

---

# **Akun Harbor Navigation Improvement Akutan Tribal Partnership Feasibility Study Appendix F: Draft Real Estate Plan Akutan Island, Alaska**



**June 2023**



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

## TABLE OF CONTENTS

1.0 Purpose:	1
2.0 Authority:	1
3.0 Project Location and Description:	2
4.0 RECOMMENDED PLAN:	2
5.0 Description of LERR Required:	5
6.0 LERRD Already Owned by the NFS:	6
7.0 Recommended Estates	6
8.0 Existing Federal Projects:	7
9.0 Federally Owned Lands:	7
10.0 Navigation Servitude:	7
11.0 Flooding Induced by Project:	7
12.0 Baseline Cost Estimate on Acquisition of LERR (BCERE):	8
13.0 Utilities & Facilities Relocation:	9
14.0 Relocation Assistance Benefits (P.L. 91-646):	10
15.0 Hazardous, Toxic, and Radiological Waste (HTRW) Impacts:	10
16.0 Mineral Activity Impacted Present/Future:	10
17.0 Project Map:	10
18.0 Assessment of NFS Real Estate Acquisition Capability	11
19.0 Advance Acquisition:	11
20.0 Zoning Ordinances Considered in Support of LERR Requirements	11
21.0 Schedule:	12
22.0 Cultural Resources:	12
23.0 Mitigation:	12
24.0 Views of Federal, State and Regional Agencies:	12
25.0 Landowners Opposition:	13
26.0 Other Real Estate Issues:	13
SCHEDULE A	14

## LIST OF TABLES

Table 1. LERRD Required	5
Table 2. Baseline Cost Estimate for Real Estate (BCERE)	8
Table 3, Chart of Accounts	9
Table 4. Project Schedule	12
Table 5. Upland Real Estate Requirements	<b>Error! Bookmark not defined.</b>

**LIST OF FIGURES**

Figure 1. Project Vicinity Map - Akun Island, East Aleutian Borough ..... 2  
Figure 2, Screened Locations ..... 3  
Figure 3, Harbor South of Unnamed Point (with blasting) ..... 4  
Figure 4 Upland GNF ..... **Error! Bookmark not defined.**

**LIST OF EXHIBITS**

EXHIBIT A, NFS Acquisition Capability – Native Village of Akutan ..... 15  
EXHIBIT B, NFS Acquisition Capability – Aleutians East Borough ..... 17  
EXHIBIT C. REAL ESTATE MAP ..... 19  
Exhibit D. Real Estate Risk Checklist ..... 20

**Akun Harbor Navigation  
Improvement Akutan Tribal Partnership Feasibility Study  
Appendix F: Real Estate Plan**

**1.0 PURPOSE:**

This Real Estate Plan (REP) will be appended to the Feasibility Report for the Akutan Harbor Navigational Improvements Study – Section 203 of the Water Resources Development Act of 2000, Akutan, Alaska. The study is examining options for transporting people and freight between the City of Akutan and the the Akutan airport, located seven miles away on Akun Island. The present mode of transport is by helicopter. The study is examining options, such as building a protected landing on Akun for use by a water taxi/ferry, to obtain a more practicable solution.

The primary purpose for this REP is to (1) identify and describe the real estate requirements for the lands, easements, rights-of-way, relocations and disposal areas (LERRD) for construction, operation and maintenance of the proposed navigational improvements and project elements described in the Feasibility Cost Sharing Agreement (FCSA); (2) outline the costs and real estate considerations associated for the proposed alternatives; and (3) assess the non-Federal Sponsor's (NFS) capabilities for LERRD acquisition. The REP is tentative in nature, it is for planning purposes only, and both the final real property acquisition lines and the real estate cost estimates provided are subject to change even after approval of the feasibility study.

The NFS's are the Native Village of Akutan (Tribe) and the Aleutians East Borough (AEB). The Native Village of Akutan is a Federally recognized tribe. The AEB is a 2nd class borough in the state of Alaska.

**2.0 AUTHORITY:**

This study is being pursued via Section 203 of WRDA 2000, as amended by Section 1031(a) of the Water Resources Reform and Development Act (WRRDA) 2014, and Section 1121 of the Water Infrastructure Improvements for the Nation Act of 2016 (WIIN/WRDA 2016), which provide authority for the Corps in cooperation with Indian tribes and heads of other Federal agencies to carry out the Tribal Partnership Program, consisting of water-related planning activities, and activities related to the study, design, and construction of water resources development projects, that substantially benefit federally-recognized Indian Tribes and that are located primarily within Indian country or in proximity to Alaska Native Villages.

The NFS's are to provide all LERR required for the project, with the cost of these real estate interests, along with any incidental administrative expenses in obtaining the LERRD for the General Navigation Feature (GNF).

**Akun Harbor Navigation  
Improvement Akutan Tribal Partnership Feasibility Study  
Appendix F: Real Estate Plan**

**3.0 PROJECT LOCATION AND DESCRIPTION:**

The project area is within the City of Akutan limits between the City of Akutan and Akun Island, the location of the Akutan Airport (Figure 1). Akutan is a city on the north shore of Akutan Harbor, a large bay within Akutan Island, which is one of the Krenitzin Islands in the Fox Island group of the Eastern Aleutians. The City of Akutan is located within the Aleutians East Borough (Borough) of the Aleutian Islands in Alaska, United States, and contains areas of both Akutan and Akun Islands. A harbor is located at the head of Akutan Harbor and is locally referred to as Akutan Harbor as well (Figure 1). The Fox Islands subgroup is the easternmost subgroup and the one closest to mainland North America in the Aleutian chain. Akun Island has a land area of 64 square miles. The Akutan Airport and nearby land features are shown in Figure 1.

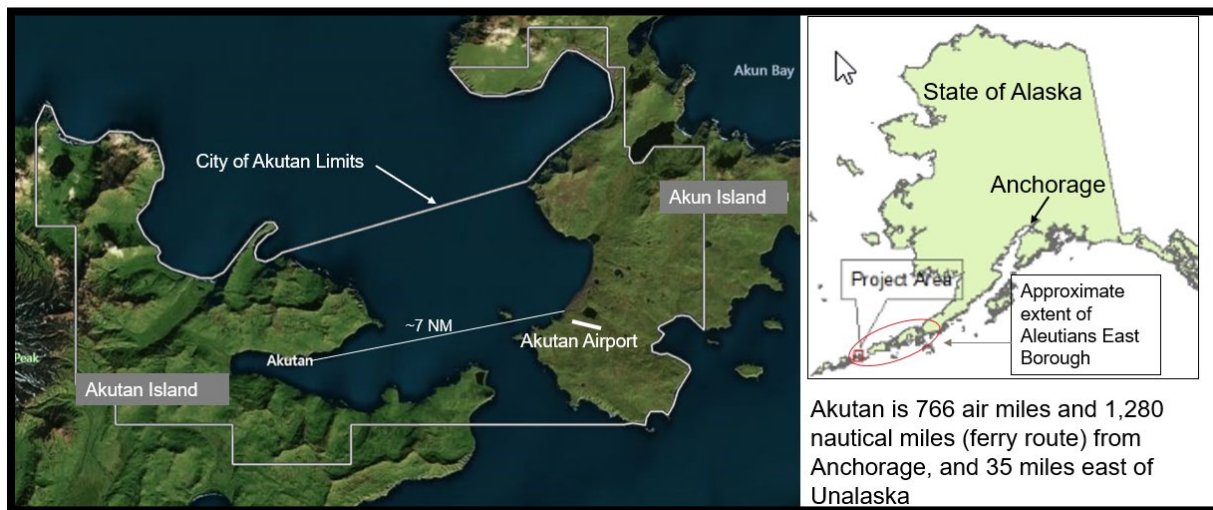


Figure 1. Project Vicinity Map - Akun Island, East Aleutian Borough

The village is not accessible by a road system and can only be accessed by boat, plane, dog team, or snowmachine during the winter season. The objective of this feasibility study is to provide the community with safe, reliable, and efficient waterborne transportation for the movement of commerce, subsistence, and recreation to support the long-term viability of the community.

**4.0 RECOMMENDED PLAN:**

For this study, prior to developing alternative plans, and measures, potential harbor and/or berthing locations needed to be identified for a shuttle vessel that would be transporting passengers back and forth from Akun and Akutan islands. Potential harbor locations on the west side of Akun Island and near the City of Akutan were identified during the charette as well a variety of measures. Nine potential harbor locations,

**Akun Harbor Navigation  
Improvement Akutan Tribal Partnership Feasibility Study  
Appendix F: Real Estate Plan**

labeled “A” through “I”, were identified on the west side of Akun Island as shown on Figure 2. The recommended plan is identified as the Harbor South of Unnamed Point (with blasting) as shown in Figure 3.



Figure 2, Screened Locations

Existing conditions in Akutan will remain the same without the development of navigation improvements. The current transportation method (helicopter) between the Akutan Airport on Akun Island and the City of Akutan will be expensive and inefficient. Residents of Akutan would continue to experience reliability concerns for airline passengers, medical supplies, and freight connecting the harbor areas with the existing pad to the south of the hotel within the Aleut Corps lands maybe the city.

**Akun Harbor Navigation  
Improvement Akutan Tribal Partnership Feasibility Study  
Appendix F: Real Estate Plan**

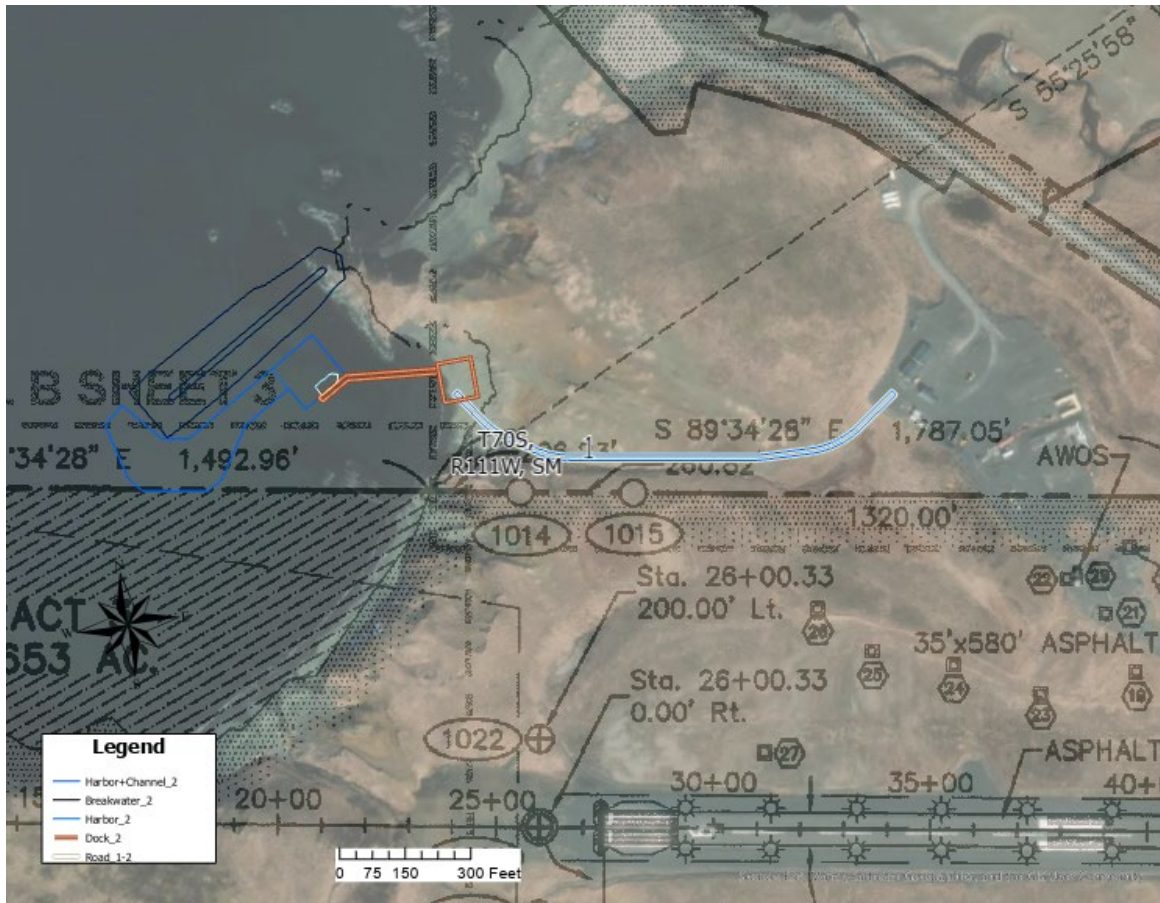


Figure 3, Harbor South of Unnamed Point (with blasting)

The harbor would be sized to accommodate a design vessel with a length of 58 feet and a draft of 8 feet. The 450-foot-long rubble mound breakwater would protect a 120-foot by 120-foot turning basin. Both the entrance channel and turning basin would have a dredge depth of -13.0 feet. It is anticipated that blasting would be required for the turning basin or entrance channel in this location. The entrance channel would have a minimum width of 60 feet to a maximum width of 120 feet when turning around the nose of the breakwater. Local service facilities required would include a 290 foot long by 12-foot-wide pile-supported dock, 60 foot by 40-foot mooring basin with mooring dolphins within the State of Alaska waters, uplands with an area of approximately 0.15 acres for loading/unloading freight from dock, and a 1,100 foot long by 12-foot-wide road connecting the harbor areas with the existing pad to the south of the hotel within the Aleut Corps lands maybe the city.

**Akun Harbor Navigation  
Improvement Akutan Tribal Partnership Feasibility Study  
Appendix F: Real Estate Plan**

**5.0 DESCRIPTION OF LERR REQUIRED:**

The NFS will negotiate to secure and acquire all necessary real estate interest for uplands.

Table 1. LERRD Required

Tract No	Features	Acres	Landowner	Estate Required	Value
1	Channel	1.08	State of Alaska	Navigation Servitude	NA
2	Harbor	0.30	State of Alaska	Navigation Servitude	NA
3	Breakwater	1.51	State of Alaska	Navigation Servitude	NA
4	Breakwater	0.07	City of Akutan	Standard Estate #8	TBA
5	Breakwater	0.07	State of Alaska	Navigation Servitude	NA
6	Access Road	0.45	City of Akutan	Standard Estate #11	TBD
7	Laydown Yard	0.69 within area	City of Akutan	Standard Estate #15	TBD
8	Upland Dredge Placement	0.45 1.43	City of Akutan	Standard Estate #15	TBD

The NFS will negotiate to secure and acquire all necessary real estate interest for uplands. The construction of the harbor, laydown yard and dredge placement will require access to and from the uplands, identified in Table 1, and Exhibit C. The LERRD cost for these upland features have not been determined.

The non-Federal sponsor for the project will be providing any creditable LERRD, which includes the only LERRD provided for the construction of GNFs as the only cost-shared features of the project

The Government’s dominant right of navigation servitude will be exercised for project tidelands below the mean high water (MHW) mark for the GNF, identified in Tables 1, and Exhibit C.



**Akun Harbor Navigation  
Improvement Akutan Tribal Partnership Feasibility Study  
Appendix F: Real Estate Plan**

**6.0 LERRD ALREADY OWNED BY THE NFS:**

The NFSs do not own any of the land needed for the project.

**7.0 RECOMMENDED ESTATES**

**#8. CHANNEL IMPROVEMENT EASEMENT.**

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) (Tracts Nos. \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_) 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.

**#11. 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.

**#15. TEMPORARY WORK AREA EASEMENT.**

A temporary easement and right-of-way in, on, over and across (the land described in Schedule A) (Tracts Nos. \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_), for a period not to exceed \_\_\_\_\_, 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 (borrow area) (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 \_\_\_\_\_ Project, together.

**Akun Harbor Navigation  
Improvement Akutan Tribal Partnership Feasibility Study  
Appendix F: Real Estate Plan**

**8.0 EXISTING FEDERAL PROJECTS:**

There are no other existing Federal projects that lie fully or partially within the LERR required for this Project.

**9.0 FEDERALLY OWNED LANDS:**

There is no other existing federal project that lies fully or partially within the LERR required for this project.

**10.0 NAVIGATION SERVITUDE:**

The navigation servitude is the dominant right of the Government under the Commerce Clause of the U.S. Constitution (U.S. CONST. Art. I, §8, cl.3) to use, control and regulate the navigable waters of the United States and the submerged lands hereunder for various commerce-related purposes including navigation and flood control. In tidal areas, the servitude extends to all lands below the MHW mark. In non-tidal areas, the servitude extends to all lands within the bed and banks of a navigable stream that lie below the MHW mark.

United States v. Cress, 243 U.S. 316, 37 S. Ct. 380, 61 L. Ed. 746 (1917),

Kaiser Aetna v. the United States, 444 U.S. 164, 100 S. Ct. 383, 62 L.Ed.2d 332 (1979).

The Government's rights under the navigation servitude exist irrespective of the ownership of the banks and bed of a stream below the Mean Higher Water (MHW) mark and irrespective of western water rights under prior appropriation doctrine. As stated in Section 4 herein, the Federal Government can exercise its right of navigational servitude hereunder for the construction and maintenance improvements being proposed. In addition, USACE will follow the proper permitting process for excavating and/or disposing of material in navigable waters as required under Section 10 of the River and Harbor Act of 1899. Navigation servitude is being applied to this project.

**11.0 FLOODING INDUCED BY PROJECT:**

No flooding will be induced by the construction or the operation and maintenance of the proposed project. As such, no Physical Takings Analysis is required.

**Akun Harbor Navigation  
Improvement Akutan Tribal Partnership Feasibility Study  
Appendix F: Real Estate Plan**

**12.0 BASELINE COST ESTIMATE ON ACQUISITION OF LERR (BCERE):**

Baseline Cost Estimates for Real Estate (BCERE) was prepared by the realty specialist as a rough order of magnitude (ROM) estimate, as shown in Table 2, BCERE. The Federal and non-Federal administrative costs have also been included in the BCERE to account for project coordination, crediting, and miscellaneous expenses that may occur during the planning or implementation of the proposed project. The BCERE for LERR credit estimated is \$7625 for the GNF.

The BCERE may be revisited during the Project Engineering & Design (PED) phase to apply additional costs if necessary. If land acquisition by the NFS is deemed necessary in the future, additional appraisals will be prepared to offer reasonable support for unit land values, which will, in turn, be used in calculating the BCERE for the proposed project.

Table 2. Baseline Cost Estimate for Real Estate (BCERE)

CATEGORY	COST
<b>Lands</b>	
Lands	\$2,500
Improvements	\$0
Severance Damages	\$0
Minerals	\$0
Total Lands & Damages	\$2,500
<b>Administrative Costs</b>	
Federal Review of non-Federal sponsor	\$2,600
Sub-Total:	\$5,100
Contingency (25%)	\$1,275
Sub-Total	\$6,375
<b>Non-Federal Sponsor Administrative Costs</b>	1000
Sub-Total:	\$1,000
Contingency (25%)	\$250
Sub-Total	\$1,250
<b>Public Law 91-646 Relocation Costs</b>	\$0
Total RE Cost Estimate:	\$7,625

**Akun Harbor Navigation  
Improvement Akutan Tribal Partnership Feasibility Study  
Appendix F: Real Estate Plan**

Table 3, Chart of Accounts

Project: Akutan Harbor Navigation Improvement						
Location: Akutan Alaska (Akun Island)						
DESCRIPTION		LERR	CONT.		NON-LERR	CONT.
1 - Land & Damages						
Construction Contracts Documents		\$1000	250		\$500	\$125
Real Estate Planning Documents						
	Planning by Non-Federal Sponsor	\$1000	250			
	Review of Non-Federal Sponsor				\$1000	\$250
Real Estate Acquisition Documents						
	Acquisitions by Sponsor	\$500	125			
	Review of Sponsor				\$100	\$25
Real Estate Appraisal Documents						
	Appraisal by Sponsor					
	Review of Sponsor					
Real Estate LERRD Credit Documents		\$1000	250		\$1000	\$250
<b>Total Admin &amp; payment</b>		0				
<b>Total contingencies</b>			0			
<b>Total LERRD + Contingencies</b>		\$3500	\$875		\$2600	\$650
<b>PROJECT GRAND TOTAL</b>						\$7625
Any potential cost estimate for Federal and/or non-Federal real estate activities necessary for the implementation of the project after completion of the feasibility study for land acquisition, construction, LERRs, and other items are coded as delineated in the Cost Work Breakdown Structure. They are identified in the Chart of Accounts. The real estate cost estimate is then incorporated into the Total Current Working Estimate						

\*Values in the Baseline Cost Estimate are estimates and not a final LERR value for crediting purposes.

**13.0 UTILITIES & FACILITIES RELOCATION:**

There are no known utilities or facilities requiring relocation that are impacted by the proposed project footprint.

**Akun Harbor Navigation  
Improvement Akutan Tribal Partnership Feasibility Study  
Appendix F: Real Estate Plan**

**14.0 RELOCATION ASSISTANCE BENEFITS (P.L. 91-646):**

Public Law 91-646, Uniform Relocation Assistance provides an entitlement for various payments associated with Federal participation in the acquisition of real property. Title II makes provision for relocation expenses for displaced persons, and Title III provides for reimbursement of certain expenses incidental to the transfer of property. There will be no relocations required for this project. As such, no Title II or Title III costs are associated or identified herein.

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 LERR RESPONSIBILITIES IS PRELIMINARY ONLY. THE GOVERNMENT WILL MAKE A FINAL DETERMINATION OF THE RELOCATIONS NECESSARY FOR THE CONSTRUCTION, OPERATION, OR MAINTENANCE OF THE PROJECT AFTER FURTHER ANALYSIS AND COMPLETION AND APPROVAL OF FINAL ATTORNEY'S OPINIONS OF COMPENSABILITY FOR EACH OF THE IMPACTED UTILITIES AND FACILITIES.

**15.0 HAZARDOUS, TOXIC, AND RADIOLOGICAL WASTE (HTRW) IMPACTS:**

There is no real estate avoidance is anticipated due to known or suspected HTRW located in, on, under, or adjacent to the LERR required for the construction, operation, or maintenance of the project, including LERR that is subject to navigational servitude. The project will not impact any HTRW sites.

**16.0 MINERAL ACTIVITY IMPACTED PRESENT/FUTURE:**

There is no current or anticipated mineral or timber activities within the vicinity of the proposed project that will affect the construction, operation, or maintenance of the proposed project. Nor will any subsurface minerals or timber harvesting take place within the project.

**17.0 PROJECT MAP:**

The Project Map is enclosed as Exhibit C.

**Akun Harbor Navigation  
Improvement Akutan Tribal Partnership Feasibility Study  
Appendix F: Real Estate Plan**

**18.0 ASSESSMENT OF NFS REAL ESTATE ACQUISITION  
CAPABILITY**

The NFS together fully capable sponsors for acquiring the required lands, easements, and rights-of-way (See Exhibits A and B - Sponsor Real Estate Acquisition Capability Assessment). The non-Federal sponsor Points of Contact are:

Robin Stepetin  
Tribal Administrator  
Native Village of Akutan  
P.O. Box 89  
Akutan, Alaska 99553-0089

Anne Bailey  
Borough Administrator  
Aleutians East Borough  
3380 C Street, Suite 205  
Anchorage, Alaska 99503

**19.0 ADVANCE ACQUISITION:**

The non-Federal sponsors have been notified in writing about the risks associated with acquiring land before the execution of the PPA and the Government's formal notice to proceed with acquisition of the lands needed for the project.

**20.0 ZONING ORDINANCES CONSIDERED IN SUPPORT OF LERR  
REQUIREMENTS**

No zoning ordinances are proposed in lieu of, or to facilitate acquisition in connection with the project.

**Akun Harbor Navigation  
Improvement Akutan Tribal Partnership Feasibility Study  
Appendix F: Real Estate Plan**

**21.0 SCHEDULE:**

The anticipated project schedule, unless revised after coordination with the non-Federal sponsor, as shown in 8.

Table 4. Project Schedule

Task	Start
NFS – Receipt of the final real estate drawing from the Alaska District, Engineers.	2-4 weeks after PPA execution.
COE – Formal transmission of right of way drawing and instructions to acquire LERR.	4-6 weeks after PPA execution.
COE/NFS – Certify all necessary LERR available for construction.	6-24 months after PPA execution.
COE – Certifies/verifies the NFS has acquired the real interest required and sufficiency for contract advertisement, etc.	Prior to contracting.
NFS – Prepare and submit credit requests.	6-8 months upon completion of project.
COE – Review/approve or deny credit requests.	6 months of NFS submission

**22.0 CULTURAL RESOURCES:**

The USACE anticipates that the proposed project will have adverse effects on historic properties under Section 106 of the National Historic Preservation Act (36 CFR § 800.5(b)). The Alaska State Historic Preservation Officer (SHPO) and interested parties will be consulted. The proposed project will likely alter or lead to the alteration of important attributes of cultural resources. The adverse effect to historic properties associated with the Akutan/Akun project is not a Real Estate concern because the adverse effect is associated with LSF, not GNF.

**23.0 MITIGATION:**

No mitigation features will not have any real estate implications.

**24.0 VIEWS OF FEDERAL, STATE AND REGIONAL AGENCIES:**

This project is supported by Federal, State, and regional agencies. The USACE has met with representatives of the NFS and other pertinent parties to discuss aspects of the proposed action. Further coordination will be ongoing. In compliance with the National Environmental Policy Act (NEPA) rules/regulations, letters will be sent to resource

**Akun Harbor Navigation  
Improvement Akutan Tribal Partnership Feasibility Study  
Appendix F: Real Estate Plan**

agencies and residents in the area; public notices will transpire within the project vicinity.

**25.0 LANDOWNERS OPPOSITION:**

Public meetings have been conducted with the USACE, NFS, the, the principal landowner for adjacent project lands, and village residents. The residents of Akutan are generally in favor of the project. Further coordination will be ongoing between USACE, NFS, City, State and Federal resource agencies, Native Corporation, and residents of the area.

**26.0 OTHER REAL ESTATE ISSUES:**

The NFS' have been advised of P.L. 91-646 requirements; and they have been advised of the requirements for documenting expenses for LERR crediting purposes.

**Prepared By:**

**Reviewed and Approved By:**

---

RONALD J. GREEN  
Realty Specialist

---

BRINDA L. HAZARD  
Acting Chief, Real Estate Division



**Akun Harbor Navigation  
Improvement Akutan Tribal Partnership Feasibility Study  
Appendix F: Real Estate Plan**

**SCHEDULE A**

<b>Tract ID</b>	<b>Parcel Description</b>	<b>Acres</b>	<b>GNF Feature</b>	<b>Estate Required</b>
4	A portion of Section 1, Township 70 South, Range 111 West Seward Meridian, between Tract 2 and Tract 1, of Plat 2017-7 Aleutian Island Recording District	0.073	Breakwater Upland	Estate #8
6	A portion of Section 1, Township 70 South, Range 111 West Seward Meridian, between Tract 2 and Tract 1, of Plat 2017-7 Aleutian Island Recording District	0.45	Access Road	Estate #11
7	A portion of Section 1, Township 70 South, Range 111 West Seward Meridian, between Tract 2 and Tract 1, of Plat 2017-7 Aleutian Island Recording District	0.69	Laydown Yard	Estate #15
8	A portion of Section 1, Township 70 South, Range 111 West Seward Meridian, between Tract 2 and Tract 1, of Plat 2017-7 Aleutian Island Recording District	1.43	Upland Dredge Placement Site	Estate #15

**Akun Harbor Navigation  
Improvement Akutan Tribal Partnership Feasibility Study  
Appendix F: Real Estate Plan**

**ASSESSMENT OF NON-FEDERAL SPONSOR'S  
REAL ESTATE ACQUISITION CAPABILITY  
NATIVE VILLAGE OF AKUTAN (TRIBE)  
AKUTAN, ALASKA**

1. **LEGAL AUTHORITY:**
  - a. Does the sponsor have legal authority to acquire and hold title to real property for project purposes? YES  NO
  - b. Does the sponsor have the power of eminent domain for this project? YES  NO
  - c. Does the sponsor have "Quick-Take" authority for this project? YES  NO
  - d. Are any of the lands/interests in land required for this project located outside the sponsor's political boundary? YES  NO
  - e. Are any of the lands/interests in land required for this project owned by an entity whose property the sponsor cannot condemn? YES  NO
2. **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? YES  NO
  - b. If the answer to 2a is "YES" has a reasonable plan been developed to provide such training? YES  NO
  - c. Does the sponsor's in-house staff have sufficient real estate acquisition experience to meet its responsibilities for the project? YES  NO
  - d. Is the sponsor's projected in-house staffing level sufficient considering its other work load, if any, and the project schedule? YES  NO
  - e. Can the sponsor obtain contractor support, if required in a timely fashion? YES  NO
  - f. Will the sponsor likely request USACE assistance in acquiring real estate? YES  NO
3. **OTHER PROJECT VAIRABLES:**
  - a. Will the sponsor's staff be located within reasonable proximity to the project site? YES  NO

EXHIBIT A, NFS Acquisition Capability – Native Village of Akutan

**Akun Harbor Navigation  
Improvement Akutan Tribal Partnership Feasibility Study  
Appendix F: Real Estate Plan**

b. Has the sponsor approved the project/real estate schedule/milestones?  
YES \_\_\_\_\_ NO X

4. **OVERALL ASSESSMENT:**

a. Has the sponsor performed satisfactorily on other USACE projects? N/A  
YES \_\_\_\_\_ NO \_\_\_\_\_

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

HIGHLY CAPABLE \_\_\_\_\_ FULLY CAPABLE X  
MODERATELY CAPABLE \_\_\_\_\_ MARGINALLY CAPABLE \_\_\_\_\_  
INSUFFICIENTLY CAPABLE \_\_\_\_\_

**Justification for Insufficient Capability:**

5. **COORDINATION:**

a. Has this assessment been coordinated with the sponsor?  
YES \_\_\_\_\_ NO X

b. Does the sponsor concur with this assessment?  
YES X NO \_\_\_\_\_

**Justification for Sponsor Non-concurrence:**

**SPONSOR:** Native Village of Akutan

  
(Signature)

Robin Stappeth, Tribal Administrator  
(Printed Name and Title)

**REPAIRED BY:**

GREEN, RONALD J. Digitally signed by GREEN, RONALD J. DN: cn=RONALD J. GREEN, o=AKUTAN TRIBAL PARTNERSHIP, ou=AKUTAN TRIBAL PARTNERSHIP, email=ronald.j.green@akutantribalpartnership.gov  
ATHAN.1202579147 Date: 2023.06.19 15:54:27 -0800

RONALD J. GREEN  
Realty Specialist

**REVIEWED AND APPROVED BY:**

HAZARD, BRINDA L. Digitally signed by HAZARD, BRINDA L. DN: cn=BRINDA L. HAZARD, o=AKUTAN TRIBAL PARTNERSHIP, ou=AKUTAN TRIBAL PARTNERSHIP, email=brinda.l.hazard@akutantribalpartnership.gov  
LEE.1177416700 Date: 2023.05.29 06:47:17 -0800

BRINDA L. HAZARD  
Chief, Real Estate Branch

**Akun Harbor Navigation  
Improvement Akutan Tribal Partnership Feasibility Study  
Appendix F: Real Estate Plan**

**ASSESSMENT OF NON-FEDERAL SPONSOR'S  
REAL ESTATE ACQUISITION CAPABILITY  
ALEUTIANS EAST BOROUGH  
AKUTAN, ALASKA**

1. **LEGAL AUTHORITY:**
  - a. Does the sponsor have legal authority to acquire and hold title to real property for project purposes? YES  X  NO  \_\_\_\_\_
  - b. Does the sponsor have the power of eminent domain for this project? YES  X  NO  \_\_\_\_\_
  - c. Does the sponsor have "Quick-Take" authority for this project? YES  \_\_\_\_\_  NO  X
  - d. Are any of the lands/interests in land required for this project located outside the sponsor's political boundary? YES  \_\_\_\_\_  NO  X
  - e. Are any of the lands/interests in land required for this project owned by an entity whose property the sponsor cannot condemn? YES  \_\_\_\_\_  NO  X
2. **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? YES  \_\_\_\_\_  NO  X
  - b. If the answer to 2a is "YES" has a reasonable plan been developed to provide such training? YES  \_\_\_\_\_  NO  X
  - c. Does the sponsor's in-house staff have sufficient real estate acquisition experience to meet its responsibilities for the project? YES  X  NO  \_\_\_\_\_
  - d. Is the sponsor's projected in-house staffing level sufficient considering its other work load, if any, and the project schedule? YES  X  NO  \_\_\_\_\_
  - e. Can the sponsor obtain contractor support, if required in a timely fashion? YES  X  NO  \_\_\_\_\_
  - f. Will the sponsor likely request USACE assistance in acquiring real estate? YES  \_\_\_\_\_  NO  X
3. **OTHER PROJECT VAIABLES:**
  - a. Will the sponsor's staff be located within reasonable proximity to the project site? YES  \_\_\_\_\_  NO  X

EXHIBIT B, NFS Acquisition Capability – Aleutians East Borough

**Akun Harbor Navigation  
Improvement Akutan Tribal Partnership Feasibility Study  
Appendix F: Real Estate Plan**

b. Has the sponsor approved the project/real estate schedule/milestones?  
YES  X  NO

4. **OVERALL ASSESSMENT:**

a. Has the sponsor performed satisfactorily on other USACE projects?  
YES  X  NO

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

HIGHLY CAPABLE   FULLY CAPABLE  X   
MODERATELY CAPABLE   MARGINALLY CAPABLE    
INSUFFICIENTLY CAPABLE

**Justification for Insufficient Capability:**

5. **COORDINATION:**

a. Has this assessment been coordinated with the sponsor?  
YES  X  NO

b. Does the sponsor concur with this assessment?  
YES  X  NO

**Justification for Sponsor Non-concurrence:**

**SPONSOR: ALEUTIANS EAST BOROUGH**

  
(Signature)

Anne Bailey, Administrator  
(Printed Name and Title)

**PREPARED BY:**

GREEN. RONALD.JON Digitally signed by  
GREEN. RONALD.JONATHAN.12025  
79147  
Date: 2023.05.17 14:08:27 -0800  
ATHAN.1202579147

RONALD J. GREEN  
Realty Specialist

**REVIEWED AND APPROVED BY:**

HAZARD.BRINDA.LEE Digitally signed by  
HAZARD.BRINDA.LEE.1177416700  
Date: 2023.05.18 08:13:18 -0800  
LEE.1177416700

BRINDA L. Hazard  
Chief, Real Estate Branch

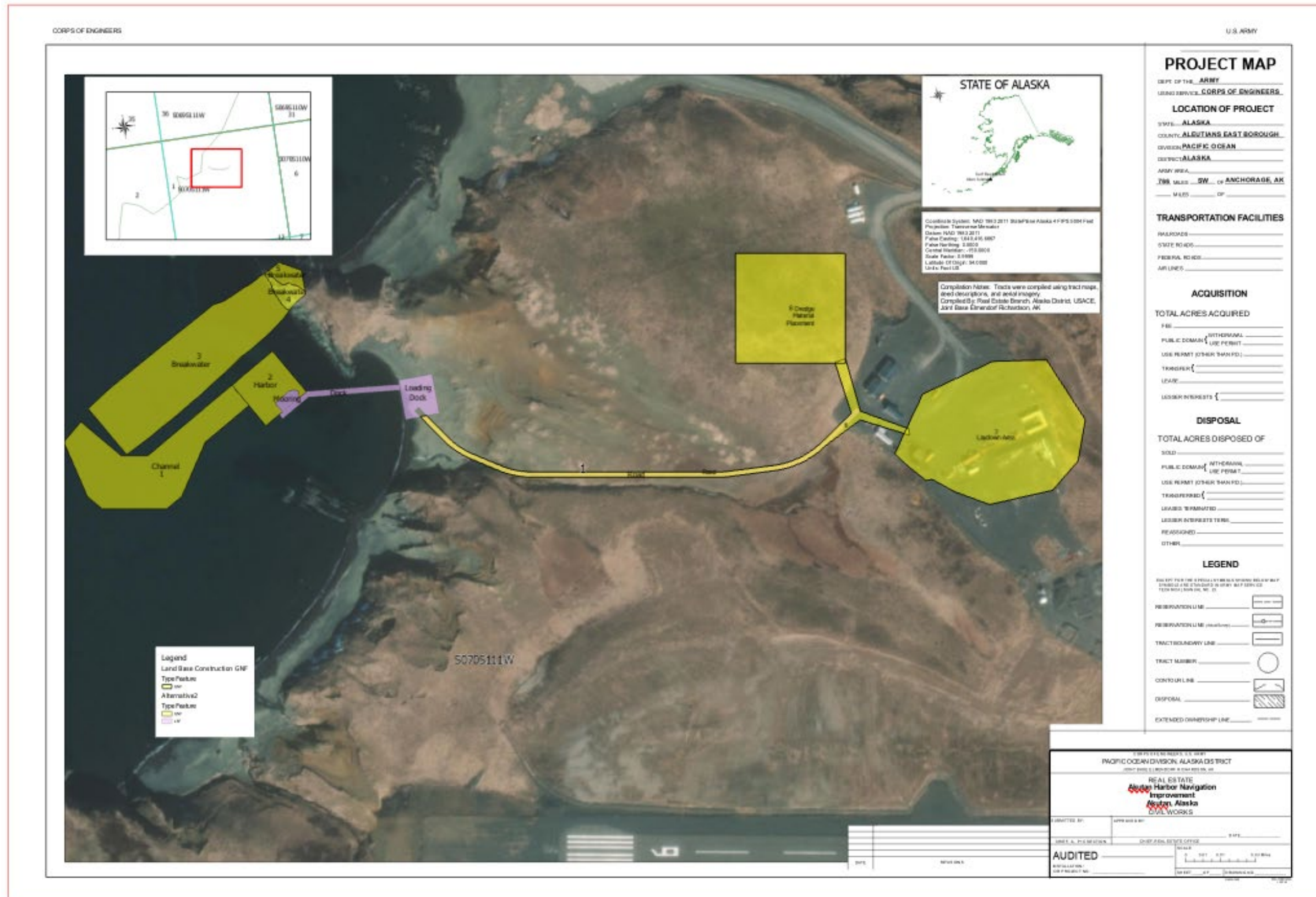


EXHIBIT C. REAL ESTATE MAP

## Exhibit D. Real Estate Risk Checklist

(Risk: Any issue that could cause a cost or schedule variance)

### **Project Management Risks impacting Real Estate**

- Project scope definition unclear, impacting real estate needs – Have not determine if construction should be from barges or land base. low risk.
- Project schedule in question (accelerated or protracted) – Low Risk
- Project competing with other projects for funding and resources – Low Risk
- Inexperienced or inadequate staff assigned – Low Risk

### **Technical Design Risks impacting Real Estate**

- Land Surveys late, unclear, in question – Yes, low risk
- Sufficiency/availability of as-built data/base map data – Data made available & sufficient
- Borrow/fill sources identified/secured – Not Applicable to this project
- Sufficiency/condition of borrow / fill sites – Not Applicable to this project
- Project Access has been defined and located – Project is considering access to the project area from the uplands, which would require a laydown yard, dredge material placement area and access road. Have not determine if construction should be from barges or land base. low risk.
- Locations for Plants /Equipment /Staging – Yes, low-risk b/c on barges and land base staging

### **Regulatory and Environmental Risks impacting Real Estate**

- Historical/Cultural site, endangered species, or wetlands present – Low Risk
- Hazardous waste preliminary site investigation required – Low Risk

**Akun Harbor Navigation  
Improvement Akutan Tribal Partnership Feasibility Study  
Appendix F: Real Estate Plan**

- Mitigation requirements clear – Current mitigation only affects the LSF - Low Risk

**External Risks impacting Real Estate**

- Adequacy of project funding (incremental or full funding) – Low Risk
- Local communities' support/opposition – Low Risk
- Political factors change at local, state or federal – Low Risk
- Late surprises, Scope changes – Low Risk
- New stakeholders emerge and demand new work – Low Risk
- Influential stakeholders request additional needs to serve other purposes – Low Risk
- Political opposition/threat of lawsuits – Low Risk

**Lands and Damages – Real Estate**

- Real Estate plan defined / Study definition – Have not determine if construction should be from barges or land base. low risk.
- Status of real estate/easement acquisition – Low Risk,
- Age of real estate estimate/potential to change over time – Low Risk
- Potential uneconomic remnants; – Low Risk
- Hidden or unforeseen aspects of property and improvements due to the inability to physically inspect the project; – Low Risk
- Potential development pressures in the immediate area; – Not Applicable to this project
- Potential zoning changes; negotiation latitude beyond estimated market value; – Not Applicable to this project.
- Potential for condemnation awards and interest; and potential natural resources within the project area – Low Risk



**Akun Harbor Navigation  
Improvement Akutan Tribal Partnership Feasibility Study  
Appendix F: Real Estate Plan**

- Objections to right-of-way appraisal – Low Risk
- Ancillary owner rights, ownerships in question – Not Applicable to this project
- Other Agency Involvements (freeway, city, railroad, navigation) – Not Applicable to this project
- Relocations adequately identified – Not Applicable to this project
- Relocations may not happen in time – Not Applicable to this project
- Records / as-built availability / inaccuracies – Low Risk
- Known and unknown utility impacts – Low Risk
- Vagrancy, loitering issues – Not Applicable to this project
- Quality of L&D estimates as “most likely” case – Low Risk
- Appraisal confidence with the volatile market over time – – Appraisal by landowner being done. Few comparisons available. Low Risk
- Estimate already includes certain contingencies / Incremental Costs Low Risk

**RISK SUMMARY**

Based on the above Risk Checklist, the above risk was summarized in Project Risk Register. Real estate defers to the 25% contingency for the administrative expenses detailed in the Baseline Estimate for Real Estate (BCERE). Cost and schedule impacts of the mentioned Real Estate concerns are captured in the contingency of the costs. Potential risks/opportunities have been addressed.

The accompanying REP makes the following key assumptions based on the current project scope: 1) a permanent easement is needed for the Breakwater. The team is considering construction land base, which require cost estimation for acquiring land for laydown yard, dredge placement area, and access road for GNF. 2) No facility/utility relocations will be required for the proposed navigation project.