

Memorandum of Understanding

1.0 PURPOSE

This Memorandum of Understanding (MOU) is entered into jointly by the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), the Federal Railroad Administration (FRA), the Federal Aviation Administration (FAA), the Maritime Administration (MARAD), and the United States Coast Guard (USCG), as agencies of the U.S. Department of Transportation (USDOT) and by the Florida Department of Transportation (FDOT), an agency of the State of Florida. The purpose of this MOU is to coordinate and document each agency's respective role and responsibilities in implementing actions related to the Dade County Multimodal Transportation Facility in Miami, Florida, consisting of the SR 836 Corridor and the Multimodal Transfer Center east of the airport necessary to ensure full compliance with the statutory requirements of the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321, *et seq.*) and related statutes, regulations and orders; and other Federal and State laws, regulations, policies, and procedures related to the development of this proposal. This agreement will expire upon the completion of the NEPA process. Should this proposal receive funding and progress to the construction stage, future coordination among the USDOT agencies, the FDOT, and the Metropolitan-Dade County Metropolitan Planning Organization (Metro Dade) will be necessary to eliminate construction scheduling conflicts and minimize delays to the public. This future coordination may lead to the development of additional MOU's between the various USDOT agencies.

2.0 BACKGROUND

Preliminary studies have been completed recently on improvements to East-West Freeway (State Route (SR) 836), the extension of the Metro Rail to provide service to West Dade, to the Seaport of Miami and to Miami Beach, and the construction of a multimodal transfer center east of the Miami Airport. Since these proposed improvements are impacted by and dependent on one another, the decision was made to combine the several separate studies into two multimodal transportation studies, one for the SR-836 Corridor and one for the Multimodal Transfer Center, addressing the intermodal features common to each element. The FDOT, in conjunction with Metro Dade, determined that the FDOT should be the lead State agency and requested that the Secretary of the Department of Transportation designate a lead Federal agency. In the spirit of USDOT intragency cooperation, it was decided that the FHWA would be the lead Federal agency with the above listed USDOT agencies acting as cooperating agencies due to their special expertise in the other modes of transportation.

3.0 ROLES OF THE PARTIES

- a. The FHWA is designated as the lead Federal agency with the aforementioned USDOT modal agencies designated as cooperating agencies for purposes of complying with 40 CFR 1501.5 of the President's Council on Environmental Quality's "Regulations for Implementing the Procedural Provisions of NEPA" and related Federal environmental statutes. The FHWA's environmental regulations, 23 CFR 771, will be used as the baseline regulation

for purposes of ensuring procedural compliance with NEPA. Each cooperating agency's environmental requirements, and technical and financial evaluation criteria, will be applied as appropriate to ensure that each agency's statutory responsibilities and concerns are addressed in the environmental document. The ensuing document will, to the greatest extent possible, satisfy each agency's environmental and programmatic concerns and be sufficiently detailed to allow each agency to grant necessary permits or fund portions of the proposal.

- b. Because the proposal may involve funding, concurrence, or permitting actions from several of the USDOT agencies, each cooperating agency will be responsible for identifying the issues that must be addressed in the environmental document to satisfy its respective statutory requirements. Each of the signatories to this MOU will be responsible for the following:
- (1) FHWA - will be responsible for coordinating the USDOT review of the necessary studies to support the environmental document. The FHWA will also coordinate the project with other non-USDOT Federal agencies with jurisdiction by law or special expertise, State agencies, Amtrak and other private and public entities and will be responsible for the day-to-day routine coordination with the FDOT.
 - (2) FTA - will provide technical assistance in the analysis of transit alternatives including transit operations planning, ridership forecasting, and multimodal evaluation. The FTA will be responsible for ensuring that the relevant project justification and financing criteria are addressed.
 - (3) FRA - will coordinate and provide technical assistance for issues related to intercity rail.
 - (4) FAA - will be responsible for coordinating and determining effects of the proposed construction of the Multimodal Terminal and associated facilities on the surrounding airspace of the Miami International Airport. The FAA intends to use the NEPA document, developed as part of this MOU, as the base document for satisfying any environmental requirements associated with a Passenger Facility Charge application, should one be submitted for this proposal.
 - (5) MARAD - will provide technical assistance and guidance in the planning and development of access systems to the Port of Miami and the Multimodal Transportation Facility.
 - (6) USCG - will review and evaluate the location and plans submitted for approval of any new or existing to be modified bridges and approaches over navigable waters of the U.S. The USCG will provide information concerning proposed horizontal and vertical clearance to ensure that reasonable

navigation needs are met, and identify the potential environmental impacts of bridge construction.

Each agency will be responsible for ensuring that all applicable safety issues are properly addressed.

- c. The FDOT will be responsible for the coordination and oversight of appropriate environmental studies and necessary technical analysis, and for coordinating preparation of environmental documents, including, but not limited to, agency and public involvement, notifications, and coordination with affected agencies and the public.
- d. The resulting environmental document will be made available to the public when concurrence is received from the cooperating agencies and approval by appropriate officials of the FHWA.
- e. To ensure that each cooperating agency's concerns are addressed in the environmental document, each party to this MOU will designate a contact person who has the authority to speak for and represent that agency. The contact person will be available, upon adequate notice, to attend and participate in coordination meetings or otherwise provide timely input into the preparation, coordination, and review of the environmental document. Study deliverables will be forwarded as soon as possible to the appropriate contact person(s) to allow for a timely review and comment period. Quarterly reports will be forwarded to the contact persons to keep them informed of the project's status. It is anticipated that these reports will be prepared either by the FDOT's consultants or the FDOT and forwarded by the FHWA to the contact persons. The format of these reports will be decided by the FHWA in consultation with the FDOT.
- f. Because the time frame for completion of the environmental documents for the projects in question has been compressed to 2 years, time is of the essence. Therefore, to expedite the review process, each USDOT agency has agreed to make every effort possible to complete its review of study deliverables, technical reports, etc. within 30 days of receiving the review packages. Comments should be forwarded directly to the FHWA Florida Division Office in Tallahassee, Florida.

4.0 CONCLUSION

In signing this MOU, the undersigned understand and accept the roles and responsibilities assigned to each of the parties. Each of the parties agrees to pursue maximum cooperation and communication to ensure that the proposal fully complies with applicable Federal and State requirements and results in a minimum duplication of effort.


For the Federal Highway Administration

6-9-93
date

For the Federal Transit Administration

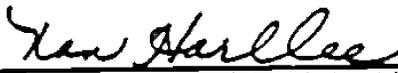
7/2/93
date


For the Federal Railroad Administration

7/2/93
date


For the Federal Aviation Administration

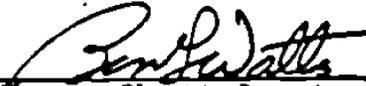
7-12-98
date


For the Maritime Administration

8-11-93
date


For the United States Coast Guard

6-10-93
date


For the Florida Department of Transportation

6/14/93
date