



The combination of the possibility of non-reviewed watercourse crossing construction and reconstruction under either the November or December proposed rule wordings, and the existing prohibition of any road construction or reconstruction in 14 CCR 1038.1 make it clear that our original position from last Spring is the correct one: 14 CCR 916.9(s)(4) should simply be removed. It is incompatible with both the existing standard rule and the "de minimis" assumption of Exemptions.

Please note that this is with regard to only 14 CCR 916.9(s)(4), Exemptions, and not 916.9(t)(4), Emergency notices, or any to the proposals for 14 CCR 1052, the standard rules for Emergency notices.

Thank you.

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