Right of Way Requirements

Right of Way (R/W) requirements should be identified as early as feasible in the project. The District Right of Way Office can provide valuable insight to many issues, including maintenance of property access. The awareness they can bring to the design process can save a considerable amount of redesign work and acquisition cost. The R/W office should be consulted from the early stages of design through completion. On many projects R/W acquisition costs exceed the cost of construction. Early involvement of R/W staff will help achieve a proper balance of project objectives and total cost. R/W may be required for utilities as part of the project. Early establishment of utility property rights and R/W requirements is essential to keep the project on track.

Preliminary R/W requirements should be identified at the completion of Phase I (30%). Final R/W requirements should be submitted after completion of Phase II (60%) plans. At this point a field review should be held with the Design PM (DPM), the consultant PM, and R/W staff to ensure:

- Mainline R/W requirements are complete.
- Pond R/W requirements are complete.
- Mitigation R/W requirements are complete.
- Phase II plans are complete.
- Possible parcel modifications have been investigated and resolved.
- Utility easements or R/W requiring subordination are identified.
- Necessary easements are identified.

It should also be noted that the R/W acquisition process usually drives the project schedule, once the R/W requirements have been defined. Therefore, the sooner these requirements are set, the sooner the entire project can be completed. The participation of the District R/W Office is particularly important on a design project with a compressed schedule. The R/W phase can be delayed if the DPM does not identify the R/W requirements on schedule. R/W maps and documents also will be delayed. The R/W process is described in ***PMG 110 & 325***.

The R/W Office sometimes makes commitments (preservation of trees, driveway modifications) to property owners during the R/W process. The DPM must know about these commitments, and they must be reflected in the plans if appropriate.