FTA Sample Letter of Invitation

U.S. Department
of Transportation
Federal Transit
Administration

[Insert Date]

[Insert Agency Representative]
[Insert Agency Name and Address]

Re: Invitation to Participate in the Environmental Review Process for [Insert Project Name]

Dear [Agency Representative]:

The Federal Transit Administration (FTA), in cooperation with [Insert Sponsoring Transit Agency] is initiating the preparation of an Environmental Impact Statement for the proposed [Insert Project Name]. The proposed project is [briefly describe action] in [describe project location]. The purpose of the project, as currently defined, is to [insert preliminary statement of the project's purpose and need]. The enclosed scoping information packet provides more details. A preliminary coordination plan and schedule [if available] are also enclosed.

Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users establishes an enhanced environmental review process for certain FTA projects, increasing the transparency of the process, as well as opportunities for participation. The requirements of section 6002 apply to the project that is the subject of this memorandum. As part of the environmental review process for this project, the lead agencies must identify, as early as practicable, any other Federal and non-Federal agencies that may have an interest in the project, and invite such agencies to become participating agencies in the environmental review process.[1] Your agency has been identified preliminarily as one that may have an interest in this project, because [give reasons, such as adverse impacts, resources affected, etc., why agency may be interested]; accordingly, you are being extended this invitation to become actively involved as a participating agency in the environmental review process for the project.

As a participating agency, you will be afforded the opportunity, together with the public, to be involved in defining the purpose of and need for the project, as well as in determining the range of alternatives to be considered for the project. In addition, you will be asked to:

- Provide input on the impact assessment methodologies and level of detail in your agency's area of expertise;
- Participate in coordination meetings, conference calls, and joint field reviews, as appropriate; and

[1] Designation as a "participation agency" does not imply that the participating agency supports the proposed project or has any jurisdiction over, or special expertise concerning the proposed project or its potential impacts. A "participating agency" differs from a "cooperating agency," which is defined in regulations implementing the National Environmental Policy Act as "any Federal agency other than a lead agency which has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposal (or a reasonable alternative) for legislation or other major Federal action significantly affecting the quality of the human environment." 40 C.F.R. § 1508.5.

- Review and comment on sections of the pre-draft or pre-final environmental documents to communicate any concerns of your agency on the adequacy of the document, the alternatives considered, and the anticipated impacts and mitigation.

Your agency does not have to accept this invitation. If, however, your agency is a Federal agency, and you elect not to become a participating agency, you must decline this invitation in writing, indicating that your agency has no jurisdiction or authority with respect to the project, no expertise or information relevant to the project, and does not intend to submit comments on the project. The declination may be transmitted electronically to [insert e-mail address]; please include the title of the official responding. In order to give Federal agencies adequate opportunity to weigh the relevance of their participation in this environmental review process, written responses to this invitation are not due until after the close of the scoping process, now scheduled to conclude [insert date]. Written responses from Federal agencies declining designation as participating agencies should be transmitted to this office not later than [insert date]. You may use the attached Participating Agency Designation form to accept or decline this invitation.

Additional information will be forthcoming during the public scoping process, notification of which will be provided in the near future. If you have questions regarding this invitation, please contact [insert name and telephone number].

Sincerely,

[Insert FTA Regional Planning Director]

Attachments: Participating Agency Designation Form
Scoping Information Packet
Draft Coordination Plan
Draft Schedule

cc: [Sponsoring Transit Agency]

[INSERT PROJECT NAME]
PARTICIPATING AGENCY DESIGNATION

☐ Yes – _____ [Insert non-Federal Agency Name] wishes to be designated as a participating agency for the proposed [Insert Project Name].

☐ No – _____ [Insert non-Federal Agency Name] does not wish to be designated as a participating agency for the proposed [Insert Project Name].

☐ No – _____ [Insert Federal Agency Name] does not wish to be designated as a participating agency for the proposed [Insert Project Name] because:

- ☐ Federal agency has no jurisdiction or authority with respect to the project
- ☐ Federal agency has no expertise or information relevant to the project
- ☐ Federal agency does not intend to submit comments on the project*

_____ (Sign – Authorized Representative)

_____ (Print)

_____ (Title)

_____ (Date)

Please return by [insert date] to:

Address: [insert address]

Fax: [insert fax number]

* Please note that if Federal agencies do not state their position in these terms, then the Federal agency should be treated as a participating agency.