

Real Estate Plan

Ste. Genevieve, Missouri General Reevaluation Report

North and South Gabouri Creeks Flood Control Project

Project Description

The Ste. Genevieve, Missouri General Reevaluation Report is a flood control project in the City of Ste. Genevieve, Missouri along the North and South Gabouri Creeks, and the Mississippi River. The selected plan has identified fourteen historic structures that are in need of flood proofing and a recreational multi-use trail. Thirteen of the structures will be flood proofed by having their lower levels (basements and crawl spaces filled with either coarse sand or pea gravel to a level thirty inches below the joist elevations, and the relocation of the structures utilities above the designated flood elevations or otherwise waterproofed. One structure will be elevated above the designated flood elevation. The above described flood proofing will be done on a voluntary basis and will take from thirty to ninety days per structure.

1. Plan Purpose

This Real Estate Plan is in support of the General Reevaluation Report (GRR) for the Ste. Genevieve, Missouri, Flood Control Project, parts 2 and 3. The authorized project being reevaluated is the 1984 Feasibility Report, Ste. Genevieve Flood Control Study. Part 1 of the GRR was construction of a levee that protected the City from flooding of the Mississippi River.

North Gabouri Creek – Flood proofing measures will be available on a voluntary basis for all participating structures that would be damaged by a one percent event, as well as all structures within one foot of being impacted by a one percent event. There are four such impacted structures.

South Gabouri Creek – Flood proofing will be available according to the same criteria as the used for the North Gabouri Creek. There are ten such impacted structures.

Mississippi River Levee – a multi-use recreational trail up to 2.3 miles in length will be constructed on the levee with at least one access point from the City.

2. Lands, Easements and Right of Way needed

All of the fourteen impacted structures are privately owned. Thirteen structures are individually owned and one is jointly owned. Ten of the structures are designated of historic significance. Once the Design Agreement has been approved, the St. Louis District will enter into a Partnership Project Agreement (PPA) with the City of Ste. Genevieve, our non-Federal Sponsor (NFS). After this agreement has been signed and approved by the USACEHQ, the St.

Louis District and the NFS will enter into Flood Proofing Agreements with individual property owners on a strictly voluntary basis. The flood proofing agreement will serve as a consensual restrictive easement to ensure that the flood proofing modifications are not altered, modified, changed, or eliminated and shall be recorded to serve as a restriction on the deed. The exact language of the restriction has yet to be determined, but will be clarified once the exact parameters of the project become established. The agreement will require that each property owner: maintain the structure as altered; allow for inspections by NFS; ensure all permits and licenses are obtained; and hold the government harmless.

The multi-use trail will require approximately 2.78 acres of fee property on the Mississippi River levee. The trail is planned to be constructed on land currently owned by the Non Federal Sponsor previously purchased for the levee project. It is estimated that the NFS will need to acquire 1 acre of fee on the portion of the levee footprint where the NFS currently owns permanent easement.

Estate to be acquired:

Fee

The fee simple title to (the and described in Schedule A) (Tracts Nos. , and), Subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

3. LER owned by the Non Federal Sponsor

All fourteen of the parcels and structures identified for flood proofing are owned by private parties. The Non Federal Sponsor owns the footprint of the levee mostly in fee, but some areas are permanent easement.

4. Non Standard Estates

The Flood Proofing Agreement entered into between the NFS and the homeowner will contain a nonstandard estate. The nonstandard estate will restrict the homeowners, their heirs, and assigns from altering, modifying, changing, or eliminating the flood proofing modifications and shall be recorded to serve as a restriction on the deed.

The nonstandard estate will be written and submitted to the proper approving official and that approval will be secured prior to its inclusion within the Flood Proofing Agreement.

5. Existing Federal Projects

There are no existing Federal projects within the footprint of the proposed flood proofing project area, however the multi-use recreational trail will be added to a federally constructed levee. The Non Federal Sponsor will be eligible for LERRD credit if an additional interest is purchased that was not included in the former federal levee project.

6. Existing Federal lands

There are no Federal lands in the project area.

7. Navigational Servitude

Navigational Servitude is not applicable because the North and South Gabouri Creeks are not navigable waters of the United States.

8. Map of the Project area

A map of the fourteen subject structures can be found in Exhibit A. A draft map has been developed to approximate the acreage to be acquired for the trail, which is also in Exhibit A. A Right of Way map will be prepared once the extent of the voluntary participation in the project is known.

9. Induced Flooding

The Project will cause no induced flooding.

10. Baseline Cost Estimate

Since all construction work will be done through owners contracting with individual contractors there will be no real estate rights acquired for the flood proofing portion of the project. The owners will, in their Agreement with the NFS, agree to a voluntary restrictive covenant, which will be a Non Standard Easement. The Corps real estate office will develop the Agreement and provide to the NFS and the home owners. Incidental administrative costs and Title III payments will be approximately \$1,250 per voluntary participant. If there are tenants in the homes, the cost of their temporary relocation under the Uniform Relocation Act is approximately \$11,250 per tenant. It is estimated that of the 14 homes, 5 are tenant occupied and 9 are owner occupied.

The majority of the trail is planned to be constructed on land currently owned by the Non Federal Sponsor previously purchased for the levee project. The NFS will need to acquire approximately 1 acre of fee in the southern area of the levee that is currently permanent easement. A preliminary cost estimate for the multi-use trail indicates it will cost approximately \$250 per acre to acquire fee in areas that are currently owned by the levee

district in permanent easement. Acquisition costs are estimated to be \$10,000 per land owner. The exact ownership interests are uncertain at this time; they will be determined during the development of the Right-of-Way maps.

Baseline Cost Estimate \$226,000

11. Relocation – PL 91-646

As stated above, flood proofing will be done on a voluntary basis for each of the fourteen parcels. If any of the properties are owner occupied, they will not be considered displaced persons as defined in Uniform Relocation Act, 49 CFR 24, and as such are disqualified from relocation benefits. A survey of occupancy will be made prior to the commencement of the approved program and a determination will be made whether the occupant is an owner or a tenant. If any property is occupied by a tenant, and the property owner participates in the flood proofing program, the tenant will be considered a displaced person and will be entitled to temporary relocation benefits.

12. Mineral Activity

There is no mineral activity in the Project area which would affect the construction, operation, or maintenance of the project.

13. Assessment of the Non Federal Sponsor's Acquisition Capability

The City of Ste. Genevieve, Missouri, is the Non Federal Sponsor for Part I of the Ste. Genevieve Project, which was the construction of a flood protection levee. The flood proofing portion of the project is strictly voluntary and realty rights will not be purchased. The multi-use trail will require acquisition; an assessment of the Non Federal Sponsor's acquisition capability will be performed when the ROW is determined.

14. Zoning Ordinances

There will be no zoning changes or impacts needed for the Project.

15. Land Acquisition Schedule

There will be no land acquisition for the non-structural portion of the project, however there will be some minimal acquisitions for the multi-use trail. A detailed schedule will be developed when the ROW is determined. Normally an estimate of one year is allowed for the sponsor to acquire ROW after the receipt of the ROW maps.

16. Facility or Utility Relocations

It is anticipated that no public facilities or utilities will need to be relocated as a result of this project.

17. Suspected or Known Contaminants

A Phase I HTRW survey of all of the fourteen parcels was completed in March, 2010, and no contaminants or suspected contaminants were found. There will be no excavations done as part of the Project; at this time it is not anticipated additional HTRW investigations will be conducted.

18. Landowner Support or Opposition to the Project

There is no known opposition to the Project from the owners of the fourteen parcels. As the Project will be done on a voluntary basis, opposition is not expected.

19. Risk Notification to the NFS

While the NFS has indicated the capability of performing and participating in this project, there is a need for risk notification to ensure no unnecessary administrative costs are incurred prior to the formal execution of the PPA.

20. Other Real Estate Issues Relevant to the Project

All non-structural actions are project features and the Government maintains contracting oversight for all project features.

I have prepared and thoroughly reviewed this Real Estate Plan and all information required by ER 405-1-12 (16) is contained herein.

9 JUN 2016

Tim Kennedy
Realty Specialist

Date

Ron Silver
Chief, Planning and Acquisition Branch

Date

Exhibit A: Cost Estimate (1 of 2)

STE. GENEVIEVE TRIBUTARIES - FLOOD PROOFING/ELEVATION

City of Ste. Genevieve, Ste. Genevieve County, Missouri

Date of Estimate: 8 June 2016

Acquisition Costs

Review/Oversight per Property	\$1,000	(S. Gabouri)	10	\$1,000	\$10,000
		(N. Gabouri)	4	\$1,000	\$4,000

Relocation Costs

(S. Gabouri)

Temporary Relocation (Tenants) (45 days @ \$250/day = \$11,250 per tenant)			4	\$11,250	\$45,000
Title III Payments @ \$250/owner			10	\$250	\$2,500

(N. Gabouri)

Temporary Relocation (Tenants) (45 days @ \$250/day = \$11,250 per tenant)			1	\$11,250	\$11,250
Title III Payments @ \$250/owner			4	\$250	\$1,000

Total Acquisition and Relocation Costs (Rounded)

\$74,000

Notes:

- 1.) 13 single-family dwellings designated to be floodproofed.
- 2.) 1 single-family dwelling designated to be elevated.
- 3.) Temporary Relocation costs calculated at current federal per diem rates per tenant family.
Typical household make-up: 2 adults, 2 children.

Exhibit A: Cost Estimate (2 of 2)

**STE. GENEVIEVE LEVEE PROJECT
(RECREATION PLAN)**

**LER'S GENERIC COST ESTIMATE
STE. GENEVIEVE COUNTY, MISSOURI**

ESTIMATE OF COSTS (Date of Value - 6 June 2016)

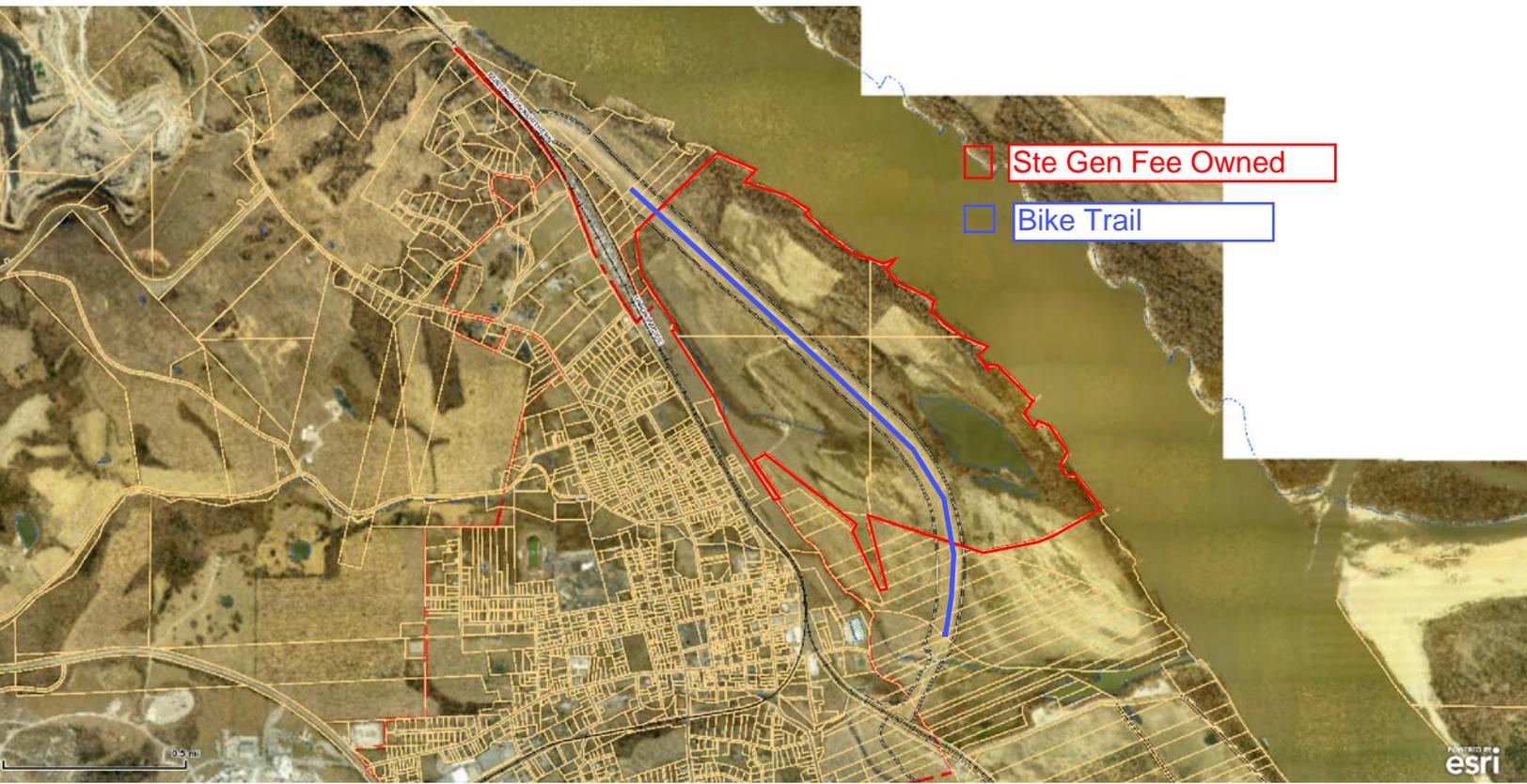
a.) Lands and Damages	<u>Unit (acres)</u>	<u>Unit \$</u>	<u>Total</u>
Fee			
Encumbered (Perm Levee Esmnt)	1	\$4,000 (.05)	\$200
b.) Contingencies 25% (Rounded)			<u>\$50</u>
c.) Total Lands, Easements, and Right-of-Way			\$250
d.) Acquisition Costs	15 owners	\$10,000	\$150,000
Planning		\$2,500	
Acquisition		\$6,500	
Appraisal		<u>\$1,500</u>	
Total		\$10,000	
e.) Relocation Costs	15 owners	\$100	\$1,500
Title III Payments			
f.) Total Non-Federal Project Costs (ROUND)			<u><u>\$152,000</u></u>

Appraiser: James T. Lovelace

Notes:

All fee acquisitions are assumed to be encumbered with Permanent Easements acquired for the construction of the levee. Unit Values are estimated to be 5% of fee value.

Exhibit B: Map (1 of 3)



Fri Jun 3 2016 08:22:19 AM.

*per the city administrator, Martin Toma, the city owns the red area in fee. The parts of the levee that cross the long, narrow parcels are owned by the city in permanent easement.

