

RESOLUTION NO. NS-29,624

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

WHEREAS, on May 9, 2017, the City of Santa Cruz adopted a resolution recognizing the Amah Mutsun Tribal Band as a historic and continuous tribe of the region with ancestral ties to Mission Santa Cruz; and

WHEREAS, Mutsun descendants, today represented by the Amah Mutsun Tribal Band, are working diligently to restore their indigenous practices, regain stewardship of their lands, and heal from historical trauma; and

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, an area known as *Juristac* to the Amah Mutsun; and

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

WHEREAS, the Amah Mutsun maintain that the proposed mining pits, overburden piles, roads, and processing facilities would irreparably harm Mutsun cultural resources, landscape features, and the spiritual integrity of *Juristac*; and

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

WHEREAS, on Jan. 15, 2020, the City of Morgan Hill unanimously passed a resolution in support of preserving the entirety of *Juristac* as open space; and

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

WHEREAS, the Sargent Hills area, which forms the southern terminus of the Santa Cruz Mountains, is identified in the Santa Clara Valley Habitat Plan and other regional habitat connectivity studies as a vital wildlife corridor linking the Santa Cruz Mountains, Gabilan Mountains, and Diablo Range; and

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WHEREAS, it is a goal of the City of Santa Cruz to protect, enhance and sustain native and natural plant and animal communities and habitats [NRC2, 2030 General Plan] and to protect, enhance, and maintain movement corridors and buffers [NRC2.3]; and

WHEREAS, the City of Santa Cruz seeks to lead the community in the conservation and stewardship of natural resources [NRC3] and coordinate with other public entities in assuring public access to unrestricted open space lands [PR3.2]; and

WHEREAS, on October 25, 2011 the City of Santa Cruz passed a resolution affirming support for the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP); and

WHEREAS, Article 12 of UNDRIP states, "Indigenous peoples have the right to manifest, practice, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites;" and

WHEREAS, UNDRIP establishes a standard of "free, prior and informed consent" in regard to actions and policies that may affect the lands, territories, and resources of indigenous peoples [Article 19]; and

WHEREAS, it is the policy of the City of Santa Cruz, as outlined in the 2030 General Plan, to encourage and facilitate the protection and preservation of traditional cultural properties [HA1.7];

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Santa Cruz 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;

BE IT FURTHER RESOLVED that the City Council of the City of Santa Cruz urges the County of Santa Clara to deny approval of permits for the proposed Sargent Quarry Project.

PASSED AND ADOPTED this 11th day of February, 2020 by the following vote:

AYES: Councilmembers Watkins, Mathews, Brown, Glover, Krohn; Vice Mayor Meyers; Mayor Cummings.

NOES: None.

ABSENT: None.

DISQUALIFIED: None.

APPROVED:


Justin Cummings, Mayor

ATTEST:


Bonnie Bush, City Clerk Administrator