



**U.S. DEPARTMENT OF TRANSPORTATION**

FEDERAL HIGHWAY ADMINISTRATION

CALIFORNIA DIVISION

650 Capitol Mall, Suite 4-100

Sacramento, CA 95814

June 19, 2007

IN REPLY REFER TO

HDA-CA

Document # S50641

**CERTIFIED RETURN RECEIPT REQUESTED: 7003 1680 0002 3834 1527**

Dr. Willie R. Taylor  
Director, Office of Environmental Policy and Compliance  
Main Interior Building, MS 2342  
1849 C Street, NW  
Washington, DC 20240

Dear Dr. Taylor:

The Federal Highway Administration (FHWA) wants to inform you of important changes in consultation procedures under Section 4(f) of the U.S. Department of Transportation Act of 1966 for federally-funded highway projects in California. FHWA has assigned and Caltrans has assumed all responsibilities for consultation and coordination with resource agencies for most projects determined to be Categorical Exclusions (CEs) under the National Environmental Policy Act (NEPA).

On June 7, 2007, FHWA and Caltrans signed the *Memorandum of Understanding (MOU) between Federal Highway Administration, California Division, and the California Department of Transportation on State Assumption of Responsibilities for Categorical Exclusions*. This MOU was signed pursuant to Section 6004 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), which allows the Secretary of Transportation to assign, and the State of California to assume, responsibility for CEs designated by the Secretary. For these projects, the State may also be assigned FHWA's responsibilities for environmental consultation and coordination under other federal environmental laws. By statute, the State is deemed to be a federal agency for these assigned responsibilities.

For projects designated in this MOU, Caltrans will conduct all consultation under Section 4(f) as a federal agency. For these projects, please address all future correspondence directly to Caltrans.

For your reference and use, enclosed is a copy of the MOU. If you have any questions, please

**MOVING THE  
AMERICAN  
ECONOMY**



contact Maiser Khaled, Director of Project Development and Environment, at (916) 498-5020.

Sincerely,

*/s/ Maiser Khaled*

For  
Gene K. Fong  
Division Administrator

Enclosure: *Memorandum of Understanding (MOU) between Federal Highway Administration, California Division, and the California Department of Transportation on State Assumption of Responsibilities for Categorical Exclusions*