

Lockey, Heather@CNRA

From: Jere LIPPS <jlipps@berkeley.edu>
Sent: Thursday, March 15, 2018 9:55 AM
To: CEQA Guidelines@CNRA
Subject: Comments on CEQA Paleontological Resources
Attachments: CEQA comments 3_2018.doc

Mr. Christopher Calfee

Please find my letter attached that makes three recommendations for the CEQA review.

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March 12, 2018

Mr. Christopher Calfee
Deputy Secretary and General Counsel
California Natural Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814
Email: CEQA.Guidelines@resources.ca.gov.

RE: CEQA Paleontological Resources

Dear Mr. Calfee:

I am pleased to comment on the proposed updates to the CEQA review. My concern is three-fold, focusing on how the proposed changes affect the treatment and protection of California's Paleontological Resources under CEQA. Those resources document California's wonderful fossil record going back at least a billion years, and that document the history of life on the eastern Pacific border.

1. Paleontological Resources should be treated separately in the CEQA checklist. They were included in Appendix G as part of Cultural Resources and are proposed to be placed in Geology and Soils. But Paleontological Resources are quite unlike either of these, so that agency personnel and citizens alike may be confused. Each is a distinct subject with different materials, requiring their own collection, curation and interpretive techniques. This change would improve the treatment of each of these Resources. Putting Paleontological Resources in its own category will improve their understanding, making their treatment better and more efficient.
2. "Paleontological resources" needs clear definition for proper evaluation. Vertebrate, invertebrate, plant, and microfossil should be included to provide guidance on what constitutes such a resource.
3. Evaluation of the uniqueness of paleontological resources cannot be easily determined in the field while construction projects are underway. This evaluation requires the preparation, curation and, commonly, the study of the fossils, even in cases where the EIR has provided a preliminary assessment of a site. For this reason and to protect those unique finds that might get overlooked, "paleontological resources" should be used instead of "unique paleontological resources".

One goal of the CEQA updates is to streamline the review process, but another goal is to clarify the environmental issues under consideration and to recognize the changes in our understanding of these issues since the passage of CEQA in 1970. I hope these recommendations will help do that.

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

Sincerely,

Jere H. Lipps, Ph.D.
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Professor of the Graduate School, Department of Integrative Biology
University of California, Berkeley