

Lockey, Heather@CNRA

From: Shelly Donohue <sdonohue@sdnhm.org>
Sent: Thursday, March 15, 2018 6:46 PM
To: CEQA Guidelines@CNRA
Subject: Written Comment on Amendments and Additions to CEQA
Attachments: CNRA Letter_SDonohue.pdf

Dear Mr. Calfee,

Please find attached a written comment on the proposed amendments and additions to the State CEQA Guidelines. My comment specifically addresses the treatment of Paleontological Resources.

Thank you,
Shelly

Shelly Donohue
PaleoServices Report Writer



P 619.255.0301
F 619.255.0187
E sdonohue@sdnhm.org

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Mailing address: P.O. Box 121390, San Diego, CA 92112-1390
Street address: 1788 El Prado, San Diego, CA 92101
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SAN DIEGO NATURAL HISTORY MUSEUM

March 15, 2018

Mr. Christopher Calfee
Deputy Secretary and General Counsel
California Natural Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

Dear Mr. Calfee,

I am writing to comment on the proposed updates to the CEQA review process. I would like to recommend that Paleontological Resources be treated separately as a standalone issue in the CEQA checklist of Appendix G, rather than being grouped together with the dissimilar field of Geology and Soils (or Cultural Resources, which Paleontological Resources have been grouped with previously).

Specifically, I recommend that Paleontological Resources be added to the Appendix G checklist as a new, standalone environmental issue, with an amendment to the wording of the question:

Current question (under Geology and Soils):

- Would the project: Directly or indirectly destroy a **unique** paleontological resource or site or **unique geologic feature**?

Proposed modification to question (as a standalone issue):

- Would the project: Directly or indirectly cause a **substantial adverse effect** on a paleontological resource or site?

There are four primary reasons for my suggested changes:

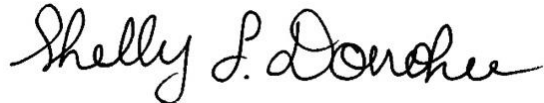
- 1.) The protection and management of Paleontological Resources, including the types of data gathered during the assessment phase of resource evaluation, the content and structure of the environmental documents produced, and the types of mitigation strategies employed, differs greatly from that of Geology and Soils. The Geology and Soils issue primarily addresses traditional environmental concerns, such as namely earthquake rupture, seismic ground shaking, unstable land surfaces and geologic units, expansive soils, and soil erosion, which are unrelated to paleontological resources.
- 2.) As written, the question for Paleontological Resources in Appendix G combines two separate, unrelated, and distinctly different resources -- paleontological resources and geologic features. These issues should be decoupled, with geologic features remaining as a consideration under Geology and Soils, and Paleontological Resources being moved into its own issue.
- 3.) The impact criteria for paleontological resources should mimic the criteria for Biological and Cultural Resources. Currently, for an impact to Biological or Cultural Resources to be considered potentially significant, the impact must "*have a substantial adverse effect on*" Biological Resources, or must "*cause a substantial adverse change*" to Cultural Resources. In contrast, for an impact to be considered potentially significant to Paleontological Resources, the resource must be destroyed, rather than being adversely affected or adversely changed.

- 4.) CEQA does not provide a definition for “*unique paleontological resource*.” The lack of definition leaves the potential significance of an impact up to an interpretation of what classifies as “unique.” Not only does this ambiguity potentially endanger the resource, it also makes the determination of significance difficult for environmental planners.

For these reasons, and for the enhanced protection of California’s rich paleontological record, I strongly urge you to consider the above recommendations.

Thank you for the opportunity to comment on the proposed updates to the CEQA review process.

Sincerely,

A handwritten signature in black ink that reads "Shelly L. Donohue". The signature is written in a cursive, flowing style.

Shelly L. Donohue
Report Writer, Department of PaleoServices
San Diego Natural History Museum