

DEPARTMENT OF TRANSPORTATION

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*Serious drought.
Help save water!*

June 17, 2015

Mr. Gregory G. Nadeau
Acting FHWA Administrator
Federal Highway Administration
1200 New Jersey Avenue S.E. Suite E87-300
Washington D.C., 20590

Dear Mr. Nadeau:

Thank you for providing the California Department of Transportation (Caltrans) the opportunity to continue performing federal responsibilities for approving environmental documents under the National Environmental Policy Act (NEPA). Since July 2007, Caltrans has met the performance measures specified in a Memorandum of Understanding (MOU) under which the Federal Highway Administration (FHWA) assigned, and Caltrans assumed, federal NEPA responsibilities. The current MOU, executed on September 25, 2012, expires on April 16, 2016.

Caltrans intends to renew the MOU with the FHWA and continue performing federal NEPA duties for highway projects, as defined in Title 23 of the Code of Federal Regulations (CFR), section 773.103. Please consider this letter and enclosed documentation as Caltrans' formal request to renew the MOU, pursuant to 23 CFR section 773.115.

As a condition of the MOU, pursuant to California Streets and Highways Code section 820.1(a) and (b), the State of California consents to the jurisdiction of federal courts with regard to performance of its federal NEPA responsibilities and waives Eleventh Amendment immunity under the United States Constitution as confirmed in the attached legal certification.

Please direct questions to Dale Jones, Office Chief, Division of Environmental Analysis, at (916) 653-5157 or dale.jones@dot.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Malcolm Dougherty".

MALCOLM DOUGHERTY
Director

Enclosures