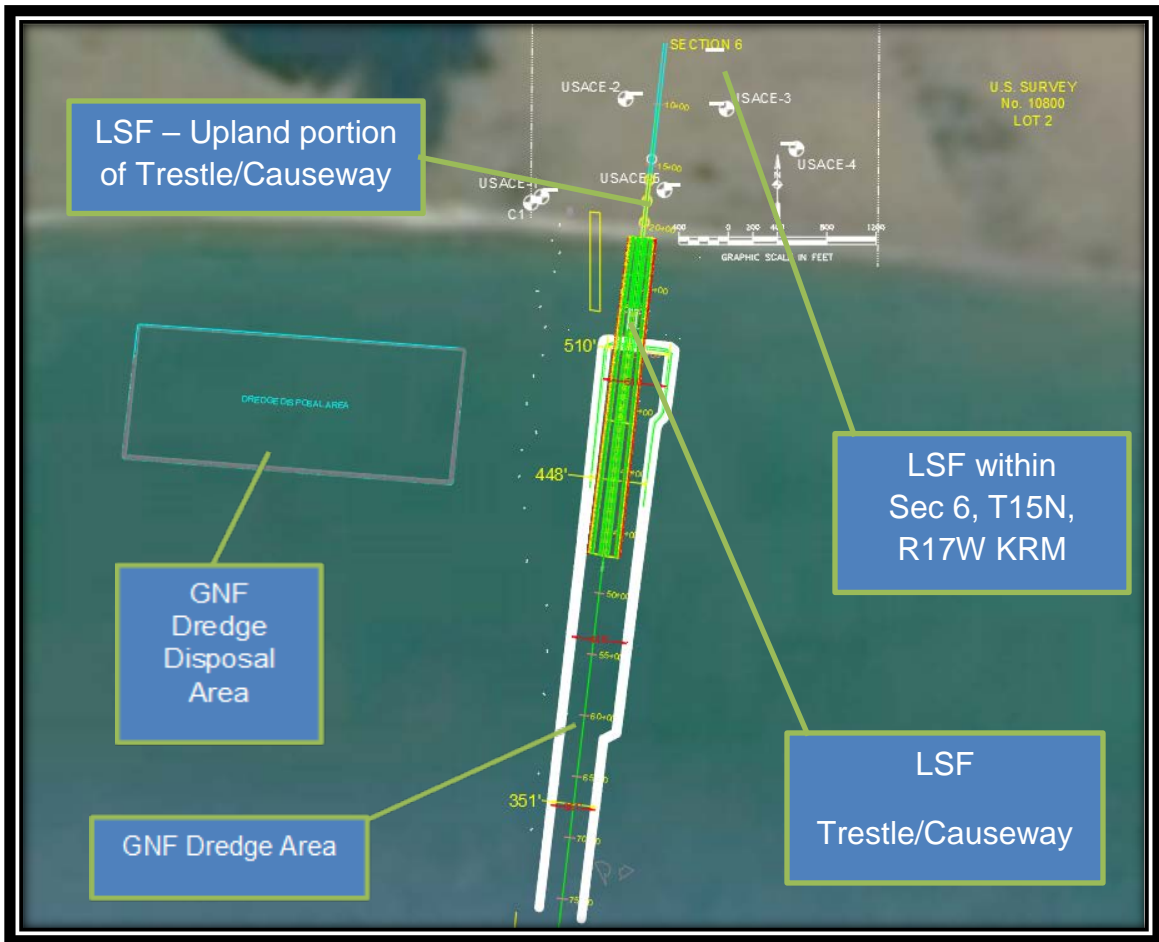


Figure 2: Features

Kotzebue Navigation Improvement - Land Needed for LSF



Figure 3: Land Needed for LSF

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

There is no NFS real estate requirement for the General Navigation Feature (GNF). The Government's dominant right of navigation servitude will be exercised for project tidelands below the Mean High Water (MHW) line for the (GNF) portion of the project.

Both the tidal and upland are needed for construction of the LSF. If the government constructs the LSF. The NFS will need to provide certification that it has adequate interest in these lands to allow the Government to construct the LSF. Lands need for the

LSF will not be eligible for credit as part of the NSF's cost-share for the project.

TABLE 1- LERRD Requirements

FEATURES	OWNERS	ACRES	INTEREST	GNF LSF
Dredge Channel (Portions Below Mean High Water)	1 owner State of Alaska	161.50 AC	Navigation Servitude	GNF
Dredged Material Disposal Site	1 owner State of Alaska	64.22 AC	Navigation Servitude	GNF
Uplands Local Service Facilities	1 owner Federal Government top filed by State of Alaska and Selected by Village of Kotzebue	145.58 AC	To be determine	LSF
TOTAL PROJECT BOUNARY		371.30 AC		

VI. PROJECT COMPONENTS:

See Section V.

VII. STANDARD ESTATES:

None

VIII. NON-STANDARD ESTATES:

None

IX. FEDERAL LANDS:

Federal lands (AKFF-44408) needed for the LSF portion of the project are located in Section 6, Township 15 North, Range 17 West, Kateel River Meridian, Alaska. The Federal lands are managed by the Department of Interior, Bureau of Land Management and it has been selected by the Village of Kotzebue & Kikitagruk Inupiat Corp. (Alaska Native Claims Settlement Act) and top filed by State of Alaska, Department of Natural Resources for conveyance (Statehood Act).

X. NEAREST OTHER EXISTING FEDERAL PROJECT:

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

XI. 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. A determination of navigability was discussed with our office council and it was determined that 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. See Section V. above.

XII. INDUCED FLOODING:

Flooding is not expected as a result of the project.

XIII. BASELINE COST ESTIMATE FOR REAL ESTATE:

The Baseline Cost Estimate for Real Estate is \$0.00. The NFS will negotiate to secure real estate interest in the federal government owned lands and the tidelands from the State of Alaska, for the project's LSF.

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

ACCOUNT	DESCRIPTION	LERRD	CONT.		NON-LERRD	CONT.
01.23.03.02	Real Estate Acquisition Documents	0.00	0.00		5,000.00	1000.00
01.23.03.15	Real Estate Payment Documents	0.00	0.00		0.00	0.00
	Review of Sponsor	0.00	0.00		200.00	40.00
01.23.03.17	Real Estate LERRD Credit Documents	0.00	0.00		0.00	0.00
	Total Admin & payment	0.00	0.00		5,200.00	1040.00
	Total contingencies	0.00	0.00		0.00	0.00
	Total LERRD + Contingencies	0.00	0.00		0.00	0.00
	PROJECT GRAND TOTAL	\$6,240.00				

XIV. UTILITIES & FACILITIES RELOCATIONS:

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

XV. RELOCATION ASSISTANCE BENEFITS:

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

XVI. Hazardous, Toxic and Radioactive Waste (HTRW) IMPACTS:

No information pertaining to HTRW has been found and no HTRW present within the project footprint.

XVII. 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.

XVIII. REAL ESTATE MAP:

The Real Estate Map will be produced by the District in collaboration with the NFS.

XIX. SPONSORSHIP CAPABILITY:

Not applicable. No real estate is required to be provided by the NFS. The Sponsor's point of contact information is:

Nicole Stoops
Tribal Administrator
Native Village of Kotzebue
Nicole.Stoops@QIRA.org

Dennis Jennings
Public Works Director
City of Kotzebue
DJennings@Kotzebue.org

XX. NOTIFICATION OF SPONSOR AS TO PRE- PROJECT PARTNERSHIP AGREEMENT (PPA) LAND ACQUISITION OF SPONSOR AS TO PRE-PPA LAND ACQUISITION:

Not applicable. No real estate is required to be provided by the NFS.

XXI. ZONING ORDINANCES ENACTED:

No zoning ordinances will be enacted to facilitate the proposed ecosystem restoration 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.

XXII. SCHEDULE:

Not applicable. No real estate is required to be provided by the NFS.

XXIII. 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 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.

XXIV. VIEWS OF LOCAL RESIDENTS:

The NFS 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 NFS, U.S. Army Corps of Engineers, State of Alaska and Federal resource agencies, and residents in the area.

XXV. ANY OTHER RELEVANT REAL ESTATE ISSUES:

The State of Alaska, Department of Transportation and Public Facilities (DOT&PF) has been conveyed the 15.9 AC Highway Easement through the before mention Federal lands, as displayed in Figure 3.

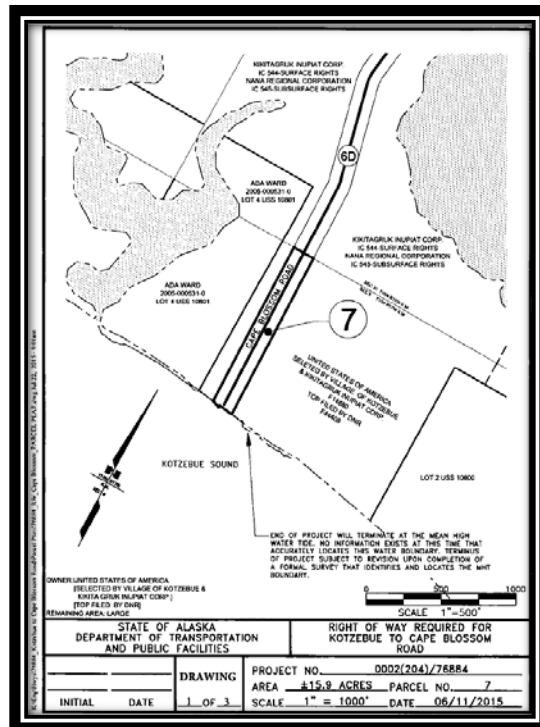


Figure 3: DOT&PF Highway Easement

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