

RIGHT OF WAY MAGAZINE

The Voice of the Right of Way Profession

BELOW THE SURFACE

Using the LEAP approach to avoid
cultural resource sites

MANAGING
PROJECT
COMPLEXITY
p27

PIPELINE
RIGHTS OF WAY
IN LOUISIANA
p36

MARCH/APRIL
2018

IRWA

EXPERIENCE MAKES A DIFFERENCE

Trust Your Project to a Proven Leader



Universal Field Services, Inc. approaches each project with experience, resources, and commitment to help you achieve your project goals on time and within budget.

With 59 years of experience, we provide coordinated right of way services and understand the challenges that may arise. With Universal, you get a partner who works with you to develop the optimal plan to deliver on time, the first time.

- Land and Right of Way Acquisition
- Project Management
- Cost Estimates
- Environmental/Survey
- GIS/Mapping
- Route Selection
- Title Search/Due Diligence
- Database Management
- Survey Permissions
- Relocation Assistance
- Construction Support
- Property Management

To Learn More About our Comprehensive Portfolio of Services, Visit Us at www.ufsrw.com



RIGHT OF WAY

The Voice of the Right of Way Profession

MARCH/APRIL 2018

Volume 65 Number 2

Features

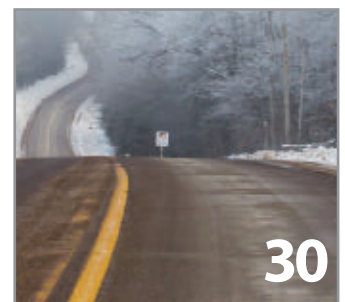
- Cover Story**
- 20 Below the Surface**
Using the LEAP approach to avoid cultural resource sites
By Lesley T. Cusick
- 24 The Basics of Non-Compete Clauses**
Exploring the restrictions in employment agreements
By Peter Christensen
- 27 Managing Project Complexity**
The importance of the right of way professional
By James A. Kent and Glenn Winfree, SR/WA
- 30 Scenic Easements**
Understanding a challenging appraisal process
By Kema Williams, Edward Singer and Julita de Leon
- 33 Now What?**
Life after retirement
By Richard B. Cridlebaugh, SR/WA
- 36 Pipeline Rights of Way in Louisiana**
A particular approach to acquisition
By Gerald F. Slattery, Jr.
- 40 Pave the Way to Success**
How to make the most of your professional mentor
By Lei Wang
- 42 Forget Balance**
Three ways leaders can navigate imbalanced lives
By Sue Hawkes

Other Highlights

- 43 Enter Your Map to Win**
Annual Right of Way Mapping Competition
- 44 40 for Forty Scholarship Program**
Presenting the scholarship recipients
- 46 Attend IRWA's Annual Conference**
Join your colleagues in Edmonton, AB, CN on June 24-27

FIND US ONLINE

View our digital edition at
www.rightofwaymagazine-digital.org



Columns

- 7** PRESIDENTIAL OUTLOOK
Jerry Colburn, SR/WA
- 9** BEST IN CLASS
Deidre Alves, M. Ed.
- 11** YOUNG PROFESSIONALS
Derrick W. Roma, SR/WA
- 13** TEAMBUILDING
Carol Brooks, SR/WA
- 14** ON ETHICS
Brad Yarbrough
- 16** CHAPTER SPOTLIGHT
Billy R. Medley, SR/WA
- 18** BUSINESS ESSENTIALS
Magi Graziano
- 49** LEGAL INSIGHT
Michael Yoshiba, Esq.

Departments

- | | | | |
|----|----------------------|----|----------------------|
| 3 | Leadership Directory | 61 | Education Milestones |
| 51 | IRWA Courses | 62 | In Remembrance |
| 53 | People on the Move | 63 | Ad Index |
| 55 | Industry Buzz | 64 | IRWA Partnerships |

On the cover: OVAI archaeologists surveying for the Utica-Marcellus Texas Pipeline.

APPRAISAL INSTITUTE®

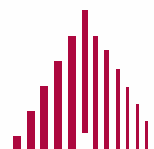
LEADING THE WAY IN REAL PROPERTY EDUCATION



The Appraisal Institute is globally recognized as an expert resource for high quality education in the field of real property valuation.

- AI offers education for every stage of your career including:
 - Qualifying Education for Licensure or Certification
 - Continuing Education
 - AI Designation
 - Group Education Opportunities
- AI's catalogue of 72 courses and seminars is the largest in the profession:
 - Classroom education is currently offered over 650 times annually across the U.S.
 - Nearly 20 Live Online offerings throughout the year; and
 - On Demand Online classes that can be accessed whenever it works for you.

Check us out at:
appraisalinstitute.org/education



Appraisal
Institute®

WE ARE THE IRWA

Building a better world. *Together.*

International Right of Way Association serves the needs of 10,000 multi-disciplined industry professionals who acquire, manage and transfer the land rights needed for building and maintaining energy and transportation infrastructure. Employed by private industry and government agencies, these members are recognized for their high ethical standards and proficiency gained through education, training and certification.

► Our Purpose

We improve people's quality of life through infrastructure development.

► Our Mission

We empower professionals by elevating ethics, learning and a standard of excellence within the global infrastructure real estate community.

INTERNATIONAL GOVERNING COUNCIL

INTERNATIONAL EXECUTIVE COMMITTEE

INTERNATIONAL PRESIDENT

Jerry Colburn, SR/WA, R/W-RAC
Overland, Pacific & Cutler, Inc.
Tel: (562) 304-2000
colburn.jerry@gmail.com

INTERNATIONAL PRESIDENT-ELECT

Jeffrey L. Jones, SR/WA, R/W-NAC,
R/W-RAC, R/W-URAC
Hubbell, Roth & Clark, Inc.
Tel: (248) 227-0730
jjones.srwa@gmail.com

INTERNATIONAL VICE PRESIDENT

Aimie Mims, SR/WA, R/W-AMC,
R/W-NAC
HDR, Inc.
Tel: (763) 591-5454
aimie.mims@hdrinc.com

INTERNATIONAL TREASURER

Sharon Slauenwhite, SR/WA
Prince Edward Island Dept T.I.E.
Tel: (902) 394-3135
snslaenwhite@gov.pe.ca

INTERNATIONAL REGION CHAIRS

REGION 1 – CHAIR

Joe Currie, SR/WA
Tel: (760) 710-7528
joe.currie@att.net

REGION 2 – CHAIR

Teri J. Morgan, SR/WA, R/W-RAC,
R/W-NAC
HDR Engineering, Inc.
Tel: (512) 431-2742
tmorgan@hdrinc.com

REGION 3 – CHAIR

Jacob D. Farrell, SR/WA
OPPD
Tel: (402) 636-3649
jfarrell@oppd.com

REGION 4 – CHAIR

Craig J. Curtis, SR/WA
Diversified Property Services, Inc.
Tel: (410) 707-4622
dpscraig@aol.com

REGION 5 – CHAIR

Greg Mathias, SR/WA
Vectren Energy Delivery
Tel: (317) 736-2902
gmathias@vectren.com

INTERNATIONAL SECRETARY

Ana B Rausch, SR/WA, R/W-RAC
Percheron LLC
Tel: (832) 300-6411
Ana.Rausch@percheronllc.com

CHIEF EXECUTIVE OFFICER

Mark A. Rieck
IRWA
Tel: (310) 538-0233, ext. 140
rieck@irwaonline.org

GENERAL COUNSEL

Bradford Kuhn, Esq.
Nossaman LLP
Tel: (949) 833-7800
bkuhn@nossaman.com

REGION 6 – CHAIR

Judy Jones, SR/WA, R/W-AC,
R/W-NAC
Goodwyn, Mills & Cawood, Inc.
Tel: (334) 271-3200
judy.jones@gmcnetwork.com

REGION 7 – CHAIR

Delores J. Oakland, SR/WA
Phillips 66
Tel: (406) 531-9216
oaklandrwservices@gmail.com

REGION 8 – CHAIR

Josie Tomei, SR/WA
Canadian Pacific Railway
Tel: (905) 803-3429
josie_tomei@cpr.ca

REGION 9 – CHAIR

Larry Risinger, SR/WA
Universal Field Services, Inc.
Tel: (719) 260-9646
lrisinger@ufsw.com

REGION 10 – CHAIR

Stewart Anderson, SR/WA
Evolve Surface Strategies
Tel: (204) 918-9337
stewart.ander@evolveinc.ca

INTERNATIONAL REGION VICE-CHAIRS

REGION 1 – VICE CHAIR

Yoli Matranga, SR/WA, R/W-NAC
Bender Rosenthal, Inc.
Tel: (916) 622-9382
y.matranga@benderrosenthal.com

REGION 2 – VICE CHAIR

Denise Skinner, SR/WA
NuStar Energy LP
Tel: (210) 918-2119
denise.skinner@nustarenergy.com

REGION 3 – VICE CHAIR

Penny Rolf, SR/WA, R/W-NAC,
R/W-RAC
WSB & Associates, Inc.
Tel: (763) 231-4868
prolf@wsbeng.com

REGION 4 – VICE CHAIR

Ida Parrett, SR/WA, R/W-NAC, R/W-RAC
Delaware DOT
Tel: (302) 420-8764
ida.parrett@state.de.us

REGION 5 – VICE CHAIR

Elizabeth Smith, SR/WA
TerraVenture Advisors
Tel: (414) 327-2607
beth@tva-llc.com

REGION 6 – VICE CHAIR

D. Wade Brown, SR/WA, R/W-RAC,
R/W-NAC
American Acquisition Group, LLC
Tel: (813) 287-8191
wade@americanacquisition.com

REGION 7 – VICE CHAIR

James Lingeman, SR/WA
Lingeman Valuation & Consulting
Tel: (360) 909-0855
jim.lingeman@gmail.com

REGION 8 – VICE CHAIR

Roderick Graves
Niagara Region Real Estate
Tel: (905) 685-4225 (3259)
rod.graves@niagararegion.ca

REGION 9 – VICE CHAIR

Fredrick L. Easton, Jr., SR/WA
Farnsworth Group Inc.
Tel: (303) 947-9983
FEaston@F-W.com

REGION 10 – VICE CHAIR

Jenna Wood
Evolve Surface Strategies Inc.
Tel: (403) 912-2600
jenna.wood@evolveinc.ca

INTERNATIONAL INDUSTRY COMMITTEE CHAIRS

ELECTRIC & UTILITIES

Janelle Cordova
Overland Pacific & Cutler, Inc.
Tel: (562) 304-2017
jcordova@opcservices.com

PUBLIC AGENCIES

Matthew D. Harris, SR/WA, R/W-RAC
Mississippi DOT
Tel: (601) 946-7459
mdharris@mdot.ms.gov

OIL & GAS PIPELINE

Brian W. Green
Enable Midstream Partners
Tel: (405) 557-6896
Brian.Green@enablemidstream.com

TRANSPORTATION

Sheila Mills, SR/WA, R/W-NAC
LOCHNER
Tel: (254) 715-8864
sheila.mills88@yahoo.com

INTERNATIONAL SERVICE COMMITTEE CHAIRS

ETHICS

Colleen Brown
Dept. of Trans. and Infrastructure
Tel: (306) 444-2047
colleen.brown@gnb.ca

NOMINATIONS & ELECTIONS

Randall Kopfer, SR/WA
Lower Colorado River Authority
Tel: (512) 578-4402
rkopfer@lcra.org

DISCIPLINE COMMUNITIES OF PRACTICE

ASSET MANAGEMENT

Brian Taylor, SR/WA, R/W-AC
Natural Resources Canada
Tel: (780) 430-3803
brian.taylor@nrca-nrcan.gc.ca

ENVIRONMENT

Brittney Christy
Spirit Environmental
Tel: (281) 664-2490
bchristy@spiritenv.com

Kimberley Millar, SR/WA
City of Ottawa
Tel: (613) 580-2424 (23416)
kimberley.millar@ottawa.ca

RELOCATION ASSISTANCE

Leslie Beard, SR/WA, R/W-RAC
Tierra Right of Way
Tel: (360) 870-0190
lbeard@tierra-row.com

SURVEYING & ENGINEERING

Todd E. Rakstad, SR/WA
Salt River Project
Tel: (360) 870-0190
teraksta@srpnet.com

VALUATION

Timothy Holtzauer, SR/WA
Cushman & Wakefield
Tel: (206) 521-0276
Timothy.Holtzauer@cushwake.com

COUNCIL ON INTERNATIONAL RELATIONS

Mary Anne Marr, SR/WA
Consumers Energy, Co.
Tel: (517) 788-1363
mlandqueen@gmail.com

YOUNG PROFESSIONALS GROUP

Carmelita Delgado, RWA
Electrical Consultants, Inc.
Tel: (801) 656-9701
Carmelita.delgado@ecisl.com

EDUCATION AND CREDENTIALING

PARTNERSHIP FOR INFRASTRUCTURE PROFESSIONAL EDUCATION

Tamara Benson, SR/WA, R/W-URAC,
R/W-RAC
Universal Field Services, Inc.
Tel: (918) 494-7600
tbenson@ufsw.com

CREDENTIALING COMMITTEE

Trevor Martens, SR/WA
Evolve Surface Strategies Inc.
Tel: (403) 912-0305
trevor.martens@evolveinc.ca

RIGHT OF WAY INTERNATIONAL EDUCATION FOUNDATION

PRESIDENT

Carol A. Croft, SR/WA
Carol A. Croft & Associates
Tel: (615) 834-2667
cacroft@aol.com

VICE PRESIDENT

Craig R. Poorker, SR/WA, R/W-NAC
Great River Energy
Tel: (763) 445-5980
cpoorker@grenergy.com

TREASURER

Clyde B. Johnson, SR/WA,
R/W-URAC, R/W-RAC
Tel: (678) 350-3675
clydebjohnson@comcast.net

SECRETARY

Leslie Finnigan, SR/WA
Universal Field Services, Inc.
Tel: (503) 399-8002
lfinnigan@ufsw.com

CANADIAN RIGHT OF WAY EDUCATION FOUNDATION

PRESIDENT

William D. Giese, SR/WA
Synergy Land Services Ltd.
Tel: (403) 283-4400
billgiese@synergyland.ca

VICE PRESIDENT

Shannon Favaro, SR/WA
FortisBC
Tel: (604) 576-7001
shannon.favaro@fortisbc.com

SECRETARY/TREASURER

Nancy Sinclair, SR/WA
Ministry of Transportation
Tel: (613) 545-4739
nancy.sinclair@ontario.ca

APPRAISAL AFFILIATES

TRUSTEES TO THE APPRAISAL FOUNDATION

David Layne, SR/WA, ASA
Layne Consulting Services
Tel: (315) 527-0238
ics360@roadrunner.com

Phyllis Lilly, SR/WA
Tel: (804) 721-1274
phyllis.lilly1210@gmail.com

MEMBER, THE APPRAISAL FOUNDATION ADVISORY COUNCIL

Phyllis Lilly, SR/WA
Tel: (804) 721-1274
phyllis.lilly1210@gmail.com



STRONG SUPPORT CAN MAKE A PROJECT

RELIABILITY

EXPERIENCE

SERVICE

Talk to the Liability Insurance Specialists for the Right of Way Industry

Right of way professionals know the importance of having good support when it comes to infrastructure. No one can be perfect all the time and unfortunately in today's society you don't have to do anything wrong to be sued. A strong defense is important. Here at LIA Administrators & Insurance Services, our experienced in-house legal team is comprised of experts in defending real estate professionals. We pride ourselves on providing quality Errors & Omissions, General Liability and Bonds for appraisers and other Real Estate Professionals. Since 1978, we have been known for our stability, reliability and integrity. Contact us to see how we can be of support to you.

For more information go to www.liability.com or call us at (800)334-0652.



CA License #0764257

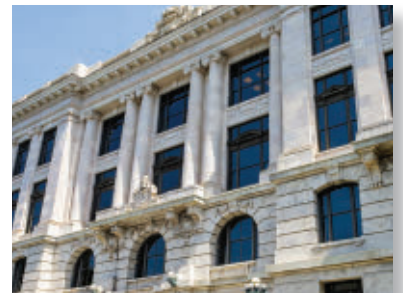




In This Issue...

Everyone knows that infrastructure development is complex. We also know that it is expensive, so it is important to get it right, from the beginning. We continue to see increased acceptance of involving right of way professionals in the planning and design phase of new projects, to provide natural resource sensitivity, help manage the complexity, and in the case of the State of Louisiana, expedite project outcomes.

In this issue we feature three articles on the cover that will provide deep insight into these important matters, introducing you to new tools, formulas and methods for even better results. *Onward.*



A handwritten signature in black ink that reads "Mark Rieck".

MARK RIECK
IRWA CHIEF EXECUTIVE OFFICER



We turn market insight into client advantage

Now part of a global network, our JLL Valuation and Advisory Services teams are comprised of experienced, licensed, qualified appraisers who use local insights and their years of expertise to deliver accurate, reliable and prompt valuations throughout the nation.

We offer expertise across all property types and provide counsel on complex projects. Services include:

- Valuation and consulting
- Market feasibility studies
- Pipeline impact studies
- Route analysis
- Expert testimony

To learn more, contact:

Michael Welch
Michael.Welch@am.jll.com

David Dominy
David.Dominy@am.jll.com

James Patterson
James.Patterson@am.jll.com

Greg Cook
Greg.Cook@am.jll.com

Randy Williams
Randy.Williams@am.jll.com

Craig Young
Craig.Young@am.jll.com

Patrick Phipps
Patrick.Phipps@am.jll.com

Jim Schwartz
Jim.Schwartz@am.jll.com

Matt Browne
Matt.Browne@am.jll.com

www.us.jll.com/valuation-advisory



*Achieve
Ambitions*

Defining Leadership Pathways

Strategies to cultivate IRWA's future leaders

JERRY COLBURN, SR/WA

Throughout my years on the International Executive Committee, I have emphasized the necessity to attract and retain the young professionals that are coming into the workforce. By embracing our younger leadership group, we can help cultivate their skills, while ensuring the success of those who will become our future leaders. But even beyond those benefits, our young professionals provide valuable insight into what the future leadership of this organization will look like.

Three years ago, I had the pleasure of hosting a session with a group of IRWA Young Professionals in Austin, Texas. We talked about their ideas and new approaches, which all aim to advance our Association's succession planning and leadership development. We also discussed the

challenges for actively identifying and creating development opportunities for IRWA's future leaders.

Turning Ideas into Reality

The feedback from this meeting helped me to form my vision for leadership and put together strategies to influence the future direction of IRWA. The number one challenge that came out of our session in Austin was the lack of employer support for our future leaders. This challenge shaped the concept of being a more "Outward Facing" organization. It is critical that we promote the IRWA to companies and agencies in all of the market segments that we serve. Without these employers seeing the *big picture* and understanding the benefits of involvement in the IRWA, our future leaders will not gain the necessary support.

Another discovery that came out of the session was the need to make leadership development opportunities readily available and recruit Young Professionals that have leadership potential. Over the last three years, we have seen more Young Professionals step into leadership roles than ever before. We have compressed and simplified the pathways to leadership. These young leaders are modernizing our Association, bringing fresh ideas and added perspective.

Last, but certainly not least, we talked about what it takes to be a leader. IRWA is filled with potential leaders and people that have already stepped up to the plate. True leaders all have one supreme quality in common that sets them apart from others: **they are authentic**. Some leaders try to be who they think they ought to be, instead of being who they are. Always remember that the ability to lead will not come from pretending to be someone you are not.

Moving Forward

Be motivated by your mission. Tap into your values and connect with others through your heart, not your style. IRWA is bursting with authentic people. Let's take the next year or two to develop leaders and use this opportunity to turn the IRWA into a *Leadership Incubator*. 🌟



Jerry Colburn with the Young Professionals Group at the 2017 Annual International Education Conference.

19210 S. Vermont Ave.
Building A, Suite 100
Gardena, CA 90248

Telephone: (310) 538-0233
Fax: (310) 538-1471
Office Hours : Monday through Friday
6 a.m. to 4 p.m. PST

ACCOUNTING

Chief Financial Officer
Fred Nasri ext. 139
nasri@irwaonline.org

Controller and Personnel Manager
Rakhshan Mazarei ext. 131
rmazarei@irwaonline.org

Assistant to the CFO
Emory Peters ext. 137
peters@irwaonline.org

Assistant Controller, Accounts Receivable
Cokie Ganacias ext. 125
ganacias@irwaonline.org

Assistant Controller, Accounts Payable
Courtney Piscitelli ext. 144
piscitelli@irwaonline.org

CREDENTIALING

Credentialing Manager
Francis Vicente ext. 123
vicente@irwaonline.org

EDUCATION

Course Program Coordinator
Nathan Cruzado ext. 124
cruzado@irwaonline.org

Administrative Support
Linna Sok, ext. 147
sok@irwaonline.org

EXECUTIVE STAFF

Chief Executive Officer
Mark Rieck, ext. 140
rieck@irwaonline.org

FIELD OPERATIONS

Director of Field Operations
Tim Drennan (310) 433-9672
drennan@irwaonline.org

Manager Field Operations
Jaime Rose Mathews (613) 809-4070
mathews@irwaonline.org

MEETINGS & EVENTS

Director of Events
Jade Meador ext. 146
meador@irwaonline.org

MEMBER SERVICES

SVP, International Relations
Daniel Stekol ext. 126
stekol@irwaonline.org

Accreditation Program Coordinator
DeOnna Koonce ext. 138
koonce@irwaonline.org

Membership Coordinator
Astrid Anaya ext. 134
anaya@irwaonline.org

Assistant to the Controller, Member Services
Sylvia Smith ext. 120
smith@irwaonline.org

PROFESSIONAL DEVELOPMENT

Chief Learning Officer
Deidre Alves ext. 143
alves@irwaonline.org

**Education and Instructional
Development Manager**
Amir Vafamanesh, ext. 142
vafamanesh@irwaonline.org

WEBSITE & TECHNOLOGY

Computer Services Senior Manager
Sergey Yushkevich ext. 127
yushkevich@irwaonline.org

Web and Database Manager
Carlos Gonzalez ext. 136
gonzalez@irwaonline.org

Membership:

Astrid Anaya ext. 134
anaya@irwaonline.org

Education:

Nathan Cruzado ext. 124
cruzado@irwaonline.org

Advertising/ Subscription/ Publishing/Editorial:

Ethel Navales, ext. 128
navales@irwaonline.org

RIGHT OF WAY MAGAZINE

EDITORIAL STAFF

Editor
Ethel Navales, ext. 128
navales@irwaonline.org

Creative Manager
Joseph Roman, ext. 145
jroman@irwaonline.org

EDITORIAL ADVISORY BOARD

Timothy J. Holzhauer, SR/WA, MAI, MRICS, JD
Cushman Wakefield

Darryl Roof, R/W-RAC, JD
Overland, Pacific and Cutler, Inc.

Jeff Jones, SR/WA, R/W-URAC, R/W-NAC, R/W-RAC
Hubbel, Roth and Clark, Inc.

Bonnie Roerig, MAI
Bonnie Roerig & Associates, LLC

Donald Sherwood, SR/WA, MAI, FRICS
Integra Realty Resource DFW, LLP

Glenn Winfree, SR/WA, R/W-EC
Duke Energy Carolinas, LLC

Right of Way Magazine (ISSN 0035-5275; PM No.40696009) is published bimonthly by the International Right of Way Association, 19210 S. Vermont Ave., Building A, Suite 100; Gardena, CA 90248.

Periodicals postage paid at Gardena, CA, and at additional mailing offices. Statements of fact and opinions are solely the responsibility of the authors and may not reflect the official policies or views of IRWA, its officers or staff. IRWA expressly disclaims responsibility for the contents or accuracy of any opinion, statement, fact or figure contained in any article or advertisement. Copyright 2018 by the International Right of Way Association. All rights reserved. Materials may not be reproduced or transmitted by any means, in whole or in part, without prior written permission from IRWA.

Reprint permission and reprints: Permission may be granted for reprints of articles for limited purposes. Send a request to the editor with a description of the desired use. Right of Way Magazine is an independent forum for the exchange of information and ideas dedicated to the advancement of the right of way profession. Right of Way Magazine welcomes unsolicited manuscripts and photographs. For additional information, please email magazine@irwaonline.org.

Subscription: IRWA members pay \$20 per year, which is included in the dues, and receipt of the magazine is a nontransferable privilege of membership for individuals who pay dues to IRWA. Non-member subscriptions are available for \$30 per year in the United States; \$40 per year in Canada (Canadian Funds); and \$48 per year outside of North America, payable in U.S. funds.

POSTMASTER: Send address changes to Right of Way Magazine Subscriptions, International Right of Way Association, 19210 S. Vermont Ave., Building A, Suite 100; Gardena, CA 90248.

PRINTED IN USA.

GENERAL INFORMATION:

info@irwaonline.org
U.S. 310-538-0233
Canada 888-340-4792



Overland, Pacific & Cutler, LLC

real estate and right of way services






Contact Us
800.400.7356



Transportation

Housing & Development

Energy & Utilities

Public Sector

37 years of commitment to the Right of Way Industry and home base to 2017/2018 IRWA President, Jerry Colburn, SR/WA

Visit our website at OPCservices.com

The Competitive Advantage of Lifelong Learning

UCLA Extension weighs in

BY DEIDRE ALVES, M.ED.

Lindsay Armstrong Vance Ed.D and Andrew J. Lau Ph.D.—two powerhouse voices in the field of adult learning from UCLA Extension, the continuing adult education arm of UCLA—share their insights with me as we thoughtfully continue to grow our comprehensive infrastructure education program here at IRWA, including enterprises such as IRWA University, The Monocle Digital Library, IRWA Certification, Curriculum Simulation & Engagement, Live Classroom Based Social Networking, and our proprietary CLIMB Standards Based Instructor Development that focus on the learner through Reflective Practice and Contextual Awareness. IRWA Education continues to keep its finger on the pulse of leading edge adult continuing education research and practice—endeavoring each day to fulfill our collective purpose of improving the quality of life through infrastructure development.

1. What is the most significant challenge in adult education today and what is one way to meet this challenge?

Lindsay Armstrong Vance: The state of the economy is so rapidly changing and adults find themselves needing to constantly pivot to keep up with the rapid pace of technological, political and economic change on a global and local level. I believe that adopting a “lifelong learning” mindset is fundamental to overcoming this challenge and turning it into an opportunity for personal and professional growth. By understanding that intelligence and knowledge are not fixed quantities—

that our brains are wired to keep learning and adapting throughout life—adults are better able to navigate the rapid changes and challenges that will come in the future and can find ways to seek opportunities for greater growth and development. Lifelong learners recognize that there is always something to learn from every situation, and they actively seek new information and perspectives that may challenge or expand what they already know.

Andrew J. Lau: I would strongly agree that the most significant challenge is maintaining an attitude of always wanting to learn more. Embedded in this attitude of lifelong learning is the acknowledgement that society is always in a state of evolution and change. It requires a kind of adaptability that is at the same time a curiosity about the world and how it works. However, lifelong learning isn't just looking at the ways that society is changing and looking to find opportunities for new work or a new career. Lifelong learning is also an attitude of reflection that involves continually taking stock of what you know and have learned over the years, and as needed, revising those mental models to account for new facts, knowledge and ideas. Lifelong learning is an attitude that allows us to be critical about what we already know (or what we think we know). It's more than looking for an “encore” or second (or third or fourth) career. Lifelong learning is about recognizing the changing world and all of its complexities and finding new ways to engage with it to make it a better place.

2. What is at risk if we do not embrace the current and future needs of adult education?

Vance: Unfortunately, I think that we already see many people and organizations suffering from a lack of quality continuing education that aligns with the current economic and technological reality. Insufficient opportunities for lifelong learning negatively impacts organizations because the workforce cannot remain agile and responsive to industry needs. And while organizations often look to hiring new talent to meet emergent needs, they would benefit from developing talent from within. Lack of continuing education opportunities impact those who find their skillsets limit their employment opportunities and ability to remain marketable, especially people living and working later into life. In general, failing to embrace the needs of adult education leads to a general stagnation of economies, organizations and communities. Too frequently, we encounter individuals (and organizations) that think of education as only for younger adults and children—but the nature of the world we live in is rapid and ongoing change.

Lau: In addition to the stagnation of the workforce, I strongly believe that continuing and professional education has to go beyond giving learners the skills needed to be able to work because those skills often have a limited shelf-

On behalf of IRWA, I would like to extend a special thanks to Dr. Armstrong Vance and Dr. Lau for sharing their expertise and for their continued friendship with our organization.



Lindsay Armstrong Vance is the Interim Director of Instructional Design & Learning Support and Evaluation and Educational Assessment Designer at UCLA Extension. Her experience includes online and traditional classroom instruction at the high school and college levels, as well as developing serious games at the USC Institute for Creative Technologies.



Andrew J. Lau is the Program Director for Instructional Content Development at UCLA Extension, lecturer at the University of Maryland's College of Information Studies, and an independent researcher.

life. Technology is always changing and new economies emerge over time. We often hear in the news that automation and outsourcing have had major impacts on the United States' workforce and multiple industries, with some industries disappearing altogether (or are well on their way). In my opinion, what's important about adult education isn't simply providing opportunities for learners to gain new skills; it also has to provide learners with historical context about employment trends, the theoretical foundations and models for a given discipline and instill a sense of hope that they can meaningfully contribute to the field. This is more than simply gaining the skills needed to do a job, and involves thinking—and critically assessing—what one learns.

3. What is the most important skill an adult instructor/educator of today (regardless of discipline) can possess and why?

Vance: The ability to engage learners is one of the important skills that a continuing educator can practice. There are several practices that promote engagement: creating an environment that blends a sense of challenge with supportive guidance, encouraging peer and mentor connections that last far beyond the course or workshop, designing activities and assignments that are relevant to real-world issues and problems that students will (or do) face, and encouraging adaptive and creative problem solving. Asking learners to bring their experience into each activity and providing generative feedback also helps to make the learning a positive and captivating experience.

Lau: I am of the impression that the single most important skill an instructor/educator can possess is digital literacy. While not all education is fully online, much of it is at least enhanced by technology in some way or another (e.g., blended instruction that leverages

both in-person instruction and digital resources). The state of education today is such that we can no longer claim the online/in-person modalities as entirely distinct. Moreover, many jobs require (perhaps implicitly) digital literacy to perform its functions effectively. The American Library Association defines digital literacy as “the ability to use information and communication technologies to find, evaluate, create, and communicate information, requiring both cognitive and technical skills.” This also includes being able to use diverse technologies, judge the quality of information, engage with others socially using digital technologies and utilize these skills for participation in our communities and broader society. Technology can be scary for some, especially how rapidly it changes. But there is at least one place that educators can turn to learn more about digital literacy and practice being able to “read” technology: Your local public library! Librarians and other information professionals are deeply invested in digital literacy (and its sibling information literacy), and are always happy to help interested members of the public (adult educators included!) learn about how we access, use, store and share information, whether inside the (online or brick-and-mortar) classroom or elsewhere. As a skill, digital literacy is one that has the capacity not only to help us engage learners in the 21st century, but also engage with society at large as active participants. ★



Deidre Alves is IRWA's Chief Learning Officer.

Calibrating Your Career Compass

Navigating career choices and professional development opportunities

BY DERRICK W. ROMA, SR/WA, PMP



According to the Oxford English Dictionary, a generalist is “a person competent in several different fields or activities,” whereas a specialist is “a person who concentrates primarily on a particular subject or activity and is highly skilled in a specific and restricted field.” In other words, a generalist is seen as a utility player who is able to take on any position, while a specialist is very good at one position.

Our culture seems to reward and idolize the specialist. The generalist is criticized for sacrificing depth of knowledge for breadth of knowledge and is viewed as uncommitted. Much of the discussion surrounding this topic seem to suggest that you must choose to be one of the two extremes; either a generalist or a specialist. The reality is that we put these labels on ourselves, and it should not be so black and white. It *is* possible to be both a jack of all trades and also a master of some, and I argue that this is a great approach for long-term career success, particularly if you want to be an effective leader.

Broadening Your Perspective

Growing up as an athlete, I was never the top scorer, the strongest defender or the best at any one specific skill. Instead, I always made an effort to learn every position—even if it

was the minimum level of specialized skill necessary to fill in when a teammate was absent or injured. As a result, I was always put in the game and I have acted as both a leader and a coach on every team I have played on. I have approached the early part of my career in right of way with the same mindset, aiming to be the utility player on the team.

I was advised early on in my career by my mentors that gaining knowledge, training and experience in many areas of right of way would help me to stay employed through market downturns. I believe that this is some of the best advice that I have received, not only because it has helped me to stay employed, but because it has unlocked so many opportunities for me. Taking a more generalist approach has provided me with a broad perspective to better understand how all the pieces fit together. With this understanding, I have been able to make more effective decisions and be a better leader and project manager.

All too often, I see managers who rely too much on the experts on their team to tell them what decisions to make. They distance themselves from the problem, and the specialist's recommendation goes

unchallenged. It is easy to fall into this trap and automatically believe someone who acts like an expert. We blindly trust their work because that is their area of expertise and not ours. However, as Daniel Kahneman suggests in his book *Thinking Fast and Slow*, experts tend to be overconfident and are not necessarily more accurate at predicting the outcome of uncertain situations than amateurs with general knowledge. Highly effective teams are often made up of specialists, and it takes a leader with a broad perspective to be able to challenge their ideas for the team and make the right decisions.

Maintain Adaptability

We are privileged to be employed in a field of endless possibilities, including land titles, valuation, law, negotiations, relocation, project management and dozens of other “specialist” areas. In today's environment, employers are demanding that employees wear more and more hats as a result of constrained resources. Newer professionals should develop an adaptive strategy to be able to zoom in and zoom out of different areas of focus as necessary to capitalize on opportunities and ensure long-term career success.

Additionally, it is important that newer professionals focus on developing transferable skills and remain adaptable to external influences. Pause before heading down a path of specialization. If your area of expertise could be significantly impacted by external influences—such as a change in technology, legislation or market conditions—you must ensure that you can adapt your expertise to combat these changes.

Newer professionals should also aim to find the appropriate balance of specialized education and experience. No one can tell you exactly how to strike that balance. As a mentor, I am often asked where to get information, what to read and what classes to take. While there are resources available—and the IRWA is one of the most valuable—newer professionals must recognize that there is no fast track to success. I am reminded of a technical account written by philosopher Michael Polanyi in his book *Personal Knowledge*, where he describes how to ride a bicycle



Derrick has over a decade of professional experience with O. R. Colan Associates. He is a certified Project Management Professional (PMP) and recently earned his SR/WA designation from the IRWA. He is a licensed Real Estate Broker and is working toward an appraisal license. He currently serves as Region 4's Young Professional Representative and as President of Chapter 16.

in terms of Newtonian physics. By simply reading it, you will not be able to ride a bicycle. It is only through personal experience that you will become proficient. As long as you are unafraid of exploring, the proper balance will come into focus as you progress through your career.

Get Credentialed

In many ways, IRWA's Industry Career Path—culminating with the SR/WA designation—can be viewed as the generalist approach whereas the Specialist Career Path is more focused in specific bodies of knowledge, such as appraisal, relocation and property management. It is important to note that these two career paths (Industry and Specialist) are not mutually exclusive. Earning the RWA, RWP or SR/WA in addition to specialist designations can help you to become a jack of all trades *and*

master of some, which I would argue is advantageous in an industry where the future is everything but predictable.

Regardless of your approach, IRWA's education and designations will help you to differentiate yourself in the marketplace, and will contribute toward your personal and professional image. The credentialing concierge is an excellent resource where you can explore many certifications available, and it will guide you to which IRWA certifications are within your reach.

In Summary

I believe that we are all seeking to determine how we fit in best and how we can contribute the most value to our employers, clients and colleagues. As long as you commit to being a lifelong learner, seek mentoring opportunities, and continue to develop personally and professionally, you will find your niche. ✪

Houston

New Orleans

Pittsburgh

DOYLE

LAND SERVICES

In support of America's Energy Industry

doyleland.com

Industries

Energy

Pipeline

Utility

Renewables

Gas Storage

Transportation

Telecommunication

Services

Project Management

Acquisition

Title

Permitting

Due Diligence

Data Management

GIS Mapping

J. Warren Doyle
President

(504) 620-5051 Office
(281) 755-6259 Mobile
jwdoyle@doyleland.com

Kenneth L. Davis, SR/WA
Vice President

(412) 299-1199 Office
(724) 513-6383 Mobile
kldavis@doyleland.com

Stephen K. Patton
Vice President

(713) 458-5110 Office
(832) 794-0501 Mobile
skpatton@doyleland.com

Danny P. Gibbs
Vice President

(713) 491-6170 Office
(832) 720-2097 Mobile
dpgibbs@doyleland.com

J. Warren Doyle, Jr.
Chief Operating Officer

(504) 620-5058 Office
(281) 755-6251 Mobile
jwdoylejr@doyleland.com



The Value of Kindness

Even small acts make a big difference

BY CAROL L. BROOKS, SR/WA

With unstable current events, financial challenges, difficult property owners and the pressures of simply managing work life and home life, you may be feeling excessively drained and unable to give any more of yourself to others. It's tough to extend ourselves when our culture chimes, "Go big or go home." You may not totally agree with this mantra, but you've certainly heard it throughout your life. And because of these high expectations, we put greater stress upon ourselves. We end up believing that if we can't meet super-human goals, why try at all? But there is a much healthier perspective to take on instead.

The best way to change our behavior is by choosing to take small steps. In an effort to *go big or go home* with one big step, we tend to lose our focus and sense of inner balance. Instead, start small with a smile, a thoughtful deed or a helping hand. After all, simple forms of generosity can rejuvenate and uplift your own attitude. Remember, kindness begets kindness. When you lend a hand, another hand reaches out to help you. It's a boomerang effect, which can make a big difference in changing our own disposition. Simply put, when it comes to kindness, even the smallest amount can make an impact.

A Simple Act

Early for a client meeting in San Diego, I decided to stop into McDonalds for breakfast. I sat at a table by a window that overlooked Horton Plaza, a massive shopping center. On the lawn area that graced the entrance of the mall, homeless people were gathering up their

bedding and meager belongings. I was saddened for their condition and wished I had buckets of money to help them. But since I didn't, I opted for what many may do in this situation—I decided to do nothing.

But I soon recognized that perhaps I didn't need buckets of money to help make a stranger's day better. The *go big or go home* mentality doesn't apply when it comes to kindness. As I reflected on this, I watched an elderly employee mopping the restaurant floor, picking up trash and straightening tables and chairs. I noticed his tanned, weathered skin and hair that looked as though it was combed with his fingers. I wondered if he lived at one of the rescue missions sprinkled throughout downtown.

I knew I didn't have buckets of money to help him, but I could do something small and immediate. I purposefully walked toward the trashcan that would lead me across his path. I stopped and asked if I could tell him something. He twirled around and fear was planted on his face. I was taken aback by his defensive reaction and wondered if his world was filled with strangers who had ill intent. Nonetheless, I squared my shoulders and smiled as I said, "I just want to tell you what a nice job you're doing. You've got this place sparkling." His wide smile exposed several missing teeth and his harsh expression instantly softened. His eyes twinkled as he nodded repeatedly and said, "Thank you, Miss."

Applying the Lesson

That smile was a gift that I will long remember. That simple act of pushing kindness forward taught me that I don't have to *go big* and I don't have to *go home*. I can start small and make a big difference in someone else's life.

What can you do to push kindness forward? It takes just a second to give someone a pat on the back, say an encouraging word or give your thanks. Perhaps the next time you meet with the property owner, you may consider how to push kindness forward by active listening—listening to their entire story so that you'll gain enough insight into the owner's concerns and provide them with an appropriate solution. Reach out to others with kindness—don't rob them—or yourself—of the gift of pushing it forward. ☺



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. © 2018 Carol Brooks. Visit www.CornerstoneManagementSkills.com.

Defining **UNETHICAL** **BEHAVIOR**

The dangers of misusing the term

I've been writing the Ethics column for three years with the goal of contributing to the IRWA's emphasis on promoting and establishing high ethical standards in our profession. However, there is a danger of mislabeling all offensive conduct as "unethical." Just as the term "ethics" must retain a sharply focused, distinctive meaning, so too must the word "unethical."

This concern isn't new. Jeffrey Seglin, a distinguished writer and lecturer associated with the John F. Kennedy School of Government at Harvard University, expressed similar reservations in an article titled, "The Right Thing; Bad Behavior Can Be Perfectly Ethical." He points out that "painting every kind of bad behavior as a lapse in ethics cheapens a term that should be reserved for discussions of core moral values and their implications."

BY BRAD YARBROUGH



Defining Our Actions

What are some distinctions that should be drawn regarding offensive behavior? Though there is some overlap in their meaning, here is a list of words intended to provide a contrast in describing wrong actions:

ILL-MANNERED

This describes actions (or persons) that are impolite, vulgar, ungracious, discourteous, rude and selfish. The list of poor workplace manners includes taking items from a coworker's desk without permission, clipping your nails at your desk, making a mess in the employee's bathroom and many more.

ILL-TEMPERED

This describes those who are easily annoyed or made angry, irritable, moody, grumpy or sulky.

IMPROPER/INAPPROPRIATE

Though a very general term, this is most often used to describe actions (or persons) in violation of accepted rules, policies and standards of conduct. For instance, the "improper" action of an employee when violating company policy.

IMMORAL

This describes actions (or persons) that demonstrate behavior outside the acceptable norms and expectations of society or religion. Moral standards are not restricted to sexual behavior but applies to all actions that impact societal relationships.

ILLEGAL

This describes actions which are in violation of a law.

Being ill-mannered or ill-tempered is rarely an ethical issue. Seglin states, "Ethical doesn't always equal nice, either. People can treat you rudely, veil their motives from you, shock you, inconvenience you or drive you nuts with their pigheaded intransigence

without clocking up any automatic debits on the ethics register."

On the other hand, it is almost always unethical to act immorally or illegally. And certainly when a company's ethics policy is violated.

The Bigger Picture

Although some offensive behavior is not necessarily unethical and may even be an unintentional mistake, wrong actions can point to one's internal commitment to doing the right thing. After all, there is a direct link between character and conduct. Character is crafted through a lifetime of training, education and experience. It's important to get it right because the reputation of our industry is dependent on the aggregate character of its people. While championing professional growth of its members, the IRWA encourages personal excellence as integral to its focus on ethics. ✪

It's my hope that future articles will address specific ethical challenges faced by IRWA members. Please share real-life examples of ethical dilemmas you have encountered in your career to brad@pilgrimland.com or (405) 210-1530. These stories will be kept confidential and will be valuable in guiding others when facing similar situations.



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.

We never could have imagined that our small town of Nashville and our modest Chapter 32 would eventually host one of the very best IRWA conferences ever. But in 2008—during my road trip to the Annual Education Conference in Austin, Texas with my good friend William R. (Bobby) Flowers, Jr.—a small idea began hatching into a grand event.

An Unlikely Idea

Bobby and I normally traveled together to the IRWA Conferences as it gave us a chance to catch up on our lives and to brainstorm about all things “right of way.” This trip was no exception. You might recall that 2008 was a tough time for all of us. The economic downturn was causing a downward spiral in membership and leadership, so we headed to Austin with a mixed sense of despair and hope.

In his quiet manner, Bobby said, “We need to energize the Chapter. Let’s bring the conference to Nashville!” My immediate response was to laugh out loud and tell him what a crazy idea it was. We argued this for the remainder of the trip. I focused on our Chapter’s dwindling membership, poor attendance at meetings and limited class participation. But Bobby insisted that his idea was not only possible—it was great. He suggested that we discuss the possibility with the Austin Conference Committee members to get some information on how it’s done. This idea resulted in the first of many positive meetings with our friends on the International Transportation Committee and local Austin Chapter 74 members.

During these discussions, we discovered that one of the main local public agencies for the Austin



BY BILLY R. MEDLEY, SR/WA

Chapter was the Texas Department of Transportation (TXDOT). They were Chapter leaders and very active in Regional and Chapter membership/certification. With support from the Chapter, TXDOT had provided the engine that was driving most of the Austin Conference. Unfortunately, we did not have that luxury in Tennessee, but it certainly sparked an idea. During the rest of the Austin Conference, we gathered as much information as possible from committee members and intensely watched how the bid process worked for upcoming conferences.

Convincing the Chapter

The Nashville 2016 Conference was put on the next Chapter meeting agenda as new business. I began with giving our members a report on the Austin Conference and the positive feedback we received from Austin and IRWA Headquarters staff. To our surprise, the idea faced strong opposition. In some ways, it was understandable. You may or may not recall that the Nashville 1978 Conference took an army of volunteers, used more funds than we had expected and essentially divided the Chapter membership.

Nonetheless, we took a vote on Nashville 2016, and it was overwhelmingly defeated.

It would have been easy to give up at that point, but we didn’t. Bobby came up with a crazy plan to garner member support by wearing Nashville “Sweet 16” cowboy shirts and straw hats to the 2010 Calgary Conference. Chapter opposition remained skeptical at best, but the response from other international attendees was overwhelmingly positive.

Creating a Plan of Action

On our return trip from Calgary to Nashville, Bobby and I came up with our next plan of action. With 42 return hours to brainstorm, you can imagine what our to-do list looked like by the time we got home. The stage was set for the vote at the next Chapter meeting. Our 2010 Chapter President John B. Boynton, Jr. supported our conference idea and placed it as a main discussion on the agenda. Bobby and I reported the positive response we got from attendees throughout the United States, Canada and all over the world, as well as all the conference planning information we got from IRWA’s Event Coordinator, Jade Meador.



A look back at the success of Nashville 2016

We also addressed the opposition's concerns. Nashville 2016 would not drain our Chapter members since Headquarters would be in charge of organizing much of the conference itself. We would need volunteer support, conference funds and leadership, but the total cost was much lower than previously discussed and it would not break our budget.



Nashville 2016 Conference Co-Chairs Jenni Kriner, SR/WA and Dan Gill, SR/WA.

With Chapter support and IRWA Headquarters' organizational resources, we could make Nashville 2016 happen. With some trepidation, I moved for a vote. This time, the final conference vote was in favor of our plan. We were on our way!

Utilizing Our Resources

It takes a village and this is certainly true when planning a major conference. Region 6 reached out to us and provided a lot of support in the way of volunteer staff and conference branding. With the renewed enthusiasm of our members, our educational presentations began to pick up steam with greater attendance and great profits. This contributed to making Nashville 2016 possible without draining our budget. And as we had learned in Austin, getting help from local public agencies was the key to success.

The Tennessee Department of Transportation helped tremendously with renewed educational support for their employees. Of particular significance was our winning conference video, "Music is Our

Home." The video was filmed at the Chapter winter meeting and featured TDOT Commissioner John Schroer. It served as a fantastic marketing tool to win the support of the Conference Planning Committee.

In 2011, we attended the conference bidding meeting at the Atlanta Conference. We were equipped with renewed membership involvement, financial stability and a stellar Conference Bid Committee made up of Jenni Kriner, SR/WA and Dan Gill, SR/WA. We were ready and able to bring home the conference to Nashville in 2016. We were later informed that it was one of the largest winning margins ever.

The Rest is History

Nashville 2016 garnered the second largest conference attendance ever. The traditional Monday Night event was one of the most outstanding and well-attended in the history of the event. Thanks to one of our biggest supporters, Carol Croft & Associates, we raised significant funds for the Right of Way International Education Foundation. In short, Nashville 2016 stood high in IRWA conference history and proves that if we could do it, so can you. Tenacity and creativity can truly make a difference. The future of infrastructure and right of way depends on it. 🌟




Bill Medley is retired from the state and currently runs Medley Fishing School in Silver Point, Tennessee. He serves as Chapter 32 Education Chair and on the Board of the Tennessee Appraiser Coalition.

EMPOWERING YOUR TEAM

How to Build a High-Performance Environment

BY MAGI GRAZIANO



When it comes to constructing a team of people who work well together to create winning outcomes, knowing “how to” and understanding “how to” are very different concepts.

A strong and astute organizational leader is one who is committed to optimizing their resources and maximizing their return on their investment. Given that people expense is often the largest investment in any enterprise, creating this kind of culture is simply smart business. As a leader, empowering your workforce to unleash their strengths, collaborate and innovate, will leverage their ability to act as a team and produce results.

Work cultures where people focus only on their piece of the puzzle leads to a *silo mentality* and ultimately breeds ineffectiveness and inefficiency. A high-performance team cannot exist in an environment where competition and *one-up-manship* prevail. Additionally, teamwork is adversely impacted when the people on the team feel the need to focus on fighting and jockeying for authority or power. This need to be “better than” decreases collaboration and limits innovation. It is a recipe for stagnation and conflict—neither of which drives long term results.

Being a leader calls for rewiring our minds and our teams to repair an absence of trust. But before you can rewire, you first need to be aware and responsible for the absence of trust

in the first place. Whether you are seeking to create a high-performance work team or a high-performance culture, there are seven steps for creating an environment where high-performance and teamwork can thrive.

1 Identify and Clarify the Purpose for the Team

People must understand the "why" behind what they are doing. Clarifying the purpose allows people to see how they connect to it. Communicating an inspiring vision for the people on the team and mapping what success looks like when it is achieved is a foundational element for congealing a group of people together and getting them geared up to work in unison.

2 Select a Leader

The team's leader does not have to be the person who invents the purpose for the team. Instead, they need to be the person who accepts the responsibility for shepherding and guiding the team to success. The leader's job is to be present and there for the team. The best leaders select the right people, inspire them towards a vision and back out of the way during the planning stage unless they are specifically asked for guidance.

3 Establish Rules

People need to know what is expected from them and from the team. They also need to know and understand where the boundaries are regarding decision-making, autonomy and performance. Giving people the rules of the game before they agree to play it allows for people to opt in or out. Advanced clarity of expectations also reduces unnecessary problems and confusion, and it serves to mitigate poor performance and unwanted turnover on the team.

4 Select the Players

Whether you are building an enterprise or a team of people to accomplish a project, it is crucial that you select the right people for the right roles and for the right reasons. When people are engaged, they have a strong desire to bring value—to be a contributor. They enjoy the type of work they are doing and are able to connect their work to the bigger picture.

The best team dynamics happen when there is a variety of people who bring their uniqueness to the team. Beyond competencies and skills, it's important to consider unique traits that each team member brings to the table and how those unique traits can be leveraged for optimal creativity and innovation.

5 Set the Level

Level-setting gives each member of the team a new opportunity to begin again. During a level set, team members explore the barriers to working with others in a productive and effective manner. Even the most astute and self-aware people discover limits that were previously hidden from their conscious view. The team lays out the path for the best way to work together and how they will resolve personality conflicts and internal challenges with the dynamics on the team. At the completion of the level set, the team creates a collective possibility for the team that is inspiring to each and every member.

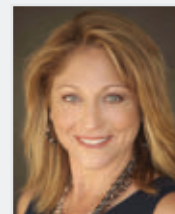
6 Planning

The best approach for a leader during planning is to be a source for inspiration, questions and guidance. Leaders who step too far in create teams that are dependent on them and lack creativity. If the leader notices a problem with the plan, rather than pointing it out, it is much more empowering to ask questions that provoke the team members to activate their critical thinking skills and think potential challenges through.

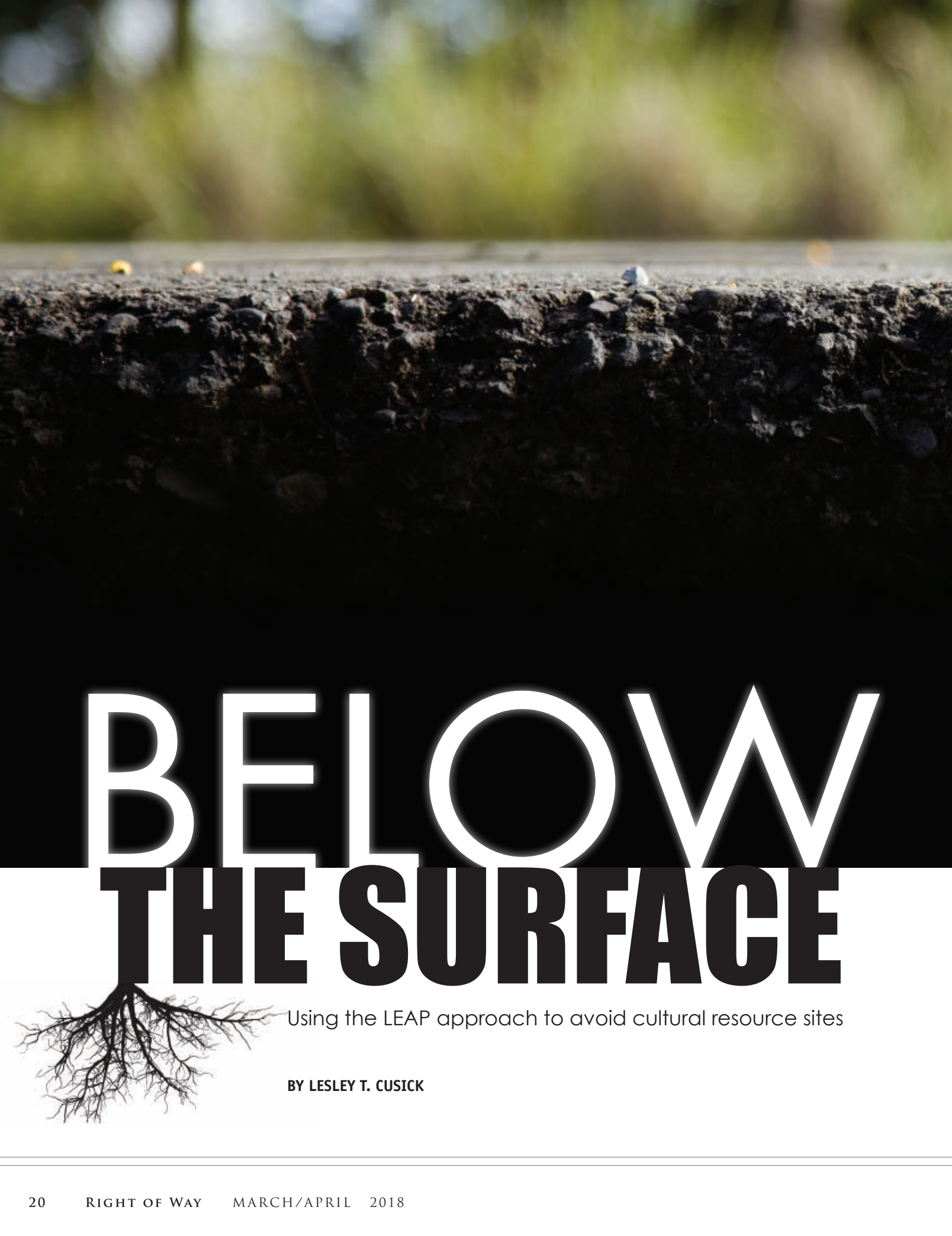
7 Check in, Track Progress and Celebrate Success

When people are aware of the milestone meetings and are given regular feedback, uncertainty and unnecessary stress is reduced. Laying out the stages of organizational effectiveness by defining the criteria for low, moderate and high momentum gives the team an opportunity to self regulate, correct and celebrate as they see fit.

While "knowing" and "understanding" are very different, "doing" is the key link. For the impatient leader, doing may be a challenge because progress is most often only experienced incrementally. Building a high-performance team is not about exponential breakthroughs. Sustainability is your goal and impatience is your enemy. Teams respond best to a system that allows them to fall, learn from their mistakes, move forward and sustain progress over time. When high concentration and effort is celebrated and genuinely appreciated, teams build confidence and fortitude to stay the course. ★



Magi Graziano, CEO of KeenAlignment, is a speaker, employee recruitment and engagement expert and author of The Wealth of Talent. With more than 20 years of experience as a top producer in the Recruitment and Search industry, she empowers and enables leaders to bring transformational thinking to the day-to-day operation. For more information on Magi, please visit www.KeenAlignment.com.



BELOW THE SURFACE

Using the LEAP approach to avoid cultural resource sites

BY LESLEY T. CUSICK





Too often, project managers get a call from someone on the project site saying they've stumbled onto a cultural resource site. Regardless of whether this is a pioneer cemetery, a colonial era farmstead or a prehistoric village, the problem is that it wasn't indicated on a map. And making matters worse, this call often happens when the corridor has been decided and costly machines are already mobilized. Imagine what this discovery does to the project timeline, financial projections and the company's goodwill and public image once social media begins to spread the word.

Several states have invested resources in developing predictive models for natural resource sensitivity, but only a few have predictive models specifically for cultural resources. Predictive models are important because so little of the country has been surveyed for subsurface cultural resource sites. Thousands of sites have yet to be identified and put on maps, but through enhanced predictive modeling, we can estimate likely locations of high sensitivity areas.



Understanding Cultural Resource Regulations

Cultural resource regulations are not environmental regulations, although they are often grouped with them. Important distinctions of cultural resources, in particular archaeological sites, are as follows:

- The majority are not visible from the surface.
- They are not mapped in a way that is readily available.
- They may require the context of their location in order to be interpreted and understood.
- They cannot be restored if they are damaged.
- Depending on the nature of the resource, they may have cultural, spiritual and emotional attachments to descendants that cannot be mitigated.

The issues facing cultural resources can be significant. Let's say your project is *not* regulated under the National Historic Preservation Act. Would you still follow its requirements? What if there were methods and tools available to enable you to perform efficient cultural resources research to assist in project planning and manage risks brought about by inadvertent discoveries?

Leaders in Energy and Preservation (LEAP) was formed to address just these challenges. The LEAP approach is one advocated by industry experts in unregulated environments and is designed to minimize risk to energy companies and energy projects, *and* to achieve positive preservation outcomes. It is also gaining interest among cultural resource management (CRM) regulators and advisory bodies, and its applicability to overall economic development opportunities is clear. A non-profit organization guided by leaders in oil and gas, renewable energy and cultural resource management fields, LEAP seeks to provide project developers with greater insights about historic resources early in a project so that cultural resources can be

considered in the project planning stages. The LEAP methods provide for early risk management decision-making, which offers opportunities for preservation, mitigation and greater predictability. In implementing this, LEAP champions a dual approach to operationalizing risk management: voluntary corporate practices and the development of better screening tools.

The benefits of this approach can be substantial. Ernest Ladkani, a Senior Advisor, U.S. Environmental Planning & Permitting with TransCanada, describes it this way: "Our projects are typically schedule-driven projects where any potential delay can have extensive cost implications. We rely on the types of tools being developed by LEAP to reduce the risk of project delays caused by unanticipated discoveries."

A Look into the LEAP Toolbox

In addition to personnel trained in LEAP methods, the LEAP Toolbox includes voluntary practices to help you "get it right" from the start, a GIS screening tool to help with project planning and a sensitivity algorithm (sensitivity tool) to refine knowledge of the cultural resources in your project path.

Voluntary Practices

LEAP provides a framework for developers to voluntarily address heritage resources during all phases of project development. The LEAP Voluntary Practices Guide defines a methodology that affords flexibility in siting/system design through the use of up-front planning and engagement to identify resources, assess mitigation options and evaluate alternatives. The guide identifies means and methods to address the effects of development in an environment that does or may contain heritage resources.

The GIS Screening Tool

LEAP has developed a GIS-based screening tool that, in areas where it is available, companies can identify regions of high, medium and low risk for the presence of heritage resources. Armed with information about the relative sensitivity of proposed development

locations, companies can make decisions about cultural resource risk avoidance at this early stage of planning. The screening tool uses an aggregated dataset of previously-discovered sites, environmental data (such as soil type, slope and distance to water sources) and a range of documentary evidence to predict where additional sensitive sites are located. The screening tool also aggregates sensitive archaeological data so that their locations are not compromised. LEAP is partnering with NatureServe, a 501(c)(3) organization that has developed decision-support tools for natural resources and electronic state permitting tools across the country.

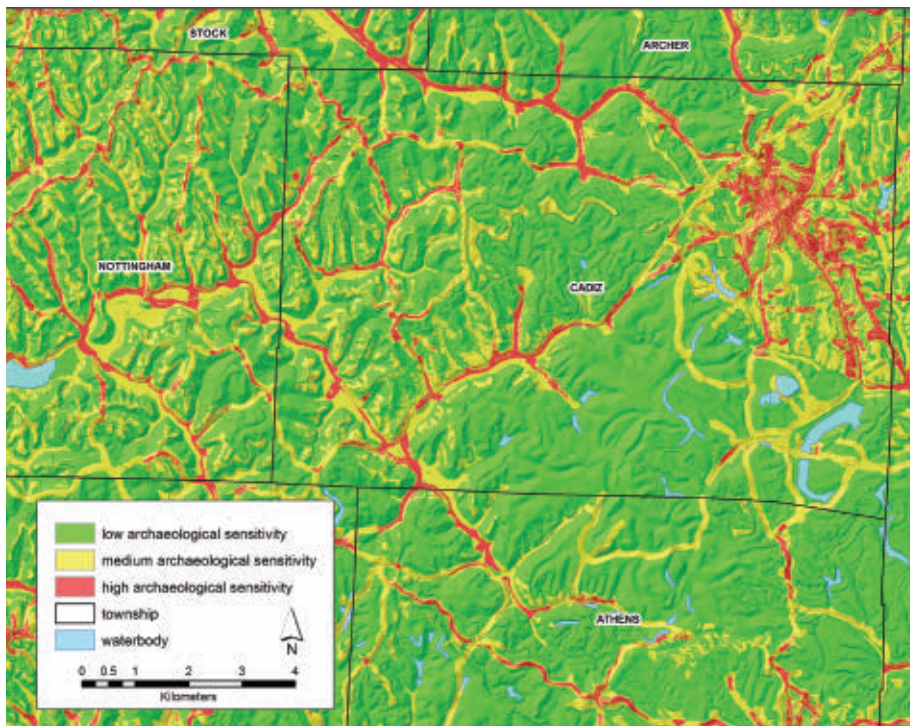
The Sensitivity Algorithm

Once an archaeological site is identified in the path of development, the first step is to identify how sensitive it is. Is it a one in a million site that should be avoided at all costs? The LEAP sensitivity tool is designed to assess the relative sensitivity of archaeological sites in a standardized manner, but it is also customized to archaeological resources in a project area. Sensitivities to the cultural values of a community can also be considered in the evaluation at this phase. Users input various characteristics of the site into the tool, which weighs attributes and advises the user on the site's relative sensitivity.

Supporting All Phases of Development

The consideration of cultural resources should be performed early in the planning stage of a project. If medium or high-risk areas cannot be avoided, the engagement of heritage resource professionals to survey specific areas and provide assessments is prudent.

When used early on, the screening tool is a significant benefit to save corporate resources. In the design phase, the analysis of known or newly identified sites using the sensitivity tool occurs. Based on the type of site, the heritage resource professional can assist with avoidance methods and/or additional research to support client decision-making. As noted by LEAP Board Member Afton Sterling of Southwestern



A map developed from information in eastern Ohio using the GIS-based screening tool. GIS image courtesy of Michael Heilen, Statistical Research, Inc.

Energy's NE Appalachia Region, "Being good stewards of the environment and the communities where we live and work is a top priority for us. Tools, such as the one being developed by LEAP, help us protect sensitive resources." The LEAP approach takes into consideration that the level of support needed during the construction phase can vary, ranging from providing real-time field presence if requested to developing mitigation measures to alleviate impacts.

"All archaeology is local," says Nathan Boyless, President of Metcalf Archaeological Consultants, Inc. "We know this as do our clients and partners. Empowering industry with the right tools and information can inject more predictability and return on investment into the process, not to mention foster a stronger relationship with local communities. A little pre-planning can yield better results and that's where the LEAP approach really comes in to play. Our tools provide the information every developer needs to be a responsible steward of our shared history and heritage."

International Relevance

In their 2018 publication, "Making the Business Case for Corporate Social Responsibility," IPIECA, the global oil and gas industry association for environmental and social issues, includes the destruction of cultural and archaeological heritage as a type of "adverse social and human rights impact which may lead to business risk." The analysis also provides proof points on the costs of failing to identify and address social and human rights impacts. The costs can be extraordinary. In some cases, projects may not only be stopped from being built, they can even be prohibited from operation once built or they can be destroyed in acts of vandalism. Countries filled with natural resource wealth and ripe for infrastructure development may also be filled with unknown cultural resources sites. Corporate Social Responsibility, the need for corporate risk management, and the proactive LEAP methods are consistent in their relevance to enhancing economic development opportunities.

Looking Ahead

The cultural values of a community, and the sensitivity of a community to their cultural values, are important factors in development planning and should not be underestimated. The intangibles of emotion and attachments to things like particular landscapes or quiet environments can be impacted by development in many of the same ways that destruction of a tangible cultural resource can. In recent months, we have seen the negative effects of inadequate cultural resource planning. Discovering these issues on site can be expensive and cause significant reputational harm. The LEAP approach is designed to help companies understand, plan for and mitigate cultural resources risk.

The LEAP Screening Tool is envisioned as a nationwide tool for energy and infrastructure development companies to use early in their planning process. However, its broader applicability to all types of ground-disturbing development projects is clear.

Ultimately, up-front planning is less costly than project delays or outright stoppages and injunctions when construction is already underway. While additional time and resources may be required in the planning phase, companies can make more informed decisions when they fully understand the potential risks. Not only will they save time and money, this extra effort will go a long way toward maintaining positive community relations. 🌟

To learn more about the LEAP approach, visit <https://www.energyandpreservation.org>.



Lesley Cusick has been in IRWA since 2013. She is a Regulatory Specialist with RSI EnTech, LLC, an ASRC Industrial Services Company. Lesley has over 30 years of professional experience and has been associated with LEAP since 2014.

THE BASICS OF NON-COMPETE CLAUSES

Exploring the restrictions in employment agreements



BY PETER CHRISTENSEN, JD

Most right of way service firms, big or small, wisely use written employment agreements with their staff members. The agreements spell out details regarding such things as work expectations, compensation, work place rules and confidentiality protocols; they also often contain some type of non-compete clause.

As a general matter, the purpose of a non-compete clause is to prohibit an employee from competing against their employer after the employee ceases work. A right of way firm may utilize a non-compete clause because they are understandably concerned about protecting the firm from future competition by a staff member, especially after the firm has spent time and money educating and developing the employee and exposed that employee to the firm's clients. Other times, however, the purpose behind a clause may simply be to stifle any competition at all.

Whether you are an employee, contractor or owner of a right of way firm, it's important to have a basic understanding of the limitations and problems relating to such provisions. They are, indeed, one of the most frequent sources of litigation between firms and their former professional employees.



An Unforeseen Restriction

In 2007, a land services professional and expert in geotechnical engineering (let's call her Susan) began work with a firm that provided a broad array of right of way services and other land services to government agencies and to oil, gas and mineral businesses. After several years of hard work and perseverance, Susan was promoted to a management position, and she worked closely with some of the firm's top clients.

After five years at the firm, Susan yearned to start her own business and to be her "own boss." She wanted to capitalize on her recognized expertise in the field and offer her skills directly to the same types of government and oil/gas/mineral companies she was

presently serving at the firm. After deciding to pursue that dream, one of the first things she did before leaving her current job was talk with a lawyer. As they discussed the details, the topic of current employment agreements came up. She located the agreement she had signed a few years before with her current firm and sent it to her attorney.

Her heart sank as she read through several provisions that she hadn't given much thought to when she signed the agreement. The agreement aimed to restrict her ability to work in the same industry as her current employer. In pertinent part, the agreement stated:

NON-COMPETITION BY EMPLOYEE. Employee hereby agrees that employee will not, during the term of employment, or for a period of eighteen (18) months after the termination thereof, engage directly or indirectly in a business similar to Employer's business, nor associate therewith in such related business capacity either as an individual or a member of a firm or a shareholder.

INJUNCTIVE RELIEF. In the event of a breach of any provision herein, the Employer shall be entitled, in addition to injunctive relief provided for herein, attorney's fees and liquidated damages in the sum of \$25,000.00 per breach.

Susan's head was spinning. Do these sections really mean what they say? Will her current firm be able to stop her from working at all in the right of way/land services business for 18 months after she leaves? And if she does go forward with starting her own firm anyway, will her firm really be able to sue her for \$25,000 in

"liquidated damages" for every breach? Is her dream of being her own boss really a nightmare?

Susan met with her lawyer. He assured her that in her particular state, the firm would not be able to enforce the non-compete against her. Based on that assurance, she went forward with her plan, gave notice to the firm and promptly started her own business—very much competing against her old firm. When Susan's old employer saw that her business was succeeding, the firm sued her. Was her attorney right? Who won the issue in court?

Considerations

To better understand Susan's predicament, let's consider some of the relevant law. For instance, there's the fact that reasonable non-compete clauses can be enforced in most states (with the exception of a few, such as California, Oklahoma and North Dakota). It is true, however, that they are "disfavored" by the courts—meaning that they are construed very strictly and are subject to key limitations. The chief reasons for disfavor of non-compete clauses are that they may restrict trade and limit free competition and can make it difficult or impossible for former employees to earn a living. As a result, under the laws of most states, non-compete clauses will only be enforced when: (1) they protect legitimate interests of the employer, (2) they are reasonable in scope, duration and geographic area and (3) they are supported by "consideration." Any ambiguity will be construed in favor of the employee.

(1) Clauses Must Protect Legitimate Interests of the Employer. A court must usually find that a clause protects legitimate interests of the employer before the court will enforce it. For example, a court might consider whether

the employee was a key employee or the "firm's face" with clients. Did the employee possess significant confidential information belonging to the firm? Did the firm invest significant expense or resources in providing special education or training to the employee? When such factors are in evidence, a court will be more likely to enforce a non-compete clause as protecting legitimate interests. These are the kinds of things that employers need to be able to show when justifying that a clause serves to protect legitimate interests rather than simply stifle any competition.

- (2) **Clauses Must Be Reasonable in Scope, Duration and Geographic Area.** Courts generally will not enforce agreements that are unreasonable in the scope of their restrictions, duration or geographic area. In making this determination, courts consider factors such as how long the restriction will last against the former employee, whether the restriction is limited in geographic area, whether the clause will prevent the employee from engaging at all in his or her profession, whether the employee can find other employment and whether the restriction on competition will hurt the public (perhaps by depriving the public of needed expertise). The determination of what is "reasonable" depends on the factual circumstances in each case, which is part of the reason why non-compete clauses can lead to expensive courtroom arguments.

Most states do not have any specific period of restriction that will automatically be found reasonable, but most courts will consider a one-year non-compete as within the realm of reason, while a three-year period often crosses the line. Similarly, most courts will not enforce a clause when it imposes a nationwide restriction on competition by the employee or bars competition where the employer has no clients or business interests. Enforceable clauses need to be drafted with all of these variables in mind and with attention to the law in the particular states where the restrictions will apply.

PERHAPS THE MOST IMPORTANT THING TO UNDERSTAND ABOUT THEM IS THE NEED TO GET LEGAL ADVICE.

- (3) **Clauses Must Be Supported by Consideration.** In general, for a non-compete clause to be enforceable against the employee, the employee must have received something of value in exchange for committing to the non-compete obligation. In some states, that value can be simply the continuation of the employee's employment. In other states, it needs to be something more substantial. For example, to be considered supported by consideration in Minnesota, a non-compete clause generally must be agreed to at the beginning of the employment relationship. If not, then the employee must actually have received an increased benefit (like an increase in pay) in exchange for the non-compete.

The Result

What happened in Susan's case? She won. Her attorney was right, but it cost her a lot of money in attorney's fees to win. After two years of litigation in federal court, the court ruled that the non-compete restriction against her was unenforceable because it too broadly restricted her ability to work. It was too long in length, barred competition in every state and aimed to restrict her ability to work in any "similar" field as her former employer.

While we now understand the general basics of non-compete clauses, perhaps the most important thing to understand about them is the need to get legal advice. While nearly every article about a legal topic comes with a standard admonition that the reader should consult with his or her own

legal counsel, the admonition is not crying wolf when it comes to non-compete clauses. For all the points discussed in this article and because there is so little uniformity between the states, if a right of way firm hopes to have an enforceable non-compete agreement, the firm needs the wording to be developed by a lawyer who is knowledgeable about the law in those states where the clauses will apply. From the employee's perspective, on the other hand, the evaluation of a non-compete clause is probably more straightforward. An employee who takes the time to read and think about the terms of his or her employment generally will recognize that a non-compete clause is not in their self-interest, unless the employee is receiving a commensurate benefit. ⚡



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.



MANAGING PROJECT COMPLEXITY

The importance of the right of way professional

BY JAMES A. KENT AND GLENN WINFREE, SR/WA

Projects today are increasingly facing disruption from factors that create complexity. This type of complexity is an unintended by-product that diverts corporate energy and resources from construction and implementation in order to address unplanned complications in delivering a project.

Right of way professionals face increasing complexity from the communities that their projects impact. The social risk has become too great to not formally recognize and systematically act upon the underlying causes of how and why citizens go from potentially healthy participation to actively fighting a project. Disruptive forces often overtake and gain control of a project. Because of increasing complexity created by the lack of positive and timely community interface, it is necessary for companies who desire successful projects to rethink how they operate. The challenge is to understand the citizens' world—how they function to protect or expand their environment when faced with changes—and work within that framework.

The Measured Outcomes of Complexity

The outcome of not properly addressing project disruption from citizen resistance is now familiar to project owners. The impacts of such delays are well-summarized in the following findings from Independent Project Analysis.

Independent Project Analysis considers an oil and gas project to be a success if it:

- Comes in within 25 percent of budget.
- Finishes within 25 percent of schedule.
- Produces at 80 percent of nameplate within the first two years.

Consider what that means. For a \$4 billion project, 25 percent of budget is \$1 billion. One year is 25 percent of schedule, and one year of production deferment is \$2 billion. Finally, 20 percent of the first two years of production is another \$1 billion deferred.

We are leaving billions of dollars on the table mostly because we do not understand complexity and how to manage it.

An experienced right of way agent is in a key position to positively affect the above outcomes by preventing complexity from even gaining a foothold. What if there were some items in the tool box that could be used up front in the design phase? Tools that would help the land agent recognize and advise management on how to avoid the land mines that await almost every project in today's development environment.

The Right of Way Agent

Here are some actions that the right of way professional can take and feed back to management to ensure that the project does not lead to management complexity. The following

selected social risk factors are discussed as an example of what the agent can do within the community:

1. Verify that the project corridor or site development is not near play grounds, schools, senior centers, day care facilities, churches and cemeteries. These areas are held as special places to communities. Any perceived threat to them will create reaction and disruption. The general rule of thumb is that if you are at least 1500 feet away from such vulnerable areas, local people will have a perception of safety. If you are within 500 feet or less, there will be a battle.
2. Are there past project conflicts? If there have been conflicts, are they still ongoing? If resolved, how were they resolved and when? Past conflicts are a reliable indicator of trouble for a new project. If there have been no conflicts, your project is beginning the development process at a low social risk, which allows programming for prevention and resolution of citizen issues. If there is an unresolved conflict still ongoing, your project faces "issue loading" from that disruption and action should be taken to avoid being tied to issues that it has created.
3. As part of their community routine in setting up the project, right of way agents can find the informal gathering places, such as coffee shops, restaurants, barber shops, beauty parlors and bars. It is in these places where information is exchanged face-to-face on a daily basis. Find out if there is talk about your project. If there is none, then there is an opportunity to introduce the project via these valuable word-of-mouth networks, which can eliminate surprise. Listen for victimization talk even if not related to your project. Such talk can spill over.
4. Bulletin boards provide an eye into the heart of the community. If bulletin boards are busy with current issues and activities of the people, you have found an important communication place. Valuable learning about the community and its culture is possible from posted information. These bulletin boards offer insight into what is going on, civic events, contact names, key people, economic stresses and caretaking activities. Such scrappy boards are ones to use as an avenue when the time is right to communicate about the project. Bulletin boards that are neat and well-organized generally reflect the formal groups and their agendas, and they have little value to the project's acceptance into the community.
5. An important warning system is to review the local newspapers and local information sheets to see how controversies are handled or reported. What kinds of controversies have been covered and have they been



Bulletin boards offer insight into what is going on, civic events, contact names, key people, economic stresses and caretaking activities.

covered impartially? Is there a bias, for example, by ranchers against outsiders and other projects? Is there favor shown to Chamber of Commerce activities? Your Public Affairs department will need to know how to fit the project information into the language of the local area, so technical and company language is replaced to insure understanding.

6. Be conscious of the viewshed (the lines of sight from homes and community pathways) from the corridor location. People value their viewshed and an early indication of this is important, especially if real estate agents have marketed it as part of property value. If viewshed is not a part of the conversation or not marketed in real estate transactions, then there is more opportunity to look at options for corridor location. If viewsheds have intense social attachment, then that attachment needs to be recognized up front so that the project does not get ambushed when it moves forward.

A Seat at the Table

To optimize the integration of the above knowledge into the decision-making system, the right of way agent will need to be ensured a position in the design and development phases of the project. The benefit of this early involvement integrates community interests with management decisions—right from the beginning of the project. By taking this action, management recognizes and understands that the community is an equal partner with other aspects of the project. This establishes a process that allows the company to be perceived as a guest of the community.

The right of way agent brings to the table essential knowledge on how the world is changing with respect to how landowners and communities process information about infrastructure projects. In today's project environment, where timing and sequence are critical to community acceptance, the first chance to gain support is likely to be the only chance to prevent complexity from occurring. The cost of uncontrolled delays and

damage to company reputations has become increasingly related to a project's social environment, as noted in the November 2017 issue of the *Harvard Business Review*. In an article titled, "It Has Never Been More Important for Big Companies to Listen to Local Communities," the authors point out that a growing number of energy and infrastructure executives agree that successful companies are set apart by their ability to generate social and political support for their projects, not by their technology and expertise.

Rethinking the position of the right of way professional as the first line of community engagement and complexity prevention will be a new idea for many. However, when companies have the right people in place with authority to function internally in the decision-making process, complexity created by community reaction and disruption will become a thing of the past. ☼



Jim Kent has been crafting empowered collaborations among corporations, communities and governments for more than 30 years. He is President of JKA Group and co-developer of IRWA Course 225, Social Ecology: Listening to Community. Visit www.jkagroup.com.



Glenn Winfree, SR/WA is a Land Agent with Duke Energy with over 30 years of real estate experience. He is also the former Chair of the International Electric & Utilities Committee and an active member of the Carolinas Chapter 31.



SCENIC EASEMENTS

Understanding a challenging appraisal process

BY KEMA WILLIAMS, EDWARD SINGER AND JULITA DE LEON



A scenic easement is “the right to control the use of a particular piece of private land to preserve the natural quality of the property or its surroundings.” According to the Wisconsin Department of Transportation (WisDOT) Real Estate Program Manual, scenic easements are created for the protection and preservation of land areas containing natural beauty by restricting and preventing future development that may tend to detract from other uses. The Manual further explains that the concept of scenic highway easements stem from the idea that there is enjoyment and recreation for the traveling public in viewing a relatively unspoiled natural landscape.

Historical Overview of Scenic Easements

During the mid-1960s and throughout the 1970s, governmental bodies purchased scenic easements along certain highways. This action was prompted by Lady Byrd Johnson, wife of the 36th President of the United States, Lyndon B. Johnson. In her effort to preserve our nation’s scenic highways, Lady Bird Johnson pushed the idea that beauty had a real social utility. Therefore, cleaning up city parks, planting trees and flowers, getting rid of ugly billboards and screening junkyards from public view would make America a better place—both to look at and to live in.

Congress passed the Highway Beautification Act in 1965. Its main purpose was to limit billboards and other forms of outdoor advertising, as well as junkyards and unattractive road distractions. It allocated funds to each state to purchase strips of land deemed necessary for the restoration, preservation and enhancement of scenic beauty adjacent to highways. In addition, publicly-owned rest stops and scenic overlooks were created within or adjacent to certain highways to accommodate the traveling public.

Valuing Scenic Easements in Wisconsin

Historically, Wisconsin is considered a leader and an innovator among the states for land preservation and conservation programs. In 1939, Wisconsin began

acquiring scenic easements along the Great River Road—a scenic highway that parallels the Mississippi River along the state’s entire western border. By 1967, Wisconsin acquired 1,125 scenic easements covering approximately 12,500 acres of land and protecting 282 miles of scenic highway. This project was a monumental task and faced a great deal of challenges, such as the lack of skills in identifying scenic resources, as well as drafting scenic grants, appraising, negotiating and communicating with property owners and the public about such easement. However, as the years went by, additional knowledge and understanding of administering scenic easements began to surface. Wisconsin was able to develop better systems that addressed the administration and implementation of scenic enhancement programs. These new processes promoted better negotiations between land owners and the State Highway Commission (now WisDOT). However, the valuation of scenic easements remains as problematic today as it was 50-70 years ago.

In Wisconsin, scenic easements acquisition is not uniform in their terms, conditions and valuation. Consequently, the development standards in the easement agreements vary. Some easements might be held in perpetuity, allowing no building of any type and covering the entire property. Others have a limited term, permitting a single residence and creating a 300-foot frontage along the interstate. Most scenic easements contain restrictions, such as no development of any type, no billboards, no dumping of offensive or unsightly materials and no cutting of timber. However, some agencies reserve affirmative rights, such as the right to inspect the premises, prune trees or construct a public scenic rest stop. Furthermore, scenic easement agreements are customized to each acquisition, allowing the property owner and the agency some flexibility and creativity in negotiating, which results in a range of compensation. That same range of variables continues to pose challenges for valuing scenic easements even when using orthodox appraisal methods.

Releasing or Modifying Scenic Easements

Based on current land use patterns, demographic changes and economic development, there has been an increased number of property owners requesting variances or modifications to scenic easement agreements. Most of the variance requests address lifting or modifying the development standards in the scenic agreement.

In Wisconsin, the process of releasing or modifying scenic easement agreements begins when a property owner or an applicant sends WisDOT a variance request or application. The request is reviewed by WisDOT and if approved, it turns into a valuation assignment. A scenic easement lifted in its entirety would indicate a straightforward before and after appraisal, which requires the appraiser to evaluate the property in the before condition (before the scenic easement is imposed) and in the after condition (after the scenic easement is imposed). However, if the request is only for a modification of the easement, the appraisal becomes much more challenging and requires a more extensive analysis of the before and after condition.

A Case Study

Let's look at an example located in Crawford County in southwest Wisconsin. The entire 18-acre property is encumbered by a scenic easement. A state trunk highway runs along one side of the property. The property owner requests a modification to the scenic easement that would allow a residence to be constructed on the property, while the interstate frontage would still be subject to the easement restrictions to a depth of 600 feet. WisDOT staff agrees to the variance, and we were tasked to appraise the market value of the subject property in the before and after condition. After extensive research and analysis of comparable sales, including interviewing county officials and planning and zoning officials, we found that the market value of the comparable sales that were unencumbered by a scenic easement

were higher than the market value of the comparable sales with easement restrictions. Below is an abbreviated summary of our analysis of the before and after condition and the market value of the variance:

Indicated value of the property **without** the scenic easement:

Land: 18 acres @ \$4,000 per acre = \$72,000

Indicated value of the property **with** the scenic easement:

Land: 18 acres @ \$2,400 per acre = \$43,200

Difference between before and after:

Easement Value: \$72,000 - \$43,200 = \$28,800

Percentage loss due to change on per acre basis of scenic easement:

$\$28,800 / \$72,000 = 40$ percent

$\$28,800 =$ Rounded to \$29,000

$\$29,000 / 18$ acres = \$1,611 per acre

Release or modification requested was 3 acres from the total 18-acre total.

Therefore, the market value of the variance or modification to the scenic easement is: 3 acres x \$1,611 per acre = \$4,833.

By spending a sufficient amount of time analyzing and completing the market analysis, as well as developing the proper highest and best use, we could fairly estimate land values and create a cohesive final analysis and reconciliation.

In Conclusion

There is a wide variety of opinions on how to conduct scenic easement appraisals. It has been an on-going challenge in the market for many years because scenic easements are somewhat unique in nature and the appraisal process is not well understood by many. We found that it is paramount to perform a thorough market analysis of the before and after condition to arrive at the highest and best use. Once established, further analysis is required to arrive at a credible opinion of market value. That research and analysis can be very lengthy, therefore a significant amount of time and resources from both the client and the appraiser are required. ✪



Kema Williams is a real estate broker, appraiser and acquisition specialist for the Wisconsin Department of Transportation. She conducts complex and unique acquisitions and appraisals and has been in the real estate field for over 15 years.



Edward Singer is a real estate specialist with the Rails and Harbors section of the Wisconsin Department of Transportation. He has over 15 years of experience in the public and private sector in acquisition, negotiation and property management of publicly-held lands.



Julita de Leon is the managing attorney for JULITA de LEON, PLLC. In addition to her work in private practice, she has held a number of government positions, including General Counsel to the Virgin Islands Housing Authority and Legal Counsel to the Virgin Islands Coastal Zone Management Commission.

NOW WHAT?



BY RICHARD B. CRIDLEBAUGH, SR/WA

There was a time in my career when retirement seemed so far away, so remote and so immaterial to what I was doing that day. But on December 31, 1991, I found myself walking out of the Illinois Department of Transportation (IDOT) as a full-time employee for the very last time.

Since then, I've reflected on these past 60 years. I spent 35 of them dedicated to working on my career and 25 years went to retirement experience. During my career, I was a middle manager and I supervised an appraisal staff and fee appraisers. Unlike many professionals today, I worked without changing my job, my career path or my employer every few years. And upon retiring

soon after my 57th birthday, my loyalty continued. For years, I took part in IDOT's volunteer program. With this experience, I hope to provide a few insights for people still working, as well as those who have retired and are wondering what's next.

What Retirement Means to You

Retirement is a rather subjective concept, as well as a very relative idea. As a relative concept, it matters whether you retire *from* the organization or if you as an individual *are* the organization. You may be retired, semi-retired or any variation thereof. My general disclaimer is that we all have different paths and no single path is the "right" approach. We all have our own definition of retirement and it is a different environment for each of us.

The day you walk out the door for the last time, you are thrust into a new dilemma and faced with new challenges. Your decisions become based on what you want and like to do as opposed to things you must do. Time becomes (perhaps) not as governing a factor as when gainfully employed. Aside from obligations such as health, safety, family and home, you are now the boss (unless your life partner has other ideas).

Tips for Retirement

Just because we retire in some form does not mean we are obligated to retire our brain—nor should we. The following are my main observations from my experience with retirement:

A) Get involved while working and stay involved at retirement.

Become involved in community, church or volunteer organizations. As an appraiser, engineer, attorney, negotiator, environmental specialist or IRWA member, you have skills which society needs. I started Scouting in 1947. I served in many capacities and now serve on the Council Executive Board. I have also been the chairperson of a local planning commission since 1968.

You may also want to stay connected with your professional organizations. I let my PE license lapse on a cost/benefit basis, but I have kept my IRWA membership and SR/WA designation alive. Although these designations have never benefitted me in later endeavors, they serve in personal satisfaction.

B) Develop and expand your hobbies.

I once sadly observed a friend who thought retirement meant sitting with a can of beer, feet on a footstool, with the TV on for hours. He passed away in two years. Just as sad was an attorney friend who once told me that his work was all he knew, so he could not retire—he would not know what to do with himself since he had no hobbies or other interests.

Both of these examples serve as a warning of what *not* to do. Instead, I encourage you to embrace your current hobbies or embark on new ones. In addition to photography, train chasing, model railroading, puttering and CD production, my partner and I have enjoyed birding, hiking, driving and local exploring.

C) Expand your horizons.

Become involved in things you never dreamed of doing. Run for office. Become a museum volunteer. Do church volunteer work. Go to a railway museum and learn to operate a steam locomotive. Read to kids. Do local NPR/PBS fund drives. Get an adjunct job at the junior college. Become a zoo assistant. Follow Route 66.

My personal example of this expansion was a desire to explore my church denomination's program of education toward licensed lay ministry. It was done on



a five-year cycle on weekends about two to three times a year. You could jump in at any time and take whatever subject was of interest. Long story short, I completed it and have been a supply pastor for quite a few years, having my own ministry for some time. It was amazing to me how I could use my engineering/appraiser analytical mindset in this endeavor.

D) Use your developed skills if you still want to.

You spent a lot of years doing what you did! You will need to decide what (if any) career-related involvement you desire after you actually leave. I worked at a time when we only had the state's retirement system. I needed to build up social security credits. My job-related experiences included working as a "leg man" for an appraiser and working on the payroll for Scouting as the council representative during facility construction of a new Scout camp. I also did some fee consulting with local public agencies on specific right of way policy matters, as well as actual appraisals and appraisal reviews for those agencies. Many of us have gone to work at least part-time for another entity in a related professional environment.

Of course, all of our collective skills can be put to good use as instructors, course coordinators and arrangers for our IRWA courses.

For Those Still Working

Retirement preparation should begin the first day you start work and continue as the working career unfolds. Investigate and act on some form of investment regimen. It is also important to **save**. Thankfully, most employers have some form of program which you can take advantage of. I had a healthy investment in pre-divestiture AT&T stock while I was working. I kept the stock and have never sold one share. As a result, dividends have paid for several trips abroad.

I also advise you to look ahead. As retirement gets closer, open doors a crack for future reference. I found that to live in my accustomed manner, my wife and I needed a reserve of at least twice our combined annual salaries.

Finally, travel when you are young. Tighten your belt and take your kids. Take AMTRAK. Fly across the pond to somewhere. Get a taste so when you do retire, you can go back and spend more time.

Final Thoughts

My observations go back 60 years. I have been extremely lucky to have stayed relatively healthy and able to enjoy these years since December 1991. This is how retirement has looked like for me. I do not have a smart phone. The area of our home in which we entertain does not have a television or a stereo system. As a result, my wife and I still communicate verbally with people sitting directly across from us in the same room. I can show you pictures of Budapest, Prague, Paris, Rome and Normandy. And my story continues.

It is impossible to develop a universal "formula" for what's next after you retire. There is no one size that fits all. The common thread is our diversity, our professional ethic and our thought process. So the next time you see a right of way person with a little gray hair, you may not know till you ask them if they have retired. Their response may be to ask, "From what?" ✪



Richard Cridlebaugh worked for over 35 years with the Illinois Department of Transportation, District 4, Peoria. He later worked IDOT's retiree work program. He served on the International Education Committee, acting as a course coordinator in Chapter 12 and teaching.



PIPELINE RIGHTS OF WAY IN LOUISIANA

A particular approach to acquisition

BY GERALD F. SLATTERY, JR.

An expanded version of this article was published in Volume VI, Issue No. 1 (Fall 2017) of the Journal of Energy Law and Resources, a student-run journal of LSU Law School. The full article is available in the Monocle Digital Library on IRWA University and is a staple in our C230: Oil/Gas Land Basics & Related Surface Rights Issues.

In Louisiana, pipeline companies can approach the acquisition of rights of way methodically. Louisiana's statutes set forth a fairly straightforward procedure for the acquisition of rights of way, showing a preference for negotiation rather than litigation, and providing for relatively quick decision-making by the courts if expropriation litigation does become necessary.

Expropriation Powers

The power of a pipeline company to expropriate private property derives from the eminent domain powers of the sovereign—the State of Louisiana. Because pipeline companies are deemed by law to serve a public purpose, they may exercise the sovereign's right to take private property in order to accomplish a public purpose, provided that the owner of the property taken is compensated fairly. According to article I, section 4 of the 1974 Louisiana Constitution, it is required that the owner of expropriated property be compensated “to the full extent of his loss.” According to the Louisiana Supreme Court, this means that the owner “should be put in as good a position pecuniarily as he would have been had his property not been taken.” The procedure a pipeline company must follow when exercising its legal authority to expropriate, as well as how disputes regarding the exercise of that authority and the payment of compensation are resolved, are addressed in detail in Louisiana statutes.

“ IF THE
LANDOWNER OR
THEIR COUNSEL
UNDERSTANDS
THIS RULE OF
VALUATION,
THE LIKELIHOOD
OF ACQUIRING
THE PROPERTY
BY AGREEMENT
RATHER THAN
BY LITIGATION IS
ENHANCED.

”

Expropriation Procedure

Title 19 of the Louisiana Revised Statutes, entitled “Expropriation,” sets forth the steps that a pipeline company must follow as it proceeds toward acquiring a right of way. The statutes in Title 19 require that the pipeline company provide an appraisal and other information to the landowner, make an offer for the property and provide information about the landowner’s and the company’s legal rights. The statutes obviously are intended to encourage the acquisition of the right of way by means of an agreement, so that a lawsuit will not be necessary.

If a lawsuit does become necessary, issues such as the pipeline company’s authority to expropriate, whether the proposed taking will serve a public purpose, and whether the taking is necessary will be decided by the judge, not by a jury. The only issue that may be determined by a jury is the compensation to be paid to the landowner, which cannot include any enhancement of the value of the property attributable to the proposed taking. The trial of an expropriation proceeding is heard by preference over other matters on the court’s docket, and is required to be conducted with the greatest possible dispatch.

Valuation Principles

When the pipeline company sends its appraisal of the property to the landowner, it must inform the landowner which methodology the appraiser employed—market, cost or income approach—and must make an offer to purchase the property, in a specific amount not less than the lowest appraisal or evaluation. In *Exxon Pipeline Co. v. Hill*, 788 So.2d 1154 (La. 2001), the Louisiana Supreme Court explained the different appraisal techniques: the market approach derives the value of the property by examining sales of comparable properties; the cost approach derives value by estimating the replacement

cost of any improvements, deducting estimated depreciation, and adding the market value of the land; and the income approach derives value by processing anticipated net income to calculate the amount of capital that would produce the net income. The court stated that it prefers the market approach because it is, in most cases, likely to produce more accurate results.

The fair market value of the property must be determined, and this concept in turn is related to another concept, “highest and best use.” Generally, the highest and best use of a property is the most profitable use to which it can be put by reason of its location, topography and adaptability. This sets the value for which the landowner is entitled to be paid and, very importantly, it is presumed to be the current use of the property. The burden of proving that the highest and best use of the property is different from its current use is on the landowner, not the pipeline company.

The legal presumption that the current use of a property is its highest and best use makes sense. The presumption is based on the reasonable premise that the landowner, acting in their self-interest, is using the land in the most profitable way. Additionally, the presumption prevents courts from wandering into speculation when determining the value of expropriated property. If the landowner or their counsel understands this rule of valuation, the likelihood of acquiring the property by agreement rather than by litigation is enhanced.

Burden of Proof at Trial

If the pipeline company cannot reach an agreement with the landowner and must file suit to expropriate the property, it will have the burden to prove (i) that it is authorized by statute to expropriate private property, (ii) that the property it

intends to expropriate will be used for a public purpose, (iii) that it is necessary that the property be expropriated and (iv) the amounts the pipeline company proposes to pay the landowner for the value of the property taken, for the decrease (if any) in the value of the landowner's remaining property, and for any other damages.

The legal authority of pipeline companies to expropriate property is found in Title 19 of the Louisiana Revised Statutes, for natural gas pipelines, and in Title 45, for "petroleum" (broadly defined) pipelines. Federally regulated interstate pipeline companies also have powers of expropriation. On the question whether the proposed taking will serve a public purpose—in other words, whether the pipeline company will be acting as a "common carrier" when it transports product through the proposed pipeline—Louisiana courts have not taken a rigid approach. Even a relatively short pipeline segment, integrated into a larger system of pipelines, can be held to serve a public purpose if it is part of a larger system resulting in advantages to the public at large.

The necessity of the proposed taking relates to the necessity of the expropriation itself, not the necessity of a specific location. If the pipeline company proves that expropriation is necessary to accomplish a public purpose, Louisiana courts will tend to defer to its decisions about the extent and location of the property to be taken. So a "not in my backyard" defense alone is not likely to succeed.

The all-important issue of compensation requires a determination of the value of the property that will be taken (taking damages), as well as the diminution, if any, in the value of the landowner's remaining property caused by the taking or the use of the taken property (severance damages) and any other

damages. For taking damages, the most important valuation principle is that "the value of land is fixed with reference to the loss sustained by the owner, not as enhanced by the purpose for which it was taken," as emphasized by the Louisiana Supreme Court in the Exxon Pipeline Co. v. Hill decision.

Severance damages—another component of the compensation owed to a landowner whose property has been expropriated—are defined as a diminution in the value of the landowner's remaining, unexpropriated property caused by the taking of the expropriated property or the use to which the expropriated property is put. As an example of severance damages in a specific context, one Louisiana court has recognized that "gasoline pipelines are dangerous and have the psychological effect of deterring prospective purchasers which has the effect of impairing the market value of the [remaining] property."

Post-Trial Issues

In expropriation lawsuits, as in other lawsuits, the judgment following trial may address attorney's fees and costs. If the pipeline company is successful, but the compensation awarded is higher than the best offer the pipeline company made before filing suit, the court may award reasonable attorney's fees to the landowner. Conversely, if the highest offer made by the pipeline company before the lawsuit is higher than the final compensation award, the defendant landowner is potentially liable not for the pipeline company's attorney's fees, but only for all or a portion of the costs of the expropriation proceedings.

To whom does the pipeline company pay the compensation that has been awarded? If a mortgage certificate on the affected property shows no mortgages, liens or encumbrances, the pipeline company pays the

landowner directly and becomes the owner of the adjudicated property rights. But if there are mortgages, liens or encumbrances of record, the pipeline company pays the compensation award into the registry of the court, so it can ultimately be distributed to the mortgagees and privilege holders according to their priority. In that event the adjudicated property passes to the pipeline company free and clear of all such encumbrances. And any appeal from the trial court's judgment will not delay the effect of judgment while the appeal is pending.

In Summary

Title 19 of the Revised Statutes, as elucidated by Louisiana courts, provides clear guidance to pipeline companies and allows expropriation, whether by agreement or by litigation, to be accomplished expeditiously. The statutes generally strike an appropriate balance between promoting the public purpose inherent in expropriation and protecting the property rights of the landowner. ☛



Gerald F. Slattery, Jr. is a shareholder in the New Orleans-based law firm of Slattery, Marino & Roberts. He represents corporations in the upstream and midstream sectors of the oil and gas industry, primarily in litigation matters. He has published on various aspects on oil, gas and mineral law, and has lectured at numerous energy industry-sponsored seminars and programs. He received a Juris Doctor degree from Tulane Law School in 1978, where he was a Senior Fellow and Managing Editor of the Tulane Law Review.

PAVE THE WAY TO SUCCESS

How to make the most of your professional mentor



BY LEI WANG

As a working professional, you have probably heard many stories of how other people credit their success to their mentors. Working with a mentor can truly pave the way to success in one's career, but oftentimes creating—and maintaining—the mentor-mentee relationship can be challenging. Maybe your company does not offer a formal mentorship program or maybe you simply feel that you're not receiving much value out of your current mentor.

The key to crafting a successful relationship with a professional mentor is to look outside the box and identify individuals who can offer the best professional guidance.

Not Every Mentor is Obvious

A mentor is someone who watches out for you and gives you advice. Unlike a “forced” relationship between a boss and subordinates, or a contract relationship between a coach/teacher and students, the relationship between a mentor and a mentee is often informal.

In fact, some don’t wear a hat titled “mentor” and they may not be older than you or senior in professional ranking. You may not even realize someone is playing a mentor role in your life or career until much later.

There’s a tendency to determine the value of advice based on who it came from. When you receive guidance from someone that you regard as your superior—someone with an impressive title—you’re more likely give their advice more weight and take it more seriously. But sometimes, the most insightful advice can come from someone among your peers, an outsider or even someone you considered less knowledgeable than you. Sometimes the most innovative idea may come from a novice in the field. For a senior manager, you may find the best perspectives come from your subordinates or people of the lowest rank in your business.

Have you noticed mentors in your life or in your career? Do not dismiss advice from someone you had underestimated. Keep an open mind and a humble attitude. After all, your best mentors could be anywhere.

Learn to Ask for Help

Now that you know how to discover your mentors, you need to learn when to seek their help. There is tremendous value in self-teaching, learning through practice and learning through mistakes.

But it is important to recognize when to seek out help. Some skills can only be accumulated over time, but others are a matter of knowledge and experience. There is no need to reinvent every wheel. Human progress is made on the foundation laid by previous generations. You reach further by standing at a higher ground to start with, so it is important to recognize when to ask for help.

Asking for help where it matters is a sign of strength, instead of weakness. Getting the right help at a certain point could be the difference between missed opportunities or gaining fast momentum early so you’re at the right place at the right time.

Get the Most Out of a Mentoring Relationship

Since mentors are not “obligated” to you, you have to work extremely hard and be driven and passionate so as to attract their attention and to deserve their time and effort. The reward for the mentor is not money or promotions at work, but seeing the result and seeing how they can make a difference in your progress.

To get the best out of a mentoring or coaching relationship, you first need to know how to listen to advice. Like in all communication, effective listening requires you to give up any prejudgment of what you hear. The most damaging prejudgment is not about deciding if the advice is right or wrong, but telling yourself, “I know this already.” When you think that, you quickly determine that the advice—though valid—is of no new value.

Often, when great advice motivates you to take the right action, it is not because it is new advice. You may have heard it many times before. But sometimes following that advice worked only when it clicked with you, when you really listened and when you were more capable of understanding the advice. Listen to every piece of

familiar advice like it is new. Instead of thinking “I know,” ask yourself if you’ve mastered it and if you’ve seen results. If the answer is no, make a plan and take action.

Become Your Own Motivator

Shortening your learning path is normally the reason to seek out a mentor in the first place. The most important role a mentor can play is in motivating you to reach higher goals that you might have thought impossible when you first sought help.

It is also important not to rely on professional help as a crutch forever. The goal of seeking professional help is to shorten your learning path and to become independent and competent faster. When you are on the real battlefield, no one can do your work for you. You have to do it for yourself and you cannot go far if you have to rely solely on external motivation. Ultimately, you have to learn to be your own motivator.

In Summary

Seeking help and finding mentors is an important strategy for getting where you want to go in your career. Learning to listen to advice and keeping an open mind to recognize those around you who can serve the role of mentor will broaden the opportunities you have for learning. While self-teaching is an important practice and can go a long way to helping you learn basic skills, coaches will know what you need and how to help you reach those goals. ✪



*Lei Wang is an internationally-recognized adventurer, motivational speaker and author of *After the Summit: New Rules for Reaching Your Peak Potential in Your Career and Life*. For more information about Lei Wang, please visit www.JourneyWithLei.com.*



Three ways leaders can navigate imbalanced lives

BY SUE HAWKES

You're probably familiar with the idea of a *work-life balance* since it is a running theme in this hectic world, but it's also an elusive goal. The phrase is plastered everywhere as people aspire to achieve ideal harmony between their family life and their professional career. However, the demands of both make it difficult to pull off, especially for anyone in a leadership position. And maybe there's a good reason for that.

Simply put, a perfect work-life balance is not possible for those in leadership positions, nor should it be the goal. Instead, it's more useful to strive for *work-life integration*, where you not only bring your work home, but also bring your home to work.

Embracing an Imbalanced Schedule

In debunking the idea of balance, here are three tips for leaders to help them accept and maximize an imbalanced schedule:

- **Stop and breathe**

Balance is an illusion in our external lives, but it can be created internally as a mechanism that gives busy people the ability to cope better with challenges. This emotional equilibrium is a

measured thought choice that gives us more control of our responses to situations.

When I catch myself reacting, I stop and ask, "What am I telling myself? Is it true or head trash?" This helps me unravel what's factual and what is a knee-jerk emotional response based in fear. I stop and breathe until I find my internal balance again.

- **Learn to say no**

Many people have difficulty saying no, and those who do say no are often consumed by guilt. But saying yes before fully analyzing the commitment can lead to being over-committed and overwhelmed, so it's a matter of prioritizing what you say yes and no to.

Every time you say yes to something, you're also saying yes to much more. Instead, tell them you'll consider, but first sit down with a pad and pencil and list all those additional things you're taking on by saying yes. Finding a healthy, achievable balance is a matter of saying yes and no to what fulfills you and your life without overcommitting.

- **Don't be afraid to follow**

When we're over-committed and feeling imbalanced, we have to take a hard look at what's ahead and stop

doing things that aren't working. A leader empowers others by giving them space to lead or take a larger role, thus lightening the leader's load. You can't always make things happen, and you can't do it all. At times, you have to let go and let others take the lead.

A Healthier Alternative

There will never be a 50-50 balance. But you are still able to fit in all of the things that are important to you by slowing down, choosing what to say yes and no to and accepting help. With work-life integration, you will step towards a healthier balance in life. ☘



Sue Hawkes is a bestselling author, keynote speaker, Certified EOS Implementer, Certified Business Coach, WPO Chapter Chair and globally recognized, award-winning seminar leader. She is CEO of YESS! and has designed and delivered dynamic, transformational programs for thousands of people. Visit www.suehawkes.com.

16TH ANNUAL RIGHT OF WAY MAPPING COMPETITION

Enter your map today!

Sponsored by IRWA's International Surveying & Engineering Community of Practice, this annual competition will be held in conjunction with IRWA's 64th Annual International Education Conference on June 24, 2018 in Edmonton, Alberta, Canada.

Winners will be announced in Right of Way Magazine and at the Annual Education Conference, where winning maps will also be displayed. Winners will receive recognition at a national, regional or local IRWA meeting.

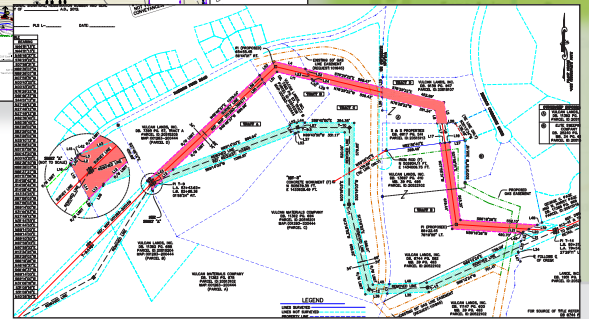
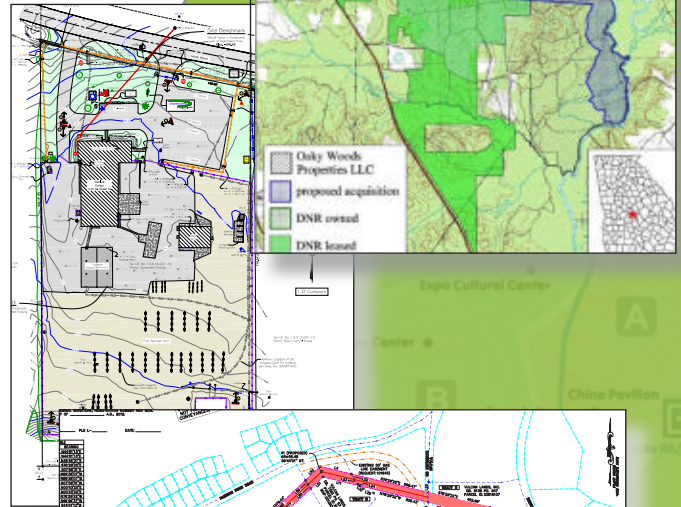
Eligibility: Anyone can enter, however, each entry must be sponsored by an IRWA member. Members may sponsor multiple entries. Maps must be associated with the right of way profession including related disciplines.

Prizes: The 1st place winner will receive a complimentary registration for IRWA's 64th Annual International Education Conference. The 2nd and 3rd place winners will each receive a complimentary IRWA membership. A cash prize of \$250 will be given to the individual winners in the following categories: Transportation, Oil & Gas, Electric & Utility, GIS and Industry General.

Rules: One entry per person in each category. A map may only be entered in one category. Each entry shall be a standalone single sheet. Maps and entry forms must be submitted digitally using Adobe PDF files. Entries under the transportation, oil & gas and electric & utility categories must be maps/ plats prepared for, or in support of, boundary/right of way line retracement or acquisition. This includes, but is not limited to, property or right of way survey maps and plats. Entries under the GIS and industry general categories shall be maps or exhibits related to highways, pipelines, utility lines, telecommunication lines (or associated facilities) prepared for general purposes such as public hearings, presentations, conceptual plans, etc. Examples include, but are not limited to, ownership exhibits and aerial photos (with or without overlays), etc.

Judging: Entries will be judged on overall presentation, orientation and the effective use of graphics, legends, symbols and innovative methods

Disclaimer Information: If contractual confidentiality precludes submission, the title block can be cleared of all pertinent information and state "Prepared for Competition due to Jurisdictional Confidentiality."



Visit **member resources > irwa mapping competition** on www.irwaonline.org for more information

16th Annual Right of Way Mapping Competition

Official Entry Form (please print or type)

Deadline: April 1, 2018

IRWA Sponsor _____

Entrant's Name _____

Company Name or Agency _____

Address _____ City _____ State/Province _____ Zip/Postal _____

Phone _____ Email _____

Category

☐ Transportation ☐ Oil & Gas ☐ Electric & Utility ☐ GIS ☐ Industry General

Email PDF entries to:
isecop@irwaonline.org

40^{FOR}FORTY

SCHOLARSHIP PROGRAM

The Association is happy to announce its first cohort of 40 scholars, pursuing either IRWA's Right of Way Agent and/or Right of Way Professional Certification. These scholarships were made possible by a \$185,000 gift from the Right of Way International Education Foundation.

Michelle M. Agostinelli
Region 5, Chapter 13

Sharina Ann Arevalos
Region 1, Chapter 2

Angel Bailey
Region 6, Chapter 32

Smedmore M. Bernard
Region 5, Chapter 12

David A. Blackwell, R/W-AMC
Region 2, Chapter 39

Niels Brown
Region 2, Chapter 36

Thorin Michael Burke
Region 2, Chapter 73

Matthew L. Chapman
Region 5, Chapter 25

Alexandria L. Clark-Quinones
Region 2, Chapter 39

Janella Cordova
Region 1, Chapter 67

Brandi Davenport, RWA
Region 9, Chapter 38

Angela W. Deddish
Region 5, Chapter 10

Anita L. Entinger, RWA
Region 5, Chapter 17

Dawn Fletcher
Region 7, Chapter 4

Frank Fucile, RWA
Region 8, Chapter 29

Noelle L. Hoelsken
Region 9, Chapter 6

Michelle R.L. Householder
Region 7, Chapter 45

Kristopher Koehler
Region 5, Chapter 12

Eeden Huey Lee, RWA
Region 1, Chapter 27

Leesa Love, RWA
Region 2, Chapter 8

Carolann McCarron
Region 4, Chapter 16

Julie McDonald, PLS, PE
Region 6, Chapter 31

Eric T. Meyers
Region 9, Chapter 6

Carlos M. Obando
Region 1, Chapter 57

Ryan J. Pankiewicz
Region 5, Chapter 13

Jacob Partridge
Region 10, Chapter 66

Carlos Pietri
Region 9, Chapter 6

Dena Rae
Region 4, Chapter 16

Jayne Randleman
Region 7, Chapter 3

Mintra R. Rickelman
Region 2, Chapter 8

Michelle E. Sechman
Region 5, Chapter 10

Shellie K. Sepulveda, RWA
Region 9, Chapter 38

Rachel Siegert
Region 3, Chapter 37

Roxan Sierra
Region 2, Chapter 74

Brent H. Thygesen, RWA
Region 10, Chapter 62

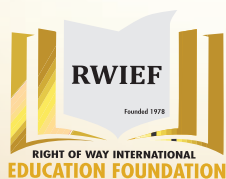
Karla D. Tyson
Region 4, Chapter 9

Amanda Vande Voorde, RWA
Region 3, Chapter 41

Charmaine Williams
RSA, Chapter 83

Andrew Wilson
Region 8, Chapter 65

Dawna Leigh Woytowich
Region 10, Chapter 62



IRWA CEO Mark Rieck Celebrates his 10th Anniversary

"He enables this organization to fly. His name is synonymous with extraordinarily high achievement and stunning accomplishment. Mark is divinely called to make this world a better place—and he DOES."

-Deidre Alves
Chief Learning Officer

"I remember that even when Mark had heart bypass surgery, he was still positive. When I saw him in the hospital after his surgery, Mark said, 'Well, the good thing is that I have another 50 years to go.' That is an attitude that a lot of us could learn and benefit from."

-Fred Nasri
Chief Financial Officer

"The best bosses aren't bosses—they're leaders. An unattainable challenge for many, but Mark achieved it so flawlessly."

-Linna Sok
Administrative Support



In February, IRWA CEO Mark Rieck commemorated his 10-year anniversary since entering the Association. Mark's dedication, innovation and drive has pushed this Association to new frontiers. The Association's accomplishments during his tenure include the development of the Global Congress and the formation of five international Chapters: South Africa, Nigeria, Mexico, Australia and Saudi Arabia. On the education front, Mark has seen the launch of over 40 education products on IRWA University, the establishment of the CLIMB program and the development of the Credentialing Concierge. Mark has tirelessly worked toward adding member value to the Association through his efforts in creating a new and improved website, as well as his innovative ideas concerning Right of Way Magazine. Adding onto this invaluable work, Mark strongly suggested the formation of our IRWA Purpose, which is to improve the quality of people's lives through infrastructure development.

"My 10 years at the IRWA have flown by quickly," Mark reflects. "I am proud of all we have accomplished as a team of members and staff to upgrade our member experience and create even more value for Infrastructure Real Estate Professionals. And in some ways, there is so much opportunity for the IRWA right now that I feel we are just getting started. Regardless, it is my honor to serve the Association."

"Success isn't just about what you accomplish in life, it's also about what you inspire others to do. Mark has been a tremendous source of inspiration and leadership for our Association, and I can't thank him enough for giving us all the opportunity to grow and be great."

-Amir Vafamanesh
Education and Instructional Development Manager

"One who has the essence of wisdom is capable of getting just about anything done."

-Rakhshan Mazarei
Controller and Personnel Manager

"Mark took a chance on me. As a result, I have been able to spread my wings further than I ever imagined in my professional career. Mark has an uncanny ability to bring the best out in everyone he meets with his warm smile and positive demeanor. He is truly a fearless leader most only aspire to be."

-Courtney Piscitelli
Assitant Controller- Accounts/ Payable

IRWA's 64th ANNUAL

INTERNATIONAL EDUCATION CONFERENCE

JUNE 24-27, 2018

EDMONTON, ALBERTA, CANADA

**Get Connected.
Stay Connected.**



Become a force for change in your organization by bringing back specialized knowledge that you can't get anywhere else. Professionals who attend IRWA's Annual International Education Conference gain invaluable insight into the latest industry trends, giving them the edge they need over their competition.

IRWA's conference participants make up a unique body of knowledge. With over 1,000 experienced right of way professionals gathering in one place and sharing industry practices, you and your organization can't afford to miss this event.

Register by March 9th for early discounts!

Sunday, JUNE 24

- International Committee & CoP Meetings
- Exhibit Hall Open
- Opening Ceremony and Keynote Speaker
- Region Caucuses
- Welcome Reception

Monday, JUNE 25

- Full Day of Educational Sessions
- Exhibit Hall Open
- SR/WA Recognition & Awards Luncheon
- Education Foundations Event

Tuesday, JUNE 26

- Morning Plenary Speaker
- Full Day of Educational Sessions
- Foundations Golf Tournament
- International Luncheon
- Sponsored Receptions

Wednesday, JUNE 27

- Half-Day of Educational Sessions
- Board of Directors Meeting
- Closing Reception and Gala

For a full schedule of events and listing of sessions, visit:
www.irwaedmonton2018.org

Breakout Sessions



Monday, June 25

Lessons Learned about Stakeholder Outreach: A Right of Way Perspective	8:00 am - 9:30 am
Successful Project Management: The Role of the Project Manager	8:00 am - 9:30 am
Learn to Love Your Lawyers (and Create a Well-Integrated Project Team in the Process)	8:30 am - 9:30 am
Public Participation in Transmission Siting	8:30 am - 9:30 am
Avoiding Risk in Part Take Situations - Drafting Tips for Acquisition Documents	8:30 am - 9:30 am
Unmanned Aircraft Systems (Drones): From Land to Legal	10:00 am - 11:00 am
Easement Drafting Nuts and Bolts: How to Draft Utility Easements Ahead of Time to Ensure A Successful Project	10:00 am - 11:00 am
A Peek Around the Bend: Emerging Landowner Tactics to Maximize Just Compensation	10:00 am - 11:00 am
NEB - Current Initiatives	10:00 am - 11:00 am
Transportation Utility Corridor Development in Alberta	10:00 am - 11:00 am
ROW Game Show	10:00 am - 11:30 am
When Does a Partial Acquisition Trigger Relocation Assistance	1:30 pm - 3:00 pm
Utility Wildfire Risk Assessment	1:30 pm - 3:00 pm
Successful Project Management (Part II): Leading & Managing the Project Team; Essential Skills for the Project Manager	1:30 pm - 2:30 pm
Indigenous (Aboriginal) Consultation	1:30 pm - 3:00 pm
Restaurant/Franchise/Business Relocations	3:30 pm - 5:00 pm
Site Selection Process for a New Central Library in Ottawa	3:30 pm - 4:30 pm
Streamlining the Bid Process Through Standardization	3:30 pm - 4:30 pm
Buying Islands for Millions, Overcoming Challenges in the Valuation and Acquisition of Habitat/Mitigation Property	3:30 pm - 4:30 pm
Cost Controls Through Proper Project Controls and Management	3:30 pm - 4:30 pm

Tuesday, June 26

Battling the Beast	10:00 am - 11:30 am
Operating the Pipeline	10:00 am - 12:00 pm
Utilities Roundtable	10:00 am - 12:00 pm
Bring Out Your Inner Moron®	10:00 am - 11:00 am
Critical Infrastructure Information: Protecting Documents in a Post 9/11 World	10:00 am - 11:00 am
The Journey of a Young Professional	10:00 am - 11:30 am
Coordination of Business Valuation and Real Estate Appraisal Experts in Expropriation Proceedings	11:30 am - 12:30 pm
Don't Get Hung Up On Cell Tower and Billboard Relocations	1:00 pm - 2:30 pm
Building the Dream Team: Collaboration in Eminent Domain Litigation	1:00 pm - 2:30 pm
Project Management of Right of Way Acquisition: How to Be Effective	1:00 pm - 2:00 pm
Legal Processes and the Right of Way Professional	1:00 pm - 2:00 pm
How to Predict Community Push Back Before it is Too Late - Using the Social Risk Management Matrix	1:00 pm - 2:00 pm
Project Management Basics for the Young Professional	1:00 pm - 2:30 pm
Computing Replacement Housing Payments (RHPs) in Special Situations	3:00 pm - 4:30 pm
Stakeholder Engagement and Public Outreach: Regulator Guidance, Landowner Groups and Best Practices	3:00 pm - 4:00 pm
Eminent Domain Law Throughout the United States	3:00 pm - 4:00 pm
Corridor Management Agreements: How DOTs can Work with Everyone to Promote Intelligent Development	3:00 pm - 4:00 pm
Blatchford Redevelopment	3:00 pm - 4:00 pm

Wednesday, June 27

Residential Talk Show	8:00 am - 9:30 am
The Public Infrastructure Project - How The Right of Way Professionals Guide this Process	8:00 am - 9:30 am
Acquisition by Design: The Benefits of Engineering & Land Agent Collaboration	8:00 am - 9:00 am
State of the Nation on Canada Oil & Gas Activity	8:00 am - 9:00 am
Benefits of Master Right of Way Templates	8:00 am - 9:30 am
Challenge accepted! Non-Residential Talk Show	10:00 am - 11:30 am
Land Titles in Saskatchewan - Transformation From Paper Based to an Electronic System	10:00 am - 11:00 am
Trends in Automation of ROW Data Management Systems for US State Transportation Agencies	10:00 am - 11:00 am
Transmission Line Easement to GIS Conversion	10:00 am - 11:30 am

Note: Sessions are subject to change. For updated information, visit www.irwaedmonton2018.org.

OIL CITY *Classic*

GOLF TOURNAMENT

In conjunction with IRWA's 64th Annual International Education Conference in Edmonton, Alberta, the Right of Way International Education Foundation (RWIEF) and the Canadian Right of Way Education Foundation (CRWEF) are hosting their 22nd Annual Golf Tournament. **The Oil City Classic will be held at The Ranch Golf and Country Club on June 26, 2018.**

The tournament is limited to 144 participants, and all proceeds are donated to the Education Foundations. Prizes will be given for closest to the pin on the par 3's, long drive for both men and women, as well as the top three places. A large raffle will follow the event.



REGISTRATION

Registration for the general membership will open on March 1, 2018. Go to www.rwief.org to register online and pay by check or credit card. The fee to enter is \$125 and includes green fees, golf cart, lunch, range balls, and transportation to and from the conference host hotel.

SPONSORSHIP

Sponsorships range from the Platinum level at \$2,500, to sponsoring individual holes for \$300. Sponsors will have the opportunity to preregister before general membership. All activities related to the tournament will be handled by the RWIEF.

Contact Mike Pattison for additional information at mike@pattisonappraisals.com



WHEN DISASTER STRIKES

Projects with no regulatory playbooks

BY MICHAEL F. YOSHIBA, ESQ.

Recent catastrophic events brought back vivid memories of working during the aftermath of the 1994 Northridge earthquake in Los Angeles, California. Lasting for approximately 10 to 20 seconds, those few moments of earth movement and the subsequent aftershocks led to 57 deaths, over 8,000 injuries and an estimated \$50 billion in private and public property damage. The first responder emergency teams were challenged with rescue operations in damaged residential buildings and high-rise towers, as well as fires from broken gas mains and downed power lines.

The damage to the regional freeway infrastructure was unprecedented. Interstates 10 and 5, as well as State Routes 14 and 170 all suffered complete bridge collapse and failure. Additionally, hundreds of bridge columns under the remaining freeway structures were tagged unsafe and required safety retrofitting. Repairing the freeway system was the highest priority for immediate public safety, commerce and area recovery.

Caltrans marshalled emergency teams of engineers, geologists, construction managers and right of way professionals to accomplish the seemingly impossible task of immediately and simultaneously constructing and repairing six collapsed freeway bridges. Under the best of circumstances, each collapsed bridge would normally take five years to plan, design and construct—but there was no such time to spare.

An Unprecedented Situation

Freeway construction projects normally go through years of environmental and design process before going out to competitive bid and actual construction. But in this unified collaboration effort between federal, state and local officials, each agency sidestepped their internal bureaucracies and agreed upon an approach that was later labeled as “private sector innovation and market incentives replac[ing] business as usual.”

The agreed upon solution was to prepare the bridge design plans and have them ready within 10 days for a qualified contractor to build the structure. The twist on this construction project was that the contractor would have a fixed time frame to complete the project, but if the project was completed and accepted before the time allotted, there would be a per day bonus incentive of \$200,000. The contractor had no limitations on when they could work and could even choose to work 24 hours a day, seven days a week.

Unforeseen Dilemmas

Only a few mentions were included in the construction contract for mitigation measures addressing dust, vibration, noise and traffic inconvenience to surrounding neighborhoods. The properties within a quarter mile of the Interstate 10 and State Route 170 projects were mostly single family residential. The unintended and unanticipated consequence of a contractor working 24 hours a day, seven days a week is 60 days of uninterrupted noise,



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

vibration and dust. This unfortunate scenario was discovered only after the contractor began their projects in earnest. Telephone call after telephone call came flooding in with complaints.

Since this wasn't a typical acquisition, relocation or property management issue, there weren't any state regulations or directives on how to resolve the barrage of complaints. The Right of Way Relocation Department immediately sent out staff to personally assess the impacts. Upon confirming that the complaints were warranted, the Right of Way Department contacted several local hotels to secure rooms for the adversely affected residents.

There were no immediately available funding sources to pay the temporary hotel accommodations, so the Caltrans Construction Department and Right of Way Department reached an agreement with the contractors for a construction change order that directed the contractor to pay the hotel accommodation bills directly. The contractor would be reimbursed for the hotel costs upon submission of their regular progress payment invoices. This allowed the residents

immediate access to quiet hotel rooms and secured a method to pay the hotel vendors promptly.

A Measure of Success

The hotel displacement option was not without issues, but it accomplished the task of addressing the immediate needs of persons directly impacted by the accelerated construction projects. After all, there were no regulatory playbooks to rely on in this situation. Ultimately, no lawsuits were filed by the residents and if that is a measure of success, then kudos to the Right of Way Relocation Department for a job well done.

As for the contractor, spurred by the promise of an extra \$200,000 for every day that work was completed ahead of schedule, the contractor finished the project 74 days before the deadline and secured a bonus of over \$14 million for the company. Ultimately, the final \$30 million project price tag was more than offset by the economic losses that Los Angeles would have experienced if the freeway had remained closed until the original project deadline. ★

Locate Easements, Property Information and Recorded Documents

- Export property and ownership data within project borders using latitude and longitude geo-coordinates
- Integrated property and mapping tools to quickly identify and gather data on connected or adjacent parcels
- Discover leasehold information, easements, and more by searching billions of recorded documents
- Obtain full title chain and lien data with all associated documents in one report



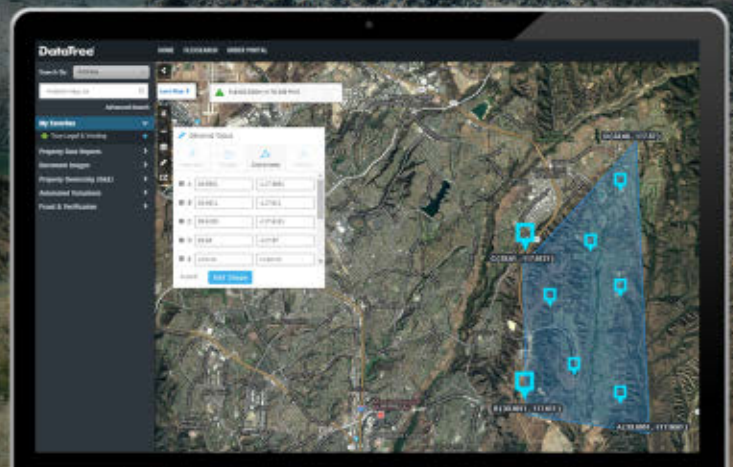
First American

Try DataTree for Free. Visit DataTree.com/Locate or call 866.377.6639

DataTree
By FIRST AMERICAN®

DataTree makes no express or implied warranty respecting the information presented and assumes no responsibility for errors or omissions. First American and DataTree are registered trademarks of First American Financial Corporation and/or its affiliates.

First American, DataTree, and FlexSearch are registered trademarks or trademarks of First American Financial Corporation and/or its affiliates.



CLASSROOM BASED

BASIC RIGHT OF WAY DISCIPLINES

100	Principles of Land Acquisition	2 days
102	Elevating Your Ethical Awareness	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
230	Oil/Gas Land Basics & Related Surface Rights Issues	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
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

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

SR/WA REVIEW STUDY SESSION

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

ONLINE

BASIC RIGHT OF WAY DISCIPLINES

100	Principles of Land Acquisition
103	Ethics and the Right of Way Profession
104	Standards of Practice for the Right of Way Professional
105	The Uniform Act Executive Summary

COMMUNICATION/NEGOTIATIONS

200	Principles of Real Estate Negotiation
203	Alternative Dispute Resolution
205	Bargaining Negotiations
213	Conflict Management

MANAGEMENT

303	Managing the Consultant Process
304	When Public Agencies Collide

APPRAISAL

400	Principles of Real Estate Appraisal
402	Introduction to the Income Capitalization Approach
403	Easement Valuation
411	Appraisal Concepts for the Negotiator

RELOCATION ASSISTANCE

503	Mobile Home Relocation
507	Specialized Nonresidential Payments
520	Special Topics in Replacement Housing
521	Nonresidential Fixed Payments

ENVIRONMENT

600	Environmental Awareness
606, 606C	Project Development and the Environmental Process

PROPERTY/ASSET MANAGEMENT

700	Introduction to Property Management
-----	-------------------------------------

REAL ESTATE LAW

800	Principles of Real Estate Law
801	United States Land Titles
802	Legal Aspects of Easements

ENGINEERING

900	Principles of Real Estate Engineering
903	IKT/IRWA Underground Infrastructure Panorama

For descriptions and to find a class, visit
www.irwaonline.org.



» PAST INTERNATIONAL PRESIDENTS

* Frank C. Balfour, SR/WA	1956-1957	Ronald L. Williams, SR/WA	1987-1988
* Richard Taylor	1957-1958	George D. Wilkerson, SR/WA	1988-1989
* Sam Houston	1958-1959	* Keith L. Densley, SR/WA	1989-1990
* Fred A. Crane	1959-1960	Gene A. Land, SR/WA	1990-1991
* Dan W. Rosencrans	1960-1961	Robert H. Tarvin, SR/WA	1991-1992
* Roger M. Lovell	1961-1962	* Donald A. Henley, SR/WA	1992-1993
* Roy A. Strobeck	1962-1963	* John W. Benson, SR/WA	1993-1994
* Dan H. Williamson	1963-1964	Donna B. Crosby, SR/WA	1994-1995
* Philip L. Rezos, SR/WA	1964-1965	Larry E. Griffin, SR/WA	1995-1996
* Adelbert W. Lee, SR/WA	1965-1966	Susan M. Serdahl, SR/WA	1996-1997
* Victor H. Eichhorn, SR/WA	1966-1967	* Woodrow Pemberton, Jr., SR/WA	1997-1998
* William F. Howard, SR/WA	1967-1968	Stephanie Rankin, SR/WA	1998-1999
* Garth J. Linkey, SR/WA	1968-1969	Dwight G. Pattison, SR/WA	1999-2000
* George R. Watson	1969-1970	* Wayne F. Kennedy, SR/WA	2000-2001
* Karl E. Baetzner, SR/WA	1970-1971	* Alan D. Wurtz, SR/WA	2001-2002
* Gene L. Land, SR/WA	1971-1972	Albert H. Allen, SR/WA	2002-2003
* Rexford M. Shaffer, Jr., SR/WA	1972-1973	Donald S. Marx, SR/WA	2003-2004
* David E. PUNCHES, SR/WA	1973-1974	Gordon E. MacNair, SR/WA	2004-2005
* William P. Snyder, SR/WA	1974-1975	Daniel W. Beardsley, SR/WA	2005-2006
Richard L. Riemer, SR/WA	1975-1976	James H. Finnegan, SR/WA	2006-2007
William L. Reid, SR/WA	1976-1977	Jim L. Struble, SR/WA	2007-2008
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
Carroll W. Keck, SR/WA	1985-1986		
Donald H. Ellis, SR/WA	1986-1987		

* Deceased



"I give my full attention to each detail on every project to ensure deadlines are always met."

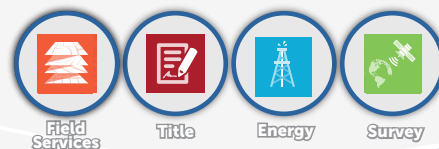
Jessica, Director - Title



DISCOVER THE PERCHERON EXPERIENCE

FULLY INTEGRATED LAND SERVICES YOU CAN COUNT ON

From right-of-way to surveying, lease acquisitions to environmental support, Percheron delivers consistent, reliable and fully integrated land services throughout the United States. You need people on your side who know every aspect of the industry. We bring together the right people, process and technology to create the complete Percheron Experience—so you get consistent results, every time.



Edward Opstein Retires from Right of Way



Edward Opstein, SR/WA, retired from his job in right of way two years ago and is now fully retiring from the industry. He has been an IRWA member for 35 years and an IRWA Instructor for nearly 20 years. For the last two years, Ed has continued as a CLIMB Instructor, teaching IRWA courses all over the nation and in Saudi Arabia. Ed says, "The future of our great organization is at the Chapter level where all leadership is developed and where Association support will always be rewarded. Those who encourage participation and demonstrate professionalism with all aspects of their personal behavior become real leaders. With a focus on opportunity, ethics and education, IRWA will continue to be the gold-standard for not only our industry but for those who observe us. I thank the IRWA for blessing my life in more ways than I can count but always beginning with the people."

Contract Land Staff Appoints Darin Hittle as President and CEO

In January, **CLS** announced the appointment of **Darin Hittle** as President and Chief Executive Officer. Darin is a tenured operational leader and has spent the majority of his career in the energy industry. He brings over a decade of senior management and business development experience, most recently in leadership roles at the Wood Group and LW Survey Co.

"We are truly excited to welcome Darin to CLS," said Jimmy Lee, Board Member of CLS. "Darin has deep experience and an impressive track record of growing field service organizations in our industry. With his leadership, CLS is well-positioned to continue growing the business in new markets and geographies and enhancing the services we provide to our customers."



Your one stop shop for Right of Way support, executing every project with enthusiasm, integrity and expertise.



CONTACT US TODAY!
1-800-968-4840
www.westernls.com

Brian P. Kelly named CEO of High-Speed Rail Authority

As the **California High-Speed Rail Authority** continues to move from the planning phase to full construction of the nation's first high-speed rail system, the Board of Directors announced that it selected a new Chief Executive Officer, **Brian P. Kelly**, to lead the organization beginning February 1, 2018. Brian has served as Secretary of the California State Transportation Agency since the Agency was created in 2013. As Secretary, Kelly oversaw one of the largest portfolios in the State of California with more than 38,000 employees and a total budget of more than \$18 billion. Prior to his appointment to the Brown Administration, Kelly was at the center of major transportation policy decisions in the State for more than two decades.

Jim Murrett becomes President of Appraisal Institute



James L. Murrett, MAI, SRA, will begin his one-year term as President of the **Appraisal Institute** in January. Murrett has served on the Appraisal Institute's national Board of Directors and Strategic Planning Committee and as chair of the Finance Committee, in addition to many Chapter roles, including as President of the Upstate New York Chapter. He also has been Treasurer and a member of the Board of Directors of the International Center for Valuation Certification. Murrett is executive managing director, Compliance & Quality Assurance, at Colliers International Valuation & Advisory Services. In the coming year, the Appraisal Institute's officers and Board of Directors will focus on seeking to modernize the appraisal regulatory structure, working to halt appraisal waivers, attracting new appraisers to the profession and focusing on the needs of residential appraisers.

Christopher Finley Joins AESI as Vice President



Atlantic Environmental Solutions Inc. has announced that **Christopher Finley** has joined the firm as Vice President. The appointment underscores a period of strong organizational growth for the Hoboken-based environmental consulting firm. Christopher brings more than 26 years of diverse industry experience to his new role, including broad-based strategic environmental liability planning and management applied to complex remediation projects and environmental portfolios in New Jersey and throughout the United States. Prior to joining AESI, he spent 16 years as founding partner/president of NewFields Princeton LLC, a nationally recognized firm specializing in data analytics, environmental sciences and permitting, remediation design, construction and program management, and litigation support. Christopher is a licensed site remediation professional.



COATES

When you need us.
Where you need us.

At the project site, in a Coates project operations center, or down the hall from you at headquarters - we provide the right of way services you need, when and where you need us. From survey permissions to title work, document management to GIS services, acquisition to construction support, and every step between - when it's time to choose, choose **Coates**.

coatesfs.com | 405.528.5676 | info@coatesfs.com



COATES

WATER INFRASTRUCTURE

New Study Shows Benefits of Water Infrastructure Investment



Public policy researchers at the College of William and Mary have released a new study which has determined that investments in water infrastructure generates a variety of public health

benefits by preventing waterborne diseases and reducing lead contamination in drinking water supplies. The research team identified a range of possible returns, beginning at over \$142 generated by each dollar invested.

Sponsored by the American Concrete Pressure Pipe Association, the report analyzed the benefits of water infrastructure spending in terms of economic impacts and public health benefits. The report found that one dollar invested in water infrastructure generates as much as \$2.20 in economic activity. The research team also used a panel of specific diseases to estimate the value of preventing common waterborne illnesses –such as E. coli–and

the reduction in lifetime earnings associated with lead exposure-related cognitive issues. They found that investment in water infrastructure can generate \$142 or more in public health benefits per dollar spent.

Additionally, the report examined ways to pay for system upgrades. Currently, the nation's water infrastructure needs an estimated \$1 trillion in investments, with over 200,000 water main breaks each year. As such, water system owners have significant investment needs, but they are also pressured to keep water prices low. Federal resources are often under-utilized because of a lack of technical or financial capacity on the part of municipalities, willingness to plan for a loan or the ability to meet stringent regulatory and administrative requirements. The report concluded that tax exempt bonds are the most popular and cost-effective financing mechanism for municipalities. There are also benefits in public-public and public private partnerships. Combining a rate-based funding scheme with financing at the local, state or federal level increases the feasibility of water infrastructure projects.

The report is available at www.acppa.org/WMstudy.



**Meeting
Challenges**

**Achieving
Opportunities**



SALEM
Professional Services Group

630-932-7000 • www.SalemLand.com

Over the last two decades, we have built one of the most robust networks of land and right-of-way professionals in the industry.

With Salem as your Strategic Partner...Consider it Done.

APPRAISED RIGHT AND RIGHT AWAY

- APPRAISALS
- MARKET STUDIES
- LITIGATION SUPPORT
- IMPACT STUDIES
- APPRAISAL REVIEW
- APPRAISAL MANAGEMENT



Allen, Williford & Seale, Inc.
Right of Way Valuations

11999 Katy Freeway, Suite 400 Houston, Texas 77079
Phone: (281) 493-4444 • Fax: (281) 493-6845 • (800) 364 8568
www.appraiser.com

CHAPTER NEWS

Charlie Parr, SR/WA, recognized by IRWA Arctic Trails Chapter 71



At a recent awards ceremony in Fairbanks, Alaska, Charles L. (Charlie) Parr, SR/WA, was recognized for his lifetime achievement and contribution to IRWA Arctic Trails Chapter 71 and its members. Charlie has served as an officer, mentor, instructor and newsletter editor and contributor to IRWA for decades. He is one of the founding members of Chapter 71 and has been a Senior Member since 1981. Charlie has

instructed for the Association since 1983 and was recognized as one of the top six right of way professionals in the U.S. and Canada in 1991.

A 57-year Alaska resident, Charlie has more than 43 years of experience in right of way and land titles. Throughout the course of his career, Charlie has worked on numerous complicated right of way and title matter projects. Some of the most interesting include right of way acquisition for a fiber optic cable from Valdez to Prudhoe Bay, preparing legal descriptions for Federal and state lands in connection with the Trans-Alaska Pipeline System lease renewals and identifying potential substitute lands for reconstituting the Mental Health Trust. Charlie is especially proud of his title opinion for the Cold Bay Airport, which involved the analysis of nearly 250 parcels accompanied by a detailed graphic exhibit.

Charlie has continued his career in right of way working for the Alaska Department of Transportation & Public Facilities (DOT&PF) as an independent consultant and as a Senior Right of Way Professional at R&M Consultants, Inc. (R&M). He served as Airport Leasing Chief for DOT&PF Northern Region from 1984 to 1990, where he was responsible for the real estate assets at 147 airports, including Fairbanks International Airport. He then returned to the private sector as an independent consultant in right of way, title and land management. From June 1990 to June 2004, Charlie managed the Fairbanks office of Land Field Services.

Charlie joined R&M in 2010. During his time at the firm, Charlie has provided land and right of way services for the North Slope Borough, the Aleknagik Wood River Bridge project, the Alyeska Pipeline Service Company and numerous Alaska infrastructure projects and studies. He is a valued member of the R&M team, bringing decades of experience in title issues and right of way acquisition to each project.

TRANSPORTATION

Reason Foundation's Annual Highway Report



Reason Foundation, a research and education organization, released their Annual Highway Report in

February 2018. Since 1984, Reason Foundation has tracked the performance of 50 state-owned highway systems based on 11 categories, including highway expenditures per mile, Interstate and rural primary road pavement conditions, bridge conditions, urbanized area congestion, fatality rates and narrow rural arterial lanes. The study is based on spending and performance data state highway agencies submitted to the federal government.

For decades, there has been a steady trend of incremental improvement. However, from 2013 to 2015, the overall condition of the total system has worsened. Rural and urban Interstate pavement conditions have improved, but all other eight measures for the highway systems were worse in 2015 than in 2013.

North Dakota, Kansas, South Dakota, Nebraska and Carolina were the top ranked states in terms of overall highway performance and cost-effectiveness. Nearly half of the states made progress compared to the previous report in 2013 and two states, Iowa and Delaware, improved their overall ranking by double digits.

The bottom of the overall rankings were New Jersey, Rhode Island, Alaska, Hawaii and Connecticut. Based on a research from the past decade, some states face major performance problems, making it difficult to improve. For instance, 53 percent of rural Interstate mileage in poor condition is concentrated in just eight states: Alaska, Colorado, New York, Wisconsin, Indiana, Texas, California and Washington. Similarly, 54 percent of the urban mileage in poor condition is in just eight states as well: California, New York, Texas, Louisiana, Michigan, New Jersey, Pennsylvania and Ohio.

Overall national bridge conditions are worsening and seven states (Rhode Island, Hawaii, New York, West Virginia, Massachusetts, Pennsylvania and Connecticut) now report over one-third of their bridges as deficient. After decades of improvement, fatality rates are increasing and seven states now have fatality rates greater than 1.5 per 100 million vehicle-miles traveled.

For the full report, visit https://reason.org/policy_study/23rd-annual-highway-report/

TECHNOLOGY

Woolpert Brings Drone Technology to Airports

Savannah/Hilton Head International Airport (SAV) is partnering with Woolpert to integrate unmanned aircraft system (UAS) technologies into airport and airfield operations. SAV is the first commercial service airport to formally integrate drone technologies into its regular operational programs for inspection, maintenance, monitoring and facility management. SAV is integrating UAS, which will be a force multiplier for their wildlife and security operations.

The first phase demonstrated that drones could be used safely and efficiently for routine airport operational needs. The next phase involves close collaboration with key stakeholders and FAA approval, with a goal to expand UAS flight operations into the airport operating area. The purpose of the second phase is to validate the benefits of drone use to safely support additional missions that enhance the productivity and safety of operations and projects.

Register by March 9th for early discounts!

IRWA's 64th ANNUAL
INTERNATIONAL EDUCATION CONFERENCE
EDMONTON, ALBERTA, CANADA
JUNE 24-27, 2018

GET CONNECTED. STAY CONNECTED.

Become a force for change in your organization by bringing back specialized knowledge that you can't get anywhere else. IRWA invites you to attend this valuable industry event and take advantage of the many educational and networking opportunities available. Don't miss out on this unparalleled educational experience!



For a full schedule of events and listing of sessions, visit:
www.irwaedmonton2018.org

MEMBER NEWS

Tribal Excellence Award Presented to Kathy Curren

Kathy Curren received the 2017 Tribal Excellence Award at the annual Inter-Tribal Task Force meeting in November. Curren is a right of way agent for We Energies and a licensed real estate broker who was honored for leading the real estate coordination for two large projects on the Menominee Indian Tribe Reservation.

The Inter-Tribal Task Force is a division of the Wisconsin Department of Transportation and develops joint transportation systems between each of the state's 11 federally recognized Indian Tribes and the Wisconsin Department of Transportation. As a right of way agent, she was able to secure property rights and help meet transportation goals for the tribes and the state.

According to the nomination, Curren was honored for guiding staff members through an unfamiliar process that involved a high degree of collaboration.

Curren is a resident of Suamico and holds an MBA from Concordia University with an emphasis on Public Administration. She also holds the prestigious Senior Right of Way Agent designation from the International Right of Way Association.

Her community involvement includes serving as a board member of the Fox River Navigational System Authority, a committee member of the Realtors® Association of Northeast Wisconsin and a member of Kiwanis of Allouez and Greater Green Bay.



Providing Real Estate Solutions for Infrastructure for nearly 50 years!

Right-of-Way | Utilities & Infrastructure | Training

Email contact: stoth@orcolan.com | (p) 888.420.4090
Apply online at www.orcolan.com to join our team.
ORC is an Equal Opportunity Employer.

ORC® REAL ESTATE SOLUTIONS
FOR INFRASTRUCTURE

PORTS

Mott MacDonald for New London State Pier Project



The global management, engineering and development firm, Mott MacDonald, has been appointed by the Connecticut Port Authority to provide strategic advisory services for the development and operation of the New London State Pier.

The New London State Pier covers nearly 30 acres and has two piers with direct rail and deepwater access. Approximately 100 miles south of Boston and 130 miles northeast of New York City, it is located next to major highways serving the Northeast. The New London State Pier is located near major shipyards such as Electric Boat and the U.S. Navy Sub Base in Groton, as well as United Technologies, Pratt & Whitney and General Electric. This gives New London easy access to America's biggest manufacturers.

Mott MacDonald will be responsible for securing a qualified long-term partner to manage and improve operations and facilities at the New London State Pier. Additionally, they are tasked with maximizing cargo flow and economic impact of the facility.

"We are proud to have the opportunity to contribute to the revitalization of New London and the state of Connecticut," said Nick DeNichilo, President and CEO of Mott MacDonald in North America. "Our growing Ports Practice and our extensive experience with public-private partnerships make us well positioned to take on this challenge."

The Connecticut Port Authority plans to release a request for quotation to the market in early 2018. Some factors in evaluating respondents include relevant experience, the qualification of the team, strategic planning, employment provided, socioeconomic benefits and financial benefits to the Authority.

The Connecticut Port Authority oversees the state's three deepwater ports in Bridgeport, New Haven and New London, as well as the many smaller harbors and waterways that make up Connecticut's maritime industry. A quasi-public agency of the State of Connecticut, its primary responsibility is to market and coordinate the development of the State's ports and maritime economy.



RIGHT OF WAY AND REAL ESTATE CONSULTING

PUBLIC INFRASTRUCTURE • TRANSPORTATION
TELECOMMUNICATIONS • ENERGY • WATER



8 LOCATIONS TO SERVE YOU

Cypress, CA (Headquarters) • Sacramento, CA • Fresno, CA
San Diego, CA • Reno, NV • Houston, TX • Anchorage, AK • Chesapeake, VA

Connect with us at:

Paragon Partners Ltd

(888) 899-7498

@ParagonROW

www.paragon-partners.com

@ParagonPartnersLtd

A Full Service Consulting Firm



ASSOCIATED
RIGHT OF WAY
SERVICES, INC.

- Program Planning
- Project Management
- URA Compliance
- Appraisal
- Acquisition
- Relocation

Corporate Office

2300 Contra Costa Blvd., Suite 525
Pleasant Hill, CA 94523
tel 925.691.8500

arws.com

toll-free 1-800-558-5151

TRANSPORTATION

Discussions of a New Freeway in Los Angeles County



In June, the California Department of Transportation is set to begin buying land to build a 63-mile freeway connecting the communities of Palmdale and Lancaster with Victorville, Apple Valley and Adelanto in San Bernardino County. This would be the first new freeway since the Century Freeway opened in 1993.

The project is estimated to cost \$8 billion and aims to minimize traffic congestion and reduce gridlock on Los Angeles-area roads. Of course, there have been many questions raised regarding

its environmental toll, its impact on communities and most importantly, its funding. Officials say they may decide to build the freeway in phases—each phase dependent on whether more funding becomes available. There are also proposals to make certain portions of the freeway a toll road. Whether or not the freeway even begins to get built may depend on private investments. If funded with public-private partnerships, it could be in operation within 20 years.

The freeway would be part of a High Desert Corridor with a rapid-transit rail, linking to a proposed high-speed rail to Las Vegas and a bikeway. The route would run parallel to State Route 18 and State Highway 138. Congestion is a major problem on this highway thanks to big rigs, commuters and travelers to Las Vegas.

According to the Los Angeles Times, “The environmental impact report has already been approved, paving the way for right of way agents to begin acquiring land this spring with \$274 million generated by Measure M, a sales tax increase approved by Los Angeles County voters in 2016 to build transportation projects over the next 40 years.”



Enhance your resume with the UHD Right of Way Certificate Program



First in the nation, The University of Houston/ Downtown College of Business

Right of Way Certificate Program is a university-based ROW Certificate Program focusing on the Private Sector of the ROW Industry.

(Pipeline, Electric, Utilities, Shale Plays, Alternative Energy)

Curriculum is developed and taught by seasoned, working ROW professionals who have worked in and are currently working in Right of Way for the private sector.

The Certificate Program is developed for:

- Those desiring to pursue a career in Right of Way (ROW)
- Professionals seeking to enhance and expand their skills in the ROW Industry

For more information go to uhd.edu/row or www.contractlandstaff.com.



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.

GENERALIST CERTIFICATION/DESIGNATION

Rebecca Alvarez, RWA
GUY Engineering
Chapter 33 Tulsa, OK

Kristen Bennett, SR/WA
Sendero Acquisitions, LP
Chapter 36 Abilene, TX

Paula S. Brault, SR/WA
HDR Alaska, Inc.
Chapter 49 Anchorage, AK

Jessica Brown, RWA
Fuller Brown Land Services
Chapter 14 Baltimore, MD

Harry T. Chadbourne, RWA
City of Suffolk
Chapter 52 Suffolk, VA

Jaron Chapman, RWA
Arizona G & T Cooperatives
Chapter 73 Benson, AZ

Jeffrey K. Davis, RWA
Clark Land Resources, Inc.
Chapter 11 Vista, CA

Sauna Dragomir, RWA
Dragomir Intergrated Solutions, Inc.
Chapter 47 Atascadero, CA

Shane E. Fischer, RWA
O.R. Colan Associates, LLC
Chapter 74 Austin, TX

Austin Fritts, RWA
Clark Land Resources, Inc.
Chapter 11 San Diego, CA

Frank Fucile, RWA
Regional Municipality of Niagara
Chapter 29 Thorold, ON

Koby Godwin, SR/WA
Alberta Infrastructure
Chapter 62 Edmonton, AB

Tanya Hynes, RWA
City of St. Albert
Chapter 62 St. Albert, AB

Scott Kerr, RWA
Public Service Company of New Mexico
Chapter 53 Albuquerque, NM

Jenny A. Martinez, RWA
Clark Land Resources, Inc.
Chapter 11 Vista, CA

Julie McDonald, RWA
Tidemark Land Services
Chapter 31 Fort Mill, SC

Shannon Minchew, RWA
AECOM
Orlando, FL

Cody Neuendorf, SR/WA
Homer Electric Association, Inc.
Chapter 49 Kenai, AK

Brady Nowers, RWA
Dominion Energy Utah
Chapter 38 Salt Lake City, UT

Gord Pladson, SR/WA
City of Surrey
Chapter 54 Surrey, BC

Johnathan Rivera, RWA
Stateside Right of Way Services
Chapter 36 Dallas, TX

Karin Silverthorn, RWA
Contract Land Staff
Chapter 31 Sugar Land, TX

Tammy Simmons, SR/WA
Matanuska Electric Association, Inc.
Chapter 49 Palmer, AK

Paul Summers, RWA
Enbridge, Inc.
Chapter 54 Fort St. John, BC

Kevin Swinehart, SR/WA
Nevada DOT
Chapter 46 Carson City, NV

Kristine Thususka, SR/WA
City of Brampton
Chapter 29 Brampton, ON

Note: Education milestones include only newly certified individuals.

IRWA offers two career paths for right of way professionals: a generalist path and a specialist path.

Generalist Certification/Designation

RWA	Right of Way Agent Certification
ARWP	Associate Right of Way Professional Certification *
RWP	Right of Way Professional Certification
SR/WA	Senior Right of Way Professional Designation

Specialty Certifications

R/W-AC	Appraisal Certified
R/W-AMC	Asset/Property Management Certified
R/W-EC	Environmental Certified *
R/W-NAC	Negotiation and Acquisition Certified
R/W-RAC	Relocation Assistance Certified
R/W-URAC	Uniform Act Certified

SPECIALTY CERTIFICATION

David Boswell, R/W-RAC
Chapter 74 Austin, TX

Alyssa Britton, R/W-NAC
Chapter 17 La Crosse, WI

Debbie Carter, R/W-RAC
Chapter 14 Timonium, MD

Clara L. Castaneda, R/W-RAC
Chapter 36 Grapevine, TX

Luis G. Perches, R/W-URAC
Chapter 8 Houston, TX

Lori Price, R/W-AMC
Chapter 3 Eugene, OR

Suzette M. Romoser, R/W-RAC
Chapter 8 Katy, TX

Sandy Sells, R/W-RAC
Chapter 41 Ames, IA

Shay L. Smith, R/W-RAC
Chapter 44 Las Vegas, NV

Cathy A. Springford, R/W-RAC
Chapter 50 Arroyo Grande, CA

*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

JAMES "DON" DONALD BRENT



James "Don" Donald Brent passed away on January 10, 2018 in Frankfort, Kentucky at the age of 81. He was born on December 14, 1936 to the late Dewey Floyd and Martha Louise Hardesty Brent in Campbellsburg, Kentucky. After graduating college, Don served in the United States Air Force. Beginning in the early 1970s, he began service in the Civil Air Patrol. At the time of his death, he was a Major.

For over 38 years, he worked for the Kentucky State Government in the Department of Transportation. After retiring for a short period of time, he went on to PEH Engineering and served as project manager for several years. Don was a third partner in the Brentstead Farm, a family-owned farm in Trimble County since the early 1800s. Don was the IRWA 2012 Lifetime Achievement Award Recipient and the Region 5 Professional of the Year. He dedicated over 50 years to the IRWA and served as a past President. Among his favorite charities were the American Red Cross, the Wounded Warriors Program and many more.

He is survived by two daughters, Traci Brent Hayden and her husband Patrick and Laura Barrington Brent; his brothers and sister, Robert A. Brent, Lucy B. Forbes, and Jerry Brent and his wife Mary Ann; and a host of loving family and friends.

ROBERT "BOB" H. THORNTON



Bob Thornton passed away peacefully on January 2, 2018. Born in Charleston, South Carolina on November 24, 1941, Bob lived most of his adult life in the Houston area where he met his wife, Ginger Dawson Thornton.

Bob spent many years traveling the highways and country roads that crisscross America as a highly skilled right of way agent and manager. Over the years, Bob's knowledge of right of way, oil & gas, real estate and construction landed him in management positions for Metropolitan Transit Authority, Coates Field Services and others. He loved being a right of way agent because he met all kinds of people from farmers and ranchers to major landowners. He said it was the best job ever.

ROGER WEBSTER



At the age of 74, Roger F. Webster passed away on March 5, 2017 following a brief battle with brain cancer. Born on April 5, 1942 to Frank and Margaret Webster, Roger joined the navy in 1961 before being discharged in 1965.

He began his 53-year telecommunications career as a Lineman for NY Telephone in 1965 and retired in 1995 from NYNEX as an engineer and right of way agent. He continued his career contracting and was working for Byers Engineering. He wrote a fiction novel, which is currently housed in the Russell Collection at Martha Canfield Library.

He is survived by his wife of 45 years, Wanda Johnston Webster; three children John H. Webster, Tammy W. Collins and her husband Kevin Collins and Angela S. Webster; eight grandchildren, Zachary Zoufaly, Joel Zoufaly, Alexandra Webster, Josiah Roger Webster, Hannah Webster, Micah "Sam" Webster, Jeremiah Webster and Maia Webster; great granddaughter, Journey Jade Garcia; several nieces, nephews, great nieces, great nephews and cousins; dear friends William and Phyllis Skidmore; and his beloved cat Sadie.

GET PUB LISHED

IRWA IS SEEKING SUBMISSIONS FROM MEMBERS AND WELCOMES
NEW CONTRIBUTORS. PLEASE FEEL FREE TO SUBMIT:

Articles
Letters to the Editor
People on the Move
Company News
Industry Insight

Project War Stories
Project Successes
Advertisements
Obituaries

RIGHT OF WAY MAGAZINE

Send submissions and inquiries to Ethel at navales@irwaonline.org

UPCOMING IRWA EVENTS

www.irwaonline.org

2018 Conference
Edmonton, Alberta

June 24 – June 27

2020 Conference
Minneapolis, Minnesota

June 21 – June 24

2019 Conference
Portland, Oregon

June 9 – June 12

2021 Conference
San Antonio, Texas

June 6 – June 9

Advertiser Index

Allen, Williford & Seale www.appraiser.com	56	LIA Administrators & Insurance Services www.lliability.com	4
Appraisal Institute www.appraisalinstitute.org	2	O.R. Colan Associates, LLC www.orcolan.com	58
Associated Right of Way Services, Inc. www.arws.com	59	Overland, Pacific & Cutler, Inc. www.opcservices.com	8
Coates Field Service, Inc. www.coatesfieldservice.com	54	Paragon Partners Ltd. www.paragon-partners.com	59
Contract Land Staff www.contractlandstaff.com	60, C3	Percheron, LLC www.percheronllc.com	52
Doyle Land Services, Inc. www.doyleland.com	12	Salem Professional Services Group, Inc. www.salemland.com	55
First American Data Tree www.datatree.com	50	Universal Field Services, Inc. www.ufsfrw.com	C2
JLL Valuation & Advisory Services, LLC www.jll.com	6	Western Land Services www.westernls.com	53
Landworks www.landworks.com	C4		



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.

North American Partners



International Partners



If you are ready to take advantage of all the opportunities these joint partnerships offer, IRWA invites you to contact Mark Rieck at rieck@irwaonline.org.



IN THIS BUSINESS,
BEING ALL OVER THE MAP
IS A GOOD THING.



CLS OFFICES

- ★ CLS HEADQUARTERS
- ★ REGIONAL OFFICE
- ★ PROJECT OFFICE

OVER 30,000 MILES OF RIGHT OF WAY
SUCCESSFULLY ACQUIRED.



1-800-874-4519 | www.ContractLandStaff.com

ACQUISITION | TITLE | FEASIBILITY STUDIES | PROJECT MGMT | STAFFING | ASSET MGMT | GIS | DUE DILIGENCE | FERC/NERC/URA EXPERIENCE
PROJECT PLANNING AND STRATEGY | FEED STUDIES | OPERATIONS & MAINTENANCE SUPPORT | BROKERAGE SERVICES



Software to Manage Any Land Right In Any Industry Anywhere in the World



LANDWORKS
Innovative Land Management



LandWorks Property Management
LandWorks GIS
WebMaps Enterprise GIS Suite

**SCHEDULE
A DEMO
TODAY!**

www.landworks.com

contactus@landworks.com

713-334-3030