
From: Yolanda Alcantar
Sent: Monday, February 03, 2014 10:57 AM
To: CEQA Guidelines
Subject: Input on 2014 CEQA Guidelines

Please find the following response to your call for input on the 2014 CEQA Guidelines Update:

Section 15301:

Please consider adding "construction of road shoulders" under subsection (c). Road shoulders are typically 6-8 feet of asphalt added to the edge of an existing road for motorists to have a safe place to yield or stop in case of an emergency. Existing dirt shoulders are heavily disturbed due to annual maintenance for safety and meets the criteria for being exempt because construction of road shoulders does not increase the number vehicle lanes available for travel (minimum design standard is 12 feet) but rather involves negligible expansion of the road for safety purposes. Lead Agencies can use this section to exempt road shoulder projects; however, it has been increasingly difficult to get the California Dept. of Fish and Wildlife (CDFW) to accept this exemption when a Streambed Alteration Agreement is required. CDFW have been exercising their authority as a Responsible Agency to take over as the Lead Agency thereby requiring preparation of a CEQA document for construction of road shoulders in areas where biological studies have confirmed that no vegetation or special-status are present. If specific language could be added calling out "road shoulders" as being exempt, perhaps CDFW would stop over exerting their use of their authority.

Section 15332:

Please consider changes to the In-fill Development projects criteria. Subsection (b) says the project must be within city limits; however, there are pockets of county areas within and adjacent to large cities which could benefit from this exemption if it was not so specific to city limits. Additionally, there are large unincorporated areas surrounded by urban areas that are not eligible to use this section due to the specific city limit description.

Yolanda Alcantar