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The Voice of the Right of Way Profession

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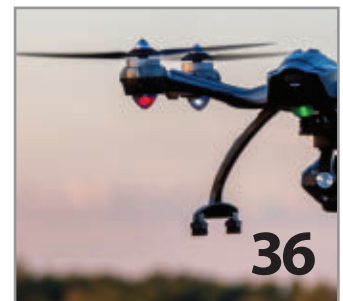
The Voice of the Right of Way Profession

JULY/AUGUST 2017

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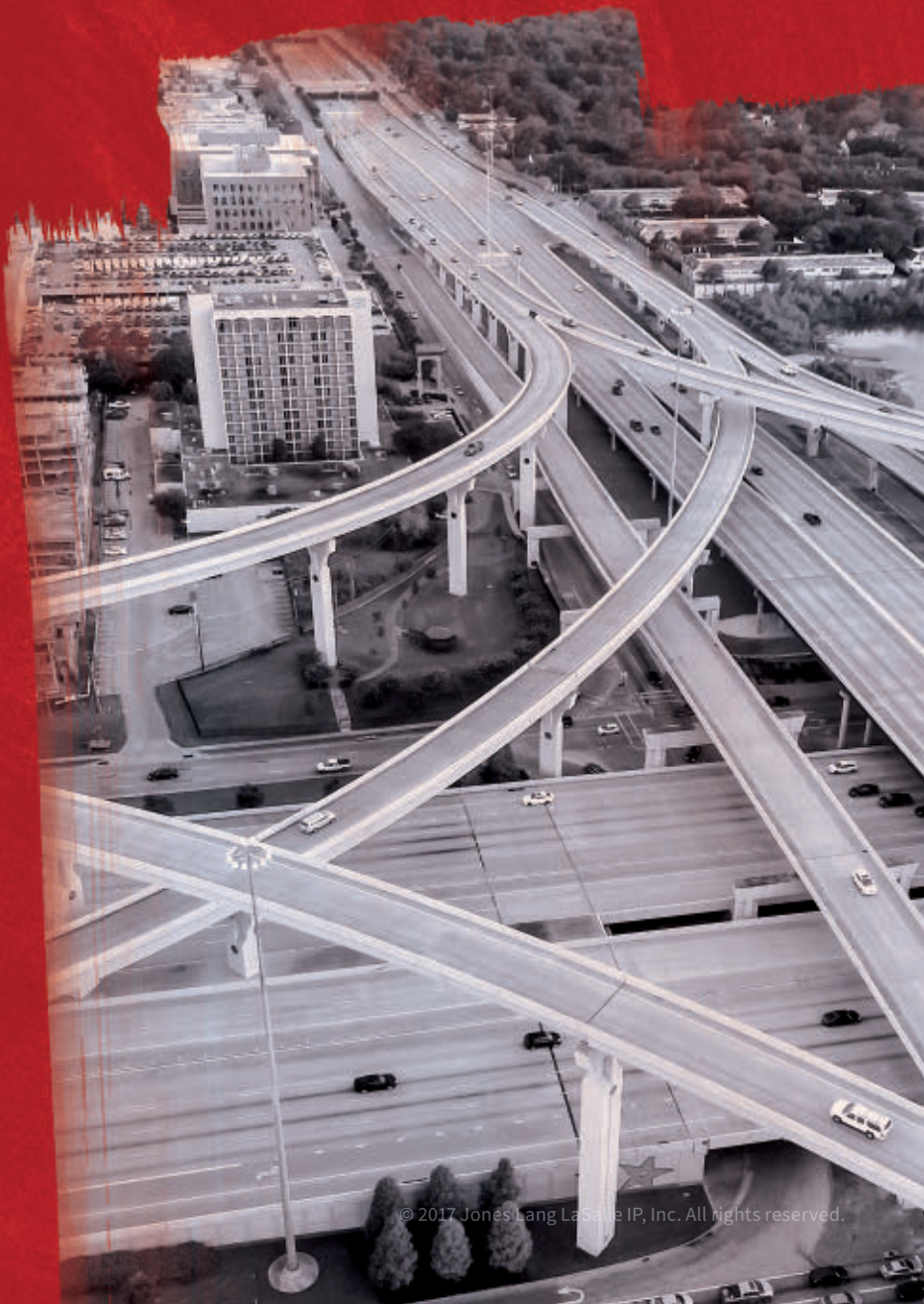
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MAKING A DIFFERENCE

On the path to becoming more outwardly focused

BY JERRY COLBURN, SR/WA, R/W-RAC



It is an honor and a privilege to serve as your International President during these exciting times. In the history of the world, change has never happened as fast as it's happening today. Because of this rapid pace, this new environment offers IRWA an opportunity to have more impact, more quickly than ever before. It is time to act, be bold and make a difference in the world—because we can.

When I tell people that I am involved in the IRWA, they always assume that I'm simply giving back to an organization that has given so much to me. But I'm not just giving back. I'm making a difference. Our purpose statement reads: "We improve the quality of people's lives through infrastructure development." This statement is the backbone of what we accomplish every day, and we are all truly a part of this initiative.

Putting Words Into Action

In order to further our purpose of improving lives, we need to make an impact on people outside of our Association. As your International President, I will be focused on creating a more outward facing organization. We will need to take deliberate actions to engage the outside world, and this effort will require tenacity and purpose.

In order to attract and engage outsiders, our vision needs to embody

a higher purpose that extends beyond our current boundaries. To accomplish this, we are now planning industry roundtables where thought leaders from our core industry segments, public agencies and the consultant community come together to discuss trends, topical issues and best practices. Right of Way Magazine will play a critical role in this endeavor, following these roundtables

Today's Millennials are getting older, buying houses, starting families and moving on with their lives and careers. Generation Z is now on the scene and like the Millennials, they are highly motivated as they pursue their own purpose and life goals. It's amazing to see the drive, commitment and passion that young professionals bring into the workplace on a daily basis. They

“...we need to make an impact on people outside of our Association.”

and providing news, analysis, data and insight that keeps all of us updated on relevant industry issues. As this idea gathers momentum, the magazine can take a more active role in sponsoring events, summits and symposiums.

Engaging an Evolving Demographic

As an organization, we need to adapt to change so that we can remain relevant—not only by engaging industry leaders—but by attracting younger professionals who are just now coming into the workforce. How can we achieve this? By giving them opportunities for career growth and leadership opportunities.

are not just interested in a paycheck and a 401k. They also want to improve the quality of other people's lives. I encourage you to help them make a difference. Reach out and show them how this noble objective is possible within the IRWA. Be a friend. Become a mentor. Be inspirational.

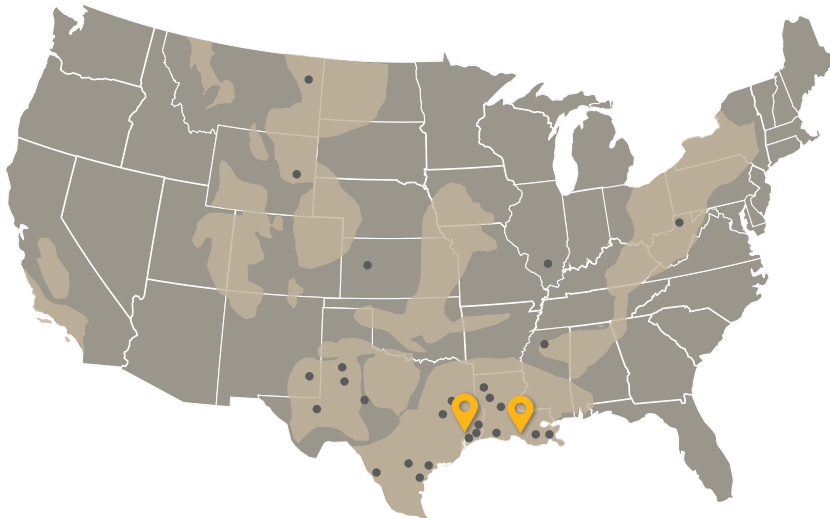
As your President, it is my goal to increase the visibility of the IRWA, promote best practices, ensure that we offer training for those coming into our profession and continue to provide a learning experience for all of us. We all are here to make a difference—in our Association, the industries that we serve and in the lives of the people we touch. ★

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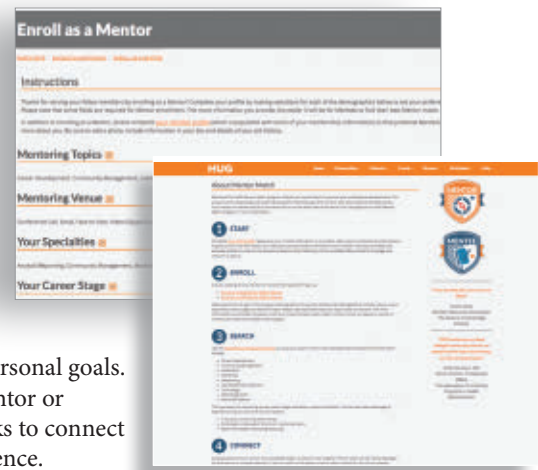


NEW IRWA Website: IRWA has partnered with American Eagle, a leader in website development, to create a whole new experience for our members, using any device. Just login and click on the Member Resources icon to find everything you need. Don't see what you're looking for? A new and stronger search engine at the top of each page will find it for you. Want to translate something? We can help you do that too! And the site's clean look will attract new members as more people discover all that IRWA has to offer.

NEW Credentialing Module: As you build your right of way career, new modules can apply your course history and tell you which IRWA certifications are within your grasp. You can also explore other certifications available—at the touch of a button—as IRWA's Certification Concierge guides you through the process. We have taken the guesswork out of gaining a certification and will save you so much time.



NEW Mentor Match: IRWA is pleased to partner with Higher Logic Users Group (HUG) in offering members a new Mentor Match, enabling mentorship opportunities and setting the tone for a new generation of educated, informed members. This program pairs experienced mentors with ambitious mentees who want to share resources and experiences, while achieving professional and personal goals. Whether you want to serve as a mentor or become a mentee—the system works to connect both, based on interests and experience.



NEW LIA Administrators & Insurance Services: IRWA has partnered with LIA to offer members a portfolio of insurance services, featuring errors and omissions coverage along with general liability, commercial bonds, cyber liability and health insurance programs. A longtime partner of the Appraisal Institute, LIA is developing a new line of insurance products for land acquisition professionals. LIA offers Chapter workshops on risk avoidance too, all at no cost to the Chapter.



The world of right of way is changing every day, and IRWA is on the leading edge of professional development for our members. We are proud to serve you. Onward. ⭐

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BY JESSICA BROWN

The Culture of Our Organization

Reflections from a young entrepreneur



While planning the 2017 Region 4 Spring Forum—which was hosted by Chapter 14 in Baltimore—our Board realized we were also due to celebrate our 60th anniversary. We could not let such a milestone occur without a proper acknowledgement. So on the last day of the successful Forum, we had a beautiful dinner and program at Camden Yards. During that evening, I found myself making several observations about what it means to be an IRWA member.

Many of our active members are Past Presidents and have served in every role on our Board.

During the anniversary program, we recognized every Past President since our Chapter's inception. To my surprise, as the years became more recent, more and more of our active members were standing up for recognition. Since I became a member in 2014, I had unknowingly worked with many of our Past Presidents for various IRWA-related purposes. This is the culture of our organization. We work, we lead, and when our tenure is over, we do some more work. This is what commitment looks like. The IRWA is more than a stepping stone to a better job, promotion or more clients. The IRWA is a family that humbly works together to improve our industry, while leading the way in global real estate infrastructure.

Our seasoned members literally experienced the change from a “boys club” to an industry that heralds inclusion and diversity.

That evening, I had the pleasure of conversing with one of our most active members who is a Past Chapter President, and a mentor to many industry professionals. She recounted her experience as the only black woman in her office, new to the industry, 35 years ago. She explained that while she and her supervisor had some outward differences, he never made her feel unwelcomed or excluded. They developed a wonderful relationship that continues to this day. In fact, he's still an active member! This relationship and countless others paved the way for more women and minorities like me to join our industry and contribute to the IRWA's rich history.

Entrepreneurship is a key part of our story, and perhaps, our future.

Several of our members have recently retired and I always ask, “What's next?” Unsurprisingly, these committed infrastructure experts are often not quite ready to completely leave the workforce. Some of them have found part-time work with small businesses in our Chapter. Others are considering starting companies of their own. Since they enjoy a deep wellspring of trusted

professional connections built over the years, the transition from employee to business owner is often a smooth journey.

I am both a young professional and an entrepreneur. Joining the IRWA has been the best decision I have made in my career and my business. Over the past 3 years, I continue to be amazed by the amount of professionalism, integrity and humility demonstrated by the people in my Chapter, as well as the organization as a whole. Our 60th anniversary demonstrated to me that IRWA membership does not have to be a passing fancy or a blip on the career screen. Indeed, the culture of the IRWA is one of commitment, mentorship and continuous service. As a young professional, I am very proud to continue our traditions and contribute to our already stellar legacy. ✪



Jessica Brown is President and Owner of Fuller Brown Land Services, a right of way company based in Baltimore, Maryland. She is currently serving as a YP Representative for Region 4.



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The Impact of Social Media

With great power comes great responsibility

BY BRAD YARBROUGH

In 2003, the website Facemash was created to give Harvard students the prankish opportunity to score the 'hotness' of one another. Mark Zuckerberg, its inventor, wrote, "But one thing is certain—it's that I'm a jerk for making this site. Oh well."

From the beginning, he faced accusations of wrongdoing. Amid controversy, Zuckerberg launched Facebook in 2004. Now a social networking juggernaut, it has surpassed predictions for its potential.

Yet, as one of the most successful companies in history, it continues to face ethical challenges. These are primarily about user privacy, data collection and the control of content. Most recently the site was accused of permitting fake news reports about presidential candidates and allowing gruesome videos to be posted.

While Facebook executives grapple with internal ethics issues, our profession must also address serious concerns about its prolific use among our employees and associates. Why? Because Facebook has become a powerful "forcebook." By definition, force is the capacity to persuade or convince.

Impact on People

Consider that there are nearly two billion users worldwide with over half of them actively using the site daily. Evan Asano,

CEO of Mediakix, reported that of the two hours the average person uses social media daily, 35 minutes is on Facebook. Recently, a former Google product manager revealed that Facebook is purposely designed to produce an addictive need to use it. Mental health professionals are universally expressing concern. In 2010, Dr. Brent Conrad, a clinical psychologist who founded TechAddiction, wrote an eye opening series on the subject and lists 21 reasons why people have become obsessed with it. It's a must read for company executives.

Facebook holds countless individuals in its alluring grip. You might be one of those—or have them working in your organization. Besides distracting your employees and robbing the company of their time and focus, think about the most basic ethics threats. Users can leverage what they find to sabotage a company's reputation. They can access coworker profiles and use their preferences, beliefs and convictions against them. And if an employee videos and uploads a company-related event, a disastrous outcome can easily follow.

A Disregard for Facts

Indeed, with great power comes great responsibility. Facebook is a powerful tool, and as users and employers of users, there is a tremendous responsibility to face the ethical issues with proactive training, intervention and policy-making. That's

because it has also become a "farcebook" of sorts, with ridiculous and comical posts. The courts will need to decide the ethical culpability of Facebook and other platform providers for monitoring site content.

And users can't shrug their responsibility when it comes to checking the accuracy of items viewed and for demonstrating intelligence and wisdom in what they post. Users often show a disregard for facts, reach conclusions without credible evidence, and show an ignorance of history and the lessons learned from the past. Will this characterize their judgment in conducting company business? And what about the false stories that spread quickly and alter societal views and cultural values? Social media hastens such changes with unprecedented speed. A false narrative took a whole country captive and thrust it headlong into World War II. It proved even smart people are gullible.

Truth, honesty and integrity are hitched to the same post, and individuals who are willing to form conclusions without intelligent thought will always be subject to ethical disconnects. If committed to good ethics, Facebook can be an incredible tool in building positive relationships, making smart choices and engaging our world to make it better. Hmmm. That sounds a lot like IRWA's mission too. ☺



Brad Yarbrough is the Owner and CEO of Pilgrim Land Services, a right of way services company in Oklahoma City. With over 35 years experience in oil and gas, he has clients nationwide and an extensive network of landmen and agents.

COMING THIS FALL



2017 CONGRESS FOR GLOBAL INFRASTRUCTURE REAL ESTATE

The Congress for Global Infrastructure Real Estate will offer an exclusive opportunity to explore the energy initiatives in Mexico through informative educational discussions and valuable networking opportunities. The event will gather key Mexican government officials and international industry stakeholders to share best practices and collaborate with other thought leaders.

Keynote Speakers TBD



Confirmed

David Madero, Ph.D.

Chief Executive Officer of the National Control
Center for Natural Gas in Mexico (CENAGAS)

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BY INVITATION ONLY

An Agency Endorsement

IRWA education recognized by Utah Department of Transportation



JAMES OLSCHESKI, CET, SR/WA

Working for the Utah Department of Transportation has enabled me to work on a diverse range of crucial infrastructure projects. It has also given me the opportunity to work with some instrumental leaders—people who have really made a difference in the way we think about our role and how we envision the future of transportation.

I am also a proud member of IRWA's International Transportation Committee (ITC), a group that has taken an active role in addressing key industry issues with other transportation professionals. In April, the ITC presented its 2nd Annual Transportation Symposium focusing on the Vision of Transportation. Aptly titled "Planes, Trains and Automobiles the Next Generation," the educational event attracted more than 100 attendees to Park City Utah.

Earning Trust and Respect

Carlos Braceras, PE, Executive Director of the Utah Department of Transportation (UDOT) was one of the symposium speakers. During his 30 years with UDOT, he has helped to shape UDOT's strategic direction and its mission of innovating transportation solutions that strengthen Utah's economy and enhance the quality of life, making it one of the most respected and influential DOT's in the nation. Today, his influence extends beyond the state through his service on national and regional boards and committees, including his role as President of the Western Association of State Highway and Transportation Officials.

In his presentation, Carlos emphasized the link between our construction projects and the relationship we have with the public. "Public trust is our number one currency and when we lose this trust, our piggy bank runs empty."

He shared a personal story about one of his first projects as a young engineer, stating that he had no idea how difficult things could be until he had to take two homes. For one landowner, it wasn't about the money or why his home needed to be taken for the project. It was the reality that this was where he had raised his family. One of the door jams showed all the markings of his children growing in height over the years. This and other priceless memories would be lost forever. Hearing this, he went out to the owner's garage, grabbed a crowbar and carefully removed the door jam. The emotional impact that transportation projects have on landowners—and how right of way professionals demonstrate trust and respect—is a lesson that he still remembers vividly today.



UDOT's Executive Director Carlos Braceras, PE, stays focused on the agency's mission "To Keep Utah Moving" by implementing innovative solutions to help solve Utah's transportation challenges.

An Agency Endorsement

In addressing the need for qualified right of way personnel to help UDOT provide a world-class transportation system, Carlos made a heartfelt endorsement of IRWA's educational programs. He believes that the agency's goals are in total alignment with those of IRWA's higher purpose—improving people's quality of life through infrastructure development. Whether an individual uses the roadways or not, all the goods and services we enjoy come from the infrastructure we have today and are building for tomorrow.

The Right of Way Agent is one of the most critical pieces in this process and IRWA plays a significant role in helping to prepare professionals for doing the job effectively. Right of Way Agents are selected from the UDOT Right of Way Services and the Local Government Pool found on the UDOT website, where the requirements and qualifications are based on IRWA education and experience for each discipline that applies for any right of way consultant. In this pool, the IRWA is directly linked to eight of the 11 disciplines.

Envisioning the Future

The overarching theme of the symposium was to stay focused on the bigger picture. And the ability to deliver world-class transportation projects is dependent on successful partnerships and determining how we can best work together. UDOT's values and those of the IRWA are aligned to provide world-class infrastructure from the most qualified right of way professionals.

Building and keeping the public trust allows UDOT to deliver on its promises and continue to maintain the public's trust. This trust stems from the lessons and education provided by the Association. Like the IRWA tagline says, "Building a better world, together." 🌟



James A. Olschewski, SR/WA, is a Professional Land Surveyor and is currently the Deputy Director of Right of Way for Utah Department of Transportation. He is an IRWA Climb Certified Instructor and is the current President Elect for IRWA Chapter 38. He also holds the title of Certified Engineer Technician (CET) from the National Institute for Certification in Engineering Technologies.



The Power of Humor

A proven approach for boosting productivity in the workplace

BY CAROL BROOKS, SR/WA

While working in corporate America, I was blessed with a few great bosses. These leaders were a standout because they regularly exercised their charismatic muscle. Not only were they brilliant, they embraced an important ingredient in leadership: a healthy sense of humor. Their propensity to laughter and keeping the work environment light caused their teams to feel more secure, more trusting, and in the long run more creative and productive. These managers had the capability of dealing with tough top-

down decisions and communicating new policies that brought cohesion to the team versus divisiveness. By using their charisma, they became miracle workers in the workplace. You simply wanted to do your very best for this kind of leader.

I travel extensively on Southwest Airlines, and even though their planes aren't designed for comfort, they try to make up for it with their humor. For example, an attendant will break into a song about why so many travelers choose Southwest

“
Humor creates
an environment
for innovation
because people
are more inspired
when they're
relaxed.”

with its free snacks and beverages. You can tell that some attendants are forcing themselves to be funny. Yet, as we sit neatly squished into our teeny tiny seats, we appreciate them just for their effort. Southwest uses humor as their branding, and by doing so they create a fun corporate culture.

According to Michael Kerr, an international business speaker, President of Humor at Work and author of *The Humor Advantage: Why Some Businesses are Laughing all the Way to the Bank*, surveys suggest that humor can be at least one of the keys to success. More than 90 percent of executives believe a sense of humor is important for career advancement, while 84 percent feel that people with a good sense of humor do a better job. Another study found that the two most desirable traits in leaders were a strong work ethic and a good sense of humor.

Here are the top five reasons why humor creates a successful work environment:

1. People Will Enjoy Working With You. Let's face it. People want to work with people they like. Tasteful humor is a great way to win friends and influence people. But how can we be funny when there may be absolutely nothing to laugh about? Try being tastefully funny but not offensive. As a leader, don't allow stress to rob your sense of humor. For starters, don't take yourself seriously.

2. Humor is a Potent Stress Buster. "It's a triple whammy," says Kerr. "Humor offers a cognitive shift in how you view your stressors. It's the emotional and physical responses that relax you when you laugh."

3. It is Humanizing. Humor builds common ground. It has a way of bringing people together.

4. Humor Puts Others at Ease. Humor is a way to break through the tension barrier. Those who are able to laugh in response to a conflict are more effective because they can more quickly shift from a single mindset solution to a collaborative and collective one.

5. Ha + Ha = Aha! Since humor relieves stress and puts people at ease, it's fair to say that it leads to creative thinking. Humor and creativity enable us to observe a challenge in a new way and make new connections we've not thought about before. Humor creates an environment for innovation because people are more inspired when they're relaxed.

It's never too late to hone your leadership skills and master the art of humor in the workplace. Once you do, you will witness the evolution of creativity and success in yourself and your team. ☘



Carol Brooks, SR/WA, is owner of Cornerstone Management Skills and a well-renown author and lecturer. With 20 years experience in right of way, she is an IRWA CLIMB Certified Instructor and Vice-Chair of the Partnership for Infrastructure Professional Education. Visit www.CornerstoneManagementSkills.com.



Beginning With the End in Mind

The framework for the valuation analysis

BY KENNETH CANTRELL, MAI

Just like any appraisal, the beginning point is identifying the property to be appraised. However, when condemnation is involved, the parcel from which the taking will occur must be properly identified as the starting point.

Since the highest and best use sets the framework for the valuation analysis, the appraiser must first arrive at an opinion of the highest and best use of the property from which the taking will occur. This requires that the appraiser be able to read and understand clearly the right of way plans, cross-sections,

drive profiles and any other applicable plans. Understanding the acquisition plans as they relate specifically to the property being appraised allows the appraiser to form an opinion of whether there may be an impact beyond the part acquired.

Determining What Changed

Several years ago I appraised a multi-parcel project in the Atlanta, Georgia area that included a vacant wooded tract with a low-density residential zoning. If I had appraised

the property as a low-density residential tract, the value would have been tragically missed. Here's why: the property had recently been approved for development with a townhome complex, and the new roadway would bisect the tract. On top of that, by the time we chose an effective valuation date, site development was well underway and more development was occurring each day.

The acquisition plans and the property identification are what lead you down the road of whether it's full or partial and then the kind of impact, particularly regarding highest and best use. For example, an initial review of the acquisition plans in the townhome example suggested a simple strip take. However, clear identification and understanding of the property from which the taking occurs—known as the larger parcel—resulted in more complex issues.

In this assignment, we had to consider what changed as a result of the acquisition. The approved development's access changed—from direct access from a lightly travelled secondary road—to access from the new road alignment, which caused even more physical issues due to grade changes. Also, since fewer lots could be developed, there was a significant value impact. The physical and legal changes resulted in a highest and best use that was different from the before situation, that being a smaller less marketable townhome development.

With the townhome development take, clear communication among our office, the condemning authority, the engineer and the property owner played an essential role in identifying the impact of the take. In that assignment, agreed upon appraisal deadlines had to be flexible due to the complexity of the issues at hand. In the end, the DOT has to write a substantial check to the developer, demonstrating the scope of the take and its impact.

“ **The physical and legal changes resulted in a highest and best use that was different from the before situation...** ”

A Scientific Approach

The assumptions related to highest and best use are akin to a hypothesis. Essentially, you're following the scientific method where you need to test various components against each other.

Since the highest and best use lays the foundation for the valuation analysis, differing conclusions can result in dramatically different values. In the townhome example, the value difference between a vacant low-density tract and the value as an approved townhome development was significant.

In other instances, there could be a divergence of opinion in what could legally be developed on a vacant site with certain restrictions in place. The appraiser must understand restrictions and allowances of the parcel's current zoning, and whether any zoning conditions specific to the subject property exist.

For example, what if a zoning restriction applies to a commercial site being appraised that excludes fast food restaurants? The resulting value may be different than if this restriction did not exist. The future land use plan's impact on the property must be understood, and the probability of rezoning must be considered. These issues are typically ascertained through discussions with local planning and zoning officials.

Value differences can also result from other circumstances, but in the end, an appraiser is not an advocate. That responsibility is left to the attorneys.

In Summary

Some will say that a value is just an opinion. While that may be true, a value opinion isn't a number that an appraiser can pull out of thin air. Our opinions are based on specific market research into a specific property type, and the application of techniques, analytical tools and experienced professional judgment to arrive at that opinion of value. ⚙



Kenneth Cantrell, MAI, is a Senior Managing Director with Valbridge Property Advisors. He has expertise in valuation and eminent domain-related acquisitions, and has qualified as an expert witness in the State of Georgia and in Federal Bankruptcy Court.

THE CASE FOR CONTRACT STANDARDIZATION



BY BRENT LEFTWICH

Streamlining the process offers widespread benefits across all industry sectors

When you walk into any McDonald's around the world, you know what to expect. If you ordered a Big Mac and got a sandwich instead of a burger, you'd be confused—and probably disappointed. That consistency of product and brand is the cornerstone of the McDonald's business strategy, and one of the main reasons why it is ranked seventh on the Forbes list of most powerful brands.

So when it comes to service contracts, the right of way industry would benefit from taking a page out of the McDonald's playbook. On the face of it, the McDonald's example may seem like an oversimplification. However, in the current environment, think about this: if you asked 40 different right of way companies to provide a sample of their service contract, you'd get 40 different variations in return. You would find a similar situation if you asked a pipeline or utility company for their right of way sample contract. And even then it would be an adjusted version of an engineering or construction contract. Not exactly the right fit.

In the absence of a standardized or model right of way contract, procurement managers are using generic construction or engineering contracts when securing right of way services. Using them as a foundation for our own contracts is not benefitting any of us. While construction and engineering have similarities, they do not adequately address the complexities of the right of way industry. Additionally, specific concerns such as insurance requirements and indemnity provisions can vary from state to state. Redlining contracts can mitigate some inaccuracies, however, this is an inefficient process for both parties.

Merging Standardization with Innovation

Contract standardization has become vital to our profession, as it offers significant advantages. Unfortunately, in a world where the new and different is highly valued, the term standardization has become verboten. The concern is that standardization limits innovation.

Yet, when applied effectively, it can become a transformational driver.

Recognizing this, the Right of Way Consultants Council (ROWCC) decided to address this important challenge and take action. As an industry group comprised of 43 service companies, the ROWCC represents a wide-cross section of industry leaders and premier service providers. Since its inception, the group has worked collaboratively to develop and promote standardization in the right of way industry.

The Council believes that standardization and innovation must co-exist for all sectors of our industry. It became a priority for us to develop a standardized service contract template for the private sector. Whether we work on pipelines, transportation or electric and alternative energy projects, meeting our internal business objectives is essential to the long-term growth of the industry as a whole. Public agencies can also benefit from a more standardized personal services agreement for right of way services.



Top 10 Benefits

Standardization helps to increase productivity and efficiency, since it defines expectations, clarifies contractual terminology, increases transparency, reduces deviations and creates accountability. Adopting a standard form right of way service contract provides numerous advantages to both parties, including:

1. Cost Reduction. With the standard form contract, parties don't need to negotiate or renegotiate a new contract for each transaction, thereby lowering the overall transaction cost for both.

2. Improved Efficiency & Productivity. Standardization reduces time spent on drafting, editing and comparing contracts. It also streamlines and centralizes procurement processes and procedures. With less time required for contract development, management has more time to focus on innovation and building stronger relationships with service providers.

3. Greater Transparency. Standardization is essential to maintaining transparency, accountability, impartiality and fairness in the procurement process. It helps to prevent corruption issues such as bribery, price fixing and the awarding of contracts without competitive bidding.

4. Addresses Key Issues. When contracts are adapted from previously used general contracts, the potential is high that important issues will be missed. The ROWCC standard form contract is thorough and addresses virtually any issue that is likely to arise in a right of way project.

5. Streamlines the Comparison Process. The standard form contract makes it easier for procurement managers to compare contracts because they do not need to familiarize themselves with a variety of alternative contracts. When everyone conforms to



...focusing on the similar and the shared can provide a strong platform for innovation, scalable transformation and growth.



the same language, differences are clearly delineated.

6. Ensures Uniform Language.

The standard form contract provides greater certainty regarding the definition of right of way industry contractual terms. When an industry standard document is widely used, the contract terms are generally well understood by all parties involved. This creates fewer misunderstandings. Also, a commonly accepted contract will be interpreted similarly by the court should a contract dispute arise.

7. Scalability. Adopting an industry standard form contract allows for faster and more efficient reuse of the documents and language for future contract cycles, regardless of project size or scope.

8. Risk Mitigation. When utilizing the standard form contract, right of way service companies cannot be held to requirements or provisions that do not apply to our industry. From a client company perspective, procurement managers can better ensure all legally required elements of the contract are satisfied.

9. Automation. For both parties, standard form contracts are more readily integrated into enterprise contract management systems. Procurement teams that encourage closer alignment between sourcing and procurement ensure better

compliance to contract terms and conditions by both parties.

10. Contract Compliance.

Confirming that procurement and purchasing managers are utilizing industry-approved contracts significantly enhances their ability to ensure compliance with all terms of the contract for all parties involved.

Keys to Project Success

Many organizations think about standardization as a necessary evil, with the benefits limited to cost reduction and efficiency. However, the ROWCC believes that focusing on the similar and the shared can provide a strong platform for innovation, scalable transformation and growth.

Utilizing the ROWCC standard form right of way services contract can be the key to a successful project. By establishing the expectations, requirements and the rights and responsibilities of both parties from the outset, it offers numerous advantages for both parties while raising the industry's level of professionalism across the board.

Although our overall goal is to see all pipeline companies, electric and utility companies and public agencies commit to utilizing this standardized contract, we recognize that this could take some time. Our hope is that all right of way companies and agencies will thoroughly

examine their current contracts and contracting practices. At a minimum, we encourage the adoption of the most vital and mutually beneficial sections of the model contract for the greater good for all parties to the contract.

The Right of Way Consultants Council was created out of a desire for professionals in the right of way consulting industry to exchange ideas and information efficiently and to develop and promote standards for the industry. The ROWCC Standard Form Right of Way Services Contract, along with the ROWCC Standardized Right of Way Job Titles, is available to all Council member companies to share with their clients. To learn more, visit www.rowcouncil.org. ★



Brent Leftwich is the CEO & President of Contract Land Staff, LLC, one of the nation's leading consulting companies. He has over 38 years of experience in the oil and gas, real estate, pipeline, utility, transportation and telecommunication industries. Contract Land Staff is one of the founding members of the ROWCC.



TURNING IDEAS INTO ACTION

Getting America fit for the future

BY ETHEL NAVALES

It was a cold, gloomy morning in January and for the third day in a row, I was driving through heavy rain to get to work—a rarity here in California. As if anticipating my complaints, the radio host reminded listeners that this gloomy weather should make us smile. After all, thanks to this non-stop downpour, we were finally seeing the end of the state's infamous drought. But before the host could finish the report, his words were interrupted by the *thud* of my car running over a pothole. Just minutes later, a traffic jam formed in front of me as cars slowed and swerved to avoid another hole. Even as I turned into the office parking lot, I was rattled with a third *thud*. Needless to say, it was getting harder to smile.

This past winter, California received its highest amount of rainfall in 122 years. And while we rejoiced the end of the drought, the damage caused by the downpour was unsettling. According to Greg Spotts, Assistant Director for the City of Los Angeles Department of Public Works, the number of pothole requests tripled during the January rainstorms. Northern California's Bay Area saw hundreds of potholes and even sinkholes. Officials claim it was an unprecedented worsening of the already crumbling roadways. Simply put, our infrastructure was not prepared to take on the weather.



“A really good road in a rainy winter can deal with it,” said Randy Rentschler, spokesman for the Metropolitan Transportation Commission. “But a poorly maintained, alligator-cracked road can’t deal with being dumped on for three months.”

A Comprehensive Assessment

After a winter of watching the roads literally crumble, I was not surprised when the United States received a D+ grade on the 2017 Infrastructure Report Card released just a few months later by the the American Society of Civil Engineers (ASCE).

Founded in 1852, ASCE is the nation’s oldest engineering society, with over 150,000 members dedicated to advancing the science and profession of civil engineering. And for nearly two decades, the ASCE has released an Infrastructure Report Card every four years, assigning grades based on capacity, condition, funding, future need, operation and maintenance, public safety, resilience and innovation.

The 2017 Report Card not only sheds light on America’s infrastructure, it goes into the specifics of our weaknesses and most importantly, it offers solutions.

With a cumulative D+ GPA—largely unchanged since the previous report in 2013—America once again falls into the “Poor, At Risk” category. According to the ASCE, a D grade symbolizes infrastructure approaching the end of its service life. There is significant deterioration and a strong risk of failure. Of the 16 infrastructure categories, America’s grades ranged from a B for Rail to a D- for Transit. Though we have been taking some necessary steps toward progress, especially with investment, it is clear that we have not done enough.

2017 INFRASTRUCTURE REPORT CARD

Over the last four years, several infrastructure categories showed progress, resulting in grade increases. However, the 2017 Report Card's cumulative GPA of D+ reflects the significant backlog of needs facing our nation's infrastructure. Underperforming, aging infrastructure remains a drag on the national economy, and costs every American family \$3,400 a year.

	AVIATION	D		PARKS & RECREATION	D+
	BRIDGES	C+		PORTS	C+
	DAMS	D		RAIL	B
	DRINKING WATER	D		ROADS	D
	ENERGY	D+		SCHOOLS	D+
	HAZARDOUS WASTE	D+		SOLID WASTE	C-
	INLAND WATERWAYS	D		TRANSIT	D-
	LEVEES	D		WASTEWATER	D-

But rather than focus on our grade, we may benefit from noting that out of 16 infrastructure categories, seven showed improvement from four years ago. They included Inland Waterways, Levees, Ports, Rail, Schools, Hazardous Waste and Wastewater. This clearly demonstrates that when project solutions are approved and implemented, we can affect a positive change.

Budget Plan Concerns

Unsurprisingly, Americans have been in agreement with the urgency of this issue and have been anxiously awaiting more details about President Trump's proposed \$1 trillion investment in infrastructure. But when the Administration released the fiscal year 2018 budget proposal in May, it was met with mixed reviews.

The budget proposes \$200 billion in federal spending on infrastructure over the next decade. This amount concerns those who were hoping that the federal government would spend much more on infrastructure, as well as those who wanted more details about where exactly the money would go. The Administration responded by saying that the \$200 billion will spark the promised \$1 trillion in new investments, and Transportation Secretary Elaine Chao assured the press that while the "main key principles" were released, the Administration expects to unveil more details in the near future. Other causes for concern include the cuts to existing infrastructure programs, as well as the reevaluation the federal government's role in infrastructure investment.

The ASCE points out that even in the best-case scenario, our current efforts do not come close to the \$2 trillion that infrastructure actually needs. But the report goes on to state, "The good news is that closing America's infrastructure gap is possible if Congress, states, infrastructure owners, and voters commit to increasing our investment."

An IRWA Reality Check

With every Infrastructure Report Card, the ASCE provides comprehensive solutions to improving and restoring America's infrastructure. **(For proposed solutions, see the blue boxes on pages 25, 26 and 27.)**

To see how realistic these solutions are for raising the grades, we interviewed several of IRWA's industry committee representatives to get a right of way perspective.

Realization That Water is Life

Janella Cordova, Project Manager for Overland Pacific & Cutler, Inc. and Chair of IRWA's Electric and Utilities Committee, believes public-private partnerships is the solution with the most immediate impact to our energy markets and will allow us to hit our energy renewable goals. But, water infrastructure stands out as priority. "Being from the desert of Southern California, water and its infrastructure are a key component to the continued success of one of the largest markets in the world," says Janella. "Continuous droughts have wreaked havoc on the ground water basins and although we have received some recent rainfall it has not been consistent or sufficient to recharge

these basins. We need to prioritize groundwater recharge projects. Water is life."

Remove Cost-Prohibitive Restrictions

As it applies to the midstream oil and gas pipeline industry, Brian Green, R/W-RAC, Enable Midstream Partners, thinks it's all about balance. As Chair of IRWA's International Oil & Gas Pipeline Committee, he says, "Opposition by all sorts of groups is making investment in needed oil and gas infrastructure very expensive. It creates delays that endanger the economic viability of the project. These groups seem to be gaining strength and at times have been emboldened by local, state, federal and judicial opinions and actions to the point of making infrastructure development difficult and cost prohibitive. I am not sure what the solution is other than a more informed approach by our local, state, federal and judicial agencies that address bona fide concerns without the delays and cost prohibitive restrictions we have seen in recent years. These agencies have to understand the critical need for the infrastructure and the fact that it will not occur without economic justification for the parties building it."



A train reportedly carrying vinyl chloride was derailed in Paulsboro, New Jersey in November 2012 after the railway bridge crossing Mantua Creek collapsed. The derailment prompted a multiagency emergency response.

PROPOSED SOLUTION

INVESTMENT

To achieve an infrastructure system fit for the 21st century, ASCE outlines specific steps that must be taken, beginning with increased, long-term, consistent investment. To continue to delay such investment only escalates the costs and risks of an aging infrastructure. To close the \$2.0 trillion 10-year investment gap, meet future need and restore our global competitive advantage, we must increase investment from all levels of government and the private sector. This investment must be consistently and wisely allocated, and must begin with the following steps:

1. **Put the "trust" back into "trust funds."** Dedicated public funding sources on the local, state, and federal levels need to be consistently and sufficiently funded from user generated fees, with infrastructure trust funds never used to pay for or offset other parts of a budget.
2. **Fix the Highway Trust Fund by raising the federal motor fuels tax.** To ensure long-term, sustainable funding for the federal surface transportation program the current user fee must be raised and tied to inflation to restore its purchasing power, fill the funding deficit, and ensure reliable funding for the future.
3. **Authorize and fund programs to improve specific categories** of deficient infrastructure and support that commitment by fully funding them in an expedient, prioritized manner.
4. **Infrastructure owners and operators must charge**—and Americans must be willing to pay—rates and fees that reflect the true cost of using, maintaining, and improving infrastructure.

LEADERSHIP & PLANNING

The ASCE report emphasizes that smart investment will only be possible with leadership, planning and a clear vision for our nation's infrastructure. Leaders from all levels of government, business, labor, and nonprofit organizations must come together to ensure all investments are spent wisely, prioritizing projects with critical benefits to the economy, public safety and quality of life, while also planning for the costs of building, operating, and maintaining the infrastructure for its entire lifespan. To do so, we must:

1. **Require all projects greater than \$5 million that receive federal funding use life cycle cost analysis** and develop a plan for funding the project, including its maintenance and operation, until the end of its service life.
2. **Create incentives** for state and local governments and the private sector to invest in maintenance.
3. **Develop tools to ensure that projects most in need of investment and maintenance are prioritized**, to leverage limited funding wisely.
4. **Streamline the project permitting process** across infrastructure sectors, with safeguards to protect the natural environment, to provide greater clarity to regulatory requirements, bring priority projects to reality more quickly, and secure cost savings.
5. **Identify a pipeline of infrastructure projects attractive to private sector investment and public-private partnerships.** ASCE recognizes civil engineers' unique leadership role in addressing our infrastructure challenges. ASCE issued its "Grand Challenge," a call to action for the entire civil engineering profession to increase the value and capacity of infrastructure and increase and optimize infrastructure investments by transforming the way we plan, deliver, operate, and maintain our nation's infrastructure.

Get Solutions Off Paper

Sheila Mills, SR/WA, R/W-NAC is the Vice President and Director of Right of Way for H.W. Lochner, Inc., and Chair of IRWA's International Transportation Committee. "While the ASCE suggested solutions seem realistic and valid, in reality, I believe many of these same recommendations are a continual repeat from past years with no definite action or funding in place to be successful," says Sheila. "In other words, the solutions are solid, but we need the support and expertise of the right leadership to get the solutions off paper and implemented. Some may have the necessary funding to be implemented, but without a continual supply of funding, it will be difficult to sustain those plans."

Sheila believes that raising the fuel tax could have one of the greatest impacts. "The last fuel tax increase was in 1993. We have gone without an increase for 24 years, so let's compare that to business as we know it. If a right of way services provider kept the same fixed fees—with no consideration for rising costs, employee benefits or inflation for 24 years—would they still be in business today? Odds are they would not. So why would we think our Highway Trust Fund would remain self-sufficient with no fuel tax increases?"

Having worked for the Texas Department of Transportation for 28 years before retiring and moving into the private sector, Sheila is a strong proponent for private sector investments and public-private partnerships.

Get Proactive and Take Action

IRWA's International President Jerry Colburn, SR/WA, R/W-RAC, responded to the ASAE report by saying, "America's infrastructure is the backbone of our economy, health and safety. The taxpayers of our country are paying for so many things that are not necessary and border on ridiculous. We need to get our priorities straight. America has the money to fix the

infrastructure—we're just spending it on other things."

Jerry agrees with the ideas presented by ASAE, but believes the execution is lacking. He questions whether Americans are really willing to pay for the true cost of what it takes for our infrastructure to function well. And even if it was funded, he wonders how likely is it that we can implement the investment-related solutions. "The solutions with the greatest impact are in the area of reducing permitting and environmental requirements to compress the time it takes to deliver a project. The Carlsbad, California desalination plant took 17 years to come on line. California just came out of the worst drought in 1,200 years, so water projects have become increasingly important. If it takes 17 years to build a desalination plant, we are in trouble. Our role is to educate our citizens. We can no longer expect the low cost of enjoying our infrastructure. We take our comfort for granted. Freeways might not always be free."

Jerry also believes that private sector dollars are essential for the future of infrastructure in the U.S. "They work and allow our government to leverage their dollars and put them to work," he says. "But it seems like we wait for disaster to strike before we react. We have bridge collapses, failing dams and pipeline explosions that get our attention—and then we take action. Get proactive, America! Invest in our backbone! It is going to take bold steps by our government to attract the private money that will rebuild our crumbling infrastructure."

Time For Continuous Focus

Matthew Harris, SR/WA, R/W-RAC, who works for the Mississippi Department of Transportation and is Chair of IRWA's International Public Agencies Committee says, "In order to solve concerns, there must be continuous focus and effort in seeing matters getting resolved. The likelihood of implementing the investments and achieving the related solutions starts and ends with us doing something. Private sector investments

PREPARING FOR THE FUTURE

According to ASCE, we must utilize new approaches, materials, and technologies to ensure our infrastructure is more resilient—to more quickly recover from significant weather and other hazard events — and sustainable—improving the “triple bottom line” with clear economic, social, and environmental benefits.

1. **Develop active community resilience programs for severe weather and seismic events** to establish communications systems and recovery plans to reduce impacts on the local economy, quality of life, and environment.
2. **Consider emerging technologies and shifting social and economic trends**, such as autonomous vehicles, distributed power generation and storage, and larger ships when building new infrastructure, to assure long-term utility.
3. **Improve land use planning at the local level** to consider the function of existing and new infrastructure, the balance between the built and natural environments, and population trends in communities of all sizes, now and into the future.
4. **Support research and development into innovative new materials, technologies, and processes** to modernize and extend the life of infrastructure, expedite repairs or replacement, and promote cost savings.

<https://www.infrastructurereportcard.org/>



In February 2017, damage to the Oroville Dam's main spillway caused the evacuation of more than 180,000 people living downstream.

are needed in order to build new and improve existing infrastructure. For IRWA and the industry as a whole, the solution requires that we be very proactive in every way to ensure the safety of all who are involved.”

Establish Framework for Managing Assets

Brian Taylor, SR/WA, R/W-AC, AACI and Chair of IRWA's Asset Management Community of Practice has a different point of view. “The solutions are realistic, but they are not short term. A number of them require significant changes in order to implement, such as funding structures, approval processes and evaluation methodologies, none of which can or should be changed too quickly. At the same time, infrastructure is a long-term asset. Though it will likely take a decade to implement some of these changes, considering the century-long lifespan of some of our infrastructure, is ten years really that long?”

In terms of what can be easily implemented, Brian cites toll roads and access fees for national parks, where users already pay to use the amenity. “The next step would be to increase

these fees gradually to reflect some of the actual cost of operation,” he says. “An increase in the motor fuels tax is one of the easiest changes to make. Most people do not really understand the cost breakdown of gas. They might not even notice the day-to-day impact of an increase. Yet, because of these reasons, changes to these hidden taxes need to be scrutinized heavily and monitored closely.”

Brian suggests a regular and realistic assessment of the condition of current assets, along with an analysis of the current and future needs of the organization. Often times, once an asset is acquired or built, major capital repairs are postponed. When it is finally addressed, the deferred maintenance has exponentially increased the cost. “Several governments around the world have been looking at the overall management of their assets, creating broad review requirements and establishing framework policy for managing those assets. Investing in federal funding across infrastructure — instead of tying it to specific departments—would be a good first step,” says Brian.



Cars rest on the collapsed portion of the I-35W Mississippi River bridge after the August 2007 collapse in which 13 people were killed and 145 were injured.

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**Right of way
 professionals
 garner a unique
 perspective
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 citizen.**
 ”

Moving Forward

While we have certainly made some progress in recent years, we still carry the weight of decades of underinvestment in our infrastructure. Reversing this will require major action from all facets of the American government and the American people.

Janella believes that IRWA can play a key role in this progress. “Right of way professionals garner a unique perspective on how infrastructure projects affect the individual citizen. IRWA can focus on this boots-on-the-ground perspective to connect with leaders outside of the right of way industry. IRWA can reach out to government agencies, political leaders and market innovators.”

Sheila agrees saying, “Globally speaking, I think it begins with selecting the right leadership to develop and implement a plan of action followed by the necessary support from our world leaders to move it forward. Within IRWA, we are fortunate to have a tremendous amount of great people in leadership roles ready and willing to share ideas and help lead those efforts. Our

challenge may be getting in front of the right focus group to be heard.” Sheila continues, “Our Association’s leadership recognizes the need for our industry experts to be more actively involved. I believe IRWA is already reaching out to other agencies and firms like ACSE to offer support and areas of expertise. I think this is a great start, and I am looking forward to seeing the results of those efforts. I would encourage anyone that has a remote interest and the knowledge and expertise to step up and volunteer.”

Infrastructure is the foundation that connects our businesses, communities and people. It improves our quality of life and ensures our public health and safety. As the ASCE points out, now is the time to renew, modernize and invest in our infrastructure. As evidenced by our current grade, our nation’s infrastructure challenges are significant—but solvable. Through strategic investment, bold leadership, comprehensive planning and careful preparation for the needs of the future, America’s infrastructure can be improved and restored. ✪

For more information, please visit www.infrastructurereportcard.org



Ethel Navales is the Associate Editor of Right of Way Magazine.

ONLINE LEGAL RESOURCES FOR APPRAISERS

Researching legal decisions is easier
and more accessible than ever

BY PETER CHRISTENSEN

Appraisers who provide right of way services often pose interesting legal questions. For instance, an appraiser hired as an expert witness for a landowner might ask, “Are there any recent cases about appraisal opinions for condemnation based on surveys of public reaction to property conditions—like a pipeline running under a property?” And sometimes the questions are about more everyday concerns: “Is an employee appraiser in my firm exempt from overtime pay?”

Indeed, there are useful cases that address these kinds of questions—and virtually every other legal topic. But how do you find them—for free? Until recently, researching legal decisions was something only done by lawyers, paralegals and law librarians using expensive databases like Westlaw, Lexis or arcane legal research books. The internet, of course, has changed everything. While Westlaw and Lexis remain a key part of a lawyer’s toolkit and provide deep resources for a price, alternative online tools are now available for everyone to use.

In my work, I have found three excellent—and free—legal research sites that appraisers, particularly those practicing in the right of way field, may find useful.



“ UNTIL RECENTLY, RESEARCHING LEGAL DECISIONS WAS SOMETHING ONLY DONE BY LAWYERS, PARALEGALS AND LAW LIBRARIANS... ”

Google Scholar

(<http://scholar.google.com/>)

Google Scholar is more than a legal database. First released in 2004, it indexes more than 150 million academic books, articles, conference papers and other scholarly literature. Its legal database is equally encompassing and gives users access to virtually every published federal district court, tax and appellate decision since 1923 and state appellate cases since 1950. The key feature for non-lawyers (and for some lawyers too) is that searches are made using plain English. Another useful feature is that it can show whether a case you're looking at has been cited by other cases. So if you've just found an interesting case about the use of survey information by expert witnesses, you can see if other judges have cited that case and discussed the concept as well. How might the right of way appraiser with the question about appraisal testimony based on survey information use Google Scholar? In this situation, let's say he's been hired by a rural property owner's attorney in a case involving a gas pipeline easement. Part of his assignment is to determine severance damages to the remaining property after the take. He's wondering if he can conduct a telephone survey of people in the area to determine their perceptions of the impact on value of a pipeline running under or near a property. Or perhaps he can rely on existing surveys conducted by academics. In Google Scholar, he can run a search for "telephone survey, appraiser, expert witness and condemnation" and the results will include about 20 potentially relevant cases. Reading several of the cases will likely impact the decision to develop valuation opinions based on survey data.

The search results will include cases that have considered the use of telephone surveys as a basis for severance damages. In one such

case, *Hoekstra v. Guardian Pipeline, LLC*, a Wisconsin appellate court considered a trial court's decision to exclude appraisal expert testimony based on survey information. The trial court had ruled such testimony was not permissible because comparable sales data existed, but the appellate court reversed holding that the appraisers properly could rely on surveys in developing their opinions, provided that they establish a nexus between the survey results and the specific subject property.

Another case that turns up in the result is *Exxon Mobil Corp. v. Albright*, which was decided under Maryland law but was not a condemnation case. Instead, it considered appraisal testimony relating to the valuation of properties affected by gas leaks from underground storage tanks. In this case, the Maryland appellate court reached the opposite result as the appellate court in Wisconsin, ruling that valuation testimony based on a survey was not admissible (and reversing a \$1.5 billion trial verdict) because comparable sales information was actually available to the appraiser. The Maryland court offered the following instruction that appraisers relying on surveys should consider:

[A] real estate appraisal expert must proffer a reasonable justification for ignoring market data where it is available. Here, there was ample actual market data from which a valuation opinion (baseline or otherwise) could have been made, had [the landowner's appraisal expert] chosen to use it. . . . to discard market data, [the landowner's appraisal expert] had to provide a reasonable justification explaining the unsuitability or unreliability of the comparable sales data.



For researching the law of a particular state or jurisdiction, the Georgetown Law online guide may be the best place to start.

So, the bottom line is that the door may be open to survey evidence but it's a door that must be opened carefully. It's likely a subject that merits a discussion with the attorney who hired the appraiser before proceeding too far so that the attorney can determine specific admissibility and probative value in the state in which the property is located.

Justia Dockets

(<https://dockets.justia.com/>)

Founded by two Harvard Law School JDs, the high-tech company behind the Justia Dockets site is idealistic. They seek to "advance the availability of legal resources for the benefit of society." It's a profit-making company that earns revenue by providing online marketing for law firms. Justia Dockets enables users to search recent federal court filings by party name, case type, date range and jurisdiction—and it's updated daily with new case filings.

Since the site allows users to search by both partial party name and case type, it is a useful tool for finding cases involving specific subject matters. For example, by searching for "pipeline" as part of a party name and for a case type of "land condemnation," I found 20 federal condemnation cases filed this year involving pipeline companies.

The appraiser/firm owner with the question about whether an employee appraiser in her firm was exempt from overtime might do a search in Justia Dockets for a partial party name of "appraisal" and for a "labor" case type. That search would yield a case entitled *Boyd, et al., v. Bank of America, et al.*, in which a Central District of California judge wrote an extensive opinion explaining that staff-level appraisers (residential appraisers in the case at hand) were not exempt from overtime. The case ultimately resolved in a \$36 million overtime settlement in favor the staff appraisers employed by Bank of America's subsidiary Landsafe Appraisal.

Georgetown Law Library's Research Guides

(<http://www.law.georgetown.edu/library/>)

Finally, the scope of legal research regarding the case and statutory law of our federal and state legal systems is so vast that there are research guides about research resources. In my opinion, if you need to research the law of a particular state or jurisdiction and don't quite know where to start, your best guide is the online research guide created by the Georgetown Law. On this site, you'll find a state-by-state presentation of the different legal research resources available to find applicable cases or statutes within a specific state.

Overcoming the Challenges

Right of way professionals work in a field filled with interesting situations and challenging legal problems. Today, it is easier than ever to access free legal research resources that may help lead you to some viable solutions, or at least, to some rather interesting reading. 🌟

References

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Exxon Mobil Corp. v. Albright, 71 A.3d 30 (Md. Ct. of Appeals 2013).



Peter Christensen is General Counsel for LIA Administrators & Insurance Services and has been an attorney since 1993. LIA has been offering errors and omission insurance to the appraisal profession since 1977.



MAKING A VITAL IMPACT

CLIMB instructors—teaching *and* learning—with purpose

BY DEIDRE ALVES, M.ED.

Held in the beginning of May, CLIMB 3 marked the culmination of IRWA's Jubilee Year of Instructor Development. But the story of our amazing Instructor Development Program has just begun!

As part of the Partnership for Infrastructure Professional Education's fiscal year commitment to IRWA, we have ambitiously and successfully executed three CLIMBs. The first was held in Los Angeles, California for instructor recertification, the second was held in Dallas, Texas for new instructors and the final CLIMB—held in Minneapolis, Minnesota—presented another opportunity for instructor recertification.



WORLD-CLASS FACULTY

I am proud to say that we now have a world-class CLIMB Certified instructor faculty who are all at baseline instructional standards competency, trained in leading-edge teaching methods, and poised and ready to make an amazing impact on our students and our infrastructure industry. And I am pleased to report that we celebrate this extraordinary achievement with a total release of 139 CLIMB Certified Instructors. This robust and dynamic group will retain this prestigious IRWA faculty standing through July 1, 2022—working toward fulfilling our purpose of improving the quality of life through infrastructure development...and IRWA education.

This remarkable achievement represents the combined efforts, talents and steadfast commitment from a number of dedicated individuals. First, we would not have had such an amazing outcome without our outstanding instructor students who had the courage to make the IRWA CLIMB and tackle the “Khumbu,” our Team Challenge and Assessment for the CLIMB. Second, we have our honorable IRWA leadership to thank, currently helmed by Jerry Colburn, SR/WA, and formerly by Mary Anne Marr, SR/WA, as well as our CEO Mark Rieck who encouraged, supported and entrusted us with the important responsibility of nurturing and cultivating these extraordinary individuals.

A SPECIAL ACKNOWLEDGEMENT

Teamwork and collaboration are what make our programs so successful. We would like to give a special acknowledgement to our ingenious Partnership—Chair Tami Benson, SR/WA, and Co-Vice Chairs Carol Brooks, SR/WA, and Janet Walker, SR/WA, who delivered and executed the program with great success. And a special thanks to our IEC Liaison Jeff Jones, SR/WA, who rolled up his sleeves to help every time with enthusiasm and heart, proving no job was ever too large or too small. Finally, I would like to acknowledge Headquarters staff Amir Vafamanesh and Carlos Gonzalez—an amazing duo who exemplifies the word excellence.

As we successfully close our Jubilee Year of Instructor Development and launch our next year of Instructor Development—The CLIMB Acceleration Year—here's to the faculty and students of IRWA University.

CLIMB is special, CLIMB is courage, CLIMB is purpose.
CLIMB is all heart.

Congratulations to the CLIMB Class of 2017!

I would like to extend my congratulations to the IRWA's 139 CLIMB Certified Instructors. The IRWA Instructor Development Program has completed the initial round of CLIMB presentations with CLIMB 3 in Minneapolis. It has been exciting to watch these 139 industry professionals as they utilized the CLIMB tools and techniques throughout the class. I have also seen the CLIMB tools shared on social media by students, course coordinators and instructors. Needless to say, this program will bring a great positive interaction between the instructor and the students. #climbhigh

- Jeff Jones, SR/WA



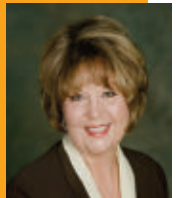
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With each CLIMB we discovered what an amazing and dedicated group of instructors we have. We definitely pushed the limits with a boot-camp intensity, and I'm pleased to say that our instructors pressed on with patience and passion. We witnessed eagerness among them to become learning leaders—

instructing classes where the student is involved and at the center of the experience. We are confident that all of IRWA's CLIMB certified instructors will positively change the learning experience for all of their class participants.

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-Tamara Benson, SR/WA



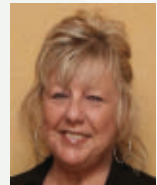
Deidre's team leadership and passion for education stood out front and center the whole time. A special acknowledgement to Tami Benson, who provided exceptional instruction for the course and whose leadership of the PIPE team, in conjunction with Carol and Janet, bodes well for the future of the IRWA University and the complement of well-trained, qualified instructors.

-Sandy Grigg, SR/WA



The CLIMB was absolutely amazing. It was definitely an inspirational experience. I recently spent 2 days in training for the Appraisal Institute Standards, and this just reinforced how wonderful it is to have interactive learning. (That was the longest two days ever—with the Instructor just talking the whole time!)

-Colleen Brown



We left the CLIMB with a toolbox full of choices to empower us to teach, assess, check for understanding and relate to the students that will be in our class. I feel that each person that attended the CLIMB (if they elect to) gained new knowledge about relating to their co-workers, peers and clients. This experience was priceless if embraced with a positive attitude.

-CLIMB 2 Student Testimony

CLIMB was such an eye-opening experience! Working behind the scenes—setting up the technology and overseeing logistics—allowed me to observe what an inspiring group of instructors we have in IRWA. I know they will go on to use what they've learned from the CLIMB and thrive.

- Carlos Gonzalez



Thank you all for your hard work putting on the CLIMB session in Minneapolis. Your tireless efforts were evident in the quality of the experience. I confess I was an early doubter of its value, but was won over by the quality and content of the class. Again, thank you all for an enriching two days!

-William Busch, SRWA



I think these teaching methods provide an excellent environment for students to learn and retain what they have learned. During this entire training everyone was totally engaged and showed an openness and willingness to learn. IRWA CLIMB ROCKS!!!

-CLIMB 2 Student Testimony

"I want to give back." That was the phrase echoed by many of our 139 newly CLIMB Certified Instructors when asked why they were there. They were ready to set out of their comfort zone, and CLIMB is where they would discover over 20 innovative learning techniques for ensuring successful knowledge transfer and application. They make even the densest material come alive. And the more an instructor blends these tools into their teaching, the more likely students will be able to retain that information and apply it in their own jobs. I've never been around a more passionate and dedicated group! This recent CLIMB not only inspired me, it emphasized the role that IRWA plays in helping our instructors empower their students with the knowledge needed to do their jobs more effectively. Essentially, it's all about building a better world together.

-Amir Vafamanesh





COMMERCIAL **DRONE** APPLICATIONS

Leveraging the technology for the good of the industry

BY KIRK MCCLURKIN

Over the past few years, drone usage has gained in popularity, especially in the area of surveying and aerial mapping. And despite the controversy over airspace rights, the commercial applications of this technology continue to expand.

In 2014, Woolpert became the first surveying and aerial mapping company to be approved to fly an unmanned aircraft system (UAS), or drone, commercially in designated airspace, earning a Federal Aviation Administration (FAA) Section 333 Exemption. As an architecture, engineering and geospatial firm, we secured this exemption believing it would enable us to use drones in multiple industries. As one might expect,



it took a few years for these plans to come to fruition—and for the commercial applications of this technology to benefit the firm and its clients.

Regulatory Compliance

We began our foray into the UAS field by conducting research, testing vehicles and educating our staff. While refining industry applications, we recognized the importance of building partnerships with educational

institutions and state agencies, as well as working within the burgeoning rules of the FAA specific to commercial drone use.

“Because of our history and expertise in aviation design and planning, we’re able to safely and appropriately integrate our use of UAS into sites that are often restricted,” said Thomas Mackie, Woolpert Vice President and Aviation Practice Leader. “We’re also able to help our airport clients learn to use UAS to improve their operations—from

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...INFORMATION
CAN BE USED
TO PREDICT
AND PREVENT
LANDSLIDES,
AND WE
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PROTECT THE
PUBLIC, OUR
INDUSTRIES
AND OUR
RESOURCES.”

wildlife management to perimeter security surveillance to emergency response to facility inspections.”

Our teams are currently working on multiple UAS projects, such as creating high-resolution structural representations of locks and dams, performing pipeline inspections, digitally preserving historic bridges and monitoring construction design for airport runways. In addition to design and planning work, we have provided geospatial services for nearly 2,000 airports. This has helped our team to fully understand the regulations and constraints specific to that environment.

Applications for Natural Disasters

For one UAS project, the Michigan Tech Research Institute (MTRI) hired us to evaluate imagery of haul

roads throughout the Midwest. The data collected for the project, sponsored by the U.S. Department of Transportation's Office of the Assistant Secretary for Research and Technology, was being used to test a set of algorithms developed by MTRI. To help commercialize computerized analysis and assessment of unpaved roads, Michigan Tech uses algorithms to detect potholes, rutting and other damage through high-resolution imagery and 3D point clouds. Once it's all combined, this data is intended to be used to assess and address unstable roads.

When northern West Virginia began experiencing historic rains, we dispatched crews to monitor landslides and potential landslide areas. There is value in collecting imagery before, during and after a landslide because we can better



UAS pilots use an unmanned aircraft system to monitor the construction phase of a 500-foot runway extension at the Paoli Municipal Airport in Indiana.

understand the mechanics of these natural disasters from the resulting data. Then this information can be used to predict and prevent landslides, and we can better protect the public, our industries and our resources. UAS is ideally suited for smaller, more rural sites. It's safer and more cost-effective than flying individual manned missions, and in many cases, we can turn around the imagery in 24 hours or less.

Access to this terrain can be challenging, especially during an active weather time, and viewsheds from ground level can be blocked due to overgrown vegetation. UAS gives us a tool to get as close as possible to these remote and often unstable areas in a quick and safe manner. As part of this project, our team collected high-resolution aerial imagery via UAS and quickly generated 3D data after a slope failure on a recently developed parcel of land.

Pilot Certification

When the UAS pilot certification was first made public by the FAA in 2016, Aaron Lawrence, Woolpert's GIS Expert and UAS Technology Manager, was one of the first to earn the UAS license. Seeing the long-term benefits, in early 2017, seven more employees were certified as UAS pilots. The UAS pilots have really extended the firm's versatility in collection methods and enable us to use a lone unmanned pilot or employ manned pilots in concert per FAA mandates.

According to Lawrence, what is beneficial about this group of UAS pilots is that they represent a wide swath of industries and capabilities. "All of our UAS pilots are subject matter experts in a variety of capacities. Looking at UAS from different points of view helps us identify new applications for this medium," he said. "For example, having a lidar technician



Well-suited to small collection areas and those that need to be regularly flown, UAS makes it possible to collect detailed spatial data over locations that are dangerous or inaccessible.

flying a UAS offers a different perspective than someone with a design background. We're leveraging our extensive, diverse industry experience to adopt alternative methodologies for UAS collection."

On the Horizon

Dr. Qassim Abdullah, a Senior Geospatial Scientist and Associate at Woolpert, said Woolpert's research has focused—and will continue to focus—on the best practices for achieving and validating survey-grade accuracy from UAS-derived products. Abdullah helped develop the most recent Positional Accuracy Standards for Digital Geospatial Data for the American Society for Photogrammetry and Remote Sensing.

"We're leading the industry in investigating and setting this UAS accuracy standard, and continue to educate others through workshops, presentations and publications," Abdullah said.

Looking ahead, the firm plans to incorporate this data into virtual reality and add first-person view into its UAS capabilities, allowing an operator or an engineer to direct the movement of the cameras by

simply turning their head. Lawrence said the firm is continuing to evolve what it can achieve with this and a variety of mapping methods. "We are known worldwide for our mapping capabilities. By increasing our fleet of UAS pilots, we can more expansively apply this expertise," said Lawrence. "It's all about what tool in the toolbox to use to meet the project specifications, and do it in the most cost-effective manner." ★



Kirk McClurkin is Geospatial Technology Director for Woolpert, where he specializes in delivering GIS and IT solutions for public and private sectors. With 25 years of experience, he has led projects in municipal planning, transportation, engineering, public utilities/public works, photogrammetry and surveying/GPS.

RECLAMATION OF THE LAND



Seizing an opportunity to change public perception

BY COLBY F. SCROGGINS

As oil and gas projects are moving ahead at a faster pace—and with greater public awareness than ever before—we are seeing a unique opportunity arise. In the well sites and pipelines constructed, we can take advantage of this opportunity by improving the landscape and ecology beyond what it was before the construction. After all, how we finish these projects will be seen for many years to come.

“Why bother? Nothing grows here anyway.” This is a comment I have heard countless times over the last six months. My response? Let’s fix that... or, at the very least make the effort to help those involved become successful. The ability to restore the land, as well as enhance or develop wildlife and pollinator habitat, are possible within the reclamation process. Just imagine the positive impact this could have on public perception.

Photo courtesy of the Interstate Natural Gas Association of America



Making it Happen

The impact that the North American prairies and grasslands have on our environment is understood now more than ever. These prairies and grasslands provide forage for livestock, habitat for wildlife and keep soils from eroding away from high winds and aggressive rains.

Grasslands and prairies intake large amounts of carbon from the air, thereby capturing and storing this carbon in the soil and providing part of the nutrient content to plant life. Once these areas become densely vegetative, greater water infiltration of the soil can occur. This allows for the moisture needed by the vegetation to be retained in the soil.

Following are a few simple tips that can make a dramatic impact on the result.

Topsoil - Most of the organic matter is contained in the first several inches of topsoil. Keeping it separate from the subsoil allows for quicker establishment because it helps prevent diluting the organic matter. This is one of the contributing factors that prevent the microbes contained in the topsoil from being destroyed.

Soil Compaction - As heavy equipment moves along the right of way during construction, soil compaction can become a challenge. If it becomes severe, it can restrict water infiltration and contribute to poor vegetative performance. In most instances, light tillage prior to planting will help resolve this issue.



Seeding Rate - Most conservation-based seeding rates use a three to four year timeline for a full vegetative establishment. This can be counter-productive in high erosion areas where concerns like aggressive winds and fast-moving stormwater can suddenly arise. Using the appropriate seeding rate for the specific site needs can reduce the timeline.

Planting Method - Not all planting methods are considered equal, and reclamation results will vary drastically unless the correct mechanical method of planting is used. For example, the use of a grass drill allows for the correct planting depth, greater regulation of the seeding rate and proper seed to soil contact all in a single process. However, a grain drill can present its own challenges, as they are designed for traditional crops and can create problems with planting depth and seeding rate regulation.

Species Selection - Selecting the correct species for your project will offer better erosion control with dense and deep-rooted

native grasses, pollinator habitat, pasture forage or even wildlife enhancement. Still, excluding some species could be just as beneficial.

There is a quote that I live by that states, “Trying and failing is better than not trying at all.”

The next time you hear, “Why bother? Nothing grows here anyway,” I encourage you to look at the upside. With a little know-how, your chances might be better than you thought. 🌱



Colby F. Scroggins is a Reclamation Professional with Bamert Seed Company, where he specializes in reclamation, pasture revegetation and prairie vegetation. He works with clients in the oil and gas pipeline industry, wildlife habitat management, Departments of Transportation and the Bureau of Land Management.

“...we can take advantage of this opportunity by improving the landscape...”



ELEVATING STANDARDS OF PRACTICE

Right of Way Consultants Council unites competitors in a worthy goal

BY FAITH ROLAND, SR/WA

The world of right of way consulting services continues to evolve and grow. Project work ebbs and flows, making it harder to keep staffing at the right level on any given day. Increasingly, client companies and public agencies are facing retirements among key staff. The need for an influx of new staff clearly demonstrates that the demand for quality consulting service companies is on the rise.

A Singular Mission

The Right of Way Consultants Council (ROWCC) represents a collective of many of the top firms in North America, poised and ready to meet the project demands for a growing infrastructure. From its beginnings in 2004, the ROWCC has had a singular

focus—to raise the standards of practice in right of way consulting. To understand this mission is to understand the Council's beginning.

In 1998, during an IRWA Annual International Education Conference in Alabama, a handful of respected right of way consulting professionals met to vent and offer support for challenges we were all facing in contracting with agencies and private companies. The conversation turned to areas of improvement and needs within the industry. There was an underlying theme and consensus that the consultant industry needed a unified voice—one that would better all those who agreed to unite and to create higher standards of professionalism and best practices.

As a collective group, we also realized that we could serve as a thinktank and resource to the users of our services. We sought to become an organization with a high degree of standards and ethics that would enhance the profession, taking us from a trade to a professional service. The group was fully aware of our greatest challenge: getting competitors that were very territorial and occasionally close-minded to agree to meet and collaborate for the greater good of the industry.

Since that initial meeting in 1998, follow-up gatherings were held each year, resulting in a more formal recognition within the Association. In September 2002 in Austin, Texas, an ad-hoc committee was formed and later became known as the Right of Way Consultants Council. Following the typical organizational startup activities, meetings were scheduled to coincide with and support the IRWA Annual International Education Conference. In 2004, the Council officially separated from the IRWA to form an

independent entity. The Council has since grown in membership from 12 charter members to 44 current members companies. And every member company, large and small, has a common focus—and a voice.

Accomplishing Big Things... Together

Today, our vision has become a reality. Having set our sights on important initiatives, we have been working diligently to make a difference. Our ultimate goal of gaining recognition by the users of our services is being achieved. The federal and state agencies that govern and license us have a confidence level in our ability to elevate our professional standards, while upholding the ethics that work to ensure a better future for all of us.

The ROWCC has accomplished many key initiatives over the past few years. We have developed and approved a standard services contract that provides balanced and fair contracting terms for all parties. We have also created standard staffing position descriptions designed to help clients better understand, compare and contrast the experience of various staff members. In addition, we continue to stay current on staffing and labor requirements so that we can offer valuable resources to member companies regarding wage and labor laws.

The Council has also shown its growing strength through the benefits offered to its membership, including affordable professional liability insurance and education on employment accounting practices that has saved our member firms millions of dollars



...our greatest challenge: getting competitors that were very territorial and occasionally close-minded to agree to meet and collaborate for the greater good...



The Right of Way Consultants Council

The ROWCC is dedicated to elevating industry standards of practice and the services provided by our consulting firms. As part of our mission, we will continue to review and recommend contracting best practices, while helping clients and the industry reduce costs and ensure a more positive outcome for all parties.

Visit www.rowcouncil.org for more information.

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Right of way consulting firms interested in membership are encouraged to review the requirements at www.rowcouncil.org and submit an application. Public and private clients can become an affiliate and support the ROWCC. For more information, please contact Jim Walker, ROWCC at seaop1@qwestoffice.net.

collectively. Our advocacy efforts are working to protect and enhance the profession, and we are being recognized by the leading agencies for which we provide our services, including the American Association of Highway and Transportation Officials, the Federal Highway Administration and many state agencies.

Advancing the Profession

Having broken down the competitive barriers, our continuous interaction has awarded us many teaming opportunities to advance the profession. The ROWCC's voice has grown louder and is being heard by those who can really make a difference. Getting a seat at the table for procurement opportunities has become a reality, and requests for the Council's input have doubled since last year.

As the industry's resource for the highest quality right of way services, the ROWCC will continue to raise the standards of practice in the right of way consultant community. 🌟

Faith Roland, SR/WA is Past International President of the IRWA and currently serves as Chair of the Right of Way Consultants Council. She is a course instructor, renowned speaker and Senior Vice President with Contract Land Staff, LLC, one of the charter member companies of ROWCC.





LEADERS VS. BOSSES

Attributes of effective leadership

BY BOB MCINTYRE

Business leadership styles typically fall into two categories: leaders and bosses. Leaders generate a vision and a roadmap for their employees that support the company's goals, while bosses generally consider themselves supervisors or people managers. Most human resources professionals agree that employees are more likely to gravitate toward and be inspired by leaders who focus on the big picture and allow their staff to identify and execute the best strategies for fulfilling that vision.

So how do managers determine whether or not they are simply a boss or a true leader? And what can they do to make the transition? Here are a few insights and tips.

Leaders trust their employees.

Bosses tinker or micromanage.

Company leaders provide employees with the right tools to get the job done and trust them to deliver. They provide regular updates on projects and send out alerts to address problems as they arise. This leadership style allows team members to flourish and grow. In comparison, bosses are often considered micromanagers. They regularly delve deeply into their employees' workloads or perform work themselves that should have been delegated to others. This form of management can lead to distrust and cripple worker motivation.

Leaders give their teams credit.

Bosses take the credit themselves.

Bosses often fail to identify the efforts of their teams or individual employees when a project is successfully completed. However, when there are issues or blunders, others are to blame. True leaders recognize that while they are ultimately responsible for successes and failures, most projects are a team effort and the individuals behind a major accomplishment deserve recognition. In addition to earning trust and respect, highlighting the success of others will help managers in their efforts to retain top talent.

Leaders listen to understand.

Bosses listen to reply.

Genuine leaders are always ready to receive information from their employees. They provide a sense of security by setting other tasks aside and making time to communicate with team members—preferably in-person. Bosses look for gaps in discussions to interject their own opinions, sometimes without listening or absorbing the thoughts of the other team members. Bosses also often fail to see the value of face-to-face communications and send an email when a more meaningful form of communication would likely be a better approach.

Leaders create a constructive learning environment.

Bosses are reactive when providing feedback.

Leaders offer constructive advice to team members when mistakes are made. They also help employees build problem-solving skills to aid them later in their careers. Leaders offer this input in a private setting to help prevent employee embarrassment and frustration, which can impede learning. Bosses tend to worry less about feelings and react hastily to staff members when mistakes are made.

Leaders are highly engaged and cultivate enthusiasm.

Bosses can be aloof.

Bosses who are easily distracted or appear aloof are often unable to inspire their teams. As a result, employee morale can decline. In comparison, leaders who are engaged understand the importance of positive reinforcement and regular communication. They recognize how motivation drives positivity, and they seek to establish and maintain that kind of environment.

Leaders never stop learning.

Bosses become content.

Leaders understand it is never too late to learn something new and there is always a lesson to be learned in every situation. A good leader will not attempt to halt an employee's personal growth or withhold information unless absolutely necessary. Bosses often feel they have reached a level of success and expertise and are therefore less open to new ideas or learning opportunities. ☘



Bob McIntyre is a director of service operations for Insperity, a trusted advisor to America's best businesses for more than 31 years. The company provides an array of human resources and business solutions designed to help improve business performance.



Becoming a Favorite

Key factors for selecting and retaining consultants

BY MICHAEL F. YOSHIBA, ESQ.

During dinner, a friend mentioned that we were dining at his favorite Italian restaurant, prompting me to ask what it was that made it his favorite. This was easy enough to answer, but that is not always the case for some of our other favorites.

For instance, I recalled a conversation that I had with another lawyer where we discussed the retention of expert consultants for our litigation cases. He mentioned that he had a few favorite appraisers he regularly retains to prepare expert opinions, attend depositions and to provide trial testimony. While a restaurant may be your favorite simply because of the food and service, there are many more serious factors to consider when selecting a favorite consultant.

Most hiring decisions happen thoughtfully, but also decisively and usually quickly. The following outline describes how consultants are selected, why they are retained and how you might someday become a favorite consultant.

Know Your Assignment

The first task is clearly identifying the scope of the consulting assignment. If the assignment is an appraisal of a property being condemned, then the appraisal consultant selected needs to be well versed in the type of reporting required by

the attorney and their client. Reporting requirements will be a combination of statutory, regulatory, state and local court rules, organizational, institutional and are sometimes even attorney-specific. The appraisal reports should be in an industry standard convention and in a format that is easily interpreted by the attorney and their client, and easily digestible for the reviewer. The reporting assignment will also require a verbal presentation supplementing the findings in the written report.

There is almost nothing worse than hiring an appraiser consultant who spends an inordinate amount of time trying to figure out how to prepare and complete the assignment using the appropriate reporting format. The most common refrain from a public agency client is that they could have done it themselves in the time it took to correct the appraiser's report. A worse fate, however, awaits the inexperienced consultant when they fail to ask for factual or legal clarification until a report is submitted in final form.

“
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Keep an Eye on the Delivery Date

Litigation is inherently deadline dependent, and consultants must be aware of these deadlines for their deliverables. Generally speaking, the attorney will seek to retain consultants as late in the litigation process as they can comfortably do so, giving consultants a compressed timeline to complete their assignments.

And it is an all too common occurrence to have the reporting be completed at the last hour of the exact due date. This is one of the biggest mistakes made by consultants and a surefire way to not get further work from that attorney. Adequate time must be reserved for the opportunity to make edits, comments and corrections.

Property Expertise

The location of the property being appraised is important to the hiring decision in several ways. First, public works projects are the result of local, regional and statewide plans for the public benefit. It therefore follows that the best appraisers will be very familiar with the area, jurisdiction, the public project and the property being appraised.

Appraisers with local knowledge and experience are an invaluable aid to the attorney and the other consultants in the litigation matter. Specializing in an appraisal type and geographic area is important in the litigation context, and there are very few instances where an attorney will use an appraiser that does not specialize in a geographical area or property type.

Effective Communications

The most qualified appraisers for litigation matters have the ability to communicate effectively both in writing and orally. In addition to containing accurate calculations, the best written appraisal reports are thoughtful, concise, organized, neatly presented, grammar and spell checked, appropriately bound on quality paper, well-indexed and paginated. Making the attorney's review easier and less time consuming will go a long way in securing future assignments.

Prepare for oral communications tailored to your presentation audience. One should never assume that the listener-reviewer knows the report's appraisal terminology. If you are presenting to attorneys and clients who may be unfamiliar with appraisal reports, be prepared to explain the information in plain language without industry jargon. If the attorney or client is knowledgeable, adjust accordingly. The most effective appraisers are those who are well prepared and can adapt to the needs of their audience.

Be a Favorite and Keep Getting Retained

Billable rates and slick advertising brochures do not guarantee that you will get assignments. Appraisers hired by attorneys for litigation matters are most often the result of relationships developed by personal references and experiences. Taking a chance by using a previously unknown or unproven appraiser risks not just the client's financial interests but also the professional reputations of all the parties involved.

And these lessons apply to all right of way professionals, not just appraisers. Invaluable personal and professional resources are available to both attorneys and right of way professionals by attending the local, regional and international IRWA Chapter meetings, classes and seminars.

When I asked my attorney friend why he considered certain appraisers his favorites, his reply was, "I hire the appraisers that I know will make my job the easiest." It's that simple. ☺



Michael Yoshida is a shareholder in the Eminent Domain and Litigation Departments of the Los Angeles law firm, Richards, Watson & Gershon.



Valuation Spring Training

Chapter hits a home run with its all-star symposium

BY VANESSA RINGGOLD, SR/WA, R/W-RAC

From the March 29th opening pitch, the IRWA Valuation Spring Training in Baltimore, Maryland was off to a good start. Joined by more than 80 die-hard fans, the event was a collaborative effort between Chapter 14 and IRWA's International Valuation Community of Practice (CoP).

Opening the day one event was Valuation CoP Chair Richard Pino, MAI, R/W-AC. To present the Federal Update, five heavy hitters came to the plate, including Brian Holly, MAI, Chief Appraiser for the Department of Justice, Paul Davis, MAI, Review Appraiser and James Green, MAI, SRA, R/W-AC, Senior Review Appraiser for the Department of the Interior, and finally, Nicholas Hufford, MAI, CAE, Chief Appraiser for the General Services Administration and Federal Highway Administration. These representatives provided valuable agency insight on their future

direction and needs from a valuation perspective. The panel discussion was facilitated by Chapter 14's Mike Jones, SR/WA, who recently retired as the Chief Appraiser at the Federal Highway Administration.

The Federal Update was followed by a session on the Fundamentals of Easements and Assessing Damages lead by three of IRWA's leading valuation instructors, including Phyllis Lily, SR/WA, Richard Pino, MAI, R/W-AC, and John Rolling, SR/WA. They were well positioned to field questions and threw around ideas that the audience of mostly appraisers could put into play.

The afternoon was devoted to Corridor Valuation with an all-star panel, including Orell Anderson, MAI, Richard Roddewig, John T. Schmick, William LaChance, MAI, SRA and Jeffrey K. Jones, MAI, Chief Appraiser for the Alabama Department of Transportation. After pitching their

concepts and perspectives, a couple of curve balls led to a vigorous "over the fence" discussion. After the 7th inning stretch featuring popcorn and peanuts, the Valuation Symposium ended with a WIN for the home team.

Friday's Forum kicked off day two with representatives from eight Chapters in Region 4 lead by Region Chair, Doug Hummel, SR/WA and Vice Chair, Craig Curtis, SR/WA, who set the direction for Chapters in the season ahead. Day two of the valuation training featured the 7-hr USPAP Course with Climb Certified and AQB Qualified instructor, John Rolling, SR/WA. The class started out as your typical no-hitter but gained momentum with a lively rally around the impact of millennials on the future of communications in the appraisal industry.

These events alone would have surpassed any 9-inning game expectation, but Chapter 14 went into extra-innings with their 60th Anniversary Celebration at Baltimore's award-winning baseball stadium, the Orioles Park at Camden Yards. A video was shown featuring Chapter members throughout the years, and a list of all the past 60 Chapter presidents was read by Peter Clark, SR/WA, our current Chapter 14 President. The two day, extra innings event was well attended and overwhelmingly supported by IRWA headquarters, the Valuation CoP, Region 4 and an abundance of Chapter fans.

The Chapter is very appreciative of our many sponsors for their generous contributions. Special thanks to Diversified Property Services, Inc., Property Title and Escrow LLC, Percheron, Doyle Land Services, Upperline Energy Partners, Johnson, Miriman & Thompson, Contract Land Staff and Miceli Appraisers & Liquidators. The Symposium presentations are available on the IRWA website in the Valuation CoP Public Resources. 🌟



Heavy hitters from the Federal agencies provided valuable insight from a valuation perspective.



The lineup event included 14 of the Chapter's past presidents.



Vanessa Ringgold, SR/WA is a Project Manager for Diversified Property Services, Inc., where she has worked since 2005. She is an IRWA Course Coordinator, Chapter 14 Education Chair and served as an INEC Region representative.

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BASIC RIGHT OF WAY DISCIPLINES

100, 100C	Principles of Land Acquisition	4 days
100i*	Principles of Land Acquisition-International	online
102	Elevating Your Ethical Awareness	1 day
103*	Ethics and the Right of Way Profession	1 day
104*	Standards of Practice for the Right of Way Professional	1 day
105*	The Uniform Act Executive Summary	1 day

COMMUNICATION/NEGOTIATIONS

200*	Principles of Real Estate Negotiation	2 days
201	Communication in Real Estate Acquisition	3 days
203*	Alternative Dispute Resolution	2 days
205*	Bargaining Negotiations	2 days
207	Practical Negotiations for U.S. Federal & Federally Assisted Projects	2 days
209	Negotiating Effectively with a Diverse Clientele	2 days
213*	Conflict Management	1 day
215	ROW Acquisition for Pipeline Projects	2 days
218	ROW Acquisition for Electrical Transmission Projects	2 days
219	Introduction to Presentation, Instruction and Facilitation	2 days
225	Social Ecology: Listening to Community	1 day

MANAGEMENT

303*	Managing the Consultant Process	2 days
304*	When Public Agencies Collide	1 day

APPRAISAL

400*, 400C	Principles of Real Estate Appraisal	2 days
402*	Introduction to the Income Capitalization Approach	1 day
403*	Easement Valuation	1 day
406A	15-Hour National USPAP Course Uniform Standards of Professional Appraisal Practice	2 days
406B	7-Hour National USPAP Course Uniform Standards of Professional Appraisal Practice	1 day
409	Integrating Appraisal Standards	1 day
410	Reviewing Appraisals in Eminent Domain	1 day
411*	Appraisal Concepts for the Negotiator	online
417	The Valuation of Environmentally Contaminated Real Estate	2 days
421, 421C	The Valuation of Partial Acquisitions	4 days
431	Problems in the Valuation of Partial Acquisitions	1 day

RELOCATION ASSISTANCE

501	Residential Relocation Assistance	2 days
502	Non-Residential Relocation Assistance	2 days
503*	Mobile Home Relocation	1 day
504	Computing Replacement Housing Payments	2 days
505	Advanced Residential Relocation Assistance	1 day
506	Advanced Business Relocation Assistance	2 days
507*	Specialized Nonresidential Payments	online
520*	Special Topics in Replacement Housing	online
521*	Nonresidential Fixed Payments	online

ENVIRONMENT

600*, 600C	Environmental Awareness	1 day
603, 603C	Understanding Environmental Contamination in Real Estate	1 day
604	Environmental Due Diligence and Liability	1 day
606*, 606C*	Project Development and the Environmental Process	1 day

PROPERTY/ASSET MANAGEMENT

700*	Introduction to Property Management	2 days
701	Property/Asset Management: Leasing	2 days
703	Real Property/Asset Management	1 day

REAL ESTATE LAW

800*, 800C	Principles of Real Estate Law	2 days
801*	United States Land Titles	2 days
801C	Canadian Land Titles	2 days
802*, 802C	Legal Aspects of Easements	1 day
803	Eminent Domain Law Basics for Right of Way Professionals	2 days
803C	Expropriation Law Basics for Right of Way Professionals	2 days
804	Skills of Expert Testimony	1 day

ENGINEERING

900*, 900C	Principles of Real Estate Engineering	2 days
901	Engineering Plan Development and Application	1 day
902	Property Descriptions	1 day
903*	IKT/IRWA Underground Infrastructure Panorama	online

SR/WA REVIEW STUDY SESSION

SR/WA	SR/WA Review Study Session	3 days
SR/WAC	SR/WA Review Study Session (Canadian)	3 days

* Asterisked courses are available online.

JLL Hires Valuation & Advisory Services Experts



In May, **Robert Crenshaw, Patrick Phipps** and **J. Mark Williams**—specialists in real estate valuation and advisory—joined **JLL** along with 12 other industry professionals. Previously with a Florida affiliate of Integra Realty Resources, these new hires expand JLL's Valuation & Advisory Services in the U.S. to include all major markets in Florida.

Crenshaw Phipps and Williams will jointly lead the new Florida Valuation & Advisory Services platform. Together they bring nearly 90 years of combined real estate valuation experience. Crenshaw specializes in multifamily, Williams focuses on office and niche properties, and Phipps advises on retail and industrial assets.

Shawn Wilcockson Joins Carno as Environmental Regulation Expert



Cardno, Inc. has appointed **Shawn Wilcockson** to be a Senior Project Manager in the company's Chicago office. Shawn brings more than 10 years of broad professional experience in land, water, and wildlife resource management. In this role, he will focus on managing natural resources and environmental sciences projects within the utilities and infrastructures markets.

Jennifer Kohlsaatt Joins Mott MacDonald



Mott MacDonald has appointed **Jennifer Kohlsaatt** to be the Practice Leader of its Environmental Practice in North America. Jennifer's background includes involvement in environmental baseline and impact analysis, brownfield redevelopment and funding, environmental site and risk assessments, predisaster mitigation planning, contamination characterization, industrial site evaluations, environmental permitting, and hazardous waste investigations.

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Environmental Science Expert Wendy Roberts Joins Cardno



Wendy Roberts, PhD, has joined **Cardno** as a senior environmental scientist in the company's Seattle office. Wendy brings over 20 years of professional experience in aquatic and

terrestrial biology and is an industry expert in amphibian ecology. She has extensive experience in a wide variety of National Environmental Policy Act and Endangered Species Act projects, and natural resources permitting for federal agencies, private industry and utilities. In this role, she focuses on managing, directing and overseeing work in ecology, wildlife biology, water quality and Federal Energy Regulatory Commission hydroelectric project licensing.

Mott MacDonald appoints Mike Vitale as Tunnels Practice Leader

Mike Vitale joins global management, engineering and development firm **Mott MacDonald** as the Practice Leader of its Tunnels Practice in North America. Mike brings over 34 years of industry experience, including transportation and water/wastewater tunnel projects across North America and overseas, as well as years of experience working with the Northeast Ohio Regional Sewer District on its tunnel system.



Cardno Hires Environmental Permitting Expert Jason Lancaster



Permitting specialist **Jason Lancaster, PWS, CEP**, has joined **Cardno** as a Program Manager in the firm's Atlanta office. With over 20 years of industry experience, Jason has implemented multiple studies on upland, wetland, riverine and other aquatic systems throughout the Southeast United States. In this role, Jason will focus on supporting clients through the company's surface water and permitting practices in Georgia and Florida, and assist the company's oil and gas applicant side practice.

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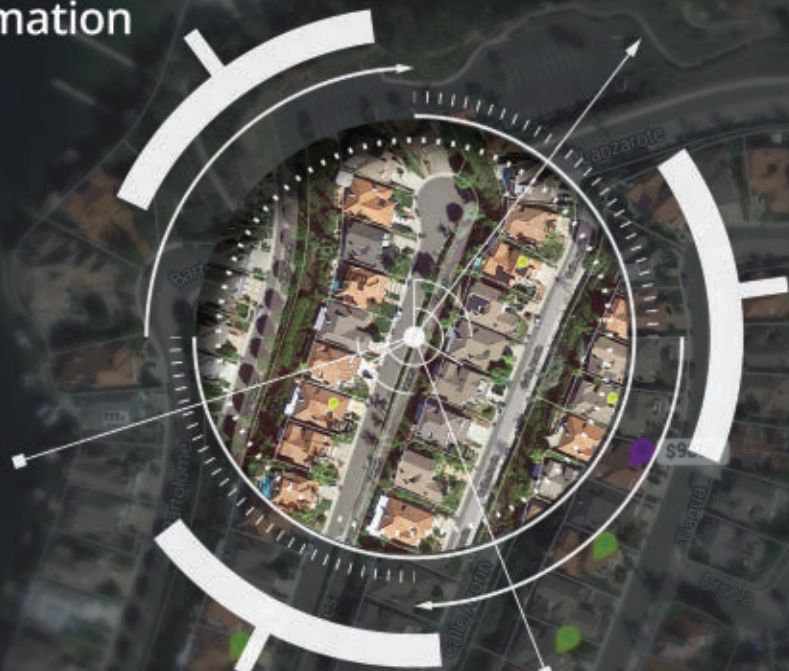
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PIPELINES

Canada's Enbridge Eyes Market Share Opportunities



It was announced that Canada's Enbridge Inc. will use the uncertainty facing competitors' pipelines to gain market share, including starting early discussions on

a new tolling agreement after 2022. Enbridge, North America's largest energy infrastructure company, has forecast a rise in adjusted earnings this year following its purchase of Spectra Energy Corp.

Speaking at an investor's event in Toronto, Enbridge Executive Vice President Guy Jarvis did not name the rivals, saying only that customers still seek capacity amid the "lingering uncertainty around when and even if competing pipelines will ever come online."

An election in the Canadian province of British Columbia earlier this year has complicated Kinder Morgan Inc.'s Trans Mountain

pipeline expansion, with the two parties set to take power vowing to block the project. TransCanada's Keystone XL pipeline project through the United States has presidential approval, but still needs permission from the state of Nebraska. The company's Energy East project to Canada's Atlantic coast had been mired in controversy, its regulatory review process suspended.

"We see a window of opportunity emerging now to start early discussions with our customers on a post-CTS tolling agreement," said Jarvis, referring to Enbridge's 10-year competitive tolling settlement for its Mainline system reached in 2011. Jarvis said the company will take advantage of its now larger scale and plans a possible expansion for its 280,000 barrel-per-day Express Pipeline that had once been Spectra's. He stated that Enbridge is laser-focused in bringing online projects including its Line 3 Replacement Program from Hardisty, Alberta, to Superior, Wisconsin. "It's critical that we get it in service given the continuing uncertainties about competing pipelines," he said. "It then sets the foundation for developing the continued expansion of options on our Mainline."

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FUNDING

Lawmakers Vote for Transportation Funding Lockbox



Connecticut lawmakers have passed legislation that could eventually prevent state transportation funds from being spent on other projects. In June, the Senate joined the House in approving a transportation lockbox for improvements to

Connecticut's roads and bridges. Eleven Republicans joined with Democrats in approving the resolution.

The question about creating a constitutional lockbox for funds earmarked for the special transportation fund will now be put to voters in 2018. If it's approved, it will be ratified into the state constitution.

The lockbox was necessary in order to win Gov. Dannel P. Malloy's approval for increasing any revenue streams earmarked for improving transportation. Malloy has said he won't support additional revenue for transportation until a constitutional lockbox is in place.

"The residents of Connecticut deserve a modernized, best-in-class transportation system that promotes growth, attracts

businesses, delivers jobs, and makes our state an even more desirable place to live and work," Malloy said. "For too long, our state languished in the upkeep of our transportation infrastructure at the expense of businesses, our economy, and our quality of life. We must think big on transportation – there are billions of dollars at stake in productivity, commerce, and economic activity."

And this is not the first state to pursue the transportation lockbox. In November 2016, Chicago, Illinois voters overwhelmingly supported amending the constitution to require all transportation taxes and fees be spent exclusively on transportation projects. The amendment declares that all revenue raised for the stated purpose of funding transportation projects must end up directly funding transportation projects. In the past, some revenue raised through methods like vehicle registration fees and excise taxes on gasoline were diverted to fund health care, education programs or social services.

This amendment not only bans those kinds of diversions—it makes them unconstitutional, along with any new laws or provisions that might allow for them. In other words, it creates an untouchable "lockbox" of funding to be used solely for transportation projects, hence the amendment's nickname.



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FEDERAL GRANTS

\$7.2 Million in Brownfields Grants Awarded for Economic Redevelopment



The U.S. Environmental Protection Agency announced in May that the Pacific Southwest Region will receive \$7.2 million in federal grant funds distributed across 19 entities for brownfield site revitalization efforts.

These grants are part of

the \$56.8 million awarded nationally to 172 recipients to assess and clean up historically contaminated properties, also known as brownfields, to help local governments redevelop vacant and unused properties, transforming communities and local economies.

The funds include \$25 million to communities who are receiving assessment and cleanup funding for the first time, of which \$17.5 million will benefit small and rural areas. Recipients will each receive between \$200,000 and \$600,000 in funding to work on individual sites or several sites within their community. These funds will provide communities with resources necessary to determine the extent of site contamination, remove environmental uncertainties and clean up contaminated properties where needed.

Studies have shown that residential property values near brownfields sites that are cleaned up increased between 5 and 15.2 percent within a 1.2-mile radius of that site. A study analyzing data near 48 brownfield sites shows that an estimated \$29 to \$97 million in additional tax revenue was generated for local governments in a single year after cleanup. This is up to seven times more than the \$12.4 million EPA contributed to those brownfields.

"EPA is committed to working with communities to redevelop brownfields sites which have plagued their neighborhoods," said EPA Administrator Scott Pruitt. "EPA's Assessment and Cleanup grants target communities that are economically disadvantaged and include places where environmental cleanup and new jobs are most needed. These grants leverage considerable infrastructure and other investments, improving local economies and creating an environment where jobs can grow."

As of May 2017, more than 124,759 jobs and \$24 billion of public and private funding have been leveraged as a result of assessment grants and other EPA brownfields grants. On average, \$16.11 was leveraged for each EPA brownfields dollar and 8.5 jobs leveraged per \$100,000 of EPA funds expended on assessment, cleanup, and revolving loan fund cooperative agreements.



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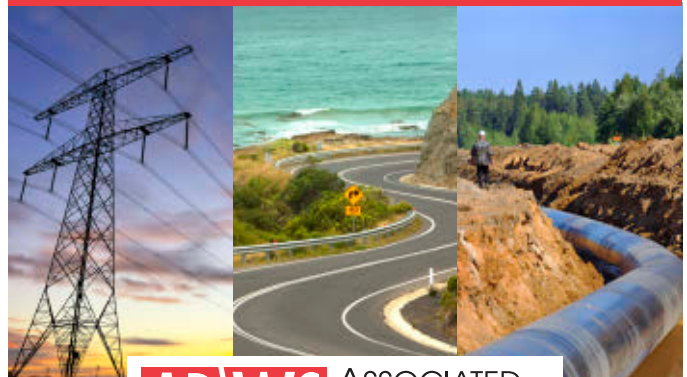


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Tesoro Wins Pemex's First Open Season Public Auction



In May, Mexican petroleum company Petroleos Mexicanos (Pemex) revealed that the U.S. company Tesoro Mexico Supply &

Marketing (Tesoro) was the winner of the first Open Season Public Auction held by Pemex Logística for the Baja California and Sonora systems.

Regulated by the Energy Regulatory Commission, the open season aimed to auction capacity in a transparent and competitive way for both pipeline transportation services and storage. Pemex Logística assigned the available capacity through a contract where the right to have a determined reserved capacity is agreed upon by the parties.

There were a total of 22 companies who participated and seven provided guarantees. In the end, Tesoro was awarded storage and transport capacity in terminals and pipelines of the Systems in Baja California and Sonora for three years. Tesoro will pay a rate above the minimum tariff established by Pemex and the Energy Regulatory Commission as a consideration for such capacity.

According to the Pemex site, "These procedures establish the foundation for open, non-discriminatory access to Pemex's pipeline and storage infrastructures. Likewise, these public auctions provide greater certainty to importers and sellers, as well as to other actors in the logistical chain in the petroleum market."



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REGULATORY

INGAA President Supports FERC Nominees



In April, the Interstate Natural Gas Association of America (INGAA) performed a tally of pending certificate applications at the Federal Energy Regulatory Commission (FERC) and found roughly \$14 billion of capital investment waiting and ready to be deployed on energy infrastructure projects. However, construction cannot begin until the President fills the FERC vacancies. Once nominated, the Senate Energy and Natural Resources Committee must vet the candidates before they receive a confirmation vote by the full body.

In June, INGAA president and CEO Don Santa praised the Senate Energy and Natural Resources Committee's decision to report out favorably the nominations of Neil Chatterjee and Robert Powelson to serve as members of FERC.

"The president, and many members of Congress, have stressed the economic importance of developing infrastructure across America," said Don. "Natural gas pipelines are a form of infrastructure built with private capital, rather than government funds. To build this infrastructure, we need a functioning FERC to act on pending applications to construct interstate natural gas pipelines. The Senate Energy and Natural Resources Committee's vote is a step toward restoring the quorum at FERC, and thereby improving the nation's energy infrastructure."

AIRPORT FUNDING

U.S. Airports to Receive \$527.8 Million in Infrastructure Grants



In May, U.S. Department of Transportation Secretary Elaine L. Chao announced that the Federal Aviation Administration will award \$527.8 million in airport infrastructure grants to 584 airports across the United States as part of the FAA's Airport Improvement Program (AIP).

"The Airport Improvement Program helps to maintain our aviation infrastructure and supports safety, capacity, security and environmental improvements," said Secretary Chao. The airport grant program funds various types of airport infrastructure projects, including runways, taxiways, and airport signage, lighting and marking which helps to create thousands of jobs.

"Investing in our airport infrastructure ensures the safe and efficient operation of our air transportation system," said FAA Administrator Michael P. Huerta. "This funding program helps us maintain, renovate, and build airport infrastructure at airports."

Airports are entitled to a certain amount of AIP funding each year, based on passenger volume. If their capital project needs exceed their available entitlement funds, then the FAA can supplement their entitlements with discretionary funding. At this time, FAA is providing discretionary funding to 38 airports based on their high-priority project needs.

A list of airports receiving entitlement grants can be viewed on the FAA website at www.faa.gov/airports/aip.



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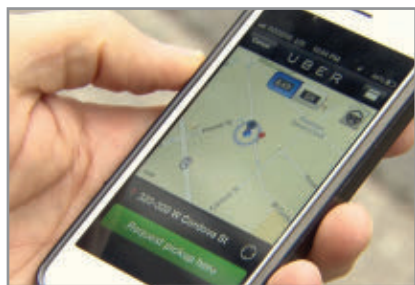
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TRANSIT

Canadian Town Signs Transit Partnership with Uber



Uber, the global car-hailing service, has fought its way into resistant cities around the world, despite being hit by raw eggs and rush-hour roadblocks in Montreal and Toronto, fires in Paris and smashed windshields in Mexico City.

But in Innisfil, a small yet sprawling Canadian town north of Toronto, the company has met a somewhat different reception. Town leaders have embraced the service as an alternative to costly public transportation. As a rural quadrilateral-shaped town of about 104 square miles, Innisfil has no public transportation other than stops on a regional bus line. As a solution, the town inaugurated a pilot program for what Uber says is its first full ridesharing-transit partnership, providing subsidized transportation for the town's 36,000 people.

"It's better value for money than a traditional transit system," Tim Cane, Innisfil's Manager of Land Use Planning, he said.

The town has set aside 100,000 Canadian dollars (about \$74,000) for the pilot program, paying Uber that amount to subsidize rides. The money will cover the difference in the cost of a ride and a fixed rate paid by passengers, as well as a discount of 5 Canadian dollars per ride for rides at nonfixed rates.

According to Andrew Salzberg, Uber's head of transportation policy and research, it's a small but growing part of the company's business. Critics have voiced concern about its move into public transit, saying the service will sap systems of riders, create congestion during rush hours and ultimately take money away from improving transportation infrastructure in cities fully embracing the Uber model.

In the last two years, Uber has moved aggressively to sign transit agency partnerships around the world to embed itself in public transportation infrastructure. Those deals are generally complementary to existing municipal bus or subway service. Innisfil's is unusual in that it is an alternative to establishing a traditional transit system for the town.

POLICY

Manufacturers Group Names Five Keys to Modernizing Infrastructure

As the United States continues the uphill battle to address its infrastructure challenges, the consequences will likely increase exponentially.

"The effect is visible for average Americans," as stated in an article by Thone McFarlane, Assistant Editor for Associations Now. "Passengers are frustrated by delays caused by power outages and other failures in public transit. Commuters remain discouraged as they are ensnared in traffic jams because of structurally declining highway systems. And businesses are uprooting their operations to invest in countries with expanding infrastructure," he says.



According to a report by the Association of Equipment Manufacturers (AEM), the U.S. is underinvesting in infrastructure and, as a result, is in danger of losing its standing

on the global economic stage. In its report, The U.S. Infrastructure Advantage, AEM offers five key steps that policymakers and infrastructure stakeholders can take to put the country back on the path to reclaiming its infrastructure advantage. These steps include focusing on networks and systems, maximizing use of smart technology, ensuring rural-urban connectivity, expediting project delivery and providing adequate and reliable resources.

Since AEM's members and stakeholders rely heavily on a network of roadways, highways, waterways, and ports to meet delivery needs, they are well acquainted with the current state of U.S. infrastructure. In 2015, AEM's board of directors authorized the creation of Infrastructure Vision 2050, a thought-leadership initiative focused on maintaining the country's global economic competitiveness through advancements in infrastructure. Its members are optimistic about the prospect of technology-driven enhancements in infrastructure functionality. Advancements such as asset-monitoring systems that watch highway conditions to transmit real-time data and vehicle-infrastructure integration that facilitates vehicle-to-infrastructure communications provide opportunities to transcend the status quo.

JOB MARKET

Fixing America's Infrastructure Requires Building a Better Workforce

With so much attention on America's crumbling infrastructure, the lack of human capital isn't getting much notice. But according to some experts, the two challenges must be faced together.

As noted by Tamar Jacoby, President of Opportunity America, a Washington nonprofit that promotes economic mobility, "There's no way we can rebuild our roads and bridges without qualified workers—engineers, estimators, skilled tradesmen and others," says Jacoby. "And a moonshot infrastructure initiative of the kind being talking about in Washington is a once-in-a-lifetime opportunity to advance a skills agenda on the scale needed today."

Jacoby believes that a national infrastructure initiative can jump-start new training nationwide by creating incentives for employers who get infrastructure contracts to launch workforce programs. One of the simplest ways to do this is to allow trainees to use federal financial aid like Pell Grants to cover part of the cost.

Educators, employers and policymakers agree that job training works best when there's an employer involved to ensure trainees are learning the skills needed. But employers busy running businesses on tight profit margins are often slow to get involved, whether offering training themselves or partnering with educators.

"Here's how it could work in practice," says Jacoby. "A contractor specializing in bridge repair might need to ramp up fast to bid on a contract and require dozens of welders to get the job done. The company could create an in-house training program, or it could contract out to a training center affiliated with a contractors association. Programs would combine in-class hours with on-the-job training—like an apprenticeship, only shorter and more focused. By partnering with an educational institution, trainees would learn new skills and earn college credit, along with industry credentials certifying their new skills. The contractor would cover part of the cost, including wages for trainees. But the taxpayer would help, just as we help cover the cost of college for many young people with federal financial aid."

Quality control may be the biggest challenge, but there are options for that as well. Examples include pay-for-performance contracts and making sure both companies and colleges have enough skin in the game that they insist on effective training. A combined infrastructure-training initiative is badly needed.

"Combining infrastructure and job training would pay off in the short run, providing the workers we need to rebuild roads and bridges," says Jacoby. "But the real dividend would be long-term: new habits and new partnerships between companies and colleges and a new public-private approach to training that could apply to all kinds of jobs, beyond construction. Everyone would win—Democrats, Republicans, employers and employees, rebuilding our physical underpinnings and rekindling the American Dream."

REGULATORY

INGAA Foundation Names Jason Goldstein New Executive Director



In June, the INGAA Foundation announced that industry veteran Jason M. Goldstein will formally assume the role of Executive Director of the organization, upon the August 31st retirement of Richard Hoffmann. In this role, Jason will be responsible for managing the Foundation's technical and economic studies, implementing its strategic plan and overseeing the planning and studies development process. He also will manage the Foundation's meetings and workshops.

"I'm handing off the reins to a very talented and qualified person," said Rich, who will retire after 10 years as executive director of the Foundation and a distinguished 34-year career at the Federal Energy Regulatory Commission. "I'm looking forward to working with Jason over the next three months to ensure a seamless transition."

Jason has worked in the environmental and natural gas industries since 1993 holding a variety of positions, including managing partner, chief operating officer, project manager, environmental inspector and field technician. He has worked with large consulting firms, pipeline operators and private developers of natural gas assets.

"We thank Rich for his exemplary service to the INGAA Foundation," said INGAA Foundation Chairman Tom Hutchins. "Rich has guided the Foundation over a period of remarkable growth and change. During his tenure, the Foundation has become a leading voice for pipeline and construction safety and quality. We look forward to the Foundation's continued success with Jason at the helm."



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Robert K. McCue, SR/WA	1977-1978	Faith A. Roland, SR/WA	2008-2009
* Wade S. Manning, SR/WA	1978-1979	Sandy A. Grigg, SR/WA	2009-2010
R. Tom Benson, SR/WA	1979-1980	Kenneth L. Davis, SR/WA	2010-2011
George E. Midgett, SR/WA	1980-1981	Randy A. Williams, SR/WA	2011-2012
* F. Larry Stover, SR/WA	1981-1982	Patricia A. Petitto, SR/WA	2012-2013
Robert L. Art, SR/WA	1982-1983	Lisa R. Harrison, SR/WA	2013-2014
W.A. Thomasson, SR/WA	1983-1984	Lee S. Hamre, SR/WA	2014-2015
Richard D. Ricketts, SR/WA	1984-1985	Wayne L. Goss, SR/WA	2015-2016
* John E. Day, SR/WA	1985-1985	Mary Anne Marr, SR/WA	2016-2017
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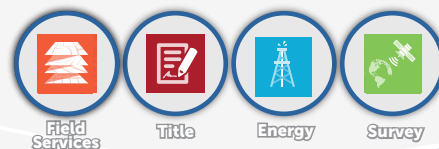
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Acknowledging Excellence

The IRWA members listed below earned a certification or designation in the past two months. We applaud them for their commitment to professional growth in the right of way field.

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Lanastasia Lee, R/W-NAC
Chapter 36 Dallas, TX

Note: Education milestones include only newly certified individuals.

*Retired as of September 1, 2014. Members who have earned this certification can retain it as long as they recertify every five years.

IRWA Member Farewell



GEORGE "RICK" DOEHNE

George F. "Rick" Doehne passed away on May 12, 2017 at the age of 70. He was born on January 17, 1947 in Orange, New Jersey to Robert and Anne Doehne. He served in the United States Navy from 1969 until his honorable discharge in 1973, as well as an additional 33 years in the Naval Reserve. He was employed by University Lands for 20 years. In addition to the IRWA, Rick was part of the West Texas Geological Society.

Rick is survived by his wife of 39 years, Wanda Skaggs Doehne; brothers, Robert (Susan) Doehne and James Doehne; niece, Stephanie (Robert) Daugherty; nephew, Jeffrey (Jamie) Doehne; and numerous friends.



PETER PISARETZ

At the age of 92, Peter Pisaretz passed away peacefully in his home on December 29, 2016. He was born on August 16, 1924 and served in the Army Air Corp during WWII until he was honorably discharged in 1946. Pete married Doris Marie Keane in 1949, and they shared 49 years together, raising three children, James, John and Kathleen.

In 1974, he opened his own appraisal company, American Realty and Appraisal Associates. Peter met his current wife Patricia through his career in real estate, and they married in 2005. A member of IRWA Connecticut Chapter 23, Peter also belonged to the American Society of Appraisers, served as president of the Fairfield County Chapter of Independent Fee Appraisers, was a member of the Fairfield Board of Realtors and also taught real estate at Sacred Heart University.

Peter is survived by his wife, Patricia Richmond Pisaretz; his son, John Pisaretz and his wife Elizabeth; his daughter, Kathleen Taylor and her husband Jay; his grandson, Mackenzie Peter Taylor; his step-children, Pamela Hawthorn and her husband Bill and her son Brendon; Linda Richmond and her daughter Madeline; Jennifer Richmond and her daughter Layla; his step daughter-in-law, Jenifer Blemings and her daughter, Shannon; and many nieces, nephews, extended family and friends.



ROBERT A. NAISH

Robert A. Naish passed away peacefully with his family by his side on May 10, 2017 at the age of 88. He was born on March 3, 1929 in Los Angeles, California to Launcelot Alfred Naish and Anna Helen (Elwell) Naish. He was a Ranger on the Malheur National Forest, moved to the Right of Way Department in Roseburg in Portland, and retired at the age of 62 after more than 35 years with the U.S. Forest Service. He was a dedicated member of Oregon's IRWA's Chapter 3, serving as a past president.

Bob leaves behind his two children, Vicki Murray (Perry), Bob Naish (Sue); stepsons, Doug Wilson (Leslie), Frank Wilson (Marcia), Tim Wilson (Cheri), Bryan Wilson (WynDee) and Matt Wilson (Rhonda); sister, Carol Hutchinson (Ron); brothers, Wesley (Marilyn, deceased), Michael Naish; sister-in-law, Pat Eckley; and beloved cousin, Marge Lanni. In addition, Bob leaves behind 15 grandchildren, 16 great-grandchildren, and beloved nieces and nephews.



GREGORY M. FRAZIER

Gregory M. Frazier passed away on December 19, 2016. He was born in Fargo, North Dakota on September 1, 1951 to Claude Lester Frazier and Marion Schultz Frazier. Greg spent the majority of his professional career in the Minneapolis area where he worked as a commercial construction inspector. He also worked for Legacy Resources in Bismarck, North Dakota as a Landman for three years and for Kadrmas, Lee and Jackson for over five years as a right of way agent.

He is survived by brothers, Richard "Rick" Frazier and Gerald (Marilyn) Frazier. He is also survived by the following nephews and nieces and their children: Jackson Frazier, Vicky (Dale) Nordman, Peggy Frazier, Kevin (Karen) Frazier, Kim (Kent) Brown and Michael (Andrea) Frazier.

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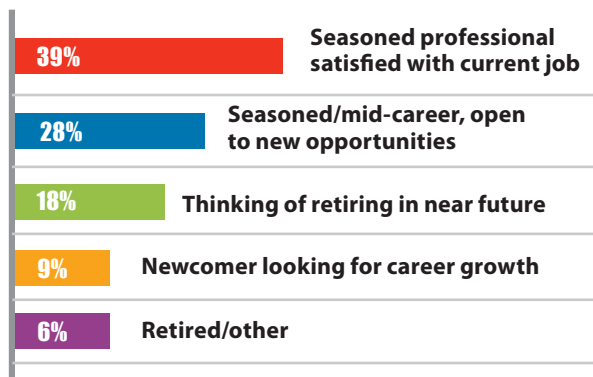
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First American Data Tree <i>www.datatree.com</i>	52	Universal Field Services, Inc. <i>www.ufsrw.com</i>	C2
JLL Valuation & Advisory Services, LLC <i>www.jll.com</i>	4	Wood Group Mustang <i>www.mustangaena.com</i>	2

An Update on Career Status

In June, IRWA conducted an online poll to gauge where members are in their careers and professional development. We are pleased to learn that more than half our members are planning to take an IRWA course in the next 12 months!

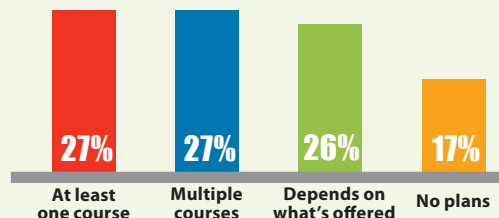
Q: Where are you in your career?



TOP 3 reasons for taking IRWA courses:

- 1 Enhance education and skills
- 2 Complete designation/certification
- 3 Use toward recertification

Q: What are your plans for taking an IRWA course over the next 12 months?



Join Forces with the Industry Leader

IRWA is proud to partner with so many North American and International agencies and organizations in pursuit of strengthening infrastructure for all citizens of the world. These relationships provide our Association with an opportunity to exchange best practices, share industry research and collaborate on mutually-beneficial educational programs.

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