

**APPENDIX D**

**REAL ESTATE PLAN**

**TANGIER ISLAND JETTY CAP SECTION 107 PROJECT**

**AUGUST 23, 2016**

APPENDIX D  
REAL ESTATE PLAN

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## **APPENDIX D REAL ESTATE PLAN**

### **1.0 STATEMENT OF PURPOSE**

This Real Estate Plan is intended for planning purposes to support the Tangier Island Jetty Section 107 Navigation Project Detailed Feasibility Study, to determine the Real Estate requirements for this navigation improvement Project (the "Project"). The purpose of this Real Estate Plan is to present and describe the minimum real property interests for the proposed Project. The figures in this report are subject to changes as the Project is refined during the next phase of Pre-Construction Engineering and Design.

### **2.0 REFERENCES**

- a. Draft DPR and EA Report – Tangier Island Jetty
- b. ER405-1-12 Chapter 12
- c. Project Delivery Team (PDT) Meetings

### **3.0 AUTHORIZATION**

The Tangier Island Jetty is being conducted under authority of Section 107 of the River and Harbor Act of 1960 (Public Law [PL] 86-645), as amended, and is part of the Continuing Authorities Program. Projects implemented under this program are formulated for commercial navigation in accordance with current policies and procedures governing projects of the same type that are specifically authorized by Congress.

### **4.0 BACKGROUND**

The exposure of the Federal western navigation channel (known as the North Channel) and adjacent harbor to direct wave attack from northwest winds, as well as sheets of ice pushed into the inner channel and harbor during winter, has created serious navigation problems. The Commonwealth of Virginia, by the Virginia Marine Resources Commission, is the Non-Federal Sponsor of this Project, in coordination with and on behalf of the Town of Tangier, Virginia.

A solution to these problems was originally developed in a March 1995 Continuing Authorities Program (CAP) reconnaissance report. The report found that the proposed jetty plan was not economically feasible since the benefit to cost ratio (BCR) was 0.50 to 1. Notwithstanding the BCR, the Water Resources Development Act (WRDA) of 1996 (Public Law 104-303) authorized the Project,

stating that: “in view of the historic preservation benefits resulting from the Project..., the overall benefits of the Project exceed the costs of the Project”. A memorandum from the Assistant Secretary of the Army for Civil Works dated 25 June 2012 concurred with the Corps of Engineers North Atlantic Division (NAD) Regional Integration Team’s recommendation to begin the Feasibility Phase. This allowed the NAO to proceed with negotiating and executing a Feasibility Cost Sharing Agreement (FCSA).

#### **4.1 OPERATIONS AND MAINTENANCE**

USACE will have Operation, Maintenance, Repair, Replacement and Rehabilitation (OMRR&R) requirements for the jetty after construction completion.

#### **5.0 LOCATION**

The study area is wholly within the boundaries of Tangier Main Island and the Northern Neck of Tangier Island known as Canaan (also known as the Uppards) and are located in the Chesapeake Bay approximately 65 miles north of Norfolk, Virginia, approximately 90 miles southeast of Washington, DC, and is entirely within the political boundaries of Accomack County on Virginia's Eastern Shore, as shown in Exhibit A, Project Site Map.

#### **6.0 DESCRIPTION OF WORK**

The alternatives carried forward for the Tentative Selected Recommended Plan is the construction of a 490 linear foot stone jetty attached to the Uppards shoreline and extending south to the northern edge of the channel. The jetty is designed to decrease wave height by an average of 49.1 percent. The majority of construction will begin and take place below mean low water (MLW), will attach the jetty into the Uppards land at about 2-3 feet above mean high water (MHW), and will be accomplished from a barge. The PM has confirmed this description of work and that there is no need for construction staging areas.

#### **7.0 PROJECT AND PLACEMENT AREAS AND OWNERSHIP**

Approximate Project areas are shown on Exhibit A, Site Map, and Exhibit B, Project Map. The NFS either owns or will acquire sufficient property interests in the areas of construction above MHW and Federal Navigational Servitude will be exercised for the placement of the jetty on the Commonwealth bottomlands needed for the Project.

The Uppards shoreline is estimated to be eroding at the rate of about ten feet per year and the Project Map is based on a satellite photo from 2013. Therefore the

point on land where the proposed jetty will tie in is a moving target and can only be estimated. When the jetty design is complete and the site is surveyed, the Project real estate location will be adjusted and confirmed.

The private property owner in the vicinity of the Project is shown in Exhibit C, Accomack County Real Property Tax Record. The NFS will acquire and certify the minimum real property interests required to support the Project.

## **8.0 PROJECT LANDS, EASEMENTS, RIGHTS OF WAY, RELOCATIONS AND DISPOSAL AREAS (LERRD)**

The construction of the Project will require the NFS to obtain and/or grant permission to the Government to construct the project by placing stone in the Project area. Location of the exact Project area will be determined during the design phase of the Project. USACE will have the access required for future operations and maintenance via a barge and the Navigational Servitude. There is no road access to the site so all construction will be performed from a waterborne barge.

### **Standard Estates**

8.1 Standard Estates required for construction, monitoring, and operations and maintenance. The Project requires a fee real estate interest for an upland jetty anchor site. Standard estates have been approved by HQUSACE and included in EC405-1-11, dated 1 December 2004, Exhibit 5-29.

8.2 Standard Estate No. 1 Fee simple title is needed for construction of the project. The Standard Estate language reads as follows:

The fee simple title to the land described in Exhibit B, Project Map, subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines, if any.

## **9.0 MAPPING**

Mapping is included in Exhibits A, B, and C. Exhibit A is a site map, and Exhibit B is a Project Map indicating the approximate locations of the proposed Tangier Island and Uppards jetty.

## **10.0 NAVIGATIONAL SERVITUDE**

Most of the project is planned to be located below the mean low water line (MLW). The project is for the purpose of channel protection, commercial navigation, and prevention of potential erosion from weather and other events. Therefore,

Navigational Servitude will be exercised for work on the aquatic lands below MHW. This will include construction and future Federal OMRR&R responsibilities for Project elements.

### **11.0 RELOCATIONS**

There are no relocations required in the Project footprint because the Project real estate is unimproved marshland with no residential, farm, commercial improvements, or utilities to relocate.

### **12.0 NO FLOODING INDUCED BY PROJECT CONSTRUCTION**

The intended effects of this project are not expected to cause flooding in this area.

### **13.0 FUTURE MINERAL ACTIVITIES AND TIMBER ACTIVITIES**

No future mineral activities or other subsurface minerals or timber activities are known at this time to be involved in the Project.

### **14.0 FEDERALLY OWNED LANDS**

There is no Federally-owned land in the areas required for the construction of the Project, other than exercising the Navigational Servitude.

### **15.0 UNIFORM RELOCATION ACT**

No residences, farms, and/or businesses will be displaced by the proposed project and thus there are no relocation costs anticipated under the Uniform Relocation Act.

### **16.0 ZONING ENACTMENTS**

There are no zoning enactments that are needed for the project. There are no zoning ordinance changes proposed in lieu of, or to facilitate, acquisition in connection with the Project.

### **17.0 PUBLIC FACILITY RELOCATIONS**

No relocations of utilities or public facilities are required for the construction of the project. No LERRD relocation of public utilities or public facilities is anticipated.

## **18.0 NEPA, NHPA & HTRW**

The environmental report prepared for the Project indicted there are no hazardous, toxic or radioactive waste known to exist on the real property needed for the project. Under the National Environmental Policy Act, an environmental assessment was prepared and a Finding of No Significant Impact issued. Under the National Historic Preservation Act, there are no adverse effects.

## **19.0 REAL ESTATE COST ESTIMATE**

The real estate cost for this Project is estimated at \$100.00 for a fee simple acquisition of 0.46 acre for an upland jetty anchor site. Cost Estimate support documentation was completed by NAO Supervisory Appraiser Karen Peterson, attached as Exhibit D. As a CAP project in the Feasibility Phase, a Cost Estimate (not an appraisal) is the appropriate valuation support documentation. There are expected to be LERRD credits to the NFS and these credits will be for acquisition of the upland jetty anchor site.

"The larger parcel of which Tract 100 is a portion of, is a privately owned, unimproved land parcel that is approximately 65 acres, and the anticipated project land area is 0.46 acre. The Town of Tangier is negotiating with the current owner to obtain fee ownership by donation of the parcel prior to the start of actual construction."

The TPCS cost estimate is attached as Exhibit E, which show all real estate costs estimated at \$30,000.

## **20.0 ASSESSMENT OF NON-FEDERAL SPONSOR**

The NFS is the Commonwealth of Virginia, by the Virginia Marine Resources Commission, in coordination with and on the behalf of the Town of Tangier. The Norfolk District has worked with the Town on several Local Cooperation Projects, which include a Harbor of Refuge, North & West Channels and associated dredging and Shore Protection provided by the existing seawall. The Town Manager of the Town of Tangier has affirmed intent to acquire the necessary real property interests required to construct and maintain the Project, as required for local cooperation, and has verbally stated that it possesses the necessary human and financial resources required to do so. An assessment of the NFS Real Estate Acquisition Capability is attached as Exhibit F.

## 21.0 PROJECT SCHEDULE

### **REAL ESTATE ACQUISITION SCHEDULE**

| Item  | Date   |
|---|--|
| PPA Signed                                    | Fiscal Year 2017   |
| Send Notice to Proceed (NTP) with acquisition | Three days after receipt of signed PPA, Project land survey, and Project design plan |
| Acquisition completed                         | 8 months from date of NTP  |
| Certification by Chief of Real Estate         | 10 days after notice of completion of acquisitions from local sponsor                |
| Project put out for bids                      | Upon certification by the Chief of Real Estate                                       |

The need for, and timing of, a fee simple title acquisition of real estate has been discussed with the sponsor and there is general agreement that sufficient time is available to accomplish the activities outlined in the above table. Written sponsor concurrence in the schedule will be coordinated.

## 22.0 RECOMMENDATION

This report has been prepared in accordance with Corps of Engineers Regulation 405-1-12, Chapter 12 (Draft). It is recommended that this report be approved.

Prepared by:



Thomas H. Gulihur  
Chief, AM&D Section

23 AUG 16

Date

Approved by:



Donna L. Carrier-Tal  
Chief, Real Estate Office

23 Aug 16

Date

Legally sufficient:



Todd E. Waldman  
Office of Counsel

23 Aug 16

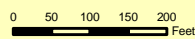
Date



# Exhibit A, Site Map



Tangier Island, Accomack Co, Virginia  
Tangier Jetty Section 107  
**Jetty Area Map**  
May 2016



Projection:  
Virginia State Plane  
South Zone - NAD 83  
U.S. Survey Feet

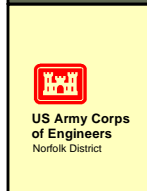
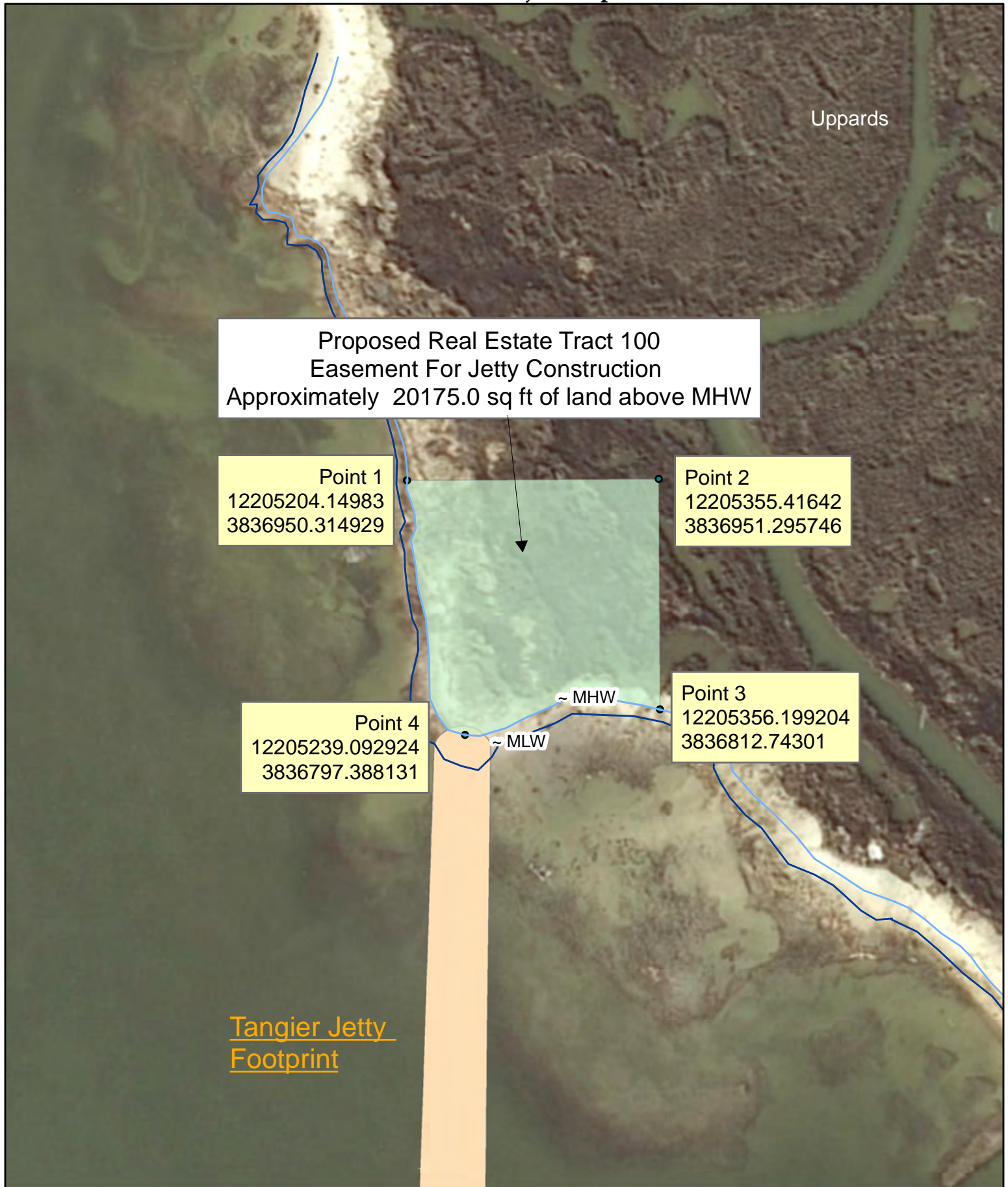
Base Map:  
ESRI Online Imagery

Project Manager: Eddie DuRant  
E-mail: Eddie.M.DuRant@usace.army.mil  
Phone: (757) 201-7539

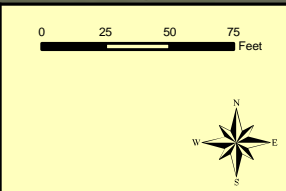
Prepared by:  
Karin Dridge, Geospatial Section  
Map File:  
RealEstateJetty1\_StudyArea.mxd  
Map Date: 4 May 2016



# Exhibit B, Project Map



Tangier Island, Accomack Co, Virginia  
Tangier Jetty Section 107  
**Real Estate Tract 100**  
**Proposed Easement Map**  
May 2016



Projection:  
Virginia State Plane  
South Zone - NAD 83  
U.S. Survey Feet

Base Map:  
VBMP 2013 Imagery

Project Manager: Eddie DuRant  
E-mail: Eddie.M.DuRant@usace.army.mil  
Phone: (757) 201-7539

Prepared by:  
Karin Dridge, Geospatial Section  
Map File:  
RealEstateJetty1\_ZoomMay2016.mxd  
Map Date: 4 May 2016

# Accomack, Virginia, County Tax Assessor's Record

**Tax Map #:**

49-A-5

**Parcel ID:**

04900A000000500

The assessment information is obtained from the total value of these tax map numbers...

49-A-5

## Summary

**Owner's Name**

SCHEISS, WILLIAM A

No Data

**Mailing Address**6987 VAN ANTWERP DR  
CICERO, NY 13039**Base Zoning**

Note: Part or all of this area falls within the limits of an Incorporated Town. Please check with applicable Town for zoning classification within town limits.

**Overlay Zoning****Tax District**

Subscription Only

## Sale Information

|                        |         |
|------------------------|---------|
| <b>Transfer Date:</b>  | No Data |
| <b>Sales Price:</b>    | No Data |
| <b>Grantor:</b>        | No Data |
| <b>Deed Reference:</b> | No Data |
| <b>Plat Book:</b>      | 245     |
| <b>Plat Page:</b>      | 69      |

## Assessment Information

|                    | 2016  | 2014  |
|--------------------|-------|-------|
| <b>Land Value</b>  | \$600 | \$600 |
| <b>Improvement</b> | \$0   | \$0   |
| <b>Total Value</b> | \$600 | \$600 |

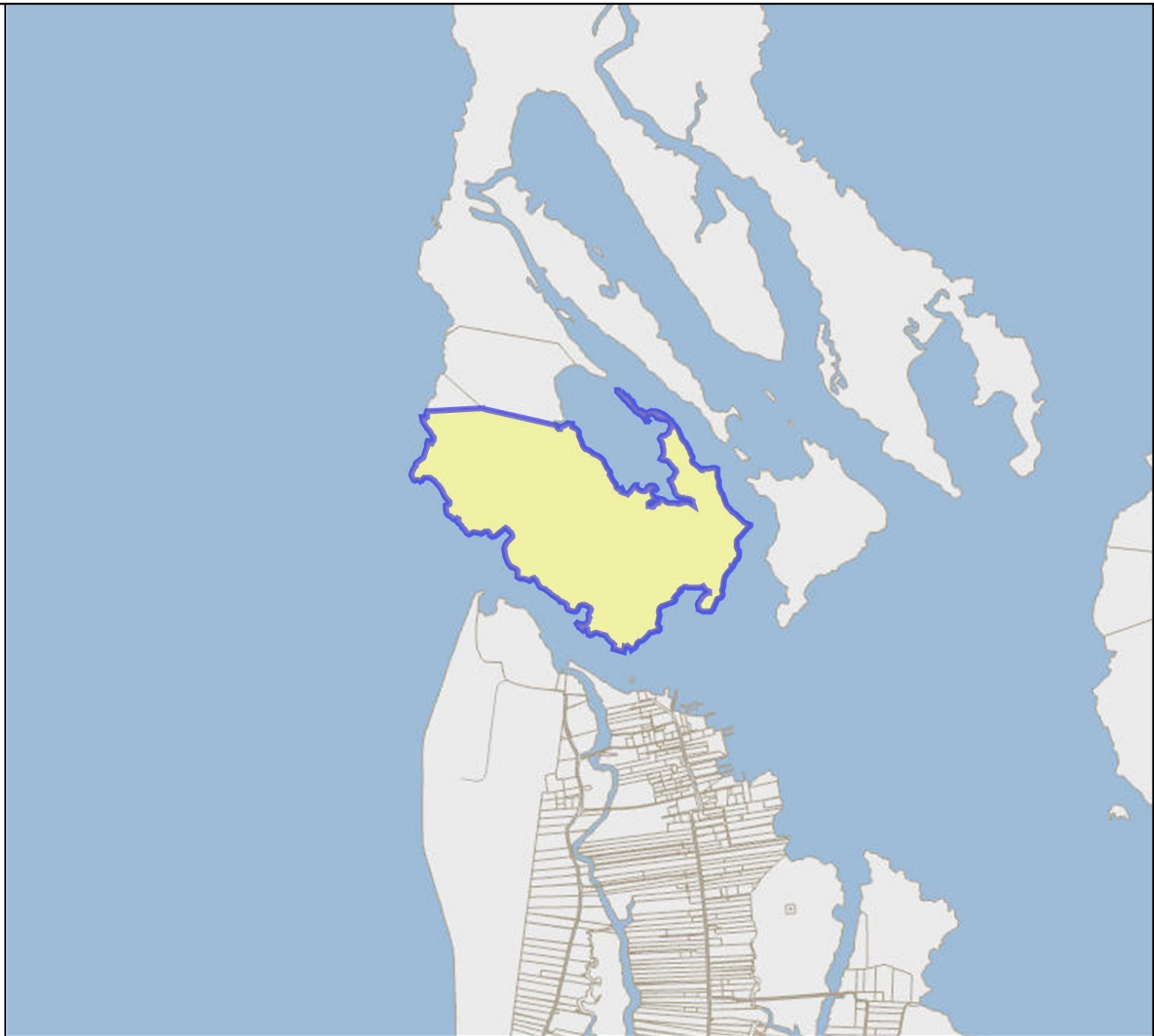
The assessment information is obtained from the total value of these tax map numbers...

49-A-5

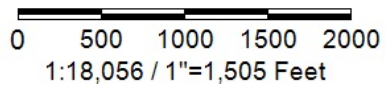
## Land

|                           |                       |                     |                   |
|---------------------------|-----------------------|---------------------|-------------------|
| <b>Property Class:</b>    | 100-Incorporated Town | <b>Electricity:</b> | Subscription Only |
| <b>Legal Description:</b> | CAANAN ACRES          | <b>Gas:</b>         | Subscription Only |
| <b>Land Description:</b>  | MARSHLAND             | <b>Sewer:</b>       | Subscription Only |
| <b>Street Type:</b>       | Subscription Only     | <b>Water:</b>       | Subscription Only |

**Legend**



Feet



**Title: Parcels**

**Date: 6/14/2016**

*DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Charlottesville is not responsible for its accuracy or how current it may be.*

| Map ID #      | County Assessor's Tax Parcel ID | Ostensible Owner's Name | Type of Ownership | County Assessor's Tax Parcel Size (AC) | Project Real Property Land Size to be Analyzed (Est. AC) | Fee Simple Estate to be Analyzed | Project Intended Use of Land | Real Property Rights for Analysis | Current Land Use                | Zoning (Town of Tangier) | Highest & Best Use of Project Footprint | Comments  | Before Land Market Value per AC (based on Assessed FMV) | Before Market Value Estimate (not rounded) | After Market Value of Remainder per Acre | After Market Value Estimate Remainder (not rounded) | Difference Value of Lands to be Acquired/Conveyed | Apparent Uneconomic Remnant                | Project Damages to the Remainder | Project Special Benefits to the Remainder | Value of Real Property Interest to be Acquired / Conveyed (not rounded) | Date of Value  |
|---------------|---------------------------------|-------------------------|-------------------|--|--|----------------------------------|------------------------------|-----------------------------------|---------------------------------|--------------------------|---|---|---|--|--|---|---|--|----------------------------------|---|---|----------------|
| 100E          | 04900A000000500                 | William A. Scheiss      | Private           | 65.00                                  | 0.46   | 0.46                             | Uplands jetty anchor site    | Fee                               | Natural Resource / Recreational | None                     | Natural Resource / Recreational         | Unimproved natural resource / recreational land, located in a Resource Mgt Area. No vehicular access. Public water access from navigable waters. Uppards Island is essentially an uninhabited (yr round) remote barrier island of tidal shorelands, marshes, and small tidal streams. Uppards was historically inhabited, but now seasonal with some marine docks improvements. | \$9.23  | \$599.95                                   | \$9.23                                   | \$595.68  | \$4.27  | None                                       | None                             | None                                      | \$4.27  | 8/23/16        |
| <b>Totals</b> |                                 |                         |                   | <b>65.00</b>                           | <b>0.46</b>  | <b>0.46</b>                      |                              |                                   |                                 |                          |   |   |   |  |  |   |   | <b>No Uneconomic Remnants to Remainder</b> | <b>No Damages to Remainder</b>   | <b>No Special Benefits to Remainder</b>   | <b>\$4.27</b>   | <b>8/23/16</b> |

**Key Project Design Elements:** Construct a jetty on SW Uppards Island on north side of the North Channel to decrease wave height and protect Tangier Island from accelerated wind-generated wave erosion, ice, and improve navigational safety.

**Extraordinary Assumption:** The attached Feasibility Planning Phase Project Real Estate mapping dated 16 May 2016 is basically correct, other than estate is Fee Simple vs. a Temporary Work Area Easement and the best data available; mapping locations, acreages, ownerships, etc. Lacked a current ALTA "As-Is" land survey and title report.

**Extraordinary Assumption:** The subject property Larger Parcel is assumed to be 65+/- acres of "non-buildable" land due to: location in a Resource Mgt Area; topography; flooding; access; shorelands' soil types and vegetation land use restrictions, and is valued as such.

Due to rising tidal waters and flooding, the islands' lands sinking, accretion of alluvial deposits, and/or erosion, the Larger Parcel is assumed to be 65+/-ac per County Assessor's records. Lacked land survey and title information to confirm.

**Hypothetical Condition:** Values are based on an "As-Clean" condition assumption with no significant hazardous materials/contamination due to previous and/or adjacent land uses.

## Exhibit D Real Estate Cost Estimate

This is a USACE compliant Feasibility Planning Phase "Cost Estimate" valuation product and is NOT an appraisal. A USACE Feasibility Planning Cost Estimate Report is a jurisdictional exception and is not compliant with USPAP or UASFLA. This USACE Cost Estimate is for internal decision making purposes and documentation support of the Project Feasibility Planning Phase and is not appropriate and/or viable for any other uses. The CLIENT and INTENDED USER is ONLY USACE. This Cost Estimate report is not to be distributed to anyone other than the Client.

Market data was compiled 8/12/2016 by KRP/Appraiser for the incorporated Tangier and Uppards Islands market area, in Accomack County, Virginia for natural resource / recreational land use market data and current listings for sale. Researched on-line public records and MLS data for current, comparable property listings for sale, resulting in no viable unimproved comparable land sales and/or listings for sale. Due to the uncertainty in the market due to the islands sinking, erosion, and flooding issues, there were no land only, arm's length, adequate quality, current natural resource or recreational listings and/or sales available for analysis. Viable sales with similar property characteristics as the subject properties in the Uppards or Tangier Islands market areas were unavailable. The market data utilized for analysis purposes was based on the Accomack County Assessor's records and data as a basis of support for fair market value. Accomack County real property is assessed at 100% of fair market value by law, and was the best available indicator of market value available for this valuation assignment. Overall, for Feasibility Planning Phase purposes, utilizing current assessed values representing 100% FMV is an acceptable basis of support for this level of planning documentation support. No verification or further sales analyses was included.

The Larger Parcels/Whole Property were identified, if known, and analyzed if appropriate. The privately owned subject property was valued as a stand-alone, Whole Property, not part of a larger private ownership. The proposed carve-out does not apparently create an uneconomic remnant nor cause damage to, nor provide special benefits to the Remainder.

The Subject Property was NOT physically viewed by the Appraiser/author of this CE. Project Real Estate Mapping and Google Earth aerial photos were utilized. Title information and an ALTA land survey were not available/provided for the Feasibility Phase of this Project. No mineral and/or water rights, title, and/or environmental information were provided for this appraisal assignment. From the aerial photography, there did not appear to be any significant site improvements, merchantable timber, or crops within the Project footprint.

The subject property owner was not contacted for this valuation action and had no input in the delineation of the Project footprint.

Project's proposed site for an uplands jetty anchor site land uses will not adversely affect the remainder's current land uses or utility of the majority of the property, that would result in a change in the H&BU of the subject property or the Remainder, i.e. no change in Before or the After land values of the Remainder.

Due to historic land uses, there may be site improvements e.g. utilities; levee; irrigation/drainage infrastructures; abandoned homesites; graves; etc. within the Project footprint.

Unable to confirm any site improvements without a physical viewing by the Appraiser/author of CE, and an ALTA "As-Built" land survey, and a title report. Assessor's records did not identify any improvements on this APN which conflicts with Google Earth aerial mapping. There does not appear to be any significant merchantable timber or crops within the Project footprint. Assessor Tax Parcel land identified within Project footprint was assumed the Larger Parcel in this proposed acquisition, unless if otherwise identified.

The Project site's footprint with consideration of the real property uses and minimizing the damages was the basis of this Feasibility Phase Cost Estimate. There are no apparent uneconomic remnants, severance damages, or special benefits to the Remainder.

**Fee Simple Estate Lands**

\$9.23 \$/AC Fee Simple Market Value per Acre Before Larger Parcel and After Condition of the Remainder of Subject Property

**Exhibit D  
Real Estate  
Cost Estimate**

|   | County Assessor's Tax Parcel Size (AC) | Project Real Property Land Size to be Analyzed (Est. AC) | Before Market Value Estimate (not rounded) | After Market Value Estimate Remainder (not rounded) | Difference Value of Lands to be Acquired/Conveyed (not rounded) | Apparent Uneconomic Remnant | Damages to the Remainder                   | Special Benefits to the Remainder |  | Date of Value                       |
|---|--|--|--|---|---|-----------------------------|--|-----------------------------------|--|-------------------------------------|
| <b>Sub-Totals</b>   | <b>65.00</b>                           | <b>0.46</b>  | <b>\$599.95</b>                            | <b>\$595.68</b>                                     | <b>\$4.27</b>   | <b>None</b>                 | <b>None</b>                                | <b>None</b>                       |  | <b>8/23/2016</b>                    |
| <p><b>Key Project Design Elements:</b> Construct a jetty on SW Uppards Island on north side of the North Channel to decrease wave height and protect Tangier Island from accelerated wind-generated wave erosion, ice, and improve navigational safety.</p> <p><b>NOTE:</b> Studies have suggested that the Uppards Island directly north of the Town of Tangier could completely erode by 2100 unless erosion control measures are taken.</p> <p>If the Uppards barrier island disappears, the Town of Tangier would be directly exposed to wind-generated waves from the north and accelerated erosion could severely erode the remainder of the historical, habitated Tangier Island.</p> <p><b>Extraordinary Assumption:</b> The attached Feasibility Planning Phase Project Real Estate mapping dated 16 May 2016 is basically correct, other than estate is Fee Simple vs. a Temporary Work Area Easement and the best data available; mapping locations, acreages, ownerships, etc. Lacked a current ALTA "As-Is" land survey and title report.</p> <p><b>Extraordinary Assumption:</b> The subject property Larger Parcel is assumed to be 65+/- acres of "non-buildable" land due to: location in a Resource Mgt Area; topography; flooding; access; shorelands' soil types and vegetation land use restrictions, and is valued as such. Due to rising tidal waters and flooding, the islands' lands sinking, accretion of alluvial deposits, and/or erosion, the Larger Parcel is assumed to be 65+/-ac per County Assessor's records. Lacked land survey and title information to confirm.</p> <p><b>Hypothetical Condition:</b> Values are based on an "As-Clean" condition assumption with no significant hazardous materials/contamination due to previous and/or adjacent land uses.</p> |  |  |  |   |   |                             |  |                                   |  |                                     |
| <b>INCREMENTAL REAL ESTATE COSTS (aka Contingencies) based on associated levels of known and unknown real estate related risks identified below:</b>  |  |  |  |   |   |                             |  |                                   |  |                                     |
| 1. <i>Sufficiency of RE Plan/Mapping:</i> Minimal level of Project mapping, property & Project design detail, creating uncertainties & elevated risk of unknowns. RE Map lacked descrp of all: Estates, tract ownership, acreages, APNs, improvements, utilities.   |  |  |  |   |   |                             |  |                                   |  |                                     |
| 2. <i>RE Interests Supporting Project Construction:</i> USACE Std TWA Esmt. Design lacked description of the proposed jetty's location, size, and estate. NAV SERV will be exercised with no associated real property costs of acquisition for the proposed jetty to be located below MHW line.   |  |  |  |   |   |                             |  |                                   |  |                                     |
| 3. <i>Potential Severance Damages/Unec Remnants:</i> There are no apparent identified: uneconomic remnants; damages; and/or special benefits.   |  |  |  |   |   |                             |  |                                   |  |                                     |
| 4. <i>Hidden/Unforeseen Property Aspects:</i> Lacked: Project info; title, mineral, water rights info; owner contact; environmental assessment reports. Unk previous property use contamination.  |  |  |  |   |   |                             |  |                                   |  |                                     |
| 5. <i>Negotiation Latitude Beyond the Estimated Market Value + Incremental RE Costs aka Contingencies/Potential Condemnation Awards:</i> 115%   |  |  |  |   |   |                             |  |                                   |  |                                     |
| 6. <i>3rd Party Rights, Unk Ownership, Other Agencies:</i> Unk mineral and/or water rights. Unk leases and/or esmts in-place. Unk utilities infrastructure loc/owners. Unk Tribal interests, public hunting, fishing access to Uppards for rec, wildcrafting, and/or natural resource uses.   |  |  |  |   |   |                             |  |                                   |  |                                     |
| 7. <i>Potential Relocations 91-646:</i> Utilities & flood/irrigation/drainage infrastructure. Unk leases and/or easements in-place. No apparent residential improvements, businesses, farms, &/or non-profits in footprint.   |  |  |  |   |   |                             |  |                                   |  |                                     |
| 8. <i>Known &amp; Unknown Utility Impacts:</i> Utilities & flood/irrigation/drainage infrastructure disruption & relocation possible. Unknown associated costs of relocation, beyond scope of assignment.   |  |  |  |   |   |                             |  |                                   |  |                                     |
| 9. <i>Market Value Indicators, based on current County Assessor's records and values, as of Date of Value 8/12/2016, Uppards Island in the Town of Tangier, Accomack County, Virginia: Before Fee Simple \$9.23/ac</i>  |  |  |  |   |   |                             |  |                                   |  |                                     |
| 10. <i>Prospective Value Estimate as a Separate Request and Section of the Feasibility Phase Cost Estimate:</i> No prospective values requested. Prospective value estimates beyond scope of assignment.  |  |  |  |   |   |                             |  |                                   |  |                                     |
| <b>Before-Real Property Fee Simple Interest Larger Parcel:</b>  | <i>Not Rounded</i>                     |  | <b>65.00</b>                               | <b>AC</b>   | <b>\$9.23</b>   | <b>\$/AC</b>                |  |                                   |  | <b>\$599.95</b>                     |
| <b>After-Real Property Fee Simple Interest of Remainder:</b>  | <i>Not Rounded</i>                     |  | <b>64.54</b>                               | <b>AC</b>   | <b>\$9.23</b>   | <b>\$/AC</b>                |  |                                   |  | <b>\$595.68</b>                     |
| <b>Difference Value of Lands to be Acquired/Conveyed:</b>   | <i>Not Rounded</i>                     |  |  |   |   |                             |  |                                   |  | <b>\$4.27</b>                       |
| <b>Uneconomic Remnants to Remainder:</b>  |  |  |  |   |   |                             | <i>No Uneconomic Remnants to Remainder</i> |                                   |  | <b>\$0</b>                          |
| <b>Severance Damages Attributable to the Project:</b>   |  |  |  |   |   |                             | <i>No Damages to Remainder</i>             |                                   |  | <b>\$0</b>                          |
| <b>Special Benefits:</b>  |  |  |  |   |   |                             | <i>No Special Benefits to Remainder</i>    |                                   |  | <b>\$0</b>                          |
| <b>Incremental RE Costs (aka Contingencies):</b>  |  |  |  |   | <b>15%</b>  |                             |  | <b>+</b>                          |  | <b>\$0.64</b>                       |
| <b>Estimated Total Real Estate Project Costs:</b>   |  |  |  |   |   |                             |  |                                   |  | <b>\$4.92</b>                       |
| <b>If &lt;\$100, minimal value \$100 applied Rounded To:</b>  |  |  |  |   |   |                             |  |                                   |  | <b>\$100</b> as of <b>8/23/2016</b> |

## Exhibit D Real Estate Cost Estimate

**WALLA WALLA COST ENGINEERING  
MANDATORY CENTER OF EXPERTISE**

**COST AGENCY TECHNICAL REVIEW**

**CERTIFICATION STATEMENT**

For Project No. 130219

NAO – Tangier Island Jetty – CAP Section 107

The Tangier Island Jetty Section 107 as presented by Norfolk District, has undergone a successful Cost Agency Technical Review (Cost ATR), performed by the Walla Walla District Cost Engineering Mandatory Center of Expertise (Cost MCX) team. The Cost ATR included study of the project scope, report, cost estimates, schedules, escalation, and risk-based contingencies. This certification signifies the products meet the quality standards as prescribed in ER 1110-2-1150 Engineering and Design for Civil Works Projects and ER 1110-2-1302 Civil Works Cost Engineering.

As of June 3, 2016, the Cost MCX certifies the estimated total project cost:

FY 2017 Project First Cost: \$2,435,000  
Total Project Cost: \$2,473,000  
Estimated Federal Cost: \$2,143,000

It remains the responsibility of the District to correctly reflect these cost values within the Final Report and to implement effective project management controls and implementation procedures including risk management throughout the life of the project.



For: **Kim C. Callan, PE, CCE, PM**  
**Chief, Cost Engineering MCX**  
**Walla Walla District**



\*\*\*\* TOTAL PROJECT COST SUMMARY \*\*\*\*

PROJECT: **Tangier Island Jetty - CAP Section 107**  
PROJECT NO: **130219**  
LOCATION: **Tangier Island, VA**

DISTRICT: **NAO - Norfolk District**

PREPARED: **10/15/2015**

POC: **CHIEF, COST ENGINEERING**

This Estimate reflects the scope and schedule in report; CAP Feasibility STUDY - TANGIER ISLAND JETTY / Alternative 1

| Civil Works Work Breakdown Structure |   | ESTIMATED COST |            |          |             | PROJECT FIRST COST<br>(Constant Dollar Basis) |            |            |                      |                   | TOTAL PROJECT COST (FULLY FUNDED) |         |            |            |            |
|--------------------------------------|---|----------------|------------|----------|-------------|---|------------|------------|----------------------|-------------------|-----------------------------------|---------|------------|------------|------------|
| WBS NUMBER                           | Civil Works Feature & Sub-Feature Description | COST (\$K)     | CNTG (\$K) | CNTG (%) | TOTAL (\$K) | ESC (%)                                       | COST (\$K) | CNTG (\$K) | REMAINING COST (\$K) | Spent Thru: (\$K) | TOTAL FIRST COST (\$K)            | ESC (%) | COST (\$K) | CNTG (\$K) | FULL (\$K) |
|                                      |   |                |            |          |             |   |            |            |                      |                   |                                   |         |            |            |            |
| 10                                   | BREAKWATER & SEAWALLS                         | \$1,628        | \$392      | 24.1%    | \$2,020     | 1.4%  | \$1,650    | \$398      | \$2,047              | 10/1/2015         | \$2,047                           | 1.6%    | \$1,676    | \$404      | \$2,080    |
| <b>CONSTRUCTION ESTIMATE TOTALS:</b> |   | \$1,628        | \$392      |          | \$2,020     | 1.4%  | \$1,650    | \$398      | \$2,047              |                   | \$2,047                           | 1.6%    | \$1,676    | \$404      | \$2,080    |
| 01                                   | LANDS AND DAMAGES                             | \$25           | \$4        | 15.0%    | \$29        | 1.4%  | \$26       | \$4        | \$29                 |                   | \$29                              | 0.7%    | \$26       | \$4        | \$30       |
| 30                                   | PLANNING, ENGINEERING & DESIGN                | \$195          | \$14       | 7.0%     | \$209       | 2.7%  | \$201      | \$14       | \$215                |                   | \$215                             | 1.1%    | \$203      | \$14       | \$217      |
| 31                                   | CONSTRUCTION MANAGEMENT                       | \$130          | \$9        | 7.0%     | \$139       | 2.7%  | \$134      | \$9        | \$143                |                   | \$143                             | 2.6%    | \$137      | \$10       | \$147      |
| <b>PROJECT COST TOTALS:</b>          |   | \$1,979        | \$419      | 21.2%    | \$2,397     |   | \$2,010    | \$425      | \$2,435              |                   | \$2,435                           | 1.6%    | \$2,042    | \$432      | \$2,473    |

- \_\_\_\_\_ CHIEF, COST ENGINEERING
- \_\_\_\_\_ PROJECT MANAGER
- \_\_\_\_\_ CHIEF, REAL ESTATE
- \_\_\_\_\_ CHIEF, PLANNING and POLICY
- \_\_\_\_\_ CHIEF, WATER RESOURCES DIVISION
- \_\_\_\_\_ CHIEF, ENGINEERING
- \_\_\_\_\_ CHIEF, CONSTRUCTION
- \_\_\_\_\_ CHIEF, ENGINEERING and CONSTRUCTION
- \_\_\_\_\_ CHIEF, PPMD

**ESTIMATED TOTAL PROJECT COST: \$2,473**  
 ESTIMATED FEDERAL COST: **80%** \$1,978  
 ESTIMATED NON-FEDERAL COST: **20%** \$495

**22 - FEASIBILITY STUDY (CAP studies): \$200**  
 ESTIMATED FEDERAL COST: **\$165**  
 ESTIMATED NON-FEDERAL COST: **\$35**

**ESTIMATED FEDERAL COST OF PROJECT \$2,143**

\*\*\*\* TOTAL PROJECT COST SUMMARY \*\*\*\*

\*\*\*\* CONTRACT COST SUMMARY \*\*\*\*

PROJECT: Tangier Island Jetty - CAP Section 107  
 LOCATION: Tangier Island, VA  
 This Estimate reflects the scope and schedule in report; CAP Feasibility STUDY - TANGIER ISLAND JETTY / Alternative 1

DISTRICT: NAO - Norfolk District  
 POC: CHIEF, COST ENGINEERING

PREPARED: 10/15/2015

| WBS Structure                        |   | ESTIMATED COST  |                    |                             |                     | PROJECT FIRST COST (Constant Dollar Basis)                              |                    |                    |                     | TOTAL PROJECT COST (FULLY FUNDED) |              |                    |                    |                    |
|--------------------------------------|---|---|--------------------|-----------------------------|---------------------|---|--------------------|--------------------|---------------------|-----------------------------------|--------------|--------------------|--------------------|--------------------|
|                                      |   | Estimate Prepared: <b>10/15/2015</b><br>Estimate Price Level: 01-Oct-15 |                    |                             |                     | Program Year (Budget EC): 2017<br>Effective Price Level Date: 1 -Oct-16 |                    |                    |                     |                                   |              |                    |                    |                    |
| WBS NUMBER<br>A                      | Civil Works<br>Feature & Sub-Feature Description<br>B | COST<br>(\$K)<br>C  | CNTG<br>(\$K)<br>D | RISK BASED<br>CNTG (%)<br>E | TOTAL<br>(\$K)<br>F | ESC (%)<br>G  | COST<br>(\$K)<br>H | CNTG<br>(\$K)<br>I | TOTAL<br>(\$K)<br>J | Mid-Point<br>Date<br>P            | ESC (%)<br>L | COST<br>(\$K)<br>M | CNTG<br>(\$K)<br>N | FULL<br>(\$K)<br>O |
|                                      |   |   |                    |                             |                     |   |                    |                    |                     |                                   |              |                    |                    |                    |
| <b>10</b>                            | <b>PHASE 1 or CONTRACT 1</b><br>BREAKWATER & SEAWALLS | \$1,628   | \$392              | 24.1%                       | \$2,020             | 1.4%  | \$1,650            | \$398              | \$2,047             | 2017Q4                            | 1.6%         | \$1,676            | \$404              | \$2,080            |
| <b>CONSTRUCTION ESTIMATE TOTALS:</b> |   | \$1,628   | \$392              | 24.1%                       | \$2,020             |   | \$1,650            | \$398              | \$2,047             |                                   |              | \$1,676            | \$404              | \$2,080            |
| <b>01</b>                            | LANDS AND DAMAGES                                     | \$25  | \$4                | 15.0%                       | \$29                | 1.4%  | \$26               | \$4                | \$29                | 2017Q2                            | 0.7%         | \$26               | \$4                | \$30               |
| <b>30</b>                            | PLANNING, ENGINEERING & DESIGN                        |   |                    |                             |                     |   |                    |                    |                     |                                   |              |                    |                    |                    |
| 0.01                                 | Project Management                                    | \$16  | \$1                | 7.0%                        | \$17                | 2.7%  | \$17               | \$1                | \$18                | 2017Q2                            | 0.7%         | \$17               | \$1                | \$18               |
| 0.01                                 | Planning & Environmental Compliance                   | \$16  | \$1                | 7.0%                        | \$17                | 2.7%  | \$17               | \$1                | \$18                | 2017Q2                            | 0.7%         | \$17               | \$1                | \$18               |
| 0.06                                 | Engineering & Design                                  | \$98  | \$7                | 7.0%                        | \$105               | 2.7%  | \$100              | \$7                | \$107               | 2017Q2                            | 0.7%         | \$101              | \$7                | \$108              |
| 0.005                                | Engineering Tech Review ITR & VE                      | \$8   | \$1                | 7.0%                        | \$9                 | 2.7%  | \$8                | \$1                | \$9                 | 2017Q2                            | 0.7%         | \$8                | \$1                | \$9                |
| 0.005                                | Contracting & Reprographics                           | \$8   | \$1                | 7.0%                        | \$9                 | 2.7%  | \$8                | \$1                | \$9                 | 2017Q2                            | 0.7%         | \$8                | \$1                | \$9                |
| 0.015                                | Engineering During Construction                       | \$24  | \$2                | 7.0%                        | \$26                | 2.7%  | \$25               | \$2                | \$27                | 2017Q4                            | 2.6%         | \$26               | \$2                | \$28               |
| 0.01                                 | Planning During Construction                          | \$16  | \$1                | 7.0%                        | \$17                | 2.7%  | \$17               | \$1                | \$18                | 2017Q4                            | 2.6%         | \$17               | \$1                | \$18               |
| 0.005                                | Project Operations                                    | \$8   | \$1                | 7.0%                        | \$9                 | 2.7%  | \$8                | \$1                | \$9                 | 2017Q2                            | 0.7%         | \$8                | \$1                | \$9                |
| <b>31</b>                            | CONSTRUCTION MANAGEMENT                               |   |                    |                             |                     |   |                    |                    |                     |                                   |              |                    |                    |                    |
| 0.055                                | Construction Management                               | \$90  | \$6                | 7.0%                        | \$96                | 2.7%  | \$92               | \$6                | \$98                | 2017Q4                            | 2.6%         | \$94               | \$7                | \$101              |
| 0.01                                 | Project Operation:                                    | \$16  | \$1                | 7.0%                        | \$17                | 2.7%  | \$17               | \$1                | \$18                | 2017Q4                            | 2.6%         | \$17               | \$1                | \$18               |
| 0.015                                | Project Management                                    | \$24  | \$2                | 7.0%                        | \$26                | 2.7%  | \$25               | \$2                | \$27                | 2017Q4                            | 2.6%         | \$26               | \$2                | \$28               |
| <b>CONTRACT COST TOTALS:</b>         |   | \$1,979   | \$419              |                             | \$2,397             |   | \$2,010            | \$425              | \$2,435             |                                   |              | \$2,042            | \$432              | \$2,473            |

## Exhibit F

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

#### I. Legal Authority:

- a. Does the sponsor have legal authority to acquire and hold title to real property for project purposes? **YES**
- b. Does the sponsor have the power of eminent domain for this project? **YES**
- c. Does the sponsor have "quick-take" authority for this project? **YES**
- d. Are any of the lands/interests in land required for the project located outside the sponsor's political boundary? **NO**
- e. Are any of the lands/interests in land required for the project owned by an entity whose property the sponsor cannot condemn? **NO**

#### II. Human Resource Requirements:

- a. Will the sponsor's in-house staff require training to become familiar with the real estate requirements of Federal projects including P.L. 91-646, as amended? **YES**
- b. If the answer to II.a. is "yes," has a reasonable plan been developed to provided such training? **Not yet**
- c. Does the sponsor's in-house staff have sufficient real estate acquisition experience to meet its responsibilities for the project? **Yes**
- d. Is the sponsor's projected in-house staffing level sufficient considering its other work load, if any, and the project schedule? **Yes**
- e. Can the sponsor obtain contractor support, if required in a timely fashion? **YES**
- f. Will the sponsor likely request USACE assistance in acquiring real estate? **YES**

#### III. Other Project Variables:

- a. Will the sponsor's staff be located within reasonable proximity to the project site? **YES**
- b. Has the sponsor approved the project/real estate schedule/milestone? **YES**

#### IV. Overall Assessment:

- a. Has the sponsor performed satisfactorily on other USACE projects? **N/A**
- b. With regard to this project, the sponsor is anticipated to be: (**capable**/incapable)

#### V. Coordination:

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

Above information based on best information, belief and discussions with the NFS.