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System Development
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This letter applies to all local units of government that plan to acquire Right of Way and use State or Federal transportation funds ANYWHERE in a project overseen by the Wisconsin Department of Transportation (WisDOT)

RE: 2010 Local Public Agency Real Estate Program Assessment

To Local Units of Government,

The Federal Highway Administration (FHWA) is responsible for performing periodic evaluations of federally funded transportation programs to ensure effective state oversight and compliance with federal regulations. The Local Public Agency (LPA) Right of Way Acquisition program is among those programs that are periodically evaluated by FHWA. An assessment of WisDOT's oversight of the LPA Right of Way Acquisition program was conducted in the fall of 2010.

WisDOT has contracted with one Management Consultant (MC) per Region to *work with and oversee municipalities during the right of way acquisition process on transportation projects where there is State and/or Federal funding anywhere in the project.* A list of these MC's is attached to this letter.

For the review, FHWA selected parcel files from a list of local right of way acquisition projects provided by each Region's MC. The selected projects used state and/or federal funds in some aspect of the project. The files were reviewed to determine if they included the necessary documentation to indicate that the procedures used on the project were in compliance with the minimum requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act) for federally funded projects. The report included a review of parcel files from 145 projects located throughout the state. The assessment found that many of the files were satisfactory. However, the review also found some parcel files with incomplete documentation and apparent procedural errors.

WisDOT is implementing a number of steps that will address these deficiencies, and will prevent them from reoccurring as we move forward. These steps were described and sent to FHWA in an action plan. You may be contacted by your Regional MC if your municipality had a project reviewed as part of the 2010 FHWA review.

Moving forward, if your municipality is planning a transportation project where right of way is needed and the municipality anticipates using state and/or federal funds in that project, contact your local MC as soon as possible for assistance and guidance. Municipalities should also reference and become familiar with the procedures in the WisDOT Real Estate Program Manual and the LPA Manual (both available on the DOT's website) as a guide to right of way acquisition. Following the procedures outlined in the manuals, and working closely with your Region's MC will ensure that correct procedures are followed and all required documentation is provided in the project and parcel files. All procedures used in the Right of Way acquisition process must be in compliance with the minimum requirements of the Uniform Act for federally funded projects, or funding may be jeopardized.

If you have any questions, please contact your Regional MC, or me. Thank you in advance for your cooperation and good work.

Sincerely,

A handwritten signature in black ink, appearing to read "Kerry L. Paruleski".

Kerry L. Paruleski
Statewide LPA Facilitator
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