

Local Programs Right of Way

2026 Annual ROW Meeting

We provide oversight of local agencies acquiring right of way for federally funded transportation projects. We also offer technical support, training, and compliance reviews to ensure that the acquisition, management, and disposal of real estate comply with state/federal regulations and the Uniform Relocation Act.

Michelle Newlean, LP ROW Manager

May/June 2026

Local Programs ROW: Team

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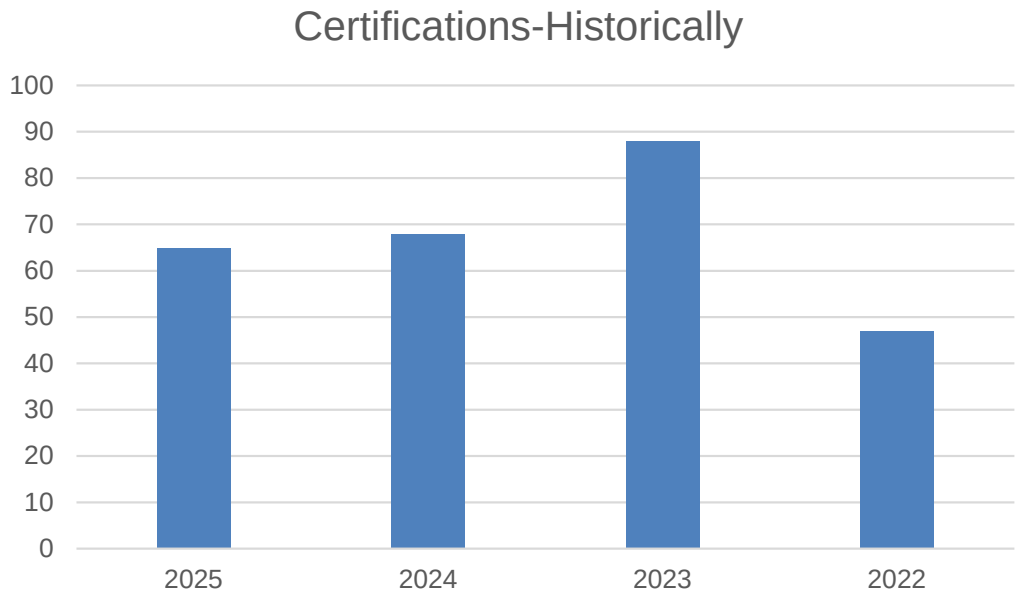
Local Programs ROW



Local Programs ROW Project Certifications-2025

Total Number of Certifications: 65

Certificate #1	**39**
Certificate #2	**0**
Certificate #3	**8**
Time-Based	**7**
Excepted Parcel	**1**
Re-Certificates	**18**



Local Programs ROW Oversight Reports-2025

Number of Reports Issued: 16

Historically
2024: 18
2023: 15
2022: 9



Common Non-Compliance Issues:

- Adequate documentation
  - Missing documentation
  - Incomplete Diary
  - Conflicting Information
- Following ROW Procedures
  - Agency staff completed tasks w/o being listed in procedures
  - Program Administrator not approving required items
- Just Compensation not approved prior to offer
  - Program Administrator must approve JC prior to offers being made

Local Programs ROW
ROW Procedures-2025

Number of Procedures Updated: 55

Do you have an upcoming Federally Funded Project?

- Please review your procedures and update them if they aren't current.
- It is up to the agency to provide its consultants with copies of its approved ROW Procedures.
- Please get in touch with your Local Agency Coordinator if you aren't sure about the status of your procedures.



Remember: You can use form LPA-001b to make minor staff changes. However, this form shouldn't be used on expired ROW Procedures (3 years old).

Local Programs ROW FHWA Annual Report 10/1/24 - 9/30/25

Fiscal Year 2025

- Total LPAs Reporting 135
- Parcels Acquired 621
- Condemned Parcels 4
- Admin Settlements 136
- Acquisition $ $16,194,983
- Displacements 18 (13 businesses)
- Relocation $ $1,225,814
- Relocation Appeals 0

Fiscal Year 2024

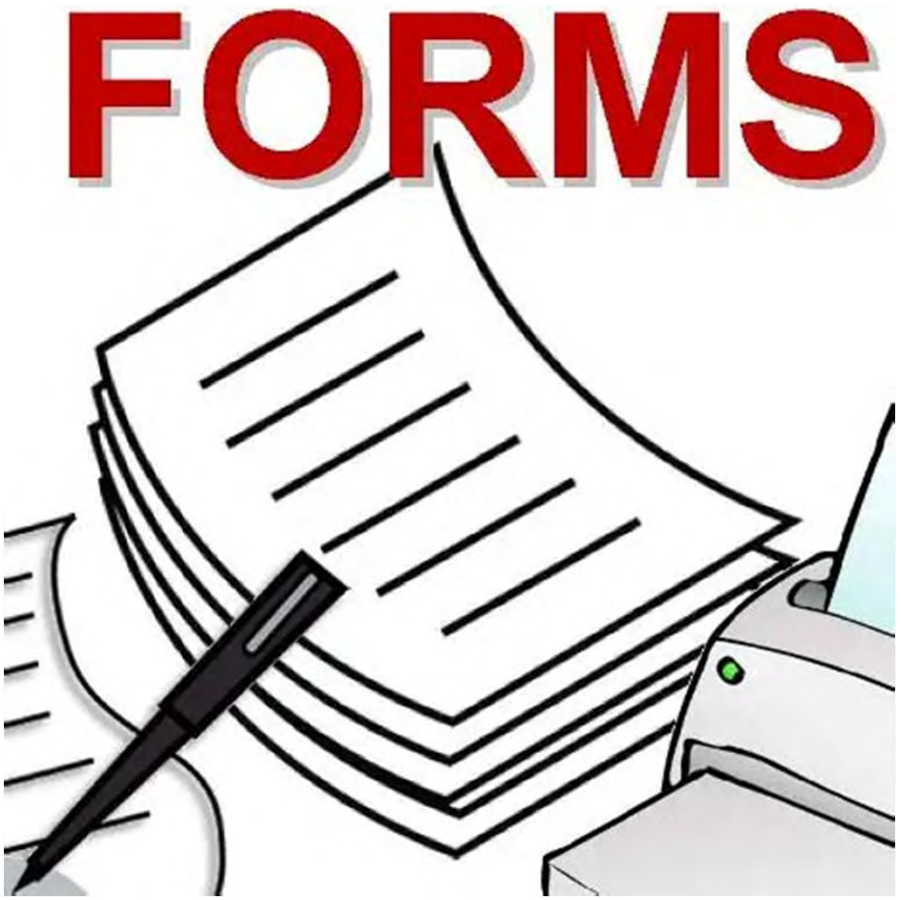
- Total LPAs Reporting 131
- Parcels Acquired 606
- Condemned Parcels 6
- Admin Settlements 112
- Acquisition $ $17,557,704
- Displacements 5
- Relocation $ $107,744
- Relocation Appeals 0

Local Programs ROW Procedure & Policy Changes Updated Forms

- Chapter 25 of the LAG Updates (New Look)
- Administrative Settlements
  - Reviewed for compliance and accepted by LAC prior to approval by the Agency's Program Administrator, as listed within procedures.
- Updated the Certification & Compliance Report (previously called Local Agency Certification Compliance Results & Level of Involvement.
  - Project Close Out Letter (LPA-017)
- HB 1733- Relocation: Reestablishment Expenses Increase (7/27/25 & updated every August). Relocation forms updated to reflect the changes.

Local Programs ROW Procedure & Policy Changes Updated Forms

- Forms:
  - NEW Final Action Letter (LPA-353)
  - Request to Accept Encumbrance-Mortgages/Deeds of Trust (LPA-333)
  - ROW Procedures (LPA-001)
  - Acquisition Spot Check Review Checklist (LPA-002) & Relocation Spot Check Review Checklist (LPA-002b)
  - Offer Letter (LPA-350)
  - D.A.D. (LPA-009)



Local Programs ROW Reminders

- Per Chapter 25.13 of the LAG, certification review requests need to be submitted once acquisitions are completed and approximately 2 months prior to advertising of the construction contract.

- WSDOT Real Estate Services released a new process for Temporary Easement extensions that is different from the process that LP ROW released in 2021. Please be sure that you follow the process outlined in Chapter 25.63 of the LAG, and use the FHWA-approved language in the Temporary Easement document (LPA-325)

- Files being submitted for Spot Checks and Certification Reviews must be submitted through a file-share application, using the file structure outline in LPA-002 and LPA-002b.



Local Programs ROW Refresher

Encroachments (23 CFR 1.23(b))

On federally funded projects, all known encroachments need to be addressed. This includes those located outside the construction area but still within the right of way.

The 2024 FHWA-approved Encroachment Memo provided some leniency on the curing of encroachments and project certification.

Note: If the encroachment is cured through surplus or lease, the property owner MUST pay market value IF federal funds were used in the original acquisition of the property.

This guidance is now included in Chapter 25.152 of the LAG.

Remember: It is the property owner's responsibility to cover the costs of curing their encroachment. However, if the agency decides to cover the cost, it will do so without federal participation.

Local Programs ROW Refresher

Early Acquisition & Concurrent Early Acquisition (23CFR 710.105, 303 & 501e)

4 Options Available

1. Agency Funded-No Match or Reimbursement (Eminent Domain Allowed)
2. Agency Funded w/ Matching Credit (Eminent Domain Allowed-use LPA-318)
3. Agency Funded w/ Reimbursement (Eminent Domain Allowed-use LPA-319)
4. Federal Funded Early Acquisition (Eminent Domain NOT Allowed)

Appendix 25.173 provides a chart that outlines the conditions and requirements for each option.

For Concurrent Early Acquisition, eminent domain language must be included for the acquisition to proceed, without starting over, if NEPA is approved before it is completed.

During a federally funded ROW Phase, Early Acquisition Parcels must be shown on the Right of Way Funding Estimate (ROWFE) alongside all project parcels, but they would not show any funds since they have already been acquired. This allows the ROW Plans, ROWFE, and Certification Worksheet to match.

Local Programs ROW

Any Questions?

