

10/19/21

Item 12B

Julie Minot

From: Alice Kaufman <alice@greenfoothills.org>
Sent: Friday, October 15, 2021 2:50 PM
To: Mayor and Council; Lisa Gillmor; Kathy Watanabe; Karen Hardy; Sudhanshu Jain; Raj Chahal; Kevin Park; Anthony Becker
Cc: Val Lopez; Ally Arganbright; Cat Wilder; Michelle Glowa; Alexii Sigona
Subject: Re: Agenda Item 12B -- 10/19/21 City Council meeting
Attachments: Santa Clara Resolution - Draft.docx; Statement of Opposition to Sargent Ranch Quarry.docx; GreenFoothills_JuristacResolution_SantaClaraCityCouncil_10.19.21.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mayor Gillmor and Councilmembers,

Attached is a letter from Green Foothills in support of Agenda Item 12B on next Tuesday's Council agenda ("Action on a Written Petition Submitted by Councilmember Jain Requesting to Place an Agenda Item at a Future Meeting to Discuss the Debt Acquisition Company of America Applying for a Conditional Use Permit to Build and Operate a 320 Acre Sand and Gravel Quarry at Sargent Ranch").

The proposed Sargent Ranch Quarry would destroy the landscape of Juristac, which is the most sacred place for the Amah Mutsun Tribal Band and the site where spiritual ceremonies were held for thousands of years. Juristac is also a critical wildlife corridor that is vital to the continued survival of mountain lions and other species in the Santa Cruz Mountains.

Councilmember Jain's petition asks the Council to pass a resolution calling for Juristac to be preserved as open space. The cities of [Morgan Hill](#) and [Santa Cruz](#) have already passed similar resolutions (see [related news articles](#)). In addition, numerous elected officials and organizations have signed a Statement of Opposition to Sargent Ranch Quarry (attached), and [letters of support for protecting Juristac](#) have been submitted by faculties of numerous colleges and universities, including [Santa Clara University](#).

Further information, including a map of the proposed quarry site, is included in the attached letter. Also attached is a **proposed draft of a potential resolution** for the Council to consider.

Please contact alice@greenfoothills.org or vlopez@amahmutsun.org if you have any questions or if you wish to schedule a meeting to discuss this issue. Thank you for your consideration.



Alice Kaufman (Pronouns: She/Her/Hers)
 Legislative Advocacy Director
 Green Foothills | (650) 968-7243 x313 | greenfoothills.org
Learn how to be a more effective environmental advocate!
[Apply](#) to Green Foothills' Leadership Academy, Deadline 10/30.



POST MEETING MATERIAL

RESOLUTION NO. 21-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SANTA CLARA IN SUPPORT OF THE EFFORTS OF THE AMAH
MUTSUN TRIBAL BAND TO PRESERVE SARGENT
RANCH/JURISTAC AS OPEN SPACE**

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the City of Santa Clara is located within the ancestral lands of Tamyen-speaking Ohlone peoples, whose descendants today belong to the Muwekma Ohlone Tribe, Amah Mutsun Tribal Band and other tribal nations;

WHEREAS, the City of Santa Clara supports the efforts of the Indigenous peoples of our region to heal from historical trauma, regain access to their sacred cultural heritage sites and restore their cultural and spiritual traditions;

WHEREAS, the Debt Acquisition Company of America, doing business as Sargent Ranch Management Company, has applied to the County of Santa Clara for a conditional use permit for a proposed sand and gravel mining operation with aggregate processing facilities on approximately 320 acres of Sargent Ranch, within an area known as Juristac to the Amah Mutsun Tribal Band;

WHEREAS, Juristac is the location of numerous historic ceremonial and sacred sites, comprising a landscape of paramount cultural and spiritual importance to the Amah Mutsun Tribal Band;

WHEREAS the Amah Mutsun Tribal Band maintains that the 320 acres of proposed mining pits, overburden piles, roads, and processing facilities would irreparably harm Mutsun cultural resources, landscape features, and the spiritual integrity of Juristac;

WHEREAS, the Tribal Council of the Amah Mutsun Tribal Band has taken a unanimous stand in opposition to the Sargent Quarry Project and is requesting the support of surrounding communities in efforts to protect their sacred grounds;

WHEREAS, in January and February of 2020 respectively, the city councils of the City of Morgan Hill and City of Santa Cruz unanimously adopted resolutions supporting the efforts of the Amah Mutsun Tribal Band to preserve the entirety of Juristac as open space;

WHEREAS, in June of 2020, a group of 279 faculty and staff and 90 students of Santa Clara University submitted a letter to the Santa Clara County Board of Supervisors and Planning Commission urging the County to deny the approval of mining permits for the proposed Sargent Quarry and supporting the efforts of the Amah Mutsun Tribal Band to protect Juristac;

WHEREAS, Sargent Ranch/Juristac is an open space area of exceptional regional significance and habitat value as recognized by the Santa Clara Valley Habitat Agency, the Santa Clara Valley Open Space Authority, and regional conservation organizations;

WHEREAS, the Sargent Ranch area is identified in the Santa Clara Valley Habitat Conservation Plan and other regional habitat connectivity studies as a critically important wildlife corridor linking the Santa Cruz Mountains, Gabilan Mountains, and Diablo Range;

WHEREAS, the City of Santa Clara's 2010-2035 General Plan names the Santa Clara Valley Habitat Conservation Plan as part of the City's vision of regional land use and transportation planning and coordination [6.2.1];

WHEREAS, the City of Santa Clara aspires to advance leadership in sustainability through initiatives and efforts that include support for regional open space and habitat preservation, protection of air and water quality, and the dedication of public trails;

WHEREAS, as demonstrated by the City of Santa Clara's efforts to preserve and steward the 40-acre *Ulistac Natural Area*, a historic Tamyen Ohlone cultural site located within city limits, the City supports the protection and preservation of Indigenous cultural heritage sites;

WHEREAS, it is a goal of the City of Santa Clara, as outlined in the 2010-2035 General Plan, to protect and preserve cultural resources, as well as archaeological sites [5.6.3-G1]; and

WHEREAS, the City of Santa Clara supports the rights of Indigenous peoples to access, maintain, and protect their religious and cultural sites, as enshrined in Article 12 of the United Nations Declaration on the Rights of Indigenous Peoples.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the City Council of the City of Santa Clara supports the efforts of the Amah Mutsun Tribal Band to preserve Sargent Ranch/Juristac as open space in perpetuity and to regain access to their cultural and spiritual sites at Juristac.
2. That the City Council of the City of Santa Clara urges the County of Santa Clara to deny approval of permits for the proposed Sargent Quarry Project.

Statement of Opposition to Sargent Ranch Quarry Proposal

We oppose the proposed sand and gravel quarry at Sargent Ranch (Juristac). This land is of immense biological and cultural importance to our entire region, and should be preserved for conservation. We urge the County of Santa Clara not to allow this unique place to be developed with a quarry.

Signed:

Elected officials:

Assemblymember Marc Berman
Assemblymember Ash Kalra
Assemblymember Mark Stone
Los Gatos Council Member Rob Rennie
Los Gatos Council Member Marico Sayoc
Morgan Hill Mayor Rich Constantine
Morgan Hill Mayor Pro Tem Yvonne Martínez Beltrán
Morgan Hill Council Member Rene Spring
Santa Cruz County Supervisor Ryan Coonerty
Santa Cruz County Supervisor John Leopold
San Jose Councilmember Sylvia Arenas
San Jose Councilmember Magdalena Carrasco
San Jose Councilmember Sergio Jimenez
San Jose Councilmember Raul Peralez

Community leaders:

Ann Ravel, former Commissioner of the Federal Election Commission (FEC)
Blanca Alvarado, former Santa Clara County Supervisor
Margie Matthews, former San Jose Councilmember
Rose Amador LeBeau, Native Voice TV

Organizations in Santa Clara County:

350 Silicon Valley
ACLU Foundation of Northern California
Amah Mutsun Land Trust
Bay Area for Clean Environment (BACE)
California Native Plant Society – Santa Clara Valley Chapter

Calpulli Tonalequeh Aztec Dance
CARAS – Community Agency for Resources, Advocacy and Service
Center for Biological Diversity
Citizens Committee to Complete the Refuge
Dean Democratic Club of Silicon Valley
Divest Silicon Valley
Extinction Rebellion South Bay
First Unitarian Church (FUCSJ) of San Jose
Gilroy Historical Society
Grassroots Ecology
Green Foothills
Green Party of Santa Clara County
Greenbelt Alliance
Jewish Voice for Peace South Bay
La Raza Roundtable
Mothers Out Front Capital Region
Mothers Out Front South Bay
Native Voice TV
Orchard City Indivisible – Environmental Justice Working Group
Red Earth Women’s Society
Santa Clara County Democratic Party
Santa Clara Valley Audubon Society
Sierra Club Loma Prieta Chapter
Silicon Valley Democratic Socialists of America
Silicon Valley Young Democrats
Silicon Valley Youth Climate Strike
South Bay Indigenous Solidarity
South Bay Pachamama Alliance
St. Mark’s Episcopal Church Santa Clara
Stanford Undergraduate Senate
SURJ (Showing Up for Racial Justice) at Sacred Heart

Organizations in Santa Cruz County:

Extinction Rebellion Santa Cruz
Friends of Juristac
Jewish Voice for Peace Santa Cruz
Sanctuary Santa Cruz
Santa Cruz Democratic Socialists of America
Santa Cruz Sunrise
Santa Cruz Tenant Power

Santa Cruz branch Women's International League for Peace and Freedom, EarthDemocracy
committee
Sierra Club Ventana Chapter, Santa Cruz Group
Wisdom Center of Santa Cruz
Yeashore Community



October 15, 2021

Santa Clara City Council
1500 Warburton St.
Santa Clara, CA 95050

Re: Agenda Item 12B: "Action on a Written Petition Submitted by Councilmember Jain Requesting to Place an Agenda Item at a Future Meeting to Discuss the Debt Acquisition Company of America Applying for a Conditional Use Permit to Build and Operate a 320 Acre Sand and Gravel Quarry at Sargent Ranch," 10/19/21 Agenda

Dear Mayor Gillmor and Councilmembers,

Green Foothills¹ respectfully requests that the Council approve Agenda Item 12B: "Action on a Written Petition Submitted by Councilmember Jain Requesting to Place an Agenda Item at a Future Meeting to Discuss the Debt Acquisition Company of America Applying for a Conditional Use Permit to Build and Operate a 320 Acre Sand and Gravel Quarry at Sargent Ranch" to be put on a future Council agenda.

Councilmember Jain's petition states as follows:

The Debt Acquisition Company of America (DACA) owns Sargent Ranch which is 6500 acres of nearly pristine open space which encompasses Juristac, considered by the Amah Mutsun Tribal Band to be a very sacred space which held healing ceremonies and dances for centuries.

DACA has applied to the County of Santa Clara for a conditional use permit to build and operate a 320 acre sand and gravel quarry at Sargent Ranch. This quarry will violate the serenity of this place which is also a critical wildlife corridor.

The Amah Mutsun Tribal Band and Greenbelt Alliance are asking Santa Clara to pass a resolution asking the County to reject the use permit and to preserve Juristac as open space. The cities of Morgan Hill and Santa Cruz have already passed similar resolutions. Also a group of 279 staff and faculty and 90 students at SCU have signed a letter to deny the mining permits.

¹ Green Foothills is a nonprofit organization working to protect open space, farmland, and natural resources in San Mateo and Santa Clara Counties for the benefit of all through advocacy, education, and grassroots action. We have thousands of members in the area, including in the City of Santa Clara. Green Foothills is working with the Amah Mutsun Tribal Band in the effort to protect Juristac.



Background

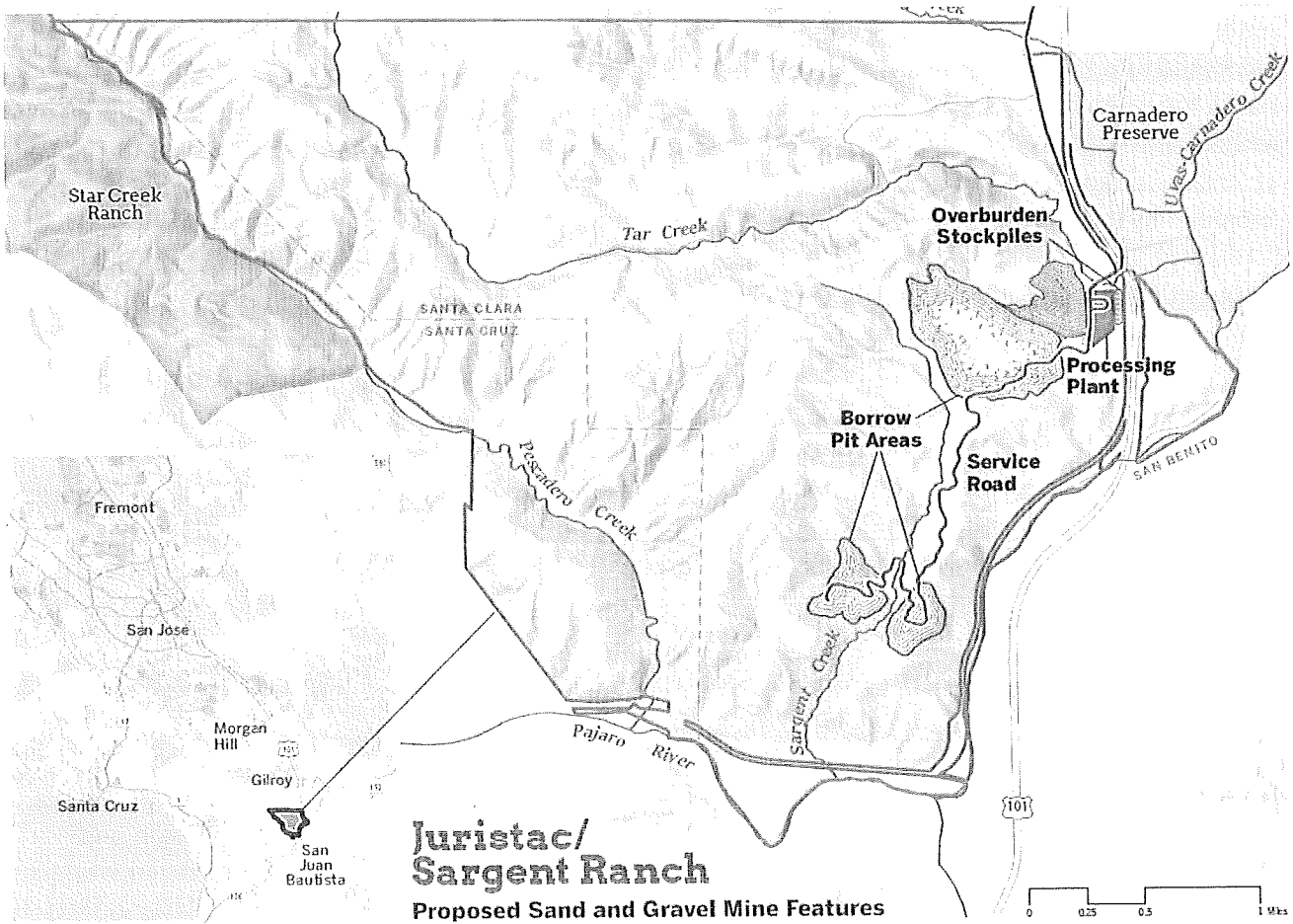
As stated in Councilmember Jain's petition, Juristac is a landscape that is the most sacred site for the Amah Mutsun Tribal Band. The portion of Juristac known today as Sargent Ranch encompasses 6500 acres located at the very southern border of Santa Clara County, southwest of Gilroy (see image below). For thousands of years, the Amah Mutsun people held sacred ceremonies at this location -- the home of a powerful spiritual being known as Kuksui. Juristac translates to "Place of the Big Head,"² and the Big Head dances associated with Kuksui and other healing and renewal ceremonies took place here over the centuries. Juristac was a gathering place for many tribes in the area, and its spiritual and cultural significance is unique in our region. For more details on the history and the cultural and spiritual significance of Juristac, please visit ProtectJuristac.org.

In addition, Juristac is a critical wildlife corridor that links the Santa Cruz Mountains to the Gabilan Range to the south and the Diablo Range to the east. This area has been identified as an important migration route in all habitat connectivity assessments for the region since the year 2000.³ The Santa Clara Valley Habitat Agency recognizes several landscape linkages running through the Sargent Ranch property (linkages 12, 18, 19 and 20 on [this map](#)). The Santa Clara Valley Open Space Authority considers the "Sargent Hills" area to be one of its top 10 conservation focus areas (number 8 on [this map](#)).

The current owner of the property, the San Diego-based Debt Acquisition Company of America (DACA), has submitted an application to the County of Santa Clara for a sand and gravel open-pit mining operation on 320 acres of pristine hillside grassland at Juristac. According to documents filed with the County, the Sargent Ranch Quarry would operate for 30 years, would dig 4 pits hundreds of feet deep, and would pump about 76,000 gallons of groundwater per day for quarry operations. The quarry would permanently alter the Juristac landscape, turning hillsides into deep pits and scarring the landscape with truck haul roads, conveyor belts, and a 14-acre processing plant. Further information about the quarry proposal can be found [on the County website](#).

² The syllable "-tac" in Ohlone languages means "place of," which is why some place names in this region contain this syllable (e.g. Ulistac Natural Area in Santa Clara).

³ See, e.g., Penrod K, Hunter R, Merrifield M (2001) **Missing Linkages: Restoring Connectivity to the California Landscape**. South Coast Wildlands Project, Los Angeles; Spencer, W.D., Beier, P., Penrod, K., Parisi, M., Pettler, A., Winters, K., Stritholt, J., Paulman, C. and Rustigian-Romsos, H., 2010, **California Essential Habitat Connectivity Project: A strategy for conserving a connected California**, report prepared for California Department of Transportation and California Department of Fish and Game; Bay Area Open Space Council 2011, **The Conservation Lands Network: San Francisco Bay Area Upland Habitat Goals Project Report**, Berkeley, CA; Penrod, K., Garding, P.E., Paulman, C., Beier, P., Weiss, S., Schaefer, N., Branciforte, R. and Gaffney, K., 2013, **Critical Linkages: Bay Area & Beyond**, produced by Science & Collaboration for Connected Wildlands, Fair Oaks, CA [www.scwildlands.org], in collaboration with the Bay Area Open Space Council's Conservation Lands Network [www.BayAreaLands.org].



The ecological impact of the proposed Sargent Ranch sand and gravel mine on Juristac would be severe for species such as mountain lions, which depend on the ability to migrate through this site for healthy population dynamics. Heavy industry such as mining causes disruption to animal movement due not only to the disturbed footprint of the project but also due to the daily noise and heavy vehicle activity, which can drive away sensitive wildlife species and prevent them from utilizing their usual migration routes. In this case, the proposed footprint of the mining operation lies directly across the main migration route for animals out of the Santa Cruz Mountains. Highway 101 is a significant barrier for wildlife movement, and there are only a few undercrossings beneath the highway where animals can travel. Since the proposed sand mine would potentially operate for 30 years or more, the continuing impact on the viability of these animal populations in the Santa Cruz Mountains could be severe and irremediable.



In addition, the Sargent Ranch Quarry could severely impact the local watershed. According to project plans filed with the County of Santa Clara, the quarry pits would excavate the hillsides on both sides of Sargent Creek. This creek is a tributary to the Pajaro River, which is already heavily impacted from runoff and illegal dumping. The Sargent Creek watershed encompasses over 1200 acres and is estimated to provide hundreds of acre-feet of groundwater recharge and runoff. If the pits excavate below the water table, the integrity of the Sargent Creek watershed would be affected and its ability to recharge groundwater significantly impaired. Sargent Creek supports a rare stream-dwelling population of California red-legged frogs, a federally listed threatened species, which could be significantly impacted by the disruption, increased sediment, and other impacts to the creek and the watershed.

Request for a Council Resolution Calling for Protection of Juristac

Councilmember Jain's petition asks the Council to pass a resolution asking the County to reject the conditional use permit for Sargent Ranch Quarry and to preserve Juristac as open space. The cities of Morgan Hill and Santa Cruz have already passed similar resolutions (see related news articles). In addition, numerous elected officials and organizations have signed a Statement of Opposition to Sargent Ranch Quarry, and letters of support for protecting Juristac have been submitted by faculties of numerous colleges and universities, including a group of 279 faculty and staff and 90 students at Santa Clara University.

The city of Santa Clara has demonstrated regional leadership in protecting Indigenous cultural heritage sites by preserving the Tamyen Ohlone village site of Ulistac. Green Foothills strongly supported the 2016 ballot measure amending the city charter to prevent development or sale of city-owned parks, including Ulistac Natural Area, which received 90% voter support. It is appropriate for the city of Santa Clara to continue its leadership in protecting Indigenous cultural heritage sites such as Ulistac and Juristac.

Please vote to put this resolution on a future Council agenda. Thank you for your attention to these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Alice Kaufman", with a long, sweeping underline.

Alice Kaufman
Legislative Advocacy Director, Green Foothills

10/19/21

Item 12B

Julie Minot

From: Tedde Simon <tsimon@aclunc.org>
Sent: Friday, October 15, 2021 3:01 PM
To: Mayor and Council; Lisa Gillmor; Kathy Watanabe; Raj Chahal; Karen Hardy; Kevin Park; Sudhanshu Jain; Anthony Becker
Cc: Valentin Lopez; Alice Kaufman
Subject: Re: Agenda Item 12B -- 10/19/21 City Council meeting
Attachments: 2021.10.15 ACLUNC Letter to Santa Clara City Council re Juristac Resolution.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mayor Gillmor and members of the Santa Clara City Council,

Please find, attached, a letter from the American Civil Liberties Union Foundation of Northern California urging your support of Agenda Item 12B on the Council's Agenda for its October 19, 2021, public meeting, the "Action on a Written Petition Submitted by Councilmember Jain Requesting to Place an Agenda Item at a Future Meeting to Discuss the Debt Acquisition Company of America Applying for a Conditional Use Permit to Build and Operate a 320 Acre Sand and Gravel Quarry at Sargent Ranch."

Thank you for your consideration,

Tedde Simon :: Navajo :: she/her/hers
Racial & Economic Justice Program, Indigenous Justice Advocate
ACLU Foundation of Northern California
39 Drumm Street | San Francisco, CA 94111
office: 415-293-6324 | tsimon@aclunc.org

POST MEETING MATERIAL



Northern
California

Transmitted via Electronic Mail
October 15, 2021

Mayor Lisa M. Gillmor
lgillmor@santaclaraca.gov
Councilmember Kathy Watanabe
kwatanabe@santaclaraca.gov
Councilmember Raj Chahal
rchahal@santaclaraca.gov
Councilmember Karen Hardy
khardy@santaclaraca.gov
Councilmember Kevin Park
kpark@santaclaraca.gov
Councilmember Sudhanshu Jain
sjain@santaclaraca.gov
Councilmember Anthony J. Becker
abecker@santaclaraca.gov
City of Santa Clara
Council Chamber Building
1500 Warburton Ave.
Santa Clara, CA 95050
MayorandCouncil@santaclaraca.gov

Re: Agenda Item 12B: “Action on a Written Petition Submitted by Councilmember Jain Requesting to Place an Agenda Item at a Future Meeting to Discuss the Debt Acquisition Company of America Applying for a Conditional Use Permit to Build and Operate a 320 Acre Sand and Gravel Quarry at Sargent Ranch,” 10/19/21 Agenda

Dear Mayor Gillmor and members of the Santa Clara City Council,

The American Civil Liberties Union Foundation of Northern California (“ACLU NorCal”) submits this letter to express support of the “Action on a Written Petition Submitted by Councilmember Jain Requesting to Place an Agenda Item at a Future Meeting to Discuss the Debt Acquisition Company of America Applying for a Conditional Use Permit to Build and Operate a 320 Acre Sand and Gravel Quarry at Sargent Ranch” (Agenda Item 12B on the Council’s Agenda for its October 19, 2021 public meeting).¹

The ACLU supports and defends the rights of all Native American peoples to retain their specific and unique cultural and religious traditions and practices. The future existence of Tribes across

¹ Hereinafter referred to as “Juristac Resolution”

American Civil Liberties Union of Northern California

EXECUTIVE DIRECTOR Abdi Soltani • BOARD CHAIR Farah Brelvi

SAN FRANCISCO OFFICE: 39 Drumm St. San Francisco, CA 94111

FRESNO OFFICE: PO Box 188 Fresno, CA 93707 • SACRAMENTO METRO OFFICE: PO Box 189070 Sacramento, CA 95818
TEL (415) 621-2493 • FAX (415) 255-1478 • TTY (415) 863-7832 • WWW.ACLUNC.ORG

our country depends ultimately upon secure and permanent land bases, and the rights of self-determination necessary to preserve traditional customs and ways of life.² Self-determination, religious freedom, and cultural survival are intimately tied to protection of sacred sites. There can be no religious freedom if the foundation for the practice of the religion in question has been destroyed.

The future survival and vitality of the ancestral people of these lands, represented by the Amah Mutsun Tribal Band, is largely tied to preservation of the sanctity of Juristac. To destroy this site would be to continue the long and ugly history of the nation and the state of California, which was founded on the forced removal, enslavement, and genocide of Indigenous peoples.³ As our state's first Governor, Peter Burnett, put it bluntly in his 1851 address to the Legislature: “[t]hat a war of extermination will continue to be waged between the two races until the Indian race becomes extinct must be expected.”

California's treatment of its original inhabitants was shockingly violent. After the brutal Mission system enslaved and took the lives of thousands of Indigenous peoples, the state sanctioned and funded massacres against Indigenous peoples—authorizing \$1.29 million in 1850's dollars to pay for the militia campaigns that amounted to genocide.⁴ In addition to this brutality, California Indians were subjected to repugnant laws and policies. For example, the 1850 “Act for the Governance and Protection of Indians” made the enslavement of California Indians legal and fueled the kidnapping and trafficking of Native American children into indentured servitude. Furthermore, the State of California and the U.S. federal government destroyed sacred places and prohibited traditional and cultural practices by law.

Native peoples—who stood in the way of the rich bounty that California's diverse natural beauty signified for newcomers—were forcefully removed from and dispossessed of their ancestral lands.

Through treaties and other agreements, the United States federal government acknowledged Indian Tribes' existence as sovereign nations predating the existence of the US as a nation, and entered into government-to-government relationships with Tribes. In exchange for vast swaths of ancestral territory—nearly the entire country—and often upon forced removal to distant, barren lands, the

² ACLU Bd. Pol'y 313; ACLU Found. N. Cal. Bd. Res. No. 2021-06-24A, “In Support of Nationwide ACLU Indigenous Justice Initiatives,” available at: <https://www.aclunc.org/sites/default/files/FOUNDATION%20RESOLUTION%20supporting%20indigenous%20justice%20FINAL%2006.24.21.pdf>.

³ See ACLU N. Cal., “Gold Chains: The Hidden History of Slavery in California,” available at <https://www.aclunc.org/sites/goldchains/index.html> (last accessed Oct. 15, 2021); see also Benjamin Madley, *An American Genocide: The United States and the California Indian Catastrophe 1846–1873* (Yale University Press, 2016).

⁴ See Brendan C. Lindsay, *Murder State: California's Native American Genocide, 1846–1873* 346 (University of Nebraska Press 2015); see also Madley, *supra* n.2. For a non-comprehensive list of genocide incidents in the San Joaquin Valley, see STATE OF CAL. NATIVE AM. HERITAGE COMM'N, *Timeline of Genocide Incidents in the San Joaquin Valley Region*, available at: <http://nahc.ca.gov/cp/timelines/san-joaquin/> (last accessed Apr. 9, 2021).

federal government assumed a trust relationship with the Tribes, legally binding itself to provide for the education, health, and well-being of Native American peoples; to hold tribal land in trust and to respect self-determination; and to provide federal protections for sacred and burial sites and rights to hunt, fish and gather. But many tribes were either never recognized by the United States or had their federal relationship terminated. In California, this has often been a direct result of California elites fighting to dispose Native peoples of their land and heritage and, in effect, erase Native peoples from our state. Without federal recognition, tribes still exist, but without the rights and protections afforded under federal law. Many tribes are today fighting to gain or regain federal recognition—including the Amah Mutsun Tribal Band.

That the Amah Mutsun do not have federal recognition—and the tribal sovereignty, government-to-government relationship, and protection of important and hard-won federal laws—is not an accident. We must not use legacy of stolen land and broken treaties as a reason to deny the principles of freedom, equality and justice enumerated in our Constitution to all people today. *A mine at Juristac would be only another shameful stain on our state's history.*

ACLU NorCal stands with the Amah Mutsun Tribal Band in their efforts to protect their traditional lands and urges the City of Santa Clara City Council to approve the Juristac Resolution at its October 19, 2021 meeting.

Sincerely,



Tedde Simon
Indigenous Justice Advocate
ACLU Foundation of Northern California
tsimon@aclunc.org

CC: Alice Kaufman
alice@greenfoothills.org
Chairman Valentin Lopez
vjltestingcenter@aol.com

Julie Minot

From: Mayor and Council <MAYORANDCOUNCIL@SantaClaraCA.gov>
Sent: Tuesday, October 19, 2021 4:20 PM
To: Jan Hintermeister
Subject: RE: Item 12B on 10/19/21 City Council Agenda

Greetings,

Our office confirms receipt of your email regarding item 12B. Action on a Written Petition (Council Petition 030) Submitted by Councilmember Jain Requesting to Place an Agenda Item at a Future Meeting to Discuss the Debt Acquisition Company of America Applying for a Conditional Use Permit to Build and Operate a 320 Acre Sand and Gravel Quarry at Sargent Ranch.

Please note this correspondence will form part of the public record for the October 19, 2021 Council and Authorities Concurrent and Santa Clara Stadium Authority meeting.

Best regards,

Julie Minot, SPHR | Executive Assistant to the City Manager
City Manager's Office | City of Santa Clara
1500 Warburton Avenue, Santa Clara, CA 95050
Tel: 408-615-2214 | www.santaclaraca.gov



POST MEETING MATERIAL

From: Jan Hintermeister <jan.hintermeister@sbcglobal.net>
Sent: Monday, October 18, 2021 2:23 PM
To: Mayor and Council <MAYORANDCOUNCIL@SantaClaraCA.gov>
Subject: Item 12B on 10/19/21 City Council Agenda

Dear Mayor Gillmor and Councilmembers,

I'm writing in support of Item 12B on Tuesday's City Council agenda: "Action on a Written Petition (Council Petition 030) Submitted by Councilmember Jain Requesting to Place an Agenda Item at a Future Meeting to Discuss the Debt Acquisition Company of America Applying for a Conditional Use Permit to Build and Operate a 320 Acre Sand and Gravel Quarry at Sargent Ranch"

Sargent Ranch is known as Juristac by the local Amah Mutsun Tribal Band and is an important cultural and religious site. Juristac holds tremendous environmental values as well as spiritual significance for the Amah Mutsun. The similarity of the names Juristac and Ulistac as in our beloved Ulistac Natural Area is no accident. Both names come from Ohlone languages.

Some on the Council may remember that when Santa Clara was debating the preservation of the land that eventually became the Ulistac Natural Area that we worked closely with local Native American groups to preserve the Ulistac site. This is a great opportunity for the City of Santa Clara to re-establish strong connections between Santa Clara and our local Native American community.

The City Council recently established a Task Force on Diversity, Equity and Inclusion. From the City website, "The Task Force is charged with identifying key issues facing the City involving historically disenfranchised communities and making recommendations to policies that help the City achieve racial equity." The first and most important step in addressing issues of diversity, equity and inclusion is to listen to those communities and appreciate their unique perspectives. Placing the issue of Juristac and the proposed development on a City Council agenda provides an excellent opportunity for the City to show respect and learn from our local Native American community.

The size of Juristac and the scope of the proposed development makes this an issue of county-wide and regional significance. Please consider agendaizing this item at the earliest opportunity.

Respectfully,

Jan Hintermeister

Member, Board of Library Trustees (provided only for identification purposes, I am writing solely on my own behalf)

Julie Minot

From: Stephanie Morris <stephlmorris@gmail.com>
Sent: Tuesday, September 28, 2021 6:02 PM
To: Mayor and Council
Subject: All-Electric Reach Code - yes vote urged

Follow Up Flag: Follow up
Flag Status: Flagged

September 28, 2021

Dear Mayor and Councilmembers:

My name is Stephanie Morris, and I am a volunteer leader with Mothers Out Front Silicon Valley. I urge you to pass a strong Reach Code requiring All-Electric new construction and prohibiting gas use in new homes and buildings.

Having just spent thousands of dollars converting my own home from gas to electric, I know firsthand how much more effective it would be to create all-electric buildings from the start. For new buildings, there is a minimum of \$6,000 per home in construction cost savings. Electric technology works and it is highly efficient.

I switched to an electric stove and space heating in part to lower my carbon footprint, but also to significantly improve my health. Indoor pollution for gas stoves can be higher than EPA limits for outdoor pollution. The reach code works best only if it's fully all-electric. That way we also eliminate the pipelines, the gas leaks and the potential for gas combustion both in the home and in our neighborhoods.

Through Peninsula Clean energy, we have the carbon-free source to power a transition to all-electric new construction. Concerns exist about power outages. Yet, it is important to note that most gas appliances have electric ignition and won't work in a power outage.

Some builders may be resistant to change, but I can tell you firsthand the technology is here and there are contractors available in our area ready to install heat pump water heating and space heating/cooling. I've hired them!

Building codes that set the standard, and the industry will adapt. This code will be practical, environmentally responsive and profitable.

Most cities in our region have passed All-Electric reach codes. Santa Clara has many big building projects coming up. Imagine if each one saved many tons of carbon per year vs contributing to the ongoing climate problem.

Please pass an All-Electric new building code, and please do not allow exceptions for gas-powered fuel cells, as one local company may have been urging you to do.

The eyes of us moms—and the world—are on you.
Thank you.

Stephanie Morris
[Mothers Out Front Silicon Valley](#)

Julie Minot

From: Ann Edminster <ann@annedminster.com>
Sent: Tuesday, September 28, 2021 7:13 PM
To: Mayor and Council
Cc: dashieell.leeds@sierraclub.org
Subject: All-electric building code

Follow Up Flag: Follow up
Flag Status: Flagged

Honorable Mayor and City Council members,

I fully support the all-electric building code proposal before you tonight. As a green building practitioner and zero energy/carbon consultant for the past quarter-century, it has never been more clear to me that this is not only what we MUST do, it is absolutely doable. There NO solid rationales to delay this action; it is the only responsible path forward.

Very sincerely,

Ann

Ann V. Edminster, M.Arch. (she/her)
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From: Robert Gould <rmgould1@yahoo.com>
Sent: Tuesday, September 28, 2021 8:22 PM
To: Mayor and Council
Subject: Testimony on Item 21-1108, All-Electric Reach Code, September 28, 2021
Attachments: 9-28-21 Santa Clara Comments Electrification RGould final.docx

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Hello, I am intending to provide verbal testimony at tonight's meeting by Zoom, but would like to provide my written testimony in support of the All-Electric Reach Code on behalf of San Francisco Bay Physicians for Social Responsibility.

Please find testimony attached.

Sincerely,

Robert M. Gould, MD
President
San Francisco Bay Physicians for Social Responsibility

Statement of Dr. Robert Gould (SF Bay PSR), Santa Clara City Council, September 28, 2021

I'm Dr. Robert Gould. After working as a Pathologist for over 30 years since 2012, I've been an Associate Adjunct Professor at UCSF School of Medicine, working in our Program on Reproductive Health and the Environment. Since 1989 I've also been President of San Francisco Bay Physicians for Social Responsibility (PSR), for which I'm speaking today, representing hundreds of health professionals throughout our region, who speak for the health of our patients and communities, who are increasingly impacted by the unfolding public and environmental health impacts of global warming, and clearly connected issues of air pollution.

The just released assessment by the Intergovernmental Panel on Climate Change is unequivocal in its call for urgent action to ensure an energy efficient and fossil free future. Reducing reliance on gas appliances is health protective, not only in their climate benefits of moving away from fossil fuel extraction use, but also because gas stoves and other appliances can be a large source of toxic pollution in homes, reaching levels of pollution that would be illegal in outdoor settings. Children, especially those of color, are particularly at risk of respiratory illnesses, such as asthma, associated with gas appliance pollution, and lower income households may be at higher risk of exposure.

So, as one example, a 2013 meta-analysis looking at the association between gas stoves and childhood asthma found children in homes with gas stoves have a 42% increased risk of experiencing asthma symptoms (current asthma), a 24% increased risk of ever being diagnosed with asthma by a doctor (lifetime asthma), and an overall 32% increased risk of both current and lifetime asthma.

In addition, there is mounting evidence linking combustion related air pollution with adverse brain development. A 2009 study found evidence that infant through preschool-age early-life exposure (through age four) to indoor air pollution from gas appliances may be related to impaired cognitive function and may increase the risk of developing attention-deficit/ hyperactivity disorder (ADHD) symptoms.

Accordingly, we strongly support Santa Clara adopting an all-electric Reach Code now, requiring electric heating and appliances, on-site solar energy, and electric vehicle charging infrastructure in all new residential and commercial construction, and we also urge you to not allow exceptions for gas-powered fuel cells. As such, you would join nearly all other cities in Santa Clara County who have already adopted electric requirements for new construction that avoid new fossil gas use, in recognition of numerous benefits to community health, safety, and a stable climate future afforded by this transformation.

We call on you to use this critical opportunity to demonstrate the Santa Clara's leadership and commitment to rapidly develop the more economical, pollution-free buildings we need now for the optimal public, environmental and climate health we and future generations so deserve.

Sincerely,

Robert M. Gould, MD; President, San Francisco Bay Physicians for Social Responsibility