

State of California

Business, Transportation and Housing Agency

Memorandum

To : DISTRICT DIRECTORS
ATTENTION DEPUTY DISTRICT DIRECTORS
RIGHT OF WAY

Date : JUNE 9, 1994

File No.: PLANNING & MANAGEMENT
GENERAL
FUNCTIONAL FILE #94-1

From : DEPARTMENT OF TRANSPORTATION

Subject: Right of Way Activities Prior to Environmental Clearance

Right of Way's Streamlining Task Group has identified specific activities which can be performed in advance of environmental clearance to expedite the Right of Way process. The Federal Highway Administration has agreed that these activities can be performed prior to environmental clearance without jeopardizing Federal participation.

It is extremely important to remember that securing Federal participation through the current FNM-76 process must be accomplished prior to beginning these activities. Headquarters Right of Way Planning and Management and Budget's Federal-Aid Branch are working together to revise the FNM-76 process, and screens to make it easier to secure Federal participation. We will issue another Functional File memorandum when these changes are approved.

The following Right of Way activities can be performed during the "Preliminary Engineering", "Preliminary Right of Way", and "Regular Right of Way" project stages.

PRELIMINARY ENGINEERING

Preliminary Engineering is defined as those Right of Way activities performed in support of project programming, environmental clearance, and design. These activities include:

- Preparing Route Estimate Maps
- Preparing Route Estimates
- Preparing Right of Way Data Sheets
- Preparing Housing Studies
- Verifying Utility Facilities
- Locating Utility Facilities ("potholing")

**RIGHT OF WAY ACTIVITIES PRIOR TO ENVIRONMENTAL
CLEARANCE (Cont.)**

EXHIBIT
3-EX-5 (NEW 11/2001)
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PRELIMINARY RIGHT OF WAY

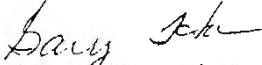
Preliminary Right of Way is defined as those Right of Way activities which occur after the project is programmed, and are typically charged as Right of Way support to the project's Phase 2 expenditure authorization. These activities include:

- Ordering Title Reports
- Preparing Base Maps
- Preparing Appraisal Maps
- Conducting project-wide comparable sales searches once a preferred alternative is internally selected
- Assigning appraisers to specific parcels, contacting the property owners to commence appraisal activity, and completing the appraisal once the preferred alternative is made public in some manner (newspaper announcement, distribution of the final environmental document, etc.)

REGULAR RIGHT OF WAY

Regular Right of Way (which cannot commence until final environmental clearance has been secured) is defined as:

- Acquiring Right of Way Parcels
- Relocating Displaced Persons
- Performing Utility Relocation activities from the request for Relocation Plans forward


GARY HORN, Chief
Planning and Management Branch
Division of Right of Way