2022 Annual ROW Meeting
Total Certifications: 42

Certificate #1  34  81%
Certificate #2  2  5%
Certificate #3  6  14%

Number of Certifications in 2020: 55
• All necessary Right of Way has been acquired
• Agency has legal and physical possession
• All displacees have moved
• Agency has legal right to remove, demolish, or salvage any remaining improvements

23 CFR 635.309(c)(1)
• Not all necessary right of way has been acquired
• Agency has the right to occupy & use the right of way
• All displacees have moved
• Trial or appeal of some parcels may be pending in court, but agency has right of entry
  – ROE for construction purposes should only be obtained in exceptional cases, such as emergency project (no time for appraisal, offer, and owner is agreeable). 49CFR 24.102(j) Appendix A

23 CFR 635.309(c)(2)
Certification #3
(Conditional Cert.)

• Not all necessary right of way has been acquired & right of occupancy hasn’t been obtained

• Some occupants may remain on property
  – Occupants must have had replacement housing made available to them

• Time-Based: Acquisition & Relo will be completed prior to construction

• Excepted Parcel: Acquisition & Relo will not be completed prior to construction (FHWA approval required)
  23 CFR 635.309(c)(3)
Number of Reports Issued in 2021: 9

Historically
2020: 3
2019: 6
2018: 15

What were the most common non-compliance issues?
Number of Procedures updated in 2020: 27

Do you have an upcoming Federal Funded Project?

• Please review your procedures and update if they aren’t current.
• It is up to the agency to provide their consultants with copies of their Approved ROW Procedures.
• Please contact your Local Agency Coordinator if you aren’t sure on the status of your procedures.
<table>
<thead>
<tr>
<th>Fiscal Year 2020</th>
<th>Fiscal Year 2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Total LPAs Reporting 124</td>
<td>• Total LPAs Reporting 140</td>
</tr>
<tr>
<td>• Parcels Acquired 687</td>
<td>• Parcels Acquired 406</td>
</tr>
<tr>
<td>• Condemned Parcels 6</td>
<td>• Condemned Parcels 4</td>
</tr>
<tr>
<td>• Admin Settlements 118</td>
<td>• Admin Settlements 97</td>
</tr>
<tr>
<td>• Acquisition $22,978,767</td>
<td>• Acquisition $23,000,022,63</td>
</tr>
<tr>
<td>• Displacements 19</td>
<td>• Displacements 25</td>
</tr>
<tr>
<td>• Relocation $615,306</td>
<td>• Relocation $2,853,942</td>
</tr>
<tr>
<td>• Relocation Appeals 0</td>
<td>• Relocation Appeals 0</td>
</tr>
</tbody>
</table>
Chapter 25 LAG Manual Updates

• Links restored
• Add language requiring that Agency’s include a minimum payment policy with their Waiver Valuation Procedures (if applicable)
• Grammatical corrections
Transportation Needs & You Brochure
• New Graphics
• Updated information
• Easier for property owners to find information

Residential Relocation Brochure
• New Graphics
• Updated information and verbiage
• Improved layout for organization of content
Approved ROW Procedures

• LPA 001 now includes...
  – Agency’s Administrative Settlement Policy (Exhibit A)
  – Agency’s Waiver of Appraisal (Administrative Offer Summary (AOS)) (Exhibit B)

• New form LPA 001b Staff Updates
NEW Administrative Settlement eLearning

- Fixed the glitches!
- Corrected mathematical and grammatical errors
- Required as part of the Approved ROW Procedures for the Program Administration and Acquisition.
  - No ROW Verification eLearning is also required for Program Administration
Local Agency Coordinators (LAC) will continue to review project files and parcel files electronically.

**Reminder:** You do NOT have to submit the Right of Funding Estimate to your LAC when there are no federal funds in ROW.
• Local Programs ROW is still not requiring its use outside of Appraisal and Appraisal Review.
• Some agencies are requiring their consultants to be on the list for all disciplines
• Testing is handled by WSDOT-Real Estate Services
• NHI has released an updated Real Estate Acquisition under the Uniform Act: An Overview.
  – Waiver of this requirement is no longer in place.
  – Required free online course to be on list for Acquisitions
    www.nhi.fhwa.dot.gov/course-search?res=1
Relocation-Replacement Housing Payment

• Expired on June 30, 2021
• No longer necessary given current market conditions
On federally funded projects, all known Encroachments (within the project limits) **MUST** be addressed.

This includes those located outside of the construction area but still within the right of way of the project.

**REMOVE. LEASE. SURPLUS.**
Upcoming Process Improvements

• New short training videos on various ROW topics

• Continue to update forms and brochures

• Do you have any ideas related to Process Improvements? Please email me your thoughts and suggestions!
Questions?

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