Date

Michelle Newlean

WSDOT Local Programs ROW Manager

P O Box 47390

Olympia WA 98504-7390

Dianna McKeon, Realty Officer

Federal Highway Administration (FHWA)

Washington Division Office

**Through**

Choose an item.

Local Programs-Local Agency Coordinator

WSDOT Choose an item.

Choose an item.

RE: **Request for WSDOT/FHWA Approval to Dispose or Grant Use of Excess Right of Way (ROW)**

The INSERT AGENCY NAME (Agency) has reviewed the property, as outlined on the attached map/plan sheet, and has determined that it is surplus to its needs per 23CFR 710.403, 23CFR 710.409, Chapter 25.14 of the Local Agency Guidelines (LAG) Manual 36-63, and Chapter 11-7 of the Right of Way (ROW) Manual 26-01. The Agency is requesting that the appropriate WSDOT/FHWA review be completed so that the property may be declared surplus and sold or used for another purpose.

**By checking the boxes below, the Agency certifies (please check all applicable boxes):**

[ ] There was federal aid in the purchase of this property, which was part of Parcel No. INSERT PARCEL NO.on the INSERT PROJECT TITLE project, and the

Federal Aid No. was INSERT FEDERAL AID NUMBER.

[ ] The Agency will charge the current fair market value for the disposal or use of the real property.

 **OR**

 [ ]  \*The agency requires approval to dispose or grant use of the property for less than current fair market value for the disposal or use as provided under 23 CFR 710.403(e)(1) through (6) which is subject to approval from FHWA. Selling for less than fair market value creates a federal nexus and NEPA, NHPA, and ESA documentation must be completed prior to lease or disposal (23CFR 771.117(d)(6). When a local jurisdiction is acquiring the property for a project, they often have this completed when applying to purchase the property. Upon approval, the Agency will include a reversion clause in the deed. **Attached is the agency’s written** **request showing the exception is in the overall public interest based on social, environmental, or economic benefits, or is for a non-proprietary governmental** **use.**

[ ] The land will not be needed for transportation purposes in the foreseeable future.

[ ] Agency personnel has inspected the site and declares that it is vacant of personal property and is ready for disposal.

[ ] The right of way being retained is adequate under present day standards for the transportation facility.

[ ] The property is not located within Interstate right of way.

 **OR**

[ ] \*The property is located within Interstate right of way, and FHWA approval of this disposal will be required. NEPA, NHPA, and ESA documentation must be completed prior to lease or disposal (23CFR 771.117(d)(6). When a local jurisdiction is acquiring the property for a project, they often have this completed when applying to purchase the property.

[ ] The surplus or change in use will not adversely affect the facility or the traffic using it. The land to be disposed of, used for alternative purpose, or relinquished is not suitable for retention to restore, preserve, or improve the scenic beauty and environmental quality adjacent to the transportation facility.

[ ] The land to be disposed of, used for alternative purpose, or relinquished is not suitable for inclusion in our wetlands inventory, or to restore our roadside operational, environmental, visual or auxiliary functions.

[ ] The land to be disposed of, used for alternative purpose, or relinquished is not needed for a park and ride lot, flyer stop, or similar facility to accommodate high occupancy vehicles.

[ ] The land to be disposed of, used for alternative purposes, or relinquished is not needed for a park, conservation, recreation or related purpose.

[ ] No hazardous material is present on the site, and any required remediation has been completed.

[ ] This disposal action proposed use does not have significant adverse environmental impacts and satisfies 23 CFR Part 771.117(d)(6).

[ ] The land to be disposed of, used for alternative purposes, or relinquished was not required for mitigation purposes for the federal aid project for which they were purchased.

[ ] The Federal share of net income from the disposal or lease of this property will be utilized for activities eligible for funding under title 23 of the United States Code.

☐The Agency will keep an accounting of the proceeds from the disposal or lease of this property, acquired with federal funds, for other Title 23 eligible activities.

[ ] The Agency will notify the Local Programs ROW Manager by email if any change in the disposal status, as indicated by this form, occurs.

**Submitted By:**

|  |  |  |
| --- | --- | --- |
| INSERT NAME (AUTHORIZED TO SIGN PER PROCEDURES)INSERT JOB TITLE |  | Date |

**WSDOT Approval:**

|  |  |  |
| --- | --- | --- |
| Michelle Newlean, WSDOT Local Programs Right of Way ManagerMichelle.Newlean@wsdot.wa.gov |  | Date |

**\*FHWA Approval (if applicable):**

|  |  |  |
| --- | --- | --- |
| Dianna McKeon, FHWA Realty Officer |  | Date |