

From: [Keyon, David](#)
To: [Downtown West Project](#)
Subject: Fw: Google Project SB 18 Letter
Date: Tuesday, June 8, 2021 4:41:06 PM

David Keyon

Principal Planner, Environmental Review
City of San Jose
(408) 535-7898 david.keyon@sanjoseca.gov

From: Keyon, David <david.keyon@sanjoseca.gov>

Sent: Tuesday, June 8, 2021 4:38 PM

To: Quirina Geary <qgeary@tamien.org>; Hill, Shannon <Shannon.Hill@sanjoseca.gov>; Han, James <James.Han@sanjoseca.gov>; Rood, Timothy <timothy.rood@sanjoseca.gov>; Severino, Lori <Lori.Severino@sanjoseca.gov>; Tu, John <john.tu@sanjoseca.gov>; Ruano, Jose <Jose.Ruano@sanjoseca.gov>; Chang, Chu <chu.chang@sanjoseca.gov>

Subject: Re: Google Project SB 18 Letter

Dear Quirina Geary,

This e-mail is in response to your request for consultation under SB 18 for the General Plan Amendments related to the Downtown West project. Please note that the City Council approved the Downtown West Project on May 25, 2021. However, City staff will be glad to meet with you to discuss the project and explain the mitigation measures, conditions, and standards for the project regarding Tribal Cultural Resources and archeological resources.

Tamien Nation was not notified under SB 18 because your organization was not included on the list of Tribal Representatives obtained from the Native American Heritage Commission (NAHC) for AB 52 and SB 18 notices in October 2019 and again in March 2021. Notices to the NAHC listed Tribal Representatives were provided regarding the project on the following dates:

- October 23, 2019: The City mailed combined SB 18/AB 52 notices to Tribal Representatives with an attached copy of the Notice of Preparation of an Environmental Impact Report (EIR) for the project, including project location maps and a conceptual plan. Notices were sent via certified mail and via e-mail.
- October 7, 2020: The City mailed notices of availability of the Draft EIR for public review to the Tribal Representatives on the NAHC approved list.
- March 3, 2021: The City sent updated SB 18 notices to reflect changes to the Downtown West General Plan Amendments using an updated list of Tribal Representatives provided by the NAHC.
- April 16, 2021: The City sent Tribal Representatives a link to the First Amendment to

the Draft EIR, which includes responses to public comments received during public circulation.

In addition, the City conducted extensive public outreach related to the project since fall 2019. This outreach included community meetings (with notices mailed to adjacent residents and published in the Mercury News), information booths at community events, Station Area Advisory Group (SAAG) meetings, the posting of information on the City's website, and surveys. The applicant also conducted extensive outreach through workshops and meetings with community groups. A full list of public outreach efforts for the project can be found at www.diridonsj.org.

The potential impacts of the project on Tribal Cultural Resources and archeological resources were evaluated in the EIR for the project. The Draft EIR, Final EIR, and supporting documentation can be found on the City's website at <https://www.sanjoseca.gov/your-government/department-directory/planning-building-code-enforcement/planning-division/environmental-planning/environmental-review/active-eirs/downtown-west-mixed-use-plan>.

Chapter 3.3 discusses the project's impacts to Cultural Resources and Tribal Cultural Resources, and identifies mitigation measures to reduce impacts to archeological resources to a less than significant level. An archeological records search through the NWIC was conducted for the project, and the results are summarized on pages 3.3-41 through 3.3-48. Table 3.3-3 includes a list of known archeological sites within 0.5 miles of the project site. Finally, impacts to archeological and Tribal Cultural Resources are discussed on pages 3.3-93 through 3.3-97.

The project will be built over the next 10 – 20 years. Please see Section 2.13 of the Draft EIR for a description of fastest anticipated project construction phasing and construction/grading activities. No detailed ground disturbance/grading plans are available at this stage of the project. Development plans for individual buildings will include grading plans that will be reviewed as part of the City's Conformance Review process, which is outlined on Sheet 8.01 of the Downtown West Design Guidelines and Standards (please see <https://www.sanjoseca.gov/Home/ShowDocument?id=70993>).

Thank you,

David Keyon

Principal Planner, Environmental Review
City of San Jose
(408) 535-7898 david.keyon@sanjoseca.gov

From: Quirina Geary <qgeary@tamien.org>

Sent: Friday, May 28, 2021 4:47 PM

To: Ying, David <David.Ying@sanjoseca.gov>; Hill, Shannon <Shannon.Hill@sanjoseca.gov>; Han, James <James.Han@sanjoseca.gov>; Keyon, David <david.keyon@sanjoseca.gov>; Rood, Timothy <timothy.rood@sanjoseca.gov>; Severino, Lori <Lori.Severino@sanjoseca.gov>; Tu, John <john.tu@sanjoseca.gov>; Ruano, Jose <Jose.Ruano@sanjoseca.gov>; Chang, Chu <chu.chang@sanjoseca.gov>

Subject: Re: Google Project SB 18 Letter

[External Email]

Dear Mr Chang,

As Chairwoman of the Tamien Nation, we are requesting a formal consultation under SB-18 for the Downtown West Mixed Use General Plan Amendment. Please see our attached letter.

Thank you and we look forward to working with your agency.

Sincerely,

Quirina Geary

On Fri, May 28, 2021 at 1:28 PM Ying, David <David.Ying@sanjoseca.gov> wrote:

Hello Quirina,

Thank you for calling today about the SB 18 tribal consultation letter for the Google Downtown West project. I was able to find [this](#) emailed letter regarding Native American cultural resources consultation under SB 18, which I think is what you were looking for. (If it's not, let me know.) I was also able to find the following email correspondence about tribal consultations: [1](#), [2](#), [3](#), [4](#). These and other records about the project can be viewed at downtownwestadminrecord.com. I hope this helps. Please let me know if there is any other related information you'd like me to look up.

Thank you,

David Ying (any pronouns)

Housing Policy Planner

City of San José | Planning, Building, & Code Enforcement

200 E Santa Clara Street, 3rd Floor Tower

408-916-7432

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Quirina Luna Geary
Chairwoman



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