



Florida Department of Transportation

RICK SCOTT
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

RACHEL D. CONE
INTERIM SECRETARY

March 29, 2017

Mr. Chris Militscher
NEPA Program Officer
United States Environmental Protection Agency
61 Forsyth Street SW
Atlanta, GA 30303

RE: Amendment to Agency Operating and Funding Agreement (AOFA) for Continuing Participation in the ETDM and Transportation Project Development Processes between USEPA, FHWA, and FDOT January 23, 2015.

Contract #: BDZ30 Amendment #: 1 Vendor #: F520852695033 FM#: 41506432814

Dear Mr. Militscher:

This letter confirms that the Florida Department of Transportation (FDOT) successfully assumed the Federal Highway Administration's (FHWA) 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 13 of the AOFA, the AOFA is amended such that, FDOT will assume FHWA's responsibilities under the AOFA, with the exception of the financial provisions in Section 3 paragraph H of the AOFA and related audit rights under Section 9, paragraph F, and those activities specifically retained by FHWA under 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 AOFA 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

By signing below, each party consents to the substitution of FDOT for FHWA, as described and limited above, through Amendment to the AOFA, whereby FDOT assumes FHWA's role in the Agency Operating and Funding Agreement for Continuing Participation in the ETDM and Transportation Project Development Processes.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

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

Rachel D. Cone
Printed Name
Secretary of Transportation

LEGAL REVIEW:

By: Kathleen P. Ivolan Date: 5/5/17
Signature
Office of General Counsel

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

By: Vickie H. Tellis Date: 4/18/2017
Signature
Assistant Regional Administrator, United States Environmental Protection Agency, Region 4

Vickie H. Tellis
Printed Name
Assistant Regional Administrator, United States Environmental Protection Agency, Region 4

FEDERAL HIGHWAY ADMINISTRATION

By: David C. Hawk Date: 5-3-17
Signature
Division Administrator

DAVID C. HAWK
Printed Name
Division Administrator