**Instructions for Sample Letter of Invitation to Participating and Cooperating Agency:** Use current Department letterhead and follow instructions on letterhead for updating return address and letter format. Remove instructions before finalizing.

Enter date

Enter name

Enter title

Enter oganization

Enter address

Enter city, state, and zip code

Dear Enter name/title:

Subject: Invitation to Become Participating Agency and Cooperating Agency on Insert Project Name

Effective October 1, 2012, the Federal Highway Administration (FHWA) assigned, and the California Department of Transportation (Caltrans) assumed, all the United States Department of Transportation (USDOT) Secretary’s responsibilities under the National Environmental Policy Act (NEPA) pursuant to 23 USC 327(a)(2)(A). Caltrans assumed all of FHWA’s responsibilities under NEPA for projects on California’s State Highway System (SHS) and for federal-aid local streets and roads projects under FHWA’s Surface Transportation Project Delivery Program. Caltrans also assumed all of FHWA’s responsibilities for environmental coordination and consultation under other federal environmental laws pertaining to the review or approval of projects under NEPA Assignment. For the purposes of carrying out the responsibilities assumed under NEPA Assignment, Caltrans is deemed to be acting as FHWA with respect to the environmental review, consultation, and other actions required under those responsibilities.

Caltrans, in cooperation with Insert joint lead agency, as appropriate is initiating an environmental impact statement (EIS) for proposed Insert Project Name in Insert County in California.

Insert paragraph briefly describing the project location, the purpose, alternatives and potential environmental impacts. Include a map of the project location.

In accordance with 40 CFR 1501.6 of the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provision of the National Environmental Policy Act, we are requesting your agency to be a cooperating agency because your agency has jurisdiction by law or special expertise.

[Instructions: Include this paragraph only if cooperating agency status is based on agency having jurisdiction by law.] You have the right to expect that the EIS will enable you to discharge your jurisdictional responsibilities. Likewise, you have the obligation to tell us if, at any point in the process, your needs are not being met. We expect that at the end of the process the EIS will satisfy your NEPA requirements including those related to project alternatives, environmental consequences, and mitigation. Further we intend to utilize the EIS and our subsequent record of decision as our decision-making documents and as the basis for the permit application. We expect the permit application to proceed concurrently with the EIS approval process.

In accordance with the Efficient Environmental Review Process codified at 23 USC 139, we are requesting your agency to be a participating agency because we believe that your agency will have an interest in this transportation project. Participating agencies are responsible for identifying, as early as practicable, any issues of concern regarding the project’s potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project. We suggest that your agency’s role in the development of the above project should include the following as they relate to your area of expertise:

1. Provide meaningful and early input on defining the purpose and need, determining the range of alternatives to be considered, and the methodologies and level of detail required in the alternatives analysis.
2. Participate in coordination meetings and joint field reviews as appropriate.
3. Timely review and comment on early project information to reflect the views and concerns of your agency on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

Under the Efficient Environmental Review Process, if your agency is a federal agency and declines to be a participating agency, your agency must do so in writing by stating:

1. Your agency has no jurisdiction or authority;
2. Your agency has no expertise or information relevant to the project; and
3. Your agency does not intend to comment on the project.

We look forward to your response to our request for your agency to be a cooperating agency and a participating agency and to working with you on this transportation project. Neither of these designations implies that your agency supports the proposed project. The favor of a reply is requested by Insert date. If you have any questions or would like to discuss in more detail the project or our agencies’ respective roles and responsibilities during the preparation of this EIS, please contact Insert name and phone number.

Sincerely,

[Instructions: Insert signature block for Deputy District Director for Environmental or Region Division Chief for Environmental]

Enclosure: [Instructions: Attach Project NOI if applicable]