



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".

Alice Kaufman
Legislative Advocacy Director, Green Foothills