

**PRC 5024 MOU
ANNUAL REPORT**

**IMPLEMENTATION OF THE
PUBLIC RESOURCES CODE 5024
MEMORANDUM OF UNDERSTANDING**

JULY 1, 2015 – JUNE 30, 2016



**CULTURAL STUDIES OFFICE
DIVISION OF ENVIRONMENTAL ANALYSIS
CALIFORNIA DEPARTMENT OF TRANSPORTATION
SACRAMENTO, CALIFORNIA**

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EXECUTIVE SUMMARY

This report documents the effectiveness of and summarizes actions carried out under the January 1, 2015 *Memorandum of Understanding Between the California Department of Transportation and the California State Historic Preservation Officer Regarding Compliance with Public Resources Code Section 5024 and Governor’s Executive Order W-26-92* (MOU) during the period from July 1, 2015, through June 30, 2016, in accordance with MOU stipulation XIX.E.

The results of this report reveal that during this reporting period, the California Department of Transportation (Caltrans) handled 763 project and activities that involved state-owned cultural resources. Of these, 262 were state-only projects and 501 were Federal-aid highway projects. Pursuant to MOU Stipulation III, the Federal-aid highway projects involving state-owned cultural resources were processed under the January 1, 2014, First Amended Section 106 PA (106 PA).¹ The majority of projects, a total of 622, qualified as “screened” under the terms of the MOU and 106 PA. Of the 141 projects that were not screened, 115 were processed internally by Caltrans in accordance with the MOU while 26 required external review by the State Historic Preservation Officer (SHPO) on determinations of eligibility or findings of effect. A summary of results of the actions completed in accordance with the MOU begins on page 3.

There was one potential inadvertent effect to a state-owned historical resource on the state-highway system.² Caltrans Professionally Qualified Staff (PQS) took action to ensure that no further damage occurred and continue to assess potential construction impacts. A discussion of the incident begins on page 10. There were no ESA violations involving state-owned resources.

Quality assurance measures for this reporting period included ongoing PQS review of Caltrans District reports by CSO staff and delivery of 106 PA training for statewide PQS in January 2016. Quality assurance measures are presented on page 12.

An interim report containing a summary of the mid-fiscal year implementation of the MOU for the period of January 1 to June 30, 2015 was produced in October 2015. In accordance with the MOU, an annual report is required after the first full fiscal year of the execution of the MOU. This first annual report covers the period of July 1, 2015, to June 30, 2016.

¹ *First Amended Programmatic Agreement Among The Federal Highway Administration, The Advisory Council On Historic Preservation, The California State Historic Preservation Officer, And The California Department Of Transportation Regarding Compliance With Section 106 Of The National Historic Preservation Act, As It Pertains To The Administration Of The Federal-Aid Highway Program In California.*

² For purposes of this report, the term “state-owned historical resource” and “historical resource” refers only to state-owned buildings, structures, objects, sites, areas or districts listed in or determined eligible for listing in the NRHP, or registered in or determined eligible for registration as a CHL, per PRC 5024(a).

It is Caltrans' judgment that the use of the MOU as an alternative means to comply with the California Public Resources Code (PRC) 5024 and Governor's Executive Order W-26-92 provides an effective program alternative to the standard PRC 5024 process by streamlining project and activity review procedures, while maintaining state standards for state-owned cultural resources and ensuring that effects to these resources are taken into account during project planning.

PRC 5024 MOU ANNUAL REPORT

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INTRODUCTION

The *Memorandum of Understanding Between the California Department of Transportation and the California State Historic Preservation Officer Regarding Compliance with Public Resources Code Section 5024 and Governor's Executive Order W-26-92* went into effect on January 1, 2015, streamlining Public Resources Code Section 5024 and Governor's Executive Order W-26-92 by delegating much of the SHPO's responsibility for carrying out the routine aspects of the PRC 5024/W-26-92 process to Caltrans. The MOU applies to all state-owned cultural resources within Caltrans ownership and jurisdiction. Pursuant to MOU Stipulation III, Caltrans uses 106 PA procedures when Federal-aid highway projects have state-owned cultural resources within their Area of Potential Effect. All cultural resources studies completed under the MOU are carried out by or under the direct supervision of individuals who meet the Secretary of the Interior's Professional Qualifications Standards (SOIS) for the relevant field of study. Use of the SOIS standards ensures program quality and satisfies state mandates associated with compliance with PRC 5024/W-26-92. Caltrans meets these standards by certifying its cultural resources staff as Professionally Qualified Staff (PQS). The Chief of the Cultural Studies Office (CSO) in the Division of Environmental Analysis (DEA) at Caltrans is responsible for certifying the qualifications of all PQS. PQS are responsible for ensuring that effects to state-owned historical resources are taken into account appropriately.

In addition to streamlining the PRC 5024 process for Caltrans, the MOU reduces the workload for the SHPO in that PQS review routine projects and activities internally. Caltrans ensures that all documentation for projects and activities that are not subject to SHPO review under the MOU remain on file at each Caltrans District. In addition, PQS provide documentation to consulting parties and the public in accordance with the MOU and consistent with applicable confidentiality requirements. Delegation to PQS of the authority to perform many of the functions of the SHPO has enabled SHPO staff to concentrate efforts on the few projects that have the potential to adversely affect state-owned historical resources.

Pursuant to MOU Stipulation XIX.G, this report documents the effectiveness of, and summarizes activities carried out under, the MOU. It covers actions for which PRC 5024 consultation concluded between July 1, 2015, and June 30, 2016.

In accordance with MOU Stipulation, XIX.E.3, Caltrans is providing notice to the public that this report is available for inspection and will ensure that potentially interested members of the public are made aware of its availability. Additionally, the public may provide comment on the report to the MOU signatory parties. This report is being submitted to the SHPO, the Caltrans Director, and Caltrans District Directors and is available upon request.

2015 PRC 5024 MOU

The MOU was executed on January 1, 2015. For consistency and parallel structure, where feasible, the alternative procedures for compliance with the standard PRC 5024 process is modeled on the 106 PA, but with adaptations for compliance specific to PRC 5024 and W-26-92.

SUMMARY OF MOU ACTIONS

According to data provided by the 12 Caltrans Districts, enumerated in Table 1, during this reporting period Caltrans processed a total of 763 state-only or Federal-aid highway projects that involved state-owned resources.

The majority of the projects, 622 (or 82 percent) were exempted from further review after appropriate assessment, or “screening,” by Caltrans PQS.³

Of the 141 projects that did not qualify as screened projects or activities, 115 (15 percent) were kept on file in the Caltrans District or CSO files, as consultation with the SHPO was not required under the terms of the MOU.⁴ The remaining 26 projects (3 percent) required consultation with the SHPO regarding determinations of eligibility or findings of effect. One involved an adverse effect to a state-owned historical resource on the Master List of Historical Resources (Master List).⁵

³ Under Stipulation VII of the MOU and the 106 PA, the classes of activities identified in Attachment 2 of the MOU and Section 106 PA as “screened” require no further review under the MOU or Section 106 PA when the steps set forth in the attachment are satisfactorily completed. Caltrans PQS are responsible for reviewing individual actions for applicability of this provision. PQS cannot screen projects, activities or federal undertakings with potential to affect state-owned cultural resources if conditions are included to ensure that state-owned historical resources will not be affected. Stipulation III of the MOU allows Caltrans to use the 106 PA for federal undertakings that have the potential to affect state-owned historical resources.

⁴ These are projects for which either no state-owned cultural resources were identified, or state-owned historical resources previously determined eligible are present but will not be affected. For projects that will avoid adverse effects to state-owned historical resources through use of standard conditions, or have no adverse effect (without standard conditions) or an adverse effect to state-owned historical resources not on the Master List, documentation is also kept on file at Caltrans, but CSO provides summary notification of these finding in accordance with MOU Stipulation XIX.E.2.

⁵ Pursuant to MOU Stipulation IV.E, “This list is maintained by the SHPO pursuant to PRC 5024 and includes state-owned historical resources: that are listed in the NRHP; are registered as a CHL; and state-owned historical buildings, structures and objects that were officially determined eligible for inclusion in the NRHP pursuant to 36 CFR 800.4(c)(2), 36 CFR60 or 36 CFR 63; or for eligible for registration as a CHL pursuant to PRC 5024(d) or 5020.4(a)(1). The Master List does *not* include archaeological sites or non-structural resources and sites that were officially determined eligible for inclusion in the NRHP or for registration as a CHL, nor does the Master List include any state-owned resources that are assumed eligible for the NRHP or as a CHL only for purposes of a project or activity.”

Table 1: Total Activities Completed – July 1, 2015-June 30, 2016

Projects Completed	Total
Caltrans State-only Projects/Activities	262
Combined Sec.106/PRC 5024 Projects	501
Number of Projects Screened – Total	
Caltrans State-only Projects/Activities	207
Combined Sec.106/PRC 5024 Projects	415
Number of Projects to File	
Caltrans State-only Projects/Activities	39
Combined Sec.106/PRC 5024 Projects	48
HRCRs / HPSRs to CSO	
Caltrans State-only Projects/Activities	28
Number of Projects to SHPO – Total	
Caltrans State-only Projects/Activities or combined Sec.106/PRC 5024 Projects	26

Evaluation of State-Owned Cultural Resources

During this reporting period, 24 projects processed under the MOU or 106 PA/MOU involved state-owned cultural resources that were evaluated for eligibility for listing on the NRHP and/or as CHLs and therefore required consultation with the SHPO pursuant to MOU Stipulation VIII.C.6. Approximately 186 cultural resources were treated by PQS as exempt from evaluation in accordance with MOU Stipulation VIII.C.1/Attachment 4. Additional properties were considered to be NRHP and/or CHL eligible for purposes of a project or activity after approval by CSO, in accordance with Stipulation VIII.C.3 and VIII.C.4.

Effect Findings

A summary of effect findings for this reporting period is represented in Table 2 below. Of the 141 projects processed during the reporting period that did not qualify as “screened,” 87 resulted in a finding of “No State-Owned Historical Resources Affected” with documentation retained in Caltrans District files because the HRCR or HPSR concluded that no cultural resources requiring evaluation to determine NRHP/ CHL eligibility were present. An additional 24 projects also resulted in “No State-Owned Historical Resources Affected” because no properties were present that had been determined eligible for the NRHP/CHL in consultation with the SHPO.

Twenty projects resulted in a finding of “No Adverse Effect with Standard Conditions” (FNAE-SC).⁶ Of these, 18 involved archaeological properties not on the Master List where adverse effects could be avoided through designation of an environmentally sensitive area (ESA). Two involved properties on the Master List, with adverse effects avoided through application of the SOIS standards. Documentation was provided to CSO for review and subsequently retained in CSO and District files in accordance with MOU Stipulation X.B.1.

Eight (8) projects or activities resulted in a finding of “No Adverse Effect” (without standard conditions). Of these, seven (7) involved properties not on the Master List and accordingly were reviewed by CSO and retained in CSO and District files, in accordance with MOU Stipulation X.B.2.a. One (1) project resulting in a finding of “No Adverse Effect” (without standard conditions) involved a property on the Master List and was submitted to CSO for review. CSO consulted with the SHPO in accordance with MOU Stipulation X.B.2.c.

One project resulted in a finding of “Adverse Effect with Standard Mitigation Measures” (FAE-MM) involving a state-owned archaeological site not on the Master List. The documentation was reviewed by CSO and subsequently kept in CSO and District Files, in accordance with MOU Stipulation X.C.1.a-b.

Finally, one project resulted in an Adverse Effect to a state-owned historical resource on the Master List. Documentation was reviewed by CSO and CSO consulted with the SHPO in accordance with MOU Stipulation X.C.2.b.i-ii. Consultation between Caltrans and SHPO regarding mitigation for the adverse effect is ongoing.

Table 2: Effect Findings – July 1, 2015-June 30, 2016

Effect Finding	TOTAL
No Historical Resources Affected	111
No Adverse Effect with Standard Conditions	20
No Adverse Effect	8
• On Master List	(7)
• Not on Master List	(1)
Adverse Effect	2
• On Master List	(1)
• Not on Master List	(1)
Total	141

⁶ Standard Conditions, described in MOU stipulation X.B.1, are as follows: (i) Historic properties will be rehabilitated in accordance with the Secretary of the Interior’s Standards for Treatment of Historic Properties (36 CFR Part 68); or (ii) Properties will be protected by designation of ESAs, as described in Attachment 5 of the MOU.

Transfers and Relinquishments

According to data provided by the Districts, 11 state-owned parcels that contained state-owned cultural resources not on the Master List were transferred or relinquished during the current reporting period. Six other parcels were transferred or relinquished that did not involve any state-owned cultural resources or contained resources that could be treated as exempt from evaluation in accordance with MOU Stipulation VIII.C.1/Attachment 4.

EFFECTIVENESS OF THE MOU - ESTIMATED TIME SAVINGS

Prior to the execution of the MOU, pursuant to PRC 5024, all projects that involved state-owned cultural resources required consultation with the SHPO. Caltrans conducted an inventory and evaluation of the resources using the NRHP and CHL criteria, and consulted SHPO on eligibility in accordance with PRC 5024(b) and (d). If state-owned historical resources were identified, Caltrans continued consultation with SHPO on effects to properties on the Master List per PRC 5024.5. PRC 5024(f) required that Caltrans notify the SHPO regarding effects to state-owned historical resources not on the Master List and request SHPO’s comment; there is no time frame for this consultation and the process could take several months depending on the circumstances.

The MOU has delegated many steps of the PRC 5024 process to Caltrans. It also establishes agreed-upon time frames for all steps in the SHPO review process, and delegates some of those reviews to CSO, which likewise have time frames. Since January 1, 2015, Caltrans has used the alternate provisions of the MOU instead of the PRC 5024 compliance process for its state-only projects and activities and for Federal-aid highway projects that involved state-owned cultural resources.⁷ The result is a time savings of up to 60 days for projects requiring determinations of eligibility and approximately the same for effect findings. Table 3, below, shows a comparison of time frames under the standard PRC 5024 process and those under the MOU.

Table 3: PRC 5024 Review Timeframes

Action	PRC 5024 Process	MOU Process
Potential to affect state-owned historical resources not on the Master List (if present)	SHPO review time not specified	No SHPO review; only annual reporting
Potential to affect state-owned historical resources on the Master List (if present)	30 day SHPO review	No SHPO review; only annual reporting
Evaluation of cultural resources (if present)	30 day SHPO review	30 day SHPO review

⁷ Stipulation III of the MOU states in part, “Caltrans shall use the Section 106 PA in its entirety and notify the SHPO that there are state-owned historical resources for which Caltrans is concurrently complying with PRC 5024. The SHPO shall use the information and documentation provided for the federal undertaking in its review and comments under PRC 5024.

Projects and Activities Exempt from SHPO Review

PQS may exempt certain projects and activities from further PRC 5024 review if PQS determine that they do not have potential to affect state-owned historical resources. The finding is documented in a memo to file, along with any supporting documentation, such as project plans, records search results, or correspondence with interested parties.

The “screened projects and activities” process is a major streamlining feature of the MOU. PQS measure the time saved by this provision by estimating the amount of time that otherwise would have been spent conducting PRC 5024 studies and preparing consultation documents for SHPO. In addition, the amount of time saved by not having to wait for a determination saves, at a minimum, 90 days per project, compared to the non-MOU process. CSO estimates that the time saved per project averages approximately 43 hours statewide. This represents a considerable savings of labor hours between Caltrans and SHPO as well as an unknown amount of valuable tax dollars.

For the reporting period, PQS determined that 622 projects (82 percent) qualified as “screened projects and activities” and were exempt from further review. Of these, 207 were for state-only projects, while 415 were Federal-aid highway projects that also involved state-owned properties. Time saved is best viewed as a measure of more efficient project delivery, in that the screening process has allowed Caltrans to complete the compliance process more efficiently than could be accomplished without the MOU, and has saved the SHPO time in not having to review documentation for projects with no potential to affect historical resources. Without the MOU, projects that involved both Federal-aid highway funding and state-owned properties could still be “screened” under the 106 PA for Section 106 compliance, but Caltrans would potentially have had to consult with the SHPO to comply with PRC 5024. Bringing the two processes into line with each other has saved considerable time and effort.

Projects Requiring SHPO Review

Time Savings for Effect Findings

Under the MOU, when Caltrans PQS determine that a project results in a finding of “No State-Owned Historical Resources Affected” either because no state-owned historical resources requiring evaluation are present or no state-owned historical resources will be affected, the finding is documented in Caltrans files and SHPO is notified in the annual reports. Time saved using this procedure is 30 days per project.

Prior to the MOU, when Caltrans determined that a project resulted in a FNAE-SC finding, using the guidance provided by the 106 PA, there were two procedures for compliance, depending on

whether the project affected state-owned historical resources on, or not on, the Master List.⁸ For a FNAE-SC affecting historical resources not on the Master List, Caltrans notified SHPO and requested comments under PRC 5024(f). No time frame was established for this consultation nor was SHPO required to concur. For a FNAE-SC affecting historical resources *on* the Master List, Caltrans notified the SHPO and requested comments under PRC 5024.5 within a 30-day time frame.

Under the MOU, all FNAE-SCs are sent to CSO for a 15-day review. If CSO does not object within that time frame, the District can move forward and the project or activity is not subject to further review. The SHPO does not review or comment on these findings. Caltrans notifies SHPO in quarterly reports as well as an overall reporting in the annual report. This streamlining measure of MOU Stipulation X.B.1 results in review time savings of 15 to 30 days per project for properties on the Master List, and up to 90 days for properties not on the Master List. During the current reporting period, Caltrans Districts submitted 20 projects with FNAE-SC findings to CSO for review, of which 17 involved properties not on the Master List.

Table 4 below compares the timeframes for review of effect findings under PRC 5024 to those under the MOU.

Table 4: Review Timeframes for Effect Findings

Action	PRC 5024 Process	MOU Process
Finding of No State-Owned Historical Resources Affected (includes when State-owned Historical Resources Not on Master List are not affected)	No time frame specified; open-ended	No SHPO review; annual reporting
Finding of No State-Owned Historical Resources Affected (includes when State-owned Historical Resources On Master List are not affected)	30-day SHPO review	No SHPO review; annual reporting
Finding of No Adverse Effect with Standard Conditions – Not on Master List	No time frame specified; open-ended	15-day CSO review ⁹
Finding of No Adverse Effect with Standard Conditions – On Master List	30-day SHPO review	15-day CSO review
Finding of No Adverse Effect without Standard Conditions – Not on Master List	No time frame specified; open-ended	15-day CSO review
Finding of No Adverse Effect without Standard Conditions – On Master List	30-day SHPO review	30-day SHPO review
Adverse Effect – Not on Master List	No time frame specified; open-ended	15-day CSO review
Adverse Effect – On Master List	30-day SHPO review	30-day SHPO review

⁸ SHPO informally allowed Caltrans to use the 106 PA’s FNAE-SC procedure as guidance prior to execution of the MOU.

⁹ CSO responsibility and review period per Stipulation X.B.1

State-owned Resources That Do Not Require Evaluation

MOU Stipulation VIII.C.1 and Attachment 4: Resources Exempt from Evaluation

Stipulation VIII.C.1 and Attachment 4 of the MOU require a reasonable level of effort to identify and evaluate state-owned historical resources. However, the MOU recognizes that not all properties possess potential for historical significance. Caltrans PQS and qualified consultants are entrusted with the responsibility of determining whether cultural resources property types meet the terms of MOU Attachment 4 and if so, may exempt them from PRC 5024 evaluation. Measuring the time saved under this provision is difficult, but by roughly estimating the amount of time PQS or qualified consultants would have had to spend evaluating the resources, Caltrans saves from 20 to 60 hours per resource. CSO review is not required for exemptions of resources under this stipulation. However, CSO provides guidance and review when requested.

In order to plan for future inventories pursuant to PRC 5024(a) and (b) and to comply with W-26-92, Caltrans PQS and consultants are required to complete minimal information on the Office of Historic Preservation's DPR 523A Primary Record Form for MOU Attachment 4 built-environment resource types 3 through 7. Exhibit 4.4: Minimal Recordation for Certain Exempted State-owned Resources in volume 2 of the online Caltrans Standard Environmental Reference (SERv2) provides guidance on what to record. While it may take an hour or two to complete the Primary Record and upload it into the Caltrans Cultural Resources Database (CCRD), having information on the location and type of built environment resource will save time for future projects in that during background research PQS will know the resource was previously exempted and can avoid repeating the information.¹⁰ In planning updates to its list of state-owned historical resources, Caltrans can save time by checking the CCRD to see whether the exempted resource continues to qualify as exempt or requires evaluation.

MOU Stipulation VIII.C.3: Special Consideration for Certain Archaeological Properties

Similar to the 106 PA's Stipulation VIII.C.3, Stipulation VIII.C.3 of the MOU allows state-owned archaeological sites to be considered eligible for the NRHP or CHL without conducting subsurface test excavations to determine their historic significance when qualified PQS determine that a site can be protected from all project and activity effects through designation of an ESA. Prior to the MOU, Caltrans required evaluation of *all* sites within a Project Area Limits (PAL) for historic significance through testing. The time saved is approximately 3-12 months per site by not having to conduct test excavations. In addition to the time-saving benefit, this MOU provision advances Caltrans' environmental stewardship of state-owned archaeological sites.

¹⁰ This is an electronic inventory of architectural and archeological cultural resources that provides a connection to cultural resources along right-of-ways. Because it stores crucial and confidential cultural resources information its use is restricted to use by Caltrans cultural resource staff.

MOU Stipulation VIII.C.4: Considering a State-Owned Cultural Resource Eligible

Stipulation VIII.C.4 of the MOU allows Caltrans PQS to consider state-owned cultural resources as eligible for inclusion in the NRHP or eligible for registration as a CHL for the purposes of the project or activity when special circumstances preclude their complete evaluation. Such special circumstances include restricted access, large property size, or limited potential for effects.

Caltrans PQS are required to receive written approval from CSO prior to completing a Historical Resources Compliance Report (or Historic Property Survey Report for federal undertakings with state-owned cultural resources in their APEs). Cultural resources treated under this stipulation may require consultation with SHPO at a later date.

POST REVIEW DISCOVERIES, UNANTICIPATED EFFECTS, AND ESA VIOLATIONS

The following is a summary of a possible inadvertent effect to a state-owned historical resource that occurred during the reporting period.

District 3 – State-only project, Placer mining site

In carrying out environmental compliance for a state only (no federal funding or permits involved) Director's Order project to repair four culverts at various locations in Placer, Nevada, and Yuba Counties, District 3 PQS archeologists conducted field reviews at the locations in Yuba and Nevada counties. At a culvert located at P.M. 8.92 on State Route 49 in Yuba County, they found that Caltrans Maintenance had already performed some work at that location. A staging/work area adjacent to the roadway was cleared and new RSP was placed in a tributary of Willow Creek.

While preliminary test excavations in the project area have determined that no archaeological deposits were affected by the construction work, it appears that at least one historic-era feature may have been impacted, a placer mining site. The site is possibly associated with site FS-17-5300095, although the association cannot be verified until a full site recording is completed. The assessment of the construction impacts to this archaeological site is currently ongoing. PQS have advised Maintenance to stop all work in the vicinity of the archaeological site until the full extent of the impacts can be determined.

STATUS OF MITIGATION COMMITMENTS AND ONGOING CONSULTATION

During the reporting period, Caltrans committed to the following mitigation for projects that adversely affect state-owned historical resources. Unless otherwise noted, consultation between Caltrans and SHPO regarding the development of mitigation for state-owned historical resources on the Master List was without issue.

- District 11 – Caltrans has been in consultation with the SHPO regarding mitigation measures to resolve the adverse effect related the Sorrento Tower Complex/Sorrento Valley Industrial Park District in San Diego Co., a state-owned historical resource on the Master List, which would be demolished prior to transferring the property out of state ownership. Work to fulfill the measures is currently ongoing.

QUALITY ASSURANCE MEASURES

Under the MOU, Caltrans PQS have taken on much of the responsibility for ensuring that effects to state-owned historical resources are taken into account and that there is no loss in quality of work. CSO's commitment to ensure that PQS are trained to work within the terms of the MOU is embodied in MOU Stipulation XVIII. Caltrans and SHPO determine the type of training that is appropriate under this stipulation, which was developed to ensure that Caltrans makes training a priority. Additionally, Caltrans CSO and the District PQS work with SHPO to identify training needs accordingly. As the results of this report indicate, this responsibility is being handled competently but with recognition that ongoing communication and training are keys to continued success. To ensure that this level of quality continues, the following quality assurance measures occurred:

- A one-day training session on the 106 PA was delivered to PQS in Sacramento in January 2016. Because the MOU parallels the 106 PA in many of its stipulations and requirements, Caltrans considers this training to be a benefit to users of the MOU as well. This annual presentation is aimed primarily at new staff; other Caltrans PQS often attend this class as a refresher course.
- The Caltrans Standard Environmental Reference Volume II: Cultural Resources (SERv2) and located on the World Wide Web at <http://www.dot.ca.gov/ser/vol2/vol2.htm> underwent a major update to reflect the new 2015 MOU provisions. Caltrans CSO staff regularly maintain and update the contents of the SERv2, including its exhibits and templates.
- In May 2016, CSO introduced the Cultural Call, a bulletin to discuss implementation and interpretation of policy and dissemination of information relevant to PQS and other Caltrans staff. CSO released the latest edition in July 2016.
- CSO, Districts, and OHP Project Review staff hold a quarterly statewide video teleconference to discuss policy, procedures, and workload issues.
- CSO staff peer reviews cultural resource studies as requested by the Districts.
- CSO staff routinely reviews evaluation documents submitted directly to SHPO in accordance with MOU Stipulation VIII.C.6. CSO works with OHP, District PQS and managers as needed to correct deficiencies when encountered.

- CSO reviews and approves all No Adverse Effects and Adverse Effect reports for state-owned historical resources both on, and not on, the Master List and prior to transmittal to SHPO (for those state-owned historical resources on the Master List).

MOU Stipulation XIX.B

Pursuant to the Exclusionary Provision (Stipulation XIX.B) of the MOU on the advice of and in consultation with CSO Chief and the OHP Review and Compliance Unit Supervisor, the Caltrans Division of Environmental Analysis Chief can place individual Caltrans Districts, Divisions, Offices, or Branches on Probation, Suspension, or Removal. Each level of Exclusion includes a process to return to full status under the terms of the PA.

There were no instances of the application of this provision during the reporting period.

CONCLUSION

The information contained in this report demonstrates a steady and consistent program of compliance with the terms of the MOU. It is apparent that transportation projects and Caltrans maintenance, transfer and other activities have become more and more complex. The consultation process has become more rigorous and concerns about identification of, and impacts to, diminishing state-owned historical resources have heightened.

The results of this report reveal that during this reporting period, the California Department of Transportation (Caltrans) handled 763 project and activities that involved state-owned cultural resources. More than 80 percent (501) qualified as Screened Projects and Activities and were exempted from further PCR 5024 review. One-hundred and eight projects that did not qualify as screened projects and activities were kept on file at Caltrans, as no consultation with the SHPO was required under the terms of the MOU. Caltrans submitted 26 projects to the SHPO for review on eligibility determinations or findings of effect.

It is Caltrans' finding that that the MOU continues to save significant time in streamlining the process for projects and activities with little or no potential to affect state-owned historical resources while maintaining Caltrans' standards of stewardship for important resources under its control.