



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

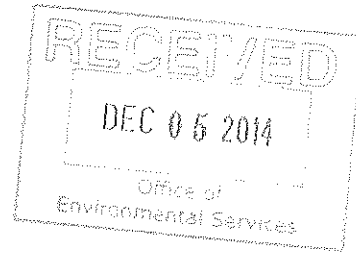
**Ohio Division**

November 21, 2014

200 North High Street, Room 328  
Columbus, OH 43215  
614-280-6896  
614-280-6876

HDA-OH

Jerry Wray  
Director  
Ohio Department of Transportation  
1980 West Broad Street  
Columbus, OH 43223



Dear Director Wray:

We are in receipt of your October 21 letter indicating the Ohio Department of Transportation's (ODOT) interest in the Surface Transportation Project Delivery Program in 23 USC 327 to assume the Federal Highway Administration's (FHWA) responsibilities for compliance with the National Environmental Policy Act (NEPA) and all other Federal environmental laws pertaining to the review or approval of ODOT's transportation program. Under this program, ODOT will assume sole responsibility and legal liability for NEPA actions. The FHWA supports ODOT's interest in this program and is available to provide technical assistance and guidance throughout the application process.

On November 17 and 18, ODOT and FHWA met to discuss the application process, resulting in a schedule of activities (attached). Although we believe the schedule to be achievable, we have noted that it does not provide for delays related to complex legal questions or extended reviews by agencies outside of FHWA (such as the Department of Justice or the Council on Environmental Quality).

We appreciate the establishment of bi-weekly meetings, beginning December 2, between FHWA and ODOT to discuss the status of the schedule and enhance communication efforts between our agencies. We look forward to working closely with your staff during the application and implementation of this program. If you have any questions, please contact Leigh Oesterling, Planning & Environment Team Leader at [leigh.oesterling@dot.gov](mailto:leigh.oesterling@dot.gov) or 614-280-6837.

Sincerely,

Laura S. Leffler  
Division Administrator

Enclosure

147-2014

By messenger (ODOT)

cc: J. Barna, G. Murphy, J. Townley, T. Hill

## Assumption Schedule

- ODOT to submit first version of working draft application- 11/1/14
- Establish meeting with Executive leadership for briefing- 12/2014
- Meet with agencies and associations- 12/2014
- Send letter to Tribes- 12/2014
- Received comments from OH-FHWA Division on working draft- 11/28/14
- FHWA provide comments to ODOT on draft CE PA- 12/14/14
- ODOT submit draft application to FHWA- 12/15/14
- CE PA approval- 1/10/15
- Receive comments from FHWA on draft Application- 1/12/15
- Send Section 106 draft revised PA to tribes w/additional assumption info- February 2015
- Legal sufficiency training- the week of February 18 and 19, 2015
- Audit process training- the week of February 18 and 19, 2015
- Limited waiver of sovereign immunity- March/2015
- Public Notice of Application- April/2015
- Final application to FHWA- June/2015
- MOU to FHWA- June/2015
- MOU Public Notice- Sept/2015
- Executed (sending for signature) MOU to FHWA-November/2015
- Effective Date of program- December 1<sup>st</sup>, 2015
- 6 months- finalize PA/MOU's that support the agreement

Electronic File Location: 9-AA

Internal ecc: DA Reading File, Griffith, Blanton, Snyder, Ross, Oesterling

bcc: