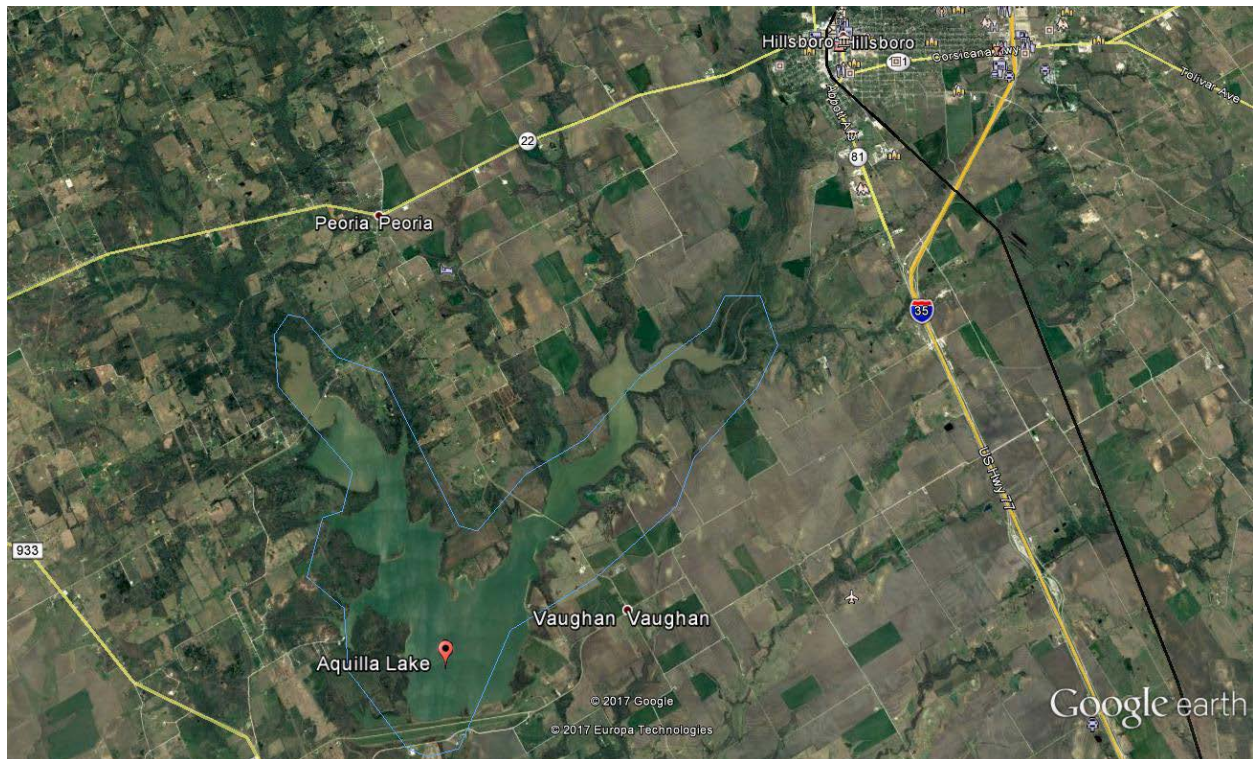


Appendix C - Real Estate Plan
Middle Brazos Systems Assessment
Phase II: Aquilla Water Supply Reallocation Report
and
Environmental Assessment
Aquilla Lake
Hill County, Texas

Purpose: This Real Estate Plan is developed in accordance with ER 405-1-12, Chapter 12, Section 12-16 dated 1 May 1998 as support for the Middle Brazos Systems Assessment Phase II: Aquilla Water Supply Reallocation Report and Environmental Assessment. The purpose of this plan is to provide appropriate information on real estate activities for the project. Aquilla is a U.S. Army Corps of Engineers (USACE) lake that is located about 10 miles southwest of the City of Hillsboro, Texas, in Hill County. (Aerial Map 1).



Aerial Map 1- Aquilla Lake

Source: Google Earth

In order to respond to anticipated future demand for water, the Brazos River Authority (BRA) requested USACE to conduct a study to evaluate the reallocation of storage from the flood pool to the conservation pool for municipal and industrial (M&I) water supply. Subject to availability, a Water Supply Agreement (dated April 5, 1976), gives BRA the right to the total useable storage below elevation 537.5' MSL (mean sea level) for M&I water supply. Increased demand for water is projected to result in water supply shortages from Aquilla by 2020. The recommended USACE plan will raise the conservation pool 4.5' to an elevation of 542' MSL.

U.S. Fish and Wildlife (USFWS) conducted a baseline fisheries survey within the area proposed for the pool raise and concluded that the pool raise was unlikely to have a negative impact on the assessed aquatic communities. It was the opinion of USFWS that any loss of aquatic life use value will be mitigated by the increase of available pool habitat resulting from the pool raise and no additional mitigation area will be needed.

USACE Regional Planning and Environmental Center (RPEC) found that 180 acres of riparian woodlands will be impacted by the pool raise. An evaluation by RPEC concluded that there are several areas within the fee boundary which contain the correct soil types and contours, particularly along Hackberry Creek, that can be used for mitigation. (All will be on fee land.)

Land, Easements, Rights of Way, Relocation and Disposal: Terrestrial mitigation for riparian woodlands will occur on fee owned land.

Cost Share of Project: The project is funded 100% by BRA.

Non-Standard Estates: N/A

Federally Owned Land: This project is located entirely on federally owned land.

Federally Owned Land in Project area: All Aquilla Lake real estate is federally owned in either fee (10,250.66 acres) or flowage easement (2,271.68 acres).

Navigational Servitude: Navigational servitude is the dominant right of the Government under the Commerce Clause to use, control and regulate the navigable waters of the U.S. and the submerged lands for various commerce related purposes including navigation and flood control. There is no navigational servitude associated with this project.

Real Estate Project Maps: Maps showing fee and flowage easement boundaries are attached.

Flooding Induced by Project: USACE-SWF Hydraulics and Hydrology (H&H) modeling and dam safety analysis concluded that even though the conservation pool is being raised, the top of the flood pool remains the same with no effect on downstream or existing patterns of flooding.

Baseline Cost Estimate on Acquisition of LERRD: There are no creditable costs are associated with this project. The cost estimates for non-LERRD costs are shown below in the standard Code of Accounts from the M-CACES Model Database, October 1994.

Real Estate Cost Estimates					
Project:	Middle Brazos Systems Assessment, Phase II: Aquilla Water Supply Reallocation Report				
Location:	Hill County, Texas				
ACCOUNT	DESCRIPTION	LERRD	CONT.	NON-LERRD	CONT.
1	Land & Damages				
1.23	Construction Contracts Documents				
01.23.03	Real Estate Analysis Documents				
01.23.03.01	Real Estate Planning Documents			\$6,500	\$1,625
	Planning by Non Federal Sponsor				
	Review of Non Federal Sponsor				
01.23.03.02	Real Estate Acquisition Documents				
	Acquisitions by Sponsor				
	Review of Sponsor				
01.23.03.03	Real Estate Condemnation Documents				
	Condemnation by Sponsor				
	Review of Sponsor				
01.23.03.05	Real Estate Appraisal Documents				
	Appraisal by Sponsor				
	Review of Sponsor				
01.23.03.06	Real Estate PL 91-646 Asst Documents				
	PL 91-646 Asst by Sponsor				
	Review of Sponsor				
01.23.03.13	Real Estate Facility/Utility Relocation				
	Payment by Sponsor				
	Review of Sponsor				
01.23.03.15	Real Estate Payment Documents				
	Payment by Sponsor(LERRD)				
	Payment by Sponsor (PL 91-646)				
	Review of Sponsor				
01.23.03.17	Real Estate LERRD Credit Documents				
	Total Admin & payment	\$0		\$6,500	
	Total contingencies		\$0		\$1,625
	Total LERRD + Contingencies	\$0			
	PROJECT GRAND TOTAL	\$8,125			

Relocation Assistance (P. L. 91-646): There are no displaced persons, residences, farms or businesses associated with this project that would be entitled to relocation assistance as defined in the uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, as amended (P.L. 91-646).

Mineral and/or Timber Activity: There is no present or anticipated mineral or timber activity within the proposed Project limits. SWDP 1110-2-1156, Mineral Exploration and Production Activities in Close Proximity to Flood Risk Management Structures, dated March 17, 2001 states in 6. Policy:

“Effective immediately, a 3,000 foot lateral exclusion zone shall apply for all projects with

CESWE. Within this exclusion zone, no surface occupancy, and no drilling (including horizontal drilling) will be allowed within 3,000 feet of critical facilities such as dams, embankments, and other areas critical for project operation when USACE owns the necessary estates in real property to control said development with prior approval by the District Commander.”

Assessment of Non-Federal Sponsor's Legal Capability: N/A

Zoning Ordinances Considered in Support of LERRD Requirement: There are no special Zoning Ordinances proposed for enactment with the project.

Milestones for LERRD Acquisition: N/A

Facility or Utility Relocation: The term “relocation” means providing a functionally equivalent when such action is authorized in accordance with applicable legal principles of just compensation or as otherwise provided by Federal statute. Providing a functionally equivalent facility may take the form of adjusting, altering, lowering, raising or replacement and attendant removal of the affected facility or utility or part thereof. It is important to note that relocation assistance under PL 91-646 (previously addressed) relates specifically to displaced persons and should be distinguished from the separate concept of facility or utility relocations.

USACE, SWF Management and Disposal Branch (M&D) administers a total of 26 Outgrants at Aquilla Lake. (List attached.) A review of each location in relation to the pool raise indicates that no relocations will be necessary, albeit, the two steel lattice towers that support powerlines would require replacement within the existing lake.


Some USACE recreation features (boat ramps, picnic tables, and park roads) would be relocated to other locations but still on fee land.

HTRW Contaminants: A search of available environmental records was conducted in December 2011 to identify any hazardous substances that may have been released to soil, groundwater, or surface water, and to assess the potential impacts of the reallocation. No sites were identified where hazardous substances or petroleum products had been released, and no water, oil, or gas well locations were identified.

Opposition/Support of Project by Local Landowners: No objections, opposition or concerns have been expressed by the community to this project.

Notification to Non-Federal Sponsor of Early Acquisition of LERRD: N/A

Other Real Estate Issues: No other Real Estate issues are known to exist.

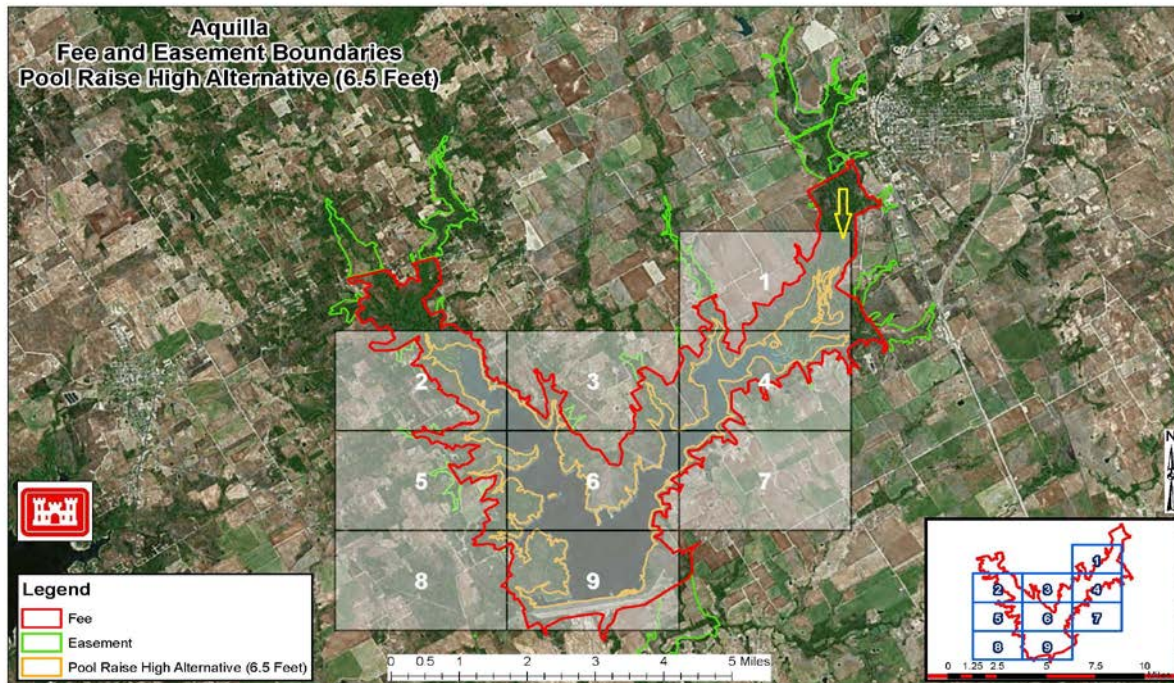
Prepared by: 
Cody Bowden
Reality Specialist

Date: June 22, 2017

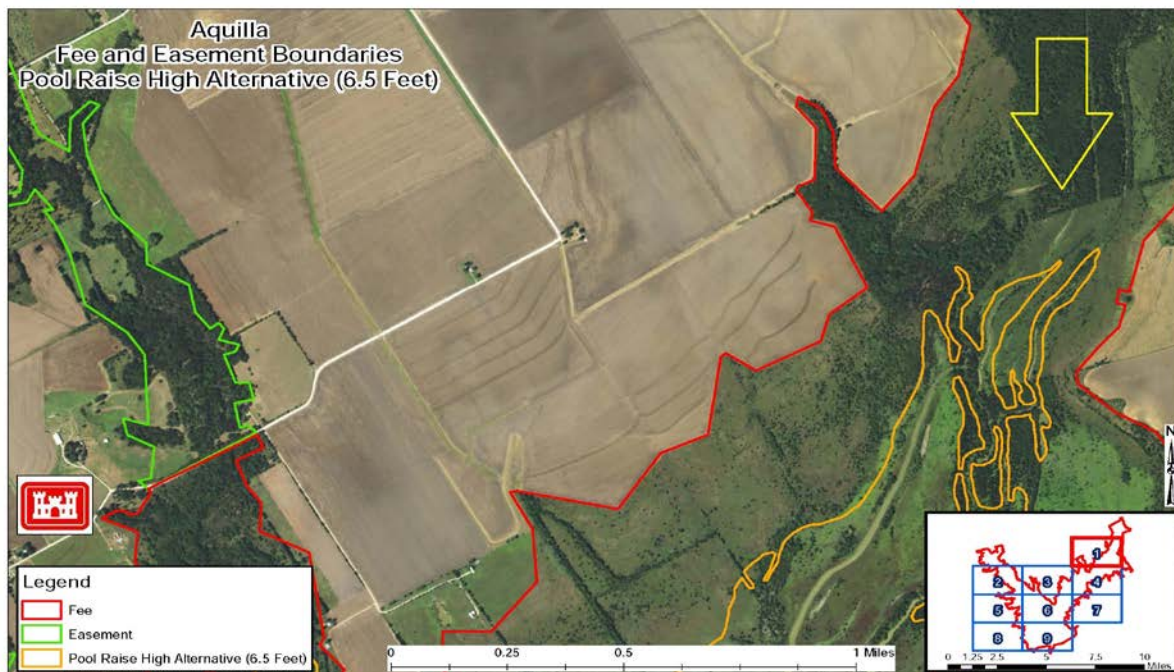
Recommended by: 
Thurman Schweitzer
Chief, Planning & Appraisal Branch

Date: June 22, 2017

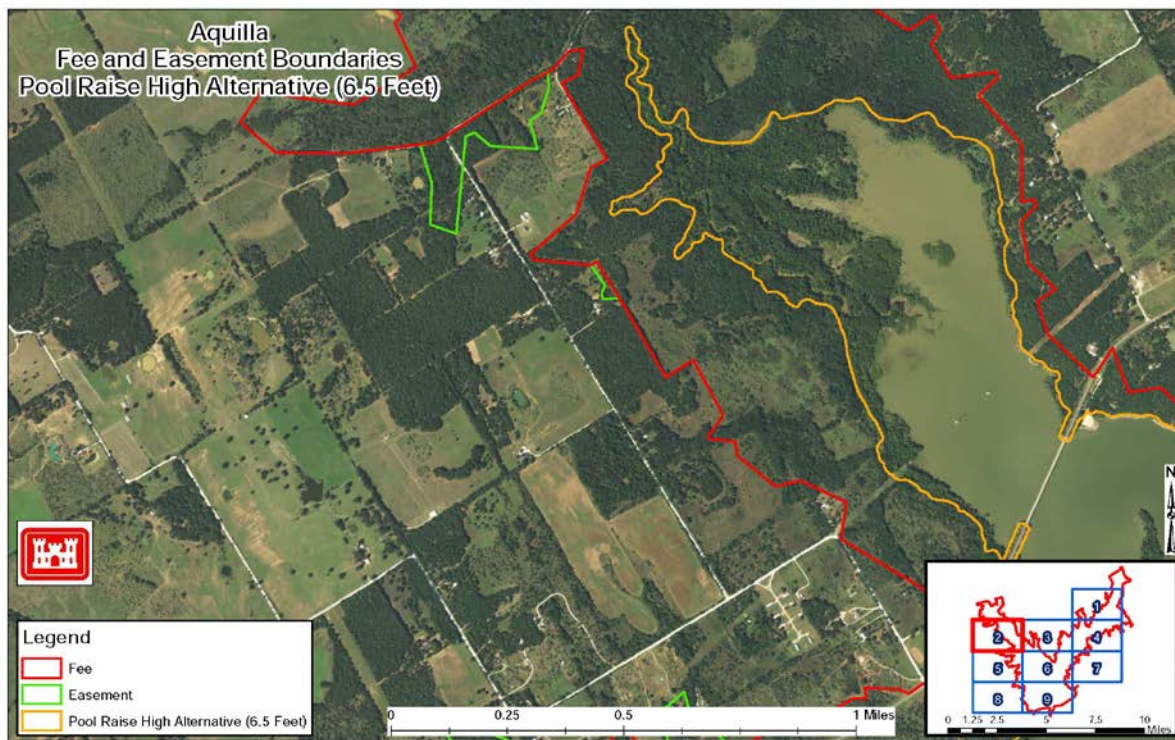
Maps (Fee and Flowage Easement Boundaries)

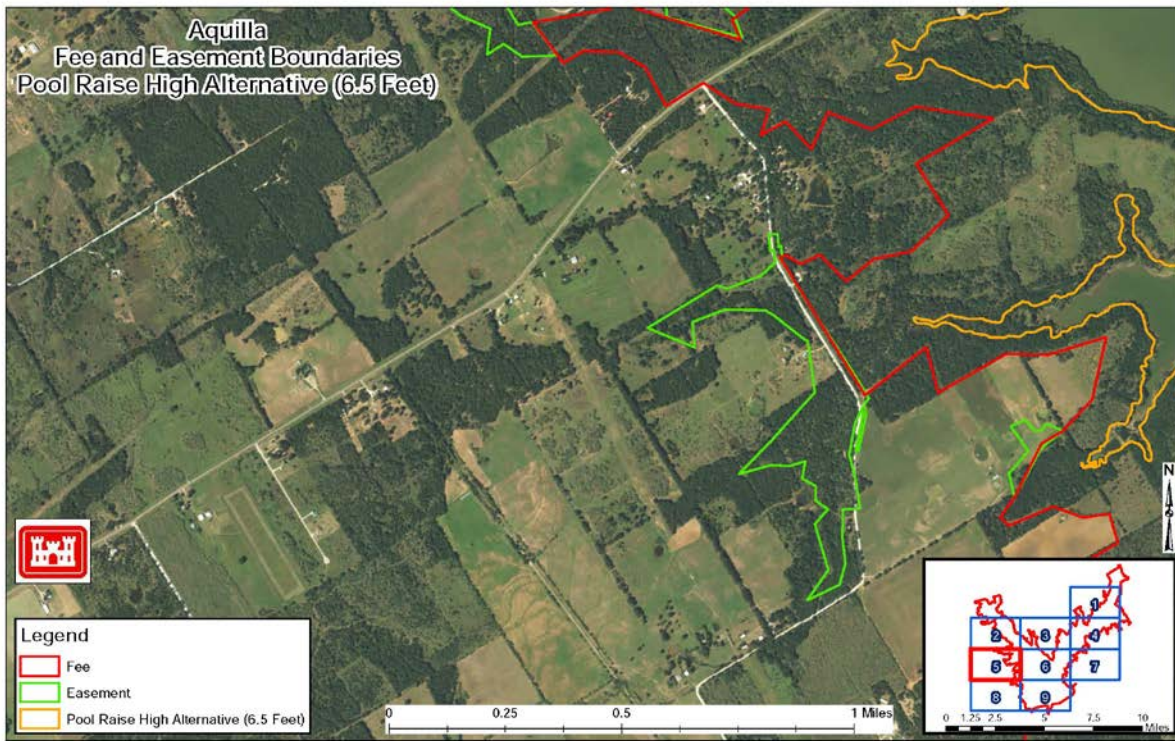


(Yellow Arrow denotes general area of Hackberry Creek)



(Yellow Arrow denotes general area of Hackberry Creek)









Outgrants

Aquilla Current/Active Outgrants As of 6/22/2017		
RE #	Grantee/Lessee	Type
DACW63-1-09-0684	Randy Heiner	Grazing Lease
DACW63-1-15-0612	Randy Heiner	Ag Lease
DACW63-2-00-0548	Williams Communications, Inc.	Telecommunication Easement
DACW63-2-82-0615	Aquilla Water Supply District	Waterline Easement
DACW63-2-82-0815	Chatt Water Supply Corporation	Waterline Easement
DACW63-2-82-0817	Hill County Electric Cooperative, Inc.	Electric Easement
DACW63-2-84-0785	TXDOT	Road Easement
DACW63-2-85-0652	Hill County	Road Easement
DACW63-2-85-0653	Hill County - Waco	Road Easement
DACW63-2-85-0677	State of Texas	Road Easement
DACW63-2-87-0537	Hill County	Road Easement
DACW63-2-91-0532	City of Hillsboro	Sewer line Easement
DACW63-2-92-0633	Hill County Water Supply Corp	Waterline Easement
DACW63-2-93-0570	Hill County Water Supply Corp	Waterline Easement
DACW63-2-99-0509	City of Hillsboro	Sewer line Easement
DACW63-2-99-0753	City of Cleburne	Waterline Easement
DACW63-3-08-0568	TPWD	Office Space License
DACW63-9-02-0585	City of Hillsboro	Sewer line Consent
DACW63-9-07-0521	Tim Abney	Fill Material Consent
DACW63-9-96-0688	Bill Sims	Pond Consent
DACW63-9-99-0511	City of Hillsboro	Sewer line Consent
DACW63-9-99-0755	City of Cleburne	Waterline Consent
TXNM 118757	Forest Oil Corp/BLM	Oil/Gas Lease
TXNM 118758	R&R Royalty Ltd/BLM	Oil/Gas Lease
TXMN 118759	R&R Royalty Ltd/BLM	Oil/Gas Lease
TXNM 118761	R&R Royalty Ltd/BLM	Oil/Gas Lease