

# *Learning about Indigenous Rights and Environmental Justice*

## **Introduction to the Amah Mutsun Tribal Band's Campaign to Protect Juristac**

### What and Where is Juristac

*Juristac* (Huris-tak) lies at the heart of the ancestral lands of the Amah Mutsun Tribal Band near Gilroy, California at the southern edge of Santa Clara County. For thousands of years, Mutsun ancestors lived and held sacred ceremonies at this location in the foothills of the Santa Cruz Mountains, above the confluence of the Pajaro and San Benito rivers. The cultural landscape encompassing Juristac is known today as the Sargent Ranch.

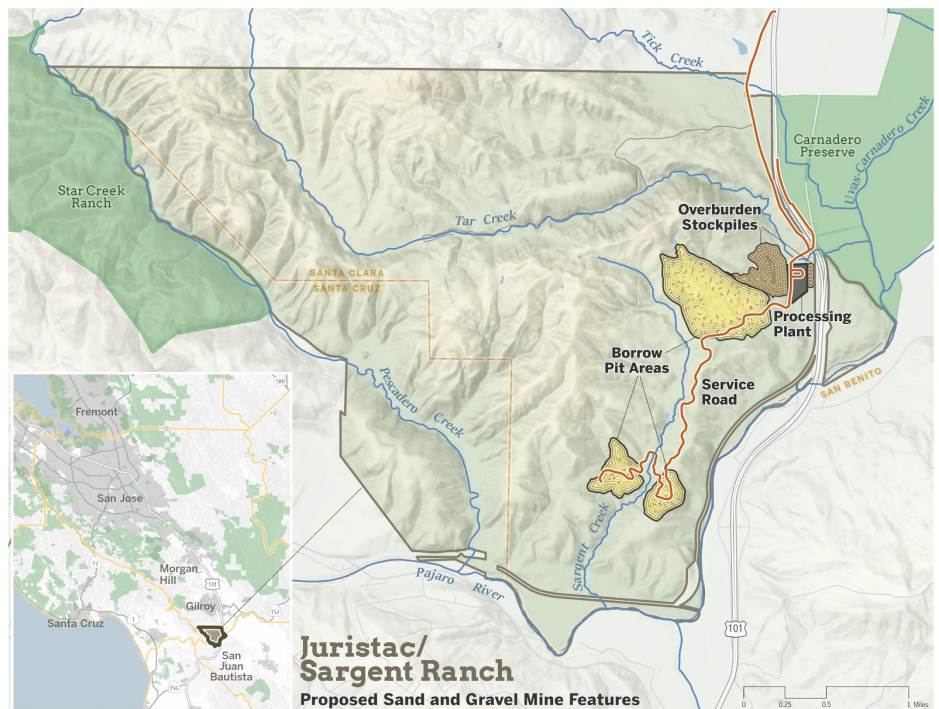


(Google satellite image of intact Juristac site)

### The Proposed Mine

An investor group based in San Diego purchased the land at a bankruptcy auction and is currently seeking to develop a 320-acre open pit sand and gravel mining operation on the property.

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 30-foot wide access road. An estimated 40 million tons of sand and gravel aggregate would be produced over the 30 year life of the mine, primarily for use in local road building and general construction.



(Image prepared in 2019 by the [GreenInfo Network](#))

For property owner [Debt Acquisition Company of America](#) (DACA), the quarry project is an opportunity for financial gain. Doing business under the name Sargent Ranch Management Company, DACA has hired a Palo Alto based firm, [Freeman Associates LLC](#), to shepherd their proposed quarry through Santa Clara County's planning and environmental review process.

## The Amah Mutsun People and the Impact of the Proposed Mine

The Amah Mutsun Tribal Band, comprised of more than 20 politically distinct peoples, represents descendants of indigenous people who survived the Santa Cruz and San Juan Bautista missions. Many Mutsun ancestors were taken into the missions from villages at Juristac including Xisca, Pitac and La Brea. After the missions were closed in the 1830's, some Mutsun people returned to homelands at Juristac, until a smallpox epidemic and pressures from American settlers led to their relocation to surrounding towns and ranchos.

For Mutsun people, Juristac is the home of a powerful spiritual being known as Kuksui. Juristac translates to "place of the Big Head," and Big Head dances associated with Kuksui and other healing and renewal ceremonies took place in the area for centuries, often attended by neighboring tribal groups. The entire area now known as Sargent Ranch and previously named Rancho Juristac contains a complex of cultural sites and features of spiritual significance.

The Tribe, which like many California Indian tribes does not have federal recognition and holds no land within their traditional territory, draws a clear connection between today's threats to sacred sites and the legacy of colonial violence their people have endured. "The destruction and domination of Amah Mutsun culture, spirituality, environment and people never ended,"

Chairman Valentin Lopez states. "It just evolved to the destructive projects that we see today."



For the Amah Mutsun, there exists a responsibility to Creator to care for the land and all living things as sacred. In 2005 the tribe began to recommit to the stewardship of their traditional territory.

Through the Amah Mutsun Land Trust the tribe has been able to create partnerships with public and private landowners in order to restore access to ancestral lands for stewardship, ceremony, learning. The efforts to protect Juristac is part of this work to fulfill the obligation to Creator. Regaining access would afford opportunities for land-based relearning of indigenous knowledge that had been passed down for thousands of years on lands that remain relatively pristine.

"When you look at our other ceremonial sites and our hunting, fishing and gathering places, the vast majority of these places have been lost to development," Lopez explains. "Juristac is one of the very last remaining undisturbed areas."

## The Environmental Impact Report Process and Environmental Consequences

The project is currently undergoing environmental review as required by the California Environmental Quality Act (CEQA). A draft Environmental Impact Report (EIR) is being prepared by Santa Clara County and is expected to be released at the end of summer 2020. After its release there will be a comment period, typically lasting 45 days. The County then must review and respond to public comments prior to publishing the final EIR. How this process will

occur in this era of COVID-19 is unknown. The Santa Clara County Planning Commission will review the final EIR and make a decision to approve or deny the quarry's conditional use permit application. This decision can be appealed to the Santa Clara Board of Supervisors.

The proposed quarry and processing plant represents a major intrusion into an otherwise relatively pristine area. Juristac's grasslands, oak woodland, riparian corridors, freshwater ponds and streams provide important habitat for an abundance of species. The project would eliminate approximately 248 acres of grassland habitat important for the California tiger salamander and California red-legged frog, both federally-listed threatened species, while also degrading breeding habitat in ponds adjacent to quarry operations. Birds of prey that forage in the area such as the Golden Eagle, Northern Harrier, Prairie Falcon and Burrowing Owl would also be impacted. Quarrying would destroy approximately 33 acres of California live oak woodland, a valuable roosting and foraging habitat for many native species.



*(Burrowing Owl photo: M. Damiani)*

The Sargent Hills have been identified in numerous landscape linkage studies as a critical point of habitat linkage between the Santa Cruz Mountains and the Diablo and Gabilan mountain ranges, where animals are able to move between different habitats to find food, shelter, and mates. The Sargent Hills provides valuable north-south passage for wildlife such as the American badger, a California listed species of special concern, and the cougar. Juristac's wildlife corridors would be disrupted by the quarry and its processing plant, roads, and associated infrastructure. In recognition of its unique habitat values, the Santa Clara Valley Open Space Authority identified the Sargent Hills as a Conservation Focus Area in its 2014 [Santa Clara Valley Greenprint](#).

The quarry project would significantly degrade the Sargent Creek watershed and result in new sources of air pollution. An estimated 162,800 gallons of water per day would be pumped from an onsite well for aggregate processing and dust control. According to the quarry plans on file with the County of Santa Clara, at peak operation there would be hundreds of truck trips each day adding to the existing congestion and air pollution on Highway 101 through Morgan Hill.

#### Media Resources:

- [Juristac: A short film by Ariel Bobbett](#) — 4 minutes, 2018.
- [Amah Mutsun Tribal Chairman Valentin Lopez's Perspective on Juristac](#) by Stanford Journalism 1/28/2020. 3 minutes.
- [Chairman Lopez speaks at United Nations about Juristac 4/17/18](#) – 3:30 min, YouTube
- ABC7 News 1/15/20: [Morgan Hill throws support behind tribal band in effort to preserve sacred land in South Bay](#)
- San Jose Inside 11/28/19: [Fight over Proposed Sargent Ranch Quarry is Shaping Up to be Silicon Valley's Standing Rock](#)
- Aptos Times 10/18/19: [Walking to Renew the Sacred](#)