

# SECTION 106 PROGRAMMATIC AGREEMENT ANNUAL REPORT

JULY 1, 2021 - JUNE 30, 2022



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

September 2022

## **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, 2021, through June 30, 2022, 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 2022, 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.

The results of this Annual Report reveal that Caltrans processed 893 federal-aid highway projects under the Section 106 PA during the reporting period. Of these, 813 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 80 completed projects required external review by the State Historic Preservation Officer (SHPO). Thirteen of these required only concurrence on determinations of eligibility due to resulting No Historic Properties Affected findings. One SHPO-reviewed project resulted in a Finding of No Historic Properties Affected with Minor Phasing. Fifty-six resulted in findings of No Adverse Effect. Six projects resulted in a finding of Adverse Effect. Of the six Adverse Effect findings, five required or will require preparation of memorandum of agreement (MOA) documents to address mitigation strategies for effects to historic properties and one required the preparation of a programmatic agreement (PA) to complete identification and evaluation of properties in the Area of Potential Effects (APE). The remaining four SHPO-reviewed projects were conducted under emergency procedures. A summary of results of the actions completed in accordance with the Section 106 PA begins on page 2.

Caltrans districts reported three violations of an established Environmentally Sensitive Area (ESA) and one new instance of Inadvertent Effects during the current reporting period. A discussion of these incidents begins on page 12. There was one public objection to a Caltrans project during the current reporting period, discussed further on Page 19.

Quality assurance measures for this reporting period included on-going PQS review of Caltrans District reports by CSO staff and delivery of a virtual PA training for statewide PQS in January 2021. 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 21.

Through its mission, vision, and goals, Caltrans strives for innovation, quality and commitment to its stewardship of important public resources. The Section 106 PA is a valuable tool and its use is directly related to several of the Department's goals: Cultivate Excellence; Strengthen stewardship and drive efficiency; and Advance equity and livability in all communities. Caltrans PQS meet these goals by promoting stewardship, partnering, 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.

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## 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 assigning Federal Highway Administration's (FHWA) responsibility for carrying out the routine aspects of the Section 106 process to the California Department of Transportation (Caltrans). 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 ensures program quality and satisfies federal mandates associated with Section 106 compliance. 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 the effects of Caltrans' undertakings to cultural resources are accounted for.

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, 2021, and June 30, 2022. 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 through internal PQS review of routine projects. This includes district-processed Screened Undertakings, or those projects 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. Approximately 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 the 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 more complex 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. It is posted on the Caltrans website and is available upon request.

**Table 1: Total Activities Completed - Fiscal Year 2021-2022**

<b>Projects Completed = 893</b>	
State Highway System Projects	620
Local Streets and Roads Projects	273
<b>Number of Projects Screened = 645 (72.2%)</b>	
State Highway System Projects	429
Local Streets and Roads Projects	216
<b>Number of Findings of NHPA = 153 (17.1%)</b>	
State Highway System Projects	123
Local Streets and Roads Projects	30
<b>Number of Findings of NAE-SC = 28 (3.1%)</b>	
State Highway System Projects	15

Local Streets and Roads Projects	6
<b>Number of Completed Projects to SHPO = 80 (9%)</b>	
State Highway System Projects	54
Local Streets and Roads Projects	26
<b>Number of Completed Determinations of Eligibility = 68</b>	
State Highway System Projects	47
Local Streets and Roads Projects	21

### SUMMARY OF SECTION 106 PA ACTIONS

According to data provided by the District PQS, enumerated in Table 1, Caltrans processed 893 Federal-Aid Highway projects during the state fiscal year 2021-22. Of those, 645 (72.2 percent), were exempted from further Section 106 review after appropriate review, or “screened,” by PQS.<sup>1</sup> An additional 153 projects (17.1 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.<sup>2</sup> The Cultural Studies Office reviewed 28 projects that included an NAE-SC finding (3.1 percent), requiring no consultation with SHPO.

Caltrans Districts and CSO completed 80 projects (9 percent) that required SHPO consultation between July 1, 2021, and June 30, 2022. One project with a finding of No Historic Properties Affected required CSO and SHPO consultation due to the need for minor phasing, pursuant to Stipulation XII.B of the Section 106 PA. 13 of the SHPO submittals were for concurrence with determinations of

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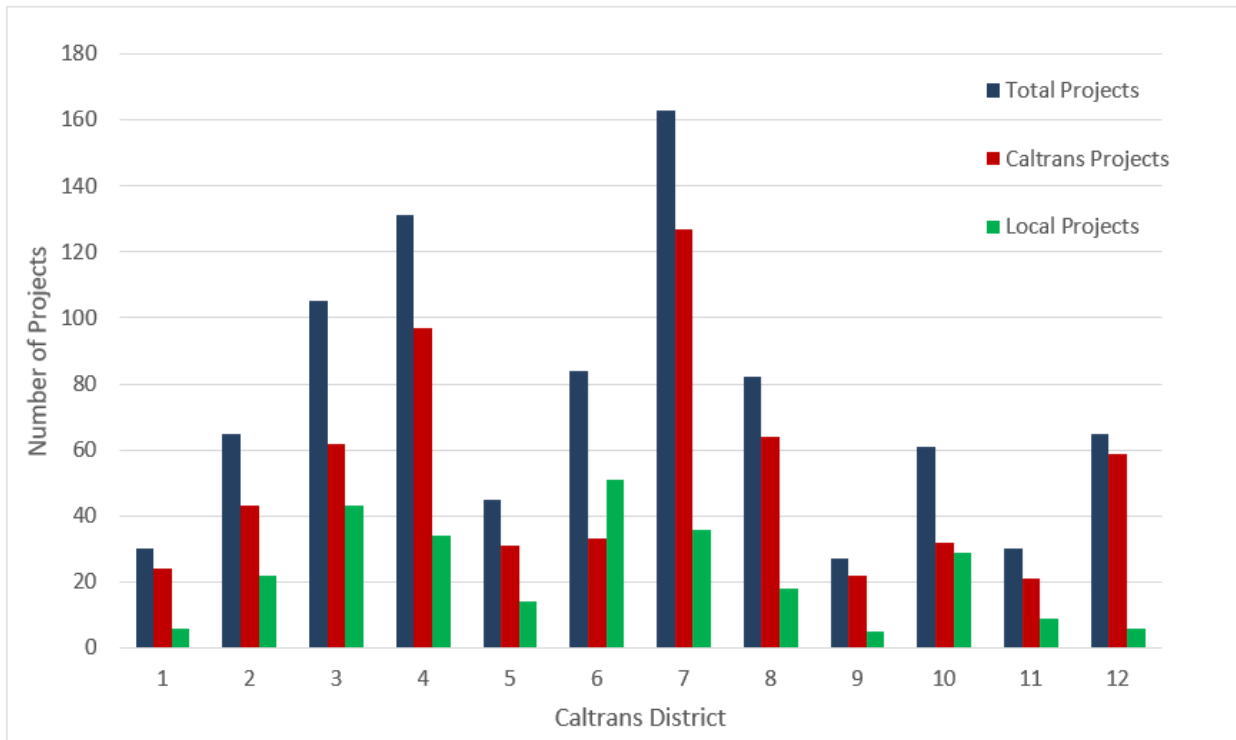
<sup>1</sup>Under the Section 106 PA, Stipulation VII specifies classes of undertakings identified in PA Attachment 2 as “screened undertakings” that will require no further review under the PA when the steps set forth in Attachment 2 are satisfactorily completed. Caltrans PQS are responsible for “screening” 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.

<sup>2</sup>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.

eligibility (DOE) only (accompanied by a notification of No Historic Properties Affected). 62 submittals (6.9%) were for concurrence on Findings of Effect (either with or without accompanying determinations of eligibility). Of the 62 effect findings submitted to the SHPO, six were determined to have a Finding of Adverse Effect (AE) and required or will require additional consultation to resolve effects. One of the projects with an AE finding required the development of a PA to complete Section 106 identification and evaluation responsibilities for the Undertaking. Finally, Caltrans districts completed consultation with the SHPO on four emergency projects during the current reporting period. Fiscal year activities are depicted in Table 1 above and Figure 1 below; project-screening activities are delineated by Caltrans District in Figure 2.

Compared to previous reporting periods, the total number of Federal-Aid Highway projects completed under the Section 106 PA decreased. However, several factors have led to an increase in Caltrans staff workload compared to previous years. The number and complexity of projects requiring determinations of eligibility, CSO and SHPO consultation, and the preparation of agreement documents has increased. The 2021-2022 fiscal year saw the introduction of large-scale fire abatement and broad band infrastructure programs, which have not yet resulted in the delivery of individual projects. Finally, Caltrans completed MOAs for several projects whose findings were reported in the previous fiscal year's reporting. The Section 106 PA will prove to be an invaluable tool for continuing to complete the increasingly complex projects that are planned for the next several years. 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 processed more State Highway projects than local agency projects (with the exception of District 6); likewise, SHPO reviewed more State Highway System projects than Local Assistance projects.

**Figure 1: Federal-Aid Highway Projects - Fiscal Year 2021-2022**



**2021-2022 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, 645 projects (72 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.

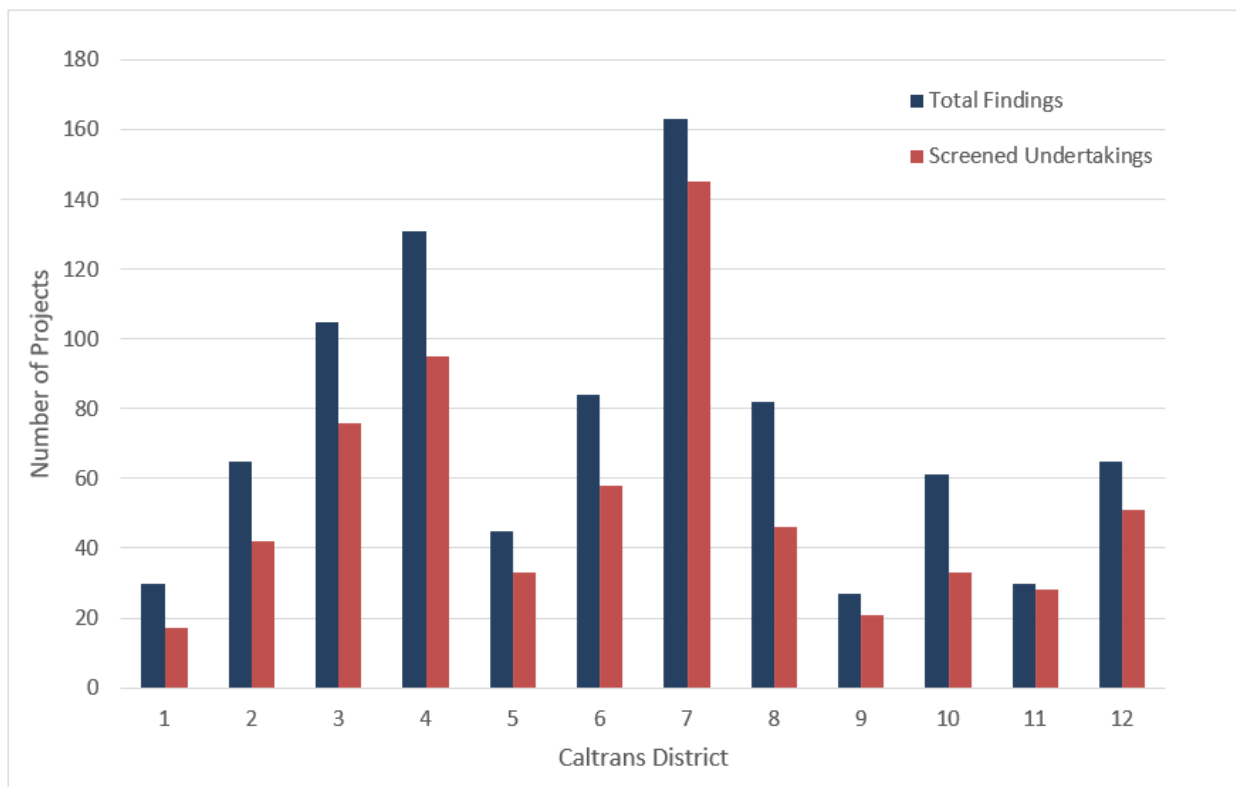
Figure 2, below, is a graphical representation by Caltrans District regarding the compliance of Section 106 completed through use of Stipulation VII - Screened Undertakings. As with previous reporting periods, the majority of federal-aid highway projects qualified as Screened Undertakings.

### **Projects Requiring SHPO Review**

#### **Identification and Evaluation Activities – Fiscal Year 2021-2022**

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. The SHPO completed a total of 68 DOEs during the current reporting period, which were sent directly to the SHPO by District PQS for concurrence. Thirty-five of the 68 DOEs were for projects that are not yet complete. Of the 893 Federal-Aid Highway projects completed during the state fiscal year 2021-22, 33 (3.7 percent) required eligibility evaluations. Thirteen of these projects required only SHPO concurrence with DOEs, which were accompanied by a notification of No Historic Properties Affected. Twenty were accompanied by a Finding of Effect, either to CSO with standard conditions or to SHPO.

**Figure 2: Screened Undertakings - Fiscal Year 2021-2022**



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. Caltrans CSO approved eligibility assumptions for a total of 45 undertakings during the current reporting period. The above findings are represented in Table 2.

**Effect Findings - Fiscal Year 2021-22**

Of the 893 projects in the reporting period, 243 resulted in findings of effect. A total of 153 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. However, fourteen of the 153 projects with a Finding of No Historic Properties Affected required SHPO consultation within this fiscal year. Thirteen were connected to DOEs, while one

required CSO and SHPO consultation on minor phasing prior to documenting the finding.

**Table 2: Property Evaluation Activities**

<b>TYPE OF EVALUATIONS</b>	<b>FY TOTAL*</b>
Total Determinations of Eligibility	68
DOEs with incomplete projects	35
DOEs with Finding of No Historic Properties Affected	13
DOEs with Finding of NAE-SC	3
DOEs with Finding of NAE	16
DOEs with Finding of AE	1
Assumptions of Eligibility	45

\*Number of projects, not number of individual properties.

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 28 NAE-SC findings (3.1 percent) In the current reporting period. Caltrans CSO objected to two of the Findings of NAE-SC, which were elevated to findings of No Adverse Effect *without* standard conditions (NAE).

Under the Section 106 PA, Caltrans consults with the SHPO on 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 CSO consulted on a total of 62 project findings with the SHPO during the current reporting period. Fifty-six projects resulted NAE findings and six resulted in AE findings. Twenty of

these also required SHPO consultation with Caltrans Districts on DOEs. Table 3 includes a summary of the projects with findings of effect for the 2021-22 reporting period.

Caltrans CSO consulted with the Districts on a total of 91 (10.2 percent) projects during the current reporting period. Twenty-eight of these projects included NAE-SC findings, which required no SHPO consultation. The remaining 62 projects included consultation with the SHPO on findings of NAE and AE or on the development of project-specific PAs.

**Table 3: Effect Findings**

<b>TYPE OF EFFECT FINDINGS</b>	<b>FY</b>
No Historic Properties Affected	153
No Adverse Effect with Standard Conditions (NAE-SC)	28
No Adverse Effect	56
Adverse Effect	6

**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**

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

**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 Historic Property Survey Report (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 1071 federal-aid highway projects Caltrans processed, only 79 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**

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

\*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<sup>3</sup>”), 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 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 21 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 post-review discoveries to the extent feasible.

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<sup>3</sup> 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.

Caltrans actively works to avoid such events through ongoing training of PQS and working with our partners in the Section 106 process.

The 2021-2022 reporting period included several wildfires, extreme heat, and weather-related declared emergency 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. Note that some emergency situations arose during the current reporting period, but consultation remains ongoing; such projects will be reported in the next Annual Report following conclusion of consultation.

### **Emergency Procedures**

#### **District 1. Monument Fire (FHWA\_2021\_0819\_001)**

The Monument Wildfire in Trinity County was started by lightning strikes on July 30, 2021. Originating west of Big Bar, the fire largely burned within the Shasta-Trinity National Forest and private lands. On August 10, 2021, the Governor declared a state of emergency due to this and other active wildfires and ongoing extreme fire conditions. On August 17, 2021, the District notified the SHPO of the intention to use emergency procedures in response to the emergency declaration and requested a 90-day extension for use of the emergency provisions due to the ongoing fire conditions. The Monument wildfire was fully contained by November 1, 2021, after burning approximately 223,124 acres. District 1 initiated an emergency response along the segment of State Route 299 in Trinity County that was affected by the Monument Fire. All work has been completed. On May 13, 2022, District 1 submitted a final report to the SHPO which concluded that no state-owned cultural resources were affected.

#### **District 1. Winter Storm Damage, State Route (SR) 299 Humboldt and Trinity Counties (FHWA\_2022\_0120\_001)**

On December 30, 2021, the Governor declared a State of Emergency for Winter Storm Events that caused catastrophic snow damage to infrastructure across the State of California. On January 20, 2022, CSO notified the SHPO on behalf of the affected Districts that Caltrans intended to use the emergency procedures in the PRC 5024 MOU to respond to the declared emergency. Caltrans District 1 initiated an emergency project to reopen SR 299 from PM 10.00 to 44.00 in Humboldt County and PM 0.0 to 10.0 in Trinity County. Emergency reopening

work focused on cutting and removing fallen trees. All work has been completed. On June 20, 2022, District 1 provided a final report to the SHPO which concluded that construction activities did not impact or affect any historic properties or state-owned cultural resources.

### **District 3. Caldor Fire (FHWA\_2021\_0930\_005)**

The Caldor Fire began on August 14, 2021. The Governor declared a State of Emergency on August 17, 2021. A Director's Order Request – Funds Request for the Caldor Fire Emergency Repairs was approved by the District 3 Director on September 21, 2021, and includes sections of Highway 50 and 89 in El Dorado County listed below:

- Highway 50 postmile 42.0-71.0
- SR 89 postmile 6.0-8.0

District 3 notified the SHPO of the intention to use emergency procedures in response to the emergency declaration on September 30, 2021, and requested a 90-day extension for use of the emergency provisions due to the ongoing fire conditions. Pacific Legacy, Inc and the United Auburn Indian Community of the Auburn Rancheria, Washoe Tribe of Nevada and California, Colfax-Todds Valley Consolidated Tribe, Wilton Rancheria, and the Lone Band of Miwok Indians were hired by the contractors as cultural resource monitors to prevent and minimize damage to cultural resources during emergency work. Fifty (50) known cultural resources and 15 newly discovered sites were identified within the APE including multicomponent, historic, and prehistoric sites. All sites identified were flagged for avoidance and monitored during construction activities. Pacific Legacy coordinated with emergency crews for directional felling of trees, debris lifting, exclusionary fencing, and utilizing strategic staging areas as methods for preventing and minimizing damage to these cultural resources. No cultural resources were adversely impacted during these emergency procedures.

### **District 11. Storm Damage, SR 78, Imperial County (FHWA\_2022\_0428\_001)**

On September 7, 2021, District 11 PQS were notified of storm damage to SR 78 in Imperial County from PM 70.0 to 76.0 that occurred on August 31, 2021. District 11 provided an initial notification to the SHPO of the damage by email on September 8, 2021. District 11 PQS conducted a site visit on September 15, 2021. The District 11 Director signed an emergency repair order on September 20, and on October 4, 2021, District 11 provided a formal notification to the SHPO of the

intention to use the Section 106 emergency procedures. Caltrans repaired roadway failures at five locations:

1. At PM 70.7, the pavement structural section was reconstructed and new asphalt concrete (AC) was laid down where the roadway washed out.
2. At PM 71.2, erosion on the EB shoulder and damage to the existing was repaired.
3. At PM 72.95, the eroded EB shoulder was repaved with AC.
4. At PM 74.5, a failed 72-inch corrugated steel pipe (CSP) culvert was replaced with a 72-inch reinforced concrete pipe (RCP) culvert measuring 88-feet in length. The collapsed side slope embankment was also reconstructed using imported borrow soils.
5. At PM 75.05, the washed-out cover soil over the existing double RCP culvert was reconstructed using imported borrow soils. In addition, the dislodged rock slope protection (RSP) was repositioned to its original configuration.

District 11 also notified Native American tribes with religious or cultural ties within the project location of the emergency procedures to be undertaken, including a description of damage and proposed repair methods on September 8, 2021, and September 28, 2021, to afford them opportunity for comment. No comments were received. Caltrans PQS concluded that no historic properties were affected by the project.

### **Post-Review Discoveries**

#### **District 10. State Route 4/Wagon Trail Realignment Project (FHWA\_2014\_1114\_001)**

Caltrans reported 10 post review discoveries (PRD) subject to the provisions of the Section 106 PA during the 2021-22 fiscal year. All were discovered during construction of one project: the State Route 4/Wagon Trail Realignment Project in Calaveras County. This is a Caltrans District 10 oversight project in conjunction with the Calaveras County Department of Public Works (Calaveras County). Due to multiple alternatives and limited access, Caltrans and the SHPO entered into a five-year project-specific PA for the undertaking on March 30, 2016. Caltrans and the SHPO extended the PA for an additional five years in March of 2021. Calaveras County began construction of the project in January of 2022 with vegetation clearing, grading, and related cleanup activities.

During monitoring of the initial construction activities, representatives of the interested Native American party identified previously unrecorded cultural resources and potential cultural resources that were not identified during the initial archaeological pedestrian survey. On April 27<sup>th</sup>, 2022, Caltrans District 10 formally notified CSO and the SHPO that consultation with the interested Native American party led to formally classifying four of the newly-identified cultural resources as PRDs in accordance with the Section 106 PA, and two additional resources as potential PRDs. Caltrans and the interested Native American party ultimately determined that the two potential PRDs constituted formal PRDs. District 10, in coordination with the interested Native American party, established protective Environmentally Sensitive Areas (ESA) around each PRD, proposed treatment measures for each PRD, proposed expanded tribal and archaeological monitoring, proposed enhanced tribal consultation and communication protocols, and requested SHPO comment on these measures.

On May 13, 2022, the SHPO responded and requested additional information regarding tribal consultation and eligibility recommendations for the PRDs. Caltrans responded on June 2, 2022 recommending eligibility under Criteria A and D for all PRDs. Caltrans also provided a consultation log and updated PRD treatment recommendations that resulted from consultation with the interested Native American party. The SHPO responded on June 13, 2022, concurring with the determinations of eligibility and indicating that Caltrans' proposed treatments were adequate.

Between May 19<sup>th</sup>, 2022, and June 30<sup>th</sup>, 2022 (the end of the 2021-22 fiscal year), Caltrans identified an additional four PRDs, for a total of 10. All PRDs are bedrock mortar sites, with the exception of one historic-era refuse deposit. In consultation with the interested Native American party and the SHPO, District 10 established protective ESAs and proposed treatment measures for each PRD. After consultation, the interested Native American party and SHPO have responded to each PRD notification, indicating that Caltrans' proposed consultation, avoidance, and treatment measures are adequate and acceptable.

The State Route 4/Wagon Trail Realignment Project is an excellent example of Caltrans' Section 106 oversight leading to positive outcomes in projects with complicated cultural resource contexts. While the initiation of construction led to the discovery of several unknown and unexpected cultural resources that were important to the interested Native American party, Caltrans took decisive



action to ensure that their concerns were taken into account and established appropriate avoidance, minimization, and treatment measures. Project details are available to appropriate parties upon request.

### **ESA and AMA Violations and Inadvertent Effects**

#### **District 4. Niles Canyon Medium Term Safety Project AMA Violation (FHWA041116A)**

On July 26<sup>th</sup>, 2021, Caltrans District 4 Notified CSO and SHPO of construction within an Archaeological Monitoring Area (AMA) established as part of the Niles Canyon Medium Safety Project in on State Route 84 in Alameda County. The breach took place within an AMA for CA-ALA-677/H without the presence of a Native American or archaeological Monitor, as required by Stipulation II.A.2 of the project-specific MOA. CA-ALA-677/H is a multi-component site that includes an Emergent-period prehistoric habitation locus and an historic-era component that includes saw cut fauna and ceramic fragments. CA-ALA-677/H has been determined eligible under Criterion D with SHPO consensus.

Caltrans District 4 cultural resource staff were notified of the AMA breach on July 22<sup>nd</sup>, 2021. Upon notification, District 4 PQS directed construction to stop within the AMA. The same day, District 4 PQS visited the site and discovered that electrical crews had excavated two pits for the installation of electrical conduit within the AMA. While one pit had already been backfilled, each was approximately 4 ft. by 2-ft. wide and proximately two feet deep.

District 4 PQS measured the open pit to be approximately 22 inches deep. They observed fire-cracked rock in the walls and floor of the pit, which indicated that it was within extant CA-ALA-677/H archaeological deposits. The back dirt pile also included fire-cracked rock, shell, and faunal remains. The second location was 200-feet north of the first. While it had already been backfilled, it was within an area that had already been subject to intensive investigation as part of data recovery efforts for the project during March 2021.

On July 28<sup>th</sup>, 2021, the SHPO responded to Caltrans initial notification, requesting additional information, an assessment of effects for the PRD on the site, and recommended enhancing methods of tribals consultation. Caltrans responded on August 11, 2021, providing the additional information and recommending that the limited disturbance did not adversely affect the historic property. The SHPO responded on August 13<sup>th</sup>, 2021, indicating that Caltrans had sufficiently

responded to their comments and requested to be kept informed of any further developments.

#### **District 4. Huichica Creek Bridge Replacement AMA Violation (FHWA2016\_0802\_001)**

On September 28<sup>th</sup>, 2021, Caltrans District 4 Notified CSO and SHPO of construction within an AMA established as part of the Huichica Creek Bridge Replacement Project on State Route 121 in Napa County. The breach took place within an AMA for CA-NAP-189/H without the presence of a Native American or archaeological Monitor, as required by Stipulation II.A.5 of the project-specific MOA. CA-NAP-189/H is a multicomponent site consisting of an intensively occupied prehistoric village mound with an historic-era refuse deposit. CA-NAP-189/H has been determined eligible under Criterion D with SHPO consensus.

Caltrans District 4 cultural resource staff were notified of the AMA breach on September 23<sup>rd</sup>, 2021. Upon notification, District 4 PQS directed construction to stop within the AMA until dedicated monitors were identified and an assessment of effects to the site was completed. An archaeological monitor arrived on-site before work started on September 25<sup>th</sup>, 2021, and observed that four holes measuring 24 inches in diameter and reaching depths of 50 and 60 feet were drilled west and south of the existing bridge abutment and west of Huichica Creek. The holes had already been filled in with concrete and rebar. No cultural materials were noted in the back dirt piles. The location is within the area previously excavated during Data Recovery efforts in July.

Caltrans determined that the work within the AMA during the breach did not adversely affect the historic property; however, District 4 issued violation notices to the Construction Office for Napa County, the Project Manager, and the Resident Engineer (RE) for the project. District 4 also established improved lines of communication and reiterated the importance of the AMA. District 4 notified interested Native American parties the AMA breach and have not received any feedback or comments, to date.

The SHPO responded to Caltrans notification on September 30<sup>th</sup>, 2021. They acknowledged receipt of Caltrans' notification and indicated that they would like to be involved in any resolution of the situation, as well as be kept informed of any comments received from the interested Native American party. No further developments or have occurred since the SHPO's response

## **District 10. State Route 4/Wagon Trail Realignment Project ESA Breach and Inadvertent Effect (FHWA\_2014\_1114\_001)**

Shortly after Caltrans established protection measures for the PRDs discussed above, District 10 was notified of an ESA Breach and unrelated inadvertent effect that resulted from construction activities for the project. Neither event resulted in adverse effects to historic properties.

Caltrans notified the SHPO of the ESA breach on May 12<sup>th</sup>, 2022. As a result of miscommunication, a fencing subcontractor removed staked flagging around the mandated buffer area for PRD-1 and drove through the zone in a rubber-tired truck with trailer. A CBMI monitor alerted the archaeological monitor and PM, who ensure that the staked flagging around the mandated buffer area was reinstalled. Caltrans consulted with CBMI and determined that the breach did not result in adverse effects to PRD-1. District 10 also determined to conduct additional onsite cultural sensitivity training and install more robust ESA fencing to help prevent further ESA breaches from occurring. The SHPO responded on May 12, 2022 and indicated that Caltrans' proposed actions were acceptable.

Caltrans notified the SHPO of an inadvertent effect to archaeological site CA-CAL-666 on May 19<sup>th</sup>, 2022. The effect occurred during auguring for a new right-of-way (ROW) fence. The ROW fence in this area was designed to be installed just outside of the site boundary and act as exclusionary fencing for the known site elements. However, during the fence installation the archaeological monitor observed midden soils extending inside of the proposed ROW, indicating that the fencing was being installed within the boundaries of the site. The monitor stopped installation of the fence; however, no artifacts or midden soils were observed upon inspection of the augur back dirt piles. As a result, Caltrans, in consultation with CBMI, determined that the fence installation did not adversely affect CA-CAL-666. The SHPO responded to the notification on May 31<sup>st</sup>, 2022, indicating that Caltrans' actions were acceptable.

## **PUBLIC OBJECTIONS**

### **District 1. Old Arcata Road Rehabilitation & Pedestrian/Bikeway Improvements Project (FHWA 2021 0401 001)**

The City of Arcata, in conjunction with Caltrans, proposes The Old Arcata Road Rehabilitation & Pedestrian/Bikeway Improvements Project in Humboldt County. The undertaking is intended to enhance pedestrian and bike safety through a

series of improvements to an approximately 6,000-foot stretch of Old Arcata Road near the towns of Arcata and Bayside, California. The Undertaking would include the replacement of failed sections of roadway, the widening of Class 2 bike lanes, the improvement pedestrian paths, and the development of a traffic calming feature (roundabout) at the intersection of Jacoby Creek Road and Old Arcata Road.

On February 23<sup>rd</sup>, 2022, Caltrans notified the SHPO, the ACHP, and the FHWA that they received a written public objection and solicited comments, pursuant to Stipulation XX.B of the Section 106 PA. The notice identified five objections to Caltrans' implementation of the Section 106 PA: the adequate delineation of the APE, the validity of identification efforts regarding an historic district within the APE, the validity of the historic setting established for identification and analysis of historic properties in the APE, Caltrans' application of the criteria of adverse effect for the undertaking, and Caltrans' analysis of cumulative effects.

Caltrans provided documentation supporting their Section 106 effort with the notification, including an Historic Property Survey Report form summarizing efforts for the Undertaking, an Archaeological Survey Report and Supplemental Extended Phase I Survey Report documenting identification efforts for archaeological properties, an Historic Resources Evaluation Report documenting identification and evaluation of built environment properties, and a draft Finding of No Adverse Effect (FNAE) documenting Caltrans' application of the Criteria of Adverse Effect for the Undertaking. Though the draft FNAE had not been submitted to the SHPO for official review and concurrence, the public objection was provided as part of consultation with the objecting party on the proposed finding. It was therefore included for aid in review. Caltrans also included a log summarizing consultation between the objecting party, Caltrans, and the City of Arcata.

The SHPO responded to the request for comment on April 14<sup>th</sup>, 2022, requesting clarification regarding how Caltrans used public input gathered as part of California Environmental Quality Act compliance as part of the Section 106 process. The SHPO also requesting that Caltrans formally evaluate a potential historic property that interested local consulting parties indicated is present in the APE. As of the date of this reporting, Caltrans is still in the process of responding to the SHPO's comments. No comments were received from ACHP or FHWA.

## STATUS OF AGREEMENT DOCUMENTS AND ONGOING CONSULTATION

During fiscal year 2021-22, Caltrans and its partners executed, amended, or terminated the following 14 agreement documents. 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.

<b>District</b>	<b>Document</b>	<b>Date</b>
• D2	• Pulga Profile Change MOA	• 10/28/2022
• D3	• Mt. Murphy Road Bridge Replacement MOA	• 5/24/2022
• D3	• Echo Summit Viaduct MOA Amendment	• 12/17/2021
• D4	• Oakland Alameda Access Parkway MOA	• 7/22/2021
• D4	• Arroyo De La Laguna Bridge MOA	• 12/6/2021
• D4	• Niles Canyon Medium Safety MOA Amendment	• 5/18/2022
• D4	• El Camino Real ADA and Rehabilitation MOA	• 2/17/2022
• D4	• SOL 80-680-12 Interchange PA Amendment 1	• 11/4/2021
• D4	• San Francisco Oakland Bay Bridge East Span Seismic Retrofit MOA Termination	• 4/22/2022
• D7	• Arroyo Seco Parkway Safety MOA Amendment	• 6/24/2022
• D7	• Northwest Corridor PA Termination	• 6/13/2022
• D7	• High Desert Corridor Termination	• 3/30/2022
• D10	• Pitt Street Bridge MOA Amendment	• 12/23/2021
• D10	• Tim Bell Road over Dry Creek Bridge MOA	• 7/27/2021

## 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 updates the Caltrans Cultural Resources Manual in Volume II of the Caltrans Standard Environmental Reference (SER), and revised Chapters were posted in 2020 and 2021. The SER is located online at <http://www.dot.ca.gov/ser/vol2/vol2.htm>.
- 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 held an in-person Functional Workshop training for cultural resources staff statewide from May 3-6, 2022. The Workshop included a brainstorming session on the PRC 5024 MOU and Section 106 PA which served as an opportunity for the Districts to suggest prospective amendments and identify areas that may need additional guidance or clarification.
- CSO and OHP Project Review staff hold quarterly statewide video teleconferences to discuss policy, procedures, and workload issues with District Staff. CSO conducted mini-trainings regarding emergency projects, Finding of Effect Documents, and Findings of No Adverse Effect

with Standard Conditions during the 20-21 fiscal year video teleconferences. Caltrans also hosted the National Park Service for a presentation and training regarding consultation and effects to National Historic Trails in California.

- 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.
- Staff from the Advisory Council on Historic Preservation and the Office of Historic Preservation are invited to attend District site visits when appropriate, and other meetings to provide early coordination regarding issues that occur during survey and document preparation.
- CSO delivered one virtual PA training session for PQS in January of 2022. 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.

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 2021-2022, Caltrans processed 893 Federal-Aid Highway projects. A total of 33 required SHPO concurrence on DOEs, 13 of which led to findings of No Historic Properties Affected. The remaining 20 DOEs were related to findings of NAE, NAE-SC, AE, or project-specific programmatic agreements. Of the 893 total projects, 645 qualified as Screened Undertakings and were exempted from further Section 106 review. There were 153 projects that resulted in findings of No Historic Properties Affected. CSO approved 28 projects with findings of NAE-SC in accordance with Stipulation X.B.1, which needed no review by the SHPO. A total of 80 projects were submitted to SHPO for concurrence on findings of

effect, emergency procedures, or development of project-specific PAs. Fifty-six projects required consultation on NAE findings. Six projects resulted in AE findings, which require additional consultation to resolve effects. Caltrans consulted on a total of four emergency projects during the current reporting period.

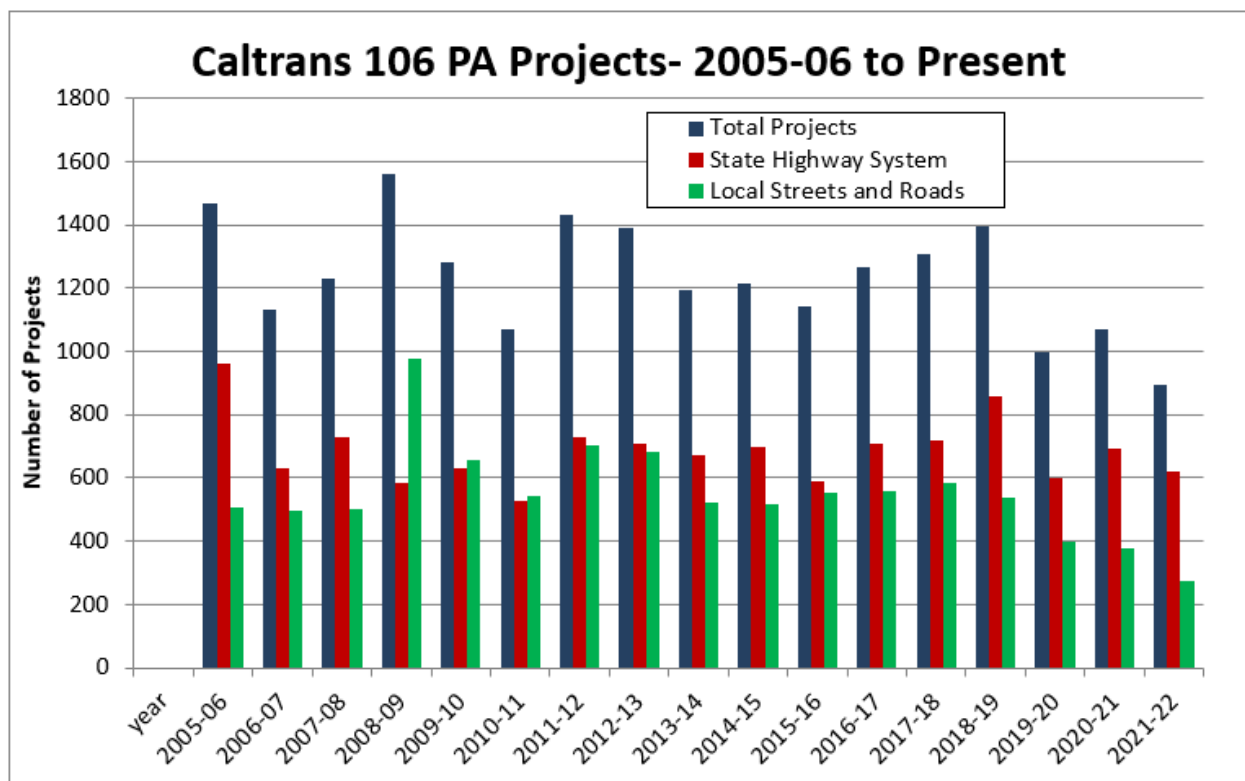
CSO, with its many internal and external partners, continues to work cooperatively to develop policy procedures that adequately address concerns that occur during project development.

Caltrans' mission is to "Provide a safe and reliable transportation network that serves all people and respects the environment." The Caltrans Mission, Vision, and Goals are defined in the 2020-2024 Caltrans Strategic Plan. The Section 106 PA meets or exceeds the standards provided in the Strategic Plan by providing 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.



# ATTACHMENT 1 – PA ACTIVITIES FISCAL YEARS 2005-06 TO 2021-22

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 21,054 projects. Of those, 11,659 projects were on the State Highway System (Caltrans), and the remaining 9,396 projects were on local streets and roads (Local Assistance) throughout the state.



The majority of projects, 17,186 of 21,054 (81.6%), completed between fiscal years 2005-06 and 2021-2022 were classed as Screened Undertakings. Only 1,223 of the projects (5.8%) were submitted to SHPO for review. The remaining 2,910 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 illustrates these totals.

# Project Reviews

