

**CALIFORNIA HIGHWAY PATROL**

**GENERAL ORDER 41.2**

**REVISED JULY 2025**

**ENVIRONMENTAL IMPACT DOCUMENTS**

1. PURPOSE.

- a. Establish policy and procedures for reviewing Environmental Impact Reports (EIRs) to determine any impact to departmental operations and/or public safety.
- b. Provide guidance on how to submit comments expressing concerns related to a proposed project.

2. AUTHORITY.

- a. The National Environmental Protection Act (NEPA) was enacted in 1970. The NEPA requires federal agencies to identify and consider significant environmental impacts of proposed projects.
- b. The California Environmental Quality Act (CEQA) was also enacted in 1970. All California public agencies are required to apply the CEQA guidelines to proposed discretionary projects unless an exemption applies.
- c. The main objectives of the NEPA and CEQA are to:
  - (1) Inform governmental decision-makers and the public of potentially significant environmental impacts of proposed projects.
  - (2) Identify ways to avoid or significantly reduce environmental damage.
  - (3) Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of feasible alternatives or mitigation measures.
  - (4) Disclose to the public reasons why a government agency approved a project with significant environmental impacts.
  - (5) Encourage interagency coordination in the review of projects.
  - (6) Encourage public participation in the planning and review process.

d. The full text of the CEQA is in Title 14, Division 6, Chapter 3, starting with Section 15000 of the California Code of Regulations (CCR). Statutes related to the CEQA are in Division 13, beginning with Section 21000 of the California Public Resources Code (PRC).

3. GENERAL.

a. Environmental Impact Report. Refer to Annex A for a description of common EIRs.

(1) An EIR is an important informational document prepared by a lead agency to furnish a decision-making tool for public agencies and the general public as it relates to a project.

(2) A lead agency is the public agency with principal responsibility for implementing and/or approving a project and is responsible for preparing environmental documents required under the CEQA.

(3) An EIR provides a comprehensive analysis of the significant environmental impacts of a project and identifies the appropriate measures and/or alternatives to mitigate or avoid those impacts.

(4) Environmental documents are circulated to local law enforcement agencies for comments.

(5) These comments frequently reflect the opinion of the local law enforcement agency and may not necessarily coincide with departmental responsibilities or concerns.

(6) It is essential that comments on environmental documents include departmental concerns related to the project.

b. Governor's Office of Land Use and Climate Innovation.

(1) The Governor's Office of Land Use and Climate Innovation (LCI) is responsible for developing and coordinating a statewide monitoring system to identify potential threats to public health, natural resources, and environmental quality.

(2) The review process mandated by CEQA and NEPA generate hundreds of documents that must be reviewed by government agencies and interested parties.

(3) The LCI operates the State Clearinghouse (SCH), which receives, distributes, and coordinates comments on environmental documents reviewed by state agencies.

4. POLICY.

a. The CHP actively participates in the development of the state's transportation management plans and enhancement of public safety through review of environmental documents.

b. Special Projects Section.

(1) The Special Projects Section (SPS), Transportation Planning Unit (TPU), is the Office of Primary Interest (OPI) designated to initially receive, review, evaluate, and distribute environmental documents to potentially impacted commands.

(2) The SPS shall maintain a control log to track EIR assignments, and Area/section responses and deadlines.

(3) The SPS shall provide the control log to the Office of Assistant Commissioner, Field (ACF), monthly, for information only.

(4) The SPS shall send requests for EIR analysis via e-mail to the appropriate command and Division.

c. Divisions. Divisions shall review and approve written comments submitted by their assigned commands. Once approved, the written comments shall be returned to the appropriate command to be distributed as needed.

d. Assigned Command.

(1) The assigned command shall review environmental documents to identify projects that may have an impact(s) on departmental operations and/or public safety. Refer to Annex B for an evaluation/response checklist. This checklist is for the command's use only and not required to be returned to SPS.

(2) Assigned commands shall designate appropriate personnel to respond to EIR requests and adhere to the required response deadlines.

(3) If the assigned command deems the impact significant, written comments shall be completed as follows:

(a) The response shall be completed within the time frame indicated on the EIR.

(b) Written comments for projects shall be prepared in an accessible format on departmental letterhead and provided directly to the SCH and the lead agency, or as indicated by the EIR documents. Refer to Annex C for sample responses.

1 The SCH requires all documents, including written comments, be submitted in an accessible format for publication.

2 Instructions for creating accessible documents are included in the EIR notification e-mail sent by SPS to the affected command. Additionally, a "PDF Accessibility Instructions" document can be found by clicking the "IT Support" icon on the base of the CHP Intranet site, and selecting the "Find Answers" tab.

3 Written comments provided as scanned documents are not considered an accessible format. Scanned documents will be rejected by the SCH and will not be published on their website.

(c) The assigned command shall submit comments to their respective Division for review and approval. Once approved at the Division level, the assigned command shall e-mail approved comments directly to the lead agency and the SCH, with a cc to the appropriate Division and SPS. The subject line of the e-mail shall include the SCH number.

(4) If the assigned command determines the impact is insignificant, no SCH comments are necessary; however, SPS shall be notified as follows:

(a) Responses of "No Impact" shall be e-mailed to the SPS, and the TPU assigned analyst within the time frame requested.

(b) The subject line of the e-mail shall include the SCH number.

(c) The body of the e-mail shall include the SCH number and indicate "No impact to the \_\_\_\_\_ Area's local operations and/or public safety by SCH # \_\_\_\_\_ was identified."

e. Project Comments.

(1) The CHP reviews EIRs to provide comments of concern to the lead agency.

(2) Per CEQA guidelines in Title 14, Division 6, Chapter 3, Article 7, Section 15088 CCR, and Section 21092.5 California PRC, a lead agency must respond in writing ten days prior to certification of the final EIR to any agency who submits comments on the project by the documented deadline.

(3) The comments/concerns may not be incorporated in the project; however, if the comments/concerns are received within the documented deadline, they will be part of the public record.

(4) The lead agency is not required to acknowledge comments received after the documented deadline.

5. ENVIRONMENTAL DOCUMENTS REVIEW.

a. Departmental review of environmental documents is intended to identify projects within the state that may have an impact on CHP traffic operations and/or public safety.

b. Environmental documents shall be tracked by the Area and used as an operational planning resource for Area commands.

c. Projects requiring an environmental document may have a number of potential impacts on departmental operations such as:

- (1) Increased traffic.
- (2) Changes in traffic congestion patterns.
- (3) New concerns for pedestrian and bicyclist safety.
- (4) Increased heavy truck traffic on roadways.
- (5) Hazardous materials transportation.
- (6) School bus routing.
- (7) Additional enforcement demands.
- (8) Reduction of jurisdiction.

d. Typical projects that may impact local operations and/or public safety include:

- (1) Housing developments.
- (2) Large commercial projects.
- (3) Large recreational developments and/or expansions.
- (4) Landfill or quarry operations.

- (5) Hazardous materials storage and/or dump sites.
- (6) Highway construction/improvement projects.
- (7) New schools.
- (8) Airport improvements.
- (9) Annexations/incorporations.
- (10) Off-highway vehicle facilities.
- (11) Indian gaming facilities.
- (12) Notice of Land Acquisition—Department of the Interior, Bureau of Indian Affairs.
- (13) Cannabis facilities.

e. Headquarters Initial Review and Distribution.

(1) The SPS conducts an initial review of all environmental documents to determine whether a command review of the documents for potential impact on CHP traffic operations and/or public safety in its jurisdiction is appropriate, or if the project may be of special interest for planning purposes.

(2) If departmental impact is possible, SPS will distribute documents to the most knowledgeable command as follows:

(a) Single Area Responses. If a project may have an impact or be of interest to a local command or OPI, the document and an evaluation/response checklist (refer to Annex B) are sent to the applicable command for further review and possible comment.

(b) Multiple Area Responses. If a project of interest impacts more than one command in a Division, the document and an evaluation/response checklist are sent to the Division commander who is then responsible for coordinating a response to the lead agency.

(c) Multiple Division Responses. If a project of interest impacts more than one Division, SPS is responsible for coordinating any necessary response from the Divisions to the lead agency.

(d) Airport Responses. Documents describing projects dealing with airports are sent to the Division of Air Operations, and the local Area command.

(e) Hazardous Materials Responses. Documents describing a new hazardous materials transport or storage facility are sent to Commercial Vehicle Section and the local Area command.

(f) Telecommunications Responses. Documents describing projects dealing with microwave or telecommunications systems are sent to Telecommunications Section and the local Area command.

(g) Indian Gaming Facility Responses. The Area shall provide written comments on Indian gaming facilities (casinos) to the Office of Legal Affairs (OLA) for review and approval. The Area shall e-mail the response to the lead agency and the SCH, with copies to the appropriate Division and Governor's Office of Legal Affairs five days prior to the 30-day mandated review period. A copy shall be e-mailed to SPS.

(h) Notice of Land Acquisition—Department of the Interior, Bureau of Indian Affairs. Written comments on Notice of Land Acquisition shall be provided to the Department of Interior, Bureau of Indian Affairs, the SCH, and the lead agency, as appropriate, with copies to SPS, the respective Division, ACF, and the California Department of Justice.

f. Local Review and Comments. Divisions and Areas are responsible for reviewing all environmental documents for potential impact(s).

(1) If warranted, written comments shall be provided directly to the SCH and the lead agency, with a copy to SPS.

(2) Statements of impact shall focus primarily on traffic safety, congestion, and other aspects of the CHP mission. In order to provide the lead agency with complete information upon which to base a decision, comments on the proposed project may include a possible reduction in service (e.g., increased response times).

NOTE: The Area shall not indicate additional personnel, facilities, vehicles, etc., are required as a means to mitigate departmental service issues.

(3) When necessary, responses may be coordinated with the appropriate California Department of Transportation District office to provide support for comments or arguments.

## 6. SOURCE REFERENCES.

a. Governor's Office of Land Use and Climate Innovation. California Environmental Quality Act website: <https://www.lci.ca.gov/>.

b. CEQAnet Web Portal: <https://ceqanet.lci.ca.gov/>.

OFFICE OF THE COMMISSIONER

ANNEXES A, B, C

OPI: 063

## ANNEX A

### ENVIRONMENTAL DOCUMENTS

#### 1. ENVIRONMENTAL IMPACT REPORTS.

- a. An EIR serves to inform governmental agencies and the public of a project's environmental impacts.
- b. An EIR proposes mitigations and alternatives which may reduce or avoid the environmental impacts.
- c. Environmental documents are circulated to appropriate agencies for comments. These comments frequently reflect the opinion of the agency and may not necessarily coincide with departmental responsibilities or concerns. It is essential that comments on environmental documents include departmental concerns related to the project being reviewed.

#### 2. TYPES OF DOCUMENTS. The following is a brief description of the types of documents received by the Department for comment.

##### a. Notice of Preparation.

- (1) The EIR process begins with the circulation of a Notice of Preparation (NOP) which informs the public, responsible agencies, trustee agencies, and the LCI that an EIR will be prepared for a project.
- (2) The purpose of the NOP is to solicit guidance regarding scope and content of the environmental information to be included in the EIR (CEQA Guidelines, Section 15375).
- (3) The NOP must include sufficient project description details and environmental effects such that agencies and members of the public can provide meaningful comments on the proposed project analysis in the EIR.
- (4) Potential impacts to, and concerns of, the local commands should be raised at this early stage of EIR development to provide the lead agency with as much information as possible for identifying the environmental impacts and potential mitigations.
- (5) This early involvement of CHP may influence the outcome which will lead to preparation of a draft EIR.

##### b. Notice of Completion.

(1) After preparation of a draft EIR, a Notice of Completion (NOC) must be submitted to the LCI.

(a) The lead agency must provide public notice of the draft EIR at the same time it issues the NOC.

(b) The draft EIR identifies and analyzes the environmental impacts of a specific project.

(c) All elements required by CEQA and its guidelines must be included.

(d) All phases of the project, including planning, construction, and operation, should be considered and examined.

c. Subsequent Environmental Impact, Supplemental Impact, Supplemental Environmental Impact, and Addendum to Environmental Impact Reports.

(1) These documents are required when there are changes in conditions evaluated by prior EIRs.

(2) Preparation time of these documents must be after EIR certifications, but before granting discretionary authority to the lead or responsible agency for the project.

## ANNEX B

### ENVIRONMENTAL IMPACT REPORT EVALUATION/RESPONSE CHECKLIST FOR AREAS/SECTIONS

Reference: General Order 41.2



<b>REVIEW</b>		GO 41.2
<input type="checkbox"/>	Review memorandum for the due date(s).	
<input type="checkbox"/>	<p>Determine if the proposed project might impact local operations and/or public safety. Examples include:</p> <ul style="list-style-type: none"> <li>• Housing developments.</li> <li>• Large commercial projects.</li> <li>• Large recreational developments or expansions.</li> <li>• Landfill or quarry operations.</li> <li>• Haz-Mat storage/dump sites</li> <li>• Highway construction/ improvement projects.</li> <li>• New schools.</li> <li>• Airport improvements.</li> <li>• Annexations/incorporations.</li> <li>• Off-highway vehicle facilities.</li> <li>• Indian gaming facilities.</li> <li>• Cannabis facilities.</li> </ul>	Pages 5-6
<input type="checkbox"/>	Review environmental impact documents to identify issues or concerns with possible impact to departmental operations (e.g., increased response times, enforcement, emergency services, service calls, telecommunications, public safety).	Page 5
<b>RESPOND</b>		
<i>If comments are advisable:</i>		
<input type="checkbox"/>	<p>Prepare correspondence focusing primarily on traffic safety, congestion, public safety, or other impacts to the CHP's mission.</p> <p><b>Areas shall not indicate to the lead agency that additional personnel, facilities, vehicles, etc., are required to mitigate departmental service issues.</b></p>	Page 7
<input type="checkbox"/>	Include the State Clearinghouse number (SCH #) in all correspondence.	
<input type="checkbox"/>	Written comments shall be submitted in an accessible letter format to ensure compliance with SCH requirements.	Page 4
<input type="checkbox"/>	Comments shall be provided directly, via e-mail, to the lead agency and the SCH, at <a href="mailto:state.clearinghouse@lci.ca.gov">state.clearinghouse@lci.ca.gov</a> , with a cc to the respective Division, ACF (if required), OLA (if required), and SPS, at <a href="mailto:EIR@chp.ca.gov">EIR@chp.ca.gov</a> , no later than the designated due date.	
<i>If no impact is determined:</i>		
<input type="checkbox"/>	Via e-mail, respond " <b>No impact to the _____ Area's local operations and/or public safety by SCH # _____ was identified,</b> " by the designated SCH due date to SPS, at <a href="mailto:EIR@chp.ca.gov">EIR@chp.ca.gov</a> , and the respective SPS TPU analyst. Ensure the SCH # is included. Do not include the lead agency or SCH in this response.	Page 4

\*\* This checklist is for the command's use only and not required to be returned to SPS.

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# ANNEX C

## SAMPLE ENVIRONMENTAL IMPACT REPORT RESPONSES

	<b>CALIFORNIA HIGHWAY PATROL</b>	601 North 7 <sup>th</sup> Street, Sacramento, CA 95811   (916) 843-3501 800-735-2929 (TDD) 800-735-2922 (Voice)
CALIFORNIA STATE TRANSPORTATION AGENCY		GAVIN NEWSOM, GOVERNOR
May 1, 2025		
File No.: 003.12345.67890		
John Smith Lead Agency Name Street Address City, State, Zip Code:		
Re: SCH #123456		
Dear Mr. Smith,		
The ____ Area of the California Highway Patrol (CHP) received the "Notice of Completion and Environmental Document Transmittal," of the Mitigated Negative Declaration for the proposed Project Name for the State Clearinghouse (SCH) number 123456. The CHP's interest in commenting surrounds our concern for public safety, specifically the traffic in the ____ Area.		
The Department's concerns with the potential impact of this project include the following: increased traffic congestion, additional enforcement demands, and increased incidents requiring emergency response during construction. Commercial truck trailer combination vehicle traffic on local freeways will increase as materials and products are transported to and from the worksite.		
This project could have a negative impact on our operations due to the increased traffic congestion, which would necessitate the need for additional traffic control measures to mitigate the potential increase in traffic crashes. We are hopeful work project operators will diligently establish, monitor, and enforce work project rules related to vehicle safety as CHP personnel work to ensure compliance with the California Vehicle Code provisions.		
If you have any questions regarding these concerns, please contact me at (916) 843-3000.		
Sincerely,		
Signature Block		
Attachments		
<i>Safety, Service, and Security</i>		
CHP 49 (Rev 4-25) OPI 076		AN INTERNATIONALLY ACCREDITED AGENCY



May 1, 2025

File No.: 003.12345.67890

John Doe  
Lead Agency Name  
Street Address  
City, State, Zip Code:

Re: SCH #56789

Dear Mr. Doe,

The California Highway Patrol, Capistrano Area, received the "Notice of Preparation," of a Draft Environmental Impact Report for Project Name, State Clearinghouse (SCH) number 56789. After review, we have some concerns with the traffic congestion that could result along Interstate 5 at State Route 74 (Ortega Highway)/Del Obispo Street.

Our concern relates to Interstate 5, which is identified in the NOP as providing "regional access" to the project site and is located "568 feet northwest," at the intersection of State Route 74/Del Obispo Street. Interstate 5 serves as the primary link connecting Orange County to San Diego and Los Angeles counties, while State Route 74 serves as the primary link between south Orange County and several Riverside County commuter cities. The project plans include a 95-unit apartment complex, several commercial businesses, and a 452-seat event center. Collectively, these facilities will increase traffic in the area, to include Interstate 5 at State Route 74/Del Obispo Street, and dependent on event times, create an additive effect on congestion during peak commute hours. Increased traffic congestion results in an increase in crashes and slower emergency response times. Efforts to mitigate the potential increase in congestion, crashes, and response times could include optimally timing events for off-peak periods and/or additional traffic control measures.

Should you have any questions regarding these concerns, please do not hesitate to contact me at (916) 843-3000.

Sincerely,

Signature Block

cc:

*Safety, Service, and Security*

CHP 49 (Rev 4-25) OPI 076





**CALIFORNIA  
HIGHWAY PATROL**

601 North 7<sup>th</sup> Street, Sacramento, CA 95811 | (916) 843-3501  
800-735-2929 (TT/TDD)  
800-735-2922 (Voice)

CALIFORNIA STATE TRANSPORTATION AGENCY

GAVIN NEWSOM, GOVERNOR

May 15, 2025

File No.: 003.12345.67890

Jane Doe  
Lead Agency Name  
Street Address  
City, State, Zip Code:

Re: SCH #34567

Dear Ms. Doe,

The California Highway Patrol, \_\_\_\_ Area, received the "Notice of Completion" for a Draft Environmental Impact Report of the Project name, State Clearinghouse (SCH) number 34567. After review, we have some concerns with the increased traffic congestion that will result with the proposed increase in residents in the project area.

Our concern relates to the conclusions of the Transportation Analysis—Appendix H, and findings of the Additional Vehicle Miles Traveled (VMT) Analysis—Appendix I, which identify numerous "adverse effects" and "significant traffic impacts on VMT" with the increased traffic volumes the proposed project will create. Without question, the projected increase in traffic volumes will have a negative impact on our operations due to the resulting increase in traffic congestion within the area, which will result in an increase in crashes and slower response times to emergency incidents. Efforts to mitigate the expected increase in congestion, crashes, and response times could include ensuring sufficient clearance (road width) exists along primary (State Route 25) and adjacent highways (e.g., Fairway Road, Sunnyslope Road, Hillcrest Road) for the free movement of emergency vehicles regardless of intermittent congestion, and/or on-demand signalized timing of traffic signals to control traffic flow for emergency vehicle response to incidents when necessary.

Should you have any questions regarding these concerns, please do not hesitate to contact me directly at (916) 843-3003.

Sincerely,

Signature Block

Attachments

*Safety, Service, and Security*

CHP 49 (Rev 4-25) OPI076



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