

**APPENDIX J:
REAL ESTATE PLAN**

Volume III
APPENDIX J:

REAL ESTATE PLAN

LOUISIANA COASTAL AREA
NEAR-TERM ECOSYSTEM RESTORATION PLAN

CONVEY ATCHAFALAYA RIVER WATER
TO NORTHERN TERREBONNE MARSHES
AND MULTIPURPOSE OPERATION OF HOUMA NAVIGATION LOCK

NATIONAL ECOSYSTEM RESTORATION (NER) PLAN
AND RECOMMENDED PLAN (RP)
ALTERNATIVE 2

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**Real Estate Plan
Louisiana Coastal Area
Near-Term Ecosystem Restoration Plan
Convey Atchafalaya River Water
To Northern Terrebonne Marshes
And Multipurpose Operation of
Houma Navigation Lock**

1. PURPOSE

Title VII of the Water Resources Development Act of 2007 (Public Law 110-114) authorizes the Louisiana Coastal Area Program. The authority includes requirements for comprehensive planning, program governance, implementation, and other program components.

Coastal wetlands in Louisiana are a national significant environmental and economic resource. Erosion of these wetlands threatens the long-term stability of human populations in the area as well as important fish and wildlife resources.

This Real Estate Plan (REP) has been prepared, in accordance with ER 405-1-12, to present the real estate requirements and support the Louisiana Coastal Area Near-Term Ecosystem Restoration Plan, Convey Atchafalaya River Water to Northern Terrebonne Marshes, Feasibility Report. Information contained within this report is based on preliminary data and is subject to change.

2. DESCRIPTION OF LANDS, EASEMENT, AND RIGHT-OF-WAY (LER)

a. Description of Lands, Easements and Rights-of-Way (LER) required for the construction, operation and maintenance of the project

The project is located between Morgan City and Larose, Louisiana bounded generally by the Gulf Intracoastal Waterway (GIWW) to the north, between the Atchafalaya River and Grand Bayou, and generally bounded to the south by the Gulf of Mexico. The project area is approximately 60 miles from west to east, and approximately 40 miles from north to south.

Currently, the wetland communities within the eastern portions of the Terrebonne Basin are hydrologically isolated, whereas, wetlands in the southwestern portion of the Terrebonne Basin have some of the lowest loss rates in the state because they are nourished by the Atchafalaya River. Saltwater intrusion occurs when freshwater flows decrease in volume, allowing saltwater from the gulf, which is heavier than freshwater, to move inland or “upstream”. Saltwater can then infiltrate fresh groundwater and surface water supplies, and damage freshwater ecosystems. Extreme salinity changes can stress fresh and intermediate marshes to the point where vegetation dies and the wetlands convert into open water.

The National Ecosystem Restoration (NER) plan for this restoration project is Alternative 2. Alternative 2 is also the Recommended Plan (RP), and consists of 57 features that would increase existing Atchafalaya River influence to central (Lake Boudreaux) and eastern

(Grand Bayou) Terrebonne marshes via the GIWW by introducing flow into the Lake Boudreaux and Grand Bayou Basins. This will be accomplished by creating connecting channels to these basins. Gated control structures would be installed to restrict channel cross-sections to prevent increased saltwater intrusion during the late summer and fall when Atchafalaya River influence is typically low. Some auxiliary freshwater distribution structures such as culverts will be included. This project also includes increasing freshwater supply through enlarging constrictions in the GIWW. Dredging of certain canals will allow further freshwater circulation, and the dredged material will be placed in adjacent marshes in an effort to decrease marsh fragmentation. The placement of material in strategic locations to construct ridges, creating a terracing effect, will serve to slow freshwater movement and help prevent saltwater intrusion.

b. Total LER required for each project purpose and feature

There are currently 57 proposed project features that comprise the RP. A total of approximately 2,851 acres is required for this project. The total acreage required for water control structures is approximately 8.8 acres. Approximately 5.7 acres is necessary for alteration of canals through placement or removal of plugs and the placement of gaps. Approximately 1,437.7 acres are necessary for the improvement of channels through dredging, the use of culverts, and shoreline protection. Approximately 797.6 acres are required to accommodate marsh restoration efforts. The construction of a weir will require approximately 1.4 acres. Approximately 15.3 acres is necessary for the improvement of 2 levees. An additional 584.5 acres is required for temporary work area. In addition to the estates acquired to accommodate project features, approximately 222.3 acres of oyster leases are anticipated to be directly impacted and, therefore, must be acquired.

c. Estates to be acquired.

The Chief's Report that was approved in January 2005 for the 2004 LCA Ecosystem Restoration Study, contained several estates (both standard and non-standard) to be used for the LCA projects. The District acknowledges that it is Corps of Engineers policy to acquire fee simple title for ecosystem restoration projects in order to reduce the risk that incompatible uses on project land will occur after project construction and to ensure that ownership rights vested in the project are clear and enforceable (ER 1105-2-100, Appendix F, Amendment #2, F-20b(2)(a)). However, regulations also indicate that a lesser interest, such as, a specific type of permanent easement, may be appropriate depending upon the operational requirements of the project and other circumstances relevant to project implementation, including landowner preference (EP 1165-2-502, 17b). Circumstances wherein the acquisition of interests less than fee may be appropriate is where only select and easily identifiable and narrow affirmative rights are required for successful implementation of the project (ER 1105-2-100, Appendix F, Amendment # 2, F-20b(2)(b)i.).

Where project features exist, the proposed permanent estate acquisition is sufficient to accomplish construction, operation and maintenance of the feature. The project has specific features in defined areas, and the necessary real estate rights are narrow, affirmative rights that can easily be defined. It is believed that a real estate interest is not necessary outside the project feature areas because the estates proposed herein provide sufficient rights to the Government to

construct the project and also protect the interests of the Government by prohibiting use of the surface for mineral exploration or construction of improvements. In addition, because the project area is coastal wetlands, the project features are further protected through the police powers of the Federal Government through Section 404 of the Clean Water Act which require a permit from the Corps of Engineers for any activity that could negatively impact a wetland. Lastly, due to the topography of the project area, it is highly unlikely that the benefitted marshes could be developed. These three protections combined greatly reduce the risk that incompatible uses on project lands will occur after construction.

All documentation associated with the approval request to deviate from fee simple title acquisition is included as Exhibit E.

Any activity that may have a detrimental effect to the benefits area of the project is regulated. Therefore the risks over time would be minimal aside from uncontrollable forces such as nature (hurricanes, etc.). The types of activities that would be considered risks (oil/gas surface exploration, excavation and fill activities, etc.) are currently regulated by the Louisiana Department of Natural Resources, Office of Coastal Management, under Title 43, Chapter 7 of the Louisiana Administrative Code. Specifically, subchapter C, Section 723.A.2, requires permits for dredging or filling, urban developments, energy development activity (exploration and transmission of oil/gas), mining activities (surface & subsurface), surface water control, shoreline modification, recreational developments, industrial development, drainage projects and “any other activities or projects that would require a permit or other form of consent or authorization from the U.S. Army Corps of Engineers, the Environmental Protection Agency, or the Louisiana Department of Natural Resources”. Additionally, activities in the marshes (wetlands) are regulated by Section 404 of the Clean Water Act under the purview of the USACE. Certain other activities are regulated by the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, the EPA, and the Louisiana Department of Environmental Quality.

There are seven (7) estates proposed for use for this project; four standard and three non-standard. The recommended estates to be acquired are explained below.

Temporary Work Area Easement (standard estate)

A temporary easement and right-of-way in, on, over and across (the land described in Schedule A)(Tract No __); for a period not to exceed two (2) years, beginning with the date of 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 (borrow and/or deposit fill, spoil and waste material thereon) move, store and remove equipment and supplies, and erect and remove temporary structures on the land and to perform any other work necessary and incident to the construction of the Convey Atchafalaya 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.

Fee excluding minerals (with restriction on use of the surface) (standard estate)

The fee simple title to (the land described in Schedule A)(Tract No __), subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines; excepting and excluding from the taking all oil and gas, in and under said land and all appurtenant rights for the exploration, development, production and removal of said oil and gas, but without the right to enter upon or over the surface of said land for the purpose of drilling and extracting therefrom said oil and gas.

Channel improvement easement (standard estate)

A perpetual and assignable right and easement to construct, operate, and maintain channel improvement works on, over and across (the land described in Schedule A)(Tract No __) for the purposes as authorized by the Act of Congress approved _____, including the right to clear, cut, fell, remove and dispose of any and all timber, trees, underbrush, buildings, improvements and/or other obstructions therefrom; to excavate, dredge, cut away, and remove any or all of said land and to place thereon dredge or spoil material; and for such other purposes as may be required in connection with said work of improvement; reserving, however, to the owners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however to existing easements for public roads and highways, public utilities, railroads and pipelines.

Flood Protection Levee Easement (standard estate)

A perpetual and assignable right and easement in (the land described in Schedule A)(Tract No __) to construct, maintain, repair, operate, patrol and replace a flood protection levee, 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.

Canal alteration easement (non-standard estate)

A perpetual and assignable right and easement in (the land described in Schedule A)(Tract No __) to deposit materials within and around the canal, to place plugs or fully close the canal, to cut gaps in the canal, or make other alterations to the canal, in order to restore the hydrology and /or to stabilize the spoil banks along the canal; and for such other purposes as may be required in connection with said work of improvement; reserving, however, to the owners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; and expressly excepting and excluding all oil, gas and other minerals occurring naturally in liquid or gaseous form, in and under said land and all appurtenant rights for the exploration, development, production and removal of said oil, gas and other minerals occurring naturally in liquid or gaseous form, but without the right to enter upon or over the surface of said land for the purpose of exploration, development, production and removal therefrom of said oil, gas and other minerals occurring naturally in liquid or gaseous form; provided however, that the rights, interests and privileges, associated with the original canal right-of-way, hereinabove excepted and reserved are hereby subordinated to the right of this canal alteration easement.

Wetland creation and restoration easement (non-standard estate)

A perpetual and assignable easement and right-of-way in, on, over and across (the land described in Schedule A) (Tract No. -) to construct, operate, maintain, patrol, repair, renourish, and replace wetlands and associated coastal habitats, including the right to borrow and/or deposit fill; to accomplish any alterations of contours on said land; to plant vegetation on said land; to excavate, dredge, cut away, and remove any or all of said land and to place thereon dredge or spoil material; to construct dikes and to install, alter, relocate, repair or plug cuts in the banks of dikes; to construct, operate and maintain pipelines for the purpose of dredge or spoil material transport and deposition; to move, store and remove equipment and supplies; to plug, fill or alter pipeline canals located within the limits of the easement; to trim, cut, fell and remove therefrom all trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the easement (excepting the structures now existing on the land, described as _____), provided 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, 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, [that no vehicles shall be operated within the limits of the easement without such approval, except as may be required to operate and maintain the easement,] and that no trimming, cutting, felling or removal of trees, underbrush, and any other vegetation shall be conducted without such approval; the above estate is taken subject to existing easements for public roads and highways, public utilities, railroads and pipelines; reserving, however, to the grantor(s), (his) (her) (its) (their) (heirs,) successors and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; and expressly excepting and excluding all oil, gas and other minerals occurring naturally in liquid or gaseous form, in and under said land and all appurtenant rights for the exploration, development, production and removal of said oil, gas and other minerals occurring naturally in liquid or gaseous form, but without the right to enter upon or over the surface of said land for the purpose of exploration, development, production and removal therefrom of said oil, gas and other minerals occurring naturally in liquid or gaseous form.

Dike (and/or weir) easement (non-standard estate)

The perpetual and exclusive right to construct, maintain, repair, operate, patrol and replace a dike and/or weir, on, over and across (the land described in Schedule A)(Tract No __) including all appurtenances thereto; provided that no habitable structures shall be constructed or maintained on the land; excepting and excluding from the taking all minerals, in and under said land and all appurtenant rights for the exploration, development, production and removal of said minerals, but without the right to enter upon or over the surface of said land for the purpose of drilling and extracting therefrom said minerals.

Table 2.1 below depicts the estate(s) proposed to be acquired to accommodate each particular project feature.

Table 2.1. Estate Table

Estate	Project Feature(s)	Total acreage required
Fee excluding minerals (with prohibition on use of the surface)	EC3, EC5, CC3, CC4, CC13, CC14, CC15, CS1,	8.8 acres
Canal Alteration Easement (CAE)	EG1, EG2, EP7, EX1, EX2, CP1, CP2, WP1	5.7 acres
Channel Improvement Easement (CIE)	EC2, EC6, EC7, ED2, ED3, ED5, ED6, ED7, CC1, CC2, CC5, CC6, CC7, CC8, CC9, CC10, CC11, CC12, CD1, CD2, CD3, CD4, CD6, CD7, WD2, WD3,	1,437.7 acres
Wetland Creation and Restoration Easement (WCR&E)	EM1, EM3, CM2, CM3, CM4, CT1, CT2, CT3, CT6, CT7, CT8	797.6 acres
Temporary Work Area Easement	All features requiring permanent row will also require temporary construction ROW.	584.5 acres
Dike (and/or weir) Easement	WW2	1.4 acres
Flood Protection Levee Easement	CLV1, CLV2	15.3 acres

Tables 2.2, 2.3, and 2.4 below depict the permanent acreage required, the additional temporary acreage required, number of tracts affected, general ownership (private vs. public) and estimated value for each particular project feature for the western, central and eastern regions of the project area respectively. The estimated value includes estimated relocation costs for those proposed project features where relocations are anticipated.

There are currently Dredge Disposal areas that may be accessible to some of the proposed project features. However, because of time constraints and for the purposes of reasonable cost estimation, an additional 200 feet of right-of-way width was estimated for dredging features to allow for dredge disposal adjacent to the dredged channel. That additional width is included in all dredge features, and is covered by the Channel Improvement Easement.

Table 2.2. Western Region - Additional Right-of-Way Needed

Project Feature	Permanent Acreage Required	Temporary Acreage Required	# of Tracts	Ownership	Estimated Value
WD2	348.5	1.9	2	Parish Assessor records indicate property is Private (CL&F & LL&E). However, State claims a	\$72,000

				portion of the water bottoms proposed for dredging	
WD3	243.2	3		A portion of project feature is within State claimed water bottom. The remainder is within COE ROW acquired for GIWW.	\$130,000
WP1	.3	.2	1	Proposed feature lies within State-claimed water bottom. Adjacent landowner is private.	\$13,000
WW2	1.4	.9	1	Proposed feature lies within State-claimed water bottom. Adjacent landowner is private.	\$13,000

Table 2.3. Central Region - Additional Right-of-Way Needed

Project Feature	Permanent Acreage Required	Temporary Acreage Required	# of Tracts	Ownership	Estimated Value
CC1	.4	.3	1	Private ownership & public ROW (State Hwy 24). Bayou Terrebonne is State claimed water bottom.	\$38,000
CC2	.4	.3	1	Private ownership & public ROW (State Hwy 24). Bayou Terrebonne is State claimed water bottom.	\$38,000
CC3	.2	.1	1	Private – batture lands	\$12,000
CC4	.1	.1	1	Local Government. Culvert would be placed under TB parish ROW (Shrimper’s Row Road)	\$12,000
CC5	.1	.1	1	Private – Earl Leblanc	\$12,000
CC6	.1	.1	1	Private – Frank J. D’Amico, Jr.	\$12,000
CC7	.1	.1	on property line	Private – Conrad Picou, Jr. (northern tract owner-28046) & Mildred Leblanc (southernmost tract owner-27758)	\$12,000
CC8	.1	.1	1	Private – Mildred Leblanc	\$12,000
CC9	.1	.1	1	Private – Mildred Leblanc Parfait	\$12,000
CC10	.1	.1	on property line	Private – Mildred Leblanc Parfait (43243) & Marjorie Leblanc (43242)	\$12,000
CC11	.1	.1	on property line	Private - Marjorie Leblanc (43242) & Melvina Leblanc Burnthorne (43249)	\$12,000
CC12	.1	.1	1	Private – Melvina Leblanc Burnthorne	\$12,000

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CC13	1.1	2.5	1	LA DOTD – culvert situated under State Highway 57 (a.k.a Grand Caillou Road)	\$44,000
CC14	.1	.3	1	Private – Zebec, LLC	\$12,000
CC15	.3	.2	1	Private – The Evest Voisin, Sr. Corporation (same landowner as CP2)	\$12,000
CD1	37.3	1.3	5	Private. 2 of the 5 parcels are owned by Cypress Hideaway, Inc., 1 parcel is batture lands, and the other 2 parcels have a total of 35 listed owners.	\$53,000
CD2	3.3	1.1	3	Private	\$119,000
CD3	22.2	1	2	Private – Salvador J. Caminita, Sr. & Robert J. Boudreaux, Jr. (+3 additional owners)	\$27,000
CD4	9.3	1.2	15	Private & public ownership & public ROW (State Hwy 24) & TPCG power poles and streets. Dredge area through Bayou Terrebonne is State claimed water bottom. Both the Methodist Wesley School and a private cemetery would be affected by this feature.	\$2,584,000
CD6	46.6	1.3	20	Private – Caillou Grove, LLC, Zebec, LLC, & 15 additional individuals.	\$463,000
CD7	47.8	1.4	3	Private – Wilmer Chamberlain & Elie Pellegrin (c/o Jerry Lane Patterson)	\$214,000
CL1	no row needed	no row needed	0	Multi-purpose operation of proposed HNC Lock Complex	
CLV1	11.4	7.6	11	Private	\$136,000
CLV2	3.9	2.6	9	Private – Marcel, Birchfield, Guidry, Guthrie, Luke, Zebec, LLC., Verdin, Voisin, Carlos	\$113,000
CM2	31	20.7	3	Land tracts are owned privately (Eschete Estate – 84 listed owners; and Apache North America, Inc.). There are State Claimed water bottoms within the feature area as well as land claimed by both the State and the adjacent private landowner.	\$47,000
CM3	24.7	16.5	3	Nearly all of the property required for this project feature is claimed by both the State and the adjacent landowner(s) – Apache North America, Inc. (2 parcels) and Ernest Thibodeaux Estate (55 listed owners)	\$21,000
CM4	64.3	42.9	6	2 private individuals, 3 private corporations (J.C. Dupont, Harry Bourg	\$142,000

				Corp. & LL&E(Conoco). There is a small section of State claimed water bottoms within this proposed feature area in addition to a very small parcel of land claimed by both the State and the adjacent landowner.	
CP1	.4	.2	1	Private – Lapeyrouse Seafood Bar & Grocery, Inc. (heavily used waterway)	\$38,000
CP2	.1	.1	1	Private - The Evest Voisin, Sr. Corporation (same landowner as CC15)	\$12,000
CS1	1.1	2.5	3	Private lands and public ROW (State Hwy 57)	\$140,000
CT1	237	158	8	Private (individuals & a corporation) - Omer Eschete Estate (84 listed owners), Henry Lirette Estate (24 listed owners), Ventura, & A. St. Martin Co, LTD (4 parcels)	\$143,000
CT2	26.4	17.6	9	Private (individuals & corporations) – total of 182 listed owners of the 9 tracts.	\$81,000
CT3	72	48	11	Private (individuals & corporations) – total of 163 listed owners of the 11 tracts.	\$145,000
CT6	46.8	31.2	1 (project feature on same parcel as both CT7 & CT8)	A portion of the feature area lies within State Claimed water bottoms. Of the remaining feature area, approximately half of the land is claimed by both the State and the adjacent private landowner. The remainder of the project feature is on property within private corporate ownership (Apache North America, Inc.)	\$28,000
CT7	54.6	36.4	1	The majority of the project feature lies on property claimed by both the State Claimed and the adjacent private landowner (Apache North America, Inc.). A very small portion of the feature lies within State claimed water bottoms.	\$31,000
CT8	103.2	68.8	1	This project feature lies on property claimed by both the State and the adjacent private landowner (Apache North America, Inc.).	\$48,000

Table 2.4. Eastern Region - Additional Right-of-Way Needed

Project Feature	Permanent Acreage Required	Temporary Acreage Required	# of Tracts	Ownership	Estimated Value
EC2	.1	.1	1	Private	\$12,000
EC3	.1	.1	1	Pointe Aux Chenes WMA	\$12,000
EC5	5.8	3.8	2	Private tract & Public ROW (feature to pass under LA State Hwy 24 – Bourg-Larose Hwy)	\$223,000
EC6	.1	.1	on property line	Private tract(s) & Public ROW (feature to pass under LA State Hwy 24 – Bourg-Larose Hwy)	\$14,000
EC7	.1	.1	1	Private tract and feature to pass under private road.	\$14,000
ED2	29.6	1.3		The southern portion of this feature is within the Pointe Aux Chenes WMA. The northern portion is in Private ownership	\$429,000
ED3	494.4	3.3	2 land tracts – the remainder of this feature is water based.	A portion of this feature is within the Pointe Aux Chenes WMA, and a portion is in Private ownership. In addition, only a portion of this waterway is State-claimed water bottoms.	\$80,000
ED5	15.3	3.4	1	Private	\$1,735,000
ED6	18.9	2.6	2	A portion of this feature is within the Pointe Aux Chenes WMA, and a portion is in Private ownership	\$15,000
ED7	119.4	1.8		A portion of this feature is within the Pointe Aux Chenes WMA, and a portion is in Private ownership	\$29,000
EM1	36.7	24.4		Pointe Aux Chenes WMA	\$25,000
EM3	100.9	67.2		Pointe Aux Chenes WMA	\$47,000
EG1	2	2		Pointe Aux Chenes WMA	\$13,000
EG2	2	2		Pointe Aux Chenes WMA	\$13,000
EP7	.9	.5	2	A portion of this feature is within the Pointe Aux Chenes WMA, and a portion is in Private ownership	\$12,000
EX1	no permanent row needed	.4	1	Private – on the northern border of the Pointe Aux Chenes WMA	\$12,000

EX2	no permanent row needed	.4	1	Pointe Aux Chenes WMA	\$12,000
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3. LERRD OWNED BY THE NON-FEDERAL SPONSOR

The non-federal sponsor for this project is the Coastal Protection and Restoration Authority of Louisiana (CPRA), through the Office of Coastal Protection and Restoration. There are NFS-owned water bottoms required for this project.

In addition, several proposed project features are within the Pointe Aux Chenes Wildlife Management Area (WMA). The WMA comprises approximately 35,000 acres and is owned by the Louisiana Department of Wildlife and Fisheries. There are eleven (11) proposed project features that lie completely or partially within the Pointe Aux Chenes Wildlife Management Area in Lafourche Parish. LER required for those 11 features constitute the largest area of contiguous lands owned by the State of Louisiana within the project area.

In addition, there are fourteen (14) project features that are proposed within State-claimed water bottoms and/or where both the State of Louisiana and private parties claim the land/water bottoms.

Although Tables 2.2, 2.3 & 2.4 in the previous section detail all LER required for the project, Table 3.1 below provides information exclusive to those proposed project features where the State of Louisiana owns or claims all or a portion of the required LER. To be clear, Table 3.1 is not LER in addition to that described in Tables 2.2, 2.3 & 2.4, it is LER owned/claimed by the non-federal sponsor or an associated State agency that is required for this project.

The above-referenced lands and water bottoms are available for the project but not sufficient to cover the entire right-of-way necessary, therefore additional easements will be necessary. At this time, none of the right-of-way identified as NFS-owned lands/water bottoms have been previously provided as an item of cooperation for another Federal project. Credit will be received for the required LERRD.

Table 3.1 State-Owned LERRD

Project Feature	Permanent Acreage Required	Temporary Acreage Required	Ownership	Estimated Value
WD2	348.5	1.9	Parish Assessor records indicate property is Private (CL&F & LL&E). However, the State of Louisiana claims a portion of the water bottoms proposed for dredging	\$72,000
WD3	243.2	3	A portion of project feature is within State claimed water bottom. The remainder is within COE ROW acquired for GIWW.	\$130,000
WP1	.3	.2	Proposed feature lies within State-claimed water bottom. Adjacent landowner is private.	\$13,000
WW2	1.4	.9	Proposed feature lies within State-claimed water	\$13,000

			bottom. Adjacent landowner is private.	
CC1	.4	.3	Private ownership & public ROW (State Hwy 24). Bayou Terrebonne is State claimed water bottom.	\$38,000
CC2	.4	.3	Private ownership & public ROW (State Hwy 24). Bayou Terrebonne is State claimed water bottom.	\$38,000
CD4	9.3	1.2	Private & public ownership & public ROW (State Hwy 24) & TPCG power poles and streets. Dredge area through Bayou Terrebonne is State claimed water bottom. Both the Methodist Wesley School and a private cemetery would be affected by this feature.	\$2,584,000
CM2	31	20.7	Land tracts are owned privately (Eschete Estate – 84 listed owners; and Apache North America, Inc.). There are State Claimed water bottoms within the feature area as well as land claimed by both the State and the adjacent private landowner.	\$47,000
CM3	24.7	16.5	Nearly all of the property required for this project feature is claimed by both the State and the adjacent landowner(s) – Apache North America, Inc. (2 parcels) and Ernest Thibodeaux Estate (55 listed owners)	\$21,000
CM4	64.3	42.9	2 private individuals, 3 private corporations (J.C. Dupont, Harry Bourg Corp. & LL&E(Conoco). There is a small section of State claimed water bottoms within this proposed feature area in addition to a very small parcel of land claimed by both the State and the adjacent landowner.	\$142,000
CT6	46.8	31.2	A portion of the feature area lies within State Claimed water bottoms. Of the remaining feature area, approximately half of the land is claimed by both the State and the adjacent private landowner. The remainder of the project feature is on property within private corporate ownership (Apache North America, Inc.)	\$28,000
CT7	54.6	36.4	The majority of the project feature lies on property claimed by both the State Claimed and the adjacent private landowner (Apache North America, Inc.). A very small portion of the feature lies within State claimed water bottoms.	\$31,000
CT8	103.2	68.8	This project feature lies on property claimed by both the State and the adjacent private landowner (Apache North America, Inc.).	\$48,000
EC3	.1	.1	Pointe Aux Chenes WMA	\$14,000
ED2	29.6	1.3	The southern portion of this feature is within the Pointe Aux Chenes WMA. The northern portion is in Private ownership	\$429,000
ED3	494.4	3.3	A portion of this feature is within the Pointe Aux Chenes WMA, and a portion is in Private ownership. In addition, only a portion of this waterway is State-claimed water bottoms.	\$80,000

ED6	18.9	2.6	A portion of this feature is within the Pointe Aux Chenes WMA, and a portion is in Private ownership	\$15,000
ED7	119.4	1.8	A portion of this feature is within the Pointe Aux Chenes WMA, and a portion is in Private ownership	\$29,000
EM1	36.7	24.4	Pointe Aux Chenes WMA	\$25,000
EM3	100.9	67.2	Pointe Aux Chenes WMA	\$47,000
EG1	2	2	Pointe Aux Chenes WMA	\$13,000
EG2	2	2	Pointe Aux Chenes WMA	\$13,000
EP7	.9	.5	A portion of this feature is within the Pointe Aux Chenes WMA, and a portion is in Private ownership	\$12,000
EX2	no permanent row needed	.4	Pointe Aux Chenes WMA	\$12,000

4. NON-STANDARD ESTATES DISCUSSION

The proposed non-standard estates, canal alteration easement, wetland creation and restoration easement, and dike (and/or weir) easement, are included herein, 2.c. above. As also mentioned in 2.C., the Chief’s Report that was approved in January 2005 for the 2004 LCA Ecosystem Restoration Study, contained several estates (both standard and non-standard) to be used for the LCA projects. Approval of these non-standard estates is requested as part of document approval. All documentation associated with the approval request of the non-standard estates is included as Exhibit E.

5. EXISTING FEDERAL PROJECTS WITHIN THE LERRD REQUIRED FOR THE PROJECT

There are two (2) existing federal projects that lie within the LER required for this project; the GIWW and the Houma Navigation Canal.

Gulf Intercoastal Water Way (GIWW): Easements were acquired in the 1930’s and 1940’s for “construction, enlargement, realignment, operation and maintenance”, in addition to “dumping privileges” (dredge disposal) for and in connection with the GIWW project.

Houma Navigation Canal (HNC): A charge of this project is to evaluate multi-purpose operation of the Houma Lock for environmental benefits. Since the Houma Lock construction is authorized under the Morganza to the Gulf project, it was considered a present condition, even though there is no Lock physically present at this time. Therefore, it is assumed that all real estate interests that may be affected by operation of the Houma Lock will be addressed in the Real Estate Plan for the Morganza to the Gulf project.

6. FEDERALLY OWNED LAND REQUIRED FOR THE PROJECT

There is no federally owned land within the project area, although, as detailed above there is federally managed right-of-way.

7. NAVIGATION SERVITUDE

Navigation Servitude allows acquisition of shore lands extending to the ordinary high-water mark thereof and may be exercised under statutory rights and powers without obligation for compensation to the riparian landowners. It is not anticipated that Navigation Servitude will be exercised for this project.

8. MAPS

A Project Site map can be found in Exhibit A, page 1 showing the geographic location of the project area with all proposed project features labeled. Exhibit A, pages 1-3 display features in the western, central, and eastern regions respectively. The additional maps included in Exhibit A depict each uniquely labeled and numbered project feature.

9. INDUCED FLOODING

It is not anticipated that induced flooding will rise to the level of a taking for which just compensation will be owed. The map included in Exhibit B depicts where water levels are anticipated to rise for certain periods of time annually.

The majority of the areas anticipated to experience slight increases in water elevations are marshlands. All existing viable uses of the marshlands are not expected to be detrimentally affected by the periodic change in water elevation. All developed areas within the project area are protected by levees and/or ridges. Therefore, the slight and periodic increase in water levels is not anticipated to impact any developed areas.

The ARTM project features will modify existing artificial flow and drainage patterns in order to better approximate the patterns that used to naturally occur. The ARTM project features are not predicted to significantly increase the magnitude or frequency of inundation that will receive increased freshwater flows. Any increase in water levels within the project area is directly related in increased water stages in the Atchafalaya River. Therefore, flowage easements are not necessary within the project area.

10. BASELINE COST ESTIMATE

A cost estimate of the real property interest(s) required for this project is included as Exhibit C. The Real Property Costs for the project were derived from a Gross Appraisal that was performed in December 2009. Information used in the Gross Appraisal was obtained from the Parish Assessor's office, comparable sales, and interviews with local appraisers and landowners. The Sales Comparison Approach was used in the appraisal to derive current fair market value.

11. RELOCATION ASSISTANCE BENEFITS

Any required relocations will be performed in accordance with the provisions of Public Law 91-646, the Uniform Relocation Act, as amended. Table 16.1 provides a general description of the improvements within each proposed project feature which may be eligible for relocation. The enclosed cost estimate includes estimated relocation costs for those proposed project features where relocations are anticipated.

At this time, no estimate is included for possible business relocation costs associated with oyster lease acquisition (as discussed in section 20. below). It is, however, anticipated that minimal moving costs may be associated with the moving of markers (personal property) that delineate the leased areas.

12. MINERAL ACTIVITY/TIMBER HARVESTING IN PROJECT AREA

The project area has substantial mineral activity. Investigations are ongoing regarding mineral interest, oil & gas interests. An Attorney's Opinion of Compensability will then be performed regarding anticipated impacted mineral interests. It is not anticipated that merchantable timber will be impacted as a result of this project.

13. NON-FEDERAL SPONSOR ASSESSMENT

The non-federal sponsor for this project is the Coastal Protection and Restoration Authority of Louisiana (CPRA), through the Office of Coastal Protection and Restoration. As the non-federal sponsor, CPRA must provide all real estate interests required for the project, i.e., all lands, easements, rights-of-way, relocations, and any other interest, including suitable borrow and dredged or excavated material disposal areas (LERRDs).

The Non-Federal Sponsor is assessed to be fully capable to perform all acquisition activities associated with this project. The Sponsor has the capability to acquire and hold real estate as well as the ability to contract for real estate services to supplement its staff in order to meet project schedules. However, it must be recognized herein that CPRA is the non-federal sponsor for all New Orleans District coastal restoration projects and all hurricane risk reduction projects. Therefore, if all LCA projects and several hurricane risk reduction projects are authorized for construction under concurrent schedules, there is a possibility that CPRA may not be able to accomplish LER acquisition due to the massive amount of work required for such an undertaking. If that were the case, it is possible that CPRA may request that the Federal Government accomplish acquisition of LER on their behalf.

The Assessment of the Non-Federal Sponsor's Real Estate Acquisition Capabilities is attached as Exhibit D.

14. ZONING IN LIEU OF ACQUISITION

There will be no zoning ordinances enacted to facilitate acquisition of land for the project.

15. SCHEDULE

A detailed schedule will be developed when the final ROW is determined. Normally, an estimate of one year is allowed to acquire ROW for a project. However, land rights acquisition within the project area will be time consuming because there are multiple owners for single parcels. It is anticipated that acquisition of clear title will be difficult in many cases. Landowners within the project area also include large corporations and land management companies such as Continental Land & Fur, Apache Oil, and Conoco Phillips (formerly Louisiana Land & Exploration (LL&E)). Because of the magnitude of acquisition proposed for this project, an acquisition schedule of at least two years is considered necessary.

16. FACILITY OR UTILITY RELOCATION

It is anticipated that some facility and/or utility relocations will be required. A preliminary opinion of compensability is being prepared as of the date of this report. However, an estimate of likely facility relocation costs is included in the cost estimating portion of the feasibility report as construction costs. Table 16.1 depicts anticipated utility/facility relocations in connection with each particular proposed project feature. Relocations are only anticipated for those features included in Table 16.1. No utility/facility relocations are anticipated for those features not listed in the table.

Table 16.1. Utility/Facility Relocations

Project Feature	Permanent Acreage Required	Temporary Acreage Required	# of Utilities/Facilities	Utility/Facility owner	Improvements w/in proposed feature ROW included in the appraisal	Affected Utility/Facility
EC5	5.8	3.8	1	Highway 24 (DOTD)		2000 ft of 2-lane highway rerouted. Old road alignment will be abandoned.
EC6	.1	.1	1	Highway 24 (DOTD)		200 ft long x 50 ft wide of 2-lane highway will need to be dug up and replaced so culvert can be installed under road
EC7	.1	.1	1	Private access road		30 ft long x 40 ft wide of 2-lane private drive will need to be dug up and replaced so culvert can be installed under road
ED2	29.6	1.3	1	Highway 24 (DOTD)	Home	See EC6 and EC7
ED5	15.3	3.4	1	Highway 24 (DOTD)	Recreational structure/cabin	See EC5.
CC1	.4	.3	2	Elevated State Highway 659 (DOTD) & Houma city street – in conjunction with feature CD4		See CD4
CC2	.4	.3	2	Elevated State Highway 659 (DOTD) & Houma city street – in conjunction with feature CD4		See CD4
CC3	.2	.1	2	Shrimper’s Row Rd (TB parish ROW) overhead power lines at (crossing) entry to canal		<ul style="list-style-type: none"> • 75 feet long x 30 ft wide of existing bridge removed and replaced with CC3 structure. • 8” diameter water line (75 feet long) that is attached to the bridge will need to be relocated. • Power lines not anticipated to be

						affected.
CC4	.1	.1	2	Shrimper's Row Rd (TB parish ROW) SLECA power poles		<ul style="list-style-type: none"> 75 feet long x 30 ft wide of existing 2 lane road will be excavated and replaced with CC4 structure. 6" diameter underground water line (100 feet long) will need to be relocated. Power lines not anticipated to be affected.
CC13	1.1	2.5	1	State Highway 57 (DOTD)		See CD6
CD1	37.3	1.3	0	SLECA power line		<ul style="list-style-type: none"> The dredge cut passes under an overhead line. There may be clearance issues.
CD2	3.3	1.1	0	No documented utilities	Residence	<ul style="list-style-type: none"> No known utilities affected.
CD4	9.3	1.2	4 at least	SLECA line, TPCG line, Comcast, State Hwys 659 & 24(DOTD), and Houma city streets	10 residential structures	<ul style="list-style-type: none"> Potentially 3 electric poles with associated overhead electric line affected. Potentially 6 houses with unknown underground utilities affected.
CD6	46.6	1.3	2	SLECA poles, Grand Caillou Road (TPCG ROW), 2 TPCG water lines	Home	<ul style="list-style-type: none"> 100 feet long x 40 feet wide 2 lane highway to be excavated and replaced with structure CC13 Potentially 1 overhead electric line might need to be temporarily removed if there is a clearance issue. 8" diameter buried water line (100 feet long) will need to be relocated. 12" diameter buried water line (100 feet long) will need to be relocated.
CD7	47.8	1.4	2	SLECA & Entergy power lines cross proposed dredge area		<ul style="list-style-type: none"> Potentially 1 overhead electric line might need to be temporarily removed if there is a clearance issue. The dredge will need to pass under the Entergy overhead line. There might be a clearance issue.
CLV2	3.9	2.6	1	SLECA power line		<ul style="list-style-type: none"> The levee will potentially pass under an overhead electric line. The poles are NOT in the way. There may be a clearance issue under the overhead line.
CM4	64.3	42.9	1	SLECA poles near n/w corner of proposed project feature (maximum of 2 poles impacted)		<ul style="list-style-type: none"> One (1) pole is very near the berm footprint and might need to be relocated. The berm potentially passes under an overhead electric line. Clearance under the line may be an issue.
CP1	.4	.2	0	Entergy poles nearby should not be impacted		No affected utilities can be seen.
CS1	1.1	2.5	3	State Highway 57 (DOTD) 2 TPCG water lines		<ul style="list-style-type: none"> 50 ft x 40 ft wide bridge to be removed and replaced with CS1 structure 150 ft long x 40 ft wide highway to be excavated and replaced. 6" diameter water line (150 feet total: 120 feet is buried, 30 feet is attached to bridge) will need to be relocated. 12" diameter water line (150 feet total: 120 feet is buried, 30 feet is attached to bridge) will need to be relocated.

CT2	26.4	17.6	0	Entergy poles nearby should not be impacted		No impact.
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17. HTRW AND OTHER ENVIRONMENTAL CONSIDERATIONS

Investigation for contaminants within the project boundaries was conducted in accordance with CERCLA, RCRA, and applicable State law, by the St. Louis District. Soil and water quality sampling is required prior to construction. It is not anticipated that any clean-up or response actions will be required.

However, if it is discovered that clean-up or response actions are necessary, in accordance with Article II. H. of the Feasibility Cost Sharing Agreement (FCSA), executed on 6 November 2008, “The non-federal sponsor shall be responsible for the total cost of developing a response plan for addressing any hazardous substances regulated under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Pub. L. No. 96-510, 94 Stat. 2767, (codified at 42 U.S.C. Sections 9601-9675), as amended, existing in, on, or under any lands, easements of rights-of-way that the Government determines to be required for the construction, operation, and maintenance of the project. Such costs shall not be included in total study costs.”

18. LANDOWNER ATTITUDE

There is a great deal of landowner support for this project. However, there is also a great deal of concern that additional water introduced into the system will adversely affect floating marshes in the area; particularly those lands/marshes owned by very large landowners.

Proposed project feature CD4 is also not anticipated to be received favorably because it is in downtown Houma at the confluence of the GIWW and Bayou Terrebonne and will cause considerable disruption during construction. In order to construct the proposed project features in that area, several residences along with the public utilities associated with those residences would be impacted along with the Methodist Wesley School and a private cemetery containing graves dating back to the late 1800’s.

19. NOTIFICATION TO THE NFS REGARDING THE RISKS ASSOCIATED WITH ACQUIRING LAND BEFORE EXECUTION OF THE PROJECT PARTNERSHIP AGREEMENT (PPA)

As project right-of-way is more clearly defined, the non-federal sponsor will be issued a risk letter explaining the risk of acquiring lands prior to the execution of the PPA and advised to wait on coordination of the acquisition plan and notice to proceed with acquisition.

20. OTHER REAL ESTATE ISSUES RELEVANT TO THE PROJECT


Southern Terrebonne Parish (the southern portion of the project area) is abundant with oysters. Hundreds of State oyster leases exist within the project boundary. In accordance with State statute, all oyster lease acreage determined to be directly impacted by a project feature shall be acquired. The area of impact to oyster leases is generally considered to be the footprint of the project feature plus an approximately 150 foot buffer. Considering State statute, it is anticipated that at least a portion of eighteen (18) oyster leases will need to be acquired. Table 20.1 below

depicts the potential leases directly impact by project features. Although the table indicates that some leases have recently expired, it is assumed for estimation purposes that those leases will be renewed or that the leases have been renewed and information update is forthcoming.

Because of time constraints, the original gross appraisal, dated December 5, 2009, did not include the value of oyster leases. However, gross appraisal information was obtained from New Orleans District to estimate the current fair market value of oyster leases in the southern Terrebonne marshes at approximately \$400 per acre. Based on this information, the total estimated oyster lease acquisition cost for this project is \$267,000, and is included in the cost estimate as a separate line item, not broken down by feature. No State oyster seed grounds will be directly impacted by any project features.

Table 20.1 State Oyster Leases Potentially Impacted

Project Feature	Lease Number(s) Impacted	Leaseholder	Expiration Date	Anticipated Acreage Impacted
WW2	34676	Bay Moncleuse – Four League Bay, LLC	1/1/2010	9.2 acres
WP1	35188	R.H. Trust Oysters No. 2, Inc.	1/1/2012	3.46 acres
	3147906	L&W Oysters, Inc.	1/1/2021	
CM2	34154	Courtney & Lacey, Inc.	1/1/2010	2 acres
CT8	3364909	Della L. Marie	1/1/2024	92 acres
	34154	Courtney & Lacey, Inc.	1/1/2010	
CM2 & CT1	34208	T & S Holdings	1/1/2010	.52 acres
CP1	3081005	Silver Oyster, LLC.	1/1/2020	1.62 acres
	2967703	Terry J. Nettleton, Sr.	1/1/2018	
	2908902	Allen J. Marie	1/1/2017	
CT2 & CT3	35277	Sandra Nettleton	1/1/2012	110.5 acres
	34650	Terry’s Seafood, Inc.	1/1/2010	
	35458	Terry Nettleton, Jr.	1/1/2012	
EM3	2674398	Brandy Parker Smith	1/1/2013	3 acres
	34928	Nelson Duet Oyster Co, Inc.	1/1/2011	
	2913605	JC Darda	1/1/2020	
	34865	Brandy Parker Smith	1/1/2011	
	2687198	Apache Louisiana Minerals, Inc.	1/1/2013	
	3395309	Emmet J. Adolph, Jr.	1/1/2024	
Total Anticipated Oyster Lease Acreage Directly Impacted by Project Features				222.3 acres
10% Contingency for Access Requirements				22.23 acres
Total Anticipated Oyster Lease Acreage Requirements (rounded)				245 acres



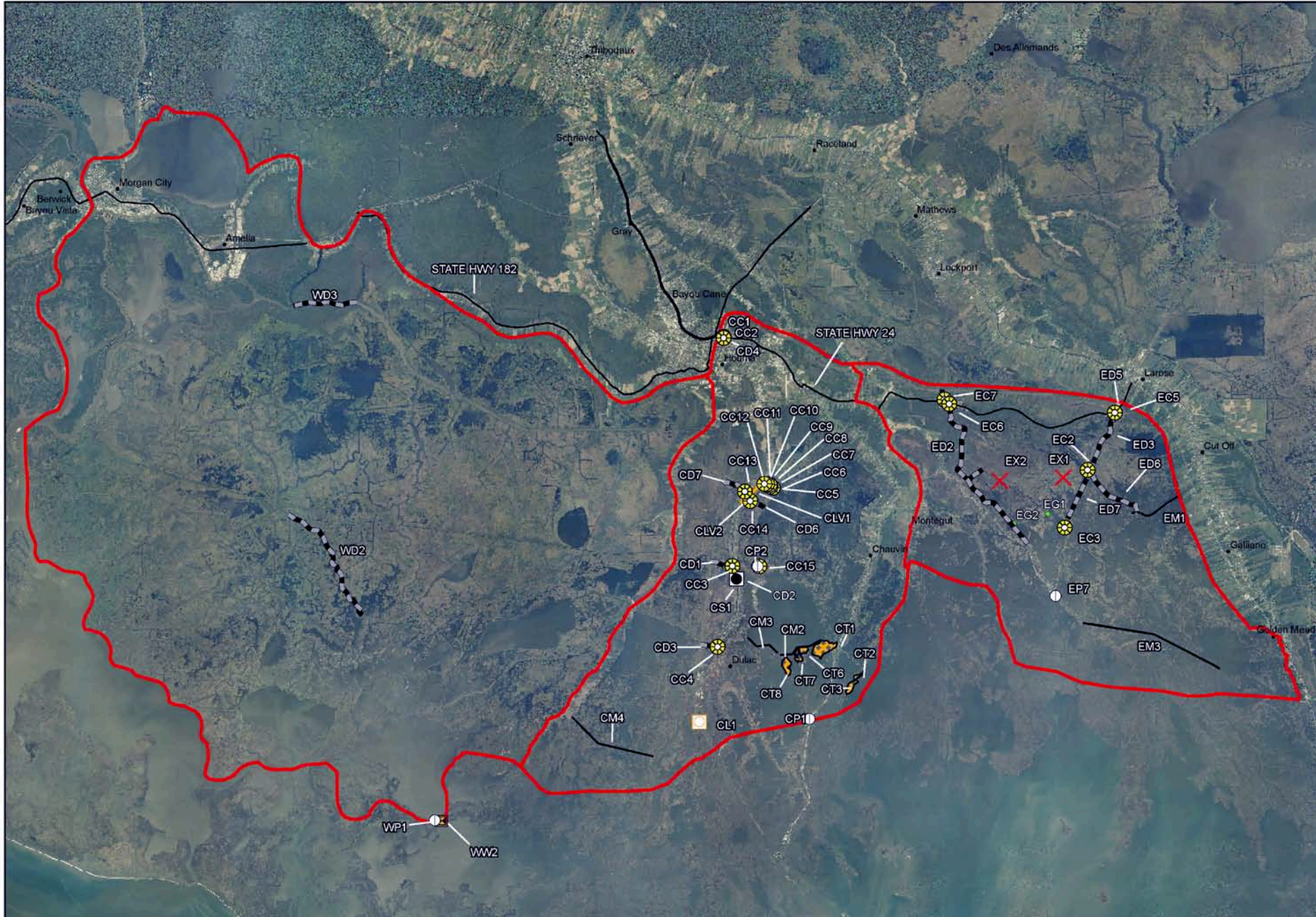
ANNE L. KOSEL
Chief, Real Estate Division
USACE, St. Louis District

Prepared by:
Real Estate Plan - Lynn Hoerner, Realty Specialist
Cost Estimate – Timothy Nelson, Appraiser

EXHIBIT A
MAPS
(36 pages)



LOUISIANA COASTAL AREA: CONVEY ATCHAFALAYA RIVER WATER TO NORTHERN TERREBONNE MARSHES ALTERNATIVE 2



LCA ARTM

- CULVERT
- LOCK COMPLEX
- PLUG
- REMOVAL
- SIPHON/PUMP/DIVERSION STRUCTURE
- WEIR
- DREDGE CHANNELS
- LEVEE
- SPOIL GAPS
- MARSH BERM
- TERRACING
- PROJECT BOUNDARY

LOCATION MAP

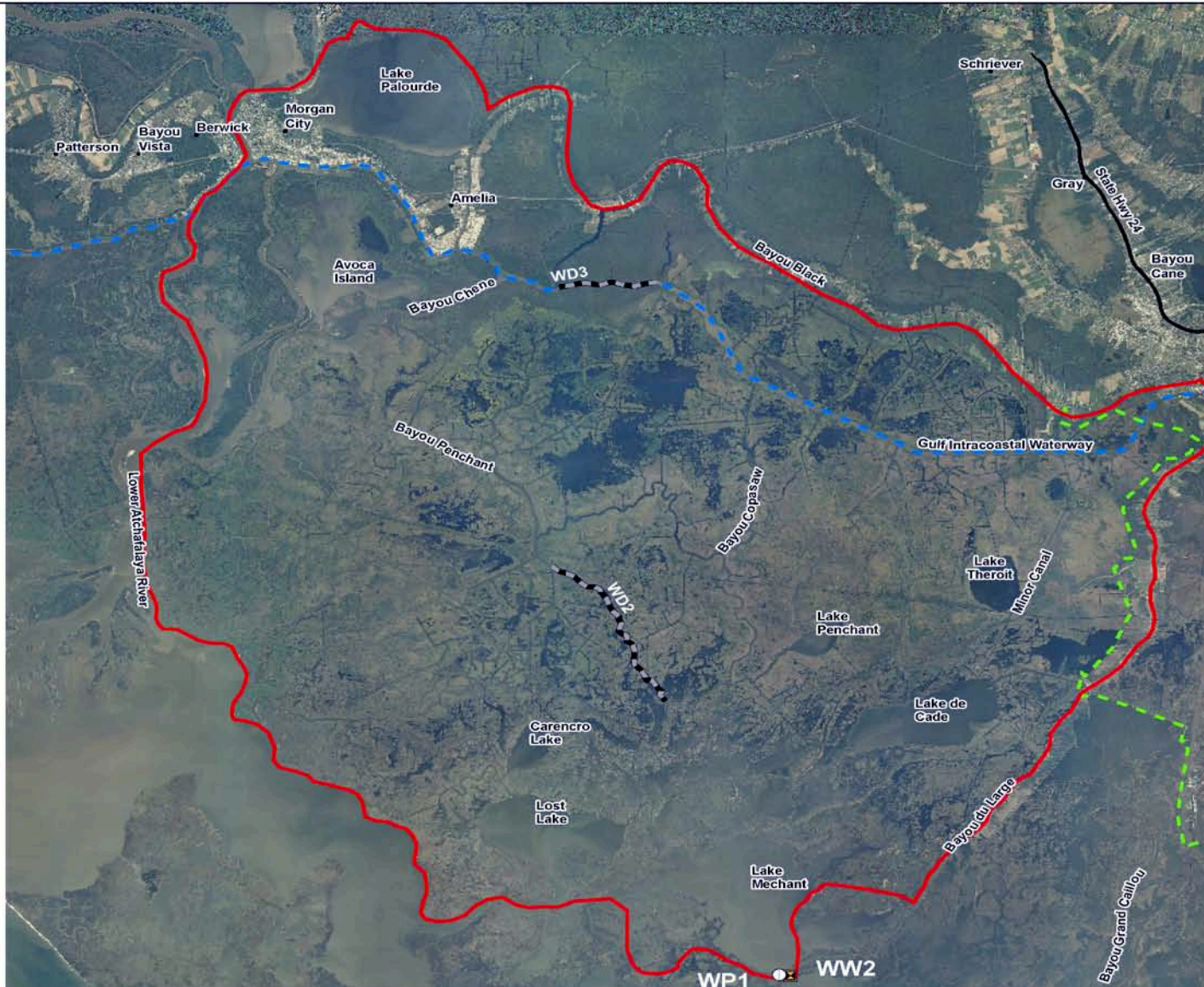


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LOUISIANA COASTAL AREA: CONVEY ATCHAFALAYA RIVER WATER TO NORTHERN TERREBONNE MARSHES



LCA ARTM WEST - BAYOU PENCHANT AREA

Legend

- Plug
- Weir
- Dredge Channels
- Boundary
- Proposed Morganza To Gulf Levee
- Gulf Intracoastal Waterway
- City
- LA Highways

LOCATION MAP



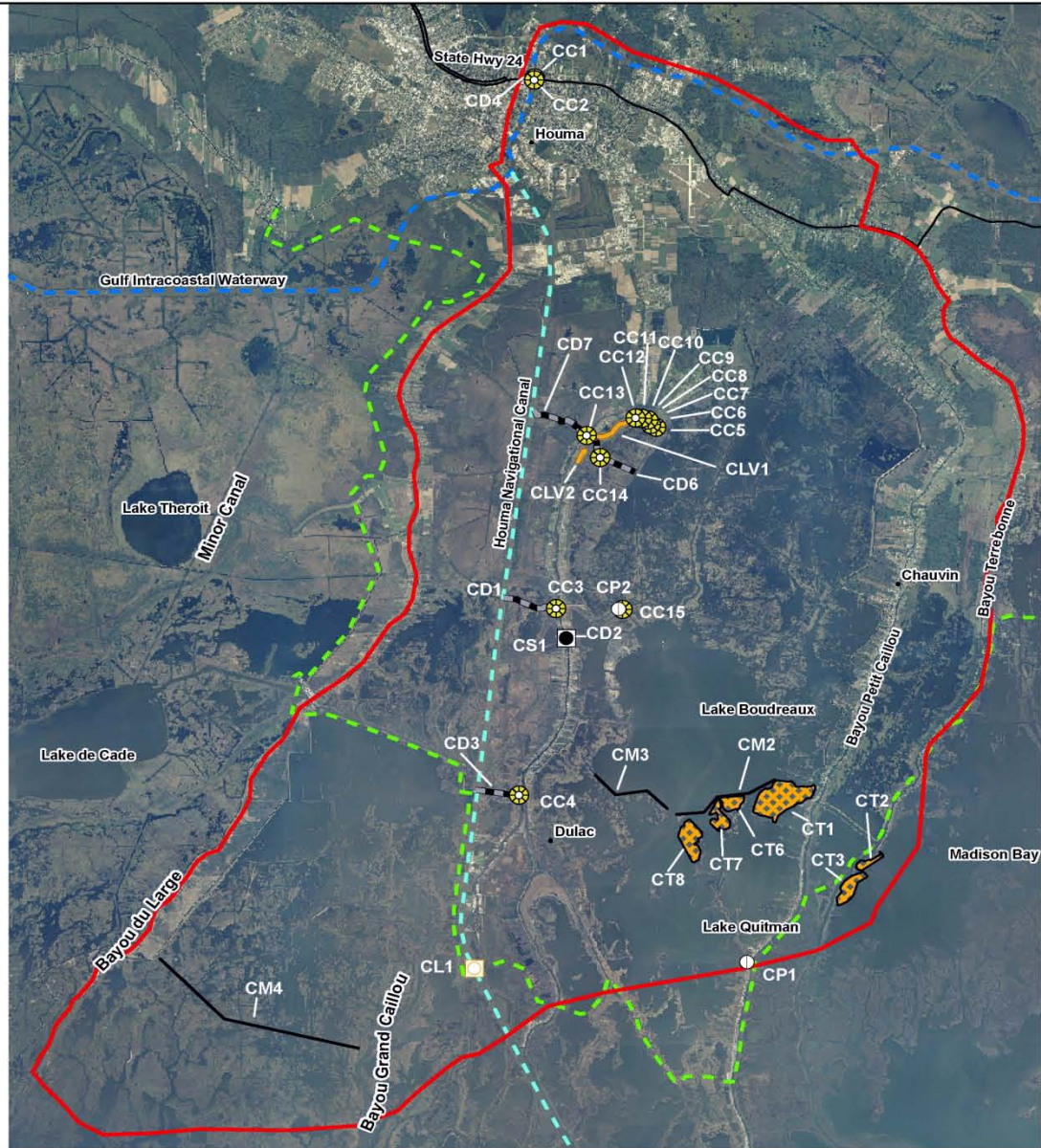
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4/26/2010



LOUISIANA COASTAL AREA: CONVEY ATCHAFALAYA RIVER WATER TO NORTHERN TERREBONNE MARSHES



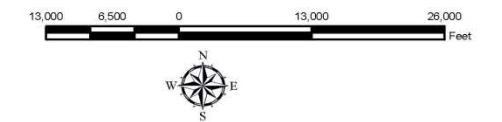
LCAARTM CENTRAL - LAKE BOUDREAUX AREA

- Culvert
- Lock Complex
- Plug
- Siphon/Pump/Diversion Structure
- Dredge
- Levee
- Boundary
- MarshBerm
- Terracing
- Cities
- Proposed Morganza to Gulf Levee
- Houma Navigational Canal
- Gulf Intracoastal Waterway
- LA HWY's

LOCATION MAP



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Feb 17, 2010



LOUISIANA COASTAL AREA: CONVEY ATCHAFALAYA RIVER WATER TO NORTHERN TERREBONNE MARSHES



LCA ARTM WEST - BAYOU PENCHANT AREA

- Culvert
- Plug
- Removal
- Siphon/Pump/Diversion Structure
- Dredge
- Spoil Gap
- Boundary
- Marsh Berm
- Cities
- Proposed Morganza to Gulf Levee
- Gulf Intracoastal Waterway
- LA HWYs

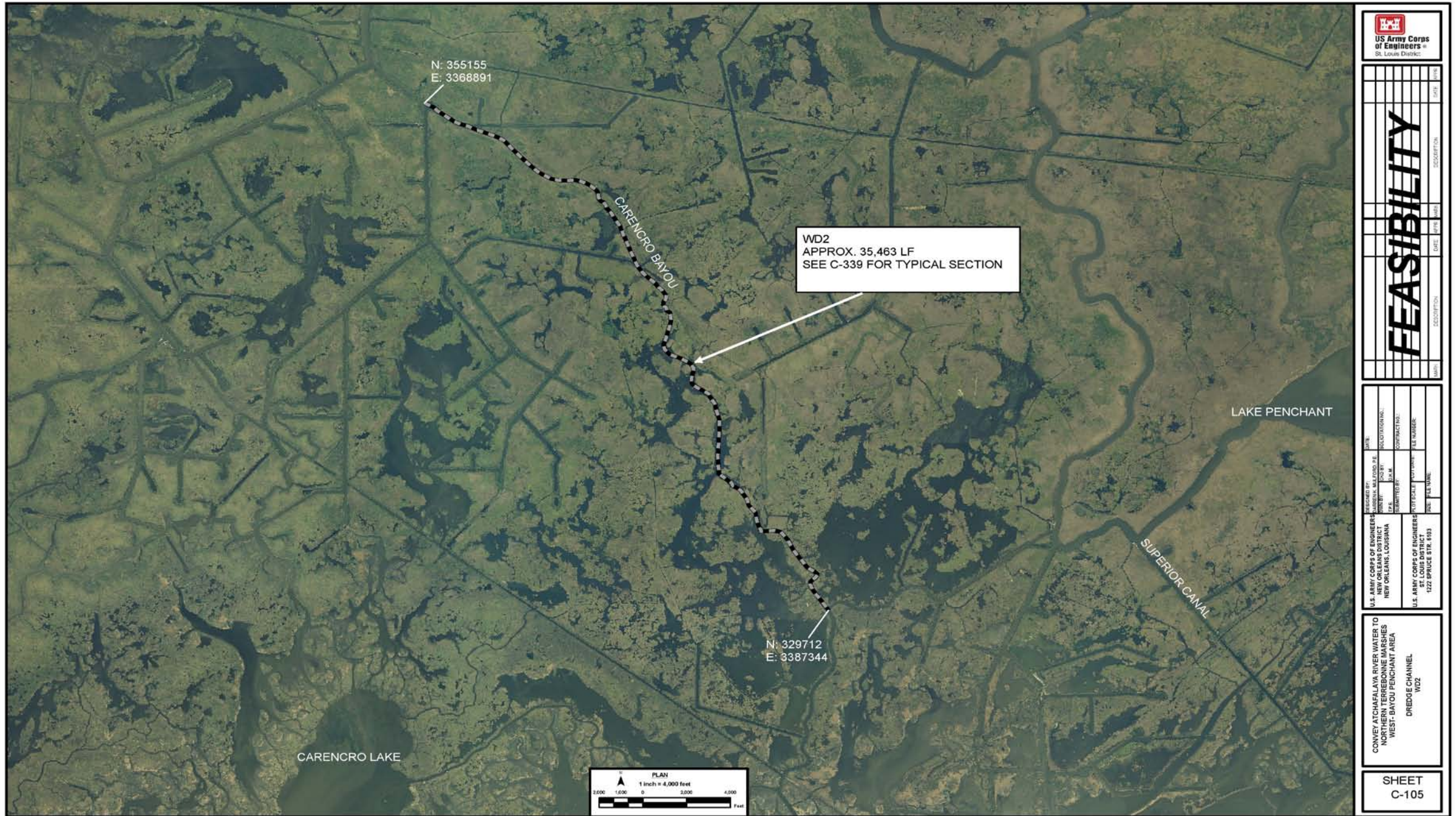
LOCATION MAP



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Feb 17, 2010



FEASIBILITY		DATE	NO.
		DESCRIPTION	NO.

DESIGNED BY	DATE
DRAWN BY	REVISIONS
CHECKED BY	DATE
IN CHARGE	NO.
PROJECT NO.	FILE NUMBER
TITLE	SCALE

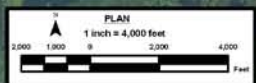
U.S. ARMY CORPS OF ENGINEERS
NEW ORLEANS DISTRICT
NEW ORLEANS, LOUISIANA

U.S. ARMY CORPS OF ENGINEERS
ST. LOUIS DISTRICT
1722 SPRUCE ST. TR. #103

CONVEY ATCHAFALAYA RIVER WATER TO
NORTHERN TERREBONNE MARSHES
WEST-BAYOU PENCHANT AREA

DREDGE CHANNEL
WD2

SHEET
C-105



FEASIBILITY		DATE	DATE
		DESCRIPTION	DATE
NO.	DATE	DESCRIPTION	DATE

DESIGNED BY:	DATE:
NEW ORLEANS DISTRICT	COLLECTION NO.:
NEW ORLEANS, LOUISIANA	CONTRACT NO.:
PROJECT NO.:	FILE NUMBER:
U.S. ARMY CORPS OF ENGINEERS	FILE NAME:
1227 SPRUCE STR. 6103	

CONVEY ATCHAFALAYA RIVER WATER TO
NORTHERN TERREBONNE MARSHES
WEST BAYOU PERCHANT AREA
DREDGE CHANNEL
WD3

SHEET
C-106



FEASIBILITY		DATE	DATE	DATE
		DESCRIPTION	DESCRIPTION	DESCRIPTION
NAME	DESCRIPTION	DATE	DATE	DATE

REVISION NO.	DATE	DESCRIPTION
1		

CONVEY ATCHAFALAYA RIVER WATER TO
NORTHERN TERREBONNE MARSHES
WESTERN PENCHANT AREA

DATE: 10/2012

SHEET
C-107



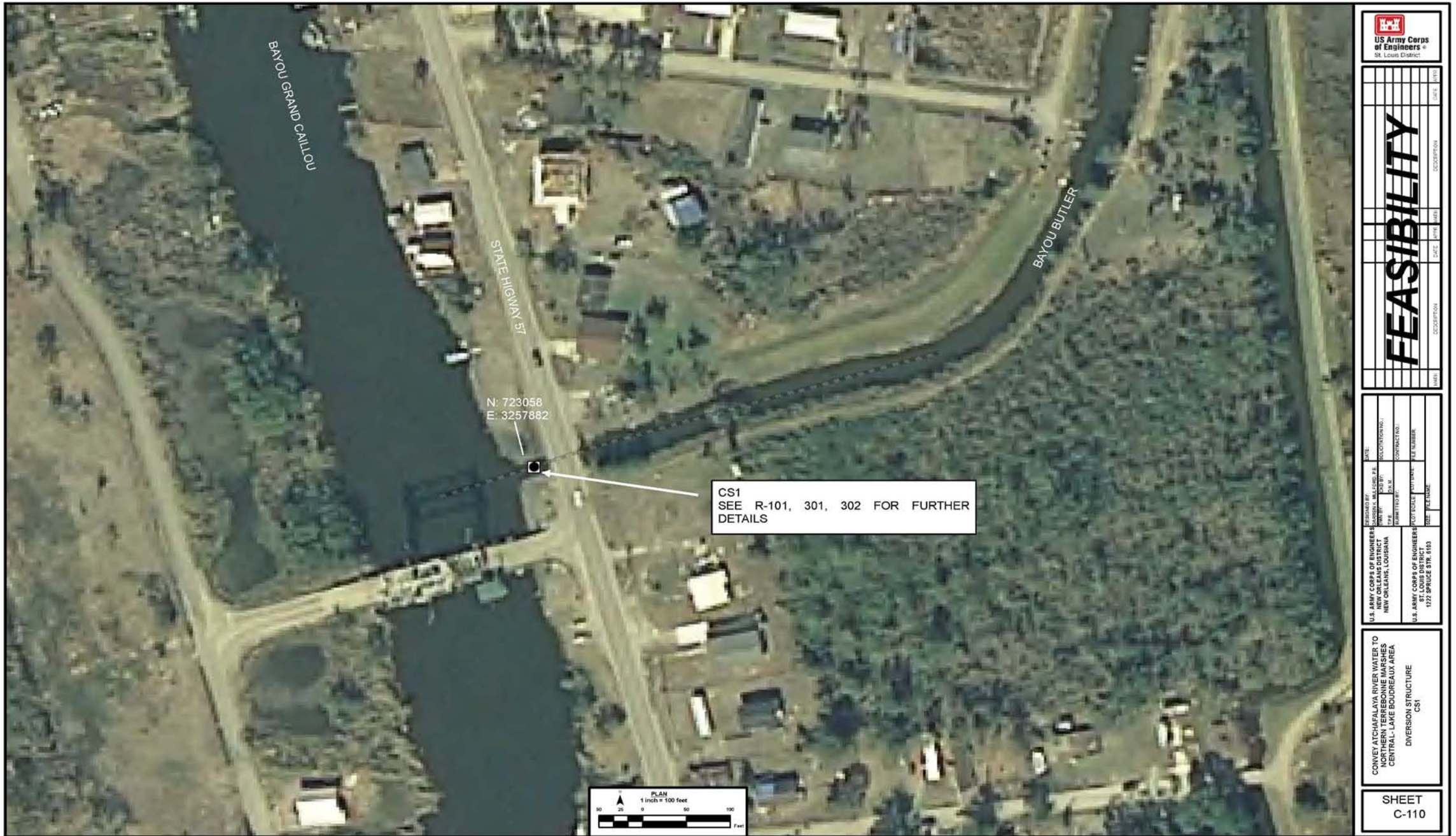
FEASIBILITY		DATE	DATE
		DESCRIPTION	DESCRIPTION

PROJECT NO.	DATE
PROJECT NAME	SCALE
PROJECT LOCATION	DATE
PROJECT DESCRIPTION	DATE
PROJECT NUMBER	DATE

CONVEY ATCHAFALAYA RIVER WATER TO NORTHERN TERREBONNE MARSHES WEST-BAYOU PECHANT AREA

PLUG WP1

SHEET C-108



FEASIBILITY

DESIGNED BY:	DATE:
U.S. ARMY CORPS OF ENGINEERS	10/10/2011
NEW ORLEANS DISTRICT	
NEW ORLEANS, LOUISIANA	
PROJECT NO.:	CONTRACT NO.:
100-100-100	100-100-100
PROJECT TITLE:	FILE NUMBER:
DIVERSION STRUCTURE	100-100-100
CS1	

CONVEY ATCHAFALAYA RIVER WATER TO
NORTHERN TERREBONNE MARSHES
CENTRAL-LAKE BOUDREAU AREA
DIVERSION STRUCTURE
CS1

SHEET
C-110



FEASIBILITY	
DATE	DATE
DESCRIPTION	DESCRIPTION
NAME	NAME
DATE	DATE
DESCRIPTION	DESCRIPTION
NAME	NAME

DESIGNED BY	DATE	SCALE	PROJECT NO.
CHECKED BY	DATE	SCALE	PROJECT NO.
APPROVED BY	DATE	SCALE	PROJECT NO.
PROJECT NO.	PROJECT NO.	PROJECT NO.	PROJECT NO.

CONVEY ATCHAFALAYA RIVER WATER TO
NORTHERN TERREBONNE MARSHES
CENTRAL-LAKE BOUDREAU AREA

R/L/S
C/P1

SHEET
C-110A



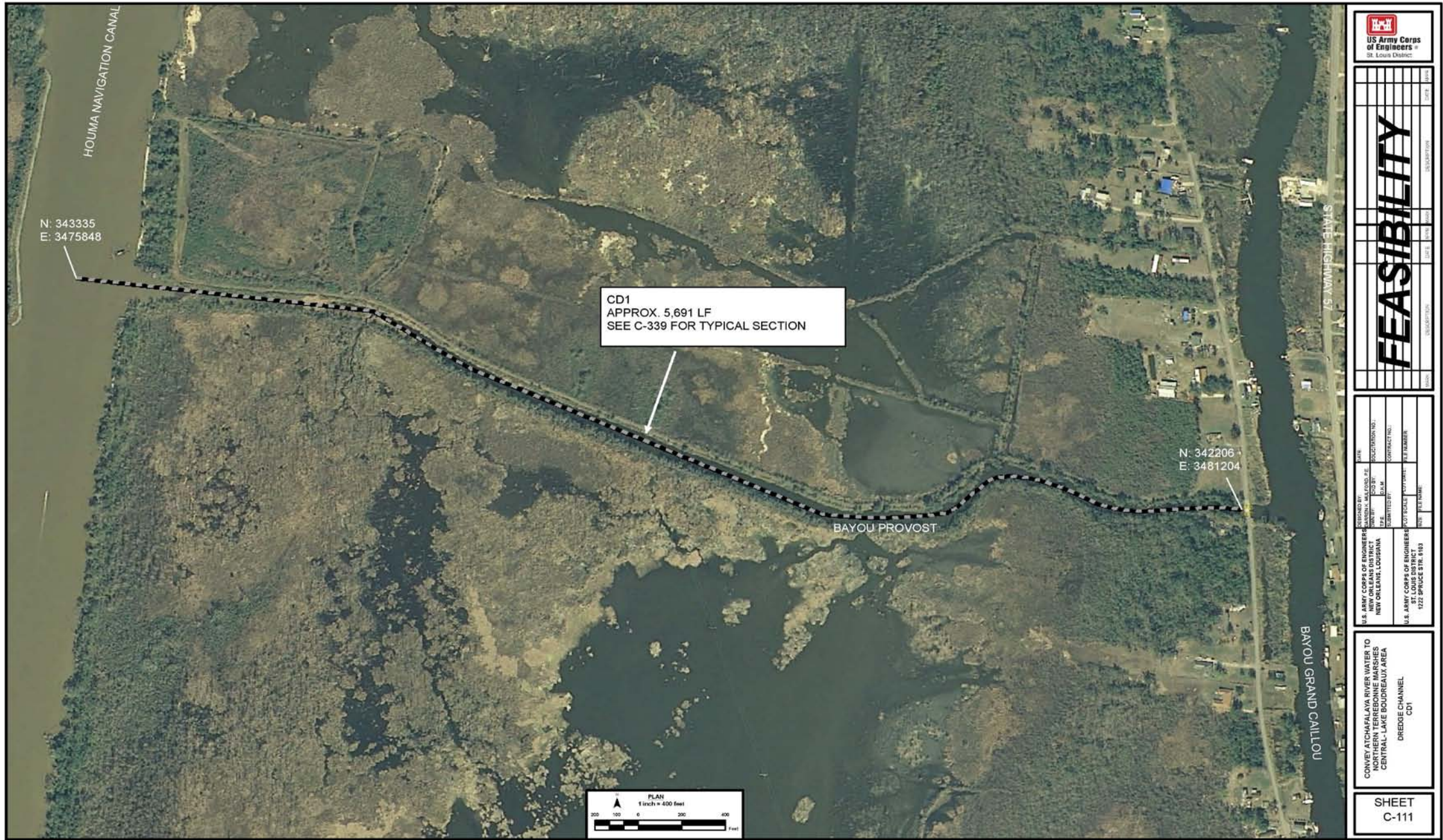
FEASIBILITY
REVISION
DATE
BY
CHKD
APP'D
DESIGNED BY
CHECKED BY
DRAWN BY
SCALE

U.S. ARMY CORPS OF ENGINEERS MEMPHIS DISTRICT NEW ORLEANS, LOUISIANA	DATE: _____ PROJECT NO.: _____ CONTRACT NO.: _____ DRAWING NO.: _____ SHEET NO.: _____
U.S. ARMY CORPS OF ENGINEERS ST. LOUIS DISTRICT 622 SPRUCE ST # 610B	FILE NO.: _____ JOB NO.: _____ SCALE: _____ DATE: _____

CONVEY ATCHAFALAYA RIVER WATER TO NORTHERN TERREBONNE MARSHES CENTRAL-LAKE BOUDREAU AREA

PLUG
CP2

SHEET
C-110B





NO.	REVISIONS	DATE	BY	CHECKED	DESCRIPTION	SCALE
FEASIBILITY						

DESIGNED BY: JAMISON W. WILSON, P.E.	DATE
NEW ORLEANS DISTRICT	SUBSCRIPTION NO.
NEW ORLEANS, LOUISIANA	CONTRACT NO.
DATE	DRAWING NO.
APPROVED BY:	FILE NUMBER
U.S. ARMY CORPS OF ENGINEERS	FILE NAME
1222 SPRUCE STN. 5103	

CONVEY ATCHAFALAYA RIVER WATER TO
NORTHERN TERREBONNE MARSHES
CENTRAL - LAKE BOURGEOIS AREA
DREDGE CHANNEL
CD2

SHEET
C-112



FEASIBILITY		DATE	DESCRIPTION
		DATE	DESCRIPTION

DESIGNED BY	DATE
PROJECT CLASS. PL.	PROJECT NO.
PROJECT NO.	CONTRACT NO.
DATE	SCALE
PROJECT NO.	PROJECT NO.
PROJECT NO.	PROJECT NO.

U.S. ARMY CORPS OF ENGINEERS
 NEW ORLEANS DISTRICT
 NEW ORLEANS, LOUISIANA

U.S. ARMY CORPS OF ENGINEERS
 ST. LOUIS DISTRICT
 1222 SPRUCE ST. 693

CONVEY ATCHAFALAYA RIVER WATER TO
 CENTRAL-LAKE BOUDREAU AREA
 DREDGE CHANNEL
 CD3

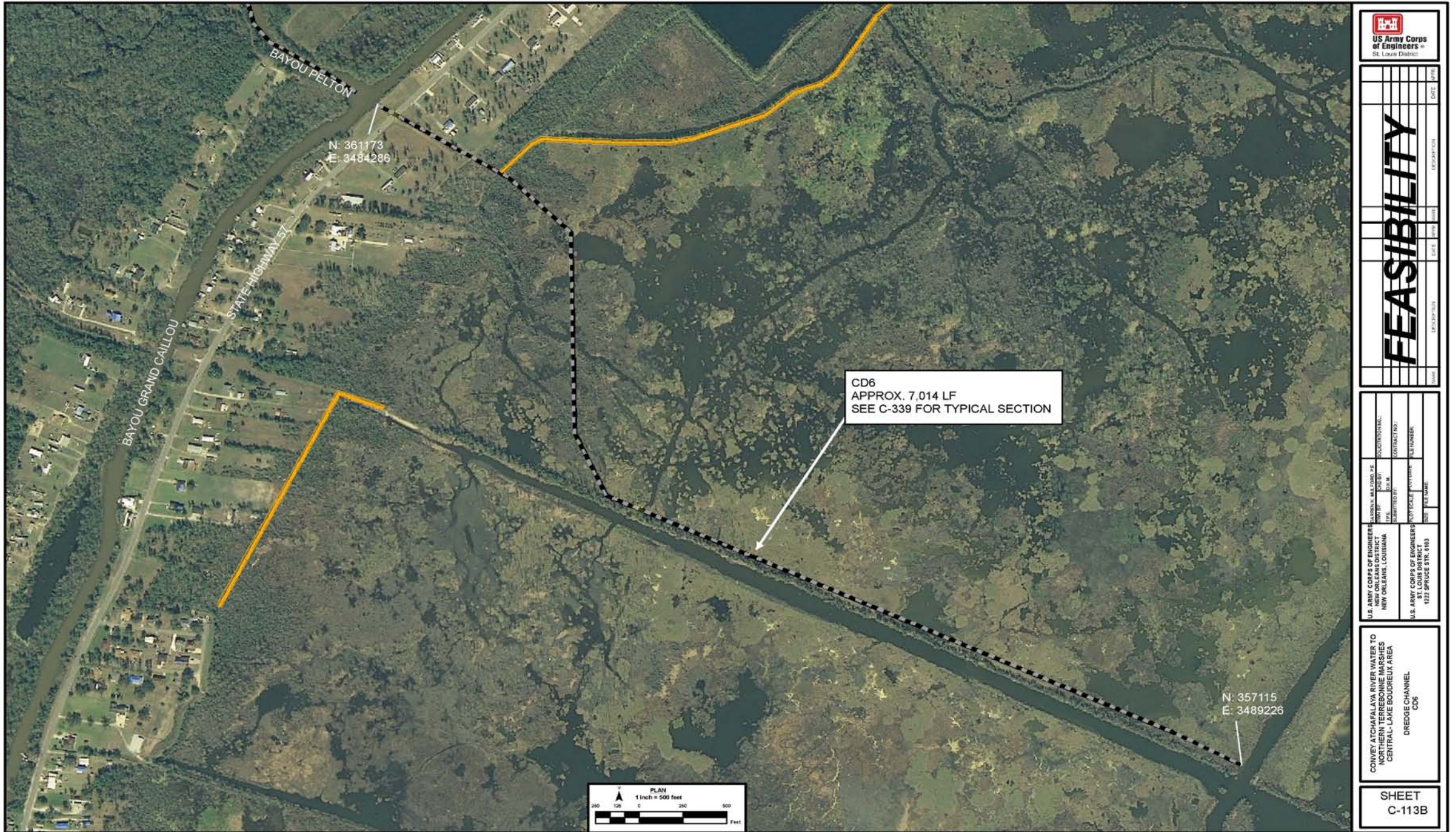
SHEET
 C-113





NOTES:
1.) SEE C-339 FOR TYPICAL SECTION

<p>US Army Corps of Engineers St. Louis District</p>	
<h1>FEASIBILITY</h1>	
U.S. ARMY CORPS OF ENGINEERS NEW ORLEANS DISTRICT NEW ORLEANS, LOUISIANA	PROJECT NO.: DRAWING NO.: CONTRACT NO.: DATE:
U.S. ARMY CORPS OF ENGINEERS ST. LOUIS DISTRICT 1222 SPRUCE ST., 6103	SHEET NO.: DATE:
CONVEY ATCHAFALAYA RIVER WATER TO NORTHERN TERREBONNE MARSHES CENTRAL LAKE AREA DREDGE CHANNEL CD4	
SHEET C-113A	

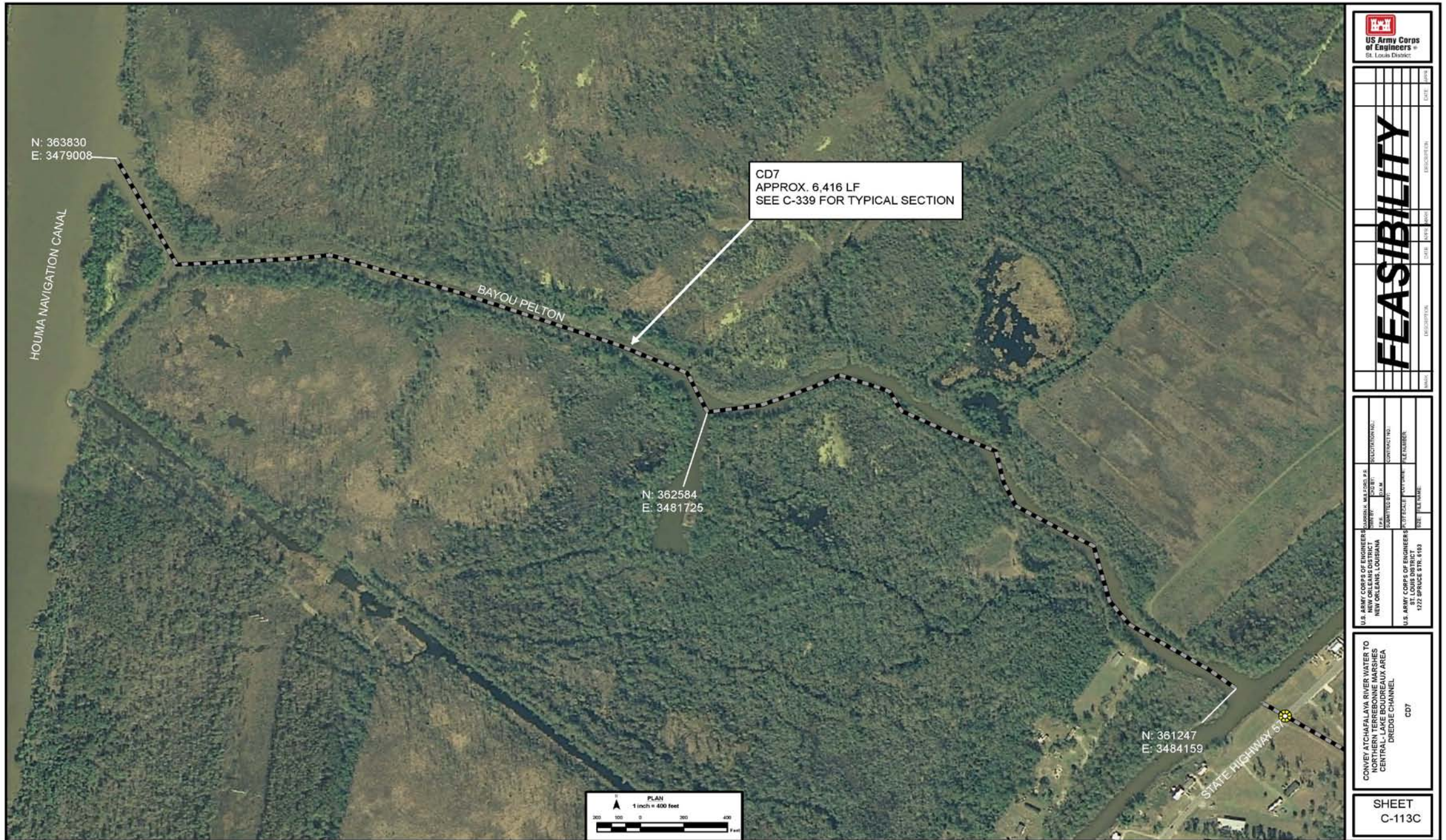


FEASIBILITY		DATE
		DESCRIPTION
DATE	DESCRIPTION	DATE

U.S. ARMY CORPS OF ENGINEERS NEW ORLEANS DISTRICT NEW ORLEANS, LOUISIANA	PROJECT NO. TASK ORDER NO. CONTRACT NO.
U.S. ARMY CORPS OF ENGINEERS 1722 SPRUCE ST. #193	FILE NUMBER

CONVEY ATCHAFALAYA RIVER WATER TO
NORTHERN TERREBONNE MARSHES
CENTRAL-LAKE BOUDREAU AREA
DREDGE CHANNEL
CD6

SHEET
C-113B



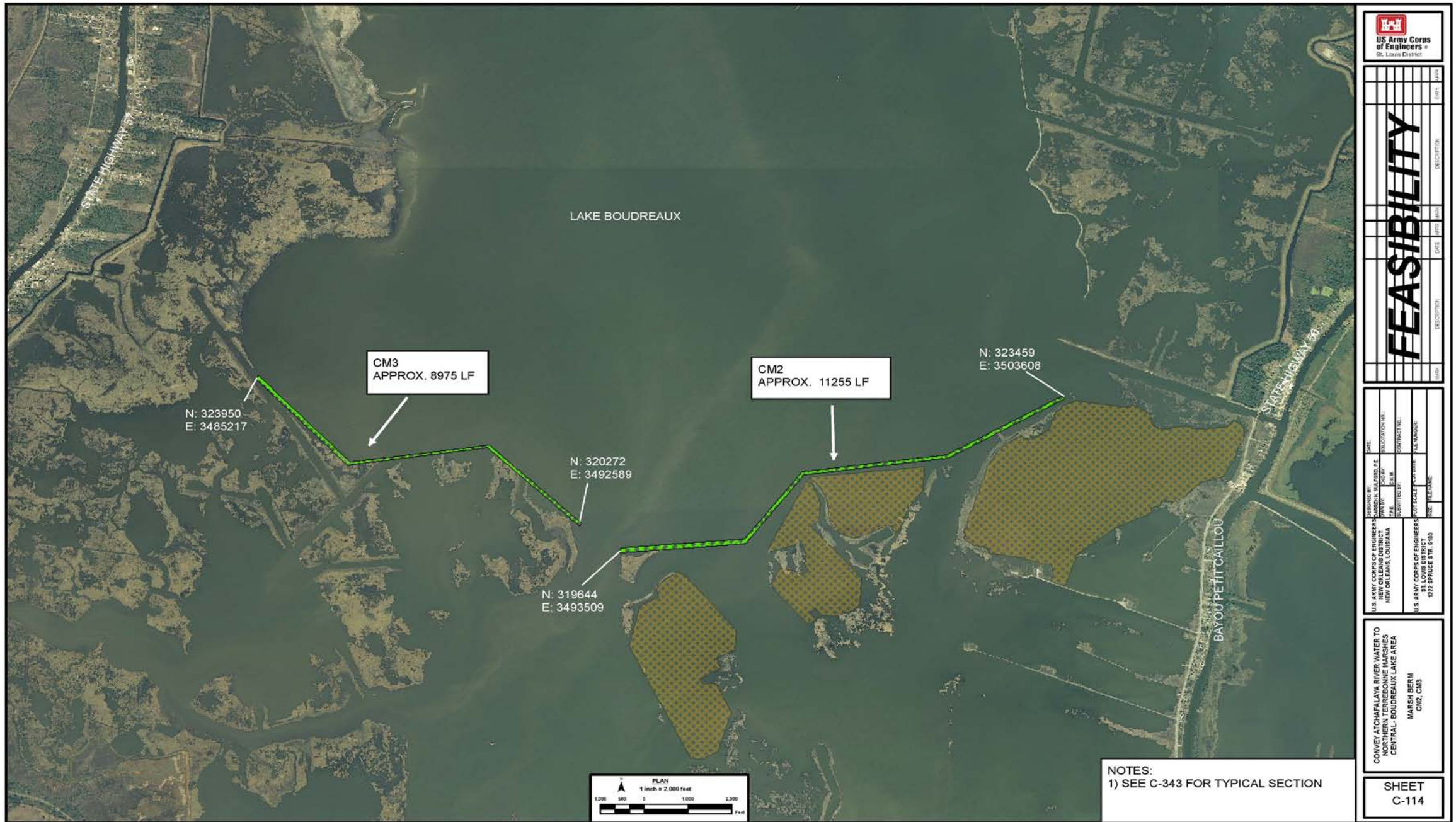
FEASIBILITY		DATE	BY	NO.	DATE
		DESCRIPTION	NO.	NO.	NO.

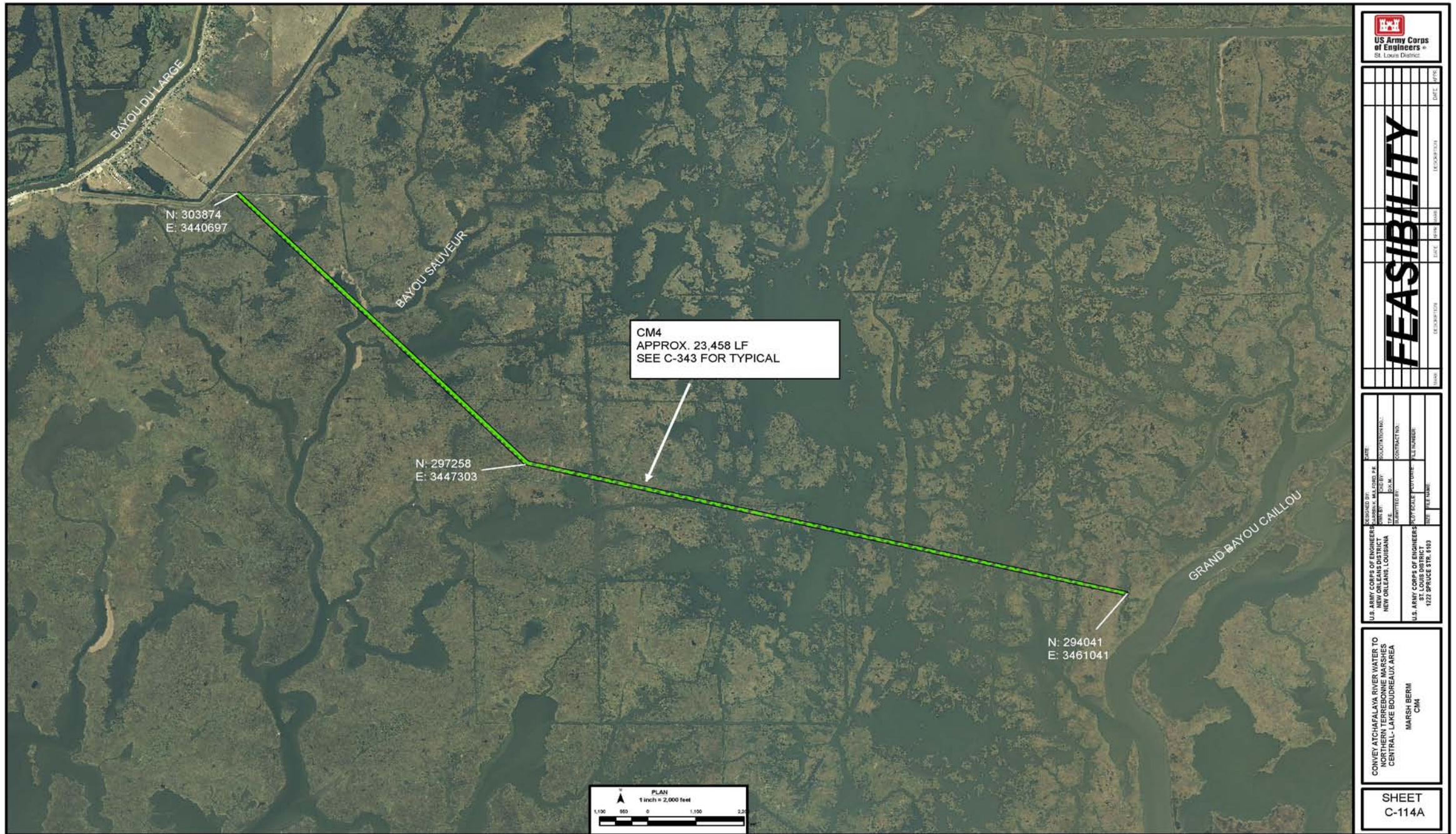
U.S. ARMY CORPS OF ENGINEERS NEW ORLEANS DISTRICT NEW ORLEANS, LOUISIANA	PROJECT NO.	CONTRACT NO.
U.S. ARMY CORPS OF ENGINEERS ST. LOUIS DISTRICT 1722 SPRUCE ST., P.O. BOX	FILE NUMBER	FILE NUMBER

CONVEY ATCHAFALAYA RIVER WATER TO
NORTHERN TERREBONNE MARSHES
CENTRAL-LAKE BOUDREAU AREA
DREDEGE CHANNEL

CD7

SHEET
C-113C





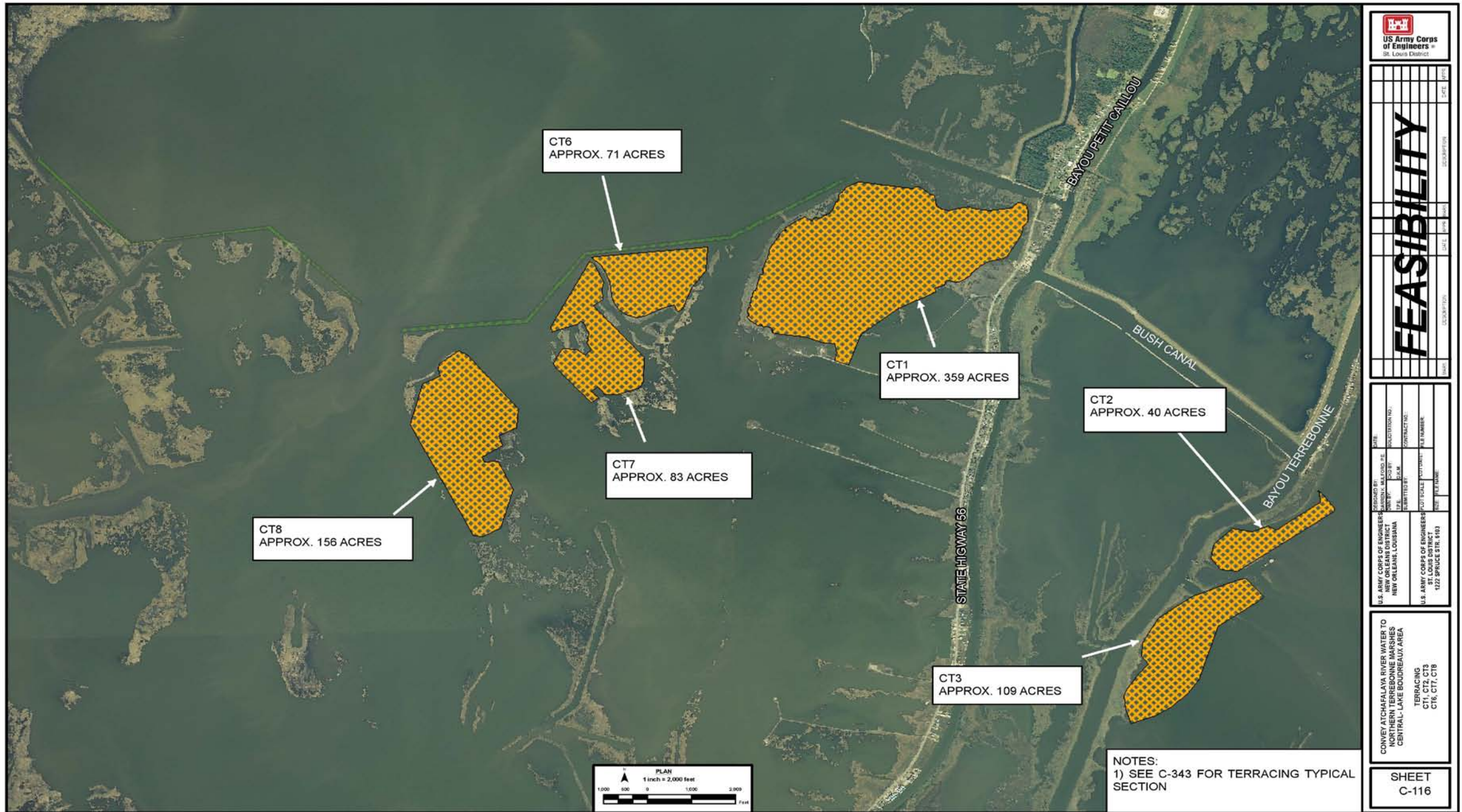
US Army Corps of Engineers
St. Louis District

DATE	REVISION	DESCRIPTION	DATE
FEASIBILITY			

DESIGNED BY:	DATE:
NEW ORLEANS DISTRICT	
NEW ORLEANS, LOUISIANA	

CONVEY ATCHAFALAYA RIVER WATER TO
NORTHERN TERREBONNE MARSHES
CENTRAL-LAKE BOURGEOIS AREA
MARSH BERM
CM4

SHEET
C-114A



US Army Corps of Engineers
St. Louis District

FEASIBILITY

DATE	DESIGNED BY	PROJECT NO.	SCALE	SHEET NO.	TOTAL SHEETS
	APPROVED BY	CONTRACT NO.			
	PROJECT NO.	CONTRACT NO.			
	PROJECT NO.	CONTRACT NO.			

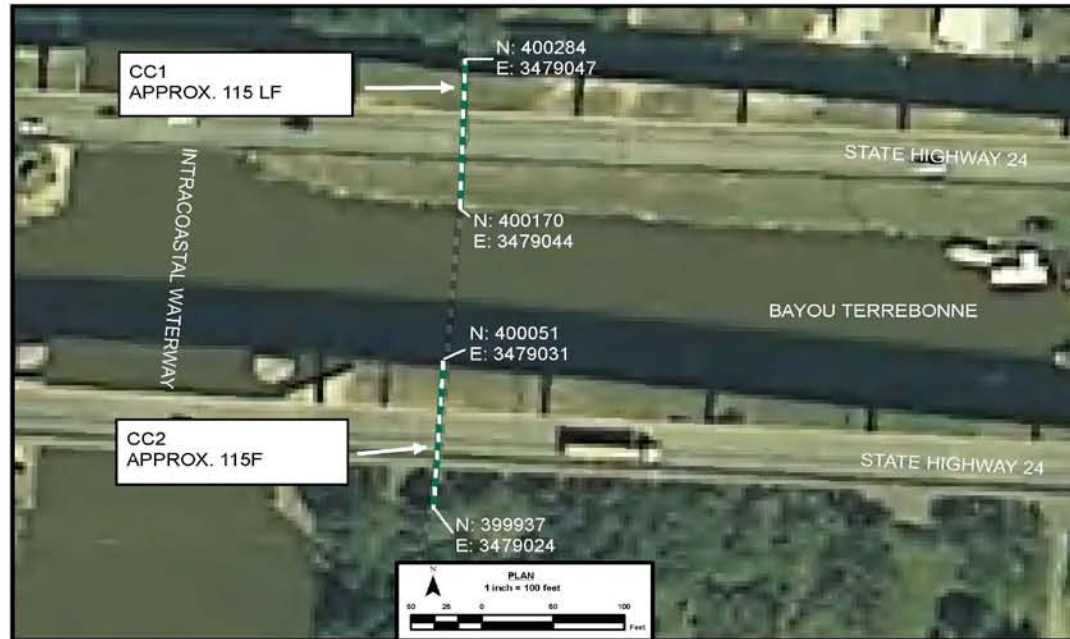
U.S. ARMY CORPS OF ENGINEERS
NEW ORLEANS DISTRICT
NEW ORLEANS, LOUISIANA

U.S. ARMY CORPS OF ENGINEERS
ST. LOUIS DISTRICT
1327 SPRUCE STR. 6103

CONVEY ATCHAFALAYA RIVER WATER TO
NORTHERN TERREBONNE MARSHES
CENTRAL-LAKE BOUDREAU AREA

TERRACING
CT1, CT2, CT3
CT6, CT7, CT8

SHEET
C-116



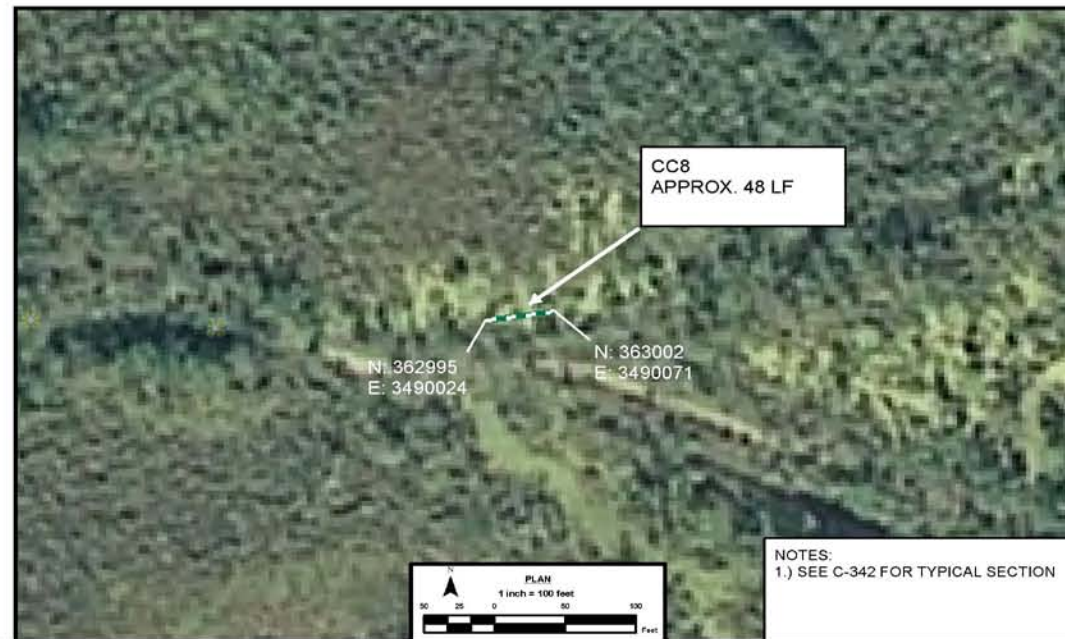
NOTES:
 1.) CC1, CC2: SEE C-342 FOR FURTHER DETAILS
 2.) CC3, CC4: SEE R-101, 301, 302 FOR FURTHER DETAILS

		DATE	
		DATE	DATE
<h1 style="writing-mode: vertical-rl; transform: rotate(180deg);">FEASIBILITY</h1>		DESCRIPTION	
		DESCRIPTION	DESCRIPTION

DESIGNED BY: U.S. ARMY CORPS OF ENGINEERS NEW ORLEANS DISTRICT NEW ORLEANS, LOUISIANA	SUBSTANTIAL NO. CONTRACT NO.
DRAWN BY: U.S. ARMY CORPS OF ENGINEERS NEW ORLEANS DISTRICT NEW ORLEANS, LOUISIANA	PROJECT NO. SHEET NUMBER
CHECKED BY: U.S. ARMY CORPS OF ENGINEERS NEW ORLEANS DISTRICT NEW ORLEANS, LOUISIANA	DATE: 11/27 SPRUCE STR. 6193

CONVEY ATCHAFALAYA RIVER WATER TO
 NORTHERN TERREBONNE MARSHES
 CENTRAL-LAKE BOGUELAU AREA
 CULVERTS
 CC2, CC3,
 CC4

SHEET
 C-117



NOTES:
1.) SEE C-342 FOR TYPICAL SECTION

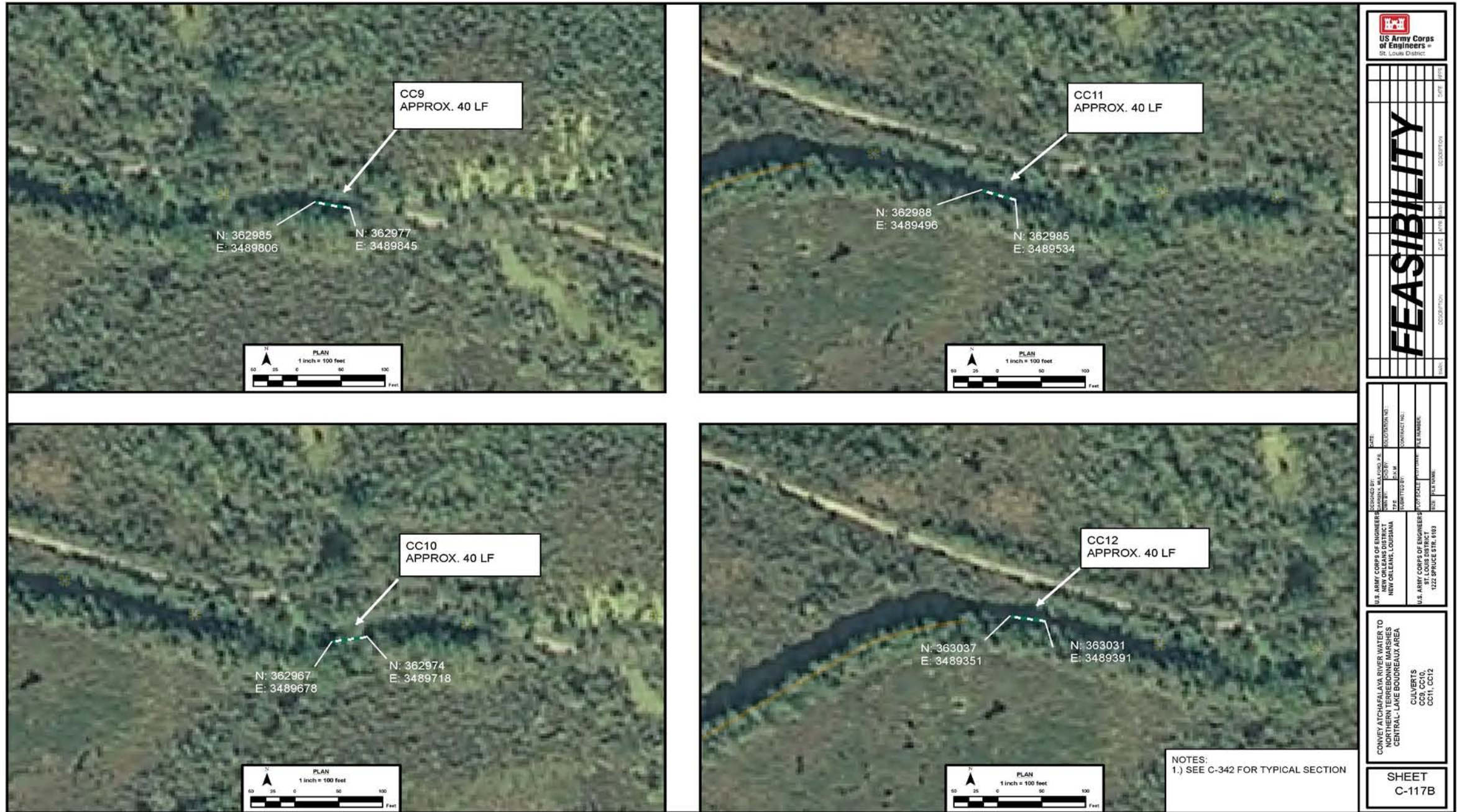


FEASIBILITY		DATE	BY
		REVISION	DESCRIPTION

DESIGNED BY	DATE
CHECKED BY	DATE
APPROVED BY	DATE
PROJECT NO.	
CONTRACT NO.	
FILE NUMBER	

CONVEY ATCHAFALAYA RIVER WATER TO
NORTHERN TERREBONNE MARSHES
CENTRAL- LAKE BOUDREAU AREA
CULVERTS
CC5, CC6,
CC7, CC8

SHEET
C-117A



US Army Corps of Engineers
St. Louis District

FEASIBILITY

DATE:	REVISION NO.:
DESIGNED BY:	CONTRACT NO.:
DRAWN BY:	DATE:
CHECKED BY:	PROJECT NO.:
APPROVED BY:	SCALE:
FILE NAME:	SIZE:

U.S. ARMY CORPS OF ENGINEERS
NEW ORLEANS DISTRICT
NEW ORLEANS, LOUISIANA

U.S. ARMY CORPS OF ENGINEERS
ST. LOUIS DISTRICT
1222 SPRUCE STR. 6100

CONVEY ATCHAFALAYA RIVER WATER TO
NORTHERN TERREBONNE MARSHES
CENTRAL LAKE BOUDREAU AREA

CULVERTS
CC9, CC10,
CC11, CC12

SHEET
C-117B



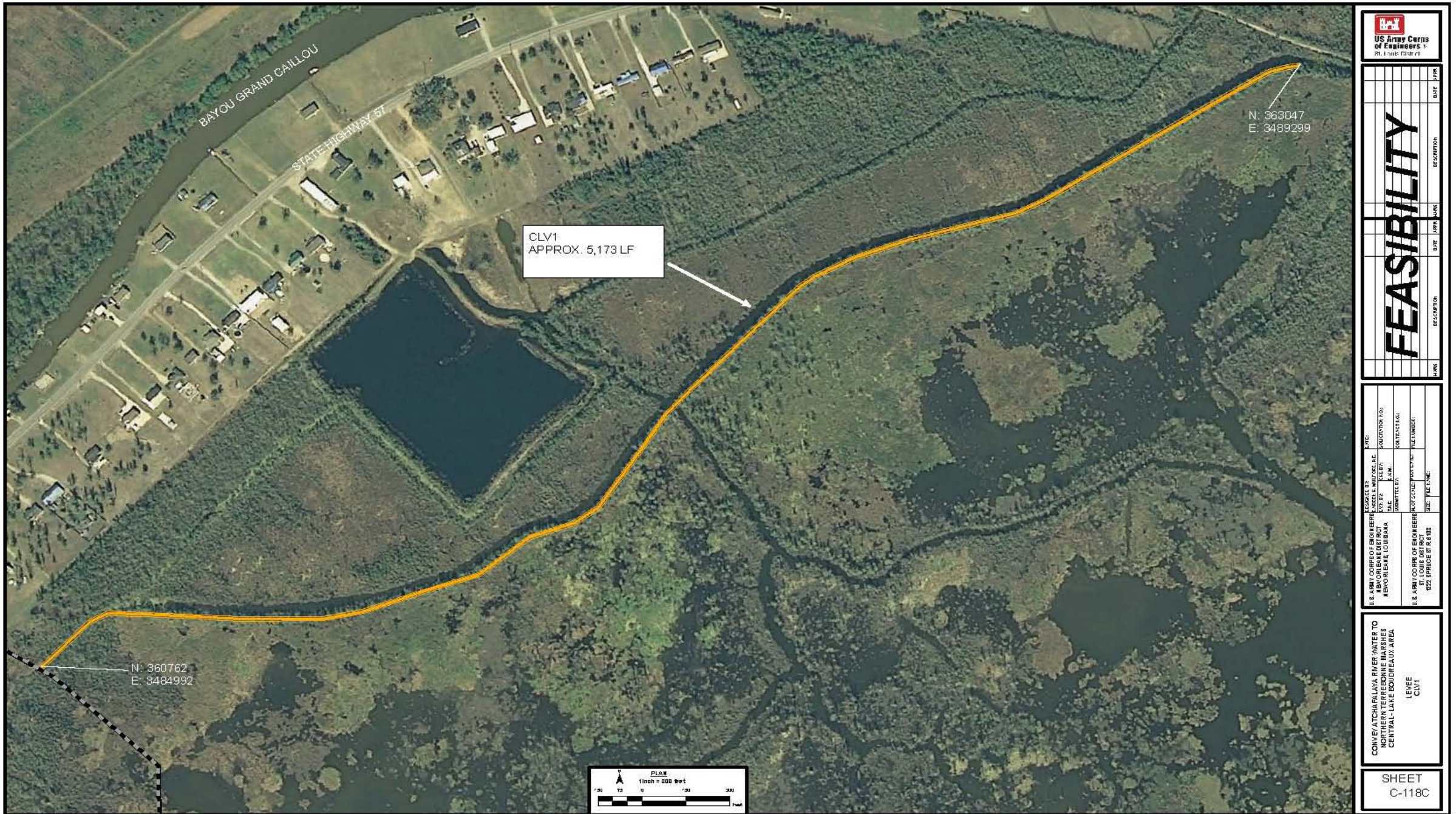
US Army Corps of Engineers
St. Louis District

FEASIBILITY	DATE	SUBMITTED BY	SCALE	SHEET NO.	DATE
	DRAWN BY	CHECKED BY	DATE	NO.	DATE
U.S. ARMY CORPS OF ENGINEERS NEW ORLEANS DISTRICT NEW ORLEANS, LOUISIANA					
U.S. ARMY CORPS OF ENGINEERS ST. LOUIS DISTRICT ST. LOUIS, MISSOURI					

CONVEY ATCHAFALAYA RIVER WATER TO
 NORTHERN TERREBONNE MARSHES
 EAST-GRAND BAYOU AREA
 CULVERTS
 CC13, CC14,
 CC15

SHEET
C-117C

NOTES:
 1.) CC13: SEE R-101,301,302 FOR FURTHER DETAILS
 2.) CC14: SEE S-220 FOR FURTHER DETAILS
 3.) CC15: SEE R-210 FOR FURTHER DETAILS



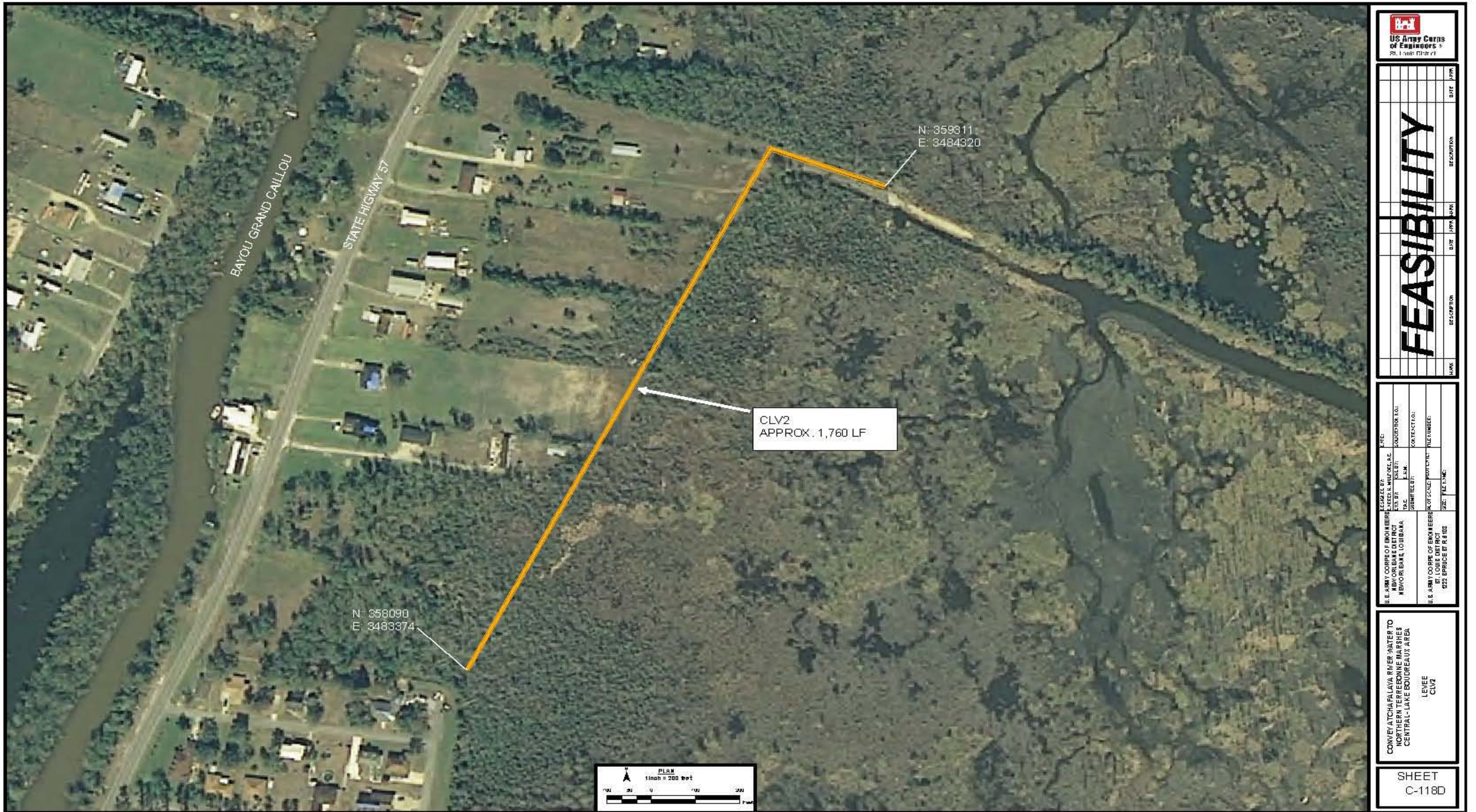
FEASIBILITY		DATE	DATE
		DATE	DATE
DESCRIPTION	DESCRIPTION	DATE	DATE
DATE	DATE	DATE	DATE

U.S. ARMY CORPS OF ENGINEERS NEW ORLEANS DISTRICT NEW ORLEANS, LOUISIANA	DATE: _____ SCALE: _____ PROJECT NO.: _____ SHEET NO.: _____
U.S. ARMY CORPS OF ENGINEERS NEW ORLEANS DISTRICT NEW ORLEANS, LOUISIANA	DATE: _____ SCALE: _____ PROJECT NO.: _____ SHEET NO.: _____

CONVEY ATCHAFALAYA RIVER WATER TO
CENTRAL TERREBONNE MARSHES
CENTRAL-LAKE BOUREAU AREA

LEVEE
CLV1

SHEET
C-118C



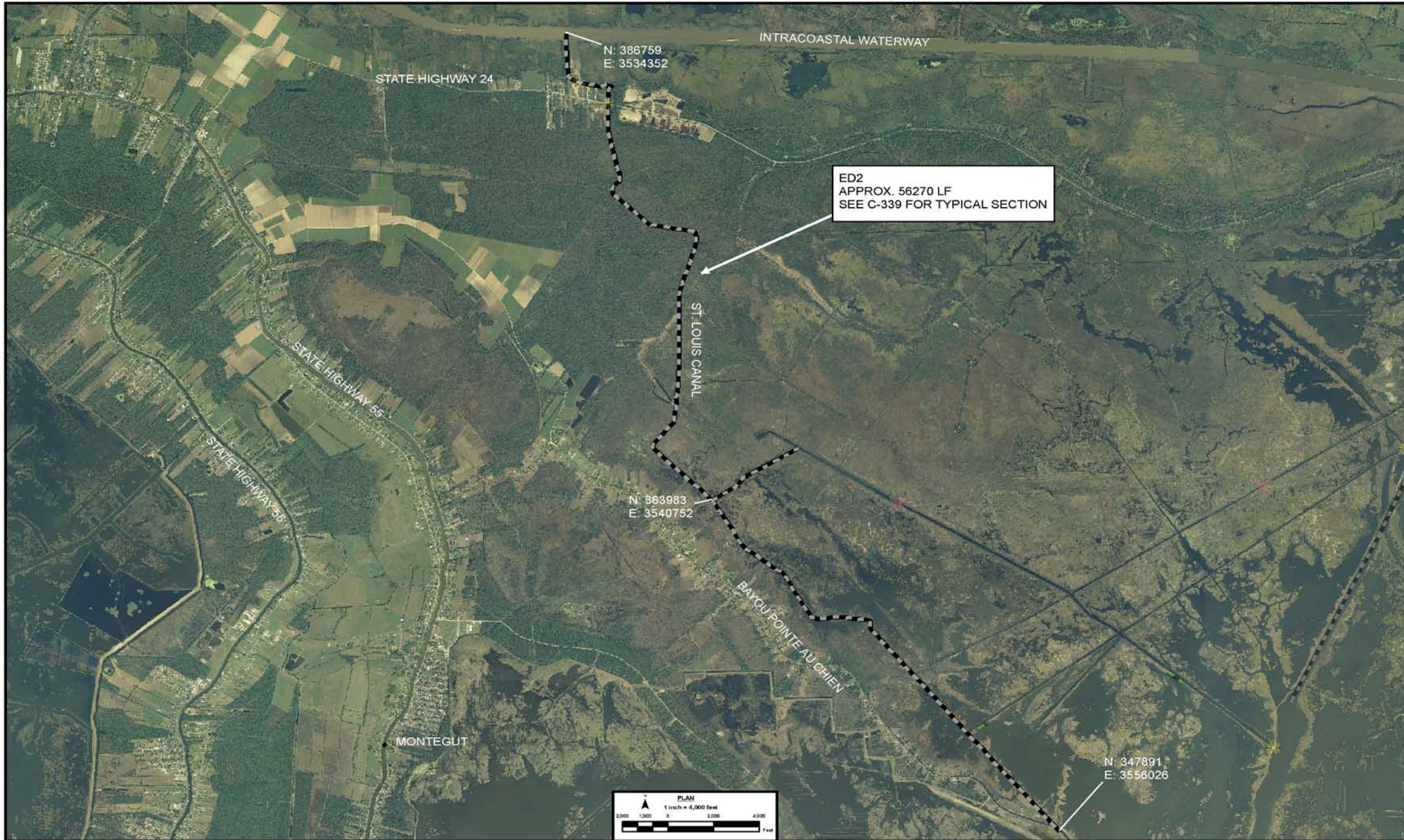
FEASIBILITY		DATE	BY
		DESCRIPTION	MARK
DATE	BY	DESCRIPTION	MARK


U.S. ARMY CORPS OF ENGINEERS NEW ORLEANS DISTRICT 222 SPRING STREET NEW ORLEANS, LOUISIANA 70179	DATE	BY	DESCRIPTION
U.S. ARMY CORPS OF ENGINEERS NEW ORLEANS DISTRICT 222 SPRING STREET NEW ORLEANS, LOUISIANA 70179	DATE	BY	DESCRIPTION

CONVEY ATCHAFALAYA RIVER WATER TO
NORTHERN TERREBONNE MARSHES
CENTRAL-LAKE BOUDREAUX AREA

LEVEE
CLV2

SHEET
C-118D





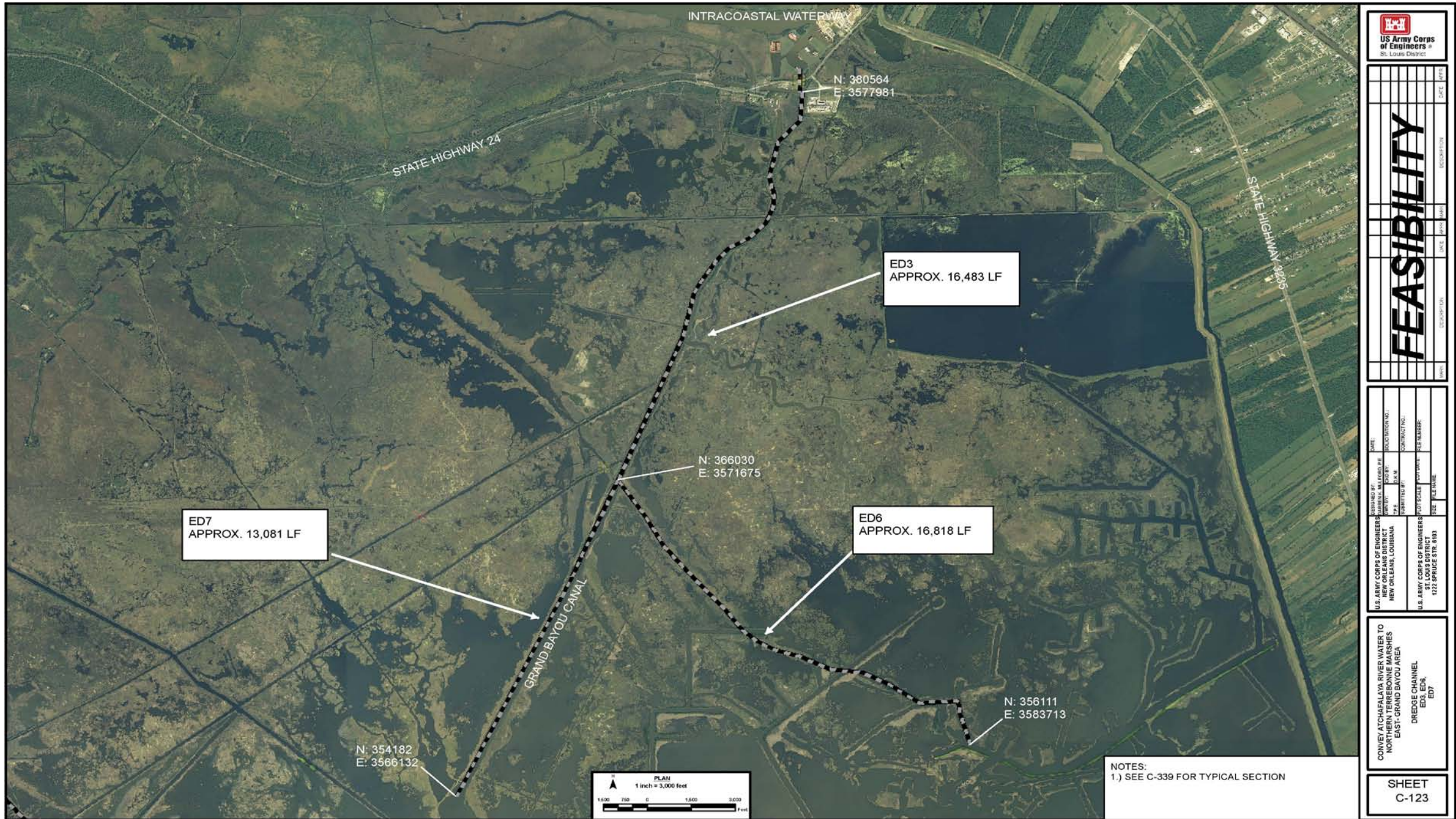
US Army Corps of Engineers
St. Louis District

DESCRIPTION	DATE	BY	DATE
FEASIBILITY			

DESIGNED BY: U.S. ARMY CORPS OF ENGINEERS NEW ORLEANS DISTRICT NEW ORLEANS, LOUISIANA	SUBMITTED BY: U.S. ARMY CORPS OF ENGINEERS 1122 SPRUCE STR. #103	SOLUTION NO.: PROJECT NO.: CONTRACT NO.: FILE NUMBER: FILE NUMBER:
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CONVEY ATCHAFALAYA RIVER WATER TO
 NORTHERN TERREBONNE MARSHES
 EAST OF GRAND BAYOU AREA
 DREDGE CHANNEL
 ED2

SHEET
C-122





ED5
APPROX. 875 LF
SEE C-339 FOR TYPICAL SECTION

N: 381440
E: 3577893

N: 380670
E: 3577888



FEASIBILITY

NO.	DATE	DESCRIPTION	BY	DATE	BY

DESIGNED BY U.S. ARMY CORPS OF ENGINEERS CIVIL & ENVIRONMENTAL ENGINEERING CENTER NEW ORLEANS, LOUISIANA	DATE 10/20/2010	SCALE AS SHOWN	PROJECT NO. 633-BRICE-R-000
DRAWN BY U.S. ARMY CORPS OF ENGINEERS CIVIL & ENVIRONMENTAL ENGINEERING CENTER NEW ORLEANS, LOUISIANA	DATE 10/20/2010	SCALE AS SHOWN	PROJECT NO. 633-BRICE-R-000

CONVEY ATCHAFALAYA RIVER WATER TO
NORTHERN TERREBONNE MARSHES
EAST-G AND BAYOU AREA

DREDGE CHANNEL
ED5

SHEET
C-124A



FEASIBILITY		DATE	DATE
		DESCRIPTION	DATE
NO.	NO.	NO.	NO.

DATE	SCALE	CONTRACT NO.
DESIGNED BY	EXAM	FILE NUMBER
NEW ORLEANS DISTRICT	PLOT SCALE	DATE
NEW ORLEANS, LOUISIANA	DATE	DATE
U.S. ARMY CORPS OF ENGINEERS	DATE	DATE
1221 SPRING ST. (413)	DATE	DATE

CONVEY ATCHAFALAYA RIVER WATER TO
NORTHERN TERREBONNE MARSHES
EAST-GRAND BAYOU AREA
PLUG
EP7

SHEET
C-124B



US Army Corps of Engineers
St. Louis District

MARK	DESCRIPTION	DATE	ISSUE	MARK	DATE	ISSUE

FEASIBILITY

DESIGNED BY:	DATE:
NEW ORLEANS DISTRICT	NEW ORLEANS DISTRICT
NEW ORLEANS, LOUISIANA	NEW ORLEANS, LOUISIANA
U.S. ARMY CORPS OF ENGINEERS	U.S. ARMY CORPS OF ENGINEERS
1222 SPRUCE STR. #103	ST. LOUIS DISTRICT

CONVEY ATCHAFALAYA RIVER WATER TO
NORTHERN TERREBONNE MARSHES
EAST GRAND BAYOU AREA

CULVERTS
EC2, EC3

SHEET
C-132



NOTES:
 1.) EC5: SEE S-140, 240 FOR FURTHER DETAILS
 2.) EC6, EC7: SEE C-342 FOR TYPICAL SECTION

 US Army Corps of Engineers St. Louis District	
FEASIBILITY	
DRAWN BY: [] CHECKED BY: [] DATE: []	REVISION NO.: [] CONTRACT NO.: [] FILE NUMBER: []
U.S. ARMY CORPS OF ENGINEERS NEW ORLEANS DISTRICT NEW ORLEANS, LOUISIANA	
U.S. ARMY CORPS OF ENGINEERS ST. LOUIS DISTRICT 1222 SPRUCE STR., 6103	
CONVEY ATCHAFALAYA RIVER WATER TO NORTHERN TERREBONNE MARSHES EAST GRAND BAYOU AREA CULVERTS EC5, EC6, EC7	
SHEET C-133	



US Army Corps of Engineers
St. Louis District

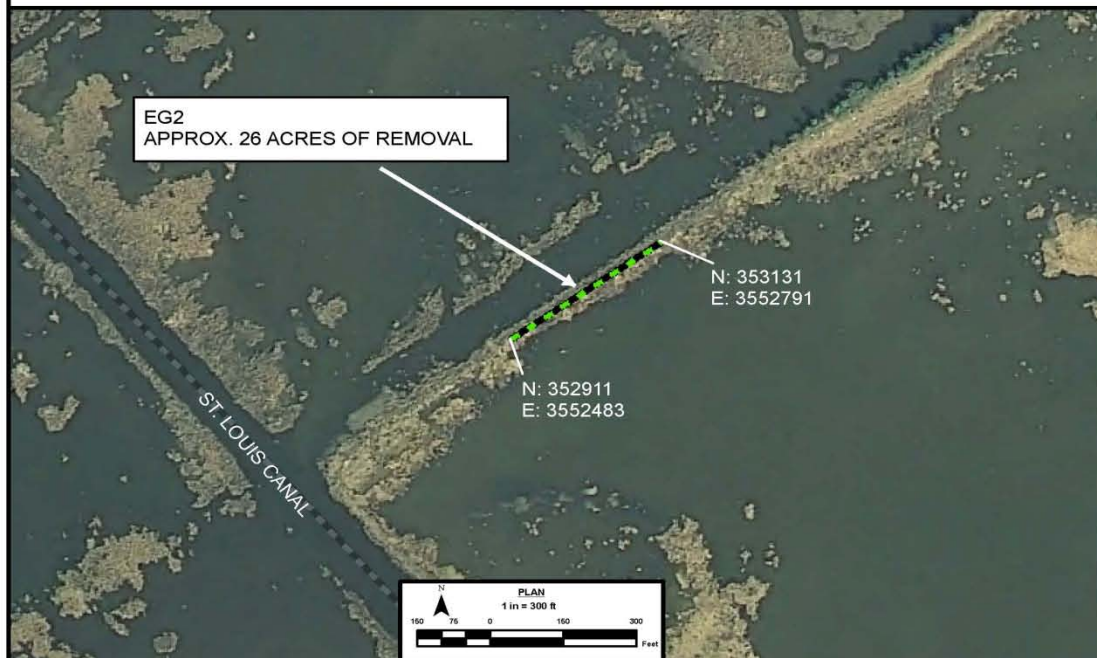
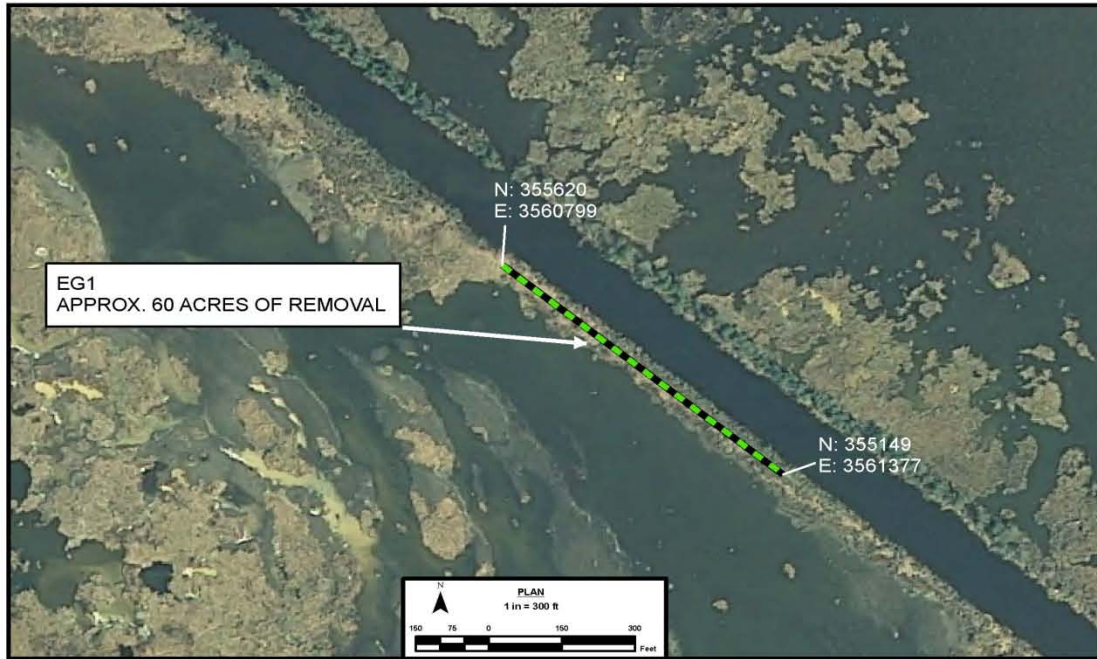
FEASIBILITY		DATE	DESCRIPTION
		DATE	DESCRIPTION

DESIGNED BY: U.S. ARMY CORPS OF ENGINEERS ST. LOUIS DISTRICT NEW ORLEANS, LOUISIANA	DRAWN BY: U.S. ARMY CORPS OF ENGINEERS ST. LOUIS DISTRICT NEW ORLEANS, LOUISIANA	DATE: 12/22/2010	PROJECT NO.:
SCALE:	CONTRACT NO.:	DATE:	PROJECT NO.:
FILE NUMBER:	FILE NUMBER:	DATE:	PROJECT NO.:


CONVEY ATCHAFALAYA RIVER WATER TO
NORTHERN TERREBONNE MARSHES
EAST GRAND BATOU AREA

REMOVALS
EX1, EX2

SHEET
C-134



NOTES:
1.) SEE C-342 FOR TYPICAL SECTION



US Army Corps of Engineers®
St. Louis District

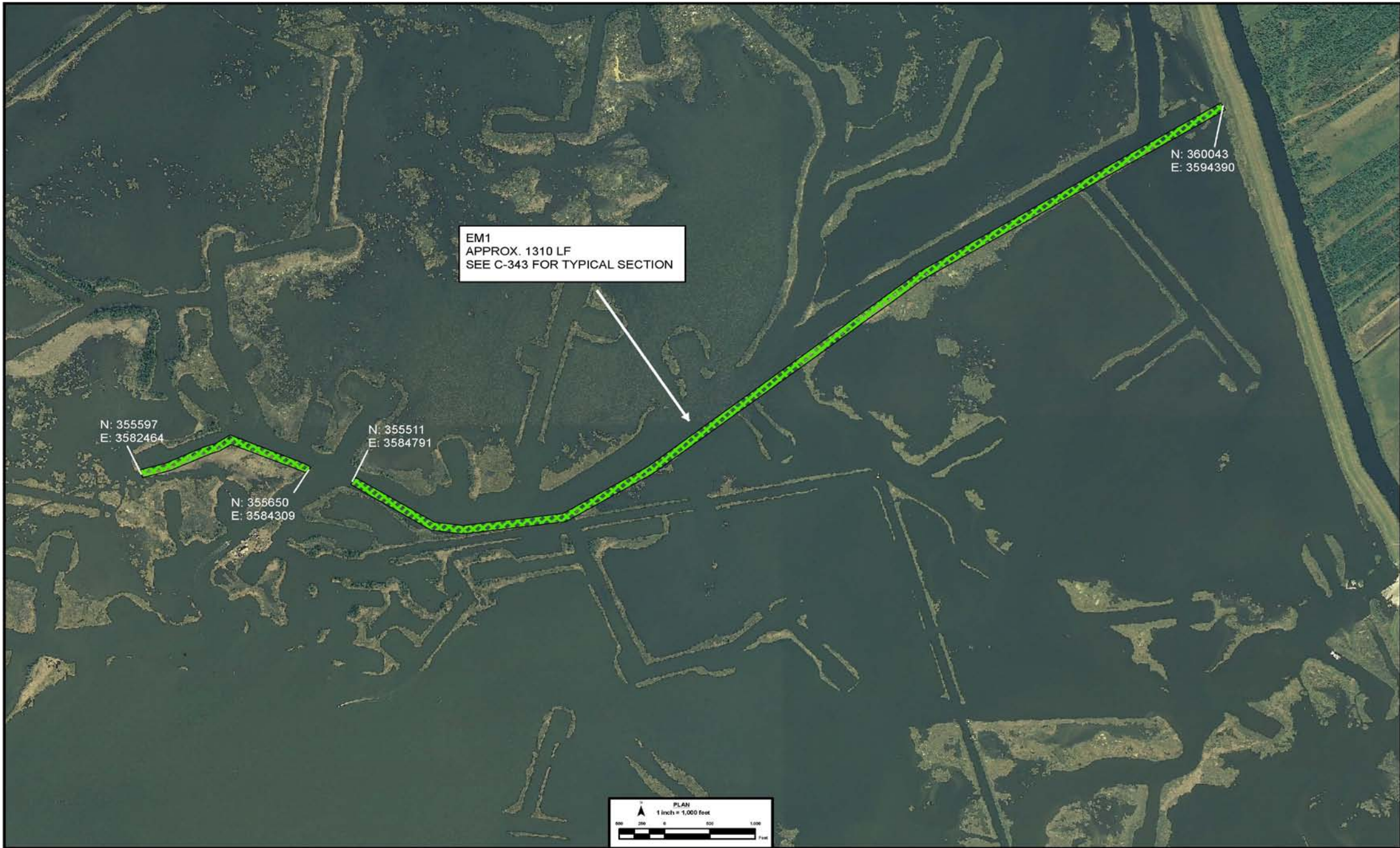
FEASIBILITY	DATE	DRAWN	CHECKED	APPROVED	SCALE
DESCRIPTION	DATE	DRAWN	CHECKED	APPROVED	SCALE

DESIGNED BY: _____ DRAWN BY: _____ CHECKED BY: _____ U.S. ARMY CORPS OF ENGINEERS NEW ORLEANS DISTRICT NEW ORLEANS, LOUISIANA	DATE: _____ SOLICITATION NO.: _____ CONTRACT NO.: _____ SUBMITTED BY: _____ FILE NUMBER: _____ U.S. ARMY CORPS OF ENGINEERS 1221 SPRUCE ST., 6103
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CONVEY/ATCHAFALAYA RIVER WATER TO
NORTHERN TERREBONNE MARSHES
EAST GRAND BAYOU AREA

SPOIL GAPS
EG1, EG2

SHEET
C-135



FEASIBILITY

PROPOSED BY:	DATE:
DESIGNED BY:	APPROVED BY:
CHECKED BY:	DATE:
PROJECT NO.:	CONTRACT NO.:
SCALE:	DATE:
PROJECT NAME:	PROJECT NUMBER:

U.S. ARMY CORPS OF ENGINEERS
 NEW ORLEANS DISTRICT
 NEW ORLEANS, LOUISIANA

U.S. ARMY CORPS OF ENGINEERS
 ST. LOUIS DISTRICT
 1222 SPRUCE STR. #103

CONVEY ATCHAFALAYA RIVER WATER TO
 NORTHERN TERREBONNE MARSHES
 EAST GRAND BAYOU AREA
 MARSH BERM CREATION
 EM1

SHEET
 C-137



FEASIBILITY

DESIGNED BY:	DATE:
CHECKED BY:	SCALE:
APPROVED BY:	PROJECT NO.:
U.S. ARMY CORPS OF ENGINEERS	U.S. ARMY CORPS OF ENGINEERS
NEW ORLEANS, LOUISIANA	ST. LOUIS DISTRICT
1222 SPRUCE STR. #103	

CONVEY ATCHAFALAYA RIVER WATER TO
NORTHERN TERREBONNE MARSHES
EAST GRAND BAYOU AREA
MARSH BERM CREATION
EM3

SHEET
C-138

EXHIBIT B: INUNDATION MAP

EXHIBIT B
Inundation Map

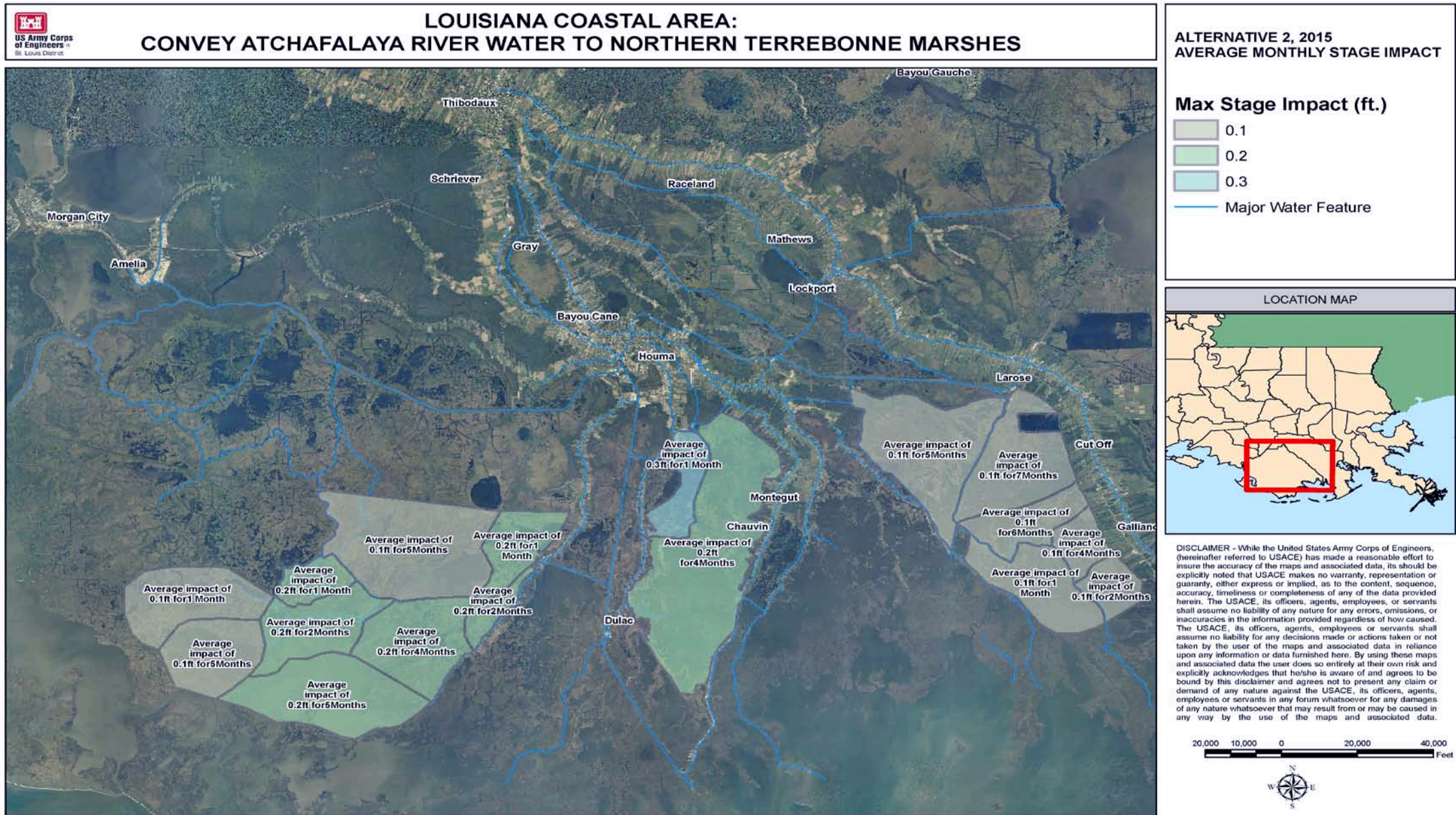


EXHIBIT C
Cost Estimate

SUMMARY OF VALUES

PROJECT FEATURE	TOTAL ACQUISITION COSTS
WD2	\$ 72,000
WD3	\$130,000
WP1	\$ 13,000
WO1	\$110,000
WO2	\$108,000
WS4 **	\$ 14,000
WW2	\$ 13,000
CC1	\$ 38,000
CC2	\$ 38,000
CC3 **	\$ 12,000
CC4 **	\$ 12,000
CC5	\$ 12,000
CC6	\$ 12,000
CC7	\$ 12,000
CC8	\$ 12,000
CC9	\$ 12,000
CC10	\$ 12,000
CC11	\$ 12,000
CC12	\$ 12,000
CC13 **	\$ 69,000
CC14 **	\$ 12,000
CC15 **	\$ 12,000
CD1	\$ 53,000
CD2	\$119,000
CD3	\$ 27,000
CD4 *	\$2,584,000
CD6 *	\$463,000
CD7 *	\$214,000
CLV1	\$136,000
CLV2	\$113,000
CM2	\$ 47,000
CM3	\$ 21,000
CM4	\$142,000
CP1	\$ 38,000
CP2	\$ 12,000
CS1 **	\$184,000
CT1	\$143,000
CT2	\$ 81,000
CT3	\$145,000

CT6	\$ 28,000
CT7	\$ 31,000
CT8	\$ 48,000
EC2	\$ 12,000
EC3 **	\$ 12,000
EC5 **	\$223,000
EC6	\$ 14,000
EC7	\$ 14,000
ED2 *	\$429,000
ED3	\$ 80,000
ED5 *	\$1,735,000
ED6	\$ 15,000
ED7	\$ 29,000
EM1	\$ 25,000
EM3	\$ 47,000
EG1	\$ 13,000
EG2	\$ 13,000
EP7	\$ 12,000
EP8	\$ 25,000
ES2	\$417,000
EX1	\$ 12,000
EX2	\$ 12,000
Oyster Lease Acquisition Costs	\$267,000
TOTAL REAL PROPERTY COST FOR PROJECT	\$8,784,000

PROJECT FEATURES FOR ALTERNATIVE TWO

PROJECT FEATURE	TOTAL ACQUISITION COSTS
WD2	\$ 72,000
WD3	\$130,000
WP1	\$ 13,000
WW2	\$ 13,000
CC1	\$ 38,000
CC2	\$ 38,000
CC3 **	\$ 12,000
CC4 **	\$ 12,000
CC5	\$ 12,000
CC6	\$ 12,000
CC7	\$ 12,000
CC8	\$ 12,000
CC9	\$ 12,000

CC10	\$ 12,000
CC11	\$ 12,000
CC12	\$ 12,000
CC13 **	\$ 69,000
CC14 **	\$ 12,000
CC15 **	\$ 12,000
CD1	\$ 53,000
CD2	\$119,000
CD3	\$ 27,000
CD4 *	\$2,584,000
CD6 *	\$463,000
CD7 *	\$214,000
CLV1	\$136,000
CLV2	\$113,000
CM2	\$ 47,000
CM3	\$ 21,000
CM4	\$142,000
CP1	\$ 38,000
CP2	\$ 12,000
CS1 **	\$184,000
CT1	\$143,000
CT2	\$ 81,000
CT3	\$145,000
CT6	\$ 28,000
CT7	\$ 31,000
CT8	\$ 48,000
EC2	\$ 12,000
EC3 **	\$ 12,000
EC5 **	\$223,000
EC6	\$ 14,000
EC7	\$ 14,000
ED2 *	\$429,000
ED3	\$ 80,000
ED5 *	\$1,735,000
ED6	\$ 15,000
ED7	\$ 29,000
EM1	\$ 25,000
EM3	\$ 47,000
EG1	\$ 13,000
EG2	\$ 13,000
EP7	\$ 12,000
EX1	\$ 12,000
EX2	\$ 12,000

Oyster Lease Acquisition Costs \$267,000

TOTAL REAL PROPERTY COST FOR ALTERNATIVE TWO \$8,110,000

PROJECT FEATURES FOR ALTERNATIVE THREE

WD2	\$ 72,000
WD3	\$130,000
WP1	\$ 13,000
WO2	\$108,000
WS4 **	\$ 14,000
WW2	\$ 13,000
CC1	\$ 38,000
CC2	\$ 38,000
CC3 **	\$ 12,000
CC4 **	\$ 12,000
CC5	\$ 12,000
CC6	\$ 12,000
CC7	\$ 12,000
CC8	\$ 12,000
CC9	\$ 12,000
CC10	\$ 12,000
CC11	\$ 12,000
CC12	\$ 12,000
CC13 **	\$ 69,000
CC14 **	\$ 12,000
CC15 **	\$ 12,000
CD1	\$ 53,000
CD2	\$119,000
CD3	\$ 27,000
CD4 *	\$2,584,000
CD6 *	\$463,000
CD7 *	\$214,000
CLV1	\$136,000
CLV2	\$113,000
CM2	\$ 47,000
CM3	\$ 21,000
CM4	\$142,000
CP1	\$ 38,000
CP2	\$ 12,000
CS1 **	\$184,000
CT1	\$143,000

CT2	\$ 81,000
CT3	\$145,000
CT6	\$ 28,000
CT7	\$ 31,000
CT8	\$ 48,000
EC2	\$ 12,000
EC3 **	\$ 12,000
EC5 **	\$223,000
EC6	\$ 14,000
EC7	\$ 14,000
ED2 *	\$429,000
ED3	\$ 80,000
ED5 *	\$1,735,000
ED6	\$ 15,000
ED7	\$ 29,000
EM1	\$ 25,000
EM3	\$ 47,000
EG1	\$ 13,000
EG2	\$ 13,000
EP7	\$ 12,000
EX1	\$ 12,000
EX2	\$ 12,000
Oyster Lease Acquisition Costs	\$267,000
TOTAL REAL PROPERTY COST FOR ALTERNATIVE THREE	\$8,232,000

PROJECT FEATURES FOR ALTERNATIVE FOUR

WD2	\$ 72,000
WD3	\$130,000
WP1	\$ 13,000
WW2	\$ 13,000
CC1	\$ 38,000
CC2	\$ 38,000
CC3 **	\$ 12,000
CC4 **	\$ 12,000
CC5	\$ 12,000
CC6	\$ 12,000
CC7	\$ 12,000
CC8	\$ 12,000
CC9	\$ 12,000
CC10	\$ 12,000

CC11	\$ 12,000
CC12	\$ 12,000
CC13 **	\$ 69,000
CC14 **	\$ 12,000
CC15 **	\$ 12,000
CD1	\$ 53,000
CD2	\$119,000
CD3	\$ 27,000
CD4 *	\$2,584,000
CD6 *	\$463,000
CD7 *	\$214,000
CLV1	\$136,000
CLV2	\$113,000
CM2	\$ 47,000
CM3	\$ 21,000
CM4	\$142,000
CP1	\$ 38,000
CP2	\$ 12,000
CS1 **	\$184,000
CT1	\$143,000
CT2	\$ 81,000
CT3	\$145,000
CT6	\$ 28,000
CT7	\$ 31,000
CT8	\$ 48,000
EC2	\$ 12,000
EC3 **	\$ 12,000
EC6	\$ 14,000
EC7	\$ 14,000
ED2 *	\$429,000
ED3	\$ 80,000
ED5 *	\$1,735,000
ED6	\$ 15,000
ED7	\$ 29,000
EM1	\$ 25,000
EM3	\$ 47,000
EG1	\$ 13,000
EG2	\$ 13,000
EP7	\$ 12,000
EP8	\$ 25,000
ES2	\$417,000
EX1	\$ 12,000
EX2	\$ 12,000

Oyster Lease Acquisition Costs \$267,000

TOTAL REAL PROPERTY COST FOR ALTERNATIVE FOUR \$8,329,000

PROJECT FEATURES FOR ALTERNATIVE FIVE

WD2	\$ 72,000
WD3	\$130,000
WP1	\$ 13,000
WO2	\$108,000
WS4 **	\$ 14,000
WW2	\$ 13,000
CC1	\$ 38,000
CC2	\$ 38,000
CC3 **	\$ 12,000
CC4 **	\$ 12,000
CC5	\$ 12,000
CC6	\$ 12,000
CC7	\$ 12,000
CC8	\$ 12,000
CC9	\$ 12,000
CC10	\$ 12,000
CC11	\$ 12,000
CC12	\$ 12,000
CC13 **	\$ 69,000
CC14 **	\$ 12,000
CC15 **	\$ 12,000
CD1	\$ 53,000
CD2	\$119,000
CD3	\$ 27,000
CD4 *	\$2,584,000
CD6 *	\$463,000
CD7 *	\$214,000
CLV1	\$136,000
CLV2	\$113,000
CM2	\$ 47,000
CM3	\$ 21,000
CM4	\$142,000
CP1	\$ 38,000
CP2	\$ 12,000
CS1 **	\$184,000
CT1	\$143,000

CT2	\$ 81,000
CT3	\$145,000
CT6	\$ 28,000
CT7	\$ 31,000
CT8	\$ 48,000
EC2	\$ 12,000
EC3 **	\$ 12,000
EC6	\$ 14,000
EC7	\$ 14,000
ED2 *	\$429,000
ED3	\$ 80,000
ED5 *	\$1,735,000
ED6	\$ 15,000
ED7	\$ 29,000
EM1	\$ 25,000
EM3	\$ 47,000
EG1	\$ 13,000
EG2	\$ 13,000
EP7	\$ 12,000
EP8	\$ 25,000
ES2	\$417,000
EX1	\$ 12,000
EX2	\$ 12,000
Oyster Lease Acquisition Costs	\$267,000

**TOTAL REAL PROPERTY COST FOR
ALTERNATIVE FIVE** **\$8,451,000**

PROJECT FEATURES FOR ALTERNATIVE SIX

ED3	\$ 80,000
ED5 *	\$1,735,000
EC5 **	\$223,000
CD4 *	\$2,584,000
CC2	\$ 38,000
CC1	\$ 38,000
WS4 **	\$ 14,000
WO1	\$110,000
WO2	\$108,000
TOTAL REAL PROPERTY COST FOR ALTERNATIVE SIX	\$4,930,000

PROJECT FEATURES FOR ALTERNATIVE EIGHT

PROJECT FEATURE	TOTAL ACQUISITION COSTS
CC3 **	\$ 12,000
CC5	\$ 12,000
CC6	\$ 12,000
CC7	\$ 12,000
CC8	\$ 12,000
CC9	\$ 12,000
CC10	\$ 12,000
CC11	\$ 12,000
CC12	\$ 12,000
CC13 **	\$ 69,000
CC14 **	\$ 12,000
CC15 **	\$ 12,000
CD1	\$ 53,000
CD2	\$119,000
CD6 *	\$463,000
CD7 *	\$214,000
CLV1	\$136,000
CLV2	\$113,000
CP1	\$ 38,000
CP2	\$ 12,000
CS1 **	\$184,000
EC2	\$ 12,000
EC3 **	\$ 12,000
EC5 **	\$223,000
ED3	\$ 80,000
ED5 *	\$1,735,000
ED6	\$ 15,000
EG1	\$ 13,000
EG2	\$ 13,000
EP7	\$ 12,000
EX1	\$ 12,000
EX2	\$ 12,000
Oyster Lease Acquisition Costs	\$ 25,000
TOTAL REAL PROPERTY COST FOR ALTERNATE EIGHT	\$3,697,000

EXHIBIT D
Non-Federal Sponsor Assessment

**ASSESSMENT OF NON-FEDERAL SPONSOR'S
REAL ESTATE ACQUISITION CAPABILITY
Coastal Protection Restoration Authority (CPRA)
through the
Office of Coastal Protection and Restoration (OCPR)**

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 - But limited to expropriation.**
- c. Does the sponsor have "quick-take" authority for this project? **NO - Although the sponsor does not have quick take authority, if this should be needed for the project, the sponsor may partner with a Levee District or Parish Government who has this authority (Act 225 RS38:301.1 and Act 320) if they agree.**
- d. Are any of the lands/interests in land required for the project located outside the sponsor's political boundary? **NO**
- e. Are any of the lands/interests in land required for the project owned by an entity whose property the sponsor cannot condemn? **Unknown**

II. Human Resource Requirements:

- a. Will the sponsor's in-house staff require training to become familiar with the real estate requirements of Federal projects including P.L. 91-646, as amended? **NO**
- b. If the answer to II.a. is "yes," has a reasonable plan been developed to provide such training? **N/A**
- c. Does the sponsor's in-house staff have sufficient real estate acquisition experience to meet its responsibilities for the project? **YES**
- d. Is the sponsor's projected in-house staffing level sufficient considering its other workload, if any, and the project schedule?
The office of OCPR is staffed with 3 Land Specialists and one Manager. Given current and projected workload, the in-house staff is not sufficient to accomplish acquisition of realty interests for this project.
- e. Can the sponsor obtain contractor support, if required in a timely fashion? **Unknown, no schedule has been drafted. Contracting typically takes 12 to 18 months.**

- f. Will the sponsor likely request USACE assistance in acquiring real estate?
Yes it is likely, but ultimately depends on the responsibilities as agreed upon in the PPA yet to be developed.

III. Other Project Variables:

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

"A detailed schedule will be developed when the final ROW is determined. Normally, an estimate of one year is allowed to acquire ROW for a project." Once project designs are finalized, the sponsor will be requested to provide an acquisition schedule.

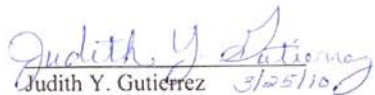
IV. Overall Assessment:

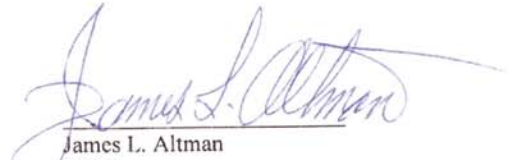
- a. Has the sponsor performed satisfactorily on other USACE projects? **YES**
- b. With regard to this project, the sponsor is anticipated to be: highly capable/fully capable/moderately capable/marginally capable/insufficiently capable.
Fully capable

V. Coordination:

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

Prepared By:


Judith Y. Gutierrez 3/25/10
USACE
Chief, Appraisal. & Planning Branch


James L. Altman
OCPR
Land Manager

Approved-By:

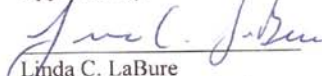

Linda C. LaBure
Chief, Real Estate Division

EXHIBIT E
DEVIATION FROM FEE TAKING AND
NON-STANDARD ESTATES APPROVAL REQUEST

LCA: CONVEY ATCHAFALAYA TO NORTHERN TERREBONNE MARSHES
REQUEST FOR APPROVAL TO DEVIATE FROM FEE TAKING AND
REQUEST FOR APPROVAL OF NON-STANDARD ESTATES

1. This is a request for approval to deviate from acquisition of the Fee estate for the LCA Convey Atchafalaya to Northern Terrebonne Marshes and Multipurpose Operation of Houma Navigation Lock (ARTM) project and request for approval to acquire a Channel Improvement Easement (standard estate), a Flood Protection Levee Easement (standard estate), a Canal Alteration Easement (non-standard estate), a Wetland Creation and Restoration Easement (non-standard estate), and a Dike (and/or weir) Easement (non-standard estate) to accomplish the project.
2. The detailed project purpose and description is contained within the Real Estate Plan. The project entails utilizing 57 flow management features to maximize existing freshwater flows by redistributing flows within the system. Additional freshwater will not be introduced from other sources. The proposed project would increase existing Atchafalaya River influence to central (Lake Boudreaux) and eastern (Grand Bayou) Terrebonne marshes via the GIWW by introducing flow into the Lake Boudreaux and Grand Bayou Basins. This will be accomplished by creating connecting channels to these basins. Gated control structures would be installed to restrict channel cross-sections to prevent increased saltwater intrusion during the late summer and fall when Atchafalaya River influence is typically low. Some auxiliary freshwater distribution structures such as culverts will be included. This project also includes increasing freshwater supply through enlarging constrictions in the GIWW. Dredging of certain canals will allow further freshwater circulation, and the dredged material will be placed in adjacent marshes in an effort to decrease marsh fragmentation. The placement of material in strategic locations to construct ridges, creating a terracing effect, will serve to slow freshwater movement and help prevent saltwater intrusion.
3. Maps depicting the locations of all project features are included in the Real Estate Plan as Exhibit A, pages 23-59.
4. The District acknowledges that it is Corps of Engineers policy to acquire fee simple title for ecosystem restoration projects in order to reduce the risk that incompatible uses on project land will occur after project construction, and to ensure that ownership rights vested in the project are clear and enforceable (ER 1105-2-100, Appendix F, Amendment #2, F-20b(2)(a)). However, regulations also indicate that a lesser interest, such as, a specific type of permanent easement, may be appropriate depending upon the operational requirements of the project and other circumstances relevant to project implementation, including landowner preference (EP 1165-2-502, 17b). Circumstances wherein the acquisition of interests less than fee may be appropriate is where only select and easily identifiable and narrow affirmative rights are required for successful implementation of the project (ER 1105-2-100, Appendix F, Amendment # 2, F-20b(2)(b)i.).

5. It is the opinion of the Non-Federal Sponsor, The Coastal Protection and Restoration Authority (CPRA) and the District that construction of this project can be accomplished through the acquisition of perpetual easements rather than fee. The project has specific features in defined areas, and the necessary real estate rights are narrow, affirmative rights that can easily be defined. The standard Channel Improvement Easement would allow the Government sufficient rights to construct twenty-six (26) of the fifty-seven (57) project features, including thirteen (13) dredge cuts and thirteen (13) culverts to aid in freshwater distribution. The standard Flood Protection Levee Easement would allow the Government sufficient rights to construct two (2) levees in the Lake Boudreaux area. District Office of Counsel has prepared a non-standard Wetland Creation and Restoration Easement that would allow the Government necessary rights to place dredged material in the marsh to improve the habitat and would protect the environment by prohibiting construction of structures, excavation of the property or placement of fill without approval by the United States. The estate also prohibits use of the surface to explore for minerals. District Office of Counsel has also prepared a non-standard Canal Alteration Easement which would allow the placement of material and cutting of gaps in existing canals, specifically prohibits the use of the surface for mineral exploration in addition to prohibiting any activity that interferes with the rights of the easement. District Office of Counsel has also prepared a non-standard Dike (and/or Weir) Easement that would allow the Government sufficient rights to construct the one (1) dike and/or weir feature designed to retain fresh water residence time and reduce saltwater intrusion and would protect the environment by prohibiting construction of structures and the use of the surface to explore for minerals.
6. It is the opinion of the District that the estates proposed herein provide sufficient rights to the Government to construct the project and also protect the interests of the Government by prohibiting use of the surface for mineral exploration or construction of improvements. In addition, because the project area is coastal wetlands, the project features are further protected through the police powers of the Federal Government through Section 404 of the Clean Water Act which require a permit from the Corps of Engineers for any activity that could negatively impact a wetland. Lastly, due to the topography of the project area, it is highly unlikely that the benefitted marshes could be developed. These three protections combined greatly reduce the risk that incompatible uses on project lands will occur after construction.
7. The District proposes the acquisition of easements rather than fee considering that this project is one of 15 Louisiana Coastal Area (LCA) projects which collectively encompass thousands of acres. The decisions regarding which estates to acquire for ARTM will impact the other 14 LCA projects. The non-federal sponsor, The CPRA, is not in favor of owning fee interest over the project area for ARTM. The mission of the non-federal sponsor is to oversee all hurricane risk reduction projects and all coastal restoration projects in south Louisiana. The sponsor is willing to acquire a fee

estate when it is absolutely necessary for the project. However, owning fee lands for public access is not within the authorized missions of the non-federal sponsor.

8. Approval of the non-standard Wetland Creation and Restoration Easement is requested because there is no standard easement that includes the real estate rights necessary for construction of certain project features. The project includes disposal of dredged material in designated areas to use it beneficially to enhance existing marsh and to propagate the growth of marsh in waterbottoms.
 - The Wetland Creation and Restoration Easement provides all the necessary rights to protect the marsh being created as well as the marsh that will naturally propagate in the project area. The only potential uses of the property, given its location and physical characteristics, are for recreation (fishing and hunting), oyster harvesting and mineral development. Recreational uses will not impact the viability of the project. The Wetland Creation and Restoration Easement prohibits the construction of structures, operation of vehicles, excavation of the land, placement of landfill, cutting of trees, and the use of the surface for mineral exploration without prior approval by the United States.
 - The cost of acquiring the Wetland Creation and Restoration Easement is less than the cost of acquiring Fee. For the purposes of this project the Wetland Creation and Restoration Easement is valued at 50% of Fee value.
 - The Wetland Creation and Restoration Easement was written using language from several standard estates such as the Perpetual Beach Nourishment Easement, the Perpetual Beach Storm Damage Reduction Easement, the Fee Excluding Minerals (with restrictions on use of the surface), and the Flowage Easement (Permanent Flooding).
 - For ease of review, attached as Exhibit A is a highlighted version of the Wetland Creation and Restoration Easement indicating which language was taken from standard estates and which language is non-standard. Also attached as Exhibit B is a final version of the estate. Exhibit C is a written statement from Office of Counsel (MVN), indicating the legal sufficiency of the Non-Standard Estate.
9. Approval is also requested for a non-standard Canal Alteration Easement because there is no standard easement that includes the real estate rights necessary for the construction of certain project features. The project includes placing plugs and cutting gaps in designated areas/canals to redirect freshwater and restrict a certain level of saltwater from entering surrounding marshlands.
 - The Canal Alteration Easement provides all the necessary rights to construct, operate and maintain the plugs and gaps as well as adaptively manage the water restriction and conveyance associated with the project. The potential uses of the property given the location and physical characteristics are for boat traffic,

- mineral development and oyster harvesting. The Canal Alteration Easement specifically prohibits the use of the surface for mineral exploration in addition to prohibiting any activity that interferes with the rights of the easement.
- The cost of acquiring the Canal Alteration Easement is less than the cost of acquiring Fee Excluding Minerals (with restrictions on use of the surface). For the purposes of this project the Canal Alteration Easement is valued at 50% of Fee value.
 - For ease of review, attached as Exhibit D is a highlighted version of the Canal Alteration Easement which indicates which language was taken from standard estates and which language is non-standard. Also attached as Exhibit E is a final version of the estate. Exhibit F is a written statement from Office of Counsel (MVN), indicating the legal sufficiency of the Non-Standard Estate.
10. Approval of the non-standard Dike (and/or Weir) Easement is requested because there is no standard easement that includes the real estate rights necessary for the construction of certain project features. The project includes placing a weir in the designated location to promote freshwater retention and inhibit saltwater intrusion into the project area
- The Dike (and/or Weir) Easement provides all the necessary rights to protect area marshes by placing a structure designed to promote freshwater retention and inhibit saltwater intrusion into the project area. The potential use of the property given its location and physical characteristics are for boat traffic and oyster harvesting. The Dike (and/or Weir) Easement prohibits the construction of structures and the use of the surface for mineral exploration.
 - The cost of acquiring the Dike (and/or Weir) Easement is less than the cost of acquiring Fee Excluding Minerals (with restrictions on use of the surface). For the purposes of this project the Dike (and/or Weir) Easement is valued at 50% of Fee value.
 - For ease of review, attached as Exhibit G is a highlighted version of the Dike (and/or Weir) Easement which indicates which language was taken from standard estates and which language is non-standard. Also attached as Exhibit H is a final version of the estate. Exhibit I is a written statement from Office of Counsel (MVN), indicating the legal sufficiency of the Non-Standard Estate.
11. Similar non-standard Wetland Creation and Restoration Easement, Canal Alteration Easement, and Dike (and/or Weir) Easement were previously included in the approved 2004 LCA Project Report.

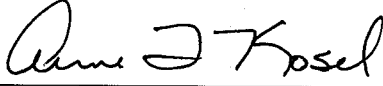
12. Also enclosed as Exhibit **J** is a Quality Control Checklist, Request to Deviate from Guidance as to Appropriate Interest to Acquire and/or Request for Approval of Use of Non-Standard Estate.
13. Point of contact for this request is Ms. Lynn Hoerner, 314-331-8157.

Prepared by:



Lynn Hoerner, Realty Specialist

Approved by:



Anne Kosel
Chief, Real Estate Division
St. Louis District

WETLAND CREATION AND RESTORATION EASEMENT

(based on the standard Perpetual Beach Nourishment Easement and other standard estates)

A perpetual and assignable easement and right-of-way in, on, over and across (the land described in Schedule A) (Tract No. -) to construct, operate, maintain, patrol, repair, renourish, and replace wetlands and associated coastal habitats, including the right to borrow and/or deposit fill; to accomplish any alterations of contours on said land; to plant vegetation on said land; to excavate, dredge, cut away, and remove any or all of said land and to place thereon dredge or spoil material; to construct dikes and to install, alter, relocate, repair or plug cuts in the banks of dikes; to construct, operate and maintain pipelines for the purpose of dredge or spoil material transport and deposition; to move, store and remove equipment and supplies; to trim, cut, fell and remove therefrom all trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the easement (excepting the structures now existing on the land, described as _____); provided that no structures for permanent 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, 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, and that no trimming, cutting, felling or removal of trees, underbrush, and any other vegetation shall be conducted without such approval; the above estate is taken subject to existing easements for public roads and highways, public utilities, railroads and pipelines; reserving, however, to the grantor(s), (his) (her) (its) (their) (heirs,) successors and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; and expressly excepting and excluding all oil, gas and other minerals occurring naturally in liquid or gaseous form, in and under said land and all appurtenant rights for the exploration, development, production and removal of said oil, gas and other minerals occurring naturally in liquid or gaseous form, but without the right to enter upon or over the surface of said land for the purpose of exploration, development, production and removal therefrom of said oil, gas and other minerals occurring naturally in liquid or gaseous form.

(Note only the language with red font is non-standard language. All other language is taken from standard estates).

WETLAND CREATION AND RESTORATION EASEMENT

A perpetual and assignable easement and right-of-way in, on, over and across (the land described in Schedule A) (Tract No. -) to construct, operate, maintain, patrol, repair, renourish, and replace wetlands and associated coastal habitats, including the right to borrow and/or deposit fill; to accomplish any alterations of contours on said land; to plant vegetation on said land; to excavate, dredge, cut away, and remove any or all of said land and to place thereon dredge or spoil material; to construct dikes and to install, alter, relocate, repair or plug cuts in the banks of dikes; to construct, operate and maintain pipelines for the purpose of dredge or spoil material transport and deposition; to move, store and remove equipment and supplies; to plug, fill or alter pipeline canals located within the limits of the easement; to trim, cut, fell and remove therefrom all trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the easement (excepting the structures now existing on the land, described as _____), provided 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, 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, [that no vehicles shall be operated within the limits of the easement without such approval, except as may be required to operate and maintain the easement,] and that no trimming, cutting, felling or removal of trees, underbrush, and any other vegetation shall be conducted without such approval; the above estate is taken subject to existing easements for public roads and highways, public utilities, railroads and pipelines; reserving, however, to the grantor(s), (his) (her) (its) (their) (heirs,) successors and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; and expressly excepting and excluding all oil, gas and other minerals occurring naturally in liquid or gaseous form, in and under said land and all appurtenant rights for the exploration, development, production and removal of said oil, gas and other minerals occurring naturally in liquid or gaseous form, but without the right to enter upon or over the surface of said land for the purpose of exploration, development, production and removal therefrom of said oil, gas and other minerals occurring naturally in liquid or gaseous form.

STATEMENT OF REVIEW AND APPROVAL
LCA CONVEY ATCHAFALAYA TO NORTHERN TERREBONNE MARSHES
WETLAND CREATION AND RESTORATION EASEMENT
NON-STANDARD ESTATE

This is to certify that the Wetland Creation and Restoration Easement, a non-standard estate, has been reviewed and is legally sufficient for the requirements of the above referenced project.

Attorney Name, Title

Date

CANAL ALTERATION EASEMENT

A perpetual and assignable right and easement in (the land described in Schedule A)(Tract No __) to deposit materials within and around the canal, to place plugs or fully close the canal, to cut gaps in the canal, or make other alterations to the canal, in order to restore the hydrology and /or to stabilize the spoil banks along the canal; and for such other purposes as may be required in connection with said work of improvement; reserving, however, to the owners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; and expressly excepting and excluding all oil, gas and other minerals occurring naturally in liquid or gaseous form, in and under said land and all appurtenant rights for the exploration, development, production and removal of said oil, gas and other minerals occurring naturally in liquid or gaseous form, but without the right to enter upon or over the surface of said land for the purpose of exploration, development, production and removal therefrom of said oil, gas and other minerals occurring naturally in liquid or gaseous form; provided however, that the rights, interests and privileges, associated with the original canal right-of-way, hereinabove excepted and reserved are hereby subordinated to the right of this canal alteration easement.

CANAL ALTERATION EASEMENT

A perpetual and assignable right and easement in (the land described in Schedule A)(Tract No __) to deposit materials within and around the canal, to place plugs or fully close the canal, to cut gaps in the canal, or make other alterations to the canal, in order to restore the hydrology and /or to stabilize the spoil banks along the canal; and for such other purposes as may be required in connection with said work of improvement; reserving, however, to the owners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; and expressly excepting and excluding all oil, gas and other minerals occurring naturally in liquid or gaseous form, in and under said land and all appurtenant rights for the exploration, development, production and removal of said oil, gas and other minerals occurring naturally in liquid or gaseous form, but without the right to enter upon or over the surface of said land for the purpose of exploration, development, production and removal therefrom of said oil, gas and other minerals occurring naturally in liquid or gaseous form; provided however, that the rights, interests and privileges, associated with the original canal right-of-way, hereinabove excepted and reserved are hereby subordinated to the right of this canal alteration easement.

STATEMENT OF REVIEW AND APPROVAL

LCA CONVEY ATCHAFALAYA TO NORTHERN TERREBONNE MARSHES
CANAL ALTERATION EASEMENT
NON-STANDARD ESTATE

This is to certify that the Canal Alteration Easement, a non-standard estate, has been reviewed and is legally sufficient for the requirements of the above referenced project.

Attorney Name, Title

Date

DIKE (AND/OR WEIR) EASEMENT

The perpetual and exclusive right to construct, maintain, repair, operate, patrol and replace a dike and/or weir on, over and across (the land described in Schedule A)(Tract No __), including all appurtenances thereto; provided that no habitable structures shall be constructed or maintained on the land; excepting and excluding from the taking all minerals, in and under said land and all appurtenant rights for the exploration, development, production and removal of said minerals, but without the right to enter upon or over the surface of said land for the purpose of drilling and extracting therefrom said minerals.

DIKE (AND/OR WEIR) EASEMENT

The perpetual and exclusive right to construct, maintain, repair, operate, patrol and replace a dike and/or weir on, over and across (the land described in Schedule A)(Tract No __), including all appurtenances thereto; provided that no habitable structures shall be constructed or maintained on the land; excepting and excluding from the taking all minerals, in and under said land and all appurtenant rights for the exploration, development, production and removal of said minerals, but without the right to enter upon or over the surface of said land for the purpose of drilling and extracting therefrom said minerals.

STATEMENT OF REVIEW AND APPROVAL
LCA CONVEY ATCHAFALAYA TO NORTHERN TERREBONNE MARSHES
DIKE (AND/OR WEIR) EASEMENT
NON-STANDARD ESTATE

This is to certify that the Dike (and/or Weir) Easement, a non-standard estate, has been reviewed and is legally sufficient for the requirements of the above referenced project.

Attorney Name, Title

Date

Quality Control Checklist

Request to Deviated from Guidance as to Appropriate Interest to Acquire and/or Request for Approval of Use of Non-standard Estate

ER 405-1-12, paragraphs 12-9 and 12-10

It is the policy of USACE to either acquire or to require a non-Federal sponsor to provide the minimum interest in real property necessary to support a project. The interests described in paragraph 12-9 of ER 405-1-12, have been determined to represent the minimum interest generally required to support the described purposes or features and must be utilized unless otherwise approved. Greater or lesser interests may be appropriate depending on the purposes of a project or a particular acquisition.

Standard estates approved for use in either full Federal or cost shared projects are contained in the RE Handbook. Once the appropriate interest needed is identified, the corresponding standard estate must be used as found in the regulations. Where there is no corresponding standard estate for the interest to be acquired or where changes to the corresponding standard estate are desired, a non-standard estate (NSE) must be drafted and approved. For all NSEs not within the scope of District’s approval authority, or requests to deviate from guidance as to appropriate interest to acquire, approval may be obtained either by placing the language of the NSE, or request to deviate, in the Real Estate Plan (REP) of a feasibility report or other study decision document that is to be approved by HQUSACE or by request for approval by memorandum forwarded through MVD to HQ, Real Estate Community of Practice, for appropriate coordination, review, and final determination.

PROJECT: LCA – CONVEY ATCHAFALAYA TO NORTHER TERREBONNE MARSHES

Title and date of Decision Document which contains the REP requesting approval of estate deviation or NSE approval: LCA – Convey Atchafalaya to Northern Terrebonne Marshes Feasibility Study

Subject line and date of memorandum requesting approval of estate deviation or NSE approval N/A – requested as an exhibit in the Real Estate Plan

1. Does the proposed estate, whether standard or non-standard; provide sufficient interest for the construction, operation, and maintenance of the project? YES
2. Coordination has been made with the following and they concur with use of the proposed estate:

Project Management X E&C X
Operations N/A Office of Counsel X
Coordination was made with the following other functional groups. Environmental

3. A statement of legal sufficiency from OC is attached to the REP or memo requesting approval by HQ Yes .

4. Is the cost to acquire the proposed estate more than the cost of acquiring a standard interest with a standard estate? NO Is this discussed in the request? Yes

5. Did the Non-Federal Sponsor (NFS) propose the deviation from appropriate interest or use of a NSE? NO
If so, why? _____
If not, was the deviation or NSE coordinated with the NFS? YES

6. Can the non-standard estate be approved by the district Chief of RE? NO
If so, it must:
Serve the intended project purpose _____
Substantially conform with and not materially deviate from the corresponding standard estate _____
Does not increase the costs no potential liability of the Government? _____

7. Does the NSE conform to format of standard estate YES ?

8. Does the request for approval which goes through MVD to HQ contain a detailed explanation of a justification for the deviation as to interest to be acquired? Yes

9. Does the request contain a detailed explanation of each non-standard clause in the estate? Yes . The request must detail the need for the language in relation to project requirements. Each non-standard right to be acquired, restriction/prohibition placed on fee owner's interest and/or reservation to the fee owner must be fully discussed. Is the acquisition or reservation of mineral rights held by the fee owner or outstanding 3rd party mineral rights fully discussed in relation to the estate language and project requirements? Yes
If there are clauses found in the corresponding standard estate which have been deleted, is there an explanation of the deletion? N/A

10. Has the district deviated as to the appropriate interest on similar projects in the past? Yes . If so, which project(s)? The Wetland Creation and Restoration Easement and Canal Alteration Easement is proposed for approval for other LCA projects.

11. Has the proposed NSE been previously approved by HQ for use for a project in your district? NO . If so, which project(s)? _____
Provide a copy of the previous approval.

A copy of this Checklist is attached to the REP or memorandum requesting a deviation as to interest to be acquired or approval of a NSE. Yes



Realty Specialist or Appraiser

7-29-10

Date



Branch or Section Chief

7/29/10

Date