

**U.S. Army Corps of Engineers  
Baltimore District**

**Baltimore Metropolitan  
Coastal Storm Risk Management Feasibility Study**

**APPENDIX F  
REAL ESTATE PLAN**

**FINAL REPORT**

**May 2024**

## REAL ESTATE PLAN

Baltimore Metropolitan Coastal Storm Risk Management Feasibility Study  
May 2024

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### Exhibits and Attachments

- Exhibit A – Real Estate Maps- Structural Plan
- Exhibit B – Non-Federal Sponsor Capability Assessment- MDOT

## **Section 1: Purpose of the Real Estate Plan**

This Real Estate Plan (REP) is provided in support of the Baltimore Coastal Storm Risk Management Feasibility Study (the “Study”). The purpose of this report is to describe the minimum Lands, Easements, and Rights-of-Way, Relocations, and Disposal Areas (LERRD) requirements for the construction, operation, and maintenance of the Study’s Recommended Plan, also known as Alternative 5A. This real estate plan summarizes the required Land, Easements, and Rights-of-Way (LER), costs to acquire the LER, real estate acquisition schedule, facility and utility relocations that may be necessary to facilitate construction, and other pertinent real estate information pertaining to the Recommended Plan LERRD requirements. This real estate plan is the first prepared for the Study and is an appendix to its Integrated Feasibility Report and Environmental Impact Statement (the “main report”).

This real estate plan was prepared during a feasibility level study to match the detail and design level of the Main Report. The LERRD requirements and costs presented herein are preliminary in nature. The acres to be acquired are estimates based only on existing, readily available Geographic Information System (GIS) data. Even after the Study is approved and the project is authorized, the LERRD requirements presented herein are subject to change with plan optimization during Pre-construction, Engineering, and Design (PED) when final plans, specifications, and detailed drawings are prepared.

## **Section 2: Project Summary**

a. Study Authority: The study authority is under the Baltimore Metropolitan Water Resources authority, which was adopted by a resolution of the Committee on Public Works and Transportation of the United States House of Representatives adopted a House resolution on April 30, 1992. See the main report, section 1.3, for additional information.

b. Non-federal Sponsor: The non-federal sponsor for this feasibility study is the Maryland Department of Transportation (MDOT). The Maryland Transportation Authority (MDTA), a business unit within MDOT, will serve as the non-federal sponsor for the construction of the Recommended Plan at a 65% (Federal) and 35% (non-federal) cost-share. A Letter of Intent (LOI) from MDTA to partner on the next phase of the project (PED) was received on August 14, 2023. The future Project Partnership Agreement (PPA) between USACE and the non-federal sponsor will require the non-federal sponsor to perform or ensure the performance of the Recommended Plan’s LERRD requirements as outlined in this real estate plan.

c. Recommended Plan: The Recommended Plan is the Critical Infrastructure Plan of Alternative 5A, incorporating floodwalls and closure structures at the I-95 (Fort McHenry) and I-895 (Harbor) Tunnels and supporting infrastructure (Figure 1 below) to protect the I-95 Fort McHenry Tunnel and its ventilation structure (Modeled Area 18

(MA18)) and the I-895 Harbor Tunnel and its ventilation structure (MA8). In all, the Recommended Plan includes the construction of approximately 9,559 linear feet of fixed floodwalls with a contour line of 12' 5" with 6 closure structures. As discussed in the main report (Section 2.6.1.5), the study area is comprised of individual sub-areas ("model areas") of different types that may interact hydraulically and may be defended by coastal defense elements that serve to shield the areas and the assets they contain from storm damage (See Figure 2 below). At the current level of design, there are no environmental impacts that require the acquisition of real estate for mitigation purposes.

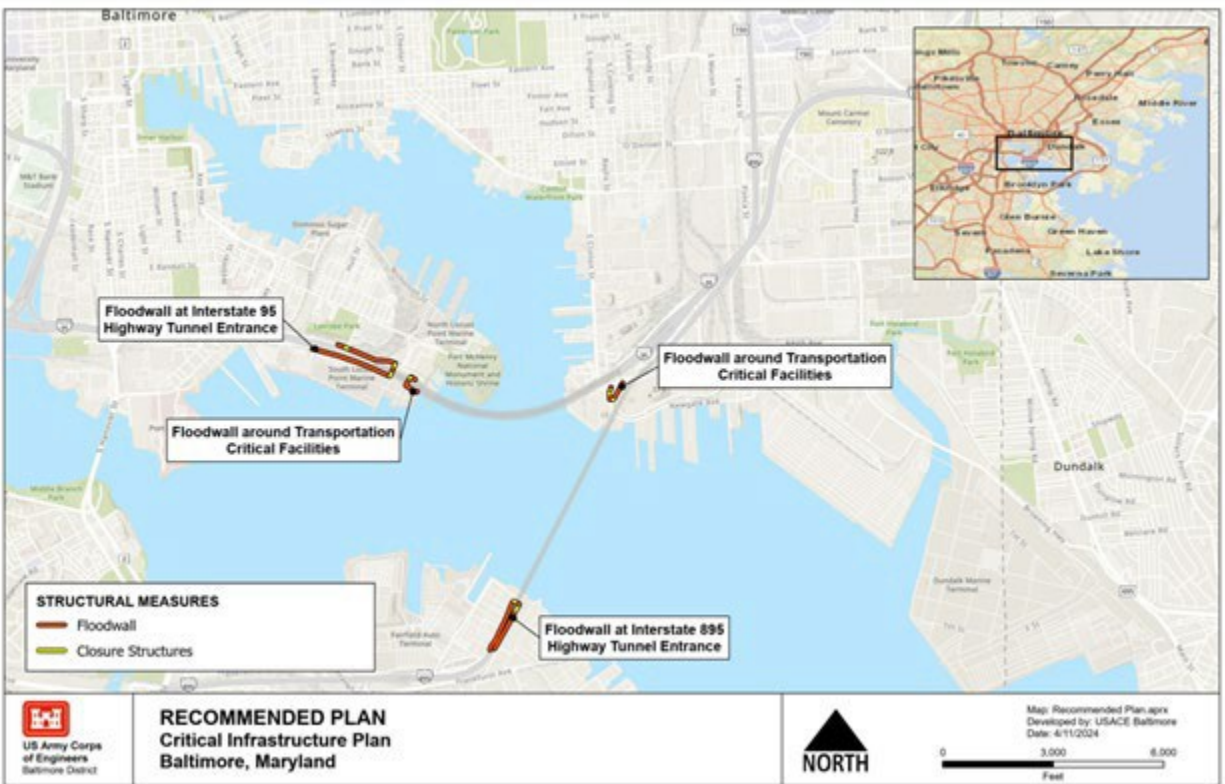


Figure 1- Recommended Plan

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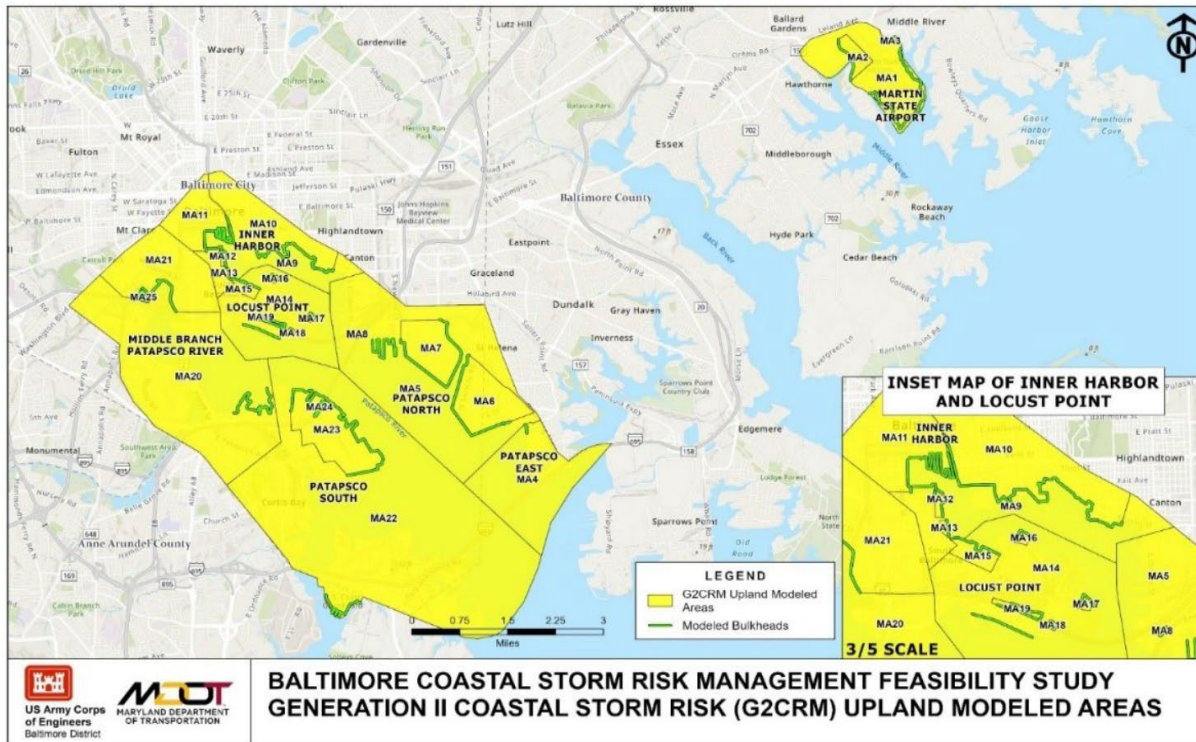


Figure 2- Modeled Areas for the Recommended Plan

### Section 3: Real Estate Requirements for the Recommended Plan

#### a. Land, Easements, Rights-of-Way Requirements

This Recommended Plan will require two estates for the structural plan. The non-federal sponsor will be responsible for acquisition of all the required real estate interests for the Recommended Plan. The summary of the LER required for the Recommended Plan is provided below in Table 1.

Flood Protection Levee Easements are needed on 5.377 acres of land on 15 different parcels. Eleven (11) of these are publicly owned, and four (4) are privately owned. The Plan will also require 0.671 acres of temporary work area easements on 3 privately owned parcels for staging and work area purposes. This REP assumes all properties have legal access by way of public streets or existing public rights-of-way.

No staging area was identified on the map of the ventilation structure on the north side of the I-895 Harbor Tunnel (Exhibit A-map R-4). Staging areas are identified at the southern end of each tunnel. If, during the PED phase, it is determined that a staging area on the north side of this tunnel is necessary, additional LER may be required which will present cost and schedule risks.

Note: The Project Delivery Team (PDT) updated the contour line for the fixed floodwalls from 12' 2" to 12' 5" during optimization. The net effect of this is that the length of the floodwall will change from 9,490 linear feet to 9,559 linear feet to coincide with the new contour lines. The engineers indicated that the change was within the margin of error on the topographic maps, so it was decided that changing the maps for the Recommended Plan was unnecessary. All mapping will be updated during the Pre-Construction Engineering and Design (PED) phase of this project. The maps attached as Exhibit A represent the TSP, and not the Recommended Plan. The real estate interests and costs outlined in this real estate plan also derive from the 12', 2" contour line.

Table 1: LER required for the Recommended Plan  
 (As noted above these acreages are based on the 12', 2" Contour Line)

Model Area	Estate Type	Purpose	Acres (+/-)	Ownership Type		
				Private	Public	Total
MA18 I-95 Ft. McHenry Tunnel	Permanent Flood Protection Levee Easement	Construction, operation, and maintenance of floodwalls.	3.042	1	7	8
	Temporary Work Area Easement	Staging and work areas.	.312	2	0	2
	<i>MA8 Total</i>		<i>3.354</i>	<i>3</i>	<i>7</i>	<i>10</i>
MA8 I-895 Harbor Tunnel	Permanent Flood Protection Levee Easement	Construction, operation, and maintenance of floodwalls.	2.335	3	4	7
	Temporary Work Area Easements	Staging and work areas.	.359	1	0	1
	<i>MA18 Total</i>		<i>2.694</i>	<i>4</i>	<i>4</i>	<i>8</i>
<i>Structural Plan Total</i>			<i>6.048</i>	<i>7</i>	<i>11</i>	<i>18</i>

b. Land Value Estimate/Planning Value Estimate

In accordance with USACE Real Estate Policy Guidance Letter No. 31, CEMP-CR, 11 Jan 2019, subject: Real Estate Policy Guidance Letter No. 31-Real Estate Support to Civil Works Planning (hereinafter referred to as “PGL 31”), a preliminary land value/cost estimate was completed for the Recommended Plan since the value of real estate (land, improvements, and severance damages) was not expected to exceed fifteen percent (15%) of the total Recommended Plan project cost.

The cost estimate (referred to in this report as a Planning Value Estimate) represents a preliminary estimate of the fair market value for the real estate required for the Recommended Plan. It also serves to identify the estimated compensation amount paid to landowners for the purchase of the required real estate interests. A cost estimate is not a full appraisal. To establish a more accurate estimate for the value of the required real estate, a full land appraisal based on surveyed easement boundaries based on the Recommended Plan’s final design plans is required. Additionally, the cost estimate does not include the incidental costs (e.g., appraisals, surveys, title, attorney fees, etc.) that would be incurred to facilitate and complete the acquisition of real estate. The cost estimate is incorporated into the 01-Lands & Damages cost as provided in the Baseline Cost Estimate for Real Estate (BCERE) (see Section 11).

A Planning Value Estimate was completed by a licensed USACE staff appraiser, in March 2022. The approximate Planning Value Estimate for Land Payments (i.e., property owner’s total approximate compensation amount) for the Recommended Plan’s required real estate is **\$5,114,845**. Table 2 provides a summary of the estimated market value of the Recommended Plan’s required LER for the structural plan.

Table 2: Structural Component LER Cost Estimate Summary (Lands Cost Only)

Model Area	Estimated LER Market Value
Ft. McHenry (I-95) and Ventilation building (MA 18)	\$2,487,677
Harbor Tunnel (I-895) Tunnel and ventilation structure (MA 8)	\$2,627,168
<i>Total</i>	<i>\$5,114,845</i>

#### **Section 4: Lands owned by the Non-Federal Sponsor**

The State of Maryland owns, in fee, approximately 1.488 acres of the land required for the structural plan related to the I-95 Fort McHenry Tunnel (MA18). The required estates on the non-federal sponsor lands are Flood Protection Levee Easement (1.178 acres) and Temporary Work Area Easements (0.310 acres). The State of Maryland owns approximately 1.735 acres in fee simple interest in land required for the structural plan related to the I-895 Harbor Tunnel (MA8). The required estate on the non-federal sponsor lands is a Flood Protection Levee Easement (1.735 acres).

It is anticipated that the non-federal sponsor will provide their land for project as a donation; however, they are eligible to receive credit for the value of the lands they provide if requested. The cost to credit the value of their lands is included in the Baseline Cost Estimate for Real Estate (BCERE). The fee simple estate owned is sufficient for the project and the lands are available for the project with no apparent conflict to existing state programs or other state land use needs. The process for the NFS to make the lands available for the project is through the use of an internal document known as a *Determination of Extra Land Memorandum*, which takes the state approximately 60-75 days to process. The NFS will then make the state lands available for project construction through its *Authorization for Entry for Construction* to USACE.

#### **Section 5: Non-standard estate**

No nonstandard estates are currently required. However, use of railroad lands may require use of documentation provided by the railroad. Once the Chief's Report is signed and the project is authorized for construction, any documents required by the railroad will be reviewed for sufficiency and a determination if the estate language included in the real estate document under consideration is nonstandard. If determined to be nonstandard, its use will be coordinated with USACE North Atlantic Division (NAD) and submitted to USACE-HQ for review and approval.

Any potential acquisition of railroad property by MDOT could involve certain clearances by and through the Surface Transportation Board, which could potentially increase real estate administrative cost and extend the project real estate acquisition schedule. It is estimated that any acquisition involving a railroad will take two years and this does not include the condemnation process should that be necessary.

#### **Section 6: Existing Federal Projects**

There are several federal projects within the study area, including Warner Street-Middle Branch (2006), Hanover Street Wetland Project (2004), and Baltimore Harbor and Channels Projects. However, there is no overlap between these projects and the LER required for the Recommended Plan.



## **Section 7: Existing Federally Owned Lands**

There are several Federal assets within the study area – Fort McHenry (under National Park Service jurisdiction), a USACE facility in Locust Point, and a Naval Reserve property, also in Locust Point. However, the Recommended Plan has no LER requirement on federally owned lands.

## **Section 8: Navigational Servitude**

Navigational servitude is the dominant right of the Federal Government under the Commerce Clause of the U.S. Constitution to use, control, and regulate the navigable waters of the United States and submerged lands thereunder for various commerce-related purposes. Generally, the Federal Government will not acquire interests in real property that it already possesses or over which its use or control is or can be legally exercised. If navigational servitude is found to be available, then the Federal Government will generally exercise its right thereunder and, to the extent of such rights, will not acquire a real property interest in the land to which the navigational servitude applies. As of this report, there is no LER required located below the mean high-water mark; therefore, navigation servitude is not available for the project.

## **Section 9: Real Estate Maps**

Preliminary real estate maps are provided in the attached Exhibit “A”. The GIS tax parcel data and ownership information was obtained from the Baltimore City GIS data in March 2022. More detailed mapping will be developed with plan implementation. The parcel boundaries shown on the maps are not based upon survey data and should not be used as such. There may be boundary discrepancies between what is shown on the real estate maps and the property’s actual deeded boundary. The data obtained is intended for preliminary planning purposes only to provide a reasonable representation of parcel boundaries and project features. Surveys will be needed to determine the floodwall’s precise location on properties based on the property’s deeded legal description. Finally, the parcel boundaries delineated in the real estate maps should not be used to provide a legal determination of land ownership. Title Searches will be necessary to determine accurate ownership information for the properties included in the Recommended Plan.

## **Section 10: Induced Flooding**

At the current level of design, the Recommended Plan is not expected to cause any induced flooding, but no interior drainage report has been created at the time of this submission. As final design is optimized and concluded during PED, further induced flooding analysis will be completed for a final determination. If induced flooding becomes an issue during the design phase, there may be additional land acquisition and relocation assistance requirements required. Once the appropriate hydrology analysis is completed for the final determination of induced flooding, a physical taking

analysis prepared by Office of Counsel will establish any additional land acquisition requirements as a legal matter.

**Section 11: Baseline Cost Estimate for Real Estate**

The following table is the estimated financial costs attributed to the Recommended Plan’s LERRD requirements. For this project, LERRD requirements under Account 01 include all administrative costs for the NFS, the Planning Value Estimate of the LERRD (see Section 3b, Table 2, previous), and the real estate risk contingency estimates.

Table 3: Recommended Plan BCERE

Project Cost Category	Estimated Cost - Recommended Plan			
	Federal	Non-Federal	Contingency	Total
Total 01-Lands and Damages	\$ -	\$ 5,488,845	\$ 149,600	\$5,638,445
Total 02-Relocations (Utility/Facility)	\$ -	\$ 1,119,000		\$1,119,000
Total 30-Pre-Construction Engineering and Design	\$ 135,100	\$ -	\$ 58,100	\$ 193,200
<b>TOTAL BCERE</b>	<b>\$ 135,100</b>	<b>\$ 6,607,845</b>	<b>\$ 207,700</b>	<b>\$6,950,645</b>

The BCERE accounts for the cost to acquire the LER and incidental costs attributed to the acquisition of the LER, which include expenses such as obtaining title search documents, appraisals, land surveys, landowner meetings, etc. It also includes the administrative cost to review and approve the non-federal sponsor’s claim documents for its request for crediting of their LERRD expenses.

**Section 12: Uniform Relocation Assistance (Public Law 91-646)**

Currently, no Public Law 91-646 assistance relocations are anticipated.

**Section 13: Mineral and Timber Activity**

There are no known present or anticipated mineral extraction or timber harvesting activities within the LER required for the Recommended Plan.

**Section 14: Assessment of Non-Federal Sponsor Acquisition Capability**

The real estate acquisition capabilities assessment of the non-federal sponsor for the Recommended Plan is provided in Exhibit B. MDOT possess the professional capability to acquire real estate and has sufficient general and legal authority to do so. The

Sponsor has been identified as highly capable of performing or ensuring the performance of its real estate responsibilities. A Letter of Intent (LOI) from MDTA to partner on the next phase of the project (PED) was received on August 14, 2023.

**Section 15: Land Use and Zoning**

There is no anticipated application or enactment of zoning ordinances in lieu of, or to facilitate, the Recommended Plan.

**Section 16: Real Estate Acquisition Schedule**

The following real estate acquisition schedule (Table 4), which is supported by the structural plan non-federal sponsor (MDOT), is the anticipated schedule based on current project schedule projections.

Table 4: Recommended Plan Real Estate Acquisition Schedule

Milestone	Date
PPA Execution	February 2027
Notice to Proceed with Acquisition to Sponsor (See Note Below)	February 2027
Sponsor’s Authorization for Entry for Construction (Vent Building Only)	June 2027
USACE’s Certification of Real Estate (Vent Building Only)	June 2027
USACE’s Solicitation (RTA) for Construction Contracts (Vent Building Only)	June 2027
USACE’s Award of Construction Contract (Vent Building Only)	September 2027
Sponsor’s Authorization for Entry for Construction (Remaining Project Real Estate)	September 2028
USACE’s Certification of Real Estate (Remaining Project Real Estate)	September 2028
USACE’s Solicitation (RTA) for Construction Contracts (Remaining Structures)	October 2028
USACE’s Award of Construction Contract (Remaining Structures)	January 2029

Note: Due to scheduling issues/changes presented by Cost Engineering after REP completion and subsequent project report reviews, the schedule was updated to reflect a more likely funding authorization pattern. PED is now anticipated to begin with the execution of a Design Agreement in December 2024, and continue through PPA award once construction funding is authorized. The division of project construction into two phases (the Vent Building and then the remaining structures) did not occur until after

several rounds of review and backcheck, Real Estate was not provided with adequate time to break out the REP into phases as required by current NAD guidance.

The vent building was broken out into the initial phase because it only requires real estate rights currently owned by the NFS. Per the NFS, their required internal process for the provision of real estate for project use is anticipated to take 60-75 days. The Project Team has been advised that that timeline may not occur as shown since 60-75 days reflects the best-case scenario. The NFS will receive one Notice to Proceed reflecting the real estate information currently available at the time of the NTP. This will allow the NFS to begin ancillary acquisition activities such as the creation of contracts and outreach to owners of parcels required. The acquisition lists and specific areas required will be confirmed with the PDT and provided to the NFS throughout PED.

### **Section 17: Relocation of Facilities or Public Utilities**

For flood control projects, prior to the initiation of construction, the Sponsor, as part of its LERRD obligations, is required to relocate affected facilities and utilities necessary for the construction, operation, and maintenance of a project. Baltimore City contains an abundance of utility lines and services to support its industrialized and urban setting. A wide range of utilities are present and consist of underground fiber optic cables, storm drains, telecommunications, gas, water, sewer, and electric lines, all which have the potential to be impacted by the Recommended Plan. Generally, if relocated, these utilities are of the type eligible for compensation under the substitute facilities doctrine.

The substitute facilities doctrine provides an alternate means of just compensation to property owners affected by an acquisition or taking of property in order to place them in as good a position as if the property had not been acquired or taken. The measurement of just compensation, as it relates to the substitute facilities doctrine, has been required only when fair market value has been too difficult to establish or when its application would result in manifest injustice to the owner or the public. In such cases, the cost of constructing a substitute facility may be used as the measure of just compensation paid to the facility/utility owner where a substitute facility/utility is necessary. The substitute facilities doctrine is the foundation for the concept of "relocation" as applied to the implementation of water resources projects by USACE. Engineering Regulation 405-1-12, Real Estate Handbook, Change 31, 1 May 98, defines the term "relocation" as generally meaning:

*To provide a functionally equivalent facility to the owner of an existing utility, cemetery, highway, or other eligible public facility and railroad when such action is authorized in accordance with applicable legal principles of just compensation. Providing a functionally equivalent facility may take the form of alteration, lowering, raising, or replacement (and attendant removal) of the affected facility or part thereof.*

Currently, knowledge of the location of underground utilities within the vicinity of the Recommended Plan is limited. Therefore, the requirement to relocate existing utilities

for the Recommended Plan has not been fully determined. Coordination with Baltimore City Department of Public Works and local utility companies is still necessary for a determination. If utilities are identified as impacted by the Recommended Plan, an Attorney's Opinion of Compensability will be prepared to determine if the utility owner has a compensable interest in real property and there is a requirement to provide a functionally equivalent substitute facility, in-place or relocated, as just compensation to the utility owner. As of this report, no Preliminary Attorney Opinions of Compensability has been prepared for the Recommended Plan. To account for potential utility relocation costs, the Recommended Plan includes \$1,119,000 as part of its project utility relocation cost. The cost will be cost-shared with the non-federal sponsor at their 35% cost-shared amount.

Any conclusion or categorization contained in this report that an item is a utility or facility relocation to be performed by the non-federal sponsor as part of its LERRD responsibilities is preliminary only. USACE will make a final determination of the relocations necessary for the constructions, operation, or maintenance of the project after further analysis and completion and approval of final Attorney's Opinion of Compensability for each of the impacted utilities and facilities.

### **Section 18: Hazardous, Toxic and Radioactive Waste Concerns**

According to the main report's Environmental Appendix, any ground disturbance would need to take into consideration the location of waste generators and any possible contamination in the vicinity of construction. The main feasibility report indicates that contaminated soils may be present in the construction areas for the I-95 and I-895 tunnels. Further investigations during the PED phase will be necessary. Drilling and testing will be performed and could potentially require changes to the design of project elements which could increase costs or impact the alignment of the project elements. The search range of Environmental Data Record (EDR) records identified 1 National Priority List (NPL) site, 3 Superfund Enterprise Management System (SEMS) sites, 55 properties on the SEMS-archive list, 14 properties on the Federal Resource Conservation and Recovery Act (RCRA) Corrective Action Report Facilities List, and 11 properties listed as Federal RCRA non-Corrective Action Sites (CORRACTS) Treatment, Storage and Disposal facilities list. Numerous waste generators, Brownfields, underground storage tanks and Formerly Used Defense Sites (FUDS) were also identified within the search area. At this time, it is unknown whether clean up or other remedial response will be necessary prior to the start of construction. This REP assumes none will be required and none is reflected in the LER valuation and acquisition schedule. For additional information on hazardous, toxic, and radioactive waste within the Recommended Plan or study area, see the Environmental Appendix.

Rick Discussion: Outstanding questions regarding possible contamination in the construction areas create the following real estate risks for the project:

Schedule Risk: A change in design may delay real estate certification while new project designs are completed to re-align project elements, pushing construction contract award date out.

Cost Risk: Changes to the alignment and/or the requirement for additional lands for a re-aligned project would increase real estate project costs.

Risk Mitigation: The schedule risk would be mitigated by adding additional time to the current 2-year acquisition schedule. However, the PDT has continued with the current schedule estimate. The cost risk was addressed in the planning value estimate and taken into account when determining the contingency included in the BCERE.

### **Section 19: Attitudes of Landowners and Project Support**

There was a public scoping meeting for the project on September 23, 2019. The draft report was released for public review on July 1, 2022. Following the release of the Draft Report, public meetings were held on August 1, 2022 (in-person) and August 2, 2022 (virtual). In general, there was public support for the project, but some people expressed a desire for a broader plan that included parts of Baltimore County that were not part of this study.

### **Section 20: Risk Letter Notification to Non-Federal Sponsor**

As the non-federal sponsor for construction of the structural plan, MDOT has been notified by letter dated April 1, 2022, on the risks associated with acquiring land for the Recommended Plan prior to the execution of the PPA and prior to USACE's formal notice to proceed with real estate acquisition.

PREPARED BY:

**SACHS.HEATHER**  
**.M.1228757663**

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Heather M. Sachs  
Acting Chief, Civil Projects Support Branch

DISTRICT CHIEF OF REAL ESTATE

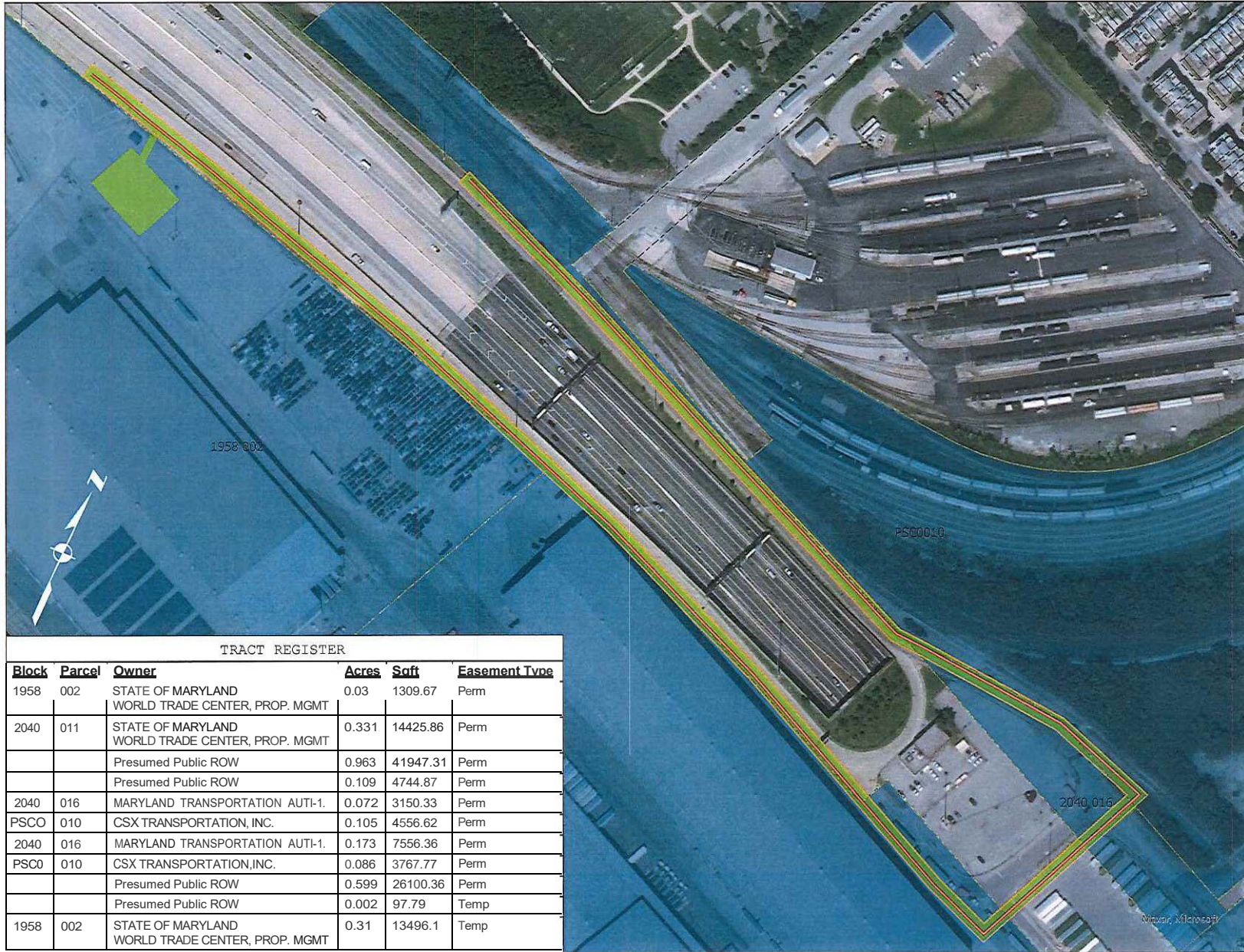
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**Y.H.1249739509**

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Stanley H. Graham  
Chief, Real Estate Division

# EXHIBIT A

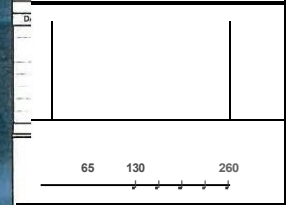


REALESTATE PROJECT  
 PLANNING MAP  
 BALTIMORE COASTAL STORM  
 RISK MANAGEMENT  
 FLOODWALL 12.2  
 MAP1  
 TUNNEL ACCESS 1

■ Parcels      ■ ImpactedParcels  
 ■ Easement      ■ Aoodwall  
 - LOO Boundary

TRACT REGISTER

Block	Parcel	Owner	Acres	Soft	Easement Type
1958	002	STATE OF MARYLAND WORLD TRADE CENTER, PROP. MGMT	0.03	1309.67	Perm
2040	011	STATE OF MARYLAND WORLD TRADE CENTER, PROP. MGMT	0.331	14425.86	Perm
		Presumed Public ROW	0.963	41947.31	Perm
		Presumed Public ROW	0.109	4744.87	Perm
2040	016	MARYLAND TRANSPORTATION AUTI-1.	0.072	3150.33	Perm
PSCO	010	CSX TRANSPORTATION, INC.	0.105	4556.62	Perm
2040	016	MARYLAND TRANSPORTATION AUTI-1.	0.173	7556.36	Perm
PSCO	010	CSX TRANSPORTATION, INC.	0.086	3767.77	Perm
		Presumed Public ROW	0.599	26100.36	Perm
		Presumed Public ROW	0.002	97.79	Temp
1958	002	STATE OF MARYLAND WORLD TRADE CENTER, PROP. MGMT	0.31	13496.1	Temp



U. S. ARMY CORPS OF ENGINEERS  
 BALTIMORE DISTRICT  
 REALESTATE DIVISION  
 BALTIMORE, MARYLAND

PROJECT FILE:  
 Baltimore CSR.M.aprx  
 CREATED BY: RCK  
 DATE: 23 February 2022  
 SCALE: AS SHOWN  
 PLATE: **R-1**





REAL ESTATE PROJECT  
PLANNING MAP

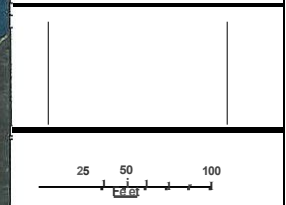
BALTIMORE COASTAL STORM  
RISK MANAGEMENT

FLOODWALL 12.2

MAP2

TUNNEL ACCESS 2

L\_Pan:eJs      Impact:eJ Parcels  
 || Easement      = floodwaU  
 -LODBou.ndary



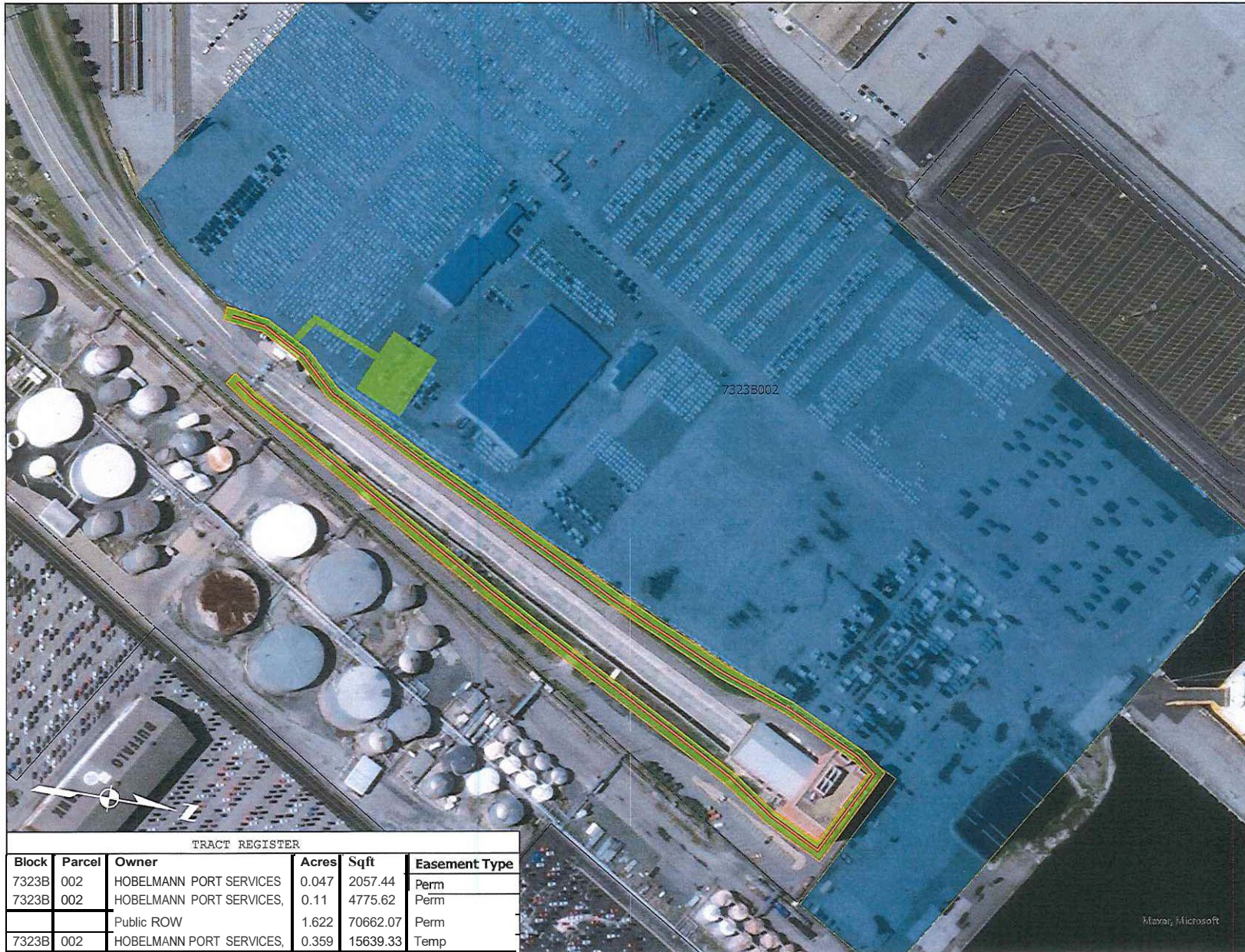
U.S. ARMY CORPS OF ENGINEERS  
BALTIMORE DISTRICT  
REAL ESTATE DIVISION  
BALTIMORE, MARYLAND

PROJECT FILE:  
Baltimore CSRIM.aprx  
CREATED BY: RCK  
DATE: 23 February 2022  
SCALE: AS SHOWN

**R-2**

PLATE:

TRACT REGISTER					
Block	Parcel	Owner	Acres	Sqft	Easement Type
2040	011	STATE OF MARYLAND WORLD TRADE CENTER, PROP. MGMT	0.936	40779.54	Perm



REAL ESTATE PROJECT  
PLANNING MAP

BALTIMORE COASTAL STORM  
RISK MANAGEMENT

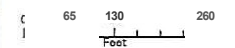
FLOODWALL 12.2

MAP3

PATAPSCO TUNNEL

- Parcels
- Impacted Parcels
- Easement
- Aoodwall
- LOO aounaary

DATE



U.S. ARMY CORPS OF ENGINEERS  
**liffli** BALTIMORE DISTRIC  
REAL ESTATE OIVISION  
BALTIMORE, MARYLAND

PROJECT FILE:  
Baltimore CSR.M.aprx  
CREATED BY: RCK  
DATE: 24 February 2022  
SCALE: AS SHOWN

PLATE: **R-3**

TRACT REGISTER					
Block	Parcel	Owner	Acres	Sqft	Easement Type
7323B	002	HOBELMANN PORT SERVICES	0.047	2057.44	Perm
7323B	002	HOBELMANN PORT SERVICES,	0.11	4775.62	Perm
		Public ROW	1.622	70662.07	Perm
7323B	002	HOBELMANN PORT SERVICES,	0.359	15639.33	Temp

Mapx, Microsoft



REAL ESTATE PROJECT  
PLANNING MAP

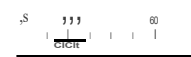
BALTIMORE COASTAL STORM  
RISK MANAGEMENT

FLOODWALL 12.2

MAP4

Patapsco North 1

L\_J Parcel:IS [mp.acted P.>tcels  
CJ Easement = AoodwaH  
- LOO Boundary



TRACT REGISTER					
Block	Parcel	Owner	Acres	Sqft.	
6607K	008	CONSOL MARINE TERMINALS LLC	0.097	4226.S8	Permanent
6607K	008	CONSOL MARINE TERMINALS LLC	0.338	14744.55	Permanent
6607K	016	STATE OF MARYLAND SPRINT NEXTEL PROP SERVICES	0.096	4176	Permanent
6607K	017	ROCK, LLC	0.008	329.46	Permanent
		Presumed Public ROW	0.016	696.11	Permanent
		Presumed Public ROW	0.001	35.06	Permanent

U.S. ARMY CORPS OF ENGINEERS  
BALTIMORE DISTRICT  
REAL ESTATE DIVISION  
BALTIMORE, MARYLAND

PROJECT FILE:  
Baltimore CSR.M.aprx  
CREATED BY: RCK  
DATE: 24 February 2022  
SCALE: AS SHOWN

PLATE: **R-4**

# EXHIBIT B

## EXHIBIT B

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

#### Baltimore Coastal Storm Risk Management Feasibility Study

##### I. Legal Authority:

- a. Does the MOOT (the "sponsor") have legal authority to acquire and hold title to real property for project purposes?

*The MOOT does not typically acquire property in the name of MOOT and instead acquires title in the name of one of their various business units such as MOOT, MAA, MdTA, MPA, SHA, and MTA. MOOT will work with the appropriate business unit as applicable to acquire the necessary real estate for this project. Each business unit has different various statutory authorities and powers. The acquisition of real estate interests (i.e., easements) from business unit is subject to the approval of the TBU Administrator and, where it is required, the Board of Public Works.*

- b. Does the sponsor have the power of eminent domain for this project?

*Please see above. Eminent domain authorities can vary by business Unit.*

- c. Does the sponsor have "quick-take" authority for this project?

*Per MOOT- quick take authority varies by business unit.*

- 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?

*Railroads have their own eminent domain authority. A State may exercise eminent domain so long as it is consistent with the enabling statute. Would need specific details to opine further per MOOT Legal.*

##### 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?

*NIA*

c. Does the sponsor's in-house staff have sufficient real estate acquisition experience to meet its responsibilities for the project?

*Yes. MOOT has have extensive experience in acquisitions, including but not limited to the Purple Line Metro Project*

d. Is the sponsor's projected in-house staffing level sufficient considering its other workload, if any, and the project schedule?

*Yes.*

e. Can the sponsor obtain contractor support, if required in a timely fashion?

*Yes, depending on the project, the NFS can use contractors and has contractors at their disposal .They also do have in-house staff and these employees are generally used on smaller projects.*

f. Will the sponsor likely request USACE assistance in acquiring real estate?

*No.*

#### 111. 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?

*Yes, the NFS has reviewed the acquisition schedule and has indicated they believe it is reasonable*

#### I. Overall Assessment

a. Has the sponsor performed satisfactorily on other USACE projects?

*We have had multiple projects with various business units of MOOT, including the MD Port Administration. The NFS has proven to be highly capable on these projects.*

If yes, identify the project(s) and briefly describe the sponsor's performance.

b. With regard to this project, the sponsor is anticipated to be:

*Highly capable*

II. Coordination

a. Has this assessment been coordinated with the sponsor?

Yes.

b. Does the sponsor concur with this assessment?

*Yes, the sponsor generally agrees with the proposed acquisition timeline for the structural measures and the questions on this assessment were discussed in person with the sponsor.*

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Heather M. Sachs  
Acting Chief, Civil Projects Support Branch

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Stan H. Graham  
Chief, Real Estate Division  
Baltimore District