



Memorandum

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Subject: **ACTION:** Programmatic Agreement for Processing
Interstate Access Requests

Date: August 22, 2013

From: Gloria M. Shepherd *Gloria M. Shepherd*
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Environment and Realty

In Reply Refer To:
HEPE
HIPA

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To: Directors of Field Services
Division Administrators

Section 1505 of MAP-21 provides the Secretary the option of allowing State DOTs to review and approve access justification reports for changes in access to the Interstate System. Further, Section 1318(d) of MAP-21 provides the authority for FHWA to enter into programmatic agreements (PAs) with State DOTs for carrying out project reviews. Therefore, FHWA has identified the opportunity to streamline the review and approval process for certain types of change in I-System access requests by entering into PAs with State DOTs. While the FHWA remains legally responsible for approval of all changes in access, the programmatic agreements allow for a substantially streamlined approval process for proposed changes in I-System access.

Under the PA, State DOTs have the responsibility to review access requests and make a determination that the proposed change in access meets the PA's requirements for engineering and operational acceptability. Once an access request is determined to be acceptable by the State DOT, the State will notify the FHWA Division Office of this determination. The access request will be considered approved by FHWA unless the Division Office responds otherwise within a specific period of time as determined by the Division Office and specified in the PA.

The PA only applies to the following types of change in I-system access requests:

1. New or modified freeway-to-crossroad (service) interchanges outside a transportation management area (TMA);
2. Modified service interchanges inside a TMA;
3. Completion of basic movements at existing partial interchanges.

Review and approval authority for all other types of access requests is retained by FHWA.

The attached PA template and related guidance provide information on key considerations for entering into a PA for the review and approval of access requests. Division Offices are encouraged to work with their State DOTs on determining if they have the necessary

controls, procedures and policies in place in order to carry out the requirements of the PA. Additionally, the Divisions and State DOTs will need to review their Stewardship and Oversight agreements and any other related standard operating procedures and make any necessary revisions based on the PA.

If you have any questions on the PA process, please contact Michael Matzke in the Office of Infrastructure at (202) 366-4658 or Jomar Maldonado in the Office of Chief Counsel at (202) 366-1373.

Attachments

Superseded