

# Executive Summary

## 2020 Monitoring of Caltrans Performance under the Surface Transportation Project Delivery Program July 2019–June 2020

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The California Department of Transportation (Caltrans) has prepared this report on monitoring of its performance, under the Surface Transportation Project Delivery Program (commonly known as the NEPA Assignment Program), pursuant to Section 10.2 of the 23 United States Code Section 327 (23 USC 327) memorandum of understanding (MOU) between the Federal Highway Administration (FHWA) and Caltrans. The 23 USC 327 MOU stipulates that Caltrans perform annual self-monitoring of its performance against four performance measures and 10 performance measure components, identified in the MOU, and transmit a report on the results of its monitoring to FHWA. This report documents the results of Caltrans' monitoring reviews of NEPA document approvals made from July 1, 2019 through June 30, 2020 (Quarters 49 through 52 of NEPA Assignment, referred to in this report as the 2020 monitoring period).

As noted in last year's report, a major component of Caltrans' self-assessments and monitoring reviews has historically focused on strict consistency with internal tools and procedures that Caltrans developed upon entering the NEPA Assignment Pilot Program 12 years ago. These tools and procedures, including the environmental document annotated outlines, documentation checklists, quality control (QC) forms, and Uniform Filing System (UFS), were intended to ensure statewide consistency and "best practices" in the environmental analysis conducted and documentation prepared by Caltrans' staff under the Program. In determining consistency with these tools, Caltrans' monitoring reviews have focused on rigorous word-for-word consistency with the annotated outlines, accurate completion of every blank and check box on the checklists and forms, and environmental files that are 100% complete.

With 12 years of successful participation in the Program, Caltrans is refining these exacting monitoring reviews in recognition of the maturity of Caltrans' Program, Caltrans' proven abilities to prepare NEPA documents that meet federal environmental requirements, and Caltrans' staff extensive experience using the NEPA documentation tools. Caltrans also seeks to more closely align its monitoring review procedures with those used by other NEPA Assignment states.

Based on these considerations, beginning with the 2019 monitoring review, Caltrans shifted the focus of its monitoring reviews to *substantive* findings by differentiating between *substantive* versus *non-substantive* findings. *Substantive* findings relate to the appropriateness of determinations, findings, and approvals made in compliance with federal environmental regulations and require corrective actions when deficiencies are found. *Non-substantive* findings relate to consistency with Caltrans' internal documentation tools and QC

review and filing procedures; although, corrective actions are not warranted for *non-substantive* findings, Caltrans continues to review how these tools and procedures are applied to specific projects as they provide important training for newer environmental staff and facilitate efficient senior staff QC reviews. *Non-substantive* findings are not included in calculating compliance with the MOU performance measures since they don't affect the soundness and validity of findings and conclusions made under federal regulations. Instead, irregularities in project documentation and in file-keeping are reported to relevant district staff, together with reminders on best practices and information on where to find, in Caltrans' Standard Environmental Reference (SER), guidance on internal documentation and filing requirements. Detailed definitions of *substantive* and *non-substantive* findings are presented in the "Monitoring Methods/Substantive and Non-Substantive findings" section of this report.

Caltrans' 2020 findings are summarized in Table 1. The compliance percentages in Table 1 are based on the *substantive* findings of the 2020 reviews, as measured against the four performance measures identified in Section 10.2 of the 2016 MOU. The four performance measures are labeled A–D to correspond with their identifiers in the MOU (Table 1). Also listed in Table 1 are the "components" of each measure (labeled i, ii, and iii), as also identified in the MOU. Finally, Table 1 shows the measurable "metrics" associated with each component (labeled with Arabic numerals such as 1, 2, and 3).

Table 1 shows that Caltrans exceeded the performance goal<sup>1</sup> for 16 of the 20 applicable metrics<sup>2</sup> related to the following general areas:

**100% compliance achieved in 2020:**

- Submittal of annual monitoring reports
- Implementation of 2019 corrective actions
- Documentation of compliance with 23 USC 139
- Documentation of compliance with the Traffic Noise Analysis Protocol
- Completion of legal sufficiency determinations
- Appropriate completion of quality assurance/quality control (QA/QC) procedures
- General consistency with the filing system protocols

**98% compliance achieved in 2020:**

- Completed Environmental Document Review checklist for 49 of 50 reviewed environmental documents

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<sup>1</sup> The performance goal is 95% for percentage-based metrics.

<sup>2</sup> Four metrics were determined not to be applicable in 2020. See Table 1.

## 96% compliance achieved in 2020:

- Consistency with the environmental document annotated outlines in terms of chapter and section organization for 48 of 50 reviewed documents. Two environmental documents lacked the required NEPA Assignment language, required by the 23 USC 327 MOU Section 3.2.6, on the document cover, in all required sections of the document, and/or in the Finding of No Significant Impact (FONSI). One of these documents also lacked a Comments and Coordination chapter.

Table 1 also shows that the 2020 monitoring review exceeded the performance goal for the following metrics. These metrics are evaluated against the historical cumulative average rating:

- Communications with resource agencies
- Quality of public meeting materials

The cumulative median time savings for documents approved since initiation of NEPA Assignment to June 30, 2020 are:

- 12.0 median months saved for 282 draft environmental assessment (EA) approvals
- 14.1 median months saved for 248 FONSI approvals
- 25.4 median months saved for 22 draft environmental impact statements (EIS) approvals
- 122.4 median months saved for 20 final EIS approvals
- 4.9 median months saved for 168 Section 7 Biological Opinions

The performance goal of 95% was not met for the following metrics:

- **Compliance with Sections 7, 106, and 4(f) (88% compliance):**
  - **Section 7:** Due to project scheduling considerations, two of 24 reviewed final environmental documents did not have approval from U.S. Fish and Wildlife Service (USFWS) for Section 7 “may affect” findings prior to FONSI approval. District staff are working with USFWS to obtain a Biological Opinion for one of these projects and letter of concurrence for the other.
  - **Section 4(f):** One of 24 reviewed final environmental documents received concurrence, from the agency with jurisdiction over a Section 4(f) wildlife refuge resource, for a de minimis finding after, rather than prior, to FONSI approval.
- **Compliance with Executive Orders (E.O.) 11990 and 11998 and Section 176(c) (88% compliance):**

- **E.O. 11990:** Three of 24 reviewed final documents did not contain an Only Practicable Alternative Wetlands finding for permanent impacts to wetlands associated with project construction. These findings were prepared after FONSI approval.
- **Section 176(a):** One of 24 reviewed projects obtained an air quality conformity determination from FHWA after, rather than prior to, FONSI approval.
- **Signature certifying consistency with environmental document annotated outline (94% compliance):** The generalists for three of 50 reviewed draft and final environmental documents did not complete internal certification forms, in real time, as the documents were being QC reviewed; the three included a draft and final document for the same project. Therefore, these documents had no certification signature verifying consistency with the annotated outline.
- **Check box on internal certification form checked for appropriate addressment of public review comments (88% compliance):** The public review comments checkbox was inadvertently not checked on two of 24 reviewed final document certification forms reviewed. As noted in the bullet above, an internal certification form was also not completed for one additional final document.

It should be noted that a number of the substantive deficiencies, identified above, are associated with one project; statewide, the number of deficiencies was relatively low. This one project lacked NEPA Assignment language and a Comments and Coordination chapter in its environmental documents; had irregular QC documentation; and had deficient Section 4(f), air quality conformity, and E.O. 11990 documentation.

For the 13 applicable percentage-based metrics<sup>3</sup>, Caltrans achieved an overall rating of 96.3% or 1.3% over the goal of 95%. These monitoring results show that Caltrans is successfully carrying out the federal responsibilities assigned by FHWA, under the 23 USC 327 MOU, in accordance with all applicable federal laws and policies.

Caltrans' self-monitoring effort continues to find minor irregularities in its NEPA documentation, such as insignificant inconsistencies with the environmental document annotated outlines, QC review certification procedures, and environmental filing protocols. To address these inconsistencies, Headquarters will continue to work closely with district staff to train new environmental generalists; clarify and refine guidance, as needed; and provide ongoing reminders regarding areas that need improvement.

In the fall of 2019, Caltrans' Division of Environmental Analysis (DEA) formed a NEPA Process Improvement Team to identify ways in which DEA's policies, tools, and procedures can be modified to provide more efficiencies in achieving environmental approvals and in

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<sup>3</sup> To identify the 13 applicable percentage-based metrics, see those metrics with a 95% performance goal in the fifth column of Table 1, "Findings of the 2020 Monitoring Review".

delivering projects. This effort includes determining how monitoring reviews can be further improved to reflect Caltrans' experience in the Program, achieve greater participation by district staff, and provide more meaningful results that will improve environmental documentation and compliance. Changes under consideration are summarized in the "Monitoring Methods/Proposed Changes to Monitoring Methods" section of this report. Adoption of the efficiency measures is expected in the summer of 2021. Following adoption, the SER will be updated, as needed; training will be provided to district staff; and the measures will be rolled out to the districts.

**Table 1. Caltrans 2020 Monitoring: Findings and Corrective Actions**

| Performance Measure <sup>a</sup>                               | Components of Measure <sup>a</sup>  | Metric <sup>b</sup>   | Findings of 2020 Monitoring Review   | Performance Goal | Goal Met? | Corrective Action  |
|--|---|---|--|------------------|-----------|--|
| A. Compliance with NEPA and other federal laws and regulations | A.i. Maintain documented compliance with procedures and processes set forth in the MOU for the environmental responsibilities assumed under NEPA Assignment | A.i.1. Percent of self-assessment reports submitted to FHWA   | 100% of the required self-assessment summary/ monitoring reports have been submitted to FHWA.                                    | 95%              | Yes       | None required  |
|  |   | A.i.2. Percentage of corrective actions identified in most recent self-assessment that have been implemented  | 100% as both corrective actions from the 2019 Monitoring Report were implemented.  | 95%              | Yes       | None required  |
|  | A.ii. Maintain documented compliance with requirements of all federal laws and regulations being assumed (Section 106, Section 7, etc.)                     | A.ii.1. Percent of final environmental documents (FEDs) that contain evidence of compliance with requirements of Section 7, Section 106, and Section 4(f) | 88% or 21 of 24 reviewed FEDs appropriately documented compliance with requirements of Section 7, Section 106, and Section 4(f). | 95%              | No        | <p><b>Section 7:</b> A Caltrans revalidation form will be completed for each of the two projects with substantive findings. One project had not obtained a USFWS Biological Opinion (BO) and another had not obtained a USFWS letter of concurrence prior to final environmental document/FONSI approval. District staff are working toward obtaining these approvals from the USFWS.</p> <p><b>Section 4(f):</b> A Caltrans revalidation form was completed for the project that did not have a letter of concurrence, for a de minimis finding, from the agency with jurisdiction over a designated wildlife area, prior to final environmental document/FONSI approval. The letter was received after FONSI approval.</p> |

Table 1. Caltrans 2020 Monitoring: Findings and Corrective Actions (Continued)

| Performance Measure <sup>a</sup>  | Components of Measure <sup>a</sup> | Metric <sup>b</sup>  | Findings of 2020 Monitoring Review   | Performance Goal | Goal Met?             | Corrective Action   |
|---|------------------------------------|--|--|------------------|-----------------------|---|
| (See note at the end of this table for explanation of italicized metrics) |                                    | <b>A.ii.1.a.</b><br><i>Compliance with other Executive Order 11990; Executive Order 11988; and Section 176(c) of the federal Clean Air Act</i> | <i>88% or 21 of 24 reviewed FEDs appropriately documented compliance with Executive Orders 11990 and 11988 and Section 176(c).</i> | 95%              | No                    | <b>Section 11990:</b> An Only Practicable Alternative Wetlands finding will be prepared and appended to a revalidation form for each of the three projects that did not include this finding in their final environmental documents.<br><br><b>Section 176(c):</b> A Caltrans revalidation form was prepared for a project that had not received a conformity determination from FHWA prior to final environmental document/FONSI approval. The conformity determination was received after FONSI approval. |
| (See note at the end of this table for explanation of italicized metrics) |                                    | <b>A.ii.1.b.</b><br><i>Compliance with 23 USC Sec.139 (Efficient Environmental Reviews for Project Decision-making)</i>                        | <i>100% of two reviewed final EISs appropriately documented compliance with 23 USC 139.</i>  | 95%              | Yes                   | <i>None required</i>  |
| (See note at the end of this table for explanation of italicized metrics) |                                    | <b>A.ii.1.c.</b><br><i>Compliance with Traffic Noise Analysis Protocol requirements</i>  | <i>100% of 24 reviewed FEDs appropriately documented compliance with the Noise Protocol.</i>                                       | 95%              | Yes                   | <i>None required</i>  |
| (See note at the end of this table for explanation of italicized metrics) |                                    | <b>A.ii.1.d.</b><br><i>Appropriate Use of Categorical Exclusions</i>   | <i>Not applicable since no 23 USC CEs were reviewed</i>  | 95%              | <i>Not applicable</i> | <i>Not applicable</i>   |
| (See note at the end of this table for explanation of italicized metrics) |                                    | <b>A.ii.1.e.</b><br><i>Appropriate use of 23 USC 326 versus 23 USC 327 Categorical Exclusions</i>  | <i>Not applicable since no 23 USC CEs were reviewed</i>  | 95%              | <i>Not applicable</i> | <i>Not applicable</i>   |

Table 1. Caltrans 2020 Monitoring: Findings and Corrective Actions (Continued)

| Performance Measure <sup>a</sup>   | Components of Measure <sup>a</sup>  | Metric <sup>b</sup>   | Findings of 2020 Monitoring Review   | Performance Goal | Goal Met? | Corrective Action  |
|--|---|---|--|------------------|-----------|--|
| <b>B.</b> Attainment of supportable NEPA decisions<br><br><b>B.i.</b> Maintain internal quality control and assurance measures and processes, including a record of: | <b>B.i.a.</b> Legal sufficiency determinations made by counsel (FEISs and individual Section 4(f) determinations) | <b>B.i.a.1.</b> Percent of final EISs and individual Section 4(f) determinations with legal sufficiency determinations completed prior to environmental document approval | 100% of two reviewed final EISs had legal sufficiency determinations.  | 95%              | Yes       | None required  |
|  | <b>B.i.b.</b> Compliance with Caltrans environmental document content standards and procedures                    | <b>B.i.b.1.</b> Percentage of internal QC certification forms certifying consistency with annotated outline   | 94% or 47 of 50 DEDs and FEDs had internal certification forms with certification signatures that the documents were reviewed by the environmental document preparer for consistency with the applicable SER annotated outline. For three documents (including a draft and final document for the same project), no internal certification forms were completed even though the QC reviews were performed. | 95%              | No        | Caltrans Headquarters discussed this finding with district managerial and project staff to ensure that they understand the QC review and certification requirements. |



Table 1. Caltrans 2020 Monitoring: Findings and Corrective Actions (Continued)

| Performance Measure <sup>a</sup> | Components of Measure <sup>a</sup>  | Metric <sup>b</sup>   | Findings of 2020 Monitoring Review  | Performance Goal | Goal Met? | Corrective Action |
|----------------------------------|---|---|---|------------------|-----------|-------------------|
|                                  |   | <b>B.i.b.2.</b> Percentage of sampled environmental documents that followed applicable annotated outline  | 96% or 48 of 50 reviewed DEDs and FEDs followed the annotated outlines in terms of chapter and section organization. Two environmental documents lacked the required NEPA Assignment language, required by the 23 USC 327 MOU Section 3.2.6, in the document/FONSI. One of these documents also lacked a Comments and Coordination chapter. | 95%              | Yes       | None required     |
|                                  |   | <b>B.i.b.3.</b> Percentage of DEDs and FEDs for which the completed QA/QC procedures are appropriately completed based on an independent review of the internal QC certification form and follow-up information | 100% of 50 reviewed DEDs and FEDs were QC reviewed <sup>4</sup>   | 95%              | Yes       | None required     |
|                                  |   | <b>B.i.b.4.</b> Percent of DEDs and FEDs with completed checklists  | 98% or 49 of 50 reviewed DEDs and FEDs had complete checklists.   | 95%              | Yes       | None required     |
| <b>B.i.c.</b>                    | Documentation of project records for projects under the NEPA Assignment Program | <b>B.i.c.1.</b> Percent of sampled EA/EIS project files organized according to the established filing system  | 100% of 8 reviewed files conformed to Uniform Filing System (UFS) requirements.   | 95%              | Yes       | None required     |

<sup>4</sup> The three environmental documents without completed internal certification forms were QC reviewed (but not certified using the certification form), and therefore, are not counted under this metric, as deficient. They are counted as deficient under Metric B.i.b.1 since that metric directly addresses the presence of certification signatures.

Table 1. Caltrans 2020 Monitoring: Findings and Corrective Actions (Continued)

| Performance Measure <sup>a</sup>  | Components of Measure <sup>a</sup>  | Metric <sup>b</sup>   | Findings of 2020 Monitoring Review  | Performance Goal  | Goal Met?                   | Corrective Action  |
|---|---|---|---|---|-----------------------------|--|
| C. Monitor relationships with agencies and the general public (effectiveness of relationships with agencies and the general public) | C.i. Assess change in communication among Caltrans, federal and state resource agencies, and the public                                   | C.i.1. Resource Agency Survey: Compare average evaluation ratings for each period and cumulatively over time                                      | 86% cumulative average of positive responses  | Equal to or above cumulative average of 76% positive responses since first survey in 2009             | Yes                         | None required  |
|   |   | C.i.2. Public Meeting Material Review: Compare average evaluation ratings for each self-assessment period and cumulatively over time              | 4.7 cumulative average rating   | Equal to or above cumulative average rating of 4.6 (out of 5.0) since 3 <sup>rd</sup> Self-Assessment | Yes                         | None required  |
|   |   | C.i.3. Anonymous Third-Party Public Meeting Review: Compare average evaluation ratings for each self-assessment period and cumulatively over time | Not applicable <sup>5</sup>   | Equal to or above cumulative average rating of 4.5 (out of 5.0) since 4 <sup>th</sup> Self-Assessment | Not applicable <sup>5</sup> | Not applicable <sup>5</sup>  |
|   | C.ii. Maintain effective responsiveness to substantive comments received from the public, agencies, and interest groups on NEPA documents | C.ii.1. Percentage of signed final document internal QC certification forms in file with public review comments box checked                       | 88% or 21 out of 24 reviewed FEDs had QC certification forms that indicated that public review comments had been appropriately addressed. | 95%   | No                          | Caltrans Headquarters discussed this finding with district managerial and project staff to ensure that they understand the QC review and certification requirements, and the proper way to complete the certification forms. |
|   | C.iii. Maintain effective NEPA conflict resolution processes whenever appropriate   | C.iii.1. Date that formal conflict resolution action began to date resolution reached   | No formal conflict resolution actions were required during the 2020 monitoring review period.   | Not applicable  | Not applicable              | Not applicable   |

<sup>5</sup> No third-party anonymous public meeting reviews were conducted during the 2020 monitoring review period due, in part, to COVID-19 restrictions that prevented in-person public meetings/hearings.

Table 1. Caltrans 2020 Monitoring: Findings and Corrective Actions (Continued)

| Performance Measure <sup>a</sup>            | Components of Measure <sup>a</sup>   | Metric <sup>b</sup>   | Findings of 2020 Monitoring Review                         | Performance Goal                                       | Goal Met? | Corrective Action |
|---|--|---|--|--|-----------|-------------------|
| <b>D.</b> Timely completion of NEPA process | <b>D.i.</b> Compare time to completion for environmental document approvals before and after Assignment (July 1, 2007)                                     | <b>D.i.1.</b> For SHS and Local Assistance projects, compare median time from begin administrative DED QC process to DED approval before and after assignment | 3.1 (draft EAs) and 3.3 (draft EISs) median months saved   | Any savings in time as compared to pre-NEPA Assignment | Yes       | None required     |
|   |  | <b>D.i.2.</b> For SHS and Local Assistance projects, compare median time from begin administrative FED QC process to FED approval before and after assignment | 0.8 (FONSIs) and 4.1 (final EISs) median months saved      | Any savings in time as compared to pre-NEPA Assignment | Yes       | None required     |
|   |  | <b>D.i.3.</b> Compare median time from begin environmental studies/NOI to DED approval before and after assignment  | 12.0 (draft EAs) and 25.4 (draft EISs) median months saved | Any savings in time as compared to pre-NEPA Assignment | Yes       | None required     |
|   |  | <b>D.i.4.</b> Compare median time from begin environmental studies/NOI to FED approval before and after assignment  | 14.1 (FONSIs) and 122.4 (final EISs) median months saved   | Any savings in time as compared to pre-NEPA Assignment | Yes       | None required     |
|   | <b>D.ii.</b> Compare time to completion for key interagency consultations formerly requiring FHWA participation before and after Assignment (July 1, 2007) | <b>D.ii.1.</b> Compare median time from submittal of biological assessments to receipt of biological opinions before and after assignment                     | 4.9 median months saved                                    | Any savings in time as compared to pre-NEPA Assignment | Yes       | None required     |

Table 1. Caltrans 2020 Monitoring: Findings and Corrective Actions (Continued)

| Performance Measure <sup>a</sup>   | Components of Measure <sup>a</sup> | Metric <sup>b</sup> | Findings of 2020<br>Monitoring Review | Performance Goal | Goal Met? | Corrective Action |
|--|------------------------------------|---------------------|---------------------------------------|------------------|-----------|-------------------|
| <p><i>Explanation of italicized metrics:</i> In addition to the metrics developed in conjunction with FHWA (see footnote “b” below), Caltrans also measures and reports on performance of five additional metrics that are related to specific federal environmental regulations. These additional metrics broaden the review of compliance with federal requirements with additional regulations that protect specific sensitive environmental resources. These metrics are identified as A.ii.1.a–e.</p> <p><sup>a</sup> The four performance measures listed in this table are identified in Section 10.2 of the 2016 MOU (labeled A–D to correspond with their identifiers in the MOU). The 2016 MOU also identifies the “components” of each measure (labeled i, ii, and iii consistent with the MOU).</p> <p><sup>b</sup> The “metrics”, associated with each component (labeled with Arabic numerals such as 1, 2, 3 etc.), were developed in discussions with FHWA and have been evaluated consistently each year under NEPA Assignment.</p> |                                    |                     |                                       |                  |           |                   |

# Report on 2020 Monitoring of Caltrans Performance under the Surface Transportation Project Delivery Program

## July 1, 2019–June 30, 2020

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### Scope of Monitoring

During the 2020 monitoring effort, Caltrans evaluated all NEPA documents that were approved statewide during the July 1, 2019 through June 30, 2020 monitoring period. Caltrans also reviewed electronic environmental files for projects approved in Districts 1, 2, and 3.

A total of 50 approvals for State Highway System and Local Assistance projects were reviewed, statewide, against each of the four performance measures, 10 performance measure components, and 20 performance metrics (see Table 1). These 50 approvals are identified below by NEPA class of action:

- 26 Environmental Assessments (EAs)
- 22 Findings of No Significant Impact (FONSIs)
- Two final Environmental Impact Statements (EISs)

No 23 USC 327 Categorical Exclusions (CEs) were approved statewide for the 2020 monitoring period.

Eight electronic project files for Districts 1, 2, and 3 were reviewed in early September 2020. In addition to having hard copy files for each of their projects, these districts also retain electronic files.

Caltrans also conducted a program-level review of the NEPA Assignment Program to determine if environmental document guidance, policies, tools, and training are up-to-date.

### Monitoring Methods

The monitoring findings are based on Caltrans' progress toward meeting performance metrics that Caltrans identified in collaboration with FHWA. Caltrans also measured the performance of five additional metrics, identified in italicized print and labeled *1a*, *1b*, *1c*, *1d*, and *1e* in Table 1, which are related to specific federal environmental regulations. These additional metrics broaden the review of compliance with federal requirements with additional regulations that protect specific sensitive environmental resources.

### Substantive and Non-Substantive Findings

During the 2020 monitoring effort, Caltrans identified two categories of findings:

- **Substantive findings:** Substantive findings are the focus of the monitoring reviews and are made for deficiencies related to compliance with federal environmental regulations or other federal documentation or procedural requirements. Examples of substantive findings include:
  - Failure to obtain an air quality conformity determination prior to NEPA approval, or
  - Failure to obtain written concurrence for a Section 4(f) de minimis finding, prior to NEPA approval, from the agency with jurisdiction over the Section 4(f) resources, or
  - Failure to document a Wetlands Only Practicable Alternative Finding for a project that would result in permanent impacts to jurisdictional wetlands.
  - Since Metrics B.i.b.1. (Percentage of internal QC certification forms certifying consistency with the annotated outline) and C.ii.1. (Percentage of signed document internal QC certification forms in file with the public comments box checked) specifically evaluate whether the Environmental Document Preparer/Oversight Coordinator signed the internal certification form (Metric B.i.b.1.) and whether the check box on the internal certification form, labelled “Public review comments have been appropriately addressed” is checked (Metric C.ii.1.), the absence of this signature or checked box is counted as a substantive deficiency.

**Corrective actions** are identified for substantive findings. Corrective actions for project-specific findings typically involve completion of a revalidation form and corrections to documentation, as needed.

Substantive findings are quantified in calculating the compliance percentages and determining whether the performance metric goals are met.

- **Non-Substantive findings:** Non-substantive findings are also identified for irregularities in documentation or in implementing procedures per Caltrans’ requirements such as:
  - Minor deviations or inconsistencies with the environmental document annotated outlines appear in approved environmental documents. For example, a conclusion in an environmental document does not correspond exactly, word-for-word, with the conclusory language found in the annotated outline, but the meaning of the conclusion is consistent with the meaning found in the annotated outline;
  - Irregularities in completing checklists that provide supporting documentation for Caltrans’ decisions. For example, the Air Quality Conformity Checklist is not completely filled out for a project, but an FHWA conformity determination is obtained or a finding is documented that a project is exempt from having to make a conformity determination;

- Projects follow the required QC review and certification procedures, but the projects' QC documentation incorporates minor irregularities. For example, a Peer Reviewer certification signature is not provided on the internal certification form, but the peer review was completed;
- Project environmental files are organized according to Caltrans' UFS requirements, but not all final documents that were prepared were placed in the environmental file. For example, cultural resources reports were placed in the cultural resources specialists' files rather than the administrative files maintained by the environmental generalist, due to the sensitivity of the resources discussed in the reports.

Prior to 2019, Caltrans had counted these irregularities as “deficiencies” since the focus of monitoring had been strict consistency with Caltrans' internal NEPA documentation and QC tools and procedures.

Rigorous conformance with these tools and procedures was important, early-on, to achieve statewide consistency in NEPA documentation, as Caltrans began participation in the Pilot Program in 2007. Given the years of experience that Caltrans has with NEPA Assignment, beginning with the 2019 monitoring review, Caltrans shifted the focus of the monitoring reviews to the appropriateness of *substantive* determinations, findings, and approvals made in compliance with federal environmental regulations.

**Reminders** for district project staff, which clarify Caltrans' requirements, are typically provided for non-substantive findings. The purpose of these reminders is to ensure that the irregularities are not repeated in subsequent environmental documentation that is prepared. The reminders include identifying where in the Standard Environmental Reference the related guidance can be found and an explanation of the guidance.

Non-substantive findings are not quantified in calculating the performance metric compliance percentages.

The methods used in evaluating each of the four performance measures, identified in the 23 USC 327 MOU, are described below.

## Proposed Changes to Monitoring Methods

Caltrans' NEPA Process Improvement Team is currently evaluating ways to make DEA's environmental review and approval policies, tools, and procedures more efficient. This effort includes determining how monitoring methods and performance metrics can be improved to provide more meaningful results that lead to higher quality environmental documents. Changes to monitoring methods and metrics that are being considered include:

- **Scope:** Reviewing a *sample* of approved environmental documents rather than *all* approved environmental documents;

- **Review of environmental document QC review procedures:** Employing a broader approach for this review to replace the existing process, which involves the evaluation of whether every blank and check box on Caltrans' QC certification and environmental document preparation and review forms are filled out. Relying on whether these forms are filled out correctly doesn't portray an accurate picture as to whether Caltrans' quality assurance and quality control procedures are followed because the forms may be marked incorrectly even if the procedures were generally followed.
- **Review of communications with the public:** Using review methods that are similar to the broader approaches used by other NEPA Assignment states to replace the current detailed reviews of public meeting materials and presentations. For example, some states review for the presence of public meeting/hearing notices for approved draft environmental documents, as a measure of whether states are providing the public with the opportunity to input into the environmental review process.

Adoption of the efficiency measures is expected in the summer of 2021. Following adoption, the SER will be updated, as needed; training will be provided to district staff; and the measures will be rolled out to the districts.

## A. Compliance with NEPA and other Federal Laws and Regulations

Compliance with this performance measure was judged by the following:

- Determination if all self-assessment and monitoring reports, prepared by Caltrans, have been submitted to FHWA;
- Review of 24 final environmental documents approved statewide against specific review elements related to the following regulations, in order to determine whether the documentation and processes used were appropriate and complete:
  - Section 7 of the federal Endangered Species Act (FESA)
  - Section 106 of the National Historic Preservation Act (NHPA)
  - Section 4(f) of the U.S. Department of Transportation Act
  - Section 176(c) of the Clean Air Act
  - E.O. 11990, Protection of Wetlands
  - E.O. 11998, Floodplain Management
  - Caltrans Traffic Noise Analysis Protocol
- Review of two final EISs against specific review elements related to 23 CFR 139 (Efficient Environmental Reviews for Project Decision-Making); the review of this regulation is conducted by reviewing the project file, and therefore, only EISs approved in Districts 1, 2, and 3 were subject to this review.



## **B. Attainment of Supportable NEPA Decisions**

This performance measure was evaluated based on confirming that the following requirements were met for NEPA approvals during the 2020 monitoring period:

- Legal sufficiency determinations for two final EISs;
- Consistency in the organization and environmental topics evaluated in 50 approved draft and final environmental documents, as compared to the requirements of Caltrans' environmental document annotated outlines;
- Implementation of Caltrans' QC review procedures for 50 draft and final environmental documents; and
- Review of 8 environmental files for projects in Districts 1, 2, and 3 for general consistency with Caltrans' UFS requirements.

## **C. Monitor Relationships with Agencies and the Public**

### **Agencies**

Caltrans conducted a survey of state and federal resource agencies to assess whether the relationships between Caltrans and resource agencies have remained consistent or have changed since initiation of NEPA Assignment. Of the 69 resource agency staff who were invited to participate in this survey, 25 (36%) responded to the survey and were polled regarding Caltrans' effectiveness as the NEPA lead agency.

### **Public**

To monitor relationships with the public, Caltrans reviewed meeting notifications and presentation materials for 17 draft environmental document public review meetings/hearings. In previous monitoring reviews, Caltrans also anonymously reviewed Caltrans' district staff performance at public meetings; however, no such reviews were conducted during this monitoring period, in part, due to COVID-19 restrictions that prevented in-person public meetings. Finally, under this metric, Caltrans reviewed whether the check box on the internal certification form for final environmental documents, related to public review comments, is checked.

## **D. Timely Completion of NEPA Process**

Caltrans calculated the median number of months it is taking to review and approve environmental documents and obtain Section 7 Biological Opinions under NEPA Assignment, as compared with FHWA timeframes prior to NEPA Assignment (See Tables 2, 3, and 4).

## Program-Level Review

For the program-level review, Caltrans reviews its SER to identify the updates and improvements made to NEPA guidance, policies, and tools, and to evaluate the effectiveness of its NEPA Assignment training plan by determining whether planned training sessions were completed. A new program initiated by DEA is also described in this section.

## 2020 Findings

This section summarizes the *substantive* and *non-substantive* findings from the 2020 monitoring review. The compliance percentage for *substantive* findings, relative to the metric's performance goal, is identified in parentheses in the bolded metric titles below (see also Table 1). These compliance percentages reflect whether deficiencies, related to compliance with federal environmental regulations or other federal documentation or procedural requirements, were found.

*Non-substantive* findings are also generally summarized, below, under each relevant metric. The project-specific *non-substantive* findings were communicated to all affected environmental staff, and reminders were provided identifying the reason for the inconsistency and the related guidance.

### A. Compliance with NEPA and Other Federal Laws and Regulations

**A.i.1. Percentage of Monitoring Reports Submitted (100%):** One hundred percent of required self-assessment and monitoring reports have been submitted to FHWA. The reports from the last three years are available on the Caltrans' DEA website, and earlier reports are available upon request.

**A.i.2. Percentage of Identified Corrective Actions Implemented (100%)**

The following QC-review related corrective actions, identified in the 2019 Monitoring Report for three environmental documents, were implemented:

- Caltrans discussed the absence of an Environmental Document Preparer/Oversight Coordinator signature on a project's internal certification form, certifying that the document was reviewed for consistency with the annotated outline, with district managerial and project staff to ensure that they understand this QC requirement. Training was also provided on uploading key documents, such as the QC certification forms, to the Standard Tracking and Exchange Vehicle for Environment (STEVE) supercontainer.
- Caltrans discussed the absence of the required NEPA Assignment language on one environmental document and one FONSI with affected project staff to ensure that they understand that Section 3.2.6 of the 23 USC 327 MOU requires the inclusion of this language on the cover page of each EA, FONSI, EIS, and Record of Decision.

### A.ii.1. Compliance with Sections 7, 106, and 4(f) (88%)

The following three *substantive* deficiencies were found in the 24 reviewed final environmental documents:

- **Section 7:** Due to project scheduling considerations, two projects did not obtain approval from USFWS for Section 7 “may affect” findings prior to FONSI approval. District staff are currently working with USFWS to obtain a Biological Opinion for one of these projects and letter of concurrence for the other.
- **Section 4(f):** One project received concurrence, from the agency with jurisdiction over a Section 4(f) wildlife refuge resource, for a de minimis finding after, rather than prior, to FONSI approval.

The following *non-substantive* irregularities were also found for one or more documents. These irregularities didn’t alter the conclusions made under these federal environmental regulations:

- **Section 7**
  - Species lists were obtained, but not placed in the final environmental documents.
  - Species lists, included in environmental documents, were undated.
  - For projects with No Effect findings, a species list was not obtained from the National Marine Fisheries Service (NMFS) even though the projects are located under the jurisdiction of one of the NMFS offices.
  - Findings of No Effect were not made for all applicable species and Critical Habitat on the USFWS and NMFS species lists.
  - A Biological Opinion was obtained, but a copy was not placed in the environmental document.
  - The summary of the consultation process contained in the draft environmental document was not updated in preparing the final document.
- **Section 106**
  - Findings of Effect were made for individual properties, but a Finding of Effect was not made for the project as a whole.
  - A Memorandum of Agreement was obtained, but it was not included in the final environmental document.
  - Regulatory language was not used for a No Adverse Effect finding.
- **Section 4(f)**
  - Documentation that a project will not use any Section 4(f) parks or recreational facilities is inconsistent with the annotated outlines.

### **A.ii.1a. Compliance with Executive Order 11990, Executive Order 11988, and Section 176(c) of Federal Clean Air Act (88%)**

The following *substantive* deficiencies were found in four final environmental documents:

- **E.O. 11990:** Three final documents, on projects with permanent impacts to wetlands, did not contain an Only Practicable Alternative Wetlands finding. These findings were prepared after FONSI approval.
- **Section 176(a):** One project obtained an air quality conformity determination from FHWA after, rather than prior to, FONSI approval.

The following *non-substantive* irregularities were also found for one or more documents. These irregularities didn't affect the findings made under these executive orders and regulations:

- **E.O. 11990:** Exhibits showing the location of jurisdictional waters were absent even though they are required by the annotated outline.
- **E.O. 11988:** All reviewed environmental documents made findings, as required by this executive order, but some findings of “no significant encroachment” on a 100-year floodplain were made using language that did not exactly conform with the annotated outline; Flood Insurance Rate Maps were not included in the document; or projects, which would not result in a significant encroachment in a 100-year floodplain, documented this conclusion in the dismissal section of the environmental document, rather than in the technical body of the report.
- **Section 176(c):** A copy of the conformity determination from FHWA was not placed in the final environmental documents. The environmental documents for projects exempted under 40 CFR 93.126 failed to specify the project types from Table 2, as required by the annotated outline.

### **A.ii.1.b. Compliance with 23 USC 139 (100%)**

Caltrans did not find any *substantive* deficiencies in its review of two final EISs for compliance with selected elements of 23 USC 139 requirements. One of these final EISs lacked documentation of why a combined final EIS/Record of Decision was not prepared; this documentation was later added to the project's file.

### **A.ii.1.c. Traffic Noise Analysis Protocol (100%)**

Caltrans did not find any *substantive* deficiencies in the documentation prepared under 23 CFR 772. A couple of projects that were not Type 1 failed to explicitly make this statement in their environmental documents, as required by the annotated outline.

### **A.ii.1.d and e. Categorical Exclusions (Not Applicable)**

For this monitoring review, Districts 1, 2, and 3 did not approve any 23 USC 327 CEs, and, therefore, none were reviewed.

## **B. Attainment of Supportable NEPA Decisions**

### **B.i.a.1. Legal Sufficiency Determinations (100%)**

Both reviewed final EISs had legal sufficiency determinations prior to NEPA approval.

### **B.i.b.1. Certifications for Consistency with Annotated Outlines (94%)**

This metric relates to whether the internal QC certification form is signed by the project environmental document preparer, certifying that the documentation was prepared consistent with the environmental document annotated outline. For three documents (including a draft and final document for the same project), no internal certification forms were completed in real time, even though the QC reviews were undertaken; therefore, these documents did not have this certification signature.

### **B.i.b.2. Consistency with Annotated Outlines (96%)**

With the exception of two environmental documents, all reviewed environmental documents were generally consistent with the organization and coverage of topics required by the annotated outlines. Two environmental documents had *substantive* findings; both lacked the required NEPA Assignment language, required by the 23 USC 327 MOU Section 3.2.6, on the document cover, in all required sections of the document, and/or in the FONSI. One of these documents also lacked a Comments and Coordination chapter.

In addition to these deficiencies, minor irregularities were also found, such as organizational deviations from the annotated outline, including no Table of Contents or List of Figures.

### **B.i.b.3. Proper Implementation of Environmental Document Quality Control Requirements (100%)**

All approved draft and final environmental documents were QC reviewed even though, as noted above, a certification form was not completed for three environmental documents.

The following additional *non-substantive* irregularities were found for one or more documents:

- Certification signatures were out of sequence. For example, external certification signatures post-dated the internal certification signatures, or the Environmental Branch Chief was not the last internal certification.
- Locally-sponsored State Highway Projects lacked local agency certification signatures.
- Internal certification signatures were dated after the FONSI approval dates even though the reviews occurred prior to FONSI approval.
- The peer review was certified by the environmental document preparer.
- QC reviews were completed, but the reviewer failed to sign the certification form.

#### **B.i.b.4. Completed Environmental Document Checklist (98%)**

All but one of the 50 reviewed environmental documents had completed checklists. For this project, a checklist was completed for the draft document, but was not updated for the final document.

#### **B.i.c.1. Files Organized According to the Established Filing System (100%)**

All eight reviewed electronic files were generally organized consistent with the UFS. When specific documentation, such as final reports and correspondence, could not be found in the electronic files, the review team confirmed that these items were filed in the projects' hard copy files and requested that District staff also upload this documentation into the electronic project files.

### **C. Monitor Relationships with Agencies and the General Public**

For the 2020 monitoring period, this performance measure was evaluated based on two performance metrics: (1) ratings provided by the resource agencies with whom Caltrans partners, and (2) ratings of materials used at public meetings.

#### **C.i.1. Average Evaluation Ratings from Resource Agency Surveys (86% versus a goal of 76% or higher)<sup>6</sup>**

Figure 1 shows the percentage of Resource Agency Survey respondents who rated Caltrans favorably for the following 10 qualities:

- 2a. Capable of assuming FHWA's NEPA responsibilities
- 2b. Responsiveness
- 2c. Listening skills
- 2d. Consultation efficiency
- 2e. Quality
- 2f. Conscientiousness in adhering to federal laws
- 2g. Cooperativeness on existing programmatic agreements and MOUs
- 2h. Interagency coordination
- 2i. Consideration of resource agency mission
- 2j. Timeliness in which project resolutions are reached

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<sup>6</sup> As described in the 2018 Monitoring Report, a number of changes were made to the resource agency survey and assessment methods in 2018 to improve the effectiveness of the survey and usefulness of the survey results. The 2020 results reflect these changes.

Favorable responses include the following:

- Answers of “yes” (but excludes answers of “no”) on questions regarding whether Caltrans possesses a specified quality;
- Answers of “strongly agree”, or “somewhat agree” (but excludes answers of “neither agree nor disagree”, “somewhat disagree”, or “strongly disagree”) to questions asking if Caltrans possesses a specified quality;
- Ratings of “excellent”, “very good”, or “good” (but excludes ratings of “average” and “poor”) relative to a specified quality.

The goal for this metric is that the average 2020 percentage of favorable responses for all 10 qualities is equal to or exceeds the cumulative average percentage of favorable responses received for all qualities during the surveys undertaken between 2009 and 2020. During the 2020 monitoring period, Caltrans had an average of 86% favorable responses for all questions, as compared to 76% for 2009-2020. Therefore, Caltrans exceeded the cumulative average rating and has exceeded its 2020 goal for this metric.

#### **C.i.2. Average Evaluation Ratings from Review of Public Meeting Materials (4.7 versus a goal of 4.6 or higher)**

Figure 2 shows the average ratings for materials that were used for 17 public meetings held for projects with draft environmental document approvals during the 2020 monitoring period. The following qualities were rated:

- Public notice met SER requirements.
- Adequate opportunities for public to provide comments were available.
- Appropriate specialized Caltrans staff were available to discuss project purpose and need, alternatives, and project impacts.
- Display materials depicting project alternatives were easy to understand.
- Display materials depicting project impacts were easy to understand.
- The meeting was accessible.

The ratings were based on the following five-point scale:

1. Disagree strongly
2. Disagree somewhat
3. Neutral
4. Agree somewhat
5. Agree strongly

The goal for this metric is that the average 2020 rating for all questions is equal to or exceeds the cumulative average rating for all questions for the surveys conducted between 2008 and

2020. In 2020, Caltrans achieved an average rating of 4.7 for all questions, as compared to a cumulative average rating of 4.6 for 2008–2020. Therefore, in 2020, Caltrans exceeded the cumulative average rating and has exceeded its goal for this metric.

**C.i.3. Average Evaluation Ratings for Anonymous Third-Party Public Meeting Review (Not Applicable)**

No third-party anonymous public meeting reviews were conducted during the 2020 monitoring review period due, in part, to COVID-19 restrictions that prevented in-person public meetings/hearings.

**C.ii.1. Percentage of Signed Final Document QC Forms with Public Review Comments Box Checked (88%)**

This metric measures whether the check box on the internal certification form, related to public review comments, is checked. Although public review comments were addressed, the internal certification forms for three final environmental documents had empty check boxes.

**C.iii.1. Date that Formal Conflict Resolution Action Began to Date Resolution Reached (Not Applicable)**

No formal conflict resolution action has been initiated on any NEPA Assignment project.

**D. Timely Completion of NEPA Process**

Review of the four timeliness metrics, as described below, indicates that Caltrans achieved a substantial time savings for each measured environmental milestone.

**D.i.1. Draft Environmental Document Review and Approval Median Time Frames**

Caltrans achieved a savings of 3.1 (draft EA) and 3.3 (draft EIS) months in the median time that it took to review and approve draft environmental documents that were approved through the 2020 monitoring period, as compared to the baseline of pre-NEPA Assignment approvals by FHWA. These time savings are shown in the first and third rows of Table 2 below; the numbers in parentheses reflect the number of approvals made by Caltrans since the initiation of NEPA Assignment.

**Table 2. Environmental Document Review and Approval Time Savings**

| Milestone   | Median Timeframe in Months<br>(Number of Projects) |  | Median<br>Time<br>Savings in<br>Months |
|---|--|--|--|
|   | Pre-NEPA<br>Assignment<br>Program Projects         | NEPA Assignment<br>Program Projects<br>Through June 2020 |  |
| Begin QC of administrative draft EA to <b>draft EA</b> approval   | 5.4 (29)   | 2.3 (269)  | 3.1                                    |
| Begin QC of administrative final EA to <b>FONSI</b> approval      | 2.5 (22)   | 1.6 (250)  | 0.8                                    |
| Begin QC of administrative draft EIS to <b>draft EIS</b> approval | 9.3 (8)  | 6.0 (22)   | 3.3                                    |
| Begin QC of administrative final EIS to <b>final EIS</b> approval | 9.9 (4)  | 5.8 (22)   | 4.1                                    |



### D.i.2. Final Environmental Document Review and Approval Median Time Frames

As shown in the second and fourth rows of Table 2, Caltrans also achieved savings of 0.8 (FONSI) and 4.1 (final EIS) months in the median time that it took to review and approve final environmental documents.

### D.i.3. Draft Environmental Document Preparation Median Time Frames

Caltrans achieved savings of 12.0 (draft EA) and 25.4 (draft EIS) months in the median time that it took to prepare draft environmental documents approved through the 2020 monitoring period, as compared to the FHWA baseline (Table 3).

**Table 3. Environmental Document Preparation Time Savings**

| Milestone   | Median Timeframe in Months<br>(Number of Projects) |  | Median<br>Time<br>Savings in<br>Months |
|---|--|--|--|
|   | Pre-NEPA<br>Assignment<br>Program Projects         | NEPA Assignment<br>Program Projects<br>Through June 2020 |  |
| Begin environmental studies to <b>draft EA</b> approval | 42.3 (31)  | 30.3 (282)   | 12.0                                   |
| Begin environmental studies to <b>FONSI</b> approval    | 54.1 (31)  | 40.0 (248)   | 14.1                                   |
| Notice of Intent to <b>draft EIS</b> approval           | 69.9 (8)   | 44.4 (22)  | 25.4                                   |
| Notice of Intent to <b>final EIS</b> approval           | 193.9 (5)  | 71.5 (20)  | 122.4                                  |

### D.i.4. Final Environmental Document Preparation Median Time Frames

Caltrans also achieved savings of 14.1 (FONSI) and 122.4 (final EIS) months in the median time that it took to prepare final environmental documents (Table 3).

### D.ii.1. Section 7 Consultation Median Time Frames

Table 4 shows the median time savings that has been achieved for Section 7 FESA formal consultations. Caltrans has achieved a savings of 4.9 months for the past 12 years of the NEPA Assignment Program as compared to pre-NEPA Assignment consultations.

**Table 4. Section 7 Consultation Time Savings**

| Milestone   | Median Timeframe in Months<br>(Number of Biological Opinions) |  | Median<br>Time<br>Savings in<br>Months |
|---|---|--|--|
|   | Pre-NEPA<br>Assignment<br>Program Projects                    | NEPA Assignment<br>Program Projects<br>Through June 2020 |  |
| Submittal of Section 7 documentation to resource agency to Biological Opinion | 11.0 (25)   | 6.1 (168)  | 4.9                                    |

# Program-Level Review

## Improved Guidance: Standard Environmental Reference Updates

Caltrans continues to update the SER, Local Assistance Procedures Manual, and the NEPA Assignment external and internal website pages to clarify NEPA Assignment requirements, as needed. The most notable updates to the SER during this monitoring period included the following updates and additional guidance:

### Forms and Templates

- Updates to the Air Quality Conformity Findings Checklist
- Updates to the environmental document annotated outlines
- Updates to forms and checklists for compliance with the Americans with Disabilities Act

### Volume 1 of the SER

- Update to Chapter 20, “Section 4(f)”, regarding new submittal information for the Department of Interior

### Other Guidance

- Guidance for addressing FHWA’s updated “Policy on Access to the Interstate System”
- Fact Sheet on the Council of Environmental Quality’s Update to the Regulations for Implementing the Procedural Provisions of NEPA

## Training

The FY 2019-2020 Caltrans NEPA Assignment Training Plan identified all training courses to be offered to Caltrans environmental staff and technical specialists on an as-needed basis during the fiscal year. These courses included 17 live training sessions that were to be offered one or more times and two on-line courses. Due to the COVID-19 pandemic, the training program was forced to cancel all planned in-person trainings from March through June of 2020. Caltrans was initially directed to cancel non-essential in-person meetings or conduct them virtually. This impacted the delivery of all planned sessions of the following classes included in the FY 2019-2020 Training Plan: Environmental Commitments Compliance, Environmental Academy, Fundamentals of Section 4(f), and Section 4(f) and Historic Properties. However, all of these courses were delivered at least one time during the fiscal year. Additional sessions of some courses were delivered virtually. One new course, Cumulative Impact Assessment, was added and delivered virtually. Overall, Caltrans was able to deliver more classes this year than what was planned.

In early 2020, the NEPA Assignment Team offered a webinar for all district environmental staff on the information from the STEVE database that is used for required NEPA Assignment reporting. The purpose of this training was to highlight for staff the importance of uploading key environmental dates into STEVE accurately and in real time so that reported environmental

approvals and timeframes, as well as information that is used to evaluate the 23 USC 327 performance metrics, are comprehensive and correct.

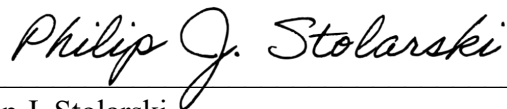
## NEPA Process Improvement Team

As noted in last year's Monitoring Report, in late 2019, DEA kicked off a NEPA Process Improvement effort to make recommendations for streamlining and improving its procedures and policies to provide more efficiencies and flexibilities in the delivery of federal-aid projects. The core team of DEA Managers, Division of Local Assistance Staff and selected District Environmental Chiefs worked throughout 2020 to review Caltrans' State Highway System and Local Assistance procedures and NEPA documentation tools, including the 23 USC 327 MOU performance metrics and monitoring review procedures; environmental document QC review procedures and tools; CE documentation; environmental document annotated outlines; and Section 7 FESA procedures and tools, to determine how these processes and tools can be improved and made more efficient. The core team anticipates making recommendations to the Steering Committee of DEA Management and select District Environmental Deputies in the summer of 2021. Once the recommendations are adopted, DEA will update the SER as needed, provide training to district staff, and roll out the new procedures and tools.

## Statement by Chief, Division of Environmental Analysis

Based on Caltrans' monitoring of its performance, during FY 2019-2020, under the Surface Transportation Project Delivery Program, I find the responsibilities assumed by Caltrans under the 23 USC 327 MOU are being carried out in accordance the MOU and all applicable federal laws and policies.

Signed:



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Philip J. Stolarski  
Chief, Division of Environmental Analysis  
California Department of Transportation

Date:

April 12, 2021

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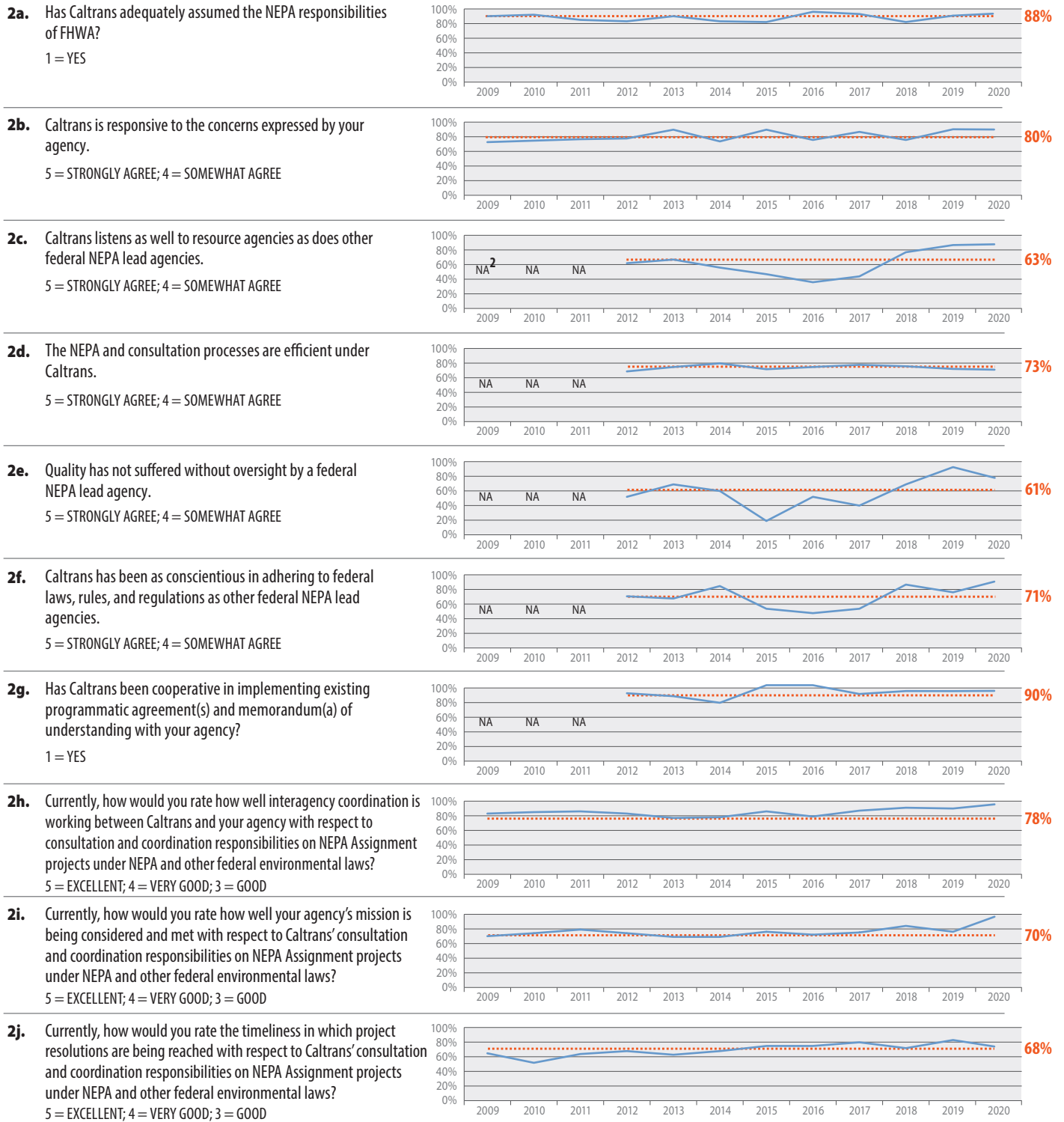
**Figure 1**  
**2020 Resource Agency Survey Results<sup>1</sup>**

1,2

**All questions combined: Cumulative average percentage (2009-2020) – 76%**  
**Cumulative average percentage (2020) – 86%**

**Legend**

- Average by year
- - - Cumulative average (2009-2020)



<sup>1</sup> Sample sizes for each survey year are as follows:

2009: 49 completed surveys  
 2010: 54 completed surveys  
 2011: 46 completed surveys  
 2012: 46 completed surveys for questions 2a, 2b, 2h, 2i, and 2j; 18 completed surveys for questions 2c through 2g  
 2013: 30 completed surveys for questions 2a, 2b, 2h, 2i, and 2j; 15 completed surveys for questions 2c through 2g  
 2014: 43 completed surveys for questions 2a, 2b, 2h, 2i, and 2j; 18 completed surveys for questions 2c through 2g  
 2015: 30 completed surveys for questions 2a, 2b, 2h, 2i, and 2j; 12 completed surveys for questions 2c through 2g  
 2016: 25 completed surveys for questions 2a, 2b, 2h, 2i, and 2j; 12 completed surveys for questions 2c through 2g  
 2017: 30 completed surveys for questions 2a, 2b, 2h, 2i, and 2j; 18 completed surveys for questions 2c through 2g

2018: 27 completed surveys  
 2019: 23 completed surveys  
 2020: 25 completed surveys

<sup>2</sup> NA = Not Applicable, since questions and responses are not comparable to the 2020 questions.

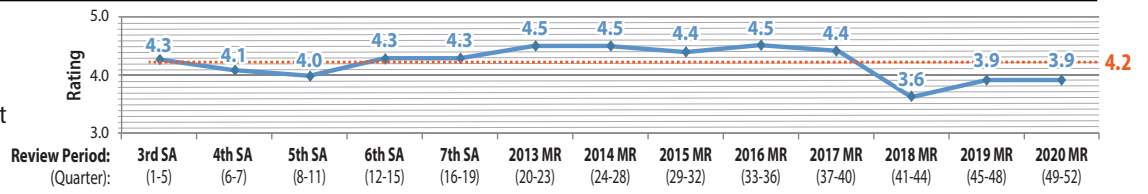
**Figure 2**  
**2020 Review of Environmental Document Public Meeting Materials<sup>1</sup>**

**All questions combined: Cumulative average percentage (3rd SA-2020) – 4.6**  
**Cumulative average percentage (2020) – 4.7**

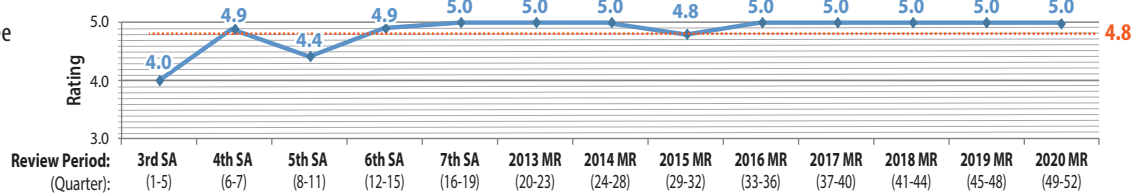
**Legend**

- Average by year
- ..... Cumulative average (3rd Self-Assessment–2020)

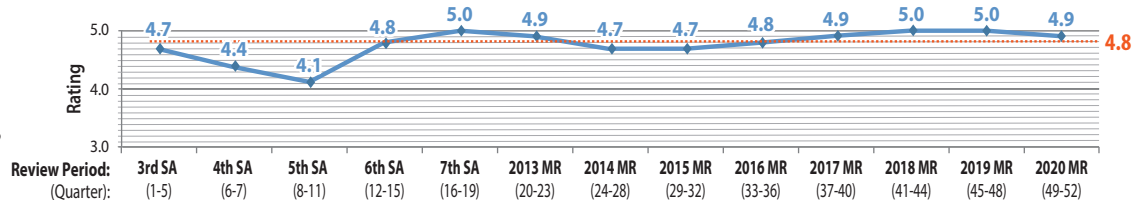
To what extent did the public meeting notice or notice of opportunity for the project environmental document meet SER requirements?



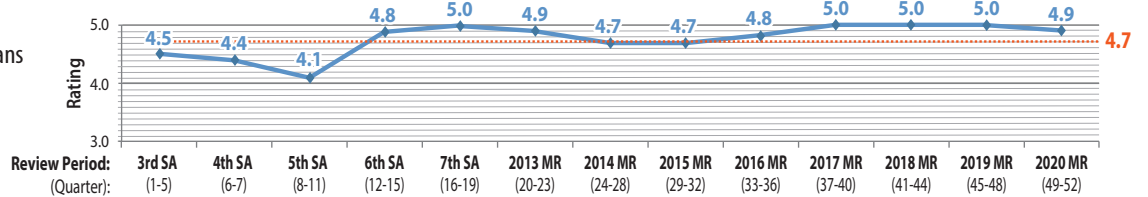
To what extent do you agree or disagree that the public meeting provided adequate opportunity for the public to register written and oral comments?



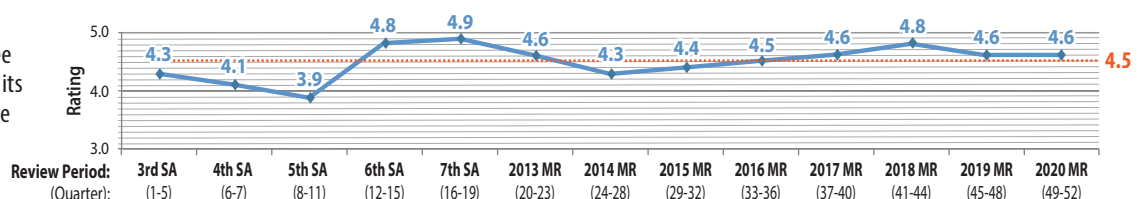
To what extent were appropriate Caltrans specialty staff available to discuss the project, its purpose and need, and alternatives with the public?



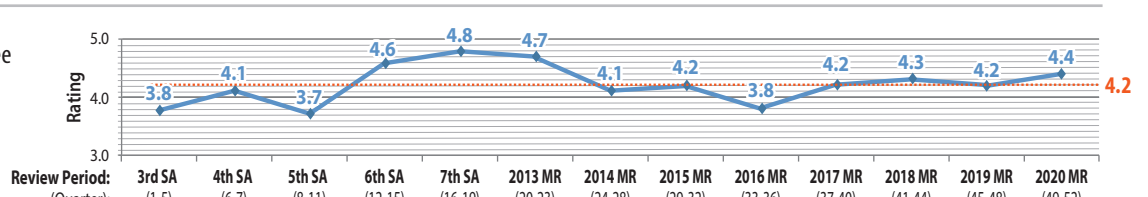
To what extent were appropriate Caltrans specialty staff available to discuss the project impacts with the public?



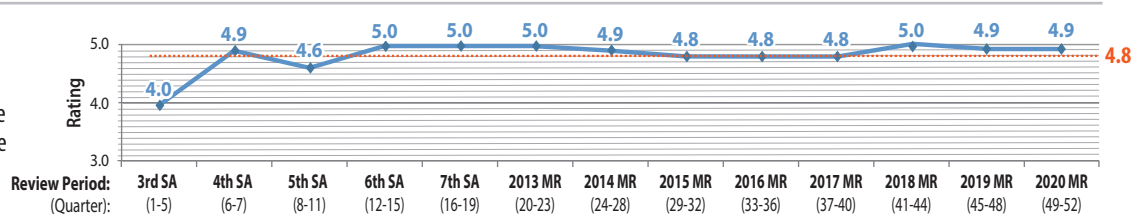
To what extent do you agree or disagree that displays depicting the project and its alternatives were easily understandable to the lay public?



To what extent do you agree or disagree that displays depicting the project impacts were easily understandable to the lay public?



Based on review of the public meeting material and input from the project generalist, to what extent do you agree that the project meeting was accessible to the public?



<sup>1</sup> Sample sizes: 3rd Self-Assessment - 27 projects; 4th Self-Assessment - 8 projects; 5th Self-Assessment - 22 projects; 6th Self-Assessment - 19 projects; 7th Self-Assessment - 16 projects; 2013 Monitoring Review - 17 projects; 2014 Monitoring Review - 15 projects; 2015 Monitoring Review - 15 projects; 2016 Monitoring Review - 17 projects; 2017 Monitoring Review - 23 projects; 2018 Monitoring Review - 23 projects; 2019 Monitoring Review - 17 projects; 2020 Monitoring Review - 16 projects.