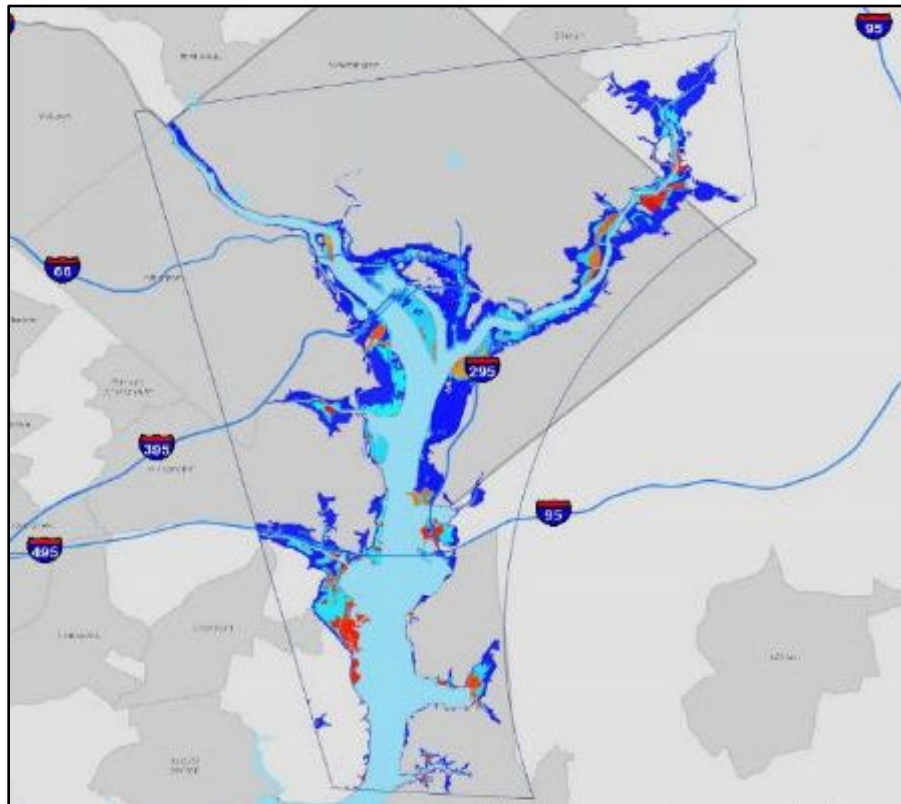

Metropolitan Washington District of Columbia Coastal Storm Risk Management Feasibility Study

Appendix F: Real Estate Plan



Northern Virginia

May 2022



**US Army Corps
of Engineers**

Baltimore District



Metropolitan Washington
Council of Governments

REAL ESTATE PLAN

for the

Metropolitan Washington District of Columbia Coastal Storm Risk Management
Feasibility Study

1. GENERAL

REAL ESTATE REQUIREMENTS

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- b. Standard Estates
- c. Non-Standard Estates
- d. Parcel Data and Real Estate Mapping

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3. EXISTING FEDERALLY OWNED LANDS

4. LANDS OWNED BY THE NON-FEDERAL SPONSOR

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6. INDUCED FLOODING

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9. MINERAL AND TIMBER ACTIVITY

10. ASSESSMENT OF NON-FEDERAL SPONSOR CAPABILITY

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12. ACQUISITION SCHEDULE

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Exhibit “B” – STANDARD ESTATES

Exhibit “C”- SAMPLE NON-FEDERAL SPONSOR CAPABILITY ASSESSMENT

1. General

This Real Estate Plan (REP) is provided in support of the Metropolitan Washington District of Columbia Coastal Storm Risk Management Feasibility Study, (DC Coastal). This REP is tentative in nature, is for planning purposes only and is written to the information level in the Integrated Feasibility Report and Environmental Assessment IFR/EA). All property lines, estimates of cost and value, rights required for project construction, and operation and maintenance are subject to change even after approval of this REP.

The DC Coastal study investigates problems and opportunities to reduce damages from coastal flooding that affects population, critical infrastructure, property, and ecosystems.

The objective of this study is to conduct assessments of the urbanized areas and to identify potential coastal flood risk management, storm damage reduction and coastal resiliency opportunities. The study will consider the investigations and conclusions of previous coastal studies and accepted projections of future climate and sea level change.

The Middle Potomac watershed is a diverse landscape, with urban, rural, and natural areas in six different eco-regions and five states. Two feasibility studies have been initiated from the original reconnaissance effort. The third is the DC Coastal study, which was identified as a focus area in the North Atlantic Coastal Comprehensive Study (NACCS) completed in January 2015 as part of the Hurricane Sandy recovery effort supported by the Disaster Relief Appropriations Act of 2013 (P.L. 113-2)

Study Authority.

The DC Coastal study is being conducted under the Middle Potomac River and Tributaries Authority (23 May 2001) which states:

That the Secretary of the Army is requested to review the report at a chief of Engineers of Potomac River and Tributaries in Maryland, Virginia, and Pennsylvania published in House Document 343, 91st Congress, Second Session, and other pertinent reports, with and review to conducting a study, in cooperation with the states of Maryland and West Virginia, the commonwealths of Pennsylvania and Virginia, and the District of Columbia, their political divisions act as if thee and instrumentalities thereof, other Federal agencies and entities for improvements and interest of the ecosystem restoration and protection, flood plain management, and other allied purposes for the Middle Potomac River watershed year

This study authority was identified by the Baltimore District Office of Counsel (memorandum dated April 22, 2014) as the most recent authority that includes the study area, with the ability to investigate solutions to coastal flooding problems leading to a USACE recommendation for implementation. Although the study authority also identifies ecosystem restoration, this study will focus solely on coastal storm risk management.

NON-FEDERAL SPONSOR

The study non-Federal sponsor is the Metropolitan Washington Council of Governments (MWCOG). A feasibility cost share agreement (FCSA) was executed on 18 July 2017 with an FCSA amendment signed on 7 April 2021.

The study is being conducted and managed by USACE. The feasibility study was cost-shared 50 percent Federal and 50 percent non-Federal under the original Feasibility Cost Share Agreement (FCSA). Under the FCSA Amendment signed 07 April 2021, this study is now 100% Federally funded under DRAA13 Sandy Supplemental funds.

STUDY AREA

The study area includes the western shore of the Potomac River from Arlington County south to Prince William County (Figure 1). The structural site alternatives evaluated were 4b Ronald Reagan Washington National Airport, 4c Arlington Water Pollution Control Plant, 5a Arlandria Four Mile Run and 5c Belle Haven. Alternative 6 is a non-structural plan which includes flood-proofing and elevating structures within the entire study area. A structural alternative (5b) at Alexandria, VA was formulated and then screened out due to the City of Alexandria moving forward with a 6ft NAVD88 bulkhead which is currently in the design phase. A deployable floodwall was discussed and added into the final array as Alternative 5b1.

This Real Estate Pland focuses on the 3 sites for the Tentatively Selected Plan (TSP) which has been determined to include:

- 4c Arlington County, VA Water Pollution Control Plant;
- 5c Belle Haven, VA Levee and Flood Wall

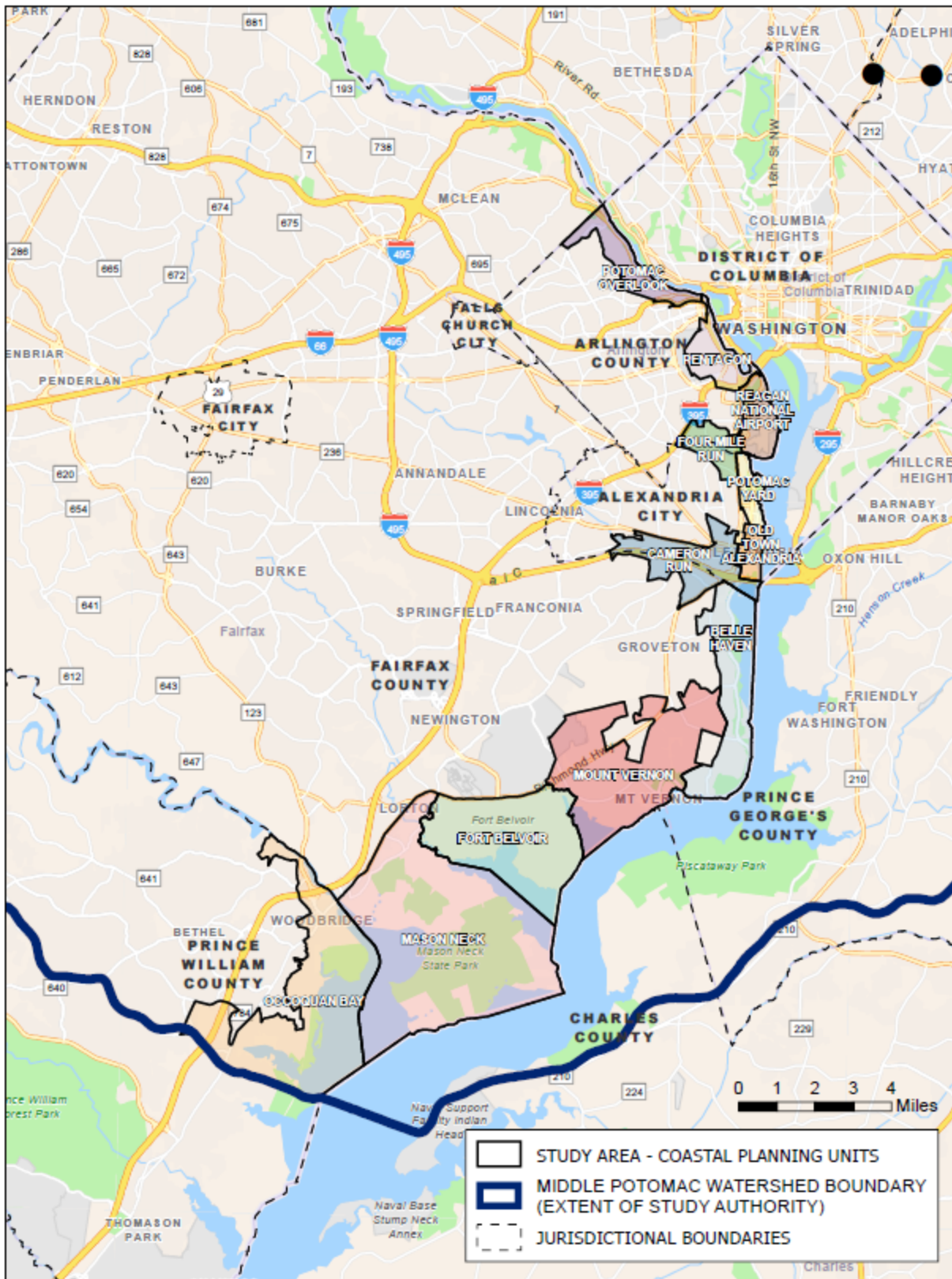


Figure 1. Study Area.

2. Real Estate Requirements

a. Description of Land, Easements, Rights-of-Way for the Project

The non-Federal Sponsor is responsible for acquiring the Lands, Easements, Right-of-Ways, and Relocation (hereinafter LERR) requirements for the TSP. General maps of the Tentatively Selected Plan alternatives are shown below as Figures 2 and 3 below, with more detailed maps with parcel lines shown in Exhibit A. These are all preliminary at this stage and acreage breakdown and areas for each estate have yet to be established.

Arlington Water Pollution Control Plant

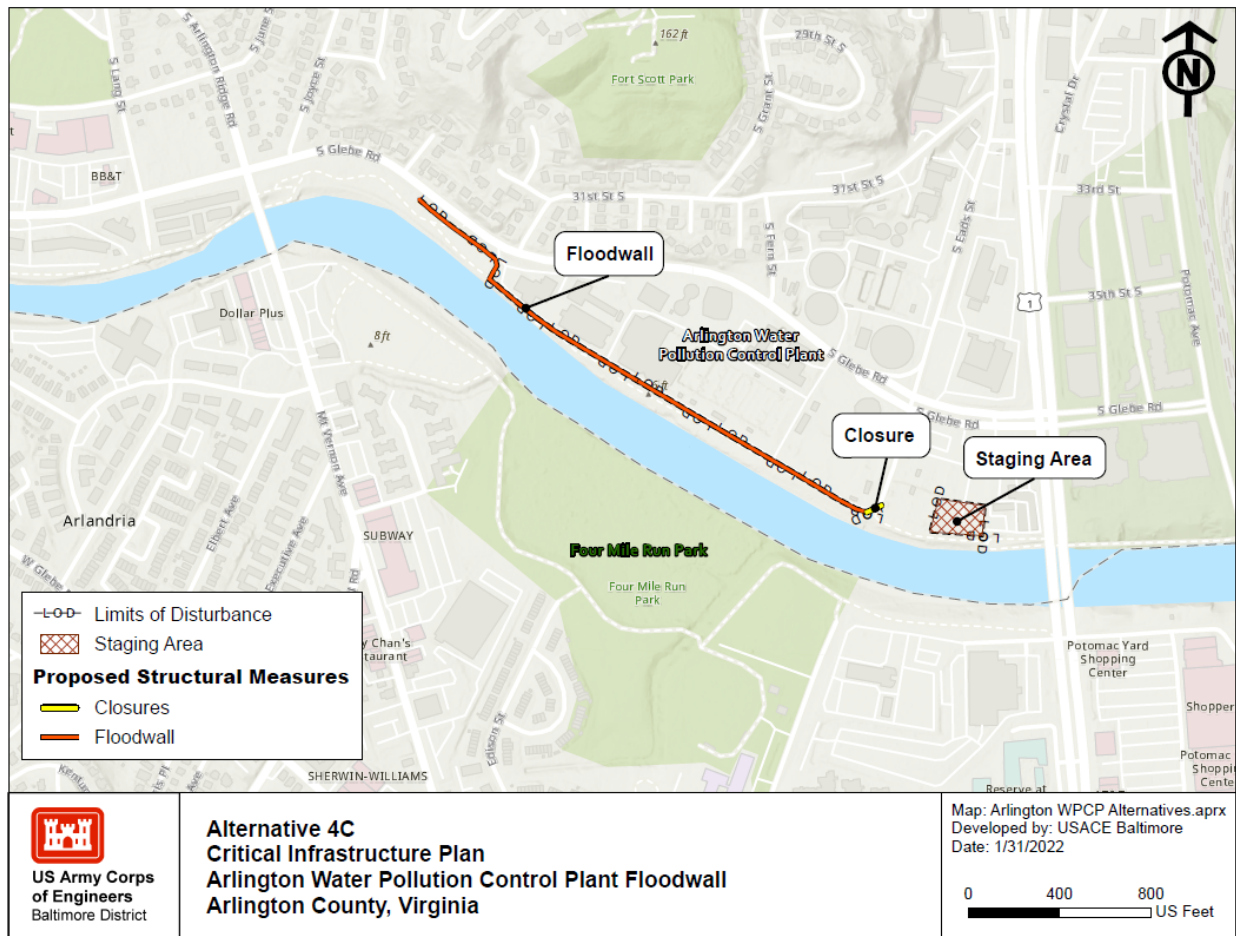


Figure 2: Alternative 4c: Arlington Water Pollution Control Plant.

Alt 4c is located in south Arlington County. The Water Pollution Control Plant (WPCP) processes wastewater and hazardous waste materials to protect the environment: especially Four Mile Run, the Potomac River, and the Chesapeake Bay. Alternative 4c proposes constructing a floodwall along the left bank of Four Mile Run between Four Mile Run and the Arlington WPCP with a closure structure on the west side of the structure. The new floodwall would tie into the bank to the east just past South Eads Street. The floodwall would wrap around the Arlington WPCP to the west where the stop log closure structure is located along South Glebe Road.

Belle Haven Levee and Floodwall



Figure 3: Alternative 5c: Belle Haven, Fairfax County Virginia

Alternative 5c proposes constructing a floodwall just north of Belle Haven Road from Barrister Place to 10th Street with a closure structure at 10th Street and the GWMP. Closure structures would also be constructed along Belle Haven Road and Belle View Blvd. A floodwall would tie into the closure structure at 10th Street and run south along the west side of the GWMP, curving around Boulevard View to 10th Street. The floodwall would then run west to East Wakefield Drive tying into both sides of a closure structure on Potomac Avenue. The floodwall would continue west to West Wakefield Drive and tie into a small portion of earthen levee ending at Westgrove Dog Park.

b. Standard Estates:

It is currently anticipated that both TSP alternatives will require Standard Estates, Temporary Work Area Easement No. 15; Flood Protection Levee Easement No. 9; and Road Easement No. 11, the text of each as shown in Exhibit “B”.

c. Non-Standard Estates

A portion of the Belle Haven Levee and Floodwall site is located on parcels of federal property. Therefore, it is anticipated a National Park Service Special Use Permit will be necessary since National Park Service will not convey and easement to the sponsor.

d. Parcel Data and Real Estate Mapping

Preliminary mapping and parcel lists are shown for alternative 4c Arlington WPCP and 5c Belle Haven in Exhibit “A” for each alternative. More detailed real estate mapping will be developed for both alternatives in subsequent phases of the study.

The lot boundaries delineated in the real estate maps do not necessarily represent legal boundaries and should not be used to provide a legal determination of land ownership. Title searches will be needed to determine ownership of the properties included in the Recommended Plan. The parcel boundaries shown on the enclosed maps are not survey data and should not be used as such. There may be boundary discrepancies between what is shown on these real estate maps and the property’s actual deeded boundary. The tax parcel data obtained is intended for planning purposes only to provide a reasonable representation of parcel boundaries and project features. Surveys of the properties included in the Recommended Plan may be necessary in some instances to ensure that all access to the property and all work areas are on the appropriate property.

3. Existing Federal Projects

Neither of the 2 tentatively selected plan alternatives are located within an existing federal project.

4. Existing Federally Owned Lands

A portion of the Belle Haven Levee and Floodwall site is located on parcels of federal property. Therefore, it is anticipated a National Park Service Special Use Permit will be necessary since National Park Service will not convey an easement to the sponsor.

5. Lands owned by the Non-Federal Sponsor

The Non-Federal Sponsor, MWCOG, currently owns no lands or property required for the two tentatively selected plan alternatives. However, MWCOG partners, Fairfax County and Arlington County will likely be the sponsors who cost share PED/Construction and be required to provide LERR within their respective project sites. Arlington County currently owns a substantial part of the 4c Arlington WPCP.

6. Navigational Servitude

Navigational Servitude is not applicable for the tentatively selected plan because none of the lands needed for the project are below the ordinary high-water mark in Navigable Waters of the United States and because there is not a Navigation nexus to this flood risk management project.

7. Induced Flooding

The tentatively selected plan is not expected to result in any induced flooding. However, the With-Project condition for the TSP will be run prior to ADM to confirm this assumption.

8. Baseline Cost Estimate for Real Estate

A real estate cost estimate was prepared in anticipation of the LERR costs being 15% less than total project construction costs. At this preliminary stage the lands and damages real estate cost estimates for the two alternatives \$0 for 4b Ronald Reagan Washington National Airport and \$3,145,500 for 5a Arlandria Four Mile Run, and for the TSP sites, \$799,500 for Alternative 4c, Arlington Water Pollution Control Plant and \$1,167,000 for Alternative 5c, Belle Haven were used for planning comparisons.

9. Public Law 91-646, Uniform Relocation Assistance

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

Public Law 91-646 provides uniform equitable treatment of eligible persons and businesses displaced by a Federal or Federally assisted project. Along with the PPA, it requires the Non-Federal Sponsor to provide assistance and to pay certain benefits to all eligible persons and businesses that are displaced from their residence or place of business due to a Federally funded project. The cost incurred by the non-Federal sponsor to provide relocation assistance is part of its LERR responsibilities.

10. Mineral and Timber Activity

There are no known present or anticipated mineral extraction or timber harvesting activities within the LERR required for the TSP.

11. Assessment of Non-Federal Sponsor Acquisition Capability

The study Non-Federal Sponsor, MWCOG, currently owns no lands or property required for the two tentatively selected plan alternatives. However, it is anticipated that MWCOG partners, Fairfax County and Arlington County would likely be the sponsors who cost share PED/Construction and be required to provide LERR within their respective project sites. Assessments will be developed for each upon the approval of the project recommended plan, but it is anticipated that all three have sufficient capability to acquire

and hold the necessary interests need in real estate. A standard Exhibit “C” sample assessment is included that will be utilized for the assessments.

12. Land Use and Zoning

Currently, no applications for relevant building codes, jurisdictional permits, compliances such as ADA (Americans with Disabilities ACT) or enactment of local zoning ordinances are anticipated to facilitate the Study’s LERR requirements.

13. Schedule of Real Estate Acquisition

A detailed real estate acquisition schedule has not yet been developed at this stage of the study. However, it is anticipated to take a minimum of 1 year from the signing of the Project Partnership Agreement (PPA), including survey, mapping, appraisal, negotiations and closing. A minimum of an additional year may be added if negotiations fail and it becomes an eminent domain action.

14. Relocation of Facilities or Public Utilities

For coastal storm risk management projects, the Non-Federal Sponsor is required to relocate affected facilities and utilities necessary for the construction, operation, and maintenance of a project. A relocation may take the form of an alteration, lowering, raising, or replacement (and attendant removal) of the affected facility/utility or part thereof. This project is expected to result in yet to be determined relocation of multiple public utilities or facilities, yet to be determined, which will require the preparation of Reports of Compensability once a recommend plan is approved.

15. Environmental Concerns

Based upon the review of MWCOC’s existing databases, none of the sites are on the Known Contaminated Sites list or are there any Superfund sites located within or adjacent to the LERR required for the tentatively selection plan.

16. Attitudes of Landowners

Currently, there is no known public opposition to the alternatives and any landowners being protected have a favorable view of the outcome.

17. Risk Notification to Non-Federal Sponsor

The Non-Federal Sponsor will be notified in writing regarding risks associated with the acquisition of lands and interests prior to the execution of the PPA once a recommended plan is approved and the project is authorized and funded.

18. Risk Analysis

Currently, there appears to be little risk specifically pertaining to real estate, or its cost and acquisition.

This Real Estate Plan was prepared by Real Estate Project Delivery Team member La-Wanda Carter, who may be reached at (410) 962-5173 or by email:

LaWanda.a.Carter@usace.army.mil

La-Wanda A. Carter
Realty Specialist
Civil Project Support Branch

Stanley H. Graham
Acting Chief, Real Estate Division
Baltimore District

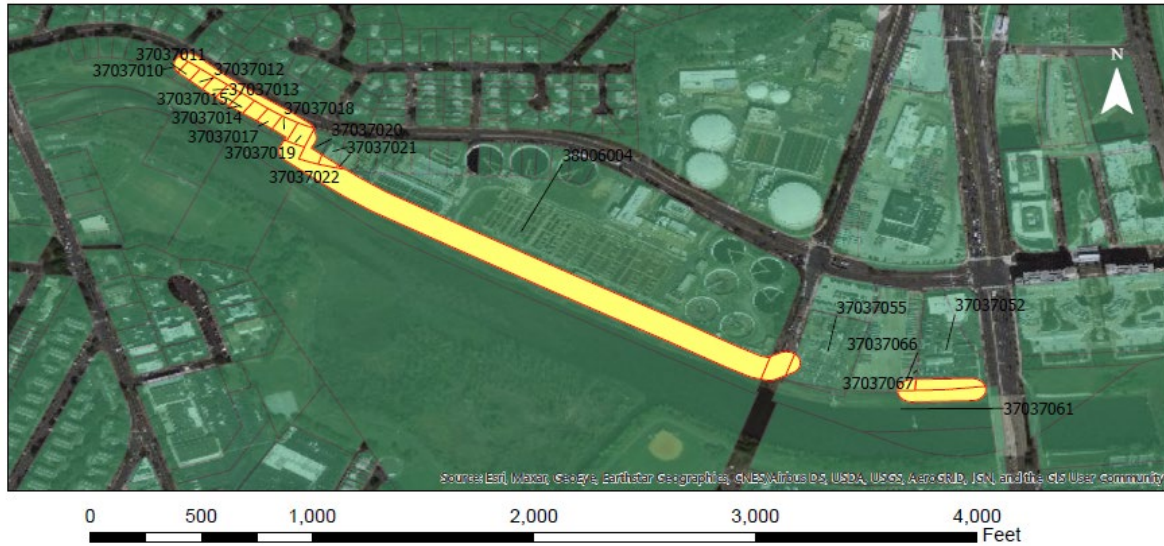
EXHIBIT "A"

Parcel data and Real Estate Mapping Exhibit "A"

Parcel data and Real Estate Mapping Exhibit "A"

Arlington Water Pollution Control plant, Arlington County Virginia

Alternative LOD 4c



- LOD 4c
- Intersecting Parcels
- Underlying Parcels

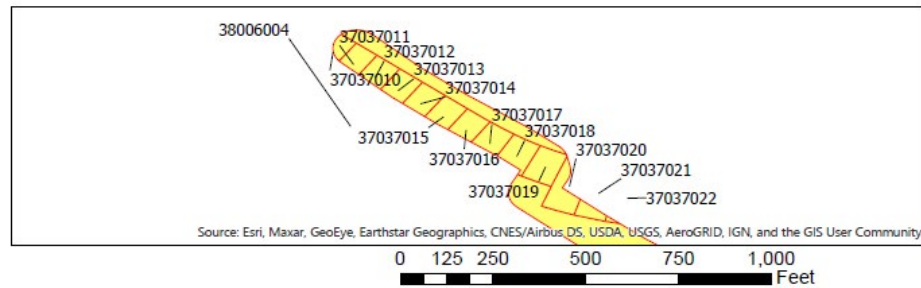


EXHIBIT "A" Cont.
Parcel data and Real Estate Mapping Exhibit "A"
4c Arlington Water Pollution Control plant, Arlington County Virginia

Parcel ID	Owner Name	Acreage
37037014	COUNTY BOARD OF ARLINGTON	0.096977
37037015	COUNTY BOARD OF ARLINGTON	0.09765
37037017	COUNTY BOARD OF ARLINGTON	0.099509
37037018	COUNTY BOARD OF ARLINGTON	0.115322
37037019	COUNTY BOARD OF ARLINGTON	0.138379
37037021	COUNTY BOARD OF ARLINGTON	0.046338
37037022	COUNTY BOARD OF ARLINGTON	0.005719
37037016	COUNTY BOARD OF ARLINGTON	0.093602
37037020	COUNTY BOARD OF ARLINGTON	0.127419
37037012	COUNTY BOARD OF ARLINGTON	0.093119
37037011	COUNTY BOARD OF ARLINGTON	0.079182
37037013	COUNTY BOARD OF ARLINGTON	0.096365
37037010	COUNTY BOARD OF ARLINGTON	0.044823
38006004	COUNTY BOARD OF ARLINGTON	4.36714
37037061	COUNTY BOARD OF ARLINGTON	0.363261
37037066	COMMONWEALTH OF VIRGINIA	0.057967
37037067	COMMONWEALTH OF VA	0.001115
37037055	VEPCO	0.055995
37037052	FOUR MILE RUN ASSOCIATES LLC	0.24036
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		0.380242

Report Totals

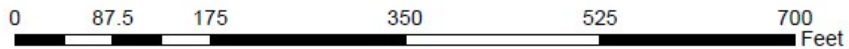
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EXHIBIT "A" cont.
Parcel data and Real Estate Mapping Exhibit "A"
5c Belle Haven

Alternative LOD 5c: North



US Army Corps
of Engineers
Baltimore District

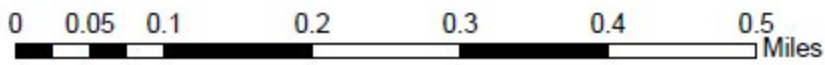


- LOD 5c
- Intersecting Parcels
- Underlying Parcels

EXHIBIT "A" cont.
Parcel data and Real Estate Mapping Exhibit "A"
5c Belle Haven



Source: Fed. Water Survey, Particular Geographic, CWR/Albion DE, USDA, USGS, Aerial, ISU, and the US User Community



-  LOD 5c
-  Intersecting Parcels
-  Underlying Parcels

EXHIBIT "A" cont.
Parcel data and Real Estate Mapping Exhibit "A"
5c Belle Haven

Alternative LOD 5c: East

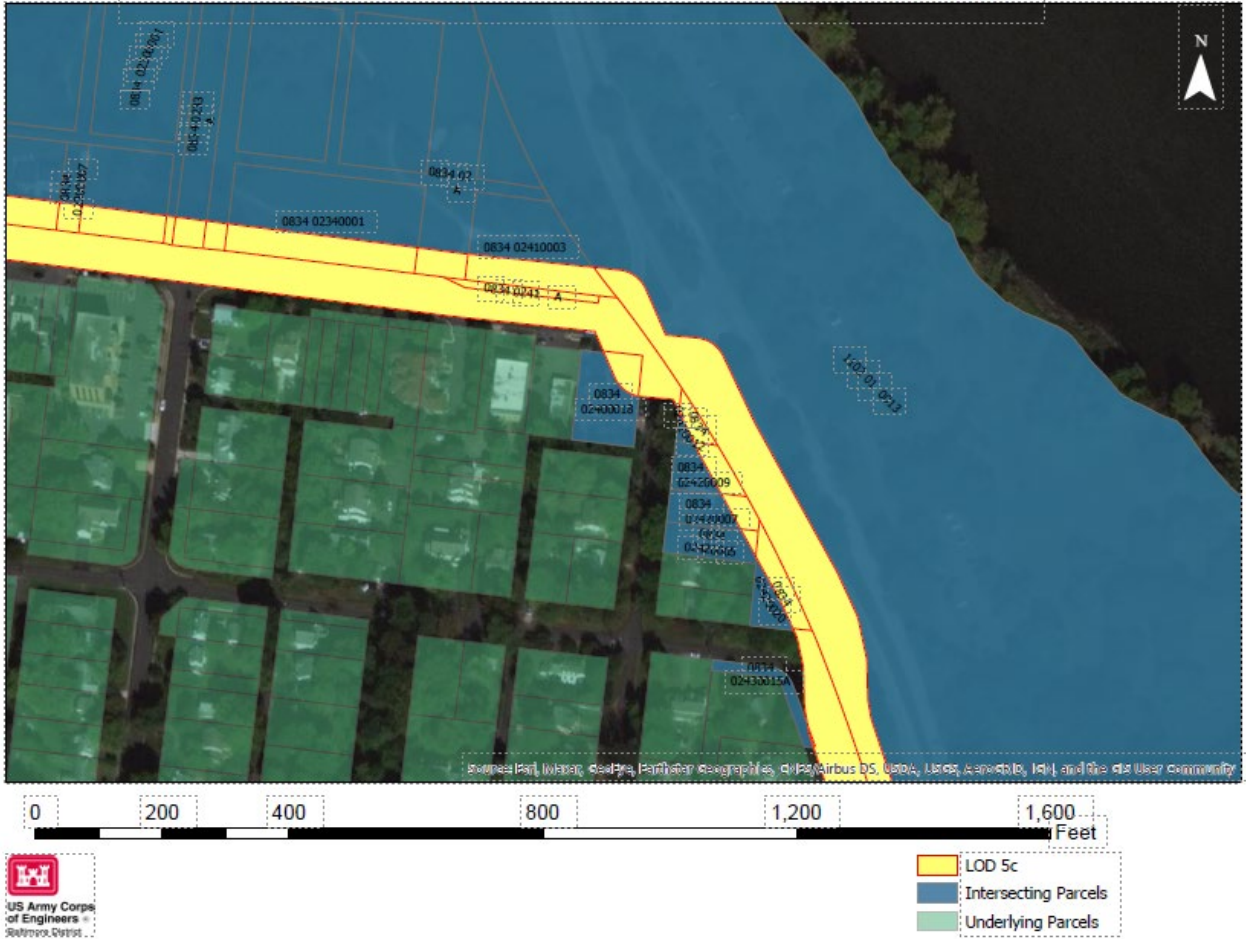


EXHIBIT "A" cont.

Parcel data and Real Estate Mapping Exhibit "A"
5c Belle Haven

Parcel ID	Owner	Acreage
0834 02060001	BELLE HAVEN COUNTRY	0.060586
0932 12 6619A1	KERR JONATHAN H	0.015547
0932 12 6616C1	DOUGHERTY SUZANNE LAMB	0.028711
0932 10020218A	SPENCER LISA A	0.004707
0932 10020218A	SPENCER LISA A	0.01773
0932 10020218A	SPENCER LISA A	0.002115
0932 10030314	CARLSON MICHAEL	0.004377
0932 10030314	CARLSON MICHAEL	0.097839
0834 02400018	SHAKEEL S A	0.062139
0932 12 6614A1	PUSCHECK HERBERT C	0.027842
0834 04 0047	CHISM CARALYN	0.000292
0834 0241 A	BELLE HAVEN COUNTRY	0.064006
0834 04 0042	TARPLEY JERALD D	0.000492
0932 12 6618A1	WILLIFORD EUGENIA	0.037709
0834 02230001	BELLE HAVEN COUNTRY	0.264003
0834 02420005	MEDICO FRANK	0.013157
0834 04 0049	ALVARADO DONNA M	0.000129
0834 04 0044	COTTRELL PENELOPE A TR	0.001166
0834 02300001	BELLE HAVEN COUNTRY	0.13609
0834 02300001	BELLE HAVEN COUNTRY	0.133188
0834 0233 A	BELLE HAVEN COUNTRY	0.049918
0834 02340001	BELLE HAVEN COUNTRY	0.291151
0834 04 0045	NIELSEN CHRISTENA	0.000702
0834 02420009	HEINZMANN CLEMENS G	0.070073
0834 02430015A	HOLM MICHAEL	0.001622
0834 04 0043	CLINE JOHN W	0.000546
0834 04 0048	HARB WALLACE S	0.000211
0932 07010002	MAY KEITH A	0.015242
0834 02420007	BURKE GERALDINE A	0.045718
0834 04 0041	LISTERMAN BENJAMIN P	0.000503
0834 04 0046	GALLANT MILDRED E TR	0.000306
0834 02130001	BELLE HAVEN COUNTRY	0.245727
0834 02300007	BOARD OF SUPERVISORS FAIRFAX COUNTY	0.035964
0834 02 A	BELLE HAVEN COUNTRY	0.074952
0834 02 A	BELLE HAVEN COUNTRY	0.033522
0834 02 A	BELLE HAVEN COUNTRY	0.013904
0834 02 A	BELLE HAVEN COUNTRY	0.071631
0834 02 A	BELLE HAVEN COUNTRY	0.082803
0834 02 A	BELLE HAVEN COUNTRY	0.061507
0932 01 0006	PARK AUTHORITY FAIRFAX COUNTY	0.305567
0834 04 0050	DARCANGELO MARCIA D TR	0.000067

EXHIBIT "A" cont.
Parcel data and Real Estate Mapping Exhibit "A"
5c Belle Haven

Parcel ID	Owner	Acreage
0834 02420012	HEINZMANN CLEMENS G	0.04953
0834 02420020	BAHIN CHARLOTTE M	0.106549
0834 04 0051	ROCKWELL JEFFREY A	0.000013
0834 04 0040	JEWART RITA DIANE	0.000321
0834 02410003	BELLE HAVEN COUNTRY	0.21377
1102 01 0013	UNITED STATES OF AMERICA	0.005543
1102 01 0013	UNITED STATES OF AMERICA	0.000155
1102 01 0013	UNITED STATES OF AMERICA	3.78509
	RIVER TOWER CONDOMINIUM CONDO AREA	8.077129
	BELLE HAVEN CONDOMINIUM AREA	8.077129
	BELLE HAVEN CONDOMINIUM AREA	8.077129
	BELLE HAVEN CONDOMINIUM AREA	8.077129
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EXHIBIT “B” ESTATES

TEMPORARY WORK AREA EASEMENT (Estate No.15)

A temporary easement and right-of-way in, on, over and across (the land described in Schedule A) (Tract Nos. _____), for a period not to exceed one (1) year, beginning with date possession of the land is granted to the United States, for use by the United States, its representatives, agents, and contractors as a work area, including the right to move, store and remove equipment and supplies, and erect and remove temporary structures on the land and to perform any other work necessary and incident to the construction of the Metropolitan Washington District of Columbia Coastal Storm Risk Management Feasibility Study, together with the right to trim, cut, fell and remove there from all trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the right-of-way; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however to existing easements for public roads and highways, public utilities, railroads and pipelines.

FLOOD PROTECTION LEVEE EASEMENT (Estate No. 9)

A perpetual and assignable right and easement in (the land described in Schedule A) (Tract Nos. _____) 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.

ROAD EASEMENT (Estate No. 11)

A perpetual and assignable easement and right-of-way in, on, over and across (the land described in Schedule A) (Tract Nos. _____) for the location, construction, operation, maintenance, alteration, and replacement of (a) road(s) and appurtenances thereto; 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, the right to cross over or under the right-of-way as access to their adjoining land at the locations indicated in Schedule B; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

EXHIBIT "C"

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

Project: (Sponsor)

Non-Federal Sponsor: (Anticipated that MWCOG partners, Fairfax County and Arlington County will be the LERR acquisition and construction Non-Federal Sponsors)

I. Legal Authority:

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

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?
- 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? **Yes**

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

f. Will the sponsor likely request USACE assistance in acquiring real estate? **No**

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? **Yes**

IV. Overall Assessment:

a. Has the sponsor performed satisfactorily on other USACE projects?
No, the sponsor has never served as a partner on a previous USACE project.

b. With regard to this project, the sponsor is anticipated to be fully capable. **Yes**

V. Coordination:

a. Has this assessment been coordinated with the sponsor? **Yes**

b. Does the sponsor concur with this assessment? **Yes**

Prepared and Reviewed by:

CRAIG R. HOMESLEY
Chief, Civil Projects Support Branch