



May 21, 2019

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ASSEMBLY FLOOR ALERT

**AB 252 (DALY and FRAIZER) – Caltrans: environmental review:
federal program
As Introduced January 23, 2019 – SUPPORT
Assembly Third Reading File**

The California State Association of Counties (CSAC) strongly supports AB 252, which 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. The NEPA Assignment program was made permanent by the "Moving Ahead for Progress in the 21st Century Act" (MAP-21).

To assume federal responsibilities under the NEPA Assignment program, Caltrans was required to accept the jurisdiction of the federal courts, necessitating the limited waiver of sovereign immunity. The program streamlines the process for approving transportation projects by allowing Caltrans to assume the Federal Highway Administration's (FHWA) responsibility for approvals and consultations under NEPA and other federal laws, and requires Caltrans to comply with all FHWA NEPA regulations, environmental policies and formal guidance. The program removes a layer of bureaucracy in the review of environmental documents, thereby decreasing the time required for approvals while maintaining NEPA protections for California's natural resources and environment.

The NEPA assignment program has allowed Caltrans to achieve time savings in preparing and approving both routine environmental documents as well as full Environmental Impact Statements that require regulatory coordination with federal agencies. In addition to expediting state projects undertaken by Caltrans, these improvements facilitate the completion of local projects that include federal funding and require NEPA review.

For these reasons, CSAC respectfully asks for your **AYE** vote on AB 252. Should you have any questions regarding our position, please do not hesitate to contact Chris Lee at 916.650.8180 or clee@counties.org.