

Right-Of-Way Planning Input Is Encouraged

By EARL T. NEWTON, JR.

Right-of-way professionals have a great opportunity to contribute to the planning process. Many of them have existing knowledge and skills that can be used in the process. With a reasonable amount of training (e.g., short courses), this knowledge and these skills can be considerably enhanced to allow even greater contributions. In many State highway and transportation agencies, there are staffing needs that qualified right-of-way professionals can fill. Therefore, what is needed is to match the needs with right-of-way capabilities.

An important concept I wish to emphasize is that there is a role for qualified right-of-way personnel whether right-of-way is acquired or not. For example, if there is a substantial upgrading of a highway within existing right-of-way limits or there is relatively little right-of-way acquired, they can still contribute. Each phase of the planning process, systems planning, location, and design offers opportunities.

In my discussion I will present eight principal concepts or observations. The first one is that in every State highway or transportation agency, right-of-way professionals perform a significant planning role in the location and design phases, although, in most cases, this is limited to three areas. Second, some State agencies use their right-of-way personnel much more extensively. The third concept is that qualified right-of-way personnel have the capability to provide major contributions in the categories of social involvement, economics, land use, public involvement, historic and archeological preservation, noise, and esthetics. The fourth concept is that appropriate training is needed to enhance capabilities. Fifth, we should seek ways to achieve right-of-way contributions to the planning process. Some strategies to accomplish this will be discussed. Sixth, among those who have planning roles, some should participate in research ac-

tivities. Seventh, the assistance of professional societies should be utilized to provide forums for new ideas, provide education, and promote professionalism. Eighth, right-of-way professionals in the Federal Highway Administration should be much more involved in the planning phases.

The Right-of-Way Role

First, I will discuss the present right-of-way role. In every State agency the right-of-way departments contribute three major studies in the location and design phases: right-of-way cost estimates, relocation studies and, for want of a better term, "other right-of-way related matters."

The right-of-way cost estimate is a major economic study. It includes land, improvements, and severance damages. It is critical to the decision process. Oftentimes the estimated right-of-way costs of some alternatives are so high as to result in the rejection of those alternatives. In some cases, the estimated right-of-way costs of all of the alternatives are so high that the project never "gets off the ground."

The relocation study is both a social and economic study. It covers displacement of families and businesses; availability of replacement housing and business sites; moving costs; replacement housing payments; special problems of the elderly, poor, and minorities; and the impacts of displacement on community facilities and services. Relocation problems are often the principal constraints on many highway alternatives considered. In fact, relocation may be so critical as to cause the rejection of an alternative.

"Other right-of-way related matters" may be in the form of formal studies, or they may be in the form of informal advice given during location and design. They include such items as anticipated problems in acquisition (including condemnation),

high cost properties, problems of severance and severance damages, assuring that property boundaries are taken into account on alignments (e.g., right-of-way boundaries are compatible with property lines), land services facilities (driveways, cattle passes), access, and identifying critical land uses (e.g., cemeteries or parks). These "other right-of-way related matters" fall into social, economic, and land use categories.

These three major studies (cost estimates, relocation studies, and "other right-of-way related matters") are usually provided in response to alternatives selected by others. This matter of responding versus right-of-way initiatives will be discussed below.

The right-of-way staffs in a few States (e.g., California, New Hampshire, New Jersey, North Dakota, and Oregon) do much more than the three typical studies just discussed. They provide major categorical studies in such areas as social, economic and land use considerations. Also, they have important public involvement roles. Moreover, they participate in early area studies and the selection of alternatives for further study, which are significant. I see the right-of-way involvement in these States as truly a part of the interdisciplinary process, which is commendable.

Capability

There are about 6,500 right-of-way professionals in State highway and transportation agencies or an average of 125 per State. There is a lot of talent in these agencies. This talent is attributable to the diverse educational background and work experience of these professionals. Their formal education includes the following principal disciplines: business administration, law, engineering, sociology, economics, agriculture and forestry. These are very desirable educational backgrounds for contributing to the planning process.