

**STEWARDSHIP OVERSIGHT  
AGREEMENT ON PROJECT ASSUMPTION  
AND PROGRAM OVERSIGHT  
BY AND BETWEEN THE  
FEDERAL HIGHWAY ADMINISTRATION,  
HAWAII DIVISION  
AND THE  
STATE OF HAWAII,  
DEPARTMENT OF TRANSPORTATION**

April 30, 2015



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## **STEWARDSHIP AGREEMENT REVISION LOG**

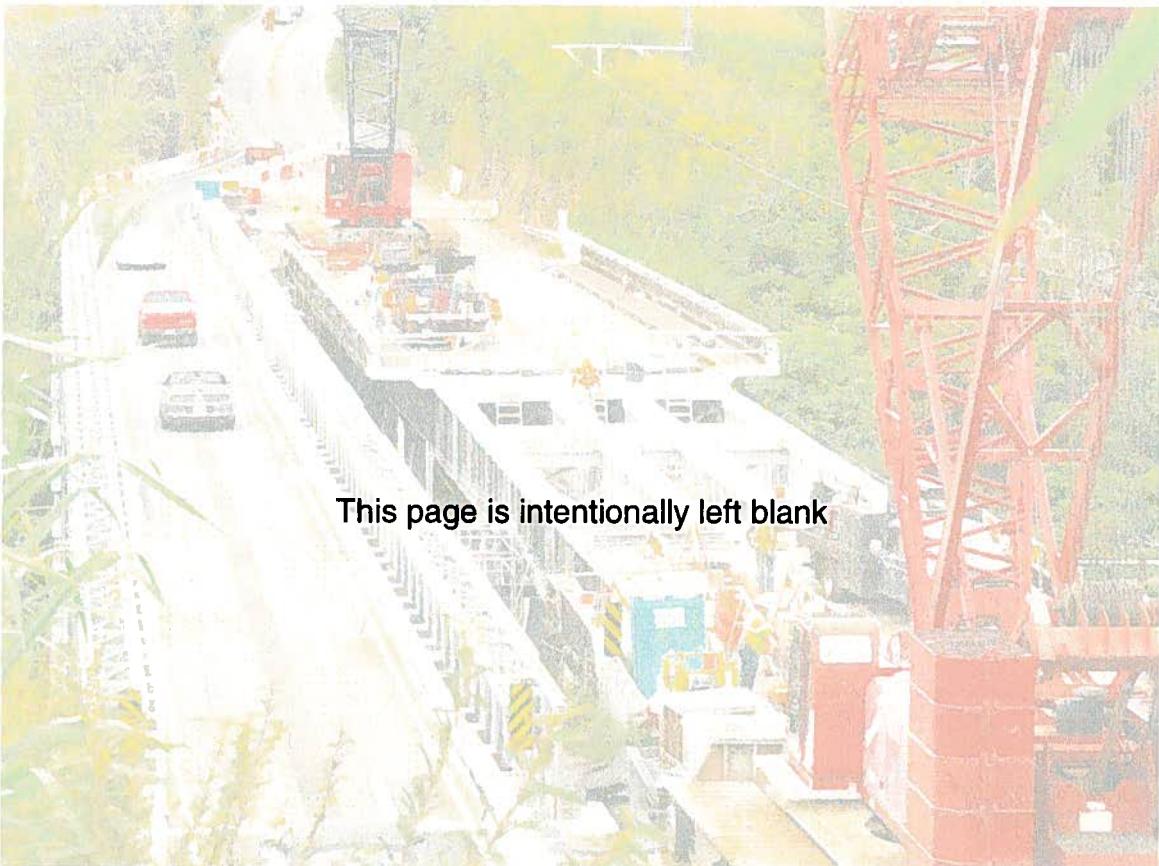
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**STEWARDSHIP AND OVERSIGHT AGREEMENT  
ON PROJECT ASSUMPTION AND PROGRAM OVERSIGHT  
BY AND BETWEEN  
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**SECTION I. BACKGROUND AND INTRODUCTION**

The Federal-aid Highway Program (FAHP) is a federally-assisted program of State-selected projects. The Federal Highway Administration (FHWA) and the State Departments of Transportation (State DOT) have long worked as partners to deliver the FAHP in accordance with Federal requirements. In enacting 23 U.S.C. 106(c), as amended, Congress recognized the need to give the States more authority to carry out project responsibilities traditionally handled by FHWA. Congress also recognized the importance of a risk-based approach to FHWA oversight of the FAHP, establishing requirements in 23 U.S.C. 106(g). This Stewardship and Oversight (S&O) Agreement sets forth the agreement between the FHWA Hawaii Division (FHWA HD) and the State of Hawaii Department of Transportation (HDOT) on the roles and responsibilities of the FHWA and the HDOT with respect to Title 23 project approvals and related responsibilities, and FAHP oversight activities.

The scope of FHWA responsibilities, and the legal authority for State DOT assumption of FHWA responsibilities, developed over time. The U.S. Secretary of Transportation delegated responsibility to the Administrator of the FHWA for the FAHP under Title 23 of the United States Code, and associated laws. (49 CFR 1.84 and 1.85) The following legislation further outlines FHWA's responsibilities:

- Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991;
- Transportation Equity Act for the 21st Century (TEA-21) of 1998;
- Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) of 2005; and
- Moving Ahead for Progress in the 21st Century Act (MAP-21) of 2012 (P.L. 112-141).

The FHWA may not assign or delegate its decision-making authority to a State Department of Transportation unless authorized by law. Section 106 of Title 23, United States Code (Section 106), authorizes the State to assume specific project approvals. For projects that receive funding under Title 23, U.S.C., and are on the National Highway System (NHS) including projects on the Interstate System, the State *may* assume the responsibilities of the Secretary of the U.S. Department of Transportation under Title 23 for design, plans, specifications, estimates, contract awards, and inspections with respect to the projects *unless the Secretary determines* that the assumption is not appropriate. (23 U.S.C. 106(c)(1)) For projects under Title 23, U.S.C. that are not on the NHS, the State *shall* assume the responsibilities for design, plans, specifications,

estimates, contract awards, and inspections *unless the State* determines that such assumption is not appropriate. (23 U.S.C. 106(c)(2))

For all other project activities which do not fall within the specific project approvals listed in Section 106 or are not otherwise authorized by law, the FHWA may authorize a State DOT to perform work needed and to carry out FHWA delegated actions as determined by the FHWA and as outlined in this S&O Agreement.

The authority given to the HDOT under 23 U.S.C. Section 106(c)(1) and (2) is limited to specific project approvals listed herein. Nothing listed herein is intended to include assumption of FHWA Hawaii Division's (FHWA HD) decision-making authority regarding Title 23, U.S.C. eligibility or Federal-aid participation determinations. The FHWA HD always must make the final eligibility and participation decisions for the Federal-aid Highway Program.

Section 106(c)(3) requires FHWA HD and the HDOT to enter into an agreement relating to the extent to which the State DOT assumes project responsibilities. This S&O Agreement, includes information on specific project approvals and related responsibilities, and provides the requirements for FHWA HD oversight of the FAHP (Oversight Program), as required by 23 U.S.C. 106(g).

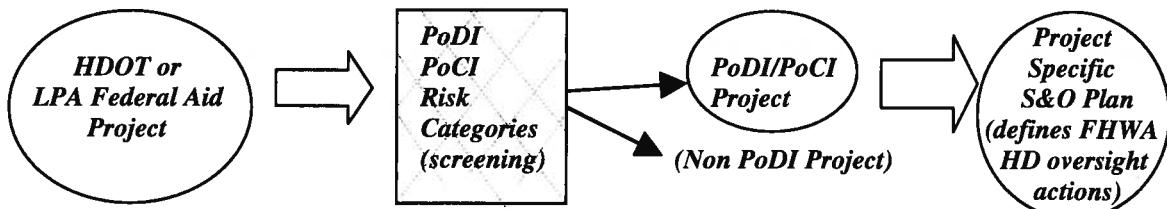
## **SECTION II. INTENT AND PURPOSE OF S&O AGREEMENT**

The intent and purpose of this S&O Agreement is to document the roles and responsibilities of the FHWA HD and HDOT with respect to project approvals and related responsibilities, and to document the methods of oversight which will be used to efficiently and effectively deliver the FAHP.

The Project Action Responsibility Matrix, Attachment A to this S&O Agreement and as further described in Section VIII of this S&O Agreement, identifies FHWA FAHP project approvals and related responsibilities State DOT assumes from FHWA on a program-wide basis pursuant to 23 U.S.C. 106(c) and other legal authorities. Upon execution of this agreement, Attachment A shall be controlling and except as specifically noted in Attachment A, no other agreements, attachments, or other documents shall have the effect of delegating or assigning FHWA approvals to State DOT on a program-wide basis under 23 U.S.C 106 or have the effect of altering Attachment A.

The FHWA HD will develop and use a risk based screening process to determine Projects of Division Interest (PODI) or Projects of Corporate Interest (POCI). All projects, whether on the National Highway System (NHS), off the NHS, or Local Public Agency projects will be subject to this screening. For projects determined to be as PODI or POCI, the FHWA HD will develop a project specific stewardship and oversight plan that will define FHWA HD oversight actions.

### **PROJECT SCREENING PROCESS FLOWCHART**



Based on the various risk factors associated with any project, whether on the National Highway System (NHS), off the NHS, or with a Local Public Agency, the FHWA HD may, at its discretion, and with consultation with HDOT as appropriate, on a case by case basis, retain any selected approval action(s). Those projects for which FHWA HD retains certain project specific actions or related responsibilities will be identified as PoDI. Project approvals and related activities retained by FHWA HD will be identified in individual project specific stewardship & oversight plans developed by the FHWA HD and a copy provided to HDOT.

### **SECTION III. ASSUMPTION OF RESPONSIBILITIES FOR FEDERAL-AID PROJECTS ON THE NATIONAL HIGHWAY SYSTEM**

- A. The HDOT *may assume* the FHWA HD's Title 23 responsibilities for design; plans, specifications, and estimates (PS&E); contract awards; and inspections, with respect to *Federal-aid projects on the National Highway System (NHS)* if both the *HDOT* and *FHWA HD* determine that assumption of responsibilities is appropriate.
- B. Approvals and related activities for which the HDOT has assumed responsibilities as shown in ATTACHMENT A will apply program wide unless project specific actions for which the FHWA HD will carry out the approval or related responsibilities are documented in accordance with the FHWA Project of Division Interest/Project of Corporate Interest Guide (FHWA PoDI/PoCI Guide) located at:  
<http://www.fhwa.dot.gov/federalaid/stewardship/> A copy of this guide is provided in ATTACHMENT D.
- C. The HDOT may not assume responsibilities for Interstate projects that are in high risk categories. (23 U.S.C. 106(c)(1)).
- D. The HDOT is to exercise any and all assumptions of the FHWA HD's responsibilities for Federal-aid projects on the NHS in accordance with Federal laws, regulations and policies.

## **SECTION IV. ASSUMPTION OF RESPONSIBILITIES FOR FEDERAL-AID PROJECTS OFF THE NATIONAL HIGHWAY SYSTEM**

- A. The HDOT *shall assume* the FHWA HD's Title 23 responsibilities for design, PS&Es, contract awards, and inspections, with respect to *Federal-aid projects off the NHS (non-NHS)* unless the *HDOT* determines that assumption of responsibilities is not appropriate. (23 U.S.C. 106(c)(2))
- B. Except as provided in 23 U.S.C.109(o), the HDOT is to exercise the Secretary's approvals and related responsibilities on these projects in accordance with Federal laws.
- C. The HDOT, in its discretion, may request FHWA HD carry out one or more non-NHS approvals or related responsibilities listed as "STATE" in ATTACHMENT A on a program-wide basis. For a project specific request, the HDOT may request FHWA HD to carry out any approval or related responsibility listed in ATTACHMENT A off the NHS. Such project-specific requests shall be documented in accordance with the FHWA PoDI/PoCI Guide.
- D. Pursuant to 23 U.S.C. 109(o), non-NHS projects shall be designed and constructed in accordance with State laws, regulations, directives, safety standards, design standards, and construction standards.
- E. When requested by HDOT, the FHWA HD will provide technical assistance for any project implemented pursuant to Title 23.

## **SECTION V. ASSUMPTION OF RESPONSIBILITIES FOR LOCALLY ADMINISTERED PROJECTS**

The HDOT may permit local public agencies (LPAs) to carry out the HDOT's assumed responsibilities on locally administered projects. The HDOT is responsible and accountable for LPA compliance with all applicable Federal laws and requirements.

## **SECTION VI. PERMISSIBLE AREAS OF ASSUMPTION UNDER 23 U.S.C. 106(c)**

An assumption of responsibilities under 23 U.S.C. 106(c) may cover only activities in the following areas:

- A. Design, which includes preliminary engineering, engineering, and design-related services directly relating to the construction of a FAHP-funded project, including engineering, design, project development and management, construction project management and inspection, surveying, mapping (including the establishment of temporary and permanent geodetic control in accordance with specifications of the National Oceanic and Atmospheric Administration), and architectural-related services.
- B. PS&E, which represents the actions and approvals required before authorization of construction. The PS&E package includes geometric standards, drawings, specifications, project estimates, certifications relating to completion of right-of-way acquisition and relocation, utility work, and railroad work.
- C. Contract awards, which include procurement of professional and other consultant services and construction-related services to include advertising, evaluating, and awarding contracts.
- D. Inspections, which include general contract administration, material testing and quality assurance, review, and inspections of Federal-aid contracts as well as final inspection/acceptance.
- E. Approvals and related responsibilities affecting real property as provided in 23 CFR 710.201(i) and any successor regulation in 23 CFR Part 710.

## **SECTION VII. FEDERAL APPROVALS AND RELATED RESPONSIBILITIES THAT MAY NOT BE ASSUMED BY THE HDOT**

- A. Any approval or related responsibility not listed in ATTACHMENT A cannot be assumed by the State without prior concurrence by FHWA Headquarters. The following is a list of the most frequently-occurring approvals and related responsibilities that may not be assumed by the State DOT:
  - Civil Rights Program approvals;
  - Environmental approvals, except those specifically assumed under other agreements. (23 U.S.C. 326 and 327; programmatic categorical exclusion agreements);
  - Federal air quality conformity determinations required by the Clean Air Act;
  - Approval of current bill and final vouchers;
  - Approval of federally-funded hardship acquisition, protective buying, and 23 U.S.C. 108(d) early acquisition;
  - Project agreements and modifications to project agreements and obligation of funds (including advance construction);

- Planning and programming pursuant to 23 U.S.C. 134 and 135;
  - Special Experimental Projects (SEP-14 and SEP-15);
  - Use of Interstate airspace for non-highway-related purposes;
  - Any Federal agency approval or determination under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act), as amended, and implementing regulations in 49 CFR Part 24;
  - Waivers to Buy America requirements;
  - Approval of Federal participation under 23 CFR 1.9(b);
  - Provide pre-approval for preventive maintenance project (until FHWA concurs with State DOT procedures);
  - Requests for credits toward the non-Federal share of construction costs for early acquisitions, donations, or other contributions applied to a project;
  - Functional replacement of property;
  - Approval of a time extension for preliminary engineering projects beyond the 10-year limit, in the event that actual construction or acquisition of right-of-way for a highway project has not commenced;
  - Approval of a time extension beyond the 20-year limit for right of way projects, in the event that actual construction of a road on the right-of-way is not undertaken;
  - Determine need for Coast Guard Permit;
  - Training Special Provision – Approval of New Project Training Programs; and
  - Any other approval or activity not specifically identified in Attachment A unless otherwise approved by the FHWA, including the Office of Chief Counsel.
- B. For all projects and programs, the HDOT will comply with Title 23 and all applicable non-Title 23, U.S.C. Federal-aid program requirements, such as metropolitan and statewide planning; environment; procurement of engineering and design related service contracts (except as provided in 23 U.S.C. 109(o)); Civil Rights including Title VI of the *Civil Rights Act*, and participation by Disadvantaged Business Enterprises; prevailing wage rates; and acquisition of right-of-way, etc.
- C. This Agreement does not modify the FHWA HD's non-Title 23 program approval and related responsibilities, such as approvals required under the Clean Air Act; National Environmental Policy Act, Executive Order on Environmental Justice (E.O. 12898), and other related environmental laws and statutes; the Uniform Act; and the Civil Rights Act of 1964 and related statutes.

## **SECTION VIII. PROJECT ACTION RESPONSIBILITY MATRIX**

ATTACHMENT A, Project Action Responsibility Matrix, to this S&O Agreement identifies FAHP project approvals and related responsibilities. The Matrix specifies which approvals and related responsibilities are assumed by the State under 23 U.S.C. 106(c) or other statutory or regulatory authority, as well as approvals and related responsibilities reserved to FHWA HD.

## **SECTION IX. HIGH RISK CATEGORIES**

- A. In 23 U.S.C. 106(c), Congress directs that the Secretary shall not assign any approvals or related responsibilities for projects on the Interstate System if the Secretary determines the project to be in a high risk category. Under 23 U.S.C. 106(c)(4)(B), the Secretary may define high risk categories on a national basis, State-by-State basis, or national and State-by-State basis.
- B. As of this date, the FHWA HD has determined there are no high risk categories.

## **SECTION X. FHWA OVERSIGHT PROGRAM UNDER 23 U.S.C. 106(g)**

- A. In 23 U.S.C. 106(g), Congress directs that the Secretary shall establish an oversight program to monitor the effective and efficient use of funds authorized to carry out the FAHP. This program includes FHWA oversight of the State's processes and management practices, including those involved in carrying out the approvals and related responsibilities assumed by the State under 23 U.S.C. 106(c). Congress defines that, at a minimum, the oversight program shall be responsive to all areas relating to financial integrity and project delivery.
- B. The FHWA HD shall perform annual reviews that address elements of the HDOT's financial management system in accordance with 23 U.S.C. 106(g)(2)(A). FHWA will periodically review the HDOT's monitoring of subrecipients pursuant to 23 U.S.C. 106(g)(4)(B).
- C. The FHWA HD shall perform annual reviews that address elements of the project delivery systems of the HDOT, which elements include one or more activities that are involved in the life cycle of project from conception to completion of the project. The FHWA HD will also evaluate the practices of the HDOT for estimating project costs, awarding contracts, and reducing costs. 23 U.S.C. 106(g)(2) and (3).
- D. To carry out the requirements of 23 U.S.C. 106(g), the FHWA HD will employ a risk management framework to evaluate financial integrity and project delivery, and balance risk with staffing resources, available funding, and the Hawaii's transportation needs. The FHWA HD will work collaboratively with the HDOT to assess the risks inherent with the FAHP and funds management, and how that assessment will be used to align resources to develop appropriate risk response strategies.

Techniques the FHWA HD and HDOT may use to identify and analyze risks and develop response strategies include the following:

- Program Assessments;
- FIRE Reviews;
- Program Reviews;
- Certification Reviews;
- Recurring or periodic reviews such as the Compliance Assessment Program (CAP); and
- Inspections of project elements or phases.

These techniques will be carried out in a manner consistent with applicable Division Standard Operating Procedures or other control documents relating to program assessments, FIRE, program reviews, CAP, etc.

*The following techniques and processes will be used to carry out the requirements of 23 U.S.C. 106(g):*

*A risk based (RB) and data-driven approach developed by the FHWA considers national/local program and project priorities, and other factors.*

*Key elements include:*

- *Required project approval actions;*
- *Establishment of Projects of Division and Corporate Interests (PODI and POCI);*
- *Implementation of the new Compliance Assessment Program (CAP).*

*The FHWA HD will utilize various approaches to accomplish oversight activities, including:*

- *Routine day-to-day program review and approval actions*
- *Process Review / Product Evaluation (PR/PE)*
- *Participation on HDOT's task forces, quality teams, implementation committees, program and process reviews, surveys, attendance at HDOT meetings*
- *sampling/testing of program and/or project compliance,*
- *project-by-project involvement as appropriate,*
- *Continuous Process Improvement (CPI) activities in cooperation with HDOT.*

*FHWA's PR/PE approach will comprise the traditional process of comprehensively reviewing and evaluating the State and/or local agency policies, procedures, practices and control for the development and implementation of Federal-Aid projects and programs.*

**E. Program Responsibility Matrix**

ATTACHMENT B to this S&O Agreement is the PROGRAM RESPONSIBILITY MATRIX example that identifies all relevant FHWA program actions, and FHWA HD and HDOT program contact offices.

**F. Manuals and Operating Agreements**

HDOT manuals, agreements and other control documents that have been approved for use on Federal-aid projects are listed in ATTACHMENT C to this S&O Agreement.

**G. Stewardship and Oversight Indicators**

The FHWA HD and HDOT may jointly establish Stewardship and Oversight Indicators (Indicators). The Indicators should set targets, track trends, and implement countermeasures and actions when the data is moving away from the desired target direction. Indicators can provide documented evidence that the HDOT assumption of responsibilities and FHWA HD's lead or supportive role is functioning appropriately. Stewardship and Oversight Indicators should be reviewed on an annual basis.

**SECTION XI. STATE DOT OVERSIGHT AND REPORTING REQUIREMENTS**

**A. State DOT Oversight and Reporting Requirements**

The HDOT is responsible for demonstrating to the FHWA how it is carrying out its responsibilities in accordance with this S&O Agreement. In order to fulfill this responsibility, the HDOT will:

- *Prepare PS&Es, bid and award all Federal Aid projects in accordance with the Project Development Manual,*
- *Conduct constructability reviews of construction documents with the affected construction offices,*
- *Perform construction internal audits as specified in HDOT's procedures manual,*
- *Oversee and review LPA developed construction documents for completeness and quality,*
- *Participate in LPA pre-bid meetings, preconstruction conferences, pre-final & final inspections, and public meetings,*
- *Perform periodic site inspections of ongoing LPA projects,*
- *Perform periodic LPA billing reviews,*

- *Participate in FHWA's CAP and/or improper payment reviews for DOT or LPA projects,*
- *Submit required documents as indicated in this S&O Agreement and project specific S&O Plans for FHWA HD review, action or approvals,*
- *Make projects records available for review when requested by the FHWA HD and provide responses to any process review or audits conducted by FHWA HD,*
- *Collect data for measurement against targets and provide to FHWA at mutually agreed schedules or intervals. Similarly, FHWA will collect data for measurement against targets and provide to HDOT at mutually agreed schedules or intervals.*

B. State DOT Oversight of Locally Administered Projects

- B.1. State DOT's are required to provide adequate oversight of subrecipients including oversight of any assumed responsibilities the State DOT delegates to a LPA.
- B.2. Pursuant to 23 U.S.C. 106(g)(4), the State DOT shall be responsible for determining that subrecipients of Federal funds have adequate project delivery systems for locally administered projects and sufficient accounting controls to properly manage such Federal-aid funds. The State DOT is also responsible for ensuring compliance with reporting and other requirements applicable to grantees making sub-awards, such as monthly reporting requirements under the Federal Funding Accountability and Transparency Act of 2006, PL 109-282 (as amended by PL 110-252).

***Both HDOT and FHWA HD recognize that determination and assessments are directly related to each other. Please see B.4 for this section.***

- B.3. The State DOT acknowledges that it is responsible for sub-recipient awareness of Federal grant requirements management of grant awards and sub-awards, and is familiar with and comprehends pass through entity responsibilities (2 C.F.R 200.331 Requirements for Pass-thru Entities). The State DOT shall carry out these responsibilities using the following actions, programs, and processes:
- *HDOT formed a section to provide the LPA oversight function. This office will be knowledgeable of all Federal Laws, Regulations, Policies and Procedures, coordinate and/or provide training to the LPAs, and to ensure compliance with Federal requirements.*
  - *HDOT developed a LPA Manual that provides guidance on Federal procedures and processes for the LPAs to follow on their Federal-aid projects. Following the guidance in the LPA Manual*

*allows the LPAs to be confident that their undertakings should be in compliance with Federal requirements.*

- B.4. The HDOT shall assess whether a sub-recipient has adequate project delivery systems and sufficient accounting controls to properly manage projects, using the following actions, programs, and processes:

- *Conducting periodic reviews of LPA project records, payment reviews, and process reviews at the LPA facilities,*
- *Conducting periodic billing (desk) reviews initiated by the FHWA or HDOT,*
- *Collecting data related to cost overruns during construction,*
- *Collecting milestone data related to milestones such as authorization date, bid open, award, notice-to-proceed, final acceptance, and project closure requests to HDOT,*
- *Reviewing LPA Accounting procedures, and*
- *Reviewing LPA Manual.*

- B.5. The HDOT shall assess whether a sub-recipient is staffed and equipped to perform work satisfactorily and cost effectively, and that adequate staffing and supervision exists to manage the Federal project(s), by using the following actions, programs, and processes:

- *Reviewing the LPA design work during the oversight process to determine completeness and quality,*
- *Reviewing the LPA's construction records and perform periodic site visits,*
- *Reviewing ROW certifications and supporting documents.*

- B.6. The HDOT shall assess whether sub-recipient projects receive adequate inspection to ensure they are completed in conformance with approved plans and specifications, by using the following actions, programs, and processes:

- *Monitoring LPA projects in accordance with HDOT's Procedure Manual, Volume 10, Section 10-02-22 – Inspections and Reviews,*
- *As part of this procedure, performing periodic site visits,*
- *Participating in a sampling of the following LPA activities: pre-bid meetings, pre construction conferences, pre-final inspections, final inspections, and public meetings.*

- B.7. The HDOT shall ensure that when LPAs elect to use consultants for engineering services, the LPA, as provided under 23 CFR 635.105(c)(4), shall provide a full-time employee of the agency to be in responsible charge of the project. The State DOT's process to ensure compliance with this requirement is documented by the following actions, programs, and processes:

*HDOT requires the LPA to assign a LPA Project Manager point of contact to coordinate and be in responsible charge for all preconstruction activities; whether for in-house designed projects or consultant designed projects. All project correspondence and communication is done through the assigned LPA Project Manager.*

- B.8. The HDOT shall ensure that project actions will be administered in accordance with all applicable Federal laws and regulations. The HDOT will use the following process on required approvals on sub-recipient projects and approved on sub-recipient administered projects.
- *HDOT publishes specifications and contract documents to be used on LPA Federal Aid projects and makes these documents available for the LPA's use. By using these documents, related contracts are in compliance with Federal regulations by containing required provisions.*
  - *HDOT also makes available to the LPAs, manuals and forms such as the Project Development Manual and Project Development Checklist to be used by the LPA Project Managers. These manuals and forms have been developed to incorporate Federal processes, provisions, and requirements.*
  - *During project development, the LPA provides progress submittals to HDOT for review. The State Project Manager conducts reviews to ensure compliance with Federal and State procedures.*
  - *HDOT formed an office to provide the LPA oversight function. This office will be knowledgeable of all Federal Laws, Regulations, Policies and Procedures, coordinate and/or provide training to the LPAs, and to ensure compliance with Federal requirements.*

B.9. The State DOT shall document its oversight activities for LPA-administered projects and findings, and how it will share this information with the FHWA. HDOT will:

- *Conduct reviews of LPA projects at the LPA facilities,*
- *Provide a summary report of observations or findings to FHWA HD annually,*
- *Invite FHWA HD to participate in such reviews.*

## **SECTION XII. DISPUTE RESOLUTION AND ESCALATION**

The FHWA HD and HDOT work as partners in delivering the Federal-aid Highway Program, however it is recognized that there may be times when consensus cannot be achieved between the two parties. Whenever these situations arise, the FHWA HD and HDOT agree to work together to resolve disputes in a timely manner so that delays will not adversely affect the goals of HDOT and FHWA HD, create the loss of funds, or deny public benefits resulting from the project or program.

Parties involved with the dispute will strive to work professionally and resolve the issue at the lowest level. In those cases where a resolution cannot be reached in a timely fashion, HDOT and FHWA HD agrees to escalate the unresolved issues for timely action in accordance with the below Dispute Escalation Table showing levels of equivalency.

**Table XII-1 Dispute Escalation Table**

HDOT	FHWA HD	Resolution Period and Process
Project Manager or Section Head	Highway Engineer, Transportation Engineer, Structural Engineer, Environmental Specialist, Right-of-Way Specialist, Transportation Planner, Financial Specialist	If both parties are unable to reach agreement within a time period that is agreed between both parties that does not jeopardize the project schedule or result in the loss of funds, both parties will "agree to disagree" and provide all relevant information to their supervisor.
Program Manager (Branch Head or District Engineer)	Team Leader (Engineering, Finance & Administration)	The HDOT Program Manager and FHWA HD Team Leader will consider all information received from and efforts made by the previous parties. If agreement cannot be reached within a mutually established time period that does not jeopardize the project schedule or result in the loss of funds, both parties will escalate the issue to the next level. Both FHWA and HDOT parties will provide all relevant information to their supervisor.

Highway Administrator	Hawaii Assistant Division Administrator (ADA)	The Highway Administrator and ADA will consider information received from and efforts made by the previous parties. If agreement cannot be reached within a mutually established time period that does not jeopardize the project schedule or result in the loss of funds, both parties will escalate the issue to the next level. Both FHWA and HDOT parties will provide all relevant information to their supervisor.
Deputy Director and/or Director of Transportation	FHWA HD Division Administrator (DA)	<p>The Deputy Director / Director of Transportation and FHWA DA will consider all information received from and efforts made by previous parties to resolve the issue.</p> <p>If agreement is not reached, FHWA HD will issue a formal determination <i>in writing</i> to HDOT, citing specific sections of all relevant governing Federal laws, regulations or policies and how the FHWA HD is applying and interpreting the citations.</p>

### **SECTION XIII. IMPLEMENTATION AND AMENDMENTS**

- A. This S&O Agreement will take effect as of the effective date of the signature of the FHWA Hawaii Division Administrator, who shall sign this S&O Agreement last.
- B. This Agreement supersedes the January 5, 2007 Letter of Agreement and Stewardship Plan.
- C. The FHWA HD and HDOT agree that changes may occur to the contents of the ATTACHMENTS to this S&O Agreement and documents incorporated by reference into the S&O Agreement. Except as provided in paragraphs XIII.D and E, changes to the ATTACHMENTS and documents incorporated by reference will not require the FHWA HD and HDOT to amend this S&O Agreement (require review and approval by the FHWA Office of Infrastructure). The effective date of any revisions to one of these documents shall be clearly visible in the footer of the revised document.

This Agreement and any revised document shall be posted on the FHWA HD's S&O Agreement internet site within five (5) business days of the effective date.

- D. Any changes to the high risk categories (SECTION IX. HIGH RISK CATEGORIES) must be documented by an amendment to this S&O Agreement.

E. Any changes to the Project Action Responsibility Matrix (ATTACHMENT A) must be approved by the FHWA Office of Infrastructure in writing and documented by an amendment to this S&O Agreement.

F. Stewardship Agreement Revisions or Updates:

Periodic revisions to this Agreement is required to keep all Stewardship Agreement provisions up to date with current laws, regulations, policies, procedures, agency organization, stakeholder roles, or other factors. In some cases, depending on the extent of the needed revisions, a complete update may be needed.

A revision is defined as: inserting, changing, or deleting a specific provision or a small number of provisions within the Stewardship Agreement document, as required by process changes, revisions to laws, regulations or policies, changes in organization or roles, or other factors.

An update is defined as: the review of the entire Stewardship Agreement and performing all necessary changes to reflect laws, regulations, policies, or other agreed provisions at that time. An update is recommended to coincide with the passage of new authorization bills.

HWY-SM (or other office designated by HDOT Highways Administrator) and FHWA HD's Assistant Division Administrator (ADA, or other person designated by FHWA HD's ADA) will coordinate all work performed by the Working Groups for Stewardship Agreement *revisions*. HWY-SM will receive and finalize all draft documents and obtain approval by the Highways Administrator and FHWA HD's Assistant Division Administrator. Approvals will be indicated by initials on the Stewardship Agreement Revision Log sheet.

For Stewardship Agreement *updates*, a Steering Committee comprised of FHWA HD's ADA and HWY-SM will be formed to oversee and coordinate the work. HWY-SM will receive and finalize all draft documents and obtain approval by the HDOT's Director and FHWA HD's Division Administrator. Approvals will be indicated by signatures on the new Stewardship Agreement.

The below table summarizes possible Stewardship Agreement actions prompted by various factors:

<b>Table XIII-1 Stewardship Agreement Actions</b>		
	Reasons for Revisions or Updates	Required Action
1	<ul style="list-style-type: none"> <li>* New Laws, Executive Orders, Regulations or Federal Policy</li> <li>* Updated Laws, Executive Orders, Regulations or Federal Policy</li> <li>* Process Change at FHWA or HDOT</li> <li>* New or changed roles in FHWA HD or HDOT</li> <li>* Reorganization at FHWA HD or HDOT</li> <li>* Changes in priorities at FHWA HD or HDOT</li> </ul>	Review and revise, initial the Stewardship Agreement Revision Log
2	<ul style="list-style-type: none"> <li>* Inclusion of inadvertently overlooked provisions</li> <li>* Revisions to performance indicators or measures specified in Stewardship Agreement</li> </ul>	Revise, initial the Stewardship Agreement Revision Log
3	Revisions to Appendices	Revise, initial the Stewardship Agreement Revision Log
4	Periodic Scheduled Review (every 3 years)	Initial the Stewardship Agreement Revision Log

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**EXECUTION BY THE FHWA HAWAII DIVISION OFFICE**

Executed this 30<sup>th</sup> day of April, 2015.

Mayela Sosa  
Signature

MAYELA SOSA  
Division Administrator

**EXECUTION BY THE HAWAII DEPARTMENT OF TRANSPORTATION**

Executed this 30 day of APRIL, 2015.

F. Fuchigami  
Signature

FORD FUCHIGAMI

DIRECTOR OF TRANSPORTATION  
Title

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**ATTACHMENT A**  
**PROJECT ACTION RESPONSIBILITY MATRIX**  
**(As of February 6, 2015)**

The following matrix identifies Federal-aid highway program (FAHP) project approvals and related responsibilities. The matrix specifies which ones are subject to State assumption under the provisions of 23 U.S.C. 106(c) or other statutory or regulatory authority, as well as those which are reserved to FHWA.

Project actions that cannot be assumed by HDOT at any time are identified in the action description with "FHWA" in both columns. Project actions marked with "FHWA" means FHWA will retain the specified approval and related responsibilities while project actions marked with "STATE" means the State assumes the specified approval and related responsibilities.

The State DOT is responsible for ensuring all individual elements of the project are eligible for FAHP funding, but all final eligibility and participation determinations are retained by FHWA. While FHWA may not delegate decision-making authority to a State unless authorized by law, FHWA may authorize a State DOT to perform work needed and to carry out FHWA delegated actions as determined by the FHWA and as outlined in this S&O Agreement.

<b>PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015)</b> <b>(Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
<b>ACTION</b>	<b>AGENCY RESPONSIBLE</b>	
	<b>PROJECTS ON THE NHS</b>	<b>PROJECTS OFF THE NHS</b>
	<b>Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority</b>	<b>Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority</b>
<b>PROGRAMMING (All phases)</b>		
Ensure project in Statewide Transportation Improvement Program (STIP)/Transportation Improvement Program (TIP)	STATE	STATE
Identify proposed funding category	STATE(1)	STATE(1)
<b>FINANCIAL MANAGEMENT (All phases)</b>		
Obligate funds/approve Federal-aid project agreement, modifications and project closures (project authorizations) (Note: this action cannot be assumed by State)	FHWA	FHWA
Authorize current bill (Note: this action cannot be assumed by State)	FHWA	FHWA
Review and Accept Financial Plan and Annual Updates for Federal Major Projects over \$500 million [23 U.S.C. 106(h)] (Note: this action cannot be assumed by State)	FHWA	FHWA
Review Cost Estimates for Federal Major Projects over \$500 million [23 U.S.C. 106(h)] (Note: this action cannot be assumed by State)	FHWA	FHWA

<b>PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015)</b> <b>(Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
<b>ACTION</b>	<b>AGENCY RESPONSIBLE</b>	
	<b>PROJECTS ON THE NHS</b>	<b>PROJECTS OFF THE NHS</b>
	<b>Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority</b>	<b>Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority</b>
Develop Financial Plan for Federal Projects between \$100 million and \$500 million. [23 U.S.C. 106(i)]	STATE	STATE
<b>ENVIRONMENT (All phases)</b>		
All EA/FONSI, EIS/ROD, 4(f), 106, 6(f) and other approval actions required by Federal environmental laws and regulations. (Note: this action cannot be assumed by STATE except under 23 U.S.C. 327)	FHWA(2)	FHWA(2)
Categorical Exclusion approval actions (Note this action cannot be assumed by the State except through an assignment under 23 U.S.C. 326 or 327, or through a programmatic agreement pursuant to Section 1318(d) of MAP-21 and 23 CFR 771.117(g))	FHWA(2)	FHWA(2)
<b>PRELIMINARY DESIGN (Design Phase)</b>		
Consultant Contract Selection	STATE (3)	STATE (3)
Sole source Consultant Contract Selection	FHWA	STATE (3)
Approve hiring of consultant to serve in a “management” role (Note: this action cannot be assumed by State) [23 CFR 172.9]	FHWA	FHWA
Approve consultant agreements and agreement revisions (Federal non-Major Projects) [23 CFR 172.9]	STATE	STATE

<b>PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015)</b> <b>(Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
<b>ACTION</b>	<b>AGENCY RESPONSIBLE</b>	
	<b>PROJECTS ON THE NHS</b>	<b>PROJECTS OFF THE NHS</b>
	<b>Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority</b>	<b>Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority</b>
Approve consultant agreements and agreement revisions on Federal Major Projects [23 CFR 172.9] (Note: this action cannot be assumed by State)	FHWA	FHWA
Approve exceptions to design standards [23 CFR 625.3(f)]	STATE	STATE
Interstate System Access Change [23 USC 111] (Note: this action cannot be assumed by State)	FHWA	N/A
Interstate System Access Justification Report [23 USC 111] (Note: action may be assumed by State pursuant to 23 USC 111(e))	FHWA	N/A
Airport highway clearance coordination and respective public interest finding (if required) [23 CFR 620.104]	STATE	STATE
Approve Project Management Plan for Federal Major Projects over \$500 million [23 USC 106(h)] (Note: this action cannot be assumed by State)	FHWA	FHWA
Approve innovative and Public-Private Partnership projects in accordance with SEP-14 and SEP-15 (Note: this action cannot be assumed by State)	FHWA	FHWA

**PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015)**  
**(Excluding PoDIs, which are subject to separate PoDI Plans)**

ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
	Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority	Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority
Provide pre-approval for preventive maintenance project (until FHWA concurs with STATE procedures) (Note: this action cannot be assumed by State)	FHWA	FHWA
<b>DETAILED / FINAL DESIGN (Design Phase)</b>		
Provide approval of preliminary plans for unusual/complex bridges or structures on the Interstate. [23 USC 109(a) and 11/13/1998 FHWA Policy or subsequent revisions]	FHWA (4)	N/A
Provide approval of preliminary plans for unusual/complex bridges or other structures (non-Interstate). [23 USC 109(a) and FHWA Policy]	FHWA (4)	STATE
Approve retaining right-of-way encroachments [23 CFR 1.23 (b) & (c)]	STATE(4)	STATE
Approve use of local force account agreements [23 CFR 635.104 & 204]	STATE	STATE
Approve use of publicly owned equipment [23 CFR 635.106]	STATE	STATE
Approve the use of proprietary products, processes [23 CFR 635.411]	FHWA	STATE

<b>PROJECT ACTION RESPONSIBILITY MATRIX</b> (as of February 6, 2015) (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	<b>AGENCY RESPONSIBLE</b>	
	<b>PROJECTS ON THE NHS</b>	<b>PROJECTS OFF THE NHS</b>
	<b>Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority</b>	<b>Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority</b>
Concur in use of publicly furnished materials [23 CFR 635.407]	STATE	STATE
<b>RIGHT-OF-WAY (Design and Operational Phases)</b>		
Make feasibility/practicability determination for allowing authorization of construction prior to completion of ROW clearance, utility and railroad work [23 CFR 635.309(b)]	FHWA for Interstate STATE for Non-Interstate	STATE
Make public interest finding on whether State may proceed with bid advertisement even though ROW acquisition/relocation activities are not complete for some parcels [23 CFR 635.309(c)(3)]	FHWA for Interstate STATE for Non-Interstate	STATE
Ensure compliant ROW certificate is in place [23 CFR 635.309(c)]	STATE	STATE
Approve Hardship and Protective Buying [23 CFR 710.503] (If a Federal-aid project) (Note: this action cannot be assumed by State)	FHWA	FHWA

**PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015)**  
**(Excluding PoDIs, which are subject to separate PoDI Plans)**

ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
	Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority	Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority
Approve Interstate Real Property Interest Use Agreements [23 CFR 710.405] (Note: this action cannot be assumed by State)	FHWA	N/A
Approve non-highway use and occupancy [23 CFR 1.23(c)]	FHWA for Interstate STATE for Non-Interstate (3)	STATE (3)
Approve disposal at less than fair market value of federally funded right-of-way, including disposals of access control [23 U.S.C. 156] (Note: this action cannot be assumed by State)	FHWA	FHWA
Approve disposal at fair market value of federally funded right-of-way, including disposals of access control [23 CFR 710.409] (Note: 23 CFR 710.201 authorizes FHWA and STATE to agree to scope of property-related oversight and approvals for all actions except those on the Interstate System)	FHWA for Interstate FHWA for Non-Interstate (3)	STATE (3)
Requests for credits toward the non-Federal share of construction costs for early acquisitions, donations or other contributions applied to a project (note: this action cannot be assumed by State)	FHWA	FHWA
Federal land transfers [23 CFR 710, Subpart F] (Note: this action cannot be assumed by State)	FHWA	FHWA

<b>PROJECT ACTION RESPONSIBILITY MATRIX</b> (as of February 6, 2015) <b>(Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
<b>ACTION</b>	<b>AGENCY RESPONSIBLE</b>	
	<b>PROJECTS ON THE NHS</b>	<b>PROJECTS OFF THE NHS</b>
	<b>Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority</b>	<b>Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority</b>
Functional replacement of property [23 CFR 710.509] (Note: this action cannot be assumed by State)	FHWA	FHWA
<b>SYSTEM OPERATIONS AND PRESERVATION (Design Phase)</b>		
Accept Transportation Management Plans (23 CFR 630.1012(b))	STATE	STATE
Approval of System Engineering Analysis (for ITS) [23 CFR 940.13]	FHWA	STATE
<b>PS&amp;E AND ADVERTISING (Design Phase)</b>		
Approve PS&E [23 CFR 630.201]	STATE	STATE
Authorize advance construction and conversions [23 CFR 630.703 & 709] (Note: this action cannot be assumed by State)	FHWA	FHWA
Approve utility or railroad force account work [23 CFR 645.113 & 646.216]	STATE	STATE
Approve utility and railroad agreements [23 CFR 645.113 & 646.216]	STATE	STATE
Approve use of consultants by utility companies ? [23 CFR 645.109(b)]	STATE	STATE
Approve exceptions to maximum railroad protective insurance limits [23 CFR 646.111]	STATE	STATE

**PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015)**  
**(Excluding PoDIs, which are subject to separate PoDI Plans)**

ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
	Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority	Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority
Authorize (approve) advertising for bids (FHWA authorization done via construction authorization) [23 CFR 635.112, 309]	STATE	STATE
<b>CONTRACT ADVERTISEMENT AND AWARD (Design Phase)</b> <b>All contracts to be done by competitive bidding unless otherwise authorized by law</b>		
Approve cost-effectiveness determinations for construction work performed by force account or by contract awarded by other than competitive bidding [23 CFR 635.104 &.204]	FHWA(5)	STATE(5)
Approve emergency determinations for contracts awarded by other than competitive bidding [23 CFR 635.104 &.204]	STATE	STATE
Approve construction engineering by local agency [23 CFR 635.105]	STATE	STATE
Approve advertising period less than 3 weeks [23 CFR 635.112]	STATE	STATE
Approve addenda during advertising period [23 CFR 635.112]	STATE, whichever approved PS&E (5)	STATE (5)
Concur in award of contract [23 CFR 635.114]	STATE	STATE
Concur in rejection of all bids [23 CFR 635.114]	STATE	STATE
Approval of Design-Build Requests-for-Proposals and Addenda [23 CFR 635.112]	FHWA	STATE
<b>CONSTRUCTION (Construction Phase)</b>		
Approve changes and extra work [23 CFR 635.120]	STATE	STATE

<b>PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015)</b> <b>(Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
<b>ACTION</b>	<b>AGENCY RESPONSIBLE</b>	
	<b>PROJECTS ON THE NHS</b>	<b>PROJECTS OFF THE NHS</b>
	<b>Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority</b>	<b>Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority</b>
Approve contract time extensions [23 CFR 635.120]	STATE	STATE
Concur in use of mandatory borrow/disposal sites [23 CFR 635.407]	STATE	STATE
Accept materials certification [23 CFR 637.207]	STATE	STATE
Concur in settlement of contract claims [23 CFR 635.124]	STATE	STATE
Concur in termination of construction contracts [23 CFR 635.125]	STATE	STATE
Waive Buy America provisions [23 CFR 635.410] (Note: this action cannot be assumed by State)	FHWA	FHWA
Final inspection/acceptance of completed work [23 USC 114(a)]	STATE	STATE
<b>CIVIL RIGHTS (All phases)</b>		
Approval of Disadvantaged Business Enterprise (DBE) Project Contract Goal set by the State DOT under 49 CFR 26.51(d). [49 CFR 26.51(e)(3)]	STATE	STATE
Acceptance of Bidder's Good Faith Efforts to Meet Contract Goal [49 CFR 26.53] or of Prime Contractor's Good Faith Efforts to Find Another DBE Subcontractor When a DBE Subcontractor is Terminated or Fails to Complete Its Work [49 CFR 26.53(g)]	STATE	STATE

<b>PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015)</b> <b>(Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
<b>ACTION</b>	<b>AGENCY RESPONSIBLE</b>	
	<b>PROJECTS ON THE NHS</b>	<b>PROJECTS OFF THE NHS</b>
	<b>Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority</b>	<b>Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority</b>
(Note: this action cannot be performed by the FHWA)		
Equal Employment Opportunity (EEO) Contract Compliance Review [23 CFR Part 230, Subpart D].	STATE	STATE
Training Special Provision – Approval of Project Goal for training slots or hours [23 CFR Part 230, Subpart A]	STATE	STATE
Training Special Provision – Approval of New Project Training Programs (Note: this action cannot be assumed by State) [23 CFR 230.111(d), (e)]	FHWA	FHWA
<b>FOOTNOTES:</b>		
<p>(1) State is responsible for ensuring that all individual elements of the project are eligible. FHWA will check that the scope of the project as described in submitted project agreement is eligible for the category of funding sought. All final eligibility and participation determinations are retained by FHWA.</p>		
<p>(2) If there is a 23 U.S.C. 326 or 325 assignment or PCE agreement, decisions are handled in accordance with those assignments or agreements.</p>		
<p>(3) State's process and modifications to, or variation in process, require FHWA approval.</p>		

**PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015)**  
**(Excluding PoDIs, which are subject to separate PoDI Plans)**

ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
	<b>Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority</b>	<b>Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority</b>
(4) Unusual/ Complex bridges and structures are those that the FHWA HD determines to have unique foundation problems, new or complex designs, exceptionally long spans, exceptionally large foundations, complex hydrologic (including climate change and extreme weather events) aspects, complex hydraulic elements or scour related elements, or that are designed with procedures that depart from currently recognized acceptable practices (i.e., cable-stay, suspension, arch, segmental concrete, moveable, truss, tunnels, or geotechnical walls or ground improvement systems).		

## **ATTACHMENT B**

### **PROGRAM RESPONSIBILITY MATRIX**

The tables in this attachment contains a listing of program and project actions segregated into 15 program areas as follows:

<u>Section No.</u>	<u>Program Area</u>	<u>Page</u>
4.1	Planning .....	35
4.2	Environment .....	43
4.3	Right-of-Way .....	53
4.4	Consultant Services .....	59
4.5	Design .....	61
4.6	Construction .....	67
4.7	Maintenance and Asset Management .....	69
4.8	Materials .....	71
4.9	Structures .....	73
4.10	Safety .....	75
4.11	Traffic Engineering and ITS .....	77
4.12	Financial Management and Accounting .....	79
4.13	Research and Technology Transfer .....	85
4.14	Civil Rights .....	87
4.15	Risk Assessment and Management .....	91

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## SECTION 4.1 PLANNING PROGRAM APPROVAL ACTIONS

Activity	Authority	Frequency	FHWA HQ Program Office	FHWA HQ Program Local Agency Action	MPO Action	HDOT Action	FHWA Action	FHWA HQ Remarks	Notes:
<b>STATEWIDE TRANSPORTATION PLANNING: PRODUCTS</b>									
Statewide Transportation Planning: Long-range Transportation Plan									
Long-range Statewide Transportation Plan	23 CFR 450.214	As needed	Not Applicable	Office of Planning, Environment & Realty	Cooperate	Cooperate	Approve	Joint FHWA and FTA approval.	FHWA Division Office Review to Assure Compliance.
Statewide Transportation Planning: Statewide Transportation Improvement Program (STIP)	23 CFR 450.216, 23 CFR 450.218(a) & (c), 23 USC 135(g)(7)	At least every 4 years	Not Applicable	Office of Planning, Environment & Realty	Consult & Review	Cooperate & Review	HWY-P: Prepare & Approve; Send copies to FHWA & FTA	Joint FHWA and FTA approval.	HWY-P: Prepare & Approve; Send copies to FHWA & FTA
STIP Amendments	23 CFR 450.218(a) & (c)	As needed	Not Applicable	Office of Planning, Environment & Realty	Consult & Review	Cooperate & Review	HWY-P: Prepare	Joint FHWA and FTA approval.	Joint FHWA and FTA approval.
Federal Finding of Consistency of Planning Process with Section 134, 450, 218(b), 23 CFR 450-334(b) and 135	23 USC 135(g)(8), 23 CFR 450.218(a), 23 CFR 450.334(b)		Not Applicable	Office of Planning, Environment & Realty			HWY-P: Prepare	Joint finding with FTA when TIP is submitted.	Joint FHWA and FTA approval.
State Self-Certification that Planning Process is in Accordance with Applicable Requirements	23 CFR 450.218(a)	As needed	Submitted with proposed STIP or STIP amendments	Office of Planning, Environment & Realty	Review	Review	HWY-P: Prepare	At least every four years, joint finding with FTA when TIP is submitted.	Received with STIP.
State Consultation Process for Non-metropolitan Local Officials	23 CFR 450.210(b)	As needed	Not Applicable	Office of Planning, Environment & Realty	Consultation separate from public involvement process	None	STP: Prepare & Approve Send copies FHWA and FTA for informational purposes.	STP: Prepare & Approve Send copies FHWA and FTA for informational purposes.	Informational Purposes.
<b>Statewide Transportation Planning: Public Involvement Procedures (PIP)</b>									
State Public Involvement Procedures	23 CFR 450.210(a)	As needed	Not Applicable	Office of Planning, Environment & Realty	Review	None	HWY-P: Review	HWY-P: Review	HWY-P: Review
<b>Statewide Transportation Planning: Statewide Planning &amp; Research (SPR) Program</b>									
SPR Part 1 Statewide Planning Work Program	23 CFR 420.111, 23 CFR 420.115(a)	Annually	Prior to Program Period	Office of Planning, Environment & Realty	Review	None	STP: Prepare HWY-P: Review	STP: Prepare HWY-P: Review	STP: Prepare HWY-P: Review
Statewide Planning Work Program and Revisions (Part 1)	23 CFR 420.111, 23 CFR 420.115	Annually	Prior to Program Period	Office of Planning, Environment & Realty	Review	None	STP: Prepare HWY-P: Review	STP: Prepare HWY-P: Review	STP: Prepare HWY-P: Review
Performance and Expenditure Reports for SPR Research Work Programs	23 CFR 420.117(b) &(c)	Annually, or as agreed	90 Days After End Of Period	Office of Planning, Environment & Realty	Review	None	STP: Prepare HWY-P: Review	STP: Prepare HWY-P: Review	Not more frequently than quarterly.
SPR Part 1 Planning Work Program - Other Periodic Performance and Expenditure Reports	23 CFR 420.117(b) &(c)	no more frequently than quarterly	30 days after end of period						

Activity	Authority	Frequency	Date Due	FHWA HQ Program Office	Local Agency Action	HPO Action	HDOI Action	FHWA HQ Action	FHWA HQ Remarks	Notes:
SPR Reports Before Publication	23 CFR 420.117(e)	Prior to publication unless prior approval is waived	Not Applicable	Office of Planning, Environment & Realty	Prepare	None	Prepare	Approve	Waiver for all reports may be granted. Copy of unique reports to FHPP	
<b>Statewide Transportation Planning: Highway System Actions</b>										
Interstate Additions & Revisions	23 USC 103(c)(1)(D), 23 USC 103(c)(3) & (4), 23 CFR 470.111, 23 CFR 470.115 (a)	As needed	Not Applicable	Office of Planning, Environment & Realty	Review	Review	HWY-P: Prepare	Approve	Approval by HQ – Administrator.	
Federal-Aid Urban Area Boundaries	23 CFR 470.105 (a), 23 USC 101(a)(33)	As needed	Not Applicable	Office of Planning, Environment & Realty	Concur, if applicable	Concur, if applicable	HWY-P: Prepare	Approve	HQ needs for digitizing. Electronic format preferred (see FAPG non-regulatory Sup. G #063.0).	
Functional Classification	23 CFR 470.105 (b)	As needed	Not Applicable	Office of Planning, Environment & Realty	Concur, if applicable	Concur, if applicable	HWY-P: Prepare	Approve	"Highway Functional Classification, Concepts, Criteria and Procedures" ( <a href="http://www.fhwa.dot.gov/planning/processes/streetsrelated/highway_functional_classification.aspx">http://www.fhwa.dot.gov/planning/processes/streetsrelated/highway_functional_classification.aspx</a> )	
National Highway System (NHS) Additions and Revisions	23 USC 103(b)(3), 23 CFR 470.113 and 470.115(a)	As needed	Not Applicable	Office of Planning, Environment & Realty	Review	Review	HWY-P: Prepare	Approve	Approved by HQ - Office Director.	
<b>Statewide Transportation Planning: Freight</b>										
Review Freight Transportation Conditions and Performance Report	23 USC 167(e)	Two years after enactment of MAP 21 and every two years thereafter	Office of Operations	None	None	STP: Consult HWY-P: Review AIR-EP: Review HAR-EP: Review	Prepare	Prepare	OST lead	
Review Designation and Re-designation of Primary Freight Network	23 USC 167(e)	One year after enactment of MAP 21 and every ten years thereafter	Office of Operations	Consult	Consult	STP: Consult HWY-P: Consult AIR-EP: Review HAR-EP: Review	Prepare	Prepare	Under development, initial PPN designation scheduled for Spring 2014 completion.	
Review Development and Update of National Freight Strategic Plan	23 USC 167(f)	Three years after enactment of MAP 21 and every five years thereafter	Office of Operations	Consult	Consult	STP: Consult HWY-P: Consult AIR-EP: Review HAR-EP: Review	Prepare	Prepare	OST lead	
Approval of National Network Modifications	23 CFR 658.11	As needed	Not Applicable	Office of Operations	None	None	STP: Prepare, if necessary HWY-P: Review AIR-EP: Review HAR-EP: Review	Prepare & approve		
<b>METROPOLITAN PLANNING: PRODUCTS</b>										
Metropolitan Planning: Long-Range Transportation Plan (LRTP)	Metropolitan Transportation Plan (MTP) in Attainment Areas (and Updates)	23 CFR 450.300(a), 23 CFR 450.322	Every 5 yrs	Not Applicable	Office of Planning, Environment & Realty	Consult	STP: Review HWY-P: Review	Receive		Prepare & Approve Copies sent to Governor & FHWA and FTA for informational purposes.

Activity	Authority	Frequency	Due Date	FHWA/HQ Program Office	Local Agency Action	TIP Action	HOD Action	FHWA/HQ Remarks	Notes:
Review of MPO Public Participation Procedures	23 CFR 450.316(a)	As needed	Not Applicable	Office of Planning, Environment & Realty	Review	Prepare & Approve; Copies sent to FHWA and FTA for informational purposes.	STP: Review HWY-P: Review	Review	Must be developed and published.
Review of MTP in Non-Attainment and Maintenance Areas (and Updates)	23 CFR 450.322	Every 4 yrs	Not Applicable	Office of Planning, Environment & Realty	N/A. Hawaii is in attainment.	N/A. Hawaii is in attainment.	N/A. Hawaii is in attainment.	N/A. Hawaii is in attainment.	FHWA/HIDIV comment: After receipt of MPO determination, Joint FHWA and FTA determination, in consultation with the Environmental Protection Agency (EPA).
MTP Amendments	23 CFR 450.322(c)	As Needed	Not Applicable	Office of Planning, Environment & Realty	Consult	Prepare & Approve; Copies sent to Governor & FHWA and FTA for informational purposes.	HWY-P: Consult	Receive	
Air Quality Conformity Determination on LRTP in Non-attainment and Maintenance Areas	23 CFR 450.322(d)		Concurrent with LRTP updates at least every 4 years and as needed on amendments	Not Applicable	Office of Planning, Environment & Realty	N/A. Hawaii is in attainment.	N/A. Hawaii is in attainment.	N/A. Hawaii is in attainment.	N/A. Hawaii is in attainment.
<b>Metropolitan Planning: Transportation Improvement Program (TIP)</b>									
Transportation Improvement Program (TIP)	23 CFR 450.300(g); 23 CFR 450.324(b); 23 CFR 450.328(a); 23 USC 134(j)(3)(D)		Prior to Program Period	Not Applicable	Office of Planning, Environment & Realty	Cooperate	Prepare & Approve (Also approved by the Governor)	HWY-P: Cooperation. Review & Incorporate into STIP without change. GOV: Approve	Review jointly with FTA
TIP Amendments	23 CFR 450.325(e); 23 CFR 450.324(a); 23 CFR 450.328(b)	As needed	Not Applicable	Office of Planning, Environment & Realty	Cooperate	Prepare & Approve (Also approved by the Governor)	HWY-P: Cooperation. Review & Incorporate into STIP without change. GOV: Approve	Review jointly with FTA	No succinct Federal approval action is required for the TIP. FHWA/FTA approval of the TIP is through the STIP approval process.
Funding of Consistency of Planning Processes with Section 134 and 135	23 USC 135(k)(8); 23 CFR 450.218(b)		Concurrent with STIP approval	Not Applicable	Office of Planning, Environment & Realty			Prepare and Issue jointly with FTA	FHWA and FTA issue a joint finding concurrent with STIP approval.
Air Quality Conformity Determination on TIP	23 CFR 450.326; 23 CFR 450.328		At least every 4 years, or when the TIP has been modified (unless exempt projects)	Not Applicable	Office of Planning, Environment & Realty	N/A. Hawaii is in attainment.	N/A. Hawaii is in attainment.	N/A. Hawaii is in attainment.	Applies to non-attainment and maintenance areas only. After receipt of MPO determination, joint FHWA/FTA approval (in cooperation with EPA).
Congestion Management Process	23 CFR 450.320				Review	Prepare	HWY-P: Review	Approve	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	HPO Action	HDOT Action	FHWA Action	FHWA HQ Remands	Notes
<b>Metropolitan Planning: Overall Work Program (MWP / UPWP)</b>										
Transportation Management Area (TMA) MPO Unified Planning Work Programs (UPWP)	23 CFR 450.308(b) & (c) and 23 CFR 420 (Subpart A)	Prior to Program End	Not Applicable	Office of Planning, Environment & Realty	Cooperate & Review	Prepare	HWY-P: Cooperate & Review	Approve jointly with FTA		
Non-TMA UPWP	23 CFR 450.308(b), (c) & (d) ; 23 CFR 420 (Subpart A)	Prior to Program End	Not Applicable	Office of Planning, Environment & Realty	Cooperate & Review	Prepare	HWY-P: Cooperate & Review; Approve, if using a simplified work statement.	Approve jointly with FTA		
UPWP Revisions and Amendments (All MPO's)	23 CFR 420.115	As needed	Not Applicable	Office of Planning, Environment & Realty	None	Prepare	HWY-P: Review	Approve jointly with FTA		
UPWP Performance and Expenditure Reports (All MPO's)	23 CFR 420.117(b)	Not more frequently than quarterly	Not Applicable	Office of Planning, Environment & Realty	None	Prepare	HWY-P: Review	Review		
Approval of Reports Before Publication (All MPO's)	23 CFR 420.117(e)	As needed	Not Applicable	Office of Planning, Environment & Realty	None	Prepare	HWY-P: Review	Approve jointly with FTA	Waiver may be granted.	
<b>Metropolitan Planning: Certification / Certification Reports</b>										
In Metropolitan Planning Areas, Review State and MPO Self-Certification that Planning Process is in Accordance with Applicable Requirements	23 CFR 450.334 (a)	Annually or concurrent with the STP/TIP cycle	Not Applicable	Office of Planning, Environment & Realty	Review	Prepare	STP: Review HWY-P: Review	Review	Required for all MPO's. May be included in the STP, TIP, or UPWP, at least every 4 years.	
Certify that TMA Planning Process is in Accordance with Applicable Requirements	23 CFR 450.334(b); 23 USC 134(k)(5)	Every 4 yrs	When completed	Office of Planning, Environment & Realty	Review	Review	HWY-P: Review	Certify jointly with FTA	Joint FHWA and FTA Certification.	
<b>Metropolitan Planning: Metropolitan Planning Area Designations</b>										
Metropolitan Planning Area Boundary (Establishment and Changes)	23 CFR 450.312 (a)	As needed	Not Applicable	Office of Planning, Environment & Realty	None	Approve & submit	STP: Review HWY-P: Review	Review	Approval by MPO and the Governor, shape files forwarded to HO. (Comment: No action is required by FHWA/FTA).	
State's Distribution of Planning Funds Formula - Allocation Formulas for PL Funds	23 CFR 420.109 (a); 23 USC 104(q)(2)(A)(ii)	When Revised	Not Applicable	Office of Planning, Environment & Realty	None	Consult	HWY-P: Prepare	Approve		
Approval to use Planning Funds outside Urbanized Areas for States Receiving Minimum Appointment	23 USC 104(d)(1)(A)(ii)	As needed	Not Applicable	Office of Planning, Environment & Realty	Review	Prepare	HWY-P: Review	Approve		
<b>Metropolitan Planning: MPO Agreements</b>										
Metropolitan Planning Agreement (MPA) for Attainment or Entire Nonattainment Area	23 CFR 450.314(a)	When Completed	Not Applicable	Office of Planning, Environment & Realty	Approve	Prepare & Approve	STP: Approve HWY-P: Approve	Review	Between MPO/State DOT/Transit Operator. Included in UPWP or prospectus (23 CFR 450.314(d)).	
MPAs that do not include the entire nonattainment or maintenance area	23 CFR 450.314(b); 23 USC 109(j)	When Completed	Not Applicable	Office of Planning, Environment & Realty	N/A. Hawaii is in attainment.	N/A. Hawaii is in attainment.	N/A. Hawaii is in attainment.	N/A. Hawaii is in attainment.	Between MPO/State DOT/State AQ Agency.	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	TCPA Action	HDOT Action	FHWA Action	FHWA HQ Remarks	Notes
Metropolitan Transportation Planning Organizations (MPO) Designation and Re-designation	23 CFR 450.310	As needed	Not Applicable	Office of Planning, Environment & Realty	Prepare & Review	Prepare & Review	STP: Prepare & Review HWY-P: Review	Review	Require agreement between Governor and local governments.	
<b>HIGHWAY PERFORMANCE MONITORING SYSTEM (HPMS)</b>										
Data Submittal	23 CFR 420.105(b); HPMS Field Manual ( <a href="http://www.fhwa.dot.gov/policyinformation/hpms/fieldmanual/HPMs_2014.pdf">http://www.fhwa.dot.gov/policyinformation/hpms/fieldmanual/HPMs_2014.pdf</a> )		15-Jun	Office of Highway Policy Information	None	None	HWY-P: Submit to FHWA-HPP	Approve	State DOT sends directly to Division Office and HQ.	
Annual Field Review Report	HPMS Field Review Guidelines (2014, <a href="http://www.fhwa.dot.gov/policyinformation/hpms/documents/hpmsreviewguide.pdf">http://www.fhwa.dot.gov/policyinformation/hpms/documents/hpmsreviewguide.pdf</a> ) Continuous Process Improvement Model for HPMS (2003, <a href="http://www.fhwa.dot.gov/policyinformation/hpms/cpi.cfm">http://www.fhwa.dot.gov/policyinformation/hpms/cpi.cfm</a> )		1-Nov	Office of Highway Policy Information	None	None	HWY-P: Review	Approve	Review memo to HQ.	
Certified Public Road Mileage	23 CFR 460.3(b)	Annually	1-Jun	Office of Highway Policy Information	Counties submit annual report of changes to the mileage in their jurisdiction.	None	HWY-P: Prepare	Approve	Each year, the Governor of each State and territory or a designee must certify Public Road Mileage. FHWA division reviews the Mileage and sends to HQ with division review/concurrence. This is reported to NHTSA for Apportionment of Safety Funds.	
Biennial - Toll Facilities in the United States	23 CFR 420.105(b) HPMS Field Manual ( <a href="http://www.fhwa.dot.gov/policyinformation/hpms/fieldmanual/HPMs_2014.pdf">http://www.fhwa.dot.gov/policyinformation/hpms/fieldmanual/HPMs_2014.pdf</a> )	Biennially - Odd Years	June 15 (Odd Years)	Office of Highway Policy Information	N/A - Hawaii has no statutory authority for tolling.	N/A - Hawaii has no statutory authority for tolling.	N/A - Hawaii has no statutory authority for tolling.	N/A - Hawaii has no statutory authority for tolling.	Division Office sends to HQ.	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	DDPO Action	HDOT Action	FHWA Action	FHWA HQ Remarks	Notes
Highway Statistics Reports	Guide to Reporting Highway Statistics ( <a href="http://www.fhwa.dot.gov/foia/information/hssi/guide/guide.pdf">http://www.fhwa.dot.gov/foia/information/hssi/guide/guide.pdf</a> )			Office of Highway Policy Information	This activity includes some 500 Series activities listed and the roles & responsibilities cannot be generalized into one activity such as this one.	This activity includes some 500 Series activities listed and the roles & responsibilities cannot be generalized into one activity such as this one.	This activity includes some 500 Series activities listed and the roles & responsibilities cannot be generalized into one activity such as this one.		State DOT of Division Office sends directly to HQ.	
Motor Fuel (551-M, 556)	A Guide to Reporting Highway Statistics, Chapter 2	551-M: monthly 556: annually	551-M: 90 days after fuel tax collected 556: Jan 1	Office of Highway Policy Information	None	None	DOTax: submits directly to FHWA HWY-P: Review	Approve		
Motor Fuel Oversight Review				Office of Highway Policy Information	None	HWY-P: Submit via UPACS. Coordinate with State Tax Dept	Approve		Annual progress reports and statement of verification by June 30. Submitted via UPACS.	HDOT submits to FHWA directly, not through UPACS.
Vehicles and Drivers (561, 562, 566, and 571)	A Guide to Reporting Highway Statistics, Chapters Chapters 3, 4, 5, and 6	Annual	1-Jan	Office of Highway Policy Information	County DMV's & Finance Departments prepare	None	HWY-P: Verifies, compiles & submits.	Approve		
Finance (531, 532, 541, 542, and 543 (optional))	A Guide to Reporting Highway Statistics, Chapters 8 and 9	Annual	1-Jan	Office of Highway Policy Information	None	HWY-S: Prepares HWY-P: Verifies, reconciles & submits.	Approve			
Transportation Bond Referendums	A Guide to Reporting Highway Statistics, Chapter 9	When Published	When Published	Office of Highway Policy Information	None	N/A - Hawaii has not used Bond Referendums If used, HWY-S submit corresponding information	Review		N/A - Hawaii has no statutory authority for tolling	
State DOT/Tol Authority Audits and Published Annual Reports and Form 539 (optional)	A Guide to Reporting Highway Statistics, Chapter 10	When Published	When Published	Office of Highway Policy Information	N/A - Hawaii has no statutory authority for tolling	N/A - Hawaii has no statutory authority for tolling	N/A - Hawaii has no statutory authority for tolling	Review	N/A - Hawaii has no statutory authority for tolling	Annually, Due as soon as available.
Finance (536)	A Guide to Reporting Highway Statistics, Chapter 11	Biennially for odd-numbered years, due nine months after end of reporting year	1-Jan	Office of Highway Policy Information	County Finance Departments prepare	None	HWY-P: Compiles & submits	Review	Biennially for odd-numbered years. Due nine months after end of reporting year	HDOT voluntarily submits annually
Finance (534)	A Guide to Reporting Highway Statistics, Chapter 12	Annual	1-Jan	Office of Highway Policy Information	None	HWY-S: Prepares HWY-P: Compiles & submits	Review		Annually for State, Biennially for local	
State DOT Budgets and Published Annual Reports	A Guide to Reporting Highway Statistics, Chapter 13	When Published	When Published	Office of Highway Policy Information	None	N/A	HWY-S: Prepares HWY-P: Submits	Review		
Highway Finance and Tax Legislation	A Guide to Reporting Highway Statistics, Chapter 13	When Published	When Published	Office of Highway Policy Information	None	HWY-P: Submit changes in coordination with State Review Taxation				

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	HPO Action	HDOT Action	FHWA Action	FHWA HQ Remarks	Notes:
<b>STATE HIGHWAY MAPS</b>										
State Highway Maps (Tourist)		When Published	When Published	Office of Highway Policy Information	N/A - Hawaii does not publish maps	N/A - Hawaii does not publish maps	N/A - Hawaii does not publish maps	N/A - Hawaii does not publish maps	Two copies to each Division Office and 100 copies to HDOT.	
<b>TRAFFIC MONITORING DATA</b>										
Vehicle Classification Data	MAP-21, HPMS Field Manual, Traffic Monitoring Guide	15-Jun	15-Jun	Office of Highway Policy Information	None	None	HWY-P: Prepare & Submit as part of annual HPMS report	Approve	Part of Annual HPMS submittal.	
Permanent ATR Data	Heavy Vehicle Travel Information System Field Manual	Monthly	Monthly	Office of Highway Policy Information	None	None	HWY-P: Collect & submit to FHWA-HPI	Review & Approve	Submit monthly, within 20 days after the close of the month for which the data were collected.	
Continuous Automatic Vehicle Classifier Data	Heavy Vehicle Travel Information System Field Manual	Monthly	Monthly	Office of Highway Policy Information	None	None	HWY-P: Collect & submit to FHWA-HPI	Review & Approve	Send up to one week of data per quarter	
Weight and Vehicle Classification Data Collected at Weight-in-motion sites	Heavy Vehicle Travel Information System Field Manual	As needed	15-Jun	Office of Highway Policy Information	None	None	WIM data collected at non-continuous sites during a year should be submitted by June 15 of the following year. If continuous WIM data are available, then up to one week of data per quarter.	Review & Approve	HWY-P: Collect & Submit to FHWA-HPI	
Annual Traffic Reports	Traffic Monitoring Analysis System and Traffic Monitoring Guide reporting	As needed	Monthly / Annually	Office of Highway Policy Information	None	None	HWY-P: Submit to FHWA-HPI	Approve	When Published	
Traffic Flow Maps		When Published		Office of Highway Policy Information	N/A - Hawaii does not publish maps	N/A - Hawaii does not publish maps	N/A - Hawaii does not publish maps	Not published	When Published	
<b>HEAVY VEHICLE USE TAX (HVUT)</b>										
Heavy Vehicle Use Tax (HVUT) – Certification of verifying proof-of-payment of HVUT		Annual	1-Jan	Office of Highway Policy Information	None	None	HWY-V: Prepare	Review	Each year, the Governor of each State, or a designee must certify that the State is verifying that the HVUT has been paid before they issue or renew registrations on vehicles over 55,000lbs. The HVUT program is administered by the Internal Revenue Service.	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	HIPD Action	FHWA Action	FHWA HQ Remarks	Notes
Heavy Vehicle Use Tax (HVUT) - Triennial review of State program	23 CFR 669.21	Triennial	Not Applicable	Office of Highway Policy Information	None	HWY-V: Prepare	Review	Every 3 years, the local Division Office will perform a review of the State process for verifying that the HVUT has been paid before a registration can be issued or renewed for vehicles over 55,000 lbs. The HVUT program is administered by the Internal Revenue Service.	
<b>VEHICLE SIZE &amp; WEIGHT PROGRAM</b>									
Review Vehicle Size & Weight Enforcement Plan	23 CFR 657.11, 23 USC 127	Annually	1-Oct	Office of Operations	None	HWY-V: Prepare	Approve		
Review Vehicle Size & Weight Enforcement Certification	23 CFR 657.13, 23 USC 141	Annually	1-Jan	Office of Operations	None	HWY-V: Prepare	Approve		
<b>TOLLING</b>									
Section 166 HOV/HOT Lanes Tolling Authority Requests	23 USC 356(d)	As needed	Not Applicable	Office of Innovative Program Delivery	N/A - Hawaii has no statutory authority for tolling.	N/A - Hawaii has no statutory authority for tolling.	N/A - Hawaii has no statutory authority for tolling.	At the option of the project sponsor, may execute a Tolling Eligibility MOU with the Division Office; HIN coordinates FHWA HQ review	
Section 129 Tolling Authority Requests	23 USC 129(a)	As needed	Not Applicable	Office of Innovative Program Delivery	N/A - Hawaii has no statutory authority for tolling.	N/A - Hawaii has no statutory authority for tolling.	N/A - Hawaii has no statutory authority for tolling.	At the option of the project sponsor, may execute a Tolling Eligibility MOU with the Division Office; HIN coordinates FHWA HQ review	
Value Pricing Pilot Program Tolling Authority Requests	ISTEA Section 1012(b)	As needed	Not Applicable	Office of Innovative Program Delivery	N/A - Hawaii has no statutory authority for tolling.	N/A - Hawaii has no statutory authority for tolling.	N/A - Hawaii has no statutory authority for tolling.	Requests submitted to HIN to coordinate review; approval by the Administrator	
Interstate System Reconstruction and Rehabilitation Pilot Program Tolling Authority Requests	TEA-21 Section 1216(b)	As needed	Not Applicable	Office of Innovative Program Delivery	N/A - Hawaii has no statutory authority for tolling.	N/A - Hawaii has no statutory authority for tolling.	N/A - Hawaii has no statutory authority for tolling.	Applications submitted to HIN to coordinate review; approval by the Administrator	
Annual Audit of Toll Facility Records and Certification of Adequate Maintenance - Report Submittal	23 USC 129(e)(3)(B); TEA-21 Section 1216(b)(5)(B); SAFETEA-LU Section 1604(b)(3)(A); ISTEA Section 1012(b)(3)	Annually		Office of Innovative Program Delivery	N/A - Hawaii has no statutory authority for tolling.	N/A - Hawaii has no statutory authority for tolling.	N/A - Hawaii has no statutory authority for tolling.	Division Office to receive the reports.	
Review HOV Operations Report for Tolted Use and Low-Emission and Energy-Efficient Vehicle Use	23 USC 166(d)	Annually		Office of Operations	None	HWY-T: Prepare	Review		

## SECTION 4.2 ENVIRONMENT PROGRAM APPROVAL ACTIONS

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	HDOT Action	FHWA Action	FHWA HQ Remarks	Notes
Approval of NEPA Procedures, including Section 4(f)	23 CFR 771; 23 CFR 774; SAFETEA-LU 6007 & 6009, 23 USC 109(h)	As needed	Not Applicable	Office of Planning, Environment & Realty	Not Applicable	Complete	Approve		
Approval of Noise Policies	23 CFR 772.7, 772.9, and 772.13; 23 USC 109(i)	As needed	Not Applicable	Office of Planning, Environment & Realty	Not Applicable	Complete	Approve	FHWA approves State noise abatement policy.	
EIS Status Updates	FHWA Strategic Goal - EIS Timeliness	Quarterly	(Fiscal Year - Oct, Jan, Apr, Jul)	Office of Planning, Environment & Realty	Provide Status Update	Provide status update	Submit updates to HEPE		Monitor time required to complete EIS's. Determine projects which have exceeded recommended timeline (3 years). Identify projects which should be listed as dormant. Submit to HEPE.
Endangered Species Act Cost Report		Annually	1-Mar	Office of Planning, Environment & Realty	Provide Cost	Provide Cost	Submit Cost Report to HEPE		
Exemplary Ecosystem Initiatives Applications		Annually	1-Apr	Office of Planning, Environment & Realty	Prepare and Submit Application	Prepare and Submit Application	No Action		
Receipt of State Consultation Process with Tribal Governments		As needed	Not Applicable	Office of Federal Lands Highway	Not Applicable	Not Applicable	Not Applicable	Informational Purposes.	
Review and Approval of Interstate Access Requests	23 USC 111, 23 CFR 710, 74 FR 43743-43746 (Aug 27, 2009)	As needed	Not Applicable	Office of Infrastructure	Not Applicable	Prepare	Approve	FHWA Division Office approval with concurrence from HQ on more complex access requests.	General Responsibilities: *For HWY projects - lead is the office initiating the project *For developer projects, HWY-P is lead. Gen. review & support roles: HWY-P: Review, land use conditions, interstate plan, access, environ clearance HWY-D: Review design, permits, environ clearance, maps HWY-T: Review design, safety, traffic studies HWY-C: Coord review of permit Plans HWY-R: Review maps, access values & ROW interests

### PROJECT APPROVAL ACTIONS - HDOT Projects

Activity	Authority	POD/POCI	HDOT Action	FHWA Action	HDOT Action	FHWA Action	State Delegated	FHWA Action
<b>Categorical Exclusion</b> Documented CE under 23 CFR 771.117	23 CFR 771.117d – Categorical Exclusions	Complete and Sign	Approve and Sign		Complete and Sign	Approve and Sign		
<b>Environmental Assessment</b>	23 CFR 771.119 – Environmental Assessments	Complete and Sign	Approve and Sign		Complete and Sign	Approve and Sign		
<b>Environmental Assessment Public Involvement</b>	23 CFR 771.111 – Early Coordination, etc. & 23 CFR 771.119 – Environmental Assessments	Conduct and Receive Public Input	May Participate and Review Public Input	Conduct and Receive Public Input	May Participate and Review Public Input	May Participate and Review Public Input		
<b>Activity</b>	<b>Authority</b>	<b>POD/POCI</b>	<b>HDOT Action</b>	<b>FHWA Action</b>	<b>HDOT Action</b>	<b>FHWA Action</b>	<b>State Delegated</b>	<b>FHWA Action</b>
<b>Environmental Assessment Finding of No Significant Impact</b>	23 CFR 771.121 – Findings of No Significant Impact	Develop	Approve, Sign and Issue	Develop	Approve, Sign and Issue	Approve, Sign and Issue		
<b>Environmental Impact Statements Notice of Intent</b>	23 CFR 771.123 – Draft Environmental Impact Statements	Develop	Approve and submit to Federal Register	Develop	Approve and submit to Federal Register	Approve and submit to Federal Register		
<b>Environmental Impact Statements Participating Agency and Cooperating Agency Letters</b>	23 CFR 771.123 – Draft Environmental Impact Statements	Develop	Review and Issue	Develop	Review and Issue	Review and Issue		
<b>Environmental Impact Statements Public Involvement</b>	23 CFR 771.123 – Draft Environmental Impact Statements	Conduct and Receive Public Input	May Participate and Review Public Input	Conduct and Receive Public Input	May Participate and Review Public Input	May Participate and Review Public Input		
<b>Environmental Impact Statements Purpose and Need</b>	23 CFR 771 & NEPA	Develop	Concur	Develop	Concur	Concur		
<b>Environmental Impact Statements Interagency Coordination (Coordination Plan)</b>	23 CFR 771.111 – Early Coordination, etc. & 23 CFR 771.123 Draft Environmental Impact Statements	Perform	Facilitate	Perform	Facilitate	Facilitate		

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Activity	Authority	HDDOT Action	FHWA Action	State Delegated	FHWA Action	Notes:
POD/IPOCI						
<b>Environmental Impact Statements</b> Pre-Draft for Internal and Legal Review	23 CFR 771.123 – Draft Environmental Impact Statements	Complete	Review	Complete	Review	
<b>Environmental Impact Statement</b> Draft for Publication	23 CFR 771.123 – Draft Environmental Impact Statements	Complete and Sign	Review and Sign	Complete and Sign	Review and Sign	
<b>Environmental Impact Statement</b> Public Hearing	23 CFR 771.123 – Draft Environmental Impact Statements	Hold Hearing	Attend	Hold Hearing	Attend	
<b>Environmental Impact Statement</b> Pre-Final for Internal and Legal Review	23 CFR 771.123 – Final Environmental Impact Statements	Complete	Review	Complete	Review	
<b>Environmental Impact Statement</b> Final	23 CFR 771.123 – Final Environmental Impact Statements	Complete and Sign	Approve and Sign	Complete and Sign	Approve and Sign	
<b>Environmental Statement Record</b> of Decision	23 CFR 771.127 – Record of Decision	Develop	Sign and Issue	Develop	Sign and Issue	
<b>Environmental Reevaluation</b> CE, EA or EIS	23 CFR 771.129 – Re-evaluations	Prepare and sign	Review and Issue Decision	Prepare and sign	Review and Issue Decision	
<b>Environmental Statement Supplemental</b> (see note 1)	23 CFR 771.130 – Supplemental Environmental Impact Statements	Approve and Sign	Approve and Sign	Approve and Sign	Approve and Sign	
<b>Section 4(f) Programmatic Evaluation</b>	23 CFR 774, 23 USC Section 138 – Preservation of Parklands and 49 USC Sect 303 – Policy on Lands, Wildlife, and Waterfowl Refuges, and Historic Sites, and Section 4(f) Policy Paper	Develop 4(f)	Approve and Sign	Develop 4(f)	Approve and Sign	

Activity	Authority	POD/POCI		State Delegated FHWA Action	HDOT Action	FHWA Action
		HDOT Action	FHWA Action			
<b>Section 4(f) Pre-Draft Evaluation for Internal and Legal Review</b>	23 CFR 774, 23 USC Section 138 – Preservation of Parklands and 49 USC Sect. 303 – Policy on Lands, Wildlife, and Waterfowl Refuges, and Historic Sites, and Section 4(f) Policy Paper	Develop	Review	Develop	Review	
<b>Section 4(f) Draft Evaluation</b>	23 USC Section 138 – Preservation of Parklands and 49 USC Sect. 303 – Policy on Lands, Wildlife, and Waterfowl Refuges, and Historic Sites, and Section 4(f) Policy Paper	Develop	Review and Send	Develop Draft	Review and Send	
<b>Section 4(f) Final Evaluation</b>	23 USC Section 138 – Preservation of Parklands and 49 USC Sect. 303 – Policy on Lands, Wildlife, and Waterfowl Refuges, and Historic Sites, and Section 4(f) Policy Paper	Develop 4(f)	Approve	Develop 4(f)	Approve	
<b>Section 4(f) De Minimus Finding</b>	23 CFR 774	Prepare documents and give public opportunity to comment	Review, Approve and issue De Minimis Finding	Prepare documents and give public opportunity to comment	Approve and issue De Minimis Finding	
<b>Section 106 Delegation Letter</b>	36 CFR 800.2 – Participants in the Section 106 Process	Prepare Letter	Approve, Sign, and Send to SHPD	Prepare Letter	Approve, Sign and Send to SHPD	
<b>Section 106 Coordination Documents</b>	36 CFR 800	Prepare Letter	Approve, Sign, and Send	Prepare Letter	Approve for HDOT to sign and send	
<b>Section 106 Public Outreach</b>	36 CFR 800 Subpart B	Prepare Media Format	Approve for HDOT release	Prepare Media Format	Approve for HDOT release	
<b>Section 106 Consultation Meeting</b>	36 CFR 800 Subpart B	Prepare and conduct	Approve material and may attend	Prepare and conduct	Approve material and may attend	

Notes:

Activity	Authority	POD/IPOCI		State Delegated	
		HDOT Action	FHWA Action	HDOT Action	FHWA Action
Section 106 Determination	36 CFR 800 Subpart B	Prepare Letter	Approve, Sign, and Send to SHPD	Prepare Letter	Approve, Sign, and Send to SHPD
Section 106 Memorandum of Agreement	36 CFR 800.6 – Resolve Adverse Effects	Prepare MOA (and Sign MOA if Concurring or Invited Party)	Approve and Sign MOA. Send to Advisory Council of Historic Preservation.	Prepare MOA (and Sign MOA if Concurring or Invited Party)	Approve and Sign MOA. Send to Advisory Council of Historic Preservation.
Section 7 Programmatic Agreement	50 CFR 402 Subpart B	Prepare and sign	Approve and file	Prepare and sign	Approve and file
Section 7 Consultation Documents	50 CFR 402 Subpart B	Prepare Letter	Approve, Sign, and Send	Prepare Letter	Approve, Sign, and Send
Section 7 No effect	50 CFR 402 Subpart B	Prepare and Sign	Approve and File	Prepare and Sign	Approve and File
Section 7 Finding of Not Likely to Adversely Affect	50 CFR 402 Subpart B	Prepare Letter	Approve, Sign, and Send	Prepare Letter	Approve, Sign, and Send
Section 7 Adverse Effect	50 CFR 402 Subpart B	Prepare Letter	Approve, Sign, and Send	Prepare Letter	Approve, Sign, and Send
Essential Fish Habitat - Designation Letter	50 CFR 600.920 Federal agency consultation with the Secretary	Prepare Letter	Approve, Sign, and Send	Prepare Letter	Approve, Sign, and Send
Essential Fish Habitat Consultation Documents	50 CFR 600.920 Federal agency consultation with the Secretary	Prepare Letter	Approve, Sign, and Send	Prepare Letter	Approve, Sign, and Send
Essential Fish Habitat - No adverse effect	50 CFR 600.920 Federal agency consultation with the Secretary	Prepare and Sign	Approve and File	Prepare and Sign	Approve and File
Essential Fish Habitat - Minimal adverse effect or less than substantial adverse effect	50 CFR 600.920 Federal agency consultation with the Secretary	Prepare Letter	Approve, Sign, and Send	Prepare Letter	Approve, Sign, and Send
Essential Fish Habitat Adverse Effect	50 CFR 600.920 Federal agency consultation with the Secretary	Prepare Letter	Approve, Sign, and Send	Prepare Letter	Approve, Sign, and Send

Notes:

Activity	Authority	HDOT Action	POD/IPOCI	FHWA Action	HDOT Action	State Delegated	FHWA Action
<b>Interstate Access Request</b> Interstate Justification Report	23 USC 111	Prepare (see Notes)		Approve	Prepare (see Notes)	Approve	

Notes:

- For HDOT project, HDOT prepare and submit to FHWA
- For non-DOT generated projects (e.g. Developer), HDOT reviews documents from project sponsor, accepts and submits to FHWA

#### PROJECT APPROVAL ACTIONS - County and Local Agency Projects

Activity	Authority	Local Agency Action	HDOT Action	FHWA Action	Local Agency Action	HDOT Action	FHWA Action	State Delegated	FHWA Action
<b>Categorical Exclusion Documented CE under 23 CFR 771.117</b>	23 CFR 771.11 – Categorical Exclusions	Complete and Sign	Concur	Approve and Sign	Complete and Sign	Concur	Approve and Sign		
<b>Environmental Assessment</b>	23 CFR 771.119 – Environmental Assessments	Complete and Sign	Concur	Approve and Sign	Complete and Sign	Concur	Approve and Sign		
<b>Environmental Assessment Public Involvement</b>	23 CFR 771.111 – Early Coordination, etc. & 23 CFR 771.119 – Environmental Assessments	Conduct and Receive Public Input	May Participate and Review Public Input	May Participate and Review Public Input	Conduct and Receive Public Input	May Participate and Review Public Input	May Participate and Review Public Input		
<b>Environmental Assessment Finding of No Significant Impact</b>	23 CFR 771.121 – Findings of No Significant Impact	Develop and Sign	Review	Approve, Sign And Issue	Develop and Sign	Review	Approve, Sign and Issue		
<b>Environmental Impact Statements - Notice of Intent</b>	23 CFR 771.123 – Draft Environmental Impact Statements	Develop	Concur	Approve and submit to Federal Register	Develop	Concur	Approve and submit to Federal Register		
<b>Environmental Impact Statements Participating Agency Letters</b>	23 CFR 771.123 – Draft Environmental Impact Statements	Develop	Review	Review and Issue	Develop	Review	Review and Issue		
<b>Environmental Impact Statements Public Involvement</b>	23 CFR 771.123 – Draft Environmental Impact Statements	Conduct and receive Public Input	May Participate and Review Public Input	Conduct and receive Public Input	May Participate and Review Public Input	May Participate and Review Public Input	May Participate and Review Public Input		
<b>Environmental Impact Statements Purpose and Need</b>	23 CFR 771 & NEPA	Develop	Concur	Develop	Concur	Concur	Concur		

Activity	Authority	Local Agency Action	POD/POCI	FHWA Action	Local Agency Action	State Delegated	FHWA Action	Notes:
<b>Environmental Impact Statements Interagency Coordination Plan</b>	23 CFR 771.111 – Early Coordination, etc. & 23 CFR 771.123 Draft Environmental Impact Statements	Perform	Facilitate	Perform	Perform	Facilitate		
<b>Environmental Impact Statements Pre-Draft for Internal and Legal Review</b>	23 CFR 771.123 – Draft Environmental Impact Statements	Complete	Review	Complete	Review	Review		
<b>Environmental Impact Statement Draft for Publication</b>	23 CFR 771.123 – Draft Environmental Impact Statements	Complete and Sign	Review and Sign	Review and Sign	Complete and Sign	Review and Sign	Review and Sign	
<b>Environmental Impact Statement Public Hearing</b>	23 CFR 771.123 – Draft Environmental Impact Statements	Hold Hearing	Should Attend	Attend	Hold Hearing	Should Attend	Attend	
<b>Environmental Impact Statement Pre-Final for Internal and Legal Review</b>	23 CFR 771.123 – Final Environmental Impact Statements	Complete	Review	Review	Complete	Review	Review	
<b>Environmental Impact Statement Final</b>	23 CFR 771.123 – Final Environmental Impact Statements	Complete and Sign	Approve and Sign	Approve and Sign	Complete and Sign	Approve and Sign	Approve and Sign	
<b>Environmental Impact Statement Record of Decision</b>	23 CFR 771.127 – Record of Decision	Develop	Review	Sign and Issue	Develop	Review	Sign and Issue	
<b>Environmental Reevaluation CE, EA or EIS</b>	23 CFR 771.129 – Re-evaluations	Prepare and Sign	Review	Review and Issue Decision	Prepare and Sign	Review	Review and Issue Decision	
<b>Environmental Supplemental Statement (see note 1)</b>	23 CFR 771.130 – Supplemental Environmental Impact Statements	Prepare and Sign	Approve and Sign	Approve and Sign	Approve and Sign	Approve and Sign	Approve and Sign	

Activity	Authority	Local Agency Action	POD/POCI	FHWA Action	Local Agency Action	State Delegated	FHWA Action
			HDOT Action	FHWA Action	HDOT Action	HDOT Action	FHWA Action
<b>Section 4(f) Programmatic Evaluation</b>	23 CFR 774, 23 USC Section 138 – Preservation of Parklands and 49 USC Sect 303 – Policy on Lands, Wildlife, and Waterfowl Refuges, and Historic Sites, and Section 4(f) Policy Paper	Develop 4(f)	Review	Approve and Sign	Develop 4(f)	Review	Approve and Sign
<b>Section 4(f) Pre-Draft Evaluation for Internal and Legal Review</b>	23 CFR 774, 23 USC Section 138 – Preservation of Parklands and 49 USC Sect 303 – Policy on Lands, Wildlife, and Waterfowl Refuges, and Historic Sites, and Section 4(f) Policy Paper	Develop	Review	Review	Develop	Review	Review
<b>Section 4(f) Draft Evaluation</b>	23 USC Section 138 – Preservation of Parklands and 49 USC Sect 303 – Policy on Lands, Wildlife, and Waterfowl Refuges, and Historic Sites, and Section 4(f) Policy Paper	Develop	Review	Review and Send	Develop	Review	Review and Send
<b>Section 4(f) Final Evaluation</b>	23 CFR 774, 23 USC Section 138 – Preservation of Parklands and 49 USC Sect 303 – Policy on Lands, Wildlife, and Waterfowl Refuges, and Historic Sites, and Section 4(f) Policy Paper	Develop 4(f)	Review	Approve	Develop 4(f)	Review	Approve

Activity	Authority	Local Agency Action	POD/POCI	FHWA Action	State Delegated Action	FHWA Action	Notes
<b>Section 4(f) De Minimis Finding</b>	23 CFR 774	Prepare documents and give public opportunity to comment	Review	Review, Approve and Issue De Minimis Finding	Prepare documents and give public opportunity to comment	Review	Review, Approve and Issue De Minimis Finding
<b>Section 106 Delegation Letter</b>	36 CFR 800.2- Participants in the Section 106 Process	Prepare Letter	Review	Approve, Sign, and Send to SHPD	Prepare Letter	Review	Approve, Sign, and Send to SHPD
<b>Section 106 Consultation Documents</b>	36 CFR 800 Subpart B	Prepare Letter	Review	Approve, Sign, and Send	Prepare, Sign, and Send	Review	Approve for LPA To Send
<b>Section 106 Public Outreach</b>	36 CFR 800 Subpart B	Prepare Media Format and Release	Review	Approve for LPA release	Prepare Media Format and Release	Review	Approve for LPA release
<b>Section 106 Consultation Meeting</b>	36 CFR 800 Subpart B	Prepare and Conduct	Review	Review Material and May Attend	Approve material and May Attend	Prepare and Conduct	Review Material and May Attend
<b>Section 106 Determination</b>	36 CFR 800 Subpart B	Prepare Letter	Review	Approve, Sign, and Send to SHPD	Prepare Letter	Review	Approve, Sign, and Send to SHPD
<b>Section 106 Memorandum of Agreement</b>	36 CFR 800 Subpart B	Prepare MOA (and Sign if Concurring or Invited Party)	Review (Approve and Sign if Concurring or Invited Party)	Approve and Sign MOA. Send to Advisory Council of Historic Preservation.	Prepare MOA (and Sign if Concurring or Invited Party)	Review (Approve and Sign if Concurring or Invited Party)	Approve and Sign MOA. Send to Advisory Council of Historic Preservation.
<b>Section 7 Designation Letter</b>	50 CFR 402.08 – Designation of Non-Federal Representative	Prepare Letter	Review	Approve, Sign, and Send	Prepare Letter	Review	Approve, Sign, and Send
<b>Section 7 Programmatic Agreement</b>	50 CFR 402 Subpart B	Prepare and Sign	Review	Approval and File	Prepare and Sign	Review	Approve
<b>Section 7 Consultation Documents</b>	50 CFR 402 Subpart B	Prepare Letter	Review	Approve, Sign, and Send	Prepare and Sign	Review	Approve for LPA to send

Activity	Authority	POD/POCI			State Delegated			Notes:
		Local Agency Action	HDOT Action	FHWA Action	Local Agency Action	HDOT Action	FHWA Action	
<b>Section 7 No effect</b>	50 CFR 402 Subpart B	Prepare and Sign	Review	Approve and File	Prepare and Sign	Review	Approve and File	
<b>Section 7 Finding of Not Likely to Adversely Affect</b>	50 CFR 402 Subpart B	Prepare Letter	Review	Approve, Sign, and Send	Prepare Letter	Review	Approve, Sign, and Send	
<b>Section 7 Adverse Effect</b>	50 CFR 402 Subpart B	Prepare Letter	Review	Approve, Sign, and Send	Prepare Letter	Review	Approve, Sign, and Send	Biological evaluation to be an attachment, as applicable
<b>Essential Fish Habitat - Designation Letter</b>	50 CFR 600.920 Federal agency consultation with the Secretary	Prepare Letter	Review	Approve, Sign, and Send	Prepare Letter	Review	Approve, Sign, and Send	
<b>Essential Fish Habitat Consultation Documents</b>	50 CFR 600.920 Federal agency consultation with the Secretary	Prepare Letter	Review	Approve, Sign, and Send	Prepare and Sign	Review	Approve, Sign, and Send	
<b>Essential Fish Habitat No adverse effect</b>	50 CFR 600.920 Federal agency consultation with the Secretary	Prepare and Sign	Review	Approve and File	Prepare and Sign	Review	Approve and File	
<b>Essential Fish Habitat Minimal adverse effect or less than substantial adverse effect</b>	50 CFR 600.920 Federal agency consultation with the Secretary	Prepare Letter	Review	Approve, Sign, and Send	Prepare Letter	Review	Approve, Sign, and Send	
<b>Essential Fish Habitat Adverse Effect</b>	50 CFR 600.920 Federal agency consultation with the Secretary	Prepare Letter	Review	Approve, Sign, and Send	Prepare Letter	Review	Approve, Sign, and Send	

**SECTION 4.3 RIGHT-OF-WAY  
PROGRAM APPROVAL ACTIONS**

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	HDOT Action	FHWA Action	FHWA HQ Remarks	Notes:
Approval of Highway Facility Relinquishment	23 CFR 620.203	As needed	Not Applicable	Office of Planning, Environment & Realty	Inform HDOT of anticipated relinquishments	Prepare and Submit to FHWA	Review and Approve		
Approval of ROW Disposal Authorization Request	23 CFR 710.409	As needed	Not Applicable	Office of Planning, Environment & Realty	Inform HDOT of anticipate disposal requests	Prepare and Submit to FHWA	Approve if request on Interstate system or fair market value charged/ Concur if request not on Interstate system and fair market value charged		
Approval of ROW Operations Manual (Organization, Policies and Procedures, Updates, and Certification	23 CFR 710.201	January 1, 2001 and every 3 years thereafter or as required by changes in State law or Federal regulation or law	Not Applicable	Office of Planning, Environment & Realty	Submit comments to HDOT	Prepare and Submit to FHWA	Review and Approve		
Approval of Exception to Charging Fair Market Value	23 CFR 710.403 and 23 CFR 710.409	As needed	Not Applicable	Office of Planning, Environment & Realty	Inform HDOT of anticipated requests	Prepare and Submit request to FHWA for Approval if action on Interstate	Review and Approve		
Approval of Interstate Real Property Use Agreements	23 CFR 710.405	As needed	Not Applicable	Office of Planning, Environment & Realty	Submit comments to HDOT	Prepare and Submit to FHWA	Review and Approve		
Approval of Request for Federal Land Transfer	23 CFR 710.501	As needed	Not Applicable	Office of Planning, Environment & Realty	Inform HDOT of anticipated transfer requests	Prepare and Submit to FHWA	Review request and Submit to resource agency for consent to appropriate		
Approval of Request for Direct Federal Acquisition	23 CFR 710.503	As needed	Not Applicable	Office of Planning, Environment & Realty	Inform HDOT of anticipated acquisition requests	Prepare and Submit to FHWA	Review and Approve		
Approval of Outdoor Advertising Policies and Procedures, and Regulation and Procedure Approval	23 CFR 750.304, 23 CFR 750.705, 23 USC 131	As needed	Not Applicable	Office of Planning, Environment & Realty	Submit comments to HDOT	Prepare and Submit to FHWA	Review and Approve		
Approval of Requests to Exempt Certain Nonconforming Signs, Displays, and Devices	23 CFR 750.503	As needed	Not Applicable	Office of Planning, Environment & Realty	Inform HDOT of anticipated requests for exemption	Prepare and Submit to FHWA	Review and Approve		
Approval of Railroad Agreement Alternate Procedure	23 CFR 646.220	As needed	Not Applicable	Office of Planning, Environment & Realty	Submit comments to HDOT	Prepare and Submit to FHWA	Review and Approve		

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	HDOT Action	FHWA Action	FHWA HQ Remarks	Notes:
Approval of Uniform Act Waivers and Waivers from Availability of Comparable Replacement Dwelling before Displacement	49 CFR 24.7, 49 CFR 24.204(b)	As needed		Not Applicable	Office of Planning, Environment & Realty	Inform HDOT of anticipated waiver requests	Prepare and Submit to FHWA	Review & Submit to FHWA Headquarters for Approval	Requests reviewed and approved by HEPR Office Director.
Review of Uniform Relocation Assistance & Real Property Acquisition Report - (OMB Form 2125-0030)	49 CFR 24.9c & Appendix B 49 CFR 24.603	Annual	15-Nov	Office of Planning, Environment & Realty	Submit requested information to HDOT	Submit requested information to HDOT	Prepare and Submit to FHWA Headquarters	Review and Submit to FHWA Headquarters	Submitted to FHWA Headquarters (HQ).
Review of Real Property Acquisition Statistical Report	FHWA Order 65-40.1	Annual	15-Nov	Office of Planning, Environment & Realty	Submit requested information to HDOT	Submit requested information to HDOT	Submit to FHWA for review	Review and Submit to FHWA Headquarters	
Approval of Acquisitions, Appraisals, and Relocations Program and Procedures	49 CFR Part 24, The UA	As needed		Not Applicable	Office of Planning, Environment & Realty	Submit comments on program and procedures to HDOT	Submit to FHWA for concurrence	Concurrence	
Early Acquisitions	23 CFR 710.501	As needed		Not Applicable	Office of Planning, Environment & Realty	Inform HDOT of anticipated early acquisitions	Submit to FHWA for concurrence if request for reimbursement is anticipated	Concurrence	
Approval to Sell, Lease or Otherwise Dispose of a Ferry Purchased with Federal-aid Funds	23 USC 129 (c)(6)	As needed		Not Applicable	Office of Infrastructure	Inform HDOT of anticipated ferry disposals	Prepare and Submit to FHWA	Review and Approve	Division Office reviews and submits for Office of Program Administration for Administrator Approval
Approval of Utility Accommodation Policy	23 CFR 645.215, 23 USC 109(f), 23 USC 123	As needed		Not Applicable	Office of Infrastructure	Submit comments to HDOT	Prepare and Submit to FHWA	Review and Approve	FHWA Division Office Approval

#### PROJECT APPROVAL ACTIONS - HDOT PROJECTS

Activity	Authority	POD/POC	HDOT Action	FHWA Action	State Delegated	FHWA Action	Notes:
	49 CFR 24.103						
Appraisals	49 CFR 24.104	Review, Certify, Approve, and Authorize	Review	Review, Certify, Approve, and Authorize	None		

Activity	Authority	POD/POCI	HDOT Action	FHWA Action	State Delegated	FHWA Action	Notes:
Acquisitions	23 CFR Part 710, 23 CFR Sec. 635.309, 49 CFR Part 24, Sec.102, 103, Project Development Guide, FHWA-PD-92- 20, Constitution of the State of Hawaii, Section 20 (Eminent Domain), Article 1 (Bill of Rights), Chapter 101, HRS Eminent Domain, Chapter 171 HRS Management and Disposition of Public Lands, Chapter 284, HRS-Highways, DSM- DOT HDOT, ROW Manual-4/14/08	Perform and Authorize	Review	Perform and Authorize	None		
Abstract (Title Search)	49 CFR 24.101	Review, Certify, Approve, and Authorize	Review	Review, Certify, Approve, and Authorize	None		
Relocations	49 CFR 24.C,D,E,F	Perform and Authorize	Review	Perform and Authorize	None		
ROW Authorizations and Agreements	23 CFR Sec. 635.309	Request and Approve	Review	Request and Approve	None		
ROW Certification	23 CFR Sec. 635.309	Write Certification Letter with "Request for Authorization to Advertise" and public interest finding	Approve PS&E	Write Certification Letter and public interest finding	None		
Functional Replacement (Public Involvements)		Approve	Review	Approve	None		
Any Change in Access, Use or Occupancy (Interstate)	23 CFR 620.203(h)	Request and Review	Approve	Request and Review	Approve		
Air Rights, Leases/joint use Agreements, Change in Access Control (Non- Interstate)	23 CFR 710.403, 23 CFR 710.405, 23 CFR 710.407	Review	Review if federal funds used in acquisition of ROW?	Review	None		

Activity	Authority	HDOT Action	POD/I/POCI	FHWA Action	HDOT Action	State Delegated	FHWA Action	Notes:
Disposal of Excess ROW	23 CFR 710.409	Review & Approve. Review less than Fair Market Value	Approve less than Fair Market Value	Review and Approve. Review less than Fair Market Value	Review and Approve. Review less than Fair Market Value	Approve less than Fair Market Value	Approve less than Fair Market Value	
Early Acquisition, Hardship, Protective Buying	23 CFR 710.501 23 CFR 712.204(3)(d)	Request	Approve	Request	Request	Approve	Approve	
Administrative, Legal & Court Awards	23 CFR 710.501	Approve		Approve				
Early Acquisition Cost	23 CFR 710.501	Request	Approve Reimbursement/ Matching Credit	Request	Approve Reimbursement/ Matching Credit	Approve Reimbursement/ Matching Credit	Approve Reimbursement/ Matching Credit	

**PROJECT APPROVAL ACTIONS - County and Local Agency Projects**

Activity	Authority	Local Agency Action	POD/I/POCI	HDOT Action	FHWA Action	Local Agency Action	HDOT Action	FHWA Action	Notes:
Appraisals	49 CFR 24.103 49 CFR 24.104	Review, Certify, and Approve	Review and Authorize	Review	Review	Review, Certify, and Approve	Review and Authorize	None	
Acquisitions	23 CFR Part 710, Sec. 102, 103, 49 CFR Part 24, Sec. 102, 103, Project Development Guide, FHWA-PD-92-20, Constitution of the State of Hawaii, Section 20 (Eminent Domain), Article 1 (Bill of Rights), Chapter 101, HRS Eminent Domain, Chapter 171, HRS Management and Disposition of Public Lands, Chapter 264, HRS-Highways, DSM-DOT HDOT, ROW Manual 4/14/08	Review, Certify, and Approve	Review and Authorize	Review	Review, Certify, and Approve	Review and Authorize	Review and Authorize	None	
Abstract (Title Search)	49 CFR 24.101	Perform and Approve	Review and Authorize	Review	Review	Perform and Approve	Review and Authorize	None	
Relocations	49 CFR 24.C,D,E,F	Perform and Approve	Review and Authorize	Review	Review	Perform and Approve	Review and Authorize	None	
ROW Authorizations and Agreements	23 CFR Sec. 635.309	Request	Approve	Review	Request	Approve	Approve	None	

Activity	Authority	Local Agency Action	POD/POCI	HDOT Action	FHWA Action	Local Agency Action	State Delegated HDOT Action	FHWA Action	Notes:
ROW Certification	23 CFR Sec. 635.309	Write Certification Letter with "Request for Authorization to Advertise"	Review and prior to advertisement, public interest findings on all Federal-aid projects	Approve PS&E	Write Certification Letter with "Request for Authorization to Advertise"	Review and prior to advertisement, public interest findings on all Federal-aid			
Functional Replacement (Public Involvements)	Approve	Concur	Review		Approve	Concur	None		
Any Change in Access, Use or Occupancy (Interstate)	23 CFR 620.203(h)	Request	Review	Approve		Request	Review	Approve	
Air Rights, Leases/Joint use Agreements, Change in Access	23 CFR 710.501 23 CFR 710.503 23 CFR 712.204(3)(d)	Review and Approve		Review if federal funds used in acquisition of ROW?	Review and Approve		None		
Disposal of Excess ROW	23 CFR 710.409	Approve (Non Interstate)	Review and Approve Interstate. Review less than Fair Market Value	Approve less than Market Value	Approve (Non-Interstate)	Review and Approve Interstate. Review less than Fair Market Value	Approve less than Fair Market Value		
Early Acquisition, Hardship, Protective Buying	23 CFR 710.501 23 CFR 710.503 23 CFR 712.204(3)(d)	Prepare Submission	Review and Authorize	Approve	Prepare Submission	Review and Authorize	Approve		
Administrative, Legal & Court Awards	23 CFR 710.501	Approve		Review	Approve		None		
Early Acquisition Cost	23 CFR 710.501	Request	Concur	Approve Reimbursement/ Matching Credit	Request	Concur	Approve Reimbursement/ Matching Credit		

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**SECTION 4.4 CONSULTANT SERVICES  
PROGRAM APPROVAL ACTIONS**

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	HDCI Action	FHWA Action	FHWA HQ Remarks	Notes:
Approval of Contracting Procedures for Consultant Selection	23 CFR 172.5 & 172.9	As needed	Not Applicable	Office of Infrastructure	Prepare (LPA Projects)	Review (LPA Projects) Prepare (HDOT Projects)	Approve	FHWA Division Office Approval	

**PROJECT APPROVAL ACTIONS - HDCI Projects**

Activity	Authority	PODI/POCI	HDCI Action	FHWA Action	State Delegated	FHWA Action	Notes:
Request for Use of Consultant and Approval of Estimate Fee & Request for Approval of Selection Committee	Highways Division Consultant Selection Procedures	Prepare and approve	Receive a copy	Prepare and approve	None		
Approval of Selected Consultant	Highways Division Consultant Selection Procedures	Prepare and Approve	Approve	Prepare and Approve	None		

**PROJECT APPROVAL ACTIONS - County and Local Agency Projects**

Activity	Authority	PODI/POCI	Local Agency Action	HDCI Action	FHWA Action	State Delegated	FHWA Action	Notes:
Request for Use of Consultant and Approval of Estimate Fee & Request for Approval of Selection Committee	Highways Division Consultant Selection Procedures	Prepare and approve	Receive a copy	Receive a copy	Prepare and Approve	Receive a copy	None	
Approval of Selected Consultant	Highways Division Consultant Selection Procedures	Prepare and Approve	Approve	Approve	Prepare and Approve	Receive a copy	None	

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**SECTION 4.5 DESIGN  
PROGRAM APPROVAL ACTIONS**

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	HDOT Action	FHWA Action	FHWA HQ Remarks	Notes:
Approval of State Standard Specifications	23 CFR 625.3	As needed	Not Applicable	Office of Infrastructure	None	Prepare	Approve	FHWA Division Office Approval.	
Verify State Design Exception Policy complies with FHWA Policy	23 CFR 625.3	As needed	Not Applicable	Office of Infrastructure	None	Prepare	Approve	FHWA Division Office Approval.	
Approval of State Standard Detail Plans	23 CFR 625.3	As needed	Not Applicable	Office of Infrastructure	None	Prepare	Approve	FHWA Division Office Approval.	
Review of Value Engineering Policy and Procedures	23 CFR 627.1(b)&(C), 23 CFR 627.7 FHWA Order 1311.1B	As needed	Not Applicable	Office of Infrastructure	None	Prepare	Review	FHWA Division Office Review.	
Review of Value Engineering Annual Report	23 CFR 627.7, FHWA Order 1311.1B	Annual	Not Applicable	Office of Infrastructure	None	None	Prepare	FHWA Division Office collects, reviews, and submits to HQ for review and reporting.	
Approval of Utility Agreement /Alternate Procedure	23 CFR 645.119	As needed	Not Applicable	Office of Infrastructure	None	Prepare	Approve	FHWA Division Office Approval	
Determination of High Risk Categories - Limitation on Interstate Projects	23 USC 108(c)(4)(B)	As needed	Not Applicable	Office of Infrastructure	None	None	Prepare	Office of Program Administration determines national categories and must concur on any State designations.	
Approval of Liquidated Damages Rate	23 CFR 635.127	Every 2 years	Not Applicable	Office of Infrastructure	None	Prepare	Approve	FHWA Division Office Approval.	
Review Section 9 of the Rivers and Harbors Act Submittals (Bridge Permits)	23 CFR 650 Subpart H; 33 CFR 114 & 115	As needed	Not Applicable	Office of Infrastructure	None	Prepare	Approve		
Project Management Plan (Major Projects)	23 U.S.C. 108(h)(2)	Prior to first federal authorization of construction funds for a Major Project	Not Applicable	Office of Innovative Program Delivery	Prepare	FHWA Division Office will provide approval after receiving concurrence from HQ Office of Innovative Program Delivery.			NOTE: COUNTY: HDOT reviews and accepts STATE: HDOT will prepare and submit Financial Plan.
Territorial Highway Program Approval of Territory Agreement	23 USC 165(c)(5)	Reviewed and Revised as needed every two years		Office of Infrastructure	Not Applicable				NOTE: NOT APPLICABLE to Hawaii DOT

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	HDOT Action	FHWA Action	FHWA HQ Remarks	Notes:
Local Public Agency (LPA) Oversight	23 USC 106(g)(4) 2 CFR 200.331	As needed	Not Applicable	Office of Infrastructure	None	States are responsible to ensure that LPAs are aware of all the applicable Federal-aid Program requirements; States are responsible to ensure monitoring and oversight to assure compliance with Federal requirements. 23 USC further reinforces stressing accountability on "project delivery systems" and accounting controls."	Federal agency will monitor compliance with this part.	HWY-D: Review LPA PS&E, process advert. & awards HWY-T: Review LPA PS&E, process advert. & awards HWY-P: Review LPA planning documents HWY-S: Process funding transactions, conduct reviews and audits. District Offices: Oversee LPA construction	NOTE: Responsibilities: HWY-AP: Set and maintain policies and procedures, monitor projects status and provide assessment of project readiness, provide or coordinate training to LPAs to ensure compliance
Local Public Agency Oversight	49 CFR 24.4(b); 23 CFR 710.201	As needed	Not Applicable	Office of Planning, Environment & Realty	None	State agency will take corrective action necessary to comply with the Uniform Act and this part.	Federal agency will monitor compliance with this part.		

#### PROJECT APPROVAL ACTIONS - HDOT Projects

Activity	Authority	POD/POCI	HDOT Action	FHWA Action	State Delegated	FHWA Action	FHWA Action	FHWA Action	Notes:
Scoping (Project Assessment Report)			Prepare and approve	Participate	Prepare and approve	None			
Basis of Design Report	23CFR 625		Prepare and accept	Review	Prepare and accept	None			
Design Exceptions	23CFR 625.3		Prepare	Approve	Prepare and approve	None			
Plans, Specifications, & Estimates (PS&E) (60%)	23 USC 106, 23CFR 630B, 23CFR 633.102		Prepare and accept	Review	Prepare and accept	None			
PS&E (90%)	23 USC 106, 23CFR 630B, 23CFR 633.102		Prepare and accept	Review	Prepare and accept	None			
Experimental Work Plan	23USC 115, 23CFR 635.411		Prepare	Approve	Prepare and approve	None			

Activity	Authority	POD/IPOC	HDOT Action	FHWA Action	HDOT Action	FHWA Action	State Delegated
Value Engineering (all projects on the NHS \$50M or more and all bridges \$40M or more)	23CFR 627	Prepare and recommend	Participate	Not required	None	None	
Proprietary Materials	23CFR 635.411	Prepare	Approve	Prepare and approve	None	None	
Geotechnical Report		Prepare and accept	Review	Prepare and accept	None	None	
Pavement Justification Report	23CFR 626	Prepare and accept	Review	Prepare and accept	None	None	
Bridge Calculations	23CFR 625.4	Prepare and accept	Review if FHWA requests	Prepare and accept	None	None	
Bridge Seour Report	23CFR 650	Prepare and accept	Review if FHWA requests	Prepare and accept	None	None	
Unusual Bridge Projects	23CFR 625.4	Prepare and approve	Concur	Prepare and accept	None	None	
Traffic Signal Warrants	23CFR 655F	Prepare and accept	Review	Prepare and accept	None	None	
Traffic Management Plan	23CFR 630 Subpart J, 23CFR 630 Subpart K, 23CFR 634	Prepare and accept	Review	Prepare and accept	None	None	
Hydraulic Report	23CFR 650	Prepare and accept	Review	Prepare and accept	None	None	
Justification for Contract Time	23CFR 635.121	Prepare and accept	Review	Prepare and accept	None	None	
Permits – Sections 401, 404, CZM, SMA, SCAP, NPDES, etc.	Varies	Prepare and obtain approvals	Review (Optional)	Prepare and obtain approvals	None	None	
Utility Agreements		Prepare and approve	Review	Prepare and approve	None	None	
State Furnished Materials	23 CFR 635.407	Prepare	Concur	Prepare and approve	None	None	
PS&E (100%)	23 USC 106, 23CFR 630 Subpart B, 23CFR 633.102	Prepare and approve	Concur	Prepare and approve	None	None	
Authorization to Advertise- Construction	23CFR 635.309	Prepare and approve	Approve	Prepare and Approve	None	None	
Advertisement Period Less Than Three Weeks	23CFR 635.112(b)	Prepare and approve	Approve	Prepare and Approve	None	None	
Addenda During Advertisement	23CFR 635.112(c)	Prepare and approve	Approve	Prepare and Approve	None	None	
Concurrence on Contract Award	23CFR 635.114	Recommend	Concur	Prepare and Concur	None	None	
Rejection of All Bidders	23CFR 635.114(h)	Recommend	Concur	Prepare and Concur	None	None	
Permanent BMP Report	None	Prepare and accept	Review	Prepare and accept	None	None	

Notes:  
For projects on the NHS, see  
ATTACHMENT A

### PROJECT APPROVAL ACTIONS - County and Local Agency Projects

Activity	Authority	Local Agency Action	HDOT Action	FHWA Action	Local Agency Action	HDOT Action	FHWA Action	State Delegated	Notes:
									PODI/POCC
Scoping (Project Assessment Report)		Prepare and approve	Review	None	Prepare and approve	Review	None	None	
Basis of Design Report	23CFR 625	Prepare and accept	Review	Review (Optional)	Prepare and accept	Review	None	None	
Design Exceptions	23CFR 625.3	Prepare and recommend	Approve	Approve	Prepare and recommend	Approve	Approve	None	
PS&E (60%)	23 USC 106, 23CFR 630B, 23CFR 633.102	Prepare and accept	Review	Review	Prepare and accept	Review	None	None	
PS&E (90%)	23 USC 106, 23CFR 630B, 23CFR 633.102	Prepare and accept	Review	Review	Prepare and accept	Review	None	None	
Experimental Work Plan	23 USC 115, 23CFR 635.411	Prepare	Review and recommend	Approve	Prepare	Review	None	None	
Value Engineering (all projects on the NHS that meet the threshold amount)	23CFR 627	Prepare and recommend	Participate	Participate	Prepare and recommend	Participate	Participate	None	
Proprietary Materials	23CFR 635.411	Prepare	Review and recommend	Approve	Prepare	Approve	Approve	None	
Geotechnical Report		Prepare and accept	Review	Review (Optional)	Prepare	Review	None	None	
Pavement Justification Report	23CFR 626	Prepare and accept	Review	Review (Optional)	Prepare	Review	Review	None	
Bridge Calculations	23CFR 625.4	Prepare and accept	Review	Review (Optional)	Prepare	Review	None	None	
Bridge Scour Report	23CFR 650	Prepare and accept	Review	Review (Optional)	Prepare	Review	None	None	
Unusual Bridge Projects	23CFR 625.4	Prepare and accept	Review and approve	Concur	Prepare and accept	Review and approve	Review and approve	None	
Traffic Signal Warrants	23CFR 655F	Prepare and accept	Review	Review (Optional)	Prepare and accept	Review	None	None	
Traffic Management Plan	23CFR 630 Subpart J, 23CFR 630 Subpart K, 23CFR 634	Prepare and accept	Review	Review (Optional)	Prepare and accept	Review	None	None	
Hydraulic Report	23CFR 650	Prepare and accept	Review	Review (Optional)	Prepare and accept	Review	None	None	
Justification for Contract Time	23CFR 635.121	Prepare and accept	Review	Review (Optional)	Prepare and accept	Review	None	None	
Permits – Sections 401, 404, CZM, SMA, SCAP, NPDES, etc.	Varies	Prepare and obtain approval	Review	Review	Prepare and obtain approval	Review	None	None	
Utility Agreements		Prepare and approve	Review and accept	Review	Prepare and approve	Review and accept	None	None	
State Furnished Materials	23 CFR 635.407	Prepare	Propose	Concur	Prepare	Concur	None	None	For projects on the NHS, see ATTACHMENT A

Activity	Authority	Local Agency Action	PODI/POC	State Delegated			Notes:
				HDOT Action	FHWA Action	Local Agency Action	
PS&E (100%)	23 USC 106, 23 CFR 630 Subpart B, 23 CFR 633.102	Prepare and approve	Review and concur	Concur	Prepare and approve	Review and concur	None
Authorization to Advertise- Construction	23 CFR 635.309	Prepare and recommend	Review and approve	Approve	Approve	Approve	None
Advertisement Period Less than Three Weeks	23 CFR 635.112(b)	Prepare and recommend	Review and approve	Approve	Approve	Prepare and recommend	None
Addenda During Advertisement	23 CFR 635.112(c)	Prepare and recommend	Review and approve	Approve	Approve	Prepare and recommend	None
Concurrence on Contract Award	23 CFR 635.114	Prepare and recommend	Review and approve	Approve	Concur	Prepare and recommend	None
Rejection of All Bidders	23 CFR 635.114(h)	Prepare and recommend	Review and approve	Concur	Concur	Prepare and recommend	None
Permanent BMP Report	none	Prepare and accept	Review	Review	Prepare and accept	Review	None

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**SECTION 4.6 CONSTRUCTION  
PROGRAM APPROVAL ACTIONS**

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	HDOT Action	FHWA Action	FHWA HQ Remarks	Notes:
Assure Labor Compliance - Prevailing Wage Rate	23 USC 113	As needed	Not Applicable	Office of Infrastructure	Ensure Current Prevailing Wage Rates	Ensure Current Prevailing Wage Rates	Verify	FHWA Division Office Review and Approval	

**PROJECT APPROVAL ACTIONS - HDOT Projects**

Activity	Authority	HDOT Action	FHWA Action	HDOT Action	State Delegated	FHWA Action	Notes:
Value Engineering Change Proposals	23 CFR 627	Evaluate & Approve	Evaluate & Approve	Evaluate & Approve	Information		
Contract Change Orders	23 CFR 630.120	Prepare	Approve	Prepare & Approve	None		
Time Extensions	23 CFR 630.121	Prepare	Approve	Prepare & Approve	None		
Work Suspensions	23 CFR 635.109.2	Prepare	Concur	Prepare	None		
Contract Termination	23 CFR 633.210	Prepare	Concur	Prepare	Concur		
Claims	23 CFR 635.119	Evaluate & Recommend	Evaluate & Concur	Evaluate & Recommend	Evaluate & Concur		
Buy America Waiver	23 CFR 635.410	Prepare	Approve	Prepare	Approve		

**PROJECT APPROVAL ACTIONS - County and Local Agency Projects**

Activity	Authority	Local Agency Action	HDOT Action	FHWA Action	Local Agency Action	State Delegated	HDOT Action	FHWA Action	Notes:
Value Engineering Change Proposals	23 CFR 627	Evaluate & Approve	Evaluate & Recommend	Evaluate & Approve	Evaluate & Approve	Evaluate & Approve	Evaluate & Approve	Information	
Contract Change Orders	23 CFR 630.120	Prepare	Recommend	Approve	Prepare	Approve	Approve	None	
Time Extensions	23 CFR 630.121	Prepare	Recommend	Approve	Prepare	Approve	Approve	None	
Work Suspensions	23 CFR 635.109.2	Prepare	Recommend	Concur	Prepare	Concur	Concur	None	
Contract Termination	23 CFR 633.210	Prepare	Recommend	Concur	Prepare	Recommend	Recommend	Concur	
Claims	23 CFR 635.119	Evaluate & Recommend	Evaluate & Concur	Evaluate & Recommend	Evaluate & Concur	Evaluate & Concur	Evaluate & Concur	Evaluate & Concur	
Buy America Waiver	23 CFR 635.410	Prepare	Recommend	Approve	Prepare	Recommend	Approve	Approve	

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**SECTION 4.7 MAINTENANCE AND ASSET MANAGEMENT  
PROGRAM APPROVAL ACTIONS**

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	HDOT Action	FHWA Action	FHWA HQ Remarks	Notes:
Determination on Adequacy of State's Asset Management Plan	23 USC 119(e)(5)	Annually beginning second fiscal year after establishment of the process		Office of Infrastructure	None		Provide copy of AMP to FHWA Hawaii Division	Review and Determine Adequacy	Citation corrected to 23 USC(3)(5)
Certification and Recertification of States Process for Development of State Asset Management Plan	23 USC 119(e)(6)	Recertification not less than every four years after establishment of the process		Office of Infrastructure	None		Provide process to develop AMP to FHWA Hawaii Division	Review and Certify	Citation corrected to 23 USC 119(e)(6)(B). Recertification frequency is "not less than once every 4 years"
Review Reporting on Performance Targets	23 USC 150(e)	Beginning four years after enactment of MAP-21 and biennially thereafter		Office of Infrastructure	Provide data for County route sections on the NHS	Report to FHWA	Review Report		Note: 23 USC 150(d): FHWA establishes targets 1 year from final rulemaking
Review National Highway System Performance	23 USC 119(e)(7)	Required if State does not achieve targets (or significant progress) for 2 consecutive reports		Office of Infrastructure	None		Prepare remedial action narrative in Report	Review action narrative	Citation corrected to 23 USC 119(e)(7)
Achievement Plan for Actions to achieve the targets (when State does not achieve or make significant progress toward achieving)									
Determination of Eligible Preventive Maintenance Activity - Cost-Effective Means of Extending Useful Life Determination	23 USC 116(e)	As needed		Not Applicable	Office of Infrastructure	None	Determine	Review at STIP / programming, Approve	FHWA Division Office Approval
States and sub-recipient failure to maintain projects - Notice and withholding Federal-aid Funds	23 USC 116(d)	As needed		Not Applicable	Office of Infrastructure	None	None	Review and determine	
Emergency Relief (ER) Damage Assessments and Reports	23 CFR 668.23 USC 120 and 125	As needed		Not Applicable	Office of Infrastructure	Prepare & Submit if County Jurisdiction	Review	Perform with State.	Prepare & Submit if State Jurisdiction Evaluate & Review if County Jurisdiction

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	HDOT Action	FHWA Action	FHWA HQ Remarks	Notes:
FHWA Emergency Preparedness Program	Executive Order 12656 and FHWA Order 1910.2C	As needed	Not Applicable	Office of Operations	Communications protocols and Emergency Highway Traffic Regulation Plans established	Communications protocols and Emergency Highway Traffic Regulation Plans established	Communications protocols and Emergency Highway Traffic Regulation Plans established, COOP reviewed annually	National Programs.	

**SECTION 4.8 MATERIALS  
PROGRAM APPROVAL ACTIONS**

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	HDOT Action	FHWA Action	FHWA HQ Remarks	Notes:
Approval of Quality Assurance Program	23 CFR 637.205	As needed	Not Applicable	Office of Infrastructure	None	Develop, update and implement	Approve	State administers, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/ acceptance program.	
Assure Central Laboratory accredited by AASHTO Accreditation Program or FHWA approved comparable program	23 CFR 637.209	As needed	Not Applicable	Office of Infrastructure	None	Maintain Accreditation	Approve	State administers, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/ acceptance program.	
Assure Non-STD designated lab performing Independent Assurance sampling and testing accredited by AASHTO Accreditation Program or FHWA approved comparable program	23 CFR 637.209	As needed	Not Applicable	Office of Infrastructure	None	Develop, update and implement	Approve	State administers, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/ acceptance program.	
Assure Non-STD designated lab used in dispute resolution accredited by AASHTO Accreditation Program or FHWA approved comparable program	23 CFR 637.209	As needed	Not Applicable	Office of Infrastructure	None	Develop, update and implement	Approve	State administers, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/ acceptance program.	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	HDOT Action	FHWA Action	FHWA HQ Remarks	Notes:
Review Independent Assurance Annual Report	23 CFR 637.207	Annually	1-Mar	Office of Infrastructure	None	Prepare Annual Report	Approve	State administers, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/ acceptance program.	
Approval of Pavement Design Policy	23 CFR 626.3	As needed	Not Applicable	Office of Infrastructure	None	Develop, update and implement	Approve	FHWA Division Office Approval.	

#### **PROJECT APPROVAL ACTIONS - HDOT Projects**

Activity	Authority	PODI/POCI		State Delegated		FHWA Action	Notes:
		HDOT Action	FHWA Action	HDOT Action	FHWA Action		
Material Certification	23 CFR 637.207	Review and prepare certification	Review	Review and prepare certification	No Action		

#### **PROJECT APPROVAL ACTIONS - County and Local Agency Projects**

Activity	Authority	PODI/POCI		State Delegated		FHWA Action	Notes:
		Local Agency Action	HDOT Action	FHWA Action	Local Agency Action	HDOT Action	
Material Certification	23 CFR 637.207	Submit certification request	Review and prepare certification	Review	Submit certification request	Review and prepare certification	No Action

**SECTION 4.9 STRUCTURES  
PROGRAM APPROVAL ACTIONS**

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	HDOT Action	FHWA Action	FHWA HQ Remarks	Notes:
Review Bridge Construction, Geotechnical, and Hydraulics	23 CFR 650	As needed	Not Applicable	Office of Infrastructure	Participate	Participate	Provide report/recommendations		
Review Plans of Corrective Action established to address NBIS compliance issues	23 CFR 650, 23 USC 144	Annually		Office of Infrastructure	Take PCA actions	Take PCA actions	Monitor PCA completion	Division office performs annual compliance review and reports results to HQ.	
Review NBI Data Submittal	23 CFR 650 Subpart C, Annual Memo from HQ, 23 USC 144	Annually	1-Apr	Office of Infrastructure	Submit Data	Submit to HQ, cc to FHWA Division	Review and submit to HQ	Division resolve errors with States; States submit to HQ.	
Review structurally deficient bridge construction Unit Cost submittal	23 USC 144	Annually	1-Apr	Office of Infrastructure	Submit Data	Submit data to FHWA Division	Review & submit to HQ	Submit to HQ.	
Approval for reduction of expenditures for off-system bridges	23 USC 133(g)(2)(B)	As needed	Not Applicable	Office of Infrastructure	Consult with Districts, DOT	Submit request to FHWA Division	Review & approve transfer	The FHWA Administrator, may reduce the requirement for expenditures for off-system bridges if the FHWA Administrator determines that the State has inadequate needs to justify the expenditure.	

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**SECTION 4.10 SAFETY  
PROGRAM APPROVAL ACTIONS**

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	HDOT Action	FHWA Action	FHWA HQ Remarks	Notes:
Approval of MAP-21 compliant SHSP update within the legislatively required timeframe.	23 U.S.C. 148 (d)(2)(B)	Non Recurring	By Aug. 1 of the fiscal year after the HSIP final rule is established	Office of Safety	Not Applicable	Approval by DTR or GOV	Approve process	FHWA Division Offices provide copy of SHSP process approval letter to HQ.	
Highway Safety Improvement Program (HSIP) and Railway-Highway Crossing Program (RHCP) Reports	23 USC 148(h), 23 CFR 924.15	Annual	31-Aug	Office of Safety	Not Applicable	Submit report to FHWA HI Division	Review & submit to HQ	As per MAP-21 guidance, reports are due to FHWA Division Office by August 31st, and to the Office of Safety by September 30.	
Transportation Performance Management (TPM) for Safety	23 USC 150, 23 USC 134, 23 USC 135, 23 USC 148(l)	Annual	31-Aug	Office of Safety	Not Applicable	Include targets in HSIP report. MPO targets provided to FHWA upon request.	Review & submit to HQ	Per MAP-21, States and MPOs must set targets for established measures. Targets must be assessed for achievement	
Review Drug Offender Driver's License Suspension Law & Enforcement Certification (Section 159)	23 USC 159 23, CFR 192.5	Annual	1-Jan	Office of Safety	Not Applicable	Approve by GOV & submit to FHWA HI Division	Submit to HQ	Certifications due to the Division Office by January 1.	
Section 154/164 Compliance Status - Funds Reservation	23 USC 154 and 23 USC 164	Annual	30-Oct	Office of Safety	Not Applicable	Submit Shift/Split letter to FHWA & NHTSA	Review & submit to HQ	States must submit a Shift letter to the Division Office by Oct. 30 indicating how to apply the penalty. New penalty states have additional time. The Office of Safety processes the compilation of information in a memo to the CFO.	
High Risk Rural Roads (HRRR) Special Rule	23 USC 148(g)(1)	Annually	Annually	Office of Safety	Not Applicable	Not Applicable	Not Applicable	After the final FARS and HPMS data are available, FHWA HQ will inform the States if the HRRR Special Rule applies for the following FY.	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	HDOT Action	FHWA Action	FHWA HQ Remarks	Notes:
Older Drivers and Pedestrians Special Rule	23 USC 148 (g)(2)	Annually	31-Aug	Office of Safety	Not Applicable	Include calculation in HSIP report	Review & submit to HQ	States should include in their annual HSIP reports (due August 31st) the calculations performed, verifying whether the Older Driver Special Rule applies in the State. If the Special Rule applies to a State in a given year, the State must include in its subsequent SHSP strategies to address the increases in the fatality and serious injury rates for drivers and pedestrians over the age of 65.	

**SECTION 4.11 TRAFFIC ENGINEERING AND ITS  
PROGRAM APPROVAL ACTIONS**

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	HDOT Action	FHWA Action	FHWA HQ Remarks	Notes:
Intelligent Transportation System Architecture & Standards	23 CFR Part 940	As needed	Not Applicable	Office of Operations	Prepare and submit	Prepare & submit or Review & submit	Approve		
Traffic Incident Management Self-Assessment	Annual Memo from HQ	Annually	1-Jul	Office of Operations	Not Applicable	Prepare & submit	Approve	Complete with partners and forward to HQ.	
Work Zone Self-Assessment	Annual Memo from HQ	Annually		Office of Operations	Not Applicable	Prepare & submit	Approve	Complete with partners and forward to HQ.	
Approval of State-Prepared Manual on Uniform Traffic Control Devices - State Traffic Control Manuals	23 CFR 655.603, 23 USC 109(d)	As needed	Not Applicable	Office of Operations	Not Applicable	Not Applicable	Submit	Approve	
Approval of Work Zone Significant Project Determination	23 CFR 630.1010	As needed		Office of Operations	Not Applicable	Prepare and submit TMP	Review & approve	No Action	
Approval of Exceptions to Work Zone Procedures for Interstate Projects	23 CFR 630.1010	As needed		Office of Operations	Not Applicable	Prepare & submit	Approve		
Approval of Work Zone Policy and Procedures Conformance Review	23 CFR 630.1014	At appropriate intervals		Office of Operations	Review	Prepare & submit	Approve		
Process Review of Work Zone Safety and Mobility Procedures	23 CFR 630.1008, 23 USC 109(e)(2), 23 USC 112(g)	Every 2 years		Office of Operations	Review	Conduct biennial review and submit results to FHWA	Review and approve		

### **PROJECT APPROVAL ACTIONS - HDOT Projects**

Activity	Authority	POD/P OCI	HDOT Action	FHWA Action	HDOT Action	State Delegated	FHWA Action	Notes:
MUTCD Experimentation	MUTCD Section 1A.10	Prepare and submit request to HQ, cc FHWA Division	Approved by HQ		Prepare and submit request to HQ, cc FHWA Division		Approved by HQ	
HOV Lane (Significant Operational Changes)	23 U.S.C. 166(d)	Prepare and submit report	Approve		Prepare and accept		No Action	
Project Level ITS Architecture	23 CFR 940.11(e)	Prepare and submit	Approve		Prepare and accept		No Action	
ITS Operational Work Plan		Prepare and submit	Approve		Prepare and submit		Approve	
System Engineering Analysis	23 CFR 940.11(a)	Prepare and submit	Approve		Prepare and accept		No Action	

### **PROJECT APPROVAL ACTIONS - County and Local Agency Projects**

Activity	Authority	Local Agency Action	POD/P OCI	HDOT Action	FHWA Action	Local Agency Action	HDOT Action	State Delegated	FHWA Action	Notes:
MUTCD Experimentation	MUTCD Section 1A.10	Prepare & submit request to HQ, cc HDOT & FHWA Division		No Action	Approved by HQ	Prepare & submit request to HQ, cc HDOT & FHWA Division		No Action	Approved by HQ	
Project Level ITS Architecture	23 CFR 940.11(e)	Prepare and submit	Review	Approve		Prepare and submit		Approve		No action
ITS Operational Work Plan		Prepare and submit	Review	Approve		Prepare and submit		Review	Approve	
System Engineering Analysis	23 CFR 940.11(a)	Prepare and submit	Review	Approve		Prepare and submit		Approve		No action

**SECTION 4.12 FINANCIAL  
PROGRAM APPROVAL ACTIONS**

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	HDOT Action	FHWA Action	FHWA HQ Remarks	Notes
Appropriations, Allocations, Obligations	31 USC 1341(e)(1)(A) & (B); 31 USC 1517(a); 23 USC 118(b); 23 USC 121	As needed		Office of Chief Financial Officer	Submit request	Prepare and submit to FHWA HD	Review and approve	State will monitor appropriations, allocations and obligations to ensure that all funding is used efficiently within each quarter and use all Obligation Authority (OA) by the end of the year.	
Approval of Indirect Cost Allocation Plans (ICAPS)	2 CFR 200 Subpart E (previously 2 CFR 225); ASMBC-10	As needed		Not Applicable	Office of Chief Financial Officer	Prepare and submit to HDOT	Review and approve	The State will certify that the ICAP was prepared in accordance with 2 CFR 200 Subpart E.	
FIRE Program Activities	FHWA Order 4560.1B (or as superseded)	Ongoing			Office of Chief Financial Officer	Participate as requested by FHWA requested by HD	Conduct FIRE activities as required	State will continue to provide oversight and conduct reviews to ensure Federal-aid compliance. FHWA will review and monitor. State responsibilities include multiple tasks in support of risk assessments, conducting reviews and implementation of recommendations.	
Audit Coordination/FHWA Financial Statement Audit/State External Audit Reviews/State Internal Audit Reviews	FMFIA, 2 CFR Part 200, Subpart F; GAAP, CFO Act of 1990; DOT Order 8000.1C	As needed		Not Applicable	Office of Chief Financial Officer	Participate as requested	COUNTY: HDOT review & monitor action plan STATE: HDOT prepare and implement	Review and monitor	State assures corrective action is taken to resolve audit findings and FHWA will monitor activities to ensure implementation.
Improper Payments Review	Improper Payments Information Act of 2002, PL 107-300; Improper Payments Elimination and Recovery Act of 2010, PL 111-204; Improper Payments Elimination and Recovery Improvement Act of 2012, PL 112-248				Office of Chief Financial Officer	Participate as requested	COUNTY: Obtain and review data from Counties STATE: Participate	FHWA HD review and send to Headquarters	State will provide all information necessary to document sampled payments and FHWA offices will review and complete appropriate data submittal forms.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	HDOT Action	FHWA Action	FHWA HQ Remarks	Notes
Transfer of Funds between programs or to other FHWA offices or agencies as requested by State	23 USC 126, 23 USC 132, and FHWA Order 4551.1	As needed		Office of Chief Financial Officer	Not applicable	Prepare and submit FHWA-1576 form	FHWA HD review and approve	State will submit requests for transfer and FHWA approves and processes the funding transfers between programs, to other States, to other agencies, and to FHWA HQ, Federal Lands, or Research offices.	
Reviews of State Transportation Departments Financial Management Systems - Financial Integrity	23 USC 106(g)(2)(A)	Annually		Office of Chief Financial Officer	Not applicable	Provide data or information to FHWA HD	FHWA HD review	23 USC 106(g)(2)(A) states that the Secretary shall perform annual reviews that address elements of the State transportation departments' financial management systems that affect projects approved under subsection (a).	
Review Adequacy of Sub-recipient Project Delivery Systems and Sufficient Accounting Controls to Manage Federal Funds	23 USC 106(g)(4)(A)(i)	As needed		Office of Chief Financial Officer	Not applicable	FINANCE: Participate in reviews	DELIVERY SYS: Participate and maintain systems & controls	FINANCE: HDOT reviews DELIVERY SYS: HDOT conduct OSR reviews	
Periodic Reviews of States Monitoring of sub-recipients	23 USC 106(g)(4)(B)	As needed		Office of Infrastructure	Not applicable	Participate as required	HDOT conducts reviews	FHWA cooperates with HDOT reviews	
Approval of Increased Federal Share Agreement (Sliding Scale)	23 USC 120(b)(2)			Office of Chief Financial Officer	No action	Implement if needed	Review and approve	A State must enter into an agreement with FHWA for use of the increased Federal share allowable under this section, which must be reviewed and updated periodically as agreed to in the agreement. States must demonstrate that they are in compliance with the statute and the agreement.	
Toll Credit and Maintenance of Effort (MOE) Calculation and Agreement	23 USC 120(l)	Annually		Office of Infrastructure	Not applicable	Not applicable	Not applicable	State will calculate the amount of eligible toll credit and submit for approval. FHWA will review and approve the request.	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	HDOT Action	FHWA Action	FHWA HQ Remarks	Notes
TIFIA Credit Program	23 USC 501-609	As needed	Not Applicable	Office of Innovative Program Delivery	Not applicable	Not applicable	Not applicable	Project sponsors submit requests for credit assistance to the TIFIA JPO for review, approval by the Secretary	
GARVEE	23 USC 122; GARVEE Guidance 3/14	As needed	Not Applicable	Office of Innovative Program Delivery	Not applicable	Not applicable	Not applicable	MOUs strongly suggested for each GARVEE issue. FM contacts OIPD for review/concurrence before final approval	
State Infrastructure Banks	NHS Act Section 308; 23 USC 610; SIB Guidance 3/14	Annual Report	Not Applicable	Office of Innovative Program Delivery	Not applicable	Not applicable	Not applicable	Division sends copy of report to OIPD. SIB submits annual report to Division Office.	
Financial Plan (Major Projects)	23 U.S.C. 106(h)(3)	Prior to first federal authorization of construction funds for a Major Project and then annually.	Annually as noted in the approved Initial Financial Plan	Office of Innovative Program Delivery	Prepare and submit to HDOT	COUNTY: HDOT reviews and accepts STATE: HDOT will prepare and submit Financial Plan.	FHWA HD conduct concurrent review with HQ Office of Innovative Program Delivery and approve Major Project Financial Plan	Division Office will provide approval after receiving concurrence from HQ Office of Innovative Program Delivery	
Financial Plan (Other Projects)	23 U.S.C. 106(l)	Prior to first federal authorization of construction funds for an Other Project and then annually.	Annually as noted in the approved Initial Financial Plan	Office of Innovative Program Delivery	Prepare and submit to HDOT	COUNTY: HDOT reviews and accepts STATE: HDOT will prepare and submit Financial Plan upon request by FHWA HD.	FHWA HD will review Financial Plan for Other Projects if requested from HDOT.	Other Projects are defined as projects with an estimated total cost of \$100 million or more that have not been designated as Major Projects.	
Review of CMAQ Annual Report	CMAQ Guidance Memo October 31, 2006	Annually	1-Mar	Office of Planning, Environment & Realty	No action	Prepare and submit to FHWA HD	FHWA HD review and process	Division provides information on CMAQ projects including: amount of obligation, project description and location, and air quality benefits. The report must be submitted via the web-based CMAQ Tracking System.	

**PROJECT APPROVAL ACTIONS - HDOT Projects**

Activity	Authority	POD/P OCI		State Delegated	FHWA Action	Notes
		HDOT Action	FHWA Action			
Form 1240.2, Project agreement, authorization, modification, processing	23 CFR 630.106(a)(1)-(3); 2 CFR 200.210  23 CFR 630.108;  23 CFR 630.110	HDOT prepare PR-1240.2; enter into FMIS	Review and approve FMIS entry	HDOT prepare PR-1240.2; enter into FMIS	Review and approve FMIS entry	
Project closing; Final Voucher (PR20) or equivalent	200 CFR 200.343	Reconcile actual costs. Verify required documents available; prepare and process final voucher.	Review and approve final voucher; close project in FMIS	Reconcile actual costs. Verify required documents available; prepare and process final voucher.	Approve final voucher; close project in FMIS	Close in FMIS within 365 days from project final acceptance.
Flexible Match	23 CFR 630.106(h);  23 USC 323	Prepare FHWA request letter with applicable appraisal or other supporting documents	Approve proposed flexible matching	Prepare FHWA request letter with applicable appraisal or other supporting documents	Approve proposed flexible matching	

**PROJECT APPROVAL ACTIONS - County and Local Agency Projects**

Activity	Authority	POD/P OCI		Local Agency Action	State Delegated	FHWA Action	Notes
		Local Agency Action	HDOT Action				
Form 1240.2, Project agreement, authorization, modification, processing	23 CFR 630.106(a)(1)-(3); 2 CFR 200.210  23 CFR 630.108;  23 CFR 630.110	Prepare Engineer's Estimate and other documents, submit to HDOT	Perform subgrantee monitoring; Prepare PR-1240.2; enter into FMIS	Prepare Engineer's Estimate and other documents, submit to HDOT	Perform subgrantee monitoring; Prepare PR-1240.2; enter into FMIS	Review and approve PR-1240.2; enter into FMIS	Review and approve PR-1240.2; enter into FMIS

Activity	Authority	Local Agency Action	POD/POCI	FHWA Action	Local Agency Action	State Delegated	FHWA Action	Notes
		HDOT Action			HDOT Action			
Project closing: Final Voucher (PR20) or equivalent	200 CFR 200.343	Prepare final billing & project accounting, submit to HDOT	Perform subgrantee monitoring; Reconcile actual costs. Verify required documents available; prepare and process final voucher.	Review and approve final voucher; close project in FMIS	Prepare final billing & project accounting, submit to HDOT	Reconcile actual costs. Verify required documents available; prepare and process final voucher.	Review and approve final voucher; close project in FMIS	Close in FMIS within 365 days from project final acceptance.
Flexible Match	23 CFR 630.106(h); 23 USC 323	Prepare FHWA request letter with applicable appraisal or other supporting documents	HDOT review, evaluate for auditability, cost-benefit, and if practicable and defensible, recommend approval	Approve proposed flexible matching	Approve proposed flexible matching	Prepare FHWA request letter with applicable appraisal or other supporting documents	Approval of Flexible Match	

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**SECTION 4.13 RESEARCH  
PROGRAM APPROVAL ACTIONS**

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	HDOT Action	FHWA Action	FHWA HQ Remarks	Notes
Approval of State Research and Development Work Program (Part 2)	23 CFR 420.111, 23 CFR 420.115, and 23 CFR 420.209	Annually	Prior to Program Period	Office of Planning, Environment & Reality	None	Submit	Review & Approve	FHWA Division Office Approval.	
Approval of Management Process and Project Selection Procedures and Certification for Research, Development & Technology Transfer Program and Revisions to Process	23 CFR 420.115 and 23 CFR 420.209	As needed	Not Applicable	Office of Planning, Environment & Reality	None	Submit	Review & Approve	FHWA Division Office Approval.	
Periodic Review of States Management Process of the Research, Development & Technology Transfer Program	23 CFR 420.209	Periodic	Not Applicable	Office of Planning, Environment & Reality	None	Participate	Provide report	FHWA Division Office Periodic Review.	
Approval of Performance and Expenditure Reports for SPR Research Work Programs	23 CFR 420.117	No less frequently than annual and no more frequently than quarterly	90 Days After End Of Period	Office of Planning, Environment & Reality	None	Submit	Review & Approve	FHWA Division Office Approval.	
Approval of SPR research reports	23 CFR 420.117	Prior to publication unless prior	Not Applicable	Office of Planning, Environment & Reality	None	Submit	Review & Approve	FHWA Division Office Approval unless waived.	
Approval of Local Technical Assistance Program (LTAP) Centers Work Plan and Budget	FHWA LTAP Field Manual	Annually	31-Mar	Office of Planning, Environment & Reality	None	Submit	Review & Approve	FHWA HQ approval.	
Approval of State Planning Work Program and Revisions (Part 1)	23 CFR 420.111, 23 CFR 420.115, and 23 CFR 420.209	Annually	Prior to Program Period	Office of Planning, Environment & Reality	None	Submit	Review & Approve	FHWA Division Office Approval.	

**PROJECT APPROVAL ACTIONS - HDOT Projects**

Activity	Authority	POD/POCI	HDOT Action	FHWA Action	HDOT Action	State Delegated FHWA Action	Notes
Individual Research Project Work Plan – (Projects that conduct the research)	23 CFR 420.205(e)	Obtains work plan and budget from project manager. Submit and approve.		Review and comment	None		

**SECTION 4.14 CIVIL RIGHTS  
PROGRAM APPROVAL ACTIONS**

Activity	Authority	Frequency	Due Date	FHWA/HQ Program Office	Local Agency Action	HDOT Action	FHWA Action	FHWA/HQ Remarks	Notes
Prepare / Review Title VI Plan Accomplishments and Next Year's Goals	23 CFR 200.9(b)(10)	Annual	1-Oct	Office of Civil Rights	Submit sub-recipient Plan and Accomplishments to HDOT	Approve sub-recipient Plans and Accomplishments, submit HDOT Plan and Accomplishment Report to FHWA	Review and approve HDOT Plan & Accomplishment Report	Division office reviews and comments.	
Prepare / EEO Contractor Compliance Plan accomplishments and next year's goals	23 CFR 230, Subpart C, Appendix A, Part I, III	Annual	1-Oct	Office of Civil Rights	Submit requested information to HDOT	Prepare and submit Plan and Accomplishment Report to FHWA	Review and approve HDOT Plan & Accomplishment Report	Division office reviews and comments.	
Prepare / Review State Internal EEO Affirmative Action Plan (Title VII) Accomplishments and Goals	23 CFR 230.311	Annual	1-Oct	Office of Civil Rights	Submit requested information to HDOT	Prepare and submit Plan and Accomplishment Report to FHWA	Review and approve HDOT Plan & Accomplishment Report	Courtesy copy to HQ.	
Review DBE Program Revisions	49 CFR 26.21(b)(2)	As needed	Not Applicable	Office of Civil Rights	Submit comments to HDOT	Send revised DBE Program Plan to FHWA	Review and approve revised DBE Program Plan	Division sends to HCR for review and approval	
Prepare / DBE Uniform Awards and Commitment Report	49 CFR 26, Appendix B	Semi-Annual	June 1st December 1st	Office of Civil Rights	Submit requested information to HDOT	Prepare and submit report to FHWA	Review Report	Division Office reviews and sends to HCR	
Prepare / Annual Analysis and Corrective Action Plan (if necessary)	49 CFR 26.47(c)	Annual (as necessary)	December 31st	Office of Civil Rights	Submit requested information to HDOT	Prepare and submit annual analysis and corrective action plan	Review and approve annual analysis and corrective action plan	Division Office approves sends copy to HCR	
Prepare / State DBE Program Goals	49 CFR 26.45(f)(1)	Triennial	August 1st	Office of Civil Rights	Submit requested information to HDOT	Prepare and submit goal proposal to FHWA	Review and approve triennial goal	Division reviews and approves; HCC provides legal sufficiency review and approval sends copy to HCR	
Prepare / Review On-the-Job-Training (OJT) goals & accomplishments	23 CFR 230.11(b)	Annual	TBA	Office of Civil Rights	Submit requested information to HDOT	Prepare and submit goals and accomplishments	Review goals and accomplishments	Division office reviews and comments.	
Approval of OJT and DBE Supportive Services fund requests	23 CFR 230.113 & 23 CFR 230.204	Annual	TBA	Office of Civil Rights	Submit requested information to HDOT	Review and submit requests for supportive services to FHWA	Review and approve requests for supportive services	Division recommends approval submits to HCR for final approval	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	HDOT Action	FHWA Action	FHWA HQ Remarks	Notes
Return of any unused discretionary grant program funding	23 CFR 230.117(2)	Annual	TBA	Office of Civil Rights	Submit requested information to HDOT	Review and recommend for deobligation	Review and deobligate unused funds	Division works with HCR and CFO	
Prepare / Review of Report on Supportive Services (OJT & DBE)	23 CFR 230.113(g), 230.121(e), 230.204(g)(6)	Quarterly		Office of Civil Rights	Submit requested information to HDOT	Prepare and submit report to FHWA	Review Report	Division office reviews and comments.	
Prepare / Review Annual Contractor Employment Report (Construction Summary of Employment Data (Form PR-1392)	23 CFR 230.121(a); Appendix D to Subpart A, Part 230, General Information and Instructions	Annual	1-Dec	Office of Civil Rights	Submit requested information to HDOT	Prepare and submit report to FHWA	Review and approve report	Recommendation sent to HQ for approval.	
Prepare / Review State DOT Employment Statistical Data (EEO-4)	23 CFR, Subpart C, Appendix A	Biannual	1-Dec	Office of Civil Rights	Submit requested information to HDOT	Prepare and submit report to FHWA	Review and approve report	Report sent to HQ quarterly for informational purposes and recommendation sent to HQ annually for approval.	
Prepare / Review Annual Federal Projected Awards Reports - Historically Black Colleges & Universities/Tribal Colleges & Universities/Hispanic Serving Institutes, American Indian, Alaskan Native, Asian Pacific & American Islander.	Presidential Executive Orders: 13230, 13256, 13270, 13361, 13515	Annual	TBA	Office of Civil Rights	Submit requested information to HDOT	Prepare and submit report to FHWA	Review and approve report	Divisions submit data to HCR who prepares report for DOCR	
Prepare / Review ADA Complaint Reports of Investigation	28 CFR 35.190	As needed	Not Applicable	Office of Civil Rights	Submit requested information to HDOT	Prepare and submit report to FHWA	Review, approve and issue finding	Division office reviews, FHWA HQ approves and issues finding.	
Review Americans with Disabilities Act (ADA) /Sec. 504 Program Plan accomplishments and next year's goals	49 CFR 27.11(c), EO 12250	Annually	1-Oct	Office of Civil Rights	Submit requested information to HDOT	Prepare and submit Plan and Accomplishment Report to FHWA	Review plan and accomplishments report	Division office reviews and comments.	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	HDOT Action	FHWA Action	FHWA HQ Remarks	Notes
Return of unexpended funds used for Summer Transportation Institutes	23 CFR 230.117(2)	Annual	August 30; however, State procurement rules may govern	Office of Civil Rights	Submit requested information to HDOT	Review and recommend for deobligation	Review and deobligate unused funds	Divisions work with HCR and CFO	
Prepare / Review Request for National Summer Transportation Institute (NSTI) Proposals (SOWs)	23 USC 140(b)	Annual	TBA	Office of Civil Rights	Submit requested information to HDOT	Collect, review and submit recommended proposals to FHWA	Review and approve proposals	Divisions recommend approval. HCR gives final approval	
Prepare / Review NSTI Report (Questionnaire)	23 USC 140(b)	Annual	October 15th	Office of Civil Rights	Submit requested information to HDOT	Prepare and submit questionnaire to FHWA	Review questionnaires	Divisions provide to HCR	

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## **SECTION 4.15 RISK MANAGEMENT PROGRAM APPROVAL ACTIONS**

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	Local Agency Action	HDOT Action	FHWA Action	FHWA HQ Remarks	Notes
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To carry out the requirements of 23 U.S.C. 106(g), the FHWA will employ a risk management framework to evaluate financial integrity and project delivery, and balance risk with staffing resources, available funding, and the State's transportation needs. FHWA Hawaii Division and HDOT agree to work in partnership to identify, address and reduce overall risks to the federal-aid highway program. Because HDOT is an essential partner in successfully identifying and addressing many of the top risks, the Division is committed to seeking and obtaining input from HDOT at critical points during the FHWA Hawaii Division's Risk Management Process review. The Division is also committed to sharing the final results of the FHWA Hawaii Division's Risk Management Process review with HDOT. Likewise, HDOT is committed to providing constructive input into the FHWA Hawaii Division's Risk Management Process review and work cooperatively and collaboratively with FHWA as needed and appropriate, to address the top applicable risks. Risk reduction goals or proposed strategies will be clearly communicated between the parties to obtain consensus on risk issues, understand expectations, and develop implementation milestones for risk reduction strategies.

Techniques the Division and State DOT will use to identify and analyze risks and develop response strategies include the following:

- Program Assessments;
- FIRE Reviews;
- Program Reviews;
- Certification Reviews;
- Recurring or periodic reviews such as the Compliance Assessment Program (CAP); and
- Inspections of project elements or phases.

These techniques will be carried out in a manner consistent with applicable Division Standard Operating Procedures or other control documents relating to program assessments, FIRE, program reviews, CAP, etc.

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**ATTACHMENT C**  
**MANUALS AND OPERATING AGREEMENTS,**  
**POLICIES, REGULATIONS, & LAWS**

**Federal, State or Local laws, regulations, policies, guidance, circulars, manuals and procedures used for Federal Aid Projects, listing by program areas:**

**Planning:**

- Title 23 –United States Code (U.S.C.) Highways and non-Title 23 U.S.C. requirements.
- 23 CFR 420: Planning & Research
- 23 CFR 450: Statewide Transportation Planning; Metropolitan Transportation Planning
- 23 CFR 460: Public Road Mileage for Apportionment of Highway Safety Funds
- 23 CFR 470: Highway Systems
- 23 CFR 657: Certification of Size and Weight Enforcement
- 23 CFR 658: Truck Size and Weight, Route Designations – Length, Width and Weight Limitations
- 23 CFR 669: Enforcement of Heavy Vehicle Use Tax
- 23 CFR 771: Environmental Impact and Related Procedures
- *Guide to Reporting Highway Statistics*
- *Highway Performance Monitoring System (HPMS) Field Manual*
- *HPMS Field Review Guidelines*
- *Continuous Process Improvement Model for HPMS*
- *Travel Monitoring Analysis System*
- *Traffic Monitoring Guide*
- *Heavy Vehicle Travel Information System Field Manual*
- July 24, 2001 FHWA HQ Memo

**Environment:**

- 23 CFR Part 771 – Environmental Impact and Related Procedures
- 23 CFR Part 772 – Procedures for Abatement of Highway Traffic Noise and Construction Noise
- 23 CFR Part 774 – Parks Recreation Areas, Wildlife and Waterfowl Refuges, and Historic Sites
- 23 CFR Part 777 – Mitigation of Impacts to Wetlands and Natural Habitat
- National Environmental Policy Act
- Section 106 of the National Historic Preservation Act
- 36 CFR Part 800, Protection of Historic Properties
- 50 CFR Part 402 – Interagency Cooperation – Endangered Species Act
- Section 7 of the Endangered Species Act
- HDOT Noise Analysis and Abatement Policy
- Public Involvement/Public Hearing Procedures for Federal-aid Highway Actions
- Hawaii Revised Statues Chapter 343 Environmental Impact Statements (HRS 343)
- Hawaii Administrative Rules, Chapter 11-200 Environmental Impact Statements
- Hawaii Revised Statutes Chapter 341 Environmental Quality Control (HRS 341)
- Hawaii Administrative Rules, Chapter 11-201 Environmental Council Rules of Practice and Procedures
- Hawaii Revised Statutes, 6E
- Act 50, Session Laws of Hawaii 2000 (cultural practices)

- Comprehensive Exemption List for the State of Hawaii Department of Transportation, November 11, 2000

### **Right-of-Way:**

- Constitution of the United States of America, Article V, the Fifth Amendment.
- Constitution of the United States of America, Article XIV, the Fourteenth Amendment.
- Constitution of the United States of America, Decisions of The United States Supreme Court.
- Title 23 U.S.C. – Highways.
- Title 42 U.S.C. (The Public Health), Chapter 51 (Uniform Relocation Assistance and Real Property Acquisition Policies for Federal and Federally Assisted Programs) – The *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, Public Law 91-646, 84 Stat. 1894-1907, 91<sup>st</sup> Congress, S.1, January 2, 1971 [Uniform Act; Uniform Relocation Act or URA], as amended.
- Title 49 U.S.C. – Transportation.
- 23 CFR Section 635.309 – Authorization
- 23 CFR Part 710 – Right-of-Way and Real Estate
- 23 CFR Part 750 – Highway Beautification
- 23 CFR Part 751 – Junkyard Control and Acquisition
- 23 CFR Part 752 – Landscape and Roadside Development
- 23 CFR Part 771 – Environmental Impact and Related Procedures
- 23 CFR Part 772 – Procedures for Abatement of Highway Traffic Noise and Construction Noise
- 23 CFR Part 777 – Mitigation of Environmental Impacts to Privately Owned Wetlands
- 49 CFR Part 24 – Uniform Relocation Assistance and Real Property Acquisition Policies for Federal and Federally Assisted Programs
- Federal-Aid Policy Guide, December 9, 1991 (FAPG), as revised.
- Right-of-Way Project Development Guide, FHWA-PD-92-020, September 1992 (Revised May 18, 2000).
- Constitution of the State of Hawaii Section 20 (Eminent Domain), Article I (Bill of Rights).
- Chapter 101, HRS -- Eminent Domain.
- Chapter 171, HRS -- Management and Disposition of Public Lands.
- Chapter 264, HRS –Highways.
- Departmental Staff Manual, Department of Transportation, State of Hawaii, July 30, 1993 (DSM), as revised.
- Procedures Manual, Highways Division, Department of Transportation, State of Hawaii, March 1969 (HDPM -- Outdated).
- Right-of-Way Manual, Right-of-Way Branch, Highways Division, Department of Transportation, State of Hawaii, December 2005 (ROW Manual – Revised and submitted to FHWA by January 1, 2006).

### **Consultant Services:**

- Title 23 –United States Code (U.S.C.) Highways and non-Title 23 U.S.C. requirements.
- Title 23 - Code of Federal Regulations (CFR), applies to all NHS projects, regardless of oversight responsibilities.
- Section 103D-304, Hawaii Revised Statues (HRS), as amended
- Chapter 3-122, Subchapter 7, Hawaii Administrative Rules
- Department Staff Manual (DSM) Part 7 Procurement, Chapter 17 Professional Service
- Highways Division Consultant Selection Procedures, approved by FHWA as of January 3, 2008

**Design:**

- Title 23 –United States Code (USC) Highways and non-Title 23 U.S.C. requirements.
- Title 23 - Code of Federal Regulations (CFR), applies to all NHS projects, regardless of oversight responsibilities.
- A Policy on Geometric Design of Highways and Streets, AASHTO, as amended.
- Project Development Manual, Highways Division, Design Branch, as amended.
- Design Criteria for Highway Drainage, Highways Division, as amended.
- Storm Water Permanent Best Management Practices Manual, Highways Division, as amended.
- Design Exception Guidelines, as amended.
- FHWA Checklist and Guidelines for Review of Geotechnical Reports and Preliminary Plans and Specifications, as amended
- Pavement Design Manual, Highways Division, Materials Testing and Research Branch, as amended
- Pavement Preventive Maintenance Guidelines, Highways Division, Materials Testing and Research Branch, as amended
- Design Criteria for Bridges and Structures, Highways Division, as amended
- Design Guidelines for Rehabilitation, Restoration, and Resurfacing (RRR) Projects, as amended.
- Manual on Uniform Traffic Control Devices (MUTCD), as amended

**Construction:**

- Title 23 –United States Code (U.S.C.) Highways and non-Title 23 U.S.C. requirements
- Title 23 - Code of Federal Regulations (CFR)
- 49 USC
- Highways Division Procedures Manual Volume 10 – Construction
- Hawaii Standard Specifications for Road, Bridge, and Public Works Construction (“Standard Specifications”)
- Hawaii Revised Statues (HRS)
- Administrative Rules, Title 19, Highways Division

**Maintenance and Asset Management:**

- Title 23 –United States Code (U.S.C.) Part 116(d)
- Title 23 – U.S.C. Part 119(e)
- Title 23 – U.S.C. Part 150 (d)
- Executive Order 12656
- FHWA Order 1910.2C

**Materials:**

- 23 CFR Section 637 – Construction Inspection and Approval for all Federal-aid projects on the National Highway System (NHS)

**Structures:**

- 23 CFR Part 650 – Bridges, Structures, and Hydraulics
  - Subpart B – Erosion and Sediment Control on Highway Construction Projects
  - Subpart C – National Bridge Inspection Standards
  - Subpart D – Highway Bridge Replacement and Rehabilitation Program
- 23 USC 144, Highway Bridge Replacement and Rehabilitation Program
- 23 USC 151, National Bridge Inspection Program
- 23 USC 116(d), Preventive Maintenance
- FHWA Hawaii Division and Hawaii Department of Transportation, Bridge Preservation Program Guidelines, January 2005
- Bridge Inspection Program, Highways Division as amended
- Implementation Guidelines for Load and Resistance Factor Rating (LRFR) of Highway Bridges, Highways Division, as amended
- FHWA Hydraulic Engineer Circulars #18, #20, and #23

**Safety:**

- 23 USC 130 - Railway-Highway Crossing Program
- 23 CFR 924 - Highway Safety Improvement Program
- 23 USC 148 – Highway Safety Improvement Program (HSIP), High-Risk Rural Roads Program (HRRR), Strategic Highway Safety Plan (SHSP)

**Traffic Engineering and ITS:**

- 23 U.S.C. 166 – HOV Facilities
- 23 U.S.C. 109(e)(2) – Temporary Traffic Control Devices
- 23 U.S.C. 112(g) - Temporary Traffic Control Devices
- 23 CFR Part 630, Subpart J –Work Zone Safety and Mobility
- 23 CFR Part 630, Subpark K – Temporary Traffic Control Devices
- 23 CFR Part 655 – Traffic Operations
- 23 CFR Part 940 – Intelligent Transportation System (ITS) Architecture and Standards
- Manual on Uniform Traffic Control Devices (MUTCD)
- National ITS Architecture and Standards
- National ITS Program Plan
- Regional ITS Architectures
- Work Zone Safety and Mobility Process, October 3, 2007
- Work Zone Safety Management Guidelines, November 20, 2008
- Hawaii Administrative Rules, Title 19, Subtitle 5, Chapter 128 Design, Placement, and Maintenance of Traffic Control Devices
- Hawaii Administrative Rules, Title 19, Subtitle 5, Chapter 129 Use of Traffic Control Devices at Work Sites on or Adjacent to Public Streets and Highways

## **Financial Management and Accounting**

- **Title 23 USC Section 323 –Donations and Credits**
- Title 23 USC 302 State Transportation Department
- **Title 31 USC Section 1341 –Limitations on Expending and Obligating Amounts**
- **Title 31 USC Section 1517 – Prohibited Obligations and Expenditures**
- **Title 23 USC Section 106 – Project Approval and Oversight**
- **Title 23 USC Section 118 – Availability of Funds**
- **Title 23 USC Section 120 – Federal Share Payable**
- **Title 23 USC Section 126 – Uniform Transferability of Federal –aid Highway funds**
- Title 23 CFR Section 1.36 – Compliance with federal laws and regulations
- Title 23 CFR Section 630.106 – Authorization to Proceed and Project Monitoring
- **Title 23 CFR Section 630.108 – Preparation of Agreement**
- **Title 23 CFR Section 630.110 – Modification of Original Agreement**
- **Title 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards**
- OMB Circular A-225 – Cost Principles for State, Local, and Indian Tribal Governments
- Hawaii Revised Statues
- Session Laws of Hawaii, Regular and Special Sessions
- State of Hawaii Accounting Manual
- Governor's Budget Execution Policy
- Financial Accounting and Management Information System (FAMIS) Procedures Manual
- Departmental Staff Manual (DSM)
- Department of Transportation, Highways Division Procedures Manual

## **Research Development and Technology Transfer:**

- 23 CFR Part 420 – Planning and Research Program Administration
- 23 USC Part 501-508
- FHWA Transportation Pooled Fund Program Procedures (<http://www.tfhrc.gov/site/procedures.pdf>)
- FHWA Policy Memo of 11/3/1994 – “State Planning and Research Administration; Guidelines”
- FHWA Policy Memo of 1/16/1997 – “Use of State Planning and Research (SPR) Funds for Tech Certification Program Course Development”
- FHWA Policy Memo of 1/26/2001 – “FHWA Development and Coordination of the Research and Technology Program”
- FHWA Order of 9/19/2001 – “Processing Research Projects Under TEA-21 Section 5001”
- HDOT Research, Development & Technology Transfer Program Manual, December 2004
- FHWA Guidelines for Projects Using Experimental Features
- A Guide to Federal-Aid Programs and Projects, FHWA-IF-99-006, Local Technical Assistance Program (LTAP) [formerly: Rural Technical Assistance Program (RTAP)]
- LTAP Handbook
- Administration of FHWA Planning and Research Funds, FHWA-PD-98-053
- 49 CFR 18
- Guidance on Use of FHWA Planning and Research Funds for Travel and Training
- FHWA, State DOT, and MPO Rights to Copyrighted and Patented Items Developed with FHWA Planning and Research Funds
- Procurement Rules; Chapter 103D, HRS
- Departmental Staff Manual
- Administrative Rules

- Procurement Rules; Chapter 103D, HRS
- Departmental Staff Manual
- Administrative Rules
- HDOT Research, Development & Technology Transfer Program Guidelines, December 2004

**Civil Rights:**

- Title VI Program: Title VI of the Civil Rights Act of 1964, Executive Order 12898 (Environmental Justice in Minority & Low Income Populations).
- DBE Program: U.S. Department of Transportation, Title 49, Code of Federal Regulations, Part 26
- ADA Program: Americans with Disabilities Act of 1990, Title II; Section 504 of the Rehabilitation Act of 1973.
- EEO Program: Title VI of the Civil Rights Act of 1964; Title I of the Americans with Disabilities Act of 1990.
- Other related Civil Rights laws, rules and regulations.

**Risk Assessment and Management:**

(none)

**ATTACHMENT D**

**FHWA**

**Projects of Division Interest  
Projects of Corporate Interest  
Guidance - 3-28-2014**

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# **Projects of Division Interest (PoDI) Projects of Corporate Interest (PoCI)**

## **Guidance**

### **Background**

The goal of risk-based project stewardship and oversight is to optimize the successful delivery of programs and projects and help ensure compliance with federal requirements. FHWA Risk-Based Project Stewardship and Oversight involves three main avenues of project involvement: 1) project approval actions, 2) data-driven compliance assurance, i.e., the Compliance Assessment Program (CAP), and 3) risk-based stewardship and oversight involvement in Projects of Division Interest (PoDI), including Projects of Corporate Interest (PoCI) which are a subset of PoDIs (See Figure 1.)

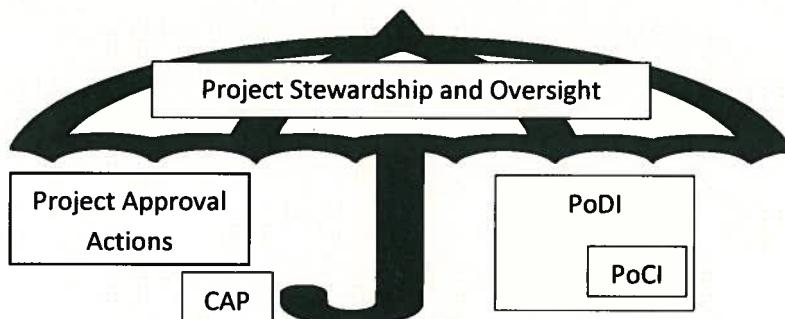


Figure 1.

### **Projects of Division Interest (PoDI)**

Projects of Division Interest (PoDIs) are those projects that have an elevated risk, contain elements of higher risk, or present a meaningful opportunity for FHWA involvement to enhance meeting program or project objectives. Each Division Office (Division) should identify those projects, within its limited resources, where FHWA should assert a positive leadership influence to help assure a high level of public confidence that projects and programs are administered with integrity, are in compliance with applicable requirements, and yield maximum value for the public. Project selection will be risk-based and stewardship and oversight activities will be directed toward addressing identified risks. This may include retaining certain project approvals or directing stewardship or oversight activities to a specific phase or element of the project.

### **PoDI Types**

Section 106 of Title 23, United States Code provides certain statutory requirements for project approval actions and oversight of the Federal-aid Highway Program. Within the context of these requirements, and in consideration of other priorities established by Congress, PoDIs can be generally categorized into one or more of the six (6) types described below:

**1. Major Projects (>\$500M); 23 USC 106(h)**

Major Projects (>\$500M) will always be identified as PoDIs since Congress has directed an increased involvement by FHWA in these projects.

**2. Appalachian Development Highway Projects; 23 USC 106 (g)(5)(B)**

Appalachian Development Highway Projects will always be identified as PoDIs since Congress has directed an increased involvement by FHWA to retain project approval actions (design, plans, specifications, estimates, contract awards, inspections) listed in Section 106(c) for these projects.

**3. TIGER Discretionary Grant Projects**

TIGER Projects will always be identified as PoDIs since Congress has directed an increased involvement in these projects and the administration of these projects has been delegated to FHWA by the Secretary of Transportation.

**4. NHS Projects with Retained FHWA Project Approval; 23 USC 106(c)(1)**

NHS projects where FHWA has retained responsibility for one or more of the project approval actions (design, plans, specifications, estimates, contract awards, inspections) listed in Section 106(c) will always be identified as a PoDI. The identification of these types of PoDIs will be consistent with the FHWA/SDOT Stewardship and Oversight Agreement and reflect the risk-based need for FHWA to retain responsibilities for certain project approval actions, either on a programmatic basis or project-level basis.

**5. Non-NHS Projects with Retained FHWA Project Approval; 23 USC 106(c)(2)**

Non-NHS projects where, as determined by the State DOT, FHWA has retained responsibility for one or more of the project approval actions listed in Section 106(c) will always be identified as a PoDI. The identification of these types of PoDIs will be consistent with the FHWA/SDOT Stewardship and Oversight Agreement.

**6. Projects Selected for Risk-based Stewardship & Oversight; 23 USC 106(g)**

Regardless of retained project approval actions, any Federal-aid Highway Project either on or off the NHS that the Division identifies as having an elevated level of risk can be selected for risk-based stewardship and oversight and would then be identified as a PoDI. Identification of these Section 106(g) PoDIs will be done using a risk-based process that considers consistent risk criteria.

### **Projects of Corporate Interest (PoCIs)**

Projects of Corporate Interest (PoCIs) are a subset of PoDIs. These are projects deemed to be so significant that FHWA is willing to commit additional resources beyond those available at the individual Division level to help ensure successful delivery of the project. Project selection should be risk-based and the stewardship and oversight activities should be directed toward addressing the identified risks. This may require retaining certain project approval actions or directing stewardship and oversight activities to a specific phase or element of the project.

## **PoDI Identification Process**

The identification of PoDI projects will be risk-based. This will be a two-step process including a “pre-screening” to identify a short-list of potential PoDI projects and a risk-based assessment to identify projects risks.

### *Pre-screening*

Divisions will pre-screen Federal-aid projects and develop a short-list of projects that will require a risk-based assessment to identify their possible areas of risk and to determine if they should be selected as a final PoDI. Divisions should develop and document their own pre-screening criteria driven by “areas for concern and/or opportunity” to identify these potential PoDIs. Examples of pre-screening criteria include project cost thresholds on the Interstate/NHS; regional significance; political or community interest; innovative financing or contracting; and geographic coverage.

### *Risk-based Assessment*

Divisions will conduct a risk-based assessment of the short-list of PoDI projects. Major Projects, Appalachian projects, and TIGER projects are by definition final PoDI projects, but each must still receive a risk-based assessment to identify project risk areas and appropriate stewardship and oversight activities. As a minimum, each Division will develop and document a process that considers the following ten risk areas<sup>1</sup> when identifying the final PoDI projects. Divisions may add other risk considerations at their discretion.

1. Complexity
2. Cost
3. Schedule
4. Urgency
5. Environmental Considerations/Stakeholders
6. Funding
7. Project Administration
8. National/Regional Significance
9. Corporate Actions
10. Local Considerations

### **The Resource Deployment Tool (RDT)**

(<http://our.dot.gov/office/fhwa.hq/ipd/ResourceDeploymentTool/SitePages/Home.aspx>) has been developed using these ten risk areas and it provides a structured way to evaluate project risks. Divisions are encouraged to use this tool for assessing the short-list of potential PoDIs. Divisions may utilize an alternative mechanism, but they must address the minimum criteria identified above and there must be a documented risk analysis. Major Projects have a high potential to be a PoCI project and therefore will receive a risk-based assessment using the RDT as discussed below under PoCI Identification Process.

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<sup>1</sup> More detailed criteria regarding the 10 risk areas can be found in the Resource Deployment Tool.

### *Final PoDI Selection*

Divisions will make the final selection of PoDIs from the short-list taking into consideration the results of the risk-based assessment, available resources, State-specific considerations, and how each project fits into the Division's overall oversight objective. As noted above, Major Projects, Appalachian projects, and TIGER projects are by definition final PoDI projects. There is no firm number or percentage of projects that should be designated as a PoDI by each Division; however, the number of projects shall reflect the level of stewardship and oversight needed to mitigate the elevated risks identified on each PoDI. Each DFS will discuss the range of PoDI projects and the selection process with the Division as necessary. Divisions are encouraged to collaborate with their respective State DOT in the PoDI identification process. However, the final PoDI selection decision and the level of involvement remains the responsibility of the Division.

### **PoCI Identification Process**

#### *Pre-screening*

It is anticipated that a short-list of projects that have the potential to be a PoCI will be identified early in the PoDI pre-screening process. All Major projects will be included in the short-list of potential PoCIs.

#### *Risk-based Assessment*

Major Projects and all other pre-screened projects that have the potential to be a PoCI will be entered into the SharePoint-based Resource Deployment Tool (RDT) (<http://our.dot.gov/office/fhwa.hq/ipd/ResourceDeploymentTool/SitePages/Home.aspx>). This tool will be used to conduct a risk-based assessment to identify areas of elevated risk for each project, identify the level of Division office capacity to manage the risk, and determine if the project is recommended by the Division Office for selection as a final PoCI. The RDT contains specific instructions for completion.

#### *Final PoCI Selection*

For each project entered into the RDT, the Division Office will indicate if the project is selected as a final PoDI and if it is recommended as a final PoCI. The DFSs will concur in the final selection of PoCIs after consultation with key Headquarters offices. If a Division recommends a Major Project as a PoCI, the DFSs will consult with the Office of Innovative Program Delivery (HIPD) prior to concurring in the selection of the project as a final PoCI. Concurrence for each project will be documented in the RDT. If the DFSs and/or Headquarters office have any concerns with whether the project is a good candidate for a final PoCI they will consult with the Division Administrator.

### **Scope of Involvement in PoDI & PoCI Projects**

Project selection will be risk-based and stewardship and oversight activities will be directed toward addressing the identified risks. This may include retaining certain project approvals or directing stewardship or oversight activities to a specific phase or element of the project. For PoDIs, the scope of a Division's stewardship and oversight activities, beyond any project approval actions retained by FHWA,

will be tailored to the level of risk ascertained by the Division. For PoCIs, the scope of involvement will include the dedication of corporate resources to ensure the successful delivery of the project.

### **PoDI & PoCI Stewardship & Oversight Plans**

The Division will prepare a specific PoDI Stewardship & Oversight (S&O) Plan for each PoDI, or group of PoDIs. The PoDI S&O Plan is meant to be concise and will include the following elements:

1. Project information – including project name, description, location, FMIS#, and State ID#
2. FHWA contact
3. Primary PoDI type
4. Indication if the project is also a PoCI
5. Risk areas associate with the project (from risk-based assessment)
6. Project elements that will be reviewed in response to the risks
7. Activities that will be conducted on the project (retained approval action, inspections, etc.)
8. If a PoCI, the specific corporate resources committed to the project
9. The results of the Division involvement in the project

Divisions will enter each plan into the PoDI S&O Plan SharePoint Site

(<http://our/office/fhwa.dfs/RBSO/Lists/PoDI/AllItems.aspx>). Areas of elevated risk must be reported in the plan, along with the project specific actions to be taken by Division staff to address the risk(s). The Divisions are also expected to document the results of the Division involvement in the project. A single plan may be developed for a group of projects in cases where the risks and stewardship and oversight strategies are similar. For example, if a projects approval action has been retained on a programmatic basis for a group of projects, a single PoDI S&O Plan may be developed that references the programmatic risk and the affected projects. Since PoCIs are a subset of PoDIs, a plan will be prepared in the SharePoint site for all PoCIs as well. Divisions will indicate within the plan what additional corporate resources have been committed to the PoCI project.

A Word version of the standard PoDI S&O Plan has been provided. This may be used for preparation of the plan prior to entering the information into the PoDI S&O Plan SharePoint Site  
(<http://our/office/fhwa.dfs/RBSO/Lists/PoDI/AllItems.aspx>) and for sharing with the State DOT.

#### **PoDI S&O Plan Template (Word version)**



Final PoDI S&O Plan  
Template (Word) 3-28

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**ATTACHMENT E**

**ORGANIZATIONAL CHARTS**

**for**

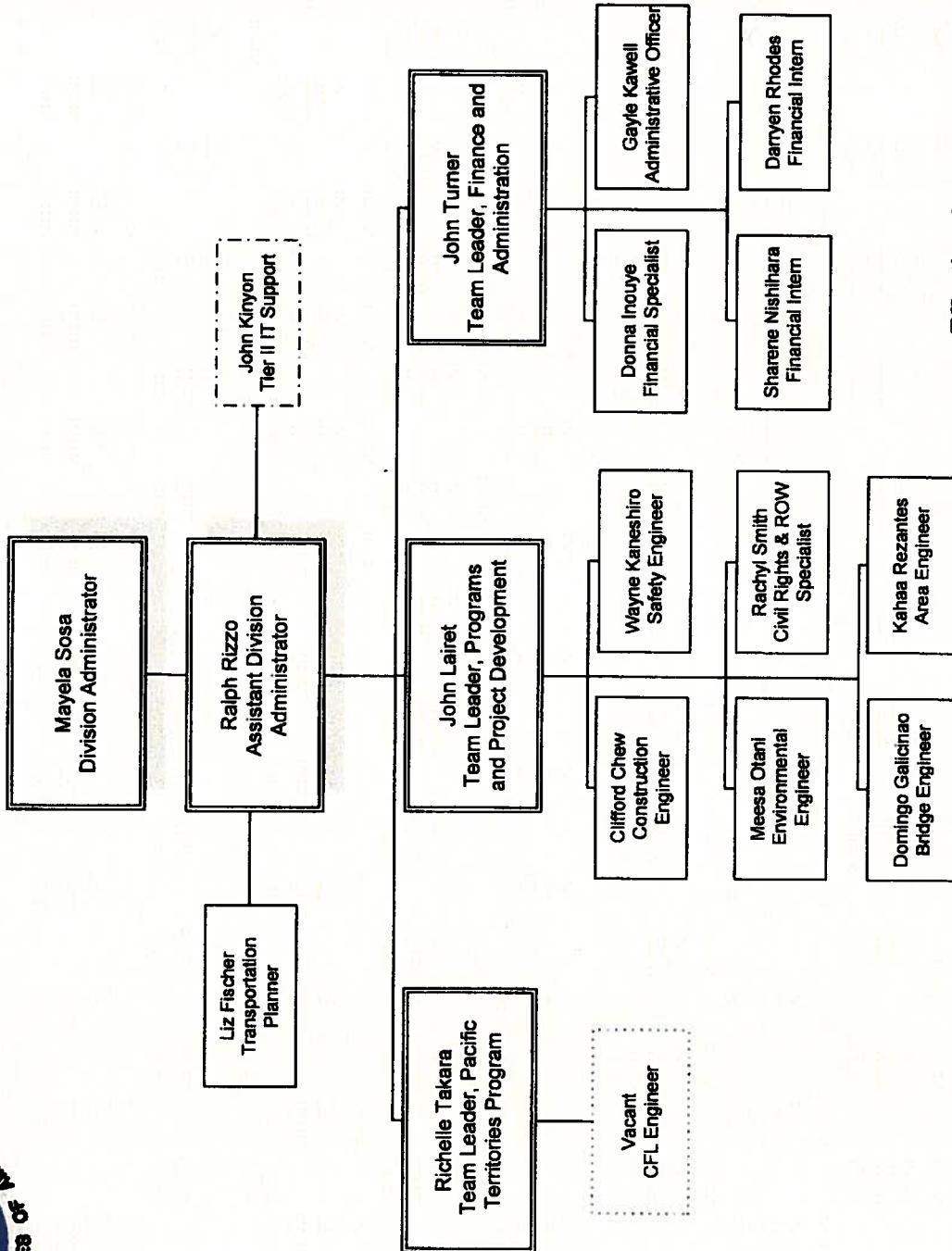
**\* FHWA Hawaii Division**

**\* Hawaii Department of Transportation**

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## Hawaii Division Office Organization

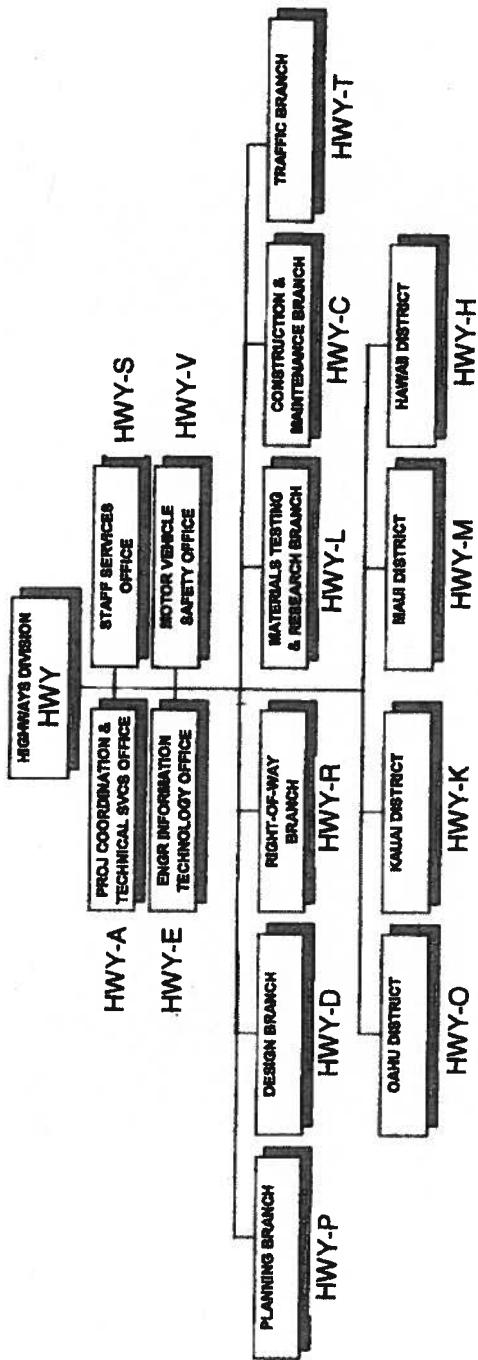


Effective January 2015

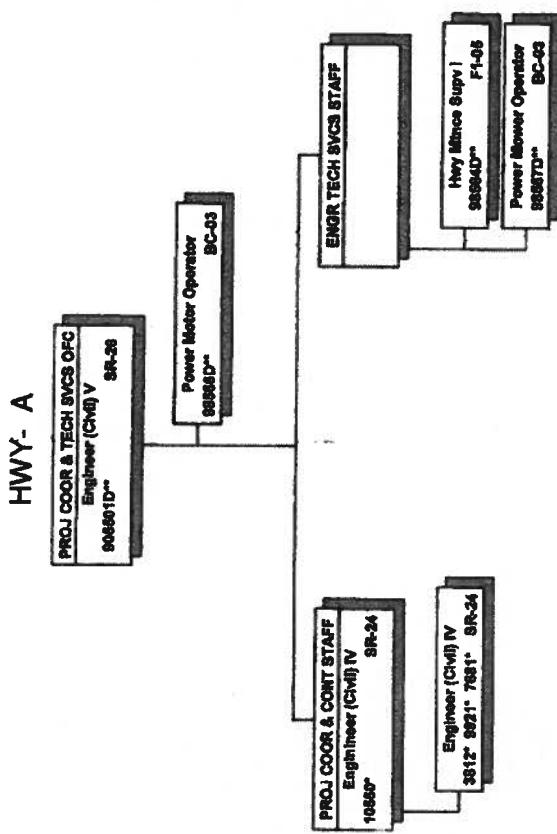
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**HIGHWAYS DIVISION  
OVERALL ORGANIZATION**

**STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
HIGHWAYS DIVISION  
ORGANIZATION CHART**



STATE OF HAWAII  
 DEPARTMENT OF TRANSPORTATION  
 HIGHWAYS DIVISION  
 PROJECT COORDINATION & TECHNICAL SERVICES OFFICE  
 ORGANIZATION CHART

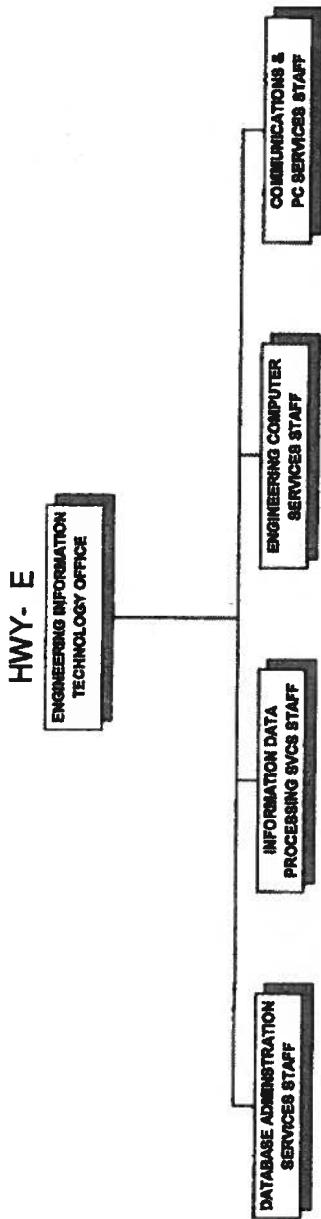


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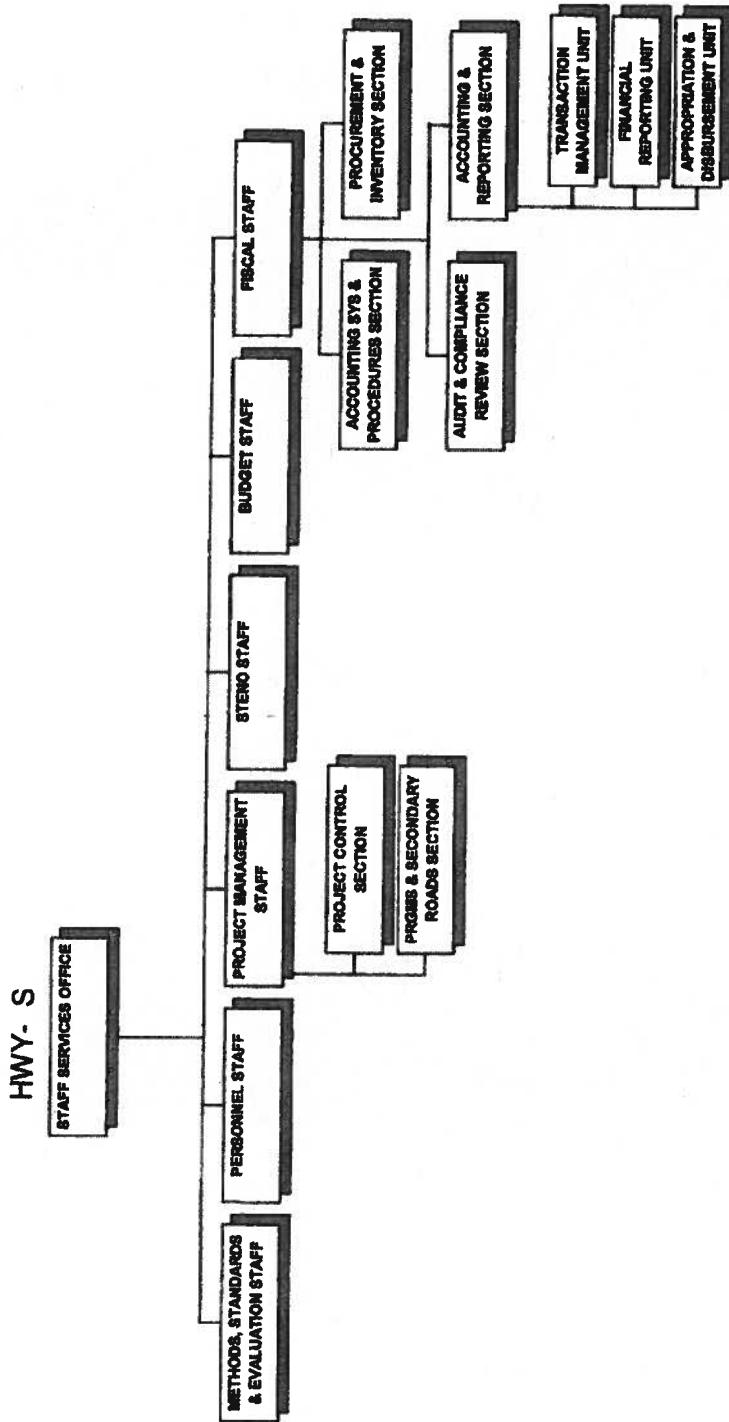
\* Project funded positions.

\*\* Special funded positions.

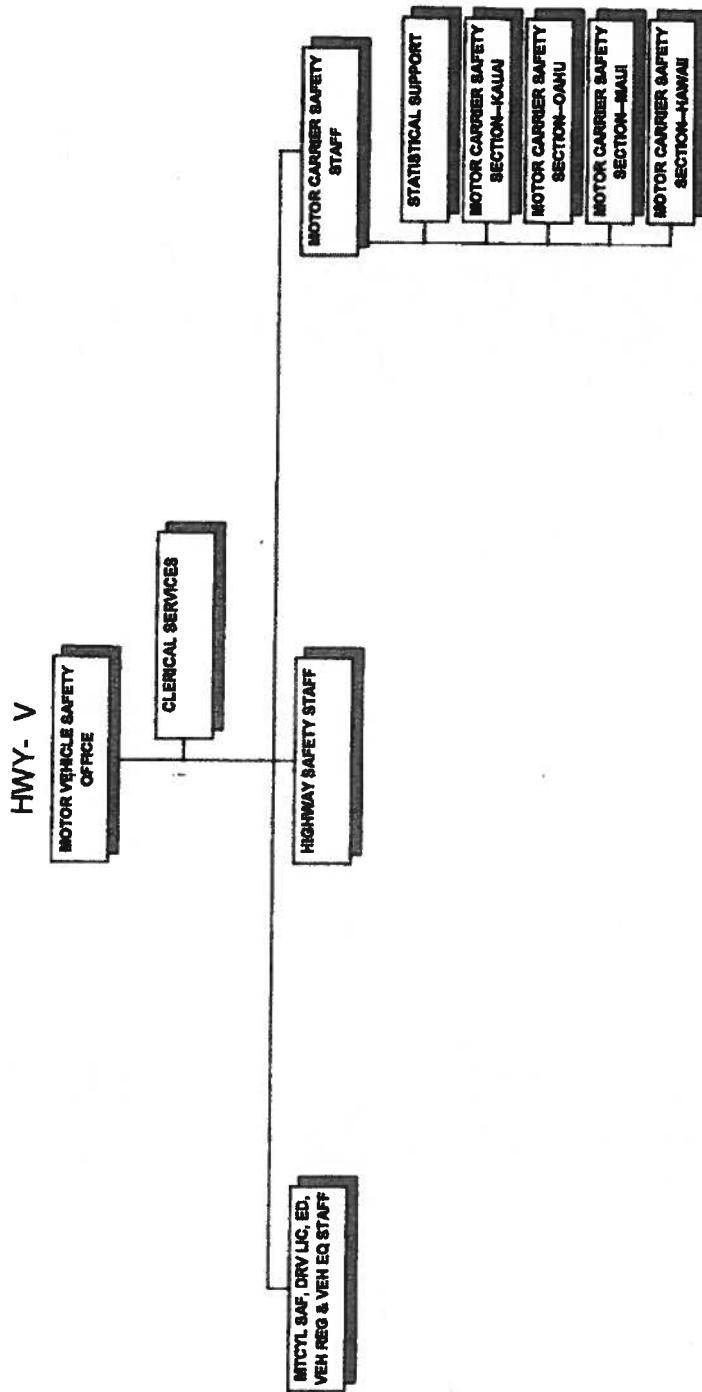
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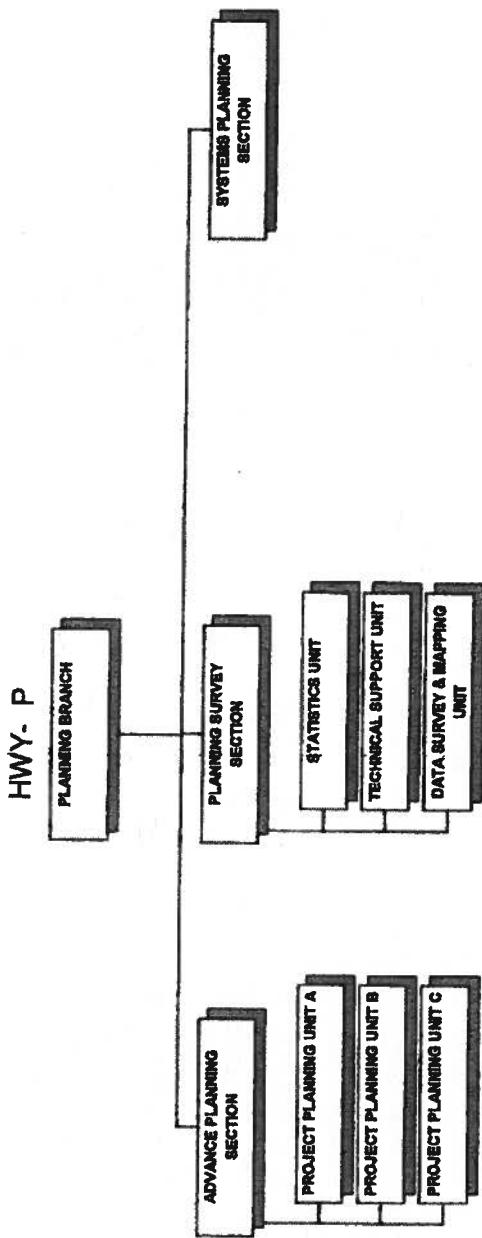
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STAFF SERVICES OFFICE  
ORGANIZATION CHART



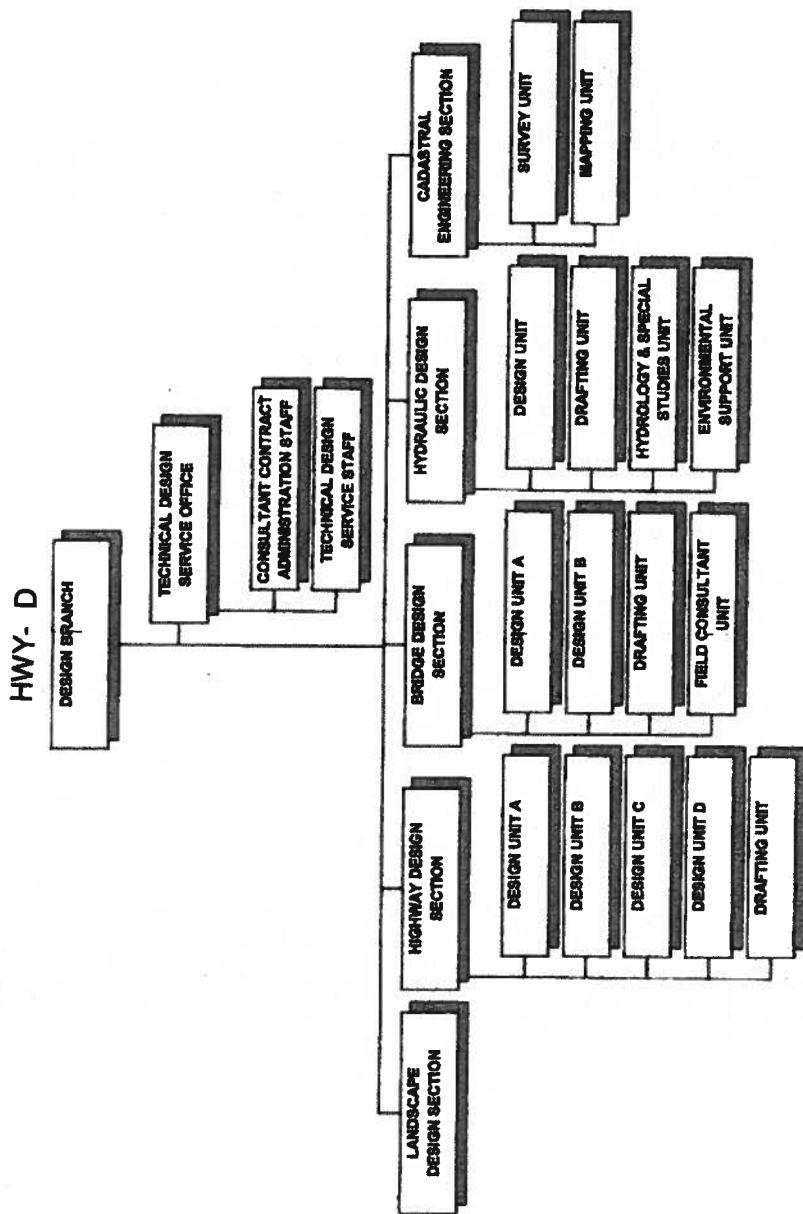
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ORGANIZATION CHART



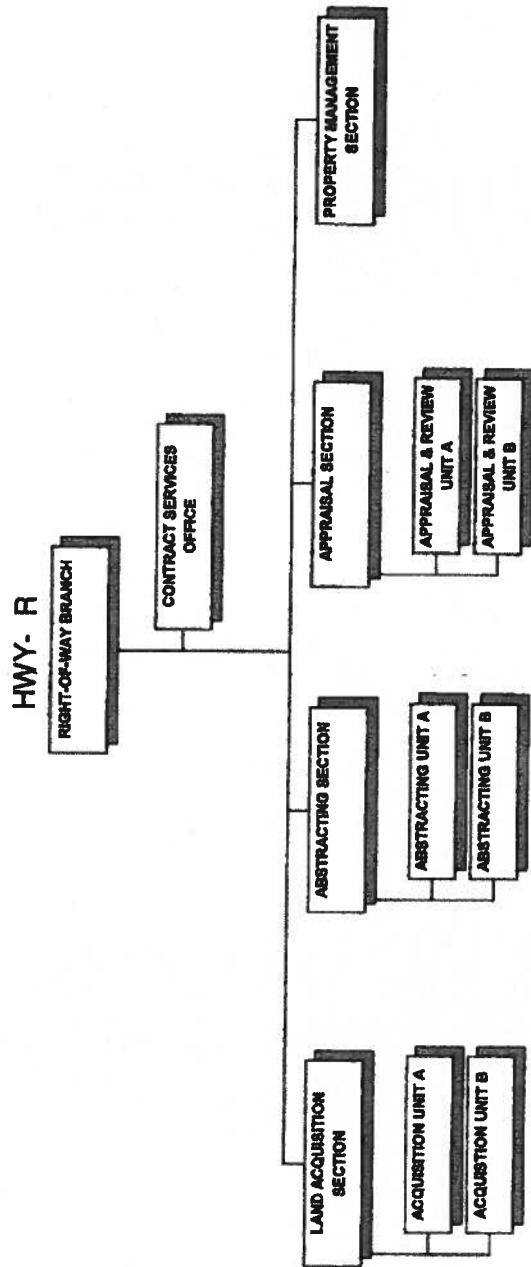
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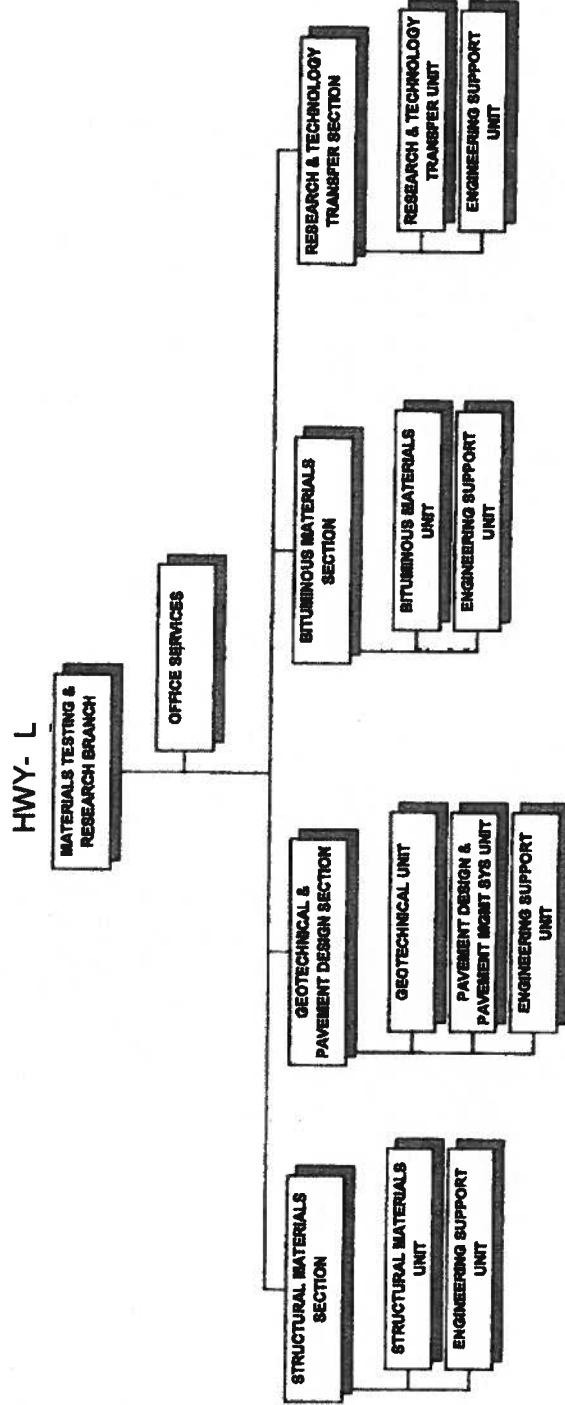
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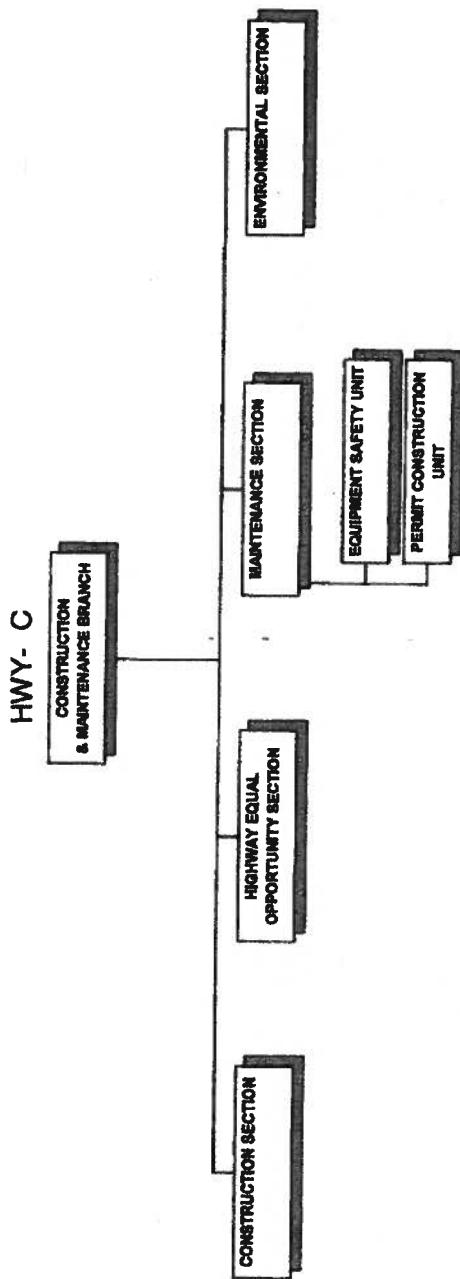
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ORGANIZATION CHART



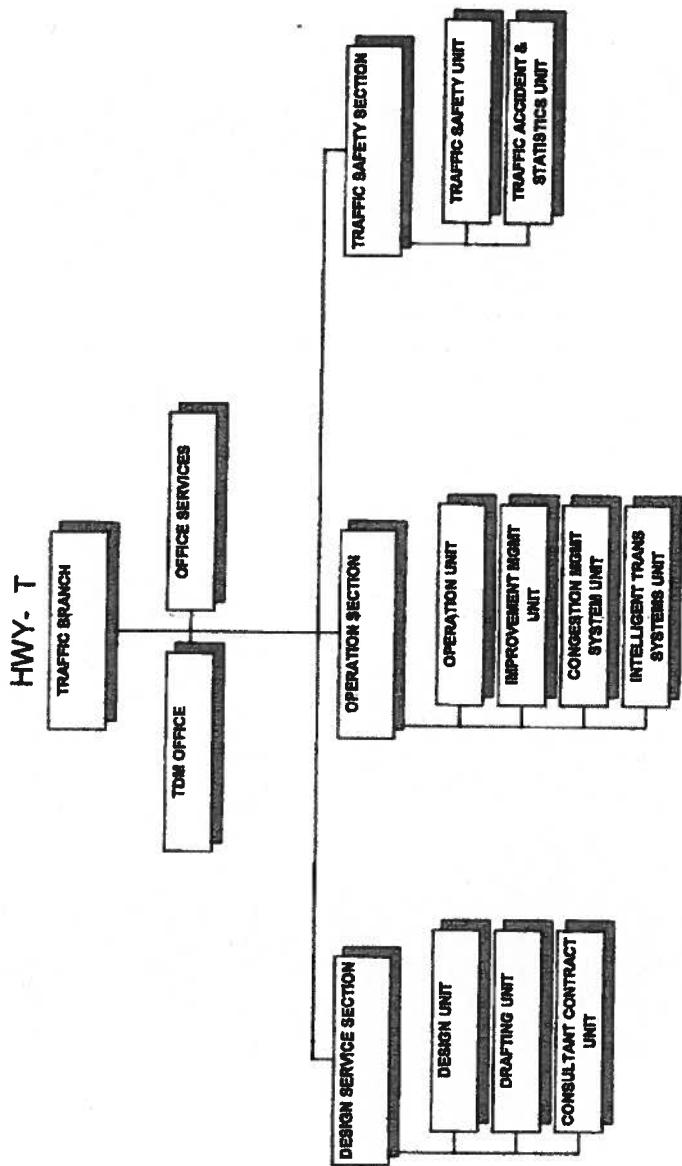
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MATERIALS TESTING & RESEARCH BRANCH  
ORGANIZATION CHART



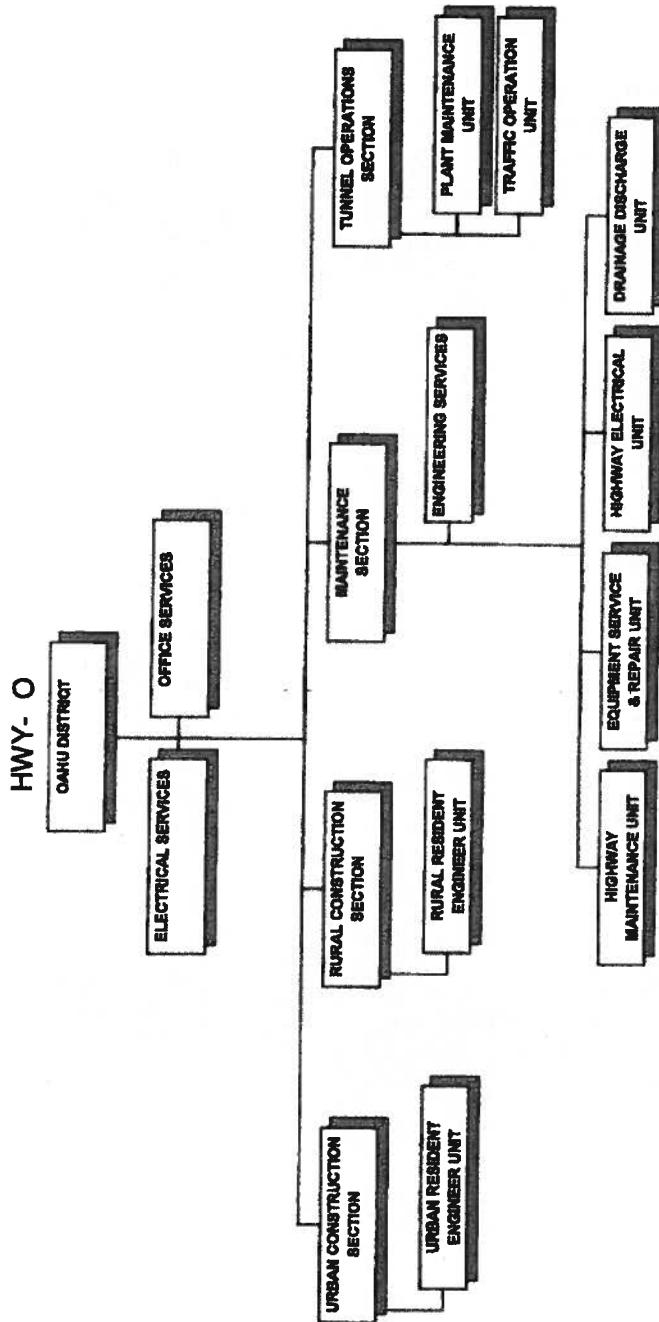
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ORGANIZATION CHART



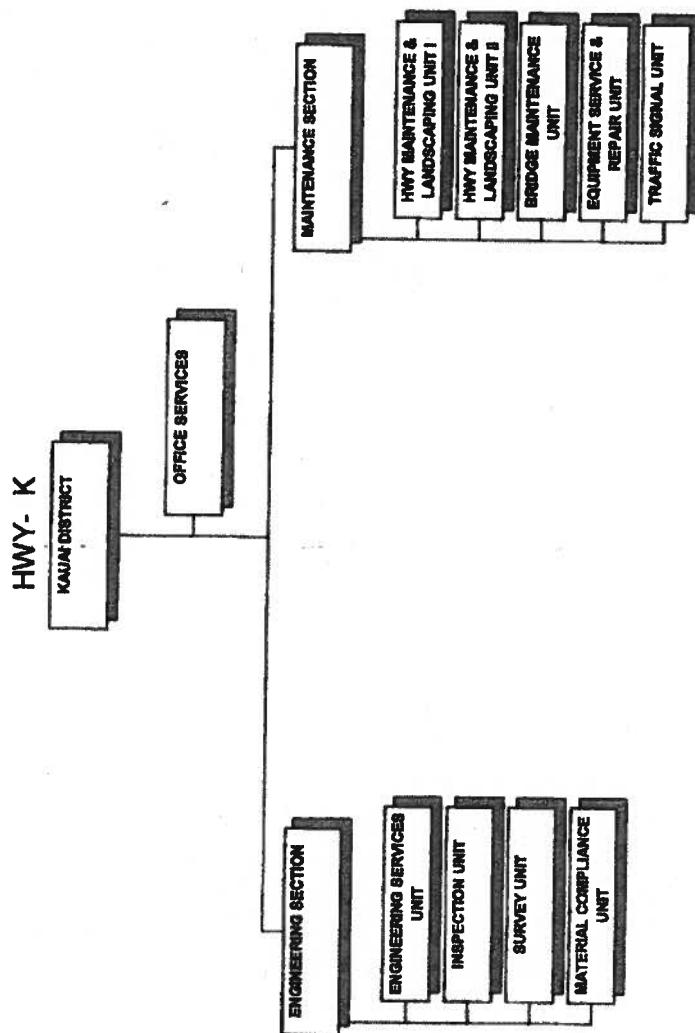
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ORGANIZATION CHART



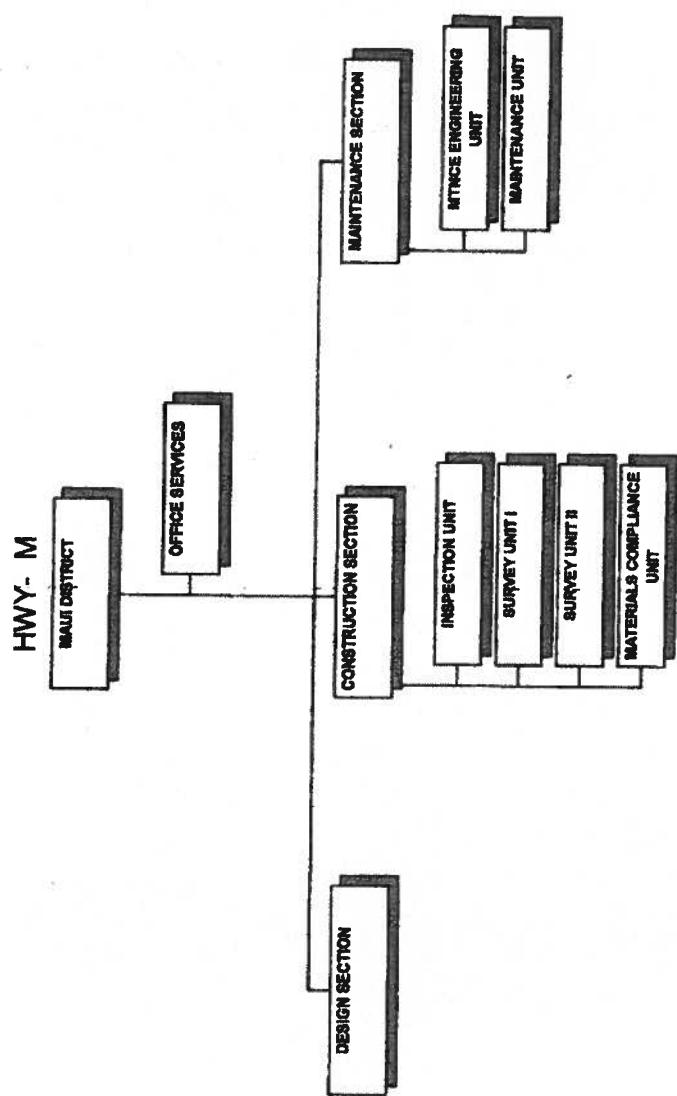
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HIGHWAYS DIVISION  
OAHU DISTRICT  
ORGANIZATION CHART



STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
HIGHWAYS DIVISION  
KAUAI DISTRICT  
ORGANIZATION CHART

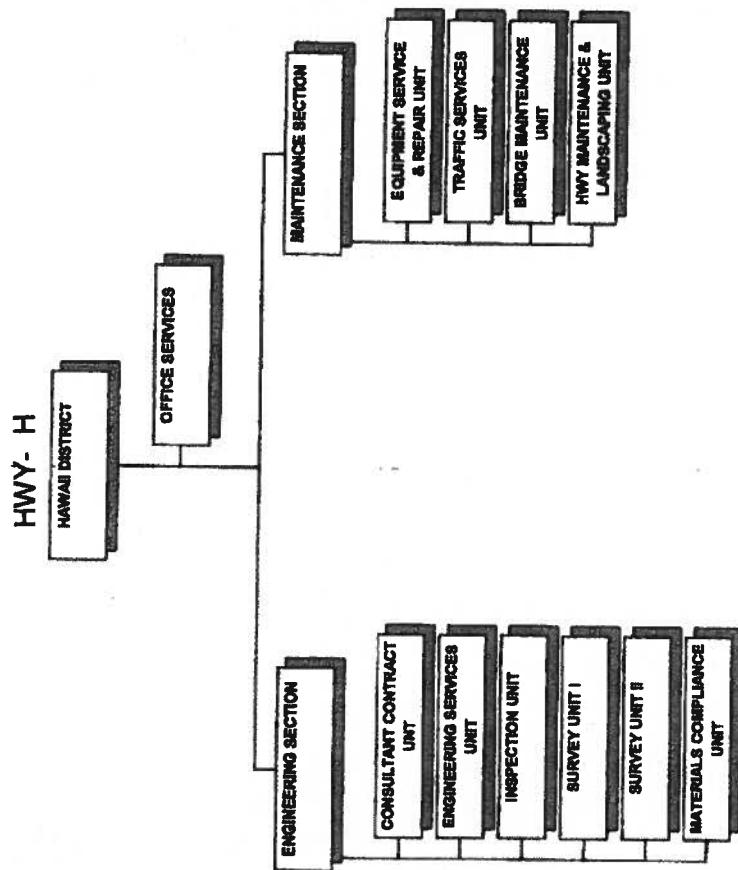


STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
HIGHWAYS DIVISION  
MAUI DISTRICT  
ORGANIZATION CHART



STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
HIGHWAYS DIVISION  
HAWAII DISTRICT

ORGANIZATION CHART



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## **Appendix A: Glossary**

**Assumption of Responsibilities** – The act of State DOT to accept responsibility for carrying out and approving certain actions in the place of the FHWA. Such actions are to be taken by the State DOT in conformance with Federal laws, regulations, and policies.

**Assumed Projects** – Federal projects that the State DOT reviews in the place of the FHWA and has the authority to approve certain specified actions pertaining to design; plans, specifications, and estimates; contract awards; and inspections.

**Certification Reviews** – A review that formalizes the continuing oversight and day-to-day evaluation of the planning process.

**Control Document** – Applicable laws, regulations, standards, policies, and standard specifications approved by FHWA for use on Federal-aid highway projects.

**Core Functions** – Activities that make up the primary elements of the division office's Federal-aid oversight responsibilities based on regulations and national policies. Core functions in the division office are Planning, Environment, Right-of-Way, Design, Construction, Finance, Operations, System Preservation, Safety, and Civil Rights.

**Locally Administered Projects** – For the purpose of the S&O Agreement, a Federal-aid project in which an entity other than a traditional State DOT is a sub-recipient and this entity is administering the particular phase being authorized, i.e., Preliminary Engineering, ROW, or Construction. These would include projects where the non-traditional entity will either perform the work itself or enter into a contract for services or construction. State DOT remains responsible for the local public agency's compliance on locally administered projects.

**Local Public Agency (LPA)** – Any organization, other than a traditional State DOT, with administrative or functional responsibilities that are directly or indirectly affiliated with a governmental body of any Tribal Nation, State, or local jurisdiction. LPAs would most often include cities or counties. However, an LPA, as defined here, could also include a State entity as well, perhaps even a part of a State DOT. An example could include a Port Authority or Toll Authority that had not traditionally worked with the Federal-aid highway program (FAHP).

**Oversight** – The act of ensuring that the FAHP is delivered consistent with laws, regulations, and policies.

**Program Assessments** – This evaluation technique may take many forms, including joint risk assessments and self-assessments. These tools are based on the common concepts of identifying strengths, weaknesses, and opportunities and the identification and sharing of "best" practices to continually improve the program.

**Program Reviews** – A thorough analysis of key program components and the processes employed by the State DOT in managing the program. The reviews are conducted to: 1) ensure compliance with Federal requirements; 2) identify areas in need of improvement; 3) identify

opportunities for greater efficiencies and cost improvement to the program; and/or 4) identify exemplary practices.

**Projects of Division Interest (PoDIs)** – PoDIs are those projects that have an elevated risk, contain elements of higher risk, or present a meaningful opportunity for FHWA involvement to enhance meeting project objectives.

For PoDIs, FHWA has made a risk-based decision to retain project approval actions or conduct stewardship and oversight activities for the project as provided for in 23 USC 106.

**Recurring Reviews** – Reviews that the division office conducts annually or on a regular periodic basis. Examples include NBIS, HPMS, HVUT, etc.

**Risk Assessment** – The process of identifying a risk event, determining the likelihood of the event happening, determining the impact (positive or negative) of the event on the delivery of the FAHP, and identifying an appropriate risk response strategy.

**Risk-Based Approach** – Incorporating risk assessment and risk management into investment and strategic decision making (the means by which limited resources are focused).

**Risk Management** – The systematic identification, assessment, planning, and management of threats and opportunities faced by FHWA projects and programs.

**Stewardship** – The efficient and effective management of the public funds that have been entrusted to the FHWA.

**Unit Performance Plan** – The annual performance plan prepared by an individual FHWA unit that address unit responsibilities and priorities taking into account the National Performance Objectives and National Initiatives identified in the FHWA's Strategic Implementation Plan (SIP) as well as specific initiatives identified at the unit level based on risk.

## **Appendix B: Project Oversight Designation Requirement in the Fiscal Management Information System (FMIS)**

**PoDI/State Administered** – Projects of Division Interest that are administered by the State DOT. If specific 106(c) responsibilities are assumed by the State DOT, the responsibilities assumed should be noted in the project description and/or remarks fields. (Projects where all six 106(c) responsibilities are retained by FHWA would need no such notation.) These are projects where FHWA will review and approve actions pertaining to one or more of the following (design; plans, specifications, and estimates; contract awards; and project inspections) and may also include additional areas of focus by the division.

**PoDI/Locally Administered** – Projects of Division Interest that are locally administered. If specific 106(c) responsibilities are assumed by the State DOT, the responsibilities assumed should be noted in the project description and/or remarks fields. (Projects where all six 106(c) responsibilities are retained by FHWA would need no such notation.) These are projects where FHWA will review and approve actions pertaining to one or more of the following (design; plans, specifications, and estimates; contract awards; and project inspections) and may also include additional areas of focus by the division.

**Assumed/State Administered** – Projects where *responsibility for all six Section 106(c) items* is assumed by the State DOT and the project is administered by the State DOT. These are projects where the State DOT has assumed responsibility for review and approval actions pertaining to all of the following: design; plans, specifications, and estimates; contract awards; and project inspections.

**Assumed/Locally Administered** - Projects where *responsibility for all Section 106(c) items* is assumed by the State DOT and the project is administered by a local agency. These are projects where the State DOT has assumed responsibility for review and approval actions pertaining to all of the following: design; plans, specifications, and estimates; contract awards; and project inspections.

**Other** – There may be situations that do not fit the previous categories. In cases where the project is identified as “Other,” additional details should be provided in the project description and/or remarks fields. Examples could include non-State DOT direct recipients.

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## **Appendix C: List of Acronyms**

### Laws and Regulations

CFR	Code of Federal Regulations
HRS	Hawaii Revised Statutes
USC	United States Code
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991, Public Law 102-240, December 18, 1991
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act: A legacy for Users of 2005, Public Law 105-59, August 10, 2005
TEA-21	Transportation Equity Act for the 21 <sup>st</sup> Century of 1998, Public Law 105-18, June 9, 1998
MAP-21	Moving Ahead for Progress in the 21 <sup>st</sup> Century
23 USC	Title 23 United States Code – Highways
23 CFR	Title 23 Code of Federal Regulations – Highways
42 USC	Title 42 (The Public Health and Welfare), Chapter 51 (Uniform Relocation)
URA	Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, 94 Stat. 1894-1907, 91 <sup>st</sup> Congress, S.1, January 2, 1971, as amended (Uniform Act)
49 USC	Title 49 United States Code – Transportation
49 CFR	Title 49 Code of Federal Regulations – Transportation
EO 12898	Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

### Plans, Programs, Projects and Systems

ADA	Americans with Disabilities Act or Assistant Division Administrator
ARRA	American Recovery and Reinvestment Act
BMS	Bridge Management System
CAP	Compliance Assessment Program
CMAQ	Congestion Mitigation and Air Quality Improvement Program
CPI	Continuous Process Improvement
DA	(FHWA Hawaii) Division Administrator
DOT	Department of Transportation
DBE	Disadvantaged Business Enterprise
EEO	Equal Employment Opportunity
FA	Federal-Aid
FAHP	Federal-Aid Highway Program
FFATA	Federal Funding Accountability and Transparency Act
FHWA	Federal Highway Administration
FHWA HD	Federal Highway Administration Hawaii Division
FIRE	Financial Integrity Review and Evaluation Program
FMIS	Fiscal Management Information System
FSRS	FFATA Subaward Reporting System

HDOT	Hawaii Department of Transportation
HBRRP	Highway Bridge Replacement and Rehabilitation Program
HPMS	Highway Performance Monitoring System
HPPP	High Priority Projects Program
HWY-A	Highways Project Coordination and Technical Services Office
HWY-C	Highways Construction and Maintenance Branch
HWY-D	Highways Design Branch
HWY-E	Highways Engineering Information and Technology Office
HWY-H	Highways - Hawaii District
HWY-K	Highways – Kauai District
HWY-M	Highways – Maui District
HWY-O	Highways – Oahu District
HWY-P	Highways – Planning Branch
HWY-R	Highways – Rights of Way Branch
HWY-S	Highways – Staff Services
HWY-T	Highways – Traffic Branch
HWY-V	Highways – Motor Vehicle and Safety Office
IM	Interstate Maintenance Program
IS	Interstate System
LPA	Local Public Agencies (generally counties in Hawaii)
LRTP	Long Range Transportation Program
NHS	National Highway System
Non-NHS	Non-National Highway System
NBI	National Bridge Inspection
NBIS	National Bridge Inspection Standards
NBSE	National Bridge Scour Evaluation, National Bridge Scour Evaluation Program
OCR	Office of Civil Rights
OFW	Official Work Program
OMB	Office of Management and Budget
ORTP	Oahu Regional Transportation Plan
PM	Preventive Maintenance
PoCI	Projects of Corporate Interest
PoDI	Projects of Division Interest
PR/PE	Process Review / Product Evaluation
PS&E	Plans, Specifications and Estimates
RB	Risk Based
S&O	Stewardship & Oversight
ROW	Right of Way
SEP	Special Experimental Project
SPR	Statewide Planning & Research Program
STIP	Statewide Transportation Improvement Program
STP	Surface Transportation Program or Statewide Transportation Plan
TIP	Transportation Improvement Plan
TMP	Transportation Management Area
TPP	Transportation Planning Program

