

Memorandum

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To: All District Deputy Directors
For Environmental Planning
All District Environmental Office/Branch Chiefs

Date: July 2, 2007

File: NEPA Delegation

From: JAY NORVELL
Chief
Division of Environmental Analysis

Subject: Environmental Document Quality Control Program under the NEPA Pilot Program

Background

Caltrans has updated its environmental document Quality Control Program in response to its NEPA assignment of responsibilities under the Surface Transportation Project Delivery Pilot Program pursuant to Section 6005 of the Safe, Accountable, Flexible, Efficient Transportation Act: A Legacy for Users (SAFETEA-LU). The formal assignment of National Environmental Policy Act (NEPA) responsibilities took effect on July 1, 2007 with the execution of a Memorandum of Understanding (MOU) between the Federal Highway Administration (FHWA) and Caltrans. Caltrans' application specified that Caltrans would expand its quality control procedures for environmental documents to ensure compliance with NEPA and other applicable federal laws. This policy memorandum describes those expanded procedures.

Summary

The Caltrans environmental document Quality Control Program now requires five reviews for all environmental documents as described in the attachment to this memorandum. The required reviews, documentation protocols, and the necessary professional qualifications for the personnel conducting them are presented in the attachment to this policy memo. The Caltrans Quality Control Program has been revised to include the following:

- A NEPA Quality Control Review as an added review protocol
- Clarification of the purpose and function of quality control reviews
- Modified Quality Control Certification forms customized for internal or external document preparation, certifying that the environmental document meets standards in every respect
- The option of a District/Region Quality Control Plan

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The Quality Control Program is similar to that previously required, with the addition of a NEPA Quality Control Review and improved documentation standards to increase statewide consistency for audit purposes. These revised requirements were presented at the NEPA Delegation Workshops earlier this year.

Applicability

Effective immediately, for project under the pilot program, this memorandum supersedes the following Division of Environmental Analysis memoranda for quality control procedures:

Date	Subject
January 13, 2003	Written Certification of Document Quality Reviews
July 11, 2002	District Environmental Document Control
November 29, 2001	Environmental Document Quality Control

If you have any questions regarding this memorandum, please call Cindy Adams, NEPA Delegation Manager, at (916) 653-5157.

Attachment

Environmental Document Quality Control Program

July, 2007

Quality Control Program Reviews

Resource/Technical Specialist Review

The purpose of the resource/technical specialist review is to ensure the accuracy of specific resource studies and technical information summarized in the Environmental Document (ED). A Resource/Technical Specialist Review will be completed for each resource topic discussed in the ED. The review will be conducted for those sections in each chapter that contain information about the individual resource or technical area under consideration (e.g., Summary; Affected Environment, Environmental Consequence, and Avoidance, Minimization &/or Mitigation Measures; Cumulative Impacts), and will provide comments, to ensure the following:

- Accuracy of the information in the ED
- Consistency between the technical study and the information as summarized in the ED;
- All avoidance, minimization and/or mitigation measures are appropriately characterized and are feasible to implement;
- All anticipated permit and/or approval actions have been accurately identified within the ED.

Reviewer Qualifications: The Resource/Technical specialist who prepared the technical study or another staff member with equivalent knowledge of the subject area will conduct the review of the given subject area. Technical/Resource Specialist Review includes reviews as appropriate, by Project Managers, Design Managers, Landscape Architecture, Construction, Maintenance, and Traffic in addition to the environmental functional unit reviews.

Internal Peer Review

The Internal Peer Review is intended provide a 'fresh set of eyes,' by having a qualified environmental staff member who, to guarantee independence and objectivity has not participated in, supervised or technically reviewed the project. The Peer Review is a comprehensive, rigorous and critical review of the document conducted by an individual knowledgeable about regulations, guidelines and standards and will provide comments to ensure:

- The ED complies with the appropriate annotated outline;
- The text 'tells the story' in a logical manner that is consistent in voice, with clarity and concise prose readily comprehensible to the lay reader;
- Graphics and table included in the document support the text and are visually clear and understandable.

In those instances when a document is brokered to another District or Region, the Peer Reviewer for the document should be from the District/Region in which the proposed project is located.

Reviewer Qualifications: The Internal Peer Review is to be conducted by a Caltrans staff member with knowledge and experience equivalent to that needed for original work at the Associate Environmental Planner level or higher.

Technical Editor Review

The intent of the technical editing review is to ensure that the document achieves high editorial standards, is consistent with environmental document annotated outlines and is ready to be released to the public. The Technical Editor will review the entire document and undertake the following:

- Make corrections to the text as necessary to assure correct spelling, grammar, punctuation, syntax and consistent use of terminology;
- Ensure that typescript, subject headings, headers, footers and other formatting conventions are being employed in a consistent manner;
- Ensure that the graphics, tables and figures are consistent with the text and that important textual references have been included;
- Ensure that the document is written clearly and in a consistent voice, that textual information is provided in a concise manner that is easily understandable to the lay reader.

Reviewer Qualifications: A staff member with demonstrated experience in the preparation and/or editing of professional documents of any type, or a professional editor retained through a consultant contract.

NEPA Quality Control Review

The purpose of the NEPA Quality Control Review is to ensure that the project complies with the Council on Environmental Quality NEPA regulations and FHWA regulations, policies and standards for the implementation of NEPA and all other applicable federal environmental laws. The NEPA Quality Control Review will provide comments to ensure the following:

- Adequacy of the project's purpose and need statement, logical termini, independent utility and project description;
- Completeness of the alternatives analysis, including information supporting the range of alternatives selected for study in the document;
- All proposed avoidance, minimization and mitigation measures are properly identified, characterized and are reasonable and practicable to implement.
- Evidence of coordination with any federal, state and local agencies necessary to comply with federal regulatory requirements
- Compliance with FHWA Environmental Impact and Related Procedures (23 CFR 771) and FHWA environmental policies and applicable guidance;

- Compliance with other Federal laws and regulations¹ such as Section 7 of the Endangered Species Act, Section 106 of the National Historic Preservation Act, Section 404 of the Clean Water Act, Executive Order 11990-Protection of Wetlands, Executive Order 11988-Floodplain Management, and Section 4(f) of the Department of Transportation Act

Reviewer Qualifications: The NEPA Quality Control reviewer must have the following qualifications (1) at least two years of experience leading the development of, or performing consultant oversight for transportation environmental documents in California, (2) demonstrated experience in preparing complex environmental documents or supervisory experience in a unit that reviews EIS and (3) certificate of completion in NEPA Compliance Training.

Environmental Branch Chief Review

The supervisor of the primary author of the ED conducts the Environmental Branch Chief Review. The Environmental Branch Chief shall ensure that all Quality Control Program standards are being met for the project, that the document is technically accurate and consistent with the Standard Environmental Reference (SER), the annotated outlines and other applicable guidance. The Environmental Branch Chief Review shall provide comments to ensure:

- The adequacy of the purpose and need statement, logical termini, independent utility, and project description;
- All project alternatives are adequately described to support anticipated project impacts and proposed avoidance, minimization and mitigation measures;
- All applicable State and Federal laws, regulations and guidance documents have been adhered to relative to resource issues addressed in the ED;
- All resource discussions derived from technical studies and memoranda are accurately summarized in the ED.

The Environmental Branch Chief shall ensure that all required the appropriate staff members have completed quality control reviews.

Reviewer Qualifications: This review is to be conducted by the Environmental Branch Chief – the Senior Environmental Planner overseeing the environmental assessment unit of the planner who prepared the subject environmental document.

Quality Control Plan

The District/Region may elect to prepare a quality control plan to implement the Quality Control Program Review process.

¹ A comprehensive list of those federal laws for which Caltrans is assuming the responsibilities of the Federal Highway Administration can be found in the Section 6005 MOU.

Quality Control Certification Forms

All staff personnel who have served as a reviewer on a project document shall sign a Quality Control Certification Form at the conclusion of their review. The reviewer's signature certifies that the document meets professional standards and Federal and State requirements in the reviewer's area of expertise, and it consistent with the SER and annotated outlines. Both an Internal Certification form and an External Certification form have been developed. The Internal Certification form is used for environmental documents prepared by Caltrans personnel.

The External Certification form is used for environmental documents prepared by a consultant or local agency. External quality control review is required for all such documents. This review is to be performed by the consultant and local agency, if applicable, and documented on the External Certification form. All reviews on the form are to be completed: Technical Specialist Review, Peer Review, and Technical Edit Review. The Environmental Consultant will certify that the environmental document is internally consistent and is in compliance with Caltrans and FHWA requirements and guidance and the applicable SER annotated environmental document outline. For local assistance projects or projects on the SHS for which there is a local agency sponsor, the Local Agency will sign also sign the form certifying that the required quality control reviews shown above have been satisfactorily completed and that the environmental document meets all Caltrans and FHWA requirements. Following the external Quality Control review the document will be submitted to Caltrans for an abbreviated Quality Control review. The Caltrans review of externally prepared documents will consist of Technical Specialist Review, NEPA Quality Control Review, and Oversight Coordinator and Environmental Branch Chief review and certification. The Internal Certification Form will be used to document the Caltrans portion of the Quality Control review of these projects

Caltrans prepared documents will use the Internal Certifications form and undergo the review specified in the Quality Control Program above.