

Accelerating Environmental Mitigation for Transportation

FACT SHEET

SUMMARY:

This language would streamline the implementation of environmental mitigation measures for the efficient delivery of the California Department of Transportation's (Caltrans) projects.

BACKGROUND:

This language would implement several recommendations of the AB 1282 Transportation Permitting Task Force Report to accelerate environmental mitigation for transportation projects, which is a time intensive process and faces many administrative barriers.

NEED FOR LEGISLATION:

Delays in procuring mitigation tools can increase project costs and delay construction, which can lead to negative economic, environmental, and community impacts while the underlying transportation issues go unresolved.

Caltrans has identified three central issues:

1. Caltrans finds difficulty in identifying perpetual funding for indefinite maintenance of mitigation sites located on existing public land.
2. State contracting processes require competitive bidding for mitigation tools in a highly diffuse and highly regulated industry with little competition.
3. State law does not authorize Caltrans to provide advance payments for credits from mitigation banks and conservation banks.

PROPOSED LANGUAGE:

This language would recognize transportation funding provides secure, long-term funding for a state highway structure, such as a wildlife crossing, used to satisfy a California Endangered Species Act permit requirement.

This language would allow for the direct purchase of environmental mitigation services when required by an environmental permitting agency and would create an informal provider selection process for other situations.

This language would provide Caltrans with clear authority to transfer property including an endowment to preserve, restore, and maintain an environmental mitigation site pursuant to permit conditions.

This language would allow Caltrans to transfer an endowment and funds to enhance a property for environmental mitigation purposes independent of the transfer of environmental mitigation property. This language would allow Caltrans to make advance payments for mitigation under its contracting authority to reserve mitigation credits for future transportation projects.