

REAL ESTATE PLAN

1. **General.** This Plan contains information that is tentative in nature for planning purposes only. The final real property acquisition lines and the estimate of value are subject to change even after approval of the Project Management Plan. All plates and exhibits referred to are within this Plan.

2. **Purpose.** The purpose of this Real Estate Supplement (RES) is to present the overall plan describing the minimum real estate requirements and costs for the Industrial Canal Lock Replacement Study. Again, this report is tentative in nature for planning purposes only, and the estimates of value are subject to change even after approval of this supplement.

3. **Project Information.**

a. **Project Authorization.** The authority for replacement of the existing Industrial Canal lock is the River and Harbor Act of 1956, Public Law (PL) 84-455. The authorizing legislation provided, "...that when economically justified by obsolescence of the existing Industrial Canal lock or by increased traffic, replacement of the existing lock or an additional lock with suitable connections is hereby approved to be constructed...with type, dimensions, and cost estimates to be approved by the Chief of Engineers..."

The Water Resources Development Act (WRDA) of 1986, Public Law 99-662, 5844, authorized use of trust funds for the new lock. The Act also provides that the lock and connecting channels shall be in the area of the existing lock or at the Violet Site. Maximum effort to assure full participation of minority groups living in the area of the construction is also included in the Act.

b. **Designation and Location.** The designated name of the project is the "Mississippi River Gulf Outlet, New Lock and Connecting Channels, (Industrial Canal Lock Replacement), North of Claiborne Avenue Site." Subject project is located in Orleans Parish, Louisiana.

4. Description of the Project. The existing lock is located in the southeastern portion of Louisiana, east of the Mississippi River, along the Inner Harbor Navigation Canal (Industrial Canal or IHNC) within the city of New Orleans. It is a major link in the Gulf Intracoastal Waterway System (GIWW), an inland navigation channel connecting ports along the Gulf of Mexico from Brownsville, Texas to Apalachicola Bay, Florida. It is also a deep draft connection between the Mississippi River and the Mississippi River - Gulf Outlet (MRGO), another deep draft channel extending southeasterly from the city of New Orleans to the Gulf of Mexico (approximately 76 miles). This facility is located in the midst of densely populated, established neighborhoods. These neighborhoods are among the oldest in New Orleans, and include two historic districts, Bywater and Holy Cross, which are listed on the National Register of Historic Places.

The project consists of replacing the existing lock in the Inner Harbor Navigation Canal (IHNC) located in the southeasterly portion of the city of New Orleans known as the Ninth Ward. In part, the IHNC is a link from the Mississippi River to the GIWW system for shallow-draft traffic and to the MRGO for deep-draft traffic. The existing lock is dimensionally inadequate to handle existing traffic. Delays average between 10 and 15 hours during normal river and tide conditions and extend up to 36 hours during periods of large head differential.

The existing lock will be replaced with a 36 foot deep draft lock. The lock will be prefabricated in a graving site located approximately ten miles northeast and then floated to the lock site. The Board of Commissioners for the Port of New Orleans (Dock Board) and the U.S. Government are the fee owners for all required right-of-way. The U.S. Government portion lies at the existing lock site. The NED recommended plan was to construct a shallow draft lock. The Port of New Orleans requested a 110-foot by 1,200-foot lock with a depth of 36 feet NGVD to accommodate ship traffic and agreed to pay the difference in the cost of the larger lock and the NED size. There are no significant impacts of the larger lock relative to the NED lock size. The larger ship lock was therefore selected as the tentatively selected plan. The value of the portion of the Board of Commissioners ownership required for right-of-way will be applied to its required contribution.

The new structure will be a prefabricated, concrete, float-in lock seated on a prepared soil foundation. Dimensions will be 110 feet by 900 feet. Maximum capacity for this lock would be three vessels (barges) wide by four vessels long. The lock will be constructed on the channel located north of the existing lock. The center line of the new lock is designed 40 feet west of the centerline of the existing lock in order to accommodate mooring limits north of Florida Avenue. The lock will be operated from control consoles located at both ends on the east and west lock walls. Approximately 1.55 acres of existing channel will be acquired in fee to construct the lock. The rest of the lock right-of-way is located in land where the Federal Government owns a perpetual channel easement. Two 110-foot wide bypass channels will be constructed east of the new lock to be used during construction of the new lock. Tugs will be stationed at the north and south protection cells to guide vessels through these channels.

The transit bypass channel will be for northbound traffic and the laying bypass channel will be for southbound traffic. Approximately 10.1 acres of state-owned existing channel easement and 9.4 acres of state-owned industrial land will be acquired to construct these channels under a perpetual levee, floodwall, and channel easement.

A demolition phase bypass channel will be constructed between the Mississippi River and the north end of the existing lock. The channel will be a one-way shallow draft channel. This channel will be open for approximately 18 to 24 months while the existing lock is demolished. The channel will be constructed on Government-owned land and state-owned land.

Once the existing lock is demolished, mooring areas will be placed in that area. The project includes six mooring areas between St. Claude Avenue and Claiborne Avenue.

The non-contaminated material dredged to build the channels will be disposed in an existing MRGO disposal site located in Orleans Parish. The material will be transported by pipeline from the lock/channel site to the disposal site. Approximately 11.5 acres will be acquired for the pipeline easement and 240 acres will be acquired for a disposal site. The contaminated dredged material will be disposed in a commercial site that handles such wastes;

this cost is a project cost, not a real estate cost.

The Mississippi River flood protection levees and floodwalls for this project must be extended from the existing lock northerly approximately 2500 feet on the east and west banks to tie into the new lock. The existing hurricane protection floodwall on the east bank is a concrete-capped I-wall with top elevation 14.0 feet NGVD. The west bank floodwall is a concrete T-wall with top elevation 15.0 feet NGVD. The existing hurricane protection floodwalls will serve as hurricane flood protection during project construction, but will be selectively demolished as required to construct the new Mississippi River levee/floodwall to elevation 22.4 feet NGVD.

Three existing movable bridges are located on the Industrial Canal between the Mississippi River and the Mississippi River-Gulf Outlet: Florida Avenue, Claiborne Avenue, and St. Claude Avenue. The Florida Avenue bridge is not included in this project. However, prior to construction of this project, the Louisiana Department of Transportation and Development will replace this bridge with a four-lane, high rise bridge with clearance that meets U.S. Coast Guard requirements.

As a result of higher water elevations when the new lock is constructed, the Claiborne Avenue bridge superstructure will be replaced with a similar type four lane, mid-level, vertical lift span bridge. The existing bridge piers will be retrofitted and reused. The towers, as well as the center piece, will be constructed off site and brought in. The plan is to have a temporary closure of the Claiborne Avenue bridge for a 2-3 week period in order for all the required construction to be completed. Right of entry will be required from the Louisiana Department of Transportation and Development.

The existing St. Claude Avenue bridge will be replaced to meet U.S. Coast Guard requirements. It will be replaced with a low-level, double bascule bridge. All work for the new bridge will be done within existing rights-of-way. The new bridge will give priority to navigation traffic (no curfews); vehicular traffic will not receive benefits. The bridge is expected to be opened twelve times per day. The bridge was designed as such because neighborhood interests preferred not to have a mid-level or high-level bridge to be built. In addition to the construction of the

new bridge, there will be a temporary detour bridge constructed adjacent to the St. Claude bridge. Right of entry will be required for 2.0 acres of temporary construction rights-of-way from the city of New Orleans. The temporary bridge at this location was added to the project and designed to alleviate traffic congestion in the area and minimize residential and business disruptions.

The bridges will not be replaced concurrently. However, as part of the community impact mitigation plan being recommended as part of the lock project (refer to Volume 2 of 8, Appendix A, of the main report), detour routes have been included to compensate for the 2-3 week closure at Claiborne Avenue Bridge, as well as the delays that could arise from the construction at St. Claude Avenue. The traffic that would normally access one or the other of these two bridges would have the following options: diverting to the new Florida Avenue bridge; in the west, traffic can use existing roads; in the east, traffic can detour through existing roads or use a new road that will be constructed in St. Bernard Parish.

5. Locations of Work.

a. Lock Replacement and Channel. The lock and channel right-of-way is located within the city limits of New Orleans approximately three miles easterly of the Central Business District (CBD). The required right-of-way property is within the vicinity of the IHNC channel. It is bounded by the Mississippi River on the south, the Florida Avenue Bridge on the north, Jourdan Avenue on the east, and Manuel Street and the New Orleans Public Belt Railroad right-of-way on the west. Within this area, the Government has previously acquired fee and perpetual channel right-of-way as part of the current lock system. See Plate 1 "General Plan."

b. Dredge Material Disposal Pipeline; Disposal Area; and Mitigation Area. The required right of way for the pipeline is existing levee rights-of-way located within the city limits of New Orleans, approximately three miles easterly of the CBD, beginning one mile north of the proposed lock site. The pipeline crosses Florida Avenue under the road and continues north along the levee. The site is bounded by Florida Avenue, the back protection levee, and a marsh area. The required right-of-way

for the disposal and mitigation areas is in the same general location as the pipeline disposal, with the disposal area consisting of 240 acres and situated between the MRGO/GIWW and the Main Outfall Canal, and the mitigation area consisting of 137 acres, being situated south of the Main Outfall Canal and north of Florida Avenue. See Plate 3 "Disposal & Mitigation Sites."

c. Detour Road. The right-of-way is located in two parishes, St. Bernard and Orleans. In St. Bernard, the right-of-way is located between St. Bernard Highway and the back protection levee approximately 1/2 mile west of Jean Lafitte Drive. In Orleans, the right of way is located at the end of Florida Avenue near the Orleans/St. Bernard parish line, a railroad right-of-way, a waste disposal site, and a residential neighborhood. The part of the right-of-way located in Chalmette (St. Bernard Parish) is one of the few large tracts of undeveloped land in Chalmette. See Plate 2 "Detour Roads."

d. Temporary Work Areas. The proposed temporary work areas consist of a batch plant/stock pile area; a parking area; work dock; a graving site, detour bridge.

The right-of-way for the batch plant/stock pile area consists of 2.81 acres located adjacent to Kentucky Street, Orleans Parish, southwest of the new lock site. The subject is undeveloped and is overtaken with trees and underbrush.

The right-of-way for the parking area consists of 0.6-acre triangular area located between the Japonica Street, the IHNC floodwall, and a railroad spur. The subject is a cleared grassy area.

The right-of-way for the work dock consists of a 60' x 400' section of the existing Galvez Street Wharf dock located on the west side of the existing lock channel, Orleans Parish.

The right-of-way for the graving site, excess material stockpile area, and staging area consists of 106 acres of designated wetlands. (See Plate 4 "Graving Site") This easement will be acquired to realign the levee and to excavate a slip in which the concrete lock will be constructed in segments and then floated to the lock site. The property is located in St. Bernard Parish, bounded on the north by Almonaster Avenue Ext. and Old

Gentilly Highway, the south by the existing Mississippi River Gulf Outlet (MRGO) levee, on the east by Paris Road Bridge, and on the west by Grant Avenue, Woodland Heights Subdivision. There are no relocations in the area.

The right-of-way necessary for the construction of the temporary bridge at St. Claude Avenue consists of 2.0 acres located immediately north of the current St. Claude Avenue bridge. Of the 2.0 acres, 0.78-acre consists of city streets; 0.17-acre consists of New Orleans Public Belt Railroad right-of-way; and 1.05 acres consists of undeveloped land. There are no relocations in the area. The temporary bridge will be disassembled once the permanent St. Claude Avenue bridge is completed, which is estimated to take approximately two years.

6. **Proposed Estates and Acreages.** An estimated 1298.84 acres of land and water bottoms is required for the project. The following is a breakout by estate:

a. A **Fee Excluding Minerals** estate will be acquired over 5.50 acres to construct the lock structure and 137 acres will be acquired for mitigation. Of the 5.50 acres, 3.95 acres are encumbered with a Federal channel easement for the existing INC. The estate is the standard as set forth in the Real Estate Handbook. See Exhibit A for a description of the estate.

b. A **Perpetual Levee, Flood Wall, and Channel Easement** will be acquired to construct the two bypass channels, the access channel to and from the lock, the levees/flood walls and for construction/maintenance area. This estate requires 205.51 acres of which 11.05 acres is owned in fee by the Federal Government for the existing IHNC lock. Of the remaining 194.46 acres, 40.11 acres are encumbered with a Federal channel easement for the existing IHNC and 62.50 acres is encumbered with a channel easement owned by the Dock Board. This is not a standard estate. A similar estate -- a Perpetual Channel and Levee Estate -- was approved for the Davis Pond Freshwater Diversion project. See Exhibit A for a description of the estate.

c. A three year **Temporary Pipeline Easement** will be acquired over 11.5 acres, of which 1.2 acres are road right-of-way and 10.3 acres are railroad right-of-way. This is a

"temporary" version of the standard estate that is set forth in the Real Estate Handbook. See Exhibit A for a description of the estate.

d. A Perpetual Road Easement will be acquired over 27.92 acres. The following is a breakdown of the different land classes affected by taking this easement: potential commercial 6.2 acres, potential residential 8.9 acres, potential industrial 4.6 acres, and levee/canal right-of-way 8.22 acres. This is the standard estate that is set forth in the Real Estate Handbook. See Exhibit A for a description of the estate.

e. A Temporary Dredged Material Disposal Easement will be acquired for 12 years over 240 acres of wetlands of which 192 acres is unencumbered and 48 acres is encumbered. This is a non-standard estate. However, this estate was previously approved for the Brunswick Harbor project in October 1990. See Exhibit A for a description of the estate.

f. A Temporary Work Area Easement will be acquired over 111.41 acres of which 69.3 acres is wet woodland; 17.0 acres is existing channel; and 19.7 acres is existing levee. These easements will be acquired for 5 years. Additionally, 0.78-acre is city streets; 0.17-acre is industrial use; and 1.05 acres is potential residential. These easements will be acquired for 2 years. There will be 3.41 acres of industrial land taken for a 12-year period. This is a standard estate that is set forth in the Real Estate Handbook. See Exhibit A for a description of the estate.

7. Existing Federal Interests.

a. Structures, Facilities, and Land.

(1) The Lock Replacement property is located within and adjacent to the Inner Harbor Navigation Canal (IHNC). The Federal Government (Government) owns 11.05 acres of the subject in fee and holds a Perpetual Channel Easement over 3.95 acres.

The existing lock structure is owned by the Government. Since the Government owns this area in fee, once the existing lock is demolished, no new acquisition will be needed to place mooring areas in this area.

That portion of the land where the demolition phase bypass channel will be constructed, between the south and the north end of the existing lock, is currently owned in fee by the Government.

The Government currently has a perpetual channel right-of-way located in part over the water bottom where the new lock is to be constructed. However, approximately 1.55 additional acres of existing channel will need to be acquired in fee to construct the lock.

The U.S. Coast Guard Support Center, owns 21 improvements on property it leases from the Board of Commissioners of the Port of New Orleans.

(2) The Federal Government owns a Perpetual Channel Easement over 17 acres of the Graving Site property.

b. Navigational Servitude. None of the lands needed for the project lies along a natural navigable stream. The navigational servitude will not be invoked in this project.

8. Uniform Relocation Assistance (Public Law 91-646) as amended. Within a portion of the proposed real estate owned by the Board of Commissioners of the Port of New Orleans (Port), there are five private businesses and one public entity, the U.S. Coast Guard, leasing space from the Port. Three of the private businesses are operating and two are not. Each lessee has placed improvements upon the land owned by the Port and each must remove their property from the required project rights-of-way. There are no churches or cemeteries located within the proposed rights-of-way. The estimated relocation costs shown under 01R2A of Exhibit B1 includes \$1,703,560 for moving of personal property, as well as re-establishment costs.

9. Status of Environmental Impact Study (EIS). The final EIS will be submitted to LMVD in late March 1997. The public review period for the final EIS is scheduled to begin upon approval by Headquarters, U.S. Army Corps of Engineers.

10. Section 404 Evaluation. A Section 404 evaluation was prepared and will be included as an appendix to the final EIS. The Louisiana Department of Environmental Quality has not responded to the request for water quality qualification.

11. Endangered Species. Consultation on endangered species is complete with both the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. No threatened or endangered species, nor any critical habitat, would be affected by project alternatives under consideration.

12. Status of Cultural Resources Investigations. A number of cultural resource investigations have been completed for this study. The project area is located in two National Register of Historic Places districts: the Holy Cross Historic District and the Bywater Historic District. National Register eligible properties that would be affected by the project are the Inner Harbor Navigation Canal Lock, the St. Claude Avenue Bridge, and the Galvez Street Wharf.

Adverse impacts to the listed and eligible properties will be mitigated. Plans for mitigation have been coordinated with the Louisiana State Historic Preservation Officer (SHPO), but final agreement on the plans will be negotiated with the SHPO and the Advisory Council on Historic Preservation during preparation of the Design Memorandum.

13. Baseline Cost Estimate and Acquisition Schedule. See Exhibits B1 and B2.

14. Appraisal Information.

a. Characteristics, Present Use, and Highest and Best Use of Land.

(1) Lock Replacement. The property is presently used for industrial purposes which is in accordance with its zoning. The site has been used as an industrial area since the early 1930s when the existing lock was constructed. The port leases most of the site to various businesses that need water frontage to conduct their operations. A few of the tenants have abandoned their sites; however, the leases remain until their termination dates. Although the market for industrial sites has been

depressed for the last decade, it would be financially unfeasible to change the use of the property. Because of the presence of the lock, it would be very unlikely that the site could ever be used as a residential area. It is also unlikely that it could be developed into commercial property. The subject site is surrounded by a levee/floodwall which prohibits all visibility to the businesses in the area. The highest and best use of this property is to continue to be leased for industrial purposes.

(2) Dredged Material Disposal Pipeline. The highest and best use of the area that is paved as a roadway is to continue to be used as a road. The area adjacent to the rail lines is narrow and long. Access is only through the land of others. Because of the configuration, location, and improvements on the site, the highest and best use of the site is to use it as railroad right-of-way.

(3) Detour Road. The part of the subject, in St. Bernard Parish, between St. Bernard Highway and Patricia Street is zoned commercial. Development in Chalmette is such that 90 percent of the commercial area is developed fronting Judge Perez Drive, Paris Road, or St. Bernard Highway. The commercial lots normally have a maximum depth of 300 feet. Based on past development, it would be highly unlikely that this entire tract could be developed for commercial purposes. The highest and best use of this area would be to develop commercial lots that front Judge Perez Drive and St. Bernard Highway. The highest and best use of the remaining area would be to develop it into residential lots.

The part of the subject between Patricia Street and the Florida Walk Canal is zoned residential. In Chalmette there is no vacant land left to develop new subdivisions. Most vacant land in St. Bernard Parish is in Violet which is approximately fifteen miles south of Chalmette. The land has good clayey soils and little subsidence. Although costs would be incurred to develop the site into residential lots, the highest and best use of the land would be to develop it for residential use.

The area within the levee right-of-way is regulated by the terms of the levee easement. Development in this area would be contingent upon its effect on the stability and purpose of the levee. The highest and best use of this area is its present use, for levee right-of-way.

The area between the marsh and Florida Avenue is zoned industrial. This area may be contaminated with asbestos. Based on signs posted along the property, it could be assumed that before the site can be developed it would have to be cleaned. The cost to clean this site would dissuade its development into industrial property. The highest and best use of this area is to remain as a waste disposal site.

The area along Florida Avenue is also zoned industrial. However, it is unlikely that it would be developed into an industrial property. There is abundant industrial property in the market with better location and better access. The site is located near a residential neighborhood that is in the decline stage, and the property is contaminated with various chemicals. Therefore, it would not be prudent to develop the site into residential lots. Until the neighborhood begins to revitalize, if that ever occurs, the highest and best use of this site is to remain undeveloped.

(4) **Dredged Material Disposal Site and Mitigation Area.**

Because the properties are classified as wetlands, neither can be developed unless the owners acquire a permit from the Corps of Engineers. Because the areas hold so much water, they would be very expensive to develop. The highest and best use of the properties at this time is to continue as wetlands with possible mineral and recreation leases.

(5) **Graving Site.** The highest and best use for the 106 acres of wooded wetlands to be acquired under a Temporary Work Area Easement, Perpetual Channel Easement, and a Levee Easement would be to fill the portion of the property that fronts the MRGO to use it for waterfront related industrial purposes.

(6) **Parking/Batch Plant; Stock Pile Areas & Detour Bridge.** The highest and best use for the 3.41 acres of undeveloped industrial land being acquired for the Parking/Batch Plant and Stock Pile Areas under a Temporary Work Area Easement is to develop it for industrial purposes. The highest and best use for

the areas being acquired for the Detour Bridge at St. Claude Avenue under a Temporary Work Area Easement are as follows: the 0.78-acre is to continue as city streets; the 0.17-acre to the east currently used by the New Orleans Public Belt Railroad is to continue as industrial use; and the 1.05 acres of undeveloped land to the west would be to develop it into residential lots.

b. Timber.

(1) In the areas of the **Lock Replacement; Dredged Material Disposal Pipeline; Dredged Disposal Site; Mitigation Area; and Detour Bridge** there is no timber on the land.

(2) Detour Road. The timber does not have merchantable value; any value attributed to the timber is included in the value of the land.

(3) Graving Site. The timber does not have merchantable value; any value attributed to the timber is included in the value of the land.

(4) Parking/Batch Plant & Stock Pile Areas. The timber does not have merchantable value; any value attributed to the timber is included in the value of the land.

c. Minerals. Subsurface mineral rights have not been evaluated and will not be acquired since control of mineral activities is not needed for the project, and the project will not interfere with mineral activities.

15. Cost Estimates. A summary of Real Estate costs using August 1996 valuation date is as follows:

	<u>Acres</u>	<u>Unit Value</u>	<u>Total Value</u>
(a) Lands and Damages (Title III)			
Fee Excluding Minerals			
Existing Channel (Local)	1.55	N/A	\$1,000
Existing Channel (Federal)	3.95	\$ 1	\$ 3
Wetland (Mitigation)	137.00	\$200	\$27,400

Perpetual Levee, Floodwall, and Channel Easement			
Industrial (Waterfront)	65.56	\$76,230	\$4,997,638
Existing Channel (Local)	62.5	N/A	\$ 1,000
Existing Channel (Federal)	40.11	N/A	\$ 0
Existing Levee (Orleans Ph)	26.29	\$1	\$ 22
Federal Fee Ownership	11.05	N/A	\$ 0
Temporary Dredged Material Disposal Easement (12 yrs.)			
Wetlands	240	\$150	\$36,000
Temporary Pipeline Easement (3 yrs)			
Road Right-of-way	1.2	N/A	0
Railroad Right-of-way	10.3	N/A	\$5,000
Temporary Work Area Easement (5 Yrs)			
Wet Woodland	69.3	\$74*	\$5,128
Existing Channel	17.0	\$ 1	17
Existing Levee	19.7	\$1	20
Temporary Work Area Easement (12 Yrs)			
Industrial	3.41	\$28,956*	\$98,740
Temporary Work Area Easement (2 Yrs)			
Existing Road	0.78	\$0	\$0
Potential Residential	1.05	\$20,250	\$21,263
Industrial	0.71	\$ 8,100	\$ 1,377
Perpetual Road Easement			
Potential Commercial	2.1	\$435,600	\$914,760
Potential Commercial	1.0	\$217,800	\$217,800
Potential Commercial	3.1	\$108,900	\$337,590
Potential Residential	8.9	\$ 24,000	\$213,600
Potential Industrial	4.6	\$ 32,670	\$150,282
Canal Right-of-way	0.42	\$ 1	\$ 1
Levee Right-of-way	7.8	\$ 1	\$ 1
Improvements			\$27,476,000

Severance Damage

0

Total (R)	\$34,504,000
(b) Contingencies 25% (R)	\$ 8,626,000
(c) Acquisition Costs	\$ 478,790
(d) PL 91-646 (URA)	
(a) Title II payments	\$ 1,703,560
(b) Title III (Incidental costs)	\$ 2,800
(e) Other (Title Insurance)	\$ 250
(f) Total Estimated Real Estate Cost (R)	\$ 45,316,000

16. Maps. See Plates 1, 2, 3, and 4.

17. Comparison with the Incremental Form 17 Estimate. The latest incremental project cost estimate (Form 17) prepared 18 April 1996, for the Mississippi River Gulf Outlet Shiplock, approved 29 April 1996 and effective 1 October 1996, estimates the lands and damages feature at \$42,000,000. The estimated cost for lands and damages used in this supplement is \$45,316,000 (including contingencies and hired labor) a comparison follows:

Cost Account No. <u>Feature Item.</u>	Amount in Latest Approved Form 17 <u>1 October 1994</u>	Revised <u>Estimate</u>	<u>Difference -</u>
01 Lands & Damages Project Lands: Acquisition:	\$42,000,000	\$45,316,000	+3,316,000 *

* The \$42,000,000 in the Latest Approved Form 17 is based on an earlier estimate containing less acreage and URA payments than in the revised estimate.

18. Relocations of Utilities and Facilities. The Preliminary Compensable Interest Report, dated 27 September 1995, is provided at Exhibit "C".

19. Landowner's Meetings. Corps of Engineers representatives have held approximately 11 landowner's (public) meetings to discuss the impact of the Industrial Canal Lock Replacement, the latest meeting being conducted on January 27, 1997. The decision has been made to use the North of Claiborne Avenue plan and not acquire the adjacent neighborhood. There are no problems anticipated with the landowners located within the project limits. However, there is very strong opposition to the project in the surrounding areas. Therefore, as mentioned earlier in this report, a large community impact mitigation plan has been incorporated into the project for these areas.

20. Hazardous, Toxic, and Radiologic Waste (HTRW).

a. An Initial HTRW Assessment and HTRW Site Investigations have been conducted in the proposed project right-of-way. Results of these investigations are compiled in a draft HTRW report that will be appended to the report.

b. The investigations have revealed that (a) the soil gas surveys screened "hot spots" or areas with elevated organic contamination. The hot spots are concentrated at industrial sites situated in the northeast sector of the project corridor as well as at the U.S. Coast Guard compound on the west bank. The soil gas survey reports as well as the Phase I Initial Assessment report were used as guidance for the confirmatory sampling and testing during the Phase IIA2 and Phase IIB2 investigations. (b) Results of the Phase IIA2 investigations indicate the presence of contaminated soils and groundwater at the northeast bank of the project. Except for one soil analysis that failed EPA toxicity criteria for lead (Form 17.), tests performed on several samples yield results that generally pass the toxicity limits and ignitability criteria established by EPA. Although majority of the soils show total concentrations that also passed the 1990 EPA action levels, preliminary estimates yield 14,000 cubic yards of soil with lead concentration of >100 mg/kg, 8,250 cubic yards of soil saturated with used oil and 3820 cubic yards of soil contaminated with petroleum fuel that may require special handling or treatment prior to disposal. An unestimated volume

of nonaqueous petroleum-product-rich liquids at the bottom of oil-saturated soils as well as an unestimated volume of groundwater contaminated with metals may also require special handling.

(c) Bottom sediment samples from the Canal show detectable total and TCLP concentration levels of metals and certain herbicides. Based on EPA's TCLP criteria, the Canal sediments do not require special hazardous handling. The Canal sediments were also determined to be generally acceptable for disposal at the mitigation site and at an existing site used for maintenance dredging of the Mississippi River Gulf Outlet (USACE-NOD Water Quality Report, 1993).

(d) Hazard characteristics of a total of 242 drums and 840 cans collected and staged yielded the following waste streams: solid wastes, mixed oil and water, dry and liquid paint, and blended solvent. These wastes were bulked and transferred into 46 drums that are grouped into 4 (9 drums) and blended solvent (1 drum). Representative samples from these drums were tested for land disposal, incineration and recycling requirements including ignitability, corrosivity, reactivity, toxicity, PCB and BTU. The 20 drums of wastes including dry paint, liquid paint and solvent fail the RCRA ignitability and toxicity criteria and are classified as hazardous, these waste groups are recommended for incineration. Drums with solid wastes were determined to be nonhazardous and acceptable for disposal at an industrial landfill. About 1,500 gallons of mixed oil and water from original drums were bulked for recycling. Pollutants, principally lead and organics, determined in the drums are similar to those discovered by the Phase IIA2 soil sampling effort. Disposal of the drums by the Port of New Orleans will prevent potential contamination of the soil and groundwater.

(e) Results of the Phase IIB2 investigations indicate the presence of contaminants at concentration levels in the parts per billion to parts per million range in nine areas investigated in the west bank of IHNC. According to USACE-SLD, the contaminants were not detected at concentrations which would classify the soils and groundwater as hazardous.

(f) The Phase IIA2 report has been distributed for review to the Department of Environmental Quality of the State of Louisiana and

the U.S. Fish and Wildlife Service to coordinate appropriate disposal and treatment options for questionable contaminated solid and liquid material discovered at the INC. project site. USACE-SLD recommends the Phase IIB2 report to be distributed for review by appropriate state agencies in Louisiana.

21. **Access.** Ingress and egress to the work sites will be via existing Federal, State, and local roadways in the area; along the existing levee, ramps, and crown throughout the limits of work; the MRGO; as well as through adjacent ownerships. The contractor for this work will be required to maintain and repair all damages to all access roads and ramps which occur as a result of his operation.

a. **Lock Replacement.** The property is accessible by automobile through more than fifteen streets, by railroad through the New Orleans Public Belt Railroad, and by barge or ship through the INC..

b. **Dredged Material Disposal Pipeline.** Access to the site is by railroad right-of-way or through the adjacent property.

c. **Detour Road.** Access to the site is by automobile through St. Bernard Highway, Judge Perez Dr., Patricia Street in Chalmette, and Florida Avenue in New Orleans.

d. **Dredged Disposal Site.** Access to the site is by vessel or by automobile through the adjacent property.

e. **Temporary Work Areas.** Access to the areas is by public roads and the MRGO.

f. **Mitigation Area.** Access to the site is by vessel.

22. **Detour Road.** The detour road will be an asphalt road; it will parallel the Guerenger Canal in an undeveloped tract of land between St. Bernard Highway and the Florida Walk Canal. It crosses the canal (a new bridge will be constructed) and ties into the levee right-of-way. The road follows the levee westerly

until it reaches Florida Avenue. A bridge crossing is required across another canal that is located near a curve in the Norfolk Southern Railroad tracks. The detour route will be placed on 19.7 acres of vacant land and 8.22 acres of canal/levee right-of-way.