

Name: Jennifer McDougall
Organization: Public
Date Received: August 27, 2009

Subject: Comment Letter – CEQA Guidelines – 2009 Proposed Rulemaking

Christopher Calfee, Special Counsel
ATTN: CEQA Guidelines
California Resources Agency
1017 L Street, #2223
Sacramento, CA 95814
Facsimile: (916) 653-8102
CEQA.rulemaking@resources.ca.gov

Dear Special Counsel Calfee:

I write as a practicing planner and not on behalf of my agency.

I have the following recommendations that language be clarified in the proposed rulemaking:

(1) 15064(h)(3).

a) The unchanged text "the cumulative problem within the geographic area in which the project is located" is problematic from a GHG perspective, where a geographic area for the cumulative problem is worldwide. I recommend the geographic area for a significant GHG impact be addressed in the rule.

b) Also, language that the plan "must be adopted by the public agency with jurisdiction over the affected resource" should advise, in the rule or in the notes, what agency this may be for GHG.

(2) 15064.4.(b)(3)

The inclusion of local plans on this list seems potentially problematic, as local plans may potentially contradict state or regional plans. The inclusion of local plans here seems contradictory to the regional emphasis in climate change-sensitive land use planning. Further, for state agencies such as the University of California, local plans would not normally apply, and the language should be revised to say:

The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or applicable local plan for the reduction or mitigation of greenhouse gas emissions.

(3) The discussion of tiering and streamlining at 15183.5 seems to contradict the earlier discussions by allowing any public agency to adopt its own greenhouse gas reduction plans, whether or not it is "the public agency with jurisdiction over the affected resource". I recommend making changes for consistency.

(4) The proposed Appendix G checklist questions on GHG emissions perhaps confuse things further, by referencing *any* applicable plan, policy or regulation of *an* agency adopted for the purpose of reducing emissions. Which agencies and which plans and policies with respect to GHG could be considered applicable, and which would not? I recommend making clarifying changes for consistency with the Guidelines, themselves which should be changed as noted above.

thank you,

Jennifer McDougall