

CODE OF ETHICS
for
EMPLOYEES
in
RIGHT OF WAY AND LAND SURVEYS
DEPARTMENT OF TRANSPORTATION
STATE OF CALIFORNIA

Recognizing our responsibility to our Department and to the people of the State of California and feeling that we should encourage and foster high ethical standards in our organization, we do hereby subscribe to the following Code of Ethics for our constant guidance and inspiration, predicated upon the basic principles of trust, justice, and fair play.

- *To show faith in the worthiness of our profession by industry, honesty, and courtesy in order to merit a reputation for high quality of service and fair dealing.*
- *To add to the knowledge of our profession by constant study and to share the lessons of our experience with our fellow employees.*
- *To build an ever-increasing confidence and goodwill with the public and our employees by poise, self-restraint, and constructive cooperation.*
- *To ascertain and weigh all the facts relative to real properties in making an appraisal thereof using the best and most approved methods of determining just compensation.*
- *To conduct ourselves in the most ethical and competent manner in our negotiations with affected property owners, thus meriting confidence in our knowledge and integrity.*
- *To accept our full share of responsibility in constructive public service to the community, state, and nation.*
- *To strive to attain and to express a sincerity of character that shall enrich our human contacts ever aiming toward that ideal -- the practice of the "golden rule."*

CHAPTER 1

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1.01.00.00 - RIGHT OF WAY MANUAL OVERVIEW

1.01.01.00 Purpose

The Right of Way Manual is prepared by the Division of Right of Way and Land Surveys to lead users through uniform procedures established to carry out the Right of Way (R/W) functions of the California Department of Transportation (Department). This manual is neither intended as, nor does it establish a legal standard for these functions. Policies and practices established herein are for the information and guidance of the officers and employees of the Department and those under its oversight. It implements 23 Code of Federal Regulations (CFR) 710.201(c) which in part mandates each state department “*which receives funding from the highway trust fund shall maintain a manual describing its right-of-way organization, policies, and procedures.*” The CFR further obligates other public land acquisition organizations or private consultants under the Department’s oversight on Federal-aid projects to comply with State and Federal laws, regulations, and the Department’s policies and practices.

1.01.02.00 Scope

The manual includes R/W policies, instructions, and standard practices, as well as forms and exhibits intended as aids in the solutions of field and office operations and problems. This manual is not a textbook or a substitute for law, statute, regulation, knowledge, experience, or judgment.

Administrative regulations, statutory references, and citations from the CFRs are referenced but not quoted in their entirety, except in the Relocation Assistance chapter. Citations are contained in the exhibits or in other books and pamphlets that are available to the region/district. Flowcharts have been developed for those chapters where applicable and helpful to the reader.

A system of advisory and informational memoranda called Reference File Memoranda has been developed. These are not part of the manual, but expand on specific topics as deemed necessary. They will be issued by the appropriate Headquarters (HQ) R/W function and should be filed in the region/district files.

1.01.03.00 Manual Organization

A decimal numbering system is used which permits identification by chapter and section. All chapter and section headings are in bold print. The text of any referenced law, statute, or regulation is in bold italicized print. Abbreviations and acronyms are used wherever possible. A glossary of definitions is included, as are various forms and exhibits, use of which is described below under “Forms and Exhibits.” Each page shows the section, form or exhibit number, and the date of issue. Forms and exhibits immediately follow the chapter sections to which they relate. Each exhibit contains a number that looks like, 2-EX-1. The first number represents the chapter number, followed by the exhibit’s unique identifier.

This manual is organized along R/W’s normal project delivery workflow, as much as possible. The first subjects deal with planning, financing, and federalization of R/W activities. The manual proceeds through the Engineering stage to the Estimating, Appraisal, and Acquisition stages. Relocation Assistance becomes involved at many stages, but is shown after Acquisition. Utility Relocation also is involved continuously, but is covered after Acquisition. Once the property is acquired, it must be managed and cleared for construction. After the project requirements are met, R/W must certify clearance for construction. A few activities are accomplished after construction of a project. These generally are Airspace leasing and disposal of Excess Land. R/W activities not directly related to the Department’s project delivery are covered in the last chapters.

The loose-leaf format used facilitates change and expansion. New, replacement, or additional sheets will be issued in the format of this manual to be inserted or substituted for those superseded.

1.01.04.00 **Forms and Exhibits**

All forms are mandatory in use and contain instructions for their use where necessary. Where a form from some other source (state agency, federal government, other Division) is cited, it is referenced as an exhibit, but its use is mandatory. In most other cases, exhibits are optional in use and are suggestions based on history and experience. Exceptions when exhibits are mandatory in use are noted and contain instructions.

The Department's forms are available to Department officers and employees who have access to the internal network (Intranet) and the Caltrans Electronic Forms System (CEFS). A region or district that proposes to customize an electronic version of a form or mandatory exhibit may do so only if a copy is sent to the Chief, Division of Right of Way and Land Surveys (Division Chief) in Sacramento for review and approval prior to its use.