



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 3/25/2019

Agenda Placement: 7D

Napa County Legislative Subcommittee Board Agenda Letter

TO: Napa County Legislative Subcommittee

FROM: Mary Booher for Minh Tran - County Executive Officer
County Executive Office

REPORT BY: Molly Rattigan, Deputy County Executive Officer - 253-4112

SUBJECT: AB 252 (Daly)-Caltrans:environmental review: federal program

RECOMMENDATION

County Executive Officer requests discussion and possible direction on AB 252 (Daly), a bill that would repeal the sunset date for the State of California's limited waiver of sovereign immunity, which is necessary to allow the California Department of Transportation (Caltrans) to continue its assumption of National Environmental Policy Act (NEPA) responsibilities.

EXECUTIVE SUMMARY

AB 252 would remove the sunset date on this program and allow Caltrans to permanently have the ability to streamline environmental review processes that are conducted pursuant to the NEPA Assignment Program. This streamlining has and will continue to result in savings worth millions of dollars while significantly speeding up the delivery of major transportation projects.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

The United States Department of Transportation has assumed the role of National Environmental Policy Act (NEPA) decision maker in the delivery of surface projects. Federal legislation in 2005 established a pilot program, known as the NEPA Assignment, which delegated NEPA decision-making authority to California and four other states. Participation required states to follow the same requirements as the Department of Transportation and assume the financial impacts and liability associated with the delegated authority.

Since 2006, California has participated in the NEPA Assignment. Caltrans' involvement has streamlined the environmental process for both State and local transportation projects without compromising compliance with environmental laws and regulations. Caltrans has reported significant reductions in NEPA processing times, including an average of 20% (11.5 month) reduction in time to complete final Environmental Assessments and an average of 72% (130.8 months) reduction in time needed to complete final Environmental Impact Statements.

AB 252 would remove the sunset date on this program and allow Caltrans to permanently have the ability to streamline environmental review processes that are conducted pursuant to the NEPA Assignment Program. This streamlining has and will continue to result in savings worth millions of dollars while significantly speeding up the delivery of major transportation projects.

SUPPORTING DOCUMENTS

A . AB 252 Fact Sheet

B . AB 252

Recommendation: Approve

Reviewed By: Molly Rattigan