

# **FHWA/MoDOT Partnering Agreement**

## **Right of Way and Realty Programs**

### **Roles and Responsibilities of FHWA and MoDOT:**

The following activities require coordination between FHWA and MoDOT in order to attain reviews/approvals within the agreed timeframes. In this agreement, all reference to days denotes business days. FHWA and MoDOT agree to work as true partners to ensure the success of the Right of Way and Realty Programs.

The following table identifies the various approval/review activities.

<b>Activities</b>		<b>Agency Responsible</b>		
<b>Approval/Action</b>	<b>Reference Document</b>	<b>Interstate</b>	<b>Other NHS</b>	<b>Non-NHS</b>
<b>ROW Acquisition Authorization</b>	23 CFR 710.307  EPG 236.3.4	FHWA*	FHWA*	FHWA*
<b>ROW Conditional Clearance (see Appendix A)</b>	23 CFR 635.309  EPG 236.3.7.6	FHWA**	FHWA**	FHWA**
<b>Hardship/Protective Purchase</b>	23 CFR 710.307 23 CFR 710.503 23 CFR 710.509 23 USC 108  EPG 236.3.4.6	FHWA	FHWA*	FHWA*
<b>Credits (including Early Acquisitions, Donations, or other contributions)</b>	23 CFR 710.501 23 CFR 710.505 23 CFR 710.507	FHWA	FHWA	FHWA

	EPG 236.3.4.4			
<b>Waiver for Comparable Replacement Dwelling Requirement</b>	49 CFR 24.204(b)  EPG 236.8.8	FHWA	FHWA	FHWA
<b>Federal Land Transfers</b>	23 CFR 710.601 23 USC 107(d) 23 USC 317  EPG	FHWA	FHWA	FHWA
<b>Direct Federal Acquisition</b>	23 CFR 710.603  EPG 236.7.5.3	FHWA	FHWA	FHWA
<b>Relinquishments (or CRSR)</b>	23 CFR 620 Subpart B 23 CFR 710.401 23 CFR 710.403  EPG 236.14 + 236.5.10	FHWA	MoDOT	MoDOT
<b>Functional Replacement</b>	23 CFR 710.509	FHWA	FHWA	FHWA
<b>Disposal of ROW</b>	23 CFR 710.403 23 CFR 710.409  CFR	FHWA	MoDOT	MoDOT

	236.5			
<b>Disposal at Less Than Fair Market Value (see Appendix B)</b>	23 CFR 710.403 23 CFR 710.409 23 USC 156  EPG 236.5.16	FHWA	MoDOT	MoDOT
<b>Disposal and/or Changes in Access Control</b>	23 CFR 620 Subpart B 23 CFR 710.403 23 USC 111  EPG 236.5.28	FHWA	MoDOT	MoDOT
<b>Airspace Agreements</b>	23 CFR 710.403 23 CFR 710.405 23 USC 111  EPG 236.5.25	FHWA	MoDOT	MoDOT
<b>Lease/License of ROW Real Property</b>	23 CFR 710.407  EPG 236.5.25	FHWA	MoDOT	MoDOT

\*The Division Office approves if Federal funds utilized.

\*\*Only on Projects of Division Interest (PoDI).

PROGRAM ACTIVITIES	AGENCY RESPONSIBLE
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Approval Action	Reference Document	Approve	Remarks
<b>MoDOT's ROW Manual and Revisions</b>	23 CFR 710.201(c) 49 CFR 1.48(d)(11)  EPG 236	FHWA	Review and Approval by January 1, 2001 and every 5 years thereafter; Revisions reviewed as necessary.
<b>ROW Statistical Report</b>	49 CFR 24 Appendix B	FHWA	Report due to FHWA HQ by November 15th annually.
<b>ROW Partnering Agreement</b>	23 CFR 710.201(i)  EPG 236.1.1.6	FHWA & MoDOT	Every year or as necessary.
<b>Risk Assessment</b>	FHWA Risk Assessment and Performance Plan; MoDOT Tracker and Direction  EPG 236.12	N/A	FHWA staff will work with MoDOT staff on the development of the FHWA Risk Assessment and Performance Plan to ensure success for FHWA and MoDOT.
<b>MoDOT's Outdoor Advertising Control (OAC) policy and operating procedures for providing effective control</b>	23 CFR 750.304 23 CFR 750.705 49 CFR 1.48 (c)(11) 23 USC 131  EPG 236.16	FHWA	Review as necessary.
<b>Authorization to proceed with acquisitions on federally funded sign removal projects (nonconforming)</b>	23 CFR 750.307  EPG 236.16.7.4	FHWA	

<b>Requests to Exempt signs from removal in defined areas</b>	23 CFR 750.503	FHWA	
<b>MoDOT's Junkyard policy and operating procedures for providing effective control</b>	23 CFR 751.9 23 USC 136  EPG 236.17	FHWA	
<b>Authorization to proceed with a junkyard control project</b>	23 CFR 751.25  EPG 236.17.1.4	FHWA	

This agreement will be reviewed and updated, as needed, on an annual basis.

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

FHWA:



Lauren Paulwell

FHWA-MO Right of Way Program Manager

(573) 638-26

MISSOURI DEPARTMENT OF TRANSPORTATION:

**Brenda Harris** Digitally signed by Brenda Harris  
Date: 2025.02.04 12:29:06 -06'00'

Brenda Harris, Assistant to State Design Engineer – ROW

MoDOT State –(573)751-7458