

AMENDED IN ASSEMBLY MARCH 15, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2245

Introduced by Assembly Member Smyth

February 24, 2012

An act to add Section 21080.38 to the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 2245, as amended, Smyth. Environmental quality: California Environmental Quality Act: exemption: bikeways.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.

CEQA exempts from its requirements specified projects and activities.

This bill would additionally exempt a *Class II* bikeway project, *as defined for purposes of the Streets and Highways Code*, undertaken by a city, county, or a city and county within an existing road right-of-way.

Vote: majority. Appropriation: no. Fiscal committee: no.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 21080.38 is added to the Public Resources
2 Code, to read:
3 21080.38. This division does not apply to a project for *Class*
4 *II bikeways, as-defined in specified in subdivision (b) of Section*
5 *890.4 of the Streets and Highways Code, undertaken by a city or*
6 *county within an existing road right-of-way.*

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