

Road Map Item #: 5.12

Product Name: **REAL ESTATE ACQUISITION MANAGEMENT PLAN  
(RAMP)**

PMP Appendix: APPENDIX F

Submittal Date: May 1, 2013

**ABSTRACT:** This deliverable describes the property acquisition and management functions for the Columbia River Crossing Project.

# REAL ESTATE ACQUISITION MANAGEMENT PLAN (RAMP)

Draft Report

May 2013

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# TABLE OF CONTENTS

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<b>1</b>	<b>INTRODUCTION .....</b>	<b>1-1</b>
1.1	Overview of the CRC RAMP .....	1-1
1.1.1	Purpose.....	1-1
1.2	Project Overview .....	1-1
1.2.1	Project Objectives .....	1-1
1.2.2	Project Status & Planning History With Respect to Transit .....	1-3
1.2.3	Project Sponsors.....	1-4
1.2.4	The CRC Locally Preferred Alternative (LPA) .....	1-5
1.2.5	The CRC Initial Construction Program .....	1-6
1.3	Scope of the CRC RAMP .....	1-7
1.4	Implementation Framework.....	1-8
1.4.1	Legal Requirements Influenced by Federal Funding Sources - “Color of Money” .....	1-8
1.4.2	Authority to Acquire & Dispose of Real Property.....	1-9
<b>2</b>	<b>RAMP IMPLEMENTATION STRATEGIES .....</b>	<b>2-1</b>
2.1	Utilize Third-Party Agreements .....	2-1
2.2	Define a Procedural Framework Compatible with FTA and FHWA Real Property Requirements and Policy-1	
2.2.1	Acquisitions Designated According to Proposed Use .....	2-1
2.2.2	The Relationship Between Use Designation, Federal Funding & Federal Requirements .....	2-2
2.2.3	Continuing Control for Transit Purposes .....	2-2
2.2.4	Determination of Acquiring Agency .....	2-2
2.2.5	ROW Procedures.....	2-2
2.3	Classify Acquisitions Prior to Starting Acquisition Activities .....	2-3
2.4	“Just in Time” Acquisition Follows LPA Delivery Sequencing.....	2-4
2.5	Disassociate Staff Responsibilities From “home office” Affiliations to Promote agility, Flexibility and Long-term Efficiency.....	2-7
2.6	Facilitate Interdisciplinary Coordination.....	2-7
2.7	Exercise Right to Use Judicial Procedure to Expedite Establishing the Right of Entry.....	2-7
2.8	Offer Mediation as Alternative to Condemnation.....	2-7
2.9	Focus First on Acquisitions with High Schedule Risk.....	2-8
<b>3</b>	<b>ROW OFFICE ORGANIZATION, COORDINATION, QUALITY &amp; DESIGN CONTROL .....</b>	<b>3-1</b>
3.1	Dedicated CRC ROW Office Staff.....	3-1
3.2	Roles & Responsibility Matrix.....	3-2
3.3	Coordination with Other CRC Work Units .....	3-3
3.3.1	ROW Coordination Meetings .....	3-3
3.3.2	Interdisciplinary Reviews.....	3-3
3.3.3	Design Control for Real Estate: Property Interest Certification .....	3-4
3.3.4	Property Interest Certification Shifts QC Responsibility .....	3-5
<b>4</b>	<b>ACQUISITION SCHEDULE .....</b>	<b>4-1</b>



4.1	Approach to Scheduling ROW Activities .....	4-1
4.2	Summary ROW Activities in the CRC Master Project Schedule.....	4-1
4.3	Basis of the Summary ROW Activities .....	4-1
4.3.1	Appraisal Summary Activity .....	4-2
4.3.2	Negotiation Summary Activity .....	4-2
4.3.3	Relocation Summary Activity .....	4-2
4.3.4	Condemnation Summary Activity .....	4-3
<b>5</b>	<b>COST ESTIMATE .....</b>	<b>5-1</b>
5.1	Overview of the ROW Cost Estimate .....	5-1
5.2	Basis of the ROW Cost Estimate .....	5-1
5.2.1	Washington Methodology.....	5-1
5.2.2	Oregon Methodology.....	5-3
5.2.3	Subsequent Updates.....	5-4
5.3	ROW Cost Estimate QA/QC.....	5-4
<b>6</b>	<b>ACQUISITION PROCESS.....</b>	<b>6-1</b>
6.1	Ownership & Title Information .....	6-1
6.2	Appraisals .....	6-2
6.2.1	Development of the Scope of Work.....	6-2
6.2.2	Scoping Complex Appraisals .....	6-2
6.2.3	Scoping Appraisals of Railroad Interests .....	6-2
6.3	Offer of Just Compensation.....	6-3
6.3.1	Low Value, Uncomplicated Acquisitions.....	6-3
6.3.2	Acquisitions of Parcels with Negative Equity.....	6-3
6.4	Negotiations .....	6-4
6.4.1	Administrative Settlements.....	6-4
6.5	Closing and Taking Possession of Property.....	6-5
6.6	Condemnation.....	6-6
6.6.1	Using WSDOT Authority .....	6-7
6.6.2	Using ODOT Authority .....	6-7
6.6.3	Using Transit Agency Authority .....	6-8
6.7	Mediation.....	6-8
6.8	23 CFR 635.309 Compliance .....	6-9
<b>7</b>	<b>RELOCATION PROCESS.....</b>	<b>7-1</b>
7.1	Approach to the Relocation Process .....	7-1
7.1.1	Relocation Planning to Date.....	7-1
7.1.2	Remainder of Relocation Activities To Parallel Acquisition Sequencing .....	7-1
7.1.3	Conformance with Uniform Act.....	7-1
7.1.4	Staffing.....	7-2
7.2	Assurances .....	7-2
7.3	Appeals .....	7-3
7.4	Payment of Relocation Benefits .....	7-4

7.4.1	Advanced Relocation Payments .....	7-4
7.5	Notice to Vacate .....	7-4
7.5.1	WSDOT.....	7-5
7.5.2	ODOT 7-5	
<b>8</b>	<b>OTHER COMPONENTS .....</b>	<b>8-1</b>
8.1	Property Owner Relations .....	8-1
8.2	Recordkeeping .....	8-1
8.2.1	Acquisition Diaries.....	8-1
8.2.2	Other Working Files .....	8-1
8.2.3	Comprehensive Acquisition/Condemnation Files .....	8-1
8.2.4	Relocation Files.....	8-2
8.3	Document Control .....	8-2
8.3.1	The Scope of Document Control .....	8-2
8.3.2	ROW Approach to Document Control .....	8-3
8.3.3	Change Management.....	8-4
8.4	Reporting.....	8-4
8.5	Property Management During the RAMP Implementation Phase .....	8-5
8.6	Demolition .....	8-5
8.7	Easement, Lease, and License Agreements.....	8-6
8.8	Property Management in the Post Construction Phase.....	8-6
8.8.1	Disposal of Excess Property .....	8-6
8.8.2	Change of Use or Transfer of Federal Interest.....	8-6
8.9	Transit-Oriented and Joint Development.....	8-7

## List of Figures

Figure 1-1.	Location of CRC Improvements.....	1-3
Figure 2-2:	CRC Initial Construction Program (ICP) Delivery Packages .....	2-6
Figure 6-1:	Screenshot From the Condemnation Traction Section of IRIS .....	6-6
Figure 6-2:	Screenshot From the Condemnation Traction Section of RAIN.....	6-8

## List of Tables

Table 1-1	Primary Sponsors of the Columbia River Crossing Project Real Estate Roles .....	1-4
Table 1-2	Statutory Authority of CRC Sponsors with Respect to Real Property Powers.....	1-9
Table 2-1	Summary of Third Party Agreements Related to CRC Real Property Activities .....	2-1
Table 2-2:	Procedures Controlling CRC Real Estate Activities .....	2-3
Table 2-3	Target Dates to Have Gained Possession by Sequence .....	2-6
Table 3-1:	Ramp Up of ROW Staffing Levels by Month .....	3-1
Table 3-2:	The Relationship Between Property Interest Attribute Combinations and Roles & Responsibility Tables .....	3-2
Table 6-1	Complex Appraisal Expertise Available to CRC ROW Office.....	6-3
Table 6-2	Conformance Level of Negative Equity Policy to CRC Statement .....	6-4

Table 6-3 Administrative Settlement Limits and Approval Requirements .....	6-5
Table 6-4 CRC Delivery Packages Subject to 23 CFR 635.309 Certification.....	6-10
Table 7-1: Relocation Manual Designation for Displacements Caused by CRC .....	7-2
Table 7-2: Relocation Appeals Process for CRC Displacing Agencies .....	7-3
Table 7-3: Relocation Payment Timing for CRC Displacing Agencies .....	7-4
Table 7-4: Advance Relocation Payment Approval Requirements by Displacing Agency.....	7-4
Table 8-1: Archive Location and Retention Schedule for Acquisition/Condemnation Files .....	8-2
Table 8-2 Controlled Documents Related to CRC Right-of-Way Office .....	8-3
Table 8-3 Document Control Repositories Affected by ROW Office Activities .....	8-4

## **APPENDICES (under separate cover)**

- Appendix A: CRC FEIS Maps of Acquisitions & Displacements
- Appendix B: Geographic Boundaries of the Columbia River Crossing ICP and LPA
- Appendix C: Delivery Packages of the Initial Construction Program (ICP)
- Appendix D: Transit, Highway and Joint Use Taxlots Mapped by Acquisition Sequence
- Appendix E: Triggers & Protocol: FTA Concurrence & Ad Hoc Guidance
- Appendix F: Uniform Act-DOT Procedures Cross Reference
- Appendix G: ROW Office Table of Organization
- Appendix H: RES Job Descriptions
- Appendix I: RES Staff Resumes
- Appendix J: Roles & Responsibility Tables for Transit Use Parcels
- Appendix K: Template of Property Interest Certification
- Appendix L: ROW Master Database and Relocation Tracking Templates
- Appendix M: Acquisition File Completeness Checklists According to Acquiring Agency
- Appendix N: Flow & Management of Controlled Documents related to RES Activities
- Appendix O: Templates of RES Monthly Reports to FTA
- Appendix P: Response to FHWA Rev5 Questions
- Appendix Q: RAIN User's Manual
- Appendix R: IRIS User's Manual
- Appendix S: Acquisition Boundaries & Property Attributes, Parcel by Parcel

## ACRONYMS

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ADR	Alternative Dispute Resolution
AGO	Attorney General Office
CFR	Code of Federal Regulations
CMAQ	Congestion Mitigation-Air Quality
COV	City of Vancouver
CRC	Columbia River Crossing Project
C-TRAN	Clark County Public Transit Benefit Area Authority
DEIS	Draft Environmental Impact Statement
DOT	Department of Transportation
FEIS	Final Environmental Impact Statement
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
LPA	Locally Preferred Alternative
ICP	Initial Construction Program
LRT	Light Rail Transit
LRV	Light Rail Vehicle
MAX	Metropolitan Area Express
MPO	Metropolitan Planning Organization
MTIP	Metropolitan Transportation Improvement Program
NEPA	National Environmental Policy Act
NTP	Notice to Proceed
ODOT	Oregon Department of Transportation
OMB	Office of Management and Budget
ORS	Oregon Revised Statutes
OTC	Oregon Transportation Commission
PFE	Project Funding Estimate

PMLRT	Portland-Milwaukie Light Rail Transit
RAMP	Real Estate Acquisition Management Plan
RCW	Revised Code of Washington
RES	Real Estate Services
RESM	Real Estate Services Manager
RHP	Replacement Housing Payment
ROW	Right-of-Way
SDEIS	Supplemental Draft Environmental Impact Statement
SFR	Single Family Residence
SOP	Standard Operating Procedure
STP	Surface Transportation Program
STIP	Statewide Transportation Improvement Program
TIP	Transportation Improvement Program
TriMet	Tri-County Metropolitan Transportation District
URA	Uniform Relocation Assistance & Real Property Acquisition Policies Act of 1970, as amended
USC	United States Code
UZA	Urbanized Area
WAC	Washington Administrative Code
WBS	Work Breakdown Structure
WSDOT	Washington State Department of Transportation

# 1 Introduction

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## 1.1 Overview of the CRC RAMP

### 1.1.1 Purpose

The Federal Transit Administration requires New Starts grantees to develop and update a Real Estate Acquisition Management Plan (RAMP). FTA envisions the RAMP as a planning tool to help proposed grantees:

- Identify and minimize the substantial schedule and budget risks inherent to real property activities required by major capital projects using Federal Assistance.
- Formulate a real estate schedule commensurate in detail with specific project phases.
- Comply with all Federal laws, regulations and guidance during implementation of a real property acquisition program; these include the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended; 49CFR Part 24, and FTA Circular 5010.1D.
- Facilitate reviews by a project management oversight consultant (PMOC).

## 1.2 Project Overview

### 1.2.1 Project Objectives

The Columbia River Crossing (CRC) Project is more than a mass transit project; it is a multi-modal transportation project intended to improve regional mobility in the Portland-Vancouver metropolitan area and local mobility north and south of the Columbia River.

In addition to the transit extension and the replacement of the I-5 bridge over the Columbia River, the project includes significant interchange, pedestrian, bicycle, and Transportation Demand Management elements that together, pursue the following goal:

- Improve travel safety and traffic operations on the I-5 crossing's bridges and associated interchanges;
- Improve connectivity, reliability, travel times, and operations of public transportation modal alternatives in the BIA;
- Improve highway freight mobility and address interstate travel and commerce needs in the BIA; and
- Improve the I-5 river crossing's structural integrity (seismic stability).

Figure 1.1 shows the location of the main project corridor as well as the location of the Steel Bridge improvements and Ruby Junction LRT maintenance facility in Gresham, Oregon. The

Steel Bridge elements consist of the relatively minor signal and expansion joint improvements that will decrease transit travel times between Vancouver and Portland central business districts and involve no real estate activities.



**Figure 1-1. Location of CRC Improvements**



**1.2.2 Project Status & Planning History With Respect to Transit**

The CRC Project formally entered the decision-making process required by the National Environmental Policy Act (NEPA) in August 2005, acknowledged a Locally Preferred Alternative (LPA) in July 2008, and released a Final Environmental Impact Statement (FEIS) in September 2011. On December 7, 2011, authorized representatives of the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) signed a Record of Decision, formally validating the technical and public decision-making process, and authorizing the project to move into preconstruction activities including final design, ROW acquisition, securing construction financing, etc.

The CRC Project will construct the final high capacity transit link of the South/North Corridor. This transportation corridor, formally studied in *The South/North Corridor Draft Environmental Impact Statement* (DEIS) published in February 1998, envisioned high capacity transit linking Vancouver, Washington, downtown Portland, and Clackamas County. Other links in the corridor include the Interstate LRT Extension (revenue service 2004), the MAX Green Line (revenue service 2009) and the Portland Milwaukie LRT Project (currently under construction with revenue service projected for 2015). Project Sponsors

### 1.2.3 Project Sponsors

The CRC is a complex project requiring coordinated actions of multiple sponsors including: two Federal transportation agencies, two state DOTs, two Metropolitan Planning Organizations (MPOs), two cities, and two transit authorities. WSDOT’s role includes designation as FTA grantee. Intergovernmental agreements are used extensively for power sharing and coordination. With respect to real property activities, Table 1-1 lists the name, jurisdiction and role of the Project’s primary sponsors.

**Table 1-1 Primary Sponsors of the Columbia River Crossing Project Real Estate Roles**

Entity	Jurisdiction	Role with respect to CRC real property activities
<b>Federal Transit Administration (FTA)</b>	Co-lead NEPA compliance	Provide Federal Assistance administered by the FTA.
<b>Federal Highway Administration (FHWA)</b>	Co-lead NEPA compliance, Uniform Act lead agency	Provide federal discretionary and/or formula highway funds.
<b>Washington State Department of Transportation (WSDOT)</b>	Washington state highways and other duties designated by state legislature	Co-lead for CRC management; FTA grantee, acquisition of property required for highway purposes in Washington, acquisition of property required for transit purposes in Washington under a Local Agency Agreement with C-Tran.
<b>Oregon Department of Transportation (ODOT)</b>	Oregon state highways and other duties designated by state legislature	Co-lead for CRC management; acquisition of property required for highway purposes in Oregon.
<b>Southwest Washington Regional Transportation Council (RTC)</b>	State mandated regional planning, and designated federal metropolitan planning organization in Washington for Portland-Vancouver-Hillsboro Metropolitan Statistical area	ROW phase programming in SW Washington Transportation Improvement Program (TIP) and Statewide Transportation Improvement Program (STIP).
<b>Metro</b>	Elected regional planning and designated federal metropolitan planning organization in Oregon for the Portland-Vancouver-Hillsboro Metropolitan Statistical area	ROW phase programming in the Metropolitan Transportation Improvement Program (MTIP), and Statewide Transportation Improvement Program (STIP).
<b>Tri-County Metropolitan Transportation District (TriMet)</b>	Public transit provider in Oregon within the Portland Vancouver-Hillsboro Metropolitan Statistical area	Acquisition of property required for LRT maintenance facility at Ruby Junction, title holder of property with FTA interest in Oregon.
<b>Clark County Public Transit Benefit Area Authority (C-TRAN)</b>	Public transit provider in Washington within the Portland-Vancouver-Hillsboro Metropolitan Statistical area	Title holder of property with FTA interest in Washington including park and ride garages.
<b>The City of Vancouver</b>	Land use and development permitting in Washington within the city limits	Title holder of project related real property.
<b>The City of Portland</b>	Land use and development permitting in Oregon within the city limits	Title holder of project related real property.

## 1.2.4 The CRC Locally Preferred Alternative (LPA)

### BRIEF DESCRIPTION OF LPA IMPROVEMENTS

**Replacement I-5 Bridge:** A new river crossing will carry I-5 traffic, light rail, pedestrians and bicyclists. The design currently calls for two structures with a total of 10 lanes (three through lanes plus two lanes to connect interchanges in each travel direction) and full safety shoulders. The new crossing will eliminate bridge lifts and will meet current earthquake standards.

**Light Rail Extension:** Light rail will be extended from Portland's Expo Center MAX station to Clark College in Vancouver. The 2.9-mile extension will include one station on Hayden Island, four transit stations in Vancouver and three park and ride facilities in Vancouver. This new extension will provide easier connections to the region's light rail and streetcar lines, Amtrak passenger rail and C-TRAN and TriMet bus routes. The route runs adjacent to I-5 from the Expo Center to the Columbia River. In downtown Vancouver, trains will travel north on Broadway Street and south on Washington Street in a dedicated lane. Trains will travel east and west on 17th Street. The terminus station will be located at a 1900 parking space park and ride facility near Clark College and the Marshall/Luepke Center. The Steel Bridge elements consist of relatively minor signal and expansion joint improvements that will decrease transit travel times between Vancouver and Portland central business districts.

**Enhanced Pedestrian & Bicycle Routes:** New and improved facilities will meet disability standards and provide a safer trip across the bridge and in the project area. The multi-use path on the I-5 bridge will be widened from its current four feet and be located on the lower level of the bridge separated from both road and rail traffic. The bridge path will have views looking east to Mt. Hood. The pathways, lanes and sidewalks on land in north Portland and in Vancouver will connect to regional trails and facilities.

**Interchange Improvements:** I-5 will be improved for safety and freight mobility within the five-mile project area. Plans call for improving links to and from arterials and state highways, connecting interchanges via merge lanes and lengthening on/off ramps. The following interchanges will be improved: Marine Drive, Hayden Island/Jantzen Beach, SR 14/City Center, Mill Plain and Fourth Plain. The Hayden Island interchange has undergone recent design refinements developed in conjunction with island residents and businesses that minimize impacts. The design provides I-5 access, as well as local access via an arterial bridge over North Portland Harbor.

**Traffic Demand Management:** Traffic demand management (TDM) strategies will be implemented to maximize the capacity and efficiency of the physical system. While specific strategies have yet to be determined, options include:

- Replacement or expanded variable message signs or other traveler information systems in the CRC project area.
- Continued incident response capabilities.
- Queue jumps or bypass lanes for transit vehicles where multi-lane approaches are provided at ramp signals for entrance ramps and where they would fit within the existing right-of-way.

- Expanded traveler information systems with additional traffic monitoring equipment and cameras.
- Active traffic management.
- Congestion pricing of tolls, transit fares, and parking rates in the project area.

#### **REQUIRED SCOPE OF RIGHT-OF-WAY DOCUMENTED DURING THE NEPA PROCESS**

Environmental impact analysis conducted during the NEPA process determined the Project would require the following acquisitions and displacements:

- 74 full parcel acquisitions.
- 143 partial acquisitions.
- 128 residential and commercial displacements.
- 6 acres of permanent airspace, subsurface or property easements.
- Approximately 20 acres of temporary construction easements distributed over 200 distinct parcels.

**Appendix A** of this RAMP shows the geographic location of these impacts as they were documented in the November 2011 CRC Final Environmental Impact Statement.

#### **1.2.5 The CRC Initial Construction Program**

In response to state fiscal constraints, the LPA will be constructed incrementally. The first construction phase is referred to as the Initial Construction Program (ICP).

#### **IMPROVEMENTS INCLUDED IN THE INITIAL CONSTRUCTION PROGRAM**

The ICP includes the following multi-modal elements:

- The new river crossing over the Columbia River and the I-5 highway improvements, including improvements to three interchanges, as well as associated enhancements to the local street network.
- Extension of light rail from the Expo Center in Portland to Clark College in Vancouver, and associated transit improvements, including transit stations, park and rides, bus route and station changes, and expansion of a light rail transit (LRT) maintenance facility.
- Upgrades and modifications to the Steel Bridge and transit command center.
- Purchase of 19 light rail vehicles (LRV), public art and other transit-related procurements.
- Bicycle and pedestrian improvements throughout the project corridor that connect to the transit system.

- Toll system for the river crossing.
- Transportation demand and system management measures to be implemented with the project.

**Appendix C** of this RAMP is an illustrative map showing the geographic footprint of the ICP color coded by “delivery package.” Throughout this document, the term “delivery package” means a group of improvements that will be designed, procured and constructed as a discrete set. In general, CRC delivery packages consist of one major construction contract and a number of ancillary contracts.

### 1.3 Scope of the CRC RAMP

Conceptually, activities related to the acquisition and management of real property required for the Initial Construction Program (ICP) can be broken into four phases.

- **Corridor Planning and Project Development:** The phase in which the real property impacts of all project alternatives are documented and compared to a no-build alternative. Potential acquisitions and displacements are quantified, initial property descriptions (including easily accessible ownership and title information) are compiled and environmental contamination surveys are completed that do not require a Permit of Entry. The requirements of NEPA are addressed during this phase including the execution of a ROD.
- **Baseline Engineering and Design:** During the baseline formulation phase, NEPA data pertaining to the LPA is refined and verified, proposed acquisitions for the entire LPA are more precisely classified. A baseline cost estimate is completed, a preliminary acquisition schedule is developed, staffing and administration needs are determined, and a property need certification process is completed. During this phase, the project works with the PMOC to ensure all requirements requisite for RAMP approval by the FTA are met. This phase generally corresponds to the Engineering project development phase defined by New Starts.
- **RAMP Implementation:** During this phase, all real property activities required for funded delivery packages are completed including acquisition, relocation, demolition and environmental remediation. The actual commencement of acquisition activities may start after execution of a ROD under pre-award authority, may start concurrent with final design, or may start subsequent to both of these milestones. By the time construction is substantially complete, all property interests are vested to long-term owners.
- **Post Construction Property Management:** In addition to maintenance and security activities, this final phase includes the formation and updating of excess property utilization plans, updating triennial review and audit files, and the pursuit of excess property disposal and/or joint development.

- The CRC RAMP covers all four of the phases described above, though emphasis is placed on baseline and implementation activities.

## **1.4 Implementation Framework**

### **1.4.1 Legal Requirements Influenced by Federal Funding Sources - “Color of Money”**

Anticipated capital funding sources for the CRC are documented in Chapter Four of the Final Environmental Impact Statement as follows: “The Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) are anticipated to provide discretionary funds constituting approximately 40% of the capital funds.”

While non-discretionary funds, such as Surface Transportation Program (STP), Congestion Mitigation-Air Quality (CMAQ), and FTA Section 5307 Urbanized Area(UZA) formula funds may also be used for capital purposes, the first objective of this section of this RAMP is to acknowledge that real property activities funded in whole or in part by capital grants funds administered by the FTA are subject to legal requirements of Title 49 United States Code Chapter 53, as amended by MAP-21, which include, but are not limited to the following:

- Compliance with the Uniform Act as implemented by 49 CFR part 24;
- Project inclusion in the Oregon and Washington State Transportation Improvement Programs (STIP);
- Satisfactory continuing control for transit purposes; and,
- Compliance with FTA guidance published in Circular 5010.1D, including the appraisal review threshold.

The second objective is to acknowledge that real property activities utilizing FHWA discretionary and/or formula highway funds must be conducted in compliance with 23 CFR Part 710 and 23 CFR 635.309. The authority for these FHWA regulations are 23 U.S.C. 101(a), 107, 108, 111, 114, 133, 142(f), 145, 156, 204, 210, 308, 315, 317, and 323; 42 U.S.C. 2000d et seq., 4633, 4651–4655.

Specific requirements of 23 CFR Part 710 and 23 CFR 635.309 include, but are not limited to:

- Compliance with the Uniform Act as codified in 49 CFR part 24;
- Project inclusion in the Oregon and Washington state transportation improvement programs (STIP);
- Project completion of NEPA process as evidenced by execution of a Record of Decision; and
- Development and certification that each state’s Right-of-Way Operations manual complies with FHWA requirements and applicable state laws. These manuals must describe the right-of-way organization, policies, functions and procedures for all phases of the each state’s DOT real estate program including appraisal, appraisal

review, negotiation, use of eminent domain, property management and relocation assistance.

While there are many commonalities between these two sets of requirements, there are also differences. Section 2.2 of this RAMP describes a framework for how the CRC intends to address these differences in a manner pursuant to FTA and FHWA policy and procedures.

**1.4.2 Authority to Acquire & Dispose of Real Property**

The CRC operates as a partnership between project sponsors. While no enabling legislation is necessary to pursue project related real property activities, the legal basis for real property activities stems from the statutory authority of the individual sponsors to acquire property for certain transportation uses, to invoke eminent domain, to share powers, and to act cooperatively. Table 1-2 documents the statutory authority available to CRC Right-of-Way.

**Table 1-2 Statutory Authority of CRC Sponsors with Respect to Real Property Powers**

<b>CRC Sponsor</b>	<b>Eminent Domain Authority</b>	<b>Other Powers</b>
<b>WSDOT</b>	RCW 47.12.010, RCW 47.12.270	RCW 47.52.210 (relinquishment)
<b>ODOT</b>	ORS 366.320; 366.340	ORS 190.110; ORS 366.576 (intergovernmental agreements)
<b>TriMet</b>	ORS 267.200	ORS 267.200, 267.255(intergovernmental agreements)
<b>C-TRAN</b>	RCW 36.57A.090	RCW 36.57A.080 (intergovernmental agreements)

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## 2 RAMP Implementation Strategies

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Given the complex scope and structure of the Columbia River Crossing Project, Right-of-Way (ROW) management and staff developed a number of implementation strategies that warrant specific attention in this document.

### 2.1 Utilize Third-Party Agreements

The CRC has compiled a list of approximately 70 third-party agreements required to provide the statutory authority, the technical capability and the long term protection of Federal interests required for CRC implementation. The scope of six agreements related to real estate activities are summarized in Table 2-1. December 1, 2013 is the milestone date for all agreements to be executed.

**Table 2-1 Summary of Third Party Agreements Related to CRC Real Property Activities**

<b>CRC Tracking Number</b>	<b>Agreement Name</b>	<b>Scope</b>
8.1.6	ROW BNSF Construction and Maintenance	To address rights necessary for the project and include the land swap on HWY 14.
8.1.11	WA/Transit Right of Way Agreement	Local Agency Agreement to describe the acquisition procedures, allocation of roles, duties, responsibilities and ultimate ownership of acquired properties.
8.1.12	TRIMET & WSDOT Right-of-Way Agreement	Task assignment for right-of-way funding and acquisition procedures.
8.1.13	COV & WSDOT Right of Way Agreement	Will include excess right-of-way; COV/WSDOT Right-of-Way transaction requirements are satisfied by turn back agreements.
8.2.4-7	Continuing Control Agreements	Grants necessary permanent rights for the operation and maintenance of LRT on property where a transit agency is not the underlying owner.
8.2.18	Turnback Agreement WSDOT-City of Vancouver	Upon completion of the project, certain right-of-way will be transferred from WSDOT to City of Vancouver ownership.

### 2.2 Define a Procedural Framework Compatible with FTA and FHWA Real Property Requirements and Policy

#### 2.2.1 Acquisitions Designated According to Proposed Use

Case by case, all proposed CRC acquisitions have been assigned one of the following Use Designations:

- Transit Use
- Highway Use
- Joint Use

A “Transit Use” is any use that the Federal Transit Administration considers to support transit purposes that is also in accordance with the state statutes of Washington or Oregon according to the location of the property.

A “Highway Use” is any use that the Federal Highway Administration considers to support highway purposes that is also in accordance with the statutes of Washington or Oregon according to the location of the property.

“Joint Use” includes both transit and highway needs where the initial use is necessary for highway construction/improvements and transit will need permanent rights in the future to secure continuing control. In a memo dated April 15, 2013, Washington’s Assistant Attorney General assigned to the CRC for real estate writes the Joint Use designation does not portend improper use of WSDOT motor vehicle funds.

Maps of Use Designations by delivery package are provided in **Appendix D** of this RAMP.

### **2.2.2 The Relationship Between Use Designation, Federal Funding & Federal Requirements**

Federal funds administered by the FTA will be used to acquire real property or real property rights necessary for Transit Use. Transit Use acquisitions will conform with the requirements of the Uniform Act and FTA Circular 5010.1D.

A specific concurrence and ad hoc guidance triggers with citations to C5010.1D are provided in **Appendix E** of this RAMP.

Federal funds administered by the FHWA will be used to acquire real property or real property rights necessary for Highway Use and Joint Use parcels; these acquisitions will conform with the requirements codified under 23 CFR Part 710 and 23 CFR 635.309.

### **2.2.3 Continuing Control for Transit Purposes**

Transit needs for continuing control will be satisfied through the acquisition of permanent rights.

### **2.2.4 Determination of Acquiring Agency**

With respect to the CRC, “acquiring agency” refers to the project sponsor with authority to acquire property by eminent domain under state law. This definition is consistent with how the term is defined by the Uniform Act. WSDOT, ODOT, TriMet, and C-Tran will operate as the acquiring agencies for CRC acquisitions. While there is some flexibility, a property’s location and Use Designation determines which agency will be the acquiring agency.

### **2.2.5 ROW Procedures**

The procedures used to acquire property, manage property, and relocate displacees can be expressed in terms of activity and Property attributes. Table 2-2 reports the controlling procedures for anticipated real estate activities.

**Table 2-2: Procedures Controlling CRC Real Estate Activities**

Designated Use & Real Estate Activity	Acquiring Agency	Federal Funding	Controlling Procedures	Reference Location
Transit Use acquisition, Oregon	TriMet	FTA	Real Estate: Policies & Procedures	<a href="https://trinet.trimet.org/cms/departments/capital-projects/real-property/TriMet%20ROW%20Procedures%20Manual.pdf">https://trinet.trimet.org/cms/departments/capital-projects/real-property/TriMet%20ROW%20Procedures%20Manual.pdf</a>
Highway Use acquisition, Oregon	ODOT	FHWA	Right of Way Manual	<a href="http://www.oregon.gov/ODOT/HWY/ROW/rowmanual.shtml">www.oregon.gov/ODOT/HWY/ROW/rowmanual.shtml</a>
Joint Use acquisition Oregon	ODOT	FHWA	Right of Way Manual	<a href="http://www.oregon.gov/ODOT/HWY/ROW/rowmanual.shtml">www.oregon.gov/ODOT/HWY/ROW/rowmanual.shtml</a>
Turnback, relinquishment of property in Oregon	ODOT	FHWA	Right of Way Manual including FHWA approval	<a href="http://www.oregon.gov/ODOT/HWY/ROW/rowmanual.shtml">www.oregon.gov/ODOT/HWY/ROW/rowmanual.shtml</a>
Conveyance of rights to provide continuing control for transit in Oregon	ODOT	FTA or none	Right of Way Manual pursuant 23 CFR 710.405. If acquisition for joint use is programmed through Oregon Transportation Infrastructure Fund, conveyance can be made without cost.	<a href="http://www.oregon.gov/ODOT/HWY/ROW/rowmanual.shtml">www.oregon.gov/ODOT/HWY/ROW/rowmanual.shtml</a> , ORS 367.015
Transit Use acquisition in Washington	WSDOT for C-Tran	FTA	M 26-01.06: Right-of-Way Manual, with terms of Local Agency Agreement to ensure compliance with FTA requirements.	<a href="http://www.wsdot.wa.gov/publications/manuals/m26-01.htm">www.wsdot.wa.gov/publications/manuals/m26-01.htm</a>
Highway Use acquisition In Washington	WSDOT	FHWA	M 26-01.06: Right-of-Way Manual	<a href="http://www.wsdot.wa.gov/publications/manuals/m26-01.htm">www.wsdot.wa.gov/publications/manuals/m26-01.htm</a>
Joint Use acquisition in Washington	WSDOT	FHWA	M 26-01.06: Right-of-Way Manual	<a href="http://www.wsdot.wa.gov/publications/manuals/m26-01.htm">www.wsdot.wa.gov/publications/manuals/m26-01.htm</a>
Turnback/relinquishment of property in Washington	WSDOT	FHWA	M 26-01.06: Right-of-Way Manual, including FHWA approval	<a href="http://www.wsdot.wa.gov/publications/manuals/m26-01.htm">www.wsdot.wa.gov/publications/manuals/m26-01.htm</a>
Conveyance of rights to provide continuing control for transit in Washington	WSDOT	FTA	Right of Way Manual pursuant 23 CFR 710.405, & WA 18 <sup>th</sup> Amendment	<a href="http://www.wsdot.wa.gov/publications/manuals/m26-01.htm">www.wsdot.wa.gov/publications/manuals/m26-01.htm</a>
Disposition of joint use property no longer needed for joint use	WSDOT, ODOT	FHWA	ROW manual of the acquiring agency	same as acquiring agency
Relocation Planning	ROW office	FTA and/or FHWA	CRC Ramp, Chapter 7	<a href="mailto:palazzom@columbiarivercrossing.org">palazzom@columbiarivercrossing.org</a>
Relocation Activities	TriMet, ODOT, WSDOT, WSDOT for C-Tran	Same as displacing acquisition	Same as displacing acquisition	Same as displacing acquisition

\* Regardless of use designation, property interests acquired for construction contracts with federal funding from FHWA will be certified pursuant to 23CFR 635.309; some acquisitions, therefore may be certified pursuant to FHWA and FTA requirements.

### 2.3 Classify Acquisitions Prior to Starting Acquisition Activities

As evidenced by the preceding discussion, multiple funding sources and acquiring agencies increase the complexity of the acquisition process. One method to help navigate this complexity is to fully classify property interests by attributes that describe how the property interest will be

managed both during and after construction. Property interest attributes will be documented as part of the Property Interest Certification process (described in Section 3.3 of this RAMP).

The definitions of eleven attributes by which all CRC acquisitions are to be classified are as follows:

- **Sequence:** groups of acquisitions according to the construction or delivery package for which they are required.
- **Rights:** the type of property interest acquired (fee simple or easement, for example).
- **Extent:** the physical extent of the acquisition with respect to its current legal description.
- **Duration:** the time duration of the property interest to be acquired.
- **Normality:** the normality of valuation process with respect to the Uniform Act and FTA Circular 5010.1D.
- **Use Designation:** the transportation purposes supported by an acquisition.
- **Federal Funding:** indicates the Federal source of funding used in an acquisition.
- **Acquiring Agency:** indicates the CRC sponsor agency designated as the acquiring agency with respect to the Uniform Act.
- **Authority:** indicates the unit of government whose eminent domain will be used for the acquisition.
- **Ultimate Vesting:** indicates in whom the property interest will be vested as the project moves from the construction phase into revenue service and the O&M phases.<sup>1</sup>
- **Agent:** indicates the acquisition agent assigned to the property.

**Appendix Q** of this RAMP provides a full listing of property attributes on a parcel by parcel basis.

## 2.4 “Just in Time” Acquisition Follows LPA Delivery Sequencing

Civil infrastructure projects valued in excess of one billion dollars may be planned and managed as one project but are funded and constructed as interrelated contracts or “delivery packages” that can be described and categorized in terms of common attributes such as procurement

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<sup>1</sup> With respect to acquisitions for transit use, “authority” and “ultimate vesting” attributes would have the same designation. Classification of acquisitions for highway uses, however, may result in different designations for these two attributes. For example, in the case where WSDOT acquires in the name of the State or C-TRAN, then relinquishes a portion of the acquisition to the City of Vancouver, “authority” would be designated as WSDOT or C-TRAN but “ultimate vesting” would be designated as City of Vancouver.

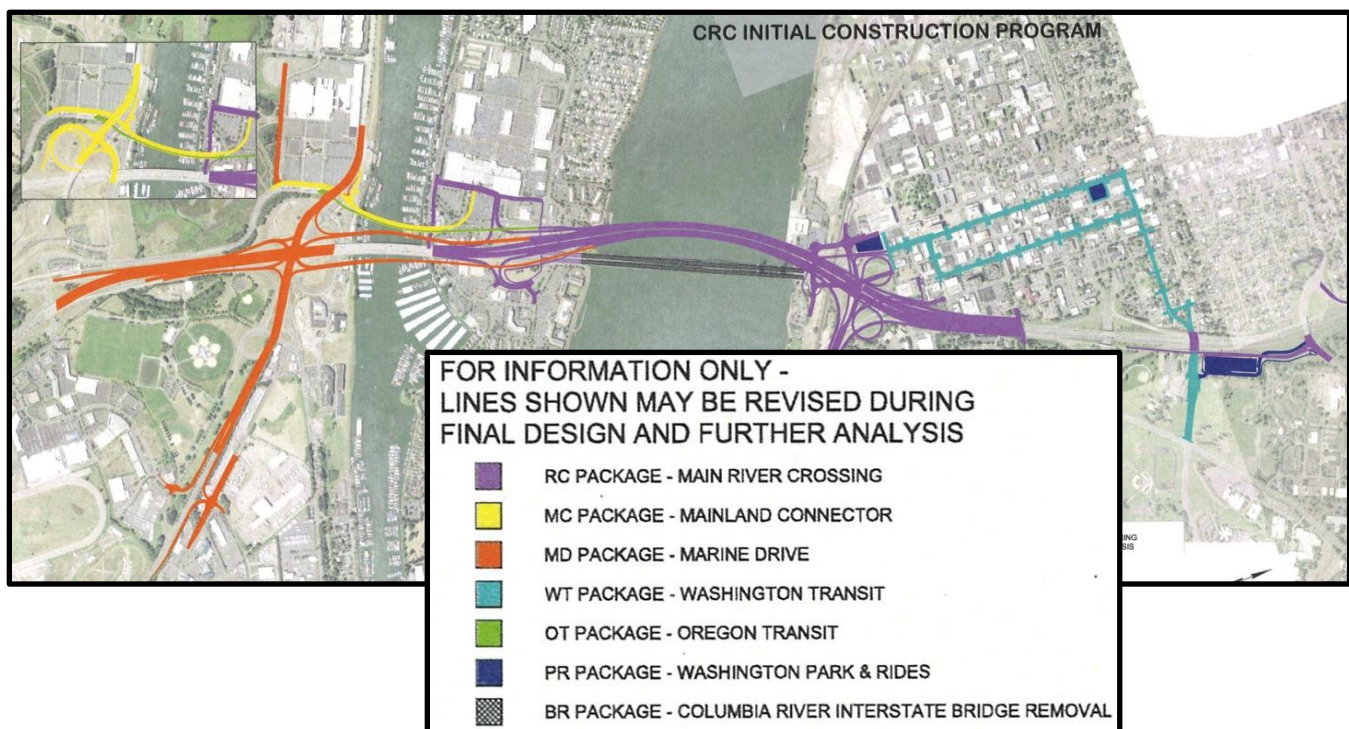
method, construction duration, temporal footprint, overall value, contracting agency, funding source, disciplinary scope, and/or spatial extent. The CRC is no exception.

Acquisitions have been assigned to one of eleven “sequences” or groups, according to the delivery packages for which they are required. Sequences are identified by capital letters. Table 2-3 summarizes the relationship between each sequence, delivery package and the critical path represented by the August 2012 CRC Master Schedule Update.

**Table 2-3 Target Dates to Have Gained Possession by Sequence**

Acquisition Sequence	Associated Delivery Packages	Complete Possession Target	ICP	Property Interests in Sequence
RC <sub>iw</sub>	River Crossing (Washington)	In-water: Sept. 2014 Uplands: March 2015	Yes	Riparian and upland interests required for construction for the main river crossing and approaches.
RC <sub>io</sub>	River Crossing (Oregon)	In-water: Sept. 2014 Uplands: March. 2015	Yes	Riparian and upland interests required for construction for the main river crossing and approaches.
MC	Mainland Connector	April 2015	Yes	Interests required for highway and transit facilities south of Hayden Island and new structures over North Portland Harbor
WT	Washington Transit	March 2016	Yes	Completes acquisitions required for transit facilities. The focus of this sequence is acquisitions required for transit stations and guideway couplet in Vancouver's Central Business District (CBD).
PR	Park & Ride Garages	January 2015	Yes	Property required for Mill Park & Ride. Property required for other facilities to be acquired in RC <sub>iw</sub> package.
RJ	Ruby Junction	June 2014	Yes	Acquisitions within this designation are necessary for the Ruby Junction Maintenance Facility expansion.
EN	Environmental Mitigation	TBD	Yes	Acquisitions related to environmental mitigation.
MD <sub>i</sub>	Marine Drive	October 2017	Yes	Interests required the reconfiguration of the Marine Drive interchange.
RC <sub>SUB</sub>	River Crossing	TBD	No	Completes acquisitions required by the LPA between North Portland Harbor and Fourth Plain Ave.
WN	Washington North	TBD	No	Acquisitions in this sequence are located at the northern end of the Project, required for improvements related to the SR 500 interchange. As documented in the FEIS, these acquisitions may be subject to long term phasing.
MD <sub>SUB</sub>	Marine Drive	TBD	No	Interests required for many of the surface network connections south of I-5 on Hayden Island and within the Bridgeton neighborhood.

**Figure 2-2: CRC Initial Construction Program (ICP) Delivery Packages**



Advantages of sequencing, with respect to CRC ROW, are that it establishes a temporal and spatial framework for acquisition activities. This in turn, allows for independent and efficient management of real property resources while staying coordinated to major project milestones.

## **2.5 Disassociate Staff Responsibilities From “home office” Affiliations to Promote agility, Flexibility and Long-term Efficiency**

ROW staff roles and responsibilities are influenced and informed, but not confined, by the agency from which a particular staff person originates. This is most clearly illustrated by the designation of dual project managers within ROW, one from ODOT and one from WSDOT. These two staff positions are jointly responsible for all transactional activities, rather than only the acquisitions within their “home” states.

Section 3 of this RAMP describes how roles and responsibilities have been organized to successfully complete required activities on time and within budget.

## **2.6 Facilitate Interdisciplinary Coordination**

Three specific methods that the CRC Right-of-Way (ROW) work group uses to facilitate coordination are:

- Monthly coordination meetings;
- Interdisciplinary reviews of design documents; and
- The Property Interest Certification process.

Details of these methods are described in Section 3.

## **2.7 Exercise Right to Use Judicial Procedure to Expedite Establishing the Right of Entry**

In Oregon, ORS 35.220 (Pre-condemnation Entry on Real Property) provides a method to expedite securing a Right of Entry and lowering the schedule risk associated with gaining possession for certain activities such as environmental assessments, surveys and appraisals. The FTA has determined using this procedure does not adversely influence acquisition negotiations with respect to the Uniform Act.

In Washington, the equivalent procedure is authorized under RCW 47.01.170.

## **2.8 Offer Mediation as Alternative to Condemnation**

When chances of completing an acquisition, based on determination of value, appear unlikely, mediation can provide an attractive alternative to the invocation of eminent domain. ODOT has established a formal mediation program called Alternative Dispute Resolution.

WSDOT has used mediation in numerous transportation projects. Mediation neither deviates from the WSDOT ROW Manual, nor precludes the Project from using condemnation in the

event mediation is not successful. In other words, mediation can be used as an effort to avoid, not to replace condemnation as the acquisition process of last resort.

## **2.9 Focus First on Acquisitions with High Schedule Risk**

Washington and Oregon differ in their judicial abilities to gain possession of properties needed for public use. Should a property owner in Oregon refuse possession, ORS 35.235 and ORS 35.625 offers ODOT a way to gain possession without a hearing. After initiation of condemnation proceedings ODOT does not have to wait for a jury verdict to obtain possession of the property.

- WSDOT approaches all acquisitions as a potential schedule risk until possession is obtained. Therefore, WSDOT has a great interest in beginning the acquisition process in Washington as soon as possible for the initial project needs, while maintaining a high interest in the potential for any acquisitions throughout the entire project limits in order to reduce this risk.
- Coordination with the Office of the Attorney General (AGO) will help estimate the time necessary to get to a condemnation trial. That schedule will guide decision making for the dates of any planned final action required (RCW 8.25.290 – Condemnation Final Actions) prior to filing for condemnation (RCW 8.04.010 - Petition for Appropriation), to ensure possession is obtained.



# 3 ROW Office Organization, Coordination, Quality & Design Control

## 3.1 Dedicated CRC ROW Office Staff

Most of the real estate activities required for the Initial Construction Program, will be managed and completed by the CRC Right-of-Way Office (ROW) staff. This staff is comprised of fulltime CRC staff assigned from ODOT or WSDOT, and consultants. This staff will be housed at the CRC project office and its size ranges from three during the Baseline Design & Engineering phase to 22 during the RAMP implementation phase. Table 3-1 reports anticipated maximum ROW staffing in terms of full time equivalents (FTE).

Two right-of-way (ROW) Project Managers, one from WSDOT and one from ODOT, will manage all ROW activities assigned to the CRC ROW office. These include title work, appraisals, review appraisals, negotiations, relocations, transaction closing, and property management. Project Managers are also responsible to ensure all document control requirements of ROW are met. The chain of command flows up from the ROW Project Managers through a CRC Real Estate Services Manager and the CRC Specialty Services Director to the CRC Project Directors.

**Table 3-1: Ramp Up of ROW Staffing Levels by Month**

STAFF	2013												2014												2015					
	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE
	FTE												FTE												FTE					
CRC Real Estate Manager	1.5	1.5	1.5	1.5	4.5	5.5	18.0	18.0	20.5	21.5	21.5	21.5	23.0	23.0	23.0	23.0	23.0	23.0	22.0	22.0	22.0	22.0	22.0	22.0	22.0	22.0	22.0	22.0	22.0	
WSDOT ROW Project Mgr.	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
ODOT ROW Project Mgr.	0.5	0.5	0.5	0.5	0.5	0.5	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
Acquisition							1	1	2	3	3	3	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	
Appraisal Review					1	2	2	2	3	3	3	3	3	3	3	3	3	3	2	2	2	2	2	2	2	2	2	2	2	
Appraisal							8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	
Relocation					2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	
Property Management								0.5	0.5	0.5	0.5	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
Title							1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
Administration							1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		

Due to Reduction in Force (RIF) measures at ODOT and WSDOT, CRC policy is to have ROW work completed by ODOT and WSDOT staff who are permanently or temporarily assigned to CRC. When qualified agency staff are not available, work is contracted to private sector real estate services firms on a task order basis.

Currently, the full service firm Universal Field Services is under contract to CRC ROW through ODOT. This professional services contract represents another example of the strategy to increase efficiency and lower schedule risk via overlapping responsibilities: Universal Field Services is fully qualified and licensed to complete acquisition tasks in Washington as well as in Oregon.

**Appendix G** of this RAMP illustrates the functional organization of dedicated CRC ROW staff and the placement of the work unit within the CRC management structure.

**Appendix H** of this RAMP contains descriptions for management and administration positions within ROW.

**Appendix I** of this RAMP contains the resumes of key ROW staff.

### 3.2 Roles & Responsibility Matrix

While the CRC ROW Office staff is responsible for a considerable amount of the work, the mixture of funding sources, acquiring agencies, and eminent domain authorities necessitate the involvement of personnel from CRC Engineering, Environmental and Communications, as well as staff from local, state and Federal agencies. A matrix of roles and responsibilities is a common format used to describe this kind of organizational structure.

For ROW activities related to Transit Use parcels, the roles and responsibilities matrix is presented in **Appendix J** of this RAMP as a series of tables, called “R&R tables.”

Using the tables is a two step process. The column on the extreme right of Table 3-2 indicates which R& R table applies to the specific combination of property interests attributes shown on the same row.

**Table 3-2: The Relationship Between Property Interest Attribute Combinations and Roles & Responsibility Tables**

Transit Use	Authority	Acquiring Agency	Ultimate Vesting	Appendix J
Ruby Junction <sup>2</sup>	TriMet	TriMet	TriMet	Table A
LRT ROW	C-Tran	WSDOT for C-Tran	C-Tran/CoV	Table B
Park & Ride	WSDOT	WSDOT	C-Tran/CoV	Table C

In each R&R table, real estate activities, or tasks, define the rows; staff positions define the columns. Common roles include manage, authorize, review, document, concur, request, and oversight. Roles are indicated by letter codes at appropriate intersections of activities and staff positions. Letter codes are defined, line by line, immediately following activities. For example, [A]pprove, [M]anage following the activity “mediation” means that A denotes who approves using mediation and M denotes who manages the process.

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<sup>2</sup> Note About Ruby Junction: The R&R Tables only cover real estate activities. TriMet staff assigned to CRC also have matrixed roles and responsibilities concerning planning and delivery of Ruby Junction Maintenance Facility expansion to support CRC extension of the Yellow Line. For more information, please contact Doug Jones, CRC Transit Design Manager: [jonesd@columbiarivercrossing.org](mailto:jonesd@columbiarivercrossing.org).

### **3.3 Coordination with Other CRC Work Units**

#### **3.3.1 ROW Coordination Meetings**

Monthly or weekly coordination meetings are organized and chaired by Real Estate Manager to help manage real property activities to the greatest extent possible. The structure of these meetings allows the bi-directional flow of information: Representatives from each of the CRC disciplines (environmental, highway design, delivery, transit, communications, structures) provide status reports and summaries of current and future real estate needs during the first part of the meeting; during the second part, ROW staff provide status reports on their activities and discuss what they need from groups to complete current and future activities.

This coordination meeting has occurred on a regular basis since the earliest project development phases and will continue through the punch-list phases of project delivery.

#### **3.3.2 Interdisciplinary Reviews**

The Right-of-Way Office staff review design documents generated planning and baselining phases. Reviews are informal by nature and complement formal roles and responsibilities discussed in the Section 3.2 of this RAMP.

The purpose of the reviews is to help staff inside and outside ROW gain more insight to the need for each property interest slated for acquisition and to identify possible problems based on the nature of the individual acquisition, property ownership, or land use.

For example, the need for a temporary easement may be initially identified by design engineers. The need then analyzed from the perspectives of CRC Program Management (cash flow), Delivery Management (logistics), and ROW (cost effectiveness). Once how a property fits into the Project is clearly understood, property interest attributes that were introduced in Section 2.3 of this RAMP can be assigned.

Specific questions explored during these reviews include but are not limited to:

- Does the Project need full title to the property or only the need to control the right-of-way?
- Is relocation of the occupants or personal property required?
- Is the property owner-occupied or tenant-occupied?
- Can feasible adjustments in the project design eliminate or reduce potentially difficult acquisitions or avoid potential litigation?
- Does the project or the acquisition program avoid possible condemnation blight or inverse condemnation potential?
- Are any of the owners or tenants facing hardships such as foreclosure, health problems, job relocations, or other losses that may cause a delay in selling or difficulty in relocating?

- Will any of the parcels need a longer review and approval by funding authorities due to triggering concurrence requirements?
- Is additional right-of-way needed for relocating public and private utilities?
- Has the need for functional replacement been evaluated?
- If the acquisition is in the vicinity of Fort Vancouver, will utilizing the Federal Land Transfer process be required?
- Will the demolition and removal of structures occur during the right-of-way acquisition phase or during construction?

### **3.3.3 Design Control for Real Estate: Property Interest Certification**

Property Interest Certification, with respect to the CRC, is a formal design control procedure to ensure acquired interests appropriately and accurately support all of the Project's multimodal elements and the particular needs of the project sponsors.<sup>3</sup>

In projects implemented by a single acquiring agency, this step is typically completed in conformance to standard operating procedures (SOP) prescribed in that the acquiring agency's ROW manual. In Washington, for example, acquisitions for WSDOT are reviewed by the WSDOT Right-of-Way Plans Manager in Olympia as part of the right-of-way plans approval process. This review process coordinates the Right-of-Way Plans Office with the Design Office, the Access Management Office, and the Right-of-Way Office to determine the property needs of highway facilities. Likewise in Oregon, TriMet has internal ROW engineers, who are familiar with the operational requirements of fixed rail transit, review and certify ROW plans.

Since the CRC is a bi-state, multi-jurisdictional project, two design control procedures will be performed for each acquisition. One design control procedure will be conducted as prescribed by the ROW manual of the acquiring agency. For example:

- Headquarters processing at WSDOT,
- Design Acceptance Review at ODOT,
- ROW Certification at TriMet.

Another design control procedure will be completed by senior CRC staff (Design and ROW Project managers) before commencing any acquisition activities related to a specific real property interest required for the Project. This procedure will be called Property Interest Certification and will be similar for all CRC acquisitions.

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<sup>3</sup> The word "certification" as used Section 3.3.3 of this RAMP references FTA policy that the need for each property be certified before acquisition activities begin. This is different from the FHWA regulation (23CFR 635.309) requiring certification that all property rights needed for a construction contract have been acquired; Section 6.9 discusses the certification related to FHWA regulations.

## DESCRIPTION OF THE CRC PROPERTY INTEREST CERTIFICATION

The “Property Interest Certification” is a one page document with the following information:

- a working name for the acquisition and a short written description;
- the ROW file number;
- the results of environmental site assessment (ESA) screening;
- a reference sheet number pertaining to the civil drawing (including which version, such as the 60% set) on which the interest can be found;
- the project delivery package(s) for which it is needed; and
- the designation of all ROW attributes.

The template of the CRC Property Interest Certification is provided as **Appendix K** of this RAMP.

### PROCEDURE FOR CERTIFYING THE NEED FOR A SPECIFIC PROPERTY INTEREST

Each Certification will be reviewed, signed and dated by the CRC Highway or Transit Design Manager and one of the ROW Project Managers. Original Certifications will be appended to a three ring binder organized by acquisition sequence. Continuous or proximate interests under one ownership with common attributes may be combined onto a single Certification.

#### 3.3.4 Property Interest Certification Shifts QC Responsibility

Property Interest Certification is formal transfer of the responsibility for front line quality control from CRC Engineering to CRC ROW.

Engineering activities, including development of ROW plans, are subject to the QC procedures of the CRC Engineering Design Quality Control Plan. To verify compliance, engineering activities undergo QA audits under the supervision of Michael Hohbach, CRC Quality Control Manager.

Quality control subsequent to Property Interest Certification includes but are not limited to the following activities:

- **Chain of Command Reviews:** ROW manuals specify multiple reviews or approvals by managers of work completed by direct subordinates.
- **Professional Reviews:** Professional reviews are characterized by one subject matter expert formally and independently reviewing the work product of another subject matter expert. The use of review appraisers, and escrow officers for closing transactions are two common examples.
- **Data Entry Validation:** RAIN and IRIS, the proprietary ROW software used by the acquiring agencies provide QC functions. Examples include “process control” in which advancing through a series of data entry screens is blocked until all required

information on the present data entry screen is provided, and “input validation” which utilizes built in algorithms to cross check inputs to make sure data entered is reasonable. **Appendix Q** and **R** of this RAMP consist of the user manuals for the data management systems that will be used by CRC ROW Office, and provide full explanation of their data validation mechanisms.

- **Checklists and Standard forms:** Many ROW manual processes included the use of checklists and standard forms to ensure required data is completely and consistently documented. **Appendix M** of this RAMP contains the checklists to be used by the ROW office to ensure files are complete before they are closed.
- **QA audits:** QA audits entail a separate and independent review that documents the extent to which all required QC activities were completed. Any remedial action required to bring about conformance is also documents. WSDOT HQ, for example performs, QA audits on 15%-25% of acquisition files before archiving.

## 4 Acquisition Schedule

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### 4.1 Approach to Scheduling ROW Activities

Construction of the LPA will require the acquisition of over 300 distinct property interests, located across two states and distributed over a dozen or more construction contracts. ROW implementation strategies described in Sections 2.3, 2.4 and 2.9 of this RAMP reflect the fundamental approach to scheduling ROW activities.

- Classify acquisitions according to a wide range of attributes specifically relevant to the CRC project.
- Use these attributes to help determine and document the procedural complexity, the schedule risk and the magnitude of effort required by acquisitions on both an individual and aggregate basis.
- Schedule ROW activities to meet both the pace and focus of construction activities in a cost-effective manner.

### 4.2 Summary ROW Activities in the CRC Master Project Schedule

The CRC Master Project Schedule is maintained using critical path method (CPM) project management software by the CRC Project Controls work unit. Staff from ROW and Project Controls have developed a parcel by parcel schedule “fragnet” that utilizes four summary activities for each ROW file:

- Appraisal
- Negotiation
- Relocation
- Condemnation

ROW Project Managers will receive progress reports from ROW agents at least weekly and are responsible for providing that information to Project Controls at least monthly. ROW activities in the master schedule will be updated and published in the Master Project Schedule monthly by Project Controls.

Finalizing the baseline schedule for the ICP is dependent upon local funding commitments for the CRC. As of April 12, 2013 Oregon has made a funding commitment, Washington has not.

### 4.3 Basis of the Summary ROW Activities

The *Real Estate Acquisitions Team (REACT) Final Report*, published by WSDOT in September 1999, represents a fully vetted attempt to establish standard durations for real estate activities.

The REACT report was based on a typical 10 parcel project and concludes that Right-of-Way acquisitions for a 10 parcel project range from 18 to 24 months depending on the size and complexity of the project as well as the complexity of specific properties and negotiations.

Using a five-day calendar, the initial durations and logic of the ROW summary activities anticipate an overall duration of 21 months. The CRC will complete a number of real estate activities at the program or delivery package level. The 21 month Right of Way schedule includes: 3.5 months for the appraisal process; 17 months for the negotiation process, accounting for condemnation; and 11 months for the relocation process. This acknowledges the concurrent nature of all these processes.

#### **4.3.1 Appraisal Summary Activity**

The initial duration of the appraisal summary activity is 100 days starting with the appraisal NTP and includes: the preparation and completion of the appraisal report by the appraiser; the Appraisal Review: the Determination of Value; and establishing the estimate of Just Compensation.

Complex appraisals and/or those for which FTA concurrence is anticipated, will be prioritized at the package level and will potentially have longer initial durations established on a case by case basis. Schedule risk mitigation strategies include producing a metro-wide data package to be shared by all appraisers for each acquisition sequence and grouping appraisal contracts by property types. Due to resource constraints of eminent domain appraisers and reviewers, it is anticipated appraisal and appraisal reviews will be produced at a rate of approximately 10-12 per month. That rate does not include the hotel property rights or the floating home valuations since those property types require appraisers with special expertise.

#### **4.3.2 Negotiation Summary Activity**

The initial duration of the negotiation summary activity is 11 months. The start date of this summary activity is the “Initiation of Negotiations” milestone associated with agency policies and the Uniform Act. It includes: preparation of the offer packet; presenting the offer; negotiations; time required for administrative settlements and/or mediation in lieu of condemnation; title clearing; and closing. These initial durations may be extended for Transit Use parcels recognizing additional time may be required to secure FTA concurrence.

The negotiation summary activity has a successor relationship with the appraisal summary activity. Schedule risk mitigation strategies prior to Initiation of Negotiations include: open houses for impacted owners/displacees; pre-meetings with owners to educate them on process; and supplying sample documents to owners and/or owner’s representatives for preview prior to Initiation of Negotiations.

#### **4.3.3 Relocation Summary Activity**

This activity has a start to start relationship with the negotiation summary activity and does not include time associated with programmatic relocation planning activities. Schedule risk mitigation strategies prior to delivering a formal Notice to Acquire include: open houses for impacted occupants; pre-meetings with owners to educate them on process; and supplying sample documents to owners and/or owner’s representatives for preview when possible.



#### **4.3.4 Condemnation Summary Activity**

The initial duration of the condemnation summary activity varies by state - 2 months in Oregon and 12 months in Washington. The relationship of the condemnation summary activity is established case by case. Schedule risk mitigation strategies would include: educating owners on their rights and process in advance; and, in Washington, the timely filing for condemnation at impasse.

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## 5 Cost Estimate

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### 5.1 Overview of the ROW Cost Estimate

As used in this RAMP, The ROW Base Cost Estimate of approximately \$\_\_\_ M (see Note on following page) has a data date of August 2012 and corresponds to the Initial Construction Program described in the September 2012 *CRC Project Procurement & Delivery Plan*.

Table 5-1 was developed in response to a request by PMO. The top section of Table 5-1 is a count of the CRC acquisitions with summation by five property interest attributes: Sequence, Duration, Type, Extent and Designated Use. The bottom section of Table 5-1 is the estimated cost of each corresponding count summation.

Since cost estimate data was develop at the parcel level and is classified by property attribute, many other summaries can be provided upon request.

### 5.2 Basis of the ROW Cost Estimate

The initial base year of the ROW Cost Estimate was 2009. The estimate supported the alternatives analysis documented in the CRC Draft Environmental Impact Statement. Micro and macro scaled updates have been employed to maintain the utility of the 2009 exercise by “recalibrating” the estimate to a new base year.

Micro scale updates refer to parcel by parcel adjustments of size and scope as the project footprint has evolved and been refined. Macro scale updates refer to adjustments that affect entire components of the cost estimate. Both are based on actual data. An example of a macro update is the application of factors to all residential acquisition costs to reflect recent trends in the real estate market.

Methodologies used to compile the 2009 base year cost estimate differ according to the state in which acquisition will occur.

#### 5.2.1 Washington Methodology

The 2009 estimate was compiled by the appraisal discipline team of WSDOT’s Southwest Region ROW. The team consisted of Michael Ellison – PAS-5, SWR Appraisal Program Supervisor and Team Lead, Dan Benson – PAS-3, Appraiser (Certified General), Jim Lingeman – PAS-3, Appraiser (Certified General), and Rick Rush – PAS-3, Appraiser (Certified Residential).

NOTE: Cost Estimate information  
to be provided at a later date.

The team submitted an estimate to the CRC in March 2009 that employed the following methodology:

- Initial analysis based on exhibit maps provided by CRC staff in mid February 2009.
- Gathering any publicly available information pertaining to the impacted parcels.
- Photographing the impacted parcels from the public streets and any publicly accessible areas on-site.
- Document the anticipated impacts to each parcel and categorize each for entry into the environmental discipline reports.
- Gather and analyze (at a high level) comparable sales and listings within the market area for each property type impacted.
- Establish overall unit prices for each land use and improvement type.
- Obtain inputs from Region Relocation and Property Management regarding relocation and demolition estimates.
- Labor and other process cost inputs are based on historical averages from other projects.
- Incidental and Condemnation Expense Factors (risk contingency) typically ranged from 15% to 35% for R/W projects depending on the amount and accuracy of the information available and property types impacted. A factor of 20% was selected for this exercise.

Between March 2009 and November 2011, micro and macro updates were completed by Mike Stricker, SW Region Relocation Supervisor, in coordination with the CRC Environmental Team (responsible for tracking Land Use impacts for the NEPA process) and David Harjo, SW Region Real Estate Services Manager.

### **5.2.2 Oregon Methodology**

Cost estimates for acquisitions in Oregon were compiled as part of the NEPA process. The first estimate was compiled in 2009 then updated in July 2011. Both times, this work was completed by Lou Schwab, SRWA Right of Way Project Manager for the private firm Universal Field Services, Inc. Mr. Schwab's resume is provided in **Appendix I** of this RAMP.

The analysis was scoped as an order of magnitude level of effort, not a "programming" estimate. The following methodology was used:

- Parcel attributes were based on inspection of aerial photographs, drive-bys, and tax assessor records.
- Valuations of land improvements were based on recent sales, current listings, and appraisals completed for TriMet's Portland to Milwaukie LRT project when applicable.

- The RS Means cost factor publication was used to estimate building costs, especially with respect to demolition costs.
- Relocation costs were based on professional experience with similar relocations completed for TriMet Projects.
- Standard legal fees were assessed as part of administration cost, while extraordinary litigation costs and high court awards were accounted for as part of a 30 percent contingency adjustment.

### **5.2.3 Subsequent Updates**

Since December 2011, CRC RES staff has been responsible for developing all micro and macro updates to the cost estimates related to real estate activities in both Washington and Oregon.

### **5.3 ROW Cost Estimate QA/QC**

ROW staff is responsible to ensure that cost estimates provided to CRC Project Controls are in compliance with the CRC Quality Control Plan.

## 6 Acquisition Process

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The Uniform Act as codified in 49 CFR Part 24, employs an outline hierarchy five levels deep -- 24.205(c)(2)(ii)(D), for example—and occupies over 25 pages when published in the compact, three column format of the Federal Register.

Much of the acquisition process information located in other chapters of this RAMP can be characterized as describing how the CRC intends to meet “the letter of the law” represented by the over 300 specific standards, definitions and requirements found in the Uniform Act. For example:

- Section 2.2, described how the highly detailed ROW manuals of the acquiring agencies will be used to ensure acquisitions are completed pursuant to both state delegated authority and the regulations of Federal funding agencies.
- Section 3 described how to interpret the R&R Tables in **Appendix J** of this RAMP, which provide extremely fine grained information about who is responsible for authorizing, managing, completing and documenting activities related to real estate when FTA funds are used.
- Record keeping, document control, and reporting aspects of the acquisition process will be described in Section 8.

This chapter of the RAMP is different. The very first section of the Uniform Act, in particular, alludes to its focus. Section 24.1(a) states that the objectives of the Uniform Act are “to ensure that owners of real property to be acquired for Federal and federally-assisted projects are treated fairly and consistently, to encourage and expedite acquisition by agreements with such owners, to minimize litigation and relieve congestion in the courts, and to promote public confidence in Federal and federally-assisted land acquisition programs.”

Therefore, this chapter concerns pursuing “the spirit of the law” and describes aspects of the CRC acquisition process that ensure fairness and consistency, value efficiency and cost-effectiveness, or demonstrate professionalism and competency.

### 6.1 Ownership & Title Information

Preliminary information on the ownership of properties proposed for acquisition has been gathered to support the NEPA and PE phases of the project. Various public and private sources were used including title information provided by local title companies. The title companies will update title reports as requested by the Project.

If the acquiring agency has a title report on file, a title report may or may not be updated before closing. Getting an updated title report depends on necessity; however when the agency delivers the documents to the title company to be recorded they will include instructions which direct the title company to record and issue a title policy in accordance with a specific title report and exceptions. If the fee or condition of title has been affected subsequent to the issuance of the title

report referenced in the instructions, the title company is obligated to not record. In this instance the title company would alert the agency about the change and the transaction would not close until the discrepancy is addressed in accordance to policy.

## **6.2 Appraisals**

### **6.2.1 Development of the Scope of Work**

Appraisal Scope of Work development responsibility varies by acquiring agency. For appraisals of Transit Use parcels responsibilities are indicated in the R&R Tables of **Appendix J** of this RAMP.

#### **NOTES CONCERNING R&R TABLE ASSIGNMENTS**

- Responsibilities shown in the table may be delegated to qualified subordinate agency staff.
- At the discretion of agency staff, appraisers also may be involved in workscope development.
- RES HQ senior staff support: to ensure that the Scope of Work is aligned with the applicable laws and WSDOT policies, policy and procedural guidance will be provide by Don Miller.
- Review assignments include a conformance review with the workscope guidelines found in C5010.1D, **Appendix E** of this RAMP.

#### **PROJECT-WIDE CONSISTENCY FOR APPRAISAL SCOPE OF WORK**

Oversight of the process by the CRC Real Estate Services Manager will ensure project wide consistency.

### **6.2.2 Scoping Complex Appraisals**

Potentially complex appraisals will be flagged during the development of the Programming Estimate (PE) in Oregon and the Project Funding Estimate (PFE) in Washington. To fully understand the complexity of specific valuations, ROW project managers will consult senior agency staff and/or consultants with expertise in complex valuations. Table 6-1 summarizes these people according to their areas of expertise.

### **6.2.3 Scoping Appraisals of Railroad Interests**

WSDOT will be the acquiring agency for all CRC acquisitions of railroad interests. As indicated in Table 6-1, RES HQ staff with railroad expertise have been and will continue to be highly involved with acquisitions from BNSF.



**Table 6-1 Complex Appraisal Expertise Available to CRC ROW Office**

Name	Title	Home Office	Valuation Expertise
Don Miller	WSDOT HQ RES Appraisal/Appraisal Review Program Manager	WSDOT HQ RES	Railroad properties; Properties owned by public agencies; Aquatic lands or wetlands; City street ROW.
Ahmer Nizam	WSDOT HQ Utilities/Railroad/Agreements Manager	HQ Design Office	Influence of contractual arrangements between WSDOT and BNSF or other public agencies.
Cyndi Booze	WSDOT HQ RES Special Acquisitions Coordinator	WSDOT HQ RES	Scope of work for the appraisal and review involving railroad and Federal parcels.
DOT Staff Review Appraisers	various	various	Need and determination of specialty reports, estimates, multiple appraisals.
Fixtures & Equipment Experts	Consultant Specialist	n.a.	Valuation of trade fixtures and/or equipment.
General or Trade-Specific Contractors	Consultant Specialist	n.a.	Cost to cure estimates for partial acquisitions.

### 6.3 Offer of Just Compensation

Just compensation is the amount determined as the fair market value of a property plus any damages or other compensation required by law. Authority to set Just Compensation varies by acquiring agency. As indicated in the R&R Tables of **Appendix J** of this RAMP.

#### 6.3.1 Low Value, Uncomplicated Acquisitions

When the acquisition is considered to be minimal (less than \$25,000 and not complicated in Washington and \$10,000 in Oregon), market value may be set using an approved appraisal waiver process, thereby saving the cost and time of a full appraisal.

As indicated in **Appendix E** of this RAMP, use of appraisal waivers for Transit Use acquisitions triggers FTA ad hoc guidance requirements. The Project intends to pursue programmatic approval from FTA to use appraisal waivers for uncomplicated valuations in Washington estimated at less than \$25,000. Programmatic approval by FTA will facilitate consistency and efficiency.

#### 6.3.2 Acquisitions of Parcels with Negative Equity

Negative Equity is defined as a situation in which real property is encumbered by a mortgage (or other qualified liens) that exceeds the current market value of the property.

If the Project encounters a residential acquisition with negative equity, the following will apply:

*Where a homeowner has negative equity in the acquired property and the need to satisfy the mortgage balance arises as a direct result of the acquisition by the project, Administrative Settlements can be used to achieve an agreement on the sale of the property. Administrative Settlements typically eliminate the RHP assistance available for these homeowners to purchase replacement dwellings since an increase in the acquisition amount will reduce, or eliminate, the RHP.*

*In these situations the project will calculate the replacement housing payment (RHP) pursuant to 49 CFR 24.401(b)(1) by using the initial written offer of just compensation, prepared in accordance with 49 CFR 24.102, as the “acquisition cost” when calculating the amount by which the cost of the replacement dwelling exceeds the acquisition cost. The Administrative Settlement, when appropriately justified for the acquisition, will not impact the calculation and reimbursement of an RHP. The RHP will be paid regardless of the amount of the Administrative Settlement.*

Table 6-2 indicates the conformance level of the acquiring agencies policies to the CRC statement.

**Table 6-2 Conformance Level of Negative Equity Policy to CRC Statement**

<b>Acquiring Agency</b>	<b>Conformance Level</b>
<b>WSDOT</b>	Consistent.
<b>ODOT</b>	Consistent.
<b>WSDOT for C-Tran</b>	Consistent
<b>TriMet</b>	n.a.; only one residential acquisition and preliminary estimate renders moot.

## **6.4 Negotiations**

The acquiring agency Right-of-Way Manager or a designated right-of-way agent is assigned to negotiate a purchase agreement with the property owner. If contracted agents are utilized, a letter outlining the acquisition and relocation is sent to the contractor, along with copies of the appraisal, review, title report, and any other pertinent information.

The Acquisition agent also submits a Diary of Personal Contact for each parcel. This report outlines all contacts and discussions with the property owner and/or their representatives. The agent may be requested to be available if the file cannot be settled and the acquiring agency determines that either mediation or condemnation proceedings are required.

### **6.4.1 Administrative Settlements**

If an owner declines the offer of just compensation, the agent conducting the negotiations may recommend an administrative settlement. Acquiring agency staff will determine whether an administrative settlement is appropriate based on review of the facts concerning the acquisition. If they agree that an administrative settlement is warranted, approvals may vary by acquiring agency and the type of Federal Funding proposed. Approval requirements are listed in Table 6-3.

**Table 6-3 Administrative Settlement Limits and Approval Requirements**

Acquiring Agency	Federal Funding	Settlement Limits	Approval Requirements
WSDOT	FHWA	Unlimited when justification approved by CRC Director from WSDOT	M26.01 §6-12
WSDOT for C-Tran	FTA	Unlimited when justification approved by CRC Director from WSDOT	<ul style="list-style-type: none"> <li>▪ M26.01 §6-12;</li> <li>▪ FTA concurrence also required for settlements exceeding just compensation by \$50,000 or more.</li> </ul>
ODOT	FHWA	Unlimited when justification approved by ODOT HQ unit managers with delegated authority from State Right of Way Manager	ROW Manual §5.565, §5.590, §5.591
TriMet	FTA	Unlimited when justification approved by the TriMet Board of Directors. Real Estate Manager	<ul style="list-style-type: none"> <li>▪ TriMet ROW Manual §5.565.</li> <li>▪ Concurrence by CRC RESM</li> <li>▪ FTA concurrence also required for settlements exceeding just compensation by \$50,000 or more.</li> </ul>

## 6.5 Closing and Taking Possession of Property

The acquiring agency will take possession of the property in accordance with the approved purchase agreements and initiate demolition, if required, in compliance with the CRC construction schedule. No one will be required to relocate until replacement housing is made available and the regulatory time frames of 90 days for the Uniform Act and any other State, city or county time frame is met.

If the property is not required immediately, CRC ROW may elect to lease it back to the occupant or otherwise secure it until such time as construction commences (See following subsection on Property Management). If an Oregon property is required immediately, CRC ROW may apply to the court for an order of immediate possession.

In Washington, Possession and Use (P&U) can be given voluntarily by an owner at any time after the initiation of negotiations; if not given voluntarily, the Project can pursue stipulated possession via a court order adjudicating public use.

In the State of Oregon, a public agency must allow a property owner 40 days to consider the agency's offer. At the end of that time period, the agency may continue negotiations or initiate condemnation proceedings.

A title company is utilized in the closing process when the acquiring agency deems their assistance advantageous. The title company makes adjustments for tax prorates, if necessary, and provides a title policy. It may also be necessary to obtain a release of an existing mortgage when required by the lender. Typically, a warranty deed is utilized to convey fee interest in a property. Documents are sent to the title company for final closing and payment, when escrow services are used.

Presence of ROW negotiator at closings will be determined on a case by case basis.

Property taxes are prorated by the title company. When parcels are conveyed to the acquiring agency, the counties typically change the parcels to tax-exempt status as of July 1<sup>st</sup> in the year following recording.

The property owner will be reimbursed for reasonable expenses related to the transfer of title.

## 6.6 Condemnation

Every reasonable effort will be made to acquire real property by negotiated purchase or by donation. No property owner will be required to surrender possession of real property without receiving just compensation to which they are be entitled.

In the event that an agreement cannot be reached through negotiation, the acquisition agent, CRC management, and legal counsel will make a risk based decision to pursue mediation, administrative settlement or condemnation.

In CRC ROW office, commendation tracking will utilize RAIN and IRIS. Figures 6-1 and 6-2 show two condemnation “screen shots” from the WSDOT and ODOT systems, respectively. Complete user manuals are provided in **Append ix Z**.

**Figure 6-1: Screenshot From the Condemnation Traction Section of IRIS**

The screenshot displays the Washington State Department of Transportation's Integrated Realty Information System (IRIS) interface. At the top, the header includes the department name and navigation links for ADMIN, SEARCH, REPORT, and SIGN OUT. A breadcrumb trail shows the path: Project Management > Parcel Summary > Title > Appraisals/AOS > Acquisition > **Condemnation** > Relocation > Property Management > Diary. The main content area is divided into several sections: 'General' (with sub-sections 'Possession And Use' and 'Judgment And Decree'), 'Project Information' (containing fields for Project Title, R/W Plan Title, Work Order Number, Parcel Number, and Property Owner Name), 'Attorney General's Office' (with fields for Condemnation Package to AGO, Date Assigned, AAG, E-mail, and Phone Number), 'Case', 'Respondent', and 'Comments'. A 'Save' button is located at the bottom center of the form.

### 6.6.1 Using WSDOT Authority

If the acquisition agent cannot resolve the acquisition transaction through negotiations, the Real Estate Services Manager and Specialty Services Director will determine if a condemnation action is appropriate. They will communicate with the State Attorney General Office (AGO) to ensure the AGO will accept the file for condemnation proceedings. Before filing for condemnation proceedings, a final action meeting is required (according to RCW 8.25.290) that gives the owner the opportunity to present any additional information. Upon conclusion of this final action meeting, condemnation proceedings may be authorized. The file will be sent to the WSDOT Headquarters Real Estate Office, who sends the file to the AGO with instructions to initiate condemnation proceedings.

As documented in **Appendix E** of this RAMP, FTA concurrence may be associated with condemnation.

### 6.6.2 Using ODOT Authority

At the beginning of the right-of-way acquisition phase of a transportation project, a condemnation resolution is submitted to the Oregon Transportation Commission (OTC) along with legal descriptions for all property needing to be acquired for a project. Adoption of the resolution by the OTC allows the Right-of-Way Section to subsequently file condemnation proceedings for any properties for which a negotiated acquisition is not possible.

Authority to authorize condemnation proceedings resides at ODOT headquarters. The ODOT CRC Right-of-Way Project Manager may recommend proceeding to condemnation for individual files when negotiations for a property reach an impasse. The recommendation is sent to ODOT Right-of-Way Headquarters for review. If approved, the State Right-of-Way Manager signs a final letter of offer, which is sent to those holding interests in the property. If the final offer letter is rejected, the draft condemnation complaint is forwarded to the Department of Justice for filing.

Figure 6-2: Screenshot From the Condemnation Traction Section of RAIN

Please Select File Number: 1234016		
Region:	Project Name: Test Project for Version 2.x	
General   Court / Settlement		
Optioned: <input type="checkbox"/>	Complaint Mailed for Filing: 11/21/2003	Letting Date: 6/21/2002
Date Sent to HQ: 11/21/2003	Complaint Filed Date:	
Date Rec' by HQ: 11/21/2003	Case Number:	File EA:
30 Day Notice: <input checked="" type="checkbox"/>	County:	
20-Day Letter Date: 11/21/2003	Deposit Date:	Notes:
Offer Amount: \$500	Deposit Amt:	
20-Days Up: 12/11/2003	Poss. Date:	
Legal Number: 5555	Title Policy Ordered:	
Legal File/Draft to DOJ: 11/21/2003	Title Policy Rcv'd:	
Complaint to DOJ for Sig: 11/21/2003	Contact:	

First Previous Next Last Add New Copy Rec  
Exit Save Main Menu Print Send Mail Rolodex

Form View NUM

### 6.6.3 Using Transit Agency Authority

Agency Counsels must be involved in the decision to use eminent domain authority and will seek the adoption of a resolution authorizing condemnation by the Board of Directors. Such authorization can be obtained on a case-by-case basis at the time of need or it could be obtained for all properties at the beginning of the project. In either case legal descriptions are necessary.

No property owner will be required to surrender possession of real property without receiving just compensation to which they are entitled.

As documented in **Appendix E** of this RAMP, FTA concurrence may be associated with condemnation.

### 6.7 Mediation

When chances of completing an acquisition, based on determination of value, appear unlikely, mediation can provide an attractive alternative to the invocation of eminent domain. ODOT has established a formal mediation program called Alternative Dispute Resolution.

WSDOT has used mediation in numerous transportation projects. Mediation neither deviates from the WSDOT ROW Manual, nor precludes the Project from using condemnation in the

event mediation is not successful. In other words, mediation can be used as an effort to avoid, not to replace condemnation as the acquisition process of last resort.

Mediators are hired not to impose a decision but to work iteratively with each party towards settlement. It is a voluntary process that usually results in an agreement without requiring the property owner to retain an attorney to represent his or her position. If mediation is unsuccessful, it may be necessary to initiate condemnation in accordance with state law.

When necessary to ensure the Master Project Schedule is not negatively impacted by a mediation schedule, the expectation of ROW management is to file for condemnation before entering mediation.

## **6.8 23 CFR 635.309 Compliance**

The FHWA and the FTA have distinctly different certification processes: the FTA requires certification prior to acquisition that a specific property interest is needed. The FTA requirement has been incorporated into CRC design control procedures and is discussed in Section 3.3.3 of this RAMP.

The FHWA requires certification in accordance with 23 CFR 635.309 before construction under a contract funded in whole or part with Federal funding administered by the FHWA may commence. Table 6-4 shows which CRC delivery packages are subject to 23 CFR 635.309 certifications.

The intention of CRC is to clear certification for each delivery package before construction starts. Multiple right of way certification phases within a package, however, may be pursued when using design-build contracting.

**Table 6-4 CRC Delivery Packages Subject to 23 CFR 635.309 Certification**

<b>Delivery Package</b>	<b>Related Acquisition Sequence</b>	<b>Anticipated Federal Funding of Construction Contract</b>	<b>23 CFR635.309 Certification</b>
River Crossing (ICP-Oregon)	RC <sub>io</sub>	FTA ,FHWA	required
River Crossing (ICP-Washington)	RC <sub>iw</sub>	FTA, FHWA	required
Mainland Connector	MC	FTA, FHWA	required
Oregon Transit	none	FTA	not required
Marine Drive (ICP)	MD <sub>i</sub>	FHWA	required
Ruby Junction	RJ	FTA	not required
Washington Transit	WT	FTA	not required
Park & Ride	P&R	FTA	not required
Bridge Removal	none	FHWA	required
River Crossing (completion of LPA)	RC <sub>L</sub>	FHWA	required
Marine Drive (completion of LPA)	MD <sub>L</sub>	FHWA	required
Washington North	WN	FHWA	required



# 7 Relocation Process

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## 7.1 Approach to the Relocation Process

### 7.1.1 Relocation Planning to Date

Relocation planning in 2012 included a review of the *Oregonian* and the *Columbian* (Vancouver) classified advertisements, local Multiple Listing Service offerings and Craigslist. Based on the number of homes available for rent and sale in the Portland-Vancouver region, there was reason to expect that a number of replacement properties will continue to be available as the acquisition process progresses. Current conditions indicate an update will be valuable due to changing market conditions.

### 7.1.2 Remainder of Relocation Activities To Parallel Acquisition Sequencing

Due to the size and complexity of the LPA, construction activities will be dispersed throughout the project area and over a long period of time to spread out funding requirement and to allow I-5 transportation corridor facilities to remain operational to the extent possible. This is recognized by the designation of acquisition sequences described in Section 2.4 of this RAMP.

While the exact timing and geographic scope of project delivery packages are still under development, most relocation activities will closely parallel the boundaries and timing of acquisition and construction activity. Phased relocation activities include:

- Occupancy Surveys.
- Updating and documenting the assessments of available and suitable housing.
- Final Relocation Plans.
- Formal Notification to Property Owners and Tenants.
- Provision of relocation assistance and benefits.

### 7.1.3 Conformance with Uniform Act

All relocation activities and benefits will conform to the requirements of Uniform Act as currently implemented by 49 CFR, Part 24, or as amended by MAP-21. A review by CRC staff found no conflicts between the Uniform Act and the state laws of Oregon or Washington.

#### **FEDERAL ASSISTANCE AND ACQUIRING AGENCY DETERMINES POLICIES & PROCEDURES BEYOND PURVIEW OF UNIFORM ACT**

Differences in state laws and the policies or procedures of specific CRC Project Sponsors preclude the CRC project to use a common relocation manual for all relocations. For example, FTA circular 5010.1D contains two policies that are beyond the regulations of 49 CFR 24. One policy relates to when separate bedrooms must be provided for siblings of opposite genders. The

other policy applies to the reimbursement eligibility of relocation benefits that are above limits stated in 49 CFR 24. For example, Federal participation in business reestablishment expenses is limited to the rates authorized by the Uniform Act, even when higher rates are authorized under State law.

Therefore, relocations caused by property acquisitions required for construction of the CRC shall be completed according to the Federal Funding used by the displacing agency. Table 7-2 indicates which standards apply to any specific relocation.

**Table 7-1: Relocation Manual Designation for Displacements Caused by CRC**

<b>Federal Assistance Used for Acquisition Causing Displacement</b>	<b>Displacing Agency</b>	<b>Relocation Manual Used for Relocation</b>
FTA	TriMet	TriMet Real Estate Policies & Procedures
FTA	WSDOT under Local Agency Agreement with C-Tran	WSDOT Right-of-Way Manual augmented by FTA sibling bedroom and benefit limits policies
FHWA	WDOT	WSDOT Right-of-Way Manual (M 26-01.08)
FHWA	ODOT	ODOT Right-of-Way Manual

**7.1.4 Staffing**

Relocation activities will be conducted by either qualified staff or by qualified contracted agents. During acquisition meetings with the property owners, the relocation agent assigned to the property often attends meetings with the acquisition agent to answer relocation questions and discuss timing of relocation, and the determination of relocation benefits.

Typically, two agents are needed to complete the relocation process for ODOT, although one of the agents may also be the acquisition agent. On a residential relocation, one agent will prepare the relocation benefit study. The benefit study is reviewed and approved by the ODOT’s Relocation Reviewer. Either a second relocation agent or the acquisition agent notifies the displacee of the benefits, and provides relocation advisory services.

When TriMet is the acquiring agency, the acquisition agent, or a second agent, notifies the displacee of relocation benefits and provides relocation advisory services.

On a residential relocation overseen by WSDOT, a qualified Relocation Specialist prepares the benefit study and submits it to the State Relocation Reviewer for approval. Once approved, the same Specialist who prepared the study then presents the entitlements to the displacee.

**7.2 Assurances**

The acquiring agency will inform the public of relocation payment and services which will be available and will provide such relocation payments and services. Assurances do not vary by displacing agency or state.

Displacees will be given a General Notice letter at or about the time of the initial property inspection conducted by the real property appraiser. The General Notice informs the displacee that their property may be purchased for a public project and they may be entitled to relocation benefits if they are occupying the property at the time an offer to purchase is made. In addition,

the General Notice informs them that if they are required to move, they will receive a Notice of Relocation Eligibility, Entitlements and 90-Day Assurance letter which will explain their relocation entitlements in detail. The General Notice letter also contains information as to how the displacee can appeal their relocation benefits.

Once the offer to purchase is made to the property owner, the displacee becomes eligible for relocation benefits. They are provided, on the day of the offer or within a reasonable time frame thereafter, the above mentioned Notice of Eligibility, Entitlements and 90-Day Assurance letter. It details the earliest date they could be required to vacate the property which is at least 90 days from the date they receive said Notice. Depending on the type of relocation, i.e. residential, personal property only, or business, the Notice provides more specific details of the displacee’s actual monetary entitlements such as move costs, replacement housing payments or business entitlements. The letter also includes instructions should they choose to appeal their relocation entitlements. The presentation of this Notice is given whenever possible, in person, but may be sent via certified U.S. mail in the event the displacee is unavailable to meet with the Relocation Agent.

No person or business will be required to move from any dwelling or business facility without being given a written notice at least 90 days prior to the date by which they will be required to vacate. No person displaced shall be required to move from his or her residential dwelling unless at least one comparable replacement dwelling has been made available to that person. If no housing within the financial means of the displaced persons is available, Housing of Last Resort will be made available.

### **7.3 Appeals**

All displacees have the right of appeal as to their eligibility for, or the amount of, payment for any relocation benefit. The right of appeal shall be described in information distributed at public meetings, and provided to individual displacees as part of the information delivered at the initial relocation benefit meeting. If necessary the displaced party is provided with a copy of the Appeal of Relocation Assistance form. Citations to descriptions of the formal processes of ODOT, TriMet, WSDOT and C-Tran to address relocation appeals are provided in Table 7-2.

**Table 7-2: Relocation Appeals Process for CRC Displacing Agencies**

<b>Displacing Agency</b>	<b>Appeals Process Location</b>	<b>Citation</b>
WDOT	ROW Manual	M 26-01.08 §12-5.5
ODOT	ROW Manual	January 2012 §6.925
WSDOT under Local Agency Agreement with C-Tran	WSDOT ROW Manual	M 26-01.08 §12-5.5
TriMet	ROW Manual, Rev. 1	§6.915

## 7.4 Payment of Relocation Benefits

CRC relocation agents will prepare relocation assistance claims, and process them according to existing federal guidelines and policies of the acquiring agency. Table 7-4 reports payment timing by displacing agency.

**Table 7-3: Relocation Payment Timing for CRC Displacing Agencies**

Displacing Agency	Payment Process	Typical Payment Timing
WDOT	voucher processed by IRIS	Five business days
ODOT	voucher processed by Rain	
WSDOT under Local Agency Agreement with C-Tran	voucher processed by IRIS	Five business days
TriMet	voucher processed via ProLog	

### 7.4.1 Advanced Relocation Payments

Displacees demonstrating the need for an advance relocation payment in order to avoid or reduce a hardship may be issued such a payment, subject to the safeguards to ensure the objective of the payment is accomplished, and the policies of the acquiring agency. For example, when a displaced person or business is financially unable to pay the expenses involved in a move, a small payment in advance of the move may be necessary.

Also, advance payments may be necessary in cases where a displaced person is entitled to a replacement housing/rent supplement payment for a replacement dwelling but does not have sufficient funds with which to gain the right of occupancy prior to receiving relocation payments. Advance payments will be considered on a case by case basis. All requests for advanced payment will receive concurrence from the CRC Real Estate Services Manager in addition to the requirement referenced in Table 7-4.

**Table 7-4: Advance Relocation Payment Approval Requirements by Displacing Agency**

Displacing Agency	Requirements Location	Citation
WDOT	ROW Manual	M 26-01.08 §12-6.6.2.1
ODOT	ROW Manual	January 2012 §6.165, §6.390
WSDOT under Local Agency Agreement with C-Tran	WSDOT ROW Manual	M 26-01.08 §12-165
TriMet	ROW Manual, Rev. 1	§6.390

## 7.5 Notice to Vacate

Actual vacate dates (which are generally beyond minimally required dates) will be established case by case, based on the standard policies of the acquiring agency and Project needs. Notice will be given in compliance with any legal requirements.

### **7.5.1 WSDOT**

Each displaced owner and tenant will be provided a Notice of Relocation Eligibility, Entitlements, and 90-day assurance in conjunction with the offer to purchase property or the offer of relocation benefits. No person lawfully occupying real property will be required to move from the acquired dwelling without being provided a written assurance at least 90 days prior to the earliest date by which they can be required to vacate the property. In addition, no person to be displaced from a residential dwelling shall be required to move unless at least one dwelling of comparable replacement housing is made available. This assurance also explains that all displaced persons have the right to appeal department determinations regarding relocation assistance or relocation payment amounts and as an option may seek a review by the department.

For occupied properties acquired in Washington, the earliest the agency can occupy the property is 20 days after the agency obtains possession of the property. At the time the 30-day notice is delivered to residential occupants, a comparable replacement housing unit must be available in the same price range that was used in the of Relocation Eligibility, Entitlements, and 90-day assurance letter.

These 20 days are included in the condemnation phase of the right-of-way schedule. During the personal meetings with the property owners the acquisition agent often attends owner meetings with the relocation agent to answer relocation questions and discuss timing and determination of relocation benefits. Some of the other items discussed are how administrative settlements can effect Price Differential payments, and how advance deposits held by a landlord are disbursed. The realty/personalty report will also be reviewed with the owner and tenant.

### **7.5.2 ODOT**

Each displaced owner and tenant will be provided a 90-day assurance notice which is included in the offer-benefit letter delivered to owners on the date of initiation of negotiations. No person lawfully occupying real property will be required to move from the acquired dwelling without being provided a written assurance at least 90 days prior to the earliest date by which they can be required to vacate the property. In addition, no person to be displaced from a residential dwelling shall be required to move unless at least one dwelling of comparable replacement housing is made available. This assurance also explains that all displaced persons have the right to appeal department determinations regarding relocation assistance or relocation payment amounts and as an option may seek a review by the department.

For properties acquired in Oregon all occupants required to relocate will be given a 30-day notice to vacate. Thus the earliest date the agency can occupy the property is 30 days after the agency obtains possession of the property. This notice will not be given prior to payment for the real property. At the time the 30-day notice is delivered to residential occupants, comparable replacement housing unit must be available in the same price range that was used in the above named offer combination 90-day assurance offer-benefit letter. These 30 days are included in the condemnation phase of the right-of-way schedule.

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## 8 Other Components

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### 8.1 Property Owner Relations

During the Implementation Phase of this RAMP, Right-of-Way staff serve as the primary contact with property owners directly impacted by the Project. Prior to starting negotiations, acquisition and relocation brochures will be provided. Common topics of discussion and correspondence include providing general information about property needed for the Project, acquisition procedures, and their rights under applicable laws covering appraisals, acquisitions, and relocations.

### 8.2 Recordkeeping

#### 8.2.1 Acquisition Diaries

An acquisition diary is a specific working file used to document all communications between assigned agents and property owners, displacees, or their representatives and other parcel/file related actions. Diary entries are the basis of formal reports that vary by designated acquiring agency: ODOT and TriMet use a Report of Personal Interview (Form 734-3708); the report is updated until file closure. WSDOT uses a Diary of Right of Way Activities (Form RES-301).

Diary entries should include but are not limited to date and place of contact or unsuccessful attempts, parties of interest contacted, a statement that the information brochures were delivered and explained, offers and counter offers made, reasons settlements could not be reached. Acquisition diaries should include all contacts with the property owner, including those by attorneys and project staff. Any discussion relating to relocation must also be included in this contact report.

#### 8.2.2 Other Working Files

Working files related to acquisitions and relocations will be maintained by the agent assigned to a specific acquisition. This assignment will be documented via the ROW property attribute called “agent.” Working files may be physical or electronic or a combination of both. Physical files will be stored in a lockable office, file cabinet or desk draw. Electronic working files may be stored in the agent’s personal directory or a secured ROW group directory. Working files will be updated no less than weekly with current copies kept in the project office.

Working files often include recorded deeds, title insurance documents, appraisals, appraisal reviews, owner contact records and other property records. Working files may be organized by any method that accommodates the needs of the file owner.

#### 8.2.3 Comprehensive Acquisition/Condemnation Files

Comprehensive acquisition/condemnation files will consist of original documents to the greatest extent possible. Acquisitions for which WSDOT, ODOT, and C-Tran are the acquiring agencies are managed by the CRC Real Estate Services Manager; these Comprehensive

Acquisition/Condemnation files will be maintained in a secure file cabinet at the CRC ROW Office. When TriMet is the acquiring agency, documents that need to be part of comprehensive acquisition/condemnation files will be uploaded to TriMet’s browser-based electronic management and document archive system, RealProject, with originals stored at the Real Property office of the Capital Projects Division.

Contents of these files are shown in the file completeness checklist of **Appendix M** of this RAMP.

**REQUIRED CONTENTS & UPDATING REQUIREMENTS**

The required contents of acquisition/condemnation files will vary according to the property attributes associated with the acquisition. For example, only files for acquisitions appraised over \$500,000 with an ROW “Federal Assistance” attribute of “FTA” will be required to contain a request for and letter of concurrence from the FTA.

Completeness checklists for acquisition/condemnation files according to acquiring agency are provided in **Appendix M** of this RAMP.

ROW Project Managers are responsible to ensure files are updated with controlled documentation within five business days of the completion or submission of any item listed on a relevant checklist.

**RETENTION SCHEDULE & ARCHIVE LOCATIONS UPON PROJECT COMPLETION**

Pursuant to 49 CFR Part 24, Comprehensive Acquisition/Condemnation files will be transferred to the archives of the acquiring agency and retained at least three years from the final voucher payment date. Additional retention details are provided in Table 8

**Table 8-1: Archive Location and Retention Schedule for Acquisition/Condemnation Files**

Acquiring Agency	Archive Location	Minimum Retention
WDOT	HQ Office of Real Estate Services, Olympia	3 years from final voucher date
ODOT	HQ, Salem	3 years from final voucher date
WSDOT under Local Agency Agreement with C-Tran	C-Tran archive, Vancouver	3 years from final voucher date
TriMet	TriMet remote project archive, Portland	3 years from final voucher date

**8.2.4 Relocation Files**

Original documentation related to specific relocations will be archived with the acquisition file associated with the relocation. Programmatic relocation files such as the Relocation Plans, and occupancy surveys, will be archived by each acquiring agency in a manner similar to the acquisition files.

**8.3 Document Control**

**8.3.1 The Scope of Document Control**

Acquisition and relocation activities of a large, bi-state, multimodal program such as the CRC generate a large volume of documents, many of which need to be controlled.



To conceptualize the scope and magnitude of document control—from the perspective of CRC ROW—the terms “portal” and “repository” will be used:

- Portal refers to the transmittal source or destination of controlled documents, or documents that need to be controlled, with common attributes.
- Repository refers to an archive of controlled documents with specific standards and procedures relating to what kinds of documents must be controlled and how controlled documents are submitted, coded, and stored.

Controlled documents flow between portals. Table 8-1 lists eight portals related to ROW activities and provides examples of documents common to each. Portals associated with repositories are underlined. Table 8.2 provides a summary of documents required for each repository, as well as submission procedures.

### 8.3.2 ROW Approach to Document Control

The ROW Project Managers are responsible for ensuring all required documents are controlled and submitted according to the standards of each repository. Thus, from the perspective of any specific repository, ROW document control procedures should appear sufficient perhaps even redundant.

A graphic depiction of the ROW approach to document control is provided in **Appendix N** of this RAMP.

**Table 8-2 Controlled Documents Related to CRC Right-of-Way Office**

Portal	Portal as a Source of Controlled Documents	Portal as a Destination of Controlled Documents
ROW Office	Reports, files, and correspondence relating to title work, appraisal, negotiation, relocations, escrow, property management	Archival information, legal correspondence, accounting and cost reports
CRC Management	Correspondence with FTA, FHWA, senior and executive management directives and policies	ROW production documents, legal advice, cost information, contracts, work and purchase order requests
CRC Document Control	Archived information.	Any document required to be in the comprehensive acquisition file or required by CRC document control policies
Legal Council	Legal advice and analysis	Production files, briefing memos
WSDOT	Policies/procedures related to acting as acquiring agency, archival information	Documents required by role as acquiring agency to be submitted to agency document control repository
ODOT	Policies/procedures related to acting as acquiring agency, archival information	Documents required by role as acquiring agency to be submitted to agency document control repository
TriMet	Policies/procedures related to acting as CRC acquiring agency that must be submitted CRC document control repository; archival information	Documents required by role as acquiring agency to be submitted to agency document control repository
C-Tran	Policies, procedure, reports and correspondence related to invoking eminent domain under a Local agency Agreement with WSDOT	Documents and files related to vesting of property interest for exclusive transit use or continuing control for transit on property owned by others

### 8.3.3 Change Management

Completion of the Property Interest Certification (see Section 3.3.3) transfers change management responsibility for property interests (descriptions, size, title information, etc.) from CRC Engineering to the ROW Office. The ROW staff will not only document changes according to CRC change management policy and procedures, but will also facilitate access to confidential property information that is needed by CRC staff outside of the ROW Office. The ROW Project managers will be responsible for providing and controlling sensitive property information.

**Table 8-3 Document Control Repositories Affected by ROW Office Activities**

Repository Name	Host Entity & Type	ROW Documents Controlled	Transmittal Procedure
<b>CRC Document Control</b>	CRC Project Office; ROW documents archived as .pdf files with security controls; ROW docs generally considered redactable with respect to public disclosure.	Generally, any document required to be in the comprehensive acquisition/condemnation file will also be a CRC controlled document.	Required documents submitted via email, the CRC local network, or hardcopy. Document Control staff responsible for coding and indexing.
<b>Integrated Realty Information System (IRIS)</b>	WSDOT; web based ROW management system,	Control requirement defined in the WSDOT ROW manual.	per manual
<b>Right-of-Way Automated Information Network (RAIN)</b>	ODOT, electronic database, project management, and document archive.	Tracks and monitors individual acquisition activities, provides agency wide reporting, provides document control functions.	per manual
<b>RealProject</b>	TriMet Real Property, electronic data warehouse	TBD	TBD
<b>AG/DOJ Document Control</b>	Lead for condemnation.	per manual	per manual
<b>TBD</b>	C-TRAN	Full CRC files for properties vested in C-Tran.	TBD

## 8.4 Reporting

Reporting requirements for a project the size and complexity of the CRC are understandably extensive; a comprehensive description will not be provided in this document. In fact, discussion will be limited specifically to the reports that ROW will provide to FTA.

On a monthly basis, ROW will produce a progress report for FTA with three main components:

- A count of acquisition activities completed and in progress during the reporting period; the count will be broken out by Sequence and be formatted as “# in progress/total ## in sequence.”
- A bulleted list of highlights covering work completed and underway during the reporting period; and
- A summary budget report showing ROW expenditures to date, the estimated cost to complete the ROW program, the status of contingency funds and several other benchmarking metrics.

A template for this report is provided in **Appendix O** of this RAMP.

The format of this monthly report is modeled on the Real Property Reports compiled by TriMet on the Portland-Milwaukie Light Rail Transit (PMLRT) project. ROW will coordinate reporting periods with the rest of the project, so that ROW information can be rolled into the monthly CRC report to FTA, as well as conveniently summarized for CRC quarterly reports to the FTA.

## **8.5 Property Management During the RAMP Implementation Phase**

The Right-of-Way staff, in coordination with engineering, construction management and legal staff will manage properties. Upon acquisition, ROW Project Managers will ensure all properties are managed in accordance to the risk management policies and procedures of the acquiring agency taking into account other property interest attributes such as Federal funding and ultimate vesting.

Property management may include:

- An interim or short-term lease for continued use of a building until it is needed for construction.
- Managing public sale or auction of structures, fixtures, or abandoned property that might have value or potential for recycling.
- Demolition of improvements prior to the construction contract.
- Fencing and securing of vacant parcels or structures.
- Maintenance of land or structures per health, safety and local code requirements.
- Coordination with contractors who might use acquired properties and structures as field offices or materials storage sites.
- Oversight of property disposition before the CRC ROW office disbands.

When each property is vacated, it will be inspected and arrangements will be made by the acquiring agency to disconnect utilities and secure the property. Some independent contracts for fencing, hauling, weed abatement, security patrols, and related services may be required. ROW Project Managers will be responsible for coordinating all aspects of property management until such time as it is turned over to the contractor for construction.

The security of any leased equipment, facilities, or any other leased structure on property acquired for the Project, will be the sole responsibility of the Lessee until the lease termination becomes effective. Contractors will be responsible for security of construction sites as well as leased materials, equipment, and/or supplies they bring onto sites.

## **8.6 Demolition**

Some parcels may contain structures and other improvements that must be demolished and removed prior to the start of construction. Neither demolition nor construction activities may begin until occupant relocation for that particular site has been completed. Demolition will be carried out in such a manner as to comply with all applicable regulations regarding

environmental protection, and minimization of neighborhood and traffic disruption, etc. Some demolition may be carried out as work items within line segment construction contracts. ROW Project Managers will secure demolition contracts separately as necessary to accommodate Project needs. WSDOT has a long history of contracting with the Washington State Department of Corrections for demolition work and would plan on using them where appropriate.

## **8.7 Easement, Lease, and License Agreements**

Existing utilities within construction boundaries will be documented in engineering drawings. Easements or other crossing rights will be identified during the appraisal and title search phase of acquisition. Any agencies or companies with facilities on property to be acquired by CRC ROW will be contacted to inform them of the change of ownership. Upon acquisition of non-railroad properties, any easement, lease, or license agreement specifying rights and responsibilities for those facilities will be executed and maintained as part the acquiring agencies permanent real estate records.

Undocumented encroachments within the existing ROW will be cleared or remedied in accordance to the appropriate ROW manual.

## **8.8 Property Management in the Post Construction Phase**

### **8.8.1 Disposal of Excess Property**

When real property is no longer needed for original project purposes, it may be disposed of in accordance to the excess property policies of the acquiring agency and the Federal funding utilized for the acquisition, including FHWA concurrence when the property is within interstate ROW.

### **8.8.2 Change of Use or Transfer of Federal Interest**

Real property no longer needed for original project purposes may also be examined with respect to station area development and joint development potential. Options for utilization of real property acquired with federal assistance from the FTA include the following:

- Acquire clear title by compensating FTA for its share in the property. FTA's share is calculated by applying the Federal Percentage of Participation in the cost of the approved project to the appraised fair market value of the property at the time of the disposal.
- Market and competitively sell the property and pay FTA its share of the fair market value of the property.
- With FTA concurrence, transfer the property to another grantee for use in a different FTA project without reimbursement of funds to FTA. This involves acquisition by the transferee of the transferor's proportional interest in the appraised fair market value of the property, and assumption of liability for any continuing FTA interest therein.
- With FTA concurrence, transfer of property for other public use, consistent with the provisions of 49 USC § 5334(g).

## **8.9 Transit-Oriented and Joint Development**

FTA encourages transit systems to undertake joint development projects at and around transit stations where such projects are physically or functionally related to the provision of transit service, and where they increase transit revenues through proceeds from the joint development.

FTA has established a policy that encourages transit agencies to initiate joint development projects. This policy recognizes the benefit of higher density, transit-oriented development to the operation of the LRT system. TriMet and C-TRAN will work in partnership with the property owners and local jurisdictions to produce transit supportive development projects.

Complementary efforts could include joint development funding, technical assistance, and community outreach.

CRC Project supports station area planning and will promote “transit supportive” development near LRT stations when feasible. Transit supportive development is higher density, pedestrian-friendly mixed-use development that facilitates transit use as well as other modes of transportation.

Achieving transit supportive development along the Columbia River Crossing Corridor depends not only on avoiding actions that preclude its development over the long or short term, but also on facilitating partnerships by and between TriMet, C-TRAN, the Cities of Portland and Vancouver, Multnomah County, Clark County, Metro, RTC, neighborhood and business associations, developers, financial institutions, and other public and private development interests.

# REAL ESTATE ACQUISITION MANAGEMENT PLAN (RAMP)

Appendices

May 2013

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## **Title VI**

The Columbia River Crossing project team ensures full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination against any person on the basis of race, color, national origin or sex in the provision of benefits and services resulting from its federally assisted programs and activities.

### **Americans with Disabilities Act (ADA) Information**

If you would like copies of this document in an alternative format, please call the Columbia River Crossing project office at (360) 737-2726 or (503) 256-2726. Persons who are deaf or hard of hearing may contact CRC using Telecommunications Relay Service by dialing 7-1-1.

¿Habla usted español? La información en esta publicación se puede traducir para usted. Para solicitar los servicios de traducción favor de llamar al (503) 731-3490.

# TABLE OF CONTENTS

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<b>APPENDIX A:</b>	CRC FEIS MAPS OF ACQUISITIONS & DISPLACEMENTS
<b>APPENDIX B:</b>	GEOGRAPHIC BOUNDARIES OF THE COLUMBIA RIVER CROSSING ICP AND LPA
<b>APPENDIX C:</b>	DELIVERY PACKAGES OF THE INITIAL CONSTRUCTION PROGRAM (ICP)
<b>APPENDIX D:</b>	TRANSIT, HIGHWAY AND JOINT USE TAXLOTS MAPPED BY ACQUISITION SEQUENCE
<b>APPENDIX E:</b>	TRIGGERS & PROTOCOL: FTA CONCURRENCE & AD HOC GUIDANCE
<b>APPENDIX F:</b>	UNIFORM ACT-DOT PROCEDURES CROSS REFERENCE
<b>APPENDIX G:</b>	ROW OFFICE TABLE OF ORGANIZATION
<b>APPENDIX H:</b>	RES JOB DESCRIPTIONS
<b>APPENDIX I:</b>	RES STAFF RESUMES
<b>APPENDIX J:</b>	ROLES & RESPONSIBILITY TABLES FOR TRANSIT USE PARCELS
<b>APPENDIX K:</b>	TEMPLATE OF PROPERTY INTEREST CERTIFICATION
<b>APPENDIX L:</b>	ROW MASTER DATABASE AND RELOCATION TRACKING TEMPLATES
<b>APPENDIX M:</b>	ACQUISITION FILE COMPLETENESS CHECKLISTS ACCORDING TO ACQUIRING AGENCY
<b>APPENDIX N:</b>	FLOW & MANAGEMENT OF CONTROLLED DOCUMENTS RELATED TO RES ACTIVITIES
<b>APPENDIX O:</b>	TEMPLATES OF RES MONTHLY REPORTS TO FTA
<b>APPENDIX P:</b>	RESPONSE TO FHWA REV5 QUESTIONS
<b>APPENDIX Q:</b>	RAIN USER'S MANUAL
<b>APPENDIX R:</b>	IRIS USER'S MANUAL
<b>APPENDIX S:</b>	ACQUISITION BOUNDARIES & PROPERTY ATTRIBUTES, PARCEL BY PARCEL



# ACRONYMS

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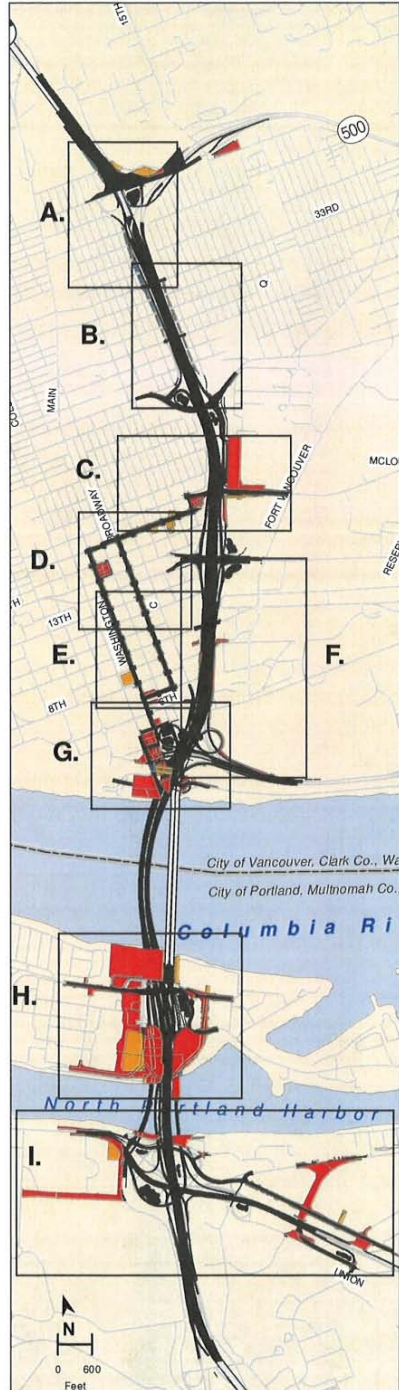
ADR	Alternative Dispute Resolution
AGO	Attorney General Office
CFR	Code of Federal Regulations
CMAQ	Congestion Mitigation-Air Quality
COV	City of Vancouver
CRC	Columbia River Crossing Project
C-TRAN	Clark County Public Transit Benefit Area Authority
DEIS	Draft Environmental Impact Statement
DOT	Department of Transportation
FEIS	Final Environmental Impact Statement
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
LPA	Locally Preferred Alternative
ICP	Initial Construction Program
LRT	Light Rail Transit
LRV	Light Rail Vehicle
MAX	Metropolitan Area Express
MPO	Metropolitan Planning Organization
MTIP	Metropolitan Transportation Improvement Program
NEPA	National Environmental Policy Act
NTP	Notice to Proceed
ODOT	Oregon Department of Transportation
OMB	Office of Management and Budget
ORS	Oregon Revised Statutes
OTC	Oregon Transportation Commission
PFE	Project Funding Estimate
RAMP	Real Estate Acquisition Management Plan
RCW	Revised Code of Washington
RES	Real Estate Services
ROW	Right of Way
SDEIS	Supplemental Draft Environmental Impact Statement
SFR	Single Family Residence
STP	Surface Transportation Program

STIP	Statewide Transportation Improvement Program
TIP	Transportation Improvement Program
TriMet	Tri-County Metropolitan Transportation District
URA	Uniform Relocation Assistance & Real Property Acquisition Policies Act of 1970, as amended
USC	United States Code
UZA	Urbanized Area
WAC	Washington Administrative Code
WBS	Work Breakdown Structure
WSDOT	Washington State Department of Transportation

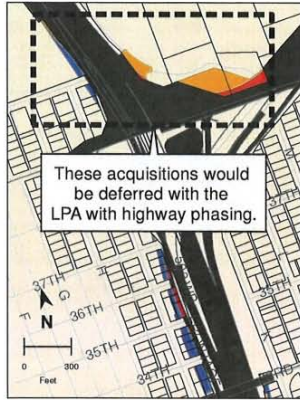
# CRC FEIS Maps of Acquisitions & Displacements

Exhibit 3.3-3

## Permanent and Temporary Property Acquisitions (1 of 2)



A. SR 500 Interchange



B. Fourth Plain Blvd. to 34th St.



C. 17th St. and McLoughlin Blvd.



D. 12th St. to 17th St.



E. 7th St. to 12th St.



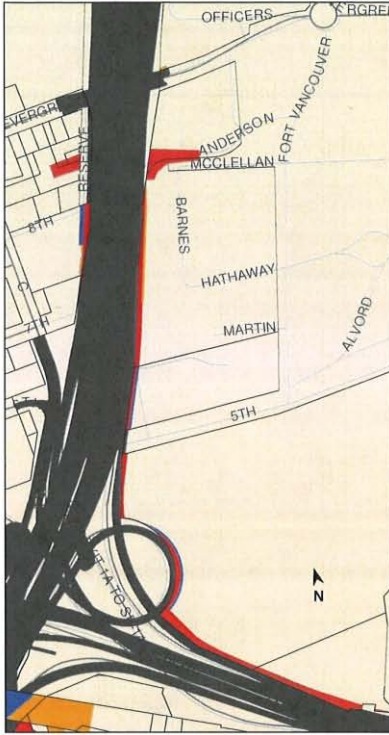
Dimensions are approximate.  
The acquisitions shown on the above map are for LPA Option A.  
PROPERTY ACQUISITIONS AND DISPLACEMENTS



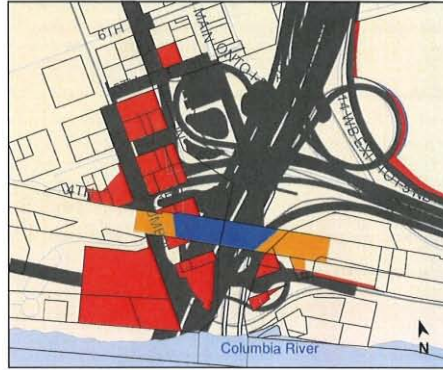
Exhibit 3.3-3

Permanent and Temporary Property Acquisitions (2 of 2)

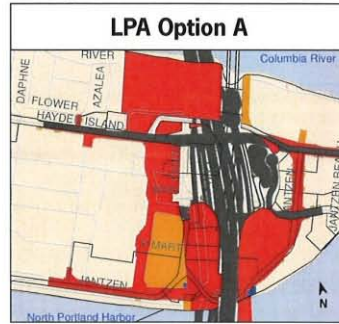
F. SR 14 to Mill Plain Blvd.



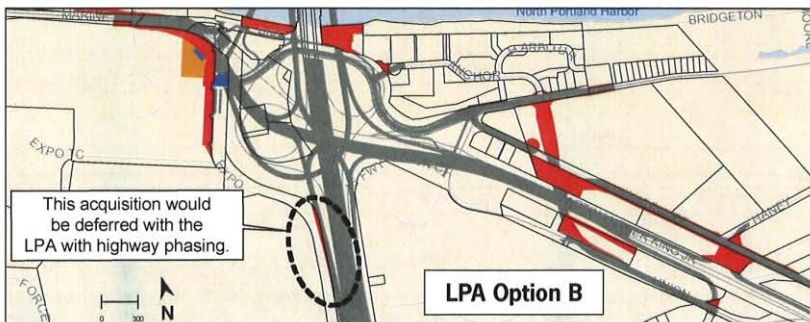
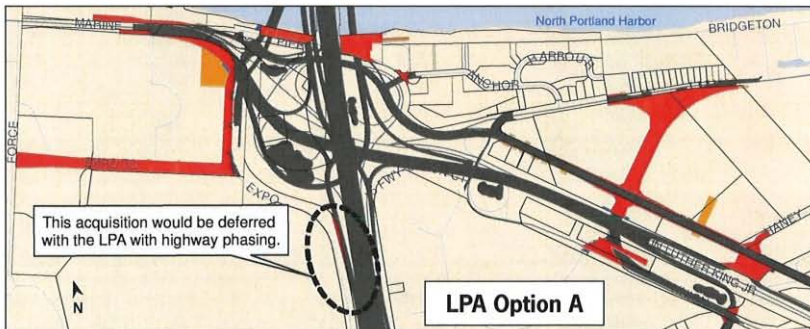
G. SR 14



H. Hayden Island



I. Marine Drive Interchange

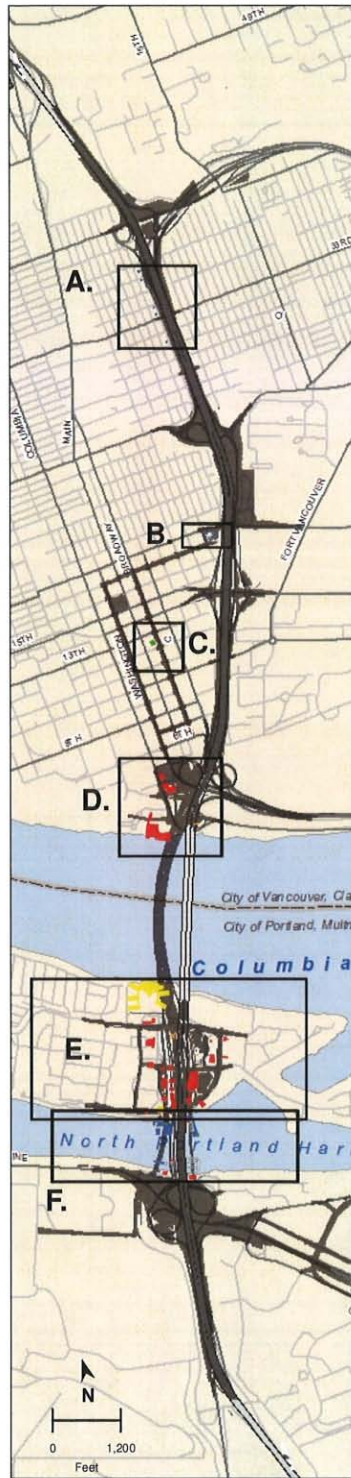


Dimensions are approximate.



Exhibit 3.3-4

**Residential, Commercial, and Public Uses Permanently Displaced by the LPA**



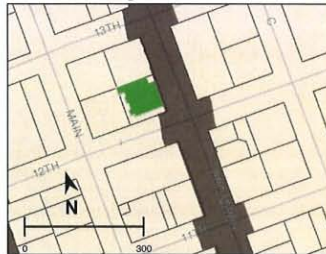
**A. Upper Vancouver**



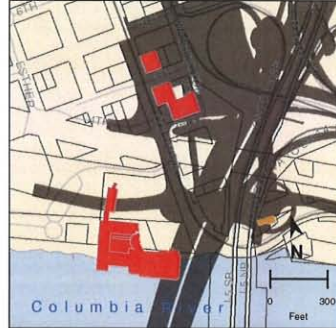
**B. McLoughlin Blvd.**



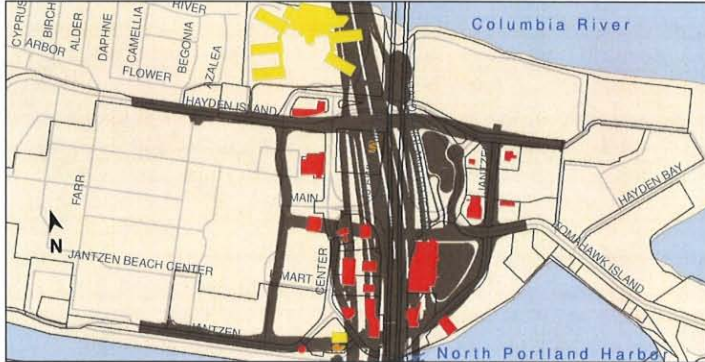
**C. Broadway Street**



**D. Lower Downtown Vancouver**



**E. Hayden Island**



**F. North Portland Harbor**



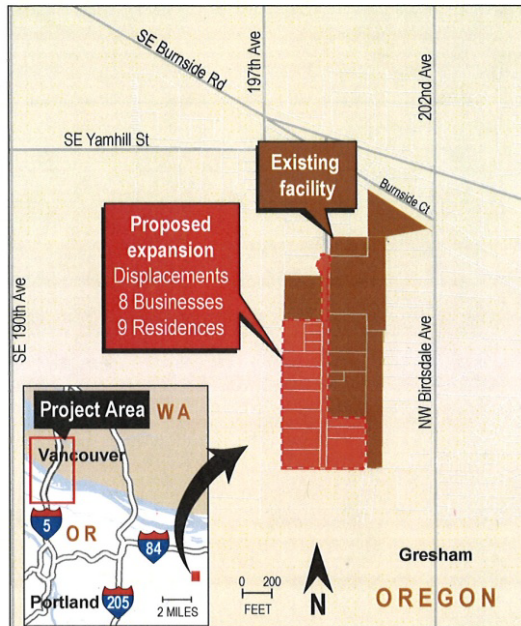
Note: LPA Option A and LPA Option B result in the same displacements.

Dimensions are approximate.



Exhibit 3.3-5

### Ruby Junction Maintenance Facility Expansion



Dimensions are approximate.

partially impacted. If the Portland-Milwaukie Light Rail Project implements phased expansion of the Ruby Junction Maintenance Facility, but does not complete the full extent of expansion prior to initiation of CRC project construction, then the CRC project will conclude the build-out of the facility's expansion as described in this FEIS and in the Portland-Milwaukie Light Rail Project Final EIS. The phased expansion will require nine total parcel displacements, while the full build-out would require an additional five total parcel displacements, and one partial parcel displacement.

The remaining property acquisitions would occur around the Marine Drive interchange, and would displace five residences, including three floating homes; five businesses, including four marine businesses; and one billboard. In this area, Option A would require more property (4 acres) than Option B due to a different local roadway design in the Bridgeton Neighborhood and near the Portland Exposition Center. These additional property acquisitions would not result in any additional displacements.

Project improvements throughout the project area would also require the use of City right-of-way, including right-of-way for the light rail guideway in downtown Vancouver and within local streets that abut the widened or realigned highway. This needed right-of-way is not included in the total acreage requirements discussed above.

Additionally, the project will require the lease of water rights managed by Oregon Department of State Lands (DSL) and Washington Department of Natural Resources (DNR) over the North Portland Harbor and the Columbia River for the new and expanded transportation infrastructure.

### Acquisition of DOT-owned property

Construction of the project improvements would expand into existing DOT right-of-way adjacent to I-5. The highway and transit improvements would also require the displacement of the ODOT permit center on Hayden Island and the transfer of other DOT-owned properties located outside of the I-5 right-of-way. As this land is already owned by the DOTs, its acquisition is not counted in the total acreage requirements, although the displacement of the publicly owned facilities is included and disclosed in this document.

### 3.3.4 Temporary Effects

#### On-site Construction

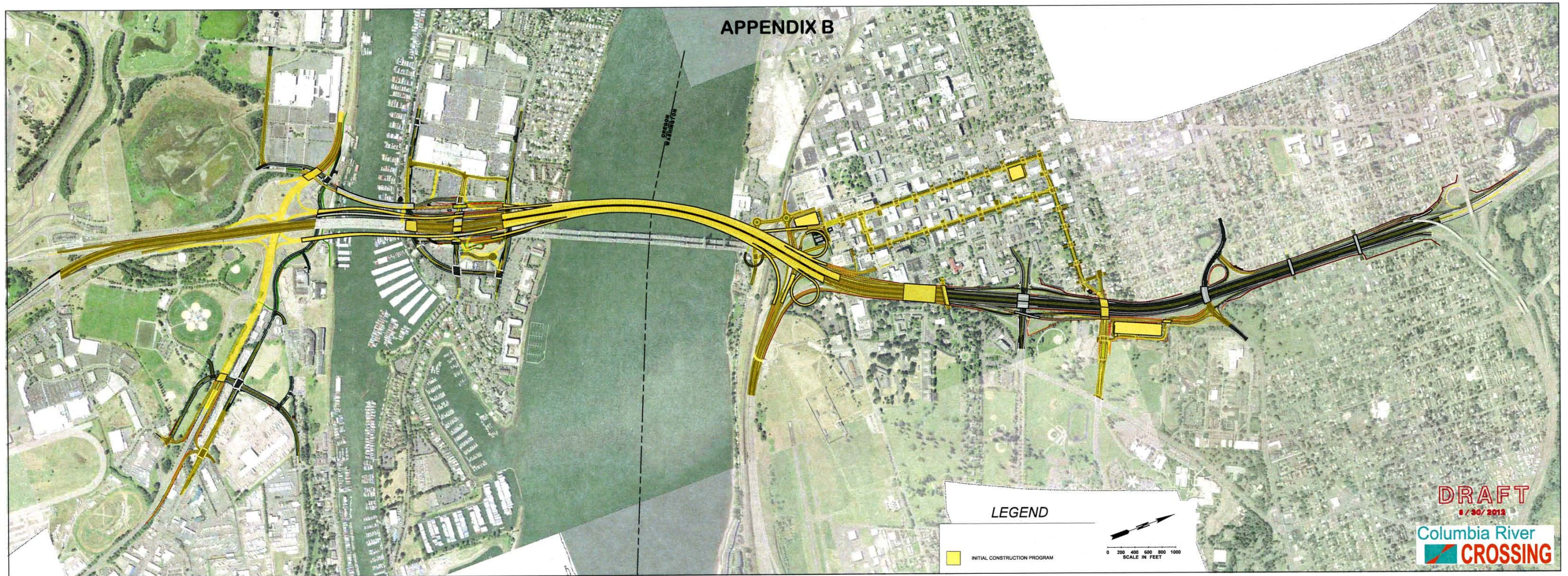
Construction easements would be required for the temporary staging of equipment and materials during construction. These easements, shown in Exhibit 3.3-3, are separate from the permanent acquisitions and displacements reported elsewhere in this section. Property used temporarily during construction could be returned to its owner once construction is complete.

Much of the project's on-site staging or construction activity would be accommodated in existing right-of-way; however, near the proposed transportation improvements, an estimated 20 acres of temporary easements from approximately 200 parcels would also be required for Option A compared to 14 acres from 171 parcels with Option B. The differences between the two alternatives are largely the result of different local roadway



Appendix B:

**Geographic Boundaries of the Columbia River Crossing ICP and LPA**

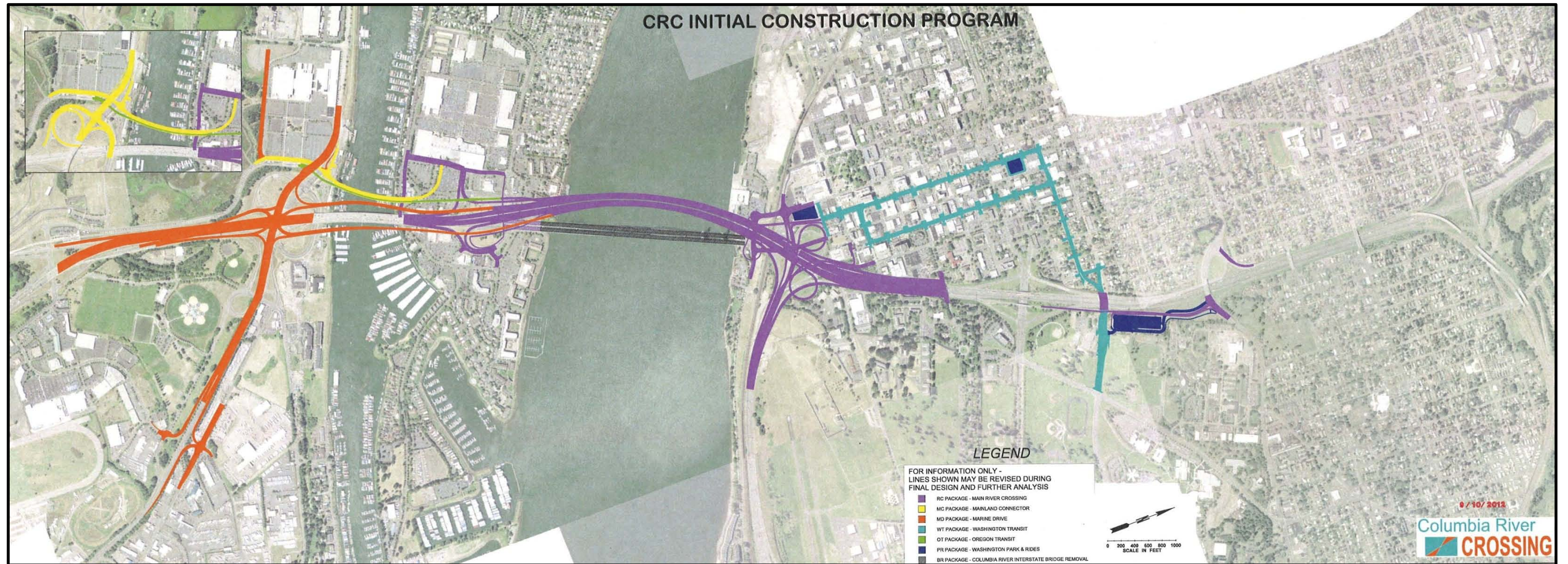


The geographic footprint of the Initial Construction Program (ICP) is shown above as a yellow overlay to the Concept Illustrative of the CRC Locally Preferred Alternative (LPA). Thus, the dark line work (no yellow overlay) represents the improvements necessary to complete the LPA after the ICP



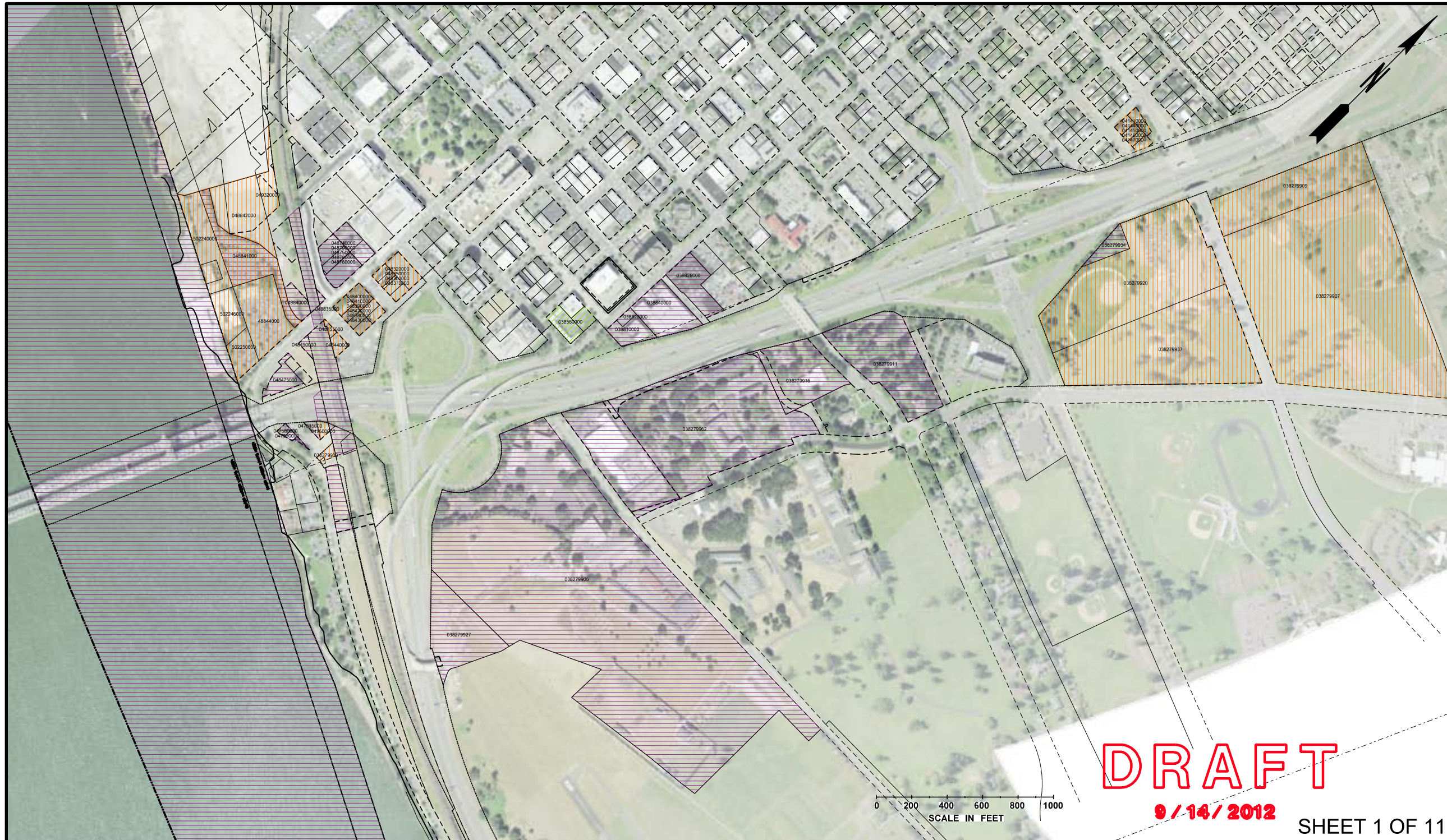
Appendix C:

**Delivery Packages of the Initial Construction Program (ICP)**





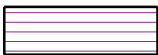
Appendix D: **Taxlots Designated as Transit, Highway and Joint Use Mapped by Acquisition Sequence**  
**RC<sub>iw</sub>: ICP River Crossing Package—Washington**




The figures in Appendix D associate the Property Attribute “Designated Use” to entire taxlots.

The figures of Appendix D do not indicate the type, size or duration of property interests to be acquired.

To find this information, use the taxlot number printed within each taxlot to cross-reference parcel specific maps in Appendix P of this RAMP.

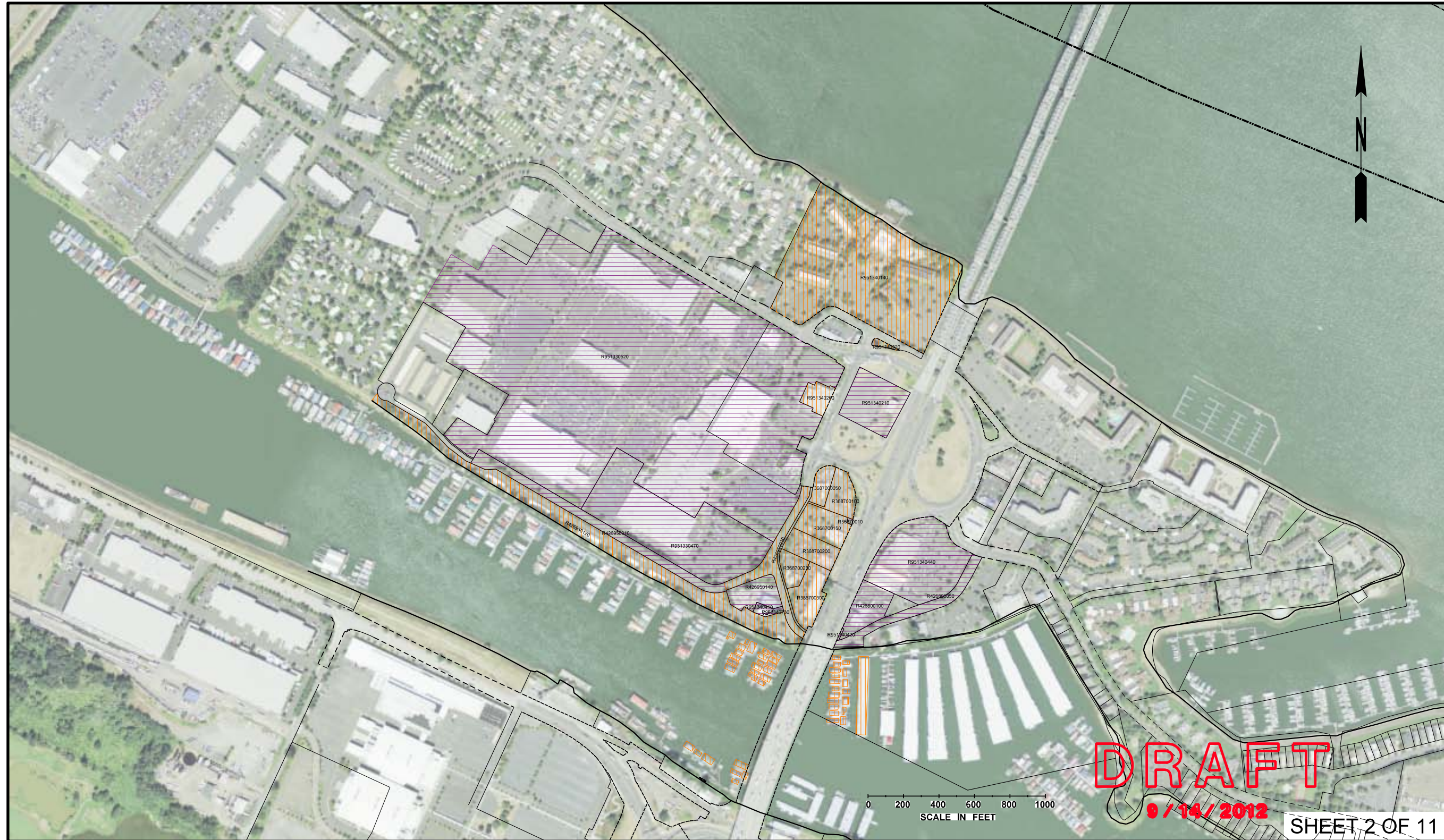
  
HIGHWAY USE

  
JOINT USE

  
TRANSIT USE




# RC<sub>10</sub>: ICP River Crossing Package–Oregon



The figures in Appendix D associate the Property Attribute “Designated Use” to entire taxlots. The figures of Appendix D do not indicate the type, size or duration of property interests to be acquired. To find this information, use the taxlot number printed within each taxlot to cross-reference parcel specific maps in Appendix P of this RAMP.

  
HIGHWAY USE

  
JOINT USE

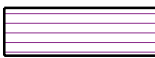
  
TRANSIT USE




# MC<sub>i</sub>: Mainland Connector Package and Oregon Transit Package



The figures in Appendix D associate the Property Attribute “Designated Use” to entire taxlots. The figures of Appendix D do not indicate the type, size or duration of property interests to be acquired. To find this information, use the taxlot number printed within each taxlot to cross-reference parcel specific maps in Appendix P of this RAMP.

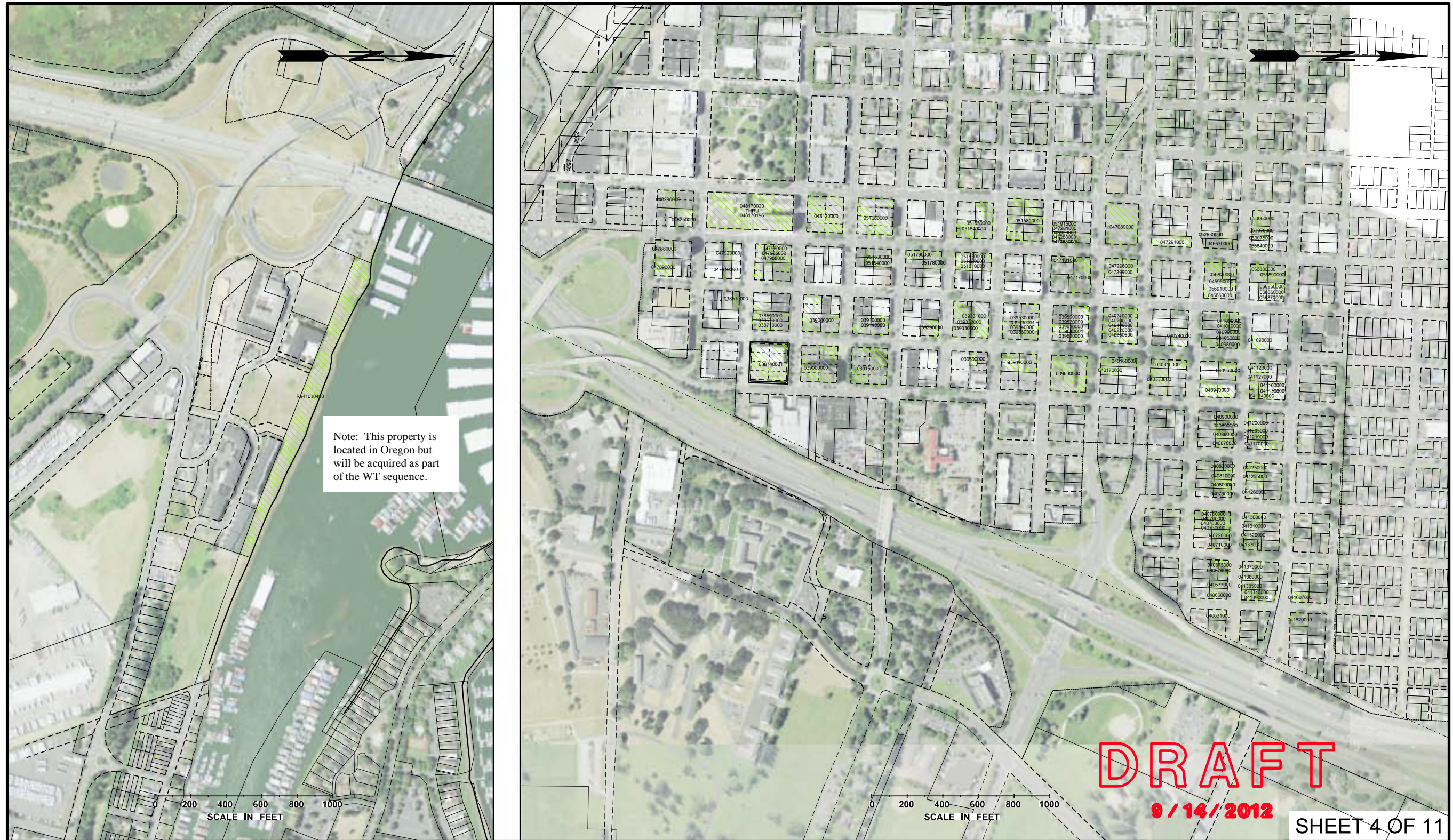
  
HIGHWAY USE

  
JOINT USE

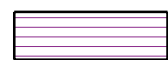
  
TRANSIT USE



# WT: ICP Washington Transit Package



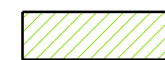
The figures in Appendix D associate the Property Attribute “Designated Use” to entire taxlots. The figures of Appendix D do not indicate the type, size or duration of property interests to be acquired. To find this information, use the taxlot number printed within each taxlot to cross-reference parcel specific maps in Appendix P of this RAMP.



HIGHWAY USE



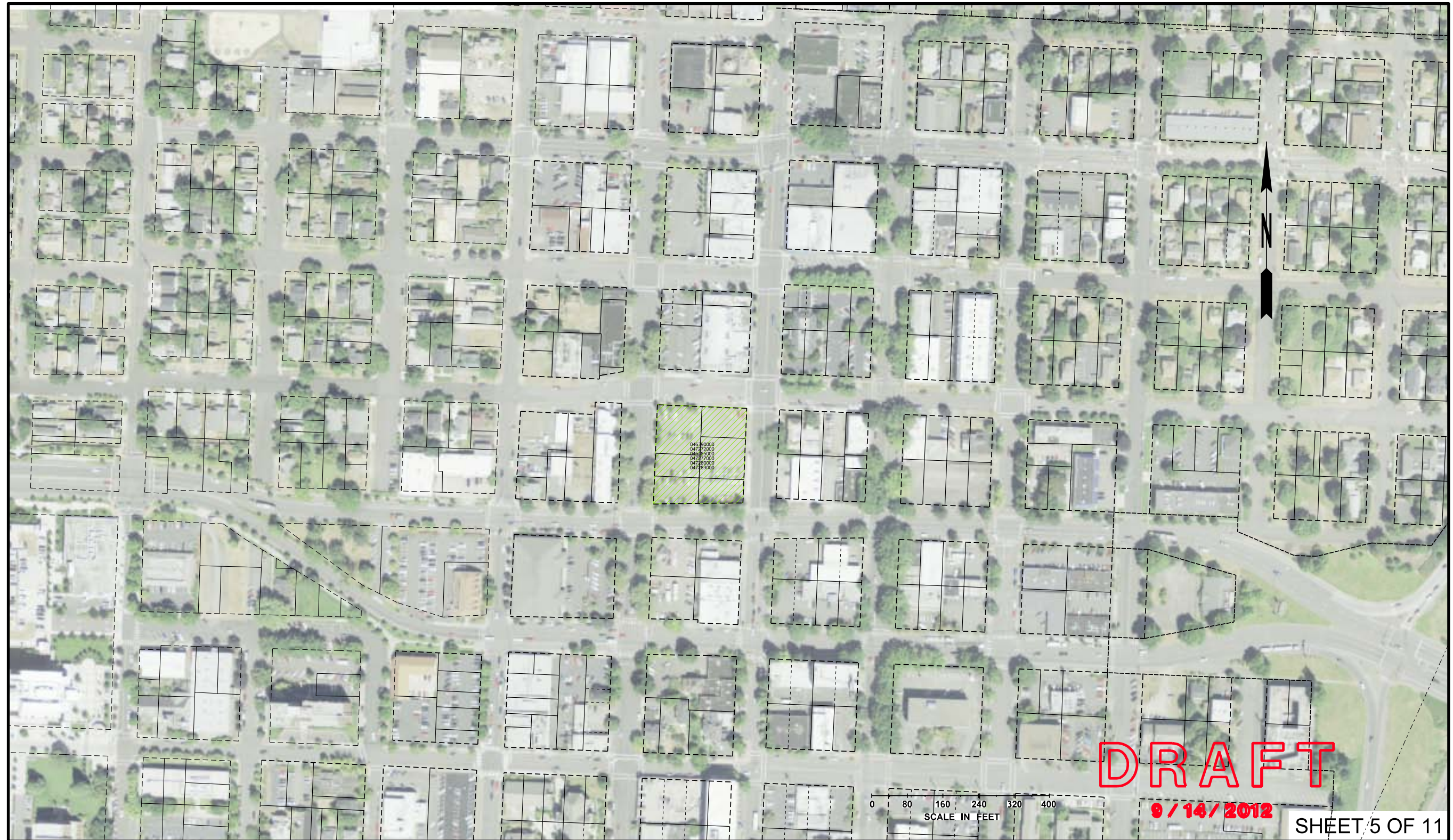
JOINT USE



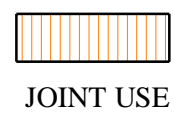
TRANSIT USE



# P&R: ICP Park and Ride Garage Package:



The figures in Appendix D associate the Property Attribute “Designated Use” to entire taxlots. The figures of Appendix D do not indicate the type, size or duration of property interests to be acquired. To find this information, use the taxlot number printed within each taxlot to cross-reference parcel specific maps in Appendix P of this RAMP.

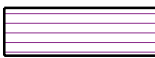





# RJ: ICP Ruby Junction Expansion (Phase II) Package



The figures in Appendix D associate the Property Attribute “Designated Use” to entire taxlots. The figures of Appendix D do not indicate the type, size or duration of property interests to be acquired. To find this information, use the taxlot number printed within each taxlot to cross-reference parcel specific maps in Appendix P of this RAMP.

  
HIGHWAY USE

  
JOINT USE

  
TRANSIT USE




# MD<sub>i</sub>: ICP Marine Drive Package



The figures in Appendix D associate the Property Attribute “Designated Use” to entire taxlots. The figures of Appendix D do not indicate the type, size or duration of property interests to be acquired. To find this information, use the taxlot number printed within each taxlot to cross-reference parcel specific maps in Appendix P of this RAMP.

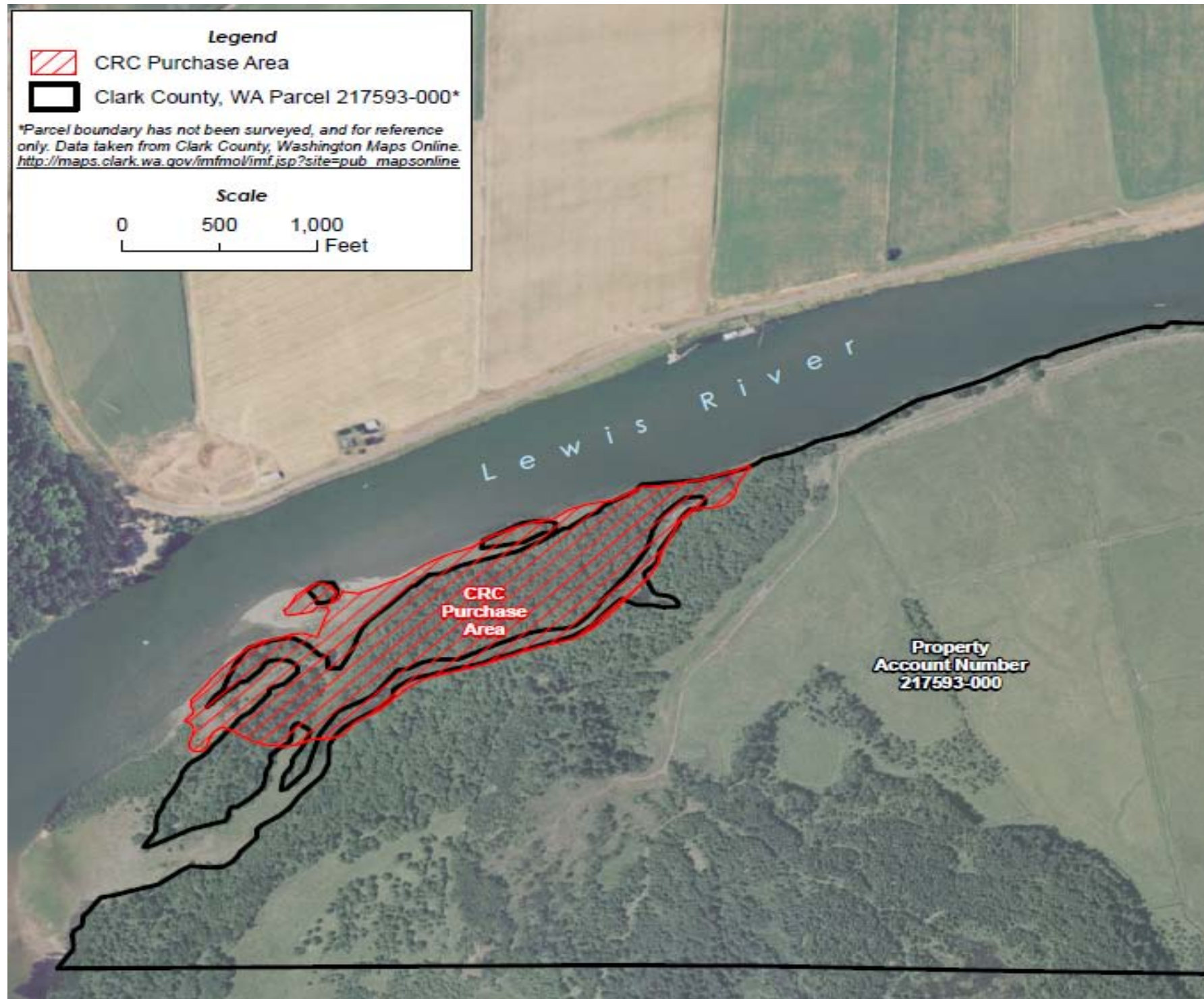
  
HIGHWAY USE

  
JOINT USE

  
TRANSIT USE



# EN: ICP Environmental Mitigation Acquisition



The Designated Use of all EN property interests is Highway Use.

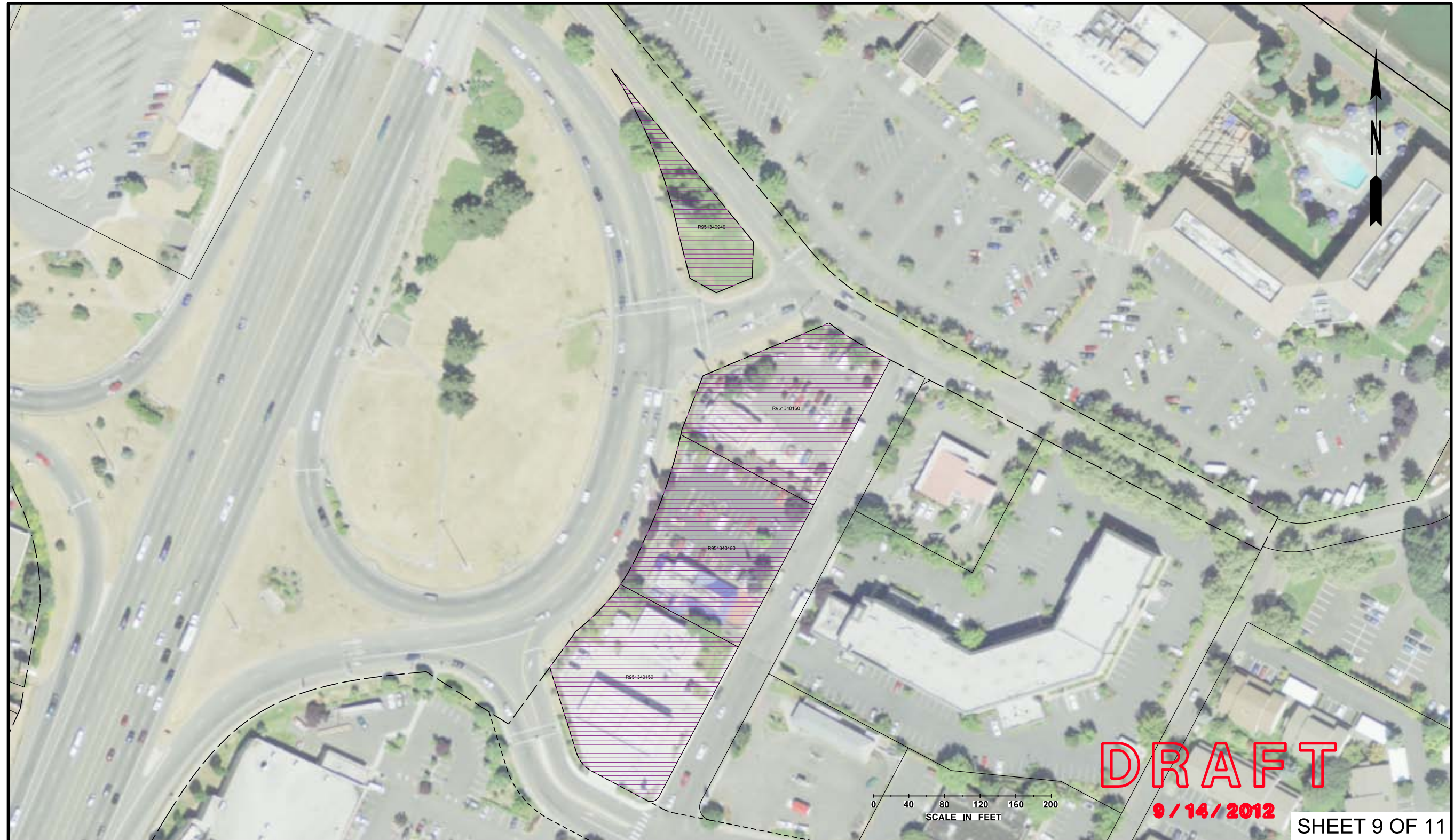
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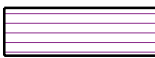
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# RC<sub>sub</sub>: River Crossing Package, LPA Completion



The figures in Appendix D associate the Property Attribute “Designated Use” to entire taxlots. The figures of Appendix D do not indicate the type, size or duration of property interests to be acquired. To find this information, use the taxlot number printed within each taxlot to cross-reference parcel specific maps in Appendix P of this RAMP.

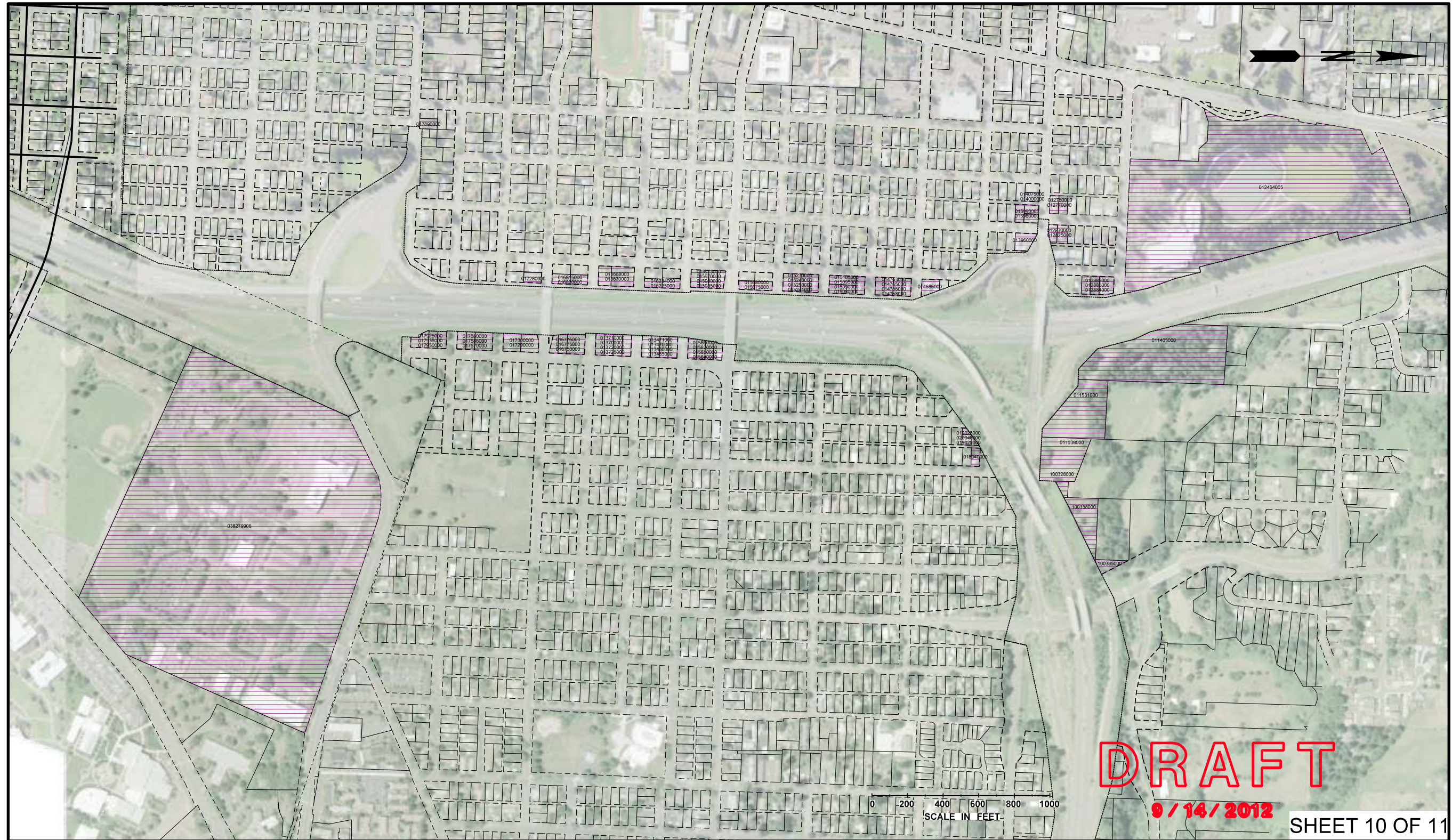
  
HIGHWAY USE

  
JOINT USE

  
TRANSIT USE




# WN: Washington North Package, LPA Completion



The figures in Appendix D associate the Property Attribute "Designated Use" to entire taxlots. The figures of Appendix D do not indicate the type, size or duration of property interests to be acquired. To find this information, use the taxlot number printed within each taxlot to cross-reference parcel specific maps in Appendix P of this RAMP.

  
HIGHWAY USE

  
JOINT USE

  
TRANSIT USE

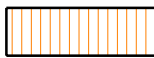


# MD<sub>sub</sub>: Marine Drive Package, LPA Completion



The figures in Appendix D associate the Property Attribute “Designated Use” to entire taxlots. The figures of Appendix D do not indicate the type, size or duration of property interests to be acquired. To find this information, use the taxlot number printed within each taxlot to cross-reference parcel specific maps in Appendix P of this RAMP.

  
HIGHWAY USE

  
JOINT USE

  
TRANSIT USE



# Appendix E:

# Triggers & Protocol: FTA Concurrence & Ad Hoc Guidance

FTA Concurrence Triggers & Requirements, per C5010.1D

<u>Concurrent trigger</u>	<u>when</u>	<u>Concurrence Request Standards</u>	<u>citation</u>
Acquisition appraisal or D/V >\$500K	Prior to starting negotiations	<ul style="list-style-type: none"> <li>§ Transmittal Cover Letter</li> <li>§ Appraisal</li> <li>§ Review Appraisal</li> <li>§ Written justification if appraisal is older than six months</li> </ul>	[a], [d]
Condemnation of Property Interest appraised > \$500K	Prior to filing condemnation	<ul style="list-style-type: none"> <li>§ Transmittal Cover Letter</li> <li>§ 5010.1D does not provide requirements for Condemnation concurrence</li> </ul>	[d], [e5]
Administrative settlements in excess of \$50,000 more than the current fair market value.	<ul style="list-style-type: none"> <li>§ Prior to executing negotiated administrative settlement</li> <li>§ Prior to executing legal administrative settlement. (Legal settlement defined as a settlement subsequent to invoking eminent domain but preceeding "a trial on the merits" [(e)(6)])</li> </ul>	Admin Settlement Concurrence request letter to FTA (must be able to withstand scrutiny of an independent review)  Section 1:Background: <ul style="list-style-type: none"> <li>§ Dates of notices</li> <li>§ Summary appraisal and review</li> <li>§ Failed reasonable efforts to purchase property at appraised value</li> </ul> Section 2: Settlement Proposal <ul style="list-style-type: none"> <li>§ Amount</li> <li>§ Other terms</li> </ul> Section 3: Settlement Justification <ul style="list-style-type: none"> <li>§ Summary of sought legal advice, if the request represents a significant increase over the just compensation and if trial risks are a key factor in the settlement justification</li> <li>§ Summary of legal advice, if sought</li> <li>§ Evaluation of relevant matters including the risks of settling for the proposed amount versus the risks of trying the condemnation in court</li> <li>§ Information supporting that proposal is reasonable, prudent &amp; in the public interest(demonstrate logic &amp; reasoning)</li> </ul> Section 4: Closing <ul style="list-style-type: none"> <li>§ Affirmation that all settlement documentation is available for FTA review</li> <li>§ Prefer timeline</li> <li>§ Who to contact for more information</li> <li>§ Authorized signature to request concurrence</li> </ul>	[e6a-1], [e6(a-2), [e6(b)]
In kind donation to be used for local match	Before Federal funds are expended or valued used as match		[a],[d]

FTA ad hoc guidance requirements, per C5010.1D

<u>Ad hoc guidance trigger</u>	<u>Guidance Procedure</u>	<u>citation</u>
Property Donation,	Contact Region X	[b4(a)]
The grantee does not have authority to acquire property by eminent domain as set out in Section 24.101	Contact Region X	[b4(b)] .[B.102(p)]
The property qualifies as a voluntary acquisition as defined in Section 24.101(b).	Contact Region X	[b4(c)]
The valuation is uncomplicated, and the fair market value is estimated at \$10,000 or less, based on a review of available data, using the waiver valuation provision found at Section 24.102(c) and Section 24.2(a)(33).	Contact Region X (Note: the Project intends pursue programmatic approval for uncomplicated appraisals waivers acquisitions with an estimated fair market value of \$25,000 or less.)	[b4(d)]
State subrecipients may use the State's staff appraisers to prepare required independent appraisals.	Contact Region X	b4(e)]
Functional Replacement	Contact Region X	[g3]
Contaminated property	Contact Region X for technical assistance	[g4(d) ]
Dispose of real property no longer needed for transit purposes	Request disposition instructions from Region X	[j2(c)]
Joint development when not the originally approved purpose for the	Transmit to Region X drafts of Joint Development checklist	

## Additional Information Concerning Concurrence Thresholds

WSDOT currently uses an FHWA approved appraisal waiver form and procedure to value properties under \$25K that are not complicated – the Administrative Offer Summary (AOS) which can be found in the WSDOT RW Manual (4-3.3 Waiver of Appraisal).

Though Oregon has no such approved procedure for appraisal waivers over \$10K, there are no transit acquisitions in Oregon under \$25K for this project and therefore appraisal waivers in Oregon are not a consideration, and any discussions about CRC appraisal waivers will be limited to Washington acquisitions.

A \$25K threshold has been in place in Washington for many years as a cost effective and efficient, federally approved procedure. This waiver saves the time and expense of an appraisal when deemed appropriate, and WSDOT would like to implement that appraisal waiver procedure on this project for the transit acquisitions, in Washington, that qualify.

The following table shows parcel counts for both thresholds:

	Totals	<\$25K	>\$500K
Transit OR	7	0	3
Transit WA	109	84	4
Transit (Both States)	116	84	7
<hr/>			
Hwy OR	120	26	31
Hwy WA	98	33	10
Hwy both states	218	59	41
<hr/>			
Totals	334	143	48

Since there are only 7 (of 48) transit parcels estimated to exceed the FTA \$500K threshold, we will request a waiver of that FTA threshold. I am aware of the process to make such a request and will follow through with that formal request.

The 84 transit acquisitions below \$25K would all require FTA approval for an appraisal waiver procedure. We would like to request approval for an appraisal waiver on non-complicated transit parcels under \$25K and will follow through with that formal request.

Below is the list of those seven transit parcels over \$500K. Parcel values include land, improvements, and damages. The three Oregon parcels are full acquisitions in the Ruby Junction construction package. Of the four parcels in Washington, three are full acquisitions for park and rides, and one is mostly damages due to loss of access.

OR	\$607,266
OR	\$644,880
WA	\$805,206
OR	\$836,360
WA	\$1,341,100
WA	\$1,384,006
WA	\$6,097,170

Appendix F:

# Uniform Act-DOT Procedures Cross Reference

## 49 CFR 24: Subpart A

Code of Federal Regulations (CFR) 49 CFR 24 Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs Subpart A - General	Revised Code of Washington (BCW)	Washington Administrative Code (WAC)	WSDOT R/W Manual	Oregon Law	ODOT R/W Manual
24.1 Purpose			3-4 6-1-1 12-1.1		
	8.26.010	468-100-001			
24.2 Definitions	8.26.020	468-100-002	12-4.1		Appendix A
24.3 No duplication of payments	8.26.105(2)	468-100-003	12-3.1.D		6.197
24.4 Assurances, monitoring, and corrective action	8.26.085	468-100-004	12-2.2		5.100
24.5 Manner of Notices		468-100-005	6-10 12-5.4.1		3.135
24.6 Administration of jointly-funded projects		468-100-006			12.510
24.7 Federal Agency waiver of regulations		468-100-007			
24.8 Compliance with other laws and regulations		468-100-008			
			7-3.4 12-2.5 12-2.6		5.475 5.500 6.180 6.182
24.9 Record keeping and reports		468-100-009			6.925
	8.26.085(1)(c) 34.05	10-08 468-10 468-100-010	12-5.5		
24.10 Appeals					

*continued next page*

# 49 CFR 24: Subpart B

Code of Federal Regulations (CFR) 49 CFR 24 Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs	Revised Code of Washington (RCW)	Washington Administrative Code (WAC)	WSDOT R/W Manual	Oregon Law	ODOT R/W Manual
<b>Subpart B - Real Property Acquisition</b>					
24.101 Applicability of acquisition requirements		468-100-101			
24.101(a) Direct Federal program or project					
24.101(b) Programs and projects receiving federal financial assistance					
24.101(c) Less-than-full-fee interest in real property					
24.101(d) Federally-assisted projects					
24.102 Basic acquisition policies					
24.102(a) Expeditious acquisition	8.26.180 (1)		3-4.1-C.2 6-1.1 6-1.2.A.		5.130
24.102(b) Notice to owner	8.26.180 (3)		3-3.C. 3-4.1.C.5 6-1.2.C	35.346	5.135
24.102(c) Appraisal, waiver thereof, and invitation to owner	8.26.180 (2)	468-100-102	Chapter 4		Chapter 4
24.102(d) Establishment and offer of just compensation	8.26.180 (3)		3-3.B. 3-4.1.B.1 3-4.1.C.1 3-4.1.C.4 6-1.2.B	35.346	4.145 5.125
24.102(e) Summary statement	8.26.180 (3)		6-1.2.C		5.405
24.102(f) Basic negotiation procedures			6-10		5.300
24.102(g) Updating offer of just compensation			6-10.3.2		5.510
24.102(h) Coercive action	8.26.180 (7)		3-4.1.C.3 6-1.2.E		5.140 8.110
24.102(i) Administrative settlement			6-12		5.565
24.102(j) Payment before taking possession	8.26.180 (4)		3-4.1.C.9 6-1.2.D		5.17
24.102(k) Uneconomic remnant	47.12.160 8.26.180 (9)		3-4.1.A.5 3-4.1.C.6 5-5.2 6-1.2.F 6-11.1		4.470 5.165 5.410 5.525 5.680
24.102(l) Inverse condemnation	8.26.180 (8)		3-4.1.C.13		5.685
24.102(m) Fair rental	8.26.180 (6)		3-4.1.C.12 6-16.2.C		6.425
24.102(n) Conflict of interest		468-100-102(5)	6-1.2.L		2.120 5.145
24.103 Criteria for appraisals		468-100-102	Chapter 4		Chapter 4
24.103(a) Appraisal requirements		468-100-102(1)	Chapter 4		Chapter 4
24.103(b) Influence of the project on just compensation		468-100-102(2)	3-4.1.A.3 4-1 C. Chapter 4 Appendix 4-1, Part I, C.3.F.		4.430 4.460
24.103(c) Owner retention of improvements		468-100-102(3)			5.160
24.103(d) Qualifications of appraisers and review appraisers		468-100-102(4)			4.170 4.220
24.104 Review of appraisals		468-100-103	Chapter 5		4.180
24.105 Acquisition of tenant-owned improvements	8.26.190	468-100-104			5.155 5.408 5.480
24.105(a) Acquisition of improvements		468-100-104 (1)	3-4.1.C.14		5.155
24.105(b) Improvements considered to be real property	8.26.190(2)	468-100-104 (2)			5.155
24.105(c) Appraisal and Establishment of Just Compensation for a Tenant-Owned Improvement		468-100-104 (3)	3-4.1.A.6 3-4.1.B.3 Chapter 4, Appendix 4-1, Part II.B.(2)		Chapter 4 5.408
24.105(d) Special conditions for tenant-owned improvements		468-100-104 (4)	3-4.1.C.14.c 6-1.2.G		5.460-1.c.
24.105(e) Alternative compensation		468-100-104 (5)	3-4.1.C.14.e 6-1.2.H		5.480
24.106 Expenses Incidental to Transfer of Title to the Agency	8.26.200		3-4.1.C.8 6-1.2.I 6-17.1.2		5.615
24.107 Certain litigation expenses	8.25.075	468-100-105	6-24.2		5.685
24.108 Donations	8.26.180 (10) 47.14	468-100-106	6-2.1.J		5.175 5.320 5.322

# 49 CFR 24: Subparts C & D

Code of Federal Regulations (CFR) 49 CFR 24 Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs	Revised Code of Washington (RCW)	Washington Administrative Code (WAC)	WSDOT R/W Manual	Oregon Law	ODOT R/W Manual
<b>Subpart C - General Relocation Requirements</b>					
24.201 Purpose					6.100
24.202 Applicability					6.100
24.203 Relocation Notices		468-100-203	12-5.4		6.125
24.203(a) General information notice.					6.130 6.310 6.320
		468-100-203(1)	12-5.4.3		6.135
24.203(b) Notice of relocation eligibility.		468-100-203(2)	12-5.4.5		6.325
24.203(c) Ninety-day notice					6.145
		468-100-203(3)	12-5.4.5		6.330
24.203(d) Notice of intent to acquire.					6.150
		468-100-203(4)	12-5.4.2		6.312
24.204 Availability of comparable replacement dwelling before displacement	8.26.075(2)	468-100-204	12-3.2.E		6.190 6.340
24.204(a) General.		468-100-204	12-3.2.E		6.190
24.204(b) Circumstances permitting waiver	8.26.075(3)	468-100-204(2)	12-3.3.A		
24.204(c) Basic conditions of emergency move		468-100-204(3)	12-3.3.B		
24.205 Relocation planning, advisory services, and coordination	8.26.065	468-100-205	12-4.2		6.302
			12-4.2.1		6.355
24.205(a) Relocation planning	8.26.065(1)	468-100-205(1)	12-4.2.2		6.302
24.205(b) Loans for planning and preliminary expenses		468-100-205(2)			
24.205(c) Relocation assistance advisory services					6.355
	8.26.065(2)	468-100-205(3)	12-5		6.365
24.205(d) Coordination of relocation activities	8.26.065(2)(f)	468-100-205(5)			
24.206 Eviction for cause		468-100-206			
24.207 (a) General requirements-claims for relocation payments: Documentation		468-100-207(1)	12-6.6 12-7.5.4.C		6.900
24.207(b) Expeditious payments	8.26.085(1)(b)	468-100-207(2)			6.385
					6.392
24.207(c) Advanced payments	8.26.085(1)(b)	468-100-207(3)	12-6.6.3.A & B 12-7.5.4.A 12-6.6.1.A		6.405
24.207(d) Time for filing		468-100-207(4)	12-7.5.1.C		
24.207(e) Notice of denial of claim		468-100-207(5)	12-5.5		6.410
24.207(f) No waiver of relocation assistance		468-100-207(6)	12-3.2.J		6.367
24.207(g) Expenditure of payments		468-100-207(7)			
24.208 Aliens not lawfully present in the United States		468-100-208			6.413
24.209 Relocation payments not considered as income.	8.26.115	468-100-209			6.415

Code of Federal Regulations (CFR) 49 CFR 24 Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs	Revised Code of Washington (RCW)	Washington Administrative Code (WAC)	WSDOT R/W Manual	Oregon Law	ODOT R/W Manual
<b>Subpart D - Payments for Moving and Related Expenses</b>					
24.301 Payment for actual reasonable moving and related expenses	8.26.035	468-100-301	12-6.5 12-7.2		6.525
24.301(a) General		468-100-301(1)	12-6.5 & 12- 7.2.1		6.135
24.301(b) Moves from a dwelling	8.26.035(2)	468-100-301(2)	12-6.5		6.530
24.301(c) Moves from a mobile home		468-100-301(3)	12-8		6.800
24.301(d) Moves from a business, farm or nonprofit organization	8.26.035(1)	468-100-301(4)	12-7.2.1.B		6.555
24.301(e) Personal property only	8.26.035(1)(a)	468-100-301(5)	12-9.3		6.527
24.301(f) Advertising signs					6.578 6.860 6.865 6.875
		468-100-301(6)			
24.301(g) Eligible actual moving expenses	8.26.035	468-100-301(7)	12-7.2.1.A		6.560
24.301(h) Ineligible moving and related expenses		468-100-301(8)	12-7.2.2		6.665
24.301(i) Notification and inspection (nonresidential)		468-100-301(9)	12-7.2.1.B.5		6.595
24.301(j) Transfer of ownership (nonresidential)		468-100-301(10)	12-7.6		6.600
24.302 Fixed payment for moving expenses-residential moves	8.26.035(2)	468-100-302	12-6.5.1		6.550
24.303 Related nonresidential eligible expenses.	8.26.035(1)	468-100-303	12-7.2.4		6.602
24.304 Reestablishment expenses- nonresidential moves	8.26.035(1)(d)	468-100-306	12-7.2.3		6.602
24.304(a) Eligible expenses.		468-100-306(1)	12-7.2.3.A		6.602-1
24.304(b) Ineligible expenses		468-100-306(2)	12-7.2.3.B		6.602-3
24.305 Fixed payment for moving expenses-nonresidential moves	8.26.035(3)	468-100-304	12-7.3		6.605
24.305(a) Business					6.610 6.615
		468-100-304(1)	12-7.3.1.A		
24.305(b) Determining the number of businesses		468-100-304(2)	12-7.3.1.B		6.620
24.305(c) Farm operation		468-100-304(3)	12-7.3.2		6.622
24.305(d) Nonprofit organization		468-100-304(4)	12-7.3.3		6.624
24.305(e) Average annual net earnings of a business or farm operation		468-100-304(5)	12-7.3.1.D		6.625
24.306 Discretionary utility relocation payments		468-100-305			6.536 6.566

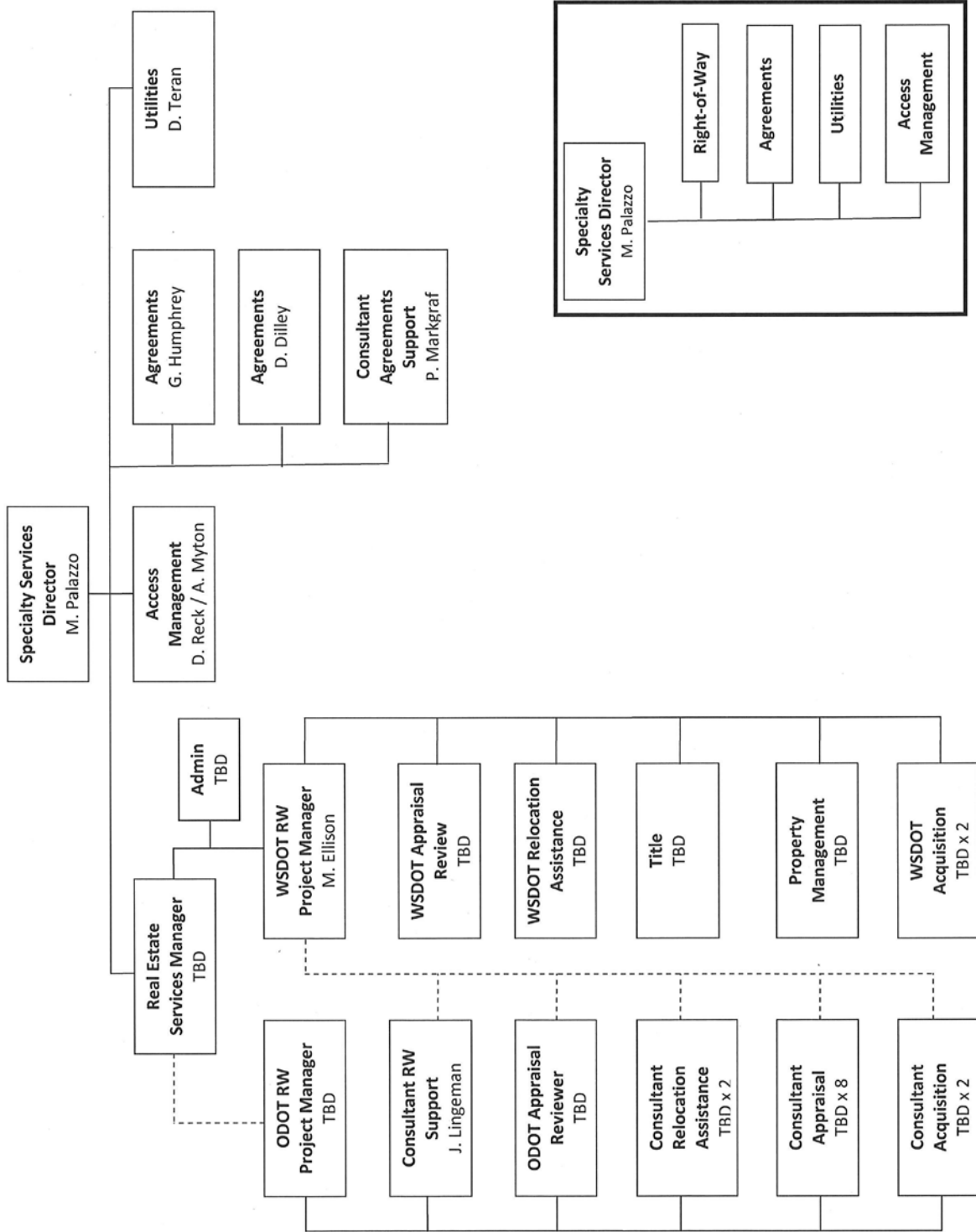


# 49 CFR 24: Subparts E, F, & G

Code of Federal Regulations (CFR) 49 CFR 24 Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs	Revised Code of Washington (RCW)	Washington Administrative Code (WAC)	WSDOT R/W Manual	Oregon Law	ODOT R/W Manual
<b>Subpart E - Replacement Housing Payments</b>					
24.401 Replacement housing payment for 180-day homeowner-occupants		468-100-401	12-6		6.670
24.401(a) Eligibility		46-100-401(1)	12-6.1		6.682
24.401(b) Amount of payment		46-100-401(2)	12-6.3.1.1.B		
24.401(c) Price differential					6.675
		468-100-401(3)	12-6.3.1.1 B		6.686
24.401(c)(2) Owner retention of displacement dwelling			12-6.3.1.1		6.695
		468-100-401(3)(b)	B.1.C		
24.401(d) Increased mortgage interest costs		468-100-401(4)	12-6.3.1.1.D		6.715
24.401(e) Incidental expenses					6.725
		468-100-401(5)	12-6.3.1.1.C		6.730
24.401(f) Rental assistance payment for 180-day homeowner		468-100-401(6)	12-6.3.1.2		6.735
			12-6.1.B.4		6.738
24.402 Replacement housing payment for 90-day occupants		468-100-402	12-6.3.3		6.740
24.402(a) Eligibility					6.736
		468-100-402(1)	12-6.3.3.A		6.738
24.402(b) Rental assistance payment		468-100-402(2)	12-6.3.3.B.1		6.740
24.402(b)(2) Base monthly rental for displacement dwelling		468-100-402(2)(b)	12-6.3.3.B.3		6.746
24.402(b)(3) Manner of disbursement		468-100-402(2)(c)	12-6.6.1.B		
					6.765
			12-6.1.B.2 & 3		6.766
			12-6.3.3.2		6.768
24.402(c) Downpayment assistance payment	8.26.055(2)	468-100-402(3)	12-6.6.1.B.2.C		6.770
24.402(c)(2) Application of payment		468-100-402(3)(b)	12-6.3.3.2.B		6.772
24.403 Additional rules governing replacement housing payments					
		468-100-403	12-6.3.1.1.B.3		
24.403(a) Determining cost of comparable replacement dwelling		468-100-403(1)	12-6.3.1.1.B.3		6.886
24.403(b) Inspection of replacement dwelling		468-100-403(2)	12-6.2		6.480
24.403(c) Purchase of replacement dwelling			12-		6.450
		468-100-403(3)	6.3.1.1.A.2.e		
24.403(d) Occupancy requirements for displacement or replacement dwelling		468-100-403(4)	12-6.3.4		6.445
24.403(e) Conversion of payment		468-100-403(5)	12-6.3.3.1.C		
24.403(f) Payment after death		468-100-403(6)			6.465
24.403(g) Insurance proceeds		468-100-403(1)(h)			6.570
24.404 Replacement housing of last resort		468-100-404	12-6.4		6.455
24.404(a) Determination to provide replacement housing of last resort					6.455
		468-100-404(1)	12-6.4.1.B		6.880
24.404(b) Basic rights of persons to be displaced					6.430
		468-100-404(2)	12-6.4.1.A		6.884
24.404(c) Methods of providing comparable replacement		468-100-404(3)	12-6.4.2		6.886
<b>Subpart F - Mobile Homes</b>					
24.501 Applicability		468-100-501	12-8		6.800
24.502 Replacement housing payment for 180-day mobile homeowner-occupants			12-8.3.2		6.815
		468-100-502	12-8.3.3		
24.503 Replacement housing payment for 90-day mobile home occupants			12-8.3.2		6.820
		468-100-503	12-8.3.3		
24.504 Additional rules governing relocation payments to mobile home occupants		468-100-504			6.825
<b>Subpart G - Certification</b>					
24.601 Purpose		468-100-601			3.680
24.602 Certification application		468-100-602			3.685
24.603 Monitoring and corrective action		468-100-603			3.680
					Appendix B

# Appendix G:

# ROW Office Table of Organization



## Appendix H:           **RES Job Descriptions**

### **Right-of-Way Manager**

The Right-of -Way Manager oversees the preparation and day-to-day implementation of the Real Estate Acquisition Management Plan. This will be accomplished through close collaboration with and by leveraging TriMet staff knowledgeable in FTA requirements. He manages the ROW function supported by ROW staff from WSDOT, ODOT, and qualified consulting staff with expertise in ROW negotiation, acquisition and relocation on large, complex multi-modal projects.

### **Oregon Senior Right-of-Way Agent**

Plans and directs Right of Way acquisition activities, including the appraisal, acquisition, relocation and project related property management functions. Acts as Right of Way liaison to the Project Delivery Team, providing real estate cost estimates, monitoring timelines and other project requirements. Assures timely delivery of right of way while assuring conformance with State and Federal regulations.

### **Washington Property & Acquisition Specialist 6**

Under the Uniform Relocation Act, positions supervise or lead employees in real estate activities such as property management, relocation, appraisal, negotiations, or title examination or positions may serve as a review appraiser for multi-regions. Typical work includes:

Advising and/or providing recommendations to agency administrators, county officials, and/or taxpayers regarding damage claims, audit findings and recovery of federal aid, assessment, settlements or condemnations, equalization and taxation of real and personal property, property tax exemptions or deferrals or in special valuation of property based on the current use of the property; assigning and/or conducting negotiations or relocation assistance; monitoring right-of-way activities of local agencies for state and federal policy compliance; defining tasks, soliciting bids, negotiating, drafting, awarding, and monitoring personal services contracts for appraisal-related activities. May supervise or lead other staff.

### **Washington Property & Acquisition Specialist 3**

Typically performs complex duties relating to vacant, residential, commercial, agricultural, public utility, exempt, recreational, and/or industrial properties. Areas of responsibility include negotiations, acquisitions, relocation assistance, property management, title examination, leasing, appraisals, audits, disposal, inspections, and/or lands and access maintenance. At this level, complex assignments involve extensive title clearance, follow-up to negotiations which have reached an impasse; investigation and disposition of claims involving unconstitutional takings; relocations involving more complex issues (i.e. retail businesses, farms, last resort housing); preparation or review of relocation plans, benefit computations; moving cost estimates; dual-premise appraisals, and/or appraisal of income producing properties

### **Consultant ROW Support**

Performs typical and atypical ROW work as assigned by the CRC ROW Manager. Services may include: research and gathering information, developing cost estimates as required by the CRC, attendance at public meetings, review of ROW alignments for problems, serve as point of contact for property owners wanting information about the ROW process, and providing reports as required by the CRC.

## **TriMet Real Property Manager**

Manages the real property acquisition and disposition for CRC facilities at Ruby Junction. Facilitate right-of-way and real property location design, project costing, budget development, appraisal, negotiation, relocation, condemnation and settlement, and property management. Ensure a commitment to safety through effective leadership, role modeling and implementing practices that demonstrate safety is a fundamental value and a priority in all aspects of work. Perform related duties as required.

## **TriMet Real Property Specialist**

Negotiate acquisition and disposal of real property for CRC facilities at Ruby Junction. Provide liaison, appraisal, relocation, property management, and demolition services. Ensure a commitment to safety through consistent and professional behaviors in performance of job requirements that demonstrate safety is a fundamental value that guides all aspects of our work. Perform related duties as required.

## Appendix I:

## RES Staff Resumes

**Mike Palazzo**

### **Specialty Services Director 2011-present**

The Specialty Services Manager, supported by functional managers from WSDOT and ODOT, is responsible for Right of Way, Agreements/IGA/Invoices, Utilities, and Access Management services. This position also oversees the implementation of the Real Estate Acquisition Management Plan.

### **Professional Experience:**

---

#### **WSDOT Headquarters, Olympia, WA 12/08 to Present**

Director, Real Estate Services

WSDOT is designated as the lead agency for all federally funded projects. These positions jointly establish statewide policy and procedures for real estate related activities, not only for WSDOT, but for all other state agencies and local governments using federal funds. I assure the policies and procedures are efficient, consistent, and in compliance with state and federal laws, regulations, and guidelines, as well as providing technical guidance for all WSDOT right of way programs statewide.

#### **WSDOT Headquarters, Olympia, WA 09/08 to 12/08**

Acting Director, Real Estate Services

#### **WSDOT Headquarters, Olympia, WA 2005 to 2008**

Deputy Director, Real Estate Services

The Deputy Director plans, directs and administers all programs of the Real Estate Services Office in the absence of the Director, Real Estate Services.

#### **WSDOT, Southwest Region, Vancouver, WA 2001 to 2005**

Real Estate Services Manager

Hired in August of 2001, I spent the first several months absorbing policies and practices, getting up to speed with past, present and future projects, and meeting the employees in the region, at headquarters, and across the state. From January 2002 through 2005, based on parcels acquired per agent per month, SW region RES productivity was the highest in the state while delivering all right of way certifications in time to meet all project scheduled advertizing dates.

#### **SELF EMPLOYED 1978 to 2001**

Real Estate Broker and Property Manager

Residential and commercial real estate sales, acquisitions, and property management. Started a property management program in 1979 and managed all aspects of multiple projects on a daily basis. This involved hundreds of properties worth millions of dollars, working with owners and tenants. I wrote and/or reviewed sales/purchase/lease documents, while analyzing and satisfying the varying and demanding needs of buyers, sellers, tenants, and owners in residential and commercial projects. I marketed properties for sale or lease, assessed and projected the physical needs of managed properties, and hired and supervised electricians, plumbers, roofers, general contractors, landscapers, and other personnel. No complaints and no lawsuits.

#### **Education:**

##### **Aloha High School; Aloha OR**

Graduated 1973

##### **Information Technology Institute; Portland, OR**

Post-Graduate Applied Information Technology (AIT) Program, 2001

**Michael D. Ellison**  
**Acting – Columbia River Crossing Right of Way Project Manager**  
**March 1, 2012-present**

Coordinate the Right of Way (ROW) and Real Estate activities related to the Columbia River Crossing (CRC) Project and provide direction and oversight for ROW staff and consultants.

**Professional Experience:**

---

**WSDOT, Vancouver, WA**  
Appraisal Program Supervisor

**3/05 to 2/12**

I was originally hired as an Appraiser, ROW Agent 3 in March of 2005. On September 20, 2005 I earned a promotion to Appraisal Program Supervisor, Right of Way Agent 4. On December 21, 2005 I was reclassified upward to a Property and Acquisition Specialist 5, which I currently hold.

As the Appraisal Program Supervisor I provide leadership for the appraisal discipline within the Southwest Region of WSDOT. Some of my responsibilities include:

- Supervision of appraisal staff.
- Work closely with OFM and more recently the Consultant Services Office in the administration of personal service agreements and task orders for consultants.
- Coordinate with other real estate disciplines to ensure that all laws, policies and procedures are followed, while maintaining the delivery schedule.
- Determine a project's ROW impacts and provide recommendations for alternatives.
- Perform ROW scope estimates, develop budgets, and submit funding requests to open ROW work orders.
- Setup the projects and maintain the appraisal/review entries in IRIS.
- Attend stakeholder, open houses, and other project level meetings.

During this time period I served on the Statewide Program Management Group (SPMG). I provided technical feedback for the Project Management & Reporting System (PMRS). The purpose of the SPMG was to assist in the overall management of the delivery of the \$15 billion in transportation projects expected over 16 years following the enactment of the Transportation Partnership Act of 2005. My specific involvement was related to the Content Management Workflow and eForms.

I also was on an WSDOT committee tasked with replacing the software used to track and maintain our Right of Way projects, Real Estate Information System (REIS). The result of this effort was the Integrated Real Estate Information System (IRIS).

**Ellison Appraisal Services, Vancouver, WA**

**12/92 to Current**

Owner/Principle Appraiser

From 11-10-92 to 6-25-06 was a Certified appraiser and was the owner/principle appraiser by a small appraisal/consulting company. I closed the active business shortly after I cancelled my license to focus on WSDOT. Our clients were varied and included lenders, relocation firms, WSDOT, other public agencies and attorneys. The areas of coverage included seven, southwest counties in Washington.

I worked independently, preparing appraisals in conformance with USPAP and where appropriate, WSDOT, the Yellow Book and IRS requirements. I was responsible for tracking accounts receivable, maintaining the computer/network systems.

My appraisal company was one of the first in the area to incorporate laptops, portable printers and digital cameras to our everyday workflow in the mid 90's and we held that distinction for several years.

**US Army**  
Specialist

**10/88 to 12/91**

For the first 26 months, my MOS was a 98C Signals Intelligence Analyst (now designated as a 35N), while I was stationed at Goodfellow A.F.B. in San Angelo Texas. I analyzed, prioritized and classified data collected electronically. Most of the data needed decryption/deciphering. The data was then placed in a database. I developed reports based on level of importance/clearance and briefed members in higher chain of command and recommended course of action. For the last few months I was the Floor Sergeant in charge of a platoon, approximately 24 soldiers.

I opted for an early re-enlistment and was offered a second MOS 94H Electronic Calibration at my second installation, Lowry A.F.B. This job required the testing, troubleshooting, and calibration of various pieces of electronic equipment down to the discrete component level. During this time I was the Floor Sergeant in charge of approximately 13 soldiers.

**Education:**

---

**Clark Community College, Vancouver, WA**

1995-1996 45 credit hours as a business major.

2000 43 credit hours as a Computer Science major.

**Professional /Business Courses (1992-Current):**

450+ hours	Various - Appraisal related courses including the core hours necessary for State Certification. All of these courses are recognized by the Appraisal Institute.
50 hours	WSDOT - Leadership & Management
8 hours	OFM - Contracting in Washington State
4 hours	WSDOT - Work Orders Financial Overview
4 hours	WSDOT - Agreements Financial Overview
8 hours	WSDOT - Time Management
7 hours	DOP - Government to Government Training

**Lou Schwab**

**Right of Way Project Manager**

**2002-present**

Manages and supervises project teams for r/w acquisition projects. Tasks include the following:

- Manage schedules to meet project deadlines.
- Assigning acquisition and relocation tasks to project staff.
- Reviewing and approving completed relocation studies, relocation claims, and purchase agreements.
- Instructing and mentoring acquisition staff in r/w practices and procedures.
- Serving as the primary r/w contact for the client and other members of the project team.
- Handles difficult and complex r/w acquisitions and relocations.
- Serves as a member of multidisciplinary project teams as a right of way subject matter expert, producing right of way cost estimates and technical documents as needed.

**Professional Experience:**

**ODOT, Portland, OR 1998-2001**

Technical Support Manager

Job Description: Supervise and manage an organizational unit which included engineering specialists in Utilities Relocation, Local Agency Program, Bicycle/Pedestrian program, and Quality Assurance Program.

**ODOT, Salem, OR 1996 to 1998**

Right of Way Engineering Manager

Job Description: Manage R/W Engineering Unit responsible for creating right of way descriptions, maps and exhibits for ODOT projects.

**ODOT, Salem, OR 1988-1996**

Assistant Right of Way Manager

Job Description: Manage and direct the r/w field acquisition activities. Supervise five region r/w Supervisors. Approve all real estate agreements and legal settlements.

**ODOT, Salem, OR 1986-1987**

Region 1 R/W Supervisor

Job Description: Manage ODOT Region 1 Right of Way office including all acquisition and property management activities in the region.

**ODOT, Salem, OR 1978-1984**

Senior R/W Agent

Job Description: Serve as a lead technical specialist in property management, relocation, and appraisal review.

**ODOT, Roseburg, OR 1971-1977**

Right of Way Agent

Job Description: Provide appraisal, acquisition, relocation, and property management functions in the Region 3 right of way office.

**Education:**

**Oregon State University**

Bachelor of Science, Forest Management

**Accreditations: Senior Right of Way Agent, International Right of Way Association**









*CRC Real Estate Services*  
**PROPERTY INTEREST CERTIFICATION**

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**DESCRIPTION OF THE PROPERTY INTEREST TO BE ACQUIRED**

County Tax Lot Number: \_\_\_\_\_ Short written description: \_\_\_\_\_  
 RES File Number: \_\_\_\_\_  
 Civil Drawing Reference (sheet #/version): \_\_\_\_\_ ESA Status: \_\_\_\_\_

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**DELIVERY PACKAGE**

River Crossing – ICPr  
 Mainland Connector – ICPr  
 Marine Drive – ICP  
 Ruby Junction Expansion Phase II – ICPr  
 Oregon Transit – ICPr  
 Washington Transit – ICPr  
 Washington Park & Ride – ICPr  
 Washington North  
 Off Site Environmental Mitigation  
 Other: \_\_\_\_\_

---

**CRC REAL ESTATE SERVICES PROPERTY ATTRIBUTES:**

<p><b>Sequence</b></p> <p><input type="checkbox"/> RC<sub>W</sub>  <input type="checkbox"/> RC<sub>D</sub>  <input type="checkbox"/> MC  <input type="checkbox"/> MD<sub>I</sub>  <input type="checkbox"/> RJ  <input type="checkbox"/> WT  <input type="checkbox"/> P&amp;R  <input type="checkbox"/> RC<sub>SUB</sub>  <input type="checkbox"/> MD<sub>SUB</sub>  <input type="checkbox"/> WN</p> <p><b>Duration</b></p> <p><input type="checkbox"/> Permanent  <input type="checkbox"/> Temporary</p>	<p><b>Rights</b></p> <p><input type="checkbox"/> Fee  <input type="checkbox"/> Access  <input type="checkbox"/> Temporary Construction  <input type="checkbox"/> Other: _____  <input type="checkbox"/> Other: _____</p> <p><b>Acquiring Agency</b></p> <p><input type="checkbox"/> WSDOT  <input type="checkbox"/> ODOT  <input type="checkbox"/> TriMet</p> <p><b>Extent</b></p> <p><input type="checkbox"/> Full  <input type="checkbox"/> Partial</p>	<p><b>Use Designation</b></p> <p><input type="checkbox"/> Transit Use  <input type="checkbox"/> Joint Use  <input type="checkbox"/> Highway Use</p> <p><b>Federal Funding</b></p> <p><input type="checkbox"/> FTA  <input type="checkbox"/> FHWA  <input type="checkbox"/> Other</p> <p><b>Ultimate Vesting</b></p> <p><input type="checkbox"/> WSDOT  <input type="checkbox"/> ODOT  <input type="checkbox"/> C-Tran  <input type="checkbox"/> TriMet  <input type="checkbox"/> City of Vancouver  <input type="checkbox"/> City of Portland  <input type="checkbox"/> Other: _____</p>	<p><b>Authority</b></p> <p><input type="checkbox"/> WSDOT  <input type="checkbox"/> ODOT  <input type="checkbox"/> C-Tran  <input type="checkbox"/> TriMet  <input type="checkbox"/> City of Vancouver  <input type="checkbox"/> City of Portland</p> <p><b>Normality</b></p> <p><input type="checkbox"/> typical  <input type="checkbox"/> atypical</p> <p><b>Agent</b></p> <p><input type="checkbox"/> WSDOT  <input type="checkbox"/> ODOT  <input type="checkbox"/> TriMet  <input type="checkbox"/> Private Contractor</p>
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*THE SIGNATORS BELOW CERTIFY THAT PROPERTY INTEREST AS DESCRIBED HEREIN IS REQUIRED FOR THE COLUMBIA RIVER CROSSING FOR THE STATED PURPOSES*

CRC HIGHWAY DESIGN MANAGER: \_\_\_\_\_ REAL ESTATE SERVICES MANAGER: \_\_\_\_\_  
 DATE: \_\_\_\_\_ DATE: \_\_\_\_\_



# Acquisition File Completeness Checklists According to Acquiring Agency

*CRC Real Estate Services:*

**File Completeness Checklist;**

**Property interest acquired with FTA funding ultimately vesting with C-Tran**

CRC RES File name: \_\_\_\_\_

CRC file#: \_\_\_\_\_

Property Address: \_\_\_\_\_

ITEM	Yes	N/A
<b>PRELIMINARY</b>		
CRC Property Interest Certification		
General Information Letter (GIN)		
Legal Description / Map		
Preliminary Title Report		
Permit of Entry		
<b>ENVIRONMENTAL</b>		
Phase 1 ESA		
Phase II ESA		
Hazardous Building Material Survey (HBMS)		
<b>APPRAISAL</b>		
Appraisal bid quotes		
Appraisal		
Revised Appraisal (if applicable)		
Review Appraisal		
Revised Review Appraisal (if applicable)		
FTA -concurrence request / appraisal (over \$500,000)		
FTA -received concurrence/ appraisal " "		
<b>ACQUISITION</b>		
Acquiring Agency authorization, if required		
Approval of Just Compensation		
Acquisition Assignment		
Offer letter		
FTA-request concurrence/ settlement above \$50,000		
FTA-received concurrence on settlement " "		
Final Report / negotiation record		
Purchase Agreement (i.e., Warranty Deed, B&S Deed)		
Request for funds (wire or check request)		
Final Closing documents – recorded deed		
Possession notice		
Title policy		

ITEM	Yes	N/A
<b>RELOCATION</b>		
Relocation Studies		
Relocation payments		
Relocation complete		
<b>LEGAL</b>		
Acquiring Agency Approval		
Recommendation for Condemnation		
File for Immediate Possession		
<b>DEMOLITION</b>		
Task Bid request documents		
Bids		
NTP letter		
DEQ letters (if applicable)		
Hazmat disposal records (if applicable)		
Demolition Complete		
<b>Construction Obligation</b>		
<b>OTHER</b>		



CRC Real Estate Services:

**File Completeness Checklist;**

**Property interest conveyance from ODOT to TriMet utilizing FTA funding**

CRC RES File name: \_\_\_\_\_

CRC file#: \_\_\_\_\_

Property Address: \_\_\_\_\_

ITEM	Yes	N/A
<b>PRELIMINARY</b>		
CRC Property Interest Certification		
General Information Letter (GIN)		
Legal Description / Map		
Preliminary Title Report		
Permit of Entry		
<b>ENVIRONMENTAL</b>		
Phase I ESA		
Phase II ESA		
Hazardous Building Material Survey (HBMS)		
<b>APPRAISAL</b>		
Appraisal bid quotes		
Appraisal		
Revised Appraisal (if applicable)		
Review Appraisal		
Revised Review Appraisal (if applicable)		
FTA -concurrence request / appraisal (over \$500,000)		
FTA -received concurrence/ appraisal " "		
<b>ACQUISITION</b>		
TriMet Board authorization (if over \$500,000)		
Approval of Just Compensation		
Acquisition Assignment		
Offer letter		
FTA-request concurrence/ settlement above \$50,000		
FTA-received concurrence on settlement " "		
Final Report / negotiation record		
Purchase Agreement (i.e., Warranty Deed, B&S Deed)		
Request for funds (wire or check request)		
Final Closing documents – recorded deed		
Possession notice		
Title policy		

ITEM	Yes	N/A
<b>RELOCATION</b>		
Relocation Studies		
Relocation payments		
Relocation complete		
<b>LEGAL</b>		
Acquiring Agency Approval		
Recommendation for Condemnation		
File for Immediate Possession		
<b>DEMOLITION</b>		
Task Bid request documents		
Bids		
NTP letter		
DEQ letters (if applicable)		
Hazmat disposal records (if applicable)		
Demolition Complete		
<b>Construction Obligation</b>		
<b>OTHER</b>		





CRC Real Estate Services:

**File Completeness Checklist:**

**Property interest acquired by WSDOT utilizing FHWA funding**

Parcel No.: \_\_\_\_\_ Name: \_\_\_\_\_  
Acquisition Agent: \_\_\_\_\_

Performed by: \_\_\_\_\_  
Start Date: \_\_\_\_\_ Start Time: \_\_\_\_\_  
End Date: \_\_\_\_\_ End Time: \_\_\_\_\_

Total  - Partial Acquisition  - Early Acquisition  - Hardship  - Easement   
Access Only

Memo: Special Handling  No  Yes

Sq. footage of property:  
DV/AOS Amount:  
Admin Amount:

**Right of way Parcel Transmittal**

SR title   
Grantors   
Map sheet   
CS/RW/FedAid   
From:   
Transmittal date   
Amount of voucher   
Types of Instruments   
Encumbrance Report   
    PC date   
    SPC date

Disposition of all exceptions   
Mailing address of all parties in interest   
Parcel number   
Acquisition partial or total   
Amount   
RW area   
Date of deed   
Offered Amounts   
Date of offer   
Occupancy   
Property Management  (Improvements in  
ROW? Who's responsible?  
Agents signature and date

Remarks

**Real Property Voucher**

Names of all payees and the address of one payee   
SWV#  XV#  RW/CS/ORG No  Obj Code /Work Op   
Signature(s) of sellers and date of signing   
Project number and title   
Federal aid number / Parcel number   
Instrument reference and date   
Area of all lands inserted/fee/easement, etc and conform to DV & RW plan   
Damages/Special Benefits   
Legal/Administrative   
Other items such as Escrow fee and sales tax and other closing costs   
Deductions if any listed (Assessments/CFR's/GFC's/Salvage Value)   
Acquisition Agent signed and dated

**Trains**  Includes all necessary names  Amounts correct

Address on matches address on Transmittal

**Administrative Settlement**

No  Yes  
Documentation to support:  Letter/Memorandum  
Support justified:  Sufficient  Additional Required  
Regional Authority/Signature:  Verified  Questionable

**IRIS**  Entries Complete;  No  Yes

**Diary**

Offer made verbally and in writing  SEA explained  Voucher & Invoice   
Tenant occupied   
Signed and dated  Comments:

**Correspondences in file**

**Verify instruments:**

Auditor's info   
Project title   
County named   
Valid Consideration   
Grantor names match title report and signatures conform  Marital status is stated   
Eminent domain language  Tax set over clause   
Real Estate Services Manager language   
FA, Project & Parcel No.  Pay one clause   
Page numbers correct  Seller signature and date   
Current Revised Approved Doc - Website  No  Yes

**Acknowledgments**

The date is the same as or later than the date of execution   
County and state is named   
Notary signed and sealed   
Expiration date of notary and place of residence and commission shown

**Legal description**

Area conforms with R/W plan   
Interests conform with R/W plan   
Legal complete   
Access clause required   
Clauses for any special construction items as shown on R/W plan w/applicable memo

**AOS/APPRAISAL/DV**

JC Completed within 6 months prior to offer  Matches ROW Plan (acquisition area, size & type, before & after areas, sheet no., approval/revision dates  **Impact of acquisition described and accurate (access, improvements, etc.)**  All Improvements being acquired listed   
Personalty/Realty checklist included & all items in acquisition area & owner specified   
Free from typographical & mathematical errors, signed & dated   
Correct parcel & project information  Corrections Required Yes  No

**Offer Letter and Revisions**

Offer matches AOS or DV  No  Yes  
Offer made after AOS or DV approval date  No  Yes  
Proper clauses used  No  Yes  
Correct plan title, RW, CS#, plan sheets no. & parcel no.  No  Yes

**Title Report including supplemental reports**

Within six (6) months of transmittal date  Copies of all exceptions & vesting deed

**Letter: Instrument Guarantee**  N/A

- Corporations:
  - Articles of Inc.  By-Laws  Resolution
  - Secretary of State information/good standing
- Limited Liability Company:
  - Resolution
  - Agreement  Secretary of State information/good standing
- Partnerships:
  - Resolution
  - Agreement  Amendments
- Trust:
  - Resolution
  - Trust Agreement  Amendments

**Taxes:**  1<sup>st</sup> half Paid  2<sup>nd</sup> half Paid  Taxes Owing  Paid from voucher  
 Set over clause in instrument

**ROW Plan:** Approved No  Yes   
Matches most recent plan in Stellant/M: Drive) No  Yes

**Leases:** No  Yes , if yes, Deposit/Damage/Rent addressed

**Displace Lease**  No – Not required  
 Yes (If received, original to Property Management)

- Deducted from Real Property Voucher
- To be paid in Escrow
- Being handled by Property Management

**Memo: Construction Item:** No  Yes

**Release of Damages:** No  Yes

**Escrow Agreement**  N/A

Name and address of Escrow company & escrow number

SR Number & Plan Title with parcel number

Seller's name inserted

No. 2 – Type of instrument inserted

No. 4 – Total amount of warrant

No. 5 – date of PC and STR's

Disposition of all exceptions shown  Escrow fee & tax  Seller's address

Excise tax  Seller's signature/phone  Rent  Agent Signature

Regional address  Title insurance

**Additional Docs**

Exchange Agreement

Report of Surplus Land

Relo Eligibility

Salvage Appraisal Report  No  Yes, performance bond deducted  No  Yes

Fixtures and Improvements Agreement  performance bond deducted  No  Yes

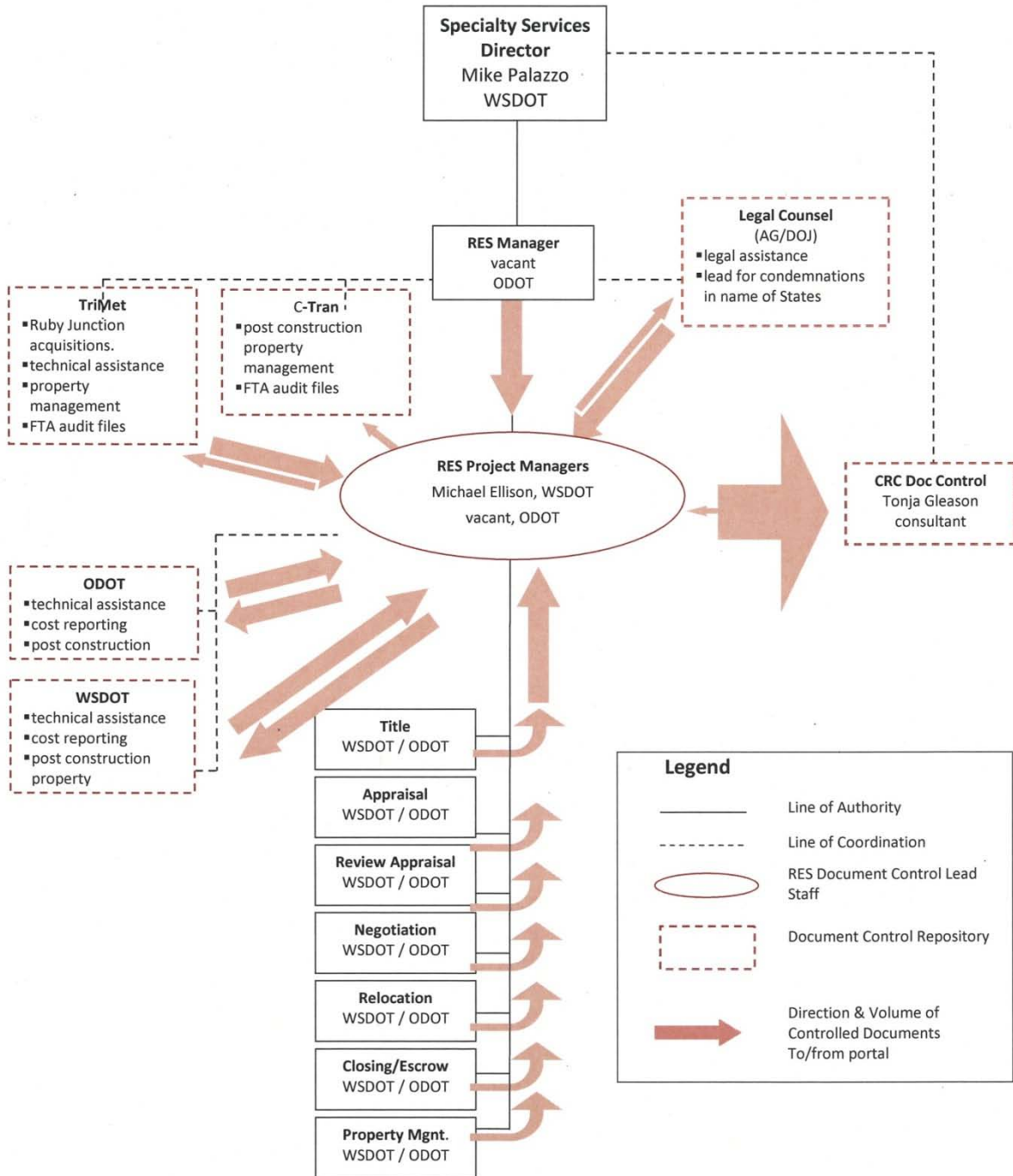
Letter of Understanding: No  Yes

**Observations Noted and/or Corrective Actions Required:** \_\_\_\_\_

- 1.
- 2.
- 3.
- 4.
- 5.

Corrective Action items completed  done: \_\_\_\_\_

# Flow & Management of Controlled Documents related to RES Activities



CRC Real Estate Services  
RES Monthly Summary Budget Report

Segment/Task	2009 Cost Estimate (A)	Baseline Cost Est. (BCE) & Allocated Contingency (B)	Current Working Budget (C)	Settlements / Actuals to Date (D)	Forecasted Cost to Complete (E)	Potential Risk Cost Allocation (F)	Estimated Final Cost (G)	BCE vs. CTC Variance (H)	Working Budget vs. CTC Variance (I)	Remaining Allocated Contingency (J)
<b>Acquisition/Relocation</b>										
<b>Acquisition</b>										
Sequence A										
Sequence B										
Sequence C										
Sequence E										
Sequence F										
Sequence G										
Ruby Junction										
Other										
<b>Relocation</b>										
<b>ADMINISTRATION</b>										
Administration/PC										
Negotiation										
Appraisal/Review										
Title/Escrow										
Property Mgt.										
Legal										
Other										
<b>CONTINGENCY</b>										
Acq./Relo Ctg										
Admin. Ctg										
Unallocated Ctg.										
<b>TOTAL</b>										
<b>CRC Project Summary</b>										
Acquisition										
Relocation										
Administration										
Unallocated Ctg										
<b>Total</b>										





# Appendix P:

# Response to FHWA Rev5 Questions

Comment ID#	Source Doc #	REV5 Section	REV5 Page#	FHWA Comments with Specific Questions (question id added by CRC)	RES Response	Response to question and/or RAMP rev# citation
28	21	2.5	2-5	FHWA Comments with Specific Questions (question id added by CRC) First paragraph in the section states: "...one from ODOT and one from WSDOT. These two staff positions are jointly responsible for all transactional activities, rather than only the acquisitions within their "home" states." How does this responsibility work with TrimMet and C-TRAN acquisition? A. Did these agencies delegate that authority to the CRC? B.	TrimMet is using its own staff to acquire exclusive transit use parcels in Oregon. CRC RES intends to have WSDOT contract with C-TRAN using a Local Agency Agreement to acquire exclusive transit parcels in Washington.	A: see Table 2-2 B: see Table 2.2 and Table 3-2
58	53	7.2	7-3	When will potential displaces receive the assurances noted in the section? C. How and when will they be notified of relocation payment and services available? D	Revised text inserted to REV6	C: see Section 7.2 D: see Section 7.2
61	57	7.5.1	7-4	The RAMP does not discuss Right of Way Certification. A new section could be used specifically to discuss strategies of design/build contracting methods are used as compared to design/build. Will there be multiple right of way certification phases within a segment within design/build contracting? E Due to potentially using mediation, will the CRC office want to issue a notice to proceed to the design/builder before all property is secured within the contract limits? F This will likely require discussion between FTA, FHWA, WSDOT, ODOT, and CRC management.	We agree, a discussion is necessary. F: see Section 6.9	E: see Section 6.9 F: see Section 6.9
92	10	Table 2-1	2-1	An airspace lease agreement between WSDOT and C-TRAN that will be needed to allow for transit accommodation within WSDOT property (specifically the new I-5 bridge over the Columbia River, and the crossing under I-5 on 17th) and should be listed in the table. Also, will a functional replacement be necessary for the relocation of public agency (The ODOT recruitment office on Hayden Island), and if so, should it be listed on this table? G	The CRC concurs and Table 2-1 will be revised to include the Continuing Control Agreement, the scope of which addresses the issue discussed in the comment. The need for the functional replacement of the ODOT permit center was not identified during the NEPA process and is not being contemplated by the Project.	G: M. Palazzo verified with ODOT that functional replacement is not proposed.
102	16	2.2	2-2	a) Where/where will the conditions of bullet #6 be carried out? H b) Parcels meeting conditions of bullet #6 should be purchased as an FHWA parcel and not mixed with FTA policy.	a) The "when" of acquisitions is shown in the schedule. The "where" is shown graphically and in tabular form in Appendix D. b) These are separate transactions: remnants resulting from a highway acquisition that are not needed in perpetuity for highway purposes, will be partitioned and disposed of utilizing WSDOT or ODOT surplus property procedures. In cases where remnants are needed for transit purposes, they will be acquired using FTA funds and procedures.	H: see Section 2.2.3 and Table 2-2
110	24	2.8	2-5	This section requires additional consideration. First, the section states that "...CRC has defined a mediation process that can be used north or south of the Columbia River." However, FHWA feels this is a policy decision beyond the authority of the CRC. Perhaps the section could be revised to reflect ODOT & WSDOT HQ ROW concurrence. If the mediation process deviates from the approval ROW manual in each state, concurrence should be sought from each FHWA Division Office. Second, some additional description, either in this section or in Section 6.8, should be included describing what the process will be if mediation is not successful. If this is used instead of condemnation, and possession of the parcel becomes the critical path, what then? I Would CRC propose to move ahead with construction with the parcel special-out? J If this is something the CRC office wants to consider, then the RAMP should provide framework on when it should be considered so FTA and FHWA can agree to the proposed process.	The text will be revised to emphasize that mediation process will not deviate from the ROW Manual and that entering mediation does not preclude the Project from using condemnation in the event mediation is not successful. In other words, mediation can be used as an effort to avoid, not to replace condemnation as the acquisition process of last resort.	I: see Sections 6.8 and 6.9 J: see Sections 6.8 and 6.9
121	33	3.3.3	3-3	FHWA finds this section confusing and ambiguous. First, what ROW manual is being referred to? K What ROW certification? L Who is the senior CRC staff? M As mentioned earlier, the term "property interest certification" should be re-thought. Right of way certification is a defined regulatory requirement for Federal Aid funding and using a similar sounding term elsewhere can cause confusion.	Yes, this is confusing. The FHWA and the FTA have distinctly different certification processes: the FTA requires certification prior to acquisition that a specific property interest is needed; the FHWA requires certification that all acquisitions and relocations required for a project have been completed before construction commences. Moreover, required procedures are implemented differently in Oregon and Washington. Rather than define a single design control/certification process that incorporates all necessary requirements, the Project is proposing that each acquiring agency perform its standard process and then go through an additional process to meet the design control standards of New Starts oversight. The Project will consider alternatives names to "Property Interest Certification" if the FHWA would like to suggest some.	K: see section 3.3.3 L: see footnote #2 in Sections 3.3.3 & Section 6.9 M: See section 3.3.3 N: See section 3.3.3

Comment ID#	Source Doc	REV# Section	REV# page#	FHWA Comments with Specific Questions (question id added by CRC)	RES Response	Response to question and/or RAMP rev# citation
5	5	Table 1-1	3-3	Will WSDOT take advantage of the City of Vancouver's condemnation authority for highway acquisitions off of WSDOT's system? <b>O</b> If so, it should be included in the Role.	<b>RES Response</b> No, the DOT's will use their own Eminent Domain authority as needed.	<b>O:</b> see Table 2-1 and Table 2-2
34	26	3.1	3-1	When referring to the RES team, what is the difference between a consultant and a contractor? <b>P</b>	This was a typo, references to contractor will be removed.	<b>P:</b> None in context of the RAMP; use of "contractor" eliminated.
45	37	5.1	5-1	Has the RES Cost Estimate been updated since 2009? <b>Q</b>	Yes and yes.	<b>Q:</b> yes, see section 5.4.3; <b>R:</b> yes, see Section 5.2.
48	38	5.4	5-3	How does CRC Quality Control Plan apply to acquisitions? <b>S</b>	Engineering activities include development of ROW plans, for all transit, highway and joint Federal interest acquisitions, and are subject to the QC procedures of the CRC Engineering Design Quality Control Plan. To verify compliance, engineering activities undergo QA audits under the supervision of Michael Hobbach, CRC Quality Control Manager.	<b>S:</b> see Section 3.3.4
49	40	6.2.1	6-1	The second paragraph states, "Policies and procedures of activities precedent to certification..." Is this certification the Right of Way Certificate required by 23.CFR 635-309, or the Property Interest Certification? <b>T</b>	The text in the second paragraph applies to the Property Interest Certification process proposed in Section 3.3.3 and Section 6.3.	<b>T:</b> see footnote #2 in Section 3.3.3 and Section 6.3.
65	63	8.2.2.1	8-1	This section notes that only properties with a "grant" attribute of "FTA" will be required to contain a request for a letter of concurrence from FTA. What about properties with a mixed use, where the highway use is for staging and WSDOT/ODOT will look to dispose of that property to the transit agency for transit use, especially if you are going to request FTA reimbursement? <b>U</b>	The text will be streamlined for clarity. With respect to the question, to provide for long term transit needs, there will be a separate property interest conveyance with separate record keeping.	<b>U:</b> see Table 2-2
66	64	8.2.2.1	8-1	Is the relevant Comprehensive Acquisition/Condemnation File checked part of the Appendix? <b>V</b>	The title of Appendix O will be revised to be consistent with the text in the body of the RAMP.	<b>V:</b> yes, see Appendix K
68	66	8.2.2.2	8-2	Please provide more detail describing where files will be maintained to understand if there is a difference in records retention location based on the use of the property or the acquiring agency. For example, should WSDOT retain records for property they purchased on CTRAN's behalf for transit in the City of Vancouver? <b>W</b>	The following will be appended to the text of the RAMP: In general, complete acquisition files will be maintained by the agency in which title vests. In the specific case of acquisitions made by WSDOT under a local agency agreement to C-Tran, the files would be turned over to C-Tran for maintenance.	<b>W:</b> see Section 8.2.3.2
87	4	Table 1-1	1-3	It is assumed by FHWA that WSDOT will use C-TRAN's condemnation authority for transit-only property acquisitions? <b>X</b> Shouldn't this be included in the Role? <b>Y</b>	The assumption is correct; the intention is for C-Tran to contract with WSDOT to conduct acquisitions of exclusive transit property in Washington using a Local Agency Agreement. Table 1-1 will be updated.	<b>X:</b> see Table 1-1 <b>Y:</b> No, use of Local Agency Agreements implies WSDOT's use of C-Tran's condemnation authority.
93	11	Table 2-1	2-1	Will a Federal Land Transfer facilitated by FHWA be needed for acquisition within the Fort Vancouver area? <b>Z</b> If so, it should be listed.	The project considers the Fort Vancouver land transfer a standard FLT (federal land transfer) and intends to track it as such.	<b>Z:</b> see response, right.
125	36	Table 5-1	5-1	How were "joint" acquisitions determined? <b>AA</b> In an earlier RAMP version, this determination was to be made after acquisitions began. Table 5-1 indicates that 70% of the parcels and 95% of the funding are for "joint parcels".	Joint parcels are those that are required for both highway and transit uses. Table 5-1 was limited to acquisitions required by sequences A, B & E1, the parcels required to start construction activities on the critical path. Table 5-1 in Rev6 of RAMP will include all the property required for the Initial Construction Program, and the overall percentage of joint interest parcels will significantly decrease.	<b>AA:</b> Designations by CRC staff on case by case basis, see section 2.2.1
134	54	7.4	7-3	Since WSDOT will be the FTA grant recipient, will they need to be involved in making relocation benefit arrangements? <b>BB</b> Why does it take four to six weeks for relocates to receive the benefits? <b>CC</b> If this timeframe is different depending on the acquiring agency, timeframes by agency should be disclosed.	WSDOT will process relocation benefits for displacements in Washington and payments are usually paid about a week after vouchers have been signed. Relocation benefits in Oregon will be made by the acquiring agency (ODOT or TMet).	<b>BB:</b> see Section 7.4. <b>CC:</b> stated timeframe was incorrect, see section 7.4, for corrected timeframe.
141	74	8.9	8-5	What is being proposed for the joint-use parcels that were joint use due to construction needs, not long-term highway operation needs? <b>DD</b> This section seems to only describe the transit-only parcels.	The assumption has been that FHWA interest would be conveyed to FTA once highway needs have been satisfied if the parcel, or portion, has potential for joint development and/or transit-oriented development. The scenario described by the commenter is similar to the situation described in term #6 of Section 2.2 of the RAMP and what is defined as "Joint Federal Interest, Fee Acquired Sequentially in the Table "Definitions of Acquisition Designations," the bottom of Page D-1 of Appendix D. Please advise if the FHWA would be interested in pursuing transit-supportive development on land in which it holds an interest.	<b>DD:</b> see Table 2-2

Appendix Q: **RAIN User's Manual**

*This appendix only available in the electronic version of this document.*



Appendix R: **IRIS User's Manual**

*This appendix only available in the electronic version of this document.*

Appendix S:

## Acquisition Boundaries & Property Attributes, Parcel by Parcel

Due to size of this appendix, it is compiled as a series of standalone word files placed in folders according to the “sequence” property attribute. Parcel files sort by filename according to taxlot number. Multiple taxlots under a single ownership are filed according to lowest taxlot number of the group. Below is a screenshot of the folder structure:

