

**WEST SHORE LAKE PONTCHARTRAIN
HURRICANE AND STORM DAMAGE RISK REDUCTION STUDY
FINAL INTEGRATED FEASIBILITY REPORT
AND
ENVIRONMENTAL IMPACT STATEMENT**

**REAL ESTATE PLAN
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I. PURPOSE OF THE REAL ESTATE PLAN

This Real Estate Plan (REP) presents the real estate requirements and costs for the Final Integrated Feasibility Report and Environmental Impact Statement for the West Shore Lake Pontchartrain Hurricane and Storm Damage Risk Reduction Study (WSLP). The information contained herein is tentative in nature and for planning purposes only.

II. PROJECT AUTHORIZATION

Two Congressional resolutions authorize the Study. The first resolution was adopted on July 29, 1971, by the U.S. House of Representatives Committee on Public Works. The resolution reads:

"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 report of the Chief of Engineers on Lake Pontchartrain and Vicinity, Louisiana, published as House Document No. 231, 89th Congress, First Session, and other pertinent reports, with a view to determining whether modifications to the recommendations contained therein are advisable at this time, with particular reference to providing additional levees for hurricane protection and flood control in St. John the Baptist Parish and that part of St. Charles Parish west of the Bonnet Carré Spillway."

The second resolution was adopted by the U.S. Senate Committee on Public Works on September 20, 1974. The resolution reads:

"RESOLVED BY THE COMMITTEE ON PUBLIC WORKS OF THE UNITED STATES SENATE, that the Board for Rivers and Harbors is hereby requested to review the report of the Chief of Engineers on Lake Pontchartrain and Vicinity, Louisiana, published as House Document No. 231, 89th Congress, First Session, and other pertinent reports, with a view to determining whether modifications to the recommendations contained therein are advisable at this time, for hurricane protection and flood control in St. James Parish."

III. NON-FEDERAL SPONSOR

In 1998, the United States Army Corps of Engineers (USACE) and the Pontchartrain Levee District (PLD) executed a Feasibility Cost Sharing Agreement (FCSA) and Project Study Plan for the Study and was later amended in 2008. PLD has served as the Non-Federal Sponsor (NFS) for the feasibility study conducted under the terms of the FCSA. For purposes of the construction, and operation, maintenance, repair, rehabilitation and replacement (OMRR&R) of the Project, should it be authorized and funded, the Louisiana Coastal Protection and Restoration Authority Board of Louisiana (CPRAB) is required to serve as the NFS.

Pursuant to Louisiana Revised State Statute 49:214.1 (F), the Louisiana Coastal Protection and Restoration Authority of Louisiana was established to serve as the State entity having jurisdiction over flood risk reduction, hurricane storm damage risk reduction and environmental restoration matters in coastal Louisiana. (Note that later enactments by the Louisiana legislature changed CPRAB's statutory title to the Louisiana Coastal Protection and Restoration Authority of Louisiana Board (CPRAB). Further references will be to CPRAB, regardless of whether the matter under discussion occurred prior to or

after the date that the Legislature changed the designation to CPRAB.) The Coastal Protection and Restoration Authority (CPRA), formerly entitled the Office of Coastal Protection and Restoration (OCPR) serves, under the guiding authority of CPRAB, as the implementing agency of CPRAB. Among the implementation roles of CPRA is the authority to acquire and hold lands required to implement the mission of CPRAB.

CPRAB is required to provide all lands, easements, and rights-of-way, including those required for relocations, mitigation, the borrowing of material, and the disposal of dredged or excavated material; perform or ensure the performance of all relocations; and construct all improvements required on lands, easements, and rights-of-way to enable the disposal of dredged or excavated material all as determined by the Government to be required or to be necessary for the construction, operation, and maintenance of the Project (LERRDs), The Coastal Protection and Restoration Authority (CPRA), is the implementing agency of CPRAB, which has been given the authority to acquire and hold real property interests on behalf of CPRAB.

CPRAB does not have condemnation authority or “quick-take” authority. CPRAB understands that if condemnation should be needed to complete acquisitions for the project, CPRAB will need to partner with a levee district or Parish government which has that authority in order to fulfill its obligation as the NFS. If condemnation authority is required when the Real Estate acquisition process commences, CPRAB will need to enter into a cooperative endeavor agreement or other form of agreement with an entity that has quick-take condemnation authority to have that entity perform any quick-take condemnation measures on behalf of CPRAB that may be necessary for the Project.

Some of the Localized Storm Surge Risk Reduction Project features are voluntary in nature, specifically the home elevations and non-residential flood proofing measures. To participate in this project feature, owners must have clear title. There will be no condemnations for this portion of the Project either for price or to resolve title curative matters.

Assessment of CPRAB’s Real Estate Acquisition Capability is attached hereto and incorporated herein by reference as Annex B. CPRAB has been found to be highly capable of performing acquisition of the LERRDS required for the Project.

In accordance with the requirements of ER 405-1-12, Chapter 12, Real Estate Roles & Responsibilities for Civil Works: Cost Shared and Full Federal Projects, CPRAB has been notified in writing of the risks of acquiring LERRDs before execution of the PPA.

IV. PROJECT DESCRIPTION AND LOCATION

The purpose of the study is to assess the need for hurricane and storm damage risk reduction measures in portions of St. Charles, St. John the Baptist, and St. James Parishes, Louisiana.

The recommended structural and Localized Storm Surge Risk Reduction measures of the Project are located within portions of St. Charles, St. John the Baptist, and St. James Parishes, Louisiana, within an area bounded on the east by the Bonnet Carré Spillway upper guide levee, on the north by Lakes Pontchartrain and Maurepas, on the west by the Ascension Parish and St. James Parish line, and on the south by the Mississippi River Levee (MRL) (Figure 1). Additionally, some of the mitigation features are located in Ascension and Livingston Parishes, Louisiana.

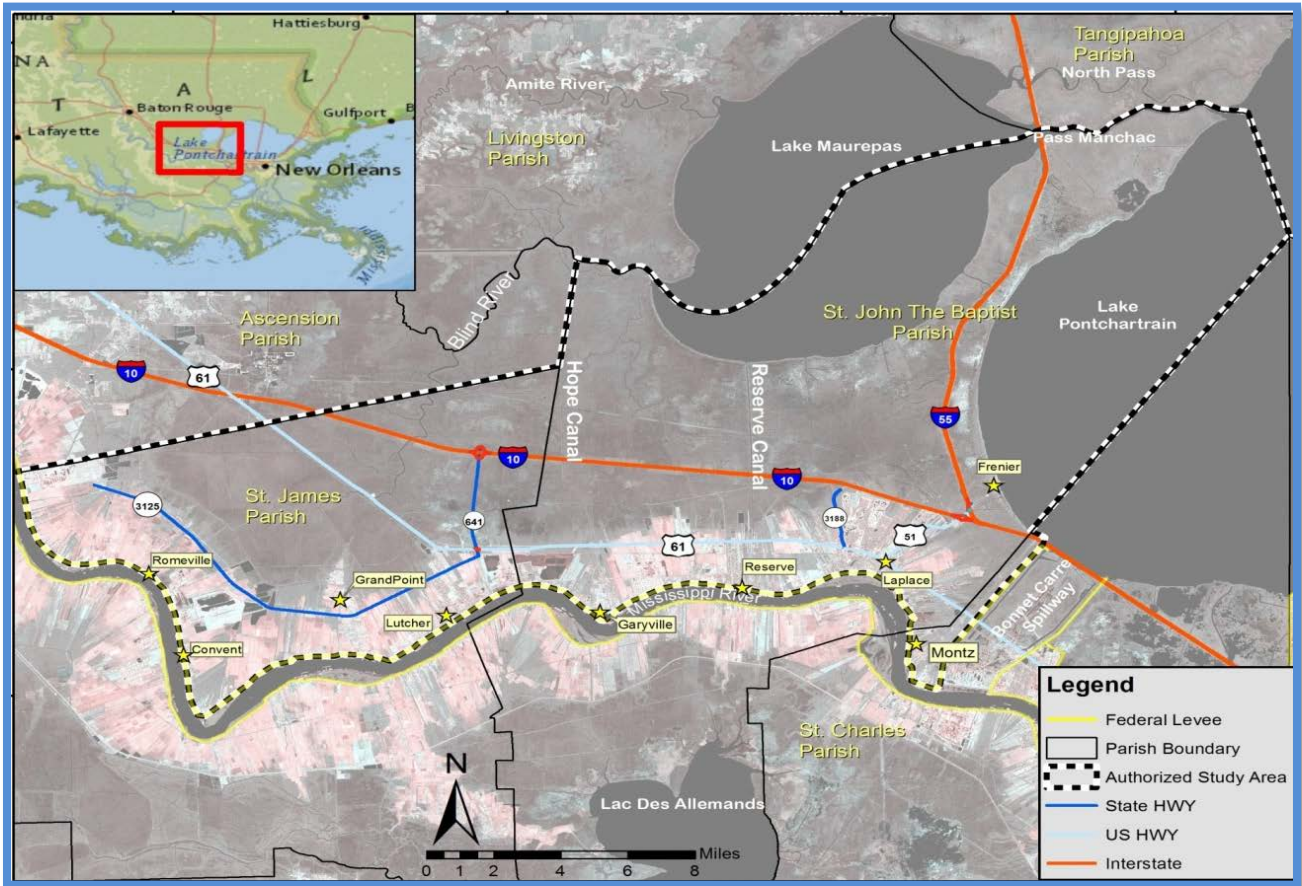


Figure 1: Study Area

The recommended hurricane storm damage risk reduction plan for the WSLP study includes the construction of an 18.27-mile (96,481 feet) levee system around the communities of Montz, Laplace, Reserve and Garyville. The recommended hurricane storm damage risk reduction plan also includes the construction of Localized Storm Surge Risk Reduction components in St. James Parish. The Project mitigation plan contains six components to provide required compensation for habitat impacts (further described in Section A-1 below). An overview of the recommended plan is shown in Annex A. This Report addresses structural and Localized Storm Surge Risk Reduction features of the recommended plan separately below.

A. STRUCTURAL HURRICANE STORM DAMAGE RISK REDUCTION PROJECT FEATURES

The structural hurricane storm damage risk reduction project features of the recommended plan are outlined in Figure 2 below. Additional maps of all features are located in Annex A of this Real Estate Plan.

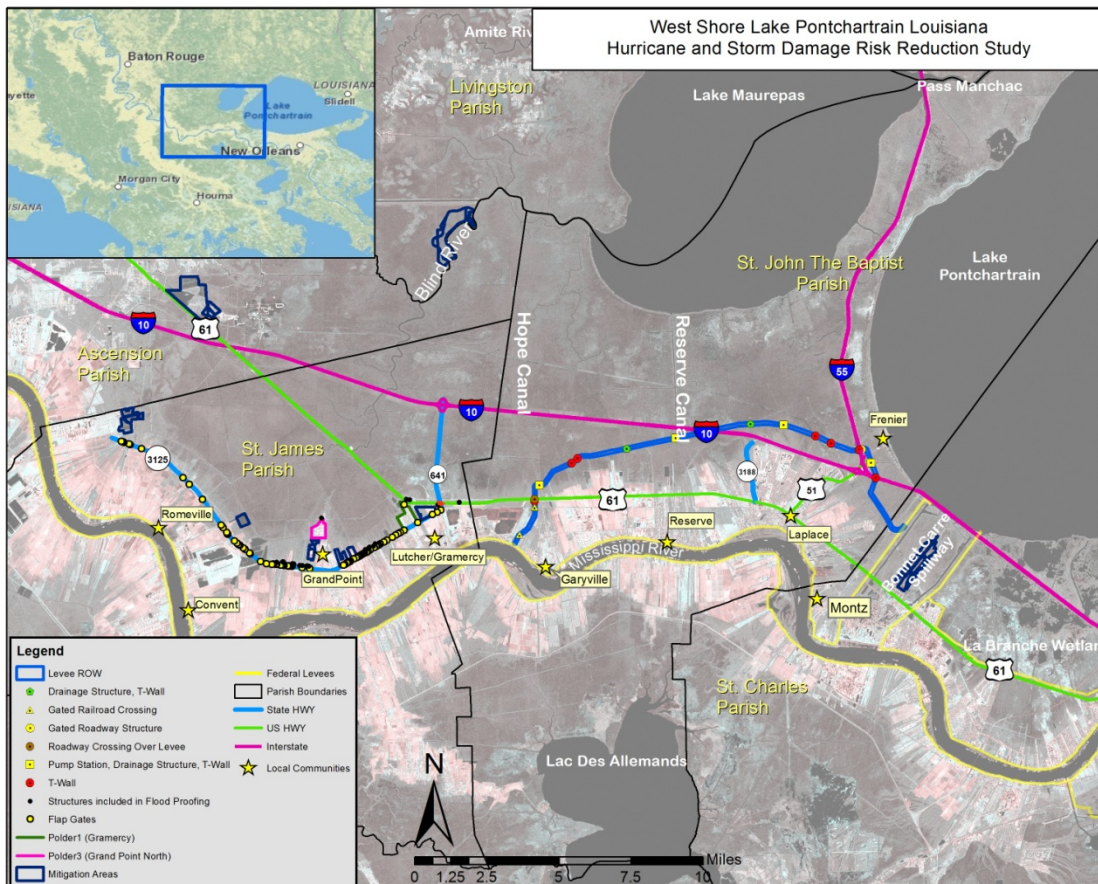


Figure 2: Recommended Plan – Structural Hurricane Storm Damage Risk Reduction Features (See Annex A for larger map)

Levee System

The levee system would begin at the upper guide levee of the Bonnet Carré Spillway, north of an underground utility pipeline right of way and US-61. The levee would head northwest paralleling the pipeline right of way and pass under I-10. Past I-10 the levee would enclose the I-10 and I-55 interchange and cross US-51. It would then track north of I-10 and a pipeline transmission corridor. Past the Belle Terre/I-10 exit, the levee would pass back under I-10 and parallel the pipeline corridor through wetlands until it crosses Hope Canal. The levee would then turn south; cross the pipeline transmission corridor and then extend to the Mississippi River Levee System (MRL).

The system would consist of earthen levees, floodwalls (T-Walls), floodgates, drainage canals, a flood-side ditch for hydraulic connectivity for wetlands north and south of the system, drainage structures and pump stations along the alignment, and mitigation measures (See Figure 5-2, Chapter 5 of the main report). Structures through the levee would be built to the 2070 intermediate RSLR condition, to prevent costly future retrofits required for anticipated changing sea levels.

Starting at the upper guide levee of the Bonnet Carré Spillway and heading west along the levee the project would construct a 646 linear foot (hereafter “LF”) T-Wall to pass under the existing I-10

overpass. Past this point, an 1100 c.f.s. pump station with three 68" outfalls would be built at Montz Canal, which is very near the I-55 northbound entrance ramp. The pump station, when the system is closed, would mainly remove rainwater flows from the Woodland, the River Forest, and the Prescott Canals. A 267 LF T-Wall and two 6' x 18' x 27' gated drainage structures would also be constructed at this location. This location and all locations with pump stations or drainage structures would be connected to a flood side ditch and a protected side canal that would parallel the entire levee length. The canals would be used to maintain the existing connection between swamps located inside and outside of the levee system. The protected side canal would also serve as a redundancy connection if one of the pump stations failed during an event.

Past the Montz Canal, at the location of US-51, a 188 LF gated structure would be placed through the levee. Directly west of US-51, a 247 LF T-Wall would cross under I-55. The levee would continue to the west until the levee intercepts the first pipeline crossings near Vicknair Canal. Two sections of T-Walls would be used for these pipeline crossing, a 550 LF T-Wall, and a 623 LF T-Wall. Half of the 35 required pipeline relocations would be at these two locations. For purposes of this report, it is expected that all of the pipeline relocations would be compensable. Relocations are expected to take place in the proposed levee right of way (ROW) or existing pipeline ROW. Determination of the compensability of these relocations will be determined during the engineering and design phase of this project if it is authorized.

Continuing west, the levee would then cross Ridgefield Canal. Ridgefield Canal is located between the I-10 LADOT weigh station and the I-10/LA 3188 exit. A 200 c.f.s. pump station with three 30" outfalls would be built at Ridgefield Canal. The pump station, when the system is closed, would mainly remove rainfall flows from Laplace Plantation, Perriloux, Ridgefield, Tebo and Vicknair canals. A 244 LF T-Wall and with two 6' x 18' x 267' gated drainage structures would also be constructed at this location.

West of the Ridgefield Canal, a 100 LF floodgate would be constructed at the location of the Perriloux Canal to allow rainfall flows to flow through the levee when the system is not closed.

West of the I-10/LA 3188 exit, a 247 LF T-Wall would be constructed to cross back under I-10. The levee would continue to parallel the pipeline corridor through wetlands until it reaches Reserve canal. A 400 c.f.s. pump station with three 48" outfalls would be built at this location. The structure at this location would also include two 6' x 20' x 25' drainage structure with a boat bay and 335 LF of T-Walls. Small boats would still be able to pass through the drainage structure when the system is open.

Continuing west, the levee would then cross Mississippi Bayou. A 6' x 10' x 25' drainage structure with a 267 LF T-Wall would be constructed at this location.

The levee would then continue west toward Hope Canal, until it reaches the next major set of pipeline crossings. All of the remaining major pipeline relocations would be at this location. Two sections of T-Walls would be used for these pipeline crossing, a 400 LF T-Wall, and a 300 LF T-Wall. As with the other pipelines, for purposes of this report, it is expected that the pipeline relocations would be compensable. Relocations are expected to take place in the proposed levee ROW or existing pipeline ROW at this location. Determination of the compensability of these relocations will be determined during the engineering and design phase of this project if it is authorized.

The levee would then continue west until it reaches Hope Canal. A 450 c.f.s pump station with three 54" outfalls would be constructed at this location. Currently the design and cost includes a 6' x 20' x 25' drainage structure and a 247 LF T-Wall, but the Hope Canal location is also the same location of the

State of Louisiana's proposed Mississippi Reintroduction into Maurepas Swamp diversion. The WSLP project has been coordinating activities between the project delivery teams, but for the purposes of the WSLP feasibility design, we do not consider the diversion project as a future landscape feature, since the State has not identified funding and has filed an incomplete permit application to the USACE for construction of the project. The USACE would continue to monitor the status of the diversion project. The team expects that if the diversion project moves forward it would be constructed on the flood side of the levee and would parallel the levee from Hope Canal to the MRL.

When the levee turns south, past Hope Canal to tie into the MRL, the levee would cross US-61, a pipeline ROW, and two railroad tracks. US-61 would be raised to hump over the levee at the crossing point. The pipeline crossing would include a 301 LF T-Wall, while the two railroad crossings would include a 150 LF gate structure and a 50 LF gate structure.

In all, there would be a total of 5,001 LF of T-Walls, 4 pump stations with associated drainage structures, 2 drainage structures, one gated road crossing, and 2 gated railroad crossings.

4.69 miles of the upper guide levee of the Bonnet Carré Spillway from the spillway control structure to the WSLP tie-in point would be included in the WSLP levee system, but there would be no construction activities associated with this Bonnet Carré levee. Existing levee heights are high enough to prevent 1% probability storm surge from entering the WSLP system during storms. The construction of the WSLP tie-in point would be to set to elevation of 15 ft NAVD 88 while the current upper guide levee elevation is 15.5 ft NAVD 88. The upper guide levee heights in the future would be monitored to determine if sections of the Bonnet Carré Spillway levee would need future lifts to prevent overtopping of storm surges into the WSLP system.

The 50 ft and 100 ft right of ways adjacent to the levee footprints would be used for future levee lifts. The levee would be lifted five times over the period of evaluation. The first two lifts would be used to obtain a 1% probability storm level of risk reduction system in 2020. Additional levee lifts to maintain a 1% probability storm level of risk reduction system would take place in years 2030, 2045, and in 2060.

9,000,000 cubic yards (cy) of compacted fill and un-compacted fill would be required to create and maintain the levee over the period of evaluation. A portion of the initial fill material, if suitable, would be obtained from the canals and ditch, approximately 1,678,000 cy. Borings indicate that the top 4 ft of the cross section of these features would not be suitable as levee fill material. The top 4 ft of material; approximately 1,685,000 cy, would be used beneficially at mitigation plan sites. The remaining fill for the levee, approximately 7,322,000 cy, would be obtained from the Bonnet Carré Spillway.

1) LANDS, EASEMENTS & RIGHTS-OF-WAY

The recommended structural plan alignment primarily impacts wetlands. A large portion of the alignment will be located on state-owned lands. An estimated 34 private landowners will be affected by the structural plan features.

The Project Delivery Team (PDT) worked to locate the ROW limits for the proposed levee sections to coincide with existing ROW from highways, pipelines, etc. in order to avoid remainder parcels that were non-functional to the landowners.

The total ROW required for the structural feature will be 1,235 acres (not including temporary access/work area easements as described below). A standard Perpetual Flood Protection Levee Easement will be acquired over 700 acres for the construction of the levee and T-walls, as well as the ROW necessary for the gates and underground piles associated with T-walls. A standard Drainage Ditch Easement will be acquired over 519 acres for two canals. For the pump stations, 9 acres will be acquired in Fee (Excluding Minerals).

Temporary access and work areas would be on existing roadways or developed areas of the project area. A standard Temporary Work Area Easement will be acquired for staging areas located on private lands. Mitigation areas will be acquired in Fee, Excluding Minerals. A non-material deviation will be made to the standard Road Easement to provide for the temporary, non-exclusive rights necessary for temporary access routes (refer to Annex C). For the road on top of the levee, which is for maintenance and not public access, a standard Flood Protection Levee Easement will be acquired.

The levee/floodwall feature of the project encloses a significant acreage of wetlands. These areas are continuously flooded areas. The District performed analysis of the water elevations in these areas, “with” and “without project” (as discussed in Section 4.1.1 of the feasibility report). Results of this analysis indicated that the topographical features of the wetland areas will remain relatively similar after the levee is constructed as they are today. As a result of this analysis, District Real Estate determined that the lands have not been damaged and no real estate rights have been taken from these landowners; therefore, no realty interests need to be acquired over the wetlands.

The District also performed analysis of the potential of adverse impacts associated with the use of the base flood plain, specifically the potential for induced development. Results of this analysis are discussed in Section 6.18 of the feasibility report. Based on this analysis, District Real Estate determined that it is highly unlikely that these areas will be developed in the future. The wetlands will remain inundated due to frequent flooding as a result of rainfall events. The cost of future development is likely to remain high, due to the amount of fill material that would be required in order to raise the elevation of the land to an acceptable level for development. There are existing available upland areas for development that are outside the project area, which could be developed at a much lower cost. In addition, this area would remain jurisdictional wetlands which would require compensatory mitigation for any wetland loss.

Additionally, the NFS has an obligation relating to the operation of the project, specifically in regards to the pump station capacities, to prevent encroachments that would impact the utility of the project. If induced development would change the hydrology of the flood plain, project features such as pump stations could be impacted. The NFS would have an obligation to comply with flood plain management requirements. Filling of wetland areas thru development could impact the function of the pump stations, and the NFS would have a responsibility to ensure that operation of the project features is maintained.

As a result of this analysis, no acquisition of realty interest is proposed over these enclosed wetland areas.

Table 1 below demonstrates the acreage, ownerships affected, and proposed estate for each project feature. The total estimated number of affected private landowners is 34.

Table 1: Acreage

Project Feature	# Acres	# Tracts/Ownerships	Proposed Estate
Access	49	24*	Temporary Access Easement/Perpetual Access Easement
Staging	12	12	Temporary Work Area Easement
Levee/T-wall	700	10	Perpetual Flood Protection Levee Easement
Conveyance Canal	519	10*	Drainage Ditch Easement
Gates	5	5*	Perpetual Flood Protection Levee Easement
Pump Stations	9	9*	Fee, Excluding Minerals
Mitigation	1,682	12	Fee, Excluding Minerals
Borrow	**	10**	Temporary Work Area Easement

**Landowners shown with an asterisk are assumed to be the same landowners that will be affected by the levee/t-wall features. Total estimated landowners affected by the structural features are 34.*

***Refer to discussion of Borrow within LERRDs descriptions below.*

ACCESS

Access for construction of the Project will be directly from the ROW of the Upper Guide Levee, US-51, US-61 and La. Hwy 44. Additional ROW will be required on private lands, affecting an estimated 12 private landowners (these owners are also impacted by the levee construction, staging, and/or mitigation). A Temporary Access Easement will be acquired for this portion of the Project.

Monitoring of some mitigation features may require perpetual access. Access area locations will be refined during PED; at this time, it is assumed that additional right of way will be acquired from 12 owners (these owners are also impacted by the levee construction, staging, and/or mitigation). A Perpetual Access Easement may be acquired for this portion of the Project. These estates are further discussed in Section A-3 below.

STAGING

The majority of staging areas for construction of this Project will be located within the ROW for the levee footprint or existing ROW. Additional ROW will be required within a few reaches. An estimated total of 12 private landowners will be affected. A standard Temporary Work Area Easement will be acquired for the additional ROW required for this portion of the Project.

BORROW

Borrow material for the Project would come from portions of the Bonnet Carré Spillway that area owned in fee by the Federal Government. In addition, suitable material excavated for construction of the drainage canal will be used for levee construction and mitigation. Borrow material for the project which is excavated from the construction of the drainage

canal will require acquisition of a Temporary Work Area Easement for borrow (in addition to the Drainage Ditch Easement). It is unknown at this time how many acres will be utilized for borrow within the drainage canal, or how many landowners will be affected (estimated maximum of 10 landowners).

MITIGATION

Details of the Project mitigation plan are outlined in Appendix A, Annex K of the Final Integrated Feasibility Report and Environmental Impact Statement. The plan contains six components to provide required compensation for habitat impacts. Below is a synopsis of the features; maps of these areas are included in Annex A of this REP:

- The first feature would mitigate for Bottomland Hardwood impacts through the construction of a project in the Bonnet Carré Spillway.
- Five features will collectively mitigate for swamp impacts. These features include purchasing credits from a mitigation bank and constructing five additional restoration projects:

Blind River Swamp Restoration – Key parts of the restoration plan include planting native swamp canopy and midstory species on 1,040 acres, as well as installation of nutria guards on planted trees to protect against herbivore tree loss. A total of 1,040 acres will be required for this project feature, of which 1,010 acres are located on lands owned by the State of Louisiana and 30 acres are located on privately owned lands. This project feature is located in Livingston Parish. A total of 30 acres will be acquired in Fee (Excluding Minerals) for this feature. For the lands owned by the State of Louisiana, the NFS will provide the interests necessary for the project, and will receive credit for the lands it provides to the project.

Bonnet Carré Swamp Restoration – This Project feature, located in St. Charles Parish, would create 310 acres of swamp using beneficial placement of dredged material and tree plantings. These lands are owned in fee by the Federal Government, and USACE is the managing agency over these lands.

Maurepas Crawfish Ponds Swamp Restoration – This Project feature, located in Ascension Parish, would restore 1,161 acres of swamp through land grading and tree plantings. A total of 1,161 acres of privately owned lands will be acquired in Fee (Excluding Minerals) for this feature.

Lutcher Polder Farmland Swamp Restoration – This Project feature, located in St. James Parish, would restore 348 acres of swamp through land grading and tree plantings. A total of 348 acres of privately owned lands will be acquired in Fee (Excluding Minerals) for this feature.

2) NON-FEDERAL SPONSOR OWNED LERRDs

CPRAB, a state agency, is required to provide all lands, easements, and rights-of-way, relocations, disposal and borrow areas (LERRDs), including those required for mitigation, and the disposal of dredged or excavated material. Portions of the levee footprint and

potential mitigation sites lie within lands owned by the State of Louisiana under the jurisdiction of various State agencies. The CPRAB will provide the necessary interests for the project, and will receive credit for the lands it provides to the project. CPRAB will be required to obtain the necessary agreements from any non-federal government entity, and provide Right of Entry to the Government.

3) ESTATES

The following standard estates will be required for the Project:

FEE EXCLUDING MINERALS (With Restriction on Use of the Surface)

The fee simple title to the land, subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines; excepting and excluding all oil and gas, in and under said land and all appurtenant rights for the exploration, development, production and removal of said oil and gas, but without the right to enter upon or over the surface of said land for the purpose of exploration, development, production and removal therefrom of said oil and gas.

This estate will be acquired for areas where pump stations will be constructed, as well as for areas to be acquired for mitigation. The District is of the opinion that this estate provides all the rights necessary for the project as well as protects the integrity of the project features. There are no active oil and gas wells within the project area, but it is unknown whether there are marketable minerals under the surface of the impacted properties. The District recognizes that if oil or gas were discovered, there is a possibility that the owner could develop those minerals through directional drilling. The District consulted with Louisiana Geological Survey regarding the feasibility of this process and potential impact to the surface of the project area. Because of depths involved in the drilling process (approximately 5,000 feet below the surface), directional drilling for minerals beneath the surface will have no impact on the surface. For a project of this size, directional drilling would be feasible. Given the acreages of the mitigation sites proposed for the project, the District verified that drilling to targets laterally can be achieved from up to 6 miles away. Extraction of minerals by existing conventional means would not impact the integrity of the project features.

Furthermore, the District believes that landowners may be less willing to sell the property if the mineral rights are acquired by the NFS. This in turn would require acquisition through condemnation which would increase the cost of the project. For planning purposes, we assume that the additional cost would be approximately \$10,000 in labor for each tract that requires condemnation, to include title, curative work, preparation of condemnation assembly and assistance to Justice Department once the condemnation case is filed.

The risks to the project of not acquiring minerals are negligible; therefore, it is in the best interest of the Government to acquire Fee Excluding Minerals (with Restriction on Use of the Surface).

FLOOD PROTECTION LEVEE EASEMENT

A perpetual and assignable right and easement in (the land described in Schedule A) (Tracts Nos, ____, ____ and ____) to construct, maintain, repair, operate, patrol and replace a flood protection (levee) (floodwall)(gate closure) (sandbag closure), including all appurtenances thereto; reserving, however, to the owners, their heirs and assigns, all such rights and privileges in the land 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.

This estate will be acquired for areas where the levee, floodwall, gates, and the underground piles will be constructed. The underground piles are considered an appurtenance of the floodwall. This easement prohibits any use of the surface or subsurface which interferes with the project.

DRAINAGE DITCH EASEMENT

A perpetual and assignable easement and right-of-way in, over and across (the land described in Schedule A) (Tracts Nos. ____, ____ and ____) to construct, maintain, repair, operate, patrol and replace a drainage ditch, reserving, however, to the owners, their heirs and assigns, all such rights and privileges in the land 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.

A drainage ditch will be constructed adjacent to the levee in order to provide drainage to protected areas. Portions of the excavated material will be used to construct the levee and the mitigation sites.

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 date possession of the land is granted to the Coastal Protection and Restoration Authority Board (CPRAB), for use by the CPRAB and the United States of America, 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.

This estate will be acquired over areas to be used for staging.

TEMPORARY ACCESS EASEMENT (Non-Material Deviation from Standard Estate)

A non-exclusive and assignable temporary easement for a period not to exceed ____ years beginning with date possession of the land is granted to the Coastal Protection and Restoration Authority Board (CPRAB), for use by the CPRAB and the United States of America, its representatives, agents, and contractors as an access route and/or right-of-way in, on, over and across (the land described in Schedule A) (Tracts Nos. _____, _____ and _____); 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, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired, including the right to cross over the right-of-way as access to their adjoining land; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

This estate will be acquired over existing privately owned roads that are used for access to the project during construction. The estate with approval signatures by the Chief of Real Estate for the Temporary Access Easement (Non-Material Deviation from Standard Estate) is attached as Annex C.

PERPETUAL ACCESS EASEMENT (Non-Material Deviation from Standard Estate)

A perpetual non-exclusive and assignable easement for use by the Coastal Protection and Restoration Authority Board (CPRAB) and the United States of America, its representatives, agents, and contractors as an access route and/or right-of-way in, on, over and across (the land described in Schedule A) (Tracts Nos. _____, _____ and _____); 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, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired, including the right to cross over the right-of-way as access to their adjoining land; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

This estate will be acquired over certain existing privately owned roads to allow for access to the project for operation and maintenance. The estate with approval signatures by the Chief of Real Estate for the Perpetual Access Easement (Non-Material Deviation from Standard Estate) is included within Annex C.

B. LOCALIZED STORM SURGE RISK REDUCTION PROJECT FEATURES

The Localized Storm Surge Risk Reduction Project features are outlined in Figure 3 below. Additional maps of all features are located in Annex A of this Real Estate Plan.

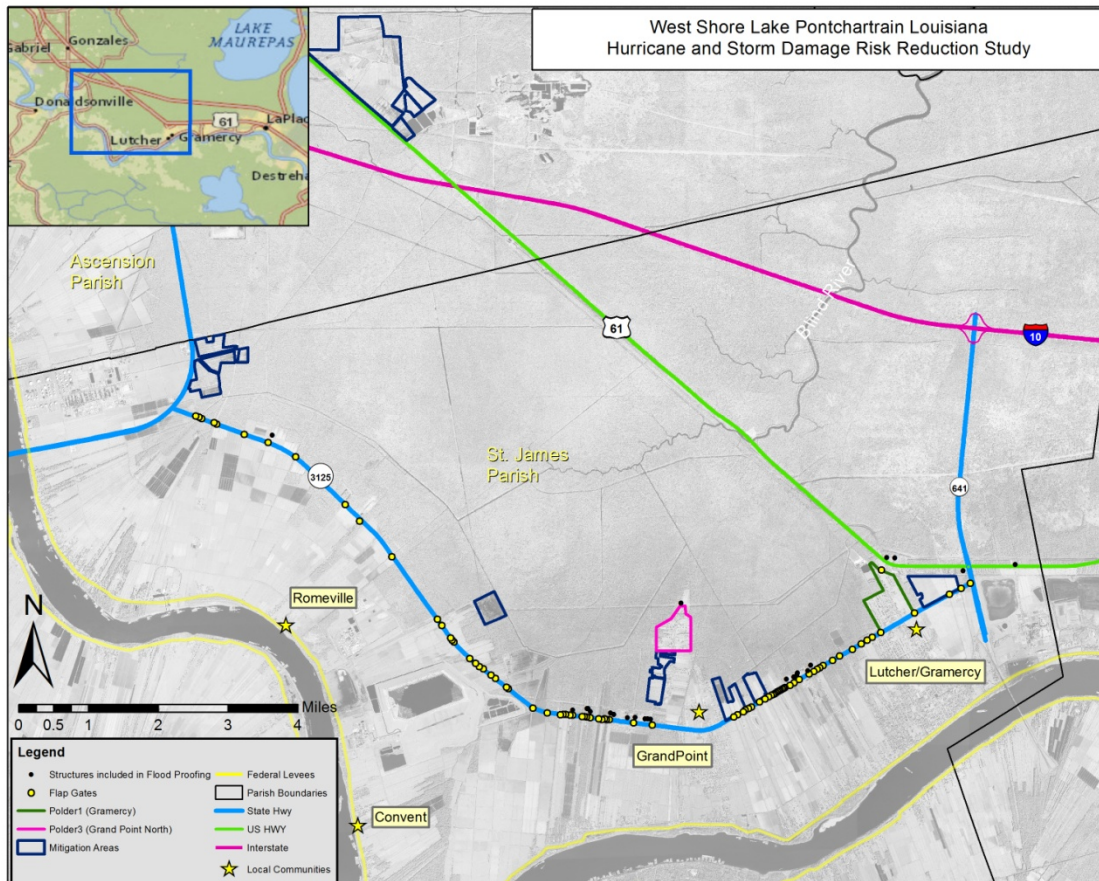


Figure 3: Recommended Plan – Localized Storm Surge Risk Reduction Features
(See Annex A for larger map)

Polder 1 (Gramercy Berm):

In the Gramercy area, north of Hwy 3125, a 10,100 LF berm would be built to provide risk reduction to 275 structures, herein referred to as **"Polder 1 (Gramercy Berm)."** The berm would be constructed to a +6.5' NAVD 88 elevation. The berm in 2020 would provide risk reduction above the 1% AEP storm stages. Storm stages in St. James Parish are below +6.5' NAVD 88 elevation in 2020. As discussed in Chapter 3, in the future, the berm's effectiveness depends on the actual rate of RSLR.

The berm would parallel both sides of Hwy 20, and parallel the railroad track along US-61 (Airline Highway). To the south, the berm would tie into Hwy 3125 to close off the system. Hwy 3125 is key feature for all of the Localized Storm Surge Risk Reduction features. The entire roadway is above a 6.5' NAVD 88 elevation and will be used as a tie in point for the berm. The design of the berm is based on a

4' wide crown and 3:1 side slopes. Using local LIDAR data it was assumed that the existing ground elevation under the berm would be at an elevation of approximately 4.3 ft NAVDD88. Using this assumption, the proposed berm would have an average height of 2.2 ft with an average width of 18 ft, and require 237,000 cy of compacted fill for construction. The berm would also include two floodgates to allow existing drainage to flow through the berm when not under surge events. A pump system to operate and remove rainwaters during tropical/hurricane storm events will be included in the features. The pump system will be approximately 217 cfs. The berm would be placed in a location so as not to interfere with existing local drainage.

In reviewing the berm footprint, there is a risk of affecting approximately 0.29 acres of forested wetlands. Attempts would be made to avoid these areas during construction. Due to the current uncertainty in avoiding these areas, we have included cost for mitigating for these forested wetlands in the total construction cost.

Polder 3 (Grand Point North):

Polder 3 (Grand Point North) would provide risk reduction to 71 structures. The berm would be a complete ring around the structures in the northern portion of Grand Point, near the Grandpoint Boat Launch. The berm would be 10,400 LF, and would include a 4' wide crown and 3:1 side slopes. The berm would be constructed to a 6.5' NAVD 88 elevation. Initially, in 2020 the berm would provide risk reduction above the 1% AEP storm stages. Storm stages St. James Parish are below a 6.5' NAVD 88 elevation in 2020. Future level of risk reduction is dependent on the actual rate of RSLR.

Using local LIDAR data it was assumed that the existing ground elevation under the berm would be approximately 4' NAVD 88. Using this assumption, the proposed berm would have an average height of 2.5 ft with an average width of 20 ft, and require 286,800 cy of compacted fill for construction. The berm would also include one floodgate to allow existing drainage to flow through the berm when not under surge events. A pump system to operate and remove rain waters during tropical/hurricane storm events will be included in the features. The pump system will be approximately 140 cfs. The berm would be placed in a location so as not to interfere with existing local drainage. The berm would also be placed very near the edge of the property owners' parcels where feasible. This would minimize the loss of use of any property.

In reviewing, the berm footprint there is a risk of affecting approximately 0.81 acres of forested wetlands. Attempts would be made to avoid these areas during construction. Due to the current uncertainty in avoiding these areas, we have included cost for mitigating for these forested wetlands in the total construction cost.

Hurricane Storm Damage Risk Reduction Under LA Highway 3125:

In addition to the berms north of Hwy 3125, the recommended plan is to use 13 miles of Hwy 3125 and its existing foundation as a Localized Storm Surge Risk Reduction feature. The roadway elevation is above a 6.5' NAVD 88 elevation. Currently, the 1% AEP storm stages in 2020 flow through the culverts under the roadway in the opposite direction from natural drainage. By closing off the culverts with one-way flap gates and a drainage canal with a floodgate during surge events, the plan would provide risk reduction to 19,500 acres and 4,295 structures south of Hwy 3125. Although there are a limited number of structures that are impacted by the 1% AEP storm surge stages, this closure reduces the risk of a large portion of the parish's critical sugarcane crops from flooding from this type of storm surge event. If in the future, the Parish makes improvements to Hwy 3125, any additional height added to the entire

highway could add to the structures risk reduction level behind the highway. Due to the fact that the roadway is being used as hurricane storm damage risk reduction feature the NFS will be required to maintain the system's initial level of risk reduction. This includes the berm tie in points to the roadway and 13 miles of the roadway. If the roadway requires maintenance and would be degraded below its original elevation, the work should take place outside of hurricane season. If it is not possible to work outside of hurricane season, interim storm surge risk measures should be set up to maintain the original level of risk reduction provided by the roadway.

The recommended plan includes 145 flap gated closures, two floodgates and two small berms (Noranda and Uncle Sam). The Noranda berm ties the highway into high ground east of Gramercy. The Uncle Sam berm divides the developed area behind Hwy 3125 from an area that is primarily agricultural land. By dividing these two areas, the local community can focus its reduction effort in the future. Future improvements could be focused on sections of the highway that have structures behind the highway, approximately 7 miles vs. 13 miles. The area west of the Uncle Sam berm includes an area of 8,175 acres, but only includes one structure that has a first floor elevation below the 1% the AEP storm stages. The total length of the berms is approximately 645 LF.

Due to the nature of the flooding south of Hwy 3125, it is assumed that the 19,500 acres would have ample storage capacity to hold any rainfall during the surge events. Even if some acres of crops are flooded from rainfall, it would be much less than if the surge was allowed to flow under Hwy 3125.

Remaining Structures in St. James Parish:

The recommended plan addresses the flooding of structures located outside of the polders north of Hwy 3125. Eighty structures were evaluated outside of the berms. Only 23 of the 80 structures have a first floor elevation less than the 1% AEP storm stages in 2020. Based on this evaluation the recommended plan includes 14 residential structures that would be raised to the stage associated with the 2070 1% (100-year) AEP event; 4 non-residential structures would be flood proofed to 3 feet above the ground elevation; and smaller berms would be constructed for 5 light industrial/warehouse facilities. The 14 residential structures are being raised to the 2070 height because it is more cost effective to raise a home once.

1) LANDS, EASEMENTS, RIGHTS-OF-WAY, RELOCATIONS, & DISPOSALS

Polders 1 and 3 will primarily impact developed residential lands, affecting an estimated 106 landowners. It is the intent of the Project to place the berms as close as possible to property lines in order to minimize possible severance damages to properties. No relocation of utility lines will be necessary for this portion of the work because utilities are located along the public streets. The polder entitled "Hurricane Storm Damage Risk Reduction Under LA Highway 3125" includes 145 flap gate culvert closures, 2 flood gates, and 2 small berms (Noranda and Uncle Sam). The flap gates and flood gates will be constructed on lands owned by the State of Louisiana. Noranda will be constructed on lands owned in part by the State of Louisiana, as well as 1 private landowner. Uncle Sam will be constructed on primarily agricultural lands, and will affect 1 private landowner.

Because Polder 1 ties in to La. Highway 3125 (refer to "Hurricane Storm Damage Risk Reduction Under LA Highway 3125" in the project description above), the District

acknowledges that there is a need for a real estate instrument which would ensure the roadway elevation is maintained in place, regardless of whether there is a continuing need for the Highway. Additionally, the real estate instrument should ensure that the State (LADOTD) does not degrade the Highway below 6.5 foot elevation. In the event that there is a temporary degradation for maintenance or rebuilding of the Highway, this should not be done during hurricane season, or must be done in a limited manner, so that the Highway could be raised during a storm event.

This instrument would be signed by the NFS, and the Louisiana Department of Transportation. Further, the instrument will include specific language agreeing to this requirement. At the time of this report, the District had not conducted discussions with the NFS or LADOTD regarding this issue. Therefore, District Office of Counsel was not able to develop the language that would be required in the instrument. The District recognizes that design of this feature must be coordinated with the NFS and with LADOTD. Discussions will occur during PED once there is more detail available regarding the design. At that time, Office of Counsel will also develop the language of the instrument to be signed by both parties and will coordinate such with the Real Estate and Office of Counsel vertical team. A Request for Approval of a Non-Standard Estate will be submitted to CEHQ-RE for approval.

Additionally, there are approximately 23 structures remaining outside of the Localized Storm Surge Risk Reduction features with a first floor elevation less than the 6.5 foot NAVD 88 elevation. These structures will be flood proofed to the stage associated with the 2020 100-year event. The recommended plan includes 14 residential structures to be elevated so that the lowest habitable finished floor is at least one foot above the Base Flood Elevation and to the stage associated with the 2070 1% (100-year) ACE event; 4 non-residential structures would be flood proofed to 3 feet above the ground elevation; and smaller berms would be constructed for 5 light industrial/warehouse facilities.

Table 2 below demonstrates the acreage, ownerships affected, and proposed estate for each Localized Storm Surge Risk Reduction Project feature. The total estimated number of affected private landowners is 131.

Table 2: Localized Storm Surge Risk Reduction Features

Project Feature	# Acres	# Tracts/ Ownerships	Proposed Estate
Polder 1	4.17	57	Perpetual Berm Easement*
Polder 3	4.78	49	Perpetual Berm Easement*
Flood Control Under 3125:			
Flap Gates/Flood Gates	27.90	NFS Owned	**
Noranda	.22	1	Perpetual Berm Easement*
Uncle Sam	.07	1	Perpetual Berm Easement*
Residential Elevations		14	Flood Proofing Agreement
Commercial Flood Proofing		9	Flood Proofing Agreement

**This is a non-material deviation from the standard perpetual Flood Protection Levee Easement. Refer to Annex F. Refer to Section B-3 below for further discussion.*

***Refer to discussion in Section B(1) above regarding specific language needed in the instrument to be signed between the NFS and LADOTD.*

ACCESS

Access for construction of the Localized Storm Surge Risk Reduction features will be directly from the adjacent public ROW and within ROW acquired for construction of the Project features. No private lands will be required for access.

STAGING

Staging areas for construction of the Localized Storm Surge Risk Reduction Project features will be located within the ROW for the Project footprint. No additional ROW will be required.

BORROW

All borrow material for this feature of the Project would come from the Bonnet Carré Spillway, which is owned in fee by the Federal Government.

MITIGATION

Mitigation for construction of the Localized Storm Surge Risk Reduction Project features is included within the Project mitigation plan, as described in Section A-1 and in Appendix A, Annex K of the Final Integrated Feasibility Report and Environmental Impact Statement. In Polder 1, there is a risk of affecting approximately 0.29 acres of forested wetlands. Attempts will be made to avoid these areas during construction. Due to the current uncertainty in avoiding these areas, we have included cost for mitigating for these forested wetlands in the total construction cost.

In reviewing Polder 3, the footprint of the berm, there is a risk of affecting approximately 0.81 acres of forested wetlands. Attempts will be made to avoid these areas during

construction. Due to the current uncertainty in avoiding these areas, we have included cost for mitigating for these forested wetlands in the total construction cost.

2) NON-FEDERAL SPONSOR OWNED LERRDs

Portions of the Localized Storm Surge Risk Reduction footprint and potential mitigation sites lie within lands owned by the State of Louisiana. The Non Federal Sponsor will provide the necessary interests for the project, and will receive credit for the lands it provides to the project.

3) ESTATES

Flood Protection Berm Easement (Non-Material Deviation from Standard Estate)

The Localized Storm Surge Risk Reduction Project features include construction of several berms to provide risk reduction to residential structures in St. James Parish. Typically, a berm is constructed as a part of a levee, and the standard perpetual Flood Protection Levee Easement is acquired for both the levee and the berm.

Due to the nature of the berms proposed for this Project, the District has prepared a Non-Material Deviation to the standard perpetual Flood Protection Levee Easement, replacing the word “levee” with the word “berm”. A copy of the approved Non-Material Deviation to Standard Estate is included in Annex D.

The language of the Flood Protection Berm Easement is as follows:

A perpetual and assignable right and easement in (the land described in Schedule A) (Tracts Nos, ____, ____ and ____) to construct, maintain, repair, operate, patrol and replace a flood protection berm, including all appurtenances thereto; reserving, however, to the owners, their heirs and assigns, all such rights and privileges in the land 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.

It is noted that the Flood Protection Berm easement is proposed for the berms, but does not include the areas of the project feature located on Highway 3125. A separate instrument will be acquired for those features, as discussed in Section B-1 above.

4) LOCALIZED STORM SURGE RISK REDUCTION FEATURE IMPLEMENTATION PLAN – FLOOD PROOFING OF RESIDENTIAL STRUCTURES (ELEVATION) AND FLOOD PROOFING OF NON-RESIDENTIAL STRUCTURES (BERMS)

The Localized Storm Surge Risk Reduction Project features include 23 structures in the Project area. CPRAB will be the implementing agency for the elevations and commercial flood proofing measures.

District Real Estate performed a preliminary review of structures in the Project area. Based on this information, it is assumed that all of the structures eligible for elevation will be structurally sufficient to withstand elevation. Further, the District performed an analysis comparing the preliminary costs of structure elevation with preliminary depreciated value of

the structures and for each structure the lower cost was structure elevation. Therefore, for this Project it is not anticipated that there will be any property buy-outs.

Property owner participation in the Localized Surge Risk Reduction measures will be completely voluntary. The owners will be required to submit an application for residential structure elevation or commercial flood proofing, which must be signed by all owners of the property that would be impacted by the estate acquired in the Flood Proofing Agreement (including the Covenant Running With the Land). In order for an owner to participate in the residential elevation or the commercial flood proofing, the owner must have legal possession of the property without title defect. Title will be researched by the implementing agency. If a property is mortgaged, the owner must obtain approval from the mortgagor to participate in the structure elevation or floodproofing. The implementing agency will also conduct an appraisal as well as a site inspection to complete a Phase I HTRW/Asbestos investigation, and determine the condition and suitability of the structure for elevation or flood proofing. Landowners will obtain bids from qualified licensed contractors for the work to be performed. A Flood Proofing Agreement, which will include a Covenant Running With the Land, will be executed between the property owner, 3rd party interests impacted by the Covenant, and the NFS. The implementing agency will obtain subordinations from 3rd party interests impacted by the restrictions of the covenant. It is expected that occupants will need to temporarily relocate from their residences while the structure is being elevated. A complete implementation plan will be formulated during PED.

Flood Proofing Agreement

The District, under advisement from CEMVD and CEHQ, will modify a sample Flood Proofing Agreement that has been used by an implementing entity in conjunction with another Corps project, to include provisions applicable to the West Shore Lake Pontchartrain Project. Other Flood Proofing Agreements have been used for projects at the Nashville District, Omaha District and Mobile District.

The terms and conditions of the Flood Proofing Agreement will contain provisions that represent an interest in real property. In addition to provisions relating to the actual flood proofing action and construction, the agreement will include provisions regarding the right of NFS to access the property, to survey, investigate HTRW, inspect and monitor the property. Additionally, the agreement will include a covenant running with the land. The covenant will represent an interest in real property that will ensure that the flood proofed structures remain at the prescribed elevation and to ensure that all future construction or modifications to the flood proofed structure or elsewhere on the lands containing the flood proofed structures are performed in accordance with the project requirements. The Flood Proofing Agreement will be developed, in coordination with CEMVD and CEHQ, during PED to establish the program requirements and to conform to the scope of work that is determined for elevation of residential structures and flood-proofing measures for non-residential and light industrial structures. The individual property owners electing to participate in flood proofing of individual structures will enter into the agreement with the NFS. The Agreement, inclusive of the covenant running with the land, will be recorded in the Conveyance Records of the Parish where the property is located. At this time, it does not appear that any additional real estate interest will be acquired; however, that determination will be finalized during PED.

V. INDUCED FLOODING

Pump stations will be used to maintain existing drainage patterns in that portion of the Project area that is located on the protected side of the structural levee/floodwall system. Operation of these pump stations will be limited to such operations as are necessary to avoid Project construction-induced flooding on the protected side of the structural levee/floodwall system.

Modeling results indicated that the impacts to surrounding communities would be similar with and without the WSLP Project features and the magnitude in changes in water level are less than model precision.

There is a margin of error in both the economic model and the storm surge modeling (ADCIRC) which is recognized by team hydrologists and economists. In general, the potential impacts to communities outside of the proposed levee alignment would be similar with and without Alignment C. The ADCIRC modeling will be refined during PED to determine whether or not there will be induced flooding and to precisely estimate its magnitude. At feasibility level of design, the model uncertainty and inclusion of Localized Storm Surge Risk Reduction features adequately addresses the limited potential for induced damages. Therefore, a Takings Analysis has not been prepared for the Project.

VI. EXISTING FEDERAL PROJECTS WITHIN THE LER REQUIRED FOR THE PROJECT

Mississippi River & Tributaries Project

The levee feature of the project will tie into the Mississippi River Levee, which is a part of the Mississippi River and Tributaries Project, which was authorized by the Federal Flood Control Act of 1928. The Pontchartrain Levee District holds easements for the existing Right of Way that are equivalent to a levee easement. The Pontchartrain Levee District holds sufficient rights for the needs of the project, and will provide Right of Entry to CPRAB over this portion of the project.

Bonnet Carré Spillway

Portions of the structural project features as well as mitigation project features lie within the boundaries of the Bonnet Carré Spillway, on lands that are owned by the United States and are managed by USACE. This is further discussed in Section VII below.

VII. FEDERALLY OWNED LANDS WITHIN THE LER FOR THE PROJECT

The levee feature of the project will tie into the Bonnet Carré guide levee, and some project mitigation features lie within the Bonnet Carré Spillway. In addition, borrow material for the Project would come from the Bonnet Carré Spillway. The lands within the Spillway that are required for the Project are owned in fee by the Federal Government. USACE is the managing agency over this land. CPRAB will be responsible for Operation & Maintenance of the mitigation features which lie within the Bonnet Carré Spillway. The Government will provide an outgrant to perform Operation & Maintenance of the mitigation site.

VIII. NAVIGATION SERVITUDE

The navigation servitude is the dominant right of the Government under the Commerce Clause of the U.S. Constitution to use, control and regulate the navigable waters of the United States and submerged lands thereunder.

The Project does not require LERRDs within any navigable watercourses. Therefore, the Federal Navigational Servitude will not be invoked for this Project.

IX. BASELINE COST ESTIMATES/CHART OF ACCOUNTS (COAs)

The Chart of Accounts includes lands required for the project (shown in the 01 – Lands and Damages account), as well as lands required for mitigation (shown in the 06 – Wildlife and Fisheries account). The Chart of Accounts also provides Relocations costs, which are the responsibility of the NFS (shown in the 02 – Relocations account).

The estimated total cost for Real Estate Acquisition is \$27,679,000. This includes \$5,481,000 for the structural features, \$3,521,000 for Localized Storm Surge Risk Reduction features, \$18,132,000 for mitigation and \$545,000 for administrative costs associated with the flood proofing measures.

The costs for structural features include land payments as well as administrative costs and incremental costs associated with acquiring the real estate interests, as well as costs for potential condemnations. Costs for the Localized Storm Surge Risk Reduction features include land payments as well as administrative costs and incremental costs associated with acquiring the real estate interests, as well as costs for potential condemnations associated with acquisition of rights for the berms.

Costs for the Localized Storm Surge Risk Reduction flood proofing measures include administrative costs associated with implementation of the recommended plan. This would include such items as procurement of title, title review, preparation, execution, and recordation of the Flood Proofing Agreement (which includes a covenant running with the land), issuance of payment to the owner/contractor, and subsequent inspections to ensure the work was performed in accordance with the Flood Proofing Agreement. Administrative costs for these real estate tasks (to be performed by the NFS) were estimated at \$10,000 for each structure, plus a contingency.

Because real estate costs did not exceed 10% of total project costs, a gross appraisal was not prepared for this Project. LERRDs costs are based on cost estimates prepared by the Appraisal Branch in June 2014.

Relocations costs are reflected in the 02-Relocations account. Refer to the section entitled “Facility/Utility Relocations” for information regarding the costs associated with these relocations.

					AMOUNT (ROUNDED)	CONTINGENCY (ROUNDED)	PROJECT COST
				CONTINGENCY	PROJECT COST		
01	LANDS AND DAMAGES				7,453,000	2,094,000	9,547,000
	STRUCTURAL FEATURES				4,232,000	1,249,000	5,481,000
	Assumes 22 landowners affected						
01B	ACQUISITIONS						
01B20	BY NON-FEDERAL SPONSOR (NFS)	187,000	46,750	233,750			
01B40	REVIEW OF NFS	99,000	24,750	123,750			
01C	CONDEMNATIONS						
01C20	BY NFS	55,000	13,750	68,750			
01E	APPRAISAL						
01E30	BY NFS	44,000	11,000	55,000			
01E50	REVIEW OF NFS	22,000	5,500	27,500			
01F	PL 91-646 ASSISTANCE						
01F20	BY NFS	0	0	0			
01R	REAL ESTATE PAYMENTS						
01R1	LAND PAYMENTS						
01R1B	BY NFS	3,825,000	1,147,500	4,972,500			
01R2	PL 91-646 ASSISTANCE PAYMENTS						
01R2B	BY NFS	0	0	0			
	LOCALIZED RISK REDUCTION FEATURES				2,785,000	736,000	3,521,000
	Assumes 108 landowners affected; does not include home elevations						
01B	ACQUISITIONS						
01B20	BY NON-FEDERAL SPONSOR (NFS)	918,000	229,500	1,147,500			
01B40	REVIEW OF NFS	486,000	121,500	607,500			
01C	CONDEMNATIONS						
01C20	BY NFS	270,000	67,500	337,500			
01E	APPRAISAL						
01E30	BY NFS	216,000	54,000	270,000			
01E50	REVIEW OF NFS	108,000	27,000	135,000			
01F	PL 91-646 ASSISTANCE						
01F20	BY NFS	0	0	0			
01R1	LAND PAYMENTS						
01R1B	BY NFS	787,000	236,100	1,023,100			
01R2	PL 91-646 ASSISTANCE PAYMENTS						
01R2B	BY NFS	0	0	0			
	LOCALIZED RISK REDUCTION HOME ELEVATIONS				436,000	109,000	545,000
	Assumes 23 landowners affected; includes administrative costs only						
01B	ACQUISITIONS						
01B20	BY NON-FEDERAL SPONSOR (NFS)	345,000	86,250	431,250			
01B40	REVIEW OF NFS	91,000	22,750	113,750			
02	RELOCATIONS						
02	RELOCATIONS	14,768,000	4,430,000	19,198,000	14,768,000	4,430,000	19,198,000
06	WILDLIFE & FISHERIES						
	MITIGATION				13,957,000	4,175,000	18,132,000
	Assumes 12 landowners affected						
01B	ACQUISITIONS						
01B20	BY NON-FEDERAL SPONSOR (NFS)	102,000	25,500	127,500			
01B40	REVIEW OF NFS	54,000	13,500	67,500			
01C	CONDEMNATIONS						
01C20	BY NFS	60,000	15,000	75,000			
01E	APPRAISAL						
01E30	BY NFS	24,000	6,000	30,000			
01E50	REVIEW OF NFS	12,000	3,000	15,000			
01F	PL 91-646 ASSISTANCE						
01F20	BY NFS	0	0	0			
01R1	LAND PAYMENTS						
01R1B	BY NFS	13,705,000	4,111,500	17,816,500			
01R2	PL 91-646 ASSISTANCE PAYMENTS						
01R2B	BY NFS	0	0	0			

X. UNIFORM RELOCATION ASSISTANCE (PL 91-646, Title II as amended)

No relocation assistance benefits are anticipated for the structural features of the Project. No families or businesses will be displaced as a result of the structural project features.

Because participation in the Localized Storm Surge Risk Reduction project flood proofing feature is voluntary, the owner-occupants are not eligible for relocation assistance benefits, in accordance with the Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs (URA), as promulgated by 49 CFR Part 24, paragraphs 24.2(a)(9)(ii)(D), (E), (H), 24.101(a)(2), and applicable sections in Appendix A. However, if the owner of a leased residential property participates in the structure elevation, the tenant is considered displaced and is eligible for relocation assistance.

Below is an excerpt of the applicable portions of 49 CFR Part 24 as they relate to owner-occupants:

49 CFR Part 24:

(1) Subpart A, paragraph 24.2(a)(9)(ii)(E), Persons Not Displaced definition, states that an owner-occupant who moves as a result of an acquisition of real property that will not be acquired if an agreement cannot be reached, or as a result of rehabilitation of the real property, is not a displaced person. However, the displacement of a tenant as a direct result of any acquisition, rehabilitation or demolition for a Federal or Federally-assisted project is subject to the URA as a displaced person; and (H) states that an owner-occupant who conveys his or her property...after being informed in writing that if a mutually satisfactory agreement on terms of the conveyance cannot be reached, the Agency will not acquire the property. In such cases, however, any resulting displacement of a tenant is subject to the URA as a displaced person; and

(2) Subpart B, paragraphs 24.101(a)(2), (b)(1)(iii), & (b)(2)(i), Applicability of Acquisition Requirements, states that if the agency will not acquire a property because negotiations fail to result in an agreement, the owner of such property is not a displaced person and as such, is not entitled to relocation assistance benefits. However, tenants on such properties may be eligible for relocation assistance benefits.

(Note the above paragraph is intended to stress that if an agency will not use condemnation as an acquisition tool, then an owner-occupant is not considered a displaced person; conversely, even if an agency does not utilize condemnation as an acquisition tool, tenants may be considered displaced persons. It is understood that if an owner does not participate in the program, then a tenant would not be displaced and would not qualify for relocation assistance.)

XI. TIMBER/MINERAL/ROW CROP ACTIVITY

The Louisiana Department of Natural Resources provides a Strategic Online Natural Resources Information System (SONRIS), which contains up-to-date information on oil & gas activity in the state of Louisiana. Review of this information indicated that although there are oil and gas wells within the

study area, there are no active wells within the recommended plan alignment. This information will be reviewed and confirmed following feasibility level design.

With the exception of the acquisition of the standard Fee Excluding Minerals Estate (With Restrictions on the Use of the Surface) which has the potential to impact mineral rights over certain lands, the other estates have no impact on mineral rights and USACE will not acquire mineral rights to any of the LERRDs required for the Project. Over lands where the fee estate is being acquired, mineral rights will be subordinated. Mineral right owners can still explore for minerals through directional drilling.

There are approximately 404 acres of agricultural land impacted by the Project. Property owners will be allowed to harvest crops prior to acquisition. In the event that Project schedules do not allow for such, the contributory value of the in crops will be included in the estimate of property value in the appraisal. Any timber present within required right of way is included in the overall appraised value of the land.

XII. OYSTER LEASES

There are no oyster leases located within the Project study area.

XIII. ZONING ORDINANCES

There will be certain building restrictions in areas where structure elevation and/or flood proofing measures are proposed. The NFS will be required to publicize floodplain information for project area and will be required to provide this information to zoning and other regulatory agencies for their use in adopting regulations, or taking other actions, to prevent unwise future development and to ensure compatibility with risk reduction levels provided by the Project. Additionally, the NFS will be required to prevent obstructions or encroachments on the Project (including prescribing and enforcing regulations to prevent such obstructions or encroachments) such as any new developments on *Project* lands, easements, and rights-of-way or the addition of facilities which might reduce the level of risk reduction of the Project. Additionally, local Parish building code enforcement agencies would ensure compliance with the purpose and objectives of the Localized Storm Surge Risk Reduction component of the Project by requiring compliance with the flood proofing covenants contained in Project Flood Proofing Agreements with regard to future construction of additions, modifications, repair and replacement of existing Project flood proofed structures.

XIV. ACQUISITION SCHEDULE

Structural Project Features – Acquisition Schedule

The following acquisition schedule is based on the premise that the Project will impact approximately 34 private landowners for the levee alignment. It is assumed that this portion of the Project will be constructed in sections. A detailed acquisition schedule will be refined during PED, once the 95% plans and specifications are prepared for each section of the project. The schedule will begin once a Right of Entry request has been received by Real Estate. The schedule below provides the total amount of time to complete the acquisition of real estate rights for mitigation and for the construction of the levee alignment and other Project features. It is possible that some of the tasks listed below could be concurrent. For the purposes of this Report, these tasks are presented as being consecutively performed (with the exception of closings and condemnations), and the durations below represent the approximate total time of acquisition.

1)	TOD, Mapping	3 months
2)	Obtain Title & Appraisals	6 months
3)	Negotiations	2 years
4)	Closing	1 year
5)	Eminent Domain Proceedings	6 years

Localized Storm Surge Risk Reduction Project Features – Acquisition Schedule

The following schedule is based on the premise that the Localized Storm Surge Risk Reduction Project features (excluding flood proofing measures) will affect approximately 108 private landowners.

It is assumed that the Localized Storm Surge Risk Reduction features will be constructed in sections. A detailed acquisition schedule will be refined during PED, once the 95% plans and specifications are prepared for each section of the Project. The schedule will begin once a Right of Entry request has been received by Real Estate. The schedule below provides the total amount of time to complete the acquisition of real estate rights for construction of the Localized Storm Surge Risk Reduction Project features. It is possible that some of the tasks listed below could be concurrent. For the purposes of this Report, these tasks are presented as being consecutively implemented (with the exception of closings and condemnations), and the durations below represent the approximate total time of acquisition.

1)	TOD, Mapping	2 years
2)	Obtain Title & Appraisals	2 years
3)	Negotiations	4 years
4)	Closing	2 years
5)	Eminent Domain Proceedings	6 years

Localized Storm Surge Risk Reduction (Structure Elevation and Flood Proofing Measures) – Acquisition Schedule

There will be an acquisition of an interest in real estate contained within the flood proofing agreements for the flood proofing measures proposed to address individual residential and non-residential structures. This interest in real estate will represent a covenant running with the land. An Agreement will be executed between the NFS and approximately 23 landowners and will be recorded in the Conveyance Records of the Parish in which the structure is located. The following schedule represents the estimated duration of tasks relating to construction of the elevations/commercial flood proofing measures:

Applications for structure elevation or commercial flood proofing	3 months
Title research	3 months
Appraisals	3 months
HTRW Site Inspections	3 months
Landowner/Contractor Negotiations	6 months
Negotiation of Flood Proofing Agreement	6 months
Execution of Flood Proofing Agreement	2 months
Filing Flood Proofing Agreement	2 months

XV. FACILITY/UTILITY RELOCATIONS

Relocation data is collected and detailed by the USACE New Orleans District, Engineering Division, Design Services Branch Relocations Team. There are an estimated 36 pipelines that will require relocation in the implementation of the recommended plan. These pipelines will be relocated within existing Right-of-Way or levee Right-of-Way. A preliminary list of pipeline relocations is included as Table 3 below (for reference, map of relocations is located in Annex E). “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 LERRD 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.”

The estimated cost of pipeline relocations is \$19,198,000. These costs are 100% borne by the Non-Federal Sponsor. Real Estate Guidance issued for 3x3x3 studies indicates that if the costs of relocation of facilities and utilities is less than 30% of project costs, a preliminary compensable interest report need not be prepared. Because the estimated cost of relocations does not exceed 30% of total project cost, an Attorney’s Preliminary Opinion of Compensable Interest was not prepared for this project.

Table 3 below contains a list of the pipeline relocations and anticipated construction costs. These costs are reflected as relocations (02-Relocations) within the project cost certification. This information will be reviewed during PED, and a Final Attorney’s Opinion of Compensability will be prepared prior to execution of the PPA. Until that opinion is prepared, the compensability of the facility/utility is unknown.

Table 3: Pipeline Relocations

West Shore Lake Pontchartrain, LA Hurricane Protection Project
 Alignment C (Pipeline Avoidance) Pipeline Crossings
 30% Contingency

COMPANY	PRODUCT	SIZE	MII COSTS
MARATHON ASHLAND PIPELINE LLC	CRUDE OIL	30"	\$727,289
SHELL PIPELINE COMPANY	REFINED PRODUCTS LINE	24"	\$696,083
	GAS	24"	\$696,223
ST. JOHN THE BAPTIST PARISH POTABLE WATER	TRANSMISSION LINE	24"	\$696,083
SHELL PIPELINE COMPANY LP	AREA WIDE MAINTENANCE	24"	\$696,223
MARATHON ASHLAND PIPELINE LLC	PETROLEUM PRODUCT	20"	\$636,218
WILPRISE PIPELINE COMPANY	PIPELINE	12.75"	\$463,882
SOUTHERN STATES PIPELINE COMPANY	GAS	12.75"	\$463,882
WILPRISE PIPELINE COMPANY	NATURAL GAS LIQUID	12"	\$463,882
SHELL PIPELINE COMPANY LP	PIPELINE AREA WIDE MAINTENANCE	12"	\$463,882
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AIR PRODUCTS	HYDROGEN DUPONT MAINLINE	12"	\$672,761
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GULF INTERSTATE / BIG THREE INDUSTRIES	NITROGEN	12"	\$672,761
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SORRENTO PIPELINE COMPANY	PIPELINE	8"	\$448,377
ENTERPRISE - WILPRISE	NGL PROPANE	6.629"	\$433,219
BRIDGELINE GAS DISTRIBUTION LLC	BUTANE	6"	\$433,219
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ENTERPRISE PIPELINE COMPANY	LIQUIFIED PETROLEUM GASES (PROPANE)	6"	\$433,219
LIG	GAS	4"	\$421,624
SHELL OIL COMPANY	EPSILON ETHYLENE CONNECTION	4"	\$421,624
SHELL PIPELINE COMPANY LP	EXISTING PIPELINE MAINTENANCE	4"	\$421,624
I.P. PETROLEUM COMPANY	PIPELINE	4"	\$421,624
TOTAL			\$19,197,927

A separate Relocations Report, containing relocations costs, will be submitted as a reference to the Engineering Appendix. Maps of potential relocations can be referenced in that appendix. Those relocation costs represent a preliminary level of design and will be further refined during the development of the project P&S.

The NFS will perform these relocations as a part of its responsibility under the project authority. The conclusions contained herein are preliminary only. The USACE 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 the Final Attorney’s Opinion of Compensability for each of the impacted utilities and facilities.

XVI. HAZARDOUS, TOXIC AND RADIOACTIVE WASTE (HTRW)

A Phase I Environmental Site Assessment was conducted in February, 2014. The assessment cautioned that oil and gas pipelines must be observed to avoid damaging any pipelines traversing the Project area, but found no leaks or other problems associated with these facilities. The assessment found that there is a low probability of encountering HTRW, and recommended no further investigation.

For the non-structural home elevations, an HTRW assessment will be performed on each individual structure prior to elevation. If the findings indicate that there are HTRW issues, the NFS and homeowner will be required to remediate prior to commencement of construction. The costs of remediation will not be a Federal responsibility, and will not be creditable to the NFS.

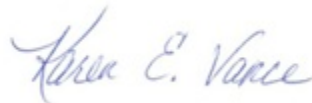
XVII. LANDOWNER CONCERNS

The overall Project has received support from the community; however, the attitudes of the landowners who will be directly affected by its construction is not known. Public comments have reflected dissatisfaction with the selection of Alignment C (and were more in favor of Alignment D), and have indicated that landowners in St. James Parish are dissatisfied with the recommendation of Localized Storm Surge Risk Reduction project features in that area. The NFS is confident that it will be able to acquire the LERRDS required for the project.

XVIII. NFS RISK NOTIFICATION

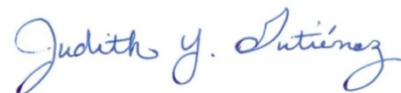
In accordance with the requirements of ER 405-1-12, Chapter 12, Real Estate Roles & Responsibilities for Civil Works: Cost Shared and Full Federal Projects, CPRAB has been notified in writing of the risks of acquiring LERRDs before execution of the PPA. A copy of the letter sent to the Sponsor is included in Annex F.

Prepared By:



Karen E. Vance
Realty Specialist, Planning & Appraisal Branch
Real Estate Region South Division
November 19, 2014

Recommended for Approval By:

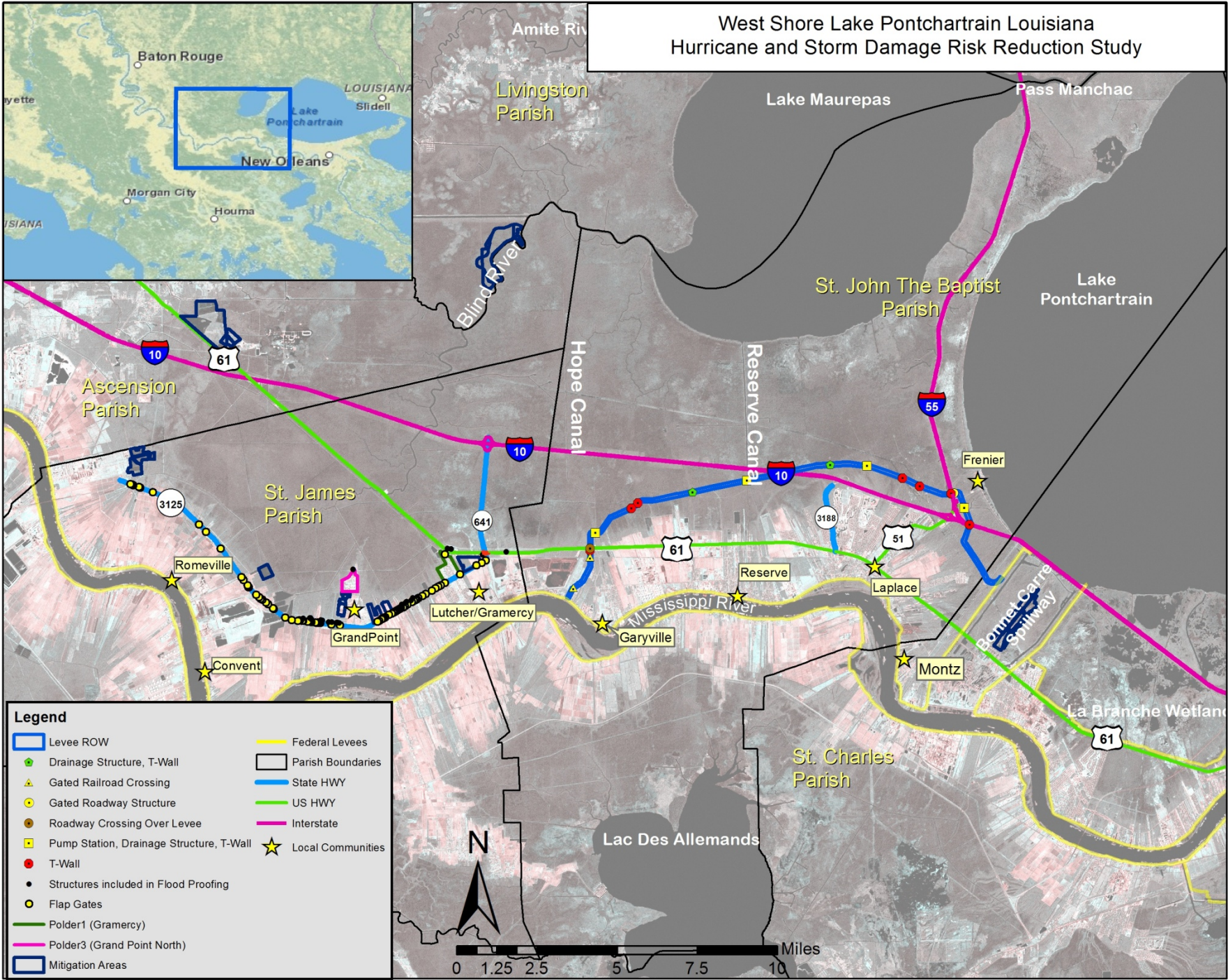


Judith Y. Gutierrez
Chief, Appraisal & Planning Branch
Real Estate Region South Division
November 19, 2014

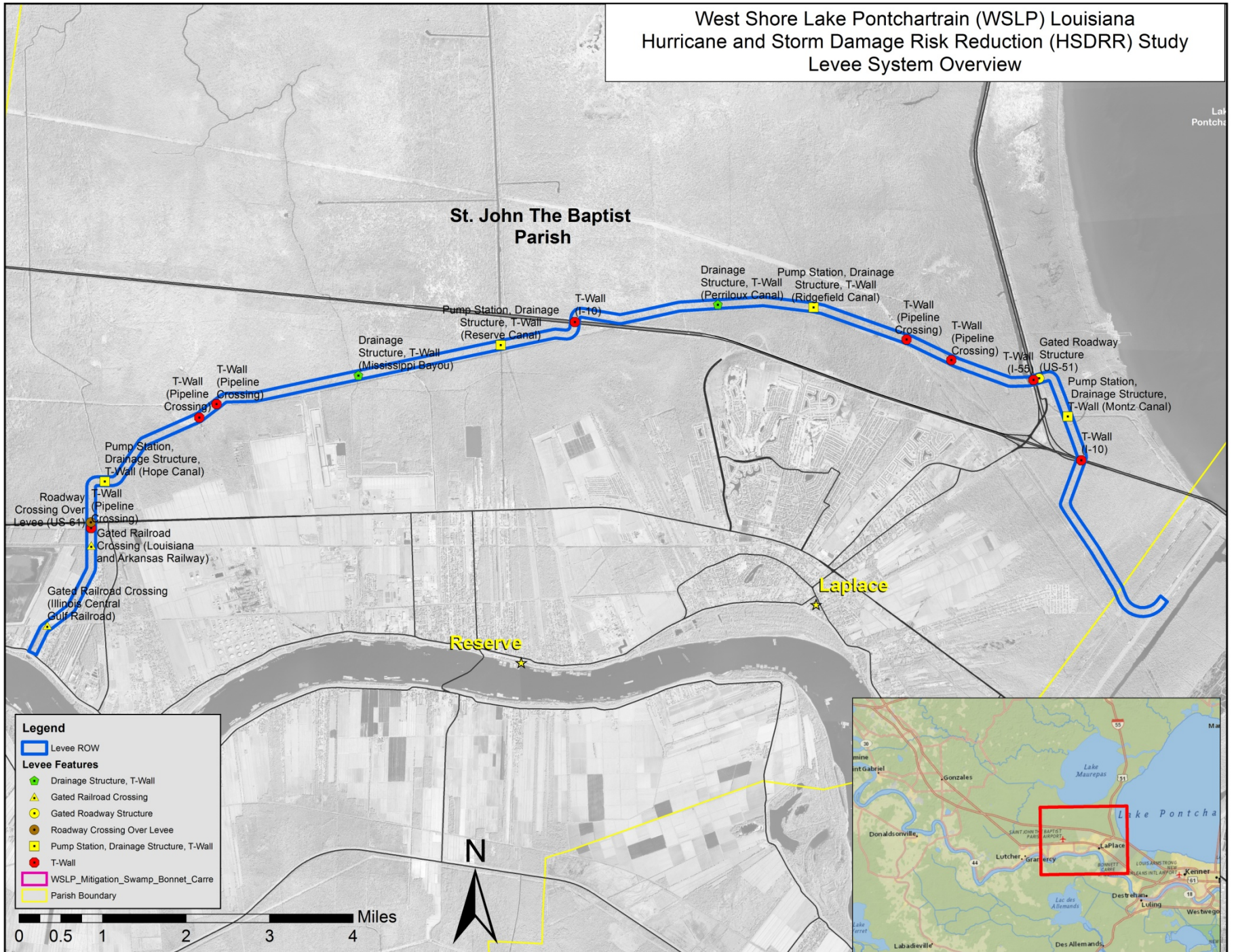
**WEST SHORE LAKE PONTCHARTRAIN
HURRICANE AND STORM DAMAGE RISK REDUCTION STUDY
FINAL INTEGRATED FEASIBILITY REPORT
AND
ENVIRONMENTAL IMPACT STATEMENT**

**APPENDIX C
ANNEX A
PROJECT MAPS**

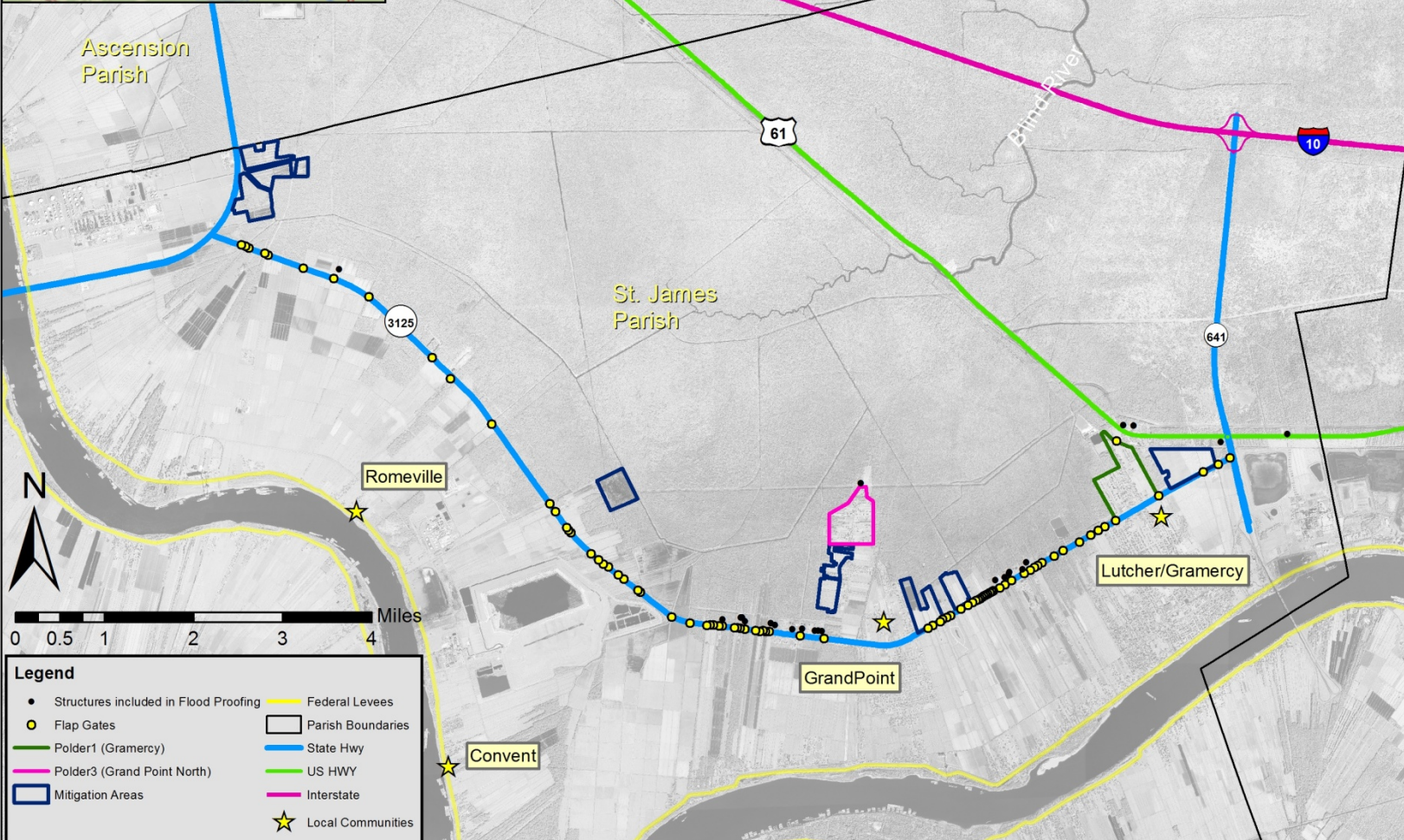
West Shore Lake Pontchartrain Louisiana Hurricane and Storm Damage Risk Reduction Study



West Shore Lake Pontchartrain (WSLP) Louisiana Hurricane and Storm Damage Risk Reduction (HSDRR) Study Levee System Overview

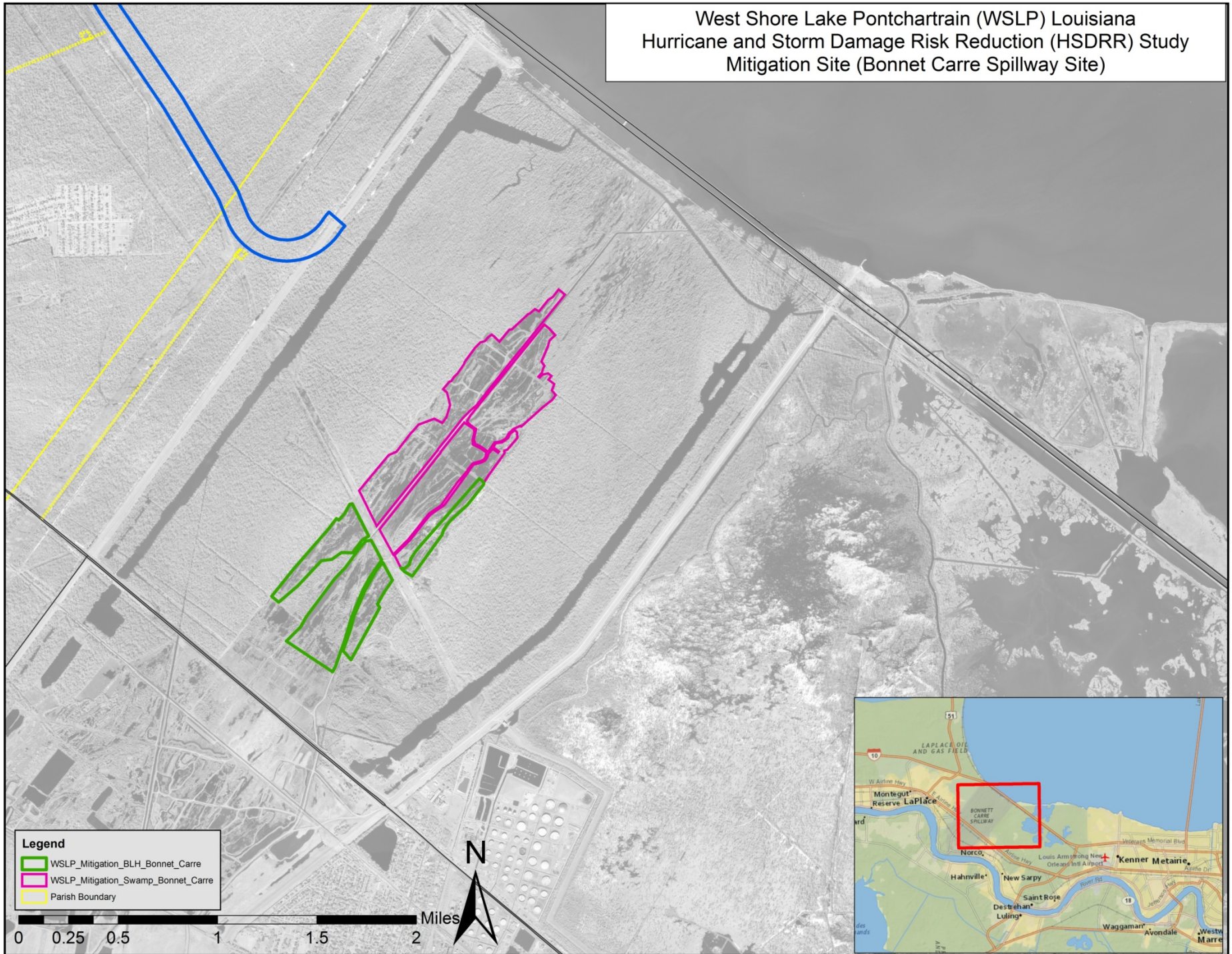


West Shore Lake Pontchartrain Louisiana
Hurricane and Storm Damage Risk Reduction Study

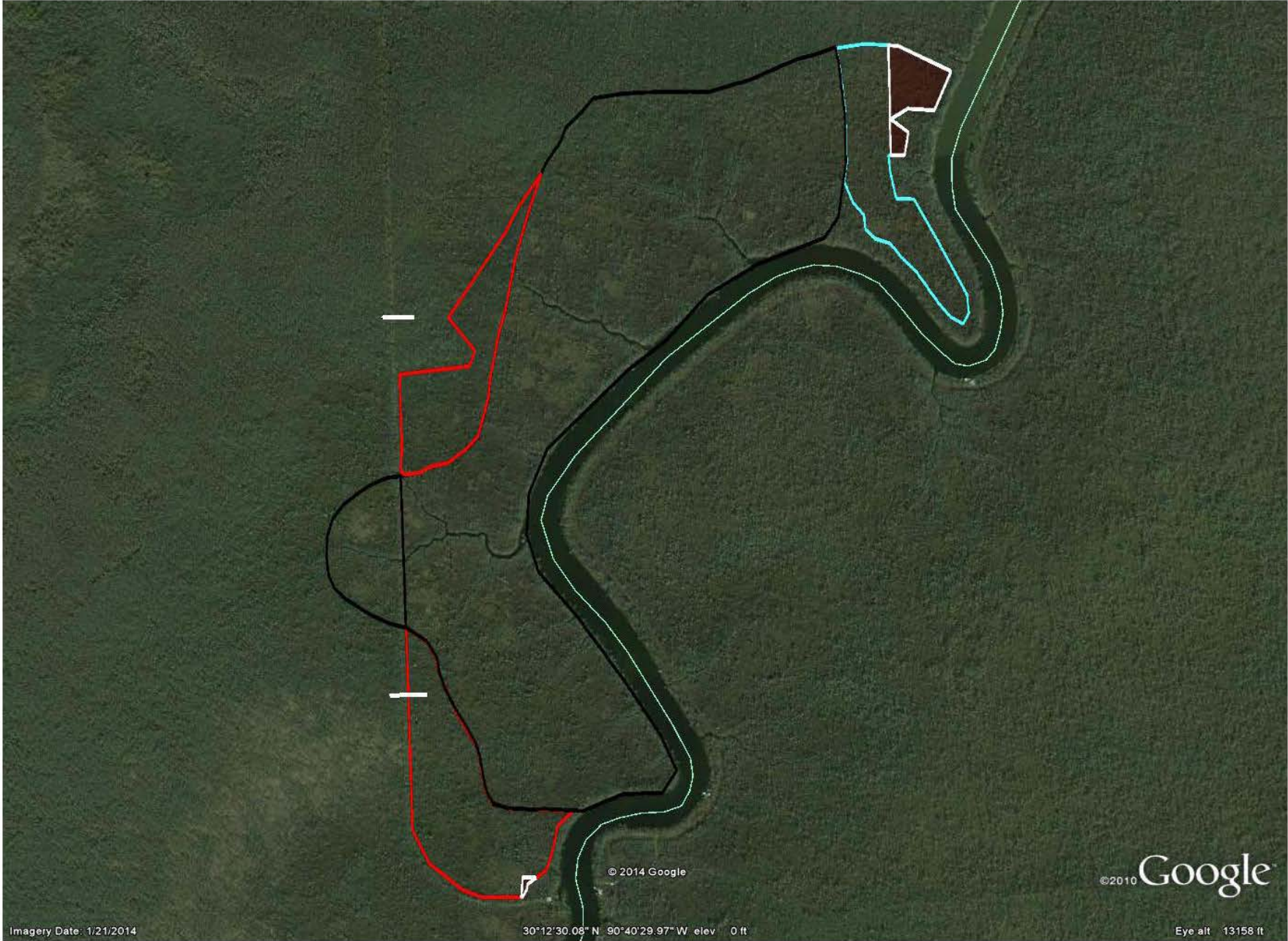


Legend	
• Structures included in Flood Proofing	— Federal Levees
● Flap Gates	▭ Parish Boundaries
— Polder1 (Gramercy)	— State Hwy
— Polder3 (Grand Point North)	— US HWY
▭ Mitigation Areas	— Interstate
★ Local Communities	

West Shore Lake Pontchartrain (WSP) Louisiana
Hurricane and Storm Damage Risk Reduction (HSDRR) Study
Mitigation Site (Bonnet Carre Spillway Site)



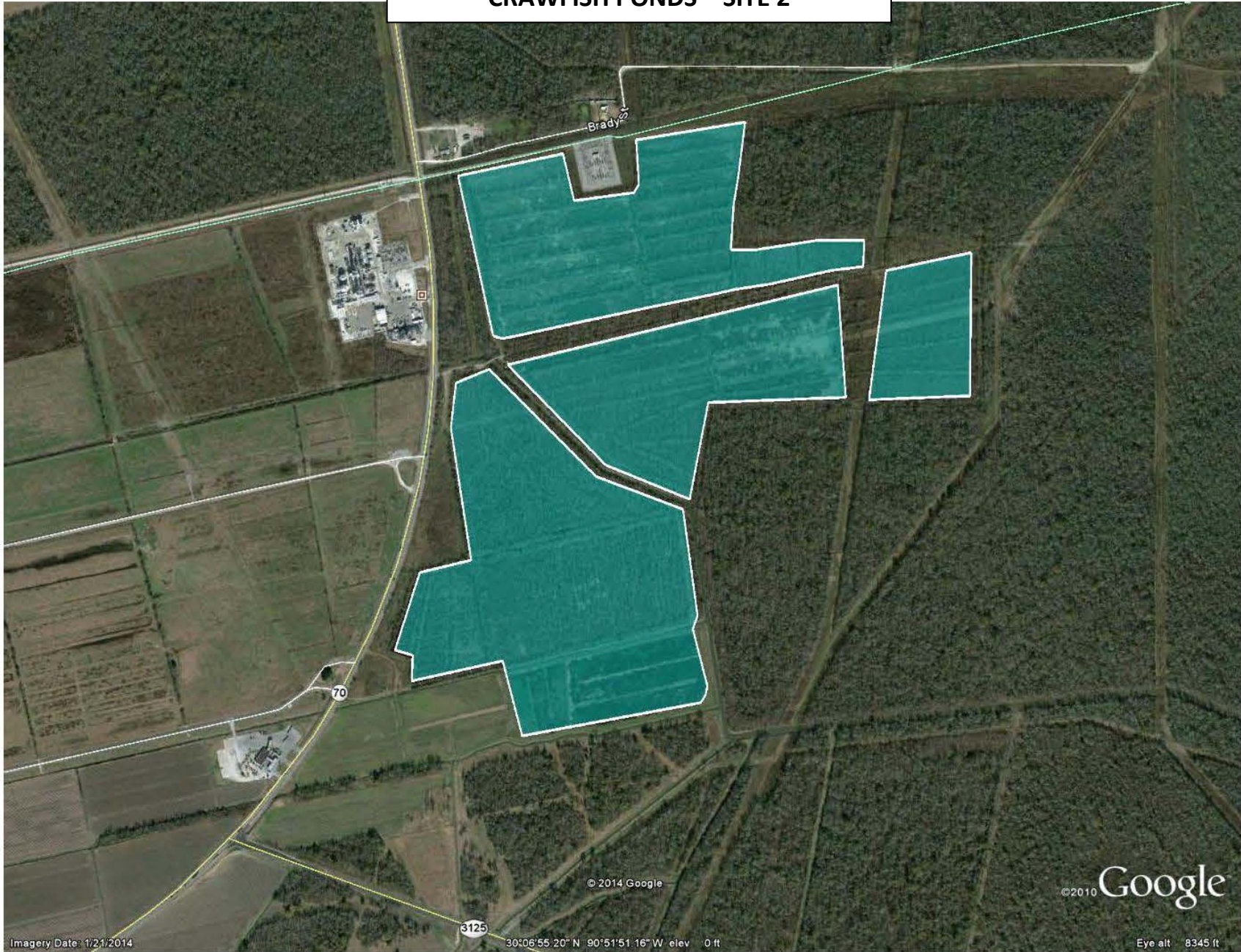
BLIND RIVER MITIGATION



**MAUREPAS SWAMP MITIGATION FROM
CRAWFISH PONDS – SITE 1**



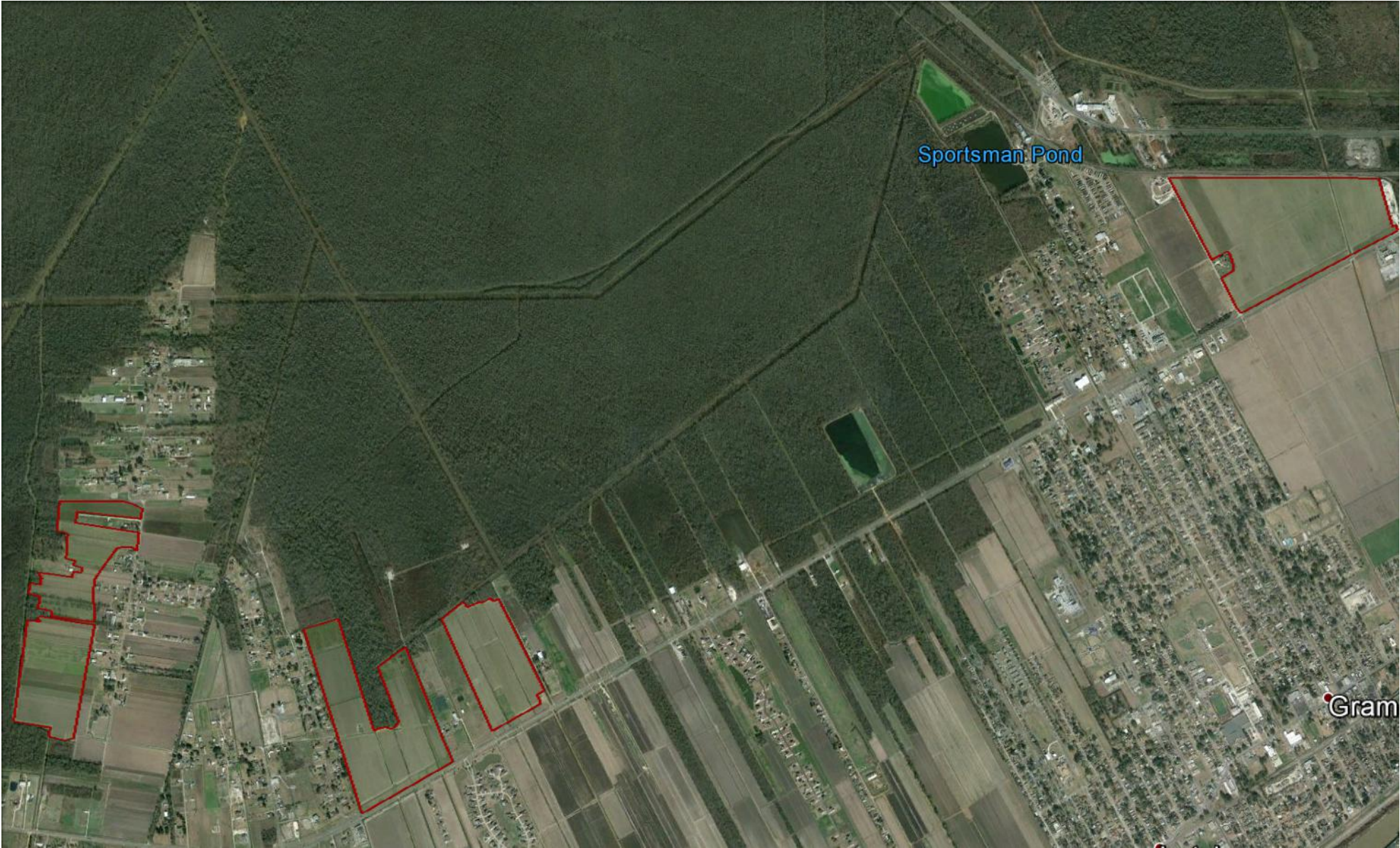
**MAUREPAS SWAMP MITIGATION FROM
CRAWFISH PONDS – SITE 2**



**MAUREPAS SWAMP MITIGATION FROM
CRAWFISH PONDS – SITE 3**



LUTCHER POLDER FARMLAND



**WEST SHORE LAKE PONTCHARTRAIN
HURRICANE AND STORM DAMAGE RISK REDUCTION STUDY
FINAL INTEGRATED FEASIBILITY REPORT
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ENVIRONMENTAL IMPACT STATEMENT**

**APPENDIX C
ANNEX B
ASSESSMENT OF NON-FEDERAL SPONSOR'S
ACQUISITION CAPABILITY**

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

**COASTAL PROTECTION AND
RESTORATION AUTHORITY ("CPRA"), IMPLEMENTATION ARM OF THE
COASTAL PROTECTION AND RESTROATION AUTHORITY BOARD
("BOARD")**

I. Legal Authority:

- a. Does the sponsor have legal authority to acquire and hold title to real property for project purposes? **NO, however, CPRA, the implementation and enforcement arm of the Board, has the ability to acquire, own, administer, alienate, and otherwise dispose of all kinds of property, movable and immovable, corporeal and incorporeal for projects authorized by the CPRA Board. (RS 49:214.6.2)**
- b. Does the sponsor have the power of eminent domain for this project? **YES. Through CPRA, the implementation arm of the Board, the Sponsor does have conventional eminent domain authority under RS 49:214.6.2(D)(2) and RS 19:2.**
- c. Does the sponsor have "quick-take" authority for this project? **NO. CPRA, the implementation and enforcement arm of the Board, does not have quick take authority however, should this be needed for the project, CPRA or the CPRA Board may partner with a Levee District or Parish Government which has that authority pursuant to La. R.S. 38:301.1, La. R.S. 49:214.5.2(7) and (11) , and 49:214.6.2(D)(1) and (2), pursuant to an intergovernmental agreement.**
- 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? **Unknown at this time however, there are rail roads located in the vicinity of the project.**

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? **N/A**
- 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 workload, if any, and the project schedule? **Not at this time. However, CPRA has numerous contracts in place**

- e. Can the sponsor obtain contractor support, if required in a timely fashion? **YES, contracts are in place now.**
- f. Will the sponsor likely request USACE assistance in acquiring real estate? **It is not likely that the Sponsor will request assistance.**

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? **At the feasibility level, there are too many unknowns to develop a definite project schedule. Once project designs are finalized, the CPRA will be requested to provide an acquisition schedule.**

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. **Highly capable.**

V. Coordination:

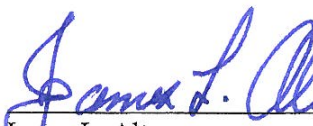
- a. Has this assessment been coordinated with the sponsor? **YES**
- b. Does the sponsor concur with this assessment? **YES**

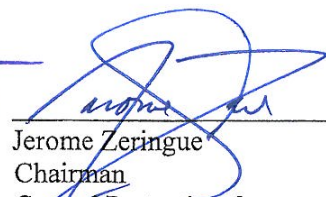
Prepared by:

Approved by:

Approved by:


 Karen E. Vance
 Realty Specialist
 Appraisal & Planning Branch
 Real Estate Region South Division
 USACE


 James L. Altman
 Land Manager
 Legal/Real Estate Division
 Coastal Protection &
 Restoration Authority


 Jerome Zeringue
 Chairman
 Coastal Protection &
 Restoration Authority Board

6/16/14
 Date

6-17-14
 Date

6-19-2014
 Date

**WEST SHORE LAKE PONTCHARTRAIN
HURRICANE AND STORM DAMAGE RISK REDUCTION STUDY
FINAL INTEGRATED FEASIBILITY REPORT
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**APPENDIX C
ANNEX C
NON-MATERIAL DEVIATION FROM
STANDARD ESTATE
TEMPORARY ACCESS EASEMENT
&
PERPETUAL ACCESS EASEMENT**

TEMPORARY ACCESS EASEMENT

A non-exclusive and assignable temporary easement for a period not to exceed ____ years beginning with date possession of the land is granted to the Coastal Protection and Restoration Authority Board (CPRAB), for use by the CPRAB, its representatives, agents, and contractors as an access route and/or right-of-way in, on, over and across (the land described in Schedule A) (Tracts Nos. _____, _____ and _____); 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, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired, including the right to cross over the right-of-way as access to their adjoining land; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

In accordance with paragraph 12-9 c. of ER 405-1-12, the District Chief of Real Estate may approve a non-standard estate if it serves the intended project purpose, substantially conforms with and does not materially deviate from a corresponding standard estate, and does not increase the costs or potential liability of the Government. The foregoing estate complies with those requirements as it achieves the project purpose in as narrow a manner as practical, and is a minor modification of the standard Road Easement, adding language for a temporary term and replacing the word "road" with the words "access route" and/or "right of way".

Reviewed by:



Marco Rosamano
Assistant District Counsel
New Orleans District

Approved by:



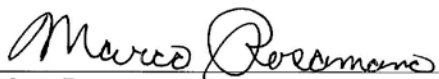
Linda Labure
Chief, Real Estate Division
New Orleans District

PERPETUAL ACCESS EASEMENT

A perpetual non-exclusive and assignable easement for use by the Coastal Protection and Restoration Authority Board (CPRAB), for use by the CPRAB, its representatives, agents, and contractors as an access route and/or right-of-way in, on, over and across (the land described in Schedule A) (Tracts Nos. _____, _____ and _____); 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, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired, including the right to cross over the right-of-way as access to their adjoining land; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

In accordance with paragraph 12-9 c. of ER 405-1-12, the District Chief of Real Estate may approve a non-standard estate if it serves the intended project purpose, substantially conforms with and does not materially deviate from a corresponding standard estate, and does not increase the costs or potential liability of the Government. The foregoing estate complies with those requirements as it achieves the project purpose in as narrow a manner as practical, and is a minor modification of the standard Road Easement, adding language for a perpetual term and replacing the word "road" with the words "access route" and/or "right of way".

Reviewed by:



Marco Rosamano
Assistant District Counsel
New Orleans District

Approved by:



Libda Labure
Chief, Real Estate Division
New Orleans District

**WEST SHORE LAKE PONTCHARTRAIN
HURRICANE AND STORM DAMAGE RISK REDUCTION STUDY
FINAL INTEGRATED FEASIBILITY REPORT
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ENVIRONMENTAL IMPACT STATEMENT**

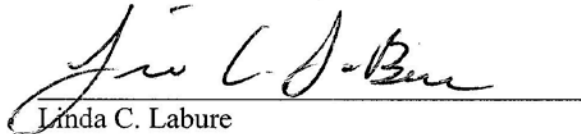
**APPENDIX C
ANNEX D
NON-MATERIAL DEVIATION FROM
STANDARD ESTATE
FLOOD PROTECTION BERM EASEMENT**

FLOOD PROTECTION BERM EASEMENT

A perpetual and assignable right and easement in (the land described in Schedule A) (Tracts Nos, _____, _____ and _____) to construct, maintain, repair, operate, patrol and replace a flood protection berm, including all appurtenances thereto; reserving, however, to the owners, their heirs and assigns, all such rights and privileges in the land 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.

In accordance with paragraph 12-9 c. of ER 405-1-12, the District Chief of Real Estate may approve a non-standard estate if it serves the intended project purpose, substantially conforms with and does not materially deviate from a corresponding standard estate, and does not increase the costs or potential liability of the Government. The foregoing estate complies with those requirements as it achieves the project purpose in as narrow a manner as practical, and is a minor modification of the standard Flood Protection Levee Easement, replacing the words "levee, floodwall, gate closure, sandbag closure" with the word "berm".

Approved by:



Linda C. Labure
New Orleans District, Chief
Real Estate Region South Division

**WEST SHORE LAKE PONTCHARTRAIN
HURRICANE AND STORM DAMAGE RISK REDUCTION STUDY
FINAL INTEGRATED FEASIBILITY REPORT
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APPENDIX C

ANNEX E

FACILITY/UTILITY RELOCATIONS



West Shore Lake Pontchartrain, LA Hurricane Protection Project

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30% Contingency

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**WEST SHORE LAKE PONTCHARTRAIN
HURRICANE AND STORM DAMAGE RISK REDUCTION STUDY
FINAL INTEGRATED FEASIBILITY REPORT
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APPENDIX C

ANNEX F

RISK LETTER



DEPARTMENT OF THE ARMY
REAL ESTATE REGION SOUTH DIVISION, CORPS OF ENGINEERS
NEW ORLEANS DISTRICT REAL ESTATE OFFICE
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

REPLY TO
ATTENTION OF

Real Estate Division
Appraisal & Planning Branch

Mr. Jerome Zeringue, Chairman
Coastal Protection and Restoration
Authority Board
P. O. Box 44027
Baton Rouge, LA 70804-4027

Dear Mr. Zeringue:

As you are aware, the West Shore Lake Pontchartrain Hurricane Storm Damage Risk Reduction Study is near complete. The Final Integrated Feasibility Report is scheduled to be complete in December 2014. The report contains preliminary right-of-way maps, which may change once the detail design of the project is completed. For this reason, in accordance with Corps of Engineers Regulation 405-1-12, Chapter 12, dated May 1, 1998, we are hereby formally advising you of the risks associated with acquisition of real estate rights prior to signing of the Project Partnership Agreement (PPA) and receiving a request from our agency for right of entry for construction.

Should you decide to proceed with acquisition of realty interests needed for construction of the subject project prior to our request for such efforts, you will assume full and sole responsibility for any and all costs, responsibility, or liability arising out of such efforts. Generally, these risks include, but may not be limited to the following:

- a. The CPRAB may acquire interests or estates that are later determined by the Government to be inappropriate for the project, thus incurring costs, which may not be creditable under the provisions of Public Law 99-662.
- b. The CPRAB may incur liability and expense by virtue of its ownership of contaminated lands, or interests therein, whether such liability should arise out of local, state, or Federal laws or regulations, including liability arising out of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended.
- c. The CPRAB may initially acquire insufficient or excessive real property acreage which may result in additional negotiations and/or benefit payments under Public Law 91-646, as amended, as well as the payment of additional fair market value to affected landowners which could have been avoided by delaying acquisition until after the report

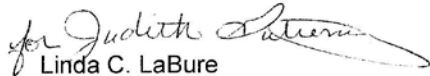
is approved for any land, easements, and rights-of-way, and the performance of relocations and disposals (LERRD).

d. The CPRAB may incur costs or expenses in connection with its decision to acquire LERRD in advance of the executed PPA and the Government's Notice to Proceed, which may not be creditable under the provisions of Public Law 99-662, or the PPA.

However, should you decide to proceed with acquisition of real estate interests, you are hereby notified that acquisition activities must conform to Public Law 91-646, The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. The Uniform Act describes the rights of landowners impacted by a federally funded project and the responsibilities of government agencies performing acquisition of real estate interests for such projects. Furthermore, in order to ensure that you receive the maximum possible credit once the project alignment is finalized, we suggest that you send for our review the résumé and proposed fees of your intended contractors as well as the following real estate products once completed: ownership plat and legal descriptions, appraisal reports, title reports, proposed negotiated settlements, and relocations assistance payments, if applicable.

If you have questions regarding the acquisition and crediting process, please call Judith Gutierrez, Chief Appraiser at (504) 862-2575 or Todd Klock, Chief, Local Sponsor Acquisition Branch at (504) 862-1920.

Sincerely,


Linda C. LaBure
District Chief of Real Estate, New Orleans
Real Estate Region South Division
Real Estate Contracting Officer