

RIGHT OF WAY MANUAL CHANGE

RWMC 25-02

EFFECTIVE DATE: July 25, 2025

PURPOSE:

The Right of Way (RW) Manual is revised in January and July to update policies, procedures, and guidance. Content revisions are noted on the following pages.

CURRENT RIGHT OF WAY MANUAL DIRECTIVES:

The following Right of Way Manual Directives (RWMDs) are still in effect and have not been incorporated into the RW Manual at this time:

RWMD	Title	Effective Date
25-03	Chapter 15 Airspace and Telecommunications Licensing Program – Policy and Process Changes	06-09-2025
25-04	Chapter 15 Airspace and Telecommunications Licensing Program – Certificate of Occupancy	07-22-2025

SUPERSEDED RIGHT OF WAY MANUAL DIRECTIVES:

The following Right of Way Manual Directives (RWMDs) have been incorporated into the RW Manual and are superseded upon the effective date of this RW Manual Change:

RWMD	Title	Date Issued
25-01	Quality Management/Oversight Responsibilities	04-23-2025
25-02	Chapter 8 and 10 Updates Related to the Uniform Act Final Rule	05-08-2025

RELATED POLICY AND PROCEDURES:

Throughout the RW Manual, gray shading highlights all current revisions (except hyperlinks) – all shading from previous revisions has been removed. The following is a summary of the revisions in this edition.

Chapter 1 – Introduction

- **Section 1.01, Right of Way Manual Overview**
 - 1.01.06.00, Revisions – updated publication deadlines for January 2026 RW Manual.

Chapter 2 – Organization and Policy

- **Section 2.02, Project Development**
 - 2.02.04.00, Risk Taking – removed subsection in its entirety; replaced with new subsection 2.04.01.03, Right of Way Quality Management.
- **Section 2.04, Right of Way Administration**
 - 2.04.01.03, Right of Way Quality Management – added new subsection to incorporate interim policy [RWMD 25-01, Quality Management/Oversight Responsibilities](#).
 - 2.04.05.01, Right of Way Information Management System – added new subsection regarding use of ROWMIS II.

Chapter 3 – Programming and Budgeting

No revisions.

Chapter 4 – Estimating

No revisions.

Chapter 5 – Early and Advance Acquisition; Corridor Preservation; Hardship and Protection; Donations and Dedications

No revisions.

Chapter 6 – Right of Way Engineering

- **Section 6.16, Record Maps**
 - 6.16.04.00, Procedure for Making Public Records Available – updated the Government Code reference to the California Public Records Act (CPRA).

Chapter 7 – Appraisals

- **Section 7.10, Revision and Reviews**
 - 7.10.11.00, Preparation of the Report Analysis for Expert Witness Appraisals – removed manual reference to 9.05.11.00 (section 9.05.11.00, Report Analysis, was removed 1/2025).
- **Section 7.18, Delegations**
 - 7.18.01.00, Delegations of Authority – removed manual reference to 9.05.11.00 (section 9.05.11.00, Report Analysis, was removed 1/2025).

Chapter 8 – Acquisition

- **Section 8.01, Acquisition General**

- 8.01.04.01, Acquisition by Mail, Electronic Mail, or Fax –
 - Renamed to “Acquisition Offers, Offers by Mail and Electronic Mail.
 - Revised to clarify the Department's policy regarding the Initiation of Negotiations and making First Written Offers.
 - Revised to incorporate when electronic offers (offers via email) can be made, consistent with 49 CFR 24.5 – Manner of Notices.
- 8.01.08.00, Separation of Acquisition and Appraisal Functions – revised to increase conflict of interest limits from \$10,000 to \$15,000 pursuant to 49 CFR 24.102(n)(3).
- 8.01.09.00, Explanation of Relocation Assistance Program (RAP) – revised to increase conflict of interest limits from \$10,000 to \$15,000 pursuant to 49 CFR 24.102(n)(3).
- 8.01.11.00, Offers and Documents Delivered to Owner – removed reference to “fax.”
- 8.01.15.00, Negotiating with an Attorney or Third Party –
 - Renamed to “Negotiating with an Owner's or Tenant's Designated Representative, an Attorney, or Third Party.”
 - Revised to update and clarify the Department's protocols when negotiating with an owner's or tenant's designated representative, based on the new definition per final rule – 49 CFR 24.2(a).

- **Section 8.02, Appraisal Summary Statements and Valuation Summary Statements**

- 8.02.01.00, General – revised to reflect increase in waiver valuation limit from \$10,000 to \$15,000 pursuant to 49 CFR 24.102(c)(2)(ii).

- **Section 8.18, Federal Lands**

- 8.18.08.00, “Rights of Way” Under R.S. 2477 – corrected reference to Title V of the Federal Land Policy and Management Act of 1976 and added hyperlink.
- 8.18.17.00, Other Federal Agencies – within Table 8-18-A at Step 3, updated the National Park Service language and references.

- **Section 8.19, Mining Claims**

- 8.19.03.00, Loss of Locator's Rights – corrected reference from Public Resources Code to 43 CFR 3836.

Chapter 9 – Condemnation

- **Section 9.07, Trial Preparation Procedures**

- 9.07.02.00, Final Order of Compensation to Defendant – removed reference to CCP 1255.140 (repealed).

Chapter 10 – Relocation Assistance

- **Section 10.01, General**

- 10.01.02.01, Title 49 Code of Federal Regulations Part 24 (49 CFR 24) – updated language regarding the new Final Rule of 49 CFR 24.
- 10.01.02.02, Compliance with Other Laws and Regulations – added references to the Fair Housing Act and 49 CFR 24.8.
- 10.01.03.01, Displaced Person (49 CFR 24.2[a][9][i]) –
 - Updated title and CFR reference per the Final Rule.
 - Added the word “permanently” to the definition of displaced person per the Final Rule.
 - Updated the definition regarding the situations that trigger a displacement per the Final Rule.
- 10.01.03.02, Persons Not Displaced (49 CFR 24.2[a][9][ii]) –
 - Updated title and CFR reference per the Final Rule.
 - Updated the definition for persons not displaced per the Final Rule.
 - Added the CFR reference to clarify that voluntary acquisitions are still entitled to RAP per the Final Rule.
 - Removed temporary relocations under the classification of persons not displaced per the Final Rule.
- 10.01.03.04, Non-Tenured Occupants – updated CFR references regarding “comparable replacement dwelling” and “Last Resort Housing” per the Final Rule.
- 10.01.03.06, Constructive Occupancy – At Table 10.01-A, updated the maximum replacement housing payments per the Final Rule:
 - Purchase Differential (PD) from \$31,000 to \$41,200.
 - Rental Differential (RD) from \$7,200 to \$9,570.
- 10.01.05.00, Global Settlements – removed reference to 10.03.13.03 as that section no longer exists.
- 10.01.09.01, Advisory Assistance (49 CFR 24.205[c]) – added language regarding the Fair Housing Act in accordance with the Final Rule.

- **Section 10.01, General (Continued)**

- 10.01.09.06, Relocation Payments – updated the maximum replacement housing payments per the Final Rule:
 - Purchase Differential (PD) from \$31,000 to \$41,200.
 - Rental Differential (RD) from \$7,200 to \$9,570.
- 10.01.09.07, Adjustments of Limits and Payments (49 CFR 24.11) – added new subsection allowing updates to monetary limits using the consumer price index and with the permission of FHWA per the Final Rule.
- 10.01.11.00, Certification of U.S. Residency Requirement (49 CFR 24.208[a] and [b]) –
 - Updated “he/she” to “they” per the language in the Final Rule.
 - Removed “either” and “or national of the U.S.” per the language in the Final Rule.
- 10.01.11.01, Benefit Computation (49 CFR 24.208[c]) – added reference to Appendix A of the CFRs.
- 10.01.11.03, Documentation (49 CFR 24.208[e]) –
 - Updated subsection title to include section (f).
 - Added section [f] reference and language regarding the CFRs related to documentation.
- 10.01.11.04, Denial of Benefits (49 CFR 24.208[g]) – removed terms “displacing” and “benefits” and added “assistance” to align with the Final Rule.
- 10.01.12.04, Responsibility of the Region/District Appraisal Branch – removed incorrect reference to 49 CFR 24.303.
- 10.01.14.10, Reports (49 CFR 24.9[c]) – added verbiage regarding reporting from the Final Rule.

- **Section 10.02, Relocation Impact Documents**

- 10.02.02.00, Purpose –
 - Added terms “permanently or temporarily” throughout per the Final Rule.
 - Added term “or temporarily moving” per the Final Rule.
 - Added language from 49 CFR 24.205(a) regarding RAP situations requiring additional time or advisory services per the Final Rule.
- 10.02.05.04, Availability of Replacement Property – added language under Appendix A, section 24.205(c)(2)(ii)(C) regarding DS&S inspections of comparable properties per the Final Rule.

- **Section 10.03, Relocation Notices and Occupancy Certifications**

- 10.03.01.00, Notices – added new language under 49 CFR 24.5 regarding delivery methods, including electronic delivery if elected by the displacee, per the Final Rule.
- 10.03.01.01, Electronic Delivery and Signatures (49 CFR 24.5[b]) – added new subsection.
- 10.03.02.00, General Information Notice (49 CFR 24.203[a]) – added terms “temporary or permanent” (or related) to bring into alignment with 49 CFR 24.203(a), per the Final Rule.
- 10.03.06.00, U.S. Residency Certification – added a reference to manual section 10.01.11.00.
- 10.03.07.00, Notices of Eligibility (49 CFR 24.203[b]) – added a statement on voluntary acquisitions to bring into alignment with the Final Rule.
- 10.03.10.04, Notice to Vacate with RW Contract – corrected manual reference.
- 10.03.13.00, Urgent Need – updated title with CFR reference.
- 10.03.14.01, Withdrawal of Benefits – removal of reference to manual section 10.17.00.00 as the section no longer exists.
- 10.03.14.03, Waiver of Relocation Benefits – added requirements from CFRs regarding written notification of displacee's rights.

- **Section 10.04, Residential Displacements**

- Moved Residential Definitions from the end of the section to the beginning of the section.
- Updated the CFR references related to the definitions.
- 10.04.01.00, Residential Relocation Benefits –
 - Corrected manual references.
 - Amended wording regarding subsequent occupants in alignment with CFRs per the Final Rule.
- 10.04.01.01, U.S. Residency Requirement for Moving Expenses – added a statement for sections in which further move options can be found, per the Final Rule.
- 10.04.02.00, Moving and Related Expenses – Residential Entitlement (49 CFR 24.301[b]) –
 - Updated the CFR reference for the definition of “Displaced Persons” per the Final Rule.
 - Updated language regarding storage per the Final Rule.
 - Added language regarding application fees and credit reports per the Final Rule.

- **Section 10.04, Residential Displacements (Continued)**

- 10.04.02.02, Types of Moving Payments –
 - Updated title with CFR reference.
 - Added language for additional self-move options granted to residential displacees in the Final Rule (Move Cost Estimate and Commercial Mover Estimate).
- 10.04.02.04, Fixed Moving Schedule (Chart) (Effective August 26, 2021 [Updated Approximately Every Three Years]) – updated title to remove the timeline regarding updating the fixed moving schedule every 3 years (FHWA does not have a set timeline).
- 10.04.02.05, Fixed Payment Limitations and Variations –
 - Updated manual references.
 - Added a note on storage per 49 CFR 24.302(a) per the Final Rule.
 - Added a note cautioning agents that the Fixed Residential Move Cost Schedule provides a one-time payment from the displacement site to either the replacement site or storage per the Final Rule.
- 10.04.02.06, Actual Cost Move (49 CFR 24.301 [b] [2] [ii]) –
 - Added new subsection.
 - Relocated the former “Moving Service Authorization” subsection (and subsequent subsections) further into the chapter.
- 10.04.02.07, Moving Cost Estimate (49 CFR 24.301 [b] [2] [iii]) – added new subsection.
- 10.04.02.08, Commercial Mover Estimate (49 CFR 24.301 [b] [2] [iv]) – added new subsection.
- 10.04.02.09, Commercial Moves (49 CFR 24.301 [b] [1]) – added new subsection.
- 10.04.02.10, Actual Reasonable Cost of Move by For Hire Carriers –
 - Relocated subsection from 10.04.02.09.
 - Added language from the Final Rule regarding the actual, reasonable cost of movers.
- 10.04.02.11, Moving Service Authorization (MSA) –
 - Relocated subsection from 10.04.02.06.
 - Added tie-in between the MSA moves and other commercial moves.
 - Adjusted numbering of subsequent subsections.
- 10.04.02.16, Storage – added language to caution that fixed residential move cost is a one-time payment for a move from the displacement site to storage or a replacement site per the Final Rule.

- **Section 10.04, Residential Displacements (Continued)**

- 10.04.03.00, Replacement Housing Payments (RHPs) –
 - Updated CFR reference for the definition of “Comparable replacement dwelling” per the Final Rule.
 - Updated manual references.
- 10.04.04.00, Inspections of Replacement Dwelling (49 CFR 24.403[b]) –
 - Added language from Appendix A, section 24.205(c)(2)(ii)(C) regarding the DS&S inspections per the Final Rule.
 - Updated the CFR reference for the definition of “Decent, safe, and sanitary (DSS) dwelling” per the Final Rule.
- 10.04.06.00, U.S. Residency Requirement for RHPs – added reference to Appendix A of 49 CFR 24.208(c) for more information on U.S. Residency information and examples per the Final Rule.
- 10.04.07.00, RHPs – 90 Day Owner Occupant's Eligibility (49 CFR 24.401[a]) –
 - Added the word “permanently” per the Final Rule.
 - Aligned language in this section with 49 CFR 24.204(a) per the Final Rule.
- 10.04.07.01, 90 Day Owner Occupant RHP (49 CFR 24.401[b]) – updated the maximum replacement housing payments (e.g., purchase differential [PD] went from \$31,000 to \$41,200) paid outside of last resort housing per the Final Rule.
- 10.04.07.03, Rehabilitation of Replacement Dwelling – corrected FHA typo.
- 10.04.12.00, Mortgage Differential (MD) (49 CFR 24.401[d]) – added manual reference for exceptions regarding reverse mortgages per the Final Rule.
- 10.04.12.12, Reverse Mortgages – updated title and subsection due to expansion of information under the CFRs and related Appendix A of the Final Rule.
- 10.04.13.00, Incidental Expenses (IE) (49 CFR 24.401[e]) – updated title with correct CFR reference.
- 10.04.13.03, Incidental Expense and Mortgage Financing (49 CFR 24.401[b][3] and 24.401[e]) – updated title with correct CFR reference.

- **Section 10.04, Residential Displacements (Continued)**

- 10.04.14.00, Converting the Price Differential (PD) to a Rent Differential (RD) (49 CFR 24.401[f]) –
 - Updated title with correct CFR reference and added “Rental Assistance” for better alignment with CFRs.
 - Added contextualizing information out of 49 CFR 24.01(g) on conversion to rental assistance per the Final Rule.
 - Added clarification that downpayment assistance is not applicable under this section.
- 10.04.14.01, Conversion of Payment (49 CFR 24.403[e]) for 90-Day Homeowner-Occupants – added new subsection.
- 10.04.15.00, Last Resort Housing (LRH) Guidelines –
 - Updated title with contextualizing information (including the CFR reference).
 - Updated maximum limits for a Last Resort Housing (LRH) Super RAP payment (anything above \$41,200) per the Final Rule.
- 10.04.15.01, Last Resort Housing for 90-Day Owner-Occupants – removed subsection (redundant with section above).
- 10.04.16.02, Amount of Payment (49 CFR 24.402[b][1]) – updated monetary limits (\$9,570) from the Final Rule.
- 10.04.17.00, Base Monthly Rent (49 CFR 24.402[b][2]) – updated language regarding HUD from the Final Rule edits.
- 10.04.18.00, Subsidized Housing –
 - Added CFR reference related to the definition of “Comparable replacement dwelling.”
 - Added wording regarding utilities per the CFRs.
- 10.04.18.01, Section 8 Comparable Replacement Housing – updated language from the Final Rule regarding “Comparable Replacement Dwelling” for displacees in government housing assistance per the Final Rule.
- 10.04.19.00, Monthly Gross Income –
 - Updated title with “for Low Income RD.”
 - Clarified that the update from HUD occurs annually.
 - Added clarification that 30% of the income for those classified as low income can be used to calculate tenant’s base rent under 49 CFR 24.402(b)(2) per the Final Rule
 - Added “Last Resort Housing” next to the manual reference.
- 10.04.20.00, Income Verification – updated the link for the exclusions to income listed on the FHWA website.

- **Section 10.04, Residential Displacements (Continued)**

- 10.04.21.00, Computing the Rent Differential Payment –
 - Updated title with CFR reference.
 - Updated maximum RD payment (outside of LRH).
 - Added “Last Resort Housing” next to the manual reference.
- 10.04.22.00, Conversion of Payment (49 CFR 24.403[e]) –
 - Deleted subsection and consolidated the contents under 10.04.14.00.
 - Renumbered subsequent subsections.
- 10.04.22.00, Manner of Disbursement (49 CFR 24.402[b][3]) –
 - Updated title with “RD” to create a distinction between this manner of disbursement and the one found under the Downpayment Assistance section.
 - Added the word “replacement” per the Final Rule.
 - Updated maximum RD amount to \$9,570 (outside of LRH) per the Final Rule.
- 10.04.23.00, Rent Differential Payment Procedures – Last Resort Housing (LRH) – updated maximum RD amount to \$9,570 (outside of LRH) per the Final Rule.
- 10.04.25.00, Down Payment (DP) (49 CFR 24.402[c][1]) –
 - Updated maximum RD amount to \$9,570 (outside of LRH) per the Final Rule.
 - Removed manual reference to 10.04.13.01.
 - Updated RD examples based on the new maximum RD.
 - Added language from Appendix A that a homeowner who elects to rent may not have a higher RD than the PD for which they would have been eligible per the Final Rule.
- 10.04.25.01, Application of Down Payment (DP) (49 CFR 24.402[c]) – updated title with CFR reference.
- 10.04.25.03, Manner of Disbursement (DP) – updated maximum RD amount to \$9,570 (outside of LRH) per the Final Rule.
- 10.04.25.04, Conversion of Payment (RD to DP) (49 CFR 24.403[e]) – updated maximum RD amount to \$9,570 (outside of LRH) per the Final Rule.
- 10.04.28.00, Mixed Use Properties –
 - Updated the CFR reference related to “Dwelling” per the Final Rule.
 - Removed “a non-housekeeping unit” to adhere to Final Rule edits.

- **Section 10.04, Residential Displacements (Continued)**

- 10.04.29.00, Multiple Households of Displacement Property – under the note on students sharing a house, deleted the reference to FHWA (could not locate document on the FHWA website).
- 10.04.30.00, Seasonal Residents –
 - Updated title with CFR reference.
 - Aligned language in the section with the CFRs per the Final Rule.
 - Added storage language for seasonal and dormitory residents, with the approval of the Department per the Final Rule.
- 10.04.32.00, Personal Property Only (49 CFR 24.301 [e]) –
 - Added examples of types of displacements in which a personal property move only might apply per the Final Rule.
 - Added allowances under Appendix A to use the fixed room count for personal property moves instead of obtaining moving bids when the cost of obtaining bids is higher than the cost to move per the Final Rule.

- **Section 10.05, Moving and Related Expenses – Nonresidential (Business, Farms, and Nonprofit Organizations)**

- Moved Nonresidential Definitions from the end of the section to the beginning of the section.
- Updated the CFR references related to the definitions.
- 10.05.01.00, Relocation Benefits – updated the CFR reference for “Displaced Person” per the Final Rule.
- 10.05.05.03, Utility and Service Lines
 - Added information from Appendix A regarding connection to available utilities per the Final Rule.
 - Updated reestablishment maximum of \$33,200 per the Final Rule.
 - Added examples under Appendix A related to utility expenses per the Final Rule.
- 10.05.05.05, Modifications to Personal Property – added clarifications under 49 CFR 24.301 (g)(4) that construction costs for a new nonresidential building are generally not considered relocation expenses per the Final Rule.
- 10.05.05.06, Physical Changes at New Location – updated the FHWA link.
- 10.05.05.07, Storage of Personal Property – updated the CFR reference per the Final Rule.

- **Section 10.05, Moving and Related Expenses – Nonresidential (Business, Farms, and Nonprofit Organizations) (Continued)**
 - 10.05.05.08, Move and Storage Insurance – corrected manual reference.
 - 10.05.05.11, Professional Services [49 CFR 24.301 (g)(12)] – added soil testing, feasibility and marketing studies to the list of covered professional services, per the language in the Final Rule.
 - 10.05.05.12, Relettering and Reprinting –
 - Updated title with the CFR reference.
 - Added information provided in Appendix A on this subject per the Final Rule.
 - Added determination of the actual, reasonable, and necessary (ARN) costs under 49 CFR 24.301 (g)(8).
 - 10.05.05.13, Searching for a Replacement Location (49 CFR 24.301[g][17]) –
 - Updated title with correct CFR reference per the Final Rule.
 - Updated search expense from \$2,500 to \$5,000 per the Final Rule.
 - Added information in Appendix A on when a business may collect and accrue search expenses per the Final Rule.
 - Added the option under the Final Rule to pay a business up to \$1,000 in search expenses with minimal to no documentation per the Final Rule.
 - Added unusual examples of items that may qualify under the search expense category, per the Final Rule.
 - Added ability to request a waiver from FHWA to increase the search expense limitation in certain cases, per the Final Rule.
 - 10.05.05.14, Low Value/High Bulk (49 CFR 24.301 [g][18]) – updated title with correct CFR reference per the Final Rule.
 - 10.05.06.02, Notification and Inspection (49 CFR 24.301 [h][12][i]) – updated title with correct CFR reference per the Final Rule.
 - 10.05.06.03, Monitoring – updated title with CFR reference.
 - 10.05.07.00, Move by Commercial Carrier – added ability for the Senior R/W Agent to allow approval and payment for low cost or uncomplicated moves using only 1 bid – documentation must be kept in the file.
 - 10.05.08.00, Self-Moves (49 CFR 24.301 [d][2]) – deleted the requirement to remove profit and overhead from nonresidential self-moves, as it is not required under the CFRs for nonresidential moves per the Final Rule.

- **Section 10.05, Moving and Related Expenses – Nonresidential (Business, Farms, and Nonprofit Organizations) (Continued)**
 - 10.05.08.02, Bid by Qualified Department Staff Person for Moves Under \$5,000 – added new subsection.
 - 10.05.09.00, Adjustments to the Move – updated the manual reference.
 - 10.05.09.01, Loss of Tangible Personal Property (49 CFR 24.301[g][14]) –
 - Updated title with correct CFR reference per the Final Rule.
 - Added clarification on when this section applies under the Final Rule.
 - Added clarification that the move costs developed are within 50 miles of the displacement property for the overall calculation of tangible loss of personal property per the Final Rule.
 - Updated the manual reference.
 - Noted that the 50-mile limitation especially exists in cases where the item is not currently in use per the Final Rule.
 - 10.05.09.02, Purchase of Substitute Personal Property (49 CFR 301[g][16]) – updated title with correct CFR reference per the Final Rule.
 - 10.05.09.03, Cost to Sell Personalty (49 CFR 24.301[g][15]) – updated title with correct CFR reference per the Final Rule.
 - 10.05.09.04, Value in Place – added information from Appendix A on determining the value in place – primarily, some suggestions on finding appraisers who can provide a Machinery and Equipment (M&E) appraiser per the Final Rule.
 - 10.05.10.00, Related Nonresidential Eligible Expenses (49 CFR 24.303) – added information from Appendix A on one-time impact fees/heavy utility usage per the Final Rule.
 - 10.05.11.00, Personal Property Only (49 CFR 24.301[e]) –
 - Updated the CFR references per the Final Rule.
 - Updated the manual references.
 - Added information from Appendix A on personal property moves only – this includes examples of personal property only moves per the Final Rule.
 - Added information from Appendix A on personal property moves only – eligible kinds of moves related to nonresidential personal property only moves, per the Final Rule.
 - 10.05.12.00, Items Not Eligible for Move – updated the manual reference.
 - 10.05.12.01, Ineligible Moving and Related Expenses (49 CFR 24.301[h]) – added information from the edits in the Final Rule.

- **Section 10.05, Moving and Related Expenses – Nonresidential (Business, Farms, and Nonprofit Organizations) (Continued)**
 - 10.05.13.00, Reestablishment Expenses (49 CFR 24.304) –
 - Updated reestablishment expense to the new limit of \$33,200 per the Final Rule.
 - Updated manual references.
 - 10.05.13.02, One Time Advertisement of Replacement Location (Reestablishment) – updated reestablishment expense to the new limit of \$33,200 per the Final Rule.
 - 10.05.14.00, Reestablishment Expenses for Nonoccupant Owners –
 - Updated reestablishment expense to the new limit of \$33,200 per the Final Rule.
 - Updated the CFR reference for “contribute materially” per the Final Rule.
 - Added information from the Final Rule for potential development of other criteria related to in-lieu payments.
 - Updated the manual reference.
 - 10.05.15.00, Ineligible Reestablishment Expenses (49 CFR 24.304[b]) – updated reestablishment expense to the new limit of \$33,200 per the Final Rule.
 - 10.05.15.01, Waiver for Certain Ineligible Reestablishment Expenses – added new subsection.
 - 10.05.16.00, Small Business In Lieu Payment (49 CFR 24.305) –
 - Updated in-lieu maximum payment to \$53,200, per the Final Rule.
 - Updated the manual reference.
 - Updated CFR references per the Final Rule.
 - Added information from Appendix A clarifying that the in-lieu (or fixed payment) represents the total payment for relocation per the Final Rule.
 - 10.05.17.00, Farm Operation – In Lieu (49 CFR 24.305[c]) – added information from Appendix A clarifying that the in-lieu (or fixed payment) represents the total payment for relocation per the Final Rule.
 - 10.05.18.00, Nonprofit Organization – In Lieu (49 CFR 24.305[d]) –
 - Clarified that a portion of the content under this section is pulled from Appendix A.
 - Added information from Appendix A clarifying that the in-lieu (or fixed payment) represents the total payment for relocation per the Final Rule.

- **Section 10.05, Moving and Related Expenses – Nonresidential (Business, Farms, and Nonprofit Organizations) (Continued)**
 - 10.05.19.00, Calculating the In Lieu Payment (49 CFR 24.305[e]) – added information from Appendix A allowing any in-lieu less than \$1,000 (even 0) to be bumped up to \$1,000.
 - 10.05.19.03, Processing the Request – updated the manual reference.
 - 10.05.19.04, Computing Average Annual Net Earnings –
 - Updated in-lieu maximum payment to \$53,200 per the Final Rule.
 - Added information from Appendix A on calculations for businesses open less than 2 years per the Final Rule.
 - 10.05.20.00, No Duplication of Payments – update title with CFR reference.
 - 10.05.22.00, Notices to Acquisition – updated the manual reference.
 - 10.05.23.00, Abandoned Personalty – updated the manual reference.
- **Section 10.06, Replacement Housing Valuations**
 - 10.06.01.00, General (49 CFR 24.204[a]) –
 - Updated CFR reference per the Final Rule.
 - Added clarification that information on comparable replacement dwellings must be provided to displacees per the Final Rule.
 - 10.06.02.00, Criteria for Selecting Comparable Replacement Properties – added clarification that, at a minimum, the most comparable property (determining the RHV) must be DS&S inspected per the Final Rule, Appendix A.
 - 10.06.04.00, Functionally Equivalent – updated CFR reference for “comparable replacement dwelling” per the Final Rule.
 - 10.06.05.00, Decent, Safe, and Sanitary Dwelling (49 CFR 24.2[a][8]) –
 - Updated the title and CFR reference related to “Decent, safe, and sanitary (DSS) dwelling” per the Final Rule.
 - Adjusted numbering.
 - Adjusted wording in the new number 6 for kitchen requirements in alignment with the Final Rule.
 - 10.06.05.01, Waiver of Decent, Safe, and Sanitary Standards – updated the CFR references per the Final Rule.

- **Section 10.06, Replacement Housing Valuations (Continued)**

- 10.06.06.00, Barrier Free Housing (49 CFR 24.2[a][8][vii]) –
 - Updated the title and CFR references per the Final Rule.
 - Update the manual reference.
 - Updated language regarding the Fair Housing Act per the Final Rule.
- 10.06.08.00, Determining the Cost of Comparable Replacements –
 - Updated manual references.
 - Removed the policies concerning adjustments. It appears the CFRs changed, thereby nullifying this point.
- 10.06.10.00, Partial Acquisitions – changed wording around buildable lots to align with language in the Final Rule.
- 10.06.10.01, Additional Guidance on Remainders – added new subsection.
- 10.06.12.01, Date of Valuation – updated manual references.
- 10.06.12.06, Completing the Report – added reminder to agents that information on comparables must be provided to the displacee per 49 CFR 24.204(a) per the Final Rule.
- 10.06.14.00, Selection of Comparables –
 - Added information from Appendix A on comparable housing being inspected for DS&S conditions per the Final Rule.
 - Update the manual reference.
- 10.06.15.00, Major Exterior Attributes (49 CFR 24.403[a][2]) – added examples from Appendix A per the Final Rule.
- 10.06.16.00, Computing a Replacement Housing Payment When a Higher and Better Use is Indicated – added example calculations for excluding major exterior attributes from Appendix A per the Final Rule.
- 10.06.17.00, Carve Out for Dwelling Site (Oversized Lot) (49 CFR 24.2[a][11]) – updated code reference in title per the Final Rule.
- 10.06.22.00, Mobile Home Replacement Housing Valuation Issues –
 - Added the relevant CFR references.
 - Added contextualizing information on mobile home designations from the Final Rule.

- **Section 10.07, Mobile Homes**

- 10.07.02.00, Moving and Related Expenses (49 CFR 24.301[c]) –
 - At the table, added moving methods per the Final Rule.
 - Updated the manual reference.
- 10.07.02.02, Moving Expenses for Personality –
 - Updated the manual reference.
 - Updated the moving options according to the Final Rule.
- 10.07.04.02, Down Payment (DP) – updated amount from \$7,200 to \$9,570.
- 10.07.05.00, Replacement Housing Payment Based on Dwelling and Site – updated limit amounts from “\$31,000 or \$7,200” to “\$41,200 or \$9,570.”

- **Section 10.08, Relocation Payments**

- 10.08.02.00, Payment of Benefits – added “temporary move” language from Final Rule.
- 10.08.03.00, Time Period to File a Claim (49 CFR 24.207[d]) –
 - Added “temporary move” language from the Final Rule.
 - Included terms “promptly” and “in writing” to adhere to the language in the Final Rule.
 - Updated the manual reference.
- 10.08.07.00, Advance Payments (49 CFR 24.207[c]) – added instructions from the Final Rule to deduct any advance payments from the overall RAP benefit, although no other obligation warrants a deduction of the RAP benefit.
- 10.08.10.00, Deductions from Payments (49 CFR 24.403[a][6]) – updated title with additional CFR reference.
- 10.08.15.00, Payments Not Considered Income (49 CFR 24.209) – adjusted wording to adhere to new language in the Final Rule.

- **Section 10.09, Appeals**

- 10.09.09.02, Determination and Notification After Appeal (49 CFR 24.10[g]) – adjusted wording to align with language in the Final Rule.

- **Section 10.10, Other Relocation Issues – Last Resort Housing, Construction, Excess and Rescinded Routes, Rehab and Demolition, Temporary Relocation**
 - 10.10.01.00, Last Resort Housing Determination (49 CFR 24.404[a]) – updated maximum RHP amounts.
 - 10.10.02.01, Land Acquired as Excess – added and updated CFR references per the Final Rule.
 - 10.10.03.00, Rehabilitation or Demolition Relocation Procedures – added requirement that any temporary displacements over 12 months are considered permanent relocations under the Final Rule.
 - 10.10.03.01, Entitlements –
 - Updated RD maximum payment (outside of LRH) per Final Rule.
 - Added CFR requirement that temporary relocation payments cannot be subtracted from permanent relocation benefits per the Final Rule.
 - 10.10.03.03, Charging Procedures – at Table 10.10-A, updated RD maximum payment (outside of LRH) per Final Rule.
 - 10.10.05.00, Temporary Relocations –
 - Added information from the Final Rule on the definition of temporary relocations.
 - Added information from the Final Rule on the benefits under temporary relocations.
 - Added some limitations to obtaining benefits and manual references for locating additional limitations.
 - Added relevant CFR reference to temporary relocations per the Final Rule.
 - 10.10.05.01, Time to File Claims and Documentation –
 - Added new subsection.
 - Relocated the former “Temporary Residential Lodging due to Nighttime Construction Work” subsection to 10.10.05.05.
 - 10.10.05.02, Notification and Inspection (49 CFR 24.301 [i]) – added new subsection.
 - 10.10.05.03, Transfer of Ownership (49 CFR 24.301 [j]) – added new subsection.
 - 10.10.05.04, Temporary Moves Over 12-Months (49 CFR 24.202[a][5]) – added new subsection.
 - 10.10.05.05, Temporary Residential Lodging due to Nighttime Construction Work – relocated subsection from 10.10.05.01.
 - 10.10.06.00, Temporary, Daily, or Emergency Shelters – added new subsection.

Chapter 11 – Property Management

- **Section 11.15, State as Lessee Leases**
 - 11.15.03.04, Standards for State Space – removed reference to Exhibit 11-EX-42 (retired 2/2025).

Chapter 12 – Clearance and Demolition

No revisions.

Chapter 13 – Utility Relocations

- **Section 13.04, Liability Determination Phase**
 - 13.04.07.02, Contributions in Aid of Construction (CIAC)/Income Tax Component of Contributions and Advances (ITCCA) – added clarification on processing payment requests for this tax.
- **Section 13.07, Utility Agreements**
 - 13.07.03.05 – Section V. General Conditions –
 - Clauses V-8a through V-9b and V-11 through V-13 moved to new subsection (13.07.03.07, Section VII. Buy America Clauses), and retitled/renumbered.
 - Renumbered remaining clauses based on the above moves.
 - 13.07.03.07 – Section VII. Buy America Clauses – new.
- **Section 13.15, Buy America**
 - 13.15.01.00, General – amended to reflect new Buy America references.
 - 13.15.02.00, Buy America Requirements – amended to reflect new Buy America references.
 - 13.15.02.01, Materials Subject to Buy America – amended to include additional Buy America materials.
 - 13.15.02.02, Definitions of Materials Subject to Buy America – subsection removed.
 - 13.15.02.03, Materials Not Subject to Buy America – removed all but the last bullet re: Temporary Utility Relocation; subsection pending further guidance.
 - 13.15.03.01, Utility Owner Self-Certification Method – updated manual subsection references.
 - 13.15.03.02, Vendor/Manufacturer Certification Method – updated manual subsection references.

- **Section 13.15, Buy America (Continued)**
 - 13.15.04.01, De Minimis –
 - Updated to reflect new procedure.
 - Updated manual subsection references.
 - 13.15.04.02, Buy America Compliant Materials Increase Cost by at Least 25% – updated to reflect new Buy America reference regulations/guidance.

Chapter 14 – Right of Way Certification

- **Section 14.01, Introduction**
 - 14.01.13.00, R/W Certification for Additive Bidding Projects –
 - Added new subsection.
 - Renumbered remaining subsections.
- **Section 14.02, Criteria for Certification**
 - 14.02.03.05, Special R/W Certification No. 3 with Work-Around –
 - Added clarification regarding approval and conceptual approval.
 - Updated signature requirements for Certification 3 and 3Ws.
 - 14.02.03.06, Standard Usage for Special Certification No. 3 with Work-Around –
 - Added clarification of approval from FHWA.
 - Updated review timeframes.

Chapter 15 – Airspace

No revisions.

Chapter 16 – Excess Land

No revisions.

Chapter 17 – Local Programs

No revisions.

Chapter 18 – Railroad Coordination**• Section 18.04, Determination of Railroad Involvement**

- 18.04.01.00, General –
 - Added clarification regarding the determination of railroad involvement.
 - Added clarification to site visit/diagnostic meeting attendees.
 - Added clarification regarding locally sponsored projects.
- 18.04.01.01, Category 1 – Projects with No Railroad Involvement –
 - Added clarification to projects in this category.
 - Added clarification to item 1.
 - Added clarification regarding the need for a railroad clearance memo.
- 18.04.01.02, Category 2 – Projects Requiring Only Special Provision 5-1.20C Language –
 - Removed criteria related to work underneath a structure.
 - Added clarification regarding contact with the railroad.
- 18.04.01.03, Category 3 – Projects Not Involving Grade Separations – added clarification regarding the GO-88 B application.
- 18.04.01.05, Railroads Within Two Miles –
 - Added clarification throughout.
 - Added information related to traffic signals and communication.
- 18.04.03.00, Project Delivery – added clarification regarding clearances.
- 18.04.03.01, Federal Aid Requirements – added clarification regarding compliance.

Exhibit Updates

- **02-EX-05, Quality Management Policy: Compliance, Quality, Performance** – new. (04-2025)
- **02-EX-06, Right of Way Quality Management Handbook** – new. (04-2025)
- **02-EX-07, Right of Way Quality Enhancement Joint Review (QEJR)** – new. (04-2025)
- **02-EX-08, RW Quality Management Annual Report** – new. (04-2025)
- **07-EX-21A, Waiver Valuation Title Page** – in “Dates” section, corrected “Appraisal” date to “Waiver” date. (04-2025)
- **08-EX-12, Acquisition Management Review Checklist** (for internal Caltrans use) –
 - Revised to increase conflict of interest limit from \$10,000 to \$15,000.
 - Removed reference to “Administrative Authorization” (process is no longer used by the Department). (05-2025)
- **11-EX-31, Approval of Plans for Temporary Field Offices (Fire Marshal Guidelines)** – Exhibit retired, guidance no longer applicable. (02-2025)
- **11-EX-42, State Space Allowances Standards** – Exhibit retired; standards are located in [Section 1313.21 of the State Administrative Manual](#). (02-2025)
- **13-EX-04, Cover Agreement** – updated the HQ signature block (removed specific name and replaced with a fill-in entry). (07-2025)
- **14-EX-03, Right of Way Certification** (for internal Caltrans use) –
 - Updated to reflect the guidance in Chapter 8, Section 8.09.09.00 – Districts no longer need HQ permission to use a Right of Entry.
 - Pg. 2, Item 5 – removed HQ pre-approval of Rights of Entry.
 - Endnote Instructions, Item 7 – removed HQ pre-approval of Rights of Entry. (05-2025)

- **16-EX-01, Funding Record Search Checklist –**
 - 02-2025 updates:
 - Added “Section A” containing project and parcel information, etc.
 - Clarified checkbox for “InfoAdvantage.”
 - Added checkboxes for “DataLink” and “Life of the Project Report.”
 - Removed checkbox for “Right of Way Property Management System (RWPM)” as the RWPM only provides basic information about parcels, such as parcel number and size.
 - Added an instructions page.
 - 03-2025 updates:
 - Added checkboxes for “Not Applicable” throughout the document.
 - Added reference to the [Funding Research Desk Guide](#) (internal Caltrans link).

- **17-EX-10, Design-Build Certification –**
 - On page 1, added the option that no additional right of way is needed.
 - At items 2 and 7, added instructions.
 - At item 3, clarified instructions.
 - On page 11, updated FHWA signature requirements.

- **17-EX-13, Construction Manager/General Contractor (CM/GC) Certification –**
 - At items 2, 7, 8, 9 added instructions.
 - At item 3, clarified instructions.
 - On page 11, updated FHWA signature requirements.

- **17-EX-18, Right of Way Certification –**
 - At item 1.A.5., updated policy for Right of Entry approvals/usage.
 - At items 2, 7, and 9, added instructions.
 - At item 3, clarified instructions.
 - On page 12, updated FHWA signature requirements.
 - At Endnote Instructions, Item 7, removed HQ preapproval for Rights of Entry.

Form Updates

- ***RW 01-01, Right of Way Security System Change Request*** (for internal Caltrans use) – new. (05-2025)
- ***DOT RW 08-31, Appraisal Cost Reimbursement Agreement*** –
 - Reformatted signature area.
 - Added electronic signatures.
 - On the instructions page in the Planning & Management section:
 - Removed outdated references to old TRAMS federal eligibility codes “FA 6 or 7.”
 - Updated the Object Code information to include “or 50N depending on federal eligibility.” (03-2025)
- ***DOT RW 09-16, Acknowledgment of Receipt of Summons and Complaint*** – corrected typos. (02-2025)
- ***DOT RW 13-20, Agreement for the Positive Location of Underground Utilities*** –
 - Added mandatory electronic signature statement.
 - Updated the HQ signature block (removed specific name and replaced with a fill-in entry). (07-2025)
- ***DOT RW 13-20A, One Time Only – Agreement for the Positive Location of Underground Utilities*** –
 - Added mandatory electronic signature statement.
 - Updated the HQ signature block (removed specific name and replaced with a fill-in entry). (07-2025)
- Many forms have been or are currently in the process of updating the form names – external forms will be preceded with a “DOT” ahead of the normal “RW xx-xx” format. If you’re looking a CEFS form, please make sure to check if the form is alphabetized in the “DOT” or “RW” section of the CEFs webpage.

The [Right of Way Manual](#) is available on the [Division of Right of Way and Land Surveys webpage](#). To receive email update notifications, please visit our [subscription sign-up](#).

Anyone can propose an update to the RW Manual! Visit the [RW Manual webpage](#) to submit a “Right of Way Manual Revision Request.” Other comments and suggestions for improvement to the RW Manual may be submitted to RWManual@dot.ca.gov.