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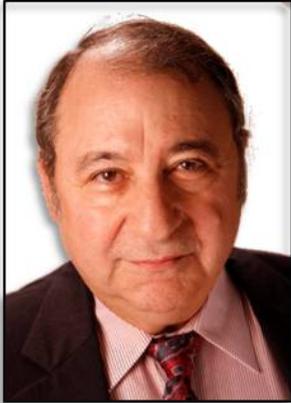
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Contributing Editors

Director: Nelson Castellanos
Managing Editors: Mike Jones and Dave Leighow

Message from the Director

A Grateful Farewell



Nelson Castellanos

As many of you are aware, I will be retiring at the end of the summer. I will always think back fondly on my time with FHWA and the wonderful people that I have met throughout my career. Rodney Slater, former FHWA Administrator and Secretary of Transportation, used to say that “transportation is not only about concrete, asphalt, and steel but it’s also about people” and this organization genuinely cares about its peoples. If someone had told me when I was in college that I would spend 42 years working for FHWA, I would have said they were crazy. Today I am glad that I stayed with FHWA and I would definitely do it all over again.

Throughout my career at FHWA, I have appreciated the opportunity to learn in a stimulating environment. I have been continually challenged to develop new skills and improve existing practices. Someone recently asked about my most challenging assignment. Without any doubt, I have to say that the time I served as Deputy Regional Administrator in Albany, NY was my most challenging assignment with FHWA. Shortly after I arrived, the Regional Administrator was reassigned to Headquarters, so I became the acting Regional Administrator. At the same time, the decision was made to close the Regional Office in Albany, requiring the relocation of approximately 60 employees. Many employees had deep roots in the Albany area and had no desire to relocate. I had to follow the decision that was made by the agency, but at the same time, many of the employees looked to me for support. Through that experience, I learned not only the importance of maintaining open and frequent communication between employees and the leadership but about the challenges of maintaining a collaborative and productive working environment under difficult conditions. These are the principles that I have strived to foster in subsequent assignments in Baltimore and Headquarters.

I am happy to report that my retirement plans are open! Even though I do not have any major hobbies, I am planning to do some travel and have plenty of tasks to do around the house. I would not mind doing some work and staying active, so if you have a job, make me an offer; I come cheap! My wife and I bought a property in Miami Beach, and we are looking forward to spending winters there as “snowbirds.” My two children live in Maryland, so we will get to spend time with them when we return for each summer. I wish all of you the best in your future endeavors and I look forward to staying in touch.

– Nelson Castellanos, Director, Office of Real Estate Services, Nelson.Castellanos@dot.gov

News from FHWA Headquarters

Alternative Uses of Highway Right-of-Way Pilot Project

This year the Office of Real Estate Services (HEPR) and the John A. Volpe Transportation Systems Center (Volpe Center) began an effort aimed at helping State DOTs implement renewable energy pilot projects in highway Right-of-Way (ROW) according to State-specific needs and goals. The overall pilot program builds on the HEPR [report](#) that explores the opportunities and uncertainties related to accommodating alternative uses, including solar, wind, and biocrop applications, among others, within the ROW.

In particular, HEPR and the Volpe Center are now facilitating a process for Colorado DOT (CDOT) to consider a standardized program to implement highway renewable energy projects in the State. To that end, the research team developed an executive-level briefing booklet that provides key background information for the development and management of solar highway projects in Colorado. The booklet was given to invitees in advance of an internal stakeholder meeting held at CDOT in early July 2013. The pilot program team is also developing a more general version of the briefing booklet that will be made available for all Division Offices, as HEPR anticipates that the information in the briefing book and lessons learned during the pilot project will be useful nationwide. Similarly, HEPR and the Volpe Center are creating a webpage that will contain resources that the research team has collected from States that have implemented renewable energy projects in highway ROW. It is anticipated that practitioners will be able to refer to the materials provided as they begin to implement these types of projects in their own States.

Contact Bruce Bradley at bruce.bradley@dot.gov or Carson Poe at carson.poe@dot.gov for more information on the pilot program and/or to discuss considerations related to developing alternative uses of ROW projects or programs in your State.



Figure 1: Solar Highway in Carver, Massachusetts

New NHI Course on Eminent Domain

The HEPR is working with the National Highway Institute (NHI) to develop a new three-day course for real estate professionals. The course is titled “Eminent Domain–A Roadmap.”

The course development team held a kickoff meeting at NHI on November 7, 2012, which consultants, stakeholders, and FHWA personnel attended. The goal of the team is to develop a three-day, intermediate level course that will inform students about the eminent domain process including basics, procedures, and best practices. The course is being developed in accordance with adult learning principles. This means that, while lecture sessions are included, the curriculum will be rich in activities that will encourage a robust exchange between the students, allowing them to learn from the experiences of their professional peers.

The course will include six modules that will familiarize participants with the pillars of the eminent domain process, including:

1. The power of eminent domain
2. Basic principles of eminent domain
3. The importance of a team and employing a multidisciplinary approach and pre-condemnation considerations
4. Condemnation process and eminent domain litigation
5. Eminent domain appraisal process
6. Negotiations and alternative dispute resolution

The FHWA is developing this course on an accelerated schedule with the goal of holding a pilot course no later than December 2013, with full deployment in early 2014. Additionally, FHWA is planning a “lite” version of this course for online training. Contact John Turpin at john.turpin@dot.gov for more information.

News from the Regional Points of Contact (POCs)

News from the Northern Corner

(Article by Rosemary Jones, POC-North)

- The Northeast Regional Right of Way & Utility conference was held in Woodstock, Vermont from May 13–15, 2013. In addition to FHWA staff, personnel from Vermont, New York, New Hampshire, and Connecticut State DOTs also attended. Topics presented at the conference included appraisal review, property management, preparing for and giving depositions, leasing basics, waiver valuations, pilot projects, business relocation, and Moving Ahead for Progress in the 21st Century (MAP-21). The next conference is tentatively planned for 2015.
- The Northeast Region would like to welcome Lindsey Svendsen, the new Realty Officer for the Massachusetts Division. Lindsey arrived from the Wisconsin Division where she held dual roles in realty and civil rights. Welcome Lindsey!

News from the Western Corner

(Article by Dave Leighow, POC-West)

Updates from California

- In April 2013, the California Division Office submitted a final report to the California Transportation Department (Caltrans) on the 2012 California Outdoor Advertising Control (OAC) Program Review. The review found that “...Caltrans is managing and implementing the OAC Program to the greatest extent possible in order to ensure compliance with Federal and State laws and regulations.” The team did make some recommendations for program enhancements, but complimented the chief of the program and her staff “...for the enthusiasm and dedication they obviously have regarding their work and responsibilities.”
- The California High-Speed Rail Authority has embarked on the first leg of its major high-speed rail project that will eventually link northern and southern California. The first segment is the Central Valley Construction project, which runs from Madera County to Kern County. FHWA has provided technical assistance to the authority on real estate issues and the [Uniform Act](#).

Updates from Colorado

- Colorado’s Annual Eminent Domain Conference will take place in Denver from August 2-3, 2013. One of this year’s agenda topics is MAP-21.

Updates from Hawaii

- In March 2013, the new Civil Rights and Realty Specialist for the Hawaii Division, Rachyl Smith, reported for duty. Rachyl was hired out of the Florida Division Office after receiving her master’s degree from Florida State University. Rachyl entered the professional development program (PDP), a 2-year training program for entry-level employees; at the completion of which she was assigned to the Hawaii Division. Prior to arriving in Hawaii, she already had experience performing several program reviews, including a review of the Hawaii DOT ROW program in 2012.

Updates from Washington

- On March 19, 2013, Dave Leighow, POC-West, and Joe Baybado, Realty Specialist for the Western Federal Lands Highway Division (WFLHD), provided training to WFLHD staff on the Uniform Act. The audience largely consisted of engineers, project managers, and other non-realty staff, along with members of WFLHD’s realty staff. The training provided a broad overview of the requirements of the Uniform Act and the role of realty in project development.
- The Columbia River Crossing is a major project in the area of Portland, Oregon and Vancouver, Washington that will improve safety, reduce congestion, improve freight mobility, and provide better transit, bicycle, and pedestrian facilities between the two States. The current cost estimate to replace the bridge and make other improvements along this section of the Interstate-

5 corridor is approximately \$3.5 billion. Construction is expected to begin in late 2014. The project offers some unique realty challenges, including the relocation of a number of houseboats.

News from the Southern Corner

(Article by Mike Jones, POC-South, Senior Member International ROW Association [SR/WA])

Closing Out Performance Year (PY) 2013 and Looking Ahead to PY 2014

Over the last half of PY 2013, those of us in the HEPR who serve as points of contact for Division Offices will try to visit as many of our Divisions as possible. Through these visits, we hope to build our relationships with the field. We also hope to solicit feedback about ways in which HEPR (in cooperation with the Resource Center) can better assist the Divisions in effectively carrying out stewardship and oversight responsibilities with respect to the Realty/Outdoor Advertising and Junkyard Control Programs. Our assistance commonly takes the form of workshops or support for reviews in one or more of our five major program areas:

- Valuation (Appraisal and Appraisal Review);
- Acquisition/Negotiation;
- Relocation;
- Property Management; and
- Outdoor Advertising and Junkyard Control.

As always, funding is a factor—but, we are focused on making the most efficient use of the available funding. HEPR and the Resource Center have jointly committed to respond to all technical assistance requests as quickly, efficiently, and effectively as possible.

In May 2013, I visited the State of Mississippi and presented two sessions of a workshop entitled “Appraisal and Appraisal Review Requirements on Federal Aid Highway Projects.” Over 60 people who had a very diverse array of titles and responsibilities participated in these sessions, including Mississippi DOT (MDOT) staff appraisers, review appraisers, ROW coordinators, and engineering staff; local elected officials; staff from Local Public Agencies (LPAs), including staff attorneys and public works management; independent fee appraisers and engineering consultants; one county administrator and one county clerk. In each session, one aspect involved having experienced MDOT ROW staff lead a discussion about the ways Federal requirements are met in the context of that State’s laws, regulations, and policies.

The wide range of participants initially made it challenging to develop the workshop content in a way that would be valuable to everyone. In the end, however, this challenge turned out to be beneficial to the group. The variety of backgrounds, experiences, and perspectives of the participants generated interesting questions and discussion. This factor, combined with the valuable information MDOT staff provided, added a great deal of value to the workshop.

Why am I telling you all of this? My point is to reiterate the mantra that we in HEPR (and the Resource Center) find ourselves saying over and over: “We’re here to help our Divisions in any way we can.” If a Division determines that a technical workshop would enhance knowledge for the State or LPA staff and

will help improve program compliance, we would be more than happy to help. We can even tailor the workshop content to your specific needs. Likewise, if you would like assistance in conducting a review in one or more technical program areas, we can help you there, too. You only need to call or email your Headquarters POC. I encourage you to call us. Like your favorite pizza shop - we deliver!

News from the Mid-American Corner

(Article by Maggie Duncan-Augustt, POC-Mid-America)

Updates from Illinois

The Illinois Division Office conducted a follow-up Quality Assurance Review on acquisition and relocation with the assistance of the Resource Center and HEPR in Illinois District 8. The Illinois DOT is also currently working on the repayment of their Bonus Act funding, which provides bonus payments in the amount of one half of one percent of the cost of Interstate Highway construction projects for States willing to control outdoor advertising adjacent to Interstate Highways. The Illinois DOT is also currently working to update their Federal-State agreement for OAC.

Updates from Wisconsin

Carolyn James of HEPR conducted two sessions of LPA training, each two days long, which focused on acquisition of ROW under the Federal-aid program. All courses were well-attended and participants provided positive feedback.

Updates from Michigan

New OAC legislation is making its way through the State legislature and the Division Office is working with the State DOT to update their Federal-State agreement for OAC.

Updates from Texas

The Division Office recently completed an OAC review covering 25 districts, and will be wrapping up a project review on one of the Texas DOT's major projects, I-35. This is a 96-mile, over \$2 billion project with roughly 2,000 parcels. The review is expected to be completed sometime in 2014.

News from the Federal Lands Highway and Tribal Transportation Programs

(Article by Rich Coco, POC- Mid America and Federal Lands Highway)

The Federal Lands Highway (FLH) and Tribal Transportation Programs (TTP) provide funding for access to and within Federal and tribal lands.

- The Federal Lands Transportation Program provides \$300 million for projects that improve access within the Federal estate on infrastructure owned by the Federal government.
- The Federal Lands Access Program provides \$250 million for projects that improve access to the Federal estate on infrastructure owned by States and local governments.
- The TTP provides \$450 million for projects that improve access to and within tribal lands.

Program News

In spring 2013, the first FLH Reauthorization Outreach meetings took place at the Western Federal Lands, Central Federal Lands, and Eastern Federal Lands Highway Divisions. Representatives from the National Park Service, U.S. Forest Service, Army Corps of Engineers, Bureau of Land Management, U.S. Fish and Wildlife Service, and local and State entities attended each meeting. Facilitated by FLH Headquarters staff, discussions focused on improvements to the Federal Lands Access and Federal Lands Transportation Programs to be considered for future reauthorization.

The Federal Lands Access Program is currently accepting applications for proposed projects on behalf of the respective Programming Decisions Committees (PDCs). Special efforts to notify eligible applicants and provide information to interested parties through webinars and widespread dissemination of information have created significant interest in the program.

The Office of Federal Lands Highway and the Bureau of Indian Affairs (BIA) consulted with tribes regarding updates for regulations found at 25 CFR 170 for the TTP, formerly the Indian Reservation Roads (IRR) Program. Nearly 300 tribal members attended the sessions, which were held in Anchorage, Alaska; Phoenix, Arizona; and Minneapolis, Minnesota. The original regulations were developed through negotiated rulemaking with the tribes and became effective in 2005. MAP-21 made significant changes to the TTP, which required updates to the regulation. These sessions provided tribal attendees with an opportunity to learn more about the changes and comment on the draft update. After the comment period for the draft rulemaking concludes, BIA and FHWA will work together to finalize the draft and publish a Notice of Proposed Rulemaking (NPRM) for 25 CFR 170. This publication will be followed by an additional comment period as well as further tribal consultation sessions around the country.

Central Federal Lands Highway Division

Ramon Sanchez has been hired as a ROW Specialist, joining the Central Federal Lands Highway Division ROW staff. Ramon has a bachelor's degree in Surveying Engineering and has successfully completed a number of rotational assignments which included design, construction, and surveying work. Welcome aboard, Ramon!

Western Federal Lands Highway Division

WFLHD participated in the 2013 FHWA Tribal Transportation Program Workshop in Petersburg, Alaska, April 9-11, 2013. The workshop included staff from the FHWA Tribal Transportation Program Team, U.S. Forest Service, and tribal governments in southeast Alaska.

The 20th Annual Northwest Tribal Transportation Symposium was held in Portland, Oregon from April 15-18, 2013. The symposium is a yearly event that most of the Pacific Northwest tribes attend since it provides a consolidated source of information. The theme for this year's symposium is "Mapping the Future of Tribal Transportation." Employees from the WFLHD made presentations on FHWA Every Day Counts (EDC) Initiatives, the Federal Lands Access Program, Wetland Mitigation Banking, and Asset Management. The TTP team also made numerous presentations on tribal transportation and safety.

Eastern Federal Lands Highway Division

The HEPR provided LPA ROW acquisition training to ROW staff, engineers, management, and other staff members during the winter Eastern Federal Lands Highway Division Conference.

News from the Resource Center

On the Move with the Resource Center Realty Team

(Article by Marshall Wainright, Lead Realty Specialist for the FHWA Resource Center)

Wow! It is hard to believe that I have been in the Resource Center for a full Performance Year, and what a year it has been! Between Christina (Chrisy) Currier, Michele Palicka, and me, we have given presentations and participated in five national meetings, including two FHWA Realty video/web conferences. We have also had the opportunity to participate in several regional realty meetings with our Federal, State, and local partners. We have assisted in program reviews with our Division and State partners in LPA oversight and relocation assistance, and we joined our Office of Real Estate Services colleagues in a couple of joint reviews related to OAC and administrative settlements. We have co-instructed several NHI courses as well as assisted several Division and State partners in providing customized training in the acquisition and relocation process to both States and LPAs. For example, Resource Center staff assisted Division and State partners in both Nevada and Utah by providing specific ROW process training to at least 40 different LPAs throughout the States. We also provided several one-day relocation refresher workshops in Delaware and Louisiana. We are working with our Environmental colleagues to develop specific National Environmental Policy Act (NEPA)/ROW linkages training and presentations that will be available to audiences from both disciplines. So stay tuned!

In addition to the training and technical assistance, we recently welcomed Michele Palicka as a full-time member of the Resource Center Realty Team. In case you were not aware, Michele served 13 years in the FHWA Georgia Division Office, including 25 percent of her time for over a year as a part-time member of our team. We are pleased to have Michele full-time! We are also pleased to have Christina Currier (Chrisy) serving 25 percent of her time with us. A big thank you to both the FHWA Georgia and Texas Division Offices for sharing Michele and Chrisy with us! We have definitely kept them busy!

Finally, the Resource Center Realty Team is fortunate to have Paul Posey join us for the next 18 months. Paul joins us as an intern through the [FHWA Pathways Program](#). Paul recently retired from the United States Marine Corps and is currently enrolled at Phoenix University. He is working full-time in our Atlanta Office with Michele as his mentor while he completes his degree in Human Resources. Paul will be introduced to a broad range of FHWA disciplines during his time with us, but he has already expressed a strong desire toward ROW.

We appreciate the opportunities that you have provided for us to serve you this year and we look forward to assisting you and your partners in the upcoming year. Please contact our team so we can customize training and/or technical assistance to meet your needs!

Innovative Approaches and Tools

Nebraska Uses Title 23 USC 504(e) to Fund Training for Local Public Agencies

The State of Nebraska has chosen to use core Federal-aid transportation program funds to train LPAs under the authority of Title 23 USC 504(e). This funding mechanism provides States with a flexible means for supporting workforce development programs for State and/or local practitioners.

The Nebraska Department of Roads (NDOR) used 504(e) to set up a workforce development program for LPAs in 2010, in coordination with the Nebraska Local Technical Assistance Program (LTAP) and with the approval of the FHWA Nebraska Division Administrator. To create the program, the NDOR designated a portion of the core Federal-aid program funds that had previously been allocated for local projects to be used for the administration and delivery of training, including NHI courses, Resource Center workshops, and other forms of professional development. In 2012, Nebraska also began using this mechanism to train State employees.

NDOR Local Projects Division and the Nebraska LTAP were originally able to convince decisionmakers that this would be a wise use of funds by documenting key deficiencies in local capacity. Local jurisdictions in Nebraska own a large proportion of the State's road infrastructure, providing another strong justification for creating such a program. The Nebraska LTAP delivered a PowerPoint presentation for senior leadership at the NDOR to convey these points. The leadership already understood the need for more training, and when it saw the potential benefits of this approach, it agreed to pilot the program. Clark Martin of the FHWA Technology Partnerships Program provided the FHWA Division Office with helpful information on 504(e) beforehand, so it was aware of the process and the need.

Since that time, the success of the program has proven its value, which has justified its continuation. The budget for the program is submitted and approved on an annual basis. Each year, the Nebraska LTAP Advisory Committee develops an outline of topics for trainings, based on identified shortcomings and assembles a curriculum using experts from the State, the Division Office, and the Resource Center. MAP-21 reauthorized the 504(e) core funds workforce provision. As amended in MAP-21, the National Highway Performance Program, Surface Transportation Program, Highway Safety Improvement Program, and Congestion Mitigation/Air Quality Program are the core programs eligible to support workforce development activities. MAP-21 also lists NHI and the LTAP program as eligible programs for 504(e) core funds support. Section 504(e) core funds could already have been used to support NHI and LTAP, but the programs were added to the list to highlight their eligibility.

If other LTAPs are interested in setting up a similar program that uses 504(e) funds to support training, the first step is to begin a conversation with the State DOT. Initially, it can be difficult to convince a State to use core funds for workforce development, because doing so would reduce the funds available for

capital projects. However, the benefit to the State is that core funds used for workforce development are 100 percent Federal funds with no State match required. The investment in workforce development will produce returns in the long-run through more effective and efficient project delivery and enhanced compliance with Federal requirements. There are no restrictions on the total amount of funds that can be diverted to training through 504(e), which affords the States a great deal of flexibility.

For more information, please contact Dan Cady, Director of the Nebraska LTAP at (402) 472-5748 or dcady1@unl.edu, or Clark Martin of Technology Partnership Programs, Office of Technical Services at FHWA at (703) 235-0547 or clark.martin@dot.gov.

Introducing Realty Colleagues

Dave Leighow

Dave Leighow is a Realty Specialist for HEPR who works full-time in Salem, Oregon through the alternate duty location program. He serves as the Headquarters POC for the 13 Western Division Offices. Although he grew up in the South, Dave considers himself a west-coaster at heart.

Dave provides technical assistance and training to support Division Office staff on specific projects as well as broad, program-related issues. He mentors new staff and participants in the PDP. Dave also conducts trainings and webinars on various topics. Dave focuses on active listening as a key competency for his position. In many cases, people may need assistance but may not be able to articulate a question. In such cases, Dave works with that person to clarify the issue. Dave must also pay constant attention to new developments in his five discipline areas (appraisal and appraisal review, acquisition negotiation, relocation assistance, property management, and outdoor advertising/junkyard control). He tracks changes in regulations and helps write guidance for the FHWA website. Dave loves his work. He especially enjoys the teaching and training that he does, and the opportunity to interact with a wonderful group of colleagues.



Figure 2: Dave Leighow, Realty Specialist for HEPR

Many would be surprised to know that in the 1960s, Dave worked as a “Russian voice intercept operator” in the U.S. Army. Although this may sound exciting, Dave describes it as the most boring job he has ever had. Dave earned bachelor’s and master’s degrees in religion, and a minor in philosophy. While in the midst of his graduate degree program at Florida State University, he decided to take the summer off to explore other options and consider next steps. At that time, Dave took a State test for typists and scored well. A day later, he received a call from the ROW section of the Florida DOT (FDOT). They hired him for the summer, and he was then invited to enroll in a class for ROW agents. Dave accepted the invitation because he and his wife wanted to start a family.

Dave worked extensively on the Uniform Act relocation assistance program at FDOT helping people who had to relocate as a result of transportation projects. He became the State director for that program and later joined FHWA. In 2013, Dave marked the 40th year of his career in transportation. Of that, 23 years have been with FHWA, 15 years were with FDOT, a couple of years were with a ROW consulting firm, and 18 months were with the Federal Transit Administration in Seattle, Washington. Along the way, he has had the opportunity to visit all but seven States; he has greatly enjoyed the opportunity to travel throughout his life and career.

Dave and his wife have been married for 42 years, and they have three grown children and two grandsons. Two of their children and grandchildren live in Seattle, a short distance away. Spending time with family has always been a huge priority for Dave. Outside of family, Dave’s greatest passion is music; bluegrass in particular. While in the Army in the 1960s, Dave learned to play blues harmonica. He is now a member of a Rolling Stones cover band, “Off the Hook,” where he plays the harmonica, tambourine, and mandolin.

Dave points out that Realty Specialists in transportation usually have an interesting perspective as non-engineers in an engineering-based organization. Realty professionals tend to be people-oriented because of the nature of their work. For that reason, the realty group within FHWA has an amazing sense of camaraderie and strong relationships. Dave feels tremendously fortunate to work with such a wonderful group of people that he holds in high esteem. This is one of the main reasons why he has enjoyed his career so much. If he were not a Realty Specialist, however, Dave could also see himself teaching classes in ethics or epistemology in a small college or university.

Melani Millard

Melani Millard is a Realty Officer with the California Division Office. Her colleagues describe Melani as reliable, dedicated, and responsive, and she places a high priority on maintaining relationships and building trust. Melani fields various inquiries and works on program reviews, and she also helps the California Department of Transportation (Caltrans) update policies and procedures in its ROW manual and hold online trainings. She uses her rapport to resolve issues and address long-time practices that need to be reconsidered in light of the newly released MAP-21. Melani emphasizes the importance of proactively engaging with Caltrans rather than waiting for something to go awry. The fact that she receives regular calls and invitations to meetings indicates that Melani has built strong relationships.

Melani joined the U.S. Air Force after high school, and at the age of 19 was sent to Guam where she worked to build munitions for Operation Desert Storm. While there, she learned to scuba dive and

enjoyed exploring the numerous shipwrecks and reefs, particularly during night dives. Although she enjoyed her time in Guam, Melani would not want to live on an island again, as she found it isolating. Melani majored in environmental studies in college, but she did not know what she wanted to pursue when she graduated. After attending a job fair, Melani was hired by the Caltrans ROW section in District 4, in Oakland. She eventually transferred to Sacramento and worked there for 13 years. Melani also worked as a project manager for two years, and spent one year in Headquarters, but the bulk of her experience was in the district. The time she spent as a project manager is somewhat unique, as it is usually engineers and not ROW specialists that become project managers within Caltrans. This experience broadened her perspective and allowed her to see how all of the different aspects of transportation practice fit together.

At first, it was challenging for Melani to move from Caltrans to FHWA because she now oversees her former colleagues. Shortly after Melani joined the FHWA California Division Office, the Realty Officer assigned to the Division retired, so she relied heavily on Dave Leighow, her POC with Headquarters, in order to quickly get up to speed on handling issues from a Federal versus a State DOT perspective. She still relies on Dave Leighow and her Realty counterparts nationwide to vet issues as needed, and she has come to learn from experience that FHWA is a truly 'family-oriented' organization. Melani enjoys that her position at FHWA allows a certain degree of freedom and autonomy, and she values the opportunity to continue learning new things. As the only Realty Officer in the California Division, she cannot possibly review all of the different areas annually, so she strategically picks different areas to review in each given year. In order to most effectively manage the California Division's vast and complex ROW program, she uses a risk-based approach through the completion of annual Program Analysis and Risk Assessment exercises.

Melani is married and enjoys spending time with her husband and two grown stepchildren (ages 19 and 22). She also has a dog named Riley, and when people stop by her workspace they see pictures and often comment on how cute he is. Her favorite time of year is summer, as she and her family enjoy barbecuing, boating, and gardening. If she were not a Realty Specialist, Melani might have become a fiction writer. She is also very interested in engineering and structures design, and could very well have pursued that field. Melani suggests that it would be useful to institute a rotational assignment program for mid-career staff at FHWA, in order to provide opportunities for employees to learn about how things are done in other States.



Figure 3: Melani Millard, Realty Specialist, California Division Office

Barbara Middleton

Barbara Middleton works as a Realty Officer in the Virginia Division Office. She also serves as an equal employment opportunity (EEO) counselor, which she has done since 1992. In that role, she provides counseling if a person believes they have suffered discrimination. She conducts interviews and tries to resolve each case informally before an individual registers a formal complaint. Barbara balances this responsibility with her realty work, and only accepts a new case if she has the time. The role can be stressful at times, and Barbara must always strive to remain neutral and listen actively while providing information about the process.

While a senior in college, Barbara spoke with an FHWA recruiter at a job fair. She had never heard of FHWA, but after learning of the training program, she decided to apply. Barbara has worked for FHWA ever since. She was attracted by the opportunity to learn new skills and the potential to travel to different areas of the country. She also enjoys working with people, and is passionate about ensuring the protection of rights and fair treatment for all.

Barbara began her career in Kentucky, and from there moved to Pennsylvania, West Virginia, Indiana, New York, and Virginia. She started in ROW, but subsequently worked as an Environmental Specialist for five years before returning to ROW in 2000. Her favorite location was Indiana, where she loved the proximity to Chicago and her husband's family in Kentucky. Barbara has had to relocate each time her husband's employer transferred him from one location to another. She is very grateful that FHWA was very accommodating in transferring her to another Division Office on three separate occasions.

One of the highlights of Barbara's career was working on the Woodrow Wilson Bridge project, a joint effort between Virginia, Maryland, and Washington, DC. She worked on this project from the very beginning until its completion (2000 to 2013). The project was challenging and rewarding; many people were relocated, and the replacement housing payments were very significant. She found it very gratifying that most of the tenants who were displaced used the payments to become first-time homeowners. The Virginia DOT completed over 400 relocations in about eight months, and this was the first time that relocation incentive payments were used with Federal participation. She also recalls that the project afforded the opportunity to apply some creative strategies, such as protective rents.

Barbara enjoys reading, traveling, playing tennis, and gardening. She grows both flowers and vegetables. Although she hasn't had as much success with the vegetables, she continues to experiment and looks forward to it every year. She also enjoys collecting Christmas ornaments and ethnic Santa Clauses. Barbara and her husband have four grown children; three sons and one daughter, with whom they spend as much time as possible. The eldest son is a financial analyst in New York City, and the

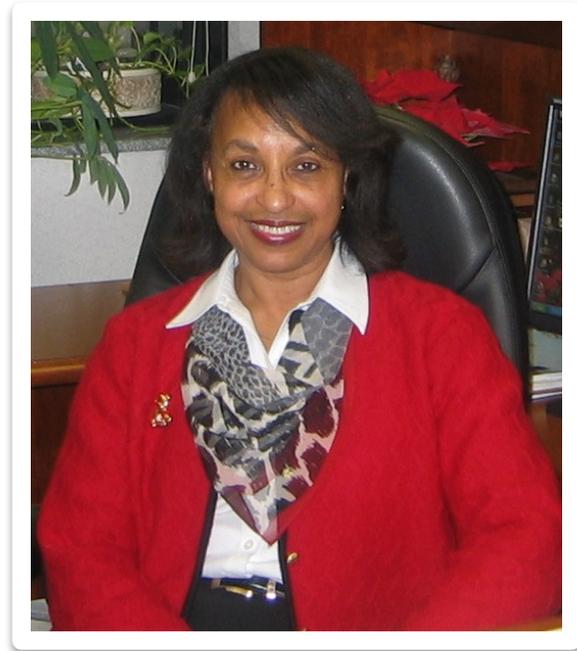


Figure 4: Barbara Middleton, Realty Officer for the Virginia Division Office

second oldest is a marketing analyst in San Francisco, California (and a newlywed). Their daughter is an attorney in Atlanta, Georgia, and also a newlywed. Their youngest son will graduate from medical school in 2014.

Barbara loves to drive cars with a standard transmission. Her first car had one, and a co-worker taught her how to operate it. She prefers it because it allows more control; it keeps her more focused on the road; and increases her awareness of the surroundings and her speed. She also finds it more fun! Barbara grew up in a sports-loving family, which included her parents, three brothers and two sisters, and is an avid sports fan. She particularly likes tennis, football, basketball and baseball. Since she stays current on a great deal of statistics about players and teams, friends consider her to be more of a sports enthusiast than her husband.

Most people who meet Barbara assume she is a teacher. Perhaps this is a testament to her patience, communication skills, and her caring and compassionate ways. She has a great respect for teachers, but has never desired to work in that field herself. Barbara has always loved science, and if she were to pick an alternate career, she would probably be a forensic scientist.

Abraham Geevarghese

Abraham Geevarghese works as a Realty Officer in the Ohio Division Office where he collaborates on a daily basis with environmental professionals and engineers. He works constantly to educate others about the importance of ROW considerations. Last year, Abraham participated on a task force that assisted the Ohio DOT (ODOT) with its reorganization from a region-based structure to a district-based one. Abraham emphasizes proactive communication, active listening, and an open mind as key factors for success in his position.

Abraham grew up in Nagpur, India, a region famous for its orange production. While in India, he studied accounting, but after moving to Dallas, Texas in 1995 he decided to change careers. He arrived in Dallas with only two handbags and \$50 in his pocket. He considers himself very fortunate to have achieved the level of success he has since his arrival. He participated in the [job corps](#) program offered by the U.S. Department of Labor, and then went on to pursue physical therapy at Langston University in Oklahoma, and graduated with a bachelor's degree, obtaining his citizenship shortly thereafter.

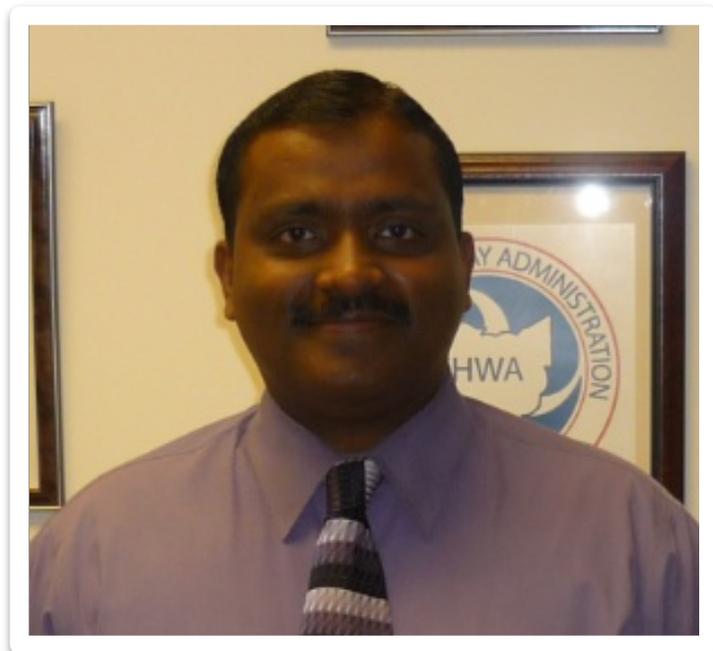


Figure 5: Abraham Geevarghese, Realty Officer for the Ohio Division Office

Upon graduating, Abraham faced a dilemma because the entry level requirements for physical therapy positions had changed. He considered pursuing health administration instead, but he happened to see a sign on a bulletin board for ROW training, and decided to apply. The interview went well, and two weeks later he received a 6:00 a.m. call from the Atlanta Human Resources Office offering him a position. Although sleepy, Abraham was nevertheless enthusiastic about beginning his career with FHWA, and he began work on the following Monday. He worked in the Oklahoma Division and participated in the PDP, with the Nebraska Division serving as his sponsoring office. He also fulfilled assignments in Washington, DC and the Ohio Division Office. In 2004, the California Division needed a Realty Specialist, so Abraham and his family moved there, where he finished his PDP term and remained until 2010. In January 2011, he moved to the Ohio Division Office, where he works today. To those considering moving across the country in the winter with a three-month old baby, Abraham would not recommend it!

Abraham and his wife, Pheba, were married in 2000 through a marriage arranged by their parents. They met beforehand and got to know one another before marrying. Sadly, they were forced to live separately for the first four years of marriage because Pheba could not procure a visa until 2004. During that period, Abraham recounts that his telephone bills were higher than his monthly rent. Abraham and Pheba have two daughters, Abigail and Angela, ages six and two and a half. Abraham is himself the youngest of four siblings.

Abraham enjoys traveling and has visited 35 States for business and leisure. He also enjoys singing and has participated in the church choir while living in California. Most of all, Abraham loves to help others and he has a passion for helping children and elders who are homeless. This explains his decision to found an orphanage, Gracci, which is located in his former residence in India. Currently, 12 children and one elderly aunt, age 90, are supported by Gracci. The orphanage has nonprofit status in both the United States and India. His mother, who has since passed away, helped Abraham found the orphanage. The orphanage is named in her honor. Abraham is the president of the organization, which has operated continuously since 2004, while his brother helps with some of the management responsibilities in India. Abraham spends most of his free time managing and supporting the orphanage. As a Christian, he established a network of churches in multiple States that all support the effort through fundraising. For more information about the orphanage, please contact Abraham at ageevarg@dot.gov.

Michele Palicka

Michele Palicka is on the environmental and ROW technical service team of the Resource Center in Atlanta, Georgia. In this role, she helps Division Offices with training, process or program reviews, or other general inquiries. She also assists Headquarters in disseminating policy. Prior to joining the Resource Center full-time, Michele dedicated 25 percent of her time to the Resource Center for 18 months. She also worked in the Georgia Division Office for almost 13 years. Michele enjoys her new position in the Resource Center as it has broadened her perspective on realty issues. She is truly a "people person," and greatly enjoys the opportunity that the realty discipline affords to forge personal connections.

Growing up, Michele's father owned a title insurance company, and Michele and her sister did title searches and title reports for him as young adults. Interestingly, both Michele and her sister now work in the realty field. In fact, Michele's sister currently works for FHWA as a Realty Specialist in the New York Division.

After graduating from college, Michele worked in the hotel industry for five years, but did not enjoy working evenings and weekends. She left that business and worked briefly at a stock brokerage firm until her sister, then an employee at the FDOT, encouraged her to apply for a position there. Michele's prior experience with her father's title insurance company, her sales experience in the hotel industry, and her friendly personality proved to be tremendous assets when she became a ROW and acquisitions agent with FDOT. Five years later, Michele accepted a position with the FHWA Georgia Division Office in Atlanta. While in the Division Office, part of her job was to conduct NEPA reviews, which she found interesting as it allowed her to gain exposure to another aspect of transportation practice.



Figure 6: Michele Palicka, of the Resource Center environmental and ROW technical service team

Michele and her husband live with their two dogs in suburban Atlanta, and they enjoy playing tennis and watching tennis matches together. Michele also plays tennis on a neighborhood team, although she is not very competitive about it. Michele also likes to travel. She went to Europe as a child and would like to go back. Her husband's family lives in the Czech Republic, and they have talked about going to visit them there. Michele also loves to read, and she has recently been consuming a great deal of historical fiction. At the time this article was written, she was reading [City of Dark Magic](#).

Conferences

Second Bi-Annual FHWA National Realty Staff Videoconference

On May 8, 2013, HEPR presented its second Bi-Annual FHWA National Realty Staff Videoconference (the first took place in October 2012). The primary objectives of these videoconferences are to provide timely program information to FHWA Realty field staff and to create a forum that encourages discussion and the open exchange of ideas.

Welcome

HEPR Office Director Nelson Castellanos welcomed participants and confirmed that he is retiring this year. He thanked everyone in the Realty Program for their dedication and cooperation in carrying out the Federal-aid Highway Program.

Program Stewardship and Oversight

Gloria Shepherd, Associate Administrator of the Office of Planning, Environment and Realty, spoke briefly about the critical nature of the Realty/Outdoor Advertising and Junkyard Control Programs in the overall Federal-aid Highway Program. She thanked HEPR leadership and staff for their accomplishments and their continuing efforts to ensure that the national program is carried out in accordance with Federal law and regulations. Gloria also thanked the Division Realty staff for their efforts. With regard to the stewardship and oversight of all FHWA programs (including the Realty Program), Gloria emphasized the importance of “groundtruthing” (i.e., the act or process of confirming or validating data by direct observation on the ground), when certifying program compliance.

MAP-21 Issues

Arnold Feldman, Team Leader for the HEPR Program Development Team (HEPR-10), led off the topic, followed by team members, who discussed a number of the team’s activities since the October 2012 videoconference – many of which have been related to MAP-21. One major focus has been the anticipated NPRM concerning Advance Acquisition. The public comment period will occur in summer 2013, with the Final Rule anticipated around October/November.

MAP-21 changes also impact the Outdoor Advertising and Junkyard Control Programs. The legislation expanded the definition of the National Highway System, which added more control routes for which the States are responsible for demonstrating effective outdoor advertising control. The additional miles of control routes also apply to the effective control of junkyards. The legislation also reduces the penalty for not providing effective junkyard control from 10 percent to 7 percent of a State’s apportionment. The HEPR has now published frequently asked questions (FAQs) on both [Outdoor Advertising](#) and [Junkyard Control](#).

Another MAP-21 provision created a Relocation Streamlining Demonstration Program. This program would provide a means to streamline the relocation process by permitting a lump-sum payment for acquisition and relocation, if elected by the displaced occupant. The payment will include the estimate of just compensation for the property acquired, as well as an estimated amount for eligible relocation benefits calculated in accordance with the Uniform Act. As of the May 8 videoconference date, six State DOTs had expressed intent to participate in the demonstration program. FHWA will review and approve each DOT’s proposed work plan. All participant projects must be active by January 2014. The program will last up to three years, and at that point HEPR will evaluate the results, provide a recommendation to the FHWA Administrator and a report to Congress as to whether the demonstration program should be extended or the authority made permanent.

MAP-21 also requires that FHWA, as the lead agency for the Uniform Act, enter into a Memorandum of Understanding (MOU) with each of the other Federal agencies which acquire real property rights in accordance with the Uniform Act. The legislation requires that FHWA and other Federal agencies subject to the Uniform Act take certain steps to maintain and improve their capacity to manage and oversee their relocation and acquisition programs. It contains a requirement that each of the other

Federal agencies must enter into an MOU with the FHWA within one year. The MOUs will provide for staff training to ensure compliance with the Uniform Act and will address the allocation of funding by each Federal agency for this training.

Language in MAP-21 also revised the reporting requirement on real property activities. Previously, the reporting was on a triennial basis. Going forward, the reporting must be done annually.

There are also provisions in MAP-21 that affect certain provisions of 49 CFR Part 24, the regulation which implements the Uniform Act. HEPR has formed a Uniform Act Regulation Working Group, which consists of six Federal agencies and a number of FHWA Division Realty Specialists. The group has reviewed the regulation to identify any provisions that may have proved confusing since the 2005 Final Rule was published. A second Federal working group has formed to draft a proposed NPRM this summer. The timeline for the rulemaking process includes separate, mandatory four-month review periods by the Office of the Secretary of Transportation and the Office of Management and Budget, as well as a 60-day public comment period, after which FHWA has 90 days to respond to the public comments. Taking all those factors into account, HEPR's goal is to publish the NPRM by March 2014 and the Final Rule by March 2015.

New Realty Publications

A new suite of pamphlets and videos will be available in 2014 on "Business Relocation," "Residential Relocation," and the "Uniform Act." Spanish versions will also be available.

New NHI Realty Courses in Development

- "Eminent Domain for Attorneys and Appraisers" – This will be a three-day intermediate level course and it is anticipated that the course will be approved for recertification credits for licensed and certified appraisers. For more information, please refer to the article on page 4 of this newsletter.
- "Acquisition under the Uniform Act" – This course will include valuable content for those who are new to the realty program as well as those with more experience. The pilot course should be finalized around December 2013.

Ongoing Research Efforts

- Reverse Mortgage Study – This study will identify and address the unique issues and challenges associated with acquiring and relocating individuals with Reverse, or Home Equity Conversion Mortgages (HECM) who are displaced as a result of Federally-funded projects. A working group with expertise in this area was formed and has met via webinar since November 2012. The report and a functioning Mortgage Interest Differential Payment (MIDP) Calculator are expected by August 2013.
- Notices and Offers by Electronic Methods – This research will evaluate the feasibility of using electronic correspondence to streamline the delivery of Uniform Act-required "notices" and "written offers" to property owners and displacees.
- "State of the Practice Research in the Development of LPA Program Stewardship and Oversight Strategies" – This research began in June 2013 and has an 18-month delivery schedule. The project will provide information to State DOTs that will assist them in their stewardship and oversight of their LPA realty programs and will develop an "LPA Oversight and Stewardship Toolkit."

- “AASHTOWare Right-of-Way Relocation” (RwR), previously known as Turbo Relocation, has been available since late 2010 as a software package designed to automate and manage the calculation of relocation assistance. The software is currently being used in five States. This research will analyze the relative value of the software to those States that are using the product and identify barriers that might be limiting its adoption by other agencies. One possible option that could widen its appeal might be a cloud-based version that could be utilized on a “project basis” as opposed to a “program basis.” This is one option that will be considered.
- Electronic versus Hard Copy ROW Data Systems – This research will analyze and quantify the advantages (and disadvantages) of electronic ROW Data Systems in relation to traditional “hard copy” systems. The statement of work for the research project is underway and expected to be completed soon.
- “Comprehensive and Coordinated” Planning Research – This research project is focused on meeting the requirements for Federal reimbursement for early State-funded ROW acquisition. The research study will attempt to identify a number of States with planning processes that may meet the following requirements in MAP-21: “. . . comprehensive and coordinated land use, environment, and transportation planning process under State law . . .” It will then analyze the structures and processes in place in a limited number of States that appear to meet those requirements.

Program Stewardship and Oversight

Charlie O’Neill, Team Leader for the Program Implementation Team (HEPR-20), led off this team’s portion of the videoconference with the following topic: “Risk Assessments - A National Discussion: How Can We Effectively Assure That All of the Realty Program Areas Are in ‘Substantial Compliance’ with the Applicable Federal Laws and Regulations?”

- Mr. O’Neill discussed the challenge of conducting the appropriate level of Realty/Outdoor Advertising and Junkyard Control stewardship and oversight to ensure that all State DOTs, LPAs, and other entities are complying with applicable Federal laws and regulations.
- He suggested implementing a cyclical review approach in which Division staff would review one of the five major ROW program areas (appraisal/appraisal review, acquisition, relocation, property management, and outdoor advertising and junkyard control) per year, on a rotating schedule. In so doing, all the ROW program areas would be evaluated during the mandated five-year update cycle for each State DOT’s ROW Operations Manual. The data obtained from the reviews would enable the Divisions to identify and address potential high-risk areas in their States on a timely basis. Mr. O’Neill acknowledged the existing staffing constraints, in that many Division Realty staff are also responsible for one (or more) additional programs which limits their ability to conduct stewardship and oversight for the ROW program. He emphasized that HEPR and Resource Center staff are available to assist the Divisions with their stewardship and oversight responsibilities.

HEPR Technical Assistance to Divisions

- Mr. O’Neill also introduced the creation of the HEPR “ROW Boot Camp” for newer and less-experienced Realty staff. As a starting point, HEPR’s subject matter specialists and POCs have been charged with developing a “Top 10” set of core questions for each major ROW Program area. Once finalized, those lists will be a valuable resource for new Division Realty staff when conducting a review of any or all of the ROW functions. Another component in the works is the

development of a boot camp structure that is a flexible blend of in-person, webinar, teleconference, and/or videoconference sessions.

- HEPR-20 has conducted a wide range of technical assistance activities since the October 2012 videoconference, including webinars, technical assistance workshops, remote and in-person technical assistance on specific programmatic issues, participation in process reviews and visits to a large number of Divisions. HEPR plans to continue and expand these efforts to assist the Divisions throughout 2013 and in the years ahead.
- HEPR Webinars for remainder of 2013 – These bi-monthly webinars are available to Federal, State, and local agency staff and to ROW contractors. Webinars scheduled for the remainder of the 2013 calendar year are as follows:
 - September:
 - Outdoor Advertising and Junkyard Control (including MAP-21)
 - Relocation Update (including MAP 21)
 - November:
 - MAP-21 Advance Acquisition
 - MAP-21 General Overview & Status Update

Realty Update from the Resource Center

Marshall Wainright thanked HEPR for including the Resource Center Realty staff in all the HEPR meetings, teleconferences, and videoconferences. He also offered the Division Offices continued assistance and training in cooperation with (not in competition with) HEPR.

Close-out

Arnold Feldman reminded the participants that HEPR has a new webpage on the FHWA website and asked the Divisions for feedback and constructive suggestions to improve it.

The link to the new HEPR webpage is: www.fhwa.dot.gov/real_estate/.

The next Bi-Annual National Videoconference will occur on Wednesday, November 20, 2013 from 1:00 to 3:00 p.m. EST.

59th Annual IRWA International Education Conference

The International Right of Way Association (IRWA) is a professional organization that is devoted exclusively to the ROW profession and has nearly 10,000 members throughout the U.S., Canada and Africa. In June, 1999, FHWA and IRWA entered into a partnership whereby the two organizations pledged to:

“... work together to identify, develop and provide quality training that will support the Department of Transportation’s vision to create the best transportation system in the world.”
(Source: Partnering Agreement Between the Federal Highway Administration and the International Right of Way Association, June 1999)

Through that agreement, the FHWA and IRWA agreed to coordinate efforts through joint activities that are:

“... centered on educational and training needs, training outreach and proactive training activities.” *(Source: Ibid.)*

Office of Real Estate Services Newsletter

Year in and year out, the IRWA Annual International Education Conference is the single largest educational/training event attended by ROW professionals. The 2013 Conference took place in Charleston, West Virginia, from June 23-26 and drew over 1,000 ROW practitioners from the U.S., Canada, South Africa, Japan, Germany, the United Kingdom, Mexico, South Korea, Thailand, Nigeria, Uganda and Saudi Arabia.

Each year attendees include Federal, State and local government agency employees, public and private utilities employees, and professionals employed by ROW consulting firms. These organizations are all partners and stakeholders in Federal and Federal-aid Realty Programs all across the nation. As such, the IRWA Conference is a unique educational event that allows FHWA to reach a large national audience of program practitioners in line with the goals outlined in the 1999 FHWA/IRWA Partnering Agreement.

Typically, a number of IRWA International Committees contact FHWA HEPR and the Resource Center to request FHWA presenters and panelists in a number of technical sessions that relate to the Uniform Act or Federal-aid Highway Program. These sessions provide FHWA with excellent outreach opportunities to share information and insights about emerging and critical issues in our programs.

The 2013 conference schedule included over 55 technical sessions on a wide range of topics, several which were presented or co-presented by FHWA staff. Presenters were seasoned subject matter experts in a dozen different areas: asset management, environment, ethics, international, LPAs, pipeline, professional development, relocation, survey/engineering, transportation, utilities, and valuation. A small cadre of FHWA staff attended the 2013 Conference and several actively participated as presenters or panelists, moderators, and/or international committee members.

The hottest ROW discussion topic at this year's conference was MAP-21. As outlined elsewhere in this newsletter, there are a number of



Figure 7: 2013 IRWA Education Conference in Charleston, West Virginia (photo courtesy of IRWA)



Figure 8: 2013 IRWA Education Conference in Charleston, West Virginia (photo courtesy of IRWA)

MAP-21 provisions that have implications for the Realty and Outdoor Advertising & Junkyard Control Programs, and many attendees were eager to hear the most authoritative and up-to-date information from FHWA staff about those topics.

The sessions with FHWA presenters are always well-attended. Our realty program partners and stakeholders appreciate the first-hand information provided by FHWA presenters in the technical sessions, as well as the opportunity to ask questions about specific issues and problems.

The 60th Annual IRWA Education Conference will take place June 22-25, 2014 in Hartford, Connecticut.

Calendar of Events

For a listing of Planning, Environment, and Realty program meetings, events, and NHI training opportunities, please visit: www.fhwa.dot.gov/hep/calendar.cfm.