

April 26, 2010 ⑤



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To: David Bryant, Project Planner, Tulare County Resource Management Agency,
Government Plaza, 5961 South Mooney Boulevard, Visalia, California 93277

Subj: Request for Correction and Reissue of Table ES-4 Contained on Pages
ES-12 through 26 of the RDEIR, Tulare County General Plan and
for Restarting the Commencement Date of the 60 Day Public Review
Period for the RDEIR

1. Page ES-8 RDEIR contains a paragraph which provides:

"Table ES-3 lists the revised or new policies and implementation measures that were identified through the CEQA process as additional mitigating policies or implementation measures for potential impacts analyzed in this RDEIR. Table ES-4 presents a summary of impacts and mitigation measures identified in this RDEIR including those proposed in this RDEIR. It is organized to correspond with the environmental issues discussed throughout the RDEIR. The table is arranged in four columns: 1) environmental impacts; 2) mitigation measure; 3) significance before mitigation; and 4) significance after mitigation."

2. Contrary to express language above, Table ES-4 only contains a summary of the proposed required additional mitigation policies and implementation measures identified

in the RDEIR and listed in Table ES-3 beginning on page ES-8. It has no summary of the numerous other mitigation measures, i.e., Part I, Goals and Policies, Tulare County General Plan 2030 Update, discussed in the RDEIR. This omission defeats the informational requirements of CEQA by providing a confusing and substantially incomplete summary of mitigation measures, by interfering with the public's understanding, and by undermining informed decision making.

3. The confusion created by this apparent oversight is compounded by the misleading and erroneous language in the last paragraph on page 3-3 RDEIR:

"Following each impact statement is a discussion of the potential impact and the General Plan Update policies and implementation measures that would help to mitigate this impact. Existing policies and implementation measures are included in a table similar to that provided below:" (Emphasis added.)

and further compounded by the unfortunate wording in the last ten lines on page 1-2, Part I, Goals and Policies Report.

4. Accordingly, we request that Table ES-4 be corrected using a format similar to that contained in Table ES-4 of the 2008 DEIR, that corrected copies be made

available to the public at no additional charge, and that the 60 day comment period for the RDEIR be restarted on the date the corrected table is available for public review and comment.

Respectfully,

Carole A. Clum
of Peter Clum

Copy to: Susan Fiering, Deputy Attorney General
Winter King, Shute, Mihaly, and Weinberger LLC
Matt Vespa, Center for Biological Diversity
Gordon Nipp, Kern-Kaweah Chapter, Sierra Club
Laurie Schwaller, Tulare County Citizens for Responsible
Growth