Executive Summary
2015 Monitoring of Caltrans Performance under the Surface Transportation Project Delivery Program
July 2014–June 2015

The California Department of Transportation (Caltrans) has prepared this report on monitoring of performance pursuant to title 23 United States Code Section 327 (23 USC 327). Under Caltrans' current October 1, 2012 memorandum of understanding (MOU) with the Federal Highway Administration (FHWA) under the Surface Transportation Project Delivery Program, commonly known as the NEPA Assignment Program, the FHWA is required to monitor Caltrans for compliance with the terms of the MOU, pursuant to 23 USC 327(h). Caltrans assesses its performance and reports the results annually.

This 2015 Monitoring Report documents the results of Caltrans' evaluation of NEPA document approvals made from July 1, 2014 through June 30, 2015 (Quarters 29 through 32 of NEPA Assignment). This is the third monitoring report submitted under the current MOU. Previously, under the Surface Transportation Project Delivery Pilot Program (Pilot Program), Caltrans submitted seven self-assessment reports from 2007 through 2012, the initial years of NEPA Assignment.

The findings of the 2015 Monitoring effort show that Caltrans is successfully carrying out the federal responsibilities assigned by the FHWA under the MOU in accordance with all applicable federal laws and policies. The findings are based on Caltrans' progress toward meeting the four performance measures identified in Section 10.2 of the MOU. Those four performance measures are listed in Appendix A of this report (labeled A–D to correspond with their identifiers in the MOU). Also listed in Appendix A are the "components" of each measure (labeled i, ii, and iii consistent with the MOU) and the "metrics" associated with each component (labeled 1, 2, 3, and 4 with lower case letters). These metrics were developed in discussions with the FHWA and have consistently been evaluated each year under NEPA Assignment.

In addition to the original list of metrics, Caltrans also measures and reports on performance of five additional metrics (identified in italicized print and labeled 1a, 1b, 1c, 1d, and 1e), which are related to specific federal requirements. These additions enhance the assessment of the performance measures required under NEPA Assignment and were added, in part, to respond to deficiencies and "needs improvement" findings found during FHWA audits. These metrics are identified in Appendix A as A.ii.1.a–e. (See footnote to Appendix A.)

The 2015 Monitoring review findings are summarized in the table found in Appendix A of this report.

In addition to reporting the findings of the 2015 Monitoring review, this report also documents the implementation of corrective actions that were identified in the 2014 Monitoring Report. Those corrective actions and their implementation are summarized in the

Appendix B table. The NEPA Assignment MOU requires Caltrans to report the implementation status of corrective actions identified from the previous Monitoring review.

The performance measures are listed below, with a description of goals and units of measurement:

- **A. Compliance with NEPA and other Federal laws and regulations (comprising two components and eight metrics):** Percentage of final environmental documents and 23 USC 327 Categorical Exclusions (CEs) that appropriately document compliance with specified federal regulations, which are then measured against an acceptable performance goal of 95 percent.
- **B. Attainment of supportable NEPA decisions (comprising three components and six metrics):** Percentage of draft and final environmental documents that comply with the six review criteria specified in the associated performance metrics. Those percentages are then measured against an acceptable performance goal of 95 percent. Of these six metrics, only one, B.i.c.1, (established filing system) is applied to 23 USC 327 CEs. The other five metrics relate exclusively to environmental documents.
- **C. Monitor relationships with agencies and the general public (comprising three components and five metrics):** Of the five metrics associated with the third performance measure, the first three metrics are related to changes in communication among Caltrans, federal and state resource agencies, and the public. Changes are expressed as being above or below the cumulative average rating for all relationship surveys and reviews conducted since the initiation of the NEPA Assignment Program. For these three metrics, ratings received during the 2015 monitoring period, which are above the cumulative average, are considered acceptable.

  The 4th metric, related to maintaining effective responsiveness to substantive comments received on NEPA documents, is measured as a percentage of compliance, which is then measured against an acceptable performance goal of 95 percent.

  The 5th metric related to conflict resolution does not apply to this monitoring review period since no formal conflict resolution actions have been initiated.
- **D. Timely completion of NEPA process (comprising two components and five metrics):** Measured as the number of months saved over projects approved prior to initiation of the NEPA Assignment Program in 2007 (referred to as pre-Pilot Program projects in this report) timeframes. Any time savings meets the goal of the performance measure.

For each metric, Appendix A identifies whether the identified goals were met during the 2015 monitoring period and presents corrective actions for those metrics for which acceptable goals were not met.

For the 2015 Monitoring period of July 2014–June 2015, Caltrans concludes the following for each performance measure in the MOU:

- **A. Compliance with NEPA and Other Federal Laws and Regulations**

  The 95 percent goal was met for six of the eight metrics. The goal was not met for the other two metrics (see metrics A.ii.1. and A.ii.1.a. in Appendix A).

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

  The 95 percent goal was met for one of six metrics. The goal was not met for five metrics (see metric B.i.b.1.; B.i.b.2.; B.i.b.3.; B.i.b.4.; and B.i.c.1. in Appendix A).

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

  This measure comprises five metrics: three metrics that are based on a comparison of current-year ratings with historical cumulative average ratings, a fourth metric that is percentage-based, and a fifth metric that is based on the amount of time required to complete a process.

  The goal was met or exceeded for all three metrics (see metrics C.i.1, C.i.2, and C.i.3 in Appendix A) based on a comparison with cumulative averages (See Figures 1, 2, and 3 attached at the end of this monitoring report). See Figure 1 for the metric related to changes in communication among Caltrans, federal and state resource agencies. For the two metrics related to communications with the public, see Figure 2 for a review of materials used in public meetings and Figure 3 for a review of public meetings by anonymous attendees.

  The 95 percent goal was exceeded for the 4th (C.ii.1) metric, a percentage-based metric, related to signed certifications that draft environmental document public review comments have been addressed.

  The 5th metric (C.iii.1) related to the NEPA conflict resolution process was not measured since no conflict resolutions actions were required during the 2015 Monitoring Review period.

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

  Caltrans saved time for all measured time frames, as compared against the pre-Pilot Program timeframes prior to the start of the NEPA Assignment Program in 2007; therefore the goals for all five metrics were met (see metrics D.i.1 through D.i.4 in Appendix A).

For the 2015 Monitoring period, Caltrans achieved an overall average 86 percent rating for compliance with NEPA and other federal laws and attainment of supportable NEPA decisions for the 15 percentage-based metrics. Although this percentage rating is 9 percentage points below the acceptable rating of 95 percent, the most common deficiencies were related to the completeness of Caltrans environmental files and irregularities in the way compliance was documented. The documentation irregularities were called out as deficiencies since the reviewed environmental documents did not follow the content or organizational requirements of Caltrans annotated outlines; in most cases, federal environmental regulations were appropriately followed. The filing irregularities were called out as deficiencies related to

Caltrans Uniform Filing System (UFS) where documents were produced and approved, but were not found in the files at the time project files were inspected.

The 86 percent compliance for 2015 is lower than the 93 percent compliance rating achieved during the 2014 Monitoring period (April 2013–June 2014). A comparison of 2015 findings with those in 2014 shows the following:

- Caltrans did not meet the goal of the following metrics in 2014, but met the goal in 2015:
  - Resource Agency Survey: Compare evaluation ratings for each period and cumulatively over time. The goal is met if the current-year rating is equal to or above cumulative average;
- Conversely, Caltrans met the goal for the following metrics in 2014, but did not meet the goal in 2015:
  - Percentage of internal quality control certification forms certifying consistency with the annotated outline;
  - Percentage of sampled environmental documents that followed the applicable annotated outline;
  - Percentage of draft and final environmental documents for which the quality assurance/quality control procedures are appropriately completed based on an independent review of the internal quality control certification form and follow-up information; and
  - Percentage of draft and final environmental documents with completed environmental document review checklists.

Caltrans Division of Environmental Analysis and Division of Local Assistance are actively reviewing these findings with Caltrans District staff in order to identify best practices, recommend improvements, and develop and implement corrective actions. Caltrans works continuously to improve performance in executing the federal responsibilities assumed under NEPA Assignment. Steps will be taken to further develop staff expertise, clarify procedures and provide guidance, and to actively monitor the implementation of corrective actions.

Report on 2015 Monitoring of Caltrans Performance under the Surface Transportation Project Delivery Program July 2014–June 2015

Scope of Monitoring

The purpose of NEPA Assignment Monitoring is to evaluate environmental document approvals for compliance with performance measures, as required by the NEPA Assignment MOU. Based on discussions with the FHWA, performance metrics have been identified to measure Caltrans progress in meeting the performance measures.

During this 2015 Monitoring effort, Caltrans evaluated all NEPA documents that were approved during the July 2014 through June 2015 Monitoring Period (Quarters 29-32 of NEPA Assignment.) A total of 34 approvals for State Highway System and Local Assistance projects in all 12 Caltrans Districts were reviewed against one or more performance metrics. These 34 approvals are identified below by NEPA class of action:

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

In addition, one 23 USC 327 Categorical Exclusion (CE) was evaluated during the environmental file reviews that were conducted at the three District offices (i.e., Districts 7, 11, and 12) that were visited. During this review period, only one CE was approved among these Districts. Among Districts that were not visited, fourteen 23 USC 327 CEs were approved during the review period, but were not reviewed and are not evaluated in this report.

In addition to specific performance measurements, Caltrans conducted a program-level review of NEPA Assignment activities to identify achievements made in environmental guidance, training, and the accuracy of quarterly monitoring on environmental document milestones and decisions.

Monitoring Methods

During the 2015 Monitoring effort, Caltrans used methods consistent with those used since 2007. The methods used included the review of all draft and final environmental documents approved statewide for the July 2014 to June 2015 monitoring period, as well as the environmental document review checklists and quality control (QC) certification forms associated with these approved environmental documents, submitted electronically by the

Districts to Headquarters; physical inspection of project environmental files in Districts that were visited (Districts 7, 11, and 12); in-person discussions with project generalists in visited Districts; a survey of resource agencies; reviews of public meetings and public meeting materials, and measurement of time savings.

Caltrans visited Districts 7, 11, and 12 in September 2015 to physically inspect project files for environmental documentation and the one 23 USC 327 CE approved in these Districts during the July 2014 to June 2015 monitoring period. A different group of Districts will be visited each year, based on number of document approvals and results of quarterly reviews during the monitoring period.

Appendix C presents the number of environmental documents reviewed for each performance metric identified in Appendix A, including all draft and final documents approved statewide, as well as those approved in Districts 7, 11, and 12 and reviewed for specific review elements during District visits. Appendix C also indicates whether the one CE that was reviewed was evaluated for any given metric. In addition, Appendix C presents the compliance percentage for the percentage-based metrics. The percentages presented in the "Percentage Compliance with Performance Metric" column of Appendix C are based on counting each environmental document once, even if the environmental document has more than one deficient finding for any given metric[1].

The methods used in the reviews are further described below.

A. Compliance with NEPA and other Federal Laws and Regulations

For the review period July 2014 through June 2015, Caltrans applied this performance measure to all final environmental documents approved by all Caltrans Districts statewide. During visits to the offices of Districts 7, 11, and 12, the environmental files for the NEPA documents approved in these Districts were also inspected against this performance measure, together with the file for the one 327 CE approved in these Districts.

This performance measure encompasses compliance with the federal environmental laws and regulations listed below and Caltrans associated requirements, as measured against certain criteria, or review elements, in order to determine whether the documentation and processes used to approve the final environmental documents and CE were appropriate and complete:

- Section 7 of the federal Endangered Species Act
- Section 106 of the National Historic Preservation Act
- Section 4(f) of the Department of Transportation Act

[1] For example, even if an environmental document has deficient findings related to multiple review elements associated with Section 7 under metric A.ii.1, the document is only counted once in calculating the percentage compliance with metric A.ii.1.

- Section 176(c) of the Clean Air Act
- Executive Order 11990, Protection of Wetlands
- Executive Order 11998, Floodplain Management
- Caltrans Traffic Noise Analysis Protocol
- 23 CFR 771, 23 USC 326 MOU, and 23 USC 327 MOU, as they relate to CE class of actions

For this performance measure, Caltrans also inspected EIS files to determine if they contained correspondence and other materials required by 23 USC 139 (Efficient Environmental Reviews for Project Decision-making).

During District visits, District senior and associate environmental staff were interviewed in order to evaluate their general knowledge of basic federal Endangered Species Act Section 7 and Executive Order 11988 Floodplain Management terms and requirements, as well as the air quality conformity process germane to a generalist. Informal discussions with project generalists were also held, as needed, regarding the project files.

B. Attainment of Supportable NEPA Decisions

This performance measure was evaluated based on the following:

- **Legal Sufficiency Determinations**

  Caltrans reviewed draft and final EISs and Section 4(f) individual evaluations approved during the 2015 Monitoring period to ensure that Caltrans Legal staff conducted required legal reviews and made legal sufficiency determinations.

- **Compliance with Caltrans Environmental Document Content Standards and Procedures**

  Caltrans reviewed the environmental document review checklist completed for each approved draft and final environmental document to ensure that they were completed accurately and comprehensively. Caltrans also compared each approved draft and final environmental document against the appropriate environmental document annotated outline to ensure consistency with the annotated outline. These annotated outlines are developed by Caltrans and are posted online for internal and external use.

  Finally, Caltrans reviewed the internal and external QC certifications forms completed for each approved draft and final environmental document to determine if the proper QC review procedures were followed and documented on the QC certification forms.

- **Environmental Record Keeping**

  During the September 2015 District visits, Caltrans reviewed a sample of project files in Districts 7, 11, and 12 for consistency with Uniform File System (UFS) organizational requirements and for general completeness. The sample included files for approved draft

and final environmental documents and the one reviewed 327 CE, as well as for projects that did not yet have an approved environmental document ("in-progress" files). The in-progress project files reviewed were selected to include a range of staff involvement, project complexity, and project locations within the Districts.

C. Monitor Relationships with Agencies and the Public

Agencies

As has been done since 2009 under the NEPA Assignment Program, 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 the NEPA Assignment. Of the 72 resource agency staff who were invited to participate in this survey, 31 resource agency staff members responded to the survey and were polled regarding Caltrans effectiveness as the NEPA lead agency.

Public

To monitor relationships with the public, Caltrans conducted the same two reviews that were conducted during previous years of the NEPA Assignment Program: one of public meeting materials and another for Caltrans performance at public meetings (see Figures 2 and 3 at the end of this report). For the public meeting materials review, Districts are required to submit, for review by Headquarters, materials used to publicize project public meetings and materials used in those meetings to illustrate and explain the project and to solicit public comments. For the other review, Caltrans sends independent consultant reviewers to attend public meetings anonymously in order to evaluate the performance of Caltrans District staff during the public meetings.

Public meeting materials were evaluated for 15 projects with environmental documents approved during the 2015 monitoring period. These materials included, for example, public notices and project maps, illustrations and bulletins. For the anonymous review of meetings, the reviewers, acting as incognito proxies for the public, attended a sample of four public meetings held during the past year. The independent reviewers rated the quality of the public meetings based on a number of criteria, including the quality of handouts distributed at the meetings, quality of visual aids presented at the meetings, translation and comment recording services, and project staff knowledge conveyed at the meetings.

D. Timely Completion of NEPA Process

From the start of NEPA Assignment in 2007, Caltrans has analyzed approval times for environmental documents on a quarterly basis. This is a comparative analysis that shows the median number of months Caltrans is taking to review and approve environmental documents under NEPA Assignment as compared with FHWA timeframes for review and approval prior to NEPA Assignment. The pre-Pilot Program FHWA timeframes are used as a baseline.

Note that the California Legislature required that a baseline be used for purposes of analyzing time savings. This requirement was included in the state legislation waiving California's immunity in federal court for decisions made under NEPA Assignment.

The baseline represents the median number of months the FHWA took to review and approve 39 environmental documents. Four different timeframes are evaluated to determine if any time savings have been achieved under NEPA Assignment as compared to prior to NEPA Assignment (See Table 1, "Environmental Document Review and Approval Time Savings".)

Program-Level Review

As part of the of NEPA Assignment performance monitoring, Caltrans conducts a program-level review comprised of three elements: revisions to environmental guidance, implementation of the NEPA Assignment training plan, and the accuracy of quarterly reporting by Districts.

Guidance

The primary source of environmental guidance in California is the Caltrans Standard Environmental Reference (SER). The SER is a comprehensive online resource that supports the development of environmental documents and implementation of procedures in compliance with NEPA and California environmental law. The SER is posted on the external Caltrans internet website and so is available to both Caltrans staff and external partner agencies and consultants. Caltrans continuously updates the SER to reflect changes in environmental law and, as needed, to address needs identified during NEPA Assignment monitoring activities.

Training

This report evaluates the implementation and effectiveness of the NEPA Assignment training plan by determining whether planned training sessions were actually provided. Caltrans also reviews the results of course evaluations submitted by participants and trainers and revises and/or augments course content in response to the course evaluations.

Quarterly Monitoring of Federal Approvals

Caltrans continuously and systematically reviews the progress of NEPA document approval milestones and decisions for federal-aid highway projects. On a quarterly basis, the Caltrans NEPA Assignment staff checks for accuracy of the data submitted by Caltrans District staff, who enter this data continuously as milestones and decisions are reached. As required by the 23 USC 327 MOU, Caltrans provides a list of these projects with NEPA milestones and decisions as a biannual report to the FHWA.

In addition to the quarterly monitoring described above, Caltrans regularly exports data to the FHWA California Division for input to the USDOT environmental document tracking database known as the Project and Program Action Information system (PAPAI). For more on quarterly reporting, see "Accuracy of Quarterly Reporting" at the end of this report.

Findings and Corrective Actions

This section summarizes the findings of the 2015 Monitoring work (outlined in Appendix A). The performance percentage that was achieved for each metric is identified in parentheses in the metric title. These show the number of environmental document/CEs that comply with the review elements as a percentage of the total number of environmental document/CEs reviewed. (See Appendix C for the numbers of environmental documents/CEs used in the calculation of percentages).

Note that MOU Performance Metric A.i.2. requires Caltrans to report annually on the current implementation status of corrective actions that were identified to address deficiencies found in the previous year's monitoring effort. For this 2015 Monitoring Report, Caltrans is reporting on corrective actions that resulted from the 2014 Monitoring Report under the Surface Transportation Project Delivery Program (see Performance Metric A.i.2. in Appendix A). Appendix B presents the corrective actions from the 2014 Monitoring Report and summarizes how they were implemented.

Performance Measure A. Compliance with NEPA and Other Federal Laws and Regulations

This performance measure is measured by eight metrics: two are related to compliance with the NEPA Assignment MOU and six are related to compliance with those federal regulations listed in the "Performance Measure A: Compliance with NEPA and Other Federal Laws and Regulations" section above, as well as associated Caltrans requirements identified in the SER.

The summary below indicates that Caltrans transportation projects comply with NEPA and other federal environmental regulations.

A.i.1. Percentage of Monitoring Reports Submitted (100%)

NEPA Assignment has been in place for eight years, including the initial Pilot Program years. During the first two years of the Pilot Program, Caltrans reported on two self-assessments annually, as required. Thereafter, the requirement was for a single self-assessment report annually, all of which were completed. As required annually by the current MOU, Caltrans submitted monitoring reports in 2013 and 2014 and now submits this third monitoring report. One-hundred percent of these required self-assessment and monitoring reports have been

submitted to the FHWA and are available on the Caltrans Division of Environmental Analysis website.

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

The corrective actions identified in the 2014 monitoring review and their effectiveness in addressing the areas needing improvement are summarized in Appendix B, which shows that 100 percent of the corrective actions were implemented.

A.ii.1. Compliance with Sections 7, 106, and 4(f) (17%)

During the July 2014–June 2015 monitoring period (Quarters 29–32), Caltrans achieved 17 percent overall compliance with this performance metric based on the review of 17 final environmental documents and one CE for appropriate compliance documentation under Sections 7, 106, and 4(f). The sections below describe compliance for each of these three federal regulations in this metric (see also Performance Metric A.ii.1 in Appendix A). See also Appendix C for the number of environmental document/CEs used in the calculation of percentages.

Section 7 (28%)

Caltrans achieved 28 percent compliance for Section 7 based on five out of 17 reviewed final environmental documents and one CE appropriately documenting Section 7 compliance. Although the Section 7 finding was appropriate for all 18 projects, 13 out of 18 projects had one or more irregularities in their Section 7 documentation or processing steps, as described below:

- The final NEPA document did not contain a USFWS species list that was less than 180 days old. Either the list had not been obtained, the list that was obtained was out-of-date, or the list had not been placed in the final environmental document.
- Non-standard language was used for the No Effect findings such as “No threatened or endangered species will be affected by the project.” or “No threatened or endangered species have potential to occur in the study area…”
- A No Effect finding was not made for every applicable species on the USFWS species list.
- The Section 7 consultation process was not fully documented in the environmental document. For example, one final NEPA document did not contain the letter of concurrence on a May Affect, Not Likely to Adversely Affect that was received from USFWS. Another NEPA document did not summarize the consultation process for a May Affect, Not Likely to Adversely Affect finding.

- A project relied on a Habitat Conservation Plan, for which Caltrans was not a signatory, for Section 7 compliance, rather than having prepared a project-specific Biological Assessment and obtained a consistency letter from the USFWS.

In Caltrans Districts 7, 11, and 12, eighteen associate and senior environmental planners were interviewed regarding their knowledge of specific Section 7 requirements. The same set of questions was asked of each staff person. The interview responses indicate that:

- 12 of 18 had a clear understanding of the requirement to obtain a U.S. Fish and Wildlife species list for all NEPA projects, including the Caltrans requirement to include the list within the NEPA document and the regulatory requirement that the list must be no older than 180 days.
- Because they typically rely on the project biologist and the environmental document annotated outline for this language, 16 of 18 could not accurately recall the specific regulatory Section 7 findings language (No Effect, May Affect But Not Likely to Adversely Affect, May Affect Likely to Adversely Affect) to be included in the NEPA document.

Corrective Actions: The following actions will be undertaken:

- A Caltrans revalidation form will be completed for each final NEPA document without a USFWS species list that is less than 180 days old. The form will reference the incorporation of the species list into the NEPA document. If a current species list needs to be requested from the USFWS, it will be requested and incorporated by reference into the NEPA document.
- A Caltrans revalidation form will be completed for each final NEPA document that incorporated non-standard Section 7 findings language. The form will clarify the Section 7 finding using the correct regulatory language.
- A Caltrans revalidation form will be completed for each final NEPA document that lacks a No Effect finding for each applicable species on the USFWS species list. The form will includes these No Effect findings and incorporate them into the NEPA document by reference.
- A Caltrans revalidation form will be completed for each final NEPA document that lacked a complete description of the Section 7 informal or formal consultation process. The form will include a complete description of the consultation process and incorporate them into the NEPA document by reference.
- A Biological Assessment will be prepared for a project that relied on a Habitat Conservation Plan for Section 7 compliance, and a consistency letter will be obtained from the USFWS. A revalidation form will also be completed that incorporates these items into the final environmental document by reference.

- Discussions will also be held with the project generalists and biologists who prepared the environmental documents with corrective actions to ensure that they understand the Section 7 requirements under review.

Section 106 (83%)

Caltrans achieved 83 percent compliance for Section 106. Of the 17 final environmental documents and one 327 CE that were reviewed, 15 appropriately and fully documented Section 106 compliance relative to the review elements assessed for this federal regulation. For three out of the 18 projects, the Section 106 process was appropriately implemented, but the Section 106 documentation contained in the final environmental document contained one or more of the following irregularities with requirements of Caltrans environmental document annotated outlines:

- The Section 106 Memorandum of Understanding was not contained in the final NEPA document.
- The Section 106 finding was not included in the appropriate section of the final environmental document.

Corrective Actions: A Caltrans revalidation form will be completed for each of the three projects with findings. The Memorandum of Understanding will be attached to the forms and incorporated into the final NEPA document by reference. The forms will also identify the Section 106 findings for each project.

Discussions will also be held with the project generalists and cultural resources specialists for these projects to ensure that they understand the problems that were discovered with their documentation.

Section 4(f) (96%)

Caltrans achieved 96 percent compliance for Section 4(f). The Section 4(f) review comprised the following components (see Performance Metric A.ii.1 in Appendix A):

- Review of 17 final environmental documents and one CE for appropriate documentation of Section 4(f) compliance. All but one project had appropriate documentation. The one approval with irregular compliance documentation was for an environmental document with a *de minimis* finding. The final environmental document contained all of the required discussions and analyses required for a *de minimis* finding, but they did not appear cohesively in an appendix to the final environmental document per the requirements of Caltrans environmental document annotated outlines[2].
- Review of five draft environmental documents to determine if any Section 4(f) resources had been overlooked. All five draft documents appropriately addressed Section 4(f) requirements.

[2] Relevant Section 4(f) correspondence was placed in an appendix in the final document, but the de minimis analysis was contained in the Parks and Recreational Facilities/Environmental Consequences section of the document.

Corrective Action: A Caltrans revalidation form will be completed for the one project that had irregular Section 4(f) documentation. The form will summarize the documentation supporting the *de minimis* finding and incorporate it into the final NEPA document by reference. Discussions will also be held with the project generalist and environmental planner who prepared the Section 4(f) documentation to remind them of the correct placement of the *de minimis* finding discussion per the annotated outlines.

Discussions will also be held with the project generalist for this project to ensure that this staff person understands the problems that were discovered with the documentation.

A.ii.1.a. Compliance with Executive Orders 11990 and 11988 and Section 176 (c) (67%)

In addition to reviewing compliance with Sections 7, 106, and 4(f), compliance with the following laws was also reviewed. The findings for these reviews are documented below and in Appendix A (see Performance Metric A.ii.1.a in Appendix A). See also Appendix C, which shows the number of environmental documents and the one CE, which was counted in the calculation of percentages.

Executive Order 11990 (89%)

Caltrans achieved 89 percent compliance for Executive Order 11990. Out of 17 final environmental documents and one CE that were reviewed, 16 appropriately documented compliance relative to the review elements assessed for this executive order (see Performance Metric A.ii.1.a in Appendix A). The two final environmental documents that had irregular documentation both erroneously included the Only Practicable Alternative Wetlands Finding even though the project would not result in permanent impacts to federal wetlands.

Corrective Actions: A revalidation form will be completed for each of the two projects that clarifies that the project would not result in permanent impacts to federal wetlands and that withdraws the Only Practicable Alternative Wetlands Finding.

Discussions will also be held with the project generalists and biologists for these projects to ensure that they understand the problems that were discovered with their documentation.

Executive Order 11988 (89%)

Caltrans achieved 89 percent compliance with Executive Order 11988. Out of 17 reviewed final environmental documents and one CE, 16 appropriately documented compliance (see Performance Metric A.ii.1.a in Appendix A). Both final environmental documents with irregular Executive Order 11988 documentation evaluated whether the projects, which are located in a 100-year floodplain, would result in a significant encroachment. However, both

failed to clearly conclude, using the required regulatory language that the projects would not result in a significant encroachment into the 100-year floodplain. The language is required by Caltrans environmental document annotated outlines**.**

Similar to the Section 7 interviews, 18 environmental planners were asked a set of questions about Executive Order 11988. The interview responses indicated that:

- 15 out of 18 understood that this executive order addresses encroachments into the 100-year floodplain and not, for example, the 200-year floodplain.
- When asked what conclusion must be made in a NEPA document under this executive order, 11 out of 15 responded correctly that the NEPA document must identify whether the project will result in a significant encroachment.
- 15 of 18 had some understanding of the Floodplain Only Practicable Alternative finding.

> **Corrective Actions:** A revalidation form will be completed for each of the two projects that clarifies that the project would not result in a significant encroachment in the 100-year floodplain.
>
> Discussions will also be held with the project generalists and hydraulic specialists for these projects to ensure that they understand the problems that were discovered with their documentation.

Section 176(c) of the Federal Clean Air Act (83%)

Caltrans achieved 83 percent compliance with Section 176(c) of the federal Clean Air Act review criteria. Out of 17 reviewed final environmental documents and one CE, 15 were compliant with the air quality conformity requirements that were evaluated (see Performance Metric A.ii.1.a in Appendix A). Of the three final environmental documents that were not fully compliant, two had Air Quality Conformity Findings Checklists that were completed, but not signed, as required by Caltrans procedures. The third project (that also had a deficient finding related to Executive Order 11990) did not obtain an air quality conformity determination from FHWA prior to FONSI approval.

Eighteen environmental planners were also asked a set of questions about air quality conformity. The interview responses indicated that:

- All 18 knew that Caltrans makes the conformity determination for 23 USC 326 projects and that FHWA makes this determination for 23 USC 327 projects.
- 16 of 18 understood that the conformity determination is made after the preferred alternative is identified and prior to approval of the final environmental document or CE.
- All 18 understood that the Caltrans Air Quality Conformity Checklist must be completed for every NEPA project, including those that are exempt from air quality conformity or that are located in attainment areas.

Corrective Actions: Revalidation forms will be completed for all three non-compliant projects. For the two projects with unsigned Air Quality Conformity Findings Checklists, the revalidation form will note the name and title of the person who prepared the checklists and incorporate their signatures by reference. For the project without an air quality conformity determination, one will be obtained from FHWA and it will be attached to the revalidation form.

Discussions will also be held with the project generalists and air quality specialists for these projects to ensure that they understand the problems that were discovered with their documentation.

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

Caltrans achieved 100 percent compliance related to documentation of 23 USC 139 (see Performance Metric A.ii.1.b in Appendix A). During the September 2015 District visits, three EIS files were reviewed to evaluate whether the requirements of 23 USC Section 139 (Efficient Environmental Decisions for Project Decision-making) were being appropriately implemented, including inviting participating and cooperating agencies; preparing coordination plans; providing opportunities for participating agencies and the public to be involved in developing the purpose and need statement and the range of alternatives; and providing opportunities for participating agencies to be involved in developing methodologies for the analysis of alternatives.

All three EIS project files that were reviewed contained the required documentation.

A.ii.1.c. Compliance with Caltrans Traffic Noise Analysis Protocol (96%)

Caltrans achieved 96 percent compliance related to a review of 23 project files with the Caltrans Traffic Noise Analysis Protocol and related requirements (see Performance Metric A.ii.1.c in Appendix A). This sample included 17 projects with approved final environmental documents, 5 projects with approved draft environmental documents, and one CE project.

All but one of the 23 project files complied with the review elements. The one project that did not fully comply had an error on the CE Checklist. The CE Checklist erroneously showed that the project was not a Type 1 when in fact, it was and had been evaluated as a Type 1 project.

Corrective Action: A revalidation form will be completed for this project clarifying that the CE Checklist should have indicated that the project was a Type 1.

Discussions will also be held with the project generalist and noise specialist for this project to ensure that they understand the problem that was discovered with the CE Checklist.

A.ii.1.d. and A.ii.1.e. Categorical Exclusion Determinations (100%)

Caltrans achieved 100 percent compliance related to the review of approved CE Determination forms (see Performance Metrics A.ii.1.d and A.ii.1.e in Appendix A). These forms were reviewed to determine if the approved projects fit the definition of a categorically excluded action and if the determination of a 23 USC 327 CE (versus a 23 USC 326 CE) was appropriate.

The reviewed CE was determined to have been accurately identified as a categorically excluded action under 23 USC 327.

Performance Measure B. Attainment of Supportable NEPA Decisions

This performance measure is measured by six metrics. One metric relates to legal sufficiency and four relate to compliance with Caltrans' environmental document content standards. The sixth metric relates to compliance with the UFS. See Appendix C for the numbers of environmental documents used in the calculation of percentages presented below.

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

All documents (100 percent) requiring legal sufficiency determinations met this requirement (see Performance Metric B.i.a.1 in Appendix A). Two final EISs approved during the 2015 monitoring period had legal sufficiency findings. In addition, two draft EISs and four complex EAs had Headquarter Coordinator and legal reviews. In all cases, the dates of the Headquarter Coordinator reviews and legal reviews/legal sufficiency findings were the same date or pre-dated the environmental document approval dates per procedural requirements.

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

Thirty-two of 34 (94 percent) draft and final environmental documents approved during the 2015 Monitoring period had QC certification forms signed by the environmental document preparer indicating that the document was prepared consistent with the applicable SER annotated outline (see Performance Metric B.i.b.1 in Appendix A). Two projects did not have completed internal certification forms for draft environmental documents. District staff conducting these reviews confirmed that both draft documents were reviewed for NEPA compliance as described in Caltrans' Environmental Document Quality Control Program under NEPA Assignment; however, due to staff changes during the public circulation phase, the project files were left incomplete.

Corrective Action: For both projects, District staff will update the project files with documentation certifying completion of the environmental document review process. Discussions will be held with affected staff to ensure they have a full understanding of the proper documentation requirements for environmental document QC reviews.

B.i.b.2. Consistency with Annotated Outlines (65%)

Caltrans achieved 65 percent compliance in approving environmental documents that were consistent with the appropriate environmental document annotated outline (see Performance Metric B.i.b.2 in Appendix A). Of the 34 draft and final environmental documents reviewed, 12 did not distinguish mitigation measures required under CEQA from the other avoidance and minimization measures that were identified. One of these 12 environmental documents also did not include a complete list of environmental topics that were dismissed and therefore, not evaluated, in the Affected Environment and Environmental Consequences sections of the document.

All 34 draft and final environmental documents that were reviewed included the required NEPA Assignment Program language.

Corrective Action: A revalidation form will be completed for all 12 environmental documents identifying which of the avoidance and minimization measures are mitigation measures that must be implemented under CEQA. The project with the incomplete list of dismissed environmental topics will also include a complete list of topics on the revalidation form. Discussions will also be held with the project generalists to ensure that they understand these requirements.

B.i.b.3. Proper Implementation of Environmental Document Quality Control Requirements (94%)

Caltrans achieved 94 percent compliance in implementing and documenting the required QC review steps (see Performance Metric B.i.b.3 in Appendix A) for NEPA documents based on the review of the internal and external QC certification forms for 34 environmental documents.

All QC reviews were completed as required by Caltrans internal certification QC form: Of the 34 approved environmental documents that were reviewed, 32 had evidence of completed QC reviews, as required. As noted above under performance metric B.i.b.2, two projects did not have completed internal certification forms for their draft environmental documents; the draft documents were reviewed for NEPA compliance but the forms were not completed.

Corrective Action: For both projects, District staff will update the project files with documentation certifying completion of the environmental document review process. Discussions will be held with affected staff to ensure they have a full understanding of the proper documentation requirements for environmental document QC reviews.

All internal QC reviews were conducted after the last certification date on the external certification form: Of the 34 approved environmental documents that were reviewed, 20 were prepared by external partners (either local agencies or consultants) and 14 were prepared by Caltrans staff. Completion of a QC external certification form, in addition to the internal QC certification form, is required for those environmental documents prepared by external partners. For the 20 prepared by external partners, all of the internal QC reviews were sequentially completed after external reviews.

The last internal QC review was conducted by the Environmental Branch Chief: For all of the 34 reviewed environmental documents, the Environmental Branch Chief was the last to sign the environmental documents, as required by Caltrans QC review procedures.

All internal QC reviews were conducted before the environmental document was signed: All 34 of the reviewed environmental documents had evidence that NEPA approvals had occurred on the same date or after the last date of the last internal QC review documented on the internal certifications forms.

The public review comments box is checked on all final environmental document internal QC certification forms: All 17 of the final environmental documents reviewed indicated that public review comments had been appropriately addressed.

B.i.b.4. Completed Environmental Document Checklist (94%)

Caltrans had 94 percent compliance in correctly completing the environmental document review checklist (see Performance Metric B.i.b.4 in Appendix A). Of the 34 environmental documents referenced above, Caltrans found the environmental document checklist was prepared for each of these documents. However, two of the checklists were partially completed, and did not contain page number references.

> **Corrective action:** For both projects, District staff will update the project files with an augmented checklist that includes page number references.

B.i.c.1. Files Organized According to the Established Filing System (69%)

Caltrans inspected 26 project files in Districts 7, 11, and 12 for compliance with the UFS review criteria (see Performance Metric B.i.c.1 in Appendix A). Eighteen of the 26 files were deemed to be complete and organized consistently with UFS requirements.

Eight reviewed files were missing materials including final technical reports, air quality conformity checklists; Section 106 correspondence from Caltrans to the State Historic Preservation Officer, requesting concurrence on the ineligibility of properties; class of action determination concurrences; Environmental Commitments Records (ECRs); and/or signed draft environmental documents. These missing materials had not been printed for placement

in the files or could only be found in the specialists' files. One of these 26 project files also contained misfiled items.

> **Corrective Action:** For projects with files that did not conform to UFS requirements, discussions were held with the responsible staff. Staff gathered the missing documents and placed them in the project files. Staff with the file containing misfiled items has been asked to ensure proper placement of all materials behind the appropriate tab.
>
> To ensure consistent compliance with UFS requirements, Caltrans will discuss UFS best practices in quarterly teleconferences with NEPA Assignment staff. Caltrans will also identify opportunities in formal training courses where information on implementing UFS requirements can be added.
>
> Caltrans Headquarters will develop enhanced record keeping guidance for Districts to include electronic filing procedures.

Performance Measure C. Monitor Relationships with Agencies and the General Public

C.i.1. Average Evaluation Ratings from Resource Agency Surveys (54% versus a goal of 54% or higher)

In 2015, Caltrans conducted the seventh annual survey of federal and state resource agencies that work with Caltrans on NEPA Assignment projects. Thirty-nine percent of this year's survey participants had not worked with the FHWA on environmental documents prior to NEPA assignment. This section focuses on the survey results for the 61 percent who did work with the FHWA prior to NEPA Assignment.

The results of the 2015 survey are presented in Figure 1 (at the end of this monitoring report). As with the previous resource agency surveys, the 2015 results were compared with the results of an initial Gallup Organization poll conducted in 2006, as well as with the average cumulative ratings of all annual surveys conducted under NEPA Assignment between 2009 and 2015 (This survey was not conducted in 2007 and 2008.). Caltrans contracted the 2006 poll to the Gallup Organization, as a baseline, prior to the start of NEPA Assignment.

In the 2009–2015 surveys, respondents were presented with a combined group of ten questions and statements related to Caltrans performance. Respondents were asked to rate Caltrans performance by choosing a range of ratings such as, from *very capable* to *very incapable;* from *strongly agree* to *strongly disagree*; and from *excellent* to *poor* (see Figure 1). Figure 1 shows the percentages of respondents who rated Caltrans favorably for these 10 questions and statements. Figure 1 also shows the percentages of respondents who rated

Caltrans favorably for seven of the ten questions; 2006 data is not available for three of the questions[3].

A comparison of 2006 (prior to NEPA Assignment) with 2015 results show that resource agency opinions regarding Caltrans performance have improved in the following evaluation areas:

- Capable of assumption
- Responsiveness
- Consultation efficiency
- Interagency coordination

In the following areas, the resource agencies provided lower ratings in 2015 in the following areas, as compared to 2006:

- Cooperativeness on existing programmatic agreements and MOUs
- Caltrans consideration of the resource agency missions
- Timeliness

In Figure 1, the 2009-2015 cumulative average percentage of favorable ratings for each question is shown in red to the right of each graph and is represented as a dashed-dotted red line. In comparison to these multi-year cumulative averages, the 2015 survey results indicated that resource agencies believe that Caltrans performance has improved in the following areas:

- Responsiveness
- Consultation efficiency
- Quality

However, the resource agencies provided lower ratings of Caltrans performance in the following areas as compared to the cumulative averages:

- Capable of assumption
- Listening skills
- Cooperativeness on existing programmatic agreements and MOUs
- Interagency coordination
- Consideration of agency mission

[3] 2006 (prior to NEPA Assignment) data, that is comparable to post-2009 (during NEPA Assignment) data, are not available from the Gallup Organization poll for the three survey questions that are phrased negatively. These three questions assert a negative quality, rather than a positive quality. For example, one of the three questions states "Caltrans may not listen as well to the resources agencies as did FHWA". For these three questions, a *strongly disagree* or *somewhat disagree* response is comparable to a *strongly agree* or *somewhat agree* response for those questions phrased positively. 2006 response data is only available for *strongly agree* or *somewhat agree* responses.

The 2015 results remained the same as the cumulative averages for the following areas:

- Conscientiousness in adhering to federal laws
- Timeliness

The goal for this metric is that the average 2015 percentage of favorable responses for all questions is equal to or exceeds the cumulative average percentage of favorable responses received for all questions between 2009 and 2015. During the 2015 Monitoring period, Caltrans had an average of 54 percent favorable responses for all questions, as compared to 54 percent since 2009. Therefore, Caltrans met the 2015 goal for this metric.

C.i.2. Average Evaluation Ratings from Public Meeting Surveys (4.6 versus a goal of 4.5 or higher)

Caltrans has exceeded its goal in this area and continues to improve on the quality of the materials developed for its public meetings. The public meeting materials survey involved rating the quality of materials for 15 public meetings (including formal public hearings) that were held for projects with environmental document approvals during the July 2014–June 2015 monitoring period (Quarters 29–32). The ratings were based on the following five-point scale:

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

Figure 2 (at the end of this monitoring report) presents the 2015 Monitoring ratings. Figure 2 shows that ratings for the 2015 monitoring period were higher than in the 2014 Monitoring period in two areas:

- Display materials depicting project alternatives easy to understand
- Display materials depicting project impacts easy to understand

The 2015 ratings were equal to the 2014 ratings in the areas of:

- Appropriate specialized Caltrans staff available to discuss project purpose and need and alternatives
- Appropriate specialized Caltrans staff available to discuss project impacts

The 2015 ratings fell slightly compared to the 2014 ratings in the areas of:

- Public meeting notices
- Adequate opportunity to provide comments

- Meeting accessibility

Figure 2 also presents the cumulative average ratings between 2008 (when Caltrans began to review the materials used in public meetings) and 2015 for each question. In Figure 2, the cumulative average rating for each question is shown in red to the right of each graph and is represented as a dashed-dotted red line. The 2015 Monitoring ratings were higher than the cumulative average ratings for three areas reviewed:

- Public meeting notices
- Adequate opportunity to provide comments
- Appropriate specialized Caltrans staff available to discuss project impacts

The 2015 ratings were equal to the cumulative average ratings for the other four areas reviewed:

- Appropriate specialized Caltrans staff available to discuss project purpose and need and alternatives
- Display materials depicting project alternatives easy to understand
- Display materials depicting impacts easy to understand
- Meeting accessibility

The goal for this metric is that the average 2015 rating for all questions is equal to or exceeds the cumulative average rating for all questions for the surveys conducted between 2008 and 2015. In 2015, Caltrans achieved an average rating of 4.6 for all questions, as compared to a cumulative average rating of 4.5 for 2008-2015. Therefore, in 2015, Caltrans exceeded the cumulative average rating and has exceeded its goal in this area. Caltrans continues to improve on the quality of the materials developed for its public meetings.

C.i.3. Average Evaluation Ratings for Anonymous Third-Party Public Meeting Review (4.7 versus a goal of 4.6 or higher)

Caltrans exceeded its goal related to the third-party review of public meetings. Anonymous, independent consultants[4] attended nine public meetings during the past year, in order to review and report on the performance of Caltrans District staff during public meetings related to project environmental documents.

Figure 3 shows the 2015 ratings for each evaluation factor. This figure shows that ratings for the 2015 monitoring period were higher than in the 2014 Monitoring period in four areas:

- Visual aids were beneficial
- Information needed to understand the project was provided

[4] The meetings were rated by a team of reviewers, and therefore, the same reviewer did not review all meetings. Therefore, the variation in ratings may be due to variations in the ratings of individual reviewers.

- Project staff conveyed their knowledge effectively
- Project staff responded effectively to questions

The 2015 ratings decreased compared to the 2014 ratings in the areas of:

- Handouts provided clear information and were understandable to the public
- Project staff treated participants with courtesy and respect
- Meeting was valuable
- Meeting was an overall positive experience

Figure 3 also shows the cumulative average ratings between 2009 (when Caltrans began to anonymously review public meetings) and 2015. In Figure 3, the cumulative average rating for each question is shown in red to the right of each graph and is represented as a dashed-dotted red line. The 2015 Monitoring ratings were higher than the cumulative average ratings for six of the eight areas reviewed:

- Visual aids were beneficial
- Information needed to understand the project was provided
- Project staff conveyed their knowledge effectively
- Project staff responded effectively to questions
- Meeting was valuable
- Meeting was an overall positive experience

The 2015 rating was equal to the cumulative average rating for the following area:

- Handouts provided clear information and were understandable to the public

The area for which the 2015 rating was slightly lower than the cumulative average rating was:

- Project staff treated participants with courtesy and respect

The goal for this metric is that the average 2015 Monitoring rating equals or exceeds the cumulative average rating of the six reviews that were conducted between 2009 and 2015. In 2015, Caltrans achieved an average rating of 4.7 for all questions, as compared to an average cumulative rating of 4.6 between 2009 and 2015. Therefore, Caltrans has exceeded its goal in this area.

C.ii.1. Percentage of Signed Final Document QC Forms with Public Review Comments Box Checked (100%)

All 20 of the final environmental documents that were reviewed had QC certification forms showing that public review comments had been addressed appropriately (see Performance Metric C.ii.1 in Appendix A).

C.iii.1. Date that Formal Conflict Resolution Action Began to Date Resolution Reached

No formal conflict resolution action has been initiated on any NEPA Assignment project. This metric will be evaluated, as appropriate, in future monitoring evaluations.

Performance Measure 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 3.0 (draft EA) and 3.1 (draft EIS) months in the median time that it took to review and approve draft environmental documents that were approved through the 2015 monitoring period, as compared to the baseline of pre-NEPA Assignment approvals by the FHWA (see Performance Metric D.i.1 in Appendix A). These time savings are shown in the first and third rows of Table 1, below.

Table 1. Environmental Document Review and Approval Time Savings

Milestone	Median Timeframe in Months (Number of Projects)		Median Time Savings in Months
	Pre-Pilot Program Projects	NEPA Assignment Program Projects Through June 2015	
Begin QC of administrative draft EA to **draft EA** approval	5.4 (29)	2.4 (161)	3.0
Begin QC of administrative final EA to **FONSI** approval	2.5 (22)	1.6 (154)	0.9
Begin QC of administrative draft EIS to **draft EIS** approval	9.3 (8)	6.2 (19)	3.1
Begin QC of administrative final EIS to **final EIS** approval	9.9 (4)	5.5 (14)	4.4

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

As shown in the second and fourth rows of Table 1, above, Caltrans also achieved savings of 0.9 (FONSI) and 4.4 (final EIS) months in the median time that it took to review and approve final environmental documents (see Performance Metric D.i.2 in Appendix A).

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

Caltrans achieved savings of 10.6 (draft EA) and 22.9 (draft EIS) months in the median time that it took to prepare draft environmental documents approved through the 2015 monitoring period, as compared to the FHWA baseline (see Performance Metric D.i.3 in Appendix A). These time savings are shown in the first and third rows of Table 2 below.

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

As shown in the second and fourth rows of Table 2, below, Caltrans also achieved savings of 10.9 (FONSI) and 130.8 (final EIS) months in the median time that it took to prepare final environmental documents (see Performance Metric D.1.4 in Appendix A).

Table 2. Environmental Document Preparation Time Savings

	Median Timeframe in Months (Number of Projects)		
Milestone	Pre-Pilot Program Projects	NEPA Assignment Program Projects Through June 2015	Median Time Savings in Months
Begin environmental studies to **draft EA** approval	42.3 (31)	31.6 (163)	10.6
Begin environmental studies to **FONSI** approval	54.1 (31)	43.3 (142)	10.9
Notice of Intent to **draft EIS** approval	69.9 (8)	47.0 (19)	22.9
Notice of Intent to **final EIS** approval	193.9 (5)	63.1 (12)	130.8

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

Table 3 shows the median time savings that has been achieved for Section 7 formal consultations. Caltrans has achieved a savings of 4.9 months for the first 32 quarters of the NEPA Assignment Program as compared to pre-Pilot Program consultations (see Performance Metric D.ii.1 in Appendix A).

Table 3. Section 7 Consultation Time Savings

	Median Timeframe in Months (Number of Biological Opinions)		
Milestone	Pre-Pilot Program Projects	NEPA Assignment Program Projects Through June 2015	Median Time Savings in Months
Submittal of Section 7 documentation to resource agency to Biological Opinion	11.0 (25)	6.1 (107)	4.9

Program Updates and Reviews

Improved Guidance: Standard Environmental Reference Update

Caltrans continues to update the SER, the Local Assistance Procedures Manual, and the NEPA Assignment page to clarify NEPA Assignment requirements, as needed. These updates are based on changes brought about through reauthorization of the Surface Transportation Act and observations and input from the FHWA; Caltrans Headquarters Environmental Coordinators; and Caltrans NEPA Assignment Office, Environmental Management Office, Division of Local Assistance, Legal Division, and District/Region managers and staff. The most notable updates to the SER this year included the following:

- Updates related to the January 1, 2015 MOU between the California Department of Transportation and the California State Historic Preservation Officer Regarding Compliance with Public Resources Code 5024 and the Governor's Executive Order W-26-92;
- Updates to Chapter 11 (Air Quality) of Volume I related to project-level particulate matter analysis and clarification on when air quality conformity is required;
- Procedures for obtaining concurrence on changes related to a projects class of action under NEPA; and
- Clarifications related to the requirements of the 2011 Traffic Noise Analysis Protocol;

Training

The 2014-15 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 California Fiscal Year (FY) 2014–15. These courses included 11 live training sessions that were to be offered one or more times. All the training courses specified in the training plan were delivered during FY 2014–15, and the number of deliveries was also consistent with the plan. Two new focused courses that contribute to the continued success of NEPA Assignment were introduced during this period: *Fundamentals of Section 4(f),* which focuses on identifying and determining use of Section 4(f) resources and documenting *de minimis* findings; and *Delivering Projects in the Coastal Zone*, which emphasizes coordination for coastal permitting and environmental document approval for projects located in the Coastal Zone. In addition to the live training sessions planned, Caltrans provides eight online, "on-demand" courses that are available for staff to take any time throughout the year.

In terms of the number of course offerings, the number of offerings met or exceeded that which was specified in the training plan.

Accuracy of Caltrans District Data on Federal Approvals

As described in this report under "Program-Level Review", Caltrans prepares for annual monitoring reports by compiling quarterly reports (which simply show environmental document approval milestones listed by project) identical to those required biannually under the current MOU. Compiling quarterly reports allows Caltrans to accurately respond to frequent requests by others for various reports on NEPA Assignment performance.

The statewide reporting accuracy rate has improved incrementally year-to-year with Headquarters' continued emphasis with District staff on the importance of report accuracy and on updating the capital and Local Assistance environmental databases (STEVE and LP2000) on a quarterly basis as a standard practice.

Headquarters is working with the STEVE development team to further augment the database to streamline current NEPA Assignment reporting activities and support future NEPA related data requests. This innovation will also help improve the accuracy of NEPA Assignment reporting.

Appendix A. Caltrans 2015 Monitoring: Findings and Corrective Actions

Performance Measure	Components of Measure	Metric[a]	Findings of 2015 Monitoring Review	Acceptable 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 exceeded goal by 5%	None required
		A.i.2. Percentage of corrective actions identified in most recent self-assessment that have been implemented	100% of the corrective actions identified in the 2014 Monitoring summary report have been implemented.	95%	Yes exceeded goal by 5%	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)	3 out of 18 (17%) reviewed FED/CEs appropriately documented compliance with requirements of Section 7, Section 106, and Section 4(f).	95%	No below goal by 78%	**Section 7:** A Caltrans revalidation form will be completed for each final NEPA document without a USFWS species list that is less than 180 days old. The form will reference the incorporation of the species list into the NEPA document. If a current species list needs to be requested from the USFWS, it will be requested and incorporated by reference into the NEPA document. A Caltrans revalidation form will be completed for each final NEPA document that incorporated non-standard Section 7 findings language. The form will clarify the Section 7 finding using the correct regulatory language. A Caltrans revalidation form will be completed for each final NEPA document that lacks a No Effect finding for each applicable species on the USFWS species list. The form will includes these No Effect findings and incorporate them into the NEPA document by reference.

Performance Measure	Components of Measure	Metric[a]	Findings of 2015 Monitoring Review	Acceptable Performance Goal	Goal Met?	Corrective Action
		A.ii.1. *(Continued)*				
						A Caltrans revalidation form will be completed for each final NEPA document that lacked a complete description of the Section 7 informal or formal consultation process. The form will include a complete description of the consultation process and incorporate them into the NEPA document by reference. A Biological Assessment will be prepared for a project that relied on a Habitat Conservation Plan for Section 7 compliance, and a consistency letter will be obtained from the USFWS. A revalidation form will also be completed that incorporates these items into the final environmental document by reference. Discussions will also be held with the project generalists and biologists who prepared the environmental documents with corrective actions to ensure that they understand the Section 7 requirements under review. **Section 106:** A Caltrans revalidation form will be completed for each of the three projects with findings. The Memorandum of Understanding will be attached to the forms and incorporated into the final NEPA document by reference. The forms will also identify the Section 106 findings for each project. Discussions will also be held with the project generalists and cultural resources specialists for these projects to ensure that they understand the problems that were discovered with their documentation.

Performance Measure	Components of Measure	Metric[a]	Findings of 2015 Monitoring Review	Acceptable Performance Goal	Goal Met?	Corrective Action
		A.ii.1. *(Continued)*				
						Section 4(f): A Caltrans revalidation form will be completed for the one project that had irregular Section 4(f) documentation. The form will summarize the documentation supporting the *de minimis* finding and incorporate it into the final NEPA document by reference. Discussions will also be held with the project generalist and environmental planner who prepared the Section 4(f) documentation to remind them of the correct placement of the *de minimis* finding discussion per the annotated outlines. Discussions will also be held with the project generalist for this project to ensure that this staff person understands the problems that were discovered with the documentation.
	(See footnote to this table for explanation of *italicized* metrics)	***A.ii.1.a.*** *Compliance with other Executive Order 11990; Executive Order 11988; and Section 176(c) of the federal Clean Air Act*	*12 of 18 (67%) reviewed FED CEs appropriately documented compliance with Executive Orders 11990 and 11988 and Section 176(c).*	*95%*	*No below goal by 28%*	**Executive Order 11990:** A revalidation form will be completed for each of the two projects that clarifies that the project would not result in permanent impacts to federal wetlands and that withdraws the Only Practicable Alternative Wetlands Finding. Discussions will also be held with the project generalists and biologists for these projects to ensure that they understand the problems that were discovered with their documentation.

Performance Measure	Components of Measure	Metric[a]	Findings of 2015 Monitoring Review	Acceptable Performance Goal	Goal Met?	Corrective Action
		A.ii.1.a. *(Continued)*				
						Executive Order 11988: A revalidation form will be completed for each of the two projects that clarifies that the project would not result in a significant encroachment in the 100-year floodplain. Discussions will also be held with the project generalists and hydraulic specialists for these projects to ensure that they understand the problems that were discovered with their documentation. **Section 176(c):** Revalidation forms will be completed for all three non-compliant projects. For the two projects with unsigned Air Quality Conformity Findings Checklists, the revalidation form will note the name and title of the person who prepared the checklists and incorporate their signatures by reference. For the project without an air quality conformity determination (This project also has a corrective action related to Executive Order 11990.), one will be obtained from FHWA and it will be attached to the revalidation form. Discussions will also be held with the project generalists and air quality specialists for these projects to ensure that they understand the problems that were discovered with their documentation.

Performance Measure	Components of Measure	Metric[a]	Findings of 2015 Monitoring Review	Acceptable Performance Goal	Goal Met?	Corrective Action
		A.ii.1. *(Continued)*				
	(See footnote to this table for explanation of *italicized* metrics)	***A.ii.1.b.*** *Compliance with 23 USC Sec.139 (Efficient Environmental Reviews for Project Decisionmaking)*	*All three (100%) reviewed EISs appropriately documented compliance with 23 USC Sec. 139.*	*95%*	*Yes exceeded goal by 5%*	*None required*
	(See footnote to this table for explanation of *italicized* metrics)	***A.ii.1.c.*** *Compliance with Traffic Noise Analysis Protocol requirements*	*22 of 23 reviewed DED/FED/CEs (96%) appropriately documented compliance with the Noise Protocol.*	*95%*	*Yes exceeded goal by 1%*	*A revalidation form will be completed for this project clarifying that the CE Checklist should have indicated that the project was a Type 1.* *Discussions will also be held with the project generalist and noise specialist for this project to ensure that they understand the problem that was discovered with the CE Checklist.*
		A.ii.1.d. *Appropriate use of Categorical Exclusions*	*One reviewed CE Determination form appropriately identified the project as categorically excluded (100%).*	*95%*	*Yes exceeded goal by 5%*	*None required*
		A.ii.1.e. *Appropriate use of 23 USC 326 versus 23 USC 327 Categorical Exclusions*	*One reviewed CE Determination form appropriately identified whether the project fit under 23 USC 326 or 23 USC 327 (100%).*	*95%*	*Yes exceeded goal by 5%*	*None required*
B. Attainment of supportable NEPA decisions **Bi.** Maintain internal quality control and assurance measures and processes, including a record of:	**B.i.a.** Legal sufficiency determinations made by counsel (FEISs and individual Section 4(f) determinations)	**B.i.a.1.** Percent of final EISs and individual Section 4(f) determinations with legal sufficiency determinations completed prior to environmental document approval	Both (100%) reviewed documents requiring a legal sufficiency determination obtained the required documentation prior to environmental document approval.	95%	Yes exceeded goal by 5%	None required

Performance Measure	Components of Measure		Metric[a]		Findings of 2015 Monitoring Review	Acceptable Performance Goal	Goal Met?	Corrective Action
	B.i.b.	Compliance with Caltrans environmental document content standards and procedures	**B.i.b.1.**	Percentage of internal QC certification forms certifying consistency with annotated outline	32 out of 34 (94%) reviewed DED/FEDs had QC certification forms signed by the environmental document preparer indicating that the document was prepared consistent with the applicable SER annotated outline.	95%	No below goal by 1 %	For both projects, District staff will update the project files with documentation certifying completion of the environmental document review process. Discussions will be held with affected staff to ensure they have a full understanding of the proper documentation requirements for environmental document QC reviews.
			B.i.b.2.	Percentage of sampled environmental documents that followed applicable annotated outline	22 of 34 (65%) reviewed DED/FEDs followed the annotated outlines in terms of chapter and section organization	95%	No below goal by 30%	A revalidation form will be completed for all 12 environmental documents identifying which of the avoidance and minimization measures are mitigation measures that must be implemented under CEQA. The project with the incomplete list of dismissed environmental topics will also include a complete list of topics on the revalidation form. Discussions will also be held with the project generalists to ensure that they understand these requirements.
			B.i.b.3.	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	32 of 34 (94%) DED/FEDs properly implemented and documented QC procedures	95%	No below goal by 1%	For both projects, District staff will update the project files with documentation certifying completion of the environmental document review process. Discussions will be held with affected staff to ensure they have a full understanding of the proper documentation requirements for environmental document QC reviews.

Performance Measure	Components of Measure	Metric[a]	Findings of 2015 Monitoring Review	Acceptable Performance Goal	Goal Met?	Corrective Action
		B.i.b. *(Continued)*				
		B.i.b.4. Percent of DEDs and FEDs with completed checklists	32 of 34 (94%) reviewed DED/FEDs had complete checklists.	95%	No below goal by 1%	For both projects, District staff will update the project files with an augmented checklist that includes page number references.
	B.i.c. Documentation of project records for projects under the NEPA Assignment Program	**B.i.c.1**. Percent of sampled EA/EIS project files organized according to the established filing system	18 out of 26 (69%) reviewed files (58%) conformed to Uniform Filing System (UFS) requirements. 8 files had missing and/or misfiled materials.	95%	No below goal by 26%	For projects with files that did not conform to UFS requirements, discussions were held with the responsible staff. Staff gathered the missing documents and placed them in the project files. Staff with the file containing misfiled items has been asked to ensure proper placement of all materials behind the appropriate tab. To ensure consistent compliance with UFS requirements, Caltrans will discuss UFS best practices in quarterly teleconferences with NEPA Assignment staff. Caltrans will also identify opportunities in formal training courses where information on implementing UFS requirements can be added. Caltrans Headquarters will develop enhanced record keeping guidance for Districts to include electronic filing procedures.

Performance Measure	Components of Measure	Metric[a]	Findings of 2015 Monitoring Review	Acceptable 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	54% cumulative average of positive responses	Equal to or above cumulative average of 54% positive responses since first survey in 2009	Yes at goal	None required
		C.i.2. Public Meeting Material Review: Compare average evaluation ratings for each self-assessment period and cumulatively over time	4.6 cumulative average rating	Equal to or above cumulative average rating of 4.5 (out of 5.0) since 3rd Self-Assessment	Yes exceeded goal by 0.1	None required
		C.i.3. Anonymous Third-Party Public Meeting 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 4th Self-Assessment	Yes exceeded goal by 0.1	None required
	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	All 20 (100%) of the reviewed FEDs had QC certification forms that indicated that public review comments had been appropriately addressed.	95%	Yes exceeded goal by 5%	None required
	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 2015 Monitoring Review period.	Not applicable	Not applicable	Not applicable

Performance Measure	Components of Measure	Metric[a]	Findings of 2015 Monitoring Review	Acceptable Performance Goal	Goal Met?	Corrective Action
D. Timely completion of NEPA process	**D.i.** Compare time to completion for environmental document approvals before and after Assignment (July 1, 2007)	**D.i.1**. For SHS and Local Assistance projects, compare median time from begin administrative DED QC process to DED approval before and after assignment	3.0 (draft EAs) and 3.1 (draft EISs) median months saved	Any savings in time as compared to pre-Pilot Program	Yes	None required
		D.i.2. For SHS and Local Assistance projects, compare median time from begin administrative FED QC process to FED approval before and after assignment	0.9 (FONSIs) and 4.4 (final EISs) median months saved	Any savings in time as compared to pre-Pilot Program	Yes	None required
		D.i.3. Compare median time from begin environmental studies/NOI to DED approval before and after assignment	10.6 (draft EAs) and 22.9 (draft EISs) median months saved	Any savings in time as compared to pre-Pilot Program	Yes	None required
		D.i.4. Compare median time from begin environmental studies/NOI to FED approval before and after assignment	10.9 (FONSIs) and 130.8 (final EISs) median months saved	Any savings in time as compared to pre-Pilot Program	Yes	None required

Performance Measure	Components of Measure	Metric[a]	Findings of 2015 Monitoring Review	Acceptable Performance Goal	Goal Met?	Corrective Action
	D.ii. Compare time to completion for key interagency consultations formerly requiring FHWA participation before and after Assignment (July 1, 2007)	**D.ii.1.** 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-Pilot Program	Yes	None required

[a] Part 10.2 of the July 2007 MOU lists four performance measures, each with specific components. Subsequent to executing the MOU, Caltrans and FHWA discussed and agreed upon metrics to be associated with each performance measure/component. Those metrics are listed here in Appendix A, but do not appear in the NEPA Assignment MOUs.

Explanation of *italicized metrics*: In response to deficiencies found during initial FHWA audits (using metrics described above), Caltrans decided to evaluate performance against five additional metrics related to specific federal requirements. These metrics are listed in this table, in *italics*, and are identified as A.ii.1.a–e. (For more on performance measures, components, and metrics, see the "Monitoring Methods" section of this report.)

Appendix B. MOU Performance Measure A.i.2.: Implemented Corrective Actions Identified in Caltrans 2014 Monitoring Report (2014 Monitoring Period: April 2013–June 2014)

Performance Measure	Components of Measure	Metric	2014 Monitoring Corrective Action	Implementation of Corrective Action
A. Compliance with NEPA and other Federal laws and regulations	**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 that contain evidence of compliance with requirements of Section 7, Section 106, and Section 4(f)	**Section 7:** A Caltrans revalidation form will be completed for each environmental document that incorporated non-standard Section 7 findings language. The form will clarify the Section 7 finding using the correct regulatory language.	Districts completed revalidation forms for each affected environmental document to clarify the Section 7 findings using correct regulatory language.[1]
			Discussions will also be held with the project generalists and biologists who prepared the environmental documents with corrective actions to ensure that they understand the Section 7 requirements under review.	Discussions were held with the affected District staff emphasizing the importance of using the Section 7 regulatory language.
			The requirements related to Section 7 regulatory language will be discussed in training courses and at the statewide NEPA Assignment and Caltrans partnership teleconferences, as needed, to remind Caltrans staff and consultants of these requirements.	Headquarters held discussions with District staff on the importance of using Section 7 regulatory language in documenting findings during quarterly desktop review phone meetings and statewide teleconferences with environmental staff. A reminder was also published in a Caltrans Environmental Coordinators monthly update.
			Section 106: A Caltrans revalidation form will be completed for each of the two projects with irregular Section 106 documentation. One form will clarify the Section 106 finding and the other form will document a Category 5 bridge.	Districts completed revalidation forms to clarify the Section 106 evaluation and findings.
			Discussions will also be held with the project generalist and cultural resources specialist who prepared the environmental documents to ensure that they understand standard Section 106 findings language.	Discussions were held with the affected District staff emphasizing the importance of using the Section 106 regulatory language in documenting findings.

[1] One project with a 2014 corrective action was removed from this analysis since it is currently subject to a CEQA lawsuit.

Performance Measure	Components of Measure	Metric	2014 Monitoring Corrective Action	Implementation of Corrective Action
		A.ii.1. *(Continued)*		
			Section 4(f): A Caltrans revalidation form will be completed for the one project that did not adequately document the Section 4(f) temporary occupancy. The form will document all five temporary occupancy conditions.	Districts completed a revalidation form to clarify the Section 4(f) temporary occupancy finding and verified that letter of concurrence from the agency with jurisdiction over affected resource(s) was included in the project file.
			Discussions will be held with the project generalist and environmental planner who prepared the Section 4(f) documentation to ensure that they understand the documentation requirements for a temporary occupancy.	A discussion was held with affected project staff.
		A.ii.1.a. Compliance with other Executive Order 11990; Executive Order 11988; and Section 176(c) of the federal Clean Air Act	**Executive Order 11988:** A revalidation form will be completed for the project with confusing floodplain impacts documentation to clarify that the project will not result in a significant encroachment.	District completed a revalidation form documenting that the project would not result in a significant encroachment on floodplains.
			Section 176(c): The project that lacked an air quality conformity determination has a completed revalidation form that documents the conformity determination that was obtained from FHWA after FONSI approval.	District obtained AQ conformity determination from FHWA, and completed a revalidation form documenting that conformity is complete.
			Air quality conformity checklists will be completed for the three projects that lacked them.	Districts completed revalidation forms with completed and signed AQ conformity checklists.[2]
			Discussions will be held with the project generalist, air quality specialists, and hydraulics specialist for these projects to ensure that they understand the problems that were discovered with their documentation.	Discussions were held with the affected District staff emphasizing the importance of documenting compliance with air quality conformity requirements.

[2] One project with a 2014 corrective action was removed from this analysis since it is currently subject to a CEQA lawsuit. This is the same project referred to in footnote 1 of this table.

Performance Measure	Components of Measure	Metric	2014 Monitoring Corrective Action	Implementation of Corrective Action
B. Attainment of supportable NEPA decisions **i.** Maintain internal quality control and assurance measures and processes, including a record of:	**B.i.b.** Compliance with Caltrans environmental document content standards and procedures	**B.i.b.3.** Percent of draft and final environmental documents 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	District will update its environmental document quality control practices to require Technical Editor review of all final environmental documents.	The Deputy District Director confirmed that the District has modified its quality control practices to include the technical editor review for each final environmental document, as stipulated in Caltrans QC review procedures.
			Discussions will be held with affected staff to ensure they have a full understanding of the proper sequencing of internal versus external QC reviews.	Discussions occurred with District staff on the importance of following Caltrans QA/QC procedures, including the proper sequence of reviews, and completing the QC certification forms.
	B.i.c. Documentation of project records for projects under the NEPA Assignment Program	**B.i.c.1.** Percent of sampled EA/EIS project files organized according to the established filing system	For projects with files that did not conform to UFS requirements, discussions were held with the responsible staff. Staff gathered the missing documents and placed in the project files. Staff with disorganized files have been asked to clean up their files and to add tabs to files where needed.	District staff updated project files with missing information and re-filed misfiled items. Staff also added notes within project files as to where reports and other supporting documentation can be found when hard copies are not included in the project environmental file.
			To ensure consistent compliance with UFS requirements, Caltrans will discuss UFS best practices in quarterly teleconferences with NEPA Assignment staff.	UFS best practices were shared at the October 2014 statewide NEPA Assignment teleconference.
			Caltrans will also identify opportunities in formal training courses where information on implementing UFS requirements can be added.	Caltrans continues to emphasize the importance of maintaining the administrative record in its environmental staff training courses.
C. Monitor relationships with agencies and the general public (effectiveness of relation-ships 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	Caltrans will meet in person with each agency to identify specific problems and improvement areas.	Caltrans planned to commence this work in FY 2014-15 but resources were allocated instead to the significant work of renewing the 23 USC 327 and 326 MOUs and to producing a seven-year performance report on NEPA Assignment for the California Legislature. In FY 2015-16, Caltrans NEPA Assignment Office will identify, contact, and meet with resource agency staff.

Appendix C. Caltrans 2015 Monitoring: Percentage Compliance for Percentage-Based Performance Metrics

Performance Measure	Components of Measure	Metric	Number of Environmental Documents/CEs Reviewed for Performance Metric				Number of Environmental Documents/ CEs that Appropriately Documented Compliance	Percentage Compliance with Performance Metric[1]
			Draft Environmental Documents	Final Environmental Documents	Categorical Exclusions	In-progress Environmental Documents Not Yet Approved		
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	NA	NA	NA	NA	NA	100%
		A.i.2. Percentage of corrective actions identified in most recent self-assessment that have been implemented	NA	NA	N**A**	NA	NA	100%
	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)	*	17	1	0	3	17%
	(See footnote to this table for explanation of *italicized* metrics)	***A.ii.1.a.*** *Compliance with other Executive Order 11990; Executive Order 11988; and Section 176(c) of the federal Clean Air Act*	NA	17	1	0	12	67%
		A.ii.1.b. *Compliance with 23 USC Sec.139 (Efficient Environmental Reviews for Project Decisionmaking)*	NA	3	0	0	3	100%
		A.ii.1.c. *Compliance with Traffic Noise Analysis Protocol requirements*	5	17	1	0	22	96%
		A.ii.1.d. *Appropriate use of Categorical Exclusions*	NA	NA	1	0	1	100%
		A.ii.1.e.	NA	NA	1	0	1	100%

Performance Measure	Components of Measure	Metric	Number of Environmental Documents/CEs Reviewed for Performance Metric				Number of Environmental Documents/ CEs that Appropriately Documented Compliance	Percentage Compliance with Performance Metric[1]
			Draft Environmental Documents	Final Environmental Documents	Categorical Exclusions	In-progress Environmental Documents Not Yet Approved		
		Appropriate use of 23 USC 326 versus 23 USC 327 Categorical Exclusions						
B. Attainment of supportable NEPA decisions **i.** Maintain internal quality control and assurance measures and processes, including a record of:	**B.i.a.** Legal sufficiency determinations made by counsel (FEISs and individual Section 4(f) determinations)	**B.i.a.1.** Percent of final EISs and individual Section 4(f) determinations with legal sufficiency determinations completed prior to environmental document approval	NA	2	0	0	2	100%
	B.i.b. Compliance with Caltrans environmental document content standards and procedures	**B.i.b.1.** Percentage of internal QC certification forms certifying consistency with annotated outline	17	17	0	0	32	94%
		B.i.b.2. Percentage of sampled environmental documents that followed applicable annotated outline	17	17	0	0	22	65%
		B.i.b.3. 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	17	17	0	0	32	94%
		B.i.b.4. Percent of DEDs and FEDs with completed checklists	17	17	0	0	32	94%

Performance Measure	Components of Measure	Metric	Number of Environmental Documents/CEs Reviewed for Performance Metric				Number of Environmental Documents/ CEs that Appropriately Documented Compliance	Percentage Compliance with Performance Metric[1]
			Draft Environmental Documents	Final Environmental Documents	Categorical Exclusions	In-progress Environmental Documents Not Yet Approved		
	B.i.c. Documentation of project records for projects under the NEPA Assignment Program	**B.i.c.1**. Percent of sampled EA/EIS project files organized according to the established filing system	5	6	1	14	18	69%
C. Monitor relationships with agencies and the general public	**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	NA	17	0	0	17	100%

NA = Not Applicable.

[1] = These percentages are based on counting each environmental document once, even if the environmental document has more than one deficient finding for any given metric.

* = The four draft environmental documents reviewed only for Section 4(f) compliance are not accounted for in the compliance percentage of the Section 7/10/4(f) metric since this metric only includes final environmental documents.

Explanation of *italicized metrics*: In response to deficiencies found during initial FHWA audits (using metrics described above), Caltrans decided to evaluate performance against five additional metrics related to specific federal requirements. These metrics are listed in this table, in *italics*, and are identified as A.ii.1.a–e. (For more on performance measures, components, and metrics, see the "Monitoring Methods" section of this report.)

Figure 1
Resource Agency Results[1,2]

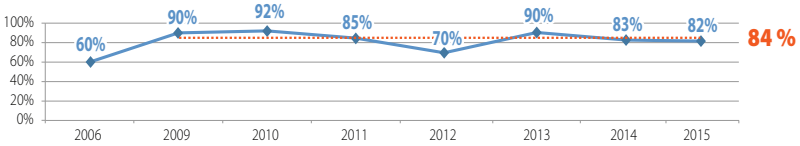
Legend

Average by year

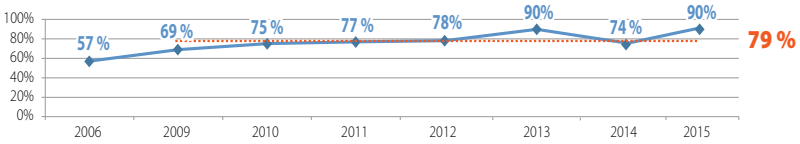
2015 Monitoring Review cumulative average

Cumulative average percentage for all questions for 5th Self Assessment - 2015 Monitoring Review (2009-2015): 54%
Cumulative average percentage for all questions for 2015 Monitoring Review: 54%

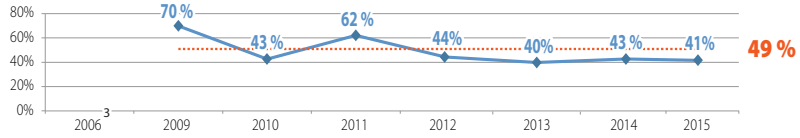
2a. How capable do you believe Caltrans has been in assuming the NEPA responsibilities of FHWA?
5=VERY CAPABLE; 4=SOMEWHAT CAPABLE



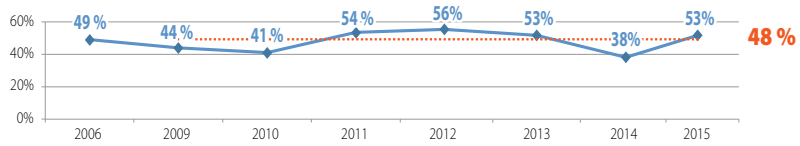
2b. Caltrans is responsive to the concerns expressed by your agency.
5=STRONGLY AGREE; 4=SOMEWHAT AGREE



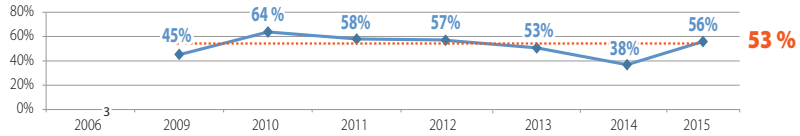
2c. Caltrans may not listen as well to resource agencies as did FHWA.
1=STRONGLY DISAGREE; 2=SOMEWHAT DISAGREE



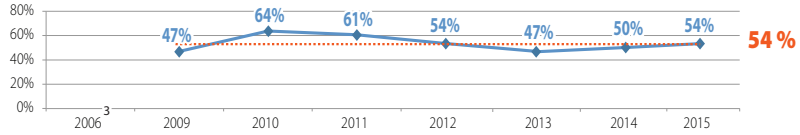
2d. The NEPA and consultation processes are more efficient under Caltrans than they were under FHWA.
5=STRONGLY AGREE; 4=SOMEWHAT AGREE



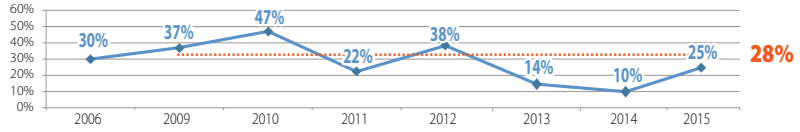
2e. Quality has suffered without FHWA oversight.
1=STRONGLY DISAGREE; 2=SOMEWHAT DISAGREE



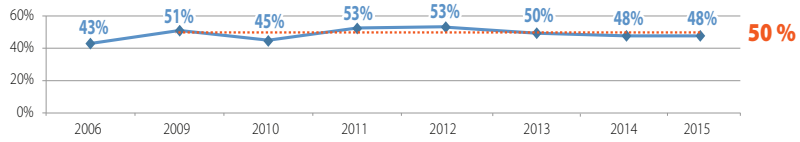
2f. Caltrans has not been as conscientious in adhering to Federal laws, rules, and regulations as FHWA.
1=STRONGLY DISAGREE; 2=SOMEWHAT DISAGREE



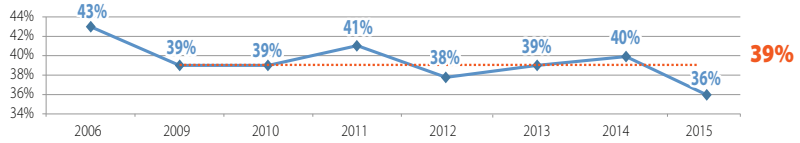
2g. Caltrans has been more cooperative with agencies on existing programmatic agreements and memoranda of understanding as FHWA.
5=STRONGLY AGREE; 4=SOMEWHAT AGREE



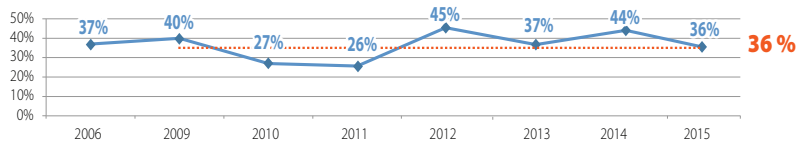
2h. Currently, how would you rate how well interagency coordination is working between Caltrans and your agency with respect to consultation and coordination responsibilities on Pilot Program projects under NEPA and other federal environmental laws?
5=EXCELLENT; 4=VERY GOOD



2i. Currently, how would you rate how well your agency's mission is being considered and met with respect to Caltrans' consultation and coordination responsibilities on Pilot Program projects under NEPA and other federal environmental laws?
5=EXCELLENT; 4=VERY GOOD



2j. Currently, how would you rate the timeliness in which project resolutions are being reached with respect to Caltrans' consultation and coordination responsibilities on Pilot Program projects under NEPA and other federal environmental laws?
5=EXCELLENT; 4=VERY GOOD



1 Sample sizes: 2006-unknown; 2009-49 completed surveys; 2010-54 completed surveys; 2011-46 complete surveys; 2012-46 completed surveys for questions 2a, 2b, 2h, 2i, and 2j, and 28 completed surveys for questions 2c through 2g; 2013-30 completed surveys for questions 2a, 2b, 2h, 2i and 2j; and 15 completed surveys for questions 2c through 2g; 2014-43 completed surveys for questions 2a, 2b, 2h, 2i and 2j, and 25 completed surveys for questions 2c through 2g; 2015-31 completed surveys for questions 2a, 2b, 2h, 2i and 2j, and 19 completed surveys for questions 2c through 2g.

2 Negative responses to questions 2c, 2e, and 2f are comparable to positive responses to the other seven questions. This is because questions 2c, 2e, and 2f are phrased as negative statements; so a response of "strongly disagree" or "somewhat disagree" are positive responses to Caltrans performance.

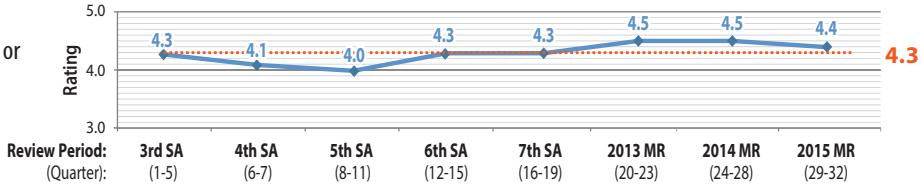
3 Data for 2006 are unavailable.

Figure 2
Review of Public Meetings Documentation
2015 Monitoring: NEPA Assignment [1]

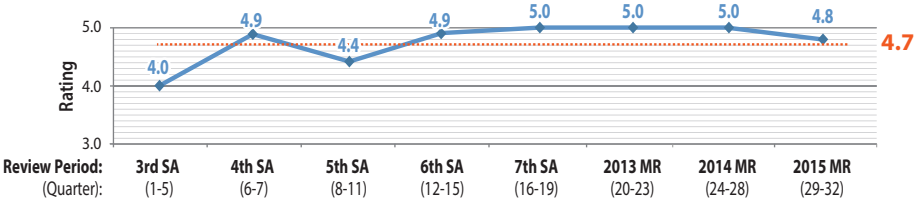
Legend
Average by year
2015 Monitoring Review cumulative average

Cumulative average rating for all questions for 3rd Self Assessment - 2015 Monitoring Review : 4.5
Cumulative average rating for all questions for 2015 Monitoring Review: 4.6

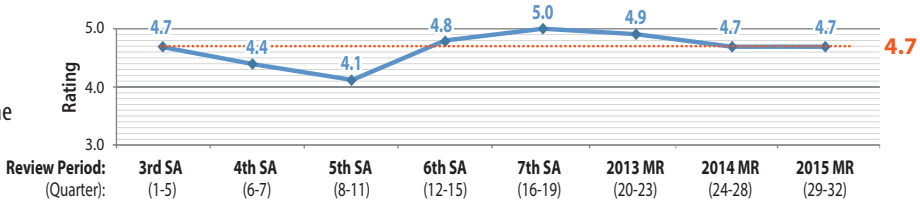
To what extent did the public meeting notice or notice of opportunity for the project environmental document meet SER requirements?



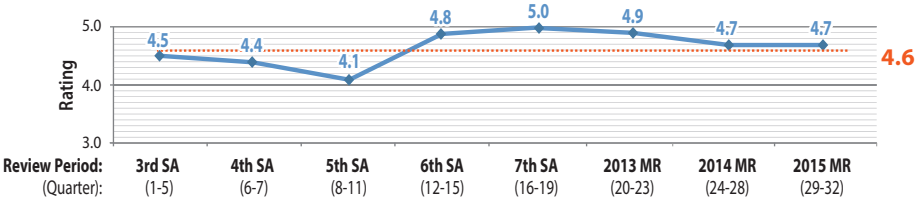
To what extent do you agree or disagree that the public meeting provided adequate opportunity for the public to register written and oral comments?



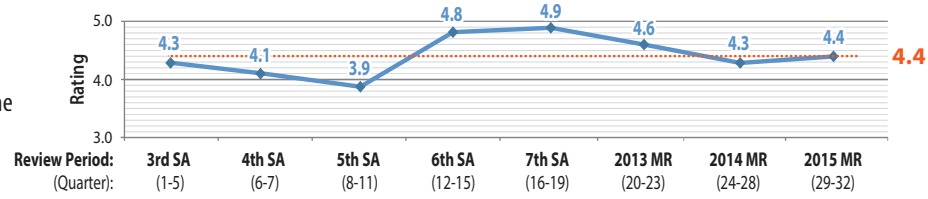
To what extent were appropriate Caltrans specialty staff available to discuss the project, its purpose and need, and alternatives with the public?



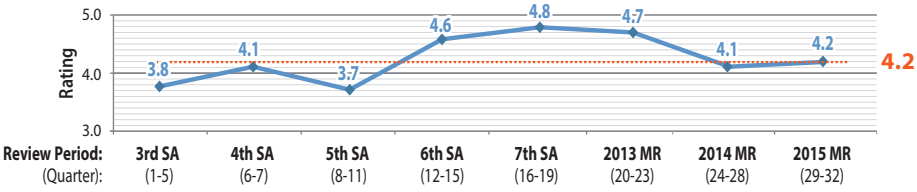
To what extent were appropriate Caltrans specialty staff available to discuss the project impacts with the public?



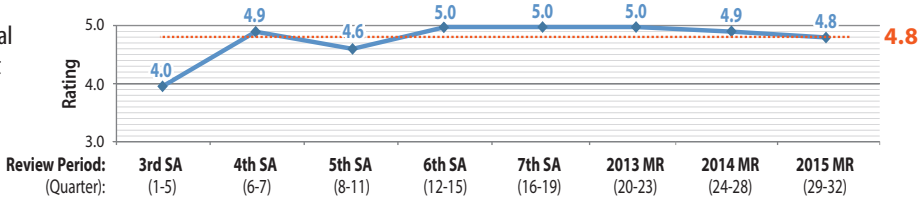
To what extent do you agree or disagree that displays depicting the project and its alternatives were easily understandable to the lay public?



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?



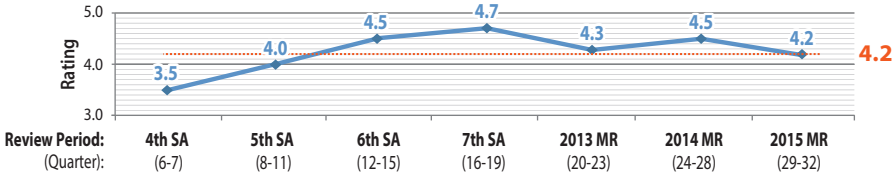
[1] Sample sizes: 3rd Self-Assessment - 27 projects; 4th Self-Assessment - 8 projects; 5th Self-Assessment - 22 projects; 6th Self-Assessment - 19 projects; 7th Self-Assessment - 16 projects; 2013 Monitoring Review - 17 projects; 2014 Monitoring Review - 15 projects; 2015 Monitoring Review - 15 projects.

Figure 3
Anonymous Review of Public Meetings
2015 Monitoring: NEPA Assignment [1]

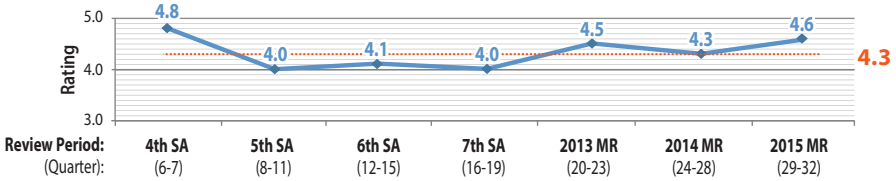
Legend
Average by year
2015 Monitoring Review cumulative average

Cumulative average rating for all questions for 4th Self Assessment - 2015 Monitoring Review: 4.6
Cumulative average rating for all questions for 2015 Monitoring Review: 4.7

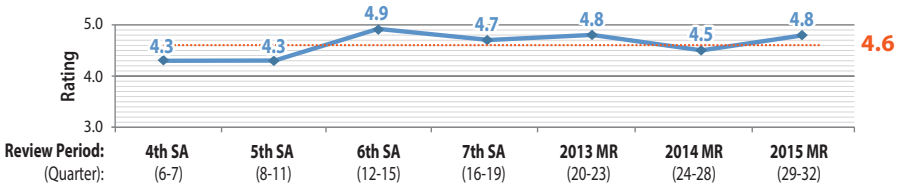
The handouts provided clear information and were understandable to the public.



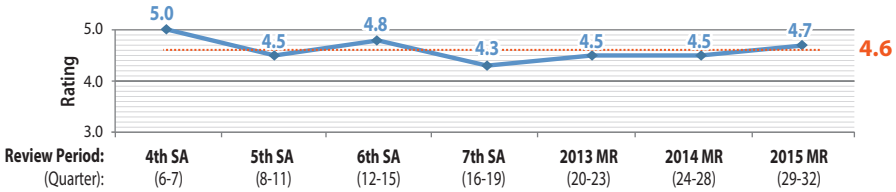
The visual aids (e.g., posters, figures, Power Point presentations, photographs, and maps) were beneficial in helping me and other members of the public understand the project and its environmental impacts.



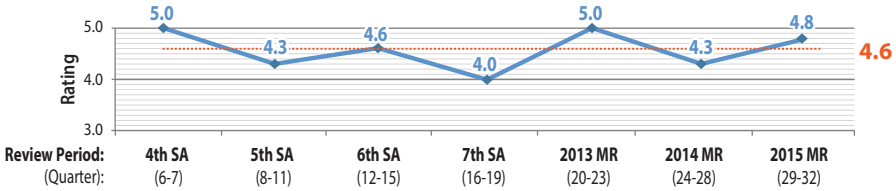
Overall, information I needed to understand the project was provided.



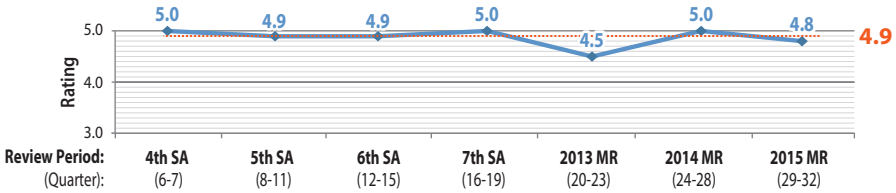
Project staff conveyed their knowledge effectively.



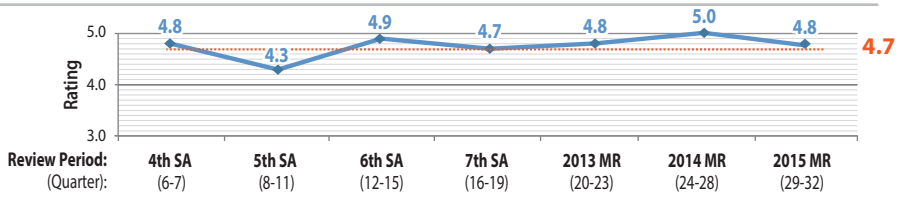
Project staff responded to questions effectively.



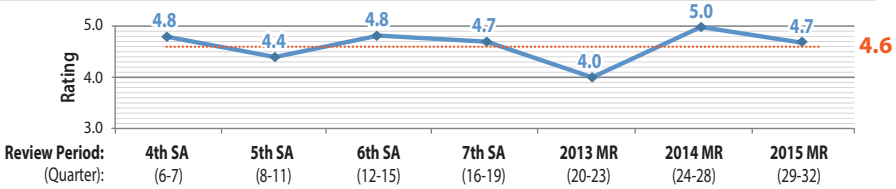
Project staff treated participants with courtesy and respect.



Overall, the meeting was valuable.



Overall, the meeting provided a positive experience.



[1] Sample sizes: 4th Self-Assessment - 4 projects; 5th Self-Assessment - 8 projects; 6th Self-Assessment - 8 projects; 7th Self-Assessment - 3 projects; 2013 Monitoring Review - 4 projects; 2014 Monitoring Review - 4 projects; 2015 Monitoring Review - 9 projects.

Statement by Chief, Division of Environmental Analysis

Based on this Report on 2015 Monitoring of Caltrans Performance under the Surface Transportation Project Delivery Program, I find the responsibilities assumed by Caltrans under the NEPA Assignment MOU are being carried out in accordance with the MOU and all applicable federal laws and policies.

Signed: Katrina C. Pierce

Katrina C. Pierce, Chief, Division of Environmental Analysis
California Department of Transportation

Date: 25 March 2016