Petersburg Navigation Improvements

Appendix F: Real Estate

Petersburg, Alaska

US Army Corps of Engineers
Alaska District

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Real Estate Map……..……..…….……..EXHIBIT A

NAVIGATION IMPROVEMENTS
CAP SECTION 107
PETERSBURG, ALASKA

REAL ESTATE PLAN

1. Purpose:

This Real Estate Plan (REP) will be appended to the Feasibility Report for Navigation Improvements for Petersburg, Alaska. The purpose of the study is to determine the feasibility of constructing navigation improvements to reduce transportation inefficiencies in the Petersburg harbor system. The REP identifies and describes the real estate requirements for the lands, easements, rights-of-way, relocations and disposal area (LERRD) that will be required. 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.

2. Authority:

This feasibility study will be conducted under authority granted in Section 107 of the River and Harbor Act of 1960, as amended (33 U.S.C. 577) which states in part:

"The Secretary of the Army is authorized to allot from any appropriations hereafter made for rivers and harbors not to exceed $50,000,000 for any one fiscal year for the construction of small river and harbor improvement projects not specifically authorized by Congress which will result in substantial benefits to navigation and which can be operated consistently with appropriate and economic use of the waters of the Nation for other purposes, when in the opinion of the Chief of Engineers such work is advisable, if benefits are in excess of the cost….Not more than $10,000,000 shall be allotted for the construction of a project under this section at any single locality and the amount allotted shall be sufficient to complete the Federal participation in the project under this section."

The Non-Federal Sponsor (NFS) for the study is the Petersburg Borough.

3. Project Location & Description:

The project area is located on Mitkof Island west of the City of Petersburg and adjacent to the Wrangell Narrows Channel within, Sections 27 and 28, Township 58 South, Range 79 East, Copper River Meridian, Alaska and Alaska Tideland Survey 9. Public access is available to the project site.

The Petersburg Navigation Improvements Feasibility Study has two primary planning objectives. They are listed below without respect to priority as both will need to be addressed to arrive at an effective solution:

- Improve access to the Petersburg Harbor system:
  - Entrance channel & maneuvering basin
  - Moorage areas
  - Public access facilities
- Reduce vessel delays due to insufficient depths within the harbor system

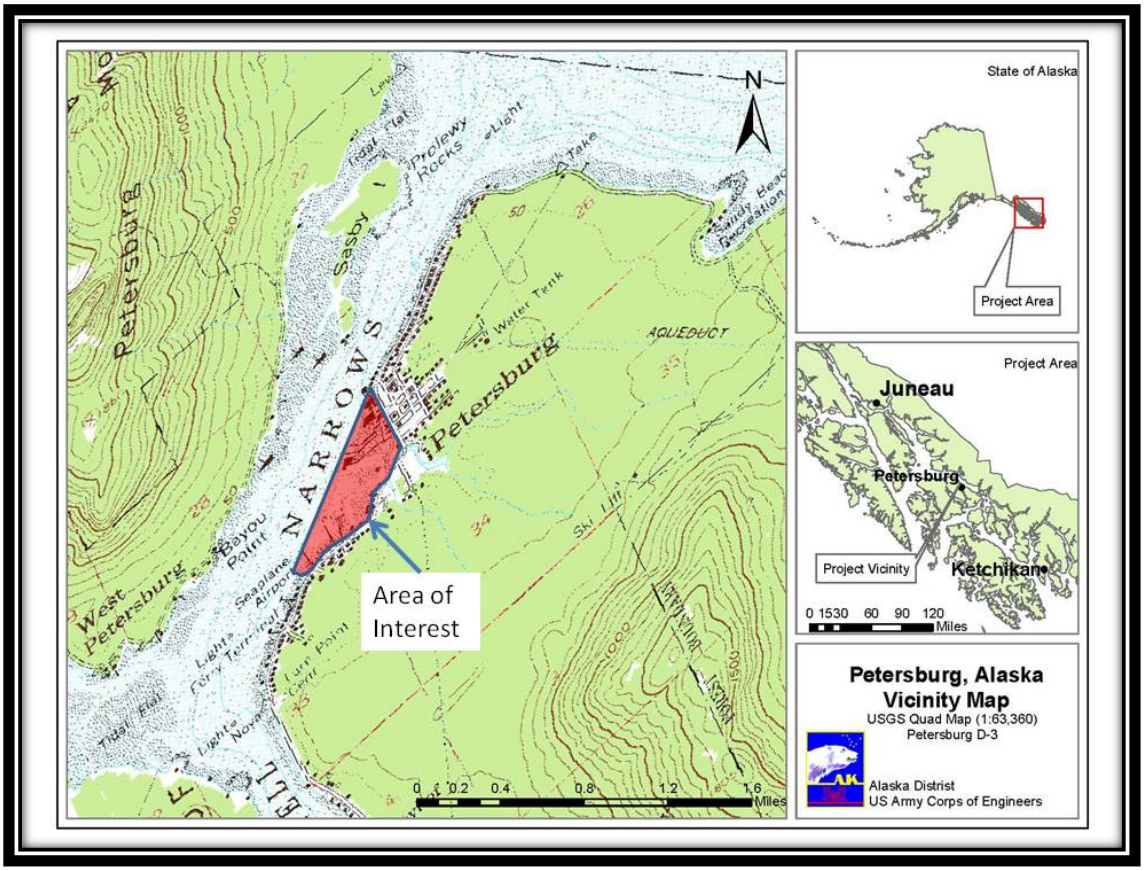


Figure 1. Petersburg, Alaska Vicinity Map

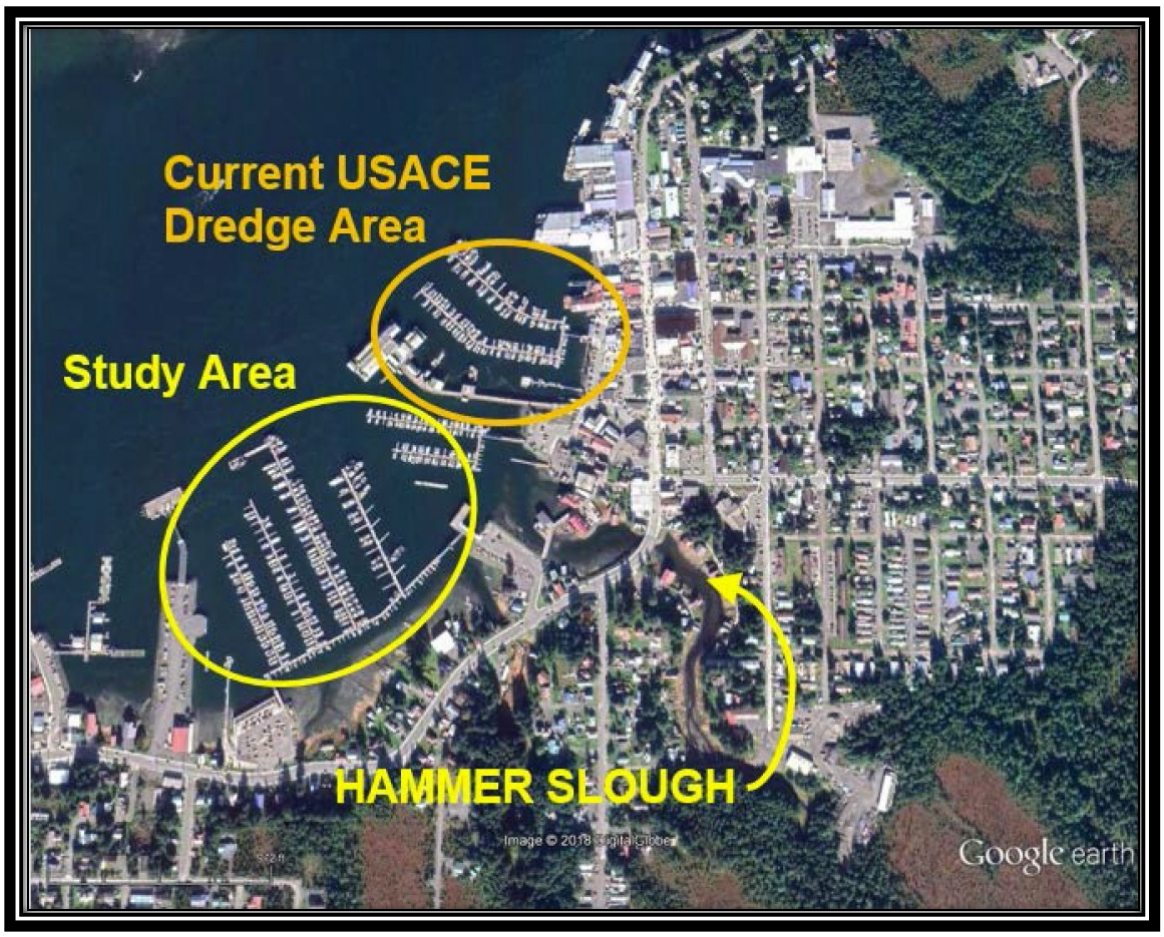


Figure 2. Study Area, Petersburg, Alaska

Project:

The Real Estate (RE) Map is shown on Exhibit A. Dredging the South Harbor addresses the transportation delays and lost opportunities due to lack of sufficient depth. The inner and outer harbor will be dredged to a depth of -19.25 ft MLLW. The commercial and recreational floats will be dredged to -18 ft MLLW and -10 ft MLLW, respectively. The sump area will be dredged to -9 ft MLLW.

4. Description of LERRD Required:

The Government's dominant right of navigation servitude would be exercised for project tidelands below the Mean High Water (MHW) line (Table 1). The chosen in-water dredged material disposal area is the Frederick Sound Disposal Site (FSDS), located approximately two miles east of the project site (Figure 3).

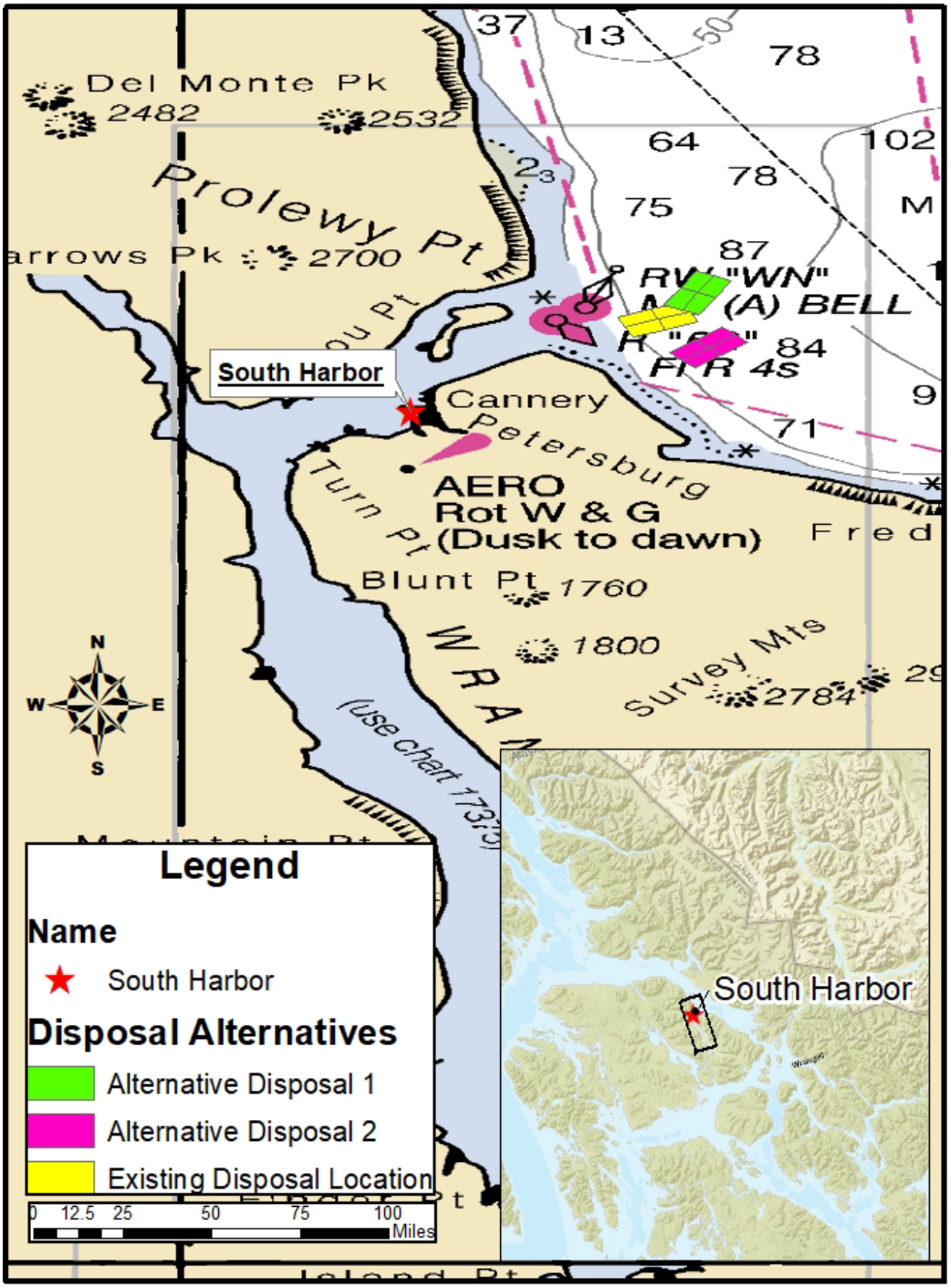


Figure 3. Frederick Sound Disposal Site Map

Table 1: Tidelands Needed for Project:

Project Tract	Feature	Feature Description	Acres
1	LSF	Local Service Facility	0.154
2	GNF	Maneuvering Basin	0.125
3	GNF	Main Channel	1.638
4	GNF	Maneuvering Basin	1.231
5	LSF	D Float	7.192
6	LSF	Main Float	1.41
7	GNF	Turning Basin	1.01
8	LSF	Turning Basin	0.568
9	LSF	Local Service Facility	0.301

5. LERRD Already Owned by the NFS:

The NFS owns the tidelands identified as Alaska Tideland Survey (ATS) 9 and no additional real estate is required for this project.

6. Standard Estate/Non-Standard Estate:

Navigation servitude will be exercised.

7. Existing Federal Projects:

There are no other existing Federal Projects that lies fully or partially within the LERRD required for this Project. The nearest existing Federal Project is the Maintenance Dredging, Petersburg North Harbor Project, Petersburg, Alaska.

8. Federally Owned Lands:

No federally owned land are included within the project.

9. 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 of Counsel (OC) and it was determined that the application of navigational servitude is appropriate. Navigational servitude would 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 4.

10. Flooding Induced by Project:

Flooding is not expected as a result of the project.

11. Baseline Cost Estimate on Acquisition of LERRD:

Contingencies have been added to the estimates as follows:

- 01.23.03.02 Real Estate Acquisition Documents
(25% based on reasonable cost estimates)
- 01.23.03.05 Real Estate Appraisal Documents
(20% based on reasonable contract costs)
- 01.23.03.15 Real Estate Payment Documents
(based on contingencies 20% - assigned by the Appraiser in the Gross Appraisal)
- 01.23.03.17 Real Estate LERRD Accounting Documents
(20% based on reasonable cost estimates relative to accounting requirements)

Table 2: Baseline Cost Estimates for LERRD:

ACCOUNT	DESCRIPTION	LERRD	CONT.		NON-LERRD	CONT.
01.23.03.02	Real Estate Acquisition Documents	0	0		0	0
	Acquisitions by Sponsor	0	0		0	0
	Review of Sponsor				0	0
01.23.03.05	Real Estate Appraisal Documents	0	0		0	0
	Appraisal by Sponsor	0	0		0	0
	Review of Sponsor				0	0
01.23.03.15	Real Estate Payment Documents		0		0	0
	Payment by Sponsor(LERRD)	0	0		0	0
	Review of Sponsor				0	0
01.23.03.17	Real Estate LERRD Credit Documents	0	0		0	0
	Total Admin & payment	0	0		0	0
	Total contingencies	0	0		0	0
	Total LERRD + Contingencies	0	0		0	0
	PROJECT GRAND TOTAL	$0				

Values in the Baseline Cost Estimate are estimates and not a final LERRD value for crediting purposes.

12. Relocation Assistance Benefits (P.L. 91-646):

There will be no relocations required for this project.

13. Mineral Activity Impacted Present/Future:

There are no current or anticipated mineral or timber activities within the vicinity of the proposed project that would affect construction, operation, or maintenance of the proposed project. No subsurface minerals or timber harvesting is expected to take place within the project area.

14. Assessment of Non-Federal Sponsor Legal Capability:

An assessment is not required because no real estate is required. The Sponsor's point of contact information is:

Mr. Stephen Giesbrecht
Borough Manager
PO Box 329
Petersburg, AK 99833
Email: sgiesbrecht@petersburgak.gov

15. Zoning Ordinances Considered in Support of LERRD Requirements:

No zoning ordinances are proposed in lieu of, or to facilitate acquisition in connection with the project.

16. Project Schedule:

The anticipated project schedule, unless revised after coordination with NFS, as shown in Table 3.

Table 3: Project Schedule

Task	Start
POA – Certifies/verifies the NFS has acquired the real interest required and sufficiency for contract advertisement, etc.	Prior to contracting.
NFS – Prepare and submit credit requests.	6-8 months upon completion of project.
POA – Review/approve or deny credit requests.	6 months of NFS submission

17. Mitigation:

No mitigation required.

18. Facility/Utility Relocation:

There are no known utilities or facilities located in this area that would be impacted by the propose project footprint.

19. Environmental Impact:

No information pertaining to Hazardous, Toxic, and Radioactive Waste (HTRW) has been found and no HTRW is present within the project footprint.

In compliance with NEPA rules/regulations, correspondence with resource agencies and residents in the area has been on-going. Public review of the draft feasibility report and environmental assessment was completed on 16 November 2018.

The Alaska District posted a public notice from 13 March, 2019 through 28 March, 2019 requesting the Alaska Department of Environmental Conservation (ADEC) Division of Water to certify that the discharge of dredged material would not violate State water quality standards. There were no comments received and the ADEC Division of Water issued a Certificate of Reasonable Assurance on 10 April, 2019.

20. Landowner Opposition:

The Petersburg Borough 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 Petersburg Borough, US Army Corps of Engineers, State and Federal resource agencies, and residents in the area.

21. Advance Acquisition:

The NFS has been notified in writing about the risks associated with acquiring land before the execution of the Project Partnership Agreements (PPA) and the Government's formal notice to proceed with acquisition.

22. Cultural Resources:

Cultural resources outlined in Section 3.4 of the feasibility report and environmental assessment are found in the vicinity of the study area. However, no known cultural resources within the project area are anticipated to be impacted by the recommended plan, Alternative 3.

23. Other Real Estate Issues:

The borough has been advised of P.L. 91-646 requirements; and they have been advised of the requirements for documenting expenses for LERRD crediting purposes.

PREPARED BY:

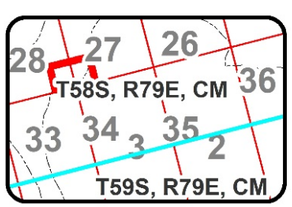
GREEN.RONALD.JONATHAN.1202579147 Digitally signed by GREEN.RONALD.JONATHAN.1202579147 Date: 2019.05.08 09:45:32 -08'00'

RONALD J. GREEN
Realty Specialist

REVIEWED AND APPROVED BY:

DERAVEL.ALEXANDRE.PJ.1550199048 Digitally signed by DERAVEL.ALEXANDRE.PJ.1550199048 Date: 2019.05.08 15:41:41 -08'00'

ALEX deRAVEL
Chief, Real Estate



0 40 80 160 240 320 400 Feet

Project Tract	Feature	Feature Description	Acres
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7	GNF	Turning Basin	1.01
8	LSF	Turning Basin	0.568
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US Army Corps of Engineers
ALASKA DISTRICT

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U.S. ARMY CORPS OF ENGINEERS

SUBMITTED:	SUBMITTED BY:	R/G
REAL ESTATE BRANCH		
RECOMMENDED:	RECOMMENDED BY:	R/G
REAL ESTATE SECTION		
APPROVAL:	APPROVED BY:	R/G
CHIEF, REAL ESTATE BRANCH		

NOTES

Coordinate System: NAD 1983 StatePlane Alaska 1 FIPS 5001 Feet
Projection: Transverse Mercator
Datum: North American 1983
Units: Foot US
False Easting: 1,640,416.667
False Northing: 0.000
Central Meridian: -133.666667
Scale Factor: 0.9999
Latitude Of Origin: 54.000
Longitude Of Origin: -133.666667
Standard Parallel 1: 55.000
Standard Parallel 2: 55.000
Units: Feet US

EXHIBIT A
REAL ESTATE MAP

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