

County of Santa Clara

Department of Planning and Development
Planning Office

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August 27, 2009

California Office of Planning and Research
P.O. Box 3022
Sacramento, CA 95812-3044

Re: Comments from the County of Santa Clara Department of Planning and Development regarding final draft proposed changes to the California Environmental Quality Act (CEQA) Guidelines to address Greenhouse Gas Emissions

Thank you for the opportunity to provide comments on the final draft changes to the CEQA Guidelines. The Santa Clara County Department of Planning and Development commented on the Draft proposed changes in February 2, 2009. Below, please find reiteration of comments not addressed in the final draft, as well as comments on the updated changes to the Guidelines.

Section 15064 and 15064.4 (3) – This section has been added to address cumulatively considerable effects if a project does not comply with a local or regional plan adopted. It states that an EIR must be prepared if a project has potential effects outside an adopted plan. Consistent with other sections within CEQA (Guidelines Section 15162), this section needs to be amended to acknowledge that a Negative Declaration or Mitigated Negative Declaration if the cumulatively considerable impact can be evaluated or mitigated under the standards set forth under Section 15162.

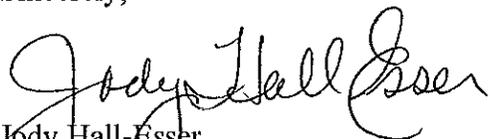
Section 15093 (b) - Statement of Overriding Considerations – This section also needs to be revised to allow preparation of a Negative Declaration or Mitigated Negative Declaration consistent with comments above.

Section 15126.4 (c) (3-5) – We provided comments regarding these revisions within our February 2, 2009 response. In referencing mitigation measures in the form of off-site measures or carbon offsets, the proposed revisions to this section remain vague (subsection 3 and 4) while the added section (number 5), talks about “specific mitigation measures or policies found in an adopted plan”. This section needs provide more specific language

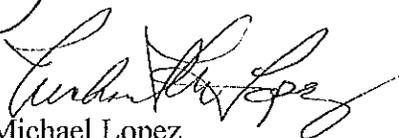
Section 15183.5 (2) – Tiering – Consistent with the comments above, this section needs to allow for preparation of a Negative Declaration or Mitigated Negative Declaration to be prepared, if applicable.

If you have any questions regarding these comments, please do not hesitate to contact Rob Eastwood at (408) 299-5792.

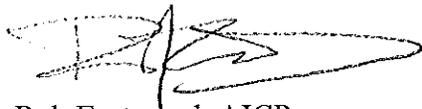
Sincerely,



Jody Hall-Esser
Director of Planning and Development



Michael Lopez
Planning Manager



Rob Eastwood, AICP
Senior Planner