



Amite River and Tributaries Study East of the Mississippi River, Louisiana



Appendix D: Real Estate Plan November 2019

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Section 1

Purpose of 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). The lands, easements and rights-of-way required for the project are outlined in this REP in accordance with the requirements of Engineering Regulation (ER) 405-1-12. The information contained herein is tentative and preliminary in nature and intended for planning purposes only.

1.1 PROJECT PURPOSE

The Amite River and Tributaries (ART) Feasibility Study is a response to the study authority to investigate and determine the extent of Federal interest in plans that reduce flood risk along the Amite River Basin. The effect of flooding from the Amite River and its tributaries was studied; localized flooding in adjacent communities was not studied. The study product is a decision document in the form of an integrated Feasibility Report and National Environmental Policy Act of 1969 (NEPA) Environmental Impact Statement (EIS).

As recently as August 2016, the President issued disaster declarations for parishes in the Amite River Basin due to impacts from “The Great Flood of 2016.” The study area experienced historic flooding to thousands of homes and businesses and impacts to the Nation’s critical infrastructure because both the I-10 and I-12 transportation system were shut down for days. The project purpose is to reduce the risks to public, commercial, and residential property, real estate, infrastructure, and human life; increase the reliability of the Nation’s transportation corridor (I-10-I-12); and enhance public education and awareness of flood risks.

1.2 PROJECT LOCATION

The structural feature of the TSP (the Darlington Dam) is located on either side of the Amite River in East Feliciana and St. Helena Parishes. The dam would be located approximately 22 miles North of Walker, Louisiana and 30 miles Northeast of Baton Rouge, Louisiana. The constructed dam has a footprint of approximately 205 acres located north of the dam between St Helena and East Feliciana Parishes. The outlet would consist of three 10x10 ft concrete box culverts with sluice gates that would be closed to prevent flow and allow for water to pool behind the dam prior to release. An emergency spillway would be placed at the flood control pool max elevation. An easement over approximately 1,000 acres will be acquired for borrow material. The Dry Darlington Dam scale will be optimized during the feasibility study design. Figure D:1-1 shows the location of Darlington Dam.

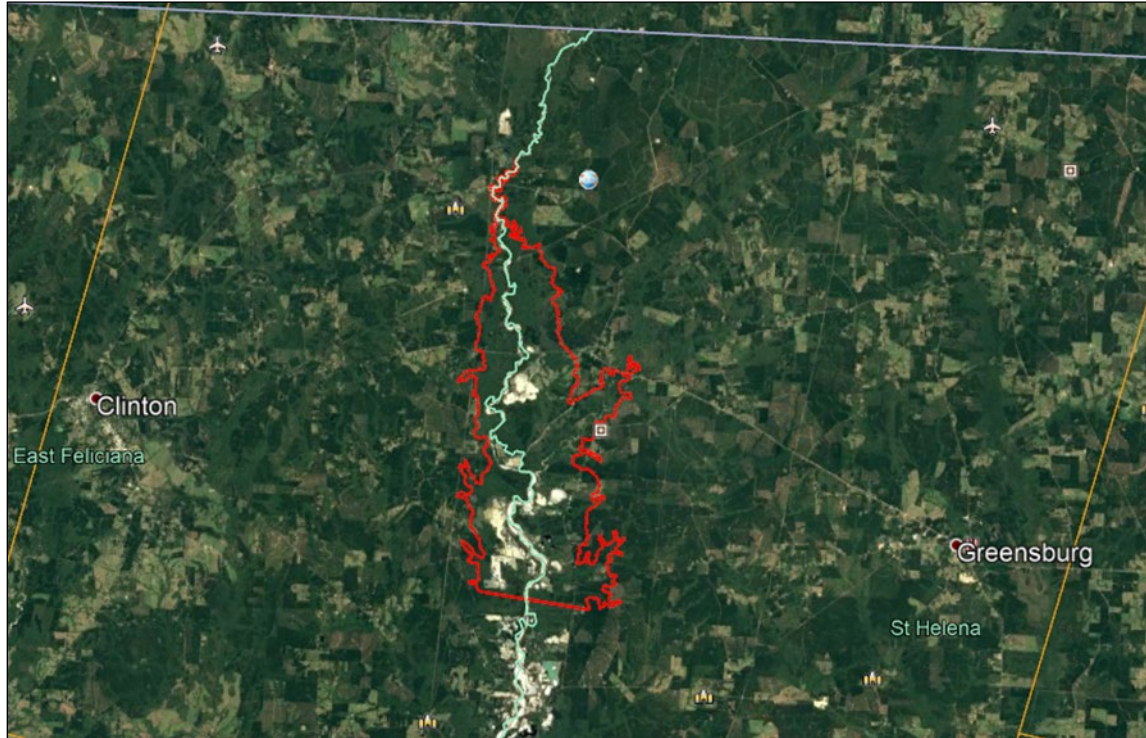


Figure D:1-1. Location of the Darlington Dam

The non-structural features of the TSP are located south of the proposed Darlington Dam. It encompasses residential and nonresidential structures in East Baton Rouge, East Feliciana, St. Helena, and Livingston Parishes. The Cities of Baton Rouge, Baker, Central, Denham Springs, Inniswold, and Shenandoah are all included in this area. The location and approximate location of the non-structural measures is shown on Figures D:1-2 and D:1-3.

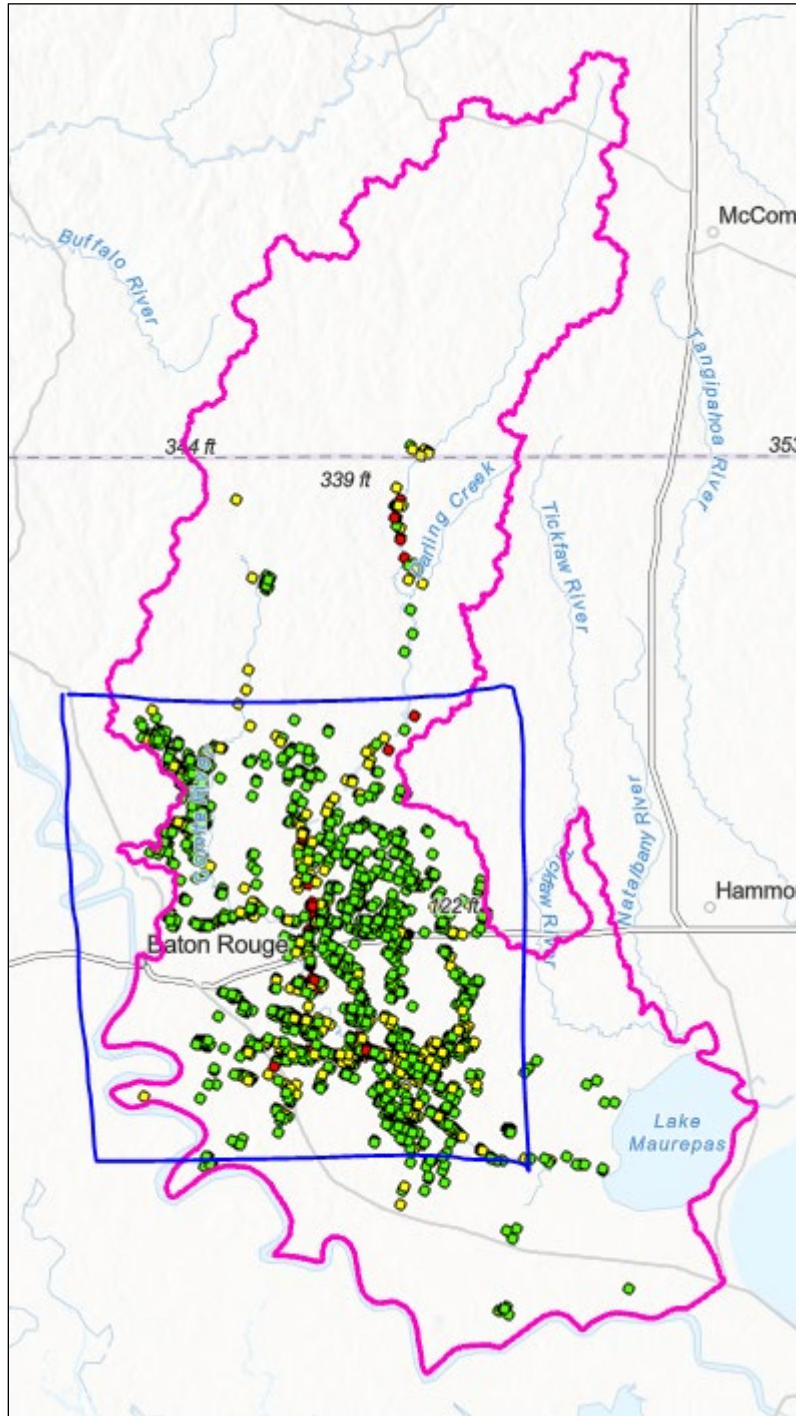


Figure D:1-2. Location of Non-Structural Measures

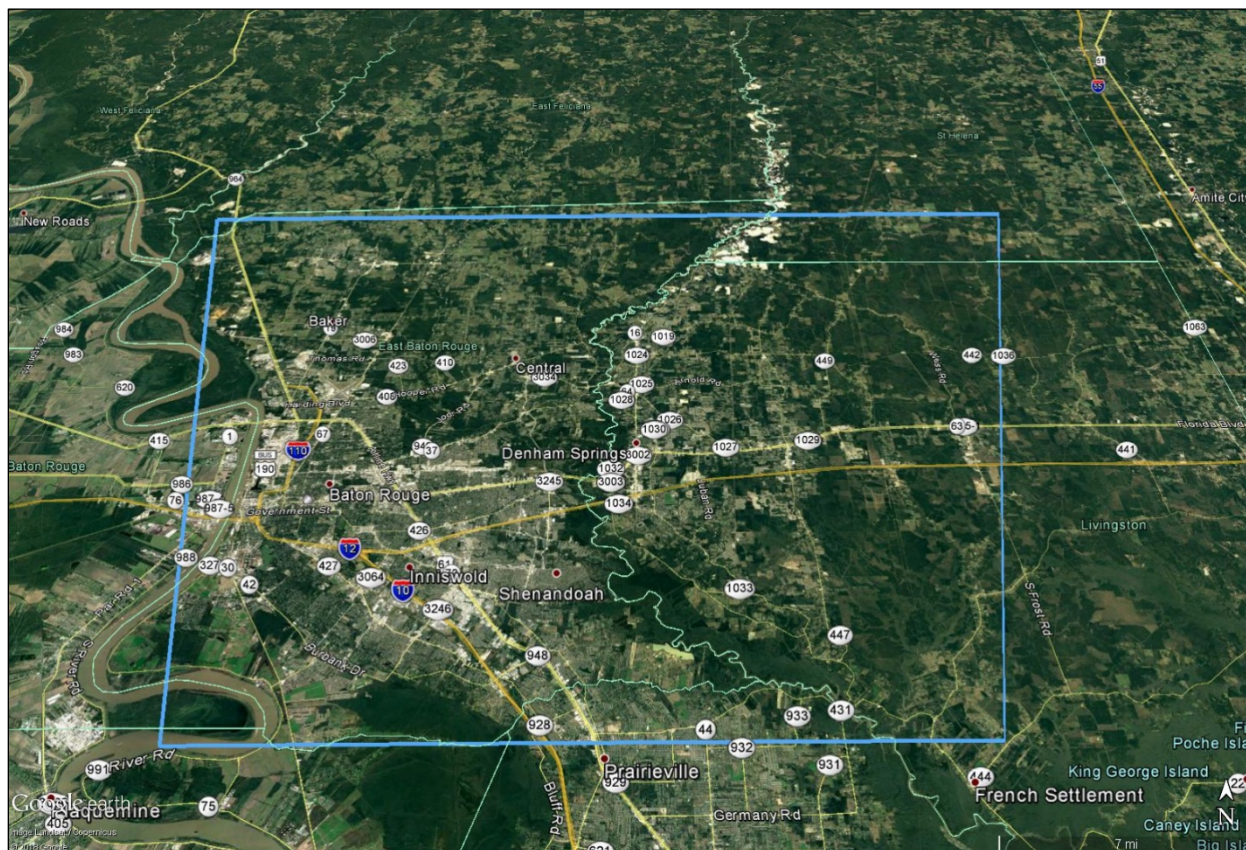


Figure D:1-3. Approximate Location of Non-Structural Measures

1.3 PROJECT AUTHORITY

The proposed action is authorized as part of the Bipartisan Budget Act of 2018, H. R. 1892—13, Title IV, Corps of Engineers—Civil, Department of the Army, Investigations, where funds are being made available for the expenses related to the completion, or initiation and completion, of flood and storm damage reduction, including shore protection studies which are currently authorized or which are authorized after the date of enactment of this the act, to reduce risk from future floods and hurricanes.

This study area is being included based on the August 2016 flooding over southeast and south-central Louisiana, and is continuing investigation under the authorization provided by the Resolution of the Committee on Public Works of the United States Senate, adopted on April 14, 1967:

RESOLVED BY THE COMMITTEE ON PUBLIC WORKS OF THE UNITED STATES SENATE, That the Board of Engineers for Rivers and Harbors, created under Section 3 of the River and Harbor Act approved June 13, 1902, be, and is hereby requested to review the report of the chief of Engineers on Amite River and Tributaries, Louisiana, published as House Document Numbered 419, Eighty-fourth Congress. And other pertinent reports, with a view to determining whether the existing project

should be modified in any way at this time with particular reference to additional improvements for flood control and related purposes on Amite River, Bayou Manchac, and Comite River and their tributaries. (US Senate Committee on Public Works, 1967).

Section 2

Description of the Recommended Plan and Lands, Easements, Rights-of-Way, Relocations, and Disposal (LERRD) Sites

2.1 STRUCTURAL

The real estate costs presented herein for the structural portion of the TSP are based on the estimated acreages and estates shown in the table below.

<i>Table D:2-1 Darling Dry Dam Reservoir with Flowage Area</i>		Unit
<u>Darlington Dam and Reservoir Footprint</u>		
Fee, Excluding Oil and Gas	15,860.00	AC
Flowage Easement	10,309.00	AC
<u>Land Required for Cemetery Relocation</u>		
Fee, Excluding Oil and Gas	4.00	AC
<u>Borrow Area</u>		
Fee, Excluding Oil and Gas	1,000.00	AC
Improvements	365.00	EA

The Darlington Dam footprint is estimated to impact approximately 700 landowners. Using preliminary information, there appear to be approximately 365 structures within the footprint that would need to be relocated. Relocation assistance would need to be provided for these relocations and an estimated cost has been included in this estimate. Additionally, there are administrative costs associated with relocating a cemetery that is within the footprint. Mitigation would be required for unavoidable impacts.

It has not yet been determined if the purchase of credits from an approved mitigation bank or if US Army Corps of Engineers (USACE) constructed mitigation sites would be necessary. If Corps constructed mitigation sites are necessary, an additional 15,165 acres would need to be purchased in Fee, Excluding Oil and Gas.

For planning purposes, it is assumed that mitigation will be addressed via purchase of mitigation bank credits. The mitigation bank credit costs are included in the Environmental cost estimate for the TSP. To avoid double counting, the above table does not include acquisition costs for any Corps constructed mitigation sites.

2.2 NON-STRUCTURAL

The flood risk that remains in the floodplain after the proposed Darlington Dry Dam is implemented is known as the residual flood risk. Nonstructural measures can be used to reduce the residual risk associated with the TSP. The residential and nonresidential structures, damaged under the with project conditions in year 2026 that incurred flood damages by the stage associated with the 0.04 AEP event, were considered eligible for acquisition, elevation, and floodproofing based upon the below criteria.

- Elevating residential structures up to 13 feet and floodproofing non-residential structures up to 3 feet located in the 0.04 AEP floodplain and outside the FEMA floodway. Residential structures will be elevated to the 0.01 AEP base flood elevation (BFE) predicted to occur in the year 2076.
- If a structure would require elevating greater than 13 feet to meet the future year 0.01 AEP BFE, the structure may instead be acquired and removed from the floodplain. The 13' height is based on guidance provided in the FEMA publication P-550.
- Following detailed design, it may become necessary to acquire structures for permanent evacuation of the FEMA regulated floodway. Such determination would be based on risk and performance.

During further refinement, should the Life Safety Risk Analysis indicate the need for acquisitions for permanent evacuation of the FEMA regulatory floodway or any other areas of critical concern, then eminent domain would be retained as a method of accomplishing acquisitions by the NFS, consistent with USACE Planning Bulletins 2016-01 and 2019-03.

A preliminary analysis found a total of 3,252 residential structures and an additional 314 non-residential structures in the 0.04 AEP floodplain. The nonstructural measures will be refined by assessing the Darlington Dam as the new base condition for the hydrology which will include assessment of residual flood risk.

2.3 ACCESS

Access to the project area would be via public roads.

2.4 BORROW

Locations for a borrow source are being determined and will be included in the final REP. Costs for acquiring the estimated 1,000 acres of land required for borrow are captured in the Real Estate Baseline cost estimate. An assumption was made that the borrow source will be excavated from vacant agricultural land that will be acquired in fee, excluding oil & gas.

Section 3

Non-Federal Sponsor Owned LERRD

The non-Federal sponsor (NFS) is the Louisiana Department of Transportation and Development (LADOTD). It appears that Highway 448, Matthews Road and Lee Lane run through the footprint of the Darlington Dam project. Per the Engineering Appendix, Appendix A, these roads and the highway will require relocation. It will be confirmed whether LADOTD has sufficient rights in these roads and the highway for project implementation prior to submission of the final REP. In addition, a portion of the Darlington Dam would be constructed over the Amite River, a State-owned water bottom. However, the Amite River is a navigable waterway. In accordance with Engineering Regulation 405-1-12, Paragraph 12-7.c., it is the policy of USACE to utilize the Navigation Servitude in all situations where available, whether or not the project is cost shared or full Federal. It is assumed that the NFS sponsor does not own any other LERRD in the project footprint.

Section 4

Estates

4.1 FEE, EXCLUDING OIL AND GAS AND FLOWAGE EASEMENT

4.1.1 Fee Excluding Oil and Gas (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 for the purpose of exploration, development, production and removal therefrom of said oil and gas.

4.1.2 Flowage Easement (Permanent Flooding)

The perpetual right, power, privilege and easement permanently to overflow, flood and submerge (the land described in Schedule A) Tracts Nos. _____, _____ and _____), in connection with the operation and maintenance of the project as authorized by the Act of Congress approved _____, and the continuing right to clear and remove and brush, debris and natural obstructions which, in the opinion of the representative of the United States in charge of the project, may be detrimental to the project, together with all right, title and interest in and to the timber, structures and improvements situate on the land (excepting _____, (here identify those structures not designed for human habitation which the District Engineer determines may remain on the land)); provided that no structures for human habitation shall be constructed or maintained on the land, that no other structures shall be constructed or maintained on the land except as may be approved in writing by the representative of the United States in charge of the project, and that no excavation shall be conducted and no landfill placed on the land without such approval as to the location and method of excavation and/or placement of. landfill; the above estate is taken subject to existing easements for public roads and highways, public utilities, railroads and pipelines; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used and enjoyed without interfering with the use of the project for the purposes authorized by Congress or abridging the rights and easement hereby acquired; provided further that any use of the land shall be subject to Federal and State laws with respect to pollution.

Section 5

Existing Federal Projects within LERRD Required for the Project

Federal projects within the study area include:

- Bayou Manchac-Clearing and snagging on Bayou from mouth to below Ward Creek, mile 7.81
- Comite River-Channel enlargement and realignment on Comite from its mouth to Cypress Bayou at mile 10
- Blind River-Intermittent Clearing/snagging on Blind River below Lake Maurepas
- Amite River-Enlargement/realignment between Bayou Manchac (35.75) to control weir at (25.3); intermittent clearing/snagging from mouth Comite (mile 54) to Bayou Manchac (35.75)
- Amite Diversion Channel-Construct weir and diversion 19 miles long from mile 25.3 on the Amite to mile 4.8 on the Blind River. Weir org. design 1,500' at sea level divided into 1,000 & 500' sections and then modified to include 5x20' boat way.

Two authorized USACE construction projects, Comite River Diversion and the East Baton Rouge Flood Control, are located in or adjacent to the study area and will impact the hydrology of the Amite River Basin when construction is completed. The impacts of these projects will be considered during the feasibility study and the Preconstruction Engineering & Design phase of Amite River and Tributaries structural and non-structural components.

However, there are no Federal projects within the LERRD acquisition area of the project.

Section 6

Federally-Owned Lands within LERRD Required for the Project

There are no federally owned lands within the LERRD required for the project.

Section 7

Federal 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. A portion of the Darlington Dam will be constructed within the ordinary high water mark of the Amite River; therefore, the navigation servitude will be invoked in this area.

Section 8

Project Maps

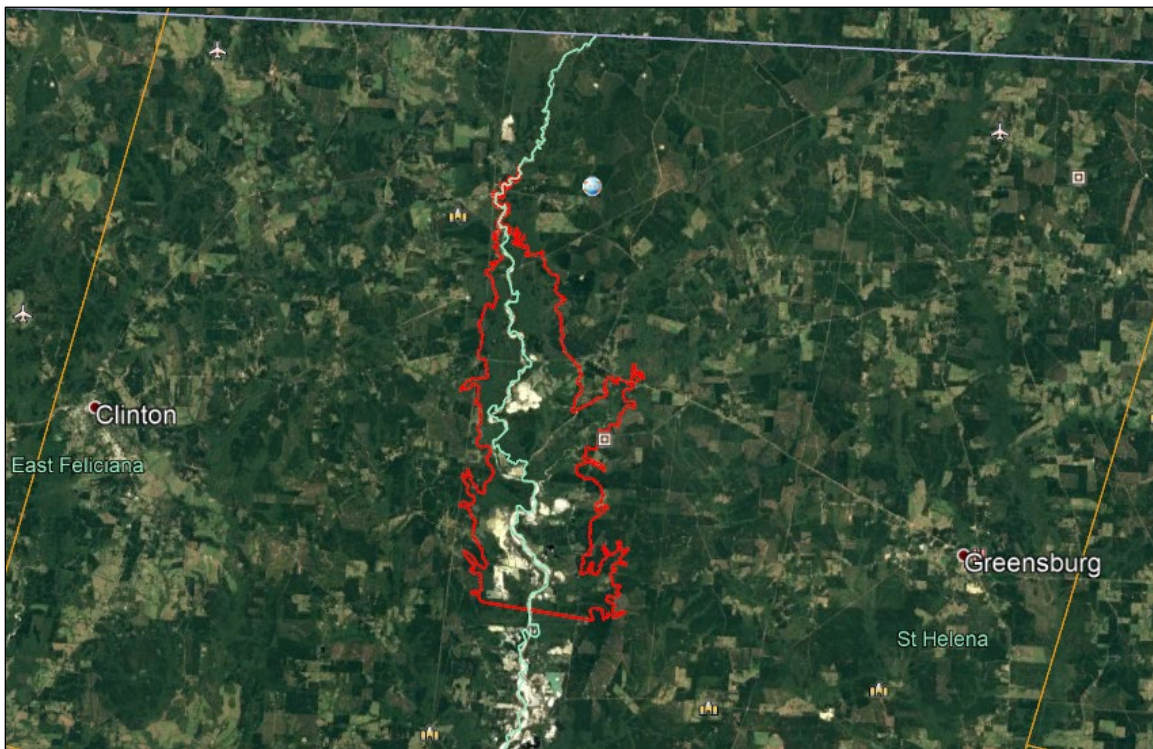


Figure D: 8-1. Darlington Dam Area (Structural Component of the TSP)

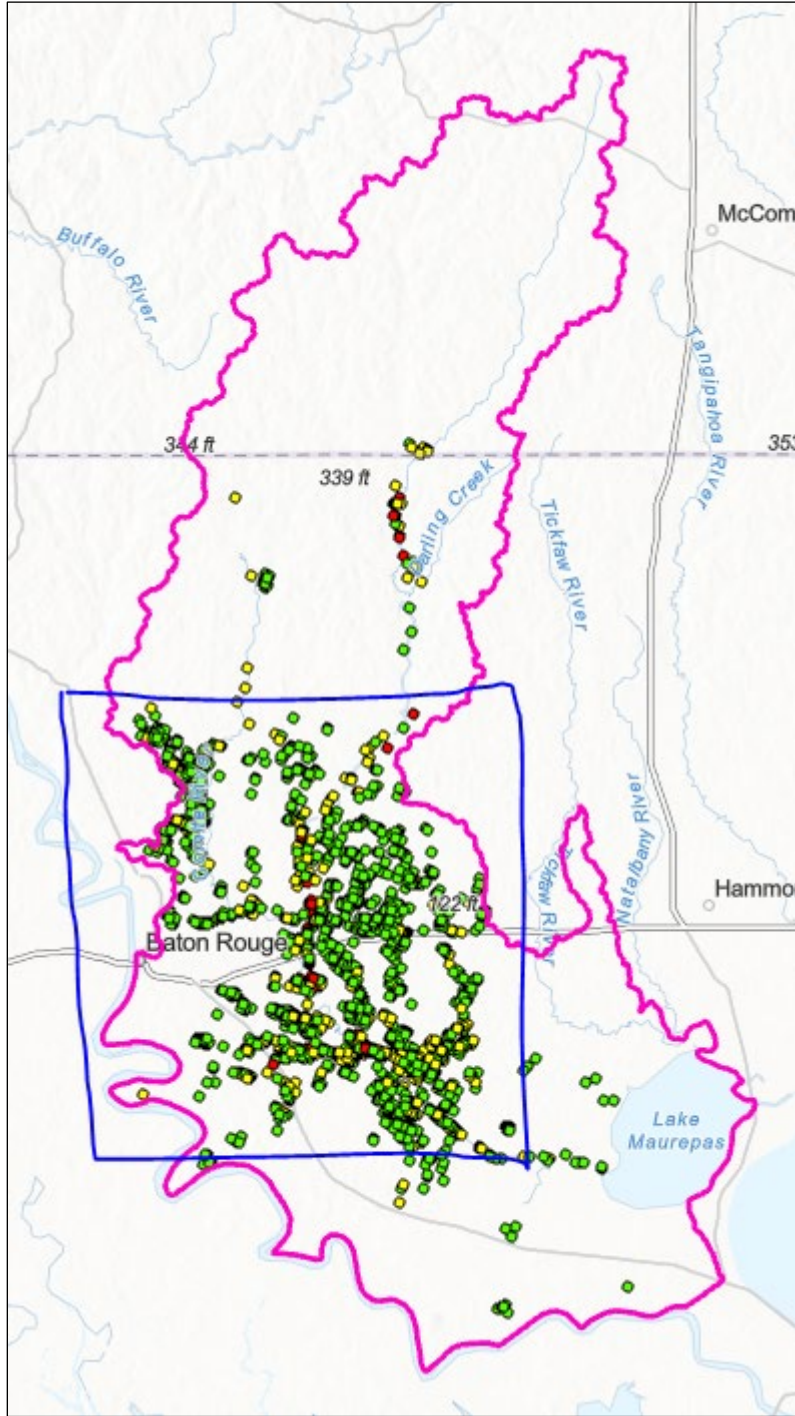


Figure D:8-2. Nonstructural Area

Section 9

Induced Flooding

It is not anticipated that there will be induced flooding, as a result of the project, outside of the project footprint. Fee, excluding oil and gas, or flowage easements would be acquired over areas within the flood pool and maximal probable flood associated with the Darlington Dam. However, further hydraulic modeling will be run during feasibility study design to determine if any induced flooding will occur outside of the project footprint.

Section 10

Baseline Cost Estimate

10.1 STRUCTURAL

Total real estate costs, excluding mitigation, for the Structural portion of the TSP are \$164,021,000. This includes the cost of acquiring Fee, Excluding Oil and Gas and Perpetual Flowage Easements over the proposed Darlington Dam site and areas encompassing the flood pool and probable maximal flood. These costs include land, improvements, relocation assistance for displaced persons, acquisition costs, cemetery relocation administrative costs, and contingencies. If it is necessary to acquire lands for Government constructed mitigation sites, total real estate costs for the structural portion of the TSP are estimated to be \$223,167,000. Mitigation costs have already been captured under the Environmental Costs in the event that mitigation bank credits are purchased. So as not to double count mitigation costs, these mitigation bank costs are accounted for separately.

10.2 NON-STRUCTURAL

Total Real Estate Costs for the Non-Structural portion of the TSP are \$74,567,000. This cost includes relocation assistance for tenants, administrative costs (Flood Proofing Agreement, Title verification, etc), and contingencies for elevating 3,252 residential structures and flood proofing 314 non-residential structures.

Costs for the non-structural measures listed below, which may include mandatory acquisitions and relocation assistance to displaced persons arising from such acquisitions, have not been accounted for in any Real Estate Costs. It is unknown at this time where or how many structures would be acquired:

- If a structure would require elevating greater than 13 feet to meet the future year 0.01 AEP BFE, the structure may instead be acquired and removed from the floodplain. The 13' height is based on guidance provided in the FEMA publication P-550.
- Following detailed design, it may become necessary to acquire structures for permanent evacuation of the FEMA regulated floodway. Such determination would be based on risk and performance.

During further refinement, should the Life Safety Risk Analysis indicate the need for acquisitions for permanent evacuation of the FEMA regulatory floodway or any other areas of critical concern, then eminent domain would be retained as a method of accomplishing acquisitions by the NFS, consistent with USACE Planning Bulletins 2016-01 and 2019-03.

Section 11

P.L. 91-646 Relocation Assistance Benefits

11.1 STRUCTURAL

Relocation assistance benefits are anticipated for the structural features of the project. With the fee acquisition, residential and nonresidential structures would need to be acquired and landowners would be displaced as a result of the structural project features of the Darlington Dam footprint. Based on preliminary information and aerial photography, it is estimated that 365 structures are located within the footprint. P.L. 91-646 would be applied accordingly.

11.2 NON-STRUCTURAL

P.L. 91-646 Relocation Assistance Benefits would apply in two different scenarios depending on if the structure is being elevated/flood proofed based on voluntary participation or if the structure is classified as a mandatory acquisition. Because relocation assistance benefits differ under the two scenarios, this section is broken out by “Voluntary Structure Elevating/Flood Proofing” and “Mandatory Acquisition”.

Voluntary Structure Elevating/Flood Proofing:

ELEVATING RESIDENTIAL STRUCTURES

If a structure is located within the 0.04 AEP floodplain but outside of the FEMA Floodway, participation is voluntary. If a structure would require elevating greater than 13 feet to meet the future year 0.01 AEP BFE, the structure may instead be acquired and thus removed from the floodplain. Such an acquisition would be considered voluntary.

Because participation would be 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 - Engineering. 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.

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 project, then a tenant would not be displaced and would not qualify for relocation assistance.)

Property owner/occupants of eligible residential structures who willingly participate in the residential elevation project are not considered displaced persons (in accordance with 49 CFR Part 24), and therefore are not entitled to receive relocations assistance benefits. However, displaced tenants of eligible residential structures to be elevated, are eligible for temporary relocations assistance benefits. Eligible tenants that temporarily relocate would be reimbursed for the cost of temporary alternate housing, meals and incidentals (such as laundry services), and the fees for disconnection and connection of utilities at the temporary residence. Alternate housing could be hotels or apartments, depending upon availability in the community. All temporary housing costs would need to be approved in advance by the NFS after first obtaining the prior written approval of USACE. Hotel costs would be reimbursed based on the General Services Administration per diem rates for Louisiana. Apartment costs would be based on market rents. All conditions of temporary relocation must be reasonable. Temporary relocation should not extend beyond one year before the person is returned to his or her previous unit or location. Any residential tenant who has been temporarily relocated for more than 1 year must be offered permanent relocation assistance, which may not be reduced by the amount of any temporary relocation assistance previously provided. At a minimum, tenants shall be provided the following: reimbursement for all reasonable out-of-pocket expenses incurred in connection with the temporary relocation, including the cost of moving to and from the temporarily occupied housing, and any increase in

monthly rent or utility costs at such housing. Tenants are entitled to receive appropriate advisory services, including reasonable advance written notice of:

- Date and approximate duration of the temporary relocation;
- Address of the suitable decent, safe, and sanitary dwelling to be made available for the temporary period
- Terms and conditions under which the tenant may lease and occupy a suitable decent, safe and sanitary dwelling in the building/complex upon completion of the project; and
- Provisions of reimbursement for all reasonable out of pocket expenses incurred in connection with the temporary relocation as noted above.
- In addition to relocation advisory services, displaced tenants may be eligible for other relocation assistance including relocation payments for moving expenses and replacement housing payments for the increased costs of renting or purchasing a comparable replacement dwelling.

All temporary housing costs must be approved in advance by the NFS. In order for the NFS to receive credit towards their cost-share obligations, USACE must provide prior written approval for those expenditures.

DRY FLOOD-PROOFING OF NON-RESIDENTIAL STRUCTURES

It is assumed that for these measures, there will be no requirements for temporary relocation. In the event that relocations are required, in accordance with 49 CFR Part 24 (Subpart A, Section 24.2(a)(9)(ii)(D), property owner/occupants of non-residential structures who willingly participate in the project are not considered displaced, and therefore are not entitled to receive relocations assistance benefits. Additionally, businesses will not receive benefits for temporary loss of operation during construction. Business owners who are tenants of the structure, and who must relocate temporarily during construction, could receive relocation assistance advisory services and moving expenses, in accordance with 49 CFR Part 24.

Mandatory Acquisition of Residential and Non-Residential Structures:

Following detailed design, it may become necessary to acquire structures for permanent evacuation of the FEMA regulated floodway. Such determination would be based on risk and performance. Relocation Assistance would apply to owner-occupants as well as tenants because participation would no longer be voluntary. Owner occupants and tenants of the residential/non-residential structure would be eligible to receive relocation benefits including advisory services and moving expenses, in accordance with 49 CFR Part 24.

During further refinement, should the Life Safety Risk Analysis indicate the need for acquisitions for permanent evacuation of the FEMA regulatory floodway or any other areas of critical concern, then eminent domain would be retained as a method of accomplishing acquisitions by the NFS, consistent with USACE Planning Bulletins 2016-01 and 2019-03.

Costs for any mandatory acquisition within the non-structural measures for the TSP and any relocation costs associated with the acquisitions have not been accounted for in this REP due to insufficient information on location and number of structures.

Section 12

Mineral Activity/Crops

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 there are oil and gas wells within the project area. As more information is developed, during more detailed design, research will be conducted to verify the number and disposition of wells in the area and whether that mineral activity would be impacted by the project. The proposed fee estate as written will prohibit the use of the surface for oil & gas exploration or production. Lands within the footprint to be acquired do not appear to be used for timber or crop production. If the project were to impact such lands, the owner of the timber or crops will be allowed to harvest prior to acquisition.

Section 13

Non-Federal Sponsor Capability Assessment

A Capability Assessment will be completed and included as an appendix to the REP before the final REP is prepared. Based on prior USACE projects, Louisiana Department of Transportation and Development is expected to be fully capable of acquiring and providing lands, easements and rights-of-way for the construction and operation and maintenance of the project.

Section 14

Zoning Ordinances

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

Section 15

Acquisition Schedule

15.1 DARLINGTON DAM

The following schedule shows the tasks and duration for acquisition of the LERRD required for the project, which would affect approximately 700 private landowners. This schedule is subject to change based on project priorities and how the NFS will handle acquisitions. This schedule is for preliminary planning purposes for schedule estimating; it is based on a worst case scenario that all 700 tracts are acquired at the same time.

1. Mapping	6 months
2. Title	12 months
3. Appraisals (begin concurrent with title)	18 months
4. Negotiations	24 months
5. Closing	18 months
6. Condemnation *	24 months

*Overlaps with Closing timeframe

15.2 NON-STRUCTURAL PORTION

The nonstructural measures may include elevations and flood proofing of structures. Such work would require execution of an agreement between the landowner and the NFS. In addition, the following administrative functions, among others, would be required: title research, HTRW analysis, and structural condition analysis, and additional property inspections to determine eligibility. Temporary rights of entry would have to be obtained from the owners in order to perform some of these administrative duties. An implementation plan will be prepared and will be included in the Final Integrated Feasibility Report and Environmental Impact Statement.

Tasks shown below would likely vary by property; therefore, the schedule shown is the overall anticipated time for the total number of structures and assumes an overlap of tasks. The schedule is dependent upon a defined nonstructural implementation plan and assumes that project funding will be available every year. Therefore, this estimated schedule is expected to be refined as more information becomes available during PED and implementation of the authorized project.

Obtain Right-of-Entry for Investigations (To Determine Eligibility)	6-12 months
Title research	40-60 months
Preliminary Investigations (i.e. HTRW, structural, surveys, etc.)	36-60 months
Execution of agreement b/w landowner & NFS & curative docs	12-24 months
Filing Agreement between landowner & NFS	12 months
Relocation of Displaced Tenants	12-24 months

Section 16

Facility/Utility Relocations

16.1 ROADWAY RELOCATIONS

Selective public roadways were chosen for evacuation routes only in the case of emergencies. All other existing highways and roads that traverse the proposed reservoir will not be considered to be relocated, rerouted or raised to accommodate a 100-year flood event in accordance with LADOTD standards. Public roads that only provide access to areas inside the reservoir limits to be acquired in fee will be considered abandoned and therefore were excluded from this study.

Louisiana Highway 10 is the only selected roadway that is above the 100 – year flood elevation for an evacuation route but was not listed as needing relocation.

Per the Engineering Appendix (Appendix A), Matthew Road, Lee Lane, and LA 448 will require relocation up and over the proposed flood protection required for continued access for local traffic. These relocations, however, will not require the acquisition of any new right of way.

16.2 POWER LINE AND TELEPHONE RELOCATIONS

Some power distribution lines and telephone lines along LA Highway 448, Matthew Road and Lee Lane may need to be relocated. Confirmation is required to determine what type of lines (distribution power or transmission lines) are located east of the Darlington Dam – Dry Reservoir Alternative; however, they do not appear to be impacted.

16.3 PIPELINE RELOCATIONS

Per the Engineering Appendix, pipelines located under the flood pool area would not be required to be relocated or weighted down to offset negative buoyancy. All pipeline crossings were buried below ground at a minimum of 3 to 5 feet in depth.

16.4 CEMETERY RELOCATIONS

The Church of God in Christ Cemetery has been identified in the project area and would be required to be relocated.

Preliminary investigations were conducted to identify the number of memorials at the cemetery. Twenty-six memorials were identified at Church of God in Christ Cemetery.

Historical investigations, including contact of descendants, excavations, and re-interments including grave markers and burial vaults must meet state and local guidelines and regulations.

The Church of God in Christ Church, located adjacent to its cemetery, would have to be relocated outside of limits of the Darlington reservoir. This church's structure is estimated to have a living space of 5,000 square-feet, which services the local community. It is recommended that the church, along with its cemetery, be relocated to one location. Costs associated with relocation of the church would be paid under P.L. 91-646, Relocation Assistance Benefits.

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.

Section 17

HTRW and Other Environmental Considerations

An HTRW environmental site assessment will be done prior to the final Integrated Feasibility Report and EIS. Please see the HTRW discussion in Section 6 of the Draft IFR and DEIS for further information.

Section 18

Landowner Attitude

There have been three public scoping meetings held in the Baton Rouge area. There has been mixed feelings on the support and opposition of the alternatives, but there have not yet been public meetings to address the TSP.

Section 19

Risk Notification

A risk notification letter has not been sent to the NFS. The NFS will be notified in writing about the risks associated with acquiring land before the execution of the Project Partnership Agreement and the Government's formal notice to proceed with acquisition. This will be sent prior to the final report.

Section 20

Other Real Estate Issues

It is not anticipated that there will be any other real estate issues for this project.

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