

Comment 2-5

[Reply](#) [Reply All](#) [Forward](#) [Chat](#)

## Notice of Modifications to Text of Proposed Regulations - CSAC Comments

Chris Lee [clee@counties.org]

**To:** CEQA Guidelines@CNRA

**Cc:** Kiana Valentine [kvalentine@counties.org]

**Attachments:** CSAC Comments on Revised A~1.pdf (141 KB) [Open as Web Page]

Thursday, June 16, 2016 3:40 PM

You forwarded this message on 6/21/2016 2:56 PM.

Please see attached comments from the California State Association of Counties.

**Christopher A. Lee**

Legislative Analyst – Housing, Land Use & Transportation

California State Association of Counties®

(916) 650-8180 desk | (916) 956-1856 cell

[clee@counties.org](mailto:clee@counties.org) | [www.csac.counties.org](http://www.csac.counties.org)



June 16, 2016

Comment 2-5

1100 K Street  
Suite 101  
Sacramento  
California  
95814

Ms. Heather Baugh  
The California Natural Resources Agency  
1416 Ninth Street, Suite 1311  
Sacramento, CA 95814

Telephone  
916.327.7500

Facsimile  
916.441.5507

*By Electronic Mail*

**Re: Notification of Modifications to Text of Proposed Regulations**

Dear Ms. Baugh:

The California State Association of Counties (CSAC) appreciates the opportunity to comment on the proposed changes to the text of the regulation to implement Assembly Bill 52 (Chapter 532, Statute of 2014). CSAC has concerns with the proposed changes to the Appendix G checklist included under "XVII. Tribal Cultural Resources." Specifically, the formatting of the two questions misstates the law, as paragraph (a) contains language ("site, feature, place, cultural landscape ...") that applies to the first bullet point below it, but not to the second.

2-5.1

Accordingly, the text of the proposed language should be modified as follows:

- 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 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.

Thank you for your consideration of our comments. Should you have any questions, please do not hesitate to contact me at 916-327-7500, ext. 566, or [kvalentine@counties.org](mailto:kvalentine@counties.org).

Sincerely,

Kiana Valentine  
Legislative Representative