



FW: Agenda Item 8.1 Public Comment Letter

From City Clerk <city.clerk@sanjoseca.gov>
Date Tue 11/18/2025 7:32 AM
To Agendadesk <Agendadesk@sanjoseca.gov>

From: District 6 Resident [REDACTED]
Sent: Tuesday, November 18, 2025 7:29 AM
To: District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>
Subject: Agenda Item 8.1 Public Comment Letter

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RE: Item 8.1 - Master Easements Agreement and Site Works Agreement with Microsoft Corporation and Valley Water for the San José-Santa Clara Regional Wastewater Facility.

I strongly urge the Council to defer Item 8.1 until a unified CEQA analysis is conducted for the entire RWF buffer lands, including both Microsoft's project and the proposed 159-acre hyperscale data-center district.

Item 8.1 uses an Addendum to the San José Data Center EIR prepared for a 99 MW project, while Item 8.2 advances a 159-acre, multi-substation, 250 MW+ hyperscale data center district. By approving Microsoft's easements and oversized utilities today—without including the full 159-acre development in the environmental analysis—the City could be found unlawfully segmenting a single, unified project into smaller approvals.

CEQA requires environmental review of the *whole of the action*, including all reasonably foreseeable consequences (14 CCR § 15378). A lead agency may not segment or “piecemeal” related components of a single project to avoid full environmental disclosure (*Tuolumne County Citizens for Responsible Growth v. City of Sonora*, 2007).

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