
ST. GEORGE HARBOR IMPROVEMENT FEASIBILITY STUDY

APPENDIX F: REAL ESTATE PLAN

ST. GEORGE, ALASKA



**U.S. Army Corps
of Engineers**

Alaska District

TABLE OF CONTENTS

1.0	Purpose	1
2.0	Authority	1
3.0	Project Location & Description	2
4.0	Recommended Plan	3
5.0	Description of LERR Required	5
5.1.	LERR To Be Acquired	5
5.2.	LERR Already Owned by the NFS	6
5.3.	Navigation Servitude	7
6.0	Recommended Estates	8
7.0	Existing Federal Projects	9
8.0	Federally Owned Lands.....	9
9.0	Project Maps	9
10.0	Flooding Induced by Project.....	10
11.0	Baseline Cost Estimate for Real Estate (BCERE).....	10
12.0	Relocation Assistance Benefits (P.L. 91-646)	12
13.0	Mineral or timber Activity Impacted Present/Future.....	12
14.0	Assessment of Non-Federal Sponsor Legal Capability	12
15.0	Zoning Ordinances Considered in Support of LERR Requirements.....	12
16.0	Advance Acquisition and Risk Notification.....	12
17.0	Real Estate Schedule	12
18.0	Facility/Utility Relocation.....	13
19.0	Environmental Impact.....	13
20.0	Cultural Resources	14
21.0	Mitigation	14
22.0	Landowner Opposition.....	14
23.0	Other Relevant Real Estate Issues	14
	SCHEDULE A	16

LIST OF TABLES

Table 1. LERR to be Acquired.....	5
Table 2. LERR Already Owned by the NFS	6
Table 3. Exercising Navigation Servitude.....	7
Table 4. Baseline Cost Estimate for Real Estate (BCERE).....	10
Table 5. Chart of Accounts.....	11
Table 6. Project Schedule	13

LIST OF FIGURES

Figure 1. St. George, Alaska Vicinity Map.....	3
Figure 2. Recommended Plan – Conceptual Plan View Drawing.....	4
Figure 3. Federally Owned Land (NOAA).....	9

LIST OF EXHIBITS

Exhibit A. Assessment of Non-Federal Sponsor’s Real Estate Acquisition Capability ..	17
Exhibit B. Project Map	19
Exhibit C. Real Estate Risk Checklist.....	21

1.0 PURPOSE

The primary purposes for this REP is to identify and describe the real estate requirements for the lands, easements, rights-of-way, relocations and disposal areas (LERR) for construction, operation and maintenance of the proposed navigational improvements, outline the costs and real estate considerations associated for the Tentatively Selected Plan (TSP) and assess the non-Federal sponsor's (NFS) capabilities for LERR acquisition. The City of St. George, Alaska, is the proposed Project Partnership Agreement (PPA) sponsor. This REP is tentative; 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.

2.0 AUTHORITY

This feasibility study is being conducted under authority granted by Section 4010 of the Water Resources Development Act (WRDA) of 2007, which states, "The Secretary shall conduct a study to determine the feasibility of providing navigation improvements at St. George Harbor, Alaska."

The project is expected to utilize the authority of Section 2006 of WRDA 2007 – Remote Subsistence Harbors, as modified by Section 2104 WRDA 2014 and provides that in conducting a study of remote and subsistence harbor and navigation improvements, the Secretary may recommend a project without the need to demonstrate that the project is justified solely by national economic development (NED) benefits if certain specified criteria are met. The 2014 amendment expands eligible locations for such projects to include the State of Alaska. It changes the area of consideration from "community" to "region" in determining whether a harbor is economically critical. St. George meets all the specified criteria to be considered a remote and subsistence harbor.

In addition to specifically meeting all criteria and other considerations of Section 2006 that the Secretary may take into account, supporting the project in accordance with Section 2006 allows the United States Army Corps of Engineers (USACE) and the Federal Government to:

- Meet its Trust Responsibility, in accordance with the Department of Defense American Indian and Alaska Native Policy. This includes the policy to "...promote the development of prosperous and resilient tribal communities, including by (a) promoting sustainable economic development..."
- Be in compliance with the Indian Self-Determination and Education Assistance Act of 1975 (PL-93-638). A safe and effective harbor will allow St. George to re-establish itself as a viable community, providing their own services created by the Federal trust responsibility.

The non-Federal sponsor (NFS) for the project is the City of St. George, Alaska. The

project cost-shared is as follows:

- a. For the feasibility report, Federal 50% and NFS 50%.
- b. Preconstruction, Engineering, and Development, Federal 90% and NFS 10%
- c. Construction, for providing depths to 20 feet below mean low water (MLLW), Federal 90%, and NFS 10% of the General Navigation Features (GNF).
- d. Construction, for providing depths from 20 feet to 45 feet below mean low water, Federal 75%, and NFS 25% of the GNF.
- e. Construction, for all depths, the NFS provides an additional cash contribution equal to 10% of GNF. These costs may be paid over a period not exceeding 30 years.
- f. The sponsor's costs for LERR are creditable against the additional cash contribution.

3.0 PROJECT LOCATION & DESCRIPTION

The City of St. George, Alaska, is located on the northeast shore of St. George Island, the southern-most of five islands in the Pribilofs. It lies 47 miles south of the St. Paul Island, 750 air miles southwest of Anchorage, and 250 miles northwest of Unalaska, as shown in Figure 1. The purpose of this study is to identify a feasible solution that provides safe accessibility of marine navigation to the community of St. George, Alaska. The need for the project is to reduce hazards to provide better safe navigation of subsistence vessels, fuel barges, cargo vessels, and a limited commercial fleet, all of which are critical to the long term viability of the mixed subsistence-cash economy of St. George.

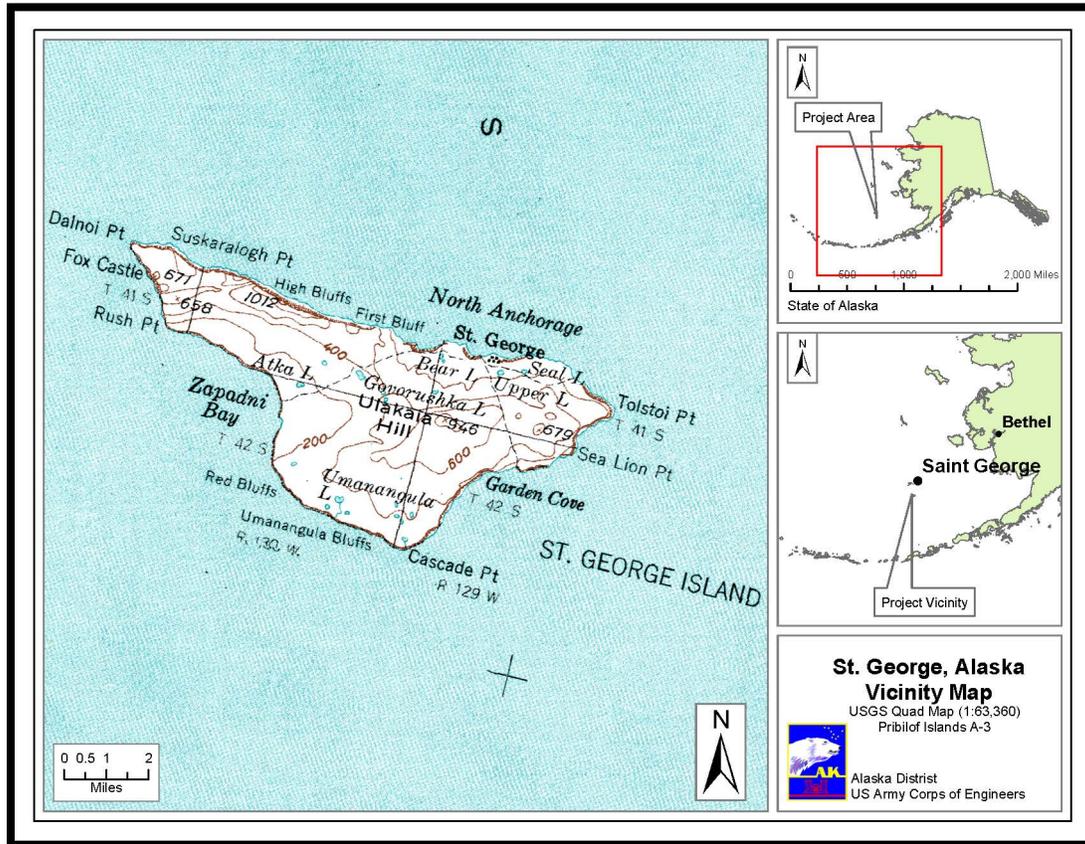


Figure 1. St. George, Alaska Vicinity Map

4.0 RECOMMENDED PLAN

The plan includes constructing a 1,730 foot long North Breakwater with 10-ton armor stone and a crest elevation of +25 feet MLLW, a 550 foot by 450-foot maneuvering basin. A Spur Breakwater with 10-ton armor stone and a crest height of +20 feet would be constructed inside the North Breakwater from the base of the cliffs along the south edge of the harbor to filter waves diffracted around the nose of the North Breakwater. The maneuvering basin would be dredged to -20 feet MLLW with a transition zone and an entrance channel dredged to -25 feet MLLW. The entrance channel maintains a 300-foot width from deep water to the end of the breakwater and includes widened turning section outside the breakwater nose. The channel narrows to 250 feet wide at the breakwater nose. The recommended plan is shown in Figure 2.

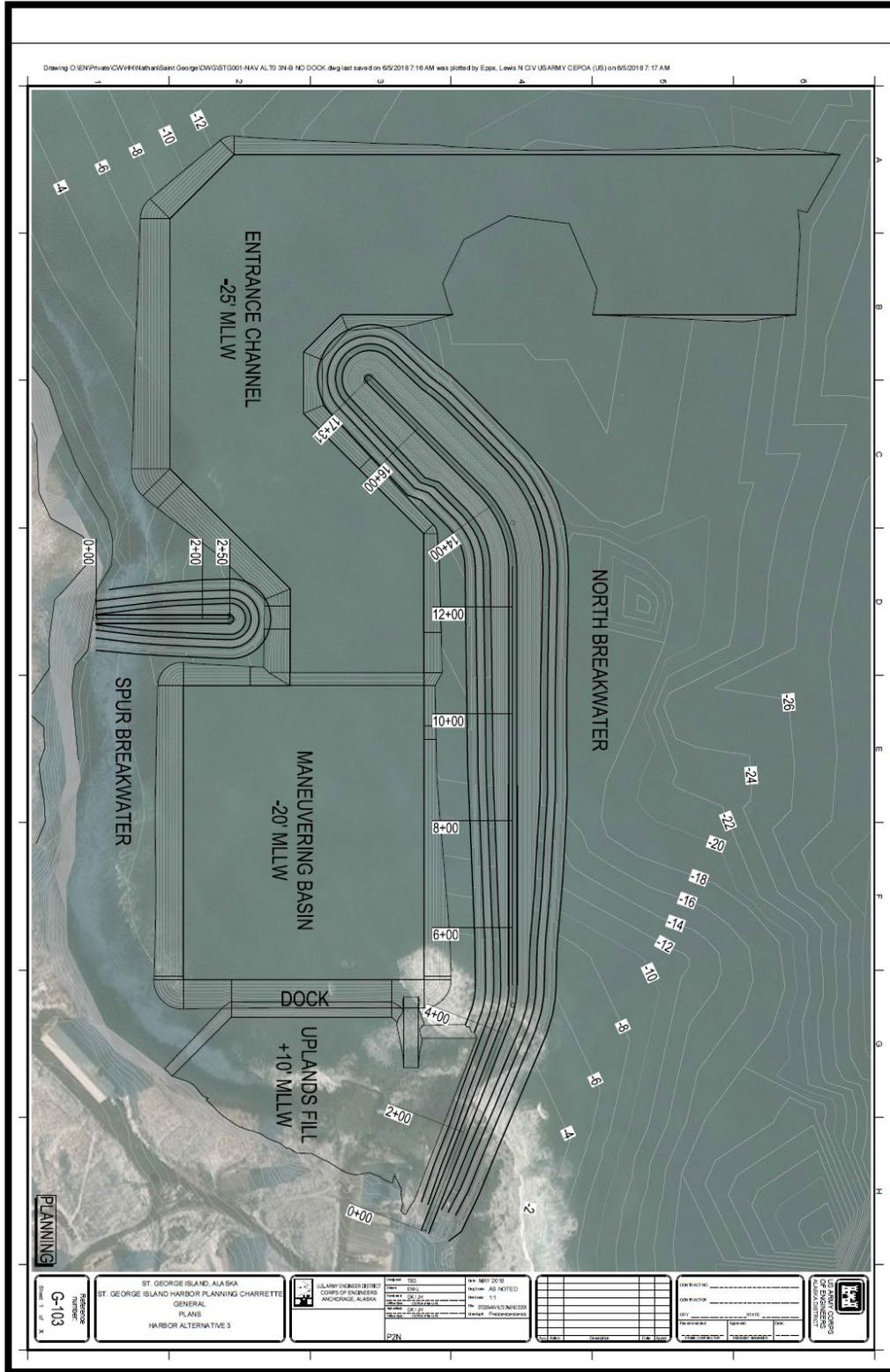


Figure 2. Recommended Plan – Conceptual Plan View Drawing

5.0 DESCRIPTION OF LERR REQUIRED

LERR necessary to implement this project are lands owned by the NFS, the St. George TANAQ Corporation, the Federal Government and the State of Alaska. The project boundary are identified in Exhibit B; consisting of the North Harbor Site 62.48 AC, Staging Area 3.00 AC, the Zapachi Bay Staging Area 4.80 AC, and the BUDM Placement Area 650 AC.

As is the case with most Alaskan villages, there are three primary local governing bodies who work in partnership on virtually all major projects for their community. In 1983 the City of St. George was incorporated. The Alaska Native Claims Settlement Act created the village corporation call St. George TANAQ Village Corporation. The St. George Tribal Council serves as the governing body for the federally recognized tribe. The responsibilities for each entity often overlap as the nature of their organization authorizes each to access different funding streams. In addition to these three groups, the Aleut Corporation is the Regional Native Corporation, and the Aleutian Pribilof Island Association is the regional non-profit service provider.

5.1. LERR To Be Acquired

The NFS will negotiate to secure and acquire all necessary real estate interest for the construction area, the north breakwater, the staging areas, and access roads, identified in Table 1. The landowner is fully in support the project and is willing to work with the Sponsor to address easements on their property necessary for completion of the project.

Table 1. LERR to be Acquired

Project Tract ID	Features	Owner s	Acres	Recommended Estate
01	Access Road	Private	0.061	Temporary Road Easement Estate #11
02	Access Road	Private	0.19	Temporary Road Easement Estate #11
06	Access Road	Federal Gov.	0.054	Temporary Road Easement Estate #11
08	North Breakwater	Private	0.41	Permanent Easement Estate #8
11	Construction Area	Private	0.058	Temporary Easement Estate #15

5.2. LERR Already Owned by the NFS

Lands shown in Table 2, are owned or leased by the City of St. George.

Table 2. LERR Already Owned by the NFS

Project Tract ID	Feature	Tract Description	Ownership Estate	Held By
09 10	Breakwater Construction Area	Lot 2, Tr 42, T41S, R129W, SM	Fee	Quitclaim to City of St. George; Book 25 Page 44, Aleutian Recording District
18	Staging Area	Lease Parcel Lot G1, Zapadni Bay Subdivision, St. George Island, Alaska	Lease	Lease from St. George TANAQ Corp; Plat #2016-11, Aleutian Recording District
03 05	Access Road Access Road	Lot 8, Tr 43, T41S, R129W, SM Lot 7, Tr 43, T41S, R129W, SM	Fee	Quitclaim to City of St. George; Book 25 Page 440, Aleutian Recording District
04 07	Access Road	Public Road Tr 43, T41S, R129W, SM	Fee	Survey Plate 85-34, Certificate of Ownership and Dedication to City of St. George, Alaska
16	Staging Area	Lot 42B, Tr 52, T41S, R129W, SM	Fee	Survey Plate 90-14, Certificate of Ownership and Dedication to City of St. George, Alaska

5.3. Navigation Servitude

The navigation servitude is the dominant right of the Government under the Commerce Clause of the U.S. Constitution (U.S. CONST. Art. I, §8, cl.3) to use, control and regulate the navigable waters of the United States and the submerged lands hereunder for various commerce-related purposes including navigation and flood control. In tidal areas, the servitude extends to all lands below the mean high water mark. In non-tidal areas, the servitude extends to all lands within the bed and banks of a navigable stream that lie below the mean high water mark.

United States v. Cress, 243 U.S. 316, 37 S. Ct. 380, 61 L. Ed. 746 (1917),

Kaiser Aetna v. United States, 444 U.S. 164, 100 S. Ct. 383, 62 L.Ed.2d 332 (1979).

The Government's rights under the navigation servitude exist irrespective of the ownership of the banks and bed of a stream below the mean high water mark and irrespective of western water rights under prior appropriation doctrine. As stated herein, the Federal government can exercise its right of navigational servitude hereunder for the construction and maintenance improvements being proposed. In addition, USACE will follow proper permitting process for excavating and/or disposing of material in navigable waters as required under Section 10 of the River and Harbor Act of 1899.

The proposed project set out herein follows an existing authorized and navigable watercourse and potential deepening of this channel falls within the jurisdiction of the navigable waters of the United States which is identified as that area below the mean high water mark. Furthermore, it is readily apparent that said purposes of the proposed project have a nexus to navigation. As a result of applying the Determination of Availability two-step process, the issue of navigational servitude is deemed applicable to this project as it relates to the Federal construction and subsequent operation and maintenance responsibilities. Therefore, no further Federal real estate interest is required for project construction and operation and maintenance in navigable waters below the mean high water mark. These project requirements can be fully exercised under the doctrine of navigational servitude, identified in Table 3.

Table 3. Exercising Navigation Servitude

Project Tract ID	Features	Owner	Acres
12	North Breakwater	State of Alaska	7.69
13	-25' MLLW Entrance Channel	State of Alaska	15.00
14	Spur Breakwater	State of Alaska	0.81
15	-20' MLLW Maneuvering Basin	State of Alaska	8.00
17	Material Disposal Site – Water (Bering Sea)	State of Alaska	650.00

6.0 RECOMMENDED ESTATES

Estate # 8: CHANNEL IMPROVEMENT EASEMENT.

A perpetual and assignable right and easement to construct, operate, and maintain channel improvement works on, over and across (the land described in Schedule A) (Tracts Nos. _____, _____, and _____) for the purposes as authorized by the Act of Congress approved _____, including the right to clear, cut, fell, remove and dispose of any and all timber, trees, underbrush, buildings, improvements and/or other obstructions therefrom; to excavate: dredge, cut away, and remove any or all of said land and to place thereon dredge or spoil material; and for such other purposes as may be required in connection with said work of improvement; reserving, however, to the owners, 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.

Estate #11: ROAD EASEMENT.

A temporary easement and right-of-way in, on, over and across (the land described in Schedule A) (Tracts Nos. _____, _____, and _____) for the location, construction, operation, maintenance, alteration replacement of (a) road(s) and 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 owners, their heirs and assigns, the right to cross over or under the right-of-way as access to their adjoining land at the locations indicated in Schedule B); 11 subject, however, to existing easements for public roads and highways, public utilities, railroads, and pipelines.

Estate #15: TEMPORARY WORK AREA EASEMENT

A temporary easement and right-of-way in, on, over and across (the land described in Schedule A) (Tracts Nos. _____, _____ and _____), for a period not to exceed _____ beginning with the date possession of the land is granted to the _____, for use by the United States, its representatives, agents, and contractors as a (borrow area) (work area), including the right to (borrow and/or deposit fill, spoil and waste material thereon) (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 _____ project, 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.

7.0 EXISTING FEDERAL PROJECTS

There are no other existing federal projects that lie fully or partially within the LERR required for this project.

8.0 FEDERALLY OWNED LANDS

To gain access to construction area from the uplands, a portion of Lot 6, Tract 42 owned by National Oceanic and Atmospheric Administration (NOAA) is needed. The NFS will acquired a temporary easement for an access road to the construction area, as shown in Figure 3.

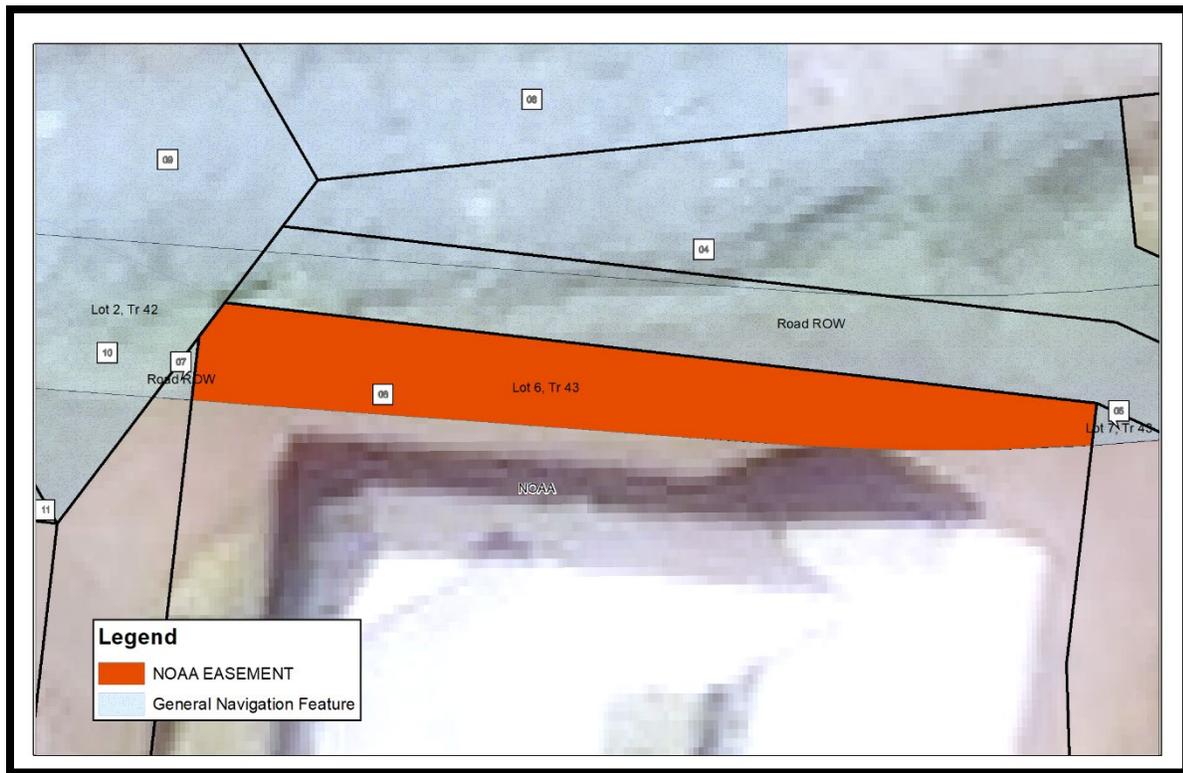


Figure 3. Federally Owned Land (NOAA)

9.0 PROJECT MAPS

Project Map is enclosed as Exhibit B.

10.0 FLOODING INDUCED BY PROJECT

There is no flooding which will be induced by the construction or the operation and maintenance of the proposed project. As such, no Physical Takings Analysis is required.

11.0 BASELINE COST ESTIMATE FOR REAL ESTATE (BCERE)

The Baseline Cost Estimates for Real Estate was prepared by the realty specialist as a rough order of magnitude (ROM) estimate, as shown in Table 4. Baseline Cost Estimate for Real Estate (BCERE) and Table 5. Chart of Accounts. Federal and non-Federal administrative costs have also been included in the BCERE to account for project coordination, crediting, and miscellaneous expenses that may occur during the planning or implementation of the proposed project. The BCERE may be revisited during the Project Engineering & Design (PED) phase in order to apply additional costs if necessary. If land acquisition by the NFS is deemed necessary in the future, additional appraisals will be prepared to offer reasonable support for unit land values which will in turn be used in calculating the BCERE for the proposed project.

Table 4. Baseline Cost Estimate for Real Estate (BCERE)

CATEGORY	COST
Lands	
Lands	\$25,000
Improvements	
Severance Damages	
Minerals	
Total Lands & Damages	\$25,000
Administrative Costs	
Federal Review of Non-Federal Sponsor	
Sub-Total:	\$11,000
Contingency (25%)	\$3,250
Sub-Total	\$14,250
Non-Federal Sponsor Administrative Costs	
Sub-Total:	\$28,000
Contingency (25%)	\$6,500
Sub-Total	\$34,500
Public Law 91-646 Relocation Costs	0
Total RE Cost Estimate:	\$73,750

Table 5. Chart of Accounts

Chart of Accounts				
		FEDERAL	NON-FEDERAL	TOTALS
01A	PROJECT PLANNING			
	Other		\$7,000	\$7,000
	Project Partnership Agreement (OC)			
01AX	Contingencies (25%)		\$1,750	\$1,750
	Subtotal		\$8,750	\$8,750
01B	LANDS AND DAMAGES			
01B20	Acquisition by non-Federal sponsor		\$22,000	\$22,000
01B40	Acq/Review of non-Federal sponsor		\$7,000	\$7,000
01BX	Contingencies (25%)		\$8,500	\$8,500
01R	RE PAYMENTS			
01R1	LAND PAYMENTS			
01R1A	By Government			
01R1B	By non-Federal sponsor		\$20,000	\$20,000
01R1C	By Government on behalf of non-Federal sponsor			
01R1D	Review of non-Federal sponsor		\$2,000	\$2,000
01RX	Contingencies (25%)		\$5,500	\$5,500
01R2	PL 91-646 Assistance Payments			
01R2A	By Government			
01R2B	By non-Federal sponsor			
01R2C	By Government on behalf of non-Federal sponsor			
01R2D	Review of non-Federal sponsor			
	TOTALS		\$73,750	\$73,750
Any potential cost estimate for Federal and/or non-Federal real estate activities necessary for implementation of the project after completion of the feasibility study for land acquisition, construction, LERRs, and other items are coded as delineated in the Cost Work Breakdown Structure are identified in the Chart of Accounts. This real estate cost estimate is then incorporated into the Total Current Working Estimate, 6 March 2020.				

12.0 RELOCATION ASSISTANCE BENEFITS (P.L. 91-646)

There will be no relocations required for this project.

13.0 MINERAL OR TIMBER ACTIVITY IMPACTED PRESENT/FUTURE

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 mining or timber harvesting take place within the project.

14.0 ASSESSMENT OF NON-FEDERAL SPONSOR LEGAL CAPABILITY

The City of St. George is a marginally capable sponsor for acquiring the required lands, easements, and rights-of-way (See Exhibit "A" - Sponsor Real Estate Acquisition Capability Assessment). The Sponsor's point of contact information is:

Mayor Patrick Pletnikoff
City of St. George
P.O. Box 929
St. George, Alaska 99591-0940

15.0 ZONING ORDINANCES CONSIDERED IN SUPPORT OF LERR REQUIREMENTS

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

16.0 ADVANCE ACQUISITION AND RISK NOTIFICATION

The NFS has been notified in writing about the risks associated with acquiring land before the execution of the PPA and the Government's formal notice to proceed with acquisition. The City of St. George has been advised of P.L. 91-646 requirements, and they have been advised of the requirements for documenting expenses for LERR crediting purposes.

17.0 REAL ESTATE SCHEDULE

The anticipated project schedule, unless revised after coordination with NFS, is shown in Table 6.

Table 6. Project Schedule

ACTION	START
COE - Formal transmission of project drawing and instructions to acquire LERR	4-6 weeks after PPA execution
COE - Certify all necessary LERR are available for construction.	6-9 months after PPA execution
NFS -Prepare and submit crediting request.	3 - 6 months after completion of Project
COE- Review, approve, or deny crediting request.	6 month after Sponsor submission

18.0 FACILITY/UTILITY RELOCATION

After researching the project area and conducting research we have confirmed that no relocation of facilities or utilities are anticipated for the proposed project.

ANY CONCLUSION OR CATEGORIZATION CONTAINED IN THIS REPORT THAT AN ITEM IS A UTILITY OR FACILITY RELOCATION TO BE PERFORMED BY THE NON-FEDERAL SPONSOR AS PART OF ITS LERR RESPONSIBILITIES IS PRELIMINARY ONLY. THE GOVERNMENT WILL MAKE A FINAL DETERMINATION OF THE RELOCATIONS NECESSARY FOR THE CONSTRUCTION, 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.

19.0 ENVIRONMENTAL IMPACT

Reference the Environmental Assessment. An Environmental Assessment has been prepared describing the initial evaluation of the effects of the project. It indicated that there would likely be little to no effect on several resources. No real estate avoidance is anticipated due to known or suspected Hazardous, Toxic, and Radioactive Waste (HTRW) located in, on, under, or adjacent to the LERR required for the construction, operation or maintenance of the project, including LERR that is subject to the navigational servitude.

In addition, no impacts to HTRW sites are expected. The Alaska Department of Environmental Conservation (ADEC) contaminated sites mapping tool was utilized to verify no HTRW sites are within the project footprint.

20.0 CULTURAL RESOURCES

The selected project would have an adverse effect on The Seal Islands Historic District National Historic Landmark (XPI-00002) by permanently altering the viewshed. There would also be an adverse effect on two of the NHL's contributing structures, the St. George Inside Landing (XPI-00195) and the St. George Outside Landing (XPI-00194); these two structures would be removed or buried within the project area. No other historic property or cultural resource would be impacted by this project.

21.0 MITIGATION

Mitigation is occurring per a memorandum of agreement under Section 106 of the National Historical Preservation Act. The mitigation would not minimize the impact to the resource but instead would compensate for the adverse effect on historic properties. Mitigation is likely to include the creation of an artistic recreations of the landscape at the St. George North Anchorage viewshed during three periods of history: prior to the settlement of the community, the Russian Period, and the U.S. Territorial period. These mitigation features will not have any real estate implications

22.0 LANDOWNER OPPOSITION

The City of St. George has conducted public meetings concerning this project. Local residents are in favor of the project.

23.0 OTHER RELEVANT REAL ESTATE ISSUES

The Local Service Facilities (LSF) for this project includes an access road and inner harbor facilities. The inner harbor facilities are parking area, a dock, and a boat ramp.

To implement the project, the City is required to acquire several parcels of land that are owned by the St. George Tanaq Corporation (Tanaq Corporation). Project Tracts 01, 02, and 06 are necessary for the access road and are described as a portion of Lot 11, Tr 43, T41S, R129W, Seward Meridian (SM), 0.061 ac., a portion of Lot 10, Tr 43, T41S, R129W, SM, 0.19 ac., and a portion of Lot 6, Tr 43, T41S, R129W, SM, 0.06 ac., respectively. A portion of Project Tract 08, described as Lot 1, Section 29, T41S, R129W, SM, 0.41 ac., is necessary for the construction of the North Breakwater. A portion of Lots 1, 2, and 3, Tract 43, QAWAX Subdivision are needed to create the inner harbor facilities.

On 26 September 2019, members of the PDT met with the Tanaq Corporation President/CEO and Board members to discuss the project. At that time, the Tanaq Corporation expressed their full support for the project and their commitment to working with the City of St. George on the necessary real estate instruments. On 27 May 2020, in a phone conversation with the study's Project Manager, the Tanaq Corporation

President/CEO reiterated that the project had the full support of the Tanaq Corporation and their readiness to work with the City of St. George on the required land easements. Although the associated costs have yet to be determined, they are expected to be insignificant relative to the overall cost of the project. In most cases in rural Alaska it is anticipated that the increased value of the land upon completion of the project is adequate and there is no charge. There are few competing interests for land usage in rural Alaska and the real estate market is slow. Furthermore, any land-related cost increases would be borne entirely by the NFS and would have no effect on the cost of the GNF. It is also important to note the symbiotic nature of the City of St. George, Tanaq Corporation, and the St. George Traditional Council. They share a primary constituency base, similar goals, and all would stand to benefit immensely from this project. While rural entities do not always get along in rural Alaska, they seldom stand in the way of projects each of them would benefit from.

No further real estate issues have been identified that will impact the proposed project.

PREPARED BY:

REVIEWED AND APPROVED BY:

RONALD J. GREEN
Realty Specialist

GARY HANSON
Chief, Real Estate Branch

SCHEDULE A

Tract ID	Parcel Description	Acres	GNF Feature	Estate Required
01	Lot 11, Tr 43, T41S, R129W, SM	0.061	Access Road	Estate #11
02	Lot 10, Tr 43, T41S, R129W, SM	0.19	Access Road	Estate #11
06	Lot 6, Tr 43, T41S, R129W, SM	0.06	Access Road	Estate #11
08	Lot 1, Sec 29, T41S, R129W, SM	0.41	Channel Improvement Easement	Estate #8
11	Lot 1, Tr 42, T41S, R129W, SM	.058	Construction Area	Estate #15

Exhibit A. Assessment of Non-Federal Sponsor's Real Estate Acquisition Capability

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

CITY OF ST. GEORGE

ST. GEORGE, ALASKA

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? **YES** x **NO**
 - c. Does the sponsor have "Quick-Take" authority for this project? **YES** x **NO**
 - d. Are any of the lands/interests in land required for this project located outside the sponsor's political boundary? **YES** **NO** x
 - e. 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** x **NO**
 - b. If the answer to 2a is "YES" has a reasonable plan been developed to provide such training? **YES** **NO** x
 - c. Does the sponsor's in-house staff have sufficient real estate acquisition experience to meet its responsibilities for the project? **YES** **NO** x
 - 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** x **NO**
3. **OTHER PROJECT VAIRABLES:**
 - 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?
NOT APPLICABLE X YES _____ NO _____

4. **OVERALL ASSESSMENT:**

a. Has the sponsor performed satisfactorily on other USACE projects?
NOT APPLICABLE x YES _____ NO _____

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

HIGHLY CAPABLE _____ FULLY CAPABLE _____
MODERATELY CAPABLE _____ MARGINALLY CAPABLE X
INSUFFICIENTLY CAPABLE _____

Justification for Insufficient Capability:

5. **COORDINATION:**

a. Has this assessment been coordinated with the sponsor?
YES x NO _____

b. Does the sponsor concur with this assessment?
YES _____ NO x

Justification for Sponsor Non-concurrence: Disagreement of the sponsor capability.

SPONSOR: CITY OF ST. GEORGE

Per interview with Mayor Pat Pletnikoff

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Exhibit B. Project Map

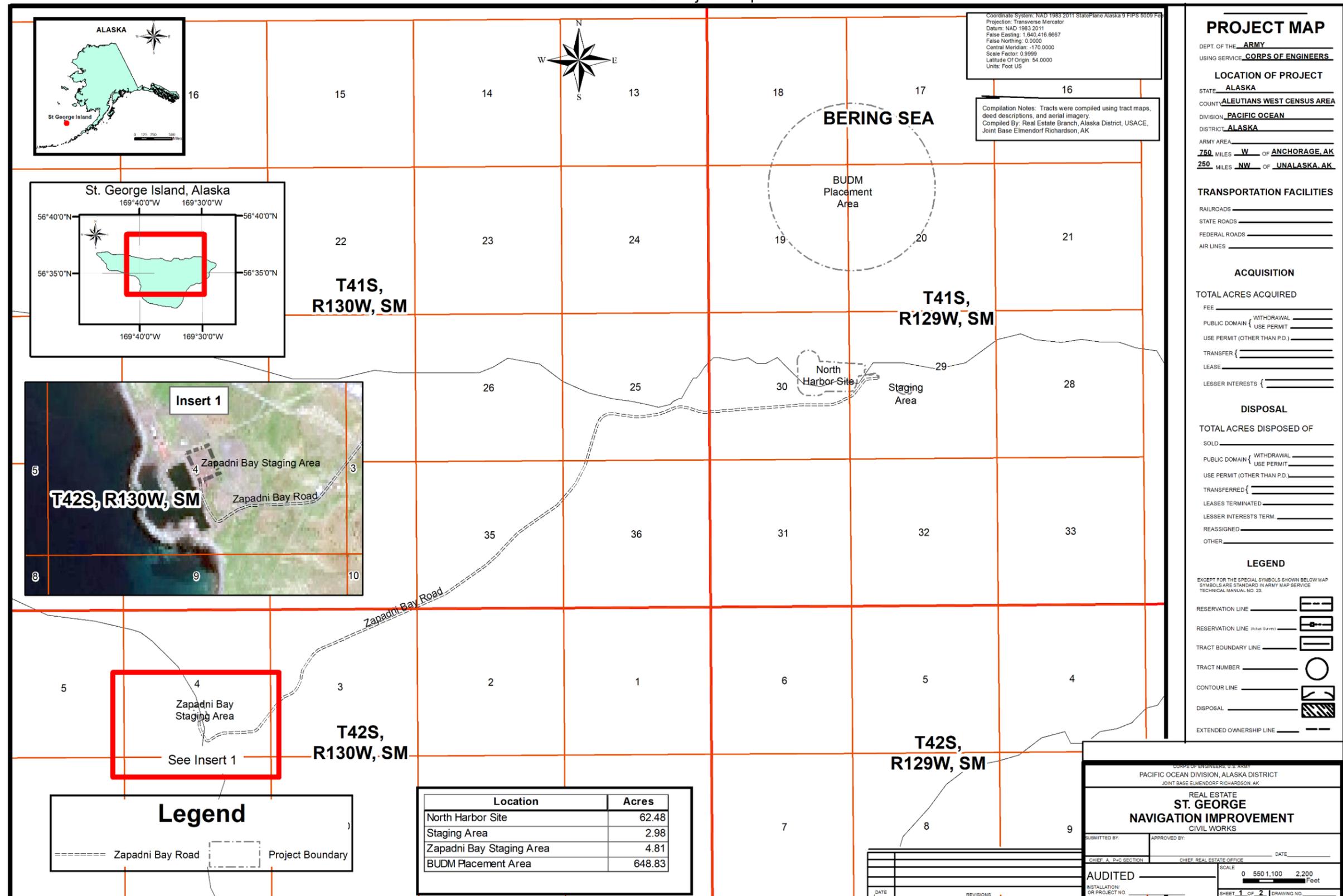


Exhibit B: Project Map

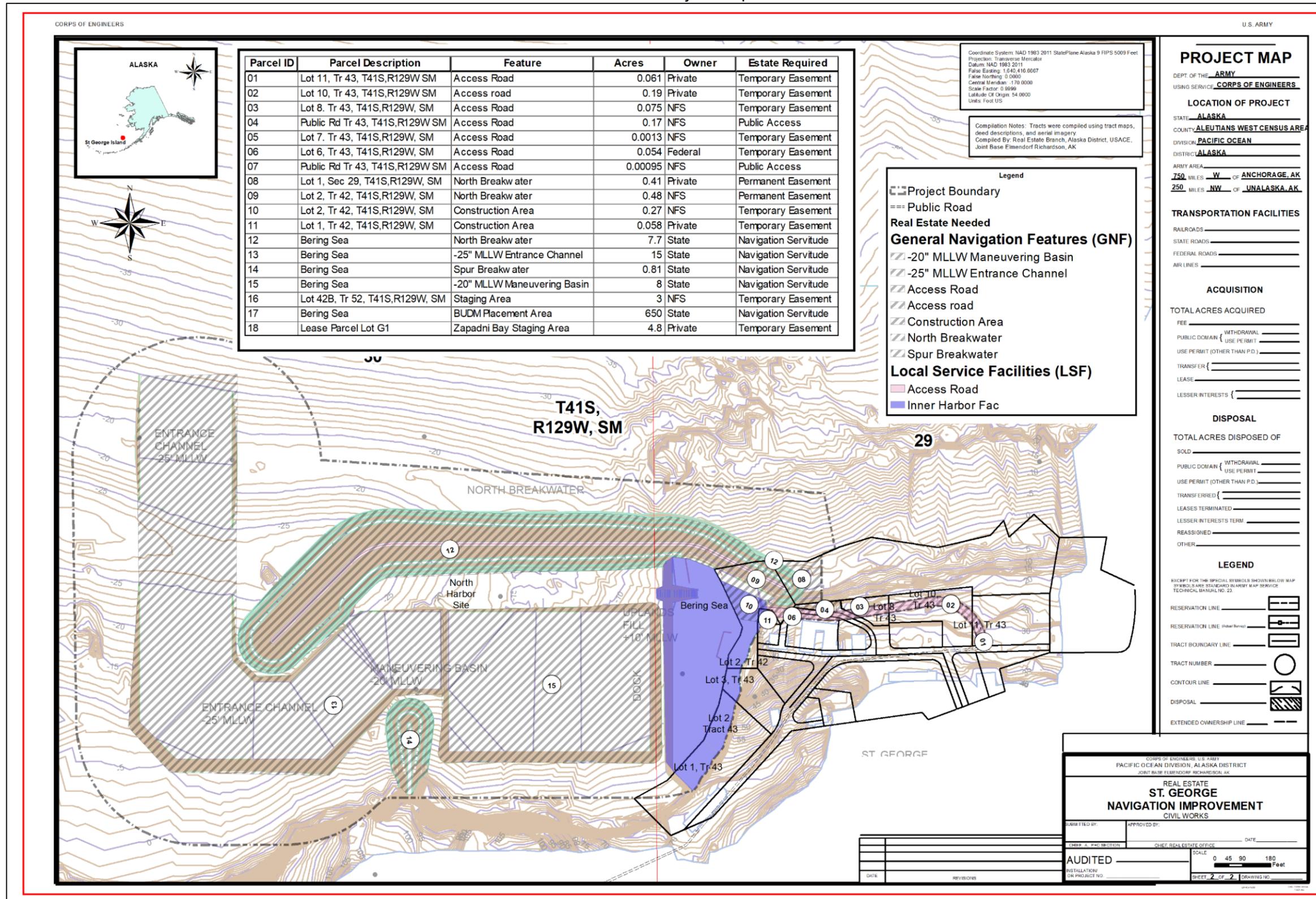


Exhibit C. Real Estate Risk Checklist

**St. George Harbor Improvements
Feasibility Study**

(Risk: Any issue that could cause a cost or schedule variance)

Project Management Risks impacting Real Estate

- Project scope definition unclear, impacting real estate needs – Low Risk
- Project schedule in question (accelerated or protracted) – Low Risk
- Project competing with other projects for funding and resources – Low Risk
- Inexperienced or inadequate staff assigned – Low Risk

Technical Design Risks impacting Real Estate

- Land Surveys late, unclear, in question – Yes, low risk
- Sufficiency / availability of as-built data / base map data – Data made available & sufficient
- Borrow / fill sources identified / secured – Not Applicable to this project
- Sufficiency / condition of borrow / fill sites – Not Applicable to this project
- Project Access has been defined and located – Yes, low risk.
- Locations for Plants /Equipment /Staging – Yes, low risk b/c on barges and land base staging

Regulatory and Environmental Risks impacting Real Estate

- Historic/Cultural site, endangered species, or wetlands present – Low Risk

- Hazardous waste preliminary site investigation required – Low Risk
- Mitigation requirements clear – Low Risk

External Risks impacting Real Estate

- Adequacy of project funding (incremental or full funding) – Low Risk
- Local communities support / opposition – Low Risk
- Political factors change at local, state or federal – Low Risk
- Late surprises, Scope changes – Low Risk
- New stakeholders emerge and demand new work – Low Risk
- Influential stakeholders request additional needs to serve other purposes – Low Risk
- Political opposition / threat of lawsuits – Low Risk

Lands and Damages – Real Estate

- Real Estate plan defined / Study definition – Yes, Low Risk
- Status of real estate / easement acquisition – Low Risk,
- Age of real estate estimate / potential to change over time – Low Risk
- Potential uneconomic remnants; – Low Risk
- Hidden or unforeseen aspects of property and improvements due to inability to physically inspect the project; – Low Risk
- Potential development pressures in the immediate area; – Not Applicable to this project
- Potential zoning changes; negotiation latitude beyond estimated market value; – Not Applicable to this project.

- Potential for condemnation awards and interest; and potential natural resources within the project area – Low Risk
- Objections to right-of-way appraisal – Low Risk
- Ancillary owner rights, ownerships in question – Not Applicable to this project
- Other Agency Involvements (freeway, city, railroad, navigation) – Not Applicable to this project
- Relocations adequately identified – Not Applicable to this project
- Relocations may not happen in time – Not Applicable to this project
- Records / as-built availability / inaccuracies – Low Risk
- Known and unknown utility impacts – Low Risk
- Vagrancy, loitering issues – Not Applicable to this project
- Quality of L&D estimates as “most likely” case – Low Risk
- Appraisal confidence with volatile market over time – Low Risk
- Estimate already includes certain contingencies / Incremental Costs – Low Risk

RISK SUMMARY

Based on the above Risk Checklist the above risk were summarize in Project Risk Register as LD1, after discussions with the cost estimator, that the Cost and Schedule Risk Analysis (CSRA) using USACE approved software will quantify the Real Estate concerns including mitigation risks. Real estate defers to the 25% contingency for the administrative expenses detailed in the Baseline Estimate for Real Estate (BCERE). Cost and schedule impacts of the mentioned Real Estate concerns are captured in the contingency of the costs. All potential risk/opportunity have been addressed.

The accompanying Real Estate Plan (REP) makes the following key assumptions based on the current project scope: 1) a permanent easement is needed for the north breakwater, and a temporary road easement for access from the upland are the Lands, Easements, Rights-of-Way, Relocations, or Disposal Areas (LERR) anticipated to be acquired for the proposed project; 2) No facility/utility relocations will be required for the proposed navigation project.