

Foreword

The purpose of this manual is to give guidance to Right-of-Way (ROW) professionals on the proper adjudication of property issues relevant to the Alaska Department of Transportation and Public Facilities (DOT&PF). This manual was produced with the guidance and input from each of the regional ROW sections. It is intended to serve as a reference and guide to the policies, procedures, and processes that affect ROW and land issues encountered by DOT&PF in the execution of its duties. This is not intended to be an exhaustive desk manual but instead sets forth clear expectations under our agreement and with our funding partners. While great care has been taken to ensure all the relevant citations have been provided to the reader, the onus is on the ROW professional to know and keep current on the laws and regulations affecting this manual.

This manual update includes revisions to:

- include rewrites throughout to make the document easier to navigate for the ROW professional;
- remove the limitation that authorized Right-of-Way Review Appraisers for DOT&PF projects must be DOT&PF Staff Review Appraisers;
- clarify and update requirements for airports and FAA projects;
- clarify considerations for the scope of work for appraisals;
- include updates for compliance with Uniform Standards of Professional Appraisal Practice (USPAP);
- clarify the direction on handling of confidential appraisal information;
- clarify the use of waiver valuations;
- update to list of acceptable appraisal report forms;
- comply with FHWA guidance on verbiage regarding the Recommendation of Just Compensation (formerly “Determination of Just Compensation”); and
- clarify the applicability of direction on handling split estates;
- clarify requirements for proceeding to condemnation;
- clarify procedures for working with Bureau of Indian Affairs on Native allotments;
- clarify early vs. advance acquisition;
- clarify hardship cases and protective buying;
- acknowledge the Relocations Assistance payment changes under MAP-21 and the accompanying State legislation completed through House Bill 131 in the 30th Alaska State Legislature;
- clarify the direction on handling of sovereign immunity waivers;
- provide direction from Department of Law regarding merger of title; and
- clarify title considerations for FAA projects relative to the type of grant requested.

This manual replaces all previous editions of the *Alaska Right-of-Way Manual*.

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Summary of Significant Changes from Previous Version

The following changes have been made to this manual since its last publishing.

Date	Chapter	Section	Change
January 2019	Chapter 1	1.1; 1.5; 1.7	Section amended to include clarifications to wording; clarification of position functions; additions to address use of contractors for Right-of-Way Appraisal Review; compliance with 23 CFR 710.305; clarifications on waiver valuations; update or add citations; updates to clarify handling of valuations for airports and FAA projects
	Chapter 2	2.1; 2.3.4; 2.4.2; 2.5; 2.8.11; 2.8.12; 2.9.1; 2.9.4; 2.9.5; 2.9.6	Section amended to address use of contractors for Right-of-Way Appraisal Review; update wording to comply with FHWA direction regarding Recommendation of Just Compensation and the Review Appraiser's role; clarify early vs. advance acquisition; clarify hardship cases and protective buying; clarify use of waiver valuations
	Chapter 3	3.4; Exhibit 3.2	Section amended to include updates to clarify requirements for airports and FAA projects; update exhibit
	Chapter 4	4.1; 4.2; 4.3; 4.4; 4.5; 4.6; 4.7; 4.8; 4.9; 4.10; 4.11; 4.12; 4.13; 4.14; 4.15; 4.22	Section renamed and rewritten to address disposals; clarify use of waiver valuations; address use of contractors for Right-of-Way Appraisal Review; update wording to comply with FHWA direction regarding Recommendation of Just Compensation and the Review Appraiser's role; clarify considerations for the scope of work for appraisals; clarify handling of valuations for airports and

			FAA projects; clarify direction on handling of confidential appraisal information; update list of acceptable appraisal report forms; update wording for compliance with Uniform Standards of Professional Appraisal Practice (USPAP); update or add citations
	Chapter 5	5.1; 5.2; 5.3; 5.4; 5.5	Section rewritten to address use of contractors for Right-of-Way Appraisal Review; update wording to comply with FHWA direction regarding Recommendation of Just Compensation and the Review Appraiser's role
	Chapter 6	6.2; 6.4; 6.5; 6.7; 6.7.1; 6.7.2; 6.7.3; 6.7.14; 6.9; 6.12; 6.12.1; 6.14; 6.15; Exhibit 6-1; Exhibit 6-2; Exhibit 6-3; Exhibit 6-4; Exhibit 6-5; Exhibit 6-6; Exhibit 6-7; Exhibit 6-8; Exhibit 6-9; Exhibit 6-10; Exhibit 6-14; Exhibit 6-15; Exhibit 6-16; Exhibit 6-17	Section amended to address use of contractors for Right-of-Way Appraisal Review; update wording to comply with FHWA direction regarding Recommendation of Just Compensation and the Review Appraiser's role; allow for substitution of DOT&PF forms where applicable; include updates to clarify requirements for airports and FAA projects; amended to clarify requirements for proceeding to condemnation; add general applicability for direction on handling split estates; clarify considerations for the scope of work for appraisals; clarify procedures for working with Bureau of Indian Affairs on Native allotments; update or add citations; omit third-party forms from exhibits; renumber exhibits
	Chapter 7	7.1; 7.6.4; 7.14.3	Section amended to include updated information and provide concise clarity
	Chapter 8	8.1; 8.3.3; 8.3.5; 8.3.6; 8.7	Section amended to include direction from Department of Law on merger of title

			and sovereign immunity waivers; update wording to comply with FHWA direction regarding Recommendation of Just Compensation and the Review Appraiser's role; clarify appraisal handling for airports and FAA projects
	Chapter 10	10.2; 10.3; 10.4; 10.5; 10.6; 10.7	Section amended to add Sec. 10.2 Appraisals to clarify handling of valuations for airports and FAA projects; renumber sections; clarify requirements for airports and FAA projects; clarify Interagency Land Management Assignments with DNR; clarify direction on handling of sovereign immunity waivers; clarify considerations for the scope of work for appraisals; update or add citations
	Chapter 12	Definitions of advance acquisition; displaced person; early acquisition; hardship case; Highway Beautification Act of 1965; protective buying; Property Management Unit; Reviewer's Recommendation of Just Compensation (formerly Reviewer's Determination); title report (formerly title opinion); Uniform Act; Uniform Standards of Professional Appraisal Practice (USPAP); USFS; waiver valuation	Section amended to add clarification of or addition definitions; update or add citations
	Forms	Form 25A-R505	Form title and content updated to comply with FHWA direction regarding Recommendation of Just Compensation and the Review Appraiser's role

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