



CITY OF
**PALO
ALTO**

**CITY OF PALO ALTO
CITY COUNCIL
Special Meeting**

**Monday, December 02, 2024
Council Chambers & Hybrid
5:30 PM**

Agenda Item

19. Colleague's Memo: Resolution Supporting the Efforts of the Amah Mutsun Tribal Band to Preserve Juristac/Sargent Ranch as Open Space



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CITY COUNCIL Colleague's Memo

**Sponsor(s): Council Member Lydia Kou,
Council Member Greer Stone**

Meeting Date: December 2, 2024

Report #: 2410-3590

TITLE

Colleague's Memo: Resolution Supporting the Efforts of the Amah Mutsun Tribal Band to Preserve Juristac/Sargent Ranch as Open Space

RECOMMENDATION

The City of Palo Alto has treasured our own open spaces; Enid Pearson Arastradero Preserve, Foothills Nature Preserve, and Baylands Open Space Preserve, for their beauty and biodiversity. Palo Alto has had Climate Change & Natural Environment – Protection and Adaptation as a Council Priority for 4 years, signaling that the natural environment and biodiversity is just as important as tech solutions when it comes to addressing climate change. Protecting biodiversity in our region is directly connected to the health and wellbeing of our own community as the cumulative impacts of the destruction of these sensitive habitats impacts us all.

Our recommendation is to sign and send a Resolution to the Santa Clara County Board of Supervisors to support and stand with the Amah Mutsun Tribal Band, environmental groups, and concerned citizens to protect the ecologically sensitive ancient ceremonial site, called Juristac, located in south Santa Clara County, and to reject the proposed Sargent Quarry Project <http://protectjuristac.org>

GOAL

To stand in support with the Amah Mutsun Tribal Band, environmental groups, and concerned citizens to protect the ecologically sensitive ancient ceremonial site called Juristac, located in south Santa Clara County, and to oppose granting a permit to an investor group based in San Diego who is currently seeking to develop a 403-acre open pit sand and gravel mining operation at the proposed Sargent Quarry. The plan includes a 14-acre processing plant, three 200-foot-deep open pit quarry sites, a 1.6-mile-long conveyor belt, and a 20-foot wide access road.¹ Additionally, an estimated 35 million cubic yards of excavated material (sand and gravel aggregate), with 25.3 million cubic yards of salable material (equal to 38 million tons of salable product) would be produced over the 30-year life of the mine, primarily for use in local road building and general construction.

¹ <https://plandev.sccgov.org/policies-programs/smara/sargent>

BACKGROUND

The Amah Mutsun Tribal Band represents descendants of indigenous people who survived relocation to Mission San Juan Bautista and Mission Santa Cruz. At the time, Mutsun ancestors were taken into the missions from many villages at Juristac and surrounding Mutsun territory. After the missions closed in the 1830's, some Mutsun people returned to their Juristac homelands but another tragedy, the smallpox epidemic, combined with violence and pressures from the Mexican and early American settlers led to the Mutsun people's dislocation from their Juristac homelands.

To the Mutsun people, the entire area now known as Sargent Ranch and previously named Rancho Juristac is contained within the Juristac Tribal Cultural Landscape. The area contains several cultural sites who the Mutsun people believe is home to a powerful spiritual being; and healing and renewal ceremonies have taken place in the area for centuries. It is an area of cultural and spiritual significance.

The Santa Cruz Sentinel published an op-ed by Amah Mutsun Chairman Lopez and the [Center of Biological Diversity](#)'s Tiffany Yap, Senior Scientist and Wildlife Corridor Advocate, that highlights Juristac in relation to the habitat needs of California Condors.

"Extinction was imminent for the California condor in 1980, when just 22 majestic birds existed. A captive breeding and reintroduction program rescued them from the edge. This rare sighting of six condors more than 100 miles from their nesting site shows what's possible if there's a willingness to combat the extinction crisis. Extinction, after all, is a choice, not an inevitability.

But confronting biodiversity loss and the extinction crisis is hard work. Once condors born in captivity are successfully introduced, their fight for survival has just begun. They face myriad threats including lead poisoning, collision with power lines and encroaching development.

Condors have an incredibly wide range, traveling hundreds of miles in a single day in search of prey. They need foraging habitats to find food and rocky areas to nest but their home turf is constantly under threat.

Outside Gilroy, about 80 miles south of Mount Diablo, officials are considering a proposal to develop a sand and gravel mining operation that would destroy more than 400 acres of essential condor foraging habitat as well as prime habitat for California red-legged frogs, golden eagles, American badgers and mountain lions."²

² <https://docs.google.com/presentation/d/e/2PACX-1vRVnG2ZULjZAMbCIXrdaDCvbyzDr4UsO5mYGZ2BkJP1hrKgp0b46LwDHx-vXHwHT1ZZqknyOv3vzI4Q/pub?start=false&loop=false&delayms=60000&slide=id.p>

Santa Clara County is expected to release a final report later this year that will outline the environmental harms of this project. It is our hope that the real dangers are revealed, and county leaders deny this destructive operation. Digging up these lands would also decimate a landscape with invaluable cultural and spiritual significance. The property lies within Juristac, the most sacred ancestral lands of the Amah Mutsun Tribal Band.

The tribe is very invested in the condor's comeback, leading ceremonies to release the condors and working with the National Park Service on their recovery. Condors are a culturally significant species, serving as constant messengers between tribal members and their deceased relatives who have passed to the other side.

It is shortsighted to try to recover a species only to turn around to destroy their habitat. Juristac is not only a biodiversity hotspot but an important wildlife connectivity area that links the Santa Cruz Mountains to the Diablo and Gabilan mountain ranges.

Developing a quarry, a processing plant and all the associated roads and infrastructure here would severely degrade one of the last remaining wildlife connectivity areas in the region. This area is crucial for the survival of not just condors but the isolated puma population, which is reaching dangerous levels of inbreeding.

Other threats to Amah Mutsun ancestral lands and this critical connectivity area abound in nearby San Benito County, where the county is pushing to build commercial development projects like Strada Verde, Betabel, and the San Benito Ag Center. The cumulative impacts of these projects would be devastating to the tribe and local wildlife.

Overdevelopment has led to habitat fragmentation and an extinction crisis that goes far beyond condors. We have to avoid the mistakes that brought us to this extinction crisis in the first place. Otherwise, poorly planned development will lead to a world where the sight of condors soaring overhead is a mere fantasy.”³

FISCAL/RESOURCE IMPACT

The property at issue is located in south Santa Clara County and under review by the Santa Clara County Department of Planning and Development. As such, staff has not conducted an independent review of the proposed development or other facts. Should the Council wish to proceed with adoption of the recommended Resolution as presented, staff does not anticipate any additional resource impact. However, should Council desire further review and analysis of issues, staff would need to evaluate the resources required and any impact to ongoing priorities.

ATTACHMENTS

Attachment A - Resolution in Support of the Efforts of the Amah Mutsun Tribal Bank to Preserve Juristac Sargent Ranch as Open Space

³ <https://www.santacruzsentinel.com/2024/04/10/guest-commentary-condors-were-rescued-from-extinction-but-hard-work-has-just-begun/>

A RESOLUTION OF THE CHARTER CITY OF PALO ALTO, CALIFORNIA IN SUPPORT OF THE EFFORTS OF THE AMAH MUTSUN TRIBAL BAND TO PRESERVE JURISTAC/SARGENT RANCH AS OPEN SPACE

BE IT RESOLVED BY THE CHARTER CITY OF PALO ALTO AS FOLLOWS:

WHEREAS, the Charter City of Palo Alto is located within the ancestral lands of Ramaytush-speaking Ohlone peoples, represented today by the Muwekma Ohlone Tribe, Association of Ramaytush Ohlone, and other tribal nations;

WHEREAS, the Amah Mutsun Tribal Band is comprised of descendants of Mutsun-speaking Ohlone peoples, whose ancestral territory includes southern portions of Santa Clara County;

WHEREAS, the Amah Mutsun Tribal Band, Muwekma Ohlone Tribe, Association of Ramaytush Ohlone, and other Ohlone tribal nations and families survived two centuries of violent persecution and displacement during the Spanish, Mexican and American periods and today are working diligently to restore their Indigenous practices, regain stewardship of their lands and heal from historical trauma;

WHEREAS, the area known as Juristac to the Amah Mutsun Tribal Band 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 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 403 acres within the landscape of Juristac, called Sargent Ranch by the Debt Acquisition Company of America;

WHEREAS, the Draft Environmental Impact Report (DEIR) prepared by Santa Clara County found that the Sargent Ranch Quarry would cause 14 separate significant and unavoidable impacts, including “permanent and irreversible alterations” to the Juristac Tribal Cultural Landscape that no reclamation activities could ever restore, and could also result in potential disturbance of archeological sites and human burials;

WHEREAS, the DEIR further found that the Sargent Ranch Quarry, due to its location directly across a major wildlife corridor in and out of the Santa Cruz Mountains, would interfere substantially with wildlife movement, which could reduce genetic variability and make populations of animals such as mountain lions more vulnerable to local extinction;

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

WHEREAS, every major environmental organization in Santa Clara County, as well as several statewide and national environmental organizations, has announced public opposition to the Sargent Ranch Quarry;

WHEREAS, resolutions supporting the efforts of the Amah Mutsun Tribal Band to preserve the entirety of Juristac as open space have been unanimously adopted by the city councils of the City of Gilroy, City of

Mountain View, City of Morgan Hill, City of Santa Cruz, City of Santa Clara, and City of Sunnyvale, as well as the Santa Cruz County Board of Supervisors, the California Democratic Party, and the Santa Clara County Democratic Party;

WHEREAS, the Santa Clara County Human Rights Commission has voted unanimously to recognize the desecration of the Amah Mutsun sacred site of Juristac as a significant human rights issue and to recommend that the County of Santa Clara deny approval of permits for the proposed mine;

WHEREAS, Juristac/Sargent Ranch 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 Palo Alto Comprehensive Plan includes a Natural Environment Element that clearly demonstrates the City's commitment to protection of the natural environment, including policies calling for the protection of special-status species and plant communities (Policy N-1.4), preservation of the foothills and hillside areas for their unique value as natural ecosystems and interconnected wildlife corridors (N-1.6), minimizing impacts of any new development on the natural ecology of the hillsides (Policy N-1.8), and supporting regional and sub-regional efforts for a seamless open space system, including habitat linkages and trail connections (Policy N-1.10);

WHEREAS, the Palo Alto Comprehensive Plan calls for the protection of archeological resources, including natural land formations, sacred sites, the historical landscape, historic habitats and remains of settlements here before the founding of Palo Alto in the 19th century (Policy L-7.15);

WHEREAS, the Amah Mutsun Tribe is very invested in the condor's comeback, leading ceremonies to release the condors and working with the National Park Service on their recovery. Condors are a culturally significant species, serving as constant messengers between tribal members and their deceased relatives who have passed to the other side. It is shortsighted to try to recover a species only to turn around to destroy their habitat;

WHEREAS, Juristac is not only an important wildlife connectivity area, it is also a prime habitat for California red-legged frogs, golden eagles, American badgers and mountain lions and is an area crucial for the survival of not just condors but many other species;

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CHARTER CITY OF PALO ALTO AS FOLLOWS:

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

4) Effective date. This resolution shall become effective immediately.

PASSED AND ADOPTED by the City Council of the Charter City of Palo Alto at its meeting held on this xxth day of xxxx month by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT: