



1.1 FHWA-Administration and Oversight

Revise 5-2-1.1 (FHWA Administration and Oversight) to provide link to the "Federal Highway Administration and Wisconsin Department of Transportation Stewardship & Oversight Agreement" dated May 2015. Also included are revisions associated with the FHWA revision letter dated September 14, 2016.

Procedures for administering federally funded highway improvement and highway related projects are contained in the agreement(s) between the State of Wisconsin and the Federal Highway Administration (FHWA).

Currently the Agreement is comprised of separate documents that went into effect at different times. The documents are:

1. The "Federal Highway Administration and Wisconsin Department of Transportation Stewardship & Oversight Agreement", signed in May 2015. The FHWA and WisDOT Stewardship & Oversight Agreement provides background information on the laws that allow the agreement, the responsibilities that WisDOT may and may not take on projects, the WisDOT oversight and reporting requirements, and more. Here is a link to the FHWA and WisDOT Stewardship & Oversight Agreement.

<http://www.fhwa.dot.gov/federalaid/stewardship/agreements/wi.pdf>

NOTE: Appendix A (Project Action Responsibility Matrix) of this document was superseded on September 14, 2016 with the letter and associated attachments of item 3 below. Please use Appendix A found in item 3 below with the linked information.

2. The "FHWA and WisDOT Stewardship & Oversight of Projects through Implementation of a Risk-Based Approach" signed August 14, 2015. The document is described below and included as [Exhibit 1.1](#).
NOTE: Attachment 1 (2015-2016 PoCIs and PoDIs) dated August 9, 2016 and Attachment 2 (Project Approval Responsibilities List) dated September 14, 2016, have been updated within Exhibit 1.1.
3. Letter from FHWA Division Administrator to WisDOT Secretary of Transportation dated September 14, 2016 revising:
 - Attachment 2 (Project Approval Responsibilities List) of the "FHWA and WisDOT Stewardship & Oversight of Projects through Implementation of a Risk-Based Approach" supplement dated August 14, 2015 (item 2 and Exhibit 1.1 above) and
 - Appendix A (Project Action Responsibility Matrix" of the "Federal Highway Administration and Wisconsin Department of Transportation Stewardship & Oversight Agreement", dated May 2015 (link within item 1 above).

A copy of the letter describing the revisions and a copy of Appendix A and Attachment 2 are included as [Exhibit 1.2](#).

[Exhibit 1.1](#) is the "FHWA and WisDOT Stewardship & Oversight of Projects through Implementation of a Risk-Based Approach". This Agreement details how FHWA and WisDOT stewardship and oversight of federal-aid projects will be carried out. Project level stewardship and oversight will use a risk-based approach that incorporates results from the FHWA Wisconsin Division's Risk Management Process. This risk-based approach is meant to maximize the use of limited resources and time.

This risk-based approach to project stewardship and oversight will be carried out through four major elements:

1. Project Selection Process for Projects of Corporate Interest (PoCI) and Projects of Division Interest (PoDI),
2. Approval Action and Monitoring Responsibilities for PoCIs, PoDIs and Delegated Projects,
3. Project-Specific Agreements for Mega (FHWA Major) Projects, and
4. Compliance Assessment Program (CAP) Reviews.

1.2 Forest Highway Statewide Agreement

[Exhibit 1.3](#) of this procedure is a copy of the Forest Highway Statewide Agreement between WisDOT, FHWA, and the USDA Forest Service. This three-party agreement, supersedes a previous two-party (WisDOT/FHWA) agreement dated March 21, 1977 and complies with current federal legislation. The agreement sets forth mutually acceptable procedures for the planning, programming, development, construction, and maintenance of designated Forest Highways in Wisconsin which utilize Forest Highway funding.

Note that this agreement for the Forest Highway Program is different from the Memorandum of Understanding ([FDM 5-5 Attachment 5.1](#)) which relates to the use and occupancy of National Forest lands for state highways and projects with federal aid.

LIST OF EXHIBITS

Revise Exhibit 1.1 with the updated Attachment 1 (PoCI/PoDI List including FHWA Responsibilities (FPY 2017)) and the updated Attachment 2 (Project Approval Responsibilities List) dated September 14, 2016.

Remove former attachment 1.2 (Oversight Agreement (Appendix A) of FHWA and WisDOT Stewardship Agreement, September 2010)) and replaced with the FHWA Revision Letter and attachments dated September 14, 2016. The letter describes the revisions and includes updates to Appendix A of the "Federal Highway Administration and Wisconsin Department of Transportation Stewardship & Oversight Agreement" and Attachment 2 of the "FHWA and WisDOT Stewardship & Oversight of Projects through Implementation of a Risk-Based Approach" supplement.

Exhibit 1.1	FHWA and WisDOT Stewardship & Oversight of Projects through Implementation of a Risk-Based Approach
Exhibit 1.2	FHWA Revision Letter
Exhibit 1.3	Forest Highway Statewide Agreement

FDM 5-2-5 Federal Aviation Administration

June 19, 2013

5.1 Federal Aviation Administration (FAA)

5.1.1 Basis for Coordination

Subpart A of 23 CFR 620 outlines the coordination that must take place between the Federal Highway Administration (FHWA) and the Federal Aviation Administration (FAA) on all federal aid highway projects in the vicinity of airports to ensure that airway-highway clearances are adequate for the safe movement of air and highway traffic. Moreover, Section 114.134 of the Wisconsin Statutes implies coordination with the Bureau of Aeronautics and the FAA for all highways, public roads, or "other traverse ways" within the state (irrespective of federal aid) to ensure such clearances.

5.1.2 Coordination Process

Coordination with the FAA takes place when there is a potential for substandard airway-highway clearances between: 1) a proposed highway project and an existing airport, or 2) a proposed airport project (new facility or improvement to existing one) and an existing highway. In either instance, the purpose of coordination is to prevent substandard clearances from occurring.

Designers do not correspond directly with the FAA. Instead, coordination is made through the FHWA or the Bureau of Aeronautics.

When any federal aid highway project is within two miles of a public use or military airport, the project details should be documented and the FHWA notified. The FHWA shall also be notified of any federal aid project that proposes to change the horizontal or vertical alignment of a highway within five miles of a public use or military airport.

Designers need to coordinate with FHWA and/or the Bureau of Aeronautics on other matters besides highway alignment. Sign bridges, light poles and even tall construction equipment can all infringe on airway - highway clearance and so, adversely affect airport operations and endanger the flying public.

The FHWA Division Administrator will determine if there is a need for notification per FAR's 77.9, 77.13 and further coordination with the FAA. To determine if a notice of proposed construction is required, use the "Notice Criteria Tool" on the FAA's Obstruction Evaluation website (<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>). If deemed appropriate, the FHWA will notify the FAA with supporting data supplied by the transportation region. Documentation of coordination with the FHWA (and the FAA) should appear in the environmental document, meaning that coordination must take place in the early stages of project development.

For proposed airport projects, Section 114.134, Wisconsin Statutes, places the burden of complying with

applicable federal standards on the airport owner/operator. Such person(s) must obtain a certificate of approval from the Wisconsin Secretary of Transportation for the location of the proposed airport. Coordination is then from the Bureau of Aeronautics to the appropriate transportation region for an actual clearance determination, forming the basis on which the certificate of approval is issued or denied.

5.1.3 Specific Results Intended

For proposed highway projects, it is essential to document the fact that coordination has taken place. Documentation would normally consist of exhibits in the environmental document of correspondence between the agencies involved.

5.1.4 References

Criteria for determining applicable airway-highway clearances are found in "Federal Aviation Regulations (FAR), Part 77 - Objects Affecting Navigable Airspace."