

**Federal Highway Administration
&
Hawaii Department of Transportation**

**LETTER OF AGREEMENT
&
STEWARDSHIP PLAN**

November 1, 2006

**LETTER OF AGREEMENT
BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION
AND THE HAWAII DEPARTMENT OF TRANSPORTATION**

The Hawaii Department of Transportation (HDOT) and the Federal Highway Administration, Hawaii Division (FHWA) agree to follow the procedures set forth in the FHWA and HDOT Stewardship Plan, dated January 5, 2007, which is attached to and made a part of this agreement, to carry out their respective oversight responsibilities in the delivery of Federal-aid projects. This Letter of Agreement supersedes all past agreements, including the agreement signed February 24, 1993.

The Stewardship Plan (Plan) accomplishes a major goal of the respective agencies, in partnership, to further improve program and project delivery in the State of Hawaii. Since the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991, the Transportation Equity Act for the 21st Century (TEA-21) of 1998 and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) of 2005, FHWA's relationship with HDOT has changed from full project oversight and approval of every project or activity funded with FHWA funds to program oversight and some targeted project level approval. ISTEA, TEA-21 and SAFETEA-LU requires the FHWA Hawaii Division to share certain oversight responsibilities with its HDOT partner to a much greater extent than in the past and HDOT's acceptance has resulted in a greater program accountability due to less federal involvement in certain projects and programs.

Although stewardship roles have changed, accountability has not changed. FHWA remains responsible and accountable to Congress and the public. HDOT is also committed to being accountable and responsive to its constituents, the people of Hawaii.

This Plan embodies the shared vision:

"Together create a dynamic, Hawaii inspired, transportation system that improves the quality of life in Hawaii through a partnership based on mutual respect, trust, and cooperation that ensures the judicious use of public resources."

Narrative, matrix tables and flow charts in the Stewardship Plan outlines responsibilities and accountability for FHWA and HDOT. The purpose of the Plan is to clarify actions, prevent misinterpretation and avoid time delays.

The Stewardship Plan is a living document that can be modified to incorporate additional legislation, and other processes or changes that may impact the oversight responsibilities. The FHWA Hawaii Division Administrator or the Director of HDOT may initiate changes to this Stewardship Plan. Both parties, HDOT and FHWA, shall mutually agree upon all future changes.

It is the mutual objective of FHWA and HDOT to work toward providing the State of Hawaii the maximum flexibility as permitted by law and to implement the shared vision.

//Signed//

Abraham Wong
Division Administrator
Federal Highway Administration Hawaii Division

January 5, 2007

Date

//Signed//

Rodney K. Haraga
Director
Hawaii Department of Transportation

January 5, 2007

Date

Stewardship Planning Committee Members

Steering Committee

FHWA: Jodi Chew, Richelle Takara

HDOT: Gary Choy, Gerald Dang

Working Groups

Planning

FHWA: Elizabeth Fischer

HDOT: Wayne Kawahara, Dean Nakagawa, Pat Tom, Ron Tsuzuki

Environment

FHWA: Jodi Chew

HDOT: Todd Nishioka, Nelson Sagum, Robert Sun, Ron Tsuzuki, Darrell Young

Right-of-Way

FHWA: Jodi Chew

HDOT: Mike Amuro, Dale Suzuki, Jerry Yamada, Dean Yogi

Consultant Services

FHWA: Pat Phung

HDOT: Jeffrey Fujimoto, Ben Hung

Design

FHWA: Richelle Takara

HDOT: Julius Fronda, Christine Yamasaki

Construction

FHWA: Clifford Chew

HDOT: Stanly Arakaki, Sterling Chow, Jamie Ho, Blaine Kawamura, Kyle Oyasato, Sal Panem, Rudy Raralio, Charlene Shibuya

Maintenance

FHWA: Clifford Chew

HDOT: Jamie Ho, Kelly Lee Sato

Materials

FHWA: Pat Phung

HDOT: Gerry Carnate, Herbert Chu, JoAnne Nakamura

Structures

FHWA: Domingo Galicinao

HDOT: Herbert Chu, Curtis Matsuda, Paul Santo

Safety

FHWA: Wayne Kaneshiro

HDOT: Jan Higaki, Sean Hiraoka

Traffic Engineers & Intelligent Transportation Systems

FHWA: Richelle Takara

HDOT: Peter Chan, Benson Chow, Bryan Kimura, Karl Kunishige

Financial Management & Accounting

FHWA: Dean Fujita

HDOT: Philbert Allencastre, Kam Kin Sin, Gerals Dang, Eva Uchilhara, Scot Urada

Research & Technology Transfer

FHWA: Domingo Galicinao, Wayne Kaneshiro

HDOT: Steve Ege, Franci Terada

Civil Rights

FHWA: Vincent Mammano

HDOT: Rey Domingo, Blaine Kawamura

Risk Management

FHWA: Vincent Mammano

HDOT: Brennon Morioka, Glenn Yasui

STEWARDSHIP PLAN HAWAII

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SECTION 1 – BACKGROUND AND OVERVIEW

Congress has charged the Federal Highway Administration (FHWA) with administering the Federal-Aid Highway Program (FAHP) under Title 23, and other associated laws. In addition, FHWA's responsibility for administering the FAHP has been clearly outlined in the following legislations: the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991; the Transportation Equity Act of the 21st Century (TEA-21) of 1998; and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) of 2005. These laws allow States to assume certain delegated responsibilities for FHWA in certain National Environmental Policy Act approvals and in the design, construction, award and inspection of certain Federal-aid projects.

The FHWA and the State Departments of Transportation (SDOTs), the funds recipients, have jointly administered the FAHP for many years. With the enactment of ISTEA, the Stewardship Agreement was introduced and provided a documented provision that addressed how the SDOT and FHWA division office would handle the delegated authorities for certain project action. Since that time, and the passage of SAFETEA-LU, the overall program has evolved requiring a more comprehensive Agreement that covers all aspects of the FAHP. This new Agreement provides a road map to effectively and efficiently execute the Federal-aid program relating to program/project delivery. FHWA assistance is not just financial integrity; it is managerial and technical as well.

Stewardship goes beyond regulatory compliance or oversight. This Stewardship Plan (Plan) outlines the roles of both FHWA and HDOT. In order to distinguish stewardship from oversight the following definition will apply:

Stewardship: *The efficient and effective management of the public funds that have been entrusted to the Federal Highway Administration.*

Oversight: *The act of ensuring that The Federal highway program is delivered consistent with applicable laws, regulations and policies.*

This Stewardship Plan serves as a continuing plan of program oversight and responsibilities for each agency covering the following functional areas:

- Planning
- Environment
- Right-of-way
- Consultant Services
- Design
- Construction
- Maintenance
- Materials
- Structures
- Safety
- Traffic Engineering and Intelligent Transportation Systems
- Financial Management and Accounting
- Research and Technology Transfer
- Civil Rights
- Risk Management

The Plan takes into account FHWA's and HDOT's resources and capabilities, and the area of responsibilities and federal requirements where FHWA has an active role in the oversight process. The Plan sets the general framework for accomplishing FHWA's stewardship and oversight responsibilities. In general, FHWA will use Process Review/Product Evaluation (PR/PE) techniques to assess the capability and capacity of HDOT in those areas where HDOT has assumed FHWA's responsibilities. FHWA will also use these techniques to monitor and evaluate HDOT's fulfillment of the responsibilities outlined in this Plan.

In cases where project level activity is still an integral part of FHWA's stewardship and oversight efforts, early involvement in project decisions combined with an assessment of the quality of the products produced during the project development process will be the primary focus.

In addition the Plan includes the stewardship responsibilities for various programs with identified action by each agency. FHWA will use Program Activities as defined later in this Plan to monitor and evaluate program performance and effectiveness. This Plan incorporates mutual service standards that include agreed upon formats and procedures for HDOT and FHWA actions.

SECTION 2 – OVERSIGHT ACTIVITIES

This Agreement between the HDOT and the Hawaii Division of the FHWA sets forth the respective roles and responsibilities of each party in the administration and oversight of the FAHP in the State of Hawaii.

Program Oversight

FHWA has full oversight of all Federal-aid programs. FHWA will manage and provide oversight of Hawaii's Federal-aid programs in various ways. The methods used will include:

- Routine day-to-day program actions and other interaction.
- Division participation on HDOT task forces, quality teams, implementation committees reviews with individuals, attendance at HDOT meetings, etc.
- PR/PE reviews.
- CPI activities will be undertaken in cooperation with HDOT as needed.

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

FHWA will provide technical assistance to HDOT and local agencies on any aspect of eligible Title 23 projects. Such technical assistance activities will be identified on a case-by-case basis in consultation with HDOT and other interested partners.

FHWA will work with HDOT in carrying out the program related stewardship responsibilities.

HDOT Responsibilities

As a condition to accepting Federal-aid highway funds, HDOT agrees to follow all applicable project and program requirements. In addition, as party to this agreement, HDOT assumes project oversight responsibilities, in accordance with the following:

- NHS Projects on the Interstate – HDOT assumes oversight responsibility for the design, plans, specifications, estimates, contract award and inspection for all NHS projects with an estimated construction cost of \$5 million or less on the Interstate System. All Interstate projects must comply with all Title 23 U.S.C. and non-Title 23 U.S.C. requirements.
- Other NHS Projects (not on the Interstate System) – HDOT assumes oversight responsibility for the design, plans, specifications, estimates, contract award and inspection of projects on the NHS with an estimated construction cost of \$10 million or less. All NHS projects must comply with all Title 23 U.S.C. and non-Title 23 U.S.C. requirements.
- Non-NHS Projects – HDOT assumes oversight responsibility for the design, plans, specifications, estimates, contract award and inspection of projects not on the NHS. Non-NHS projects are required to be designed, constructed, operated and maintained in accordance with State laws, regulations, directives, safety standards, design standards, and construction standards, in lieu of many Title 23 requirements. Requirements that are applicable to all Federal-aid projects include, but are not limited to, transportation planning, procurement of professional services, Davis-Bacon wage rates, advertising for bids, award of contracts and Buy America Act provisions. All non-NHS projects must also comply with all non-Title 23 U.S.C. requirements.
- Local Agency Projects – HDOT is responsible for assuring that all local agency Federal-aid projects comply with all applicable Federal and State requirements.

FHWA Responsibilities

While ultimately accountable for all Federal-aid highway projects, FHWA is responsible for full project level oversight as indicated below:

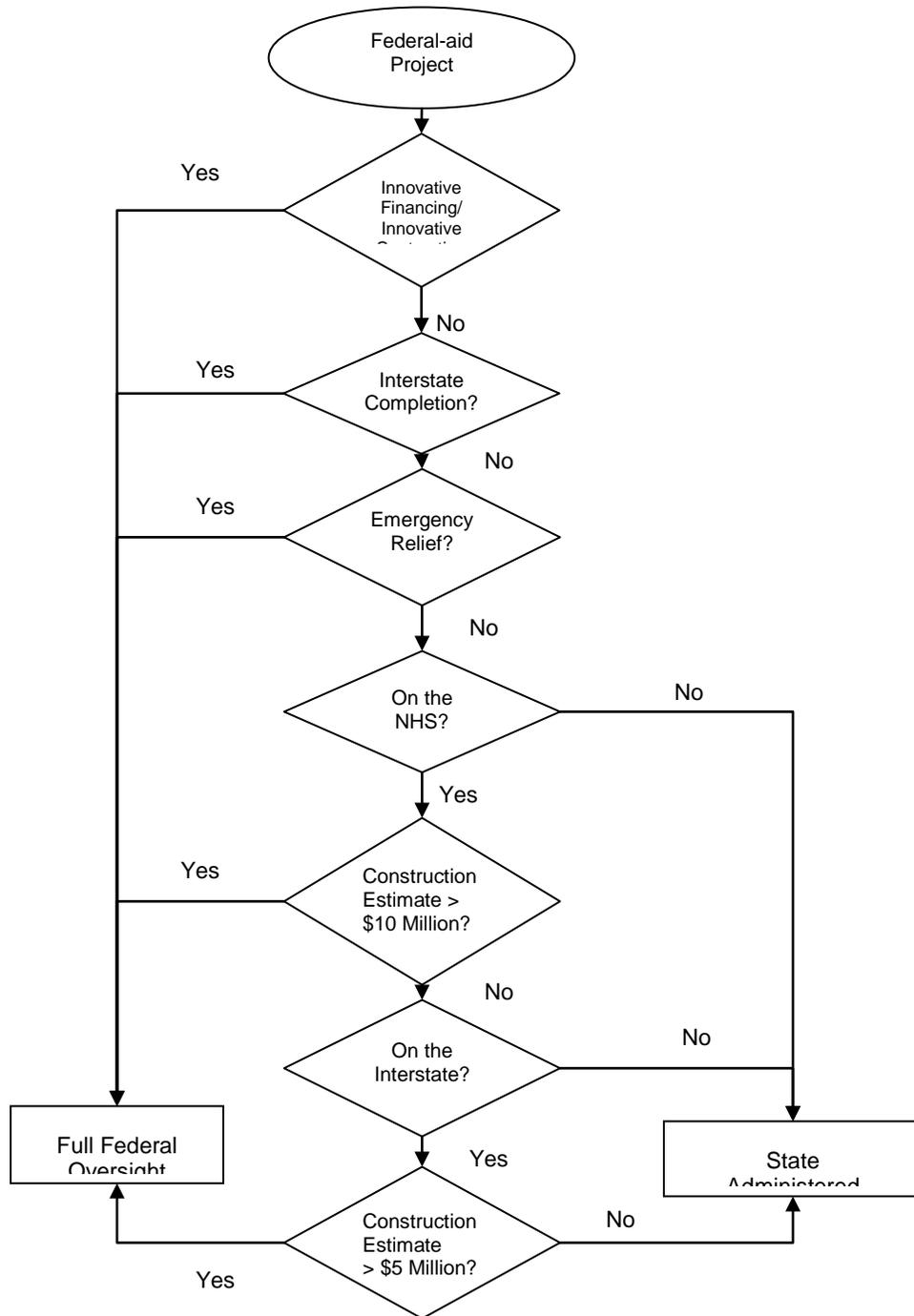
- Special Projects – FHWA will retain full oversight responsibility for (1) Innovative Financing; (2) Innovative Contracting; and (3) Interstate Route H-3 Completion Projects.
- NHS projects on the Interstate and Certain Other Projects – FHWA will have full oversight on NHS projects on the Interstate System with an estimated construction cost greater than \$5 million. FHWA will conduct project level oversight of Title 23 U.S.C. and non-Title 23 U.S.C. requirements on full oversight projects. FHWA will take approval action on project plans, specifications, estimates, contract awards and inspection of projects.
- Other NHS Projects (not on the Interstate System) - FHWA will have full oversight on NHS projects with an estimated construction cost greater than \$10 million. FHWA will conduct project level oversight of Title 23 U.S.C. and non-Title 23 U.S.C. requirements on full oversight projects. FHWA will take approval action on project plans, specifications, estimates, contract awards and inspection of projects
- Non-Title 23 Responsibility – FHWA will continue to be responsible for the oversight of applicable non-Title 23 requirements. Such oversight will be conducted through a combination of both project and program level activities.

In consultation with HDOT, FHWA may become involved with the project level oversight of any Federal-aid project, including those for which HDOT has assumed oversight responsibility. In addition, any Federal-aid project may be included in the project sampling for program level review activities.

Figure 1. PROJECT OVERSIGHT FLOWCHART

Description of Figure 1:

Does the Federal-aid project use Innovative Financing/Innovative Construction? If yes, then full federal oversight. If no, ask "is it interstate completion?" If yes, then full federal oversight. If no, ask "is it Emergency Relief?" Then full federal oversight. If no, ask "is it on the NHS?" If no, then it is state administered. If yes, ask "is the construction greater than \$10million." If yes, then full federal oversight. If no, ask "is it on the interstate?" If no, it is state administered. If yes, ask "is construction estimated greater than \$5 million?" If no, then state administered. If yes, then full federal oversight.

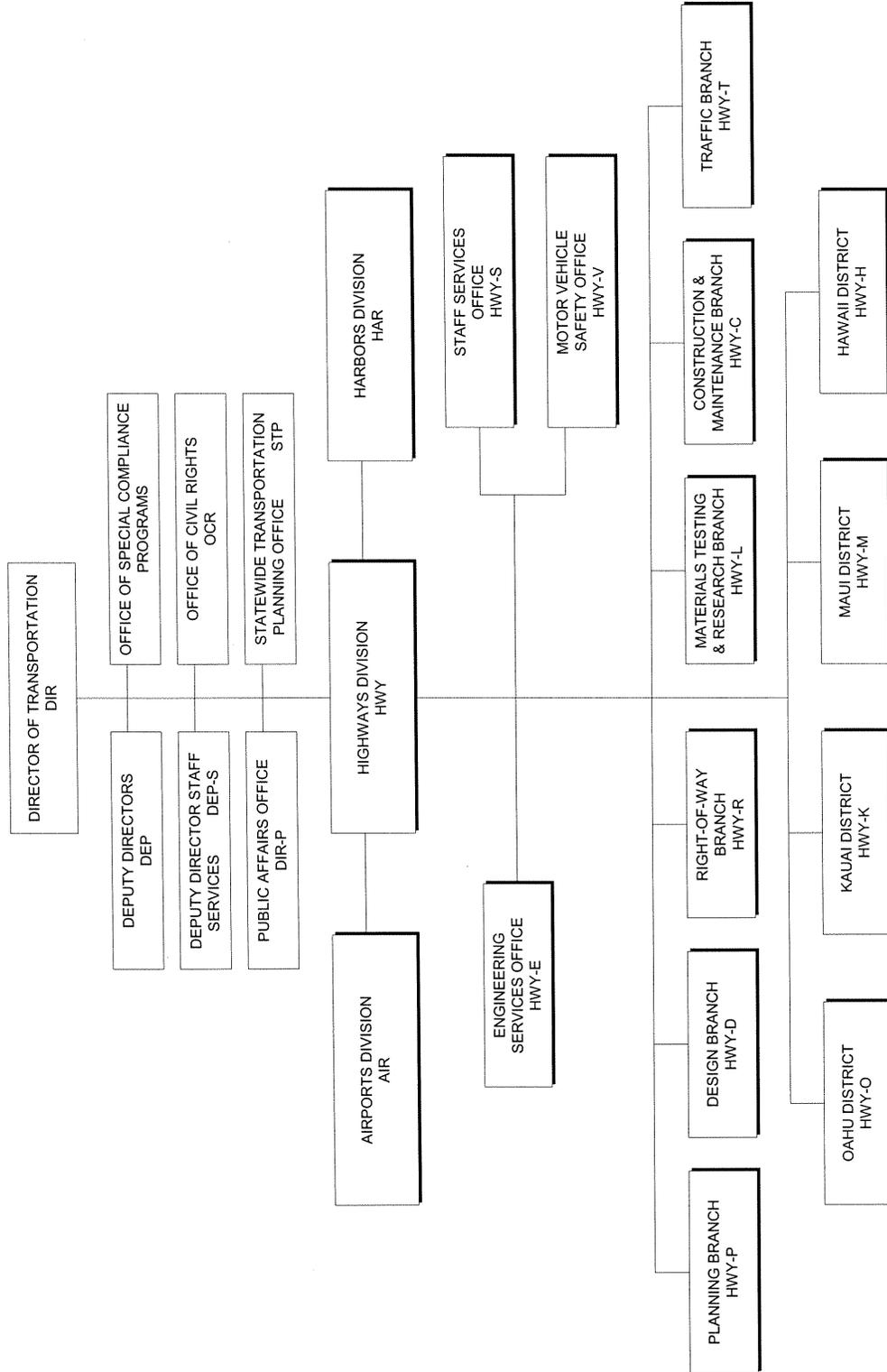


Note: If either agency wants to place a project in the other category, the proposing agency shall bring up the issue to the other agency at the STIP stage or at the beginning of the project.

Section 3 - HAWAII DOT ORGANISATIONAL DIAGRAM

Figure 2. HAWAII DOT ORGANISATIONAL DIAGRAM (see discription below)

SECTION 3 - HDOT, HIGHWAYS DIVISION ORGANIZATION CHART



Description of Figure 2:

HDOT Organizational Chart (Top Level Down)

First Level: Director of Transportation

Second Level: Deputy Directors, Office of Special Compliance Programs, Deputy Director Staff Services, Office of Civil Rights, Public Affairs Office, Statewide Transportation Planning Office

Third Level: Airports Division, highways Division, Harbors Division

Fourth Level: Engineering Services Office State Services Office, Motor Vehicle Safety Office

Fifth Level: Planning Branch, Design Branch, Right-of-Way, Materials Testing and Research Branch, Construction and Maintenance Branch, Traffic Branch

Sixth Level: OAHU District, Kanu District, Maui District, Hawaii District

Section 4 - PROJECT/PROGRAM OVERSIGHT

[4.1 – Planning](#)

[4.2 – Environment](#)

[4.3 – Right-of-way](#)

[4.4 – Consultant Services](#)

[4.5 – Design](#)

[4.6 – Construction](#)

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[4.14 – Civil Rights](#)

[4.15 – Risk Assessment](#)

SECTION 4.1 - PLANNING

APPLICABLE LAWS, REGULATIONS, POLICIES AND PROCEDURES

- 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 669: Enforcement of Heavy Vehicle Use Tax
- *Guide to Reporting Highway Statistics* - HPMS
- *Heavy Vehicle Travel Information System Field Manual*
- SAFETEA-LU Section 1117 – TCSP Program
- *CMAQ Guidelines* (February 2004)
- *Federal Register*, Volume 60:96 p. 26759 (May 18, 1995) – Scenic Byways
- July 24, 2001 FHWA HQ Memo

PROGRAM APPROVAL ACTIONS

Program Activity	Local Agency Action	HDOT Action	FHWA Action	Notes
Statewide Planning & Research (SPR) Program				
Work Program and Revisions: SPR – Part 1: Statewide Planning		STP: Approve HWY-P: Review	Approve annual program	Prior to program period
Annual Performance & Expenditure Reports		STP: Prepare	Approve	90 days after end of period
Other Periodic Performance & Expenditure Reports		STP: Prepare not more frequently than quarterly.	Review	30 days after end of period
Approval of Reports Before Publication		STP: Consolidate	Approve	Per Division requirements
Statewide Transportation Planning Products				
Statewide Transportation Plan		STP: Approve coordinated Departmental multi-modal plan HWY-P: Approve coordinated and prioritized State Highway LRTP (prioritize & consolidate the	Review	Update as needed

Program Activity	Local Agency Action	HDOT Action	FHWA Action	Notes
		county LRTPs)		
Public Involvement Procedures	Review	STP: Approve Departmental PI Plan HWY-P: Review	Review	Update as needed
Statewide Transportation Improvement Program (STIP)	Review	HWY-P: Prepare	Approve jointly with FTA	Prior to program period (2007 & n+4)
STIP Amendments	Review	HWY-P: Prepare	Review	As needed
Federal Finding on STIP		Review	Approve jointly with FTA	Concurrent with STIP approval
State Self-Certification on Planning Process		HWY-P: Approve	Review	Submitted with STIP. Update as needed
State Consultation Process(es) with Non-Metropolitan Local Officials	Review	STP: Approve process		February 24 (2011 & n+5) (last in 2006)
Highway System Actions				
Interstate		HWY-P: Submit	Review and approve	As needed
Federal-aid Urban Area Boundaries		HWY-P: Prepare and submit in required digital format	Approve	When revised
Functional Classification		HWY-P: Prepare and review	Approve	When revised
National Highway System (NHS)		HWY-P: Approve	Review and approve	As needed
Official Work Program (OWP/UPWP)				
Transportation Management Areas (TMAs) OWP/UPWP	OMPO: Prepare and submit	Review	Approve jointly with FTA	
Non-TMA MPOs OWP/UPWP	OMPO: Prepare		Approve jointly with FTA	Prior to program period
OWP/UPWP Revisions/Amendments	OMPO: Prepare	Review	Approve jointly with FTA	As needed
Performance & Expenditure Reports	OMPO: Prepare & submit	Review	Review	Not more frequently than quarterly.
Approval of Reports Before Publication	OMPO: Review	Review	Approve jointly with FTA	Per Division Office Requirements
Metropolitan Planning: Long-Range Transportation Plan (LRTP)				
MPO LRTP Updates	OMPO: Develop & Approve	Review	Review	Update at least every five years (2011 & n+5) (last 2006)

Program Activity	Local Agency Action	HDOT Action	FHWA Action	Notes
MPO Public Involvement Procedures	OMPO: Develop & Approve	Review	Review	Update as needed
Air Quality Conformity Determination on LRTP		Review	Approve jointly with FTA	Concurrent with LRTP. Update at least every 4 years
Certification/Certification Reports				
State/MPO Self-Certifications	OMPO: Approve	Review	Review	May be included in TIP or OWP. Annual
FHWA/FTA TMA Certification Review Report	OMPO: Prepare	Review	Approve jointly with FTA	Every 3 years
Transportation Improvement Program (TIP)				
TIP	OMPO: Approve Governor: Approve	Review & Incorporate into STIP	Review	Prior to program period
TIP Amendments	OMPO: Approval thru the STIP amendment process	Review & Incorporate into STIP	Review jointly with FTA	As needed
Air Quality Conformity Determination on TIP	N/A	N/A	N/A	Hawaii attainment area.
Federal Finding on TIP	OMPO: Prepare	Review	Approve jointly with FTA	Concurrent with S(TIP) submittal
Metropolitan Planning Area Designation				
Metropolitan Planning Area Boundaries	OMPO: Approve and submit	Review	Review	When revised
Allocation Formulas for PL funds	Review	Review	Approve	When revised
MPO Agreements	OMPO: Prepare and Approve Local Transit provider: Approve	Approve	Review	When completed
Designation/Redesignation of MPOs	OMPO: Prepare and Submit	STP: Approve HWY-P: Review	Review	When completed
Highway Performance Monitoring System (HPMS)				
Data Submittal		HWY-P: Prepare and Submit to FHWA-HPPI	Review & Approve	June 15
Certified Public Roads Miles		HWY-P: Prepare and Submit	Approve	June 1
Annual Field Review Report		Review	Approve	November 1
Highway Statistics Reports		HWY-P: Submit via UPACS	Review & Approve	Due 60 days after end of each reporting month
• Motor Fuel (551-M)		HWY-P: Submit via UPACS	Review & Approve	April 1
• Motor Fuel (556)		HWY-P: Submit via UPACS	Review & Approve	April 1
• Finance (531, 532, 541, 542,		HWY-P: Submit via UPACS	Review & Approve	April 1

Program Activity	Local Agency Action	HDOT Action	FHWA Action	Notes
and 543(optional))				
<ul style="list-style-type: none"> Finance (534) 	OMPO: Submit biennially	HWY-P: Submit annually	Review	June 15
<ul style="list-style-type: none"> Finance (536) 		HWY-P: Submit	Review	September 30
<ul style="list-style-type: none"> Vehicles and Drivers (561, 562, 566 and 571) 		HWY-P: Submit annually	Review	April 1
State DOT/Toll Authority Audits & Published Annual Reports & Form 539 (optional)		HWY-P: Prepare & Publish annually	Review	Due as soon as available.
State DOT Budgets and Published Annual Reports		HWY-P: Prepare & publish	Review	When published
Transportation Bond Referendums		HWY-P: Submit corresponding information	Review	When published
Highway Finance & Tax Legislation		HWY-P: Submit changes in coordination with State Taxation	Review	When published
TRAFFIC MONITORING DATA				
Vehicle Classification Data		HWY-P: Prepare & submit as part of annual HPMS report	Review & Approve	June 15
Permanent ATR Data		HWY-P: Collect & submit to FHWA-HPPI	Review & Approve	Monthly
Continuous Automatic Vehicle Classifier Data		HWY-P: Collect and submit to FHWA-HPPI	Review & Approve	Monthly
Weight & Vehicle Classification Data collected at Weigh-in-Motion sites		HWY: Collect and submit	Review & Approve	June 15 (or quarterly)
Annual Traffic Reports		HWY-P: Submit to FHWA-HPPI	Review & Approve	When published
Traffic Flow Maps		HWY-P: Submit to FHWA-HPPI	Review & Approve	When published
State Highway Maps (including Tourist, Bike, Route maps)		HWY submit 100 copies	Review	When published
Motor Fuel Oversight Review & Annual progress reports and statement of verification		HWY-P: submit via UPACS. Coordinate with State Tax Dept	Approve	June 30
Heavy Vehicle Use Tax (HVUT) <ul style="list-style-type: none"> Proof of Payment 		HWY: Approve	Review	July 1

Program Activity	Local Agency Action	HDOT Action	FHWA Action	Notes
<ul style="list-style-type: none"> Compliance Review 		HWY-Prepare & submit	Approve	Every three years (2006)
TCSP Evaluation Report		HWY: Approve	Review	June 30
CMAQ Annual Report		HWY: Approve	Review	February 1
Scenic Byways Program Grant Review & Progress Reports		HWY: Approve	Review	Quarterly

MONITORING

The overall effectiveness of the stewardship agreement pertaining to the Transportation Planning Program will be determined through a performance evaluation related to the timely production of required documents, plan implementation, and the quality and timeliness of other products produced as part of the program. Timely review and approval of the administrative paperwork is necessary to authorize the program and to ensure the state's accountability for the use of state and federal moneys.

The HDOT and FHWA Transportation Planning Program Stewardship Agreement performance objectives will be evaluated through actions such as but not limited to the following:

- Joint HDOT/FHWA reviews of the various Highway Performance Monitoring System (HPMS) data, traffic data, and various required statistical reports. FHWA Headquarters (Office of Policy and Information - HPPI) evaluates and checks HPMS data and conducts field reviews of the HPMS data in conjunction with the Division Office.
- Joint HDOT/FHWA (may also include FTA) planning team reviews MPO annual self-certification, discuss work program emphasis areas and schedules in coordination with OMPO.
- Quarterly review meetings between HDOT Planning Staff (STP & HWY-P) and FHWA to evaluate HDOT's progress in meeting work objectives contained in the SPR work program, overall planning program, and data collection and analysis processes.

SECTION 4.2 - ENVIRONMENT

APPLICABLE LAWS, REGULATIONS, POLICIES AND PROCEDURES

- 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 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
- 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 Statutes 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

PROGRAM APPROVAL ACTIONS

Program Activity	Local Agency Action	HDOT Action	FHWA Action	Notes
1995 MOU NEPA/404 Integration Process		Revise and Sign	Review and Sign	Updated MOU

PROJECT APPROVAL ACTIONS – HDOT PROJECTS

Project Activity	Full Federal Oversight		State Administered	
	HDOT Action	FHWA Action	HDOT Action	FHWA Action
Identify Environmental Document Type	Identify NEPA document needed	Concur	Identify NEPA document needed	Concur
Documented Categorical Exclusion	Complete Documented Cat Ex and Sign	Concur and Sign	Complete Documented Cat Ex and Sign	Concur and Sign

Project Activity	Full Federal Oversight		State Administered	
	HDOT Action	FHWA Action	HDOT Action	FHWA Action
Pre-draft Environmental Assessment	Complete EA	Review EA	Complete EA	Review EA
Environmental Assessment	Complete and Sign EA	Approve and Sign EA	Complete and Sign EA	Approve and Sign EA
Public Involvement	Receive Public Input	Receive Public Input	Receive Public Input	Receive Public Input
Final Environmental Assessment	Complete EA	Concur	Complete EA	Concur
NEPA Finding of No Significant Impact	Draft FONSI	Sign FONSI And Issue	Draft FONSI	Sign FONSI and Issue
Notice Of Intent	Draft NOI	Approve/Submit for Publication in Federal Register	Draft NOI	Approve/Submit Publication in Federal Register
Participating Agency and Cooperating Agency Letters	Draft Letters	Review and Issue Letters	Draft Letters	Review and Issue Letters
Public Involvement	Perform Public Involvement	May Attend	Perform Public Involvement	May Attend
Purpose and Need	Develop Purpose and Need	Concur	Develop Purpose and Need	Concur
Interagency Coordination	Perform Coordination	Facilitate Coordination	Perform Coordination	Facilitate Coordination
Pre-Draft Environmental Impact Statement	Complete Pre-Draft EIS	Review Pre-Draft EIS	Complete Pre-Draft EIS	Review Pre-Draft EIS
Draft Environmental Impact Statement	Complete Draft EIS and Sign	Review Draft EIS and Sign	Complete Draft EIS and Sign	Review Draft EIS and Sign
Public Hearing	Hold Hearing	May Attend	Hold Hearing	May Attend
Pre-Final Environmental Impact Statement	Complete Pre-Final EIS	Review Pre-Final EIS	Complete Pre-Final EIS	Review Pre-Final EIS
Final Environmental Impact Statement	Complete FEIS and Sign	Review by FHWA Legal and Sign	Complete FEIS and Sign	Review and Sign
NEPA Record of Decision	Draft ROD	Sign ROD and Issue	Draft ROD	Sign ROD and Issue
Preliminary Programmatic Section 4(f) Evaluation	Prepare 4(f)	Review 4(f)	Prepare 4(f)	Review 4(f)
Programmatic Section 4(f) Evaluation	Complete 4(f)	Review and Sign 4(f)	Complete 4(f)	Review and Sign 4(f)
Pre-Draft Section 4(f) Evaluation	Complete Pre-Draft	Review Pre-Draft	Complete Pre-Draft	Review Pre-Draft
Draft Section 4(f) Evaluation	Complete Draft	Review Draft by FHWA Legal	Complete Draft	Review Draft by FHWA Legal
Final Section 4(f) Evaluation	Complete 4(f)	Review and Sign	Complete 4(f)	Review and Sign

Project Activity	Full Federal Oversight		State Administered	
	HDOT Action	FHWA Action	HDOT Action	FHWA Action
De Minimis Finding	Coordinate with SHPD or owning agency, receive agency concurrence, give public opportunity to comment	Issue De Minimis Finding	Coordinate with SHPD or owning agency, receive agency concurrence, give public opportunity to comment	Issue De Minimis Finding
Letter Identifying Area of Potential Effect and Request for Identification of 106 properties	Prepare Letter	Approve for HDOT to sign and send to SHPD	Prepare Letter	Approve for HDOT to sign and send to SHPD
Section 106 Coordination with Interested Parties and Native Hawaiian Organizations (NHOs)	Prepare Letter	Approve for HDOT to sign and send to Interested Parties or NHOs	Prepare Letter	Approve for HDOT to sign and send to Interested Parties or NHOs
Section 106 Coordination Traditional Cultural Properties and Cultural Impact Assessment	Perform Coordination and Impact Analysis	Facilitate Coordination	Perform Coordination and Impact Analysis	Facilitate Coordination
Section 106 No Adverse Effect	Prepare Letter	Review and Sign Letter to SHPD	Prepare Letter	Review and Sign Letter to SHPD
Section 106 Adverse Effect Determination	Prepare Letter	Review and Sign Letter to SHPD	Prepare Letter	Review and Sign Letter to SHPD
Section 106 Memorandum of Agreement	Prepare and Sign MOA	Review and Sign MOA. Send to Advisory Council of Historic Preservation.	Prepare and Sign MOA	Review and Sign MOA. Send to Advisory Council of Historic Preservation.
Letter Identifying Area of Effect and Identification of Section 7 Resources	Prepare Letter	Approve for sending to USFWS	Prepare Letter	Approve for sending to USFWS
Section 7 No effect	Write Letter	Approve and Sign letter to USFWS	Write Letter	Approve and Sign letter to USFWS
Section 7 Biological Evaluation and Letter of Effect	Prepare Letter	Approve and Sign letter to USFWS	Prepare Letter	Approve and Sign letter to USFWS
Formal Written Re-evaluation	Prepare Re-evaluation	Review and Issue decision on Re-evaluation	Prepare Re-evaluation	Review and Issue decision on Re-evaluation
Draft Supplemental Environmental Impact Statement	Prepare Draft SEIS	Review Draft SEIS	Prepare Draft SEIS	Review Draft SEIS

Project Activity	Full Federal Oversight		State Administered	
	HDOT Action	FHWA Action	HDOT Action	FHWA Action
Final Supplementary Environmental Impact Statement	Prepare Final SEIS and Sign	Review and Sign SEIS	Prepare Final SEIS and Sign	Review and Sign SEIS

PROJECT APPROVAL ACTIONS – County and Other Local Agency Projects

Project Activity	Full Federal Oversight			State Administered		
	Local Agency Action	HDOT Action	FHWA Action	Local Agency Action	HDOT Action	FHWA Action
Identify Environmental Document Type	Identify NEPA document needed	Concur	Concur	Identify NEPA document needed	Concur	Concur
Documented Categorical Exclusion	Complete Documented Cat Ex and Sign	Concur and Sign	Concur and Sign	Complete Documented Cat Ex and Sign	Concur and Sign	Concur and Sign
Pre-draft Environmental Assessment	Complete EA	Review EA	Review EA	Complete EA	Review EA	Review EA
Environmental Assessment	Complete EA	Concur and Sign EA	Approve and Sign EA	Complete EA	Concur and Sign EA	Approve and Sign EA
Public Involvement	Receive Public Input	Receive Public Input	Receive Public Input	Receive Public Input	Receive Public Input	Receive Public Input
Final Environmental Assessment	Complete EA	Concur	Concur	Complete EA	Concur	Concur
NEPA Finding of No Significant Impact	Draft FONSI	Review	Sign FONSI And Issue	Draft FONSI	Review	Sign FONSI and Issue
Notice Of Intent	Draft NOI	Concur	Approve/Submit for Publication in Federal Register	Draft NOI	Concur	Approve/Submit Publication in Federal Register
Participating Agency and Cooperating Agency Letters	Draft Letters	Review Letters	Review and Issue Letters	Draft Letters	Review Letters	Review and Issue Letters
Public Involvement	Perform Public Involvement	May Attend	May Attend	Perform Public Involvement	May Attend	May Attend
Purpose and Need	Develop Purpose and Need	Concur	Concur	Develop Purpose and Need	Concur	Concur
Interagency Coordination	Perform Coordination	Perform Coordination	Facilitate Coordination	Perform Coordination	Perform Coordination	Facilitate Coordination
Pre-Draft Environmental Impact	Complete Pre-	Review	Review	Complete Pre-	Review	Review

Project Activity	Full Federal Oversight			State Administered		
	Local Agency Action	HDOT Action	FHWA Action	Local Agency Action	HDOT Action	FHWA Action
Statement	Draft EIS			Draft EIS		
Draft Environmental Impact Statement	Complete Draft EIS and Sign	Review	Review	Complete Draft EIS and Sign	Review	Review
Public Hearing	Hold Hearing	May Attend	May Attend	Hold Hearing	May Attend	May Attend
Pre-Final Environmental Impact Statement	Complete Pre-Final EIS	Review	Review	Complete Pre-Final EIS	Review	Review
Final Environmental Impact Statement	Complete FEIS and Sign	Review and Sign	Review by FHWA Legal and Sign	Complete FEIS and Sign	Review and Sign	Review and Sign
NEPA Record of Decision	Draft ROD	Review ROD	Sign ROD and Issue	Draft ROD	Review ROD	Sign ROD and Issue
Preliminary Programmatic Section 4(f) Evaluation	Prepare 4(f)	Review 4(f)	Review 4(f)	Prepare 4(f)	Review 4(f)	Review 4(f)
Programmatic Section 4(f) Evaluation	Complete 4(f)	Review 4(f)	Review and Sign 4(f)	Complete 4(f)	Review 4(f)	Review and Sign 4(f)
Pre-Draft Section 4(f) Evaluation	Complete Pre-Draft	Review	Review	Complete Pre-Draft	Review	Review
Draft Section 4(f) Evaluation	Complete Draft	Review	Review by FHWA Legal	Complete Draft	Review	Review by FHWA Legal
Final Section 4(f) Evaluation	Complete 4(f)	Review	Review and Sign	Complete 4(f)	Review	Review and Sign
De Minimis Finding	Coordinate with SHPD or owning agency, receive agency concurrence, give public opportunity to comment	Review	Issue De Minimis Finding	Coordinate with SHPD or owning agency, receive agency concurrence, give public opportunity to comment	Review	Issue De Minimis Finding
Letter Identifying Area of Potential Effect and Request for Identification of 106 properties	Prepare Letter	Review	Approve for local agency to sign and send to SHPD	Prepare Letter	Review	Approve for local agency to sign and send to SHPD
Section 106 Coordination with Interested Parties and Native Hawaiian Organizations (NHOs)	Prepare Letter	Review	Approve for local agency to sign and send to Interested Parties or NHOs	Prepare Letter	Review	Approve for local agency to sign and send to Interested Parties or NHOs
Section 106 Coordination Traditional	Perform	Facilitate	Facilitate	Perform	Facilitate	Facilitate

Project Activity	Full Federal Oversight			State Administered		
	Local Agency Action	HDOT Action	FHWA Action	Local Agency Action	HDOT Action	FHWA Action
Cultural Properties and Cultural Impact Assessment	Coordination and Impact Analysis	Coordination	Coordination	Coordination and Impact Analysis	Coordination	Coordination
Section 106 No Adverse Effect	Prepare Letter	Review	Review and Sign Letter to SHPD	Prepare Letter	Review	Review and Sign Letter to SHPD
Section 106 Adverse Effect Determination	Prepare Letter	Review	Review and Sign Letter to SHPD	Prepare Letter	Review	Review and Sign Letter to SHPD
Section 106 Memorandum of Agreement	Prepare and Sign MOA	Review and Sign	Review and Sign MOA. Send to Advisory Council of Historic Preservation.	Prepare and Sign MOA	Review and Sign	Review and Sign MOA. Send to Advisory Council of Historic Preservation.
Letter Identifying Area of Effect and Identification of Section 7 Resources	Prepare Letter	Review	Approve for sending to USFWS	Prepare Letter	Review	Approve for sending to USFWS
Section 7 No effect	Prepare Letter	Review	Approve and Sign letter to USFWS	Prepare Letter	Review	Approve and Sign letter to USFWS
Section 7 Biological Evaluation and Letter of Effect	Prepare Letter	Review	Approve and Sign letter to USFWS	Prepare Letter	Review	Approve and Sign letter to USFWS
Formal Written Re-evaluation	Prepare Re-evaluation	Review	Review and Issue decision on Re-evaluation	Prepare Re-evaluation	Review	Review and Issue decision on Re-evaluation
Draft Supplemental Environmental Impact Statement	Prepare Draft SEIS	Review	Review Draft SEIS	Prepare Draft SEIS	Review	Review Draft SEIS
Final Supplementary Environmental Impact Statement	Prepare Final SEIS and Sign	Review and Sign	Review and Sign SEIS	Prepare Final SEIS and Sign	Review and Sign	Review and Sign SEIS

MONITORING

Environment: Monitoring will be accomplished by the FHWA through project-by-project monitoring and environmental document approvals.

SECTION 4.3 - RIGHT-OF-WAY

APPLICABLE LAWS, REGULATIONS, POLICIES AND PROCEDURES

- 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, 91st 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).

PROGRAM APPROVAL ACTIONS

Program Activity	Local Agency Action	HDOT Action	FHWA Action	Notes
Develop Right of Way Manual	Prepare and submit/adopt	Review and Concur-LPA Prepare – HDOT	Approve	5 year update/as required
Annual ROW Report		Prepare and Submit	Forward to HQ	Annual

PROJECT APPROVAL ACTIONS – HDOT PROJECTS

Project Activity	Full Federal Oversight		State Administered	
	HDOT Action	FHWA Action	HDOT Action	FHWA Action
Appraisals	Review, Certify, Approve, and Authorize		Review, Certify, Approve, and Authorize	
Acquisitions	Perform and Authorize		Perform and Authorize	
Abstract (Title Search)	Review, Certify, Approve, and Authorize		Review, Certify, Approve, and Authorize	
Relocations	Perform and Authorize		Perform and Authorize	
ROW Authorizations and Agreements	Request and Approve		Request and Approve	
ROW Certification	Write Certification Letter with “Request for Authorization to Advertise” and public interest finding	Approve PS&E	Write Certification Letter and public interest finding	
Functional Replacement (Public Involvements)	Approve		Approve	
Any Change in Access, Use or Occupancy (Interstate)	Request and Review	Approve	Request and Review	Approve
Air Rights, Leases/joint use Agreements, Change in Access Control (Non-Interstate)	Review		Review	
Disposal of Excess ROW	Review & Approve. Review less than Fair Market Value	Approve less than Fair Market Value	Review and Approve. Review less than Fair Market Value	Approve less than Fair Market Value
Early Acquisition, Hardship, Protective Buying	Request	Approve	Request	Approve

Project Activity	Full Federal Oversight		State Administered	
	HDOT Action	FHWA Action	HDOT Action	FHWA Action
Administrative, Legal & Court Awards	Approve		Approve	
Early Acquisition Cost	Request	Approve Reimbursement/Matching Credit	Request	Approve Reimbursement/ Matching Credit

PROJECT APPROVAL ACTIONS – County and Other Local Agency Projects

Project Activity	Full Federal Oversight			State Administered		
	Local Agency Action	HDOT Action	FHWA Action	Local Agency Action	HDOT Action	FHWA Action
Appraisals	Review, Certify, and Approve	Review and Authorize		Review, Certify, and Approve	Review and Authorize	
Acquisitions	Review, Certify, and Approve	Review and Authorize		Review, Certify, and Approve	Review and Authorize	
Abstract (Title Search)	Perform and Approve	Review and Authorize		Perform and Approve	Review and Authorize	
Relocations	Perform and Approve	Review and Authorize		Perform and Approve	Review and Authorize	
ROW Authorizations and Agreements	Request	Approve		Request	Approve	
ROW Certification	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		Approve	Concur	
Any Change in Access, Use or Occupancy (Interstate)	Request	Review	Approve	Request	Review	Approve

Project Activity	Full Federal Oversight			State Administered		
	Local Agency Action	HDOT Action	FHWA Action	Local Agency Action	HDOT Action	FHWA Action
Air Rights, Leases/joint use Agreements, Change in Access Control (Non-Interstate)	Review and Approve			Review and Approve		
Disposal of Excess ROW	Approve (Non Interstate)	Review and Approve Interstate. Review less than Fair Market Value	Approve less than Fair 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	Prepare Submission	Review and Authorize	Approve	Prepare Submission	Review and Authorize	Approve
Administrative, Legal & Court Awards	Approve			Approve		
Early Acquisition Cost	Request	Concur	Approve Reimbursement/ Matching Credit	Request	Concur	Approve Reimbursement/ Matching Credit

MONITORING

Although there are no exemptions under the law for any functions covered in 49 CFR 24, there is a dual concern (a) to protect the rights of property owners and displaced persons and (b) the stewardship of the federal dollars. Continuous review of the State's activities has proven to be an effective means of assuring that the rights of owners and displaced persons are protected as well as monitoring the expenditure of federal funds. This will be continued under this stewardship plan.

Process reviews and program evaluations conducted jointly with HDOT personnel whenever possible will be the method for evaluating compliance and effectiveness of the program areas, activities, approving action and products.

Certain ROW activities are not covered specifically by either 49 or 23 CFR but are a combination of sound business practice and the occasional national emphasis areas, which affect the ROW program. Joint reviews of these topics and their application will be conducted as needed.

Local Public Agencies (LPA), i.e. counties, are required to comply with the Uniform Act and its governing regulations found in 49 CFR 24 in the same manner as HDOT. As stipulated in 23 CFR 710.201(b), State Transportation Agencies are responsible for assuring that ROW acquisition programs and projects by LPAs are made in compliance with Federal and State laws and regulations.

HDOT has ultimate responsibility for assessing, ensuring and assuring LPA adherence to and conformance with applicable Federal, and State, regulations. HDOT exercises its oversight responsibilities of LPAs by scheduling annual, or more frequent, visits to conduct process reviews and provide technical assistance and overall guidance.

SECTION 4.4 - CONSULTANT SERVICES

APPLICABLE LAWS, REGULATIONS, POLICIES AND PROCEDURES

- 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 Statutes (HRS), as amended
- Chapter 3-122, Subchapter 7, Hawaii Administrative Rules
- Department Staff Manual (DSM) Part 7 Procurement, Chapter 17 Professional Service

PROGRAM APPROVAL ACTIONS

Program Activity	Local Agency Action	HDOT Action	FHWA Action	Notes
HDOT Consultant Selection Procedures		Prepare	<i>FHWA approve</i>	Approved Consultant Selection Procedures
Local Agency Consultant Selection Procedures	Prepare	Review	<i>FHWA approve</i>	Approved Consultant Selection Procedures

PROJECT APPROVAL ACTIONS – HDOT PROJECTS

Project Activity	Full Federal Oversight		State Administered	
	HDOT Action	FHWA Action	HDOT Action	FHWA Action
Request for Use of Consultant and Approval of Estimate Fee	Prepare and approve	None	Prepare and approve	None
Posting of Request for Proposal Advertisement on Internet	Prepare and approve	Receive on E-mail Copy	Prepare and approve	Receive on E-mail Copy
Request for Approval of Selection Committee	Prepare and approve	None	Prepare and approve	None
Approval of Selected Consultant	Prepare and Approve	Approve	Prepare and Approve	None
Selection Letter	Prepare and Approve	None	Prepare and Approve	None
Negotiated Consultant Fee	Prepare and Approve	Approve	Prepare and Approve	None
Executed Contract	Prepare and Approve	Receive a Copy	Prepare and Approve	Receive a Copy
Notice to Proceed	Prepare and Approve	None	Prepare and Approve	None
Contract Change Order or Contract Amendment	Prepare and Approve	Approve	Prepare and Approve	Receive a Copy
Consultant Performance Evaluation	Prepare and Concur	Receive an E-mail Copy	Prepare and Concur	None

PROJECT APPROVAL ACTIONS – County and Other Local Agency Projects

Work Activity	Full Federal Oversight			State Administered		
	Local Agency Action	HDOT Action	FHWA Action	Local Agency Action	HDOT Action	FHWA Action
Approval of Selected Consultant	Prepare and Approve	Approve	Approve	Prepare and Approve	None	None
Selection Letter	Prepare and Approve	None	None	Prepare and Approve	None	None
Negotiated Consultant Fee	Prepare and Approve	Approve	Approve	Prepare and Approve	None	None
Executed Contract	Prepare and Approve	Receive a Copy	Receive a Copy	Prepare and Approve	Receive a Copy	Receive a Copy
Notice to Proceed	Prepare and Approve	None	None	Prepare and Approve	None	None
Contract Change Order or Contract Amendment	Prepare and Approve	Approve	Approve	Prepare and Approve	Receive a Copy	Receive a Copy
Consultant Performance Evaluation	Prepare and Concur	Receive an E-mail Copy	Receive an E-mail Copy	Prepare and Concur	None	None

MONITORING

The monitoring of consultant procedures for all Federal-Aid projects will be reviewed by FHWA and HDOT on an annual basis in compliance with applicable manuals, processes, and procedures.

SECTION 4.5 -DESIGN

APPLICABLE LAWS, REGULATIONS, POLICIES AND PROCEDURES

- 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.
- 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.
- Design Exception Procedures.
- 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

PROGRAM APPROVAL ACTIONS

Program Activity	Local Agency Action	HDOT Action	FHWA Action	Notes
Context Sensitive Solutions	Prepare or Adopt	Prepare	Approve	Approved Procedures

PROJECT APPROVAL ACTIONS – HDOT PROJECTS

Project Activity	Full Federal Oversight		State Administered	
	HDOT Action	FHWA Action	HDOT Action	FHWA Action
Interstate Access	Prepare and approve	Approve	Prepare and concur	Approve
Design Exceptions	Prepare	Approve	Prepare and approve	None
Plan Sheets (60%)	Prepare and approve	Comment	Prepare and approve	None
Plan Sheets (90%)	Prepare and approve	Comment	Prepare and approve	None
Experimental Work	Prepare	Approve	Prepare and approve	None
Value Engineering	Prepare and recommend	Participate	Not required	None
Proprietary Materials	Prepare	Approve	Prepare and approve	None
Soils Engineering and Structure Foundation Investigation Report	Prepare and approve	Review	Prepare and approve	None
Pavement Justification Report	Prepare and approve	Review	Prepare and approve	None
Bridge Calculations	Prepare and submit to FHWA upon request	Review if FHWA requests	Prepare and approve	None
Traffic Signal Warrants	Prepare and approve	Review	Prepare and approve	None

Project Activity	Full Federal Oversight		State Administered	
	HDOT Action	FHWA Action	HDOT Action	FHWA Action
Hydraulic Report	Prepare and approve	Review	Prepare and approve	None
Justification for Contract Time	Prepare and approve	Review	Prepare and approve	None
Traffic Management Plan	Prepare and approve	Review	Prepare and approve	None
Bridge Scour Report	Prepare and approve	Review	Prepare and approve	None
Basis of Design Report	Prepare and approve	Review	Prepare and approve	None
PS&E Approval	Prepare	Approve	Prepare and approve	None
Unusual Bridge Projects	Prepare	Approve	Prepare and approve	None
Permits – Section 404, SMA, etc.	Prepare and obtain approvals	Review	Prepare and obtain approvals	None
Concurrence on Contract Award	Recommend	Concur	Prepare and concur	None
Project Assessment Report	Prepare and approve	Participate	Prepare and approve	None

PROJECT APPROVAL ACTIONS – County and Other Local Agency Projects

Project Activity	Full Federal Oversight			State Administered		
	Local Agency Action	HDOT Action	FHWA Action	Local Agency Action	HDOT Action	FHWA Action
Design Exceptions	Prepare	Review and recommend	Approve	Prepare	Approve	None
Plan Sheets (60%)	Prepare	Review and approve	Comment	Prepare	Comment	None
Plan Sheets (90%)	Prepare	Review and approve	Comment	Prepare	Comment	None
Experimental Work	Prepare	Review and recommend	Approve	Prepare	Approve	None
Value Engineering	Prepare and recommend	Participate	Participate	Prepare and recommend	Participate	None
Proprietary Materials	Prepare	Review and recommend	Approve	Prepare	Approve	None
Soils Engineering and Structure Foundation Investigation Report	Prepare	Review and approve	Review (Optional)	Prepare	Approve	None
Pavement Justification Report	Prepare	Review and approve	Review (Optional)	Prepare	Approve	None

Project Activity	Full Federal Oversight			State Administered		
	Local Agency Action	HDOT Action	FHWA Action	Local Agency Action	HDOT Action	FHWA Action
Bridge Calculations	Prepare	Review and approve	Review (Optional)	Prepare	Approve	None
Traffic Signal Warrants	Prepare	Review and approve	Review (Optional)	Prepare	Approve	None
Hydraulic Report	Prepare	Review and approve	Review (Optional)	Prepare	Approve	None
Justification for Contract Time	Prepare	Review and approve	Review (Optional)	Prepare	Approve	None
Traffic Management Plan	Prepare	Review and approve	Review (Optional)	Prepare	Approve	None
Bridge Scour Report	Prepare	Review and approve	Review (Optional)	Prepare	Approve	None
Basis of Design Report	Prepare	Review and approve	Review (Optional)	Prepare	Approve	None
PS&E Approval	Prepare	Review and approve	Approve	Prepare	Approve	None
Unusual Bridge Projects	Prepare	Review and approve	Approve	Prepare	Review	None
Permits – Section 404, SMA, etc.	Prepare and obtain approval	Review and approve	Review	Prepare and obtain approval	Review	None
Concurrence on Contract Award	Prepare	Review and approve	Concur	Prepare	Concur	None
Project Assessment Report	Prepare and approve	Review and approve	None	Prepare and approve	None	None

MONITORING

DESIGN:

- 1) Design monitoring of all Federal-aid projects will be accomplished by the FHWA through the project-by-project monitoring of eligibility determinations and environmental document approvals.
- 2) Design monitoring of all Federal-aid projects will be through either periodic project status meetings (monthly status reports and/or quarterly over-the-shoulder reviews).

SECTION 4.6 - CONSTRUCTION

APPLICABLE LAWS, REGULATIONS, POLICIES AND PROCEDURES

- 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 Statutes (HRS)
- Administrative Rules, Title 19, Highways Division

PROGRAM APPROVAL ACTIONS

Program Activity	Local Agency Action	HDOT Action	FHWA Action	Notes
None				

PROJECT APPROVAL ACTIONS – HDOT PROJECTS

Project Activity	Full Federal Oversight		State Administered	
	HDOT Action	FHWA Action	HDOT Action	FHWA Action
Contract Award	Prepare	Concur	Prepare	Information
Form FHWA-45	Prepare	Need/Require	Prepare	Need/Require
Contract Execution	Prepare	Information	Prepare	
Preconstruction Meeting	Lead/Conduct	Information	Lead/Conduct	
Notice to Proceed	Prepare	Information	Prepare	Information
Value Engineering Cost Proposals	Evaluate & Approve	Evaluate & Approve	Evaluate & Approve	Information
Contract Change Orders	Prepare	Approve	Prepare & Approve	
Time Extensions	Prepare	Approve	Prepare & Approve	
Work Suspensions	Prepare	Concur	Prepare	
Contract Termination	Prepare	Concur	Prepare	Concur
Contract Amendments	Prepare	Approve	Prepare	
Claims	Evaluate & Recommend	Evaluate & Concur	Evaluate & Recommend	Evaluate & Concur
Form FHWA-1391	Prepare	Need/Require	Prepare	Need/Require
Form FHWA-1392	Prepare	Need/Require	Prepare	Need/Require
Prefinal Inspection	Lead/Conduct	Information	Lead/Conduct	Information
Final Inspection	Lead/Conduct	Approve	Lead/Conduct	Information

Project Activity	Full Federal Oversight		State Administered	
	HDOT Action	FHWA Action	HDOT Action	FHWA Action
Acceptance Letter	Prepare	Need/Require	Prepare	Need/Require
Material Certification	Prepare	Need/Require	Prepare	Need/Require
Form FHWA-47	Prepare	Need/Require	Prepare	Need/Require

PROJECT APPROVAL ACTIONS – County and Other Local Agency Projects

Project Activity	Full Federal Oversight			State Administered		
	Local Agency Action	HDOT Action	FHWA Action	Local Agency Action	HDOT Action	FHWA Action
Contract Award	Prepare	Recommend	Concur	Prepare	Concur	Information
Form FHWA-45	Prepare	Process	Need/Require	Prepare	Need/Require	Need/Require
Contract Execution	Prepare	Information	Information	Prepare	Information	
Preconstruction Meeting	Lead/Conduct	Information	Information	Lead/Conduct	Information	
Notice to Proceed	Prepare	Information	Information	Prepare	Information	Information
Value Engineering Cost Proposals	Evaluate & Approve	Evaluate & Recommend	Evaluate & Approve	Evaluate & Approve	Evaluate & Approve	Information
Contract Change Orders	Prepare	Recommend	Approve	Prepare	Approve	
Time Extensions	Prepare	Recommend	Approve	Prepare	Approve	
Work Suspensions	Prepare	Recommend	Concur	Prepare	Concur	
Contract Termination	Prepare	Recommend	Concur	Prepare	Recommend	Concur
Contract Amendments	Prepare	Recommend	Approve	Prepare	Approve	
Claims	Evaluate & Recommend	Evaluate & Recommend	Evaluate & Concur	Evaluate & Recommend	Evaluate & Concur	Evaluate & Concur
Form FHWA-1391	Prepare	Process	Need/Require	Prepare	Process	Need/Require
Form FHWA-1392	Prepare	Process	Need/Require	Prepare	Process	Need/Require
Prefinal Inspection	Lead/Conduct	Information	Information	Lead/Conduct	Information	Information
Final Inspection	Lead/Conduct	Recommend	Approve	Lead/Conduct	Approve	Information
Acceptance Letter	Prepare	Process	Need/Require	Prepare	Process	Need/Require
Material Certification	Prepare	Process	Need/Require	Prepare	Process	Need/Require
Form FHWA-47	Prepare	Process	Need/Require	Prepare	Process	Need/Require

MONITORING

FHWA in conjunction with the HDOT will do construction documentation reviews and construction site inspections including prefinal and final inspections on a statewide sampling basis.

SECTION 4.7 - MAINTENANCE

APPLICABLE LAWS, REGULATIONS, POLICIES AND PROCEDURES

- Title 23 –United States Code (U.S.C.) Part 116

PROGRAM APPROVAL ACTIONS

Program Activity	Local Agency Action	HDOT Action	FHWA Action	Notes
Routine Maintenance of Federal-aid highways.	Adequately maintain highways.	Adequately maintain highways.	Conduct windshield and in-depth inspections.	Division will provide all findings to appropriate HIDOT personnel.

SECTION 4.8 - MATERIALS

APPLICABLE LAWS, REGULATIONS, POLICIES AND PROCEDURES

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

PROGRAM APPROVAL ACTIONS

Program Activity	Local Agency Action	HDOT Action	FHWA Action	Notes
Materials Acceptance Program <ul style="list-style-type: none"> • Sampling and Testing Frequency Guide 		Develop, update and implement	Approve	
Qualified Technician Program (includes Field Sampling and Testing Personnel)		Develop, update and implement	Approve	
Qualified Laboratory Program		Develop, update and implement	Approve	
Independent Assurance Program (System based)		Develop, update and implement	Approve	
Independent Assurance Program (System based)		Prepare annual report	Review, comment, recommend	
Materials Certification Program		Develop and update	Approve	
Materials Certification Program		Submit Letter of Certification		
AASHTO Accreditation		Maintain Accreditation	Review, comment (as necessary)	

MONITORING

FHWA will review and approve HDOT’s Materials Quality Assurance Program on an on-going basis. The Materials Quality Assurance Program includes the Materials Acceptance Program, Qualified Technician Program, Qualified Laboratory Program, Independent Assurance Program, Materials Certification Program, and AASHTO Accreditation.

In general, FHWA will monitor the implementation and effectiveness of the Materials Quality Assurance Program through Process reviews.

SECTION - 4.9 STRUCTURES

APPLICABLE LAWS, REGULATIONS, POLICIES AND PROCEDURES

- 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
- Hawaii Department of Transportation, Bridge Inspection Program (To be developed)
- FHWA Hydraulic Engineer Circulars #18, #20, and #23

PROGRAM APPROVAL ACTIONS

Program Activity	Local Agency Action	HDOT Action	FHWA Action	Notes
Bridge Inspection Program (State)		Conduct inspections. Update inventory and send data to FHWA annually.	<i>Conduct annual review of each district and prepare report. Process data, furnish error listing and resolve differences.</i>	
Bridge Inspection Program (Counties)	Conduct inspections.	Monitor NBIS compliance and maintain inventory. Conduct annual review of each County with FHWA.	Conduct annual review of each County and prepare report.	
Bridge Replacement & Rehabilitation Program (HBRRP) (State)		Select, design and construct projects. Furnish unit cost data to FHWA annually.	Review full federal oversight projects and resolve eligibility concerns. Review unit cost data.	
Bridge Replacement & Rehabilitation Program (HBRRP) (Counties)	Select, design and construct projects.	Review all County HBRRP projects.	Review full federal oversight projects and resolve eligibility concerns.	

Program Activity	Local Agency Action	HDOT Action	FHWA Action	Notes
Bridge Preservation Program		Select, design and construct projects. Prepare prioritized list of preventive maintenance (PM) projects using BMS for annual submittal to FHWA for approval. Update NBI and element level inspection data after PM work completed.	Review and approve projects meeting eligibility requirements.	
National Bridge Scour Evaluation Program (NBSE) (State)		Conduct annual inspections and update NBSE inventory. Prepare Plan of Action *	Conduct annual review of each District.	* Consultant to prepare Plan of Action, scheduled for FY07-09.
National Bridge Scour Evaluation Program (NBSE) (Counties)	Conduct inspections; update NBSE inventory and prepare Plan of Action	Conduct annual review. Monitor NBSE of each County.	Conduct annual review of each County.	

MONITORING

- FHWA will perform an annual review, supplemented by other special reviews of specific program elements as appropriate, to evaluate State and each County's compliance with the National Bridge Inspection Standards (NBIS).
- The selection of State bridges for replacement, rehabilitation or preventive maintenance activities will be reviewed by FHWA and HDOT prior to programming.
- The selection of each County's bridges for replacement or rehabilitation will be reviewed by FHWA and HDOT prior to programming.
- FHWA and HDOT will perform an annual review to evaluate each County's compliance with the National Bridge Scour Evaluation Program (NBSE).

SECTION 4.10 - SAFETY

APPLICABLE LAWS, REGULATIONS, POLICIES AND PROCEDURES

- 23 USC 130 - Railway-Highway Crossing Program
- 23 USC 152 - Hazard Elimination Program (replaced by 23 USC 148)
- 23 CFR 924 - Highway Safety Improvement Program (elevated to core program; 23 USC 148)
- 23 USC 148 - HSIP, High-Risk Rural Roads Program (HRRR), Strategic Highway Safety Plan (SHSP)

PROGRAM APPROVAL ACTIONS

Program Activity	Local Agency Action	HDOT Action	FHWA Action	Notes
HSIP Report (Highway Safety Improvement Program)	N/A	Prepare program report, and recommend	Review and comment	Record document
Annual HSIP Evaluation Report 23 USC 152 and 23 USC 130	N/A	Prepare annual report, and recommend	Review and comment on annual report	Record document
5 Percent Report	N/A	Prepare annual report, and recommend	Receive	Posted on USDOT web site
Strategic Highway Safety Plan (SHSP)	N/A	Develop and approve, and recommend	Acceptance	Approved document
High-Risk Rural Roads Program (HRRR)	N/A	Prepare annual report, and recommend	Review and comment on annual report	Record document

PROJECT APPROVAL ACTIONS

Project Activity	Full Federal Oversight			State Administered		
	Local Agency Action	HDOT Action	FHWA Action	Local Agency Action	HDOT Action	FHWA Action
See Monitoring Below						

MONITORING

Individual project related approval actions are included in the Design and Construction sections of this plan. HDOT will evaluate and submit an annual HSIP report and evaluation by August 31 of each year.

SECTION 4.11 TRAFFIC ENGINEERING AND INTELLIGENT TRANSPORTATION SYSTEMS

APPLICABLE LAWS, REGULATIONS, POLICIES AND PROCEDURES

- 23 CFR Part 630, Subpart J –Work Zone Safety and Mobility
- 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 Policy, Processes and Procedures (to be developed)
- FHWA Policy Memorandum: Program Guidance on High Occupancy Vehicle (HOV) Lanes, March 28, 2001
- 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

PROGRAM APPROVAL ACTIONS

Program Activity	Local Agency Action	HDOT Action	FHWA Action	Notes
Update of ITS Regional Architecture		Prepare and submit	Approve	
NCHRP 350 Compliance		Prepare and submit acceptance letter	Approve	
Adoption of latest MUTCD		Prepare and submit letter	No action	
MUTCD Interim Approval		Prepare and submit request letter	Approve	
Use of Proprietary Traffic Products		Prepare and submit	Review and approve	
Update of Work Zone and Mobility Policy, Processes, and Procedures		Prepare and submit	Approve	
Work Zone Review		Conduct biennial review and submit results to FHWA	Review and approve	

PROJECT APPROVAL ACTIONS – HDOT PROJECTS

Project Activity	Full Federal Oversight		State Administered	
	HDOT Action	FHWA Action	HDOT Action	FHWA Action
MUTCD Experimentation	Prepare and submit request letter and work plan	Approve		
HOV Lane (Significant Operational Changes)	Prepare and submit report	No Action or Approve		
Project Level ITS Architecture	Prepare and submit	Approve		
ITS Operational Work Plan	Prepare and submit	Approve		
System Engineering Analysis	Prepare and submit report	Approve		

MONITORING

- DESIGN:
- 1) Design monitoring of all Federal-aid projects will be accomplished by the FHWA through the project-by-project monitoring of eligibility determinations and environmental document approvals.
 - 2) Design monitoring of all Federal-aid projects will be through either periodic project status meetings (monthly status reports and/or quarterly over-the-shoulder reviews).

SECTION 4.12 - FINANCIAL MANAGEMENT AND ACCOUNTING

APPLICABLE LAWS, REGULATIONS, POLICIES AND PROCEDURES

- Title 23 USC 302 State Transportation Department
- Title 23 CFR Section 1.36 – Compliance with federal laws and regulations
- Title 49 CFR Part 18 – Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments [Office of Management and Budget (OMB) Circular A-102]
- Title 23 CFR Section 630.106 – Authorization to Proceed and Project Monitoring
- OMB Circular A-87 – Cost Principles for State, Local, and Indian Tribal Governments
- OMB Circular A-123 – Management’s Responsibility for Internal Control
- OMB Circular A-133 – Audits of States, Local Governments, and Non-Profit Organizations
- Hawaii Revised Statutes
- Session Laws of Hawaii, Regular and Special Sessions
- State of Hawaii Accounting Manual
- Financial Accounting and Management Information System (FAMIS) Procedures Manual
- Departmental Staff Manual (DSM)
- Department of Transportation, Highways Division Procedures Manual

PROGRAM APPROVAL ACTIONS

Program Activity	Local Agency Action	HDOT Action	FHWA Action	Notes
Inactive Projects Review, 23 CFR 630	Not Apply	Review inactive projects; prepare Form 1240.2 as required	Monitor activity; implement actions required under 23 CFR 1.36	
Implement quality program/internal audit program	Participate in State’s Program	Review operations for economy and efficiency	Participate in State’s program	
Inactive Projects Review, 23 CFR 630	Not Apply	Review inactive projects; prepare Form 1240.2 as required	Monitor Highways Division activity; implement actions required under 23 CFR 1.36	
Implement quality program/internal audit program	Participate in State’s Program	Review operations for economy and efficiency	Participate in State’s program	
Inactive Projects Review, 23 CFR 630	Not Apply	Review inactive projects; prepare Form 1240.2 as	Monitor activity; implement actions	

Program Activity	Local Agency Action	HDOT Action	FHWA Action	Notes
		required	required under 23 CFR 1.36	
Implement quality program/internal audit program	Participate in State's Program	Review operations for economy and efficiency	Participate in State's program	
Inactive Projects Review, 23 CFR 630	Not Apply	Review inactive projects; prepare Form 1240.2 as required	Monitor Highways Division activity; implement actions required under 23 CFR 1.36	

PROJECT APPROVAL ACTIONS – HDOT PROJECTS

Project Activity	Full Federal Oversight		State Administered	
	HDOT Action	FHWA Action	HDOT Action	FHWA Action
Form 1240.2, Project agreement, authorization, modification, processing	Prepare Engineer's Estimate; forward to HWY-SM. Prepare Form 1240.2; enter into FMIS	Prepare Form 1240.2; enter into FMIS	Prepare Engineer's Estimate; forward to HWY-SM. Prepare Form 1240.2; enter into FMIS	Prepare Form 1240.2; enter into FMIS
State reimbursement – Rapid Approval & State Payment System (RASPS)	Upload HWYAC to RASPS; notify FHWA. Perform twice a month.	Approve RASPS. Perform Improper Payments Review	Upload HWYAC to RASPS; notify FHWA. Perform twice a month.	Approve RASPS. Perform Improper Payments Review
Project closing; Final Voucher (PR20) or equivalent	Reconcile actual costs to HWYAC, FMIS. Verify required documents available; prepare and process final voucher.	Approve final voucher; close project in FMIS	Reconcile actual costs to HWYAC, FMIS. Verify required documents available; prepare and process final voucher.	Approve final voucher; close project in FMIS

PROJECT APPROVAL ACTIONS – County and Other Local Agency Projects

Project Activity	Full Federal Oversight			State Administered		
	Local Agency Action	HDOT Action	FHWA Action	Local Agency Action	HDOT Action	FHWA Action
Form 1240.2, Project agreement, authorization, modification,	Prepare Engineer's	Perform subgrantee	Approve FMIS Entry	Prepare Engineer's	Perform subgrantee	Approve FMIS Entry

Project Activity	Full Federal Oversight			State Administered		
	Local Agency Action	HDOT Action	FHWA Action	Local Agency Action	HDOT Action	FHWA Action
processing	Estimate; forward to HWY-SM; enter into FMIS	monitoring; Prepare Form 1240.2; enter into FMIS		Estimate; forward to HWY-SM; enter into FMIS	monitoring; Prepare Form 1240.2; enter into FMIS	
State reimbursement – Rapid Approval & State Payment System (RASPS)	Prepare reimbursement request forms to HWY-SF	Perform subgrantee monitoring; enter Counties requests into HWYAC; upload HWYAC to RASPS; notify FHWA. Perform twice a month.	Approve RASPS. Perform Improper Payments Review	Prepare reimbursement request forms to HWY-SF	Perform subgrantee monitoring; enter Counties requests into HWYAC; upload HWYAC to RASPS; notify FHWA. Perform twice a month.	Approve RASPS. Perform Improper Payments Review
Project closing; Final Voucher (PR20) or equivalent	Prepare final project accounting and submit to HWY-SF	Perform subgrantee monitoring; Reconcile actual costs to HWYAC, FMIS. Verify required documents available; prepare and process final voucher.	Approve final voucher; close project in FMIS	Prepare final project accounting and submit to HWY-SF	Reconcile actual costs to HWYAC, FMIS. Verify required documents available; prepare and process final voucher.	Approve final voucher; close project in FMIS

MONITORING

FHWA provides guidance and financial management technical assistance to alleviate issues and concerns in the administration of the federal-aid program through daily contact with HDOT personnel. The FHWA will continue to monitor or perform all financial management activities including:

1. risk assessment;

2. financial management review;
3. improper payments review;
4. inactive federal-aid project review;
5. administrative reviews;
6. single audit review, including sub-grantee reviews.

SECTION 4.13 - RESEARCH AND TECHNOLOGY TRANSFER

APPLICABLE LAWS, REGULATIONS, POLICIES AND PROCEDURES

- 23 USC 307 –
- 23 CFR Part 420 – Planning and Research Program Administration
- 23 USC Part 501-508
- FHWA Transportation Pooled Fund Program Procedures (<http://www.tfsrc.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
- LTAP Handbook
- 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
- HDOT Research, Development & Technology Transfer Program Manual, December 2004
- Procurement Rules; Chapter 103D, HRS
- Departmental Staff Manual
- Administrative Rules
- HDOT Research, Development & Technology Transfer Program Manual, December 2004

PROGRAM APPROVAL ACTIONS

Program Activity	Local Agency Action	HDOT Action	FHWA Action	Notes
Peer Exchange		Sponsor event or participate in other States' peer exchange	Participate and support	
Draft SRP Part II Research Work Program (Annual work plan & budget)		Prepare draft work plan & budget. (Submit by the third Monday in June of each year.)	Review and approve	FHWA, HWY-S, and HWY-L meet to discuss draft in mid-July of each year. FHWA approve as revised during the discussions.
Final SRP Program (Annual work plan & budget)		Prepare and submit	Review and Approve	September 31 of each year.
SPR Work Program Amendments to Annual work plan & budget		Prepare and submit	Review and approve.	
HDOT Research Manual		Prepare, revise and submit	Review and approve	
Certification of SPR Program		Prepare	Review and Approve	Certified compliance with 23 CFR 420.
LTAP Draft Work Plan	<ol style="list-style-type: none"> 1. Participate in the development of the work plan. 2. Request workshops. 3. Prioritize workshops. 	Participate on the LTAP Advisory Board. Review and approve.	Participate on the LTAP Advisory Board, Review, and approve	Due no later than April 30 of each year.
LTAP Final Work Plan		Review and approve	Review and approve	Due no later than June 01 of each year.

PROJECT APPROVAL ACTIONS – HDOT PROJECTS

Project Activity	Full Federal Oversight		State Administered	
	HDOT Action	FHWA Action	HDOT Action	FHWA Action
Individual Research Project Work Plan – (Projects that conduct the research)	Obtains work plan and budget from project manager. Submit and approve.	Review and comment	None	None

MONITORING

SPR – Part 2 Research

FHWA exercises its oversight responsibilities through review of the annual program prior to approval actions, review of SPR Work Program amendments prior to approval, and ongoing participation of its technical specialists in pooled fund study technical panels. As appropriate, FHWA personnel participate in peer exchange reviews.

The FHWA Division Research and Technology Engineer oversee the administrative aspects and coordinates with the Division Office specialists for technical aspects.

FHWA reviews and approves an updated version of the manual when there are significant changes in the management process or new Federal regulation/policy are enacted.

LTAP

FHWA & HDOT exercises their oversight responsibilities through review of the annual work plan prior to approval actions, review of work plan amendments prior to approval, participation in the Advisory Board, and participation or planning of various LTAP-related activities.

SECTION 4.14 - CIVIL RIGHTS

APPLICABLE LAWS, REGULATIONS, POLICIES AND PROCEDURES

- 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.

PROGRAM APPROVAL ACTIONS

Program Activity	Local Agency Action	HDOT Action	FHWA Action	Notes
Title VI Annual Report and Work Plan	Prepare & submit Title VI activities to HDOT	Review/ Approve Prepare	<i>Approve</i>	
DBE Annual Participation Goal		Develop Goal		Goal on August 1 of each year
Uniform Report of DBE Awards or Commitments and Payments Report		Prepare		June 1 and December 1
EEO Affirmative Action Plan		Prepare upon request by FHWA		

MONITORING

Monitoring will include: reviewing of reports and program updates prepared by HDOT; analyzing such reports and updates to help identify trends, providing feedback and recommendations to HDOT; and participating, as appropriate, in HDOT task forces pertaining to civil rights initiatives. Additional monitoring activities include: review and recommendations to the counties regarding Title VI.

SECTION 4.15 - RISK MANAGEMENT

MONITORING

FHWA will employ a risk assessment process in consultation with HDOT to review and evaluate program areas that endeavor to balance risk with consideration of limited staffing resources, funding, and highway needs within the state. It will be the function of the Management Team to mutually endorse the results, agree to the recommendations, identify the necessary resources needed, and make resources available, either through administrative or legislative action, as soon as practical to address the recommendations from the program/process evaluations. The formal Risk Assessment will take place every two years (the odd number years). The Management Team will review the Risk Assessment every year to confirm its applicability.

SECTION 5 – GLOSSARY

Control Document – Applicable standards, policies and standard specifications that are acceptable to FHWA for application in the geometric and structural design of highways.

Core Functions – Activities that make up the main elements of the Division’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.

Delegated Projects – Projects that do not require FHWA review and approve actions pertaining to design, plans, specifications, estimates, right-of-way certification statements, contract awards, inspections and final acceptance of Federal-aid projects on a project by project basis.

Full Oversight Projects - Projects that require FHWA to review and approve actions pertaining to design, plans, specifications, estimates, right-of-way certification statements, contract awards, inspections and final acceptance of Federal-aid projects on a project by project basis.

Major Projects – Projects with an estimated total cost greater than \$500 million, or projects approaching \$500 million with a high level of interest by the public, Congress, or the Administration.

Oversight – The act of ensuring that the Federal highway program is delivered consistent with laws, regulations and policies.

Performance/Compliance Indicators – These indicators track performance trends, health of the Federal-aid Highway Program and compliance with Federal requirements.

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.

SECTION 6 – ACRONYMS

Laws and Regulations

C.F.R.	Code of Federal Regulations
FAPG	Federal-Aid Policy Guide, December 9, 1991
HRS	Hawaii Revised Statutes
U.S.C.	United States Code
ISTEA	Intermodal Surface Transportation Efficient 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 st Century of 1998, Public Law 105-18, June 9, 1998
23 U.S.C.	Title 23 United States Code -- Highways
23 C.F.R.	Title 23, CFR – Highways
42 U.S.C.	Title 42 (The Public Health and Welfare), Chapter 51 (Uniform Relocation
URA	The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, 84 Stat. 1894-1907, 91 st Congress, S.1, January 2, 1971, as amended
49 U.S.C.	Title 49, United States Code – Transportation
49 C.F.R.	Title 49, Code of Federal Regulations – Transportation

Plans, Programs, Projects and Systems

ADA	American with Disabilities Act
BMS	Bridge Management System
CMAQ	Congestion Mitigation and Air Quality Improvement Program
CPI	Continuous Process Improvement
DBE	Disadvantage Business Enterprise
EEO	Equal Employment Opportunity
FA	Federal-Aid
FAHP	Federal-Aid Highway Program
FMIS	Fiscal Management Information System
HBRRP	Highway Bridge Replacement and Rehabilitation Program
HPMS	Highway Performance Monitoring System
HPPP	High Priority Projects Program
IM	Interstate Maintenance Program
IS	Interstate System
LRTP	Long-Range Transportation Plan
NHS	National Highway System
Non-NHS	Non-NHS
NBI	National Bridge Inspection
NBIS	National Bridge Inspection Standards
NBSE	National Bridge Scour Evaluation, National Bridge Scour Evaluation Program
OFW	Official Work Program
ORTP	Oahu Regional Transportation Plan
PM	Preventive Maintenance
PR/PE	Process Review/Product Evaluation
ROW	Right-of-Way
SPR	Statewide Planning & Research Program
STIP	Statewide Transportation Improvement Program
STP	Surface Transportation Program; <u>or</u> Statewide Transportation Plan
TIP	Transportation Improvement Program
TMA	Transportation Management Areas
TTP	Transportation Planning Program