

*Florida Department of Transportation*RICK SCOTT
GOVERNOR605 Suwannee Street
Tallahassee, FL 32399-0450RACHEL D. CONE
INTERIM SECRETARY

April 5, 2017

Mr. Steve Bohl
Florida Department of Agriculture and Consumer Services
312 Conner Boulevard, M.S. C25
Tallahassee, FL 32399-1650

RE: Amendment to Agency Operating Agreement (AOA) Continuing Participation in the Efficient Transportation Decision Making Process (ETDM) in Florida Between Florida Department of Agriculture and Consumer Services (FDACS) and Florida Department of Transportation (FDOT) and Federal Highway Administration (FHWA) effective March 27, 2012

FDACS Contract #: 018439 **Amendment #:** 1

Dear Mr. Bohl:

This letter confirms that the Florida Department of Transportation successfully assumed the Federal Highway Administration's responsibilities for compliance with NEPA and all other Federal environmental laws pertaining to the review or approval of FDOT's transportation highway projects, pursuant to Title 23 U.S.C. §327 and the implementing Memorandum of Understanding (MOU) executed on December 14, 2016.

Consistent with Section 5.1.4 of the MOU and Section 19 of the AOA, the AOA is amended such that, FDOT will assume FHWA's responsibilities under the AOA, except those activities specifically retained by FHWA under Section 3 of the MOU, including publication of notices in the Federal Register, formal government-to-government tribal consultation and the environmental review, consultation and approval associated with the environmental documents for the I-4 Beyond the Ultimate Project and the Tampa Interstate Study Project. FHWA will continue to review amendments that effect funding and costs for reimbursement eligibility in accordance with Title 23 U.S.C., including 23 U.S.C. §139(j) and 2 CFR §§200.402 - 200.405.

With the exception of those limitations identified in the paragraph above, FDOT will be globally substituted for FHWA throughout the AOA and assume FHWA's responsibilities under the MOU and this Amendment.

Examples of duties previously assigned to FHWA include, but are not limited to:

- Planning Screen and coordination responsibilities
- Programming Screen and coordination responsibilities
- Project Development & Environment Phase responsibilities
- Agency coordination
- Issue resolution

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By signing below, each party consents to the substitution of FDOT for FHWA, as described and limited above, through Amendment to the AOA, whereby FDOT assumes FHWA's role in the Agency Operating Agreement for Continuing Participation in the Efficient Transportation Decision Making Process.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

By: Rachel D. Cone 5/16/17 Rachel D. Cone
Signature Date Printed Name
Secretary of Transportation Secretary of Transportation

LEGAL REVIEW:

By: Kathleen P. Toolan 5/5/17 Kathleen P. Toolan
Signature Date Printed Name
Office of General Counsel Office of General Counsel

FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

By: Thomas Poucher 4/13/17 Thomas Poucher
Signature Date Printed Name
Director of Administration Director of Administration

FEDERAL HIGHWAY ADMINISTRATION

By: David I. Hawk 5-3-17 DAVID C. HAWK
Signature Date Printed Name
Division Administrator Division Administrator