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**ARTBA** American Road & Transportation Builders Association

May 8, 2021

Docket Management Facility  
U.S. Department of Transportation  
1200 New Jersey Avenue, NW  
Washington, DC 20590

Re: Docket No. FHWA-2013-0013, Proposed Memorandum of Understanding (MOU)  
Concerning Certain Federal Environmental Responsibilities in the State of California  
and Certain Environmental Policy Act (NEPA) Authority for Certain Categorical Exclusions (CEs)

On behalf of the 5,500 members of the American Road and Transportation Builders Association (ARTBA), we are responding to your request for proposed changes to the Federal FHWA assigning certain federal environmental responsibilities to the state of California, including NEPA authority for certain CEs.

ARTBA's members include public agencies and private firms and organizations that own, plan, design, supply and construct transportation projects throughout the country. Our industry generates more than \$300 billion annually in U.S. economic activity and sustains more than 3.3 million jobs nationwide.

ARTBA believes conducting a variety of activities that are subject to the environmental review and approval process in the normal course of their business operations. ARTBA's public sector members adopt, or form transportation plans, programs, or projects which are all subject to mandatory environmental requirements. ARTBA's private sector members design, plan, construct and provide supplies for these federal transportation improvement projects. This document is intended to facilitate the timely completion of these projects.

ARTBA strongly supports the delegation of CE responsibilities to states in both the 2005 federal surface transportation reauthorization act, the "Safe, Accountable, Flexible & Efficient Transportation Equity Legacy Act of 2005" (SAFETEA-LU) and the 2012 "Moving Ahead for Progress in the 21st Century" (MAP-21).

Allowing California and other states to assume responsibility for CEs rather than provide information to federal agencies on a case-by-case basis would reduce the amount of time involved in the environmental review and approval process for these federal transportation agencies. ARTBA is supportive not only of California's decision to take advantage of the CE delegation, but also of the 21 states that have done the same. This program will allow California and other states to move forward with their transportation projects as quickly and as appealing as possible to other states. The more states choose to take advantage of delegation, the greater the reduction of delay in the environmental review and approval process for needed transportation infrastructure.

ARTBA is located at 1200 New Jersey Avenue, NW, Washington, DC 20590.  
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#### Information Sheet for California Rules of Court, rule 1285.60 (continued)

- Item 8-c. If you are completing this item, use facts personally known to you or known to the best of your knowledge. State the facts in detail. If there is not enough space to write all the facts, check the box that says "Continued on Attachment Bc" and attach a separate sheet to this order to show cause, including facts indicating that the violation of the orders was without justification or excuse.
- d. Use this item to write other facts that are important to this order. If you are completing this item, insert facts personally known to you, or known to the best of your knowledge. State facts in detail. If there is not enough space to write all the facts, check the box that says "Continued on Attachment Bd" and attach a separate sheet to the order to show cause.
- e. If you request attorney fees and/or costs for pursuing this contempt action, check this box. Attach a copy of your Income and Expense Declaration (form 1285.50).

Type or print and sign your name at the bottom of page two.

If you checked the box in item 3 and 8a or 8b, complete the appropriate Affidavit of Facts Constituting Contempt, following the instructions for the affidavit above.

Make at least three copies of the Order to Show Cause and Affidavit for Contempt and any supporting Affidavit of Facts Constituting Contempt and Income and Expense Declaration for the court clerk, the case, and yourself. If the district attorney is involved in your case, you must provide a copy to the district attorney.

Take the completed form(s) to the court clerk's office. The clerk will provide hearing date and location in item 2, obtain the judicial officer's signature, file the originals, and return the copies to you.

Have someone over the age of 18, who is not a party, serve the order and any attached papers on the disobedient party. For example, a process server or someone you know may serve the papers. You may not serve the papers yourself. Service must be personal; service by mail is insufficient. The papers must be served at least 21 days before the court hearing. The person serving papers must complete a Proof of Service and give the original to you. Keep a copy for yourself and file the original Proof of Service with the court.

If you need assistance with these forms, contact an attorney or the Family Law Facilitator in your county.

#### ORDER TO SHOW CAUSE AND AFFIDAVIT FOR CONTEMPT

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