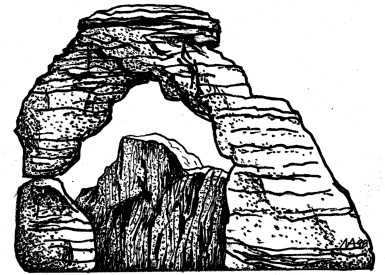


Californians for Western Wilderness

A project of Resource Renewal Institute



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September 23, 2022

Mr. Robert Salisbury
Senior Planner
Santa Clara County Department of Planning & Development

Via email: sgtquarry.comments@pln.sccgov.org
and PDF Attachment

Comments by Californians for Western Wilderness on the DEIR for the Proposed Sargent Ranch Quarry Project

Dear Mr. Salisbury:

I am writing on behalf of the nearly 900 members and supporters of Californians for Western Wilderness (CalUWild), a citizens organization dedicated to encouraging and facilitating participation in legislative and administrative actions affecting wilderness and other public lands in the West. Our members use and enjoy the public lands in California and all over the West.

We appreciate this opportunity to comment on the proposed Sargent Ranch Quarry Project at Juristac. Although CalUWild generally involves itself with large-scale, federal land preservation issues, we also recognize that there are always individual pieces of a landscape needing protection, too, whether they be landscapes of cultural importance or for other ecological reasons. The Sargent Ranch Quarry Project is of interest to us on both counts.

We urge you, in the strongest terms, therefore, to adopt the **No Project Alternative**—for several important reasons.

Cultural Significance

The site of the proposed quarry of is deep cultural and spiritual significance to the Amah Mutsun Tribal Band of Gilroy. The tribe has no land of its own and is not federally recognized. That does not mean they do not exist. And that fact makes it even more critical that they have access to their traditional, ancestral sites to support their culture and spiritual lives in the future.

The most important concerns for us are the following “impacts,” all of which are listed as having a “Significant and Unavoidable Level of Significance after Mitigation.”

Impact 3.5-4: The Project would cause a substantial adverse change in the significance of tribal cultural resources.

Impact 3.5-5: The Project would cause a substantial adverse change in the significance of the Juristac Tribal Cultural Landscape.

Impact 3.5-9: The Project could contribute to cumulative adverse changes in the significance of tribal cultural resources.

These alone are reasons to choose the No Project Alternative.

We suspect that **Impacts 3.5-1, 3.5-2, 3.5-3, 3.5-6, 3.5-7, and 3.5-8**, which are listed as having “Less than Significant Impact after Mitigation,” do, in fact, have significant impacts on the cultural and spiritual values of the land to the Amah Mutsun People, even if they might not seem to, to people with European understanding of land. The fact that the Tribe has used this location for its ceremonies for thousands of years illustrates that—they can’t simply relocate. A deeper exploration of those impacts is warranted.

CalUWild supported and was involved in the campaign to have the Bears Ears National Monument in Utah designated, which Pres. Obama did in 2016 (before Pres. Trump illegally shrank it, but which was restored by Pres. Biden last year). It was the first monument that Tribes themselves were active in proposing and that included Tribal co-management in its proclamation. Several national monuments are currently being proposed for creation or expansion, all of which include significant Tribal input and co-management provisions in their legislation.

While these are federal, they are included here as examples, because they illustrate the increasing recognition for Tribal concerns in land use and development decision-making. They are part of ongoing nationwide efforts to permanently protect lands of significance to Tribes and to involve local Tribes in the stewardship of their ancestral lands. The same recognition must be given at the local level, too.

The Amah Mutsun Band has made very clear its opposition to the project—the Chairman of the Tribal Band even [spoke at the United Nations](#)^{*}, in April 2018—and we wholeheartedly support their objections.

The County should not be party to the destruction of the site and its inevitable damage to Amah Mutsun culture and spirituality.

Ecological Significance

Juristac is an important juncture for wildlife migration. It links the Sant Cruz Mountains with the Diablo and Gabilan ranges to the east and south, respectively. The importance of migration corridors to preserving the genetic diversity of species is increasingly being recognized by science. With climate change, the ability of animals to move further north or to higher elevations is also becoming increasingly important. The proposed quarry would interfere with the migration of animals, and the impacts, even after mitigation are determined to be “Significant and Unavoidable.”

In addition, the DEIR lists direct impacts to quite a few wildlife species, and while mitigation supposedly makes those impacts "Less than Significant," when taken together with the impact of on oak woodland removal (also "Less than Significant") we think the cumulative impact may in fact be "Significant and Unavoidable."

For these reasons, we again urge the County to adopt the "No Project Alternative."

Thank you for the opportunity to comment. Please inform us of your decision in this matter and please also inform us of further opportunities to be involved in your public decision-making processes.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael J. Painter". The signature is fluid and cursive, with the first name being the most prominent.

Michael J. Painter
Coordinator

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* <<https://www.youtube.com/watch?v=P8mxSRuNktc>>