

Proposed Language for Tribal cultural resources update to Appendix G

1. Add a statement ~~regarding tribal consultation to the beginning of Appendix G under EVALUATION OF ENVIRONMENTAL IMPACTS~~Environmental Checklist Form at the beginning of Appendix G, which provides guidance on completing the checklist and environmental analysis provides a general description and cover sheet for a proposed project:

[...]

11. Have California Native American Tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?

Note: Conducting consultation early in the CEQA process allows tribal governments, public lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and to reduce the potential for delay and conflict in the environmental review process. Information is also available from the Native American Heritage Commission's Sacred Lands File per Public Resources Code sections 5097.9 and 5097.94 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

2-14.1

~~10. Tribal consultation, if requested as provided in Public Resources Code Section 21080.3.1, must begin prior to release of a negative declaration, mitigated negative declaration, or environmental impact report for a project. Information provided through tribal consultation may inform the lead agency's assessment as to whether tribal cultural resources are present, and the significance of any potential impacts to such resources. Prior to beginning consultation, lead agencies may request information from the Native American Heritage Commission regarding its Sacred Lands File, per Public Resources Code sections 5097.9 and 5097.94, as well as the California Historical Resources Information System administered by the California Office of Historic Preservation.~~

2. Changes to the language of Section V to include Tribal cultural resources, with proposed additions in **Bold and Underline**.

V. CULTURAL RESOURCES

Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?
- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
- d) Disturb any human remains, including those interred outside of formal-dedicated cemeteries?

~~e) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either:~~

~~1) a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, that is listed or eligible for listing on the California Register of Historical Resources, or on a local register of historical resources as defined in Public Resources Code section 5020.1(k), or~~

~~2)1) a resource determined by a lead agency, in its discretion and supported by substantial evidence, to be significant according to the historical register criteria in Public Resources Code section 5024.1 (c), and considering the significance of the resource to a California Native American tribe~~

XVII. UTILITIES AND SERVICE SYSTEMS- TRIBAL CULTURAL RESOURCES

a) Would the project cause a substantial adverse change in the significance of a Tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:

<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
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2-14.2

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

2-14.3

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE- UTILITIES AND SERVICE SYSTEMS

XIX MANDATORY FINDINGS OF SIGNIFICANCE