EXECUTIVE SUMMARY

This report documents the effectiveness of and summarizes actions carried out under the January 1, 2014, First Amended Programmatic Agreement among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal Aid Highway Program In California (Section 106 PA). The Section 106 PA was executed on January 1, 2014, and will expire on December 31, 2023. The reporting period is from July 1, 2019, through June 30, 2020, and is provided in accordance with stipulations XX.G.2 and XX.G.4 of the Section 106 PA. The California Department of Transportation (Caltrans) has employed the use of a Programmatic Agreement as an alternative measure to comply with Section 106 of the National Historic Preservation Act of 1966 (NHPA) since 2004.

The Section 106 PA incorporates Caltrans’ role as National Environmental Policy Act (NEPA) Lead Agency. The Federal Highway Administration (FHWA) first assigned this responsibility to Caltrans in 2007 as a pilot program under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, (SAFETEA-LU) (Public Law 109-59). In July 2012, SAFETEA-LU legislation was replaced with the Moving Ahead for Progress in the 21st Century Act (MAP-21) (P.L. 112-141). Section 1313 of MAP-21 23 amended U.S.C. 327 to establish a permanent Surface Transportation Project Delivery Program, which allows any state to participate and allows states to renew their participation in the program. Caltrans was the first state to participate in this program. Through the Project Delivery Program Memorandum of Understanding (327 MOU), Caltrans maintains its assignment of FHWA’s (hereafter NEPA Assignment) responsibilities under NEPA and Section 106 of the National Historic Preservation Act (Section 106). Permanent assignment as NEPA Lead Agency became effective October 1, 2012. Due to its continued success in managing its NEPA responsibilities, Caltrans renewed the 327 MOU with FHWA in 2017, the model for which has been used by many other states contemplating an enhanced role in the federal process in accordance with the provisions of MAP-21 and the successor legislation, the Fixing America’s Surface Transportation (FAST) Act (Pub. L. No. 114-94). The Caltrans Division of Environmental Analysis and Cultural Studies Office (CSO) continue to perform FHWA’s role and take on its responsibilities for
compliance with the steps of the Section 106 process and have assumed a
greater role as previously assigned to Caltrans under NEPA Assignment.

The results of this Annual Report reveal that Caltrans processed 998 federal-aid
highway projects under the Section 106 PA during the reporting period. Of these,
916 required no SHPO review and were treated in accordance with various
stipulations governing internal review of identification, evaluation, and
assessment of effects. A total of 82 projects required external review by the State
Historic Preservation Officer (SHPO). Thirty-two of these required only
concurrence on determinations of eligibility due to resulting No Historic
Properties Affected findings. Forty-four of the SHPO-reviewed projects resulted in
findings of No Adverse Effect. The remaining six projects resulted in a finding of
Adverse Effect, which will require preparation of agreement documents to
address mitigation strategies for effects to historic properties. A summary of
results of the actions completed in accordance with the Section 106 PA begins
on page 2.

Caltrans districts reported two violations of established Environmentally Sensitive
Areas (ESA) and five new instances of Inadvertent Effects during the current
reporting period. A discussion of these incidents begins on page 13. There were
no public objections or formal disagreements with any Caltrans projects during
the current reporting period.

Quality assurance measures for this reporting period included on-going PQS
review of Caltrans District reports by CSO staff and delivery of PA training for
statewide PQS in January 2019 in Sacramento. Other training presented by CSO
and the District PQS was tailored to the needs of the individual districts and
regions to improve the knowledge, skills, and abilities of internal Caltrans staff as
well as external agency partners, consultants and Native American Tribes. These
and other quality assurance measures are presented on page 23.

Through its mission, vision, and goals defined in the 2015 Strategic Management
Plan, Caltrans strives for innovation, quality and commitment to its stewardship of
fragile public resources. The Section 106 PA is a valuable tool and its use is
directly related to the Department’s goals of Safety and Health; System
Performance; Stewardship and Efficiency; Sustainability, Livability and Economy;
and Organizational Excellence. Caltrans PQS meet these goals by promoting
innovation and efficiency to meet the challenges of the current fiscal climate
and provide balance with the project delivery process. Working with internal
and external partners, Caltrans Section 106 practitioners take their role within Caltrans seriously, and through the Section 106 PA they continue to seek innovative measures to comply with cultural resources laws and regulations while maintaining federal standards and ensuring that effects to cultural resources are taken into account during project planning. It is Caltrans' judgment that the use of the alternative measures to comply with Section 106 provided by the Section 106 PA exceed the standards set by the Caltrans Mission, Vision, and Goals and continues to be an effective program alternative to standard compliance within the NHPA and its implementing regulations.
TABLE OF CONTENTS

INTRODUCTION .............................................................................................................. 1
SUMMARY OF Section 106 PA ACTIONS ....................................................................... 2
Table 1: Total Activities Completed - Fiscal Year 2019-2020 .................................. 4
2019-2020 PROJECT COMPLIANCE ACTIVITIES ........................................................... 5
Projects Exempt from SHPO Review ......................................................................... 5
Projects Requiring SHPO Review .............................................................................. 6
Table 2: Property Evaluation Activities ..................................................................... 6
Table 3: Effect Findings .............................................................................................. 7
EFFECTIVENESS OF THE PA ....................................................................................... 8
FHWA Reviews and Approvals ................................................................................. 8
ESTIMATED TIME SAVINGS ....................................................................................... 8
Table 4: Section 106 Review Timeframes ................................................................. 9
POST-REVIEW DISCOVERIES, UNANTICIPATED EFFECTS, ESA VIOLATIONS, and
EMERGENCIES ........................................................................................................... 13
QUALITY ASSURANCE MEASURES ........................................................................ 21
CONCLUSION .............................................................................................................. 24

TABLES
Table 1: Total Activities Completed - Fiscal Year 2018-2019 .................................. 4
Table 2: Determinations of Eligibility ......................................................................... 6
Table 3: Effect Findings .............................................................................................. 7
Table 4: Section 106 Review Timeframes .................................................................. 9
Table 5: Review Timeframes for Effect Findings ....................................................... 11

FIGURES
Figure 1: Federal-Aid Highway Projects - Fiscal Year 2018-19 ............................... 4
Figure 2: Screened Undertakings - Fiscal Year 2018-2018 ....................................... 5

Attachment 1
PA ACTIVITIES 2005-2020
INTRODUCTION

The First Amended Programmatic Agreement among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as It Pertains to the Administration of the Federal-Aid Highway Program in California (Section 106 PA) was executed on January 1, 2014. The Section 106 PA streamlines compliance with Section 106 of the National Historic Preservation Act by delegating Federal Highway Administration’s responsibility for carrying out the routine aspects of the Section 106 process to the California Department of Transportation. The Section 106 PA applies to Federal-Aid Highway projects on or off the State Highway System (SHS), funded all or in part by FHWA. All cultural resource studies completed under the auspices of the Section 106 PA are carried out by or under the direct supervision of individuals who meet the Secretary of the Interior’s (SOI) Professional Qualifications Standards for the relevant field of study. Use of the SOI standards ensure program quality and satisfy federal mandates associated with compliance with Section 106. Caltrans meets these standards by certifying its cultural resources staff as Professionally Qualified Staff (PQS). The Chief of the Cultural Studies Office in the Division of Environmental Analysis (DEA) is responsible for certifying the qualifications of all PQS. Caltrans PQS are responsible for ensuring that effects to cultural resources are accounted for and that there is no loss in quality of work or consideration for resources.

In accordance with Stipulations XX.G.1 and XX.G.2, this report documents the effectiveness of, and summarizes activities carried out under, the Section 106 PA. It covers actions for which Section 106 consultation concluded between July 1, 2019, and June 30, 2020. In addition to annual reporting and in accordance with Stipulation XX.G.3, Caltrans is required to provide the SHPO quarterly reports on findings made relevant to Stipulation X.B.1. A summary of those findings is included herein as well.

In addition to streamlining the Section 106 process for Caltrans, the Section 106 PA reduces the workload for the State Historic Preservation Officer though internal PQS review of routine projects. This includes district processed Screened Undertakings, or those that do not involve any cultural resources, and CSO approved Findings of No Adverse Effects with Standard Conditions (NAE-SC), as well as assumptions of eligibility for the purposes of an undertaking when special
circumstances preclude their complete evaluation. Less than 9% of projects done under the Section 106 PA required SHPO review this reporting period. Caltrans staff ensures that all project documentation for undertakings that are not subject to SHPO review remain on file in the appropriate Caltrans District. In addition, when appropriate, Caltrans PQS provide documentation to consulting parties and public in accordance with applicable confidentiality requirements. Delegation to PQS of the authority to perform many of the functions of the SHPO has enabled SHPO staff to concentrate efforts on the small number of projects that involve the formal evaluation of cultural resources and/or have potential for adverse effects to historic properties, as defined by 36 CFR 800.

In accordance with Stipulation XX.G.4, Caltrans is providing notice to the public that this report is available for inspection and will ensure that potentially interested members of the public are made aware of its availability. Additionally, the public may provide comment to signatory parties on the report. This report is being submitted to the FHWA, SHPO, the Advisory Council on Historic Preservation (ACHP), the U.S. Army Corps of Engineers (Corps), and the Caltrans Director and District Directors and is available upon request.

**SUMMARY OF Section 106 PA ACTIONS**

According to data provided by the District PQS, enumerated in Table 1, Caltrans processed 998 Federal-Aid Highway projects during the state fiscal year 2019-20. Of those, 776 (77.7 percent), were exempted from further Section 106 review after appropriate review, or “screened,” by PQS. An additional 101 projects (10.1 percent) that did not qualify as screened undertakings were completed with no outside review as findings of No Historic Properties Affected, since no consultation with the SHPO or CSO was required under the terms of the Section 106 PA. CSO reviewed 38 Historic Property Survey Reports (HPSR) that included an NAE-SC finding (3.8 percent), requiring no consultation with SHPO. Caltrans

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1 Under the Section 106 PA, Stipulation VII specifies classes of undertakings identified in PA Attachment 2 as “screened undertakings” that will require no further review under the PA when the steps set forth in Attachment 2 are satisfactorily completed. Caltrans PQS are responsible for “screening” individual actions that are included within the classes of screened undertakings to determine whether the undertakings require further consideration or may be exempt from further review.

2 These are projects for which the proposed activities do not fall under any of the classes of screened undertakings listed in PA Attachment 2, but for which no cultural resources were identified, or properties determined eligible but will not be affected are located within the project limits.
Districts and CSO submitted 82 projects (8.2 percent) to SHPO for consultation between July 1, 2019, and June 30, 2020. Thirty-two of these SHPO submittals were for concurrence with determinations of eligibility (DOE) only (accompanied by a notification of No Historic Properties Affected), while the other 50 submittals (5%) were for concurrence on Findings of Effect (either with or without accompanying determinations of eligibility). Of the 50 effect findings submitted to the SHPO, six were determined to have a Finding of Adverse Effect (AE) and will require additional consultation to resolve effects. Fiscal year activities are depicted in Table 1 and Figure 1; project-screening activities are represented by Caltrans District in Figure 2.

Compared to previous reporting periods, the total number of Federal-Aid Highway projects dropped due to a decrease in the number of screened undertakings. However, similarly to the trend from the previous reporting period, staff experienced a slight increase in workload compared to the previous fiscal year due to the higher overall number and percentage of projects with findings of NAE. Figure 1 is a graphical representation of the projects completed by each District and differentiated between Caltrans and Local Assistance projects. As with the preceding fiscal year, the current report findings show that Caltrans' PQS generally processed more Federal-Aid Highway projects than did their local agency partners (with Districts 6, 8, and 10 as the exceptions); likewise, SHPO reviewed more State Highway System projects than Local Assistance projects.
Table 1: Total Activities Completed - Fiscal Year 2019-2020

<table>
<thead>
<tr>
<th>Projects Completed = 998</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>State Highway System Projects</td>
<td>601</td>
</tr>
<tr>
<td>Local Streets and Roads Projects</td>
<td>397</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Number of Projects Screened = 776 (77.7%)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>State Highway System Projects</td>
<td>444</td>
</tr>
<tr>
<td>Local Streets and Roads Projects</td>
<td>332</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Number of Findings of NHPA = 134 (13.4%)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>State Highway System Projects</td>
<td>99</td>
</tr>
<tr>
<td>Local Streets and Roads Projects</td>
<td>35</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Number of Findings of NAE-SC = 38 (3.8%)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>State Highway System Projects</td>
<td>23</td>
</tr>
<tr>
<td>Local Streets and Roads Projects</td>
<td>15</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Number of Projects to SHPO = 82 (8.2%)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>State Highway System Projects</td>
<td>35</td>
</tr>
<tr>
<td>Local Streets and Roads Projects</td>
<td>15</td>
</tr>
<tr>
<td>State Highway System Projects – Determinations of Eligibility only</td>
<td>16</td>
</tr>
<tr>
<td>Local Streets and Roads Projects – Determinations of Eligibility only</td>
<td>16</td>
</tr>
</tbody>
</table>

Figure 1: Federal-Aid Highway Projects - Fiscal Year 2019-2020
2019-2020 PROJECT COMPLIANCE ACTIVITIES

Projects Exempt from SHPO Review

The primary streamlining tool provided by the Section 106 PA is the application of Stipulation VII - Screened Undertakings. Screened Undertakings, defined in Attachment 2 of the Section 106 PA, are projects that have no potential to affect properties listed on or eligible for inclusion in the National Register of Historic Places (NRHP). If PQS make this finding through the “screened undertaking” process, no further review by CSO or SHPO is required. The findings typically are documented in a memo along with any supporting documentation, such as project plans, records search results, or correspondence with consulting parties including Native American governments and representatives when necessary.

For the reporting period, 776 projects (77.7 percent) qualified as “screened undertakings” and were exempt from further review. The projects that were screened moved through the Section 106 compliance process promptly without the need for review by outside staff. Without the Section 106 PA, all the projects would have required review by SHPO and FHWA staff, causing a costly and time-consuming backlog of projects for the same period.

Figure 2, below, is a graphical representation by Caltrans District regarding the compliance of Section 106 completed through use of Stipulation VII - Screened Undertakings. As with the previous reporting periods, the majority of federal-aid highway projects qualified as Screened Undertakings.

Figure 2: Screened Undertakings - Fiscal Year 2019-2020
Projects Requiring SHPO Review

Identification and Evaluation Activities – Fiscal Year 2019-2020

In accordance with Stipulation VIII.C.6, District PQS consult directly with the SHPO when a property is formally evaluated for its potential eligibility for inclusion in the NRHP. Of the 998 Federal-Aid Highway projects processed during the state fiscal year 2019-20, 39 (3.9 percent) required eligibility evaluations, which were sent directly to the SHPO by District PQS for concurrence on eligibility determinations. Thirty-two of these were for concurrence with determinations of eligibility only, accompanied by a notification of No Historic Properties Affected. The remaining seven were accompanied by a Finding of Effect, either to CSO with standard conditions or to SHPO.

Stipulation VIII.C.4 allows for the assumption of eligibility, subject to CSO approval, for the purposes of an undertaking when special circumstances preclude their complete evaluation, such as restricted access, large property size, or limited potential to effect. The use of this stipulation allows District PQS to move on to analysis of effects when evaluation is not possible or feasible. Of the 998 Federal-Aid Highway projects processed during the state fiscal year 2019-20, 52 (5.2 percent), received CSO approval to assume eligibility for the purposes of the undertaking. These above findings are represented in Table 2.

Table 2: Property Evaluation Activities

<table>
<thead>
<tr>
<th>TYPE OF EVALUATIONS</th>
<th>FY TOTAL*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Determinations of Eligibility that received concurrence</td>
<td>39</td>
</tr>
<tr>
<td>Assumptions of Eligibility</td>
<td>52</td>
</tr>
</tbody>
</table>

*Number of projects, not number of individual properties.

Effect Findings - Fiscal Year 2019-20

Of the 998 projects in the reporting period, 222 resulted in findings of effect. A total of 134 of these resulted in a Finding of No Historic Properties Affected. Documentation of a Finding of No Historic Properties Affected does not require SHPO consultation under the Section 106 PA. Thirty-two of the 134 projects required SHPO consultation on DOEs prior to documenting this finding.

In accordance with the Section 106 PA, CSO reviews and approves Findings of NAE-SC, which may include establishment of Environmentally Sensitive Areas (ESA) or use of the Secretary of Interior Standard for Rehabilitation (SOIS). This finding requires that District PQS provide adequate documentation for CSO
review. If CSO does not object to the finding within 15 days, the District may proceed with the undertaking. Caltrans is not required to seek the SHPO’s concurrence on an NAE-SC; however, CSO approval of the NAE-SC is contingent upon any comments received by SHPO on project documents reviewed in accordance with Stipulation VIII.C.6 or in compliance with California Public Resources Code Section 5024. CSO approved 38 NAE-SC findings (3.8 percent) in the current reporting period. Caltrans CSO objected to none of the Findings of NAE-SC once comments had been addressed through revisions.

Under the Section 106 PA, Caltrans consults with the SHPO on Findings of No Adverse Effect without Standard Conditions (NAE) and AE findings. These findings require that the Districts submit all supporting documentation to CSO for quality control reviews. Caltrans CSO then consults directly with the SHPO on behalf of the Districts. Caltrans consulted on a total of 50 project findings with the SHPO during the current reporting period. Forty-four projects resulted NAE findings and six resulted in AE findings.

Caltrans CSO consulted with the Districts on a total of 88 (8.8 percent) projects during the current reporting period. Thirty-eight of these projects included NAE-SC findings, which required no SHPO consultation. The remaining 50 projects included consultation with the SHPO on findings of NAE and AE. In total, SHPO consulted on 82 Caltrans projects (8.2 percent) during the current reporting period. In addition to consultation on the 50 NAE and AE findings, 32 of these required direct consultation with Caltrans Districts on DOEs only. Table 3 includes a summary of the projects with findings of effect for the 2019-20 reporting period.

Table 3: Effect Findings

<table>
<thead>
<tr>
<th>TYPE OF EFFECT FINDINGS</th>
<th>FY</th>
</tr>
</thead>
<tbody>
<tr>
<td>No Historic Properties Affected</td>
<td>134</td>
</tr>
<tr>
<td>No Adverse Effect with Standard Conditions (NAE-SC)</td>
<td>38</td>
</tr>
<tr>
<td>No Adverse Effect</td>
<td>44</td>
</tr>
<tr>
<td>Adverse Effect</td>
<td>6</td>
</tr>
</tbody>
</table>
EFFECTIVENESS OF THE PA

Without an executed Section 106 PA, all Federal-Aid Highway projects would be subject to a greater level of consultation between the Districts, CSO, FHWA and/or the SHPO. As discussed previously, the Section 106 PA delegates many of the steps involved in the Section 106 process directly to Caltrans PQS.

FHWA Reviews and Approvals

Prior to Caltrans’ NEPA Assignment, documentation of AE and NAE findings were subject to FHWA review in addition to SHPO review. With delegation to CSO provided by the Section 106 PA, Caltrans has realized a savings of up to 60 days per project. In addition, the previous delegation of approval of APE maps and determinations of eligibility from FHWA to Caltrans PQS saves an additional 30 to 90 days. Caltrans continues to realize these time savings on the FHWA projects that are exempt because of NEPA Assignment, as well.

Pursuant to the 327 MOU for NEPA Assignment, FHWA and Caltrans may agree that a project would be retained by FHWA. In these limited cases, FHWA relies on Caltrans staff to continue working on projects on their behalf due to the staffing and limited resources of FHWA. The Section 106 PA remains applicable for projects where FHWA is NEPA Lead Agency.

No new projects were retained by FHWA in this Fiscal Year, and Caltrans returned no projects to FHWA.

ESTIMATED TIME SAVINGS

Table 4, below, provides comparison of consultation timeframes in accordance with the standard Section 106 process and those under the Section 106 PA. These statutory review timelines provide a baseline for the projection of savings Caltrans realizes in the Section 106 program.
Table 4: Section 106 Review Timeframes

<table>
<thead>
<tr>
<th>Action</th>
<th>36 CFR Part 800 Process</th>
<th>PA Process</th>
</tr>
</thead>
<tbody>
<tr>
<td>Screened Undertaking</td>
<td>N/A</td>
<td>No Review by SHPO</td>
</tr>
<tr>
<td>Setting Area of Potential Effects (APE)</td>
<td>30-day review by SHPO</td>
<td>No Review by SHPO</td>
</tr>
<tr>
<td>Adequacy of Identification/Survey effort</td>
<td>30-day review by SHPO</td>
<td>No Review by SHPO</td>
</tr>
<tr>
<td>Evaluation of cultural resources (if present)</td>
<td>30-day review by SHPO</td>
<td>30-day review by SHPO</td>
</tr>
</tbody>
</table>

Projects Not Requiring SHPO Review

CSO and District PQS measure the time saved per project by estimating the amount of time that would otherwise have been spent conducting Section 106 studies and preparing consultation documents for SHPO review. Based on input from District PQS, CSO estimates the time saved per project processed as a Screened Undertaking is approximately 43 hours of staff time for preparation and up to 90 days in external agency reviews. This represents a considerable savings of labor hours among Caltrans, FHWA, and SHPO staff. Time savings are best viewed as a measure of more efficient project delivery, in that the screening process has allowed Caltrans to move projects to completion more quickly than could be accomplished without the Section 106 PA. In addition, the ability to screen projects saves an unknown amount of limited taxpayer resources and provides predictability in the estimation of costs and time related to project scheduling.

Evaluations Not Requiring SHPO Review

*Stipulation VIII.C.1 and Attachment 4 - Properties Exempt from Evaluation.*

Stipulation VIII.C.1 and Attachment 4 of the Section 106 PA require a reasonable level of effort to identify and evaluate historic properties. However, the Section 106 PA recognizes that not all properties possess potential for historical significance. PQS and qualified consultants are entrusted with the responsibility of determining whether cultural resources property types meet the terms of PA Attachment 4 and may, therefore, be exempt from Section 106 evaluation. It is difficult to measure the time savings of this Section 106 PA provision, but by roughly estimating the amount of time PQS or qualified consultants would have had to spend evaluating the properties, Caltrans saves from 20 to 60 hours per
resource. CSO review is not required for exemptions of properties under this stipulation. CSO does provide guidance and review when requested. CSO and SHPO reserve the right to provide feedback to District PQS on the application of this Stipulation.

**Stipulation VIII.C.3 - Special Consideration for Certain Archaeological Properties.**

Stipulation VIII.C.3 of the Section 106 PA allows archaeological sites to be considered eligible for the NRHP without conducting subsurface test excavations to determine their historic significance when qualified PQS determine that the site can be protected from all project effects by designating it an environmentally sensitive area (ESA). Prior to the original 2004 PA, FHWA and Caltrans required evaluation of all sites within an APE for historic significance through testing. The time saved is approximately 3-12 months per site by not having to conduct test excavations.

In addition to the time savings benefit, this provision of the Section 106 PA advances Caltrans’ environmental stewardship of archaeological sites by providing PQS the ability to avoid or reduce the need for destructive excavations whenever possible. Foregoing archaeological excavations, where possible, has saved time and needless expenditures of public funds, or unwarranted damage to heritage resources. CSO and SHPO reserve the right to provide feedback to District PQS on the application of this Stipulation.

**Stipulation VIII.C.4: Assumption of Eligibility.**

Stipulation VIII.C.4 of the Section 106 PA allows PQS to assume properties eligible for inclusion in the NRHP when special circumstances preclude their complete evaluation. Such special circumstances include restricted access, large property size, or limited potential for effects. PQS are required to receive written approval from CSO prior to completing a project HPSR. Properties treated under this stipulation may require consultation with the SHPO at a later date regarding the assessment of effects. CSO and SHPO reserve the right to provide feedback to district PQS on the application of this Stipulation. CSO does not track the actual time saved related to this stipulation because of the varied durations required when evaluating an individual property.

**Projects Requiring SHPO Review**

Pursuant to 36 CFR Part 800, a typical undertaking includes separate consultation with the SHPO regarding the establishment of the area of potential
effects, identification efforts, and evaluation of cultural resources, which could take up to 90 days. With the alternative streamlining measures provided by the Section 106 PA, this review time has been reduced to 30 days, resulting in a potential time savings of at least 60 days per project. For the reporting period, of the 998 federal-aid highway projects Caltrans processed, only 82 were submitted to the SHPO.

**Time Savings for Effect Findings**

Table 5 compares the timeframes for review of effect findings under the Section 106 PA to those of 36 CFR Part 800.

**Table 5: Review Timeframes for Effect Findings**

<table>
<thead>
<tr>
<th>Action</th>
<th>36 CFR Part 800 Process</th>
<th>PA Process</th>
</tr>
</thead>
<tbody>
<tr>
<td>Finding of No Historic Properties Affected</td>
<td>30-day review by SHPO</td>
<td>0</td>
</tr>
<tr>
<td>Finding of No Adverse Effect with Standard Conditions (NAE-SC)</td>
<td>NA – unique to Section 106 PA</td>
<td>15-day review by CSO*</td>
</tr>
<tr>
<td>Finding of No Adverse Effect without Standard Conditions</td>
<td>NA – no time limit</td>
<td>30-day review by SHPO</td>
</tr>
<tr>
<td>Adverse Effect</td>
<td>30-day review by SHPO</td>
<td>30-day review by SHPO</td>
</tr>
</tbody>
</table>

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

Under the Section 106 PA, projects that Caltrans PQS determine result in a Finding of No Historic Properties Affected are documented to Caltrans files (if no historic properties requiring evaluation are present and/or no historic properties will be affected) or are sent to the SHPO for notification purposes only as part of the Determination of Eligibility submittal, resulting in a time savings of 30 days per project.

Pursuant to 36 CFR 800, an NAE finding requires a 30-day review by the SHPO. In accordance with the Section 106 PA, there are two levels of NAE findings: findings of NAE-SC (those with “Standard Conditions”)3, and those without. Prior to the Section 106 PA, NAE-SC findings were provided to the SHPO for notification only with no direct review by CSO. The SHPO did not concur in the

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3 Standard Conditions includes establishment of an Environmentally Sensitive Areas to protect a site in its entirety or the use of the Secretary of Interior Standards for Rehabilitation.
finding; thus, there was no “review” period. However, the SHPO does reserve its right to comment on any aspect of a consultation if it chooses to do so. These provisions of the Section 106 PA continue to result in an additional time savings of 30 days per project.

In accordance with the Section 106 PA, CSO reviews for approval all NAE-SC findings. District PQS will notify SHPO regarding Findings of NAE-SC if there is consultation under Stipulation VII.C.6 or for state requirements. The CSO review time is not more than 15 days. If CSO does not respond within 15 days, the district can move forward. During the reporting period, PQS submitted 35 projects with findings of NAE-SC to CSO for review.

While an exact figure regarding times savings cannot be fully ascertained, the signatory parties agree the alternative measures provided by the Section 106 PA are invaluable to the delivery of the federal-aid highway program in California.
POST-REVIEW DISCOVERIES, UNANTICIPATED EFFECTS, ESA VIOLATIONS, and EMERGENCIES

The following is a summary of post-review discoveries, unanticipated effects, ESA violations, and emergencies that occurred during the reporting period. Caltrans has always emphasized thorough identification efforts be employed during the Section 106 process to avoid these kinds of post-review discoveries. Caltrans actively works to avoid such events through ongoing training of PQS and working with our partners in the Section 106 process.

The 2019-2020 reporting period continued the trend of increasingly catastrophic wildfires and winter storms throughout the state. The intensity and size of these disasters broke the previous year’s records, and this trend is likely to increase as climate change continues to exacerbate extreme weather events. The emergency procedures as outlined in PA Stipulation XVI allowed Caltrans staff to respond quickly and efficiently assess potential effects to historic properties while prioritizing safety and recovery of life and property.

Emergency Procedures

District 4 State Route 1 Emergency Repair in Sonoma County (EA 3Q390)

Beginning on January 5, 2019, and continuing through April of 2019, multiple atmospheric river systems and severe storm events swept across California, significantly impacting numerous counties throughout the State and causing the Governor to declare multiple emergencies. As a result of the winter storms, major slipouts occurred along an approximately 40-foot long segment of the southbound lane of State Route 1 in Sonoma County. The slipouts required emergency repairs to open the road and protect the safety of the travelling public. Caltrans initiated consultation regarding the emergency repairs on May 22, 2019, during the previous reporting period. The SHPO acknowledged Caltrans’ notice of intention on May 23, 2019.

One previously recorded prehistoric archaeological site was identified within the Area of Potential Effects (APE): CA-SON-347 (P-49-000318), which was previously determined to be eligible for the National Register of Historic Places under Criterion D (FHWA120803B). In consultation with the Federated Indians of Graton Rancheria (FIGR) and the Kashia Band of Pomo Indians of Stewarts Point Rancheria (Kashia), Caltrans PQS determined that the project would have an adverse effect to CA-SON-347.
Caltrans conducted emergency archaeological data recovery at CA-SON-347 to resolve adverse effects to the site. Data recovery fieldwork took place from June 10-14, 2019. Representatives from FIGR and the Kashia were present during fieldwork. Construction took place during the current reporting period, from August to December 2019. All ground-disturbing work was monitored by archaeologists and Native American representatives. Shell midden removed during construction was stockpiled and placed back into the roadway within and adjacent to the boundaries of CA-SON-347, per tribal request.

Caltrans submitted an Archaeological Data Recovery Report documenting the results of the emergency fieldwork on September 20, 2019. Caltrans submitted a final narrative report to the SHPO on October 9, 2019, per emergency stipulation requirements. As a result of the observations made during data recovery, it was ultimately determined that the emergency repairs resulting in no adverse effect to the property.

District 7.1 Woolsey Fire Repair Project on State Route 1 in Los Angeles County (EA 07-1XK30)

Emergency repairs for this project began during the previous reporting period as a result of the Woolsey Fire and Winter Storm emergencies. Repair activities included removal of fire and storm debris and repair of drainage and culvert infrastructure in northwestern Los Angeles County from Topanga Canyon Boulevard (PM 40.7) to Decker Road (PM 59.9).

Three previously recorded archaeological sites were found to be within the APE of the project: CA-LAN-201, CA-LAN-210, and CA-LAN-226. Caltrans instituted archaeological monitoring to protect the known sites and report any previously unknown sites found during the repairs. The monitoring was performed by Rincon Consultants, Inc. (Rincon), with support from Caltrans and ArchaeoPaleo Resource Management, Inc. The work was conducted intermittently between January 22, 2019 (during the previous reporting period) and November 14, 2019 (during the current reporting period), for a total of 117 days.

No new prehistoric or historic-era cultural resources were identified during archaeological monitoring. Department of Parks and Recreation (DPR) 523 series forms were completed for three previously recorded archaeological resources located within the APE where construction activities occurred. The DPR updates were completed to document negative findings during monitoring that
occurred within the recorded site boundaries. Updated forms were not completed for previously recorded cultural resources located outside the construction footprint.

District 7 Woolsey Fire Repair Project on State Route 1 in Los Angeles and Ventura Counties and State Route 23 in Los Angeles County (EA 01-1XK10) and;

District 7 Winter Storm Repair Project on State Route 1 in Los Angeles and Ventura Counties and State Route 23 in Los Angeles County (EA 07-1XK70)

Emergency repairs for these projects also began during the previous reporting period. The Woolsey Fire Repair Project (1XK10) and subsequent 2019 Winter Storm Project (1XK70) involved removal of fire and storm debris and repair of drainage and culvert infrastructure. As the storm damage occurred due to loss of vegetation from the Woolsey Fire, Caltrans emergency response was coordinated between the two events. The repair areas for 1XK10 were located along SR-1 from Decker Road (PM 59.9) in Los Angeles County to Deer Creek Road (PM 2.6) in Ventura County and along SR-23 from SR-1 (PM 0.0) to Country Ranch Road (PM 8.4) in Los Angeles County. The repair areas for 1XK70 were located along SR-1 from Decker Road (PM 59.9) in Los Angeles County to Sycamore Canyon Road (PM 4.4) in Ventura County and along SR-23 from SR-1 (PM 0.0) to Country Ranch Road (PM 8.4) in Los Angeles County.

Three previously recorded cultural resources were located within the construction footprint of the APE: P-19-188055, a section of the historic-era Roosevelt Highway, and prehistoric sites CA-LAN-28 and CA-LAN-52. As part of the work effort, Caltrans initiated cultural resource monitoring to avoid, minimize, and mitigate potentially adverse effects to historic properties resulting from the construction activities. Archaeological and Native American monitoring was instituted for all ground-disturbing activities conducted within or adjacent to known cultural resources, including enforcement of areas containing cultural resources that were designated as ESAs. The monitoring was performed by Rincon Consultants, Inc. with support from Caltrans and ArchaeoPaleo Resource Management, Inc., and was completed intermittently between January 11, 2019 (during the previous reporting period) and November 26, 2019 (during the current reporting period), for a total of 58 days.

No new prehistoric or historic-era cultural resources were identified during archaeological monitoring for 1XK10/1XK70. DPR 523 series forms were
completed for three previously recorded cultural resources. Updated DPR 523 series forms were completed to record a newly exposed segment of P-19-188055 and to document negative findings during monitoring that occurred within the site boundaries of CA-LAN-28 and CA-LAN-52. Updated forms were not completed for previously recorded cultural resources located outside the construction footprint. The updated form prepared for CA-LAN-52 includes information regarding construction-related impacts to the resource that occurred on July 17, 2019, prior to the commencement of monitoring in its vicinity. As documented in Rincon’s Construction Impacts to Cultural Resources Report for the SR-1 and SR-23 Woolsey Fire Repair Project Report, prepared in August 2019, no direct impacts to intact features at CA-LAN-52 were observed following the incident.

**Post-Review Discoveries**

**District 1 State Route 175 Shoulder Widening Project in Lake County (Middletown Shoulders; EA 01-0A040)**

This project included roadway widening, construction of retaining walls, asphalt concrete (AC) overlay, utility relocation, replacement of culverts, and realignment of existing roadway along 2.5 miles of State Route 175. One previously recorded prehistoric archaeological site was initially discovered within the project’s Area of Direct Impact (ADI). Archaeological and tribal monitoring were determined to be appropriate throughout the project due to archaeological sensitivity in the area.

Construction began in 2019 with vegetation clearing and PG&E relocating their overhead utilities. As a result of increased visibility due to vegetation clearing and recent wildfires, archaeological and tribal monitoring in August of 2019 found new archaeological materials in two separate locations during the PG&E utility relocation. Both areas included only sparse concentrations of lithic debitage. Caltrans notified SHPO of the Post Review Discovery on August 8, 2019. The SHPO responded the same day, requesting to be involved in the resolution of the situation.

Caltrans conducted a supplemental survey, Extended Phase I, and Phase II archaeological investigations in the areas of the newly discovered concentrations, which resulted in the delineation of five new sparse lithic concentrations within the project’s ADI. All five sites likely extend well beyond the ADI or APE, but full boundary definition was not possible due to limited
access and limited project boundaries. Caltrans submitted an Extended Phase I and Phase II Investigation Report to the SHPO on May 5, 2020. The Phase II investigation found that the portions of the five new sparse concentrations within the ADI did not contain significant data or otherwise constitute significant resources, and thus the impacts from the project were not deemed to be adverse.

**District 12 Interstate 405 Improvement Project in Orange County (EA 12-0H100)**

This 16-mile long ongoing design-build project on Interstate 405 (I-405) between State Route 73 and I-605 began construction in March of 2018. Multiple agencies are managing construction, including the Orange County Transportation Authority (OCTA) and Caltrans District 12. A post review discovery was identified on September 15, 2019, while paleontological monitoring was being conducted during bridge excavation near the border between the cities of Huntington Beach and Westminster. Based on the HPSR prepared for this project in 2011, the discovery was made within the recorded boundaries of CA-ORA-162. The site record, as well as several updates, presumed the site to be destroyed since the area underwent extensive excavation and ground disturbing construction activities as the freeway was constructed and maintained.

The monitors found scattered human remains approximately 1-2 feet from an existing 5-foot diameter drainage pipe within a three to eight foot fill abutment under a 30 foot-tall overpass bridge. The bone fragments were noticed within a spoils pile during heavy equipment excavation. All of the bone fragments appeared to have come from one individual and were disarticulated and fragmented.

On September 26, 2019, Caltrans District 12 was informed that the Orange County Coroner had been contacted and notified CSO and the SHPO of the find. An Archaeological Monitoring Area (AMA) was created for the larger vicinity (including CA-ORA-113 to the north), while all construction activities were halted at the discovery location. The consultant archaeological firm prepared a Treatment Plan (TP) to guide recovery efforts at the site of the post review discovery, which was submitted to the Most Likely Descendent (MLD; Chairman Andrew Salas of the Gabrieleno Kizh Nation). District 12 submitted the TP with incorporated MLD comments to CSO and OHP on January 23, 2020. The SHPO responded on January 30, agreeing to the recommendations in the TP and requesting to be included in consultation as the project progresses.
Implementation of the TP began in mid-February 2020 with recovery efforts at the discovery location. By early July 2020, Phase I data recovery efforts at the discovery site had been completed and construction allowed to resume, the geotechnical coring program completed with 38 cores, and archaeological testing throughout the larger AMA conducted. Additional human remains, numerous shell beads, and some lithic and faunal remains were identified during the recovery efforts. The geotechnical coring program resulted in identifying the horizontal and vertical extent of the potential deposit within the APE, as well as, confirming the boundaries of the delineated AMA is appropriate. Additionally, the results of the archaeological testing to identify potentially significant resources and recover any additional human remains if present, resulted in identifying primarily disturbed sediments throughout the overall AMA. To date, the human remains recovered have been inventoried; however, due to the COVID-19 pandemic, laboratory processing of the artifacts is on hold until the consultant can return to their offices for work.

Because the discovery was encountered below the south side of a bridge embankment, additional data recovery efforts are required during Phase II, when the northern half of the bridge will be demolished for reconstruction. Currently, this work is scheduled for summer 2021. Since the initial discovery, Caltrans District 7 has provided OHP and Caltrans HQ CSO with periodic updates regarding the status of the discovery and treatment strategy.

**ESA Violations and Inadvertent Effects**

**District 3 South Auburn Street (Colfax) Roundabout Project in Placer County— ESA Violation and Inadvertent Effect**

This local assistance project included the construction of a roundabout in the town of Colfax. One prehistoric archaeological site was identified and recorded during the field survey of the APE: PA-18-25. The site was assumed eligible for listing in the NRHP pursuant to Stipulation VIII.C.3 of the Section 106 PA and an ESA action plan was developed to protect the site.

Although a Tribal Monitor was present during construction, the ESA violation was not identified until work was nearly complete. Identification of the ESA violation occurred in November of 2019 after Caltrans District 3 Environmental staff reviewed photographs of the construction area. A team of two Caltrans District 3 archeologists visited the project site on November 15, 2019, to review the area in question. They noted missing fences on the southern portion of the ESA and
noted an access road that had been developed within. They also found an artifact within the construction impact area near the south end of the site. Ms. Lisa Machado, Caltrans District 3 Archaeologist, reported the ESA violation to the City of Colfax, CSO, and the SHPO on November 18, 2019. The SHPO and CSO both responded on November 19, 2019. The SHPO requested to be consulted on the inadvertent effect and Caltrans CSO requested that a Construction Impact Report be prepared that documents the ESA violation, evaluates the site, and discusses the potential effect to PA-18-25.

The Construction Impact Report concluded that the City of Colfax failed to follow the requirements in the ESA Action Plan. However, evaluative work conducted on PA-18-25 concluded that the site is not eligible for listing in the NRHP, and there were thus no adverse effects that resulted from the ESA violation and inadvertent effect. Protocols have been established between Caltrans and the City of Colfax to help avoid this situation from happening again in the future.

District 7 Winter Storm Repair Project on State Route 1 in Los Angeles and Ventura Counties and State Route 23 in Los Angeles County (1XK70) - ESA Violation

Due to construction personnel reporting the wrong post mile locations for their daily scope of work, the construction contractors began stabilization work without the presence of archaeological monitors on the morning of July 17, 2019, at PM 61.9 in the vicinity of Willow Creek and CA-LAN-52 (P-19-000052), a large archaeological site located within the Leo Carrillo Beach State Park. As part of the planned repair activities in this location, Caltrans had coordinated with California State Parks to obtain a Right-of-Entry permit to perform repair activities for slope erosion threatening the roadway. The roadway profile at the repair location consists of fill dirt within a large drainage historically constructed to create the elevation and roadway base of the highway. Caltrans had agreed to enforce an ESA for CA-LAN-52 as well as archaeological and Native American monitoring for emergency repairs.

As of July 17, 2019, Caltrans had yet to obtain Right-of-Entry to Leo Carrillo State Park and Caltrans Environmental Planning personnel were unaware of project work taking place in this area. As such, no archaeological or Native American monitor was present on site during the stabilization work. Following the discovery of the work at CA-LAN-52, all ground-disturbing work at PM 61.9 ceased. Ground
disturbance from the entry consisted of a single bulldozer track from the
roadway shoulder to the base of the slope. Later that morning, the Caltrans
Environmental Generalist reported the incident to Kimberly Harrison, Caltrans
Associate Environmental Planner (Archaeology).

As Ms. Harrison was out of the office, Kelly Ewing-Toledo, Caltrans Environmental
Branch Chief, contacted Rincon to request that an archaeologist visit PM 61.9
and conduct a preliminary damage assessment. On the afternoon of July 19,
2019, Rincon Archaeologist Mary Pfeiffer completed the visit and preliminary
documented the ground-disturbance that had occurred in the vicinity of CA-
LAN-52.

On July 22, 2019, Ms. Harrison contacted Barbara Tejada, District Archaeologist
for the California State Parks, to inform her that Caltrans contractors had taken
heavy equipment into California State Parks jurisdiction at Willow Creek, and
possibly through CA-LAN-52. Ms. Harrison and Ms. Tejada agreed to meet at the
site the following day with representatives from their respective agencies and
consulting parties.

On July 23, 2019, Ms. Harrison and Ms. Tejada met at PM 61.9 with Caltrans
Generalist Peter Champion, Caltrans Environmental Liaison Mohammed Azimie,
California State Parks Environmental Scientist Danielle LeFer, Jacobs
Construction Inspector Dan Duarte, Barbareno/Ventureno Band of Mission
Indians Native American Monitor Patrick Tumamait, and Rincon Archaeologists
Ms. Pfeiffer and Tiffany Clark. The damaged area of the site was examined.
Caltrans confirmed that no further work would take place in the area until
measures to correct the present impacts to the area had been identified and
agreed upon and the Right-of-Entry permit had been obtained by Caltrans from
California State Parks.

Later that day, Ms. Ewing-Toledo notified the SHPO’s office by phone and email
of the unauthorized entry at CA-LAN-52. Ms. Ewing-Toledo also provided SHPO
with a summary of the communications and actions that had taken place since
the incident. On July 24, 2019, Caltrans received a letter notification from SHPO
of receipt of Caltrans’ notification of unauthorized entry.

Right-of-Entry was obtained and repairs to the roadway shoulder and slope at
07-LA-1 PM 61.8-61.92 were performed on November 5 through November 22,
2019. Archaeological and Native American monitors were present for all
activities. Fill dirt was compacted over the bulldozer track from the previous unauthorized entry and within eroded areas of the slope face, and the Right-of-Way fence was reconstructed following repairs.

**Status of Agreement Documents and Ongoing Consultation**

During fiscal year 2019-20, Caltrans and its partners executed or amended the following 10 agreement documents. Unless otherwise noted, consultation between Caltrans, acting as FHWA, and SHPO regarding the development of the agreement documents was completed in a timely manner averaging ninety days without objection.

- D10 North County Corridor PA 9/13/2019
- D3 Rumsey Bridge Replacement MOA 10/21/2019
- D7 New First Street Viaduct (Pickleworks) MOA 11/7/2019
- D4 Soscol Interchange Project MOA 2/12/2020
- D5 Highway 46 Cholame Segment MOA 2/14/2020
- D5 Refugio Bridge MOA 3/17/2020
- D6 Madera 41 Rehabilitation MOA 4/20/2020
- D7 Alameda Esplanade and Los Angeles Street PA 5/29/2020
- D7 Interstate 710 Corridor PA 6/6/2020
- D4 Gleason Beach Realignment MOA Amendment 1 6/29/2020

The above listed agreement documents are available upon request. During fiscal year 2019-20, Caltrans terminated or closed out the following MOA.

- D4 Interstate 680 Performance Initiatives MOA 2/6/2020

**QUALITY ASSURANCE MEASURES**

Under the Section 106 PA, Caltrans PQS have taken on much of the responsibility for ensuring that effects to cultural resources are taken into account and that there is no loss in quality of work. CSO’s commitment to ensure that PQS are trained to work within the terms of the PA is embodied in Stipulation XIX. The stipulation was developed to ensure that Caltrans makes training a priority and that Caltrans Districts and PQS work with their partners to identify training needs accordingly. As the results of this report indicate, this responsibility is being handled competently, with the recognition that ongoing communication and training are keys to continued success. To ensure that this level of quality continues, the following quality assurance measures occurred:
• CSO maintains and regularly updates the Caltrans Cultural Resources Manual in *Volume II of the Caltrans Standard Environmental Reference (SER)*.
• CSO provides peer reviews of cultural resource studies as requested by the Districts. CSO PQS staff assist districts that lack expertise in Historical Archaeology and Architectural History.
• CSO routinely reviews documents submitted directly to SHPO in accordance with Stipulation VIII.C.6. CSO works with OHP, District PQS and managers as needed to correct deficiencies when encountered.
• CSO reviews and approves request for Assumption of Eligibility pursuant to Stipulation VIII.C.4
• CSO, pursuant to Stipulation X, reviews and approves all No Adverse Effects, Adverse Effect reports, Memoranda of Agreements, and MOA attachments prior to transmittal to SHPO.
• CSO maintains the Caltrans Cultural Resources Database, which includes storage of cultural compliance documents to assist District staff in recordation and recordkeeping.
• CSO and OHP Project Review staff meet monthly to discuss district submittals and issues that may arise relating to Caltrans compliance with Section 106.
• CSO and OHP Project Review staff hold quarterly statewide video teleconferences to discuss policy, procedures, and workload issues with District Staff.
• CSO maintains the bi-monthly Cultural Call Bulletin, which discusses implementation and interpretation of policy and dissemination of information relevant to all of Caltrans staff.
• CSO routinely conducts site visits and reviews district project files to ensure adequacy of District prepared Screened Undertakings and HPSRs, which remain in relevant District files with no further review. CSO staff continues to visit the remaining districts during the current 19-20 fiscal year.
• Staff from the Advisory Council on Historic Preservation and the Office of Historic Preservation are routinely invited to attend District site visits, and other meetings to provide early coordination regarding issues that occur during survey and document preparation.
• CSO delivered one PA training session for PQS in Sacramento in January 2020. This is an annual presentation primarily aimed at new staff; other Caltrans PQS often attend this class as a refresher course. The course is also open to staff from the Federal Highway Administration and the Office of Historic Preservation. In addition, the class is offered to non-PQS Caltrans staff from various divisions as space allows.
• Caltrans provided a one-hour Cultural Resources module at two sessions of the Caltrans Environmental Academy in October 2019 and February 2020, which is mandatory training for all newly hired environmental planners.

• CSO provided three sessions of a newly-developed Principles of Geoarchaeology for Transportation Projects course in September of 2019, October of 2019, and March of 2020. This course covered the principles of geomorphology, sedimentation, and stratigraphy as they relate to the identification and evaluation of archaeological sites.

CSO provided one session of the newly-developed Section 4(f) Compliance for Historic Sites in February of 2020. This new 8-hour course focused on when 4(f) of the Department of Transportation Act (DOT Act) applies to cultural resources, what is considered a "historic site" under 4(f), the differences between 4(f) and Section 106 of the National Historic Preservation Act, and the various 4(f) Programmatic applications that apply to historic sites. **Stipulation XX.C**

Pursuant to the Stipulation XX.C (Exclusionary Provision) of the Section 106 PA on the advice of and in consultation with CSO Chief and the OHP Review and Compliance Unit Supervisor, the Caltrans Division of Environmental Analysis Chief can place individual Caltrans Districts, Divisions, Offices, or Branches on Probation, Suspension, or Removal. Each level of exclusion includes a process to return to full status under the terms of the PA. All districts are currently in good standing.
CONCLUSION

The information contained in this report demonstrates a steady and consistent program of compliance with the terms of the PA. During fiscal year 2019-2020, Caltrans processed 998 Federal-Aid Highway projects. A total of 39 required SHPO concurrence on DOEs, 32 of which led to findings of No Historic Properties Effects. The remaining seven DOEs were related to findings of NAE or AE. Of the 998 total projects, 776 qualified as Screened Undertakings and were exempted from further Section 106 review. There were 134 projects that resulted in findings of No Historic Properties Affected. CSO approved 38 projects with findings of NAE-SC in accordance with Stipulation X.B.1, which needed no review by the SHPO. A total of 50 projects were submitted to SHPO for concurrence on findings of effect. Forty-four projects required consultation on NAE findings. The remaining six projects resulted in AE findings, which will require additional consultation to resolve effects.

CSO, with its many internal and external partners, continues to work cooperatively to develop policy procedures that adequately address concerns that occur during project development.

Caltrans’ mission is to “Provide a Safe, Sustainable, Integrated and Efficient Transposition System to Enhance California’s Economy and Livability.” The Caltrans Mission, Vision, and Goals are defined in the 2015 the Caltrans Strategic Management Plan (SMP). The Section 106 PA meets or exceeds the standards provided in the SMP by providing efficient and innovative timesaving and streamlining measures, while at the same time meeting state and federal laws and regulations regarding cultural resources. Since 2004, Caltrans’ use of alternative measures to comply with Section 106 through a programmatic approach has been widely recognized as a model for other agencies nationwide. Through its innovative features, the Section 106 PA continues to save Caltrans and its partners limited valuable taxpayer resources. Caltrans believes the Section 106 PA keeps pace with the changing perceptions of resource values and maintains consultation standards, while streamlining processes for undertakings with little or no potential for affecting historic properties. Caltrans is committed to maintaining its high standards of compliance, resource consideration, and stewardship through retention and continued training of highly qualified staff, clear communication with our partners, quality documentation of compliance with the terms of the Section 106 PA, and the best practices in the field of historic preservation.
Since fiscal year 2005-2006, the first year that statistics for Caltrans use of a Section 106 PA were fully tabulated, Caltrans Professionally Qualified Staff have processed 19,091 projects. Of the 19,091 projects, 10,346 projects were on the State Highway System, (Caltrans) and the remaining 8,745 projects were on local streets and roads (Local Assistance) throughout the state.

The majority of the projects, 15,721 (or 82.09%) completed between fiscal years 2005-06 to 2019-2020 were classed as Screened Undertakings, and only 1,009 of the projects (5.34%) were submitted to SHPO for review. The remaining 2,361 projects were kept in Caltrans files because they were projects not classed as Screened Undertakings but found to have no effect on historic properties. The use of the Screened Undertaking process continues to be a primary and important time saving tool. The table below represents these totals.