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DEPARTMENT OF TRANSPORTATION

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July 29, 2005

Pat Dellin, Acting Executive Director
Santa Cruz County Regional Transportation Commission
1523 Pacific Avenue
Santa Cruz, CA 95060-3911

SANTA CRUZ HIGHWAY 1 WIDENING/HOV LANE PROJECT

Dear Ms. Dellin:

In a discussion with Kim Shultz on Wednesday, July 27, I provided information on the role of Caltrans as FHWA's agent for federal environmental process. Kim Shultz asked that I send a letter documenting Caltrans' role in areas such as Section 106 of the National Historic Preservation Act, Section 7 of the Endangered Species Act, and Section 4(f) of the Department of Transportation Act.

Because the HOV project is one of our highest priorities, I also informed Kim Shultz that I was assigning Bryan Apper as the Caltrans Environmental team leader. Bryan has one of the best project delivery records in the state. I want to assure you that we will do everything possible to expedite project delivery.

While the consultant's suggestions regarding Section 106 of the National Historic Preservation Act are innovative, we have some issues:

- FHWA (and Caltrans as its agent) are responsible for the consultation process with the State Historic Preservation Officer. FHWA does not allow Phase II work other than on the preferred alternative. One reason for this is that Phase II work is very expensive (usually over \$5000.00 per cubic meter). Also Phase II work by its very nature destroys prehistoric resources, an adverse environmental impact.
- The State Historic Preservation Officer does not have the authority to overrule FHWA, the federal Lead Agency.
- Dr. Valerie Levulett can provide further clarification and information on these issues.

My staff can work with your staff and consultants to develop strategies for keeping this important project moving forward. By deferring Phase II work until after selection of the preferred alternative, for example, you should be able to circulate a draft environmental document much earlier than planned. Phase II work on the preferred alternative (only) would then be completed prior to distribution of the final environmental document.

We look forward to working with you to move this project forward. If you have any questions, I can be reached at (559) 243-8150.

Sincerely,

CARRIE L. BOWEN
Chief, Central Region
Environmental Division