

The Liaison Medium (Or What's an International Liaison Committee Good for?)

by R.B. Cridlebaugh, SR/WA

The cold truth is that a scarcity of space under, on and over the land, especially in urban areas is starting to exist

This article is based on a speech given at the 1985 Educational Seminar in Nashville by Mr. Cridlebaugh. Richard Cridlebaugh, SR/WA is chief appraiser for District 4 of the Illinois Department of Transportation in Peoria. He has been in the right of way profession for 25 of his almost 29 years with the Department. Currently he served on the International Liaison Committee, Railroad Ad Hoc group. His other activities with the Association include the International Education Committee, course coordination, course material review and local chapter work. He is also a registered professional engineer in Illinois. His other professional duties include negotiations and railroad liaison with the State.

There is, in right of way mythology, an admonition to stay out of each other's way — to keep off each other's property. We've all experienced it. We all have permits and licenses and easements and we all have difficulty at times speaking to each other in civil tones about each other's turf. Many times our reluctances have been validated by past horror stories of broken cables, collapsed highways, irate owners — even injuries. We've seen gas transmission lines ablaze, the phone company tearing up brand new pavement, the highway ditches deepened just where the cable went in, petroleum all over the place — on and on. So we do have very valid reasons for protecting our right of way.

BUT...we all need to be somewhere. We would all like to have our own corridor unadorned by anybody else who may interfere. The cold truth is that a scarcity of space under, on and over the land, especially in urban areas is starting to exist. Even in some rural areas we see a proliferation of high voltage transmission lines, gas storage, and other uses, which, in part, restrict land uses. New highways take their share of land. No one user can be singled out as the culprit.

Yet we have to be somewhere. The problem and the challenge are obvious. If it can't be here, then WHERE can it be??? When one lists the possible areas of debate, conflict, and physical problems and the interrelationships among the public works, the utilities, the railroads, it is easy to see why problems exist. Then throw in the federal agencies — the Corps, B.L.M., USFS and you have an infinite number of challenges for occupancy of space. ("The pole set in record time is in the middle of the proposed driveway," says the local power company.)

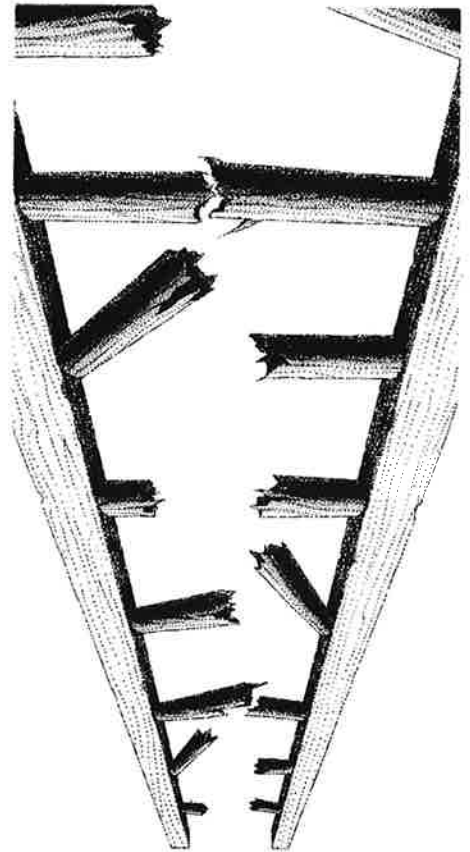
We have, consciously or not, set up almost traditional adversary positions. These are gradually changing as needs

dictate. Many times the barriers fall simply because of expediency. The railroads certainly learned quickly to live with the fiber optics people. The needs now exist for innovative approaches and new ideas.

The International Right of Way Association has as one of its standing committees a group called Liaison. The Liaison Committee was formed primarily to encourage cooperation of the various user disciplines occupying space for various right of way needs. Representatives serving on this committee are from those users — power, gas, highways, railroads, and other utilities. The committee is a basis for any and all discussion, pertinent to potential dispute. Also it is a vehicle for implementation of cooperation, innovation, and hopefully avoidance of consternation.

The dictionary defines liaison as "communication for establishing and maintaining mutual understanding."

The general philosophy which we are seeking to implement happens to be the two very things mentioned in the definition — "communication" and "understanding". We communicate to exchange ideas and compare notes through which understanding of posi-



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tions takes place. These communications take place through meetings, seminars, one-on-one conversations — even talks over dinner.

Our personal liaison work normally will include the involved people — the utilities, highway officials, FH/WA or whomever else needs to be involved. Many times challenges that are recurring are taken up by liaison subcommittees for solution. Such subcommittees include interests such as railroads, pipelines and/or specific task groups working with Transportation Research Board (TRB) or American Association of State Highway and Transportation Officials (AASHTO).

Probably one of our greatest challenges other than just getting the involved people talking together is getting someone to pay attention. Too often "outsiders" have heard only about our luncheons where someone talked on body language or football refereeing. No offense but we are a group of professionals with a specific purpose. In some agencies our work — or organization — is still a well kept secret. As a liaison group, we need members who have company or agency status — if for nothing else to make our efforts known and felt.

If that luxury of recognition of our liaison group is achieved and we do get to function — either at an international or local level — then the other problems (reasons we exist) can be handled. Problems can be defined and specific tasks can be judiciously discussed and solved. Most of the liaison problems we encounter are local in nature while some are truly national in scope.

Definition of actual and potential conflicts is the obvious and probably single most important issue. A cable is cut, a pipeline must cross a conduit; a railroad spur must cross a transmission line corridor; a cable television system must be installed on your poles; a water main must cross a highway. Many times, a potential joint use corridor is ignored

simply because "it can't be done." Parallel encroachments sometimes save acres of new right of way purchases. Fiber optics systems are always looking for places to be and many jointly equitable routings have already taken place. Ask AMTRAK or Norfolk Southern or Chesie. Through a simple liaison conference parties may discover there is no problem at all.

Communication — or the art thereof — has come to be a tremendously over-worked word, yet a tragically under-used means for people and organizations to deal with each other. It has to happen — and it does happen. We meet, we talk, we discuss. The phone rings. We have an educational seminar. We learn — we grow. Ideas are exchanged and we are amazed at how doors are opened by — communication.

The problem or challenge exists and the man said "communicate." So now what? A few remarkable observations of the obvious may well be in order. It is necessary to determine the urgency of a given situation — emergency, soon, long range. The lines of communication must be established along with time frames. Levels of authority for various situations should be known. Can field people handle a given decision or must we talk on a district or region or headquarters level? And the "whos" in the organizations must be ascertained — supervisors, plant engineers, permit people — perhaps safety people. We should keep on hand the organizational structure charts of all the organizations with which we may have potential dealings.

Several cautions in our dealings with problems or agreements should be mentioned. There may be times when we cannot cooperate simply because of laws and policies. Regulatory restraints sometimes prevent establishment of "standard" agreements. It is advisable to be particularly careful where companies are regulated by commerce commissions and public utility commissions. Power companies and railroads may

have problems in joint use corridors or "standard" agreements in which usage charges are to be established. Standardized agreements are many times a very useful tool especially where multiple crossings or parallel encroachments are encountered. Be sure they are allowed.

Other policies and laws are also on the books regarding occupancies, clearances and types of plant protection. Interstate highway rights of way are closely regulated as to any other uses. Railroads are quick to deny access to anything in some instances till communication of desires, protections and situations take place. Even anti-trust laws related to rail and power companies are a factor at times.

Empathy — or knowing and understanding the other persons problems — is critical to our relationship with other companies. Emergencies are one thing but in "normal" situations where liaison work can really take place several things must be considered. We should be aware of the other guys' problems, the ones that occur in the field and the organizational issues that arise back in the office. Also, we should be aware of possible technological conflicts. Another consideration in the exploration of potential joint use efforts is cost effectiveness. As we all know, many times an initially attractive joint facility or occupancy can become a nightmare if all contingencies are not anticipated.

Other considerations

Don't ever overlook cost/benefit and joint benefits. Some joint use solutions require real estate interest considerations. We then must involve the negotiations and the appraisers; valuations must be made. A highway project may be able to use part of a railroad right of way for which payment is warranted. Projects involving real estate may involve compliance with federal and state policy guidelines.

"Sleeper" joint use opportunities include abandoned railroad rights of way being converted to highway and/or utility corridors. Pipelines are discontinued and facilities are sometimes combined releasing easements which sometimes can be converted to other use. The caution on most rail and other existing easement conversions is title to the real estate. Some corridors

are used-specific and conversion is legally difficult.

So this thing called Liaison becomes the central focus in many dealings. Just disciplining ourselves to "check-up" or to call and ask, and to use reason and common sense are perhaps elementary and fundamental; but they are critical. While many of us look down on committees in general, the question becomes who would even take the time to prob-

lem solve if no group ever was courageous enough to tackle the challenges?

We communicate and maybe we innovate. We drop our guard and become receptive to new ideas. Our mindset retreats from "Don't even suggest another use!" to that of at least being willing to listen. Perhaps through our realization of scarcity of places to be we may become accepting.

Finally, we lower our walls of assump-

tion that say we have to be adversaries; that say it can't be done; that say there are no alternates. If we don't do some getting together on a friendly basis using reason we still won't be speaking. And the water company will still put in the main where two years later the sewer or gas or highway wants to be. And the power company will continue to put the brand new pole just where the driveway was to be placed.

Albert R. Heidecke
8/24/24 — 12/9/84

A TRUE PROFESSIONAL — DEVOTED TO SERVICE

Albert R. Heidecke attended Washington State College and Northwestern University; served in World War II as an infantryman and was later a Prisoner of War. He began his career with Commonwealth Edison Company in its Real Estate Department in 1951 and served as its Assistant Director from 1968 until his death in December 1984.

Mr. Heidecke's life work was committed to the cause of conservation and outdoor recreation. He was responsible for coordinating the use of Commonwealth Edison's lands for compatible recreational purposes. The following are some of the projects that Heidecke was instrumental in implementing in cooperation with the Department of Conservation and for which he will be remembered by the sportsman and the environmentalists alike.

- Coordinated the conveyance of land for the expansion of the Kankakee State park;
- Helped establish an extension of the Illinois Prairie Path to Kane and Cook Counties;
- Worked to control beach dune erosion in the Illinois Beach State Park;
- Coordinated the establishment of deer, water fowl and upland game hunting on Edison's land in Cass County;

- Worked out a plan for fishing and water fowl hunting on the Power-ton Generating Station cooling lake in Tazwell County;
- Arranged for the conveyance to the Department of Conservation of the caves in which the endangered Indiana Brown bats winter each year; and
- Most recently, Al was instrumental in opening his company's land for the public's enjoyment.

Many forest preserve districts and park districts benefited from his efforts as well. His contributions are recorded and honored by the renaming of Collins Lake to Heidecke State Fish and Wildlife State Area. (The first time that an Illinois State park was named for an employee of a private company and is the first time that Edison permitted the use of an employee's name for one of its facilities.)

In June 6, 1982 Illinois Department of Conservation gave him the Conservation Merit Award in recognition of his work in expanding public recreational opportunities in Illinois through extending cooperation between the public and private sectors.

Bruce R. Blair

GUBERNATORIAL APPOINTMENT

Bruce R. Blair, President of Chapter 15 has been appointed by the Governor of New Jersey to the State Board that monitors the Professional Engineering and the Land Surveying professions. The members of this State Board (part of the Consumer Protection group) are appointed by the Governor and confirmed by the Senate. In the past the Board has consisted of 9 P/Es. But a recent amendment in the legislation allowing for two L/Ss to become part of this monitoring board gives recognition of the increasing complexity of the surveying profession. Bruce Blair is the first to be appointed to represent the Land Surveying profession.