

Oregon Access Management Manual

Chapter 3

**Guidelines and Resources for Access Management
in Project Development**

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ACRONYMS

ADL: Access Deficiency List

AMP: Access Management Plan

AMStrat: Access Management Strategy

Area Manager: Managers holding this position in Regions 3, 4 & 5. (*Note:* PDLT 03 and these Guidelines assign the same accountabilities to Area Managers in Regions 3, 4 & 5 as are assigned to Region Project Delivery Managers in Regions 1 & 2 because Regions 3, 4 & 5 do not currently have Region Project Delivery Managers.)

CHAMPS: Central Highway Approach/Maintenance Permit System

EASR: Existing Approaches Status Report

IAMP: Interchange Area Management Plan

OAR: Oregon Administrative Rules

ODOT: Oregon ODOT of Transportation

OPAL: Official Project Access List

PDLT-02: Project Delivery Leadership Team Operational Notice 02: *Project Development Decision Structure*

PDLT-03 or PD-03: Project Delivery Leadership Team Operational Notice 03: *Access Management in the Project Development/Delivery Process*

PDLT-03(A) or PD-03(A): Project Delivery Leadership Team Operational Notice 03(A): *Access Management on Pavement Preservation Projects*

PDWP: Project Delivery Work Planning

PE: Preliminary Engineering

PS&E: Plans, Specifications, and Estimates

Region Project Delivery Manager: Managers holding this position in Regions 1 & 2

RTP: Regional Transportation Plan

RAME: Region Access Management Engineer

RW/S: Right of Way Section

TCM: Technical Center Manager

TSP: Transportation System Plan

UPermit: Utility Permit Database. Historical database for access, utility, and miscellaneous permits. Approach permits were issued through UPermit until February 2000. Since then, all approach permits have been issued through CHAMPS

INTRODUCTION

Access management is one of ODOT's most effective means of protecting investments in highway improvements, addressing safety problems, and preserving highway function consistent with its classification. For this reason, access management is identified as one of five policy goals of the Oregon Highway Plan (Goal 3). Chapter 734, Division 51 of Oregon Administrative Rules ([OAR 734-051](#)) sets forth procedures, authorities, and requirements for access management in planning and project delivery.

The Project Delivery Leadership Team (PDLT) has issued two operational notices to establish and integrate access management requirements.

- [PDLT Notice 03 -- Access Management in the Project Development/Delivery Process](#)
- [PDLT Notice 03\(A\) -- Access Management on Pavement Preservation Projects](#)

These notices integrate access management deliverables into the major project delivery milestones of [PDLT-02, Project Development Decision Structure](#). This integration helps to ensure that ODOT project delivery business processes align with statutes, rules, and policies pertaining to access management.

The guidance in this chapter focuses primarily on PDLT 03 because the requirements and deliverables in PDLT 03 are much more comprehensive than in PDLT 03(A). However, these guidelines also apply to deliverables that the two notices share in common, such as the Official Project Access List.

Chapter 3 includes examples of work products, standard forms, alternative ways of meeting the requirements, procedural recommendations, and references to other useful information and materials. It does not prescribe step-by-step procedures for implementing PDLT 03 and 03(A). It is assumed, even expected, that each Region will do the required work a little differently based on its workload, the unique circumstances of the project, available resources, and lessons learned from its mistakes and successes. As the operational notices are implemented and experience is gained, the Statewide Access Management Program Office will continue to add information and make revisions to this chapter. The goal will be to share learning and facilitate effective and efficient implementation of access management in project development and delivery.

Context Sensitive Solutions

Chapter 3 of the Access Management Manual focuses on guidance for producing deliverables required under PDLT 03. However, it is important to remember that the deliverables are elements of a larger context sensitive design and problem solving process for the project. As elements of this process, access management solutions must be pursued consistent with context sensitive design principles. This will often require balancing design standards and criteria with other important factors such as economic development, community and social values, and political considerations.

Goal 3 of the 1999 Oregon Highway Plan speaks to the complex of issues that are often involved in access management problems and solutions, including safe and efficient highways, statewide

movement of goods and services, community livability, planned development patterns, and the needs of motor vehicles, transit, pedestrians and bicyclists.

It is not unusual for conflict or opposition to occur because of proposed access management solutions. Whether the issue is a business that sees the proposed change as a threat to its viability, or a local jurisdiction that views the change as undermining development opportunities, or a landowner who thinks ODOT is ignoring their issues, access management can become contentious and require creative problem solving to keep stakeholders from becoming major obstacles to project delivery. ODOT staff and consultants that take the time to study how an access serves the specific land use and make the effort to develop trust and understanding can help avoid people becoming entrenched in their position or feeling that ODOT is insensitive to their situation. Collaborating with stakeholders in evaluating the advantages and disadvantages of a variety of solutions can also lessen conflict and ensure that all perspectives are considered. It will not always be possible to find solutions that satisfy all of the competing interests, but it is critical that ODOT representatives demonstrate a commitment to understanding the full context of issues in which an access management solution is being fitted.

Collaborating on context sensitive solutions will often benefit from providing educational materials or presentations to stakeholders to help overcome negative perceptions that may exist. There is ample research on the national level that demonstrates that access management is an effective means of improving safety and accessibility in a manner that benefits businesses and community livability. While limited research is available specific to Oregon, much of the national research is readily transferable to conditions and traffic problems on Oregon highways. The Access Management Unit can help with developing presentations and materials that connect national research findings to specific project issues. Contact the Access Management Program Manager for assistance.

FAQ's

What are the PDLT 03 and PDLT 03(A)? PDLT 03 and 03(A) are Project Delivery Leadership Team operational notices. The Office of Project Delivery website explains that “operational notices are ODOT’s project delivery policy guidelines, intended to ensure consistency in project delivery practices throughout ODOT.”

PDLT 03 establishes deliverables, accountabilities, requirements and general guidelines for implementing access management in the development and delivery of all types of Design-Bid-Build construction projects. PDLT 03(A) is a supplement to PDLT 03 that applies only to pavement preservation projects. The requirements of PDLT 03(A) are much more limited than those of PDLT 03 because the Oregon Transportation Commission has directed that funding for preservation projects be used primarily to improve pavement conditions. Refer to each operational notice for a more complete explanation of its rationale.

How does Volume 1, Chapter 3 of the *Access Management Manual* relate to the PDLT 03 and PDLT 03(A)? Volume 1, Chapter 3 of the *Access Management Manual* is intended to provide guidance for understanding the purpose, interrelationships, content and form of PDLT 03 deliverables. This guidance is needed to facilitate learning about the deliverables, several of

which are fairly new and not well understood or developed throughout the project delivery business line. The guidance in this chapter is intended to facilitate implementation of PDLT 03 while also accommodating wide variability in regional processes and procedures based on project staff, resources and needs.

How does the current version of Chapter 3 relate to past versions of Chapter 3? ODOT staff and others accustomed to using the previous version of Chapter 3 will find that the new version of Chapter 3 differs from its predecessor in two major ways. First, the previous version of Chapter 3 was also labeled PDLT 03. The same document served two purposes -- it combined implementation guidelines with the policies of an operational notice. Because it was long and complicated, it was difficult to understand the essential requirements of access management. For that reason, the PDLT 03 and Chapter 3 guidelines have now been separated: PDLT 03 describes the expectations, accountabilities, and requirements, while Chapter 3 is the guidance for implementing PDLT 03.

Second, the previous version of Chapter 3/PDLT 03 was labeled “Project Development Access Management Subteams.” The emphasis was on the project team processes. The new PDLT 03 emphasizes completion of deliverables that begin early in the project development process and continue until the project is approved for bid-letting. Accountability for completion of the deliverables is assigned to a hand full of high level managers. Regions may still use subteams as the preferred means to accomplish many of the deliverables and requirements of PDLT 03, but whether to use subteams or some other process to accomplish the deliverables and requirements is a decision left to the Regions.

The new version of the PDLT 03 was developed to address some major shortcomings in implementation of access management in project delivery. A key problem was that access management issues were often identified too late in the process, after scope, schedule and budget had already been established for the project. The result was that although access management is an important ODOT policy, the potential for making improvements was greatly reduced for many projects because of budget and/or schedule constraints. Another major problem was that legal or politically sensitive issues related to access management would delay project delivery while the necessary negotiations or legal processes were undertaken. The new PDLT 03 seeks to solve this problem by requiring deliverables that provide information needed to identify and integrate access management issues and decisions into the earliest stages of project development and assigning management accountability for completion of requirements.

How does the PDLT 03 provide flexibility for a wide variety of project types with a wide range of access management issues? The PDLT 03 allows flexibility to change the milestones for completing deliverables, or to waive the requirement for one or more deliverables. This flexibility is stated on page 6 of the PDLT 03, under Deliverables & Requirements:

“These deliverables are required except when the Region Project Delivery Manager or Area Manager documents why the deliverable is not appropriate to the project or why it is best performed in another phase of the project. In making a decision to change these requirements, the Region Project Delivery Manager or Area Manager should consult other managers and staff whose work on the project could be affected by the change.”

Documentation of decisions may consist of a memo to the project file. Copies of the memo should be sent to appropriate project staff and the Statewide Access Management Program Office.

What if staffing differences in a Region require different assignments of accountability from those described in the PDLT 03? Can accountability be delegated? PDLT 03 and 03(A) assign management accountability for major areas of work to ensure that management responsibility is clearly understood and communicated throughout the project delivery business line. PDLT 03 provides for changing management accountabilities only upon written concurrence of the Region Manager and the Access Management Program Manager.

“Authority for decision-making related to deliverables and requirements may be delegated by accountable managers; however, the assignment of accountability for performance remains with the managers as described in this section. Delegation of authority by the accountable manager must be documented, and should be limited to a few staff in order to promote consistency in performance, process, and expectations. The re-assignment of *management* accountabilities defined below may only occur by written direction of the Region Manager in concurrence with the Statewide Access Management Program Manager.” Reference page 3 of PDLT 03.

This provision acknowledges that accountable managers will need to delegate decisions and assign performance of work tasks to a wide variety of staff and consultants in a manner that best fits the Region’s resources and staffing. Region quality control plans provide additional guidance, standards, and processes that may also apply to implementing PDLT 03 in the context of the Region’s business practices. However, any re-assignment of the management accountabilities specified in PDLT 03 must have concurrence of the Region Manager and the Access Management Program Manager.

ODOT staff working on projects may often find themselves working under two management reporting structures, i.e. their work unit structure and a project reporting structure. Managers and supervisors in this matrix reporting structure are expected to work together to help employees resolve conflicting priorities and work assignments that may result on occasion.

I -- DRAFT STIP MILESTONE DELIVERABLES

This section provides guidance for [PDLT 03](#) deliverables required at the Draft STIP milestone of project delivery. The Draft STIP milestone is defined in [PDLT-02](#) (*Project Development Decision Structure*) as the milestone at which “a proposed scope, schedule and budget are developed for potential adoption of a project into the STIP. The information is used by the approval authority and programming staff to ultimately forward the project to the Highway Finance Office for programming into the Final STIP.”

The deliverables in the Draft STIP milestone help to ensure that opportunities to improve access management are incorporated into the scope, schedule and budget for the project at the time that resource needs are being identified and programmed. The PDLT 03 describes the largest number of deliverables at this milestone because experience has shown that if access issues are not identified and resourced at this milestone, opportunities to improve access conditions are often lost due to schedule constraints and budget limitations. Any waiver or delay in completion of deliverables required at this milestone needs to be carefully considered. Failure to fully consider access management issues can lead to legal, political, and design issues that cause project delays, increase costs, or result in lower quality project solutions.

Much of the data and analysis needed to complete Draft STIP deliverables is the same or similar to data collected and analyzed to develop an Interchange Area Management Plan (IAMP) or an Access Management Plan (AMP). Existing inventories and reports available in an adopted IAMP or AMP should be evaluated and utilized as appropriate to complete PDLT 03 deliverables for a project. More information about integrating information in an IAMP or AMP into a PDLT 03 deliverables is found in the IAMP/AMP section of Chapter 3.

Access Control Report (ACR)

Purpose: The purpose of the Access Control Report (ACR) is to identify locations where ODOT has acquired access control or recorded reservations of access to adjoining properties. The ACR provides information that helps to identify and scope access management issues that may impact the budget and schedule for the project. It is important to know the locations of both access control and reservations of access early in project development. Changes to access in these areas can involve administrative procedures and remedies that impact the project schedule and budget.

Description: “Access control” is defined in OAR 734-051 to mean that “no right of access exists between a property abutting the highway and the highway. The right of access may have been acquired by the ODOT or eliminated by law.” At a minimum, the ACR needs to document highway right of way locations where access control exists. In addition, the ACR needs to include the locations of any “reservations of access”, defined in OAR 734-051 to mean “a limitation of a common law right of access to a specific location where the ODOT has acquired access control subject to restrictions that are designated in a deed.” ACRs produced by ODOT Right of Way Section typically include locations of access control and reservations of access.

Accountability: PDLT 03 assigns management accountability for the ACR to the Region Technical Center Manager (TCM). It is not expected that the TCM will develop the ACR; however, the TCM is expected to ensure that the ACR is a completed deliverable in the project delivery process.

Relationship to Other PDLT 03 Deliverables: The Access Control Report (ACR) is used together with the Existing Approaches Status Report to help identify and scope access management issues that may impact the budget and schedule for the project. Information from the ACR will often be important to consider in completing other Draft STIP deliverables including the Right of Way Cost Estimate, the Access Management Scoping Report, Project Delivery Work Planning, Access Management Worksheet, Public/Stakeholder Involvement Plan, and the Schedule of Work.

It is critical to understand the access rights of abutting property owners because ODOT has legal obligations to inform property owners of how their rights will be affected by the project. *Project decisions about access to abutting property should not be made without understanding the legal rights of the property owner.*

Content & Format of the ACR: The ODOT Right of Way Section (RW/S) has the most complete and up-to-date records of property information to produce the ACR. An ACR can be obtained from the RW/S by submitting a [“Project-Related Request for Access Control Research”](#) form included in Appendix B. The RW/S can assist the user in completing this form. ACRs may be generated by Region staff (i.e. right of way agent) or consultants. Sufficient information may be available in Region offices for less comprehensive ACRs. (The document imaging/management projects currently underway in RW/S as of this writing will eventually make all records and documentation on file in the RW/S available on line. This availability will greatly expand the potential to produce ACRs in Region offices.)

The Official Project Access List (OPAL) Worksheet (see Appendix C) includes a section for entering information from the ACR. Entering ACR information on the OPAL Worksheet will help to make sure that it is properly correlated with other information used in decision making.

Timing of the Development of the ACR: The ACR is generally among the first deliverables to be developed during the Draft STIP. Some projects may have had right of way research completed as part of a planning process or during earlier phases of project development. Information from earlier technical reports or planning documents may be useful, but it is important to have the most current information at the time potential access management issues are being identified for scope and budget. The ACR may be developed in preparation for, or in conjunction with the access management section of the project scoping report. It is critical that requests to the ODOT Right of Way Section for ACRs involving a large number of properties be made as early as possible to allow adequate lead time for the Section to respond.

Guidelines for doing a less comprehensive ACR: The Right of Way Section report typically contains information about locations of access control and reservations within project limits. The most comprehensive ACR requires that the RW/S review all right of way acquisition records within the project boundaries. This type of comprehensive ACR should be completed for all

modernization projects and projects involving an Access Management Strategy, Access Management Plan, or an Interchange Area Management Plan. However, because of the level of effort required and the limited resources available in the RW/S to perform this level of research, a less comprehensive ACR will suffice for many projects.

For example, a project that is not well defined or has major elements that are uncertain at the Draft STIP milestone might limit the ACR to known design elements that may affect access to specific private properties. This could include design features such as medians, turn lanes, signal installations, frontage roads, and consolidation of private driveways. Another example is a project for which an AMStrat is prepared for limited locations within the project to address safety or traffic operations concerns. The ACR might target only the properties where removal or modification of approaches is likely to occur. In situations like this, the goal should be to focus the ACR on areas of the project with the highest risk of significant access management issues. Areas of lower risk may be omitted altogether or added in later phases of work as the project becomes better defined and as need, budget, and schedule dictate.

A less comprehensive ACR is also acceptable in the initial scoping of projects for Draft STIP prioritization by Region staff and Area Commissions on Transportation. In this early stage of Draft STIP development, it is likely that more projects will be scoped than will be included in the Draft STIP. While the information may be less comprehensive, the ACR still needs to fulfill the *basic purpose of providing information that helps to identify and scope access management issues that may have significant impact on access management decisions or the budget and schedule resources programmed for the project.*

Existing Approaches Status Report (EASR)

Purpose: The purpose of an Existing Approaches Status Report (EASR) is to help project staff better understand the legal status of approaches, issues related to making changes to existing approaches, and how those issues may impact the scope, schedule and budget of a project.

Description: The EASR is an important baseline report that inventories and documents the status of existing approaches under OAR 734-051 prior to any project work.

Accountability: PDLT 03 assigns management accountability for the EASR to the Region Technical Center Manager with key support from the District Manager.

Relationship to Other PDLT 03 Deliverables: The EASR is used together with the Access Control Report to identify and scope access management issues that may impact the budget and schedule for the project. Information from the EASR will often factor into or be used to complete other Draft STIP deliverables including the Right of Way Cost Estimate, the Preliminary Engineering Cost Estimate, the Access Management Scoping Report, the PDWP Access Management Worksheet, the Public/Stakeholder Involvement Plan, and the Schedule of Work.

Content & Format of the EASR: The Official Project Access List (OPAL) Worksheet in Appendix C is the standard form used for documenting information for the ACR. The OPAL

Worksheet is a component of the OPAL Workbook. The [OPAL Workbook](#), along with [instructions and guidelines](#) for use, can be downloaded from the [Access Management](#) website.

The three major elements of work involved in the development of the EASR are:

- Inventory of existing approaches
- Researching permit files and any other relevant documentation to determine legal status of existing approaches
- Matching the inventory with file documentation and reconciling conflicting information

Following is a summary of the purpose and outcome of each of these work elements.

Physical inventory of existing approaches: The purpose of the inventory of existing approaches is to record information about all existing approaches at the start of the project. The inventory is conducted without regard to the legal status of the approach. All approaches, including public streets, curb cuts, and accesses not in use are listed on the inventory. This information is recorded under the Existing Approaches Inventory section on the OPAL Worksheet.

The process of compiling the physical inventory can occur in a number of different ways but should always include a site visit to collect and confirm additional information. For example, the process may begin by compiling as much inventory information as can be obtained from data bases such as the Central Highway Approach/Maintenance Permit System (CHAMPS), digital video log, Utility Permit database (U-Permit), or as-built drawings. The site visit then focuses on confirming this information and filling in any new information that is discovered during the site visit.

It should be noted that the U-Permit database frequently contains unreliable and misleading information and should be used with caution. For this reason, any information obtained from U-Permit needs to be confirmed by a more reliable source of information or site visit.

Research of ODOT records to determine legal status: The purpose of research and review of the ODOT's records is needed to determine the legal status of each approach. ODOT records likely to prove most useful are:

- Any Access Management Strategy, Access Management Plan, or Interchange Area Management Plan applicable to a segment of highway or interchange in the project limits
- Project plans or "as-builts" dated prior to April 1, 2000 for a segment of highway or interchange in the project limits
- Permit records in the CHAMPS database
- Permit records in the U-Permit database
- Permit records in the District Office hard files
- Right of Way maps and records

Retrieving relevant records requires working with multiple offices and data bases. Staff in the Region and District Offices are generally the most informed about where and how to retrieve information from various sources. At the statewide level, the Office of Maintenance and the Access Management Program Unit can also provide assistance.

The result of the EASR is a determination of the existing legal status of each approach at the start of the project based on the following categories:

1. Permitted – ODOT permission for approach is documented in CHAMPS, UPermit, or some other form of a permit record.
2. Grandfathered – Three types of grandfathered approaches are defined in OAR 734-051-0040(26).
 - Approaches legally constructed prior to 1949.
 - Approaches identified to remain open in an AMStrat or AMP and not in an area of access control.
 - Approaches shown as intended to remain open on construction plans for an ODOT project prior to April 1, 2000 and receive Region Manager approval to remain open.
3. Illegal – Two principle types of approaches that do not have legal status:
 - Approach is located where no right of access exists. The right of access may have been acquired by the ODOT or eliminated by law.
 - Approach is not permitted and does not meet criteria to be grandfathered.
4. Unknown – This category generally applies to approaches for which a legal status cannot be determined with certainty.

Reconciling conflicting information: It is not unusual to find conflicting or ambiguous information about an approach in the ODOT's records and files. The following are some examples of the kinds of situations that often arise.

- There is more than one permit for the same approach because an old permit was not cancelled when a new permit was issued. This will be obvious if they serve the same property.
- There is no evidence on the ground that an approach was constructed even though a permit record exists.
- The existing approach width differs from what the permit record shows ODOT approved or what is shown on construction plans.
- The existing approach type does not match the type shown on the permit. For example, a dustpan type may have been constructed instead of a ditch section.
- The physical inventory locates an approach within the project limits but the permit record shows a milepost/engineering station that does not appear to be within project limits.

When facing these problems, the following guidance is often helpful. First of all, do not be overwhelmed by a task that can seem daunting. Break the work into smaller pieces. The following breakdown is often useful in resolving conflicting information.

Step 1: Solve the easy problems first, such as obvious duplications of permit records (for example, records with the same name or same milepoint, and permits that should have been cancelled based on past decisions recorded in an AMStrat or AMP). The Confirm CHAMPS section of the OPAL Worksheet should be used to indicate actions needed by others to eliminate duplication (i.e. cancel permit). Additional instructions and information can be recorded in the Comments column of the EASR as needed to clarify follow up action needed.

Step 2: Match inventory with ACR data.

Step 3: Match inventory with permit records for approaches that are close in terms of station/milepoint but may have conflicts in terms of width, type or use recorded on the permit.

Step 4: It is often advisable to leave the most difficult problems for last. These problems could require extensive research or interviews with long-term employees to understand how milepoint references, location standards, and permit practices have changed over time.

Step 5: If a definite decision about legal status cannot be made, the access should be designated as “unknown” on the EASR and the pertinent documentation, if any, noted for future reference.

Much of the information for the EASR may be compiled in concert with or even prior to completion of the ACR, but final determinations of legal status should not be made until the ACR is completed. This is because the ACR provides information about locations where no right of access exists between the highway and an abutting property or where access rights may be restricted to a specific location or use.

Timing of the Development of the EASR: The EASR is generally among the first deliverables to be developed during the Draft STIP phase of project development. However, similar to the Access Control Report, a number of factors may affect the level of effort required to produce an acceptable report. It may not be appropriate to fully complete the EASR at the Draft STIP milestone in circumstances similar to those described for the Access Control Report (see section on Timing of Development of ACR). While the scope of the EASR may vary, the report needs to fulfill the *basic purpose of providing information that helps to identify and scope access management issues that may impact the budget and schedule for the project*. The most complete and comprehensive information would be appropriate for projects that represent major investments and projects involving an Access Management Strategy, Access Management Plan, or an Interchange Area Management Plan.

PDWP Access Management Worksheet

(Not Yet Available)

Right of Way Cost Estimate

Purpose: The purpose of the Right of Way Cost Estimate is to include in the project budget an estimate for right of way needs associated with access management. Preventative or corrective access management measures can significantly impact right of way costs where it is necessary to purchase access control or access rights or purchase additional right of way, for example to add a median, turn lanes, or an access service road. These access management issues need to be identified and included in this deliverable.

Description: The Right of Way Cost Estimate may be a stand-alone document specific to access management or it may be included in the right of way cost estimate for the project as a whole.

Accountability: The PDLT 03 assigns accountability for the Right of Way Cost Estimate to the Region Technical Center Manager (TCM). It is not expected that the TCM will prepare, or even necessarily confirm the accuracy of the dollar amount of the estimate. The TCM is accountable

for ensuring that the necessary work to define right of way issues is completed so that an estimate of the work can be provided in a timely manner by appropriate staff. The Region Right of Way Manager can generally assign staff or make recommendations for consultants with the necessary expertise to make the estimate once the impacts to individual properties are known.

The person preparing the estimate needs to be a member of the project scoping team and should visit the project site with other scoping team members to become familiar with the project (see ODOT *Right of Way Manual*, Section 3.460, Project Scoping). The Right of Way Cost Estimate may be prepared during or after completion of the Access Management Scoping Report, but in either case the estimator needs a good understanding of the project's access management goals, solutions, and other information that may affect costs.

Relationship to Other Draft STIP Deliverables: The Right of Way Cost Estimate will most often be related to the following deliverables:

Access Management Scoping Report. Identifies major access management problems and potential solutions; may highlight right of way implications.

Access Control Report. Provides current research on existing access control.

Existing Approaches Status Report. Provides information on the legal status of existing highway approaches prior to any project work. Legal status may impact right of way costs related to changes proposed by the project.

Interchange Area Management Plan/Access Management Plan. These plans may contain provisions for current and future access management activities that need to be considered in the Right of Way Cost Estimate.

Access Management Strategy (AMStrat). The AMStrat documents access management goals, objectives, and criteria for the project and should be reviewed for right of way implications (when available).

Official Project Access List (OPAL). The OPAL documents decisions about each approach to be implemented on the project. The OPAL Worksheet contains a column for noting any right of way actions that need to be taken pursuant to the project.

Access Management Costs to Include in the Right of Way Cost Estimate: The project staff should determine whether the Right of Way Cost Estimate for access management will be a stand-alone figure or incorporated into a more comprehensive estimate for project right of way. If costs for access management are minor compared to other right of way costs, then it may not be necessary to make a separate estimate for access management. Also, a separate estimate may not be warranted where access management issues and design elements result in the same right of way cost factors.

The ODOT [*Right-of-Way Manual*](#) (Section 3.4) provides the following direction related to development of “preliminary” right of way cost estimates during program development (Draft STIP):

“Right of Way is required to submit a preliminary cost estimate. The form requires input on the numbers of: files, acreages, relocations, acquisitions and easements. The estimates include costs for: land and improvements, damages, demolition, costs to cure, relocations, legal and contingencies costs, and personnel costs. If the Right of

Way estimate in the prospectus was produced by others, the component numbers should be confirmed by the Right of Way Project Manager.”

Whether a stand-alone or combined estimate is developed, cost estimates associated with access management should be based on the issues and solutions or options described in the Access Management Scoping Report. If details of the project are not well enough defined during the Draft STIP stage to make reasonably accurate determinations of right of way needs, a ballpark estimate can act as a placeholder until such time as the project is sufficiently developed to perform a more accurate estimate. All assumptions made to develop the estimate need to be documented for later reference, including properties assumed to be affected, a description of the action needed, and the estimated cost.

The cost estimate should identify all significant costs to acquire property and property rights to address access management issues. The estimate should take into account information from the Access Control Report, the Existing Approaches Status Report, information gained from a site visit, and collaboration with project and/or scoping team members. The estimate should include costs related to the following issues, as applicable:

- Any properties and/or their improvements that may need to be purchased
- Sales and listings of properties in the area similar to those that will involve acquisitions
- Access control, reservations or grants of access that may need to be acquired
- Properties that may involve administrative remedies for closure of driveways
- Easements that may need to be acquired for construction or permanent improvements
- Title Report costs
- Appraisal costs
- Legal costs
- Contingencies

Many of these cost elements may not be exclusive to access management issues. When several cost factors are combined into a single number, it is advisable to provide some explanation of the cost factors included and an approximate percentage breakdown for each factor for future reference. Highly political actions may also need to be considered in preparing the estimate. *Unless the project scope is well defined, it is recommended that the estimate err on the high side to provide for unexpected costs.*

Access Control and Reservations of Access: One of the ways ODOT protects highway facilities is to prohibit any access between an abutting property and the highway by acquiring rights of access. Such an acquisition is defined in OAR 734-051 as “access control,” and generally involves some form of compensation to the property owner. It is a powerful tool which can help preserve the functional life of the facility by managing traffic impacts and by influencing the land development on abutting properties. However, acquiring access control can cause conflict and antagonism with local governments and property owners. For this reason, the purchase of access control needs to be used judiciously and only when there are clear and convincing benefits for doing so.

A reservation of access is defined in OAR 734-051 as “a common law right of access to a specific location where the ODOT has acquired access control subject to restrictions that are

designated in a deed.” Reservations of access give the property owner a right to apply for an approach permit at the location of the reservation described in the property deed; however, the reservation does not guarantee the ODOT’s approval of an approach at the deeded location. Creating a reservation of access can be an effective means of balancing access to land with highway safety and operations because it limits where access may occur. However, reservations of access should not be created for property with potential land uses that would make ODOT’s approval of a road approach at the reservation unlikely. Court rulings have established that denying a property owner an approach at a reservation of access constitutes a government “taking,” for which the property owner is entitled to just compensation.

Access Management Scoping Report

Purpose: The purpose of the Access Management Scoping Report is to identify and collect information about all access management issues that may significantly impact the schedule and cost of a project. Thoroughly scoping access management in the early stages is important to avoid surprises later that may result in unanticipated project costs and delays. If a scoping process fails to capture key access management issues the project may proceed without adequate budget or delivery schedule to resolve high priority access issues. This may undermine the overall effectiveness of the project and result in lost opportunities to improve access conditions on the state highway.

Accountability: The PDLT 03 assigns accountability for the Access Management Scoping Report to the Region Technical Center Manager. Project scoping teams need to include persons with expertise in OAR 734-051 and PDLT 03 requirements, right of way issues and costs, and applying engineering solutions to access problems. The Technical Center Manager needs to ensure that appropriate technical staff participates in scoping trips to identify and prioritize access management problems and opportunities.

Relationship to Project Scoping: Scoping access management is a part of the overall project scoping process. The ODOT Project Delivery Guidebook provides guidelines and resources for project scoping. PDLT-02 requires a STIP Scoping Summary Report to be prepared as part of the Draft STIP to identify all necessary elements that need to be considered in the delivery of a project. The Access Management Scoping Report should document elements to include in project development, scheduling, and cost estimates. The Access Management Scoping Report may be a stand-alone document referenced in the Project Scoping Summary Report or, if brief, entered directly into Part E (STIP Supporting Documentation) of the Scoping Summary Report.

Access management issues are generally more significant in modernization and safety projects and less significant in operations projects. However, project staff should always be alert to low cost solutions to access problems even in project categories where access management is not a major factor.

Relationship to Other PDLT 03 Deliverables: Following is a brief description of the relationship of the Access Management Scoping Report to several other Draft STIP Deliverables.

IAMP and AMP. When an IAMP or AMP is prepared prior to, or as part of project development, the data collected for the plan will often be useful in preparing the Access Management Scoping Report. As identified in the table below, there are several areas in which an IAMP or AMP for a project may identify issues, policies, decisions, and agreements that need to be integrated in the project. For this reason, it is important to review any IAMP or AMP that pertains to the project when scoping access management.

An IAMP or AMP may contain existing inventory data/analysis on:	An IAMP or AMP may combine planning and engineering solutions:
– Legal and policy issues	– Supporting local street system
– Land use patterns	– Medians and median openings
– Site design, site access & circulation	– Signal location and spacing
– Roadway geometry and access	– Access location and spacing
– Traffic operations	– Retrofitting built-up areas

Ideally, an IAMP or AMP will be completed as part of a planning process that precedes project delivery. However, there are times when the requirement to develop an IAMP or AMP will be identified during the scoping process. When this occurs, the Access Management Scoping Report needs to identify this requirement so that the planning tasks can be factored into the project delivery schedule and budget. The Region Planning Manager should be consulted about IAMP/AMP tasks and activities to highlight in the Access Management Scoping Report.

AMStrat. If an AMStrat is required for the project, it should be identified in the Access Management Scoping Report.

ACR and EASR. The ACR and EASR help to identify approaches that need to be reconstructed, relocated or removed and scope related work.

Right of Way Cost and P.E. Cost Estimates. The Access Management Scoping Report provides the information needed to perform Right of Way and P.E. Cost Estimates.

Schedule of Work. The Access Management Scoping Report provides a basis for estimating the time needed to complete access management deliverables.

Content and Form of an Access Management Scoping Report: The Access Management Scoping Report should summarize important information compiled from the scoping packet, the scoping trip, and project team discussions. There is no standard form for use in preparing the Access Management Scoping report. Region staff are encouraged to develop a standard format that allows staff to document needed information consistently and efficiently.

In order to thoroughly scope access management issues, project scoping teams need to include persons with expertise in OAR 734-051 and PDLT 03 requirements, right of way issues and costs, and applying engineering solutions to access problems. Aspects of the scoping process particularly important to access management are:

- Inter-disciplinary team interaction/discussion.
- Scoping field trip and follow-up visits to the site, as needed.
- Understanding land use, roadway, and traffic operations data for the project area.
- Identifying and prioritizing access management problems, opportunities, and solutions.

The scoping trip and subsequent interaction/discussion among the inter-disciplinary scoping team should identify and prioritize access management problems and opportunities relative to the purpose and need of the project.

Ideally, the Access Management Scoping Report will identify and provide information about access management issues that may significantly impact the schedule and cost of a project. In practice, it is not always possible to assess or scope all the access management issues during the initial Draft STIP scoping process due to project complexity, insufficient project definition, or a shortage of time and resources. However, at the Draft STIP milestone it is very important for the Access Management Scoping Report to document high priority access management issues and other issues likely to be costly or time consuming to solve or address. The project team should discuss any significant unknowns at the Draft STIP milestone and what measures are appropriate to reduce the risks that such unknowns pose to the project.

Updates and refinements to the initial scope may occur during later stages of the Draft STIP milestone as the project is better understood and defined. However, efforts to make changes after the Draft STIP milestone may conflict with the scope, schedule, and budget adopted in the Final STIP. It may be difficult to obtain approval for changes in the scope that cause a significant increase in project cost or delivery time.

Following are several important elements that need to be included in the Access Management Scoping Report. The extent of detail and description for each element will vary from project to project, depending on the significance of the issues and their potential impact on the project scope, schedule, and budget.

- Clear description of access problems and issues (i.e. spacing, density, SPIS and crash sites/types, sight distance, etc.)
- Provisions from current IAMP or AMP, if one exists.
- Requirement or need to develop or update an IAMP or AMP.
- Requirement or need to develop an AMStrat for the project.
- Any major design and right-of-way requirements associated with access management (i.e. closing approaches, acquiring access control, installing medians, limiting turning movements at driveways, need for cross-over easements or sight distance easements, etc.).
- Need for a formal agreement with the local government or private sector to implement access management solutions. Contact Region Agreement Coordinator or ODOT Procurement Office (OPO) Intergovernmental Agreements Team for assistance. OPO Agreements Team can be reached by email at: intergovernmental.Agreements@odot.state.or.us
- Prioritization of access management issues consistent with purpose and need of project.
- Opportunities to solve access problems or improve access conditions, especially those with low impact to the project schedule and cost.

The following sources of data and information should be reviewed, if available, during the scoping process to help define and prioritize problems and opportunities related to access management.

- CHAMPS
- Field observations

- IAMP or AMP (if available)
- EASR
- ACR
- Access Management Worksheet from PDWP (if available)
- Highway classification, including highway segment designation, if any
- Posted speed
- Average Daily Traffic (ADT) volumes
- Crash history -- SPIS/SIP data
- Existing and design roadway cross sections
- As-built drawings
- Aerial photos
- Location of signalized intersections
- Local land use and transportation plans that may affect access
- Patterns of complaints and anecdotal information from the community

Preliminary Engineering (PE) Cost Estimate

Purpose: The purpose of the Preliminary Engineering (PE) Cost Estimate for access management is to ensure the project budget is sufficient to cover engineering work needed to complete PDLT 03 deliverables and to integrate access management measures into the project design.

Description: The PE Cost Estimate covers the cost of access management engineering work. The PE cost estimate for projects is often based on a percentage of estimated construction costs. However, since much of the data available to estimate percentage and average cost is based on the cost of projects that predate OAR 734-051 and PDLT 03, this practice may not adequately cover the cost of access management deliverables and work activity. Therefore, a PE Cost Estimate for access management is specified as a deliverable under PDLT 03.

Accountability: The PDLT 03 assigns accountability for the PE Cost Estimate to the Region Project Delivery Manager (Regions 1 and 2)/Area Manager (Regions 3, 4, 5). The Region Planning Manager, Region Technical Center Manager, and the District Manager may have a supporting role in helping to ensure that all cost estimate factors are identified.

Relationship to Other PDLT 03 Deliverables: The PE Cost Estimate may draw information from the following PDLT 03 deliverables:

Access Management Scoping Report. The Access Management Scoping Report is the basis for the PE Cost Estimate. It identifies and describes priority access management issues and problems and potential solutions.

Right of Way Cost Estimate. Many access management solutions involve working with private property owners to purchase access rights or additional right of way.

IAMP or AMP. Work associated with producing an Access Management Plan or Interchange Area Management Plan may add substantial PE costs to project development and need to be included in the cost estimate if not budgeted elsewhere.

Content and Form of the PE Cost Estimate: The PE Cost Estimate involves compiling information from multiple sources. It needs to include any significant PE costs for personnel, services, and supplies that are not accounted for elsewhere in the project. It is essential for the access management PE Cost Estimate to contain an explanation or description of all work elements and assumptions that go in the estimate to help avoid duplication of costs included in other areas of work. To avoid duplication the project team needs to discuss the costs included in various components of the project. Ongoing communication among project team members, along with documentation of estimating assumptions, is necessary to ensure that the PE costs for all design elements resulting from access management decisions and solutions are covered.

It may only be possible to make a rough ball park estimate of PE costs at early stages in project development until such time as more information becomes available or key decisions are made. As the project solutions and priorities are better defined and resource needs are better understood the PE Cost Estimate can be revised. As a general rule, cost estimates for preliminary engineering can be decreased much easier than they can be increased. Therefore, it is preferable to err on the high side when there is a high degree of uncertainty. All assumptions used in developing the PE Cost Estimate need to be documented to facilitate project communication and decision-making and for future reference.

Several tasks and activities that may need to be included in the PE Cost Estimate are listed below. Some of these work items are not unique to access management and may be covered under other work elements included in the PE costs for the project.

- IAMP or AMP if not completed before the Draft STIP milestone
- Meeting and coordinating with local governments
- Intergovernmental agreements
- Conducting public meetings
- Traffic analyses and studies
- Access Control Report
- Researching complex access issues
- Access Management Strategy (AMStrat)
- Moving, modifying, or closing approaches
 - Developing alternatives for consideration
 - Negotiating changes
 - Issuing access modification and closure letters to property owners
 - Costs associated with appeals process
- Official Project Access List (OPAL) and Access Deficiency List
- Issuing or revising permits in CHAMPS
- Access management subteam activities

Public/Stakeholder Involvement Plan

Purpose: The purpose of the Public/Stakeholder Involvement Plan for access management is to ensure timely and effective communication with owners of property adjacent to the highway, people that live or work in the community, and other stakeholders affected by changes to highway access.

Description: The Public/Stakeholder Involvement Plan explains how communication regarding access management issues on a project will be managed. It may be a stand-alone document, but it is preferable to integrate it into the Project Communication Plan required under PDLT-12 ([Project Communication Plans](#)).

Accountability: The PDLT 03 assigns accountability for the Public/Stakeholder Involvement Plan to the Region Project Delivery Manager (Regions 1 and 2)/Area Manager (Regions 3, 4, and 5). The Region Planning Manager and the District Manager may have a supporting role to help ensure timely and effective communication with all affected parties.

Relationship to PDLT 03 Deliverables: It is important to have a plan for communication in place to guide on-going communication about access management with affected units of government, property owners, and other stakeholders. The Plan should identify key stakeholders and how communication with them will occur throughout the project delivery process. If an IAMP or AMP has been prepared for the project, it may identify key stakeholders for ongoing communication during project development and delivery.

Content and Format of the Public/Stakeholder Involvement Plan: The [PDLT-12](#) Communications Plan Template should be used to guide the content and form of the Public/Stakeholder Involvement Plan for access management. As noted above, the Public/Stakeholder Involvement Plan for access management issues will be most useful when integrated into the Project Communication Plan required by PDLT-12.

Improving access management conditions on a highway invariably impacts owners of property adjacent to the highway and others who live or work in the area. Careful attention and early and on-going communication with these key stakeholders may significantly reduce problems later in the project. It is important that the key stakeholders are given information that explains key research findings about the general benefits of access management and how specific techniques can improve safety and traffic operations on the project. As more information is accumulated and the project takes shape, the project team should plan to keep stakeholders informed of changes in plans.

A variety of forms of communication may be employed, depending on the nature of the issues. Local government hearings on the land use amendments or other topics related to the project may serve as a convenient communication forum. Other examples include emails, public meetings, and project websites. Meeting with property owners on an individual basis may be especially important prior to sending formal notification of ODOT's decision to modify or close approaches. One-on-one or small group meetings with affected property owners prior to mailing formal notices may lessen any opposition or misunderstanding about the action being taken and their appeal rights.

Schedule of Work

Purpose: The purpose of the Schedule of Work for access management at the Draft STIP milestone is to identify and schedule activities and tasks that are critical to timely project

delivery. The Schedule of Work may start as a stand-alone deliverable but needs to be integrated into the overall project schedule to establish the relationships with other project activities.

Description: The Schedule of Work for access management is a subset of the overall project schedule. Access management work activities are schedule using MS Project activity codes or customized activity elements.

Accountability: The PDLT 03 assigns accountability for the Schedule of Work to the Region Project Delivery Manager (Regions 1 and 2)/Area Manager (Regions 3, 4, 5). The Region Planning Manager, Region Technical Center Manager, and the District Manager may have a supporting role to help ensure that all tasks and activities are identified and properly sequenced in the project schedule.

Relationship to Other PDLT 03 Deliverables: The Schedule of Work for access management needs to allow time to complete access management deliverables and related activities at all milestones of project delivery. Therefore, the Schedule of Work needs to be prepared by someone with a good understanding of PDLT 03 deliverables at all stages of the project

Content and Format of the Schedule of Work: Developing a Schedule of Work for access management will often require working closely with the project team to understand how it relates to other project activity. Microsoft Project activity codes will be the scheduling format in most cases.

The following four activity codes have been established for scheduling access management deliverables required under PDLT 03.

- 101 – Access Modification and Closure Letters
- 102 – Access Management Plan or Interchange Area Management Plan
- 104 – Access Management Strategy
- 226 – Prepare OTC Decision Package

Because there are only four access management activity codes to schedule multiple PDLT 03 deliverables, it is necessary to bundle related PDLT 03 deliverables into one of these four activity codes or combine access management activities into other related MS Project activity codes as appropriate. For example, there are MS Project activity codes for public/stakeholder involvement plan, intersection layouts, traffic studies, and right of way mapping. These activities could include related access management tasks and PDLT 03 deliverables. For projects that involve substantial work in developing PDLT 03 deliverables, it may be useful to begin the scheduling process by listing all access management deliverables and associated tasks, then determining how best to distribute them to appropriate activity codes in the project schedule.

Allowing Time for Appeals: The ODOT’s decision to mitigate, modify, or close a highway approach is an appealable decision unless the approach is illegal. For purposes of project scheduling a minimum of 60 days for the appeal process should be built into the project schedule if a decision is likely to be appealed. A complex appeals process can take four to six months. Deciding how much time to allow for appeals is largely a matter of assessing and managing risk. As decisions to modify or remove existing approaches increase, so does the likelihood of an appeal.

It is preferable for the appeals process to begin in the Approved Design/Design Acceptance milestone and be completed prior to the Final Plans/PS&E milestone. Having the final outcome decided prior to the PS&E milestone will allow ample time for any changes that need to be incorporated into the design before the project is advertised and bid. However, ODOT is not required to wait for the final outcome of an appeal before bid letting or beginning construction on a project. Deciding whether to award a contract or begin construction prior to the final outcome of an appeal is a matter of managing the risk that the project may be required to redesign and/or reconstruct a part of the project in accordance with the appeal decision. Such a risk may have significant consequences to the project if an approach subject to appeal is at a crucial location in the project and reconstruction would be costly and time consuming.

Timely notification of affected property owners will reduce the potential for project delay associated with appeals. Access Modification and Closure Letters (see Approved Design/Design Acceptance milestone) should be mailed to a property owner when the project team has made a final decision about how an approach to a property will be affected. Meeting one-on-one with property owners before mailing these letters to explain ODOT's decision and respond to their concerns may help reduce the likelihood of an appeal.

If a property owner is not satisfied with the results of the appeal process, he or she may file suit in the Oregon Court of Appeals (or beyond to higher courts). Appeals to higher courts can take one or more years. Appeals of this nature are extremely rare, and no project schedule is expected to build in time for civil court proceedings.

Interchange Area Management Plan (IAMP) and Access Management Plan (AMP)

Purpose: The purpose of this section is to describe the relationships between an IAMP or AMP and PDLT 03 deliverables. [OAR 734-051](#) requires an IAMP or AMP for certain categories of ODOT projects. The ODOT [Interchange Area Management \(IAMP\) Guidelines](#) outline the basic content and level of analysis ODOT expects in an IAMP or AMP. Appendix J contains a matrix that shows how the information in various sections of an IAMP or AMP may be useful in developing PDLT 03 deliverables.

Description: An IAMP or AMP is an ODOT transportation facility plan. When an IAMP or AMP is developed, the resulting Plan may contain data, maps, and background information that could be useful in completing several PDLT 03 deliverables. A planning process involves the public and stakeholders and helps build consensus about a variety of issues, including access management. An IAMP or AMP contains policies, planning decisions, and agreements that may need to be incorporated into project development and design.

Timing of IAMP or AMP Relative to PDLT 03 Deliverables: Ideally, work on an IAMP or AMP would be completed before work begins on PDLT 03 deliverables. While there are exceptions, the Draft STIP milestone should generally be considered the very latest time in the project development process to complete work on an IAMP or AMP to avoid project delays. Although the PDLT 03 lists the IAMP and AMP as deliverable at the Draft STIP milestone, it also states that the requirement or recommendation to develop an IAMP or AMP needs to be

identified during the project planning process and that most of the work needs to be completed before a project is considered for the Draft STIP. This is because the work involved in developing and adopting an IAMP or AMP generally requires extensive public involvement and collaboration with local governments to address issues of land use, zoning, local streets, and other community interests. Attempting to accomplish the technical, procedural, and legal requirements for an IAMP or AMP in the timeframes normally associated with the Draft STIP timeframe is not recommended. However, there are circumstances where it may be unavoidable.

Accountability: PDLT 03 assigns accountability for the IAMP or AMP to the Region Manager with major supporting roles for the Region Project Delivery /Area Managers, Region Planning Manager, Region Technical Center Manager, and District Manager. In addition, under [PLA-01, ODOT Transportation Facility Plan Adoption Procedure](#), an IAMP or AMP requires approval of the Region Access Management Engineer before it is submitted to the OTC “. . . if it includes aspects that could affect access management . . .” An IAMP or AMP developed for project delivery may need Region Access Management Engineer (RAME) approval if the Plan involve recommendations, actions, policies, or decision related to the following:

- Changes to public or private approach roads to a state highway.
- Approach permits, mitigation, access standards, and deviations.
- Medians, channelization, turn restrictions, and other aspects of roadway design and traffic operations related to access management.
- Highway widening, new alignment, frontage roads.
- Adding new curb and sidewalk where none currently exists.
- Planned land uses that may require future approach permits.
- Access control, reservations of access, and use restrictions.

It is important that the RAME be involved early and as often as necessary in the process of developing an IAMP or AMP. When RAME issues listed above are identified up front, they can be included in the analyses and consultant contract provisions for developing the IAMP or AMP. Including the RAME in development of the IAMP will make the approval process more efficient and reduce the potential for conflicts over actions that implement the plan.

Information in an IAMP or AMP Relevant to Access Management in Project Delivery:

Each IAMP or AMP is developed for a geographic area with unique transportation and land use characteristics. The type of data collected and analyzed and the level of detail in an IAMP or AMP varies based on the scope and budget for the planning effort and the complexity of land use and transportation in the area.

The discussion that follows assumes an IAMP or AMP was developed following the ODOT IAMP Guidelines and completed before beginning work on PDLT 03 deliverables. The IAMP Guidelines describe seven elements of an IAMP corresponding to the steps in the planning process. The following discussion is in seven parts, one part for each element outlined in the IAMP Guidelines. Each part provides a brief description and lists data relevant to access management that may be collected and analyzed at each step. The lists are representative and not intended to be exhaustive. The type of data collected and the level of detail in a Plan will vary depending on the context in which the Plan is developed.

1. **Purpose and Background.** This section of a Plan explains the reasons and context for preparing the Plan. It contains the problems, goals, and objectives that are the basis for evaluating Plan alternatives and making planning decisions. It may describe significant access conditions that contribute to the problems and opportunities to improve access conditions.

2. **Existing Conditions Inventory and Data Analysis.** Categories of data commonly collected and analyzed at this step include: legal and policy framework; land use data: site development; roadway geometry; and traffic operations. Existing conditions inventory data in these categories relevant to access management are summarized in lists below.

a. Legal and Policy Analysis. This section of the Plan may identify transportation and land use policies and standards that need to be addressed by the project and to help avoid legal or coordination problems. Policies and regulations relevant to access management include:

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| <ul style="list-style-type: none"> • Roadway functional classification and standards to implement the functional class and access standards. • Roadway design, construction, and maintenance standards for private roads. • Driveway design standards that include: flare or radius, width, throat length. • Road/access standards for access spacing, sight distance, and corner clearance. • Roadway, subdivision, or site design standard for transit, bike & pedestrian access. • Site plan review and approval requirements. • Site design standards for inter-parcel connections and joint-access easements. • Land division review and approval standards. • Land division standards to require lot frontage on arterials consistent with access spacing standards. • Land division standard for lot width-to-depth ratios. • Land division and site design standards for emergency access. | <ul style="list-style-type: none"> • Policies and standards to discourage commercial strip development on arterials. • Policies and standards for access management overlay zones. • Policies and standards for interchange areas. • Policies and standards for non-conforming access features. • Standards that treat property in the same ownership or assembled for development as one property for access control. • Site design standards to limit number of driveways per lot or parcel on arterials. • Site design standards for urban activity centers with internal circulation system. • Land division standards to require small residential divisions to share one access. • Land division standards requiring reverse frontage lots for residential property on a highway or arterial. • Land division standards to restrict creation of flag lots. • Land division standards to require new development to continue or connect to the surrounding street system. |
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b. Land use data and analysis. This section of a Plan may identify land use constraints and opportunities to change land uses in ways that improve or maintain the safety and operation of a transportation facility. Land use data relevant to access management include:

- Existing land use.
- Existing plan & zone designation/maps.
- Future plan & zone designation/maps.
- Compatible/incompatible land uses.
- Planned, proposed and approved development.

- Tax Assessor’s parcel maps.
- Property boundaries and ownership
- Lot width and depth.
- Regional growth trends.
- Aerial photographs.
- Orthographic maps.

c. *Site design, site access, and circulation.* The existing land use section of an IAMP or AMP may describe site design, access, and circulation. It may inventory the character and ownership of properties ripe for development or redevelopment and describe developed properties that are problematic. This data can reveal opportunities to reduce the number of driveways or provide alternative access. Useful data for this purpose include:

- Driveway location and design (throat, radii, and profiles).
- Site circulation and parking layout.
- Islands and other landscaped areas.
- Loading docks.
- Location of solid waste containers.

- Fuel pump islands and underground storage tanks.
- Underground water, sanitary sewer, storm drainage, and gas lines (location & width).
- Building location, foot prints, and drive through windows.

d. *Roadway geometric and access data and analysis.* The existing conditions inventory may include a map and table of existing private and public approaches, including the property location, owner, approach permit information, and whether the property is served by multiple driveways or alternative access. It may inventory local street connections. It may identify opportunities to preserve favorable access conditions and employ access management solutions. Roadway geometric data relevant to access management include:

- Right of way and roadway width.
- Access control, grants and reservations.
- Median location, width and design.
- Shoulder location and width.
- Intersection location and design.
- Traffic signal location, type, timing.
- Sidewalk location, width and design.

- Number and width of traffic lanes.
- Bike lane location and design.
- Curb location, type and design.
- Type of traffic control at intersections.
- Location and density of access points.
- Left & right turn lane location & design.
- Median opening location, width, design.

e. *Traffic operations data and analysis.* The existing condition inventory may contain traffic operations data that can provide evidence to support access management solutions. For example, sideswipes and rear-end collisions are usually caused by unexpected turn movements related to closely spaced intersections, low capacity left turn bays, or poor sight distance. Transit, bike and pedestrian access, and circulation are important to consider in built-up areas. Traffic operations data relevant to access management include:

- Crash data (type, location, severity).
- Daily and peak hour traffic volumes.
- Travel speed.
- Historic traffic growth.
- Projected traffic demand.

- Queuing.
- Bike and pedestrian counts.
- Traffic hours of delay.
- Vehicle classification counts.
- Intersections turn movement & volume.

3. Future Conditions Analysis

The future conditions analysis section of a Plan uses land use data to evaluate land use scenarios against the capacity and operations of the transportation system to meet current and forecasted traffic demand. It generally provides a summary of forecasted transportation deficiencies. This section of a Plan may describe how decisions about transportation and land use are interdependent and need to be made conditional on one another.

4. Alternatives Development and Analyses

This section of a Plan may evaluate various access management and land use scenarios, including road connections, road alignment and other changes in roadway design. This section provides the rationale behind the selected alternative. The focus is on management rather than design details. The access management elements of the selected alternative package may have direct application to PDLT 03 deliverables.

5. Access Management Plan (AMP) or AMP Section of an Interchange Area Management Plan (IAMP)

An AMP or the AMP section of an IAMP (referred to as AMP) describes the access management elements of the selected alternative package. The AMP is likely to contain policies, decisions, and agreements that may need to be included in project scope and cost. Common access management provisions involving land use, traffic operations, roadway geometry, access, site design, and local access are summarized below.

a. *Supporting street system*

The adequacy of the supporting local street network is relevant to managing highway access because it provides alternatives to using the highway for local trips. An AMP may document where the existing and planned local street system is adequate to support existing and planned development. Where local streets are not adequate, an AMP may identify future street classifications, alignments, and connections. Decisions about the supporting street may address:

- Locations for alternative parallel roads along the highway or service roads that run behind highway properties.
- Opportunities for inter-parcel connections and improved site circulation systems.
- Where collector streets should connect adjacent neighborhoods to a highway.

b. *Medians and median openings.* An AMP may include policies and planning decisions about the design and location of medians, median openings, and related roadway design considerations.

c. *Signal location and spacing.* Signal location, spacing, and timing are relevant considerations for improving access conditions. An AMP may cover a range of policies, standards, and planning decisions about signal location, spacing, and progression, including:

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| <ul style="list-style-type: none">• Long uniform signal spacing on high-volume, two-way roads to maintain traffic flow capacity, reduce delays and crashes. | <ul style="list-style-type: none">• Traffic signal green time to maintain traffic progression on highways where signals are not uniformly spaced.• Roadways with highway traffic volume |
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| <ul style="list-style-type: none"> • Closer signal spacing where there is one-way traffic with good traffic progression. • Roadway connections that don't meet access spacing standards. | <ul style="list-style-type: none"> • or may meet signal warrants in the future. • Good and poor locations of exiting and future traffic signals. |
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d. *Access location and spacing.* An AMP may describe actions that need to be taken to bring a transportation facility into closer conformance with access management standards. It may cover a range of design considerations relevant to access location and spacing including:

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| <ul style="list-style-type: none"> • Safety or operational problems related to access location or design that need correction. • Opportunities to consolidate driveways and use inter parcel access. • Driveways that are candidates for reconstruction, relocation or closure. • Driveways that don't meet sight distance standards that can be moved to a place with better sight distance. | <ul style="list-style-type: none"> • Intersections and median openings with out adequate site distance that need correction. • Accesses that can be relocated to a side street or an alternative roadway. • Properties that do not meet access spacing or street connections standards. • Driveways too close to intersections that create safety or operational problems. • Locations for non-traversable medians. |
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e. *Retrofitting built-up area.* An AMP may identify sections of highway in built up areas that have little potential to meet minimum access spacing standards. It may identify where existing access is allowed to remain and adopt policies to avoid further deterioration. It may identify areas that need to be reconstructed as part of a project or when property redevelops. Concepts to retrofit built up area include:

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| <ul style="list-style-type: none"> • Opportunities to relocate, combine, or remove driveway access during development review. • Opportunities to redesign internal road and parking systems. • Opportunities to define open frontage asphalt access with barriers. | <ul style="list-style-type: none"> • Opportunities to modify move or close problem accesses during roadway or sidewalk re/construction projects. • Opportunities to eliminate closely spaced or jogged intersections. • Median barriers in high crash locations. • Access Control. |
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6. Adoption and Implementation

An IAMP or AMP is an ODOT transportation facility plan that must be adopted in accordance with PLA-01 and OAR 731-051, the State Agency Coordination Agreement. An IGA adopted in conjunction with an IAMP or AMP may establish roles and responsibilities to carry out action steps, help fund needed capital improvements, and to confirm multi-jurisdictional commitment to the Plan. It may contain an implementation schedule, including:

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> • Design and construction of roadway and driveway projects. • Design and construction of projects needed for immediate improvements or safety. | <ul style="list-style-type: none"> • Design and construction of committed projects. • Design & placement of visual amenities including signage & landscape features. |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

- Land use plan and development code amendments.
- Funding source options
- Design and construction of transit, bike and pedestrian improvements.

7. IAMP Monitoring and Updates

Conditions on a transportation facility change over time and Plans generally need to be updated every 3 to 5 years. This section of the Plan may contain measures that trigger a Plan update. An IAMP or AMP is generally linked to elements in RTP, TSP, or comprehensive plan that may also need to be updated to maintain inter-agency and inter-agency Plan consistency. If a Plan update is needed for the project, it may need to be factored into the project scope, schedule, and budget. A Plan update may involve updating the data, analysis, and decisions in the Plan to reflect changed conditions.

II -- APPROVED DESIGN/DESIGN ACCEPTANCE MILESTONE DELIVERABLES

This section provides guidance for deliverables described in [PDLT 03](#) as required at the Approved Design/Design Acceptance milestone of project delivery. This milestone is defined in [PDLT-02](#) (*Project Development Decision Structure*) as follows:

“...a critical point of decision-making that establishes the geometric boundaries of the project footprint, and allows for the concurrent right-of-way (ROW), permitting, and construction contract document activities to move forward. Design Acceptance also provides for environmental and land use requirements, and subsequently how they affect permitting and the development of construction contract documents. It occurs at the end of the initial design phase and requires all project disciplines to review the design for balance of context with standards and policies. It is the primary opportunity for both technical and non-technical stakeholders to review design elements according to their specific interests.”

The deliverables in this milestone are intended to meet the requirements of the access management administrative rules (OAR 731-051). They also help to ensure that access management decisions, design elements, standards, and other considerations identified during the previous milestone are incorporated into final design.

It may be appropriate to waive some deliverables in this milestone based on project decisions and parameters. For example, *Intergovernmental Agreement Provisions to Address Local Government Access Issues* may be waived if no local government actions are needed to accomplish project objectives. Likewise, *OTC Decision Package* may be waived if no OTC decisions are needed. The *Access Deficiency List* may be waived if no accesses meet the criteria included for that deliverable. Waiver of a deliverable must be documented in writing by the Region Project Delivery Manager or Area Manager and explain why the deliverable is not appropriate to the project.

Access Management Strategy (AMStrat)

Purpose: The purpose of an Access Management Strategy is to establish goals, criteria, and actions that will be applied to approaches within the project limits during design and construction. The AMStrat should move highway access conditions in the direction of the spacing standards to the extent reasonable within the limitation, scope, design parameters, and available funds of the project.

Description: The AMStrat documents the rationale for decisions to be implemented in project delivery. Its focus is actions that will be taken during design and construction, within the highway right-of-way and within ODOT’s statutory and administrative authority. The AMStrat may apply to the entire project area or a specified section of the highway within the project limits.

There are four types of projects that require an AMStrat under OAR 734-051:

- Modernization projects
- Projects within the influence of an interchange where work occurs on the cross- road
- Projects on an expressway
- Projects on which approaches will be removed, mitigated, or modified

Accountability: The PDLT 03 assigns accountability for the AMStrat to the Region Manager in accordance with OAR 734-051. The Region Manager will most likely designate a representative to act on his/her behalf in development and approval of the AMStrat. Such designation must be in writing and made a part of the project files. A standing memo from the Region Manager designating his/her representative may also serve this purpose.

Relationship to Interchange Area Management Plan (IAMP) and Access Management Plan (AMP): There are two important features that distinguish an AMStrat from an IAMP or AMP: 1) An AMStrat identifies actions *within the highway right of way* that ODOT has the administrative and statutory authority to implement; and 2) the actions are considered short-term and will be implemented as part of the project. On the other hand, OAR 734-051 requires that an IAMP or AMP consider changes that the local government needs to make to its regulations, codes, and ordinances for land use and transportation facilities to support the plan over the long-term. The scope of issues addressed in an IAMP or AMP will extend beyond the highway right of way and will include long-term actions and decisions that will not occur during project delivery.

An AMStrat will generally be a stand-alone document, but may be a component of an IAMP or AMP. When an AMStrat is developed concurrently (in whole or in part) with an IAMP or AMP, it will most likely fulfill the requirement of OAR 734-051 that an IAMP or AMP contain short term actions. (There may be other short term actions by the local jurisdiction included in the IAMP or AMP that should not be included in the AMStrat.)

Content and Format of an AMStrat: It is essential that an AMStrat be defensible should a property owner appeal a decision within the AMStrat. In the appeals process, ODOT will need to demonstrate that the AMStrat meets the requirements of OAR 734-051-0285 and that the decision regarding the appellant's access is consistent with the AMStrat.

There is currently no standard format for an AMStrat. However, Appendix E contains sample AMStrats and Appendix D contains a quality control checklist for assessing compliance of an AMStrat with OAR 734-051-0285. The following guidance addresses key content elements of the AMStrat.

Establishing the Boundary: The goals established for the project will often help to establish appropriate boundaries for the AMStrat. If the AMStrat will not cover the entire project limits, it is important that the AMStrat provide an explanation of how the boundary for the AMStrat was established. It is critical in setting the boundary to be mindful of the legal standard that requires similarly situated property owners to be treated similarly. "Similarly situated" means that the properties share important legal, location, or physical conditions. For example, "similarly situated" properties may be similar in having unpermitted approaches or having approaches that

fall within the influence area of an interchange. If you have questions about what constitutes a legally appropriate AMStrat boundary or how to interpret the term “similarly situated,” please contact the Regional Access Management Engineer or the Access Management Appeals Coordinator.

Goals, criteria, and actions: Defining goals, criteria, and actions is one of the most important steps in developing an AMStrat because this step establishes the bases and standards for making decisions. Goals, actions, and criteria must be consistent with OAR 734-051-0285(6).

Goals are broad statements of intent or purpose of the AMStrat. An AMStrat may have one or more goal statements. The goals must be consistent with the provisions of OAR 734-051-0285(6). The following are examples of goals consistent with the OAR:

- Improve access spacing throughout the project limits to the extent reasonable within the limitation and scope of the project and consistent with design parameters and available funds.
- Improve safety and efficiency of traffic operations at the intersection of Highways X and Y by modifying, mitigating, or removing approaches within the influence area of the intersection.
- Provide shared access for adjacent properties, where reasonable.
- Implement decisions and recommendations of the IAMP or AMP to the extent possible within scope, schedule, and budget of project.
- Close highway approach for all properties with reasonable alternate access.

Criteria consist of technical standards, policies, or other decisive factors that will be to guide decisions about what action to take related to an approach or group of approaches. (Some goals may also serve as criteria.) Example criteria include:

- Access spacing standards (OAR 734-051)
- IAMP or AMP policies related to access
- Total cost of access solutions not exceeding a specified dollar amount
- V/c ratio 0.85 in traffic operations analyses
- Joint access where property owners are agreeable
- Highway design manual standards

Actions are statements describing measures that will be taken for a specific approach or group of approaches. Actions are usually taken pursuant to accomplishing one or more goals of the AMStrat for all approaches meeting specified criteria. Actions typically fall into three major categories: modification, mitigation, or removal. Examples include:

- Remove illegal driveway at station 00+000 (removal).
- Indenture existing access reservation at station 00+000 (modification)
- Install pork chop island to restrict turning movements at station 00+000 to right in/right out.

Actions may also include administrative actions such as issuing a permit or grandfathered recognition. It is not necessary for actions to be taken on every approach in the AMStrat. The AMStrat may conclude that no action is necessary or feasible on some approaches based on funding limitations, project scope, or other constraints.

Application of Goals, Actions and Criteria: Each access within the boundary of the AMStrat is evaluated based on the goals, actions, and criteria. This evaluation will result in decisions that are implemented as the project is designed and constructed. Reconstructing, relocating, permitting, widening, changing dimensions, and closing approaches are common decisions and actions that result from this process.

It is critical that the AMStrat document the decisions and actions regarding each approach as well as the basis for those decisions and actions. The OPAL Worksheet in Appendix C can be used for this purpose and can be included in the AMStrat or referenced as an attachment. Decisions and actions related to each approach need to be shown on the OPAL Worksheet in the appropriate columns.

Timing of AMStrat Development: An AMStrat will usually be developed following the Project Initiation milestone (see [PDLT-02](#)). This is the timeframe when the project team becomes fully engaged and access management decisions can best be coordinated with issues related to project design. Because the AMStrat is a short-term plan of action to improve existing conditions as part of the project scope of work, the AMStrat may become outdated if there is an extended period of time between its development and its implementation.

Sufficient time needs to be scheduled to accomplish major tasks related to the AMStrat, such as:

- Inventory existing accesses
- Investigation of legal and permitted status of existing accesses
- Evaluation of options to improve existing conditions
- Review of crash data and other relevant safety and traffic operations information
- Development of construction costs estimates
- Preparation and review of the AMStrat document
- Public or individual meetings with property owners
- Participation by local government and other stakeholders
- Appeals

It may be advisable to begin research on the legal and permitted status of existing accesses prior to project initiation if possible. (See section on Existing Approaches Status Report in Draft STIP Milestone.) This is especially the case when large numbers of accesses need research or when several accesses will involve complex legal or politically sensitive issues.

Appeals and Legal Issues Related to AMStrat Decisions

Property Owner Notification. Property owners of legally permitted or grandfathered approaches that are closed or modified by an AMStrat must receive written notice of such closure or modification and must have the opportunity to appeal the decision. The appeal may occur through a formal contested case hearing before an administrative law judge or a less formal venue such as a Region Review. Under OAR 734-051-0500, the ODOT may offer an administrative remedy for closure of permitted or grandfathered approaches. If an approach is closed at the location of a reservation or grant of access, ODOT must acquire the property owner's right of access through eminent domain procedures. Region right of way staff will generally coordinate with Salem to handle the remedies and eminent domain issues. The costs

for remedies and eminent domain acquisitions needs to be included in the Right of Way Cost Estimate (see Right of Way Cost Estimate under Draft STIP milestone).

While it is preferable for the appeal process to begin with the DAP milestone and be completed prior to the PS&E milestone, ODOT is *not* required to wait for the final outcome of an appeal before bid letting or beginning construction on a project. However, if ODOT were to lose an appeal, it could be necessary to reconstruct a part of the project in accordance with the appeal decision. To avoid this situation, the PDLT 03 requires access closure and modification letters to be delivered to property owners no later than the DAP milestone.

Property owners of *illegal* approaches that are going to be closed or modified must receive written notice of such closure or modification but are not entitled to an appeal or a remedy.

Local Government Land Use Actions. It is important that the AMStrat not be included in any local government land use process relative to the project. Local land use action to adopt or approve an AMStrat could result in exposing the project to a whole set of land use regulation from which it would otherwise be exempt. Actions implemented under an AMStrat should be within ODOT regulatory “police powers” to implement and not require approval or adoption by the local government. For this reason, it is important to keep the AMStrat separate from an IAMP or AMP, if the latter plans will be adopted by the local government. It is also important to label documents consistent with their definitions and purpose in OAR 734-051. For example, a document that is intended to be an Access Management Strategy should not be labeled as an Access Management Plan, or vice versa.

Official Project Access List (OPAL)

Purpose: The purpose of the Official Project Access List (OPAL) is to document decisions made for providing access to all properties with access rights that abut the highway.

Description: Examples of the types of decisions documented on the OPAL include all public and private approaches that will be:

- Unchanged or re-constructed at their current locations
- Combined for shared access
- Relocated or modified
- Added (new) or removed

The OPAL may contain additional information such as design details, references to standard drawings, property addresses, or other information helpful to project staff.

Accountability: The PDLT 03 assigns accountability for the OPAL to the Region Technical Center Manager. Both the Region Technical Center Manager and the Regional Access Management Engineer are required to approve the OPAL. The OPAL Worksheet provides space for identifying additional approvals that may be desired, such as a local jurisdiction’s representative.

Relationship to Other Deliverables: On most projects, the OPAL will be the product of a series of steps performed to analyze and improve access management conditions. Development of the OPAL will usually be preceded by completion of the following deliverables because information from these deliverables is integral to decisions for the OPAL:

Access Management Scoping Report

Access Control Report

Existing and Permitted Approaches Status Report

IAMP or AMP (if existing or will be developed)

AMStrat (if existing or will be developed)

These deliverables establish many of the standards, policies, constraints, and criteria for the OPAL. For projects with few approaches or relatively simple access decisions, these other deliverables may not be needed prior to developing the OPAL.

Content and Format of the OPAL: The standard format for documenting the OPAL is the Official Project Access List Worksheet (Appendix C). The Worksheet provides a consistent and convenient means of managing and documenting several deliverables required under PDLT 03 in addition to the OPAL. The OPAL Worksheet is contained in the OPAL Workbook, a Microsoft Excel application. Instructions for the OPAL Workbook and Worksheet are available online at the [Access Management website](#) (select Project Delivery from the left menu bar, then Forms).

The discussion below addresses two aspects of the OPAL that need further explanation: deviations from access spacing standards and illegal approaches.

Deviations from Access Spacing Standards: The goal of an AMStrat is to improve substandard current access conditions by conforming to the standards or improving conditions in the direction of the spacing standards. However, in built up areas where many approaches may never meet access spacing standards, it is often impractical to meet the access spacing standards in OAR 734-051-0115 and 0125 because of lot dimensions, existing development, physical features, or conflicting local code requirements. This inability to meet spacing standards often raises a question about what criteria or findings are necessary to approve approaches on the OPAL that deviates from the spacing standards.

OAR 734-051-0285(2) states that ODOT is not obligated to provide written findings nor comply with the spacing standards in project delivery. This means that approaches that do not comply with access spacing standards may be approved in a project. The Region Technical Center Manager and the RAME must approve all approaches that remain open in a project, but they are not required to write findings for deviations from spacing standards for approaches listed in the OPAL. This is intended to relieve the ODOT of the requirement to develop findings similar to those that apply to an Application for State Highway Approach. However, any analyses, calculations, technical references, memorandums, or other information used as a basis for access management decisions that deviate from the standards needs to be documented and included in the project files. This documentation is especially important for any decision *not* to modify, mitigate, or remove an approach which has a significant crash history, is illegal, or presents significant safety risks or traffic operations problems. These kinds of accesses are a risk to the

ODOT. If they become a point of future litigation, it is critical that the ODOT have a record of the considerations that formed the basis for its decision.

Illegal Accesses: In developing the OPAL it is critical to establish the legal status of existing approaches before considering any changes.

Under Division 51, there are two ways in which an access is recognized as legal. Unless an approach meets one of these two conditions, it is likely that the approach is illegal.

1. Permit to Operate issued by the ODOT (see 734-051-0040(42))
2. Grandfathered recognition by the ODOT (see 734-051-0040(26)).

Unless an approach meets one of these two conditions, it is likely that the approach is illegal. When the legal status of an approach cannot be established with certainty, the status should be considered unknown until it meets one of the requirements noted above for legal approaches.

At times, an approach with an illegal or unknown status may have to be left in place. Such approaches need to be listed on the OPAL. The property owner should be notified in writing when their approach is determined to be illegal or that the legal status is unknown. The notice should include conditions under which the approach will remain open, options available to the property owner to establish legality, and any future actions the ODOT may take with respect to the approach. The Region Project Delivery Manager/Area Manager or District Manager must sign the notice letter. It is strongly recommended that the Appeals Coordinator in the Statewide Access Management Program Office review these notice letters before they are sent to the property owner.

Changes During Construction: During construction, it may be necessary to make changes to location, dimensions, or other information shown for an approach on the OPAL. The Project Manager is responsible for getting the approval of the RAME and Region Technical Center Manager to make changes. As the Accountable Manager for the OPAL, the Region Technical Center Manager is responsible for seeing that approved changes are entered into the OPAL. These changes can be entered on the OPAL in the comments column for the subject approach or in a new row under the original data for the approach. The comments column can also be used to refer to note written approval received from the RAME and the Region Technical Center Manager. A revision date for changes should be entered in the appropriate header field.

Filing and Distribution: The approved OPAL, including changes made during construction, is kept with the electronic files of the project. It may also be printed and kept in paper file if desired. *All approved OPALs are to be emailed to the Access Management Program Manager, including OPALs revised to include changes during construction.*

Access Deficiency List (ADL)

Purpose: There are two main objectives for the Access Deficiency List (ADL). The first is to identify approaches in the project limits that will remain after project completion but represent significant access problems or concerns that could not be addressed during the project. By

placing these approaches on the ADL, they are flagged as a priority for future mitigation, modification or removal as opportunities arise. For example, a change of use under OAR 734-051-0045, local government development review procedures or activities of the District Office can provide opportunities to modify relocate or remove an approach on the ADL. A second purpose of the ADL is to document the nature and scope of problem approaches on a statewide basis. This information will help the statewide program office to develop funding proposals specific to the need.

Description: The ADL code is an element of the OPAL Worksheet. An approach qualifies for an ADL code if it meets the following criteria:

- The approach is a problem.
- The problem is important to solve based on safety or operational concerns.
- The problem cannot be solved within the constraints of the project (i.e. budget, schedule, scope)

See Content and Format for the ADL below for additional information on ADL codes.

Accountability: The PDLT 03 assigns accountability for the ADL to the Region Technical Center Manager because assigning an ADL code requires technical judgment and analysis of safety and operational factors and codes need to be assigned consistently. The District Manager is assigned a major support role because the District Manager will often be in the best position to implement recommendations or take advantage of opportunities to solve problems.

Relationship to Other PDLT 03 Deliverables: The ADL has a direct relationship to the OPAL and the AMStrat. It is a subset of the OPAL because approaches on the ADL will remain open upon project completion and therefore need to be included on the approved OPAL. If an AMStrat covers an area with an ADL approach, then the AMStrat needs to provide a rationale in the goals, objectives, or criteria and explain the basis of project decisions regarding the approach.

Content and Format for the ADL: There is a field on the OPAL Worksheet for coding approaches that meet the criteria listed above (see Description). A comment field is available to provide additional information or recommendations.

In most cases, only a few accesses listed on the OPAL will be assigned an ADL code. It is important that the ADL not be a housecleaning list of every approach on the project that does not meet spacing standards, sight distance, or some other design standard.

ADL Codes for the OPAL Worksheet. The following codes are intended to simplify the task of categorizing and prioritizing approaches on the ADL. These codes are on the dropdown menu of the ADL column of the OPAL Worksheet.

- H1= High priority illegal or potentially illegal access
- H2= High priority safety concern
- H3= High priority traffic operations concern
- H4= Other High priority concern

M1= Moderate priority illegal or potentially illegal access

M2= Moderate priority safety concern

M3= Moderate priority traffic operations concern

M4= Other Moderate priority concern (describe)

A high priority code generally means that problems associated with an approach have potentially serious consequences and the problems need to be resolved in the short term. Safety problems may arise from poor sight distance, approach location relative to internal site circulation, unacceptable traffic queues, or other issues. Operational problems (which can also be safety concerns) may be caused by an approach too close to an intersection or the types of vehicle entering/exiting the highway.

Use of the ADL: The Access Management Unit will compile and report ADL data for use by the District and ODOT management.

Access Management Element of the Design Acceptance Memorandum

Purpose: The purpose of the Access Management Element of the Design Acceptance Memorandum is to ensure that the accountable managers have approved the principal access management design features and decisions to include in construction contract documents.

PDLT 02 states that the design acceptance milestone “is a critical point of decision-making that establishes the geometric boundaries of the project footprint, and allows for the concurrent right-of-way (ROW), permitting, and construction contract document activities to move forward. Design Acceptance also provides for environmental and land use requirements, and subsequently how they affect permitting and the development of construction contract documents. It occurs at the end of the initial design phase and requires all project disciplines to review the design for balance of context with standards and policies. It is the primary opportunity for both technical and non-technical stakeholders to review design elements according to their specific interests.”

Description: The Access Management Element of the Design Acceptance Memorandum describes significant access management decisions and actions to be implemented in the project.

Accountability: PDLT 03 assigns accountability for the Access Management Element of the Design Acceptance Memorandum to the Region Technical Center Manager with support from the Region Planning Manager and the Region Project Delivery Manager or Area Manager.

Relationship to Other Deliverables: The Access Management Element of the Design Acceptance Memorandum is related to the following deliverables:

IAMP or AMP. The Design Memorandum should summarize or reference key policies and decisions contained in a Plan that could impact project design.

AMStrat. The Design Memorandum should describe the major decisions and design elements that are part of the AMStrat for the project.

OPAL. The OPAL should be consistent with the decisions and features outlined in the Design Memorandum. A completed OPAL may be attached or referenced in the Memorandum.

Content and Format: The Access Management Element of the Design Acceptance Memorandum will usually be a component of a more comprehensive project design document. [PDLT 02, Certification of Design Acceptance Memo](#) is example of the more comprehensive project document. Appendix F contains another example. Other formats (i.e. checklists) may developed specific to a Region or consultant contract. All of these formats will accommodate an access management element. The AMStrat may also substitute for the Access Management Element of the Design Acceptance Memorandum if the AMStrat meets the purpose and description above. If substituting an AMStrat, note the substitution in the project Design Acceptance Memo or document approval of the substitution with a memo to the project file signed by Technical Center Manager.

Regardless of format, the Access Management Element of the Design Acceptance Memorandum should summarize key access management decisions and solutions that will be incorporated in the project design. This could include one or more of the following:

- Modification, mitigation, or removal of existing approaches
- Medians
- Channelization
- Turn lanes
- Shoulder widening
- Frontage roads
- Grade-separated facilities
- Parking modifications
- Changes to on-site circulation
- Right of way impacts

Based on the critical importance of the design acceptance milestone as described in the PDLT 02, the Access Management Element of the Design Acceptance Memorandum needs to ensure that any significant risks associated with unresolved access management issues are communicated and understood. The Memorandum may also recommend actions to resolve issues of concern in a timely manner.

Access Modification and Closure Letters Delivered to Property Owners

Purpose: The purpose of Access Modification and Closure Letters is to provide timely notification to affected property owners of ODOT's decisions and the property owner's appeal rights under OAR 734-051. The ODOT is obligated to provide official notification prior to modifying or closing an approach.

Accountability: The PDLT 03 assigns accountability for Modification and Closure Letters to the Region Project Delivery Manager or Area Manager. Some Regions have elected to have these letters issued by the District Manager, in which case it is recommended that the project staff prepare drafts or have the opportunity to review the letters.

Relationship to Other PDLT 03 Deliverables: Access Management Modification and Closure letters are closely related to several other PDLT 03 deliverables:

IAMP/AMP. The ODOT is authorized to modify, mitigate, or remove approaches pursuant to an adopted IAMP or AMP. The process for developing these plans provides opportunities for the ODOT and the property owners to understand and communicate about access management in the broader context of land use and transportation issues. The adopted Plan will frequently establish policies and goals that lead to changes to existing approaches as projects are developed.

AMStrat. OAR 734-051-0285 (Project Delivery) authorizes the ODOT to modify, mitigate, or remove approaches pursuant to an approved AMStrat. Decisions to modify or remove approaches need to be based on goals, objectives, and criteria of the AMStrat.

OPAL. The OPAL documents decisions made for providing access to all properties with access rights that abut the highway. Decisions to change existing approaches will be documented on the OPAL.

ADL. It may be necessary to modify an approach with an ADL code to alleviate problems or concerns caused by the approach.

Public Stakeholder/Involvement Plan. A plan for regular and timely communication with property owners will provide opportunities to discuss how the project will affect their access. Meeting one-on-one with property owners before mailing notice letters to explain ODOT's decision and respond to their concerns may help reduce the likelihood of an appeal.

Local Transportation System Plan or Comprehensive Plan Amendments. Closure or modification of public approaches may require amending a local plan.

Content and Legal Standards for the Notice to Property Owners: Under OAR 734-051-0285(5)(a)(A-B), the ODOT may modify, mitigate or remove approaches in accordance with an adopted IAMP or AMP and approved AMStrat. All owners of property where an approach will be modified or removed must receive written notification from the ODOT describing how the project will impact their approach. See Appendix J for sample Modification and Closure Letters.

It is strongly recommended that notice letters be submitted for review by the Statewide Access Management Appeals Coordinator to ensure that they are legally sufficient. The following guidance highlights key legal aspects of the notice letter.

Legal Standards. To meet legal standards, the notice letter should do the following:

- Describe what the ODOT is trying to accomplish with the project.
- Describe the location of the landowner's property and approach with respect to the project boundaries.
- Explain the status of the landowner's approach permit, if applicable.
- Cite the key statute (ORS) authorizing the ODOT to regulate access to the highway.
- Explain that an Access Management Plan or Strategy was prepared for the project and generally what the Plan or Strategy was designed to accomplish.
- Explain how the landowner's approach will be impacted by the application of the Plan or Strategy.
- Explain any recourse the landowner may have.

Legal Challenges. OAR 734-051 authorizes the ODOT to develop specific standards and criteria for modifying and closing approaches based on project-specific needs and issues. Since the

IAMP, AMP or AMStrat provides the documentation and rationale for altering existing approaches, these documents must be legally defensible to stand up under an appeal. Guidance for developing an IAMP, AMP, and AMStrat is provided in the ODOT's IAMP Guidelines and relevant sections of this Chapter.

If the ODOT is challenged on a decision to modify or close an approach through appeal or litigation, the reviewing body will look to OAR 734-051, state statutes, and the US Constitutional equal protection provisions to decide the case. In the event of an appeal, project managers and staff should be prepared to answer the following questions:

- Did the ODOT modify or close an approach pursuant to a Plan or Strategy?
- With regard to process, did the ODOT follow its own rules and policies in development and adoption or approval requirements?
- Does the substance of the Plan or Strategy respond adequately to the requirements of the Access Management Rule?
- As applied to individual landowners, was the Plan or Strategy fair and objective or does it appear arbitrary and capricious? Were similarly situated landowners treated the same or differently?
- If the landowner had a properly permitted or grandfathered approach, did the letter they received provide adequate legal notice and were they given an opportunity to appeal?

Appeal Rights. One of the principal purposes of the notice letter is to explain the property owner's appeal rights. OAR 734-051-0275(5) states: "Removal of a permitted or grandfathered approach is an appealable decision." OAR 734-051-0040(7) defines an appealable decision as "a decision by the ODOT that may be appealed through a Region Review as set forth in OAR 734-051-0345 or a Contested Case Hearing as set forth in OAR 734-051-0355." The Region Review and Contested Case Hearing are formal processes managed by the Statewide Access Management Program Office Appeals Coordinator.

It is important to note that removal of approaches that are not permitted or grandfathered is not appealable under Division 51. However, in case ODOT has overlooked or lacks knowledge of information that would make the approach legal, the notice letter for an illegal approach needs to explain that the owner may have additional rights if they can show that the approach is permitted or qualifies to be grandfathered. The letter needs to encourage the property owner to promptly contact the District Office with such information. If the owners come forward with sufficient proof that the approach is permitted or qualifies for grandfather status, either an Approach Permit or a Grandfathered Recognition Letter should be issued. ODOT would then issue a new notice letter explaining how the newly permitted or grandfathered approach will be affected by the project and explaining appeal rights.

Intergovernmental Agreement Provisions to Address Local Government Access Issues

Purpose: The purpose of this deliverable is to document agreement between ODOT and the local government(s) about actions necessary to support or implement access management decisions that affect local roads and streets.

Description: An Intergovernmental Agreement (IGA) is a binding agreement between ODOT and local governments. It may include a range of provisions assigning roles and responsibilities for actions that are needed to deliver the project.

In most cases, access management provisions will be included in a more comprehensive IGA that the ODOT frequently enters into with local governments to establish roles and responsibilities for project financing, management, design standards, and other obligations.

Accountability: The PDLT 03 assigns accountability for this deliverable to the Region Project Delivery Manager or Area Manager. The Region Planning Manager and District Manager may provide key management support for developing these provisions. The accountable manager may waive this deliverable if no local government actions are required.

Relationship to other PDLT 03 Deliverables: IGA provisions are often related to the following deliverables:

IAMP/AMP. An IAMP or AMP for a project area may:

- Call for local comprehensive plan or development code amendments
- Require local street network improvements to support a project
- Identify actions a local government needs to take to achieve consistency between adopted state and local plans

AMStrat. An AMStrat may require a local government to take action to implement elements of an AMStrat that impact local transportation facilities.

Schedule of Work. If issues requiring local government action are complex or controversial, the project schedule needs to provide sufficient time for issues to be resolved through the local government process. It is advisable to consult with the local government in establishing a schedule timeframe.

Scoping Report. The Scoping Report should identify access management issues that affect local roads and streets.

Content and Format of Intergovernmental Agreements: The IGA should describe the local government actions and timeframes for completion, and the potential impact or consequences for failure to comply with the terms of the IGA. Provisions that address important coordination issues, cost allocation, and documentation requirements need to be included, as applicable.

ODOT has routine processes for developing IGAs and master agreement formats containing boiler plate provisions that have been approved by the ODOT of Justice. The master agreement formats are located in share drive: Sdata2/crew0953shar/Master_Formats

In some cases, a Memorandum or Letter of Understanding can substitute for an IGA if there is a high degree of confidence that the local agency will take the necessary actions in a timely manner and no money will be exchanged between the parties.

Local Government Land Use Actions: Local government decision-making processes generally follow a similar process, but there can be significant differences in the timing, requirements, and other details of the process. For this reason, it is important to identify any need for local government actions as early as possible and to work with local governments to develop any IGA

needed. If the action involves an amendment to the local TSP and/or comprehensive plan; such amendments are considered land use actions. The ODOT of Justice has advised ODOT that local land use actions must occur before the final environmental document is issued for a Class 1 or Class 3 project or before construction of a Class 2 project. Local land use actions can involve lengthy public hearing processes that could impact the project schedule and budget. Therefore, it is important to identify the need for land use actions and to coordinate closely with the local government to ensure that decisions occur in a timely manner. Additional guidance on local government process and responsibilities related to IAMPs and AMPs can be found in ODOT's Interchange Area Management Plan Guidelines.

Updated Schedule and Budget

Purpose: The purpose of schedule and budget updates at the Design Acceptance milestone is to assess the cost and time needed to complete PDLT 03 deliverables as the project progresses towards the Final Contract Plans/PS&E milestone.

Description: This deliverable requires reviewing and updating the project schedule and budget as needed to complete PDLT 03 deliverables. Many factors can lead to a change in the resources and time needed. For example, the project scope may be revised as issues are identified during the project's development. Changes that occur may increase or decrease the resource needs for access management. These changes need to be identified and the schedule and budget adjusted accordingly.

Accountability: The PDLT 03 assigns accountability for updating the schedule and budget to the Region Project Delivery Manager or Area Manager.

Relationship to Other Deliverables: Updating the schedule and budget is related to the Preliminary Engineering Cost Estimate and the Schedule of Work prepared at the Draft STIP milestone. If revisions have occurred since the Draft STIP deliverables, then the review at the Design Acceptance milestone will focus on the current schedule and budget.

Content and Format: There is no standard format for documenting this deliverable. It is expected that the updates will occur as part of the routine Region project delivery process for making schedule and budget updates. Completion of the deliverable may be documented in project team notes, a memo to the project file, or other means determined by the project team, Region processes, or the accountable manager.

Following are some typical changes that may occur during development and design that impact the resources needed to complete access management work:

- Project limits are increased or reduced
- Modifications to approach location, design, or use
- Changes in zoning
- New development/land use proposals
- Changes in circulation from local road connections, realignment, or closure
- Adding improvements such as sidewalks and bike lanes

- Medians and signals

Oregon Transportation Commission (OTC) Decision Package

Purpose: The purpose of the OTC Decision Package is timely submittal to the OTC of any actions that require their adoption or approval.

Description: The OTC Decision Package deliverable applies to those few occasions where there is a need to seek OTC approval or decision that affects access management. Other than the Interchange Area Management Plans (IAMP) and Access Management Plans (AMP), few access management actions or deliverables in project delivery will require OTC approval.

Accountability: PDLT 03 assigns accountability for the OTC Decision Package to the Region Manager.

Relationship to Other PDLT 03 Deliverables: An OTC Decision Package is most likely to be related to the following deliverables:

- IAMP or AMP. An IAMP or AMP is an ODOT transportation facility plan that is required for certain categories of ODOT projects. OAR 734-051-0155(2) requires OTC adoption of an IAMP or AMP in accordance with the ODOT Transportation Facility Plan Adoption Procedure, PLA-01. The ODOT of Justice has determined that these Plans must be adopted prior to construction for Class 2 environmental projects. See section on IAMP and AMP for guidance on timing of Class 1 and 3 environmental projects.
- Public/Stakeholder Involvement Plan. The Public/Stakeholder Involvement Plan deliverable at the Draft STIP milestone should include any public involvement events or activities that need to be completed prior to submittal of the OTC Decision Package.

Contents and Format of the OTC Decision Package: The content and format of a decision package will vary depending on the nature of the issue. PLA-01 provides guidelines for the content and format of documents for an IAMP or AMP. Guidance for other submittals can be obtained from the Region Planning Manager, Commission staff, or the Highway Program Office.

III -- FINAL CONTRACT PLANS/PS&E MILESTONE DELIVERABLES

This section provides guidance for deliverables described in [PDLT 03](#) as required at the Final Contract Plans/PS&E milestone of project delivery. This milestone is defined in [PDLT-02](#) (*Project Development Decision Structure*) as follows:

“This point of decision-making provides certainty of the completeness of a project for bid advertisement through the ODOT Procurement Office. Decision making with any desired interim milestones between Design Acceptance and PS&E Submittal (e.g., Preliminary, Advanced, Final Plans) should be addressed through individual Quality Control Plans and Project Development Change Requests as needed.”

The deliverables in this milestone are intended to ensure that all legal and administrative requirements applicable to the project have been completed. Key deliverables are to update the Central Highway Access Maintenance Permitting System (CHAMPS) database and complete the Access Management Checklist to document that PDLT 03 deliverables are complete.

It may be appropriate to waive some deliverables in this milestone based on project decisions and parameters. For example, *Local Transportation System Plan or Comprehensive Plan Amendments* may be waived if no local government amendments are needed to accomplish project objectives. Likewise, *OTC Decision/Approval Action* may be waived if no OTC decisions are needed. Waiver of deliverables must be documented in writing by the Region Project Delivery Manager or Area Manager and explain why the deliverable is not appropriate to the project.

Confirmation of CHAMPS Records

Purpose: ODOT maintains a central database for highway approach permits known as CHAMPS (Central Highway Approach Maintenance Permit System). The purpose of the Confirmation of CHAMPS Records is to update the records in the CHAMPS database to be consistent with approaches that will exist upon completion of the project. This deliverable also provides documentation to the property owner of ODOT’s decisions for access to their property prior to the start of construction.

Description: The Confirmation of CHAMPS Records is a process of reviewing the records in the CHAMPS database, the UPermit database, and District paper files for any existing permit for each approach on the project plans and performing one or more of the actions described below, as needed. The OPAL Worksheet includes a section for documenting the Confirmation of CHAMPS Records.

- Confirming that there is a CHAMPS permit record that needs no action.
- Canceling an existing permit and superseding it with a new permit to the property owner to record project changes.
- Canceling an existing permit in CHAMPS, UPermit, or paper files for an approach that is removed and notifying property owner of cancellation.

- Issuing a CHAMPS permit to the property owner for a new approach or an existing approach with no permit record.
- Issuing CHAMPS letter #50 or #79 to the property owner to recognize grandfather status of an approach.

Accountability: PDLT 03 assigns accountability for the Confirmation of CHAMPS records to the District Manager, with assistance from the Region Project Delivery Manager or Area Manager and the Region Technical Center Manager. The District Manager accountability is based on the fact that approach permitting is routinely done in the District Office. Performing this deliverable will require the District to coordinate the information and the process with the Region Technical Center and project delivery staff.

Relationship to Other PDLT 03 Deliverables: The Confirmation of CHAMPS Records is most directly related to the following deliverables:

Official Project Access List (OPAL). The OPAL is the reference document for Confirmation of CHAMPS Records. The OPAL documents decisions for providing access to all properties with access rights that abut the highway. The OPAL Worksheet includes a section for documenting the Confirmation of CHAMPS Records.

Modification and Closure Letters. The property owner should receive a copy of any change to an existing CHAMPS record or any new records/permits created. It may be helpful for revised or new permits to accompany modification and closure letters.

Content and Process for Confirmation of CHAMPS Records: When the confirmation process is complete, the data in the CHAMPS records for each approach should be the same as the data on the project plans. It is not necessary to wait until the Final Plans/PS&E milestone to perform the confirmation process. The process may be ongoing in earlier milestones as decisions are made about approaches on the project. An ongoing process would be especially appropriate where a large number of approaches are involved so as to reduce the workload at Final PS&E. An ongoing process would also have the advantage of coordinating with the modification and closure letters to help property owners better understand any new permit documents they receive related to their approach.

The following guidance describes basic CHAMPS and UPermit processes for Confirmation of CHAMPS Records. Contact the CHAMPS Administrator in the Access Management Unit if help is needed to perform these actions.

- Confirming that there is a CHAMPS permit record that needs no action. No further action is needed if a CHAMPS permit exists and the project does not make any changes in the approach permit data.
- Canceling an existing permit and superseding it with a new permit to record project changes. There are two situations when this action should be taken.
 1. *When the project makes changes* to an approach that has an existing permit in CHAMPS, UPermit, or in paper files, the existing permit is cancelled and a new permit is issued through CHAMPS to records project changes. Examples include changes to approach dimensions or location or to properties served by the approach.

2. *When the project does not make any changes* to the existing approach, but the approach does not have a CHAMPS permit record. Many existing approaches will only have records in the UPermit database and some may only have paper documentation on file in the District office. Non-CHAMPS permits need to be canceled and new permits issued through CHAMPS.

The steps for performing these actions in CHAMPS are described in Appendix I. The UPermit process is similar to that described in Appendix I, except that UPermits cannot be cloned. Also, a UPermit is cancelled by entering the cancellation date on the General tab. The cancelled UPermit is then superseded with a CHAMPS permit.

- Canceling an existing CHAMPS permit or UPermit for an approach that is removed. When the project removes an approach that will not be replaced, then any existing permit needs to be cancelled. In CHAMPS, open the permit to be canceled, select the ‘Permit’ dropdown menu from top menu bar and then select ‘Cancel Permit’. In UPermit, open the permit to be canceled and enter the cancellation date on the General tab.

The property owner should be notified in writing of the permit cancellation. CHAMPS provides a blank letter template that can be used to create the letter. The letter may also be imported or scanned into the CHAMPS permit file or referenced on the CHAMPS Notes tab.

- Issuing a CHAMPS permit for a new approach or an existing approach with no previous permit record. When the project adds an approach, a CHAMPS permit needs to be issued for the approach. The same action applies when an existing approach will remain that has no previous permit record in CHAMPS, UPermit, or paper files.
 - Open a new permit record and fill in as much data as known (required fields have a border).
 - On the Application tab select “ODOT Project” as the reason for the request and enter 000 in Applicant Signature field (field must have an entry before CHAMPS will issue a permit).
 - On the Property tab, press “Alert R/W” button. CHAMPS requires that R/W be notified to check access control prior to issuing a permit.
 - Once R/W has checked off the “R/W has performed access control research” on the Property tab, a new permit can be issued.
- Issuing CHAMPS letter #50 or letter #79 to recognize grandfather status. The goal of the Confirmation of CHAMPS Records is to have all approaches under a current CHAMPS permit that matches what will be built on the project. For this reason, *grandfathering approaches in project delivery should be avoided*. However, when it is necessary to grandfather an existing approach that qualifies under the definition in OAR 734-051-0040(26), create a CHAMPS record and generate the “grandfathered recognition” letter #50 or #79, whichever is appropriate.
 - Open a new permit record and fill in as much data as known (required fields have a border).
 - On the Application tab, select ‘ODOT Project’ as the reason for the request and enter 000 in Applicant Signature field (field must have an entry before CHAMPS will issue a permit).

- On the General tab, select ‘Pending’ from the dropdown menu in the Status field. (Status must be Pending or Application Accepted before CHAMPS will generate grandfathered letters.)
- On the Property tab, click “Alert R/W” button. CHAMPS requires that R/W be notified to check access control prior to issuing a permit.
- Once R/W has checked off the “R/W has performed access control research” on the Property tab, letter #50 or #79 can be issued for signature.

For permit documentation that consist solely of paper records, the District Manager will need to write a letter to the property owner that explains the cancellation of an existing permit and issuance of the CHAMPS permit. Consult with the Access Management Appeals Coordinator for any assistance needed in writing or reviewing a letter of this type. The letter should be scanned into the CHAMPS permit file or referenced on the Notes tab.

Local Transportation System Plan (TSP) or Comprehensive Plan Amendments

Purpose: The purpose of this deliverable is to ensure that the local government has completed any amendments to its local comprehensive plan, transportation system plan (TSP), and use development codes that are needed to achieve state and local plan consistency and authorize project work.

Description: Local plans and regulations may need to be amended to:

- include polices that support access management in the project area;
- include a local street network plan or specific transportation improvements;
- realign or close local street connections to a highway; or
- augment land use and subdivision regulations to better support access management.

ODOT projects that typically involve local plan and code amendments or other local land use actions are:

- Environmental Class 1 and 3 projects.
- Environmental Class 2 projects that affect land use or the local transportation system.
- Modernization projects that require an IAMP or AMP.

The ODOT of Justice has determined that for environmental Class 1 & Class 3 projects, any transportation or land use plan amendments required for the project must occur before the final environmental document (EIS or EA) is issued. For Class 2 projects, local land use actions must be completed before construction of the project begins.

Accountability: [PDLT 03](#) assigns accountability for local TSP or comprehensive plan amendments to the Region Planning Manager.

Relationship to other PDLT Deliverables: Local TSP and Comprehensive Plan Amendments most directly relate to the following deliverables:

IAMP and AMP. An IAMP or AMP will often result in the need to amend the local land use and transportation system plans and related ordinances to achieve consistency with the IAMP or AMP. The local government is not required to adopt the IAMP or AMP establish consistency. AMStrat. A local government may need to approve reclassification, realignment, or closure of a local street that is part of an AMStrat. However, implementation of the decisions and actions of an AMStrat within the highway right of way fall under ODOT's police powers to regulate highway access and do not require formal approval or adoption by the local government. Intergovernmental Agreement Provisions to Address Local Government Access Issues. ODOT may have agreements with the local government about the types of amendments needed, including timeframe and responsible parties for related work. OTC Decision/Approval Action. OAR 734-051-0155(2) commits ODOT to work with local governments to make needed amendments to local plans and codes prior to adoption of an IAMP or AMP.

Content and Form of Local Comprehensive Plan or TSP Amendments: OAR 734-051-0155 requires that an IAMP and AMP include polices, provisions, and standards from local comprehensive plans, transportation system plans, and land use and subdivision codes that are relied upon for consistency and that are relied upon to implement the IAMP or AMP. ODOT will often collaborate with the local government on developing proposed amendments.

Refer to the section of this Chapter on IAMP and AMP for further information related to local plan amendments. The [Access Management Planning Resources](#) web page also provides links to several resources that may be helpful in working with local governments on plan amendments.

Oregon Transportation Commission Decision /Approval Action

Purpose: The purpose of this deliverable is to ensure that any decisions or actions that need to be taken by the OTC to implement access management decisions are completed prior to the project being released for bid. In most cases, this deliverable is only applicable when the project involves an Access Management Plan or an Interchange Area Management Plan that is being completed during project delivery (see IAMP and AMP guidelines under Draft STIP milestone). Occasionally, this delivery may apply to other project actions for which OTC approval is desired or needed.

Accountability: The PDLT 03 assigns accountability for this deliverable to the Region Planning Manager.

Relationship to Other Deliverables: The OTC Decision/Approval Action deliverable is generally a direct result of the OTC Decision Package (see Design Acceptance milestone). The OTC Decision/Approval Action may stipulate additional requirements related to access management that must be incorporated into the final plans and specifications for the project.

Content and Format of OTC Decision/Approval Action: This deliverable may consist of a memo-to-file referencing the OTC Decision, a copy of the OTC minutes describing the adoption, or other comparable documentation.

Access Management Checklist

Purpose: The purpose of the Access Management Checklist is quality control. It documents that deliverables required under PDLT 03 have been performed or that the appropriate waivers have been obtained before the bid letting process begins.

Description: The Access Management Checklist is part of the [ODOT Office of Pre-Letting Final PS&E Submittal Checklist](#) form. The Design Documentation section of the Pre-Letting Checklist asks the following three questions that apply directly to access management:

- 2h. Have all required access management deliverables under PD-03 or PD-03(A) been completed?
- 2i. Has the Region Project Delivery Manager or Area Manager documented the decision to waive any of the deliverables required under PD-03 or PD-03(A)?
- 2j. Has the Official Project Access List been approved by the TCM and the RAME as required by PD-03 and PD-03(A)?

Each question requires a response of Yes, No, or Not Applicable. Guidance for responding to each of the three questions is provided below under “Responding to Checklist Questions.”

Accountability: The PS&E Checklist required by the Office of Pre-Letting lists the approval signatures that are required. The Region Technical Center Manager is listed as the approval authority for technical sufficiency of the PS&E submittal and is the accountable management authority for the access management items on the checklist.

Relationship to other PDLT 03 Deliverables: The Access Management Checklist relates to all PDLT 03 deliverables because it is confirmation that the deliverables have been completed or that the appropriate waivers have been obtained.

Responding to Checklist Questions: If the determination has been made that the project is not subject to PDLT 03, then the answer to all the three questions is “N/A”. For N/A answers, the reviewer needs to briefly explain in the notes column on the checklist why the project is not subject to PDLT 03. Examples of projects not subject to PDLT 03 include local agency projects that do not impact the state highway system and maintenance projects that are not part of the STIP. See [Scope Section of PDLT 03](#) for other exclusions.

For projects that are subject to PDLT 03, the following guidance applies:

2h. Have all required access management deliverables under PD-03 or PD-03(A) been completed? This question asks if all required deliverables have been completed. To answer this question, the person completing the Checklist needs to review the project files and verify completion of each deliverable required by PDLT 03 or 03(A). All deliverables identified in these Operational Notices are required *unless* the Region Project Delivery Manager or the Region Area Manager documents why one or more deliverables is not appropriate for the project. A deliverable that has been waived is no longer considered a required deliverable when answering this question.

If all required PDLT 03 deliverables are completed, the answer to this question is “YES”. If one or more required deliverables is not completed, the answer is “NO”. If the answer is “NO”, then PDLT-02 requires the reviewer to write an Exception Letter that explains the status of each incomplete deliverable, the plan for completion or resolution, and the expected completion date. See Exception Letter instructions on the PS&E Checklist.

2i. Has the Region Project Delivery Manager or Area Manager documented the decision to waive any of the deliverables required under PD-03 or PD-03(A)? PDLT 03 and 03(A) allow the Region Project Delivery Manager or Area Manager to waive one or more deliverable by documenting why the deliverable is not appropriate to the project. A “YES” answer to this question means that the project file contains documentation that the Region Project Delivery Manager or Area Manager waived one or more deliverables. For example, if a project does need or require an IAMP or AMP it *may* be appropriate to waive a number of deliverables including:

- IGA Provisions to Address Local Government Access Issue
- Local Transportation System Plan/Comprehensive Plan Amendments
- OTC Decision Package and OTC Decision/Approval Action.

A “NO” answer to this question means one of two things: 1) all required deliverables have been completed; or 2) the Region Project Delivery Manager or Area Manager waived a deliverable but did not document the decision in the project file. In the latter case, a waiver needs to be obtained or the deliverable must be completed. It may be necessary to include a PDLT-02 Exception Letter with the PS&E submittal if a deliverable that was not waived is incomplete and cannot be completed in a timely manner. The Exception Letter needs to explain the status of each incomplete deliverable, describe a resolution plan, and include an expected completion or resolution date.

2j. Has the Official Project Access List been approved by the TCM and the RAME as required by PD-03 and PD-03(A)? An OPAL approved by the TCM and the RAME is a required deliverable under both operational notices, unless Region Project Delivery Manager or Area Manager documents why an OPAL is not appropriate for the project. A “YES” answer to this question means that the project files contain an OPAL with the signed approval of the TCM and the RAME.

A “NO” answer to this question means one of two things: 1) the OPAL is not complete and it was not waived, or 2) the OPAL is complete but has not been approved by the TCM and the RAME. For “NO” answers, a PDLT-02 Exception Letter needs to explain the status of the OPAL, describe a resolution plan, and include an expected completion date.

Appendix A – Region Manager Designated Representative

[A RM Designated Rep](#)

Appendix B – Request for Access Control Research Form

[B Project Research Request](#)

Appendix C – Official Project Access List (OPAL) Workbook

[C OPAL Workbook](#)

Appendix D – Checklist for AMStrat Compliance with OAR 734-051-0285

[D AMStrat Compliance Checklist](#)

Appendix E – Access Management Strategy Samples

Not yet available

Appendix F – Sample Design Acceptance Memorandum

[F Sample Final Design Acceptance Narrative.pdf](#)

Appendix G – Sample Access Closure Letters – Permitted and Unpermitted Approaches

[G1 Sample closure letter -- with appeal options.doc](#)

[G2 Sample closure letter -- without appeal options.doc](#)

Appendix H – Sample Access Control Reports from Right of Way Section -- With Access Control and Without Access Control

[H1 Sample Access Control Report 2 Hwy_138_mp-1.13_mp-0.36.snp](#)

[H2 Sample Access Control Report Hwy_001W_mp25.53_mp26.11.snp](#)

Appendix I – CHAMPS Process to Cancel Existing Permit and Supersede with New Permit to Use an Approach

[I CHAMPS Procedure to Cancel an Existing Permit and Supersede it with a New Permit to Use](#)

Appendix J – Matrix of Relationship of IAMP/AMP to PDLT 03 Deliverables

[J – Matrix of Relationship of IAMP/AMP to PDLT-03 Deliverables](#)