

Approved:


Jennifer Townley, Deputy Director
Division of Planning

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STANDARD PROCEDURE FOR PREPARATION AND DISTRIBUTION OF DIRECTOR'S JOURNAL ENTRIES

PURPOSE:

The Ohio Department of Transportation shall utilize a uniform system for developing, processing, and recording changes to the State Highway System (SHS) through the use of an entry in the Director's Journal (Journal Entry or JE.) The goal is to clearly define those laws and procedures under which employees of the Department shall operate when planning or documenting changes to the State Highway System.

AUTHORITY:

Ohio Revised Code, Sections 5501.45, 5511.01, 5511.02, 5511.07, 5523.02, 5529.01, 5535.07, and 5553.041.

REFERENCES:

ODOT Project Development Process Manual
Real Estate Manual, Section 7400 - Property Disposal
Real Estate Manual, Section 8100 - Utilities
ODOT Public Involvement Guide

This Policy supersedes the Director's Authorization document (dated 10/3/97) and Standard Operating Procedure PH-P-406 (dated 06/04/93).

DEFINITIONS:

Limited Access (Full control of access): Highway right-of-way where rights of access of properties abutting the highway are acquired, such that all access to and from the highway are prevented except at designated locations.

Local Highway System: Public roads which are not part of the State Highway System. This includes Township, County, and Municipal roads, but not private roads.

Right-of-Way (ROW): An area, usually beneath or adjacent to a highway, in which the State of Ohio retains the legal right to use the area for highway purposes, such as to construct or maintain facilities or to conduct highway operations.

State Highway System (SHS): All highways within the state of Ohio that are formally designated as Interstate Routes, U.S. Numbered Routes, or State Routes.

PROCEDURE:

I. General - Changes in the State Highway System

Journal Entries (JE's) shall be prepared by ODOT Districts to document proposed or actual changes to the State Highway System (SHS). They shall be signed on behalf of the Director by the District Deputy Director, and original paper copies shall be kept at the District in a dedicated Journal or other permanent repository or file indexed by District, County, date, and sequence number. Copies shall be distributed to appropriate local authorities, ODOT offices, and other agencies. The Office of Technical Services, Central Office will establish and maintain a file of all Journal Entries received from each District. Within each District, overall responsibility for preparation, distribution and archival of JE's will be in the Planning Office.

Preparation of a JE is part of the ODOT Project Development Process (PDP) for Major and Minor Projects. Journal Entries should be prepared and distributed as soon as the need is well-defined - when the preferred alternative has been identified, after public involvement activities have been conducted, and when the scope and alignment of the undertaking have been established. The general intent is to document events which are going to occur - not those which have already happened. Late changes to a project's scope or details can be accommodated with amendments to the original JE.

The highway changes which require preparation of a JE are varied, but usually fall into one or more of the types listed below. The type of change must be cited in the text of the JE. All JE's must include maps or plats to clearly show the location and arrangement of changes described in the narrative.

II. Roadway Changes that Initiate a Journal Entry (JE)

A. Abandonment/Final Abandonment - The transfer of jurisdiction and responsibility for a section of the State Highway System (SHS) to appropriate local authorities (County,

Township, Municipal). The transferred highway will stay in public use, and will be maintained by local authorities, but ODOT's responsibility for it is terminated. Abandonments are normally associated with other changes such as a **Relocations, Additions or Reroutings**, in which the state system adds other mileage to its inventory. When the change is proposed, a JE will announce the future **Abandonment** and any other changes associated with it. When the project or the changes are complete, a separate, **Final Abandonment** JE shall be prepared, citing the original JE, stating that the transfer has taken place, and noting the condition of the highway at the time. If ODOT funds or other resources were expended to repair the transferred highway, this should be stated in the **Final Abandonment** JE. Documentation of concurrence by local officials is desirable, but not required. Until the Abandonment takes place and is documented, maintenance responsibility remains with ODOT.

B. Addition - The incorporation of a newly-constructed public highway or an existing local highway or street into the SHS, adding to the mileage of the SHS. The newly added highway may be assigned a new number, or if it extends over an existing route, it may take the number of that route.

C. Establishment of Limited Access - A declaration that the right of vehicle access to a new or existing section of the SHS will be controlled more restrictively than before, or extinguished entirely. The action is considered to be a "taking" for public use. This change can apply to intersections and interchanges as well as linear highway sections.

D. Improvement - Projects which will significantly alter a highway's public access, level-of-service, traffic flow, mobility pattern, or mode share, and/or projects which will require substantial right-of-way acquisition, and/or projects which have a high potential for public controversy or major environmental impacts.

E. Number Removal - Removal of one or more state route numbers from a section of the SHS. At least one state route number remains after the removal, and the highway remains on the state system.

F. Rescission - A written declaration that voids all or part of a previous, unimplemented Journal Entry.

G. Relocation - The construction of a new SHS segment on a new alignment, to replace an existing section of the State Highway System.

H. Renumbering - Assignment of a new number to a section of the SHS, and deletion of one or more existing numbers from the same section of highway, if necessary.

I. Rerouting - Transfer of an existing state route number onto another, existing state

route or local public road.

J. Vacation/Final Vacation - Formal release of ODOT interest or claim to property that is no longer considered necessary for public highway purposes. The highway right-of-way will revert to the underlying fee owner or to the abutting property owners. The procedure for vacations is set forth in R.C. 5511.07. When the procedure is complete, a second Journal Entry or **Final Vacation** JE shall be prepared and distributed.

III. Policies

A. An **Addition** to the State Highway System (SHS) may be made only when it will result in substantial benefits to the traveling public or for purposes of significant economic development. Requests for **Additions** can be made by the ODOT District Deputy Director, by the County Commissioners of the involved county, or by governing officials of affected municipalities. Requests shall include the following:

1. A plan showing the alignment, profile and typical section of the existing roadway, and the right-of-way available.
2. A written description of the existing alignment, profile, right-of-way, and any railroad at-grade crossings and structures, including the condition of the facilities involved.
3. A discussion and analysis of the advantages of the proposed **Addition**.
4. If the request is from the County Commissioners or from a municipality, it shall include a properly certified resolution requesting the **Addition** to the SHS, and agreeing to accept comparable mileage from the existing SHS. The resolution shall also agree to provide necessary right-of-way (ROW) to ODOT. The ROW shall be cleared of obstructions, and the property deed shall be delivered within 90 days of the posting of the JE concerning the **Addition** unless a time extension is mutually agreed upon.

B. A request for a **Vacation** may be made when a portion of the SHS or right-of-way is no longer considered necessary for public highway purposes. The JE will include a statement confirming the right of any public utility to continue its use or occupation of the highway or portion of the highway being vacated.

C. When a section of the SHS is to be **Relocated** or **Rerouted**, the existing state highway shall be **Abandoned** to the county commissioners or to appropriate township/municipal

authorities. The **Abandonment** will ensure that abutting property owners retain access to a

Highway and that the highway network remains continuous. If the existing highway is to be retained on the SHS, an approximately equivalent mileage of some other state highway in the

County will be **Abandoned**.

D. If an SHS route terminates on a highway that is to be **Abandoned** or **Vacated**, it must be reconnected to another SHS route by an **Addition**, another **Abandonment**, another **Vacation**, or some other action, to avoid becoming a “dead end.”

E. It is within the sole discretion of the Director or his designated representative, to determine whether suitable repairs shall be made to a section of the SHS prior to its final abandonment to a local governmental agency. The purpose of a repair is to place the highway, bridges culverts, and related facilities to be abandoned in a condition consistent with comparable routes within the local government’s jurisdiction. Repairs may include making bridges and culverts structurally sound and the roadway surface of the abandoned highway suitable for expected traffic volumes at the time of Final Abandonment. Repairs shall not include the upgrading of any feature of the highway or structures, including geometrics, traffic control devices, lighting, general grading, or drainage. The extent and approximate cost of any repairs will be documented. Such efforts and/or expenditures should be mentioned in the text of the Final Abandonment JE. Repairs are not appropriate for highways that are being vacated. ODOT District representatives shall coordinate with appropriate Central Office Program Managers to ensure that required funding and tracking measures are in place prior to execution of repair agreements with local authorities.

F. If environmental documentation is required for a project or other action, this should be completed before formal Public Involvement takes place. The ODOT Project Development Process describes the procedures and the sequence of events.

IV. Procedural Requirements

A. Changes to the SHS require that certain procedures be followed before the change will be in effect. These procedures include preparation of a specific description of the ROW or property involved, and a detailed plat that depicts the same properties. These descriptions and plats can become part of the JE, which should be prepared as soon as the extent and configuration of the proposed changes are determined. The description should specify the start and end points of the actions described. For clarity, these points may also be mentioned in the

cover letter that is sent to local authorities and other agencies. If later, unexpected events dictate that changes not be made, or that they should be altered, an amended JE will be prepared and

distributed. The JE will be distributed to all involved and/or interested parties, including the ODOT Office of Technical Services and Chief Legal Counsel (See appendix C for a generic distribution list). The original, signed copies of the JE will be kept in a Journal or suitable repository or file at the respective ODOT districts.

B. For most significant changes to the SHS, there must be public involvement in the decision process - often a public meeting or hearing at which the proposed changes are discussed and the public is allowed to comment on them. The public involvement requirements and processes are discussed in detail in the [ODOT Public Involvement Guide](#). That publication describes the legal and policy-driven needs for public involvement, the formats that are appropriate for use in various situations, the parties that should participate, and useful tools/techniques to ensure successful results.

C. The following table describes the general relationship between the various types of changes, and the documentation/public involvement processes associated with them. The table is a guide - all SHS-related changes involving acquisition of significant amounts of ROW, substantial changes to the layout or function of the transportation network, significant economic, social, or environmental impacts, or litigation/controversy will require public meetings or legal advertisements with an opportunity for a meeting.

D. Table 1

<u>Type of Change</u>	<u>Public Involvement</u>	<u>Journal Entry</u>
Abandonment	Meeting	Yes
Addition	Meeting ¹	Yes
Establishment of Limited Access	Meeting	Yes
Improvement	Meeting	Yes
Relocation	Meeting	Yes
Number Removal	Meeting if in Muni	Yes

Renumbering	Meeting if in Muni	Yes
Rerouting	Meeting	Yes
Rescission	No ²	Yes
Vacation	No ²	Yes

¹ If an **Addition** involves only the extension of an existing SHS route along an already-existing highway alignment that is completely outside a municipal corporation, a meeting is not required.

² If a **Rescission** or **Vacation** is done in conjunction with other changes that require a meeting, it will be discussed at the same meeting.

E. Individual JE's will be given unique designations to facilitate cataloging and later retrieval. The format is District-County-Year-Sequence No. For example: the second JE for Franklin County in 2004 would be designated 06-FRA-2004-02. For Projects/JE's involving more than one District or County, the starting point (western, southern) of the action being documented would be the basis for the designation.

TRAINING

All affected Central Office and District employees will need to review the Policy and accompanying Standard Procedure. On-site instruction will be provided by the Office of Technical Services and the Office of Chief Legal Counsel upon request.

FISCAL ANALYSIS:

There should be minimal cost associated with the implementation of this Policy and its accompanying Standard Procedure since it is a clarification of existing requirements. To the extent that there is a backlog of Journal Entries to be prepared, there may be a short-term personnel impact in the District Offices and the Office of Technical Services.

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Appendices:

- A. Sample Cover Letter to Local Authorities
- B. Sample Journal Entry
- C. Sample Distribution List
- D. Sample Legal Advertisement

Appendix A: Sample Cover Letter to Local Authorities

ODOT Letterhead

June 21, 2004

Board of County Commissioners
Greene County
35 Greene Street
Xenia, OH 45385

Gentlemen:

In accordance with section 5511.01 of the Ohio Revised Code, I hereby certify that an alignment has been established for the relocation of US Route 035 in Greene County, which will bypass the city of Xenia and the village of Jamestown. The new route will be a limited access highway, and will include interchanges with appropriate on and off ramps. The existing alignment of US Route 035 will be removed from the state's highway inventory and transferred to the appropriate local governments or cities, except for two short sections in Xenia and Jamestown where it overlaps other state routes. Attached are a copy of the formal Journal Entry and a map which describe the roadways affected in more detail.

If you have any questions, please contact my representative, Ms. Diana Martin, at (513) 932-3030.

Respectfully,

/s/ Jerry Wray("Signature" initialed by DD)

Jerry Wray
Director
Ohio Department of Transportation

Attachment B: Sample Journal Entry

ODOT Letterhead

May 3, 2004

Board of County Commissioners
Greene County
35 Greene Street
Xenia, OH 45385

Re: GRE US 035

Dear Commissioners:

In accordance with Section 5511.01 of the Ohio Revised Code, I hereby certify that the following Journal Entry (JE), for the Relocation, Establishment of Limited Access, Number Removal and Abandonment of portions of US Route 035 in Greene County, has been completed and officially filed. It is recorded as JE 08-GRE-2004-02, dated April 17, 2004. Public meetings concerning this action were held on August 8, 1963 in Xenia, Ohio, and on December 14, 1978 in Jamestown, Ohio.

THE RELOCATION OF US ROUTE 035, SITUATED IN XENIA, NEW JASPER, AND SILVER CREEK TOWNSHIPS, CITY OF XENIA, AND VILLAGE OF JAMESTOWN, GREENE COUNTY, OHIO, SAME TO BE ESTABLISHED AS A LIMITED ACCESS HIGHWAY.

More fully described as follows:

Beginning west of the city of Xenia, at a point on the centerline of existing US Route 035, approximately 1.50 miles east of the intersection with Trebein Rd (C-84). Then extending southeasterly and easterly for approximately 18.1 miles, through and south of the city of Xenia and then north of the village of Jamestown, as described in detail by the earlier Journal Entry dated February 16, 1979 (Volume 64, Page 144 of the Director's Journal) to a point on the new alignment of US Route 035 which is 0.6 miles beyond the intersection with State Route 734, said intersection being approximately 1.6 miles southwest of the intersection of SR 734 with Bryan Road (T-19). The establishment of limited access along this route includes all interchange areas and applies to intersecting crossroads in accordance with the ODOT

connect the relocated roadway to existing US Route 035 until the remaining portion of Relocated US Route 035 is completed and open to traffic.

THE ABANDONMENT OF US ROUTE 035 SITUATED IN XENIA, NEW JASPER, AND SILVER CREEK TOWNSHIPS, THE CITY OF XENIA, AND THE VILLAGE OF JAMESTOWN, GREENE COUNTY, OHIO, THE NUMBER REMOVAL OF US ROUTE 035 FOR APPROXIMATELY 0.6 MILES IN THE CITY OF XENIA WHERE IT PRESENTLY OVERLAPS US ROUTE 042, AND THE NUMBER REMOVAL OF US ROUTE 035 FOR APPROXIMATELY 0.7 MILES IN THE VILLAGE OF JAMESTOWN WHERE IT PRESENTLY OVERLAPS STATE ROUTE 734. THE ABANDONED ROADWAY WILL BECOME PART OF THE GREENE COUNTY HIGHWAY SYSTEM, THE CITY OF XENIA STREET SYSTEM, AND THE VILLAGE OF JAMESTOWN STREET SYSTEM. THE NUMBER REMOVAL SECTIONS WILL REMAIN US ROUTE 042 AND STATE ROUTE 734, RESPECTIVELY, TO MAINTAIN THE CONTINUITY OF THE STATE HIGHWAY SYSTEM.

More fully described as follows:

Beginning west of Xenia at the gore formed by existing US Route 035 and the US Route 035 bypass, thence easterly and southeasterly along the alignment of existing US Route 035 through the city of Xenia and the village of Jamestown to a point 2.1 miles more or less, past its intersection with State Route 734, and there terminate. The roadway to be abandoned totals approximately 16.9 miles. The abandonment will include all that portion of the existing route not necessary for the construction or maintenance of the relocated road or another state highway, and not included in the two number removal sections where US Route 035 overlaps US Route 042 and State Route 734. The Xenia number removal section extends along W and E Main Streets from the intersection with S West Street to the intersection with S Columbus St. The Jamestown number removal section extends along Washington St (State Route 734) to the point east of Jamestown where existing US Route 035 diverges from State Route 734.

Respectfully,

/s/ Jerry Wray ("Signature" initialed by DD)

Jerry Wray
Director
Department of Transportation
Attachment: Map

Appendix C: Sample Distribution List:

District

Deputy Director Planning
Administrator Production
Administrator
Highway Management Administrator
Public Affairs Office

ODOT Central Office

Administrator, Office of Accounting
Administrator, Office of Communications
Administrator, Office of Contract Sales
Administrator, Office of Environmental Services
Administrator, Office of Legislative Services
Administrator, Office of Production
Administrator, Office of Real Estate
Administrator, Office of Structural Engineering
Administrator, Office of Technical Services
Administrator, Office of Traffic Engineering

Administrator, FHWA, Columbus, OH

US Fish and Wildlife Service, Reynoldsburg, OH

Ohio Department of Natural Resources, Columbus, OH

Ohio State Preservation Office, Columbus, OH

County Commissioners, City Councils, Township Trustees, etc.

County Engineer, Greene County, Xenia , OH

State Senator, Representative, Columbus, OH

Other, appropriate elected officials or involved parties

Appendix D: Sample Legal Advertisement:

I hereby certify the Journal Entry for the following Establishment of Limited Access for a portion of Interstate Route 280 situated in the cities of Oregon and Toledo, and the Addition to State Route 65, situated in the city of Toledo, same to overlap existing Interstate Route 280 and proceed along Front Street to the proposed Interstate Route 280 interchange.

A public meeting was held in Toledo, Ohio on September 12, 2000. This action is documented in the Journal Entry # (district-county-year-sequential #) dated, _____.

PROPOSED, IMPROVEMENT, RELOCATION AND ESTABLISHMENT OF LIMITED ACCESS FOR A PORTION OF INTERSTATE ROUTE 280 SITUATED IN THE CITIES OF OREGON AND TOLEDO, LUCAS COUNTY OHIO BY THE CONSTRUCTION OF A BRIDGE OVER THE MAUMEE RIVER ON A NEW ALIGNMENT AND CONSTRUCTION OF AN INTERCHANGE AT FRONT STREET.

More fully described as

follows: (Legal description)

PROPOSED: THE ADDITION TO STATE ROUTE 65, SITUATED IN THE CITY OF TOLEDO, LUCAS COUNTY, OHIO

More fully described as

follows) (Legal description)

/s/ Jerry Wray("Signature" initialed by DD)

Jerry Wray
Director
Ohio Department of Transportation