



## *Florida Department of Transportation*

RICK SCOTT  
GOVERNOR

605 Suwannee Street  
Tallahassee, FL 32399-0450

RACHEL D. CONE  
INTERIM SECRETARY

March 29, 2017

Mr. John Wrublik  
United States Fish and Wildlife Service  
1339 20<sup>th</sup> Street  
Vero Beach, FL 32960

RE: Amendment to Agency Operating and Funding Agreement (AOFA) for Continuing Participation in the ETDM and Transportation Project Development Processes between USFWS, FHWA, and FDOT dated May 1, 2015.

**Contract #:** BDM22    **Amendment #:** 1    **Vendor #:** F8406466091003    **FM#:** 41506432813

Dear Mr. Wrublik:

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

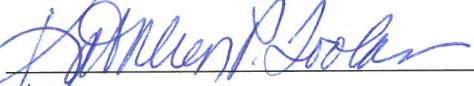
By signing below, each party consents to the substitution of FDOT for FHWA, as described and limited above, through Amendment to the AOFA, whereby FDOT assumes FHWA's role in the Agency Operating and Funding Agreement for Continuing Participation in the ETDM and Transportation Project Development Processes.

**STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**

By:  Date: 4/26/17  
Signature  
Secretary of Transportation

Rachel D. Cone  
Printed Name  
Secretary of Transportation

**LEGAL REVIEW:**


By:  Date: 4/19/17  
Signature  
Office of General Counsel

**UNITED STATES FISH AND WILDLIFE SERVICES**

By: **KARY ALLEN** Digitally signed by KARY ALLEN  
Date: 2017.03.31 11:49:33 Date: \_\_\_\_\_  
Signature  
ARD, Budget and Administration, US Fish and Wildlife Service, Region 4

JACQUELYN PARRISH  
Printed Name  
ARD, Budget and Administration, US Fish and Wildlife Service, Region 4

**FEDERAL HIGHWAY ADMINISTRATION**

By:  Date: 4/10/17  
Signature  
Division Administrator

for

KAREN M BRUNELLE  
Printed Name  
Division Administrator

for