



County of San Diego

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California Office of Planning and Research
1400 10th Street
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Via E-mail: ceqa.guidelines@resources.ca.gov

COMMENTS ON THE DRAFT CHANGES TO APPENDIX G OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES

The County of San Diego (County) has reviewed the proposed changes to Appendix G and appreciates this opportunity to comment.

GENERAL COMMENTS

Since AB 52 went into effect on July 1, 2015, it is required that Tribal Cultural Resources (TCRs) be added to the sample initial study form in Appendix G. Because the California Environmental Quality Act (CEQA) now provides that a project that may cause a substantial adverse change in a TCR is a project that may have a significant effect on the environment, revisions to the checklist are required to include questions about TCRs. Public input is requested on the proposed update of CEQA guidelines on the three alternatives addressing TCRs.

- Alternative 1 is the County's preferred alternative as it is the alternative with the most clarity. Alternative 1 is most consistent with the balance of the section as it mirrors the format of the previous questions in stating where one may find the definition of the resource in the California Public Resources Code (PRC). Furthermore, the proposed changes would occur under the broader umbrella of Cultural Resources section of Appendix G, which would eliminate the need to create a new section titled Tribal Cultural Resources.
- The additional details provided in Alternatives 2 and 3 should be the discussion that agencies use to justify whether or not a tribal cultural resource is present, and whether they are significant or will be impacted. Alternatives 2 and 3 are currently covered under existing PRC, and as such, do not need to be repeated.

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County staff recommends that the Native American Heritage Commission (NAHC) maintain the list of Tribes associated with AB-52 (rather than the County) and provide agencies with a listing when requested for consultation (similar to SB-18 consultation). Maintenance of Tribal contact information at the local level can be problematic due to additional Tribes, not included in the original list of Tribal contacts for a specific project, requesting consultation. In these instances, County staff must re-notice current projects with this new information, as applicable. We recommend that County staff only be required to include additional/subsequent requests for consultation going forward (vs. notifying all applicable projects).

The County appreciates the opportunity to participate and comment on this project. We look forward to providing additional assistance at your request. If you have any questions regarding these comments, please contact Danny Serrano, Land Use/Environmental Planner, at (858) 694-3680, or via email at Daniel.Serrano@sdcounty.ca.gov

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Farace', with the name 'Farace' written in smaller letters below the signature.

Joseph Farace, AICP
Group Program Manager
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e-mail cc:

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