



ADVANCE MITIGATION PROGRAM REQUEST FOR PROPOSAL GUIDANCE FOR MITIGATION PROVIDERS

GUIDANCE NUMBER: 1

ISSUE DATE: March 17, 2026

TITLE: Natural Resource Regulatory Agency Communication

BACKGROUND

This guidance document was developed to support the Advance Mitigation Program's (AMP's) Request for Proposal (RFP) process for establishing credits. Its purpose is to outline how Caltrans expects mitigation providers to communicate with relevant natural resource regulatory agencies (NRRAs) who are parties to the Statewide Advance Mitigation Initiative Memorandum of Understanding (SAMI MOU) during an advance mitigation project's life-cycle, thereby improving the probability of the advance mitigation project's success.¹

PROCESS PHASES

Caltrans AMP divides the RFP process into three phases.

Pre-Submission Phase: NRRAs will be aware of the AMP-funded advance mitigation project prior to its advertisement. Before submitting the proposal, mitigation providers may be required or encouraged by the RFP to reach out to NRRAs identified in the RFP regarding the preliminary details of their proposal, to potentially ascertain any "red flags" (i.e., concerns that may put the proposal at risk for failure). Nevertheless, some agencies may not be able to respond and response from the NRRAs is not a requirement to bid and will not impact a proposal's score.

- See [Suggestions for Red Flag Review Requests](#) below.

Post-Award Phase: As soon as the contract is awarded, the mitigation provider will reach out to the relevant NRRAs to discuss the advance mitigation project, specifically regarding site selection and how any selected site will align with the conservation goals and objectives outlined in the RAMNA from which the advance mitigation project was derived. At this time a red flag review should be requested for each site under consideration. Also, identification and discussion of any potential obstacles to meeting the relevant conservation goals and objectives that may require additional coordination and input from the NRRAs should be performed.

- See [Suggestions for Red Flag Review Requests](#) below.
- See [Guidance #2 Incorporating Conservation Goals and Objectives into Advance Mitigation Projects](#).
- See [Guidance #3 Site Selection Best Practices](#).

Project Delivery Phase: Mitigation credits or values should be established using existing mechanisms. Regulatory frameworks for developing, approving, and monitoring compensatory mitigation are defined under environmental laws, regulations, policies, and guidelines that dictate how and when mitigation

¹ NRRAs who are parties to the SAMI MOU consist of the California Department of Fish and Wildlife (CDFW); California State Coastal Commission (CCC); State Water Resources Control Board (SWB); U.S. Army Corps of Engineers (USACE); U.S. Environmental Protection Agency (EPA); U.S. Fish and Wildlife Services (FWS); and National Marine Fisheries Service (NMFS).



providers, such as bank sponsors, and NRRAs will interact throughout the process. Nevertheless, mitigation providers should expect to prepare a communication plan for the advance mitigation project, and anticipate Caltrans' role in NRRAs' communication. In addition to outlining how the AMP will be kept current on the advance mitigation project's progress, the communication plan should outline NRRAs' communication strategies.

SUGGESTIONS FOR RED FLAG REVIEW REQUESTS

Caltrans AMP envisions that the "Red Flag" review will focus on site selection. Caltrans AMP suggests that as soon as the information is known, mitigation providers perform the following tasks:

- Email the appropriate NRRAs, identifying the AMP project number and proposal number in the Subject line. Identify if the project is in the pre-submission or post-award phase.
- Provide a map that shows the general location of any proposed mitigation sites and general information, including the Parcel Identification Number (PIN) or Assessor's Parcel Number (APN) for each parcel, HUC-8 sub-basin, ecoregion, ownership, and proximity to protected lands. Identify habitat types and/or target habitat types for restoration.
- If the site is located in the coastal zone, provide a map and/or text describing the site in terms of ecologically sensitive habitat areas (ESHA) and proximity to ESHA.
- Identify any known unique challenges that may need to be resolved during the mitigation establishment process (i.e., severed mineral rights, overlapping flowage easements, past use impacts that will need to be addressed, impaired watershed hydrology, etc.).
- Provide a few sentences, sharing general thoughts and concepts.
- Ask the NRRAs if anything stands out about the sites that they would like the mitigation provider to be aware of, whether positive or negative.
- Within the communication, include acknowledgement that NRRAs are not approving the property selected, and that the site will actually be selected when the both of these conditions are true: the contract has been awarded and more meaningful NRRAs' engagement has occurred.

Caltrans AMP and Districts would appreciate copies of this correspondence.

This collaboration effort is consistent with the intentions and objectives of the Master Process Agreement² between NRRAs and Caltrans, which formalizes a mutually agreeable process for managing and reducing some of the financial, technical, and strategic risks associated with Caltrans investments in advance mitigation planning and advance mitigation project delivery, improving the probability that the mitigation will be approved for use to offset anticipated impacts from transportation projects. The agreed-upon process helps manage Caltrans' risks when the AMP is justifying its advance mitigation investments using planning-level information.

² Please send the AMP an email at advance.mitigation@dot.ca.gov to request a copy.