

A P P E N D I X G

A S S E M B L Y B I L L 5 2 M A T E R I A L S



Sacred Lands File & Native American Contacts List Request

Native American Heritage Commission

1550 Harbor Blvd, Suite 100
West Sacramento, CA 95691
916-373-3710
916-373-5471 – Fax
nahc@nahc.ca.gov

Information Below is Required for a Sacred Lands File Search

Project: Callan & East 14th Street

County: Alameda

USGS Quadrangle Name: San Leandro 37*43'34.10"N 122*09'23.76"W

This land has been in private ownership since before California joined the United States. It is therefore not part of the Township and Range system, which was a survey of federal lands.

Township: _____ **Range:** _____ **Section(s):** _____

Company/Firm/Agency: City of San Leandro

Street Address: 835 East 14th Street

City: San Leandro, CA **Zip:** 94577

Grace Wu, Senior Planner
(510) 402-2262

Phone: _____

Fax: _____

Email: GWu@sanleandro.org

Project Description:

The Callan & East 14th Street projects is a 5-story, mixed-use infill structure with 196 residential units on the upper three floors, above grocery/retail space and a garage on lower 2 floors. It is located at 1188 East 14th Street, San Leandro, CA 94577

This infill site is in the downtown urbanized core of San Leandro. It is currently developed with a vacant CVS pharmacy; underground parking garage; and two, 2-story commercial/office buildings.

PROJECT DESCRIPTION



Source: City of San Leandro, 2014; Alameda County, 2013; PlaceWorks, 2019.

Figure 3-1
Regional and Vicinity Map

NATIVE AMERICAN HERITAGE COMMISSION

December 22, 2020

Grace Wu, AICP, Senior Planner
City of San Leandro

Via Email to: gwu@sanleandro.org

Re: Native American Tribal Consultation, Pursuant to the Assembly Bill 52 (AB 52), Amendments to the California Environmental Quality Act (CEQA) (Chapter 532, Statutes of 2014), Public Resources Code Sections 5097.94 (m), 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2 and 21084.3, Callan & East 14th Street Project, Alameda County

To Ms. Wu:

Pursuant to Public Resources Code section 21080.3.1 (c), attached is a consultation list of tribes that are traditionally and culturally affiliated with the geographic area of the above-listed project. Please note that the intent of the AB 52 amendments to CEQA is to avoid and/or mitigate impacts to tribal cultural resources, (Pub. Resources Code §21084.3 (a)) ("Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.")

Public Resources Code sections 21080.3.1 and 21084.3(c) require CEQA lead agencies to consult with California Native American tribes that have requested notice from such agencies of proposed projects in the geographic area that are traditionally and culturally affiliated with the tribes on projects for which a Notice of Preparation or Notice of Negative Declaration or Mitigated Negative Declaration has been filed on or after July 1, 2015. Specifically, Public Resources Code section 21080.3.1 (d) provides:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section.

The AB 52 amendments to CEQA law does not preclude initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction prior to receiving requests for notification of projects in the tribe's areas of traditional and cultural affiliation. The Native American Heritage Commission (NAHC) recommends, but does not require, early consultation as a best practice to ensure that lead agencies receive sufficient information about cultural resources in a project area to avoid damaging effects to tribal cultural resources.

The NAHC also recommends, but does not require that agencies should also include with their notification letters, information regarding any cultural resources assessment that has been completed on the area of potential effect (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:



CHAIRPERSON
Laura Miranda
Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

SECRETARY
Merri Lopez-Keifer
Luiseño

PARLIAMENTARIAN
Russell Attebery
Karuk

COMMISSIONER
Marshall McKay
Wintun

COMMISSIONER
William Mungary
Paiute/White Mountain
Apache

COMMISSIONER
Julie Tumamait-Stenslie
Chumash

COMMISSIONER
[Vacant]

COMMISSIONER
[Vacant]

EXECUTIVE SECRETARY
Christina Snider
Pomo

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

- A listing of any and all known cultural resources that have already been recorded on or adjacent to the APE, such as known archaeological sites;
- Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
- Whether the records search indicates a low, moderate, or high probability that unrecorded cultural resources are located in the APE; and
- If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.

2. The results of any archaeological inventory survey that was conducted, including:

- Any report that may contain site forms, site significance, and suggested mitigation measures.

All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code section 6254.10.

3. The result of any Sacred Lands File (SLF) check conducted through the Native American Heritage Commission was negative.

4. Any ethnographic studies conducted for any area including all or part of the APE; and

5. Any geotechnical reports regarding all or part of the APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS are not exhaustive and a negative response to these searches does not preclude the existence of a tribal cultural resource. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the event that they do, having the information beforehand will help to facilitate the consultation process.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our consultation list remains current.

If you have any questions, please contact me at my email address: Sarah.Fonseca@nahc.ac.gov.

Sincerely,



Sarah Fonseca
Cultural Resources Analyst

Attachment

**Native American Heritage Commission
Tribal Consultation List
Alameda County
12/22/2020**

Amah Mutsun Tribal Band of Mission San Juan Bautista

Irenne Zwierein, Chairperson
789 Canada Road
Woodside, CA, 94062
Phone: (650) 851 - 7489
Fax: (650) 332-1526
amahmutsuntribal@gmail.com
Costanoan

North Valley Yokuts Tribe

Katherine Perez, Chairperson
P.O. Box 717
Linden, CA, 95236
Phone: (209) 887 - 3415
canutes@verizon.net
Costanoan
Northern Valley
Yokut

Costanoan Rumsen Carmel Tribe

Tony Cerda, Chairperson
244 E. 1st Street
Pomona, CA, 91766
Phone: (909) 629 - 6081
Fax: (909) 524-8041
rumsen@aol.com
Costanoan

North Valley Yokuts Tribe

Timothy Perez, MLD Contact
P.O. Box 717
Linden, CA, 95236
Phone: (209) 662 - 2788
huskanam@gmail.com
Costanoan
Northern Valley
Yokut

The Ohlone Indian Tribe

Andrew Galvan,
P.O. Box 3388
Fremont, CA, 94539
Phone: (510) 882 - 0527
Fax: (510) 687-9393
chochenyo@AOL.com
Bay Miwok
Ohlone
Patwin
Plains Miwok

Indian Canyon Mutsun Band of Costanoan

Ann Marie Sayers, Chairperson
P.O. Box 28
Hollister, CA, 95024
Phone: (831) 637 - 4238
ams@indiancanyon.org
Costanoan

The Confederated Villages of Lisjan

Corrina Gould, Chairperson
10926 Edes Avenue
Oakland, CA, 94603
Phone: (510) 575 - 8408
cvltribe@gmail.com
Bay Miwok
Ohlone
Delta Yokut

Indian Canyon Mutsun Band of Costanoan

Kanyon Sayers-Roods, MLD
Contact
1615 Pearson Court
San Jose, CA, 95122
Phone: (408) 673 - 0626
kanyon@kanyonconsulting.com
Costanoan

Muwekma Ohlone Indian Tribe of the SF Bay Area

Charlene Nijmeh, Chairperson
20885 Redwood Road, Suite 232
Castro Valley, CA, 94546
Phone: (408) 464 - 2892
cnijmeh@muwekma.org
Costanoan

Muwekma Ohlone Indian Tribe of the SF Bay Area

Monica Arellano,
20885 Redwood Road, Suite 232
Castro Valley, CA, 94546
Phone: (408) 205 - 9714
marellano@muwekma.org
Costanoan

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and section 5097.98 of the Public Resources Code.

This list is only applicable for consultation with Native American tribes under Public Resources Code Sections 21080.3.1 for the proposed Callan & East 14th Street Project, Alameda County.

Mogensen, Andrew

From: Corrina Gould <cvltribe@gmail.com>
Sent: Thursday, January 21, 2021 11:56 AM
To: Mogensen, Andrew
Subject: Re: City of San Leandro Project Notification (AB 52)

Hello Andrew,

Thank you for reaching back out to the Tribe about the proposed project. At this time the Tribe has no further information to supply about the proposed site for this plan. As always we encourage developers in our traditional territories to remain cognizant of the facts that our tribal people lived all over the Bay Area and because of colonization and genocidal practices that reached into the late 19th century and early 20th Century, it is not always possible to know for certain if you may find cultural resources or burials at sites where you anticipate ground disturbance. The Tribe wishes to be contacted if there is any findings.

'Uni (Respectfully),

Corrina Gould, Tribal Chair
Confederated Villages of Lisjan Tribe

On Thu, Jan 21, 2021 at 11:12 AM Mogensen, Andrew <AMogensen@sanleandro.org> wrote:

Good Morning Chair Gould,

I promised we would get back to you with the results of the Sacred Lands Inventory search from the NAHC, attached with this email. It looks like this came in while we were out on Christmas break and I regret the delay. The results were negative and no further information has been provided. We are still in the process of putting together an initial study for CEQA, but we would be happy to let you know when that process is completed and available for review. We will also post a copy on our website.

Thank You,

Andrew J. Mogensen, AICP

Planning Manager