



Lake Pontchartrain & Vicinity

General Re-evaluation Report with Integrated Environmental Assessment





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F-1.0 PURPOSE OF THE REAL ESTATE PLAN

This Real Estate Plan (REP) sets forth the real estate requirements and costs for the implementation and construction of the Tentatively Selected Plan (TSP) as described in greater detail in the General Re-Evaluation Report (GRR) for Lake Pontchartrain and Vicinity, Louisiana. The lands, easements, rights-of-way, relocations and disposal sites (LERRD) required for the Project are outlined in this REP. The information contained herein is tentative and preliminary in nature and intended for planning purposes only.

The Lake Pontchartrain and Vicinity (LPV) Project System is part of the Greater New Orleans Hurricane Storm Damage Risk Reduction System (HSDRRS) and provides coastal storm risk management for the Greater New Orleans area. The other component of HSDRRS, the West Bank and Vicinity (WBV) Project System, is being re-evaluated in a separate report.

The general purpose of this study with integrated Environmental Impact Statement (EIS) is to analyze alternatives to reduce hurricane and storm risk within the LPV study area. The study will evaluate and compare the benefits, costs, and impacts (positive or negative) of alternatives including the No Action Alternative. The study will identify whether an economically justified plan exists to reduce economic damages and life safety risk due to the combined effects of subsidence, consolidation, settlement, datum changes, and sea level rise on the LPV system. This report also satisfies the requirement of NEPA to evaluate the proposed Federal action.

Prior reports prepared for this Project and approved are as follows:

- Original Project to construct the Lake Pontchartrain and Vicinity, Louisiana Project for hurricane storm damage reduction in southeast Louisiana.
- FC&CE Supplemental Modified Original Project to reinforce or replace existing floodwalls to improve the performance of the Original Project.
- Accelerated completion of unconstructed portions of the Original Project
- Construction Supplemental modified the Original Project to raise levee heights where necessary and enhance Original Project to provide level of protection necessary to achieve the certification required for National Flood Insurance Program

Work required for raising levee heights, modifying or replacing flood walls, etc. would be cost shared in accordance with WRDA 1986, as amended, for Hurricane and Storm Damage Reduction projects. The NFS will be responsible for the acquisition of all LERRD required for construction and operation and maintenance of the Project. The NFS will also provide an Authorization for Entry to any lands required for the Project, including any lands which are owned, claimed, or controlled by local or State Governmental entities.



F-2.0 PROJECT DESCRIPTION

LPV HSDRRS is located in an area of southeast Louisiana within the greater New Orleans metropolitan area on the east bank of the Mississippi River bound to the west by the Bonnet Carre Spillway; to the north by the south shore of Lake Pontchartrain; to the east by Lake Borgne and to the south by the Mississippi River. Refer to “Section 8. Project Maps” for location of the Project within St. Charles, Jefferson, Orleans and St. Bernard Parishes. Features for LPV currently include approximately 126.5 miles of levees and floodwalls: approximately 83 miles are armored perimeter levees and floodwalls and approximately 43.5 miles are interior levees and floodwalls.

The TSP for LPV HSDRRS is Alternative 2, System Levee Lifts to the Projected 1% Event through 2073 (end of 50-year analysis period), which would allow for FEMA levee certification for participation in the National Flood Insurance Program under the base flood elevation. This alternative consist of levee lifts and modifying or replacing floodwalls.

LANDS, EASEMENTS, RIGHTS-OF-WAY, RELOCATIONS AND DISPOSAL (LERRD) REQUIRED FOR THE PROJECT

TOTAL ACRES NEEDED BY LPV REACH			
Reach	Estate	Acres	Description
1.1	Temporary Road Easement*	1.15	Obtain authorization from City of Kenner
03D.2	Temporary Road Easement*	3.44	Obtain easement from (2) private landowners; Obtain authorization from City of New Orleans
	Temporary Work Area Easement*	1.12	
05.2A	Temporary Road Easement*	1.27	Obtain Permit from US DOT
	Temporary Work Area Easement*	.49	
05.2B	Temporary Road Easement*	.27	Obtain easement from (1) private landowner
103.01	Temporary Road Easement*	.13	Obtain authorization from Orleans Levee District
	Temporary Work Area Easement*	.82	
104.01	Temporary Work Area Easement*	3.97	Obtain authorization from UNO (State) for temporary easement; CPRAB responsible for State Agency (UNO) to State Agency (Levee District) acquisition
	Perpetual Levee Easement	.70	
109.02a	Temporary Work Area Easement*	.92	Obtain Permit from US DOT within existing ROW
111.01	Temporary Road Easement*	.55	Obtain easement from private landowner(s); Obtain authorization from Orleans Levee District
	Temporary Work Area Easement*	1.85	
MRL EAR	Perpetual Flood Protection Levee Easement	26.19	100 Private landowners



TOTAL ACRES LERRD NEEDED FOR LPV LEVEES AND FLOODWALLS REACHES				
Temp Road Access	Temp Work Area	Perpetual Levee	Borrow	Total Acres
6.81	9.17	26.89	320.90	363.77

* Requirements for ROW will continue to be evaluated during feasibility design to determine whether temporary or permanent easements are most advantageous to the Government.

Borrow

This Project describes future levee lifts; therefore a specific borrow source may no longer be available at time of construction. The borrow information below is provided for real estate cost estimate purposes and to show suitable habitats for borrow site alternatives throughout the Project areas exist as provided by U. S. Fish and Wildlife Service. This borrow source is located within haul distance acceptable for all LPV reaches. Actual borrow sources will be selected by reach and construction schedule to determine source and quantities at that time. NEPA documentation will be supplemented once actual borrow areas are identified.

LPV BORROW –approximate acres		
Parish	Acres	Type
St. Charles	320.9	Crop Lands

F-3.0 LERRD OWNED BY NON-FEDERAL SPONSOR

The non-federal sponsor for this study is the Coastal Protection and Restoration Authority Board of Louisiana (CPRAB), a state entity that is established, authorized, and empowered to carry out any and all functions necessary to serve as the single entity responsible to act as the local sponsor for construction, operation and maintenance of all of the hurricane, storm damage reduction and flood control projects in areas under its jurisdiction, including the greater New Orleans and southeast Louisiana area. CPRAB is also mandated to develop, implement and enforce a comprehensive coastal protection and restoration Master Plan. The Feasibility Cost-Share Agreement was executed on October 9, 2018.

The Non-Federal Sponsor does not own any lands within the Project area. However, rights-of-way for the existing Project are owned by the following agencies of the State of Louisiana which fall under the umbrella of Coastal Protection and Restoration Authority Board:

- The Pontchartrain Levee District in St. Charles Parish
- Southeast Louisiana Flood Protection Authority – East
- East Jefferson Levee District in Jefferson Parish
- Orleans Levee District in Orleans Parish
- Lake Borgne Levee District in St. Bernard Parish

The rights owned by these agencies consist of perpetual levee easements/servitudes and fee. These rights are sufficient for construction of the proposed improvements to



Project features. No credit will be given for lands previously provided as an item of local cooperation.

The following reaches within the Project area are owned by a local levee district (under CPRAB). Authorization for Entry is required but no new LERRD needed:

Authority	Levee District	Reaches
Pontchartrain Levee District	St. Charles Parish	04.2A, 04.2B
Southeast Louisiana Flood Protection Authority – East (Flood Protection Authority)	East Jefferson Levee District	00.2, 02.2, 19.2, 20.1
Southeast Louisiana Flood Protection Authority – East (Flood Protection Authority)	Orleans Levee District	102.01, 108

The following reaches within Project area are owned by a city/parish/state (local) entity. LERRD required:

Reach	Easement	Requesting	From City/Parish Entity
1.1	Temp Road 1.15 ac*	Authorization for Entry	City of Kenner
03D.2	Temp Road & Work 5,000 sq. ft.*	Authorization for Entry	City of New Orleans
103.01	Temp Road .13 ac & Work .82 ac*	Authorization for Entry	Orleans Levee District
104.01	Temporary Work Area 3.97 ac*	Grant of Particular Use	University of New Orleans (state)
104.01	Perpetual Levee .70 ac	CPRAB is responsible for acquisition between two state agencies	University of New Orleans (state)
111.01	Temp Road & Work 1 acre*	Authorization for Entry	Orleans Levee District

* Requirements for ROW will continue to be evaluated during feasibility design to determine whether temporary or permanent easements are most advantageous to the Government.



F-4.0 ESTATES

The following standard estates would be acquired from private landowners:

Temporary Road Easement

A non-exclusive and assignable, temporary easement and right-of-way in, on, over and across (the land described in Schedule A) (Tracts Nos. _____, _____ and _____) for the location, construction, operation, maintenance, alteration replacement of road(s) and appurtenances thereto; together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions and other vegetation, structures, or obstacles within the limits of the right-of-way; (reserving, however, to the owners, their heirs and assigns, the right to cross over or under the right-of-way as access to their adjoining land at the locations indicated in Schedule B); subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

Temporary Work Area Easement (borrow)

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 United States, for use by the United States, its representatives, agents, and contractors as a borrow area, including the right to borrow and/or deposit fill, spoil and waste material thereon 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.

Temporary Work Area Easement (staging)

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 United States, for use by the United States, its representatives, agents, and contractors as a work area, including the right to 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.



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 and/or floodwall, 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.

Requirements for ROW will continue to be evaluated during feasibility design to determine whether temporary or permanent easements are most advantageous to the Government.

F-5.0 EXISTING FEDERAL PROJECTS

The following Federal projects are fully or partially within the LERRD required for the LPV Project or are adjacent.

- Lake Pontchartrain and Vicinity, Louisiana Project (LPV) - LPV along with the West Bank and Vicinity, Louisiana Project are jointly referred to as being part of the Greater New Orleans Hurricane and Storm Damage Risk Reduction System (HSDRRS).
- Mississippi River and Tributaries (MR&T) or Mississippi River Levee (MRL) - The Mississippi River Levee Project was designed to reduce the risk of flood damage from high river flows. The reach of this levee along the Lake Pontchartrain and Vicinity has a higher profile for the river flooding than is required for hurricane surges. Therefore, although this levee provides a southern boundary for the LPV HSDRRS (LPV connects to the MRL at both the north and south end of the system), its operation and maintenance are funded and guided by separate authorities and guidance.
- The Southeast Louisiana Project (SELA) - SELA is a flood control project, authorized by Congress to improve the rainfall drainage systems in Orleans, Jefferson and St. Tammany Parishes. On the East Bank, SELA focuses on improving existing - and constructing new - drainage channels and stormwater pump stations. These features do not convey stormwater across the LPV risk reduction perimeter, but do impact the interior drainage flow that HSDRRS gates and pump stations need to handle. CPRA has been the NFS of SELA projects since 2009.
- Inner Harbor Navigation Canal Lock - USACE maintains and operates the navigation lock where the Inner Harbor Navigation Canal (IHNC) meets the Mississippi River. Although this lock provides a Mississippi River boundary closure of the LPV perimeter, just as the MRL referenced above, the lock was authorized and constructed for the purpose of navigation. The Seabrook Gate Closure, is between the IHNC and Lake Pontchartrain, separating LPV reaches 104.02 and 105.01, located just east of the New Orleans Lakefront Airport.



F-6.0 FEDERALLY OWNED LANDS

Federally owned land within the LERRD required for this Project is shown below.

The following reaches within Project area are owned by the Federal Government.
No new ROW needed:

Reach	Owned by	Acres within Reach
109.02a	Department of Interior, U. S. Fish & Wildlife Service (Bayou Sauvage National Wildlife Refuge)	8.29

The following reaches within Project area are owned by the Federal Government.
LERRD required:

Reach	Easement	Requesting	From Government Entity
05.2A	Temporary Road (1.27 ac) & Temporary Work Area (.49 ac)	Special Use Permit	US Department of Transportation Right of way
109.02a	Temporary Work Area (.92 ac)	Special Use Permit	US Department of Transportation Right of way

F-7.0 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 the submerged lands thereunder for various commerce-related purposes including navigation and flood control. In tidal areas, the servitude extends to all lands below the mean high water mark. In non-tidal areas, the servitude extends to all lands within the bed and banks of a navigable stream that lie below the ordinary high water mark.”

While several project features and levees either cross or are along navigable waters, it is not anticipated that the navigation servitude would be used for this Project.



F-8.0 PROJECT MAPS



Figure A: LPV Project area showing St. Charles Parish, Jefferson East Bank, Orleans East Bank, New Orleans East and Chalmette Loop.

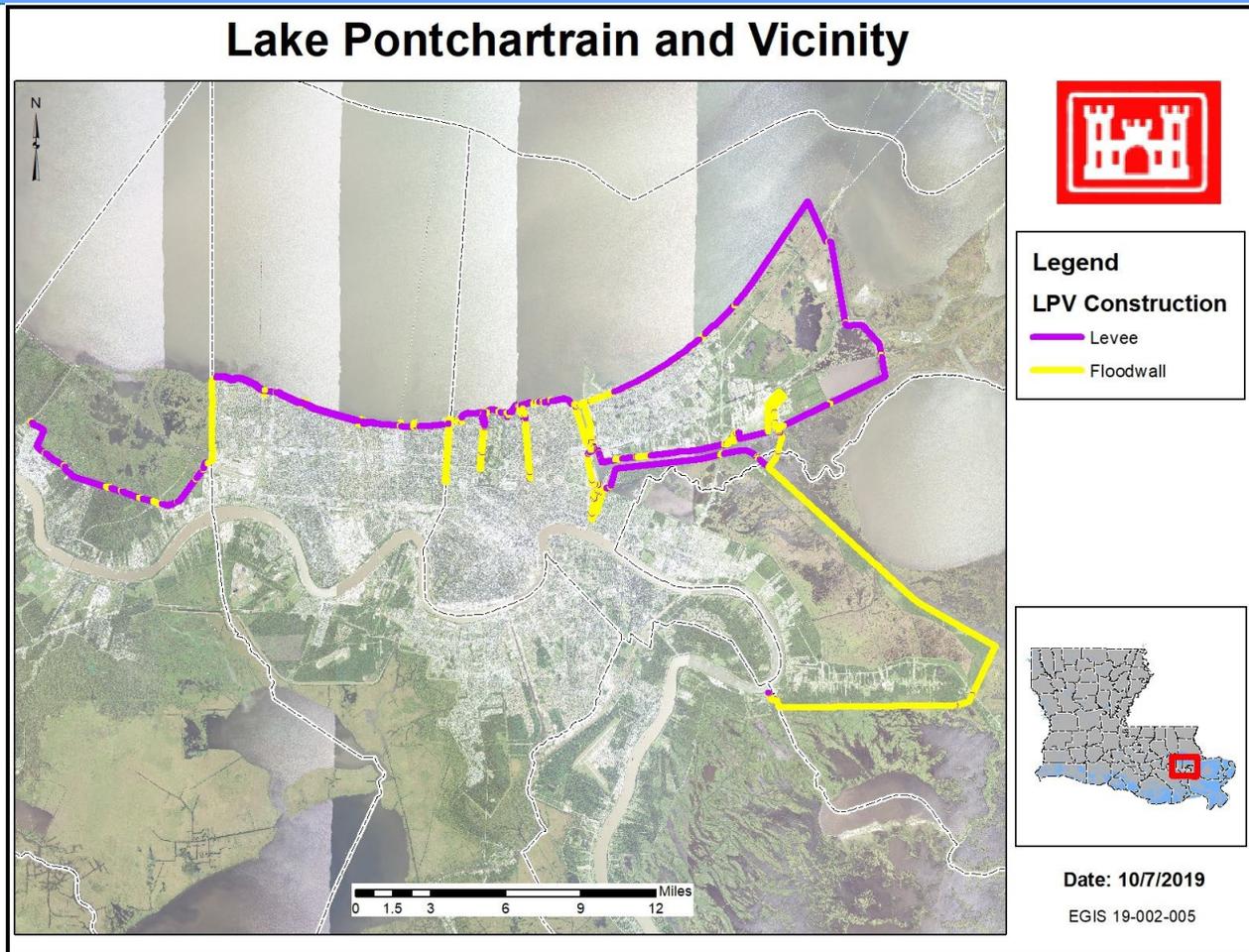


Figure B: LPV Project area showing reaches.

F-9.0 INDUCED FLOODING

Construction of this Project will not induce flooding.

F-10.0 BASELINE COST ESTIMATE

Lands and Damages	\$4,826,000
Improvements & Crops	N/A
Contingencies	<u>\$1,207,000</u>
TOTAL LERRD	\$6,033,000
P. L. 91-646 Relocations	N/A
Acquisition Costs	<u>\$3,150,000</u>
TOTAL REAL ESTATE COST	\$9,183,000



F-11.0 P.L. 91-646 RELOCATION ASSISTANCE

This Project will not displace residential, commercial, industrial or habitable structures within the Project boundaries; therefore, the provisions under Title II of Public Law 91-646, as amended, are not applicable.

F-12.0 MINERAL ACTIVITY/CROPS

Mineral activity within the right-of-way of the Project has been plugged and abandoned. If during design any mineral activity is identified, it will be avoided. There is no merchantable timber or row crop activity affected by this Project.

F-13.0 NON-FEDERAL SPONSOR CAPABILITY ASSESSMENT

An assessment of the non-Federal sponsor's legal and professional capability and experience to acquire and provide the LERRD for the construction, operation and maintenance of the Project, including its condemnation authority and quick-take capability will be included in the Final Real Estate Plan. However, CPRAB has been the non-Federal sponsor on numerous other projects and has been capable of either performing or ensuring the performance of the responsibilities of LERRD acquisition and management.

F-14.0 ZONING ORDINANCES

No application or enactment of zoning ordinances has been proposed in lieu of, or to facilitate, acquisition in connection with the Project.

F-15.0 ACQUISITION SCHEDULE

The following schedule shows the tasks and duration for acquisition of the LERRD required for the Project, which will affect approximately one hundred five private landowners.

1) Mapping	3 months
2) Title	6 months
3) Appraisals (begin concurrent with title)	9 months
4) Negotiations	24 months
5) Closing	6 months
6) Condemnation (if necessary)	12 months
7) Issuance of Right of Entry (Government Owned)	2 months
8) Certification of Right-of-Way/Right of Entry	1 month



F-16.0 FACILITY/UTILITY RELOCATIONS

This Project consists of straddle lifts levees or modifying or replacing floodwalls over what was previously constructed. A full description of the facility or utility relocations that must be performed including information regarding the general nature of the impact to each facility or utility and the identity of the owners of the affected facilities and utilities will be discussed in the Final Real Estate Plan.

ANY CONCLUSION OR CATEGORIZATION CONTAINED IN THIS REPORT THAT AN ITEM IS A UTILITY OR FACILITY RELOCATION 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.

F-17.0 HTRW AND OTHER ENVIRONMENTAL CONSIDERATIONS

BLH-Wet impacts are anticipated for the flood side shift along the MRL co-located reach that would affect approximately 27 acres. See Main Report and Mitigation Appendix "K" for full description. Other impacts requiring mitigation are not anticipated. Currently, it is anticipated that required mitigation will be satisfied through the purchase of Mitigation Bank Credits. An abridged Phase I Environmental Site Assessment (ESA) was conducted during the feasibility phase of this study. This abridged Phase I ESA was conducted in the current HSDRRS levee and floodwall ROW. The risks of encountering HTRW in the Project area is low, and no impacts from HTRW are anticipated.

Generalized Borrow Areas: Should new borrow site excavation be needed, these sites would need environmental compliance to ensure that no recognized environmental conditions or HTRW issues would be encountered at these borrow sites. Therefore, although the location and number of new borrow sites are unknown, no direct or indirect impacts would be expected from HTRW.

F-18.0 LANDOWNER ATTITUDE

Most of the LERRD required for this Project has been previously acquired or is owned by local/state/U. S. Government entities. Landowners within the MRL co-located reach are anticipated to be agreeable due to the Project improving the level of hurricane and storm damage risk reduction. The road and work area easements needed would be temporary; therefore, we do not expect opposition to this Project from landowners.

F-19.0 RISK NOTIFICATION

A copy of the Risk Notification will be included in the Final Real Estate Plan.

F-20.0 OTHER REAL ESTATE ISSUES

Other real estate issues that may be relevant to the Project will be further investigated in the design phase.



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