



May 21, 2015

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The Honorable Jeff Denham  
United States House of Representatives  
1730 Longworth House Office Building  
Washington, DC 20515

Dear Representative Denham:

On behalf of the California State Association of Counties (CSAC), I am writing to applaud your continued leadership on MAP-21 reauthorization and to thank you for introducing HR 2497, the *NEPA Reciprocity Act*. The legislation, which would authorize the Secretary of Transportation to establish a program to eliminate duplicative environmental reviews for highway and rail projects, is of significant interest to CSAC.

Our association has long advocated for the creation of a program whereby States – as well as local governments – would have the ability to carry out the responsibilities of the Secretary with respect to highway projects through implementation of State environmental laws. Under HR XXXX, the Secretary would need to determine that a State's laws are substantially equivalent to the National Environmental Policy Act (NEPA) and that participation in the program would not diminish protection of the environment. As you know, the California Environmental Quality Act (CEQA) provides equal or in some instances greater environmental protection than federal requirements, making California a prime candidate to be selected for participation in the initiative.

Of critical importance to CSAC is ensuring that any federal-state reciprocity program authorizes the participation and full involvement of local transportation agencies. In California, local governments serve as lead agencies under CEQA, meaning they have principal authority to prepare and certify CEQA documents for local projects and have primary responsibility for carrying out or approving a project that is subject to CEQA. The benefits of lead agency status include the ability to control scheduling, timing, and resource priorities, as well as establishing the public process for considering local input on environmental impacts. We welcome the opportunity to work with you and your staff to ensure that the proposed reciprocity program would allow for the direct participation of local governments.

Thank you again for your continued leadership and for introducing the *NEPA Reciprocity Act*. We look forward to working with you on this and other important issues as Congress considers options for reauthorizing MAP-21. If you have any questions or need additional information, please contact CSAC's Washington Representatives, Waterman & Associates, at 202-898-1444.

Sincerely,

A handwritten signature in blue ink that reads "Matthew Z. Cate".

Matt Cate  
CSAC Executive Director