

## APPENDIX D - REAL ESTATE

Real Estate Plan For  
Feasibility Study For  
Lake Lou Yaeger Section 206 Aquatic Ecosystem Restoration Continuing Authorities Project  
Feasibility Study

## 1. Purpose

This report is tentative in nature, focuses on the Tentatively Selected Plan (TSP), and is to be used for planning purposes only. There may be modifications to the plans that occur during Preconstruction, Engineering and Design (PED) phase, thus changing the final acquisition area(s) and/or administrative and land cost. This Real Estate Plan (REP) is intended to support the Feasibility Report for the Lake Lou Yaeger Continuing Authorities Project. The City of Litchfield, Illinois is the Non-Federal Sponsor (NFS) for the project. This REP identifies Lands, Easements, and Rights-of-Way (LER) necessary to complete the project. There are no previous REP's for this project.

Lake Lou Yaeger has a surface area of approximately 1,205 acres and originally had a depth ranging from approximately 5.6 feet at the northern edge to nearly 32 feet at the southern edge near the dam. However, over the years, sediment has entered the lake regularly from the northern tributaries, runoff from the surrounding watershed, and wind and ice-induced bank erosion. However, during the construction of Interstate 55 in the early 1970s a large amount of sediment entered the western side of the lake, which exacerbated the sedimentation problem. The sediment accumulation has led to loss of lake depth (northern section of the lake has been reduced to approximately 2 feet or less most of the year) which has reduced important deep water summer and winter fish habitat, and has allowed American Lotus to expand and form monotypic stands in the lake reducing plant species diversity. In addition, the added suspended sediment has decreased water quality by directly increasing turbidity and indirectly by decreased dissolved oxygen due to the shallow depth. The increased turbidity inhibits site-foraging fish while low dissolved oxygen makes conditions unfavorable for many native fish species. Furthermore, the wind and ice-induced bank erosion has degraded the eastern shoreline, resulting in 6-foot high vertical banks which provide minimal cover and foraging habitat for fish. All of these factors contribute to the sedimentation problem which has resulted in overall fisheries habitat degradation.

The current plan includes building a rock berm to slow sedimentation from entering the lake and constructing road suitable for the size and weight of construction equipment.

## 2. Lands, Easements, and Rights-of-Way (LER)

The recommended plan includes construction of a rock berm on NFS lands. The plan also includes acquiring permanent road easements to ensure access to the property and that the access is sufficient for construction vehicle traffic.

Total LER required for each project purpose and feature

Permanent Road Easements

1.5 acres

The road easements will be acquired in 6 tracts from an estimated 6 landowners. The estimated value is detailed in Exhibit B.

The following standard estate will be acquired:

#### ROAD EASEMENT

A (perpetual [exclusive] [non-exclusive] and assignable) (temporary) easement and right-of-way in, on, over and across (the land described in Schedule A) (Tracts Nos. \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_) for the location, construction, operation, maintenance, alteration replacement of (a) road(s) and appurtenances thereto; together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions and other vegetation, structures, or obstacles within the limits of the right-of-way; (reserving, however, to the owners, 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.

#### 3. Non Federal Sponsor-Owned LER

The Non Federal Sponsor, the City of Litchfield, Illinois, owns fee title of the footprint of the lake and most of the surrounding area. Additional LER will be required for this project to secure road easements in order to expand the access roads to accommodate construction equipment.

#### 4. Non Standard Estates

No Non Standard estates are required for the project.

#### 5. Existing Federal Projects

There is no federal project that lies within the LER required for this project.

#### 6. Federally-Owned Lands

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

7. Navigation Servitude

Navigation Servitude does not apply to this project.

8. Mapping

The final Right-of-Way maps are being developed. The draft maps are attached, see Exhibit A.

9. Induced Flooding

There will be no induced flooding as part of this project.

10. Baseline Cost Estimate

Permanent Road Easement      \$111,500

See Exhibit B.

11. Relocation Assistance Benefits

No persons, farms, or businesses will be displaced as part of this project.

12. Mineral Activity

There are no known present or anticipated mineral activity or timber harvesting in the project area.

13. Non Federal Sponsor Assessment

The City of Litchfield, Illinois is the Non Federal Sponsor for this project. The Sponsor's Capability is being assessed, a copy of the assessment will be attached as Exhibit C.

14. Zoning

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

15. Schedule

A detailed schedule will be developed when final ROW is determined. Normally a period of one year is allowed for the sponsor to acquire ROW after receipt of the final ROW limits from Real Estate Division. This one year period does not include land which may have to be condemned.

16. Facility or Utility Relocations

No facility or utility relocations are anticipated as part of this project.

17. HTRW

It is not anticipated that any HTRW contamination will be encountered, however a Phase 1 Environmental Site Assessment is being conducted. Areas of known contamination will be avoided to the extent possible. If an area cannot be avoided, the Non Federal Sponsor will be responsible for clean-up. No lands will be acquired until environmental clearances are received.

18. Landowner Attitude

There is no known landowner opposition to this project.

19. Notification to the Non Federal Sponsor Regarding the Risks Associated with Land Acquisition before Execution of the Project Partnership Agreement (PPA)

The sponsor does not intend to acquire any real estate until final ROW drawings are provided and the Project Partnership Agreement (PPA) is signed.

20. Other Relevant Real Estate Issues

This site is the Non Federal Sponsor's preferred access route.

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USACE, Regional Real Estate Division North

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Draft

Exhibit A Maps Currently in Draft Form, To be finalized  
Exhibit B Cost Estimate  
Exhibit C Sponsor Capability Need to assess Sponsor Capability





Date of Estimate: 11 August 2016

**LAKE LOU YEAGER**

SITE 1A - Rock Berm Access/Staging/Construction

	<b>Unit</b>	<b>Unit Value</b>	<b>% of Fee</b>	<b>Term (yrs)</b>	<b>Total</b>
<b>(a) Lands and Damages</b>	(acres)				
<b>Permanent Easement</b>					
<i>Construction and Access Easements</i>					
Agricultural/Rural Residential	1.5	\$8,000	100%	n/a	\$12,000
<b>Subtotal</b>					<b>\$12,000</b>
<b>(b) Incremental Costs 30% (Rounded)</b>					\$3,600
<b>(c) Total Lands, Easements, and Right-of-Way</b>					<b>\$15,600</b>
<b>(d) Acquisition Costs per Owner</b>					
Planning		\$2,000			
Acquisition	6	\$16,000			\$96,000
Appraisal		<u>\$4,000</u>			
Total		\$16,000			
<b>(f) Total Project Cost (Rounded)</b>					<b>\$111,500</b>

Appraiser: James T. Lovelace

Notes:

Permanent Easements are considered tantamount to 100% of the fee simple interest.