State of California
DEPARTMENT OF TRANSPORTATION

Business, Transportation and Housing Agency

Memorandum

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To: DISTRICT DEPUTY DIRECTORS
Environmental

Date: November 10, 2004

From: GARY R. WINTERS
Chief
Division of Environmental Analysis

Subject: HQ-DEA Review of Biological and Cultural Mitigation Costs Greater than $500,000

As follow up to our discussions from the May 11-13, 2004 Environmental Manager's Board Meeting, DEA is requesting the opportunity to review planned biological resources or cultural resources mitigation/monitoring commitments anticipated to exceed $500,000 for a project. This mitigation review being requested by DEA is based on recent substantive comments expressed by regulatory and resource agencies with whom we work, the FHWA California Division, as well as general concerns articulated by top management, and the CTC over the appropriateness of certain mitigation expenditures.

The purposes of this review are to provide an independent peer review and analysis from a statewide perspective, potentially identify other possible mitigation options, and advise you of similar efforts or emerging regulatory issues which might affect your mitigation efforts. Additionally, commitments and agreements the Department makes with regulatory/resource agencies can be tracked to facilitate compliance and assessment of statewide trends.

The review and comments will concentrate on broad, substantive, higher-level concerns, and will not be focused on project details that we realize often change and are within the purview of the Regions and Districts. This collaborative approach is consistent with the findings of the HQ-District Mitigation Process Improvement Team, which recently completed their efforts. Finally, mitigation efforts that are state-of-the-art or best management practices will be highlighted and shared across districts for the benefit of all.

DEA will review proposed mitigation for projects at any stage of development, but particularly those in the early ("K" and "0") phases, if they are known. The advisory

comments from DEA will be provided within 10 working days as input to the District's QA/QC process.

More specific information and forms for submitting the needed information to DEA will be sent under a separate email from each Office Chief, Gregg Erickson for the Biological Studies and Technical Assistance area and Greg King for the Cultural and Community Studies area, respectively.

If you have any questions, please contact me at (916) 653-7136, Gregg Erickson at (916) 654-6296 or Greg King (916) 653-0647.