



County of Imperial

Building Roads into the Next Century

PUBLIC WORKS DEPARTMENT

TIMOTHY B. JONES

Director of Public Works, County Road Commissioner, County Surveyor, County Engineer, Solid Waste Operations, County-Wide Transit

August 13, 2002

NEPA Task Force
P.O. Box 221150
Salt Lake City, UT 84122

SUBJECT: NEPA Task Force Comments

Dear Sir/Madam:

This letter is in response to an announcement in the Federal Register dated Tuesday, July 9, 2002.

It is our understanding that the Council on Environmental Quality (CEQ) has formed a National Environmental Policy Act (NEPA) Task Force. Following are this agencies' comments in regards to the Nature and Scope of the Task Force proposed activities:

1. A recurring problem the County has faced when addressing NEPA on our FHWA assisted transportation projects has been inconsistency in interpretation of NEPA "policies". In our case, the California Department of Transportation (Caltrans) has been the local agency contact who has provided their interpretations of what actual environmental studies would be required for various projects we have constructed. Our projects have included road resurfacing projects, bridge replacement projects, safety sign projects and a seismic retrofit of an existing bridge. In all cases, the level of documentation for these projects have varied depending upon circumstances. However, we have had individuals require studies or reports where we have disagreed based on differing opinions and interpretations of what NEPA actually requires. This had resulted in delay, and in some cases, eliminating of projects within our region. The State Environmental staff mention they are following Federal mandates via the NEPA process and local agencies such as ourselves have little recourse other than to provide whatever documentation the State staff dictate. In few cases are they willing to consider common sense or local issues.

It would help if NEPA Task Participants could:

- A. Consider a mechanism within NEPA that could provide better consistency in application of requirements for various projects.
- B. Consider more flexibility in applying Categorical Exclusions for routine maintenance projects such as road resurfacing and associated shoulder backing in rural areas within existing roadways.
- C. Consider providing thresholds or parameters where staged requirements could be implemented based on magnitude of impact.

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- D. Require regulating agency accountability in regards to reasonable response times. This should include Federal Agencies such as USF&W, FHWA, Bureau of Reclamation, Bureau of Land Management, US Army Corps of Engineers as well as State Agencies such as CDF&G and State Water Resources Control Board.
- E. Provide a mechanism where local agencies can achieve better communication with FHWA via the State Transportation Department in resolving NEPA issues in a timely manner.

Should you have any questions, please do not hesitate to contact this office. Thank you for the opportunity to provide comments to the NEPA Task Force.

Sincerely yours,

Timothy B. Jones
Director of Public Works

By:



Frank Fiorenza
Deputy Director of Public Works-Engineering

va.

cc: CSAC-Sacramento
Tom Hunter, President of CEAC

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Message :

Dear NEPA Review Team:

FYI - per chance you are following in real-time how NEPA works or does not work in the Arcata Resource Area.

Happy trails,

Don Amador
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From : Blue Ribbon Coalition, Inc.
Don Amador

To : CEQ/NEPA Task Force

Date : 8/14/02

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